

Date: February 25, 1981Page: 1

MEMBERS PRESENT: Chairman Dini  
Vice Chairman Schofield  
Mr. Craddock  
Mr. DuBois  
Mr. Jeffrey  
Mr. May  
Mr. Mello  
Mr. Nicholas  
Mr. Polish  
Mr. Prengaman  
Mr. Redelsperger

MEMBERS ABSENT: None

GUESTS: Mr. Ron Creagh, City of Reno, Assist. City Mgr.  
Mr. Bill Wallace, City of Reno Councilman  
Mr. Joe McClelland, City of Reno Councilman  
Ms. Debi Langston, City of Reno  
Mr. Bob Sullivan, Carson River Basin COG  
Mr. Stan Greene, City of Reno Councilman  
Mr. Mike Melner, American Civil Liberties Union  
Mr. G. P. Etcheverry  
Ms. Janice C. Pine, City of Reno Councilman  
Ms. Barbara Bennett, Mayor of Reno  
Mr. Bryce Wilson, Nev. Assn. of Counties  
Mr. Rusty Rubin, Reno News  
Mr. Bill Hamma, Reno Citizens for Controlled Growth

Chairman Dini called the meeting to order at 8:05 A.M. He stated that last week we were discussing AB-104 and it was understood that we would hear it this week again with Mr. Fred Welden, Senior Research Analyst of the Legislative Counsel Bureau, explaining to us what parcel map procedures are.

Mr. Welden outlined on the blackboard the material in his written testimony which is attached hereto and made a part of these minutes as EXHIBIT A. He finished his testimony by saying that the decision that the committee has to make is (1) if ownership doesn't matter ever, as in the bill, then you allow the local government to require improvements; (2) if you leave the law as it is now, you don't allow local governments to require improvements on any of the examples. When you get down to one acre, you can require additional improvements. If you are above one acre, you shouldn't be able to require someone to put in streets, paving, etc. If you don't require it, though, somewhere along the line, when you get down to one acre, you have such a mess on your hands that it is too late to require improvements.

Mr. Welden added that the law only gives local governments the authority to require offsite access to within 660 feet of an existing zone. This concluded Mr. Welden's presentation on AB-104.

Mr. Dini indicated that AB-104 would be taken up later.

Robert Sader, Assemblyman from Washoe County District 32 spoke on AB-139 - Amends charter of City of Reno to require councilmen be elected by voters of their respective wards. He indicated he is the prime sponsor of the bill with five other assemblymen who are sponsors and have Reno constituencies. At present, there are seven elected officials, with the Mayor and six councilmen. They are all elected at large, that is, the whole city votes for them. This bill would amend the City Charter to require that five of the seven be elected from specific wards, with the remaining two, one councilman and the mayor, to be elected at large. The reason I am sponsoring this bill is that I believe in accessibility of government to people who otherwise cannot afford to be elected officials. Campaigns have become very expensive that many people are excluded from the political process because of their inability to raise the funds necessary to put on a political campaign. If in the City of Reno elections were by wards instead of at large, a person would have a much reduced campaign expenditure. This is my primary reason. Secondly, in a representative form of government, as Reno and the Legislature is, people should have to represent specific districts and be answerable to specific districts.

Mr. Dini asked if he thought it might tend to polarize a person's opinion, whereas if he is elected at large he takes a broader view of issues.

Mr. Sader replied that yes and no. You can have people who will be provincial in their attitudes because they only have to answer to a specific constituency which is smaller than the whole. On the other hand, they are more responsive if they have to answer to a specific constituency. If we, as legislators, had to be elected at large, the people of your district might have very little to say.

Mr. Dini stated that to be a legislator, you take an oath that you will support the whole state. If you were elected at large, you could have everyone working on one project.

The next person to testify is Mike Melner from the American Civil Liberties Union who indicated he supports the bill. Someone can be elected from a specific district and represent that district and yet respond to the total needs of the community. The best kind of balance exists in single member districts in terms of knowing your constituency's interests and yet also working for the

common good. Mr. Chairman, I don't think that your House is polarized and I wouldn't think it would happen in the City of Reno.

Mayor Bennett testified that her testimony is a minority of one. The council did vote 6 to 1 to pose this kind of legislation. One of the objections of the council is that in 1973, the voters voted against this. We don't have the same city, attitude or size as we did eight years ago. I feel that the voters, given the full knowledge of all the facts, would feel differently. The council feels that there would be a return to ward politics, and I assume that they had in mind the dispensing of jobs, favors, etc. That is not the situation in Reno. Jobs now are under the protective custody of Civil Service laws. And favors can be dispensed as well under the present system. Most of the matters discussed at the council table do deal with city-wide concerns and I don't see that changing under a ward situation. Mr. Sader mentioned campaign costs. They have soared and have become prohibitive and the average working man just can't afford to run for office because of that fact. It is necessary to keep government as close to home as possible and in my mind that means keeping in districts. The cost to a candidate would be considerably less than if he ran city-wide. I do not presume to speak for all the people in the City of Reno, but I do presume to speak for a very sizable majority of the people of the City of Reno.

Mr. May asked what the outcome of the vote was eight years ago when this issue came before the people.

Mayor Bennett answered it was a fairly substantial win, or, a defeat for a change was substantial.

Mr. May asked when the next local election would take place.

Mayor Bennett indicated that the primary would be in May and the general in June. I think it would be a very appropriate question to be placed on the ballot. I believe the people are really uninformed as to the pros and cons about what ward politics will do. They have been told that ward politics create bad politics and if we are going to have this type of politics, we don't have to change the system at all. If a great deal of money comes from special interests, this does have an impact on how you arrive at the table because your philosophy must agree with those who are supporting your campaign.

Mr. Bill Hamma, Secretary, Reno Citizens for Controlled Growth, testified that the present system makes it difficult if not impossible for citizens of average means to become candidates

because of the cost. In order to run, you either have to have money of your own or get the money from special interests and which are obviously going to want favors in return. You gentlemen realize the problems you would have if you had to run state-wide and how much more it would cost. Nationwide there is a trend towards single member districts. Even though the voters defeated a change in 1973, the worst effects of this system have been felt since 1973. Mr. Hamma cited the MGM case, as far as the changes the voters have been making the last several elections in their council representatives. The council can be less responsive to a district if they are elected city-wide.

Mr. May asked if there were some areas that are more inclined to favor growth than others.

Mr. Hamma answered that the southwest area would favor continued growth.

Mr. Rusty Rubin spoke in favor of AB-139. He testified that the average working person cannot afford to run for office. Costs are prohibitive. He noted that the three seats that were up in Reno in the last election were replaced. In Sparks, where they are elected by wards, the three up for reelection were retained. A copy of a letter to Mr. Rubin from Marcel Durant, an ex-city councilman in support of the ward system is attached hereto and made a part of these minutes as EXHIBIT B.

Mr. Nick Wagner, with the Stationary Engineers Local 39, Reno, stated an experience he had in San Francisco, where for many years the supervisors were elected at large. In order to provide a broader community base in San Francisco, the community voted in favor of providing district elections. It brought to each person in the district a closer contact, a closer feeling with the individual that they elected.

Mr. Bill Wallace, Reno Councilman, spoke in opposition to the bill. He stated the the present system works, there is accountability. A person must live in a ward and be elected by the city. The answer is the accountability subsequent to the affordability of running a campaign is the answer. In 1973, the polarization that occurred and the parochialism of the prior system was turned away. The only benefit that can be derived by ward election is the cost factor. His other concern was if this body is the proper forum to discuss this particular problem. There are a limited number of citizens of our city that sit on this body.

Mr. Joe McClelland, Reno Councilman, presented the City of Reno City Clerk's study of August 19, 1980 and quoted statistics from it in support of retaining the current system. The report

indicates that election by ward is predominantly in our area and the United States for our type of government, which is council and manager. The reform movement also endorsed a shift in the constituency or representation of the city council from wards or districts to the city as a whole through at-large elections. This change was intended to reduce the parochialism of city legislators, while at the same time encouraging wider participation by people in the community. The report is attached hereto and made a part of these minutes as EXHIBIT C.

Mr. Stan Greene, Reno City Councilman spoke against AB-139. If the citizens what to change, I will go along with them.

Mr. Mello asked if he was suggesting that we put this on the ballot.

Mr. Greene indicated that if there was a desire to find out, that would be the way to do it. It was their choice to change it in 1973 and I think it would behoove us to give them the same choice. I treat the council and myself as a business, representing 100,000 stockholders. The business is worth \$80 million, with a budget of \$30 million. Stockholders have elected us as a board of directors. We are spending their money. I treat it as big business.

Mr. Dini asked if the council has thought about putting this on the ballot.

Mr. Greene replied they had not. The Mayor had brought it up for council discussion and it was opposed 6 to 1. I believe that a small group of people with lower income would like to get on the city council. These people feel it would cost less to run for a ward rather than at-large.

Mr. Prengaman indicated that he requested a bill to be drafted but unaware that Mr. Sader also was drafting a bill. It has been widely discussed. I have heard talk of this during the last two county conventions of both parties. Both conventions asked that this change be made.

Ms. Janice Pine, Reno Councilman, spoke in opposition to AB-139. She indicated her accessibility to all the voters in Reno. She quoted from the report that Mr. McClelland used in his testimony. "At large election of council members resulted in smaller and less fragmented councils that allowed for more reasonable legislative debate and decision-making". I view that as a plus. In interviewing for a new city manager, we found that a majority of them preferred election of council members on the at large basis. It is much easier to work with a cohesive group who is working for the betterment of an entire area, than a small segment of the community.

Mr. Craddock asked why it was that some of the assemblymen were aware of this bill, but that the councilmen appeared not to know anything about it.

Mrs. Pine answered that this was sprung on the Reno City Council. Not one of the sponsors of this bill spoke to me. It was not until the bill had a number on it that I became aware of it and talked to two of the assemblymen. We have a Citizens Policy Planning Advisory Commission which discussed election by wards. They came to the City Council with a recommendation for such. The City Council did not approve of their recommendation; that is where the 6 to 1 vote resulted.

Mr. Prengaman stated that letters were supposed to have been sent out by Assemblyman Sader to the councilmen. Mrs. Pine indicated that they did not receive them. Mr. Prengaman indicated that he would like to defend the people who came to us, though. The reason they came to us is because we can make the change. You can't. I mean, why would they approach the City Council if for nothing more than to just let you know about their concerns. They have to come here to make that change. This problem surfaced in Bob Rusk's race and in the general election. So it is something that has been out there in the community.

Mrs. Pine stated that it may be out there but it is not building up some sort of ground swell movement. I feel that a change in the Reno City Charter should be suggested by the people of Reno, and not by way of a bill. Now we are here today defending the actions, or not defending the actions, fighting the actions of other people. The City Council has been entirely circumvented in this instance.

Mr. Dini asked Mrs. Pine if she would support putting this on the ballot.

Mrs. Pine answered said no, but she would have a problem in rushing into putting it on the ballot. I have a problem with a small group who is well organized going into this with everything ready to go and putting the City of Reno in a defensive position of having to quickly catch up and prepare our material and alert the constituency that this is coming on. I like to have things placed on the ballot by the wish of the people.

Mr. Mello asked that if it goes on the ballot, would you be in favor of a choice. Mrs. Pine indicated yes. It should be a choice.

Mr. Dini indicated this will conclude testimony on AB-139.

Mr. Dini called the meeting back to order after a ten minute recess.

Mr. Dini indicated that the next bill to be discussed is AB-78 - Makes various amendments to charter of City of Reno.

Mrs. Pine, City of Reno councilman, indicated she was speaking on behalf of our mayor and City Council to ask for favorable consideration to several amendments to the Reno City Charter. These amendments have been unanimously approved by our City Council. They are mainly housekeeping items. Section 1.040 regarding annexations amends the number of population reference from 200,000 to 250,000 to comply with NRS 268. Section 1050.3 regarding the creation of boundaries of wards. This amends the reference to the County Clerk of Washoe County to also include the Washoe County Registrar of Voters. This anticipates this function being assumed by a registrar of voters position. Section 1090.3 - Appointed Officers - deletes the reference to an immediate assistant to the Airport Manager, as the airport is no longer under the jurisdiction of the city. Line 31, Page 2. Section 2010 adds a requirement of the city council members to live in the ward from which they are elected during their entire term. There is an omission in that there should be a Section 2050 regarding meetings. This would amend meeting notice 'subject to the provisions of NRS Chapter 241'. I would like to request at this time that this wording be added. Section 3.020.2, regarding duties of the City Manager, we are deleting the reference to the City Council approval of the City Manager's appointment of clerical employees. Section 3.040.2(a) deletes the four year term, as well as other requirements for the City Clerk. This is an appointive job by the City Council.

Mr. Dini asked why you are deleting "must be a bonafide resident of the city". Mr. Louis Test, City Attorney, answered that the council felt that this should be one of the considerations that they look at, at the time they make the appointment.

Mrs. Pine stated Section 9.270.3, Page 4, Lines 48 and 49, an error has been made in that the brackets should be removed. Also on Line 1, Page 5. Also, to further clarify the necessity for transcribing the hearings (Line 23), the intent is to save the city some money and the recommendation of the Civil Service Commission is to change the wording after "may be transcribed" to strike the rest of the sentence, and insert "if such a transcription is necessary for deliberation by this commission or for appeal to the district court". Transcriptions are very costly and this clarifies the intent and will prevent frivolous and unnecessary transcriptions at city expense.

This concluded testimony on AB-78.

Mr. Dini stated that he would like to appoint a subcommittee for AB-139 to review the possibilities of placing it on the ballot for this year's election. He appointed the Washoe delegation, with Mr. Mello, chairman, Mr. Nicholas and Mr. Prengaman and requested information on the procedures by February 26.

Mrs. Westall testified again on AB-2 and offered a memorandum dated February 23, 1981 giving the population breakdown for Washoe County as EXHIBIT D, and in support of more representation for Sparks.

Mr. Mello asked if in the bill there was a provision to replace the individuals. Mrs. Westall indicated there was not. Mr. Mello felt that there is a problem in that you can't replace them. It is almost like a lifetime appointment. Mrs. Westall indicated she would have no objection to Mr. Mello adding that in.

Mr. Jeffrey asked if there was a prohibition for elective officers to be on the board. Mrs. Westall indicated that at the time the bill was passed, elected officials did not want to be on it.

Mr. McClelland offered that the City Council cannot receive compensation from any other board.

This concluded testimony on AB-2.

Mr. Paul Prengaman, Assemblyman from District 26 testified on AB-186. He asked that for the record, Cannon International Airport is in his district. AB-186 incorporates more representation for the City of Sparks on the airport authority board. It also changes the composition of the board from an appointive status to one composed of locally elected officials. It would create an eight member board, 2 from Washoe County, 2 from Sparks, 4 from Reno with a non-voting chairman, elected from one of the members. The intent of the bill is to get a board directly responsible to the people, and opposed to the current board which has broad and sweeping powers and not directly responsible to the people. He gave a background of the operation for the benefit of the new committee members. The airport authority was created by Bill 198 in 1977. A copy of the statutes is attached as EXHIBIT E. SB-198 as adopted had many checks and balances in it. Page 1646, Sec. 6, the original airport authority act created members who served at the pleasure of the appointing authority, which meant they could be removed at any time. An attempt was made in 1979 to remove this check, which was unsuccessful. Members do serve at the pleasure of the appointing authority. At the bottom of Page 1647, eminent domain powers could only be exercised with the approval of the board of county commissioners. It was removed in 1979, so now the board has dominant eminent domain powers that it may exercise in their own right. It is unlimited and not specifically limited



to airport purposes. At the top of Page 1649, this check meant it took an affirmative vote of the Board of County Commissioners before the Authority could borrow money without an election. This check was removed in 1979. What controls the county still exercised over the Airport Authority could not be handled in an unreasonable, capricious or arbitrary way regarding approvals. At the present time, you have a board that is more autonomous than ever. You ask why is this change necessary. The board has many broad powers, many of which are unchecked. When you have an appointed board, you have conflicts of interest. Conflicts have occurred in the past. Another problem is finances. The airport at the present time is in financial trouble. SB-237 is currently in the Senate which will lift the limits on their short term borrowing. Some of the actions in the past two years in regard to finances raise serious questions about the ability of an appointed board to govern an airport. There is a current debt of \$1.5 million with heavy payments required. During the last two years, there has been some short term borrowing. In 1984, they have to come up with \$4 million to service the short term money. That means in 1984, they have to come up with \$8 million just to service their debts. To me, this could present some potential problems, particularly if you look at the income side of it. The economy is down, the number of passengers deplaning is down and last year there was only one month where there was an increase in the number of passengers coming in over a previous month. There is a \$29 million bond issue ready to go and this is for even more expansion, and would increase the debt to the people. There are some serious questions in regard to finances that have to be asked. The bottom line on all this and the reason that I bring up the finances is that ultimately what guarantees the Airport Authority is my house and the property of every property owner in Washoe County. I think the timing is right for a move. At the top of Page 1647, all the terms of all of the existing members expire on July 1, 1981, so if we were to change the composition of the board from appointed people to locally elected officials, we could make that change on July 1, 1981 without too much disruption.

Mr. Dini asked: Do you think that if the, say, city council were appointed to the Authority, would they correspond back to their appointive authority for information and guidelines and advice, or would they go out and work on their own.

Mr. Prengaman answered that the council is very busy and are not full time people. The county commissioners do have full time jobs. They have enough problems running their own city business. He brought up the petition signed by 6,000 people in Sparks protesting the noise factor. It was only then that the Airport Authority was brought in to testify what they were doing about the noise.

I feel that there are some real problems with the Airport Authority now and if we had had some oversight, or more oversight on the part of local government, we might not have some of these problems.

Mr. Mello asked what phase the Reno Airport is in right now in their construction. They have more than one phase, I'm sure.

Mr. Prengaman answered that he was confused about that because of the many change orders, cost overruns and grants that are being used.

Mr. Dini asked the committee if it wished to return at 1:15 P.M. to allow other testimony. He asked if anyone would like to testify now rather than later.

Mr. Nick Wagner stated that his concern regarding the bill is the fact that the number of the board is going to be increased. What about the community taxpayers? Are they going to have any direct influence upon what is happening to them through the board? I don't believe as much as if the board were elected. Lines 8-11 concerning when a position is considered vacant, appointing authorities shall appoint a successor. I believe that the successor should be appointed by a neutral person. It would allow for some impartiality. As to the phase of construction, half of the terminal is finished; administrative offices were to have been filled in April, and is now in the future. Employees are concerned with the phases of construction, in regard to adequate safeguards for their health and welfare.

Mr. Dini announced that we have run out of time as the sessions were commencing. We will meet again at 1:15 P.M. Meeting adjourned.

Mr. Dini called the meeting to order at 1:15 P.M.

On AB-92 - Amendments to the Carson City Charter - With the withdrawal of some requests by the Mayor, and the amendments to change the word "rats" to "rodents", delete Section 7 that deals with employees of judges and district courts, and allows the city to contract with the Fire Department.

Mr. Craddock moved an AMEND AND DO PASS. Mr. Nicholas seconded. Motion carried.

On AB-139 - Mr. Schofield moved to amend by calling for a general election. Mr. Craddock seconded. Motion carried.

On AB-78 - Mr. Schofield moved to AMEND AND DO PASS. Seconded by Mr. DuBois. Motion carried.

Both AB-2 and AB-186 were rescheduled for hearings on March 3, 1981 at 8:00 A.M. They would also be heard on Friday, February 27, 1981 at 9:00 A.M. for additional input as SB-237 is being heard at that time. All interested parties of the Airport Authority and Washoe County will be advised.

Mr. Dini appointed a subcommittee for AB-2 and AB-186 to develop research. Members are Mr. Schofield and Mr. Prengaman. We need to decide which bill we are going to comply with and would like this information by next Thursday.

Mr. Nicholas announced that his subcommittee on AB-94 would be meeting at 1:15 P.M. on March 10.

Mr. May announced that the subcommittee on AB-8 would meet, if the chairman is available, at the end of this meeting.

Mr. Dini adjourned the meeting at 1:50 P.M.

Respectfully submitted,

*Lucille Hill*  
Lucille Hill  
Assembly Attache

ASSEMBLY GOVERNMENT AFFAIRS COMMITTEE

GUEST LIST

Date February 25, 1981

PLEASE PRINT

PLEASE PRINT YOUR NAME	PLEASE PRINT REPRESENTING:	I WISH TO SPEAK		
		FOR	AGAINST	BILL NO.
+ Lon REGAN	City of Reno	(1) ✓	(2) ✓	(1) SB78 (2) AB139
+ Bill Pierce	" "	✓	✓	
X Joe McDaniel	" "	✓	✓	
DEBI LANGSTON	" "	✓	✓	
Bill Sullivan	Carson River Basin DC			
+ Stan Greene	City of Reno	(1) ✓	(2) ✓	(1) SB78 (2) AB139
X MIKE MELNER	ACLU	✓		AB 139
GP F. Hourigan	NEU League of Cities			

PLEASE PRINT

ASSEMBLY GOVERNMENT AFFAIRS COMMITTEE

GUEST LIST

Date 2-25

*Please Print*

<u>PLEASE PRINT YOUR NAME</u>	<u>PLEASE PRINT REPRESENTING:</u>	<u>I WISH TO SPEAK</u>		
		<u>FOR</u>	<u>AGAINST</u>	<u>BILL NO.</u>
JAMES C. PINE	City of Reno	✓		SR 78
+ MAJOR BENNETT	City Reno	✓	✓	AB 139
Bruce Wilson	Nev. Assn of Counties	✓		AB 104 / 61
+ ROSEY RUBIN	RENO NEWS	✓		AB 139
+ BILL HAMMA	RENO NEWS	✓		AB 137

STATE OF NEVADA  
LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING  
CAPITOL COMPLEX  
CARSON CITY, NEVADA 89710



LEGISLATIVE COMMISSION (702) 885-5627  
KEITH ASHWORTH, *Senator, Chairman*  
Arthur J. Palmer, *Director, Secretary*  
INTERIM FINANCE COMMITTEE (702) 885-5640  
DONALD R. MELLO, *Assemblyman, Chairman*  
Ronald W. Sparks, *Senate Fiscal Analyst*  
William A. Bible, *Assembly Fiscal Analyst*

ARTHUR J. PALMER, *Director*  
(702) 885-5627

FRANK W. DAYKIN, *Legislative Counsel* (702) 885-5627  
JOHN R. CROSSLEY, *Legislative Auditor* (702) 885-5620  
ANDREW P. GROSE, *Research Director* (702) 885-5637

February 25, 1981

M E M O R A N D U M

TO: Assemblyman Joseph E. Dini, Chairman, and  
Members of the Assembly Committee on  
Government Affairs

FROM: Fred Welden, Senior Research Analyst *FW*

SUBJECT: Parcel Map Procedures (A.B. 104)

When A Parcel Map Is Used

A parcel map is used when a piece of land is being divided into four or fewer parcels, any of which is less than 40 acres in size. Within its boundaries, a local government may adopt an ordinance which makes parcel maps applicable only when a piece of land is being divided into four or fewer parcels, any of which is less than 10 acres in size.

Purpose Of Parcel Map

Parcel map procedures were designed to allow "small" land divisions to be accomplished without having to go through all of the procedures required for subdivisions (divisions of land into five or more parcels). Therefore, the parcel map procedures are "scaled down" from those used for a subdivision. The map itself is less detailed, the number of certificates from reviewing agencies is less, and the authority to require improvements is less than the corresponding authority for subdivisions.

Authority To Require Improvements

NRS 278.462 allows a local governing body to require different types of improvements for three different situations relative to parcel maps. They are generally as follows:

- A. For any parcel map, the governing body may require:
1. Street grading;
  2. Drainage provisions; and
  3. Reasonable lot design.
- B. For a parcel map which is within 660 feet of an existing development, the governing body may require the following improvements to be consistent with the improvements in the existing development:
1. Offsite access;
  2. Street alignment, surfacing and width; and
  3. Water quality, water supply and sewage provisions.

If the proposed parcels are less than one acre in size, the governing body may require any additional improvements which would be reasonably necessary if the area were fully developed.

- C. For a second or subsequent parcel map with respect to a single parcel or contiguous tract of land under the same ownership, the governing body may require any reasonable improvement, but not more than would be required if the parcel were a subdivision.

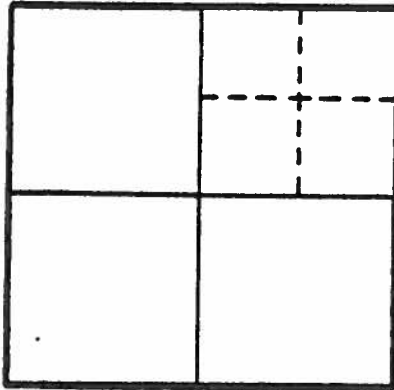
#### The Issue

In some areas, multiple parcel maps are having the effect of creating a subdivision without providing the services and improvements generally associated with subdivisions.

#### Multiple Parcel Maps

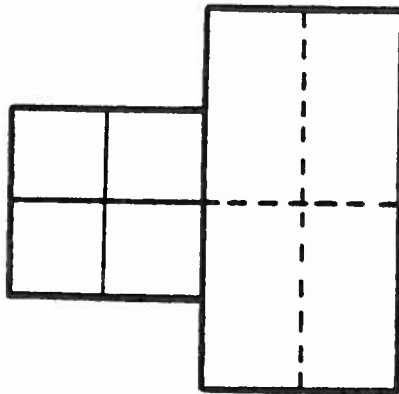
Two situations exist whereby multiple parcelling might occur. They may be illustrated by the following diagrams:

Situation I: (Reparcelling of a track of land)



—— indicates initial parcelling  
---- indicates later parcelling

Situation II: (Parcelling of a contiguous tract of land)



—— indicates initial parcelling  
---- indicates later parcelling



Continued parcelling under either of these situations could result in a subdivision-like development.

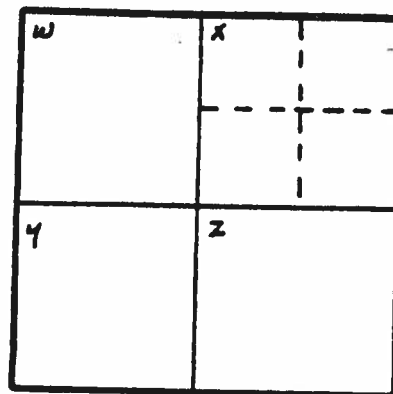
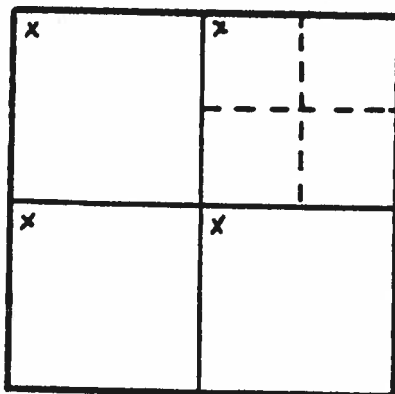
Under the existing parcel map law, reparcelling as described in situation I can continue without the local government being able to require additional improvements, as long as the parcels change ownership between each reparcelling. There is a question of interpretation of the existing law associated with whether parcelling of contiguous tracts of land could continue without the local government being able to require additional improvements.

The language proposed in A.B. 104 would allow the local government to require additional improvements under both situations, regardless of the ownership of the property.

Questions Of Policy

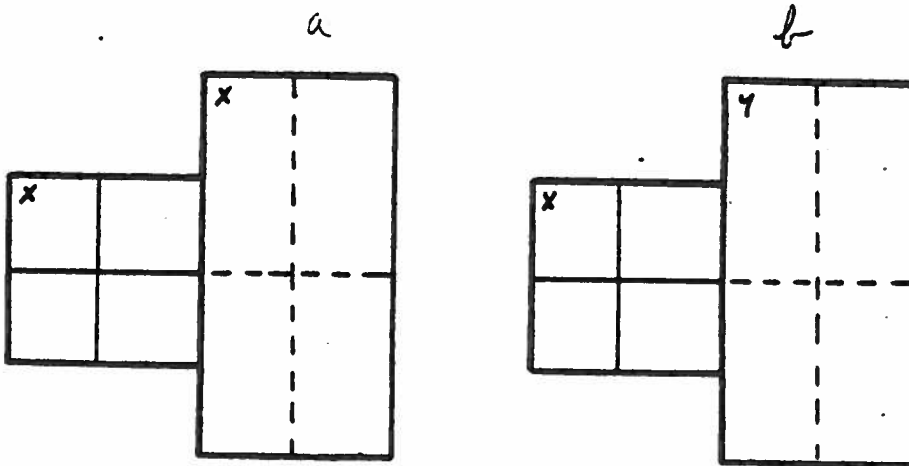
The answers to a few policy questions could help to determine whether the existing law should be retained, A.B. 104 adopted, or alternative language drafted. The questions are as follows:

1. Should the local governments be allowed to require additional improvements for reparcelling as in situation I:
  - a. If the ownership remains the same?
  - b. If the ownership changes between reparcelling?



