



City of Greenfield

599 El Camino Real
Greenfield, CA 93927

City Council Planning Session Agenda

March 5, 2016

8:45 a.m.

Mayor John Huerta, Jr.

Mayor Pro-Tem, Raul Rodriguez

Councilmembers

Lance Walker

Avelina Torres

Leah Santibanez

A. CALL TO ORDER

B. ROLL CALL – CITY COUNCIL

Mayor Huerta, Mayor Pro-tem Rodriguez, Councilmembers Walker, Torres and Santibanez

C. PLEDGE OF ALLEGIANCE

D. PUBLIC COMMENT

E. CITY COUNCIL PLANNING SESSION SCHEDULE

a. Visioning Exercise - 9:15 a.m.

b. SWOT Analysis - 10:00 a.m.

- c. Break – 10:45 a.m.
- d. Review of Major Overarching Goal Areas - 10:55 a.m.
- e. Group Discussion – 11:15 a.m.
 - Update/Modernization of City's Revenue Sources
 - Implementation Of The Proposed Rental Inspection Program To Address Housing Conditions In The Community
 - Enforcement Of The City's Existing Sign Ordinance, Especially Along Its Primary Commercial Corridor, To Begin Readyng The Community For Future Economic Reinvestment
 - Financial Assistance To Residents To Improve Housing Conditions In The City
 - Allocation Of Future Measure W Sales Tax Proceeds
 - City Manager/City Council form of Government, Additional Financial Support to Office of Mayor
- f. Working Lunch - 12:00 p.m.
- g. Continue Discussion -12:10 PM – 1:30 p.m.
- h. Brainstorm Opportunities - 1:40 p.m.
- i. Priority Goals and Initiatives, Actions for 2016-2018 - 2:40 p.m.
- j. Next Steps - 3:30 p.m.

E. ADJOURNMENT



City Council Memorandum

599 El Camino Real Greenfield CA 93937 831-674-5591
www.ci.greenfield.ca.us

MEMORANDUM: March 1, 2016

AGENDA DATE: March 5, 2016

TO: Mayor and City Council

FROM: Susan A. Stanton, ICMA-CM
City Manager

TITLE: 2016 CITY COUNCIL RETREAT

As stated in the January 12th, 2016 City Council memorandum, as the City begins the New Year, it is appropriate for the City Council to evaluate the strategic direction of the City and identify issues which need to be addressed to ensure Greenfield's future.

In January, staff identified some key issues which will impact the quality of life in Greenfield and need to be addressed by the City. Each of these issues impact residents in the community and require extensive discussion. Evaluating the importance of each issue will assist the City Council to develop a strategic plan for 2016. The seven strategic issues *staff felt needed to be discussed* by the City Council in January including the following:

1. Allocation of future Measure W sales tax proceeds,
2. Implementation of the proposed Rental Inspection Program to address housing conditions in the community,
3. Enforcement of the City's existing sign ordinance, especially along its primary commercial corridor, to begin readying the community for future economic reinvestment,
4. Financing Fire Protection and EMS to ensure the safety of all residents and continued economic development in the City,
5. Financial assistance to residents to improve housing conditions in the City, and
6. Update/Modernization of City's revenue sources
7. Evaluation of City Manager-City Council Plan

Each issue impacts one or more of the City's six existing **Strategic Goals** which might also need to be revised based on Council policy goals:

1. Make Greenfield a safe place where families, individuals, and businesses thrive.
2. Provide excellent services and outstanding stewardship of financial resources to ensure fiscal solvency and sustainability.
3. Attract, create, and retain businesses that contribute to the economic development and prosperity of all its residents.
4. Create livable high quality neighborhood by improving current and future home construction.
5. Improve the quality of life in the community by rehabilitating City infrastructure.
6. Make Greenfield a fun and interesting place to live and play for all of its residents.

Attachment No. 1 shows the specific objectives associated with each of these goals for FY 2016-17.

After the City Council approved conducting a 2016 City Council Retreat in January, the City and Fire Protection District began addressing Fire and EMS services in Greenfield. Aside from considering the financial impact of providing temporary funding to the District with Measure W funds, the Council does not need to address the policy consideration of Fire and EMS service at the Retreat. However, as discussed during the City Manager 2015 performance evaluation, the Council might want to begin discussing future policy considerations regarding Greenfield's current form of government and the current need to provide additional support and resources for the Mayor's Office. This matter is addressed in more detail in the attached issue summary outline.

