

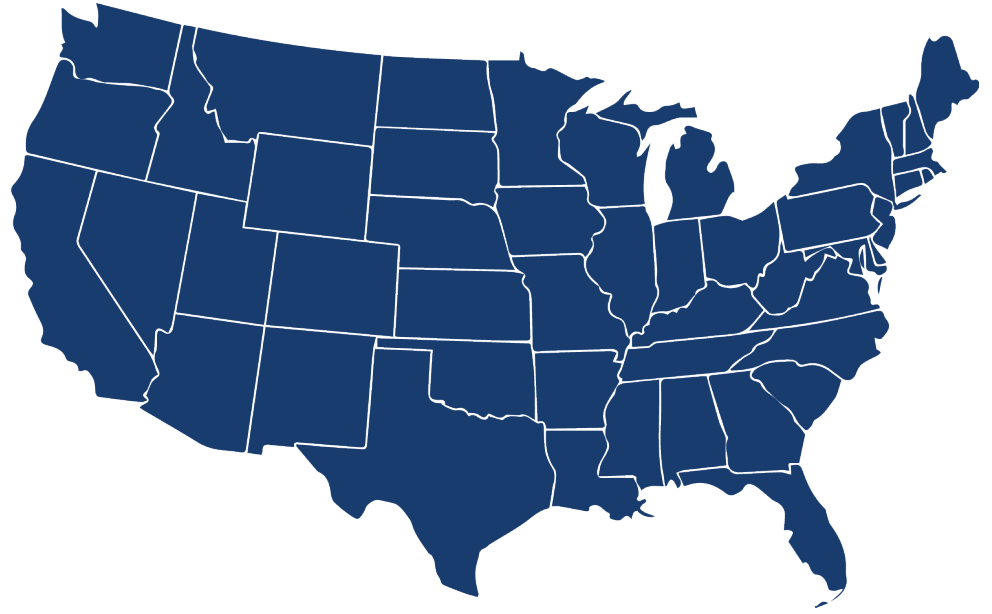
Professional Local Government Management

Effective Models of Local Governing in the U.S.

Representative Democracy

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- Article IV of the U.S. Constitution requires a representative democracy for every state in the Union

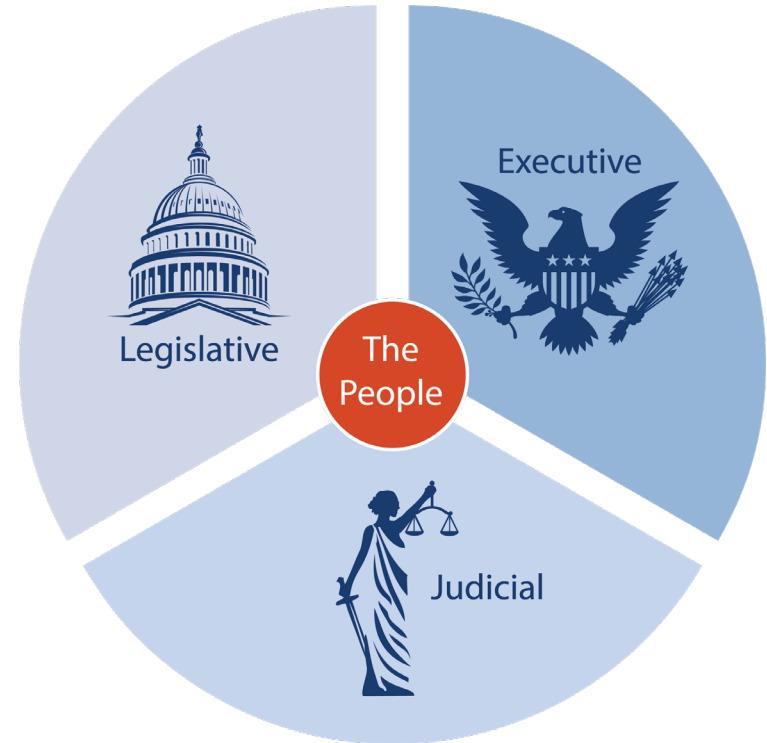


Separation of Powers

(Federal & State Government)