2. Should the local governments be allowed to require additional improvements when parcelling is proposed for a tract that is contiguous to a tract which has already been parcelled (as in situation II):
- a. If the ownership of the two contiguous parcels is the same?
  - b. If the ownership of the two contiguous parcels is different?

FW/llp



Marcel Durant  
1895 Lander Street  
Reno, Nevada 89509

February 20, 1981

Mr. Rusty Rubin  
14021 Stead Blvd.  
Reno, Nevada

Dear Rusty,

I write to you in reference to your question regarding the present system of electing city council members in Reno. Even though the citizens of our community have in the past indicated a desire for the present procedure, I feel that some improvement can be and should be made.

Presently, I believe that the size of our city warrants a different approach. One must consider the court's dictum of one person one vote and the high cost of campaigning for city council.

I suppose that one could write a dissertation on the merits and on the faults of our present system; however, the key issue here is what is best for our system of government. My biased feeling is to lean towards the system the City of Sparks is employing. It is most democratic and offers its citizens a closer contact with their elected officials.

The purpose of government must be to govern and to serve its people. For this reason, a re-evaluation of our present method should be unbiasedly debated and appraised.

Sincerely,



Marcel Durant

# CITY OF RENO

Inter-Office Memo

August 19, 1980

Mayor and Council

From: Gilbert Mandagaran, City Clerk

Subject: Legislative Revisions to the Reno City Charter

At the regular meeting held August 11, 1980, the City Council requested that a survey be conducted by this office in order to determine the number of municipalities which currently elect their councilmembers by an at-large system.

Attached for the Council's review is a summary of the survey as prepared by Donald J. Cook, Chief Deputy City Clerk, as well as material provided by the International Institute of Municipal Clerks dealing with governmental forms and structures, e.g. mayor-council form of government vs. council-manager form of government and the at-large system of electing local representatives.

The Council is in receipt of information pertaining to an action filed with the Alabama courts charging that Mobile, Alabama's at-large system for electing city commissioners was unconstitutional. The matter has been heard by the U. S. Supreme Court and on April 22, 1980 a decision was rendered by the court indicating that Mobile, Alabama's at-large system of voting does not violate either the 15th Amendment or the Equal Protection Clause of the 14th Amendment (Bolden v. Mobile No. 77-1844). Copies of the material are provided for Council's review.

Upon review of the attached information, the following observations are submitted:

## A. Manager-Council vs. Mayor-Council Form of Government

1. Of the 838 cities examined, the council-manager form is most common, occurring in 55.5% of the localities. The high incidence of the council-manager form of government indicates that urban residents view efficiency and professional competence as the central value in urban government.
2. The mayor-council form emphasizes the importance of political leadership and conflict resolution and has the longest history and tradition. This form of government is now found in only 39% of the 838 communities examined as well as in some of the largest cities.
3. New England and Middle Atlantic cities show the greatest dominance of the mayor-council form. The emphasis on professional management is paramount in the west (Mountain and Pacific regions), where the council-manager form is found in 79.5% and 92% of the localities, respectively.

Exhibit C

525


4. City age is directly related to the adoption of the council-manager plan, nonpartisan elections and at-large council; younger cities show an overwhelming preference for these reformed institutions. The age of a community reflects not only the depth of its political traditions but also the degree of attachment by its residents to a given set of political institutions.

**B. Council Constituency and Electoral Ballot (Council-Manager Form of Government)**

1. The Pacific region is dominated by reform, with only a single community reporting a partisan ballot. At-large elections, while predominant, are most common among Pacific cities (88%) and least frequent in West North Central cities (47%). Despite the general consistency of the reform structures, some cities have altered and adopted them to local traditions and desires.
2. Sixty-nine percent of all council-manager cities have adopted both the nonpartisan ballot and at-large elections. The presence of both structures is most marked in the Pacific region.

The conclusion was made that innovative governmental reforms can be seen as a continuous search for the best form of government possible; however, to achieve this form of government is impossible. The variations of needs and demands of a particular community can be seen in the variations of governmental structures which have been adopted to local needs.

Respectfully,

  
Gilbert Mandagaran  
City Clerk

GM:gv

xc: Henry Etchemendy, City Manger  
Louis Test, City Attorney

CITY OF RENO

Inter-Office Memo

August 12, 1980

Gil Mandagaran, City Clerk

From: Donald J. Cook, Chief Deputy City Clerk

Subject: Summary of Survey Re: Councilmember Election Procedures

After review of the latest Municipal Year Book and direct contact that I established with various cities throughout the United States, I have made the following observations and analyses of data collected:

- Reno's present form of government (Council/Manager) is best represented in the Western states of the nation; many cities from the Midwest to East Coast utilize the Mayor/Council form of government, especially in those having a population of 100,000 or more.
- As you can see from the attached survey, most of the cities contacted were from the Western states. This was done for the purposes of achieving a consistent pattern of preference of electoral processes in a geographic area generally dominated by the Council/Manager form of government.
- Of the cities polled, 55.5% had all members of Council elected at-large with no districts or wards involved. All indicated it was a very workable system, with no complaints. There was a general consensus of the individuals surveyed that citizens would contact the Councilmember who would be most sympathetic toward their own views on a particular issue. As a representative of an entire community, each member of the body would receive an overview of city needs.
- The following is a breakdown of the remaining 45.5% (8 communities):
  - Three (3) elect by district for both the primary and general election; members to continue to live within that district after election for only two (2) of the three (3) communities.
  - Two (2) elect by district for one election only as they do not have both a primary and general election. Must remain in district.
  - Two (2) elect by district for primary; at-large in general election. Must remain in district.
  - One (1) has by district in primary; at-large in general election. Member may move out of district. This system has had problems; is on ballot for potential change during upcoming election in November, 1980.

It is also interesting to note that of the eight communities indicating district elections, only two are from California; one of which (Pasadena) may change procedure after the next election.

*Don*

Donald J. Cook  
Chief Deputy City Clerk

DJC:gv

xc: file

COUNCIL MEMBER SURVEY ANALYSIS

CITY, STATE W/ C/M GOVT.	POP. 1000's (1975)	DO COUNCIL REP'S RUN BY WARD IN BOTH PRIMARY & GENERAL ELECTIONS	PRIMARY ONLY	DO COUNCIL REPS. RUN AT LARGE?	ANY PROBLEM AND/OR CHANGES FORTHCOMING?  RESIDE IN WARD?
Ann Arbor, MI	104	X			No changes anticipated. Must reside in ward.
Aurora, CO	118	X			No changes. Must reside in ward.
Berkeley, CA	110			X	No changes forecasted. No wards/districts.
Concord, CA	95			X	No actual wards/districts.
Eugene, OR	92		X		Just initiated this system; members must continue to reside in ward.
Fremont, CA	118			X	No problems. All at large. No wards/districts.
Fullerton, CA	94			X	No problems. No wards/ districts.
Garden Grove, CA	118			X	No changes. No wards or districts.
Huntington Beach, CA	150			X	No problems. No wards/ districts.
Independence, MO	111	X			No changes. Does not have to remain in ward.
Mesa, AZ	99			X	No problems or plans to change. No wards/districts.
Pasadena, CA	108	(Districts)	X		On ballot in November, 1980 to have members elected by district for both. Also to require member stay in district; currently member may move out of district after election as long as within city limits.
Pueblo, CO	105		X		No changes. Must reside in ward.
Santa Monica, CA	92			X	No changes. No wards or districts.
Stockton, CA	118		X		No problems. Must remain in ward.
Sunnyvale, CA	102			X	No problems. No wards/ districts.
Tacoma, WA	151	'Councilmatic' (Districts)	X		Must reside in ward after election.
Torrance, CA	140			X	No problems. No wards/ districts.

X  
If majority is gained  
in primary; runs unopposed  
in general - at large.

X  
One election only

X  
One election only

X  
At large in general

# The International Institute of Municipal Clerks

160 N. ALTADENA DRIVE • PASADENA, CALIF. 91107 • PHONE (213) 795-6153

## EXECUTIVE COMMITTEE—1979-1980

Robert W. Frisvard, CMC  
President  
City Clerk, City Hall  
Kitchener, Ontario N2G 4G7

Charles N. Enes, CMC  
1st Vice President  
Town Clerk, Town Hall  
South Windsor, Conn. 06074

Thomas M. Redman, CMC  
2nd Vice President  
Borough Clerk, Municipal Bldg.  
Barrington, New Jersey 08007

Ljell A. Schwarzkopf, CMC  
3rd Vice President  
City Clerk, City Hall  
Minneapolis, Minnesota 55413

Iola S. Stone, CMC  
4th Vice President  
City Clerk, City Hall  
Edmonton, Georgia 30633

Dorothy Soderblom, CMC  
5th Vice President  
City Clerk, City Hall  
Hays, Kansas 67601

## DIRECTORS—1981 Expiration

Margaret W. Rollins, CMC  
City Clerk, City Hall  
Durham, North Carolina 27701

Paul J. Niebur, CMC  
City Clerk, City Hall  
Eagle Grove, Iowa 50533

Norton Barrett, CMC  
City Secretary, City Hall  
Crosbyton, Texas 79322

Nelda M. Hooker, CMC  
City Clerk, City Hall  
Casa Grande, Arizona 85222

Mary Lou Cooper, CMC  
City Clerk-Recorder, City Hall  
Albuquerque, New Mexico 87103

## DIRECTORS—1982 Expiration

Edythe Campbell, CMC  
City Clerk, City Hall  
Berkeley, California 94704

Roy V. Henderson  
City Clerk, City Hall  
Toronto, Ontario M5H 2N2

Margaret Griffith, CMC  
Clerk of Council, City Hall  
Lima, Ohio 45801

Lacy Counts, CMC  
Town Clerk, Town Hall  
Johnston, Rhode Island 02919

Shirley Davy, CMC  
City Clerk, City Hall  
Avalon, California 90704

## DIRECTORS—1983 Expiration

Patricia B. Adduci  
City Clerk, City Hall  
Rochester, New York 14614

Charles W. Greer, CMC  
City Clerk, City Hall  
Wyomine, Michigan 49518

Ralph G. Orque  
City Clerk, City Hall  
Miami, Florida 33133

Frank P. Robertson, CMC  
Township Clerk, Township Hall  
Bedminster, New Jersey 07921

Lois S. Hudgins, CMC  
Immediate Past President  
City Clerk, City Hall  
Norfolk, Virginia 23510

August 14, 1980

John J. Hunnewell, CAE  
Executive Director  
Lois Anderson  
Assistant Director

Donald J. Cook  
Deputy City Clerk  
City Hall  
Reno Nevada 89030

Dear Don:

The statistical information on election of city councils appeared in the 1979 Municipal Year Book. The analysis begins on page 97. The individual city data begins on page 111. I have noted pertinent sections on the enclosed copy.

The Urban Data Service report was based on data collected in 1974. It pointed out that ~~13 percent of the reporting cities used a combination ward and at-large in electing their council with it predominating in the North Central Area. (See marked copy.)~~ I was wrong in saying that the trend may have shifted from at-large to ward elections. From 1945 to 1974, cities elected on an at-large basis went from 56 percent to 69 percent.

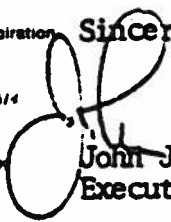
However, recent discussions have questioned the effectiveness of the at-large system in minority representation. (See the June 1980 issue of the National Civic Review, the monthly publication of the National Municipal League, 47 East 68th Street, New York, N. Y. 10021. Unfortunately the last page is missing.) The National Municipal League has also established a clearinghouse for people who are studying local representation. (See news article.)

Enclosed also are articles on the U. S. Supreme Court decision, Bolden Vs Mobile, which relates to the at-large system.

Finally, I am sending you a couple of standard references on at-large Vs ward representation.

I trust that this information will be of assistance to you.

Sincerely,

  
John J. Hunnewell, CAE  
Executive Director

JJH/jrw



## Governmental Structure in American Cities\*

Heywood T. Sanders  
*Institute of Government and Public Affairs  
 University of Illinois*

Changes in municipal governmental forms and structures reflect a continuing effort to develop organizational solutions to urban problems, with concern for the values of leadership, accountability, and efficiency. A specific governmental form is likely to reflect the importance attached to each of these values. Similarly, governmental structure affects the outcomes and performance of local government and may alter the needs and desires of its citizens.

In the latter half of the nineteenth century the weakness and fragmentation of local government prompted support for increased leadership and executive power. By the turn of the century a desire for businesslike government and concentrated authority aided the spread of the council-manager form. Early in the twentieth century the rise for professionalism in day-to-day urban administration led to establishment of the council-manager plan.<sup>1</sup>

American cities have a variety of structural arrangements as regards representation, executive control, and popular elections. These arrangements reflect the mood and concerns of a specific time and place.

Cities in the United States also show a great variation in their character and population makeup. To help explain the effect of factors such as city age, population, ethnicity, income, and race on governmental arrangements a variety of data sources have been combined for this article. Basic information on local governments is taken from a 1977 International City Management Association (ICMA) survey, *Form of Government*, and supplemented by a similar survey done in 1974. Data on local population characteristics based on the 1970 census are taken from the U.S. Bureau of the Census<sup>2</sup>

\*Data for this article are from a variety of sources including: (1) the surveys *Form of Government: 1977* (GOVT77) and *Police, Fire, and Refuse Collection and Disposal: Personnel, Salaries, and Expenditures: 1978* (FFS-SAL/78), by the International City Management Association, Washington, D.C.; (2) "Profiles of Individual Cities" in the 1976 and 1977 editions of *The Municipal Year Book* (Washington, D.C.: International City Management Association); and (3) U.S. Bureau of the Census, *County and City Data Book, 1972* (Washington, D.C.: Government Printing Office, 1973).

fire data mentioned here are presented elsewhere in this volume; some of the data used in this article have also been taken from "Profiles of Individual Cities," in the 1976 and 1977 editions of *The Municipal Year Book*.

The response table (Table 4/1) shows 838 cities 25,000 and over in population as being in the survey universe. The actual survey universe was adjusted to reflect only incorporated cities with a 1970 census population of 25,000 or over. This adjustment was made to reduce the problems associated with combining the numerous data sources used for this article rather than to eliminate any peculiar responses. (Normally, *The Municipal Year Book* includes municipalities 25,000 and over based on the 1975 population estimates of the U.S. Bureau of the Census.)

### GOVERNMENTAL FORMS AND STRUCTURES

While many attributes of American local government date back to the colonial period, the major forms of government in use today are unique twentieth century products. For the 838 cities being examined here the council-manager form is most common, occurring in 55.5% of the localities (Table 4/2). This is a remarkable figure, since the earliest implementation of the council-manager plan did not come about until 1908. This widespread incidence of this form suggests that many urban residents view efficiency and professional competence as the central value in urban government. In contrast, the mayor-council form, which emphasizes the importance of political leadership and conflict resolution and has the longest history and tradition, is now found in only 39% of these 838 communities. The third major form of government is the commission form. This form, the first major alternative to the mayor-council system, was widely adopted in the early 1900s. Its concentration of power in the hands of a small group of elected officials, responsible for individual departments and to the city as a whole, sought to provide accountability and honest government. The small number of commission cities today (6%) reflects its limitations, both in original intent and in actual practice.

The dominant position of the council-manager form is not common to cities in all population groups. The mayor-council arrangement is greatest in the largest cities, those 500,000 and over in population. These communities are generally the oldest, with the longest tradition of mayoral government. They provide the most visible image of government allowing for a focus and forum for diverse groups and competing interests. Yet the need for professional competence and management is still recognized. The mayor-council form with an appointed chief administrative officer who oversees city operations and reports to the mayor is common in these large cities.

Concern with accountability and representation has also found expression in two other cen-

Classification	No. of cities surveyed (A)	Cities responding	
		No.	% of (A)
Total, all cities . . . . .	838	705	84.1
Population group <sup>1</sup>			
500,000 and over . . . . .	24	18	88.7
250,000-499,999 . . . . .	34	31	91.2
100,000-249,999 . . . . .	104	90	86.5
50,000- 99,999 . . . . .	229	195	85.2
25,000- 49,999 . . . . .	447	373	83.4
Geographic region <sup>2</sup>			
New England . . . . .	68	51	75.0
Middle Atlantic . . . . .	104	78	75.0
East North Central . . . . .	192	150	78.1
West North Central . . . . .	74	68	91.9
Solid South . . . . .	164	138	84.1
Border States . . . . .	45	40	88.9
Mountain States . . . . .	44	41	93.2
Pacific States . . . . .	147	139	94.6

<sup>1</sup> Includes only incorporated cities 25,000 and over in population as of the 1970 Census of Population.

<sup>2</sup> Geographic regions: *New England*, which includes the states of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont; *Middle Atlantic*, which includes the states of Delaware, New Jersey, New York, and Pennsylvania; *East North Central*, which includes the states of Illinois, Indiana, Michigan, Ohio, and Wisconsin; *West North Central*, which includes the states of Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota; *Solid South*, which includes the states of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Texas, and Virginia; *Border States*, which includes the states of Kentucky, Maryland, Oklahoma, Tennessee, and West Virginia and Washington, D.C.; *Mountain States*, which includes the states of Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah and Wyoming; *Pacific States*, which includes the states of California, Oregon and Washington. (The states of Alaska and Hawaii are not included in this survey.) These geographical regions are based on the state breakdowns of the Inter-university Consortium for Political Research, University of Michigan.

tral structures of American local government — the electoral ballot and council constituency. The partisan ballot, a traditional element in urban politics, provides for national political parties as intermediaries in the political process. Local candidates are nominated by and identified with national parties, which also provide them with financial support. In contrast, the nonpartisan ballot excludes the parties from a formal role in city politics.

Nonpartisanship — a central element in the political reform movement in the early 1900s — has an even more marked record of success than does the council-manager plan. The nonpartisan ballot is employed by 74% of the reporting cities, and shows its greatest dominance in cities between 50,000 and 250,000 in population (Table 4/2).

NOTE

Classification	Form of government <sup>1</sup>						Electoral ballot				Balance of table next page		
	No. of cities surveyed (A)	Mayor-council		Council-manager		Commission		No. of cities reporting (B)	Partisan ballot			Non-partisan ballot	
		No.	% of (A)	No.	% of (A)	No.	% of (A)		No.	% of (B)		No.	% of (B)
<b>Total, all cities</b> .....	<b>836</b>	<b>328</b>	<b>39.2</b>	<b>485</b>	<b>58.1</b>	<b>47</b>	<b>5.6</b>	<b>698</b>	<b>181</b>	<b>25.9</b>	<b>517</b>	<b>74.1</b>	
<b>Population group</b>													
500,000 and over .....	24	19	79.2	5	20.8	0	0.0	16	7	43.8	9	56.2	
250,000-499,999 .....	34	17	50.0	15	44.1	2	5.9	31	9	29.0	22	71.0	
100,000-249,999 .....	104	40	38.5	58	55.8	8	7.7	90	22	24.4	68	75.6	
50,000-99,999 .....	229	82	35.8	138	60.3	9	3.9	192	43	22.4	149	77.6	
25,000-49,999 .....	447	168	37.6	251	56.2	28	6.3	399	100	27.1	299	72.9	
<b>Geographic region</b>													
New England .....	68	55	80.9	13	19.1	0	0.0	50	18	36.0	32	64.0	
Middle Atlantic .....	104	70	67.3	24	23.1	10	9.6	77	61	79.2	16	20.8	
East North Central .....	192	107	55.7	80	41.7	5	2.6	149	52	34.9	97	65.1	
West North Central .....	74	25	33.8	38	51.4	11	14.9	67	9	13.4	58	86.6	
South .....	184	39	21.2	112	61.4	13	7.1	135	29	21.5	106	78.5	
Border States .....	45	14	31.1	28	62.2	3	6.7	40	7	17.5	33	82.5	
Mountain States .....	44	6	13.6	35	79.5	3	6.8	41	3	7.3	38	92.7	
Pacific States .....	147	10	6.8	135	91.8	2	1.4	139	2	1.4	137	98.6	
<b>Percent housing stock built before 1950</b>													
0.0%—25% .....	138	27	19.6	111	80.4	0	0.0	128	15	12.0	110	88.0	
25.1%—50% .....	247	61	24.7	176	71.3	10	4.0	212	38	17.9	174	82.1	
50.1%—75% .....	307	146	47.6	133	43.3	28	9.1	249	75	30.1	174	69.9	
Over 75% .....	148	82	55.4	45	30.4	9	6.1	112	63	56.3	49	43.7	
<b>Median income</b>													
Under \$8,000 .....	102	29	28.4	60	58.8	13	12.7	77	15	19.5	62	80.5	
\$ 8,000—\$10,000 .....	328	138	42.1	164	50.0	23	7.1	271	85	31.4	186	68.6	
\$10,001—\$12,000 .....	282	112	40.1	133	47.2	7	2.5	212	45	21.2	167	78.8	
\$12,001—\$14,000 .....	105	34	32.4	68	64.8	3	2.9	99	24	24.2	75	75.8	
Over \$14,000 .....	54	13	24.1	40	74.1	1	1.9	48	12	25.0	36	75.0	
<b>Percent foreign stock in population<sup>2</sup></b>													
Under 10% .....	283	67	23.7	172	60.8	24	8.5	237	55	23.2	182	76.8	
10%—20% .....	243	71	29.2	161	66.3	11	4.5	217	38	17.5	179	82.5	
21%—30% .....	184	74	40.2	83	45.1	7	3.8	129	41	31.8	88	68.2	
31%—40% .....	91	59	64.8	30	33.0	2	2.2	69	33	47.8	36	52.2	
Over 40% .....	58	35	60.3	18	31.1	3	5.2	45	16	35.6	29	64.4	
<b>Population change 1970-75</b>													
Loss greater than 10% .....	47	30	63.8	15	31.9	2	4.3	34	12	35.3	22	64.7	
Loss 0%—10% .....	351	167	47.6	161	45.9	23	6.6	291	103	35.4	188	64.6	
Gain 0%—10% .....	268	96	35.8	155	57.8	17	6.3	223	49	22.0	174	78.0	
Gain greater than 10% .....	172	33	19.2	134	77.9	5	2.9	160	17	11.3	133	88.7	

form resulted from its requirement for at-large elections. Council-manager and mayor-council cities have incorporated a number of variants on all at-large or ward elections, which are discussed below. (In Table 4/2 those cities with both ward and at-large elections are grouped with cities that have only ward elections; this group is dominant only among the largest cities.)

Geographic regions reflect peculiar mixtures of state political traditions, population characteristics, and local history and provide an additional explanation for variations in government form and structure. Generally, cities in the East are characterized by greater age, greater population diversity, and political tradition, while those in the West are often products of twentieth century mobility and other characteristics. Cities in the South are marked by lower incomes and by the historical importance of race in politics.

As Table 4/2 indicates, there is substantial

variation in governmental form by geographic region (see Table 4/1 footnote for regional definitions). New England and Middle Atlantic cities show the greatest dominance of the mayor-council form. The emphasis on professional management is paramount in the West (Mountain and Pacific regions), where the council-manager form is found in 79.5% and 92% of the localities, respectively. The commission form remains the least common, with the greatest percent found in the Middle Atlantic and West North Central regions, with a concentration in New Jersey and Iowa (state specific data not shown). Finally, in Indiana, where political reform has had the least impact, all 20 cities in the sample retain the mayor-council form paired with a partisan ballot. Indiana cities do not have home rule powers, and, in the absence of enabling legislation for the council-manager plan, they retain unreformed local government. This is clearly a case of the dominance of state political values and concerns over

local ones. If Indiana remains stalwart against reform, then California stands as reform's greatest success. Roughly 98% of California cities have adopted the council-manager plan with only Los Angeles, San Francisco, and San Bernardino opting for the mayor-council arrangement (although all three do have mayor appointed administrators).

The place of national parties in local elections also follows a regional pattern, with some differences from that of government form. New England cities show only a limited presence of partisanship, despite the mayor-council arrangement. The Middle Atlantic region remains the stronghold of partisan politics, while the West is dominantly nonpartisan.

NOTE:—

**NOTE:**

Classification	No. of cities reporting (C)	Council constituency <sup>3</sup>			
		At-large		Ward/District	
		No.	% of (C)	No.	% of (C)
Total, all cities	684	438	63.7	248	36.3
<b>Population group</b>					
500,000 and over	16	5	31.3	11	68.8
250,000-499,999	30	16	53.3	14	46.7
100,000-249,999	88				
50,000-99,999	190	123	64.7	67	35.3
25,000-49,999	362	244	67.4	118	32.6
<b>Geographic region</b>					
New England	47	19	40.4	28	59.6
Middle Atlantic	77	48	62.4	29	37.6
East North Central	148	77	52.0	71	48.0
West North Central	67	31	46.3	36	53.7
Solid South	131	99	75.6	32	24.4
Border States	37	25	67.6	12	32.4
Mountain States	39				
Pacific States	138				
<b>Percent housing stock built before 1950</b>					
0.0%—25%	121	65	78.5	26	21.5
25.1%—50%	206	141	67.9	67	32.2
50.1%—75%	245	143	58.4	102	41.6
Over 75%	110	57	51.8	53	48.2
<b>Median income</b>					
Under \$3,000	76	57	75.0	19	25.0
\$ 3,000—\$10,000	268	165	62.0	101	38.0
\$10,001—\$12,000	209	115	55.0	94	45.0
\$12,001—\$14,000	88	60	70.6	28	29.4
Over \$14,000	48	39	81.3	9	18.7
<b>Percent foreign stock in population<sup>2</sup></b>					
Under 10%	231	155	67.1	76	32.9
10%—20%	213	132	62.0	81	38.0
21%—30%	129	77	59.7	52	40.3
31%—40%	68	43	63.2	25	36.8
Over 40%	42	25	60.7	14	33.3
<b>Population change 1970-75</b>					
Loss greater than 10%	34	21	61.8	13	38.2
Loss 0%—10%	266	167	62.8	99	37.2
Gain 0%—10%	215	139	64.7	76	35.3
Gain greater than 10%	149	109	73.2	40	26.8

Note: Percentages may not total 100% because of rounding.

<sup>1</sup> The cities shown under the form of government heading represent all cities surveyed (rather than those shown responding in Table 4/1) as data on form of government are maintained independent of any survey.

<sup>2</sup> Those cities that have some combination of at-large and ward/district elections are included in the ward/district column with cities that have only ward/district elections.

<sup>3</sup> Column sums will add to one less than total, all cities because of missing data for a council-manager, non-partisan ballot, at-large municipality.

(Table 4/2). The dominance of at-large elections in the Solid South (76%) is notable. At-large elections tend to reduce or eliminate minority representation, and recent federal court decisions involving Shreveport, Louisiana, and Mobile, Alabama, on the issue of at-large elections may alter the present arrangement, as cities required to institute ward elections.<sup>2</sup>

Measures of social and physical characteristics can provide additional insight into why cities adopted their current structure. (All of the following variables have been taken from the

1970 census and therefore characterize communities as of that date. However, most of these measures change only slightly from decade to decade regarding population ranking of cities.) The age of housing — the percent of homes built before 1950 — provides a measure of the age of a city. As Table 4/2 indicates

The age of a community reflects not only the depth of its political traditions but also the degree of attachment by its residents to a given set of political institutions. Indeed, many of the post-war suburbs which ring older central cities were populated by those who sought escape

from the old-style party politics of many big urban centers.