The attached Issue Summary Outline was prepared to provide *general information* on each of the eight policy areas. Staff has not provided copies of the actual ordinances and regulations or studies because our discussions during the retreat will be more policy orientated and less technical. If, however, any member of the Council would like additional information in any specific area, it can be provided prior to or after the retreat on Saturday.

2016 City Council Retreat

Issue Summary Outline

1. 2016-2020 Measure W Sales Tax Allocating:

With the approval of Measure W in November 2015, the City needs to develop an allocation plan for spending an estimated \$900,000 that it will begin to receive in June 2016. The City committed to fund the following items to Greenfield voters:

- To begin to reach the national standard for police officers, an additional four officers will be hired, at a cost of \$340,000 per year for pay and benefits.
- The City will also approve a new pay plan to ensure our officers stay in Greenfield protecting and serving our residents.
- Public safety goes hand-in-hand with recreational opportunities and code enforcement.
- Enhancing recreational programs can provide our community with wholesome activities such as free concerts in the park, Cinco de Mayo, and 4th of July celebrations.
- Code enforcement will do much to strengthen residents' pride in our beautiful community.

While \$900,000 is a lot of money, almost half is projected to go to the Police Department on top of the total sales tax allocation from Measure V. There are still many important unfunded staffing needs in PD which could easily justify allocating the entire Measure W sales tax proceeds to public safety.

The City Council needs to adopt a spending plan for this money that addresses the most important needs in the community.

2. Rental Inspections Program:

During the last year, the Council begun discussing the adoption of a rental inspection program to address associated with poorly maintained rental housing in Greenfield. While rental inspections programs work very well in communities around the state, some people feel such programs are a violation of individual property rights and interfere with the private business relationship between a landlord and a tenant.

The proposed rental inspection program would apply to all owners of residential rental properties. The City would inspect the interior of all residential rental dwelling units and tenant common areas at the time of the unit's first registration and once every three (3) years thereafter, and the exterior of all residential rental buildings and outside yard and common areas once every year, for compliance with all applicable building, housing and sanitation codes and ordinances. The inspections under the residential rental inspection program would be conducted by the City's building official/code enforcement position. As this program is implemented, along with the building inspection and code enforcement responsibilities of the building official/code

enforcement position, the workload of that position would be monitored to determine if it is necessary to ask the City Council to authorize the creation of an additional inspector/code enforcement position to be able to provide timely rental property inspections, building and construction permit inspections, and other on-going code enforcement services.

The City Council will need to determine the proper role the City should assume in regarding safe high quality rental housing in the community.

3. Downtown Sign Ordinance Compliance

One of the biggest complaints I receive from people in Greenfield is the City's lack of enforcement regarding the sign ordinance. This lack of enforcement is most apparent when driving down the City's primary business corridor with signage that does not comply with City ordinances. Some of the more relevant requirements most business are not in compliance with includes:

- 1) Awning and canopy signs may be permitted only as an integral part of the awning or canopy to which they are attached or applied. Awning and canopy signs must be regularly cleaned and kept free of dust and visible defects.
- 2) Building Signs: The sign shall not be placed to obstruct any portion of a window, doorway, transom, or other architectural detail. The sign shall not project above the edge of a structure and shall comply with the City's height requirement and may not take up more than seventy five percent (75%) of the building frontage on which it is placed. The sign shall not project from the surface upon which it is attached more than required for construction purposes and in no case more than twelve inches (12").
- 3) Maintenance of Signs: All signs shall comply with the following criteria:
 - a) All transformers, equipment, programmers, and other related items shall be screened and/or painted to match the building or shall be concealed within the sign;
 - b) All permanent signs shall be constructed of quality, low maintenance materials such as metal, concrete, natural stone, glass, and acrylics. Techniques shall be incorporated during construction to reduce fading and damage caused by exposure to sunlight or degradation due to other elements;
 - c) All signs shall be constructed in compliance with any applicable building, electrical, or other code in effect at the time of construction or maintenance, with particular respect to wind and seismic loads and overturning moment;
 - d) All freestanding signs that incorporate lighting shall have underground utility service;
 - e) Signs shall be cleaned, updated, and/or repaired as necessary to maintain an attractive appearance and to ensure safe operation of the sign. Unacceptable sign conditions include broken or missing sign faces, broken or missing letters, chipped or peeling paint, water damage, missing or inoperative lights, exposed mechanical or electrical components, and missing or broken fasteners. Failure to

respond to a written request from the city to perform maintenance work shall result in revocation of the sign's zoning clearance;

- f) All temporary signs and banners shall be made of a material designed to maintain an attractive appearance for as long as the sign is displayed;
- g) All illuminated signs shall be of such intensity or arranged in such a manner so as not to create glare for abutting properties or vehicular traffic.