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- **Legislative Branch:**
establishes policy and makes laws
- **Executive Branch:**
administers government and executes policies
- **Judicial Branch:**
assures constitutionality of laws, and protects people's rights



Federal and State Powers



Exclusive Federal Powers	Concurrent Powers	Exclusive State Powers
Coin/print money	Taxation	Issue licenses
Regulate interstate and foreign commerce/trade	Pass and enforce laws to execute respective powers	Regulate intrastate commerce
Conduct foreign policy	Charter banks and corporations	Provide for public safety, health, and welfare
Declare war	Take land for public use with just compensation (eminent domain)	Conduct elections
Assemble, maintain, and regulate a standing army	Establish courts	Ratify Constitutional amendments
Establish a post office	Borrow money	Exert any powers not delegated to the federal government or prohibited by the Constitution
Establish rules of naturalization	Build roads/infrastructure	Establish local governments

Dillon Rule v. Home Rule



Dillon Rule	Home Rule
Local governments can only exercise powers explicitly granted to them by the state	State government delegates its authority in establishing local government powers (or particular powers) to the local government
Local governments may exercise powers necessarily or fairly implied or incident to the powers expressly granted	Local governments may enact any law, ordinance, or program provided it does not conflict with Federal or State law
Local governments may exercise powers essential to the declared objects and purposes of the corporation	The powers and limits of home rule is established in the state constitution and/or statutes enacted by state legislature.

Forms of Local Government

Forms of Local Government



Form of Government	Number	Percent
Council-Manager	4,398	40.0%
Mayor-Council	4,171	38.0%
Commission	1,303	11.9%
Town Meeting	1,056	9.6%
Representative Town Meeting	59	0.5%

Source: ICMA Survey Research 2018-2019;
municipalities with population of 2,500 or more

Town Meeting & Representative Town Meeting



Town Meeting Overview

All qualified voters convene and act as a legislative body to establish overarching policy, approve the budget, and select members to serve on a representative Board. The Board is responsible for determining how to manage the day-to-day operation and management of the municipality.



Photo by: Douglas McCulloch DartmouthWeekToday.com

Town Meeting & Representative Town Meeting



Representative Town Meeting Overview

Voters select residents to represent their interests at town meetings. All residents may attend town meetings and participate in the debate, but only the designated representatives may vote to determine policy and establish process for managing day-to-day operations.

Town Meeting & Representative Town Meeting



Perspectives

- Primarily used in New England and some Midwest states
- Advocates argue it assures the greatest voice to the people on matters of public interest
- Detractors argue that decisions are influenced too greatly on group-think and self-interest

Commission



Overview

Individuals are elected to serve on the Board of Commissioners. The Board as a collective is the legislative body of the locality. Individually, each commissioner serves as the head of specific departments and is responsible for staffing the department and executing the functions of the department.



Photo: Cook County, IL Government

Perspectives

- Found throughout the U.S.
- Primarily for smaller municipalities with the exception of Portland, OR, which is the only municipality over 100,000 people using the form
- Advocates argue it expedites decision-making in the administration of government
- Detractors argue that decisions are influenced too greatly by political interests and that commissioners may not have the technical expertise necessary for today's complex issues.

Mayor-Council

Overview

Much like the federal and state model, this model operates based on separation of powers. The elected council or board serves as the legislative body. The chief elected official (typically the mayor) is responsible for the administration and execution of government and is responsible for the day-to-day operations including hiring of staff.



Photo: Boston.gov

Perspectives

- Found throughout the U.S.
- Used in all sizes of governments, but is the most common in very small and very large municipalities
- Advocates argue that the separation of powers at the local level is necessary, and that the people have a stronger voice in how local government is managed through a single mayor instead of a commission, board, or council
- Detractors argue that mayors may not have the expertise needed to manage the organization and that the power of the mayor can usurp the will of the council.