The pattern of city structure and housing age is mirrored by a measure of city wealth and status — median income. High incomes are associated with adoption of the council-manager plan and nonpartisan elections (Table 4/2). The early reform institution, the commission form, stands out as most common in the poorer localities. The use of at-large elections does not present a consistent pattern, largely because of the exclusive use of citywide elections in the commission form.

A third characteristic describing cities is the level of ethnicity, measured by the percentage of the population born abroad or with foreign born parents. This measure is particularly affected by the large number of Mexican-Americans in southwestern cities, and has been adjusted here to reflect the population of non-Mexican immigrants.<sup>3</sup> A popular theory of urban politics is that political reform has been least successful in "ethnic" immigrant communities, and the data shown in Table 4/2 support this theory. The mayor-council form predominates in strongly ethnic areas, while the council-manager form is common in the least ethnic areas. This association does not hold for ballot type and council constituency. Nonpartisanship is substantial in nonethnic cities, but the differences in ballot types are neither large nor consistent. Council constituency all but refutes the ethnic politics argument, for at-large elections are equally common at all levels of foreign stock population.

A final (and more recent) measure of city character is the change in population size from 1970 to 1975 (the 1975 populations are estimates developed by the U.S. Bureau of the Census). Population change is strongly associated with governmental form. Almost 64% of cities with population losses of 10% or more have a mayor-council government, while 78% of the largest population gainers are council-manager cities (Table 4/2). A similar relationship is apparent for the ballot type and council constituency variables.

To a large degree, the preeminence of reformed institutions among growing cities reflects their youth and regional location. But it is likely that other factors also operate to increase population growth in council-manager cities. First, professional managers may initiate policies which are more favorable to local development than do their political counterparts. Second, a preference for nonpartisan, professional competence may well be involved in the choice of community when families are seeking new homes. In the face of historical tradition and difficult legal obstacles, "voting with your feet" may be the only way to express a popular desire for nonpolitical local government.

### MAYOR-COUNCIL GOVERNMENT

Until this century the mayor-council form dominated American local government. Its clear-cut distinction between executive and legislative

functions appeared to serve the values of both leadership and accountability. Representation was generally by ward, with large councils closely linking citizens and government. Throughout the nineteenth century, bicameral legislatures modeled on the national govern-

ment were common. That era also saw a diffusion of administrative responsibility, as independent boards and commissions grew to provide for new city services. In the absence of home rule, state intervention and control of municipal services was common. For example,

Boston, Baltimore, and Cincinnati all had separate controlled police departments.

The earliest efforts at reform in the late nineteenth century focused on increasing the centralization of authority and the value of leadership. For some the goal was administrative

Table 4/3 CITY COUNCILS: SIZE, STAGGERED TERMS, ELECTORAL BALLOT, COUNCIL CONSTITUENCY, AND TERM OF OFFICE

Form of government by geographic region <sup>1</sup>	No. of cities reporting (A)	Size of council								Staggered terms		table continued below	
		1-5		6-10		11-15		16 & over		No. of cities reporting (B)	No.		% of (B)
		No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)				
<b>Total:</b>													
Mayor-council	222	20	9.0	122	55.0	53	23.9	27	12.2	222	102	45.9	
Council-manager	448	175	39.2	255	57.2	15	3.4	1	0.2	445	359	80.7	
<b>New England</b>													
Mayor-council	37	0	0.0	12	32.4	18	48.6	7	18.9	37	3	8.1	
Council-manager	13	1	7.7	11	84.6	1	7.7	0	0.0	12	2	16.7	
<b>Middle Atlantic</b>													
Mayor-council	51	11	21.6	32	62.7	6	11.8	2	3.9	51	37	72.5	
Council-manager	21	9	42.9	11	52.4	1	4.8	0	0.0	21	16	76.2	
<b>East North Central</b>													
Mayor-council	67	2	3.0	41	61.2	13	19.4	11	16.4	66	26	42.4	
Council-manager	79	13	16.5	61	77.2	4	5.1	1	1.3	79	66	83.5	
<b>West North Central</b>													
Mayor-council	22	0	0.0	16	72.7	4	18.2	2	9.1	21	13	61.9	
Council-manager	38	16	42.1	20	52.6	2	5.3	0	0.0	38	36	94.7	
<b>Solid South</b>													
Mayor-council	21	5	23.8	11	52.4	3	14.3	2	9.5	23	8	34.8	
Council-manager	107	31	29.0	71	66.4	5	4.7	0	0.0	107	71	66.4	
<b>Border States</b>													
Mayor-council	10	2	20.0	2	20.0	3	30.0	3	30.0	10	2	20.0	
Council-manager	27	11	40.7	15	55.6	1	3.7	0	0.0	27	13	48.1	
<b>Mountain States</b>													
Mayor-council	6	0	0.0	3	50.0	3	50.0	0	0.0	6	4	66.7	
Council-manager	32	5	15.6	26	81.3	1	3.1	0	0.0	32	26	87.5	
<b>Pacific States</b>													
Mayor-council	8	0	0.0	5	62.5	3	37.5	0	0.0	8	7	87.5	
Council-manager	129	89	68.0	40	31.0	0	0.0	0	0.0	129	127	98.4	

Table 4/3 continued

Form of government by geographic region <sup>1</sup>	No. of cities reporting (C)	Electoral ballot				Council constituency					balance of table on next page
		Partisan		Nonpartisan		No. of cities reporting (D)	At-large		Ward/District		
		No.	% of (C)	No.	% of (C)		No.	% of (D)	No.	% of (D)	
<b>Total:</b>											
Mayor-council	223	120	53.8	103	46.2	219	78	35.6	141	64.4	
Council-manager	444	52	11.7	392	88.3						
<b>New England</b>											
Mayor-council	37	15	40.5	22	59.5	35	11	31.4	24	68.6	
Council-manager	13	3	23.1	10	76.9	12	8	66.7	4	33.3	
<b>Middle Atlantic</b>											
Mayor-council	51	42	82.4	9	17.6	51	26	51.0	25	49.0	
Council-manager	21	15	71.4	6	28.6	21	14	66.7	7	33.3	
<b>East North Central</b>											
Mayor-council	66	38	57.6	28	42.4	66	15	22.7	51	77.3	
Council-manager	79	14	17.7	65	82.3	78	58	74.4	20	25.6	
<b>West North Central</b>											
Mayor-council	22	7	31.8	15	68.2	22	6	27.3	16	72.7	
Council-manager	37	2	5.4	35	94.6	38	18	47.4	20	52.6	
<b>Solid South</b>											
Mayor-council	23	11	47.8	12	52.2	21	10	47.6	11	52.4	
Council-manager	105	14	13.3	91	86.7	102	83	81.4	19	18.6	
<b>Border States</b>											
Mayor-council	10	5	50.0	5	50.0	10	4	40.0	6	60.0	
Council-manager	28	1	3.6	27	96.4	25	19	76.0	6	24.0	
<b>Mountain States</b>											
Mayor-council	6	1	16.7	5	83.3	6	2	33.3	4	66.7	
Council-manager	32	2	6.3	30	93.8						
<b>Pacific States</b>											
Mayor-council	8	1	12.5	7	87.5	8	4	50.0	4	50.0	
Council-manager	129	1	0.8	128	99.2						

efficiency under a single strong leader, which others sought simply to create a political system that would "stay bought when it was bought." The resulting strong mayor arrangement has now become the norm for mayor-council cities, although some variations persist.

The ultimate goal of reform movements of the twentieth century was to replace mayor-council government. Yet even where total abandonment of the mayor-council form proved unsuccessful, the desire for efficient, nonpolitical local government proved irresistible. The current character of mayor-council government is therefore a patchwork of historical arrangements and pieces of reform.

**Council Constituency and Electoral Ballot.** The ward or district council still predominates in mayor-council cities, although 36% of these cities have switched to at-large councils (Table 4/3). Nonpartisanship in local elections has also proved attractive, with 46% of the mayor-council cities employing this electoral system. Use of a nonpartisan ballot, however, does not necessarily preclude either the involvement of national parties in local elections or old-style politics. Chicago's Democratic organization, for example, has lived quite comfortably with nonpartisan elections for the city council, while mayoral candidates in nonpartisan Boston are easily identified by party and often shift between partisan and nonpartisan office.

The total impact of reform on mayor-council communities can be gauged by Table 4/4, which indicates the coincidence of ballot and council types. Only 37% of all the mayor-council cities

retain both the partisan ballot and ward or mixed elections. The balance have adopted one or more reform institutions.

**Council Size and Term.** Other reform efforts were aimed at the city council. At-large election of council members resulted in smaller and less fragmented councils that allowed for more reasonable legislative debate and decision making. Today, councils under the mayor-council form are invariably unicameral and of reasonable size. Sixty-four percent of the councils have 10 members or fewer, although 12% exceed 15 members (Table 4/3). New York and Chicago stand out at the high end of the range, with 43 and 50 members, respectively.

The earliest model charter of the National Municipal League sought to pair the mayor with a council elected for a six year term. This arrangement was intended to provide for stability of council membership and experience as a balance for increased mayoral power. The six year term is notably absent for cities in Table 4/3; most mayor-council cities have four year terms for council members. Forty-six percent of mayor-council cities elect council members on a staggered term basis. This device has proved eminently more popular in council-manager communities where it is found in 81% of the cases.

Staggered terms provide a clear case of opposition to fundamental values in one particular structure. Overlapping council terms ensure some continuity and stability on the legislative body and thus the potential for more efficient government. At the same time, they limit the

impact of the popular will and often frustrate the goal of accountability. Council composition can be changed only over a lengthy period of time, and it may therefore be impossible to "throw the rascals out" even in the face of widespread citizen dissatisfaction. The regional pattern of this particular reform provides a clue to the relative importance of values. Staggered terms are least common in New England, where 8% of the mayor-council cities use this device (Table 4/3). Southern and Border region cities also show a limited use of staggered terms. It is in the Pacific region that this element of reform doctrine is greatest.

Centralized accountability and citizen control in New England is reinforced by the data on council terms (Table 4/3). Ninety-six percent of the New England cities limit their council members to two year terms — there is but a single reporting city with the four year term. The four year term is the norm for mayor-council cities in all other regions, although it is particularly common in the South.

It is interesting to note that resistance to reform in New England is unique to the area of legislative accountability. New England cities employ the nonpartisan ballot in greater numbers than the national average for mayor-council cities, and have adopted totally at-large elections in greater proportion than midwestern communities. It is likely that the central concern with representation and accountability in New England is an outgrowth of a regional political tradition, the town meeting, with its provision for direct popular participation in local affairs.

Table 4/3 continued

Form of government by geographic region <sup>1</sup>	No. of cities reporting (E)	Terms for council persons elected at-large								Terms for council persons elected by ward/district								
		2 years		3 years		4 years		6-6 years		2 years		3 years		4 years				
		No.	% of (E)	No.	% of (E)	No.	% of (E)	No.	% of (E)	No.	% of (F)	No.	% of (F)	No.	% of (F)			
<b>Total:</b>																		
Mayor-council	177	68	37.3	4	2.3	107	60.5	0	0.0	137	63	46.0	3	2.2	71	51.8		
Council-manager	394	105	26.6	17	4.3	270	68.5	2	0.5	103	29	28.2	5	4.9	69	67.0		
<b>New England</b>																		
Mayor-council	32	31	96.9	0	0.0	1	3.1	0	0.0	28	25	89.2	0	0.0	1	3.8		
Council-manager	12	9	75.0	2	16.7	1	8.3	0	0.0	4	3	75.0	1	25.0	0	0.0		
<b>Middle Atlantic</b>																		
Mayor-council	43	5	11.6	3	7.0	35	81.4	0	0.0	25	10	40.0	2	8.0	13	52.0		
Council-manager	14	2	14.3	0	0.0	12	85.7	0	0.0	7	2	28.6	0	0.0	5	71.4		
<b>East North Central</b>																		
Mayor-council	51	17	33.3	0	0.0	34	66.7	0	0.0	46	17	37.0	0	0.0	29	63.0		
Council-manager	70	15	21.4	2	2.9	53	75.7	0	0.0	20	5	25.0	0	0.0	15	75.0		
<b>West North Central</b>																		
Mayor-council	17	7	41.2	0	0.0	10	58.8	0	0.0	15	8	53.3	0	0.0	7	46.7		
Council-manager	31	3	9.7	5	16.1	23	74.2	0	0.0	19	4	21.1	3	15.8	12	63.2		
<b>Solid South</b>																		
Mayor-council	18	2	11.1	1	5.6	15	83.3	0	0.0	11	1	9.1	0	0.0	10	90.9		
Council-manager	99	55	55.6	7	7.1	37	37.4	0	0.0	21	10	47.6	0	0.0	11	52.4		
<b>Border States</b>																		
Mayor-council	8	2	25.0	0	0.0	6	75.0	0	0.0	6	1	16.7	0	0.0	5	83.3		
Council-manager	21	12	57.1	1	4.8	8	38.1	0	0.0	7	2	28.6	0	0.0	5	71.4		
<b>Mountain States</b>																		
Mayor-council	4	1	25.0	0	0.0	3	75.0	0	0.0	4	1	25.0	0	0.0	3	75.0		
Council-manager	28	5	17.9	0	0.0	22	78.6	1	3.6	12	3	25.0	0	0.0	9	75.0		
<b>Pacific States</b>																		
Mayor-council	4	1	25.0	0	0.0	3	75.0	0	0.0	4	0	0.0	1	25.0	3	75.0		
Council-manager	119	4	3.4	0	0.0	114	95.8	1	0.8	13	0	0.0	1	7.7	12	92.3		

Notes: Percentages may not total 100% because of rounding.

<sup>1</sup> Municipalities with the commission form of government are excluded from this table.

Electoral ballot	Mayor-council				Council-manager					
	No. of cities reporting (A)	At-large		Ward/District		No. of cities reporting (B)	At-large		Ward/District	
		No.	% of (A)	No.	% of (A)		No.	% of (B)	No.	% of (B)
Total, all cities	218	78	35.8	140	64.2	433	329	76.0	104	24.0
Partisan ballot	118	37	31.4	81	68.6	52	31	59.6	21	40.4
Nonpartisan ballot	100	41	41.0	59	59.0	381	298	78.2	83	21.8

**Chief Administrative Officers.** While the mayor-council form represents the dominance of political leadership and values over the concern with professional management, many cities now have a chief administrative officer (CAO) appointed by the mayor and responsible for the day-to-day administration of local functions. A CAO is present in 30% of the mayor-council cities in the present sample (Table 4/5). This arrangement is most common in the Pacific, Middle Atlantic, and Solid South geographic regions. An administrator is also widely employed in the West North Central area, where Minneapolis and St. Paul are notable examples. These two cities suggest something of the relationship between having a CAO and city size: CAOs are most common in larger cities. Existence of a CAO shows no consistent relationship with such factors as median income, city age, ethnicity, or the adoption of reform institutions. These patterns indicate that the chief administrative officer may represent a necessary adaptation of the mayor-council form to the problems of city administration in larger cities. As such, this arrangement provides a useful division of

Table 4/5 MAYOR-COUNCIL MUNICIPALITIES HAVING AN APPOINTED CHIEF ADMINISTRATIVE OFFICER (CAO)

Classification	No. of cities reporting (A)	With CAO	
		No.	% of (A)
Total, all cities	221	67	30.3
<b>Population group</b>			
500,000 and over	11	8	72.7
250,000-499,999	15	6	40.0
100,000-249,999	28	8	28.6
50,000-99,999	53	17	32.1
25,000-49,999	114	30	26.3
<b>Geographic region</b>			
New England	38	3	7.9
Middle Atlantic	50	23	46.0
East North Central	67	13	19.4
West North Central	22	9	40.9
Solid South	23	10	43.5
Border States	10	3	30.0
Mountain States	6	2	33.3
Pacific States	8	4	50.0
<b>Percent housing stock built before 1950</b>			
0.0% - 25%	17	6	35.3
25.1% - 50%	41	16	39.0
50.1% - 75%	100	28	28.0
Over 75%	63	17	27.0

political labor, as it frees the mayor for a larger leadership role while allowing for professional management.

**Mayoral Authority.** The central position of the mayor is the single defining characteristic of the mayor-council form. Yet the authority and role of the mayor can vary substantially from city to city. A four year term for the mayor is found in 68% of all mayor-council cities (Table 4/6). However, in New England only 13% of the cities elect mayors for four year terms and all other cities have a two year term. Only the West North Central region, with a 50/50 division between two and four year terms, approaches such frequent mayoral elections. Again, this attribute of New England cities parallels that region's strictures on council members and reflects the central place of accountability to the voters.

By virtue of office, the mayor in mayor-council cities is generally independent of the city council. Mayors vote on all council matters in only 10% of the cases, while they cast the deciding vote on a tied issue in 30% (Table 4/6). It is the veto authority which allows the mayor to lead and direct the legislative branch. Although most mayors (91%) possess some veto authority, this authority extends to all council matters in only half of these cities. The regional distribution of this veto power is rather different from that of the mayor's term. Mayors in New England and in the East North Central and Mountain regions have the greatest incidence of total veto power.

Another element in the mayor's power position is control over appointments. The primary limitation of the weak mayor was inability to control the administrative process, as the council or independent boards were responsible for the appointment of administrators. An index was developed for the extent of mayoral appointment power based on four positions — police chief, fire chief, city attorney, and chief personnel officer. To adjust for differences in administrative organization, the index is based on the proportion of mayoral appointments for whichever of these four offices is present in a community. Mayoral appointment authority extends to all of these offices in 46% of the cities (Table 4/7). Thirteen percent of the mayors have no appointment authority for any of these four offices.

There are few obvious regional differences in appointment power. However, despite a common assumption, mayors in the South are not particularly weak when compared with the national average. The East North Central region is unique as it has large proportions of both strong

and weak mayors, with few at the middle range of authority. Population size shows some association with appointment powers. The largest cities often have very weak mayors, with three (14%) having no appointment powers (not shown in table).

An index of general mayoral power provides some additional insights into the variations in mayoral authority. The index is a sum of veto power (yes = 2, no = 0), the ability to veto all acts (yes = 2, no = 0), and the appointment measure discussed above (ranging from 0 to 4). Table 4/8 indicates the general distribution of mayoral power for all mayor-council cities. The uniform presence of some veto power ensures that no cities fall into the lowest (weakest) categories. Otherwise, cities are well distributed, with only 19% in the strongest category.

Although there are modest variations by region in mayoral power, population size shows a clearer association with authority. Very large cities have the highest proportion of the weakest mayors, while cities in the 250,000 to 500,000 range and those under 50,000 possess unusually strong mayoral authority. Finally, the data in Table 4/8 provide a possible link between the chief administrative arrangement and mayoral strength. Cities with a CAO generally have weaker elected executives than do other mayor-council counterparts.

COUNCIL-MANAGER GOVERNMENT

The council-manager plan stands as the highest achievement of the twentieth century municipal reform movement. Staunton, Virginia, was the first community to employ a professional manager (1908), and Sumter, South Carolina, was the first to adopt the total council-manager plan (1911). The council-manager form represents the triumph of management and efficiency values. The National Municipal League's model charter linked it to the short ballot, and to a limited number of councillors, elected at-large.

With the council-manager plan, party politics was to be eliminated with the abandonment of ward representation and through the use of the nonpartisan ballot for local elections. The position and authority of the mayor was all but eliminated. As Leonard White noted in 1927, "The manager charters assign the mayor to a position of secondary importance. He is removed entirely from the conduct of administration and has chiefly those powers which are his as a member of the city council." Thus, the reform vision of local government represented a sacrifice of political leadership to nonpartisan efficiency.

Council Constituency and Electoral Ballot. The consistent success of the reform movement in council-manager cities is reflected in Table 4/3.

This consistency of reform institutions varies by region. As with mayor-council cities, the partisan ballot remains common in the Middle Atlantic area.

**Table 4/8 MAYORS: TERM OF OFFICE, VOTE ON COUNCIL ISSUES, AND VETO AUTHORITY**

Form of government by geographic region <sup>1</sup>	No. of cities reporting (A)	Term of office								Balance of cities below
		1 year		2 years		3 years		4 years		
		No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)	
<b>Total:</b>		0	0.0	89	30.8	3	1.3	182	67.9	
Mayor-council	234									
Council-manager	446	89	19.7	199	44.6	11	2.5	148	33.2	
<b>New England</b>										
Mayor-council	38	0	0.0	33	86.8	0	0.0	5	13.2	
Council-manager	13	3	23.1	10	76.9	0	0.0	0	0.0	
<b>Middle Atlantic</b>										
Mayor-council	51	0	0.0	8	15.7	1	2.0	42	82.4	
Council-manager	20	2	10.0	4	20.0	0	0.0	14	70.0	
<b>East North Central</b>										
Mayor-council	67	0	0.0	14	20.9	0	0.0	53	79.1	
Council-manager	79	8	10.1	31	39.2	1	1.3	39	49.4	
<b>West North Central</b>										
Mayor-council	22	0	0.0	11	50.0	0	0.0	11	50.0	
Council-manager	38	8	21.1	14	36.8	3	7.9	13	34.2	
<b>Solid South</b>										
Mayor-council	22	0	0.0	1	4.5	1	4.5	20	90.9	
Council-manager	107	7	6.5	74	69.2	3	2.8	23	21.5	
<b>Border States</b>										
Mayor-council	10	0	0.0	1	10.0	0	0.0	9	90.0	
Council-manager	28	3	10.7	11	39.3	3	10.7	11	39.3	
<b>Mountain States</b>										
Mayor-council	6	0	0.0	1	16.7	0	0.0	5	83.3	
Council-manager	32	3	9.4	16	50.0	0	0.0	13	40.6	
<b>Pacific States</b>										
Mayor-council	8	0	0.0	0	0.0	1	12.5	7	87.5	
Council-manager	129	64	41.9	39	30.2	1	0.8	35	27.1	

**Table 4/8 continued**

Form of govern-ment by geographic region <sup>1</sup>	No. of cities reporting (B)	When mayor votes on council						Veto authority						
		All issues		Ties		No vote		Other		Has veto authority		May vote on all actions		
		No.	% of (B)	No.	% of (B)	No.	% of (B)	No.	% of (B)	No.	% of (C)	No.	% of (D)	
<b>Total:</b>		20	9.5	61	29.0	124	59.0	5	2.4	223	203	91.0	101	45.8
Mayor-council	210													
Council-manager	428	378	88.3	45	10.5	3	0.7	2	0.5	445	44	9.9	12	27.3
<b>New England</b>														
Mayor-council	38	1	2.6	8	22.2	28	72.2	1	2.6	38	34	89.5	18	55.9
Council-manager	13	12	92.3	0	0.0	1	7.7	0	0.0	13	1	7.7	0	0.0
<b>Middle Atlantic</b>														
Mayor-council	44	7	15.9	12	27.3	23	52.3	2	4.5	51	46	90.2	15	32.6
Council-manager	18	14	77.8	4	22.2	0	0.0	0	0.0	20	5	25.0	1	30.0
<b>East North Central</b>														
Mayor-council	63	4	6.3	22	34.9	35	55.6	2	3.2	67	62	92.5	42	62.7
Council-manager	72	63	87.5	7	9.7	1	1.4	1	1.4	79	17	21.5	8	42.1
<b>West North Central</b>														
Mayor-council	22	0	0.0	7	31.8	15	68.2	0	0.0	22	20	90.9	9	40.9
Council-manager	37	35	94.6	1	2.7	0	0.0	1	2.7	38	5	13.2	0	0.0
<b>Solid South</b>														
Mayor-council	21	5	23.8	5	23.8	11	52.4	0	0.0	21	19	90.5	8	42.1
Council-manager	103	84	81.6	18	17.5	1	1.0	0	0.0	107	8	7.5	1	12.5
<b>Border States</b>														
Mayor-council	10	3	30.0	2	20.0	5	50.0	0	0.0	10	8	80.0	1	12.5
Council-manager	28	25	82.9	2	7.1	0	0.0	0	0.0	28	1	3.6	...	...
<b>Mountain States</b>														
Mayor-council	6	0	0.0	4	66.7	2	33.3	0	0.0	6	6	100.0	4	66.7
Council-manager	31	25	80.6	6	19.4	0	0.0	0	0.0	31	1	3.2	0	0.0
<b>Pacific States</b>														
Mayor-council	8	0	0.0	1	12.5	7	87.5	0	0.0	8	8	100.0	3	37.5
Council-manager	129	119	94.4	7	5.6	0	0.0	0	0.0	129	6	4.7	2	33.3

Note: Percentages may not total 100% because of rounding.  
 (...) indicate data not reported.  
 Municipalities with the commission form of government are excluded from this table.

Geographic region	No. of cities reporting (A)	Appointment authority scale <sup>1</sup>									
		0		1		2		3		4	
		No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)
Total, all cities	217	28	13.4	20	9.2	42	19.4	27	12.4	99	45.6
New England	44	4	9.1	5	11.4	18	40.9	2	4.5	18	40.9
Middle Atlantic	38	5	13.2	3	7.9	7	18.4	6	15.8	18	47.4
East North Central	72	12	16.7	7	9.7	12	16.7	6	8.3	35	48.6
West North Central	17	2	11.8	2	11.8	2	11.8	2	11.8	9	52.9
Solid South	24	3	12.5	1	4.2	3	12.5	6	25.0	11	45.8
Border States	9	1	11.1	1	11.1	1	11.1	2	22.2	4	44.4
Mountain States	4	0	0.0	0	0.0	1	25.0	0	0.0	3	75.0
Pacific States	9	2	22.2	1	11.1	1	11.1	4	44.4	1	11.1

Note: Percentages may not total 100% because of rounding.

<sup>1</sup>The appointment authority scale is based on the number of mayor appointed officials present in a

municipality for four positions — police chief, fire chief, city attorney, and chief personnel officer. The higher the number, the greater the authority.

... and least frequent in West North Central cities (47%). Thus, despite the general consistency of the reform structures, some cities have altered and adapted them to local traditions and desires.

The overall consistency of reform is nonetheless substantial.

... (Table 4/4).

The most modest impact of these reforms is in the Middle Atlantic region, a stronghold of mayor-council government, where only 29% employ both reform arrangements (not shown in table).

**Council Size and Term.** The short ballot and the small council were basic tenets of municipal reform. Council-manager cities have smaller councils than their mayor-council counterparts — 39% of the councils have five or fewer members (Table 4/3). These councils are also insulated from some of the vagaries of the popular will. Councilmanic terms are generally four years, and 81% of the cities employ staggered or overlapping terms. As with the mayor-council

form, these structures of representation are often bent to unique local or regional values. For example, New England communities consistently limit council terms (75% are only two years) and few overlap them. This requires the council to face the voters frequently and to be held accountable for its performance. These constraints on elected local legislators are weakest in the Pacific region, where almost all of the manager cities employ staggered four-year terms.

**Mayoral Authority.** The council-manager plan represents the importance of professional competence and efficiency values with little emphasis on political leadership. The National Municipal League's model version of the council-manager form relegated the mayor to a largely ceremonial role. The mayor simply served as the council's presiding officer, a position that could also be rotated among council members. The position of the mayor in today's manager cities is clearly weak. While most council-manager cities (59%) directly elect the mayor (Table 4/9) the term is often short — two years is most common (Table 4/6). The mayor also serves as part of the council rather than being above it. In 88% of council-manager cities the mayor votes on all issues as a regular council member. A similar limitation is apparent in terms of veto authority. Only 10% of these mayors possess any veto power, and this power includes all council acts in only 27% of these cities.