The City has not attempted to enforce the sign ordinance for many years. Doing so will not be popular among the businesses that would be asked to comply or suffer expensive enforcement actions. The City Council will need to evaluate the value of enforcing the sign ordinance, the impact on the community and the cost/benefit to those businesses forced to comply with the ordinance.

4. Community Fire Protection:

In August 2015, Measure U was sponsored by the Greenfield Fire Protection District but failed to get the required $\frac{3}{4}$ support of voters. Measure U would have been used to fund emergency medical services for quicker responses to heart attacks, vehicle accidents, and other emergencies, recruit and retain qualified personnel to provide necessary responsiveness to protect homes and businesses from fire and other disasters, and plan for the District's long term fiscal well-being. If passed it would have authorized an annual special tax base rate of \$73.00 per tax unit with a cost-of-living adjustment. As noted in the LAFCO 2012 report, the District has changed significantly in the past 15 years with the number of annual calls received by the District increasing from approximately 200 a year to almost 1,000, excluding calls for mutual and automatic aid. Measure U was of critical importance because:

- The Greenfield FPD's per capita annual revenues are the lowest of all fire protection districts in the County, at \$33 a person.
- The District receives approximately 40% of these revenues from a voter-approved benefits assessment.
- The District receives only three cents for every dollar received by the County for the 1% property tax. Property tax still constitutes approximately 30% of the District's revenue.

In 2014, the District received a \$297,478 SAFER (Staffing for Adequate Fire and Emergency Response) grant from FEMA to hire fire fighters. SAFER Grant was created to provide funding directly to fire departments and volunteer firefighter interest organizations to help them increase or maintain the number of trained, "front line" firefighters available in their communities. The goal of SAFER is to enhance the local fire departments' abilities to comply with staffing, response and operational standards established by the NFPA (NFPA 1710 and/or NFPA 1720). While the grant addressed the short term staff shortages in the District, it did not provide any resources or requirements for the District to address the recruitment and retention problems maintaining staffing once the grant expired. The Fire District's ability to provide fire protection is critical to the economic development of the community. The District has communicates its willingness to merge with the City in order to secure appropriate funding of fire protection.

The City Council has the ultimate responsibility to ensure adequate fire protection in the community. Prior to assuming direct responsibility for fire protection in Greenfield, the City will need to adopt a sustainable funding source to ensure adequate service levels and very possibly allocate emergency financing to ensure continued operation of the Fire District.

5. Affordable Housing in Greenfield

As recently documented in the market study prepared for the Terracina Oaks II Apartments in 2014, there is a strong need and demand for affordable work force development in Greenfield. However, there is also a strong need for providing existing homeowners in Greenfield with assistance to rehabilitate their own homes as well as assisting current residents living in rental housing to become homeowners. The City was awarded \$465,000 in 2015 to provide housing rehabilitation and homeownership assistance to its residents which would improve the housing stock in the community. These housing programs can be very effective but will not be successful without the active support of elected officials and community leadership. The two housing programs offer the following benefits:

1. Housing Rehabilitation Assistance (\$232,558): Eligible uses of these funds will include:
 - a) Financing of the costs of repairs and general property improvements to owner- and renter-occupied units,
 - b) Demolition and reconstruction of dwelling units
 - c) Loans for refinancing existing indebtedness secured by a property being rehabilitated
 - d) Water or sewer laterals from the main water line to the dwelling,
 - e) Installation of water meters,
 - f) Improvements to increase the efficient use of energy in structures;
 - g) Improvements to increase the efficient use of water
 - h) Initial homeowner warranty premiums
 - i) Hazard insurance premiums when rehabilitation.

2. Homeownership Assistance (\$232,558) Eligible uses of funds will provide direct assistance to Low–or Moderate- Income homebuyers for the acquisition of an existing or new housing unit. Assistance may be used to:
 - a) Subsidize interest rates and mortgage principal amounts;
 - b) Finance the acquisition by LMI homebuyers of housing that will be occupied by the homebuyers;
 - c) Acquire guarantees for mortgage financing obtained by homebuyers from private lenders;
 - d) Provide up to 50% of any down-payment required from the LMI homebuyer; or,
 - e) Pay reasonable closing costs incurred by LMI homebuyers.