Council-Manager

Overview

Elected council or board and chief elected official are responsible for making policy with advice of the chief appointed official (typically called City/County Manager or Administrator). The professional administrator is appointed by the board/council and has full responsibility for the day-to-day operations of the government.



Council-Manager



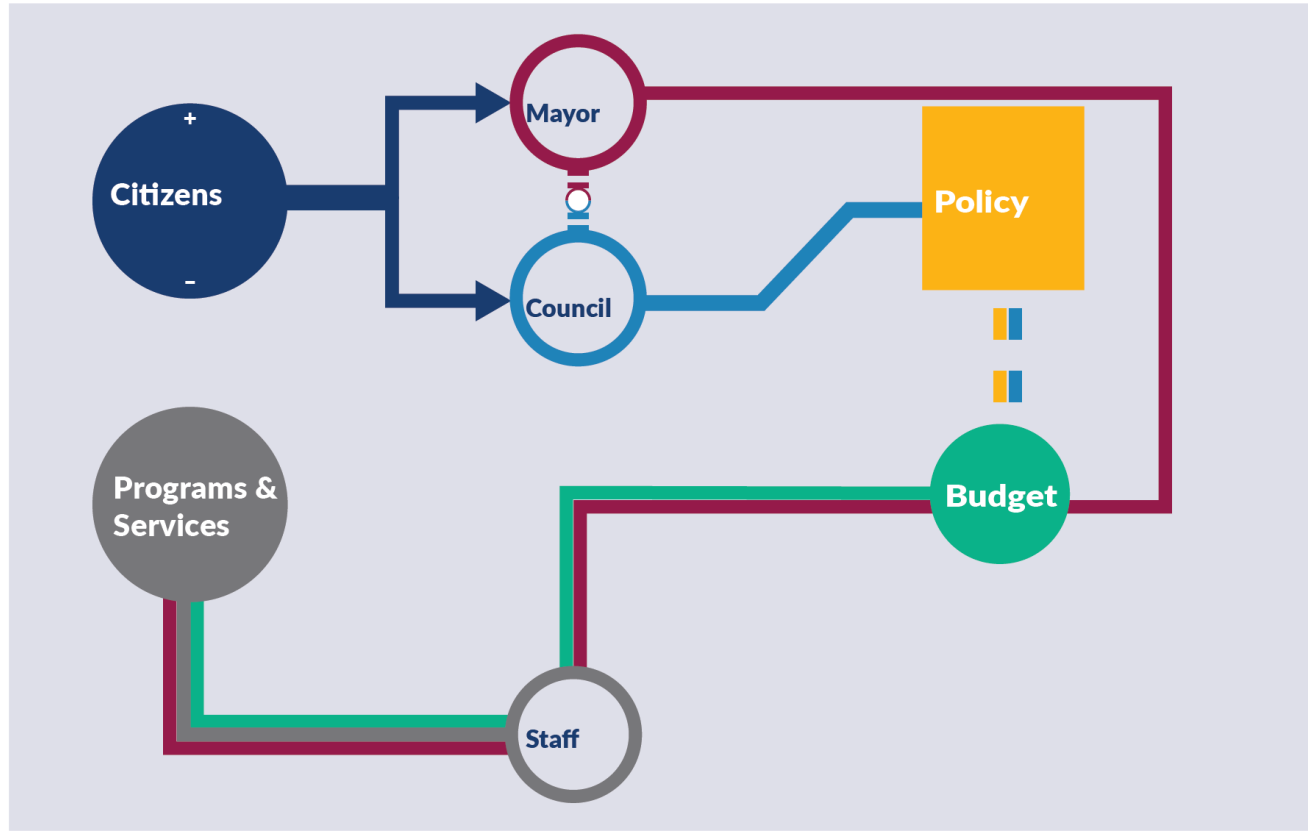
Perspectives

- Found throughout the U.S.
- Used in all sizes of governments and is the most common form of local government in the U.S.
- Advocates argue that a non-partisan professional administrator is better positioned to manage the complexities of local government organizations, and that the voice of the people is strengthened since the council may terminate the administrator at any time with a simple majority vote if they are not satisfied with his/her performance.
- Detractors argue that too much authority is granted to a non-elected administrator.

