

## **Case Studies of Urban US Counties with County Managers**

In order to evaluate whether or not Erie County should have a county manager, the Commission examined the experiences of other urban counties in the United States which have had county managers, both with and without an elected county executive. The Commission examined the charters, organizational charts, and other materials available from various counties, as well as evaluations from reputable outside groups regarding the effectiveness of various county governments. Furthermore, when available, the Commission discussed the experiences county managers have had – the advantages, disadvantages, opportunities, and challenges posed by politics in a county-manager system.

When examining these case studies, one must realize that some of these jurisdictions have vastly different circumstances than Erie County. Many counties which use a county manager form of government are undergoing rapid population growth, while Erie County is suffering from the effects of a stagnant economy and a declining population base. An exploding population base creates a need to expand infrastructure, while Erie County faces the challenge of maintaining an older infrastructure with a smaller tax-base and population base. Even in Rust Belt counties laboring under the same challenges that Buffalo and Erie County face, there is no guarantee that simply replicating their governmental structure will create the same results in Erie County.

It must also be emphasized that altering the structure of Erie County government is not a cure-all. Effective leadership can compensate for what might be an otherwise dysfunctional governmental organization; similarly, even the best-designed political system may fail completely if the wrong leaders and administrators are selected to run it.

Our goal in proposing a county manager system is to create a system that would provide the county with a system that has the potential to provide professional leadership insulated from the pressures of patronage and poor fiscal practices. A county manager unwilling to exercise discipline in personnel or finances will see the same sort of crises that Erie County has recently experienced.

### **Allegheny County, Pennsylvania**

The situation of Allegheny County, Pennsylvania (which contains Pittsburgh) closely parallels the challenges presenting Erie County. Both Pittsburgh and Buffalo are Rust Belt cities with a declining population that are struggling economically after the flight of heavy industry. While counties in New York have a long history of autonomy from home rule, the State of Pennsylvania has kept its counties on a very tight leash until the 1970's, when home-rule was allowed to replace an antiquated three-member board of commissioners. Even so, Allegheny County was unable to establish its own home-rule charter until the mid-1998, when voters approved a charter that replaced the three-commissioner system with an elected executive and 15-member council.<sup>1</sup>

Allegheny County has instituted a hybrid form of county government – with both a Chief Executive and a County Manager. The Chief Executive is the political leader of the county. He is responsible for the enforcement of the County's ordinances and resolutions. He may call the County Council into session for special meetings, submit ordinances or resolutions to the Council, give an annual state of the County address and other reports to the council, and may exercise veto power over ordinances or resolutions

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<sup>1</sup> Government Performance Project 2001: Report Card: Allegheny County  
<http://www.governing.com/gpp/2002/gp2alle.htm>.

instituted by the council. He, or a designee, represents the County in all negotiations with other governments, in the negotiation and signing of contracts, and for “economic development” projects. He is responsible for administration of all County departments and agencies, and has the power to appoint officials, although appointment of the County Manager and County Solicitor requires the advice and consent of the County Council.<sup>2</sup> Under the Allegheny County Charter, the Executive has a line-item veto power that allows him to reject any item in the annual operating or capital budgets.<sup>3</sup>

Allegheny County also has a County Manager, who is the chief official responsible for the administration of day-to-day county operations. He implements the policies established by the Executive and the Council and supervises all executive departments and agencies except for the Law Dept. He is responsible for the personnel system, and may hire, discipline or fire any employee under his jurisdiction. He (and not the Executive) prepares and administers the fiscal plan and reports to the Executive and the Council on the financial condition of the County. If authorized by the County Executive, he may negotiate labor or other contracts on behalf of the county. Similarly, he may represent the Chief Executive at any meeting of any authority or agency of which the Executive is a member. In the event the Executive office becomes vacant, the Manager becomes the temporary Chief Executive until an interim Executive is appointed by the Council.<sup>4</sup>

The transition to home rule has not been without its difficulties. Implementation of a single merit-based hiring system rather than patronage was prevented by challenges

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<sup>2</sup> Allegheny County Charter, Article V, Section 2.  
<http://www.county.allegheny.pa.us/charter21/Hrchart.pdf>

<sup>3</sup> Id at Article VII, Section 5

<sup>4</sup> Id at Article VI, Section 2

by elected row officers<sup>5</sup>, who objected to its limitations on their discretion in hiring their own personnel. Allegheny County was also hit hard by the recent economic downturn, and threats by US Airways to remove their Pittsburgh hub which hampered any hopes of economic recovery. Despite all this, Allegheny County has managed to preserve solid fiscal reserves while preserving government services<sup>6</sup> – all while the city of Pittsburgh flirts with bankruptcy.

Allegheny County has selected both managers from local candidates. This allows an intimate local knowledge of the issues unique to Allegheny county, but it has not allowed utilization of the broad national talent with a vision for performance management or performance budgeting. While the presence of a County Manager has provided a central figure responsible for the administrative of the County, the Manager has not proved to be as independent as hoped due to the Executive's appointment power over the Manager. More clearly identifying the boundaries of both the County Executive and the County Manager should help mitigate this result, however<sup>7</sup>.