Table 4/8 **MAYORAL POWER IN MAYOR-COUNCIL MUNICIPALITIES**

Classification	No. of cities reporting (A)	Powers of Mayor <sup>1</sup>															
		2		3		4		5		6		7		8			
		No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)		
Total, all cities	123	6	4.9	8	6.5	28	22.8	12	9.8	39	31.7	9	7.3	23	18.7		
<b>Population group</b>																	
500,000 and over	7	1	14.3	0	0.0	3	42.9	2	28.6	0	0.0	0	0.0	1	14.3		
250,000-499,999	8	0	0.0	2	25.0	0	0.0	0	0.0	1	12.5	3	37.5	2	25.0		
100,000-249,999	18	0	0.0	1	5.6	2	11.1	2	11.1	9	50.0	1	5.6	3	16.7		
50,000-99,999	32	2	6.3	2	6.3	9	28.1	3	9.4	12	37.5	1	3.1	3	9.4		
25,000-49,999	58	3	5.2	1	1.7	14	24.1	5	8.6	17	29.3	4	6.9	14	24.1		
<b>Geographic region</b>																	
New England	24	0	0.0	1	4.2	7	29.2	2	8.3	8	33.3	1	4.2	5	20.8		
Middle Atlantic	21	1	4.8	2	9.5	3	14.3	2	9.5	10	47.6	1	4.8	2	9.5		
East North Central	40	2	5.0	0	0.0	11	27.5	5	12.5	10	25.0	2	5.0	10	25.0		
West North Central	15	0	0.0	2	13.3	3	20.0	0	0.0	6	40.0	2	13.3	2	13.3		
Solid South	8	1	12.5	1	12.5	0	0.0	1	12.5	2	25.0	1	12.5	2	25.0		
Border States	6	1	16.7	0	0.0	1	16.7	1	16.7	2	33.3	1	16.7	0	0.0		
Mountain States	4	0	0.0	0	0.0	1	25.0	0	0.0	1	25.0	0	0.0	2	50.0		
Pacific States	5	1	20.0	0	0.0	2	40.0	1	20.0	0	0.0	1	20.0	0	0.0		
<b>Appointed chief administrative officer</b>																	
Cities with	30	3	10.0	5	16.7	6	20.0	4	13.3	8	26.7	1	3.3	3	10.0		
Cities without	91	3	3.3	0	0.0	22	24.2	8	8.8	30	33.0	8	8.8	20	22.0		
Unknown	2	...	...	...	...	...	...	...	...	...	...	...	...	...	...		

Note: Percentages may not total 100% because of rounding. Leaders (...) indicate data not applicable or not reported.

<sup>1</sup>This index of mayoral power is the sum of veto power (yes = 2, no = 0), the ability to veto all acts (yes = 2, no = 0) and the mayor's appointment authority (on a scale of 0 to 4). The index ranges from 0 to 8, the

higher the number, the greater the power. The index shown in the table begins with 2 as no municipalities were classified lower on the index.



Table 4/9

SELECTION METHOD FOR MAYORS IN  
COUNCIL-MANAGER MUNICIPALITIES

Geographic region	No. of cities reporting (A)	Popularly elected		Selected by council		Councillor with largest popular vote		Elected among councillors	
		No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)
		Total, all cities	446	261	58.5	179	40.1	5	1.1
New England	13	1	7.7	11	84.6	1	7.7	0	0.0
Middle Atlantic	20	13	65.0	7	35.0	0	0.0	0	0.0
East North Central	79	53	67.1	24	30.4	2	2.5	0	0.0
West North Central	38	24	63.2	14	36.8	0	0.0	0	0.0
Solid South	107	79	73.8	27	25.2	1	0.9	0	0.0
Border States	28	20	71.4	8	28.6	0	0.0	0	0.0
Mountain States	32	20	62.5	11	34.4	1	3.1	0	0.0
Pacific States	129	91	70.5	37	28.7	0	0.0	1	0.8

Note: Percentages may not total 100% because of rounding.

The regional pattern of mayoral authority repeats some recurrent themes. In the states of California, Oregon, and Washington, the mayor is usually selected by fellow council members for a short (often one year) term. The mayor votes as a regular member of the council and almost never possesses veto powers. Mayors in the Middle Atlantic region probably rank strongest in authority. New England council-manager cities diverge strongly from their Middle Atlantic counterparts; mayors are relatively weak in New England. This fact may well reflect the strong role of representation in this area, which seeks citizen influence and control over political leadership.

As of 1974 the average council-manager city had over 55% of its councillors serving their first term. In some areas this percentage exceeded

70% (no table shown). The relative "newness" of city legislators reinforces the central role of the professional manager. However, it also implies enormous responsibility for the city manager, who may have to provide the necessary continuity and leadership.

SHIFTS IN  
GOVERNMENTAL FORM

In many cities the form of local government is a hallowed institution, immune to periodic waves of reform and change. In other communities government form is simply a means to an end, to be altered if or when it fails to provide for important political values. The 1977 ICMA survey asked cities to indicate their previous form

of government as well as their current form. This provides an opportunity to define the precise terms of change. One limitation of these data is that responses refer only to the immediately preceding government. For a city which shifted from mayor-council government to the commission form and then to the council-manager form, for example, only the last change would be recorded.

Table 4/10 shows both previous and present governmental form for 590 reporting cities. One clear point stands out — only 31% of these cities have maintained the same governmental form since incorporation. The balance of the cities have altered their governing arrangements. The long tradition of mayor-council government is apparent from the relative proportion of cities which have maintained the form since incorporation — 59%. Such stability is not apparent among commission cities. While 27 communities report a commission form today, another 123 have shifted from that form to another. The success of the council-manager plan stands in sharp contrast to the demise of the commission form. Almost 400 of the sample cities report employing council-manager government today, with only 21 reporting abandoning it.

The widespread adoption of the council-manager form is a notable development among American cities. Over a period of less than 70 years this form has come to dominate over its predecessors. This has not occurred simply as a result of the development and incorporation of new cities during the twentieth century. Of today's council-manager communities, only 20% adopted the form at incorporation and maintained it. Rather, most of the manager plan adoptions have come as abandonments of

Table 4/10 FORM OF GOVERNMENT: PRESENT AND PREVIOUS

Present form of government	No. of cities reporting (A)	Previous form of government <sup>1</sup>									Balance of cities below
		Mayor-council			Council-manager			Commission			
		No.	% of (A)	% of total	No.	% of (A)	% of total	No.	% of (A)	% of total	
Total, all cities	590	234	39.7	100.0	21	3.6	100.0	123	20.8	100.0	
Mayor-council	170	...	...	...	17	10.0	81.0	37	21.8	30.1	
Council-manager	393	217	55.2	82.7	...	...	...	88	21.9	68.9	
Commission	27	17	63.0	7.3	4	14.8	19.0	...	...	...	

Table 4/10 continued

Present form of government	No. of cities reporting (A)	Previous form of government <sup>1</sup>								
		Town meeting			Representative town meeting			Same form since incorporation		
		No.	% of (A)	% of total	No.	% of (A)	% of total	No.	% of (A)	% of total
Total, all cities	590	21	3.6	100.0	9	1.5	100.0	182	30.8	100.0
Mayor-council	170	10	5.9	47.6	8	3.5	88.7	100	58.8	54.9
Council-manager	393	11	2.8	52.4	2	0.5	22.2	77	19.6	47.3
Commission	27	0	0.0	0.0	1	3.7	11.1	5	18.5	2.7

Note: Percentages may not total 100% because of rounding. Leaders (...) indicate data not applicable.

<sup>1</sup>The form of government shown is the form immediately preceding the present form for municipalities that have had one or more changes since incorporation.

(multiple changes are not reflected in this table).

mayor-council government. Of those cities which previously had a mayor-council government, 93% adopted the council-manager arrangement. Much of this shift from political to professional government has come relatively recently. Sixty-eight cities reported abandoning the mayor-council form (for either council-manager or commission government) during the period 1900 to 1930. From 1931 until 1960, 126 mayor-council cities altered their government, with most of these changes coming between 1950 and 1960. Since 1960 another 33 communities have dropped the mayor-council structure. The great bulk of these recent changes (particularly since 1920) have continued to swell the ranks of council-manager cities (no table shown).

The regional pattern of shifts from mayor-council to council-manager government follows the general patterns of political reform noted earlier. In New England and in the Middle Atlantic and East North Central regions, mayor-council governments have proved particularly resistant to change. In New England, for example, 17 cities have retained the mayor-council form since incorporation, while only 10 report having abandoned it (Table 4/11). Wholesale shifts away from the mayor-council form are the norm in the remaining regions. In the South, 7

cities retain the mayor-council form and 52 have dropped it. Consistent with earlier results, shifts away from "political" government are the rule in the Pacific states, where 51 cities have changed their mayor-council government and only 4 cities have retained the form since incorporation.

The numbers of council-manager cities have also been swelled by the addition of former commission cities. Seventy percent of the cities dropping the commission plan have chosen the council-manager plan (Table 4/10). The shift from commission to council-manager has not been consistent over time or by region. Although 83% of the cities eliminating commission government during the 1950s elected the council-manager system, this proportion fell to 36% in the 1960s and to 13% in the 1970s (no table shown). This is largely the result of shifts from classification charters in New Jersey and Pennsylvania in recent years. Cities in these states have chosen mayor-council government despite the general popularity of the manager arrangement.

A final note should be made of those cities where the council-manager plan has been abandoned. Those cities which have dropped the plan are generally different from the norm of council-manager communities. Cities abandon-

ing council-manager governments tend to be larger (\$1,000 average population versus 60,000), poorer (\$9,400 median average income versus \$19,500), and older (66% average of homes built before 1950 versus 42%) than cities that have retained the plan. This pattern of manager abandonments can be seen as a "return to type" by cities which differ from the norm of reformed communities in terms of character, political tradition, or both.

## PERFORMANCE AND OUTPUTS

For most urban citizens, the structure of their local government is of little concern. Rather, it is performance of the city government in delivering necessary services that is noted and responded to. Indeed, for the majority of cities the effort to alter the structure of local government is not a result of theoretical study but of dissatisfaction with the prevailing system's performance.

Cities vary widely in their functions and responsibilities. As a result, their taxing and spending policies may reflect only the general scope of governmental activity rather than the level or efficiency of common services. One way to measure and evaluate municipal services

Table 4/11 PREVIOUS FORM OF GOVERNMENT BY GEOGRAPHIC REGION AND PRESENT FORM OF GOVERNMENT

Present form of government by geographic region	No. of cities reporting (A)	Previous form of government <sup>1</sup>											
		Mayor-council		Council-manager		Commission		Town meeting		Rep. town meeting		Same form since incorporation	
		No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)
New England	40	10	25.0	2	5.0	1	2.5	8	20.0	2	5.0	17	42.5
Mayor-council	27	...	...	2	7.4	0	0.0	6	22.2	2	7.4	17	63.0
Council-manager	13	10	76.9	...	...	1	7.7	2	15.4	0	0.0	0	0.0
Commission	0	...	...	...	...	...	...	...	...	...	...	...	...
Middle Atlantic	69	17	24.6	4	5.8	17	24.6	1	1.4	1	1.4	19	27.5
Mayor-council	37	...	...	4	10.8	15	40.5	1	2.7	1	2.7	16	43.2
Council-manager	17	14	82.4	...	...	2	11.8	0	0.0	0	0.0	1	5.9
Commission	5	3	60.0	0	0.0	...	...	0	0.0	0	0.0	2	40.0
East North Central	128	48	37.5	5	3.9	17	13.3	5	3.9	2	1.6	53	41.4
Mayor-council	52	...	...	4	7.7	4	7.7	3	5.7	2	3.8	39	75.0
Council-manager	72	43	59.7	...	...	13	18.1	2	2.8	0	0.0	14	19.4
Commission	4	3	75.0	1	25.0	...	...	0	0.0	0	0.0	0	0.0
West North Central	60	29	48.3	5	8.3	13	21.7	0	0.0	1	1.7	12	20.0
Mayor-council	18	...	...	3	16.7	6	27.8	0	0.0	1	5.6	9	50.0
Council-manager	37	28	70.3	...	...	6	21.6	0	0.0	0	0.0	3	8.1
Commission	5	3	60.0	2	40.0	...	...	0	0.0	0	0.0	0	0.0
Solid South	119	62	52.1	1	0.8	37	31.1	1	0.8	1	0.8	27	22.7
Mayor-council	17	...	...	1	5.9	9	52.9	0	0.0	0	0.0	7	41.2
Council-manager	95	47	49.5	...	...	28	29.5	1	1.1	0	0.0	19	20.0
Commission	7	5	71.4	0	0.0	...	...	0	0.0	1	14.3	1	14.3
Border States	37	11	29.7	1	2.7	12	32.4	2	5.4	1	2.7	10	27.0
Mayor-council	9	...	...	1	11.1	3	33.3	0	0.0	0	0.0	5	55.6
Council-manager	26	9	34.6	...	...	9	34.6	2	7.7	1	3.9	5	19.2
Commission	2	2	100.0	0	0.0	...	...	0	0.0	0	0.0	0	0.0
Mountain States	34	18	52.9	3	8.8	3	8.8	2	5.9	0	0.0	8	23.5
Mayor-council	5	...	...	2	40.0	0	0.0	0	0.0	0	0.0	3	60.0
Council-manager	26	18	69.2	...	...	3	11.5	2	7.7	0	0.0	3	11.5
Commission	3	0	0.0	1	33.3	...	...	0	0.0	0	0.0	2	66.7
Pacific States	113	51	45.1	0	0.0	23	20.4	2	1.8	1	0.9	35	31.2
Mayor-council	5	...	...	0	0.0	1	20.0	0	0.0	0	0.0	4	80.0
Council-manager	107	50	46.7	...	...	22	20.6	2	1.9	1	0.9	32	29.9
Commission	1	1	100.0	0	0.0	...	...	0	0.0	0	0.0	0	0.0

Note: Percentages may not total 100% because of rounding.

Leaders (...) indicate data not applicable.  
<sup>1</sup> See footnote 1, Table 4/10.

Table 4/12 MUNICIPAL BOND RATINGS<sup>1</sup>

Classification	No. of cities reporting (A)	Bond rating																	
		Aaa		Aa		A1		A		Baa1		Baa		Ba		B		Caa	
		No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)
Total, all cities	699	35	5.0	218	31.2	174	24.9	185	26.5	28	4.0	55	7.9	3	0.4	0	0.0	1	0.1
Population group																			
500,000 and over	22	6	27.3	8	36.4	2	9.1	2	9.1	0	0.0	3	13.6	0	0.0	0	0.0	1	4.5
250,000-499,999	33	7	21.2	16	48.5	6	18.2	2	6.1	0	0.0	1	3.0	1	3.0	0	0.0	0	0.0
100,000-249,999	98	8	8.2	42	42.9	23	23.5	18	18.4	3	3.1	3	3.1	1	1.0	0	0.0	0	0.0
50,000-99,999	195	9	4.6	59	30.3	59	30.3	49	25.1	8	4.1	11	5.6	0	0.0	0	0.0	0	0.0
25,000-49,999	351	5	1.4	93	26.5	94	23.9	114	32.5	17	4.8	37	10.5	1	0.3	0	0.0	0	0.0
Geographic region																			
New England	68	5	7.4	33	48.5	8	11.8	18	26.5	3	4.4	1	1.5	0	0.0	0	0.0	0	0.0
Middle Atlantic	99	2	2.0	17	17.2	25	25.3	26	26.3	3	3.0	20	20.2	3	3.0	0	0.0	1	1.0
East North Central	162	8	4.9	62	38.3	45	27.8	36	21.6	5	3.1	7	4.3	0	0.0	0	0.0	0	0.0
West North Central	68	7	10.3	29	42.6	18	26.5	10	14.7	3	4.4	1	1.5	0	0.0	0	0.0	0	0.0
Solid South	136	6	4.4	25	18.4	38	28.5	42	30.9	10	7.4	17	12.5	0	0.0	0	0.0	0	0.0
Border States	35	0	0.0	8	22.9	12	34.3	13	37.1	1	2.9	1	2.9	0	0.0	0	0.0	0	0.0
Mountain States	39	1	2.6	13	33.3	14	35.9	7	17.9	2	5.1	2	5.1	0	0.0	0	0.0	0	0.0
Pacific States	92	6	6.5	31	33.7	18	17.4	32	34.8	1	1.1	6	6.5	0	0.0	0	0.0	0	0.0
Form of government																			
Mayor-council	284	15	5.3	92	32.4	69	24.3	74	26.1	10	3.5	21	7.4	2	0.7	0	0.0	1	0.4
Council-manager	377	17	4.5	112	29.7	99	26.3	108	28.6	16	4.2	24	6.4	1	0.3	0	0.0	0	0.0
Commission	38	3	7.9	14	36.8	6	15.8	3	7.9	2	5.3	10	26.3	0	0.0	0	0.0	0	0.0
Percent housing stock built before 1950																			
0.0%-25%	99	0	0.0	15	15.2	28	28.3	37	37.4	7	7.1	12	12.1	0	0.0	0	0.0	0	0.0
25.1%-50%	191	9	4.7	59	30.9	49	25.7	55	28.8	12	6.3	7	3.7	0	0.0	0	0.0	0	0.0
50.1%-75%	269	18	6.7	103	38.4	66	24.5	57	21.2	6	2.2	14	5.2	1	0.4	0	0.0	1	0.4
Over 75%	140	8	5.7	38	27.1	31	22.1	38	28.7	3	2.1	22	15.7	2	1.4	0	0.0	0	0.0

Notes: Percentages may not total 100% because of rounding.  
<sup>1</sup>The bond ratings shown are from "Profiles of Individual Cities" in *The Municipal Year Book 1977* (Washington, D.C.: International City Management Association, 1977), Table 1/1, pp. 7-43; they are based on the Moody's Investor's Service, Inc. classification and are current as of July 1976.

<sup>2</sup>Bond rating is based on investment attributes as follows:  
 Aaa = best quality; Aa = high quality; A = upper medium grade; Baa = medium grade; Ba = speculative; B = lacks characteristics of desirable investment; Caa = poor standing; Ca = speculative in a high degree; C = lowest rated class. Those bonds in the A

and Baa groups which Moody's Investor's Service, Inc. believes possess the strongest investment attributes are designated by the symbols A1 and Baa1. Other A and Baa bonds comprise the balance of their respective groups. (No cities in this table were classified with a rating lower than Caa.)

is to rely on information about specific functions which are common to most cities.

Raising revenue and providing public facilities, for example, are common to all cities. Both are related to a city's standing in the national bond markets, for the successful issuance of bonds depends on a city's fiscal stability. The bond ratings provided by Moody's Investors Services provide one index of fiscal and governmental performance. Fire protection is another common municipal function. A second measure of performance, therefore, is the fire insurance ratings employed by the fire insurance industry. Both of these performance measures are examined against measures of local characteristics and governmental structure.

**Bond Rating.** Table 4/12 presents the relationship between municipal bond ratings and 1975 city size. With the notable exception of New York City (rated Caa), large cities receive the highest ratings. This undoubtedly reflects the national importance, fiscal strength, and economic diversity of these communities. While most smaller communities are good investment risks, they lack the governmental and economic base that makes for high quality investments and lower interest rates. Population change from 1970 to 1975 has only a limited association with bond ratings (not shown in

table). In fact, cities that are losing population are rated as well as or better than those that register gains. However, the four cities rated Ba (speculative) or worse are population losers.

On a regional basis, New England communities have the highest bond standing, with 56% rated Aa (high quality) or better. Despite the dominance of reform and professional management in the Pacific region, these cities rank only modestly. The worst ratings are generally in the Solid South and Middle Atlantic regions.

Other urban characteristics affect bond ratings in a limited way. Cities with the lowest median incomes rank poorly, but wealthy cities do no better than those at the middle levels (not shown in table). Newer cities have the lowest ratings — no city with 0% to 25% of its housing stock built before 1950 has an Aaa (highest quality) rating. However, ratings also drop off among the oldest cities (those with at least 75% of housing built before 1950); 17% are rated Baa or Ba. The role of age is interesting, for it suggests that the age of and demand for capital facilities affect a community's ability to enter the capital market. Young cities need vast sums for new streets, sewers, and basic infrastructure. Their needs may exceed their fiscal ability and their governmental competence. Old cities are declining, both in economic terms and in terms

of their aging public facilities. The massive expenditures needed to modernize sewage systems and repair public property place a great burden on these older cities.

The character of relationships involving region and age suggests that governmental form will show only a limited relationship in bond ratings. Table 4/12 bears out this assumption for mayor-council and council-manager cities. Commission cities are rated lowest of all cities.

**Fire Rating.** The insurance industry ratings of local fire service provide a second external measuring stick for local government performance. The overall distribution of fire ratings (on a scale of 1 to 10 with 1 being the best rating) is shown in Table 4/13, except for cities in Texas, where another index is employed. Unlike the bond rating scheme, few cities rate at the top of the fire service scale. Only one city is rated in category 1 — St. Louis, Missouri. Population size also is a critical determinant of fire service quality. Fifty-five percent of the largest cities rank in the top two categories, while only a single city of less than 50,000 places as well. The average rating for the smallest cities is almost twice that of the largest.

Region also shows some association with fire service rating. New England and Pacific cities show the best ratings (the lowest average-

Table 4/13 FIRE RATINGS<sup>1</sup>

Classification	No. of cities reporting (A)	Fire rating scale <sup>2</sup>																	
		1		2		3		4		5		6		7		8		9	
		No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)
Total, all cities	703	1	0.1	48	6.8	200	28.4	223	31.7	165	23.5	71	10.1	4	0.6	2	0.3	1	0.1
<b>Population group</b>																			
500,000 and over	20	1	5.0	10	50.0	8	40.0	0	0.0	1	5.0	0	0.0	0	0.0	0	0.0	0	0.0
250,000-499,999	31	0	0.0	11	35.5	17	54.8	3	9.7	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
100,000-249,999	91	0	0.0	10	11.0	50	54.9	27	29.7	2	2.2	2	2.2	0	0.0	0	0.0	0	0.0
50,000-99,999	195	0	0.0	14	7.2	73	37.4	68	34.9	32	16.4	6	3.1	1	0.5	1	0.5	0	0.0
25,000-49,999	366	0	0.0	1	0.3	52	14.2	125	34.2	120	32.8	63	17.2	3	0.8	1	0.3	1	0.3
<b>Geographic region</b>																			
New England	67	0	0.0	10	14.9	24	35.8	26	38.8	6	9.0	1	1.5	0	0.0	0	0.0	0	0.0
Middle Atlantic	83	0	0.0	7	8.4	28	33.7	31	37.3	16	19.3	1	1.2	0	0.0	0	0.0	0	0.0
East North Central	181	0	0.0	5	2.8	29	16.0	61	33.7	57	31.5	24	13.3	2	1.1	2	1.1	1	0.6
West North Central	60	1	1.7	0	0.0	14	23.3	19	31.7	16	26.7	10	16.7	0	0.0	0	0.0	0	0.0
Solid South	113	0	0.0	4	3.5	35	31.0	24	21.2	29	25.7	20	17.7	1	0.9	0	0.0	0	0.0
Border States	41	0	0.0	4	9.8	7	17.1	13	31.7	11	26.8	5	12.2	1	2.4	0	0.0	0	0.0
Mountain States	38	0	0.0	1	2.6	9	23.7	13	34.2	8	21.1	7	18.4	0	0.0	0	0.0	0	0.0
Pacific States	120	0	0.0	15	12.5	54	45.0	35	30.0	12	10.0	3	2.5	0	0.0	0	0.0	0	0.0
<b>Percent housing stock built before 1950</b>																			
0.0%-25%	84	0	0.0	1	1.2	15	17.9	23	27.4	25	29.8	16	19.0	1	1.2	2	2.4	1	1.2
25.1%-50%	191	0	0.0	9	4.7	57	29.8	52	27.2	43	22.5	28	14.7	2	1.0	0	0.0	0	0.0
50.1%-75%	266	0	0.0	19	6.6	85	29.7	97	33.9	61	21.3	23	8.0	1	0.3	0	0.0	0	0.0
Over 75%	142	1	0.7	17	12.0	43	30.3	51	35.9	26	18.3	4	2.8	0	0.0	0	0.0	0	0.0

Note: Percentages may not total 100% because of rounding.

<sup>1</sup> Source for fire ratings used is "Profiles of Individual Cities," in *The Municipal Year Book 1978* (Washington, D.C.: International City Management Association, 1978), Table 1/1, pp. 6-42. (Municipalities in Texas and those municipalities employing

volunteers or that contract for services have been eliminated from this table.)

<sup>2</sup> The rating scale is based on points of deficiency as follows:  
 1 = 0-500 deficiency points; 2 = 501-1,000 deficiency points; 3 = 1,001-1,500 deficiency points; 4 = 1,501-2,000 deficiency points; 5 = 2,001-2,500

deficiency points; 6 = 2,501-3,000 deficiency points; 7 = 3,001-3,500 deficiency points; 8 = 3,501-4,000 deficiency points; 9 = 4,001-4,500 deficiency points; 10 = more than 4,500 deficiency points. No municipalities were classified over 9 in the rating scale.

scores), with Middle Atlantic cities slightly behind. Midwestern communities show the poorest rank. The close relationship between the far East and far West suggests that these areas rank about equally well in providing fire protection. This outcome, however, depends on vastly different inputs of fire service. New England communities, for example, employ more than twice as many uniformed firefighters on a per capita basis than do their Pacific counterparts (see below). While much of this difference in fire employment and service reflects the age and quality of urban housing, western cities may simply provide service more efficiently.

**Public Safety Employment.** Police and fire protection are basic municipal services provided by almost every municipality. Yet not every community needs or desires the same level of service. In addition, police and fire services can be provided in a wide variety of ways, from reliance on a few well-paid and trained uniformed personnel to the employment of large numbers of less qualified persons. The following data for police and fire employment were taken from the 1978 ICMA survey of police and fire departments, and indicate the number of uniformed personnel in each service in 1978 per 1,000 local population (population is as of 1975). To reduce the variation due to organizational character alone, cities with combined fire and police services — public safety departments — contracts for service, or volunteer fire departments were eliminated.

**Police Data.** The employment of police officers may reflect a variety of local conditions or concerns. While some cities may have high employment levels because of relatively high actual or perceived crime rates, other cities may employ large numbers of officers to prevent criminal conduct. The early twentieth century reformers often saw police employment as an adjunct of the political machine, satisfying patronage needs and providing control over political opponents. Today, local political institutions appear to make only a limited difference in employment patterns. As Table 4/14 shows, police employment is slightly higher in mayor-council cities than in council-manager communities, but the difference is small. Commission cities rank between the mayor-council and council-manager localities. Similar results exist for the two other reform characteristics, ballot type and council constituency, with slightly higher employment in the unreformed cities. However, these results ignore the major differences in size, character, and regional location between mayor-council and council-manager localities. It is likely that such differences actually explain the modest variation found between unreformed and reformed communities.

Metropolitan status of cities may provide an explanation of police employment. Central cities generally house poorer and more diverse populations than do their suburbs, and this may affect the need and demand for police services. Table 4/14 indicates that central cities employ

more police officers than do suburban cities with independent cities (those outside any standard metropolitan statistical area) in a middle position. These results also suggest a possible relationship between city size and police employment. Police employment varies directly with population size, with the largest cities employing almost twice as many officers as the smallest. The high employment levels of large cities may reflect greater levels of crime or citizen concern, although it may be that public services simply are more complex and costly in such areas. The particularly high police employment per 1,000 population in Philadelphia (4.58) and Chicago (4.29) also reflects the political importance of the police.

Region provides another explanation of police employment. Although the variations are not as dramatic as those involving size, the Border and Middle Atlantic regions show the highest employment, with the West North Central region at the lowest level. The rank of the Border region is largely a result of one city with the highest police employment in the present sample — Washington, D.C. — with 5.83 officers per 1,000 population. If the nation's capital is excluded, the Border region mean becomes 1.9 below the eastern regions.