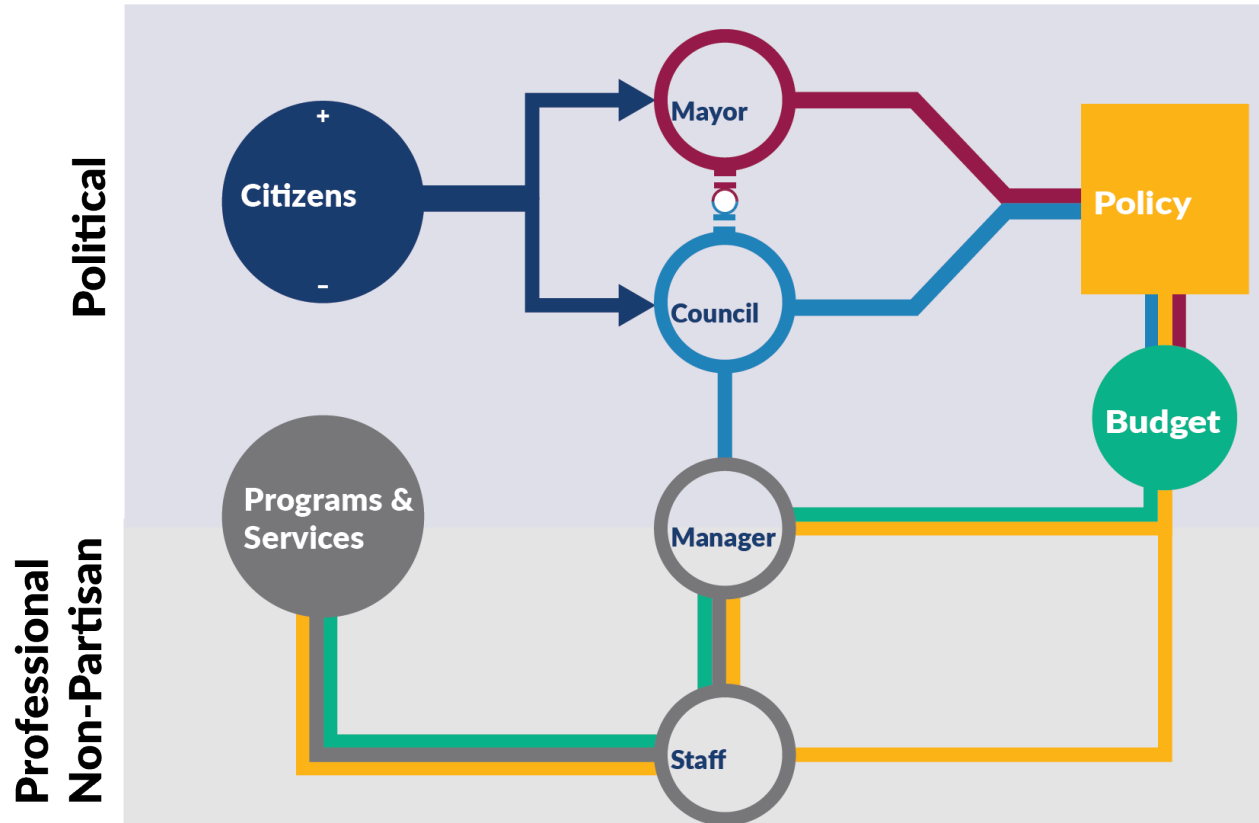
Why the Council-Manager is the Preferred Model in the U.S.