Once these Housing Programs are made available to the Community, the City Council will need to communicate the benefit to City residents and develop partnerships in the community to ensure the funds are used by City residents.

6. Revenue Management

The City was successful in getting voter approval for both sales tax measures in 2015. However, Measure W is only for five years which will restrict the City's ability to use this revenue for long term debt financing. Additionally, if the City uses these funds to hire additional personnel and create new programs for recreation and code enforcement, it will need to find long-term sustainable revenue. The revenue options study conducted in 2015 identified several existing revenue sources that the City should begin to examine to increase general government revenue which will ensure the City is able to maintain any new program developed with the proceeds of Measure W taxes:

- 1. Property Transfer Tax.** Statewide, there is a property transfer tax of \$1.10 per \$1,000 of value when property is sold (or \$220 on a property worth \$200,000). For sales in a city, the proceeds are evenly divided between the city and the county, for an effective city rate of \$0.55 per \$1,000 of value. (For sales in unincorporated areas, the county retains all of the tax.) Based on average annual revenues from this source over the last five years, net new revenues range from \$19,800 at a rate of \$1.10 per \$1,000 of value, to \$340,000 at \$10.00 per \$1,000 of value. At the "mid-range" of the rate set by other cities with this revenue source (\$4.40), net annual revenues would be about \$138,800.

If the revenue is used for general purposes, majority voter approval is required. This must occur at the same time as regular Council elections, unless the Council declares an emergency by unanimous vote (in this case, the election may be held at any time). With majority voter approval, property transfer tax revenue can be used for any legitimate government purpose, such as parks, street maintenance, recreation, police or fire; or with two-thirds voter approval, they must be used for specifically dedicated purposes as set forth in the ballot measure. As indicated in the Revenue Option Study, under Proposition 62 this revenue source is not available to General Law cities so Greenfield would have to consider becoming a Charter city like King City.

- 2. Business License Tax.** Anyone doing business in the City is required to pay a business license tax. The amount is generally based on a flat fee of \$40 per year. However, this fee has not been changed in forty years, when it was last adjusted in 1975. As indicated in the Revenue Option Study, most cities based their business license tax on gross receipts and do not assess a flat tax like Greenfield. The study also noted that the City could also consider modernizing its business license tax ordinance, simply adjusting the rate to account for the passage of time – in essence, setting it the at the same level when it was adopted which would generate an additional \$81,000 annually. Majority voter approval is required in order to increase the business tax. This must occur at the same time as regular Council elections, unless the Council declares an emergency by unanimous vote (in this case, the election may be held at any time).
- 3. Utility Users' Tax.** Half of the State's residents and a majority of businesses in California pay utility users' taxes at rates ranging from 1% to 11%. It is a tax on the consumption of utility services (such as natural gas, electricity, water, sewer, telephone

and cable), similar in concept to the retail sales tax on commodities. For this reason, most cities set their rates based on the sales tax rate in effect at the time they adopted their utility users' taxes ordinance, which accounts for some of the variability in rates. Statewide, for those 154 cities that levy utility users' taxes, the average rate is 5.5%. The City's rate is 3.0%. At 5%, utility users' taxes revenues would increase by about \$176,000 annually.

The City Council will need to evaluate the benefit of updating existing revenue sources or seeking voter approval of new sources to sustain any new programs developed with Measure W Sales Tax Funds or take no action and rely on new growth in the local economy.

7. City Council-City Manager Government

The City of Greenfield has been a City Manager/City Council form of government for many years and has had many competent city managers. However, many people in the community do not understand this form of government and feel strongly that the elected head of City government should also have executive authority currently vested with the City Manager. While many supporters of the Council-City Manager form of government cite the value of a professionally trained and educated city manager, this form of government has been called into questions following the corruption that occurred in the City of Bell in 2010 and recent events in the City of Ferguson in 2015. Both the City of Ferguson and City of Bell are managed by City Managers who critics assert are unaccountable to the general public.

Many years ago I worked in Berea Kentucky as a City Administrator which operated similar to Greenfield but executive authority was vested with the Mayor. As City Administrator, I worked for and reported to the Mayor but could only be fired by the City Council. In this form of government, the Mayor had the legal authority to hire and fire employees and provide daily and operational supervision of the City Administrator. In this form of government, the legislative and executive authority of government is unified and, some claimed, less confusing to the community. I know from my own experience that many people in Greenfield assume the Mayor's Office is responsible for most of the administrative duties performed by the City Manager.