Five years after the charter was made effective, a Government Review Commission was tasked to investigate how to improve the operation and organization of Allegheny County Government.<sup>8</sup> Among other ideas under consideration are further row office consolidations that would replace the sheriff and elected treasurer<sup>9</sup>. (Allegheny

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<sup>5</sup> Government Performance Project 2001: Report Card: Allegheny County

<http://www.governing.com/gpp/2002/gp2alle.htm>

<sup>6</sup> “Roddey Believes Events Dealt Him a Tough Hand”  
Jeffery Cohan, *Pittsburgh Post-Gazette*, Oct. 26, 2003.

<http://www.post-gazette.com/election/20031026roddey404elect2p2.asp>

<sup>7</sup> Notes of Conversation with Brian Jensen, Allegheny Conference of Affiliated Organizations (on file with commission and author).

<sup>8</sup> “How Good is Allegheny County's home rule charter?”

Jerome L. Shelton, *Pittsburgh Post-Gazette*, Jun. 8, 2005

<http://www.post-gazette.com/pg/05159/517498.stm>

<sup>9</sup> Id.

County already replaced after a voter referendum seven antiquated elected offices with an appointed director of court records, a medical examiner, and a real estate manager.) Most of the other proposed reforms are clarifications of the duties of various offices or other similarly minor tweaks.<sup>10</sup>

### **Hillsborough County, Florida**

Hillsborough County is another example of a pure county-manager form of government – there is no elected county executive. The manager reports to a seven-member Board of Commissioners, and is responsible for carrying out and enforcing the policies, ordinances, resolutions, and motions of the board. He prepares and submits to the board an annual operating budget, a capital budget, and a capital program. He is the public face of the county, representing the county for all contract, bond, or economic development negotiations, but these contracts are subject to ratification by the board. He alone is responsible for the administration of personnel in the county, overseeing the hiring and firing of most positions within the county (excepting those under the purview of the independently elected department heads such as the county attorney). Finally, during an emergency (e.g. the multiple hurricanes that buffeted Florida in 2004), the county administrator acts as the director of emergency management<sup>11</sup>.

The Hillsborough County manager position had been plagued with heavy turnover until the tenure of Dan Kleman – the county manager was often fired every time the partisan makeup of the Board of Supervisors changed. Kleman’s ground-breaking nine-

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<sup>10</sup> County Government Reform Commission: Potential Issues to Be Reviewed  
<http://www.county.allegheny.pa.us/cgrc/issues.asp>

<sup>11</sup> “Bean Steers County Through Stormy Times.”  
Bill Verian, *St. Petersburg Times*, Sep. 20, 2004.  
[http://www.sptimes.com/2004/09/20/Hillsborough/Bean\\_steers\\_county\\_th.shtml](http://www.sptimes.com/2004/09/20/Hillsborough/Bean_steers_county_th.shtml)

year ultimately came to an end after accusations that he mishandled allegations that his HR director was racially discriminatory. He was succeeded by the current Hillsborough County Administrator, Pat Bean, in 2003<sup>12</sup>.

Hillsborough County is a large county encompassing 1000 square miles<sup>13</sup> - roughly the same size as Erie County<sup>14</sup>. While Hillsborough County contains the city of Tampa, the county is not exactly urban – eighty-seven percent of the landmass of Hillsborough County is unincorporated, and eighty-seven percent of the population of the county lives within the unincorporated portion of the county. Furthermore, the population of Hillsborough County has increased from 834,000 in 1990 to 999,000 in 2000 (a 20% increase).<sup>15</sup>

### **Pima County, Arizona (Tucson)**

Pima County is another example of a pure county-manager system. The manager reports directly to a five-member Board of Supervisors. He is responsible for general supervision, direction, and administration of the affairs of the county, preparation of the budget, organization and reorganization of county operations, administration of a merit-hiring system, a risk management program, and a worker's compensation program. He is designated as the representative of the county for all contracts and for applications for

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<sup>12</sup> "County Prepares to Fire Kleman."

Bill Varian, *St. Petersburg Times*, Nov. 11, 2003.

[http://www.sptimes.com/2003/11/13/Hillsborough/County\\_prepares\\_to\\_fi.shtml](http://www.sptimes.com/2003/11/13/Hillsborough/County_prepares_to_fi.shtml)

"Klemen Quits, Praised for Grace."