The nation's large cities also tend to be poorer, older, and more racially diverse than other cities. While factors such as income and housing age are related to police employment, the clearest social factor that emerges in Table

Table 4/14

**AVERAGE POLICE AND FIRE EMPLOYMENT  
PER THOUSAND POPULATION**

City	Police employment		Fire employment	
	No. of cities reporting	Mean	No. of cities reporting	Mean
Total, all cities	528	1.73	494	1.65
<b>Population group</b>				
500,000 and over	16	2.94	17	1.50
250,000-499,999	28	2.05	28	1.74
100,000-249,999	69	1.81	69	1.69
50,000- 99,999	150	1.87	141	1.63
25,000- 49,999	267	1.65	241	1.65
<b>Geographic region</b>				
New England	22	2.11	22	2.68
Middle Atlantic	49	2.17	43	2.12
East North Central	119	1.80	113	1.43
West North Central	66	1.44	51	1.42
Solid South	116	1.91	116	1.88
Border States	75	2.10	23	2.02
Mountain States	32	1.70	27	1.49
Pacific States	109	1.50	100	1.30
<b>Metro status</b>				
Central	232	1.98	231	1.76
Suburban	213	1.59	181	1.42
Independent	83	1.71	82	1.65
<b>Form of government</b>				
Mayor-council	166	1.93	161	1.80
Council-manager	339	1.84	310	1.56
Commission	24	1.68	23	1.70
<b>Electoral ballot</b>				
Partisan ballot	107	1.95	99	1.93
Non-partisan ballot	359	1.84	338	1.56
Unknown	62	...	57	...
<b>Council constituency</b>				
Large ward/District	298	1.66	281	1.58
Small ward/District	158	1.81	146	1.76
Unknown	63	...	59	...
<b>Percent non-white population</b>				
0.0%—5%	294	1.51	284	1.45
5.1%—10%	70	1.72	68	1.66
10.1%—15%	45	1.99	45	1.90
15.1%—25%	63	2.00	51	1.95
Over 25%	66	2.37	66	2.02
<b>Percent housing stock built before 1950</b>				
0.0%—25%	94	1.38	73	1.12
25.1%—50%	175	1.65	167	1.48
50.1%—75%	184	1.85	180	1.82
Over 75%	75	2.09	74	2.12
<b>Median income</b>				
Under \$3,000	63	1.94	62	1.97
\$ 3,000—\$10,000	208	1.84	207	1.80
\$10,001—\$12,000	157	1.70	150	1.50
\$12,001—\$14,000	63	1.40	46	1.23
Over \$14,000	37	1.51	30	1.33

Leaders (...) indicate mean not calculated.

4/14 is race — the percentage of nonwhite population. Table 4/14 shows racially diverse cities employing almost one additional police officer per 1,000 population compared with the most homogeneous areas. This relationship emphasizes another role of the police, that of social control and control among very different urban residents.

The joint impact of city size and race is portrayed in Table 4/15. Both of these factors have an independent impact on police employment,

with the result that the largest and most racially diverse localities employ over two and one-half times as many officers as smaller and more homogeneous places.

**Fire Data.** The fire service has rarely been subject to the kinds of political roles or pressures often found in police departments. Still, the fire department represents a substantial portion of municipal employment and a potential source of political jobs. The relationships between political structures and fire employment directly

parallel the results for police employment, with slightly higher numbers in unreformed cities.

When population size is related to fire service employment, the variations are less dramatic than those for governmental form. The largest cities show lower fire employment levels than do all other size categories (Table 4/14). As an example, Chicago employs only 1.4 firefighters per 1,000 population — less than the national average. Regional location provides a much more substantial explanation. New England's employment level of 2.68 firefighters per 1,000 population leads the nation, while Pacific cities employ the low of 1.30.

The differences in fire employment between eastern and western cities reflect many characteristics, including city age, population density, and housing quality. Older housing is often a greater inherent fire hazard, particularly when compounded by the narrow streets and greater congestion of old cities. As Table 4/16 demonstrates, the result is high fire employment in older cities. Both age and region affect fire employment independently, so that the oldest New England communities employ close to three times the number of firefighters than do newly developed Pacific region cities.

The provision of public services tends to reflect the population, character, and location of a municipality rather than its specific governmental arrangements. Cities exhibit vast variations in population and character, but as they share more information on services and benefits with other jurisdictions, a greater similarity in employment will probably be achieved.

## CONCLUSION

Americans show an innate tendency to "tinker" — be it with their machines or their governmental arrangements. The widespread innovation of governmental reforms can be seen as a continuing search for the single best form of government. Such a perfect arrangement probably does not exist. The government that satisfies a suburban community of 30,000 with above average incomes and few social problems or political demands may be totally inadequate for a socially diverse city of 200,000, where conflict and pressures over basic municipal services are the order of the day. This variation in needs and demands is reflected in the widely varying structures of local government, each of which is adapted to unique local situations.

The variations in governmental form also reflect on the central values and concern of individual communities. For some, the need for a voice in city matters, for close representation and frequent elections may frustrate governmental continuity and stability. For others, the desire to innovate regarding programs and policies might seem to demand a visible, powerful political leader, who may sacrifice some of the symbols of popular democracy. Most cities, however, have chosen the route of professional management, even at some loss of popular political control.

This table includes 4,870 United States municipalities (including cities as well as villages, boroughs, towns, and townships). Data were collected during the period August 1977 to March 1978. Leaders (...) indicate data were not reported or are not applicable.

Provision for recall/initiative/referendum: left, indicates whether municipality has a provision for recall; center, indicates whether municipality has a provision for initiative; right, indicates whether municipality has a provision for referendum ("Y" for yes; "N" for no).

Political party appears on ballot: indicates whether political parties may appear on the ballot in a general election ("Y" for yes). If political parties may appear on the ballot, the number code indicates which types of parties are allowed (see key).

Mayor: member of council, election/vote/veto/paid: left, indicates whether the mayor is a member of the council ("Y" for yes; "N" for no), a dagger following the letter code indicates that the mayor is directly elected by the people; next, indicates the extent of the mayor's voting power (see key); next, indicates the extent of the mayor's veto authority (see key); right, indicates whether the mayor is paid ("Y" for yes; "N" for no), an asterisk following the letter code indicates that payment to the mayor is prohibited by law.

Council: no. of members/election/paid/annual wage/fee per regular meeting: left, indicates the number of members on the council (includes the mayor if he or she is a member); next, indicates the method used to select councilors (see key); indicates whether councilors are paid ("Y" for yes; "N" for no), an asterisk following the letter code indicates that payment of councilors is prohibited by law; next, indicates the annual wage paid to councilors; right, indicates the fee per regular council meeting paid to councilors. (Respondents to the questionnaire were asked to specify dollars and cents when giving the per meeting fee. Responses were rounded to the nearest whole dollar for this table because of space limitations.)

Method of election for councilors  
 A - All nominated and elected at large  
 B - All nominated by ward or district and elected at large  
 C - All nominated and elected by ward or district  
 D - All nominated and elected by some other method  
 E - Some nominated and elected at large; some nominated by ward or district and elected at large  
 F - Some nominated and elected at large; some nominated and elected by ward or district  
 G - Some nominated and elected at large; some nominated and elected by some other method  
 H - Some nominated by ward or district and elected at large; some nominated and elected by ward or district  
 I - Some nominated by ward or district and elected at large; some nominated and elected by some other method  
 J - Some nominated and elected at large; some nominated by ward or district and elected at large; some nominated and elected by ward or district  
 K - Some nominated and elected at large; some nominated by ward or district and elected at large; some nominated and elected by some other method  
 L - Some nominated and elected at large; some nominated and elected by ward or district; some nominated and elected by some other method

KEY

NOTE: →

Political party

- 1 - National political parties
- 2 - Local political parties
- 3 - Both national and local political parties

Mayor's voting power

- 0 - In a tie and on assorted other issues
- 1 - On all issues
- 2 - Only in a tie
- 3 - Never votes
- 4 - Other circumstances not covered in key
- 5 - In a tie and on personnel matters
- 6 - In a tie and on financial matters
- 7 - In a tie and when it is desired or required to have a majority
- 8 - Only in certain types of ties (e.g., only on motions, only when no financial matters are involved)

Mayor's veto authority

- A - Authority to veto any council-passed measure
- N - Mayor has no veto power
- S - Authority to veto some, but not all actions
- Y - Mayor has veto power, but respondent did not specify extent

Municipality	Provision for recall/initiative/referendum	Political party appears on ballot	Mayor: member of council, election/vote/veto/paid	Council: no. of members/election/paid/annual wage/fee per regular meeting
<b>ALABAMA</b>				
Albertville	Y/N/N	No	Y1/1/S/Y	6/E/Y/1,800/...
Alexander City	N/N/N	No	N1/3/A/Y	5/A/Y/1,800/...
Anniston	Y/N/Y	No	Y1/N/N	5/B/Y/3,000/...
Azure	N/N/N	...	Y1/1/S/Y	6/./Y/.. J15
Auburn	N/N/..	No	N1/3/S/Y	9/P/N/.. J...
Bay Minette	.J.J.	No	Y1/1./Y	6./Y/800/...
Bayou la Batre t	N/N/..	No	Y1/1/N/Y	6/A/Y/2,400/...
Birmingham	.J.J.	No	N1/3/A/Y	6/A/Y/8,900/...
Bridgesport t	Y/Y/Y	No	Y1/2/S/Y	6/A/Y/800/...
Brundidge t	Y/Y/N	No	Y1/N/Y	3./Y/1,800/...
Childersburg	Y/N/Y	No	Y1/1/A/Y	6/A/Y/.. J...
Clanton	N/N/N	No	..Y1/N/Y	5/A/Y/1,800/...
Cordova t	N/N/N	No	Y1/2/A/Y	6/A/Y/900/...
Cullman	N/N/N	No	N1/3/S/Y	5/A/Y/1,800/...
Daleville t	N/N/N	No	Y1/1/N/Y	6/A/Y/9,000/...
Daphne t	N/N/N	No	Y1/1/N/Y	5/A/Y/780/...
Decatur	Y./J.	No	..Y1./J.J.	.J./Y/1,800/...
Demopolis	Y/N/N	Y-1	Y1/1/N/Y	6/A/Y/1,200/...
Dothan	.J./Y	No	Y1/1/N/Y	5/E/Y/.. J...
East Brewton t	Y/N/Y	No	Y1/1/N/Y	6/E/Y/300/...
Fairfield	N/N/N	No	N1/3/S/Y	13/A/Y/1,800/...
Fayette	N./J.	No	Y1/1/N/Y	6/A/Y/1,800/...
French	.J./Y	Y-1	Y1/N/Y	3/A/Y/8,000/...
Gay	.J./J.	No	Y1/1./Y	6/A/Y/.. J...
Port Payne	N/N/N	No	Y1/1/S/Y	6./Y/1,500/...
Gadsden	N/N/N	Y-3	Y1/1/N/Y	3/A/Y/15,000/...
Geneva	.J./J.	No	..Y1/2/N/Y	5/A/Y/.. J35
Glencoe t	N/N/Y	No	Y1/1/S/Y	6/A/Y/300/...

Municipality	Provision for recall/initiative/referendum	Political party appears on ballot	Mayor: member of council, election/vote/veto/paid	Council: no. of members/election/paid/annual wage/fee per regular meeting
<b>ALABAMA - continued</b>				
Guntersville	.J./J.	No	Y1/1/N/Y	6/D/Y/2,100/...
Haleyville	N/N/N	No	Y1/2/A/Y	5/D/Y/1,200/...
Hamilton t	N/N/N	No	N1/2/A/Y	6/A/Y/.. J25
Hardford	.J./J.	...	Y1/2./Y	6/A/Y/800/...
Hokes Bluff t	.J./J.	No	Y1/1/N/Y	6./Y/.. J20
Homewood	N/N/N	No	N1/3/Y/Y	11/F/Y/.. J78
Hueytown	N./J.	No	Y1/1/A/Y	6/A/Y/1,200/...
Huntsville	.J./J.	No	N1/3/Y/Y	5/A/Y/8,000/...
Jacksonville	.Y/Y	No	Y1/1/N/Y	6/A/Y/1,200/...
Lanett	N/N/N	No	Y1/1/N/Y	6/A/Y/1,800/...
Leeds	N/N/N	No	Y1/1/N/Y	6/A/Y/.. J15
Linden t	Y./J.	No	Y1/1/N/Y	6/A/Y/600/...
Lipscomb	.J./J.	No	Y1/1/S/Y	6/A/Y/.. J...
Livingston	Y/N/N	No	Y1/4/A/Y	6/A/N/.. J...
Madison t	Y/N/N	No	..Y1/N/Y	.J./J./J./J.
Marion	N/N/N	No	Y1/1/N/Y	6/A/Y/1,200/...
Midfield	N/N/N	No	Y1/1/N/Y	6/A/Y/1,200/...
Mobile	.J./J.	No	Y1/1/N/Y	3/A/Y/27,500/...
Monroeville	Y/Y/Y	No	Y1/1/N/Y	6/A/Y/1,200/...
Montgomery	N/N/Y	No	N1/3/A/Y	9/C/Y/4,200/...
Moulton t	Y./J.	No	Y1/2/N/Y	6/A/Y/800/...
Opelika	.J./Y	No	Y1/1/N/Y	3/A/Y/2,400/...
Opp	N/N/N	No	Y1/1/A/Y	6/D/Y/1,800/...
Pell City	.J./J.	No	Y1/1/N/Y	6/A/Y/1,500/...
Phenix City	Y./J.	No	Y1/1/N/Y	5/F/Y/3,000/...
Pleasant Grove t	N/N/N	No	Y1/1/N/Y	6/A/Y/1,800/...
Red Bay	.J./J.	No	Y1/1/A/Y	6/A/Y/480/...
Russellville	N/N/Y	No	Y1/1/N/Y	6/A/Y/1,500/...

Table 4/17  
cont.

MAYOR, COUNCIL, AND ELECTORAL PROCEDURES

Municipality	Provision for recall/initiative/referendum	Political party appears on ballot	Mayor member of council, election/term/vote/votes paid	Number of members/ election/paid/ annual wage/fee per regular meeting	Municipality	Provision for recall/initiative/referendum	Political party appears on ballot	Mayor member of council, election/term/vote/votes paid	Number of members/ election/paid/ annual wage/fee per regular meeting
<b>ALABAMA - continued</b>					<b>ARKANSAS</b>				
Bartholomew	N/M/N	No	Y11/M/Y	6/A/Y12,400/...	Arkadelphia	N/Y/Y	No	Y11/M/N*	71/A/M*1...J...
Bartholomew	J. J.	No	Y11/M/Y	6/A/Y11,800/...	Augusta	Y1. J.	No	N1/2/S/Y	8/8/Y1...J...
Sumiton	N/M/N	No	Y11/M/Y	6/A/Y11,500/...	Beesha	N/M/N	Y-3	N1/2/A/Y	8/8/Y1...J10
Tallapoosa	N/M/N	No	Y12/M/Y	JC/Y1...J25	Benton	J. J.	No	Y11/M/N*	71/A/M*1...J...
Tarrant City	Y/M/Y	No	Y11/M/Y	6/A/Y1800/...	Bentonville	N/Y/Y	No	N1/2/A/Y	8/8/Y1...J25
Troy	N/Y/Y	No	Y11/M/Y	3/A/Y11,800/...	Berryville	J. J.	No	Y12/S/Y	81. JY1...J10
Union Springs	J. J.	No	Y11/M/Y	6/A/Y1420/...	Boonerville	N/M/N	No	Y12/A/Y	8/8/Y1...J...
Vestavia Hills	J. J.	No	Y12/M/Y	6/A/Y12,400/...	Briarley	Y/Y/Y	No	Y11/M/N	71/A/M*1...J...
Warrior	J. J.	No	Y11/M/Y	6/D/Y1...J20	Camden	N/M/Y	No	Y11/M/N*	71/A/M*1...J...
Wetumpka	N/M/N	No	Y11/M/Y	6/A/Y11,500/...	Cassatt	Y1. J.	No	Y12/M/Y	718/Y1...J...
Winfield	J. J.	No	Y11/M/Y	6/A. J...J60	Dardanelle	J. J.	Y-1	Y11/M/Y	71/A/Y1...J50
<b>ALASKA</b>					<b>ARIZONA</b>				
Anchorage	Y/Y/Y	No	N1/2/S/Y	11/C/Y110,800/...	Avondale	Y/Y/Y	No	Y11/M/Y	71/A/Y1...J15
Bartholomew	N/Y/Y	No	Y11/M/N	71/A/M...J...	Benson	Y1. J.	No	Y12/J. J.	71/A/Y1...J25
Cardova	Y/Y/Y	No	N1/2/A/M*	6/A/M...J...	Blaine	Y/Y/Y	Y-3	Y11/M/Y	71/F/Y11,200/...
Dillingham	Y/Y/Y	No	N1/2/A/M*	6/A/M*1...J...	Buckeye	Y/Y/Y	No	Y11/M/Y	71/A/Y1800/...
Fairbanks	Y/Y/Y	No	N1/2/A/Y	6/A/Y11,800/...	Casa Grande	Y/Y/Y	No	Y11/M/Y	71/A/Y11,200/...
Homer	Y/Y/Y	No	N1/2/A/Y	6/A/M...J...	Chandler	Y/Y/Y	No	Y11/M/Y	71/A/Y11,200/...
Juneau	Y/Y/Y	No	Y11/M/Y	8/8/Y13,000/...	Clifton	Y/Y/Y	Y-1	Y10/M/Y	71/A/Y1800/...
Kasil	Y/Y/Y	No	Y11/M/Y	71/A/M...J...	Coolidge	Y/Y/Y	No	Y11/M/Y	71/A/Y11,200/...
Kachikan	Y/Y/Y	No	N1/3/M/Y	71/A/Y1...J75	Cottonwood	Y/Y/Y	No	Y11/M/N	71/A/M...J...
Kodiak	Y/Y/Y	No	N1/2/A/Y	6/A/Y1800/...	Douglas	Y/Y/Y	Y-1	Y12/M/Y	71/F/Y11,200/...
Palmer	Y/Y/Y	No	Y11/M/Y	71/A/Y1...J25	El Mirage	Y/Y/Y	No	Y11/M/Y	71/A/Y1...J...
Petersburg	Y/M/Y	No	N1/2/A/Y	6/A/Y1...J50	Eloy	Y/Y/Y	No	Y11/A/Y	71/A/Y1360/...
Seldovia	Y/Y/Y	No	N1/2/A/M	6/D/M...J...	Flagstaff	Y/Y/Y	Y...	Y11/M/Y	71/A/Y12,400/...
Seward	Y/Y/Y	No	Y11/M/N	71/A/M...J...	Florence	Y1. J.	No	Y11/M/N	6/A/M...J...
Sitka	Y/Y/Y	No	Y11/M/Y	71/A/Y1...J15	Gilbert	Y/M/Y	No	Y11/M/Y	71/A/Y1800/...
Valdez	Y/Y/Y	No	Y11/M/Y	71/A/Y11...	Glandale	Y/Y/Y	No	Y11/M/Y	71/A/Y13,600/...
Wrangell	Y/Y/Y	No	Y12/M/N*	71/A/M*1...J...	Globe	Y/M/N	No	Y12/M/Y	71. JY1800/...
<b>ALABAMA</b>					<b>CALIFORNIA</b>				
Adelanto	Y/Y/Y	No	Y11/M/N	6/A/M...J...	Adelanto	Y/Y/Y	No	Y11/M/N	6/A/M...J...
Alameda	Y/Y/Y	No	Y11/M/Y	6/A/Y1...J50	Alameda	Y/Y/Y	No	Y11/M/Y	6/A/Y1...J50
Albany	Y/Y/Y	No	Y11/M/Y	6/A/Y1...J5	Albany	Y/Y/Y	No	Y11/M/Y	6/A/Y1800/...
Alhambra	Y/Y/Y	No	Y11/M/Y	6/A/Y1800/...	Alhambra	Y/Y/Y	No	Y11/M/Y	6/A/Y1800/...
Altura	Y/Y/Y	No	Y11/M/Y	6/A/Y14,800/...	Altura	Y/Y/Y	No	Y11/M/Y	6/A/Y14,800/...
Anaheim	Y/Y/Y	No	Y11/M/Y	6/A/Y1800/...	Anaheim	Y/Y/Y	No	Y11/M/Y	6/A/Y1800/...
Anderson	Y/Y/Y	No	Y11/M/Y	6/A/Y12,400/...	Anderson	Y/Y/Y	No	Y11/M/Y	6/A/Y12,400/...
Arcadia	Y/Y/Y	No	Y11/M/Y	6/A/Y11,800/...	Arcadia	Y/Y/Y	No	Y11/M/Y	6/A/Y11,800/...
Arcata	Y/Y/Y	No	Y11/M/Y	6/A/Y11,800/...	Arcata	Y/Y/Y	No	Y11/M/Y	6/A/Y11,800/...
Arroyo Grande	Y/Y/Y	No	Y11/M/Y	6/A/Y11,800/...	Arroyo Grande	Y/Y/Y	No	Y11/M/Y	6/A/Y11,800/...
Artesia	Y/Y/Y	No	Y11/M/N	6/A/Y11,800/...	Artesia	Y/Y/Y	No	Y11/M/N	6/A/Y11,800/...
Atherton	Y/Y/Y	No	Y11/M/N	6/A/Y11,800/...	Atherton	Y/Y/Y	No	Y11/M/N	6/A/Y11,800/...
Atwater	Y/Y/Y	No	Y11/M/Y	6/A/Y11,800/...	Atwater	Y/Y/Y	No	Y11/M/Y	6/A/Y11,800/...
Azusa	Y/Y/Y	No	Y11/M/Y	6/A/Y11,800/...	Azusa	Y/Y/Y	No	Y11/M/Y	6/A/Y11,800/...
Bakersfield	Y/Y/Y	No	N1/2/M/Y	71/C/Y11,200/...	Bakersfield	Y/Y/Y	No	N1/2/M/Y	71/C/Y11,200/...
Baldwin Park	Y/Y/Y	No	Y11/M/Y	6/A/Y12,400/...	Baldwin Park	Y/Y/Y	No	Y11/M/Y	6/A/Y12,400/...
Banning	Y/Y/Y	No	Y11/M/Y	6/A/Y11,800/...	Banning	Y/Y/Y	No	Y11/M/Y	6/A/Y11,800/...
Barstow	Y/Y/Y	No	Y11/M/Y	6/A/Y11,800/...	Barstow	Y/Y/Y	No	Y11/M/Y	6/A/Y11,800/...
Beaumont	J. J.	Y-1	Y11/M/Y	6/A/Y1...J...	Beaumont	J. J.	Y-1	Y11/M/Y	6/A/Y1...J...
Bell	Y1. J.	No	Y11/M/N	6/A/Y12,560/...	Bell	Y1. J.	No	Y11/M/N	6/A/Y12,560/...
Bell Gardens	Y/Y/Y	No	Y11/M/Y	6/A/Y12,520/...	Bell Gardens	Y/Y/Y	No	Y11/M/Y	6/A/Y12,520/...
Belflower	Y/Y/Y	No	Y11/M/Y	6/A/Y13,900/...	Belflower	Y/Y/Y	No	Y11/M/Y	6/A/Y13,900/...
Belmont	Y/Y/Y	No	Y11/M/Y	6/A/Y11,800/...	Belmont	Y/Y/Y	No	Y11/M/Y	6/A/Y11,800/...
Belvedere	Y/Y/Y	No	Y11/M/N	6/A/M...J...	Belvedere	Y/Y/Y	No	Y11/M/N	6/A/M...J...
Benicia	Y/Y/Y	No	Y11/M/Y	6/A/Y12,780/...	Benicia	Y/Y/Y	No	Y11/M/Y	6/A/Y12,780/...
Berkeley	Y/Y/Y	No	Y11/M/Y	6/A/Y13,600/...	Berkeley	Y/Y/Y	No	Y11/M/Y	6/A/Y13,600/...
Beverly Hills	Y/Y/Y	No	Y11/M/Y	6/A/Y12,250/...	Beverly Hills	Y/Y/Y	No	Y11/M/Y	6/A/Y12,250/...
Bishop	J. J.	No	Y11. Y	6/A/Y1...J...	Bishop	J. J.	No	Y11. Y	6/A/Y1...J...
Brawley	Y/Y/Y	Y-1	Y11/M/Y	6/A/Y11,800/...	Brawley	Y/Y/Y	Y-1	Y11/M/Y	6/A/Y11,800/...











Table 4/17  
continued

AYOR, COUNCIL, AND ELECTORAL PROCEDURES

Table with 5 columns: Municipality, Provision for recall/initiative/referendum, Political party appears on ballot, Mayor: member of council, elected/voted/won/paid, Council: no. of members/officials/positions per regular meeting. Lists Florida municipalities from Mount Dora to Winter Park.

Table with 5 columns: Municipality, Provision for recall/initiative/referendum, Political party appears on ballot, Mayor: member of council, elected/voted/won/paid, Council: no. of members/officials/positions per regular meeting. Lists Georgia municipalities from Adel to Moultrie.













Table 4/17 continued

MAYOR, COUNCIL, AND ELECTORAL PROCESSES

Table with columns: Municipality, Provision for recall/initiated/referendum, Political party appears on ballot, Mayor member of council/elected/vote/voted/paid, Council: no. of members/election/paid/annual wage/fee per regular meeting. Lists municipalities from Harrison t to Washburn t.

Table with columns: Municipality, Provision for recall/initiated/referendum, Political party appears on ballot, Mayor member of council/elected/vote/voted/paid, Council: no. of members/election/paid/annual wage/fee per regular meeting. Lists municipalities from Wells t to Charlton t.























Table #17  
cont.

MAYOR, COUNCIL, AND ELECTORAL PROCEDURES

Table with 10 columns: Municipality, Provision for recall/initiative/referendum, Political party appears on ballot, Mayor: member of council/elected/term/vote/paid, Council: no. of members/elected/paid/annual vote/fee per regular meeting, Municipality, Provision for recall/initiative/referendum, Political party appears on ballot, Mayor: member of council/elected/term/vote/paid, Council: no. of members/elected/paid/annual vote/fee per regular meeting. The table is split into two main sections: OHIO - continued and OKLAHOMA.

















Table 4/17  
cont

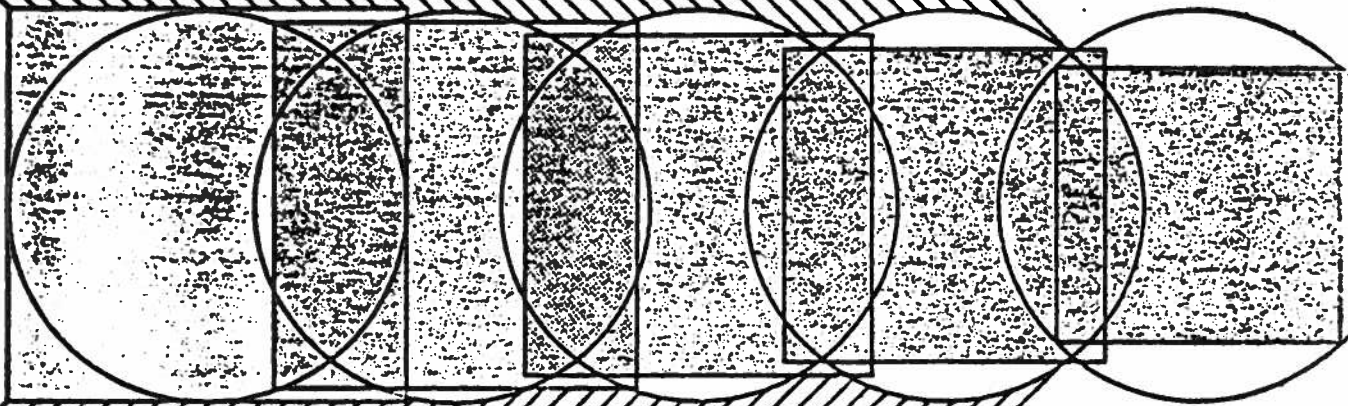
MAYOR, COUNCIL, AND ELECTORAL PROCEDURES

Table with columns: Municipality, Provision for recall/initiative/referendum, Political party appears on ballot, Mayor: member of council, election/vote/term/paid, Council: no. of members, election/paid/annual wage/fee per regular meeting. Rows include Virginia municipalities like Lynchburg, Manassas, Martinsville, etc.

Table with columns: Municipality, Provision for recall/initiative/referendum, Political party appears on ballot, Mayor: member of council, election/vote/term/paid, Council: no. of members, election/paid/annual wage/fee per regular meeting. Rows include Washington municipalities like Nonnandy Park, Oak Harbor, Ocean Shores, etc., and West Virginia municipalities like Beckley, Benwood, Bluefield, etc.



# REPORT 3/76



## CITY GOVERNMENTS: FORM, STRUCTURE, ELECTION OF MAYOR AND COUNCIL

### Data Briefs

The two major forms of municipal government – the mayor-council form and the council-manager form – are generally characterized by nonpartisan elections, direct election of the mayor (51% of reporting council-manager cities), election of city council members at large, and a decreasing likelihood that the clerk, treasurer, or other city official (other than mayor and council members) will be elected by the people.

This report, giving primary attention to form of government, the office of mayor, and the city council, is based on data from almost 4,000 cities and includes comparisons with earlier surveys in *The Municipal Year Book* going back to 1935.