Prior to coming to Greenfield, the City of West Palm Beach (next to the City I managed in Florida) eliminated the City Manager form of government and reclassified the position to a City Administrator which, some residents felt, improved the responsiveness of City government. A City Administrator form of government is generally in line with a traditional three-branch government structure - executive, legislative and judicial. The mayor is the chief executive for the city and oversees all department heads and nominates citizens to board and commissions. The mayor also serves as the face of the city, representing the city at everything from conferences to ribbon-cuttings. For many cities, the Mayor also serves as an at-large member of City Council and may (or may not depending on the desire of the community), have veto power over bills passed by council. One of the chief arguments for the use of a City Administrator is to allow residents to have direct access to the chief executive of the city. Some of the biggest

disadvantages that many people cite of the City Manager form of government is that there is no strong, effective political leadership in city government, there is a tendency for a city manager to usurp policy-making functions from the Council and the city manager may be a stranger to the city, seeking only to advance their own career. (See: “Pros, con for Council-Manager government” by Michael Buffer, October 10, 2010 and “The Differences in City Manager and Mayor/Council Government, the pros and cons” by Tracy Overstreet September 8, 2012). Consistent with the view of many people in Greenfield, it is the Mayor’s Office’s responsibility to ensure that administrative government ... follows through with the desires of the community.

Many scholars of local government feel it is valuable to periodically evaluate the effectiveness of the form of local government. I do share Mayor Huerta’s prospective that a City Administrator form of government might generate less internal conflict in Greenfield by making the Chief Administrative Officer more responsive and accountable to a *single* elected officer. Changing for form of government may also reduce the historic conflict between the Offices of City Manager and Mayor that is often experience in many cities like Greenfield.

Discussions regarding the form of local government might take place during the next year and would require voter approval and the adoption of a City charter. However, in the meantime, it is appropriate to address the needs of the Mayor’s Office today. During the past year, the Mayor’s Office has increasingly assumed administrative duties and responsibilities in the area of economic development and legislative and governmental relations. In order to support the efforts and initiatives by the Mayor’s Office, it is necessary to provide a City maintained automobile for the use in carrying out these duties and responsibilities. To ensure the all expenses associated with these duties are covered by the City, it is recommended that the Mayor’s Office be provided a monthly stipend of \$1,000. This stipend will also be used to ensure compliance with IRS taxation for personal use of the automobile.

Attachment No. 2

FY 2016-17 Goals & Priority Objectives

Public Safety

Goal: Make Greenfield a safe place where families, individuals, and businesses thrive

Priority Objectives for FY 2015-16 and FY 2016-17

- Identify optimal staffing levels in the Police Department
- Fund four additional police officers in the department during the next two years
- Take appropriate steps to ensure police officers are paid a competitive market-based salary
- Enhance departmental staffing by partnering with the community and promoting volunteer opportunities
- Conduct a community survey to assess the community perception of public safety
- Identify, address and successfully prosecute individuals engaged in gang activity in the community
- Develop baseline performance objectives to measure the community's sense of public safety

Government Finance and Fiscal Health

Goal: Provide excellent services and outstanding stewardship of financial resources to ensure fiscal solvency and sustainability

Priority Objectives for FY 2015-16 and FY 2016-17

- Develop a plan to obtain community support for the extension of Measure X sales and use tax
- Review the results of the Revenue Enhancement Study and develop an action plan for implementing enhancement measures where appropriate
- Negotiate fair and equitable labor agreements with City employees
- Establish and fund appropriate reserves for all City operating and utility funds
- Adopt new utility user charges that encourage conservation and fully recover operating costs

Economic Development and Prosperity

Goal: Attract, create, and retain businesses that contribute to the economic development and prosperity of all its residents

Priority Objectives for FY 2015-16 and FY 2016-17

- Adopt a sustainable bi-annual budget for FY 2015-16 and FY 2016-17
- Recruit a high volume national retail anchor to the Walnut Avenue Commercial Center which offers a variety of products to Greenfield and the South County residents
- Support the annexation and development of the Pinnacles Plaza (South End Annexation)
- Explore and review new prospects for creating jobs and economic opportunities for residents
- Finalize, design and construct a Streetscape Plan that will revitalize the entire ECR commercial corridor
- Support the annexation and development of the Yanks Air Development