Mayor-Council Model

Political Process



Council-Manager Model



Key Benefits



- Form flexible enough to adapt to local needs and demands
- Mayor is a member of council, and therefore, there is no separation among the elected body
- Assures elected body has technical expertise to manage the operations of government and provide technical insight into their policy decisions
- Administration of government is bound to the needs of the people as expressed through their elected representatives

Key Benefits



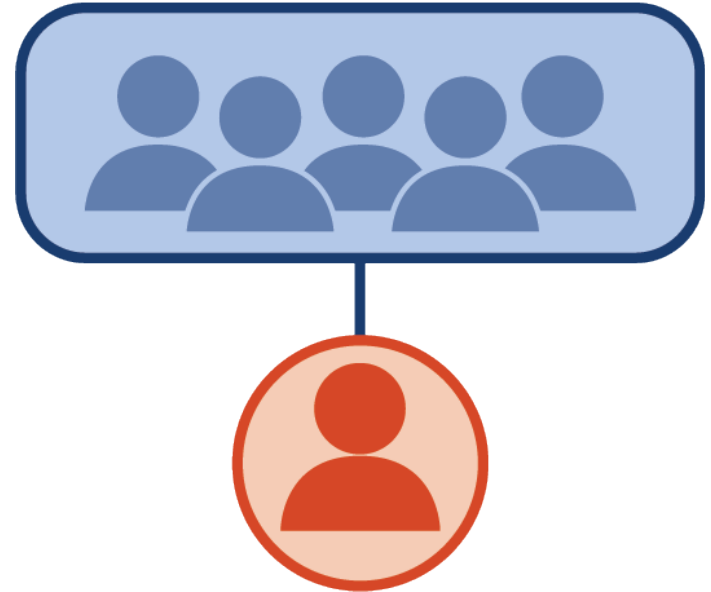
- Day-to-day operations managed by highly trained, nonpartisan, experienced professional
 - Increasingly, professional managers possess a master's degree (62% in 2006), often in public administration
- Allows the council to establish strategic priorities and broad policy direction for the government and for the community as a whole
- Administrator is held accountable to the council as whole and must demonstrate continuous improvement of community services to meet strategic direction of the council and delivery of services in the most effective, efficient and equitable manner possible

How It Works

Appointing a Manager

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- Manager appointed by majority vote of council for a definite or indefinite term
- Council may terminate the manager by a majority vote at any time
- Appointment should be based on professional experience, administrative qualifications, and education. Political affiliations should not influence appointment.



How It Works

Budget Process



- The manager prepares a budget for the Council's consideration
- Council makes any changes to the proposed budget it deems necessary and relevant
- Manager is responsible for administering the budget as approved by the Council.