Mayor-council and council-manager cities are almost equally divided – 46% and 47% of responding cities respectively. Seventy-six percent of all reporting cities use nonpartisan elections.

Historically, the most striking changes have been the growth in the council-manager plan, the drop in the commission plan, the increase in cities with partisan elections, and the increase in cities with at-large election of city council members.

# CITY GOVERNMENTS: FORM, STRUCTURE, ELECTION OF MAYOR AND COUNCIL

The results of the first survey of forms of government for American cities of over 10,000 population appeared in *The Municipal Year Book* in 1935. Of the 959 cities surveyed, 57% had the mayor-council form of government, 20% had the commission form, 19% had the council-manager form, and 4% had the town meeting form. Since that early survey (a much more limited survey was conducted for the first *Municipal Year Book* which was published in 1934), governmental data surveys have been conducted periodically by the International City Management Association (ICMA). The most recent such survey was conducted in 1974; some of the results were published in the *Urban Data Service Report* for July 1975: *City Councils: Elections, Procedures, and Functions*. This report, which is based on the 1974 survey and makes use of data from earlier surveys, deals primarily with form of government, the office of the mayor, and the city council.

## SURVEY BASE

This report is based largely on information gathered from a survey conducted by the International City Management

*This report is based on the survey "Municipal Electoral Systems and City Council Structure - 1974" (GOVT/74), conducted by the International City Management Association (ICMA) in September 1974. David S. Arnold, Director, Publications Center, International City Management Association, analyzed the data and wrote the report.*

*ICMA's Data Services Center is responsible for the planning, coordination, development, preparation, and editing of UDS*

Association through a questionnaire titled "Municipal Electoral Systems and City Council Structure - 1974" that was sent to 6,254 cities in September 1974. Of all cities surveyed, 3,965 (63%) responded (Table 1). No classification of city responded with less than a 53% response rate. In interpreting the tables, two points regarding the classifications should be noted:

1. In the population group classification, the categories for larger cities contain smaller universes than do the categories for smaller cities. This means that a shift of one or two cities from one response to another in larger cities may constitute a major shift in the relative percentage attributed to any one response. In other words, a shift of one city in the group over 500,000 population in terms of percentages is equivalent to a shift of 63 cities in the group of 2,500 to 4,999.
2. The under 2,500 population group is limited to municipalities recognized by ICMA as providing the council-manager plan or providing for a position of overall general management. This group, then, does not include all U.S. cities in this population category. According to the U.S. Census of Governments, there are almost 12,000 municipalities in this population category that are not reflected here.

Throughout this report, data from the 1974 survey will be compared with data gathered in earlier years. For most of the other base years (1935, 1945, 1955, and 1965) a smaller universe of cities was surveyed and a response rate at or near 100% was obtained. This should be taken into consideration when using the data for trend analysis.

*reports. Emily Evershed, Publications Center, ICMA, handles final editing, and Betty Lawton, Administrative Services, ICMA, handles layout and production of UDS reports. Cover design for this report is by Bil Coltellaro.*

*Suggested citation: David S. Arnold, City Governments: Form, Structure, Election of Mayor and Council, Urban Data Service Reports, Vol. 8 No. 3 (Washington, D.C.: International City Management Association, March 1976).*

## DEFINITIONS

The definitions of geographic regions shown in footnote 1, Table 1, definitions of forms of government, city council, the office of the mayor, the chief administrative officer are shown in Figure 1.

In addition to classification by population group, geographic region, and form of government, the data are shown by metro/city type (central, suburban, independent cities). Central cities generally have 50,000 inhabitants or more and are dominant in standard metropolitan statistical areas (SMSAs). Suburbs are other cities, towns, and other incorporated places in SMSAs. Independent cities are cities, towns, and other incorporated places outside SMSAs. These definitions, however, leave much unsaid, especially for the suburbs. Suburbs are not bedroom communities for central city workers. Suburban cities are often communities with many kinds of economic activity and with heterogeneous populations, and economic, social, and cultural problems that are remarkably similar to those of central cities and rural communities in all parts of the United States. It might be expected, suburbs also have a wide variety of governmental characteristics.

It also is unwise to stereotype an independent city as the bucolic country town. Independent cities, like central and suburban cities, have a wide range of economic and social characteristics and forms of government.

While no attempt is made in this report to correlate social and cultural characteristics with forms of government, it is helpful to keep these differences in mind when reviewing the aggregate data and when inspecting the individual city data that appear in Table 12.

## FORMS OF GOVERNMENT

The mayor-council and council-manager forms of government prevail in over 90% of the cities in the United States. Over 90% of cities responding to the survey at two forms are virtually equal in percentages (46% have the mayor-council form and 47% have the council-manager form (Table 1). However, the ratios change sharply for cities 10,000 and over population: mayor-council cities account for 34% of these 1,620 places; council-manager cities, 59%; commission cities, 4%; and all other forms comprise 4%.

**Table 1 SURVEY RESPONSE, AND FORM OF GOVERNMENT OF RESPONDING CITIES**

Classification	No. of cities surveyed (A)	Cities reporting		Form of government							
		No. (B)	% of (A)	Mayor-council		Council-manager		Commission		Other <sup>3</sup>	
				No.	% of (B)	No.	% of (B)	No.	% of (B)	No.	% of (B)
<b>Total, all cities</b> .....	<b>6,264</b>	<b>3,969</b>	<b>63</b>	<b>1,815</b>	<b>46</b>	<b>1,863</b>	<b>47</b>	<b>124</b>	<b>3</b>	<b>163</b>	<b>4</b>
<b>Population group</b>											
Over 500,000 .....	27	19	70	15	79	4	21	0	0	0	0
250,000-500,000 .....	29	24	83	11	48	11	48	2	8	0	0
100,000-249,999 .....	98	79	81	29	37	43	54	7	9	0	0
50,000-99,999 .....	256	208	80	65	32	133	65	7	3	1	---
25,000-49,999 .....	529	403	76	108	26	283	65	28	6	8	2
10,000-24,999 .....	1,354	889	66	320	36	498	66	23	3	48	5
5,000-9,999 .....	1,651	964	62	474	49	412	43	32	3	48	5
2,500-4,999 .....	2,090	1,191	57	773	65	332	28	27	2	69	5
Under 2,500 .....	320	190	59	22	12	167	68	0	0	1	---
<b>Geographic region<sup>1</sup></b>											
Northeast .....	1,809	989	53	425	44	351	37	22	2	162	17
North Central .....	1,829	1,230	67	785	61	438	36	38	3	1	---
South .....	1,792	1,122	63	489	41	608	54	57	5	0	0
West .....	824	653	79	178	27	488	72	9	1	0	0
<b>Metro/city type<sup>2</sup></b>											
Central .....	363	283	78	100	35	157	55	26	9	0	0
Suburban .....	3,124	1,930	62	883	48	891	46	38	2	108	6
Independent .....	2,728	1,752	63	822	47	818	47	60	3	55	3

Note: Leaders (. . .) indicate less than 0.5%.

<sup>1</sup>Geographic regions: *Northeast* - the New England and Mid-Atlantic Divisions, which include the states of Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont; *North Central* - the East and West North Central Divisions, which include the states of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin; *South* - the South Atlantic

and West South Central Divisions, which include the states of Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia and West Virginia, plus the District of Columbia; *West* - the Mountain and Pacific Coast Divisions, which include the states of Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

<sup>2</sup>Metro/city type: *Central* - the city(ies) actually appearing in the Standard Metropolitan Statistical Area (SMSA) title; *Suburban* - the city(ies) located within an SMSA; *Independent* - the city(ies) not located within an SMSA.

<sup>3</sup>This includes municipalities with town meeting and representative town meeting forms of government.

Examining historical perspective, according to the 1935 *Municipal Year Book* more than one-half (57%) of the cities over 10,000 in the U.S. operated with the mayor-council form while about equal proportions operated with the commission form (20%) and the council-manager form (19%). The remaining cities (4%) operated with town meeting government. The data were based on 959 cities over 10,000. (The 550 mayor-council cities included 15 with bicameral legislative bodies.)

By 1945, for 2,033 cities over 5,000 population the ratios were 63% for mayor-council cities, 16% for commission cities, 17% for council-manager cities, and 4% for town meeting cities. The addition of cities of 5,000 to 10,000 population to the reporting base accounts for these percentage changes.

By 1955 the postwar surge in the adoption of the council-manager plan was evident. For 2,527 cities of over 5,000 population, the ratios were 52% for mayor-council cities; 30% for council-manager cities; 14% for commission cities; and 4% for town meeting cities.

Although there are obvious difficulties in comparing these data because of changes in the number of cities reporting from one census period to the next, it is evident that the council-manager adoptions were gaining at the expense of the mayor-council form.

By 1965, for 3,007 reporting cities over 5,000 population the mayor-council form accounted for 52% of the cities, the council-manager form for 40%, and the commission form for 8%. Particularly significant by this time was the decrease in the ratio of cities with the commission form. The number (for cities over 5,000) had dropped from 327 in 1945 to 237 in 1965. By 1974, the total number of commission cities reporting had dropped to 124, only 97 of which were 5,000 and over in population.

Mayor-Council and Council-Manager Variations. Regardless of the number of variations which have been used to describe governmental form (including those which appear in Table 12), for most cities the mayor-council and council-manager arrangements prevail. This point of view is set forth by the National

Municipal League in the following form:

Although it is sometimes claimed that there are as many as seven identifiable different forms of local government in use in United States communities, the practical truth is that only two appear to have what it takes to cope with the crushing challenges of the last quarter of the Twentieth Century.

These two are the Strong Mayor and the Council-Manager forms. Cities seeking to improve their governments inevitably turn to one or the other of these two forms. It would serve no useful purpose, therefore, to discuss in detail the Commission, Weak Mayor, and Town Meeting forms, . . . the remaining two - Mayor-Administrator and Chief Administrative Officer (CAO) - are really only variations of the Strong Mayor and Council-Manager forms, respectively.<sup>1</sup>

Table 1 shows that the mayor-council and council-manager forms are approxi-



mateily equal for all reporting cities, but these aggregates conceal many variations. Setting aside the small number of cities under 2,500 population, the mayor-council plan ranges from a high of 79% in cities over 500,000 population to a low of 26% for cities 25,000 to 49,999. For council-manager cities (excluding those under 2,500) the highest ratio (65%) is found in cities 25,000 to 99,999 population. According to geographic region, council-manager cities predominate in the South and West. Among central cities the council-manager form is found in 55%, the mayor-council form in 35%, and the commission form in 9%. (A word of caution is in order here — the nonresponding group might well include a high number of mayor-council cities.)

These data on form of government, whether aggregated by population, geographic region, or metropolitan status, do not "prove" that the mayor-council or the council-manager form is more suitable for any particular type of municipality. The fact that there is a higher ratio of council-manager places in the West than in the Northeast, for example, is a result of the many socio-economic and other variables that influence local government structure. Among these are community consensus, education and income levels, economic base, and a variety of other factors, including population mobility.<sup>2</sup> The data in Table 1 are best viewed as statistical documentation of a long-term trend of growth of the council-manager plan and decline of the commission form of government.

**Municipal Charters.** Table 2 shows the distribution of municipal charters or basic laws for 3,640 reporting cities. The most prevalent kind of legal base is municipal home rule which applies to 1,381 (38%) of the reporting cities. The uniform charter, essentially a general act of the state legislature prescribing a common form of government for all municipalities, is the next most common law; it is found in 959 cities (26%). By population group, home rule is found in 61% of the cities over 500,000 and ranges down to 32% for the cities 2,500 to 4,999 in population. By form of government, home rule is most prevalent in council-manager cities (45%).

Perhaps the most significant finding in Table 2 is the apparent effort of the states to grant some degree of local control over the municipal charter or basic law through the uniform charter, the classification charter, or home rule. These three classifications account for

The mayor-council form of government has a legislative body that is elected either at large or by ward or district, or else by some combination of the two. The distinguishing characteristics of the mayor-council form are: (1) a separately elected mayor, and (2) official designation of the office as at least the titular head of the city government. Depending on legal framework and local customs, the powers of the mayor may range from limited ceremonial and representational duties to full-scale authority to appoint and dismiss department heads, to appoint members of boards and commissions, to prepare the budget for city council review, to administer the budget and the daily operations of the city government, and to veto ordinances passed by the city council.

The council-manager form of government has a legislative body that is elected by popular vote and is responsible for policy making; the municipality is under the administration of a manager responsible to the council. The council appoints the chief administrator or manager. The mayor is a member of the council, usually has no veto power over council actions, and has no administrative duties. He is, however, recognized as the community's political leader.

The commission form of government, usually employing a nonpartisan, at-large electoral system, has a board of commissioners, typically of five members. Collectively, they serve as the legislative body. Individually, each commissioner heads one or more administrative departments.

The town meeting form provides a method by which all franchised citizens can meet and directly enact ordinances, levy taxes, and elect town officials. It has only been used in small New England towns. As these towns have increased in population, some have switched to the representative town meeting form in which a board of selectmen or a finance committee is elected.

The city council is the major legislative policy-making body of a municipality. The council is elected only by qualified electors residing within the corporate limits of the municipality. In parts of New England, the policy-making body is the board of selectmen; for the commission form of government, it is the commission.

The mayor is the chief elected official executive of the municipality; in parts of New England the position is held by the chairman of the board of selectmen; for the commission form of government it is held by the chairman of the commission.

The chief administrative officer is appointed by the elected executive and/or the legislative body to serve as the city manager or chief administrative officer of the municipality.

Figure 1 *Forms of government and city officers*

74% of all reporting cities.

Appearances may be deceiving, however, as Adrian and Press point out in their book *Governing Urban America*. The latent and often immediate control of the state legislature can be exercised at any time, although home rule may be an important psychological restraint.

Perhaps the greatest effect of home rule lies in its psychological value. To those interested in local government, it may give the impression of granting more independence to the cities than is the actual case. This gives encouragement and incentive to those who would be active in local government and thus gives the reformer the feeling that if he fails, he has only himself to blame. The psychological effect upon legislators is also significant. Most legislators have been willing to accept the mandate of the voters when a home rule provision is

written into a constitution and to permit home rule to operate even where legal authority to commit sabotage lies with the legislature.<sup>3</sup>

**Municipal Elections.** Seventy-six percent of the reporting cities elect members of the city council on a nonpartisan ballot (Table 3). This is the highest overall ratio reported for those surveys which have been conducted back to the 1940s.

The ratios for partisan elections are highest for cities in the Northeast and for the mayor-council cities. Does a ratio of 62% in the Northeast indicate that those cities are more "political" than cities in other parts of the country? Not necessarily, as Robert Boynton is careful to point out in his *Urban Data Service Report, City Councils: Elections, Procedures, and Functions*, issued in July 1975.<sup>4</sup>

The aggregated ratios for nonpartisan elections have been increasing steadily

Table 2 TYPE OF MUNICIPAL CHARTER OR BASIC LAW

Classification	No. of cities reporting (A)	Unique charter		Uniform charter		Circuit-Revision charter		Optional charter		Home rule		Combined and other
		No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)	
Total, all cities	3,840	488	13	959	26	355	10	191	5	1,281	38	288
Population group												
Over 500,000	18	4	22	1	6	1	6	0	0	11	61	7
250,000-500,000	23	4	17	0	0	1	4	2	9	13	57	3
100,000-249,999	75	16	21	5	7	7	9	8	11	32	43	7
50,000-99,999	183	34	18	24	12	11	6	15	8	98	51	11
25,000-49,999	380	53	14	73	19	28	7	25	7	172	45	31
10,000-24,999	832	113	14	164	20	79	9	69	8	333	40	74
5,000-9,999	878	106	12	261	30	98	11	40	5	314	38	59
2,500-4,999	1,086	114	11	375	35	124	12	28	2	340	32	87
Under 2,500	175	22	13	66	32	8	5	6	3	68	39	15
Geographic region												
Northeast	854	112	13	249	29	88	10	79	9	240	28	88
North Central	1,129	27	2	296	26	131	12	57	5	684	60	54
South	1,037	297	29	225	22	88	8	28	2	381	35	43
West	620	30	5	169	30	52	8	30	5	218	35	103
Metro/city type												
Central	270	65	20	31	11	18	7	23	9	127	47	18
Suburban	1,771	189	11	482	26	171	10	95	5	987	39	167
Independent	1,599	222	14	468	29	166	10	73	5	667	35	105
Form of government												
Mayor-council	1,650	178	11	543	33	228	14	85	5	512	31	104
Council-manager	1,757	271	15	369	20	105	6	89	5	791	45	142
Commission	108	10	9	26	24	19	18	15	14	29	27	9
Town meeting	92	2	2	22	24	2	2	2	2	40	43	24
Rep. town meeting	33	5	15	9	27	1	3	0	0	9	27	9

<sup>1</sup> Included in this column are cities which operate under more than one basic law and cities which operate under any other type of basic law.

Table 3 NONPARTISAN OR PARTISAN ELECTORAL SYSTEM

Classification	No. of cities reporting (A)	Nonpartisan		Partisan	
		No.	% of (A)	No.	% of (A)
Total, all cities	3,885	2,935	76	950	24
Population group					
Over 500,000	19	15	79	4	21
250,000-500,000	24	19	79	5	21
100,000-249,999	79	59	75	20	25
50,000-99,999	203	153	76	50	25
25,000-49,999	397	308	77	91	23
10,000-24,999	871	614	70	257	30
5,000-9,999	947	685	72	262	28
2,500-4,999	1,160	909	78	251	22
Under 2,500	185	175	95	10	5
Geographic region					
Northeast	906	347	38	559	62
North Central	1,222	998	82	226	18
South	1,108	864	87	142	13
West	651	628	96	23	4
Metro/city type					
Central	282	214	76	68	24
Suburban	1,884	1,341	71	543	29
Independent	1,719	1,380	80	339	20
Form of government					
Mayor-council	1,790	1,149	64	641	36
Council-manager	1,842	1,608	87	236	13
Commission	121	100	83	21	17
Town meeting	97	57	59	40	41
Rep. town meeting	35	23	66	12	34

over the past several decades. The 1974 *Municipal Year Book* showed that 57% of all cities over 10,000 (2,033 reported) had nonpartisan elections. By 1955 the ratio had increased to 60%; by 1965 to 64%. Some of this increase could be attributed to the higher response rates in council-manager cities where the ratio of nonpartisan elections always has been very high, typically around 85%. However, the ratio of nonpartisan elections has risen steadily over the years in mayor-council cities as well.

In 1945, 43% of reporting cities with the mayor-council form of government conducted elections on a nonpartisan basis and 57% held partisan elections. These ratios for mayor-council cities have changed dramatically; in 1974, 64% reported nonpartisan elections and 36% reported partisan elections (Table 3). The 1974 data are based on 63% of the cities surveyed. For 1945, 1955, and 1965 data were for a much smaller number of cities (but with virtually a 100% return). Despite these limitations, the generalization can be safely made that, for whatever reasons, nonpartisanship is on the increase.

Classification	No. of cities reporting (A)	Count selected from members		Mayor elected directly by people		Council member receiving most votes		Other methods		
		No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)	
Total, all cities	3,684	620	25	2,685	73	24	1	45	1	
<b>Population group</b>										
Over 500,000	19	1	5	18	95	0	0	0	0	
250,000-500,000	23	3	13	20	87	0	0	0	0	
100,000-249,999	78	18	23	60	77	0	0	0	0	
50,000-99,999	198	60	30	138	69	0	0	2	3	
25,000-49,999	398	132	34	266	67	2	1	4	2	
10,000-24,999	818	241	29	577	71	8	1	3	1	
5,000-9,999	905	208	23	697	77	3	1	12	1	
2,500-4,999	1,103	194	18	909	82	7	1	6	1	
Under 2,500	154	75	49	79	52	2	1	17	2	
<b>Geographic region</b>										
Northeast	732	175	24	557	76	4	1	15	2	
North Central	1,197	193	16	1,004	84	7	1	14	1	
South	1,107	214	19	893	80	8	1	14	1	
West	648	348	54	300	46	5	1	2	...	
<b>Metropolitan type</b>										
Central	279	63	23	216	77	3	1	4	1	
Suburban	1,789	482	27	1,307	73	9	1	18	1	
Independent	1,616	385	24	1,231	76	12	1	23	1	
<b>Form of government</b>										
Mayor-council	1,779	91	5	1,688	94	6	...	14	1	
Council-manager	1,734	786	45	948	55	15	1	29	2	
Commission	117	17	15	100	85	0	0	1	1	
Town meeting	44	21	48	23	50	0	0	1	2	
Rep. town meeting	10	5	50	5	50	0	0	0	0	

Note: Leaders (..) indicate less than 0.5%.

### OFFICE OF THE MAYOR

Tables 4 through 7 provide information on the office of the mayor for selection, term of office, voting power on city council actions, and provisions for recall.

The mayor is directly elected by the people in a substantial majority of the cities - 73% for all cities; 94% for mayor-council cities; 51% for council-manager cities (Table 4). By geographic region, the West, with its high ratio of council-manager cities, shows the lowest rate (45%) of directly elected mayors. Over the years council-manager cities have provided a significant deviation from the high ratio of direct election by the people. In 1945 the mayor was directly elected by the people in 40% of the council-manager cities reporting. This ratio had increased by 1974 to 51%.

The election of the mayor is one area in which the recommended structure of the council-manager plan is changed most frequently. Other structural characteristics - nonpartisan elections, elections of council members at large, and small councils - are generally observed, but the selection of the mayor by the council from among its own membership is not dominant.

The mayor's term of office is generally two years (Table 5). Among the exceptions are mayor-council cities and northeastern cities where the median is four years. Two- and four-year terms of office for mayors have predominated for the past generation. In 1945, for example, the two-year term was found in 51% of all reporting cities over 5,000 population. In 1965, two-year term was still found in 51% of cities over 5,000 population.

When does the mayor have the right to vote in council meetings? Eighty-two percent of the mayors in commission cities and 72% of the mayors in council-manager cities can vote on all issues (Table 6). By way of contrast, only 19% of the mayor-council mayors have that right. It is clear that the mayors in council-manager cities who vote on all issues are full-scale members of the council and thus in many ways differ significantly from their counterparts in the mayor-council cities.

Recall of the mayor, seldom used in American cities according to Adrian and Press, is nevertheless provided for in almost one-half of the reporting cities according to data in Table 7. The ratio ranges from 83% in cities over 500,000 to

42% in cities of 2,500 to 4,999 population. By geographic region, the lowest ratio of mayoral recall provisions (22%) is found in the Northeast. Among the three major forms of government, the lowest ratio (41%) is found in the mayor-council cities. The data do not lend themselves to any striking conclusions except for pointing to the unpopularity of the recall in the northeastern United States.

The recall came into popularity in the early part of this century along with the initiative and the referendum to strengthen popular control of the city government, but the recall has never been widely used.

Few new adoptions of it have taken place since about 1920. The question of the use of the recall is no longer a very burning one, but it does seem as if the experiment has been of little success.<sup>2</sup>

### CITY COUNCIL

The principal structural characteristics for the city council are the number of members (Table 8), their term of office (Table 5), the method of election - that is, whether members are elected at-large or by district or ward (Table 9), and the use of overlapping or coterminous terms of office (Table 10). These formal provisions have considerable influence on the effectiveness of representation for citizens, the ways in which policy can be considered by the elected representatives of the people, and the ways in which citizens perceive that their interests and values are represented in the legislative and administrative processes of government.

The real world of city government, in the behavioral sense, includes many other factors that impinge on both the legislative and administrative processes. Interest groups, the influence of the city manager or other chief administrator, the requirements of state and federal grants that tend to perpetuate long-term commitments, and the actions of overlapping governments are familiar examples. These activities must be conducted within a legal and structural framework that is mandatory and can only be changed in most circumstances by long-term means such as state legislative enactments or amendments to the city charter.

The average number of city council members has not changed significantly in 40 years. The median number of council members in mayor-council cities and in

Table 5 MAYOR'S TERMS OF OFFICE

Classification	No. of cities reporting (A)	Limitations on number of consecutive terms mayor may serve						Term of office for mayor, term		
		Yes		No		Does not apply		No. of cities reporting	Mean	St. Dev.
		No.	% of (A)	No.	% of (A)	No.	% of (A)			
Total, all cities	3,713	109	3	3,525	95	79	2	3,587	2	
Population group										
Over 500,000	18	2	11	16	89	0	0	19	3	
250,000-500,000	24	4	17	19	79	1	4	23	3	
100,000-249,999	79	6	8	72	91	1	1	79	2	
50,000-99,999	189	14	7	179	90	6	3	183	2	
25,000-49,999	385	19	5	362	94	4	1	377	2	
10,000-24,999	818	32	4	770	94	16	2	782	2	
5,000-9,999	907	12	1	878	97	17	2	878	2	
2,500-4,999	1,118	14	1	1,080	97	24	2	1,079	2	
Under 2,500	185	6	4	148	90	10	6	147	2	
Geographic region										
Northeast	789	12	2	715	83	42	5	699	3	
North Central	1,205	26	2	1,182	98	17	1	1,188	2	
South	1,104	35	3	1,061	96	8	1	1,085	2	
West	635	36	6	567	92	12	2	607	2	
Metropolitan type										
Central	279	26	9	248	89	5	2	275	2	
Suburban	1,790	56	3	1,701	95	33	2	1,726	2	
Independent	1,644	27	2	1,578	96	41	2	1,578	2	
Form of government										
Mayor-council	1,783	36	2	1,732	97	15	1	1,773	3	
Council-manager	1,758	71	4	1,627	93	58	3	1,654	2	
Commission	120	1	1	118	98	1	1	117	3	
Town meeting	42	0	0	40	95	2	5	36	2	
Rep. town meeting	12	1	8	8	67	3	25	7	2	

Table 6 WHEN MAYOR HAS RIGHT TO VOTE IN COUNCIL MEETINGS

Classification	No. of cities reporting (A)	On all issues		Only in a tie		Never votes		Other	
		No.	% of (A)	No.	% of (A)	No.	% of (A)	No.	% of (A)
		Total, all cities	3,702	1,740	47	1,581	43	312	8
Population group									
Over 500,000	19	5	26	1	5	13	68	0	0
250,000-500,000	24	13	54	1	4	9	38	1	4
100,000-249,999	78	48	59	6	8	23	29	3	4
50,000-99,999	199	131	66	25	13	34	17	9	6
25,000-49,999	391	249	64	83	21	50	13	9	2
10,000-24,999	820	457	56	273	33	71	9	19	2
5,000-9,999	910	380	42	450	49	62	7	18	2
2,500-4,999	1,105	370	33	679	61	46	4	10	1
Under 2,500	156	89	57	63	40	4	3	0	0
Geographic region									
Northeast	738	282	40	334	45	94	13	16	2
North Central	1,202	488	41	534	44	148	12	32	3
South	1,115	502	45	543	49	54	5	16	1
West	649	458	71	170	26	16	2	5	1
Metropolitan type									
Central	280	162	58	41	15	68	24	9	3
Suburban	1,797	824	51	683	38	149	8	41	2
Independent	1,625	654	40	857	53	95	6	19	1
Form of government									
Mayor-council	1,787	345	19	1,139	64	259	14	44	2
Council-manager	1,750	1,258	72	427	24	43	2	22	1
Commission	119	97	82	13	11	8	7	1	1
Town meeting	36	33	92	2	6	0	0	1	3
Rep. town meeting	10	7	70	0	0	2	20	1	10

cities over 10,000 population was according to the 1935 *Municipal Year Book* and 5 in council-manager and commission cities. This median changed for mayor-council cities and stayed at 5 for council-manager and commission cities in 1945, 1955, and 1965. The median for mayor-council cities dropped from 7 to 6 by 1974 while the median for council-manager and commission cities remained at 5 (Table 8).

The median number of members of council by population group is higher in larger cities (not too surprisingly), with it is 11 for cities over 500,000 population; it drops to 5 for cities under 2,500.

Looking at all of the data in Table 6 it would seem that between 5 and 7 members of the council is the most popular number for the great majority of cities irrespective of form of government or other factors.

Two- and four-year terms of office have predominated for members of councils since data were first compiled for *The Municipal Year Book* in 1919. Over the years, the two-year term generally has been somewhat more popular in mayor-council cities, with the four-year term more prevalent in council-manager cities. Data compiled for this report

indicate that the 1974 median is a 1-year term for mayor-council and council-manager cities and for most of the population groups (no table shown).