Community Development and Pride

Priority Objectives for FY 2015-16 and FY 2016-17

Goal: Create livable high quality neighborhoods by improving current and future home construction

- Establish programs that will improve the quality of housing and promote home ownership in Greenfield
- Improve the quality of life in the community ensuring that commercial and residential buildings and structures comply with all applicable laws and ordinances
- Eliminate slum and blight conditions in the community by effectively using Code Enforcement staff, an empowered Code Enforcement Board, and Building Inspection services
- Update the Housing Element of the City's General Plan
- Identify ways to better promote and market the community
- Support the unification of the City elementary, middle, and high school systems

Infrastructure and Streets

Priority Objectives for FY 2015-16 and FY 2016-17

Goals: Improve the quality of life in the community by rehabilitating City infrastructure

- Improve pedestrian safety and walkability
- Implement the recommendations of the Wastewater and Water Master Plans
- Development Capital Improvement Programs for improving the City's water and sanitary sewer system
- Implement necessary system improvements to the Wastewater Treatment Plant using CDBG grant funds
- Identify needed improvements the City's stormwater collection system
- Implement the necessary improvement in the City's Lighting and Landscaping Districts
- Develop a Street Improvement Master Plan

Recreation and Special Events

Goal: Make Greenfield a fun and interesting place to live and play for all of its residents

Priority Objectives for FY 2015-16 and FY 2016-17

- Complete the construction of the Prop 84 Greenfield Community Park
- Study the feasibility of financing and constructing a Community Recreation Facility
- Organize a group of interested Citizens to assess the viability of reestablishing the Harvest/Broccoli Festival
- Establish a Citizen Recognition Program to acknowledge the civic and community contribution of our residents

Attachment No. 2

Pros, cons for council-manager government

By Michael P. Buffer (staff writer)

Published: October 10, 2010

The concept of the council-manager form of government developed in the late 19th Century.

Progressive reformers wanted to rid city halls and county courthouses of political machines and spoils systems that resulted in cronies and political supporters getting government jobs.

So they proposed a form of government with an elected council to legislate and set policies and a strong, non-political executive office to run the government and implement policies.

The Luzerne County Government Study Commission has decided this form of government is the best way to reform Luzerne County, which is recovering from an ongoing corruption probe. Since last year, the federal authorities have brought criminal charges against three county judges, three elected county officeholders and four top county administrators.

A Nov. 2 referendum asks voters to adopt a home-rule charter, proposed by the study commission, which establishes a council of 11 part-time members who would appoint a manager to run an executive branch. The charter would eliminate the three county commissioners as chief decision makers and abolish seven elected offices known as row offices.

The council-manager form was first adopted in 1908 in Staunton, Va. Today, it is the most popular form of government for cities and towns, according to the International City/County Management Association, a professional and educational association for appointed local government administrators.

More counties are turning to the council-manager form, the association reports. From 2001 to 2009, the number of counties with it grew from 371 to 821.

The commission or plural executive form remains the most popular form for counties, but the number of counties with that type of government decreased from 2,196 to 1,728 from 2001 to 2009.

Arlington County, Va.

In 1932, Arlington County became the first county to adopt the council-manager form of government by referendum, according to Ron Carlee, chief operating officer of the International City/County Management Association.

Carlee was Arlington County's ninth manager, serving from 2001 to 2009. He also worked for Arlington County under four county managers.

"This form has compelling advantages to it," Carlee said. "It focuses on the retail aspects of local government - to make sure services are provided with efficiency and integrity.

With a population of about 209,000, Arlington County is governed by a five-person board, whose members are elected at-large to staggered four-year terms. They appoint a county manager to be the county's chief executive, and the form of government has provided stability, Carlee said.

"It is fundamentally about doing the work of government extremely well," he explained. "It is the responsibility of the county council or county board to make important policy decisions - how much you tax, who you tax."

Carlee said the council-manager form "is based on the business model," where stockholders elect a board of directors, who then choose a chief executive office to run the business.

"The county manager's responsibility is to be the buffer between elected officials and professional staff," Carlee said. "The commission form has legislative and executive functions combined, so there are more opportunities for mischief."

Critics of the Luzerne County charter proposal say the county manager would be too powerful and would not be accountable to voters. County Commissioner Stephen A. Urban said the appointed manager would be "a monarch."