How It Works

Hiring Staff

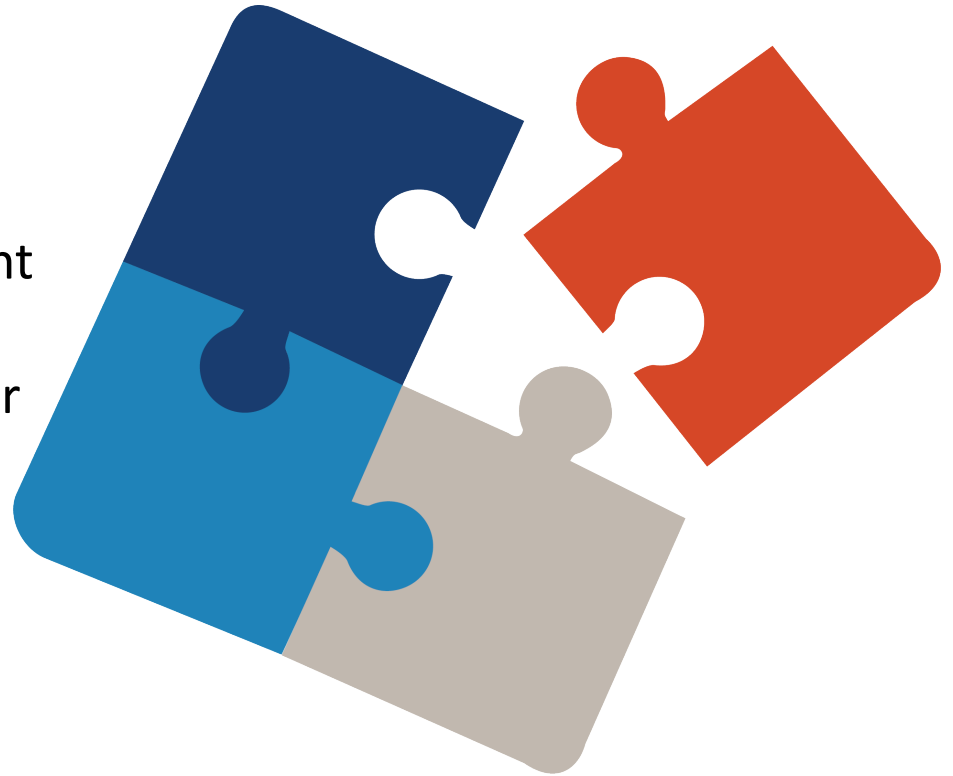


- The manager maintains full authority for the appointment and removal of department heads unless otherwise stipulated by local ordinance.
- Manager is responsible for daily operations of government including personnel policies, and typically must staff government based on a classification and compensation program adopted by the Council.
- Contractor services must be acquired based on purchasing regulations approved by the Council in most municipalities.

Value Proposition

ICMA

Instead of separating executive and legislative functions, Council-Manager form assures all those responsible for effective and efficient government bring their particular expertise to bear in collaboration for the benefit of the community.



Value Proposition



- Adds value to the quality of public policy and produces results that matter to the people
- Takes a long-term, community-wide perspective to provide sustainable results
- Assures that staff are led by an executive who is committed to a codified set of ethical practices in the service of public values
- Builds consensus among diverse interests by providing the voice of technical expertise among political needs and interests
- Promotes equity and fairness by providing non-partisan perspectives in policy debate and discussions
- Develops and sustains organizational excellence and innovation by hiring, developing, and maintaining staff based on professional expertise, *not* political favor

Results

Rankings



- Money magazine recently ranked Fort Collins, Colorado (pop. 128,000), number one “Most Livable Small City” and Colorado Springs, Colo. (pop. 369,800) as “Most Livable Large City” Both are council-manager
- 9 of 10 cities recognized in 2019 with the coveted “All-America City” award, which encourages civic excellence, are council-manager
- 2000 Government Performance Project evaluated 35 U.S. cities with largest gross revenues. The 2 cities receiving the highest overall grades of A and A- respectively were Phoenix, Arizona, and Austin, Texas. Both operate under council-manager form
- 4 of 5 cities designated by American City & County magazine as “Crown Communities” operate under C-M form. 5th has a professional manager.

Results

Bond Rating



- Of the 25 largest cities in the U.S., San Antonio, TX and Austin, TX have the highest credit rating. With AAA ratings from all three major credit rating agencies (Fitch, Moody's and S&P) - a rating less than 1% of all localities hold. Both operate under Council-Manager form
 - Additionally, 38% of the largest cities with a triple-AAA bond rating operate under Council-Manager form compared to 25% of those operating under Mayor-Council Form
 - None of the 25 largest cities under Council-Manager form have less than two AA ratings whereas 19% of Mayor-Council forms have single A or lower

ICMA Code of Ethics



- ICMA members agree to subscribe to a stringently-enforced Code of Ethics
- The Code was established in 1924 and ensures the professional and personal integrity of city, town, and county managers
- The Code also requires members to commit to a minimum of 40 hours of continuing education and professional development

For more information visit [icma.org/ethics](https://www.icma.org/ethics)

About ICMA



- Founded 1914 as professional organization for appointed local government managers
- Currently more than 8,600 members
- Roughly 5,400 city, town, or county managers or senior-level assistant/deputy managers
- Decisions made by ICMA members affect millions of individuals in thousands of communities

- **Mission:**
to create excellence in local governance by developing and fostering professional local government management worldwide
- Premier local government leadership and management organization

For more Information



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