Among 3,592 cities reporting 2,461 (69%) elect city council members at large; 674 cities (19%) elect from wards or districts; and 457 cities (13%) use a combination of at-large election and election by ward (Table 9). By form of government the council-manager cities have a much higher ratio of election at large (78%) than do the mayor-council cities (56%). By population group the election at large is a substantial majority in all groups except for cities over 500,000.

Historically, the ratio of election of council members at large for all reporting cities was 56% in 1945; 59% in 1955; 61% in 1965; and 69% in 1974. For council-manager cities, the ratios for at-large election were 73% in 1945; 75% in 1955; 76% in 1965; and 78% in 1974. For mayor-council cities the ratios for at-large election were 37% in 1945; 38% in 1955; 43% in 1965; and 56% in 1974.

The final structural characteristic of city councils is overlapping terms for members. Seventy-six percent of the cities reporting for 1974 have overlapping terms for members of council (Table 10).

By form of government, the highest ratio (86%) is found in council-manager cities; the ratio is 69% in mayor-council cities. By population group, the ratio is significantly smaller in the larger cities (46% for cities 250,000 to 500,000 and 33% for cities over 500,000, as against ratios ranging from 71% to 80% for cities 2,500 to 99,999).

The 1945 *Municipal Year Book* showed that 58% of the mayor-council cities and 74% of the council-manager cities had overlapping terms for city council members. Thirty years later, these ratios had increased to 69% for mayor-council cities and 86% for council-manager cities.

## OTHER ELECTED OFFICIALS

Table 11 shows the ratios of elected and of appointed positions for auditors, controllers, treasurers, and other municipal officials. The offices most frequently subject to election are city treasurer, 55%; assessor (or board of assessors) 43%; and city clerk or secretary, 21%. The ratios of election for these offices have been declining steadily for the last 30 years, with the exception of the office

Table 7 CITY HAS PROVISION FOR CALL OF MAYOR

Classification	No. of cities reporting (A)	Yes		No
		No.	% of (A)	
Total, all cities .....	2,874	1,405	49	1,469
<b>Population group</b>				
Over 500,000 .....	19	15	83	3
250,000-500,000 .....	20	15	75	5
100,000-249,999 .....	67	43	64	24
50,000-99,999 .....	183	105	58	78
25,000-49,999 .....	307	168	55	139
10,000-24,999 .....	644	347	54	297
5,000-9,999 .....	687	305	44	382
2,500-4,999 .....	834	351	42	483
Under 2,500 .....	134	57	43	77
<b>Geographic region</b>				
Northeast .....	589	128	22	461
North Central .....	950	481	51	469
South .....	908	484	51	444
West .....	447	313	70	134
<b>Metro/city type</b>				
Central .....	238	158	68	82
Suburban .....	1,388	693	50	695
Independent .....	1,248	557	45	691
<b>Form of government</b>				
Mayor-council .....	1,384	588	41	796
Council-manager .....	1,379	781	57	598
Commission .....	95	55	58	40
Town meeting .....	28	3	11	25
Rep. town meeting .....	8	1	13	7

Table 8 NUMBER OF MEMBERS ON COUNCIL

Classification	No. of cities reporting	Mean	Lowest	First quartile	Median	Third quartile	High
Total, all cities .....	3,834	6	2	5	6	7	62
<b>Population group</b>							
Over 500,000 .....	10	15	7	9	11	17	49
250,000-500,000 .....	24	9	4	7	9	9	40
100,000-249,999 .....	79	8	3	5	7	9	30
50,000-99,999 .....	204	7	3	5	7	9	24
25,000-49,999 .....	398	7	3	5	7	8	30
10,000-24,999 .....	853	6	2	5	6	7	16
5,000-9,999 .....	932	6	2	5	6	7	61
2,500-4,999 .....	1,144	5	2	5	6	7	62
Under 2,500 .....	181	5	2	5	6	6	21
<b>Geographic region</b>							
Northeast .....	838	6	2	5	6	7	61
North Central .....	1,224	6	2	5	7	7	49
South .....	1,121	5	2	5	6	7	62
West .....	651	5	2	5	6	7	15
<b>Metro/city type</b>							
Central .....	232	8	3	5	7	9	49
Suburban .....	1,849	6	2	5	6	7	61
Independent .....	1,703	6	2	5	6	7	62
<b>Form of government</b>							
Mayor-council .....	1,807	6	2	5	6	7	62
Council-manager .....	1,841	6	2	5	5	7	61
Commission .....	120	4	2	3	5	5	14
Town meeting .....	47	3	3	3	3	5	12
Rep. town meeting .....	19	6	3	3	5	6	39

Table 9 TYPE OF ELECTION FOR COUNCIL MEMBERS

	No. of cities reporting (A)	At large only		District only		Combined	
		No.	% of (A)	No.	% of (A)	No.	% of (A)
Total, all cities	3,592	2,481	69	874	19	457	13
<b>Population group</b>							
Over 500,000	17	8	47	4	24	5	29
250,000-500,000	24	15	63	2	8	7	29
100,000-249,999	78	47	62	12	16	17	22
50,000-99,999	198	124	63	38	19	38	19
25,000-49,999	380	248	65	66	17	68	17
10,000-24,999	813	543	67	148	18	124	15
5,000-9,999	870	573	66	183	21	114	13
2,500-4,999	1,053	735	72	219	21	79	8
Under 2,500	181	148	82	6	4	7	4
<b>Geographic region</b>							
Northeast	773	588	74	135	18	70	9
North Central	1,183	895	76	318	27	250	22
South	1,048	804	77	150	14	92	9
West	610	494	81	71	12	45	7
<b>Microcity type</b>							
Central	274	169	62	48	18	57	21
Suburban	1,738	1,283	74	274	16	181	10
Independent	1,580	1,009	64	352	22	219	14
<b>Form of government</b>							
Mayor-council	1,684	947	56	457	27	280	17
Council-manager	1,738	1,380	78	211	12	185	10
Commission	111	104	94	6	5	1	1
Town meeting	39	38	97	0	0	1	3
Rep. town meeting	12	12	100	0	0	0	0

Note: Percentages may not add to 100% owing to rounding.

of assessor. The office of treasurer, for example, was directly subject to election in 43% of the cities in 1945; in 35% of the cities in 1955; and in 30% of the cities in 1965, compared with 26% of the cities in 1974.

Three reasons can be offered for the decline in city elective offices. One is the increase in the number of council-manager cities which, through charter revision, would eliminate elective offices. Another factor may be the process of charter revision or the adoption of optional charters in mayor-council cities, which also is likely to eliminate elective offices that generally are considered totally unnecessary by municipal reform groups. The third reason for the decrease in the ratio of these elective positions is the general trend toward professional management in all local government functions.

CONCLUSION

The above discussion has covered form of city government, including: municipal charters; partisan and nonpartisan election; the office of the mayor, including selection, term, voting power, and recall; structural characteristics of the city council, including number and election; and other elected city officials. An attempt has been made to give historical background within the context of data from earlier editions of *The Municipal Year Book*.<sup>6</sup> These data clearly show the growth of the council-manager plan and the long-term demise of the commission form of government.

Many governmental characteristics have changed considerably over the past 40 years. The growth in nonpartisan elections has been striking because much of it has occurred in mayor-council as well as in council-manager cities. Of equal interest is the increase in the direct election of the mayor in council-manager cities. There has also been a steady increase over the years in at-large election of members of the city council as well as in overlapping terms for council members.

Finally, the data show a continuing decline in the direct election of the city treasurer, clerk, etc. This would seem to signify continuing interest in charter revision, municipal reform, and professional management — all a part of the long-term trend in municipal government in the United States.

The data show that the council-

Table 10 OVERLAPPING COUNCIL TERMS

	No. of cities reporting (A)	Terms overlap			
		Yes		No	
		No.	% of (A)	No.	% of (A)
Total, all cities	3,789	2,873	76	888	24
<b>Population group</b>					
Over 500,000	18	6	33	12	67
250,000-500,000	24	11	46	13	54
100,000-249,999	78	43	55	35	45
50,000-99,999	202	147	73	55	27
25,000-49,999	392	278	71	114	29
10,000-24,999	835	635	76	200	24
5,000-9,999	910	728	80	184	20
2,500-4,999	1,124	873	78	251	22
Under 2,500	178	154	86	22	13
<b>Geographic region</b>					
Northeast	814	637	78	177	22
North Central	1,203	829	77	274	23
South	1,100	888	83	402	37
West	642	609	95	33	5
<b>Microcity type</b>					
Central	280	166	59	114	41
Suburban	1,814	1,459	80	355	20
Independent	1,685	1,248	75	417	25
<b>Form of government</b>					
Mayor-council	1,781	1,212	68	549	31
Council-manager	1,819	1,568	86	253	14
Commission	119	69	58	60	50
Town meeting	43	27	63	16	37
Rep. town meeting	17	9	53	8	47

Table 11 METHOD OF SELECTING VARIOUS CITY OFFICIALS

Position	Total (A)	Elected		Appointed	
		No.	% of (A)	No.	% of (A)
Mayor	2,457	221	9	2,238	91
Councilor	878	74	8	802	92
Treasurer	3,382	888	26	2,494	74
Assessor or board	1,818	388	21	1,250	77
Clerk/secretary	3,857	788	21	2,901	79
Street superintendent	3,214	39	1	2,175	69
Public works director	2,758	35	1	2,721	99
Planning director	1,808	27	1	1,881	99
City engineer	2,730	2	...	2,728	100
Police chief	3,579	84	2	3,495	98
City attorney	3,848	139	4	3,509	98

Note: Percentages may not add to 100% owing to rounding.

<sup>1</sup> Less than 0.5%.

manager and mayor-council forms are currently about equal in ratio for all reporting cities but that the percentage increases sharply for cities with the council-manager plan from 10,000 population until 500,000 population is reached.

Several explanations for these various changes can be offered, but the most likely seem to be a culmination of a half century of the municipal reform movement and the growth of professional management. The reform movement has

had a decisive effect not only in the growth of the council-manager plan but also on the adoption and revision of city charters for many mayor-council cities as well. The growth of professional management has been reflected in many ways, including the elimination of elective offices (other than mayor and council), the professionalization of almost every local government function, and the increasing incidence of the professional chief administrator.

<sup>1</sup>National Municipal League, *Forms of Municipal Government* (New York: National Municipal League, 1973), p. 4.

<sup>2</sup>The form of municipal government is an extremely complex subject that should be considered in historical, economic, and cultural as well as structural terms. A good overview of the subject is contained in Charles R. Adrian and Charles Press, *Governing Urban America*, 4th ed. (New York: McGraw-Hill Book Company, 1972), pp. 203-40.

<sup>3</sup>*Ibid.*, p. 191.

<sup>4</sup>Robert P. Boynton, *City Councils: Elections, Procedures, and Functions*, Urban Development Service Reports, vol. 7 no. 7 (Washington, D.C.: International City Management Association, July 1975), pp. 4-5, 7.

<sup>5</sup>Adrian and Press, *Governing Urban America*, p. 167.

<sup>6</sup>For additional information on city councils, it is recommended that the predecessor report be consulted: Boynton, *City Councils: Elections, Procedures, and Functions*, cited above. This report includes 25 summary tables with extensive information to augment the data presented in the present report. *The Municipal Year Book*, which dates back to 1934, is itself an unexcelled historical resource covering a wide variety of kinds of data contained in this report.

# ADMINISTRATION REPORTS

Editor: Richard G. Smolka  
Associate Editor: Hank Parkinson

Volume 10 Number 8, April 23, 1980

**WASHINGTON FOCUS:** The District of Columbia Court of Appeals has ruled that President Carter's name may be on the presidential preference ballot throughout the city. The court dismissed a challenge against Carter petitions without ruling on whether they were sufficient under party rules (see Election Administration Reports, March 26). . . . D.C. law provides that a nominating petition for a slate of delegates requires signatures of at least 1,000 qualified electors. The D.C. Democratic Party, however, had divided the city into two artificial "Congressional Districts" and had apparently imposed a 1,000 petition requirement from each district. Carter's petitions, it was charged, had failed to meet this number in one of the districts. . . . But the court ruled that neither the board (of elections) nor a political party can set more stringent requirements on the number of signatures required by statute. The board of elections, after distinguishing between the number of signatures required for presidential candidates and those required of delegates whose names appeared only in one district, had placed Carter's name on the ballot. This decision was then appealed to the court.

## MAJOR STORIES IN THIS ISSUE

Mobile's At-Large Voting System Ruled as Constitutional . . . . . 1	Court Says D.C. Disqualifications Must Rest on Law, Regulations . . . . . 6
Justice Dept. Sues South Carolina On Electing State Senators . . . . . 3	Ruling Helps Clarify Issues In Kansas' 'Galena-Gate' Dispute . . . . . 6
Michigan Court Refuses Injunction To Block GOP Primary May 20 . . . . . 4	Anderson Loses Out in Attempt To Get New Hampshire Delegates . . . . . 7
New Mexico County to Change To Districts; Voter Information . . . . . 5	Ohio Uses Students to Boost Voter Registration Campaign . . . . . 8

## U.S. SUPREME COURT HANDS DOWN TWO MAJOR VOTING RIGHTS DECISIONS

The Supreme Court ruled 6-3 April 22 that Mobile, Ala.'s, at-large system of voting does not violate either the 15th Amendment or the Equal Protection Clause of the 14th Amendment (Bolden v. Mobile No. 77-1844, decided April 22).

On the same day, the court upheld Section 5 of the Voting Rights Act and held that voting changes made by jurisdictions under the act must be denied if they have either a discriminatory purpose or effect. (City of Rome, Ga., v. United States, No. 78-1840 decided April 22.)



The complex Mobile decision failed to produce a majority opinion. The controlling plurality opinion was written by Justice Potter Stewart, joined by Chief Justice Warren Burger, Lewis Powell and William Rehnquist. Justices John Paul Stevens and Harry Blackmun issued separate concurring opinions agreeing that the appellate decision should be reversed. The total of 39 pages of plurality decisions and concurring opinions was exceeded by 50 pages of dissent by Justices Thurgood Marshall, Byron White and William Brennan.

Writing for a four-member concurring plurality, Stewart found that "racially discriminatory motivation is a necessary ingredient of a Fifteenth Amendment violation." The decision overturned the appellate court decision that had required Mobile to elect its officials by a mayor-council plan with councilmen elected from districts. The current Mobile form of government is a commission plan, with the commission elected at-large.

The court ruled that Mobile's at-large system does not violate the Equal Protection Clause unless there is "purposeful discrimination." Disproportionate effects alone are insufficient to establish a claim of unconstitutional racial vote dilution.

"The Equal Protection Clause does not require proportional representation as an imperative of political organization."

Blackmun, although concurring in the decision overturning the appellate court decision, concluded that the relief provided — overthrowing the at-large system of government — was not commensurate with the sound exercise of judicial discretion.

Stevens, also concurring, suggested a different standard, but concluded that Mobile's plan was constitutionally permissible "even though the choice may well be the product of mixed motivation, some of which is invidious."

In a 39-page dissent Marshall wrote that the requirement of proof of intentional discrimination "may represent an attempt to bury the legitimate concerns of the minority beneath the soil of a doctrine almost as impermeable as it is specious."

He added, "If this court refuses to honor our long-recognized principle that the Constitution nullifies sophisticated as well as simple-minded modes of discrimination, Lane v. Wilson 307 U.S. 268, 275 (1939), it cannot expect the victims of discrimination to respect political channels of seeking redress."

White issued a 10-page dissent and Brennan agreed with both dissents, adding his own observation that "even accepting the plurality's premise that discriminatory purpose must be shown, . . . the appellees have clearly met that burden."

In the related case, in Rome, Ga., the court by a 6-3 vote upheld the constitutionality of Section 5 of the Voting Rights Act. The court ruled that a covered jurisdiction must show that a proposed change has neither a discriminatory purpose or effect and that, unless both tests are met, the change must be denied.

The court further ruled that a municipality in a state covered by the Voting Rights Act cannot, of itself, bail out from under the provisions of the Act. Only the state of Georgia, in this case, is entitled to seek "bail-out" relief, and this can only be granted if it can be shown that neither the state nor any of its subdivisions have discriminated in voting practices.

The court also found that the voting changes proposed in Rome did in fact discriminate. These changes include 13 annexations and a change from an at-large plurality winner system to a numbered-post, majority winner requirement. A spokesman for the Justice Department explained that any change from a plurality to an absolute majority almost always has the potential of discriminating against minorities.

### JUSTICE DEPARTMENT SUES TO FORCE SOUTH CAROLINA ELECTION CHANGES

The Department of Justice has sued South Carolina in an effort to force changes this year in the method of electing state senators.

The procedures, the government feels, will give blacks a better chance to serve in the body, which has been all-white since Reconstruction.

"The objective of our suit is to force changes in the 1980 election," John Wilson, assistant director of public affairs, told Election Administration Reports. "We presume things will straighten out after the current census for elections beyond this date."

The suit was brought under Section 2 of the Voting Rights Act of 1965, which bars state or local jurisdictions from taking actions that dilute citizens' voting rights on the basis of race.

The Justice Department, aware of the time problem in implementing changes before the June 10 primary, is pushing for these interim remedies (see Election Administration Reports, March 12):

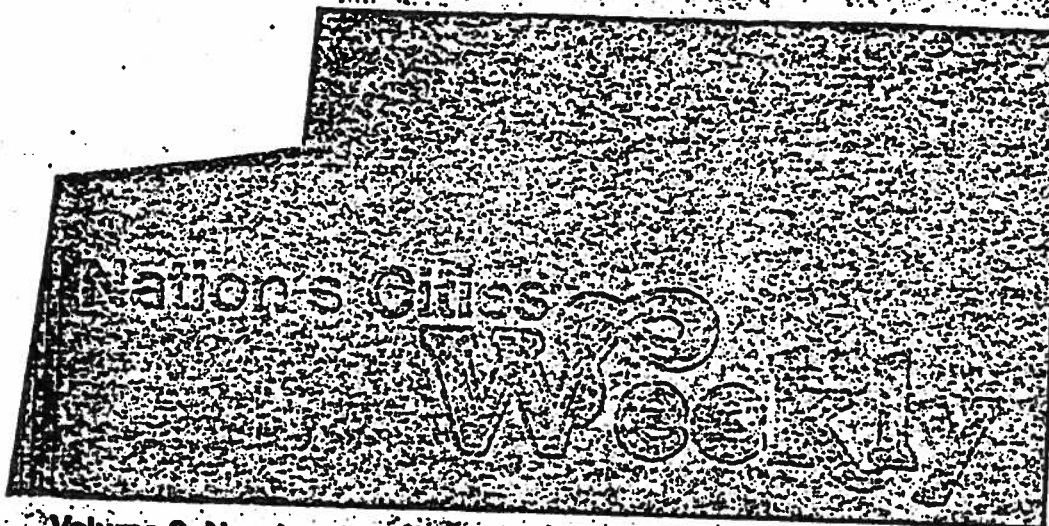
- Elimination of provisions in state law establishing numbered posts for senatorial districts.
- Suspension of the majority vote run-off requirement for state senatorial primaries this year.
- Creation of a special commission to develop a reapportionment plan at the earliest possible date following the 1980 census.

South Carolina officials stated that in order to comply with Justice Department objectives they would have to postpone the June primary election. They pointed out that the 1972 primary was postponed from June to August until the state could produce a reapportionment acceptable to a federal court and that the system now objected to by the Justice Department is the very plan accepted by the federal court in 1972.

It is unlikely that there will be a quick resolution of the issues involved because of a series of expected legal skirmishes. The Justice Department has asked the presiding judge to disqualify himself because he is the son of the former speaker of the South Carolina House.

South Carolina is also arguing that it makes no sense to reapportion in 1980 on the basis of the 1970 census and then to reapportion again in 1981 on the basis of the 1980 census. However, Justice officials counter that they have been negotiating with South Carolina officials for many months, without success, in order to get the necessary reapportionment.

The South Carolina Senate, the Justice Department notes, has no blacks. But South Carolina officials argued that Justice appeared willing to wait for



Volume 3, Number 18

Washington, D.C.

May 5, 1980

**NOTE:** →

## Mobile decision focuses on intent, not effects, of at-large voting

by Connie Wright

Mobile, Alabama's at-large system for electing city commissioners does not violate the Constitution, the Supreme Court said recently when it overturned two lower court decisions that this form of government dilutes the voting strength of the city's black population. The decision was 6 to 3.

The class action suit was filed five years ago by several blacks on behalf of all city residents. The federal district court called the city's present system unconstitutional and said the three-member commission must be replaced by a council with members elected from individual districts. A U.S. appeals court agreed.

Five of the high court justices agreed that the lower courts should have required the plaintiffs to prove the at-large system discriminates against blacks, who make up more

than 35 percent of Mobile's population but have never been elected to the commission.

Justices Stewart, Powell, Rehnquist and Chief Justice Burger said that only proof of intentional discrimination can make an at-large system unconstitutional.

The constitution guarantees the right to equal participation in the political process, said Justice Stewart in an opinion signed by the three others, but "it does not protect any political group, however defined, from electoral defeat." He pointed to a lower court finding that in Mobile, the "freedom to vote has not been denied or abridged by anyone."

Justice Stevens, in a separate, concurring opinion, said that only in "extraordinary circumstances" could an at-large system be set aside because of its adverse impact on black

voters. The test for constitutionality should focus on the objective effects of political decision rather than the subjective motivation of the decision maker.

Objecting to the lower court's order that the city must establish a new form of government, Justice Blackmun said less drastic alternatives should have been considered first. Although he said that "proof of intent is a prerequisite to winning a vote dilution case," he did not elaborate further.

The city created the commission in 1911, when it was regarded as a positive step away from the perceived injustices of a ward system. Today, at-large systems are still common in the South.

Half a century later, Congress adopted the Voting Rights Act, which

See p. 12, col 3

## Mobile from p. 1

says in part that no voting "procedure" shall be applied if its effect is "to deny or abridge the right of any citizen . . . on account of race or color."

Dissenting Justices Marshall and Brennan said that proof of discriminatory impact should be sufficient to invalidate an at-large system. The city of Mobile, argued Marshall, "may not relegate an electoral minority to political impotence by diminishing the importance of its vote." Citizens have a fundamental right to be protected against "inequitable distribution of political influence," he said. "Otherwise, the law doesn't offer the powerless any more than the right to cast meaningless ballots."

Justice White, also dissenting, said the majority opinion was "flatly inconsistent with the court's unanimous opinion seven years ago that declared unconstitutional the at-large systems for the election of state legislators in two Texas counties." The lower courts had "faithfully applied the principles" of the 1973 opinion, he noted.

Reactions to the decision varied.

Mobile City Commissioner Lambert Mims told the New York Times that the high court reversal was "landmark decision." "To affirm the lower court's ruling would have virtually abolished local government in this country," he said.

Mayor Gary Greenough, noting the situation's difficulty, said the key issue facing the city in the future is how to avoid similar "legal entanglements."

The Washington Post predicted that the majority opinion would cut down on the "dozens, perhaps hundreds, of legal challenges. That would have been made against existing systems of government or multi-member legislative districts; offering that not all problems of discrimination can (or should) be settled in the courts."

Hailing the majority decision, the Wall Street Journal noted that voting rights laws "have been perverted from their original purpose of guaranteeing minorities their Fifteenth Amendment rights to a carte blanche for federal tinkering with local governments."

Mayor Ernest Morial of New Orleans, where five council members represent districts and two are elected at large, told The Weekly he hopes subsequent Supreme Court decisions will clarify the meaning of this particular case.

"I hope the recent decision will not confirm the most pessimistic conclusions being drawn—mainly that in reapportionment cases plaintiffs will have to bear the burden of proving that racial discrimination was on the minds of the decision makers—a difficult thing to do." □

## Local Representation: Designing a Fair System

by Joseph F. Zimmerman\*

**D**esigning a system of representation for a local government equitable for all voters and providing for continuing responsibility of elected officials to the electorate is a difficult task. The early reform model was designed to break machine control of large cities and provided for the at-large election by nonpartisan ballots of a small, unicameral city council which would be highly visible to the public, thereby resulting in improved public control of the council, greater responsiveness to citizens, and increased attention to citywide problems and needs.

A reexamination of local electoral systems, including the plurality election of the chief executive in many local governments, is now necessary, since political conditions within many local governments are considerably different than they were in the 1890s and early 1900s, and include a federal dimension since the enactment of the Voting Rights Act in 1965 (see the REVIEW, October 1979, page 481). In addition, attention should be focused on the question of the desirability of adopting charter provisions whose objective is to hold elected officials continuously responsible to the electorate.

Congress and the United States Supreme Court in effect have imposed a federal "Dillon's Rule" on state and local governments subject to the Voting Rights Act, since they must secure federal permission to make any change, no matter how minor or desirable, in electoral systems broadly defined. The act, as interpreted by the courts, raises important issues of democratic governance since those who draw district lines have been pressured by the United States Department of Justice to gerrymander election districts to promote the election of candidates of groups currently protected by the act; i.e., blacks and language minorities defined in the act's 1975 amendments as "persons who are American Indian, Asian American, Alaskan Natives, or of Spanish heritage."

Citizens concerned with securing fair representation for all groups

\*Joseph F. Zimmerman, is professor of political science, Graduate School of Public Affairs, State University of New York, Albany; and editor of the Metropolitan Areas department of the NATIONAL CIVIC REVIEW. This article was prepared for the 85th National Conference on Government, Detroit, November 12, 1979.

should be made aware of the fact that the United States Supreme Court's reapportionment decisions have facilitated the deliberate gerrymandering of district lines, as such a move may result in equal population districts that are not compact and which may ignore traditional political boundary lines.

Whereas the Voting Rights Act can be used to protect blacks and "language minorities," the deliberate gerrymander can be employed to reduce the voting strength of a minority not protected by the act by dispersing the minority among several districts.

Questions also may be raised about the ability of the single-member district system to produce direct representation for blacks and Hispanics. Susan MacManus' study of the election systems in 243 central cities led her to conclude that "single-member district plans are not the most equitable in their representation of blacks but, rather, seldom used at-large plans featuring a combination of district-defined seats and positionally defined seats are the most equitable."<sup>1</sup>

Who should determine the nature of state and local systems of representation? With the intervention of Congress and the federal judiciary, the roles of a state constitutional convention, the state legislature and local legislative bodies in doing so have been reduced significantly and the role of the bureaucrats in the voting rights section of the United States Department of Justice has been increased greatly in states subject to the act. The problem will become acute following the 1980 census which forms the base for the reapportionment of state and local governing bodies in 1981 and 1982.

Congress can be faulted for failing to amend the Voting Rights Act to authorize specifically the use by local governments of systems other than the single-member district, and a similar criticism can be directed against the Supreme Court for failing to suggest that there are other electoral systems that meet the court's criteria for the protection of the voting rights of groups afforded special status by the act.

Federal intervention has focused attention on the fairness of local electoral systems. Each system is based on a different conception of the nature of representation, and it is important to recognize that the intent of an electoral system may not be obvious.

All electoral systems may be placed in three broad categories: (1) the single-member district or ward system, (2) the at-large system,

<sup>1</sup>Susan A. MacManus, "City Council Election Procedures and Minority Representation: Are They Related?" *Social Science Quarterly*, June 1978, p. 158.

and (3) the combined at-large and district system. There are variations within the setups. Reformers at the turn of the century worked to replace the ward system with the at-large system as the former was viewed as partially responsible for the ability of corrupt political machines to control cities and for neglect of citywide concerns. By the middle of the twentieth century, a number of political scientists began to criticize the at-large system for overrepresenting middle-class values and neglecting the views of geographically concentrated minorities. Pressures began to mount for the return to a large council elected by the single-member district system, which is a type of limited voting in that each voter may help to elect only one candidate and has no direct influence over other members of the city council. The larger the council elected by the single-member district system, the more diluted is the effectiveness of the ballot cast by any one voter in influencing policies. Furthermore, a large council of necessity places considerable power in relatively "invisible" committees which may not be fully representative.