Michele Frisby, the International City/County Management Association's director of public information, said many Americans are not comfortable with an appointed executive because of a "bias against the parliamentary system." In parliamentary systems, executive leaders stay in power as long as a governing coalition in an elected assembly has confidence in a prime minister or cabinet.

"It's extremely difficult for Americans to get comfortable with that kind of government," Frisby said. "The intent is voters vote for elected officials who in turn appoint a highly qualified and trained administration to oversee day-to-day operations, not policy development."

Critics of the Luzerne County charter have expressed doubts that the 11-member council would hold a county manager accountable with termination. The charter would require votes from seven of 11 members to fire the county manager.

"The idea that a council or board won't make a change, most elected officials are smarter than that," Carlee said. "It is a greater risk to political reputation by keeping a manager who can't deliver. I don't see how that argument holds any water. Manager positions are at-will positions. You don't have to have a reason to fire. They don't wait for the next election. It happens all the time."

Carlee said two of the four Arlington County managers who preceded him were fired.

"My successor was on board for less than six months, and it was announced last week he is leaving," Carlee said. "It was not a good fit."

County Board members officially announced the departure of County Manager Michael Brown on Oct. 1. Reports said Brown walked away with \$110,000 in severance pay.

Brown's annual salary was \$210,000. Each board member is paid nearly \$50,000 a year, Carlee said.

Luzerne County

According to the charter proposed for Luzerne County, the council would set the salary of a council member, which could not be less than the initial salary set in the charter - \$8,000 annually with an additional \$2,500 for the chair of council.

The manager's salary could not exceed the district attorney's salary and can't be lower than 55 percent of the district attorney's salary, which currently is \$160,850. Luzerne County commissioners currently are paid \$42,006 a year, and the board chair gets an additional \$1,000.

The charter does not address the county judiciary, an independent branch of government under the state's court system. Study commission members have acknowledged they hope the judicial branch agrees to follow requirements under the charter on merit-hiring system, an ethics code and purchasing procedures.

Judges and some county court administrators are state employees, but about 310 Luzerne County employees work for the county judiciary. Luzerne County has about 1,680 full-time employees and a population estimated at 319,000.

Fairfax County, Va.

Ray Gustave lives in Swoyersville and unsuccessfully ran for a seat on the Luzerne County Government Study Commission. He lived in Fairfax County, Va., from 1979 to 2008 and is familiar with the council-manager government in that county.

"It seemed to work well down there," Gustave said.

But he said he won't vote for the proposed Luzerne County charter on Nov. 2.

"Now with 11 members voted in at large versus three commissioners at large, there is no difference," Gustave said. "With the way the council is going to be constructed, I don't like that. It could work. But you need to have better representation by voting districts.

With a population of nearly 1 million, Fairfax County has a 10-member board of supervisors. Nine members are from districts, and the board chairman is a countywide representative,

Gustave said, adding he was active with a citizens' group in Fairfax County and worked with council officials on development issues.

"Our supervisor, I knew him fairly well," Gustave said. "It can be a workable form of government, but not here the way they (Luzerne County Government Study Commissioner members) structured it."

Fairfax County had full-time supervisors, and each supervisor had a staff and office, Gustave said. The annual salary for a Fairfax County supervisor is \$75,000.

Gustave didn't think part-time council members in Luzerne County would be responsive to constituent needs.

Bell, Calif.

Luzerne County Solicitor Vito DeLuca said changing the county's form of government would not reduce the likelihood of government corruption. He said study commission members "are trying to sell the public on a bill of goods that this charter and no other form of government can deliver."

DeLuca pointed to Bell, Calif., where controversy began in July after the Los Angeles Times reported excessive salaries.

City manager Robert Rizzo received \$787,637 a year. On Sept. 21, Rizzo and seven other city officials were arrested and charged with misappropriation of public funds.

"There are always outliers," Frisby said of the controversy. "In Bell, all the checks and balance collapsed, you didn't have elected officials overseeing what the manager was doing. It was a complete breakdown."

Pennsylvania

A council-manager form of county government would be unique in Pennsylvania. Six counties have adopted home-rule charters, and four of them are run by elected executives.

Lackawanna County has a home-rule charter, but is still run by three county commissioners. Delaware County's charter includes a council of five members, who appoint an executive director.

But each Delaware County council member is paid at least \$49,000 a year, and they make personnel and payroll decisions. Under the proposed Luzerne County charter, council members would be prohibited from participating in hiring and firing employees.