Recognizing the desirability of accommodating citywide and neighborhood views in policy-making processes, a number of cities adopted charter provisions establishing a system of at-large elections with district residency requirements. This system, however, is opposed by many members of minority groups convinced that the at-large nature of the system means that a geographically concentrated group will not be able to elect one of its candidates because voters outside of the district may determine who will represent the district on the council. Houston, for example, was forced in 1979 to abandon this system as the price for obtaining the approval of the United States Attorney General for annexation of territory.

The combined at-large and district system has the same objective as at-large elections with residency requirements, but it guarantees that the residents of each district will determine who will represent the district on the city council.

Reformers in the nineteenth century developed three new electoral systems to overcome the shortcomings of the others—limited nomination and voting, cumulative voting and proportional representation. With the first alternative, a single political party is limited to nominating fewer candidates than there are seats to be filled on the city council and, therefore, cannot secure all the positions. In addition, regardless of whether partisan or nonpartisan ballots are used, each elector is limited to casting votes for fewer candidates than there are seats on the council, thereby preventing one group from capturing all seats and providing minority representation.

Cumulative voting also attempts to prevent the complete domination of the council by a small majority or plurality of voters by guaranteeing minority representation. With this system an elector is allowed to cast the same number of votes as there are seats on the council and may distribute the votes among the candidates in any manner, including all votes for one candidate. This system currently is used only to elect members of the Illinois House of Representatives.

With proportional representation, voters express priority preferences by placing a number after each candidate's name. This system measures up best in terms of equity since each group, assuming bloc voting, is represented on the city council in direct proportion to its voting strength, and no group with a small majority of the votes in an election can capture all seats on the council. Proportional representation also makes it impossible for a minority to elect a majority of the council members, as under other systems, if there is a split among the majority group, and it eliminates gerrymandering and the need for periodic redistricting of the council if an at-large system is used.

In addition to council elections, the system for the local executive needs attention. The plurality election of the executive makes possible the selection of an official who may not be the choice of the majority of the voters. In a representative system based on majority rule, the elected chief executive should be the choice of more than half of those casting ballots.

To prevent the election of a minority (in numbers) candidate as the local chief executive, some local governments use the runoff election in which the two largest vote getters face each other in a second election should no candidate receive a majority the first time. A major problem with the runoff election is lower voter participation. Agitation for the adoption of the runoff device usually stems from the victory of a candidate who received a minority of the votes.

To guarantee the selection of the candidate most favored by the voters in the primary election and the general election, the system of preferential voting should be adopted. Known as the alternative vote, each elector uses numbers to indicate preferences among candidates. To determine the winner, ballots are sorted by number 1 choices, and the candidate, if any, receiving a majority of the votes is declared elected. In the event no candidate receives a majority of the votes, the candidate with the smallest number of first choice ballots is declared defeated and this candidate's ballots are distributed to the other candidates by the indicated second choices. A new count of number 1 and number 2 choices is made and the candidate, if any, receiving a majority of the ballots is declared elected. The process is



continued until a candidate receives a majority of the ballots.

Once the officials are elected, their relationship with constituents is a subject of wide dispute. One theory holds that the official is a free agent who should use his/her best judgment, based on all sources of information, and vote in accordance with his/her perception of the common good even though this vote is at variance with the public's perception. The opposite theory holds that an elected official is a delegate subject to instructions from constituents. Whichever theory is accepted, provision should be made in a local charter for ensuring that elected officials will be responsive and accountable to their constituents on a continuing basis rather than only at election time.

A strong case can be made for the incorporation in the charter of provisions for the protest referendum, indirect initiative and recall. The first device allows voters to collect signatures on a petition to delay or prevent the enactment of a local ordinance strongly opposed by the citizens, with a referendum to determine by majority vote whether the measure should go into effect.

The indirect initiative allows electors to take legislative action should the council fail to approve a measure favored by a majority of the electors. This device authorizes the use of petitions to propose a local ordinance which the local governing body must consider. If it fails to approve the proposal within a specified number of days, the proposal is submitted to the voters in a referendum for determining whether the measure should be approved.

With recall, voters may use petitions to call a special election to determine whether an elected official should be removed prior to the expiration of the regular term of office.

Continuing responsibility devices can have indirect benefits by encouraging voters to simplify charters to remove detailed restrictions on the power of local elected officials and to authorize longer terms of office. Many local charters are too long and detailed, necessitating frequent amendment, and also are difficult for the average citizen to understand.

A short charter, confined to fundamentals, promotes citizen understanding of local government and participation in public affairs. There is general agreement among students of local government that terms of office typically are too short. The adoption of the recall can encourage voters to approve charter amendments providing longer terms of office since they retain the power to remove elected officials from office prior to the expiration of their terms.

Abuse of these devices can be prevented by providing that the required number of signatures on petitions be relatively high to

MEMORANDUM

February 23, 1981

WASHOE COUNTY TOTAL	193,870
CITY OF RENO	100,943
CITY OF SPARKS	40,915
WASHOE COUNTY POPULATION OUTSIDE RENO - SPARKS CITY LIMITS	52,012

The figure 52,012 includes:

- ✓ Gerlach township
- ✓ Pyramid Lake Indian Reservation
- ✓ Incline Village  
Lemmon Valley
- ✓ New Washoe City
- Reno/Sparks Indian Reservation
- Sun Valley
- Verdi
- Remainder MCD/CCD

I contacted the Census Bureau in Seattle this morning for the final distribution of population in the outside areas and found this information would not be available for appx. a month.

Margaret Fooshee

and 391.370 does not impair any outstanding right or obligation, and any such right or obligation may be enforced, without limitation of other means, in any manner provided in those sections as if they had not been repealed.

SEC. 224. The term of the superintendent of public instruction incumbent on the effective date of this act shall be deemed to have begun on April 1, 1978, and a new term shall begin on April 1, 1981.

SEC. 225. The legislative counsel shall, in preparing the supplement to Nevada Revised Statutes with respect to any section which is not amended by this act or is further amended or added by another act if reference is made to the department of education by its former name as the state department of education, substitute the new name.

SEC. 226. Sections 19, 85, 118, 122, 132, 152, 167, 196, 208, 212 and 215 of this act shall become effective at 12:01 a.m. on July 1, 1979.

Senate Bill No. 545—Committee on Government Affairs

### CHAPTER 668

AN ACT relating to airports; amending the Washoe County Airport Authority Act to change the name of the authority; specifying terms of office for the board of trustees of the authority; authorizing the authority to exercise the power of eminent domain and to adopt vehicular traffic regulations; providing for the enforcement of those regulations; authorizing short-term financing and relating to the sale of bonds; amending the Airport Zoning Act to authorize the creation of joint airport zoning boards; providing penalties; and providing other matters properly relating thereto.

[Approved June 5, 1979]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The title of the Washoe County Airport Authority Act, being chapter 474, Statutes of Nevada 1977, at page 968, is hereby amended to read as follows:

AN ACT creating the [Washoe County] Airport Authority [.] of Washoe County; making legislative findings and declarations; defining certain words and terms; providing for the appointment, number, terms, compensation, duties and powers of a board of trustees; specifying the powers of the authority, including the power to levy and collect general (ad valorem) taxes, borrow money and issue securities to evidence such borrowing; requiring the transfer of airport properties, functions and outstanding obligations of the City of Reno to the authority; providing penalties; and providing other matters properly relating thereto.

SEC. 2. Section 1 of chapter 474, Statutes of Nevada 1977, at page 968, is hereby amended to read as follows:

Section 1. This act may be cited as the [Washoe County] Airport Authority Act [.] for Washoe County.

SEC. 3. Section 2 of chapter 474, Statutes of Nevada 1977, at pages 968 and 969, is hereby amended to read as follows:

Sec. 2. 1. The legislature finds that:

(a) The airport of the City of Reno has traditionally been operated by the city as a municipal function and originally served primarily the city residents.

(b) With the development of multiple contiguous communities, suburban living and rapid increases in recreational pursuits by the traveling public, the airport of the City of Reno is now serving the inhabitants of a large geographical area and ever-increasing numbers of tourists.

(c) What was once a municipal airport in both name and fact is now a regional airport.

(d) The financial problems of the airport have become more complex and administrative activities are required to be more responsive to the community at large and the directly paying airport tenants and users.

(e) The city of Reno is unable to operate the airport effectively within the traditional framework of local government, evidencing the need to create a special governmental corporation to provide specific facilities and services to the public.

(f) Development of the modern airport requires the expenditure of vast sums of money for land acquisitions and capital improvements not available to the City of Reno through the issuance of municipal securities secured by general obligation tax receipts.

(g) Because of special circumstances and conditions a general law cannot be made applicable, and this special act will allow the tax burden to spread over Washoe County rather than coming to rest solely upon the principal municipality of Washoe County.

(h) This act will accommodate the expanding urban population patterns, provide adequate funding and establish the administrative machinery necessary to insure adequate air service to the region.

2. It is hereby declared as a matter of legislative determination that:

(a) The organization of the [Washoe County] Airport Authority of Washoe County having the purposes, powers, rights, privileges and immunities provided in this act will serve a public use and will promote the general welfare by facilitating safe and convenient air travel and transport to and from the Reno area.

(b) The acquisition, operation and financing of airports and related facilities by the [Washoe County] Airport Authority of Washoe County is for a public and governmental purpose and a matter of public necessity.

(c) The [Washoe County] Airport Authority of Washoe County is a body corporate and politic and a quasi-municipal corporation, the geographical boundaries of which are coterminous with the boundaries of Washoe County.

(d) For the accomplishment of the purposes stated in this subsection, the provisions of this act shall be broadly construed.

SEC. 4. Section 3 of chapter 474, Statutes of Nevada 1977, at page 969, is hereby amended to read as follows:

Sec. 3. As used in this act the following words or phrases are defined as follows:

1. "Airport" means any one or more airports or heliports and related facilities, including but not limited to land and interests in land, facilities for storage of air and space craft, navigation and landing aids, taxiways, pads, aprons, control towers, passenger and cargo terminal buildings, hangars, administration and office buildings, garages, parking lots and such other structures, facilities and improvements as are necessary or convenient to the development and maintenance of airports and heliports and for the promotion and accommodation of air and space travel, commerce and navigation.

2. "Authority" means the [Washoe County] Airport Authority of Washoe County created pursuant to the provisions of this act.

3. "Board of trustees" and "board" each means the board of trustees of the authority.

4. "Carrier" means any person or corporation engaged in the air or space transportation of passengers or cargo.

5. "City of Reno" means the municipal corporation in Washoe County, Nevada, created and existing pursuant to the provisions of chapter 662, Statutes of Nevada 1971, as amended.

6. "City of Sparks" means the municipal corporation in Washoe County, Nevada, created and existing pursuant to the provisions of chapter 470, Statutes of Nevada 1975, as amended.

7. "Washoe County" means the county created by and described in NRS 243.340.

SEC. 5. Section 4 of chapter 474, Statutes of Nevada 1977, at page 969, is hereby amended to read as follows:

Sec. 4. 1. The [Washoe County] Airport Authority of Washoe County is hereby created.

2. The property and revenues of the authority, or any interest therein, are exempt from all state, county and municipal taxation.

SEC. 6. Section 5 of chapter 474, Statutes of Nevada 1977, at page 969, is hereby amended to read as follows:

Sec. 5. 1. The authority shall be directed and governed by a board of trustees composed of seven persons [...] who serve at the pleasure of the appointing authority in each case.

2. The City of Reno shall be represented on the board by four members, the City of Sparks by one member and Washoe County by two members, appointed as specified in this section. [Within 30 days after the effective date of this act the city councils of the cities of Reno and Sparks and the board of county commissioners

of Washoe County shall appoint their representatives to serve on the board of trustees.

3. The term of office of the members of the board of trustees shall be at the pleasure of the appointing authority in each case, but each appointment shall be reviewed no less often than every 3 years.

4.] The terms of all trustees appointed by the city councils of the cities of Reno and Sparks and the board of county commissioners of Washoe County pursuant to this section prior to its amendment expire on July 1, 1981. On July 1, 1981:

(a) The city council of the City of Reno shall appoint four trustees, two for terms of 2 years and two for terms of 4 years. Subsequent appointments shall be made for terms of 4 years.

(b) The city council of the City of Sparks shall appoint one trustee for a term of 4 years. Subsequent appointments shall be made for a term of 4 years.

(c) The board of county commissioners of Washoe County shall appoint two trustees, one for a term of 2 years and one for a term of 4 years. Subsequent appointments shall be made for terms of 4 years.

3. The position of a member of the board of trustees shall be considered vacated upon his loss of any of the qualifications required for his appointment and in such event the appointing authority shall appoint a successor.

SEC. 7. Section 10 of chapter 474, Statutes of Nevada 1977, at pages 970 and 971, is hereby amended to read as follows:

Sec. 10. The authority may do all things necessary to accomplish the purposes of this act. The authority may, by reason of example and not of limitation:

1. Have perpetual succession and sue and be sued.

2. Plan, establish, acquire, construct, improve and operate one or more airports within Washoe County.

3. Acquire real or personal property or any interest therein by gift, lease or purchase for any of the purposes provided in this section, including the elimination, prevention or marking of airport hazards.

4. Sell, lease or otherwise dispose of any real property.

5. Acquire real property or any interest therein in areas most affected by aircraft noise for the purpose of resale or lease thereof, subject to restrictions limiting its use to industrial or other purposes least affected by aircraft noise.

6. Enter into agreements with Washoe County and the cities of Reno and Sparks to acquire, by lease, gift, purchase or otherwise, any airport of such county or municipality and to operate such airport.

7. [With the approval of the board of county commissioners of Washoe County, exercise] Exercise the power of eminent domain and dominant eminent domain in the manner provided by law for

the condemnation by a city of private property for public use to take any property necessary to the exercise of the powers granted, within Washoe County.

8. Apply directly to the proper federal, state, county and municipal officials and agencies or to any other source, public or private, for loans, grants, guarantees or other financial assistance in aid of airports operated by it, and accept the same.

9. Study and recommend to the board of county commissioners of Washoe County and the city councils of the cities of Reno and Sparks zoning changes in the area of any airport operated by the authority with respect to height and aviation obstructions in order to enable the authority to meet the requirements of any Federal Aviation Administration regulations.

10. Have control of its [airport] airports with the right and duty to establish and charge fees, rentals, rates and other charges, and collect revenues therefrom, not inconsistent with the rights of the holders of its bonds, and enter into agreements with carriers for the payment of landing fees, rental rates and other charges.

11. Use in the performance of its functions the officers, agents, employees, services, facilities, records and equipment of Washoe County or the cities of Reno and Sparks, with the consent of any such county or municipality, and subject to such terms and conditions as may be agreed upon.

12. Enter upon such lands, waters or premises as in the judgment of the authority may be necessary for the purpose of making surveys, soundings, borings and examinations to accomplish any purpose authorized by this act. The authority is liable for actual damage done.

13. Provide its own fire protection, police and crash and rescue service.

14. Contract with carriers with regard to landings and the accommodations of the employees and passengers of such carriers.

15. Contract with persons or corporations to provide goods and services for the use of the employees and passengers of the carriers and the employees of the authority, as necessary or incidental to the operation of the [airport.] airports.

16. Hire and retain officers, agents and employees, including a fiscal advisor, engineers, attorneys or other professional or specialized personnel.

17. Adopt regulations governing vehicular traffic on its airports relating but not limited to speed restrictions, stopping, standing and parking, loading zones, turning movements and parking meters. It is unlawful for any person to do any act forbidden or fail to perform any act required in such regulations.

Sec. 8. Section 18 of chapter 474, Statutes of Nevada 1977, at page 973, is hereby amended to read as follows:

Sec. 18. Upon the conditions and under the circumstances set forth in this act [.] and in compliance with the Local Government

Securities Law, the authority may borrow money and issue the following securities to evidence such borrowing:

1. Short-term notes, warrants and interim debentures.
2. General obligation bonds.
3. Revenue bonds.

Sec. 9. Section 20 of chapter 474, Statutes of Nevada 1977, at page 973, is hereby amended to read as follows:

Sec. 20. 1. The authority [, upon the affirmative vote of five trustees and with the approval of the board of county commissioners of Washoe County, is authorized to borrow money without an election in anticipation of the collection of taxes or other revenues and to issue short-term notes, warrants and interim debentures to evidence the amount so borrowed.

2. Such short-term notes, warrants and interim debentures:

(a) Shall be payable from the fund for which the money was borrowed.

(b) Shall mature before the close of the fiscal year in which the money is so borrowed, except for interim debentures.

(c) Shall not be extended or funded except in compliance with the Local Government Securities Law.] may enter into short-term financing in compliance with NRS 354.430 to 354.460, inclusive, and 354.618.

Sec. 10. Section 25 of chapter 474, Statutes of Nevada 1977, at pages 974 and 975, is hereby amended to read as follows:

Sec. 25. 1. Subject to the limitations and other provisions in this act, the board may issue on its behalf and in its name at any time or from time to time, as the board may determine, the following types of securities in accordance with the provisions of the Local Government Securities Law, except as otherwise provided in [subsection 3:] subsections 3, 4 and 5:

(a) General obligation bonds and other general obligation securities payable from general (ad valorem) property taxes;

(b) General obligation bonds and other general obligation securities payable from general (ad valorem) property taxes, the payment of which securities is additionally secured by a pledge of and lien on net revenues;

(c) Revenue bonds and other securities constituting special obligations and payable from net revenues, but excluding the proceeds of any general (ad valorem) property taxes, which payment is secured by a pledge of and lien on such net revenues; or

(d) Any combination of such securities.

2. Nothing in this act prevents the authority from funding, refunding or reissuing any outstanding securities of the authority of a type designated in subsection 1 as provided in the Local Government Securities Law.

3. General obligation or revenue bonds may be sold for not less than 90 percent of their face amount and for an interest coupon

865

rate of not to exceed 9 percent per annum, without regard to effective interest rate. [If no bids are received or if the bid or bids received are not satisfactory as to price or responsibility of the bidder, the bonds may be readvertised or sold at private sale.]

4. *General obligation bonds, regardless of whether their payment is additionally secured by a pledge of and lien on net revenues, must be sold as provided in the Local Government Securities Law.*

5. *Revenue bonds may be sold at public sale as provided in the Local Government Securities Law or sold at private sale.*

SEC. 11. Chapter 474, Statutes of Nevada 1977, at page 968, is hereby amended by adding thereto a new section to be designated as section 27.5, which shall immediately follow section 27 and shall read as follows:

*Sec. 27.5. The approval of the board of county commissioners of Washoe County required by sections 12, 13 and 14 of this act must not be unreasonably, capriciously or arbitrarily withheld.*

SEC. 12. NRS 4.370 is hereby amended to read as follows:

4.370 1. Justices' courts shall have jurisdiction of the following actions and proceedings:

(a) In actions arising on contract for the recovery of money only, if the sum claimed, exclusive of interest, does not exceed \$300.

(b) In actions for damages for injury to the person, or for taking, detaining, or injuring personal property, or for injury to real property where no issue is raised by the verified answer of the defendant involving the title to or possession of the same, if the damage claimed does not exceed \$300.

(c) In actions for a fine, penalty, or forfeiture, not exceeding \$300, given by statute, or the ordinance of an incorporated or unincorporated city where no issue is raised by the answer involving the legality of any tax, impost, assessment, toll, or municipal fine.

(d) In actions upon bonds or undertakings conditioned for the payment of money, if the sum claimed does not exceed \$300, though the penalty may exceed that sum.

(e) In actions upon bonds or undertakings conditioned for the payment of money, if the sum claimed does not exceed \$300.

(f) In actions to recover the possession of personal property if the value of such property does not exceed \$300.

(g) To take and enter judgment on the confession of a defendant, when the amount confessed, exclusive of interest, does not exceed \$300.

(h) Of actions for the possession of lands and tenements where the relation of landlord and tenant exists.

(i) Of actions when the possession of lands and tenements has been unlawfully or fraudulently obtained or withheld, in which case the proceeding shall be as prescribed by NRS upon that subject.

(j) Of suits for the collection of taxes, where the amount of the tax sued for does not exceed \$300.

(k) Concurrent jurisdiction with the district courts of actions for the enforcement of mechanics' liens, where the amount of the lien sought to be enforced, exclusive of interest, does not exceed \$300.

2. The jurisdiction conferred by this section shall not extend to civil actions, in which the title of real property or mining claims, or questions affecting the boundaries of land, are involved; and if questions of title to real property be involved, cases involving such questions shall be disposed of as provided in NRS.

3. Justices' courts shall have jurisdiction of the following public offenses, committed within the respective counties in which courts are established:

(a) Petit larceny.

(b) Assault and battery, not charged to have been committed upon a public officer in the discharge of his duties, or with intent to kill.

(c) Breaches of the peace, riots, affrays, committing a willful injury to property, and all misdemeanors punishable by fine not exceeding \$500, or imprisonment not exceeding 6 months, or by both such fine and imprisonment.

4. Except as provided in [subsection 5,] subsections 5 and 6, in criminal cases the jurisdiction of justices of the peace extends to the limits of their respective counties.

5. In the case of any arrest made by a member of the Nevada highway patrol pursuant to the duties prescribed by NRS 481.180, or by an inspector or field agent of the motor carrier division of the department of motor vehicles, the jurisdiction of the justices of the peace extends to the limits of their respective counties and to the limits of all counties which have common boundaries with their respective counties.

6. *Each justice's court has jurisdiction of any violation of a regulation governing vehicular traffic on an airport within the township in which the court is established.*

SEC. 13. NRS 497.020 is hereby amended to read as follows:

497.020 As used in this chapter, unless the context otherwise requires:

1. "Airport" means any area of land or water designed and set aside for the landing and taking off of aircraft and utilized in the interest of the public for such purposes.

2. "Airport hazard" means any structure or tree or use of land which obstructs the airspace required for the flight of aircraft in landing or taking off at any airport, or is otherwise hazardous to such landing or taking off of aircraft.

3. "Airport hazard area" means any area of land or water upon which an airport hazard might be established if not prevented as provided in this chapter.

4. "Person" means any natural person, firm, copartnership, corporation, company, association, joint-stock association or body politic, and includes any trustee, receiver, assignee or other similar representative thereof.

5. "Political subdivision" means any [municipality, city, town, village or county.] county, incorporated city, unincorporated town or airport authority created by special legislative act as a quasi-municipal corporation.

6. "Public utility" means a person who operates any airline, broadcasting, community antenna television, electric, gas, pipeline, radio,

665

railroad, rural electric, sanitary sewer, slurry, telephone, telegraph or water business in this state and who conducts such business for public use.

7. "Structure" means any object constructed or installed by man, including, but without limitation, buildings, towers, smokestacks and overhead wires and other lines.

8. "Tree" means any object of natural growth.

SEC. 14. NRS 497.040 is hereby amended to read as follows:

497.040 In order to prevent the creation or establishment of airport hazards, every political subdivision having an airport hazard area within its territorial limits may adopt, administer and enforce, under the police power and in the manner and upon the conditions [hereinafter] prescribed [.] *in this chapter*, airport zoning regulations for such airport hazard area, which regulations may divide such area into zones, and, within such zones, [specify the] *prohibit those* land uses [permitted] *which could cause a hazard to air traffic* and regulate and restrict the height to which structures and trees may be erected or allowed to grow.

SEC. 15. NRS 497.050 is hereby amended to read as follows:

497.050 1. Where an airport is owned or controlled by a political subdivision *other than an airport authority created by special legislative act as a quasi-municipal corporation*, and any airport hazard area appertaining to such airport is located outside the territorial limits of the political subdivision, within or without the state, the political subdivision owning or controlling the airport and the political subdivision within which the airport hazard area is located may, by ordinance or resolution duly adopted, create a joint airport zoning board, which board shall have the same power to adopt, administer and enforce airport zoning regulations applicable to the airport hazard area in question as that vested by NRS 497.040 in the political subdivision within which such area is located.

2. Each such joint board shall have as members two representatives appointed by each political subdivision participating in its creation, and in addition a chairman elected by a majority of the members so appointed.

SEC. 16. NRS 497.080 is hereby amended to read as follows:

497.080 1. An airport zoning regulation [shall] *must* not be adopted, amended or repealed under this chapter except [by action of the joint board provided for in NRS 497.050, or the governing body of the political subdivision as provided in NRS 497.040.]:

(a) *In the case of an airport owned or controlled by an airport authority created by special legislative act as a quasi-municipal corporation, by the action of the joint airport zoning board within whose jurisdiction that airport lies;*

(b) *In the case of an airport owned or controlled by any other political subdivision, by the action of the joint airport zoning board within whose jurisdiction that airport lies or, if there is no joint board, the governing body of a political subdivision,*

after a public hearing in relation thereto, at which public utilities owning facilities in the area involved, other parties in interest and citizens have an opportunity to be heard.

2. At least 15 days' notice of the hearing shall be given to all public utilities owning facilities in the area involved, and at least 15 days'

notice of the hearing shall be published in an official paper, or a paper of general circulation, in the political subdivision or subdivisions in which is located the airport hazard to be zoned.

SEC. 17. Chapter 497 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. *Where an airport is owned or controlled by an airport authority created by special legislative act as a quasi-municipal corporation and any airport hazard area appertaining to that airport is located within the limits of the county or any incorporated city or unincorporated town within the geographical boundaries of the airport authority, the airport authority and the county, incorporated city or unincorporated town within which the airport hazard area is located may, by adopting substantially identical ordinances or resolutions, create a joint airport zoning board, which has the same power to adopt, administer and enforce airport zoning regulations applicable to the airport hazard area in question as that vested by NRS 497.040 in the political subdivision within which that area is located.*

2. *Each such joint board:*

(a) *Must have as members two representatives appointed by each political subdivision participating in its creation, and in addition a chairman elected by a majority of the members so appointed.*

(b) *May consider noise problems related to the airport as they affect lands outside the boundaries of the airport and make recommendations to the airport authority.*

SEC. 18. The change of name of the Washoe County Airport Authority to the Airport Authority of Washoe County effected by this act must not be construed to invalidate any contract made, debt incurred or bond issued by the Washoe County Airport Authority prior to the effective date of this act, and all such contracts, debts and bonds constitute the contracts, debts and bonds of the Airport Authority of Washoe County.

SEC. 19. If any provision of this amendatory act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SEC. 20. This act shall become effective upon passage and approval.

STATE OF NEVADA  
LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING  
CAPITOL COMPLEX  
CARSON CITY, NEVADA 89710



LEGISLATIVE COMMISSION (702) 885-5627  
KEITH ASHWORTH, *Senator, Chairman*  
Arthur J. Palmer, *Director, Secretary*  
INTERIM FINANCE COMMITTEE (702) 885-5640  
DONALD R. MELLO, *Assemblyman, Chairman*  
Ronald W. Sparks, *Senate Fiscal Analyst*  
William A. Bible, *Assembly Fiscal Analyst*

ARTHUR J. PALMER, *Director*  
(702) 885-5627

FRANK W. DAYKIN, *Legislative Counsel* (702) 885-5627  
JOHN R. CROSSLEY, *Legislative Auditor* (702) 885-5630  
ANDREW P. GROSE, *Research Director* (702) 885-5637

May 28, 1980

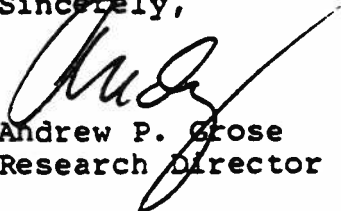
Assemblyman Paul Prengaman  
1510 Model Way  
Reno, NV 89502

Dear Paul:

You asked about the governance of McCarran International Airport in Clark County. McCarran is governed under the provisions of chapter 495 of NRS and under the general powers of county governments. McCarran is owned and operated by Clark County. The governing board of the airport is the board of county commissioners of Clark County. The airport director is responsible to the county commissioners through the county manager. The airport is a department of county government.

NRS 495.010 through 495.030 was enacted in 1928 and has never been amended. Those three sections are the heart of local government authority to operate airports. The powers are rather broad. Counties may exercise eminent domain for airport purposes. They may levy taxes for the purpose of paying off bonds for the acquisition and construction of airports. There is also a section of the Clark County code concerning McCarran airport. If you need further detail or wish to review chapter 495 of NRS or the sections of the Clark County code dealing with the airport, please let us know.

Sincerely,

  
Andrew P. Grose  
Research Director

APG/jld