The differences in city manager and mayor/council government, the pros and cons

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When it comes to calling the shots for the city, Grand Island has had it all -- a mayor running the show, a city manager, a mayor with administrative assistant and a city administrator with a mayor and council.

The primary difference between a city manager form of government and a mayor/council form is who has the ultimate decision-making authority, said Lynn Rex, executive director of the League of Nebraska Municipalities.

A city manager has the authority to make appointments, Rex said. The council hires the city manager and elects a mayor from within its own ranks. Effective city manager governments can be found in Kearney, Scottsbluff and Gordon, she said.

State law governs managers

City manager duties and authority are expressly defined in state statute and cannot be changed by a city council. For that reason, many professionally trained city leaders prefer the city manager framework, Rex said.

Former City Administrator Marlan Ferguson came to Grand Island after serving as city manager in Sidney. He liked having authority spelled out in state statute. Coming to an administrator form of government was nerve-wracking, but he ultimately decided to take on the challenge.

The city administrator is derived from the mayor/council form of government, which gives the elected officials the authority to hire key officials. The mayor and council must work together in hiring the administrator and are then responsive to the electorate. Effective mayor/council forms with city administrators include York, Norfolk and Central City, Rex said.

"What it comes down to is what style of government your citizens think is most acceptable," Rex said.

"Do you want an appointed official -- a city manager does not stand for election -- making critical decisions?" she said. "The city manager has independent authority -- a lot of authority."

But Nebraska law also gives cities the ability to create their own organization through a mayor/council form that may include a city administrator.

"A lot of states don't have the level of flexibility that Nebraska has," Rex said.

Authority for city administrators

"With a mayor/council form of government with a city administrator, the citizens basically elect the person with whom they have trust. ... The city administrator's authority is ultimately subject to the mayor and council," she said. "The mayor/council form gives the flexibility for the council to determine by ordinance how much authority, or not, they want the city administrator to have."

Both structures for a first-class city -- with a population of 5,000 to 100,000 -- use a "weak mayor" form of government, meaning the mayor cannot act without the council on hiring and firing decisions. Second-class cities, those less than 5,000 in population, have "strong mayor" forms of government, in which the mayor can hire and fire without the council.

"One of the strengths of the mayor/council form of government, with a city administrator, is that the voters get to vote on who's going to be the next mayor, knowing that that mayor gets to bring in a new team or keep the same team," Rex said.

In Grand Island, the change of mayors has typically meant a change in administrator.

When a mayor's term is up, the city loses the continuity of a city administrator if that administrator is not reappointed, Rex said. The other side of that is the new mayor should be able to decide with whom he wants to work.

Former Mayor Margaret Hornady said that, while it's fairly common in other cities for administrators to be retained by incoming mayors, Grand Island's "little habit" of changing administrators can be stressful. But she believes the overall mayor/council structure with a city administrator is good.

"It's got its stresses and strains, and right now it's under considerable strain," Hornady said, "but I think, functionally, it works."

The current strain is Mayor Jay Vavricek's announcement that he "asked for and received" the resignation of City Administrator Mary Lou Brown, effective Sept. 30. That leaves Vavricek and the council to find a new city administrator for the remaining two years of Vavricek's term.

Vavricek did not return a call for comment for this story.

The council supported getting rid of Brown, but the mayor's decision not to get rid of her sooner frustrated the council, which censured him. He also faces a recall petition, which is to start circulation on Sept. 17.

Rex said city managers can also be ousted if they aren't doing their job.

"If a city manager or a city administrator isn't doing the job, there are processes to go through to make sure that individual is replaced," Rex said.

It's all about cooperation

The government structure doesn't matter as much as the people, "can they mesh and work together or not," Hornady said

Former City Councilman Bob Loewenstein said working together is huge. He favors the mayor/council form but said it's not without its faults.

The biggest problem he sees is having five wards with two representatives for each.

"Ten is an ungodly number," Loewenstein said. "It's too many to have a good conversation. You may want to say something at a meeting, but who wants to talk after nine other people?"

He believes seven wards with a single representative would be less cumbersome.

Hornady also favors the mayor/council form with a city administrator but knows it's not perfect.

"I think the pluses are the flexibility, and that's also the minuses," she said. "It's like democracy. It's a two-edged sword."

"Regardless of whether it's a city manager or a city administrator, in my view, it comes down to basically the person and that person's ability to be effective," Rex said. "What it really comes down to is the stability of the government itself."