Bill Varian, *St. Petersburg Times*, Nov. 19, 2003

[http://www.sptimes.com/2003/11/19/Hillsborough/Kleman\\_quits\\_praised.shtml](http://www.sptimes.com/2003/11/19/Hillsborough/Kleman_quits_praised.shtml)

<sup>13</sup> EGovernment Performance Project 2001: Report Card: Hillsdale County

<http://www.governing.com/gpp/2002/gp2hill.htm>

<sup>14</sup> Erie County is 1045 sq. miles, <http://www.nylovesbiz.com/nysdc/censprof/landarea/erie.asp>

<sup>15</sup> <http://factfinder.census.gov>

federal and state grant. He is also responsible for compliance with all federal, state, and local regulations.<sup>16</sup>

Included on Pima County's website is a copy of the employment contract for the Pima County Administrator for a five year term. Notable provisions include his annual salary (\$198,000 plus \$18,000 in deferred compensation) and a County automobile. Removal requires the affirmative vote of a majority of the board of supervisors. This may occur at any time, with or without cause, but if the County requires termination without cause, the County must pay a severance payment of \$75,000. The contract indemnifies the Administrator from any personal liability arising from any alleged act or omission in performance of his duties. The Board of Supervisors retains the right to evaluate the Administrator's performance. Finally, the contract includes the specific policy objectives that the Board of Supervisors wants the Administrator to pursue<sup>17</sup>.

### **Alameda County, CA (Oakland)**

Alameda County vests its executive power in a County Administrator, who is appointed directly by a five-member board of supervisors and oversees the operations of the county. He is responsible for coordinating departmental activities, administrative procedures, reviewing budget requests and making recommendations to the Board of Supervisors<sup>18</sup>.

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<sup>16</sup> Pima County Code Chapter 2.12  
<http://www.co.pima.az.us/cob/code/c024.html#210>

<sup>17</sup> <http://www.pima.gov/contracts/135475-00.pdf>

<sup>18</sup> County Administrator – Alameda County

<http://www.acgov.org/admin/>

See also Alameda County Administrative Code §2.08

[http://www.acgov.org/admin/admincode/Alameda\\_County\\_Administrative\\_Code/Title\\_2/08/index.html](http://www.acgov.org/admin/admincode/Alameda_County_Administrative_Code/Title_2/08/index.html)

Alameda County's experience stands as a stark warning lest the concept of a county manager be viewed as a cure-all. Alameda County has the eighth-highest per capita income in California, yet spending repeatedly exceeded revenues and the county's reserves are quite thin. The budget is currently funded with several one-time revenue sources. Layoffs have resulted in staff shortages in many departments, resulting in large social service caseloads, a troubled probation department, low employee morale, and high turnover<sup>19</sup>.

### **Montgomery County, MD**

Montgomery County, Maryland is a Washington, DC bedroom community which utilizes the hybrid system of county government. The chief executive officer is an elected county executive who "faithfully executes the laws."<sup>20</sup> The County Executive has veto power over the legislative acts of the council<sup>21</sup>. The Chief Administrative Officer is appointed by the County Executive and confirmed by the county Council, and he serves at the pleasure of the County Executive. The Chief Administrative officer, "subject to the direction of the County Executive," supervises all departments, offices, and agencies of the Executive branch and advises the County Executive on administrative matters.<sup>22</sup> The

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<sup>19</sup> <sup>19</sup> Government Performance Project 2001: Report Card: Alameda County  
<http://www.governing.com/gpp/2002/gp2alam.htm>.

<sup>20</sup> Montgomery County Charter, Article II, Sec. 201  
[http://www.amlegal.com/nxt/gateway.dll/Maryland/montgom/partithecharternote/charterofmontgomerycountymaryland?f=templates\\$fn=altmain-nf.htm\\$3.0#JD\\_201](http://www.amlegal.com/nxt/gateway.dll/Maryland/montgom/partithecharternote/charterofmontgomerycountymaryland?f=templates$fn=altmain-nf.htm$3.0#JD_201)

<sup>21</sup> Id, Sec. 208.

<sup>22</sup> Id, Sec. 210 and 211.

County Executive, however, retains appointment authority for any non-merit position, subject to the confirmation of the legislature<sup>23</sup>.

Most residents in Montgomery County have no other local jurisdiction covering them – and, as a DC bedroom community, there is no shortage of citizens with public-sector experience or knowledge<sup>24</sup>. Even so, because the county relied upon an income tax, during the recent economic downturn, they have been forced to dip into their reserves and utilize one-shot resources in order to balance their budget<sup>25</sup>.

### **Maricopa County, Arizona (Phoenix)**

Maricopa County, Arizona is administered by a Chief Administrative Officer who reports directly to a five-member Board of Supervisors. The Board of Supervisors has only a very small independent staff, so they are for the most part reliant upon their administrator for day-to-day operations and for constituent services. The current Administrator, David Smith, was a Deputy County Executive for Erie County in the Gorsky administration until 1994, when he took on the Maricopa County job. Due to his local ties, the Commission interviewed Mr. Smith regarding his perspectives by a conference call<sup>26</sup>. This conversation proved illuminating regarding the day-to-day operations of a county government led by an appointed administrator.

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<sup>23</sup> Id, Sec. 215

<sup>24</sup> “Government Performance Project Report Card, 2001: Montgomery County”  
<http://www.governing.com/gpp/2002/gp2mont.htm>

<sup>25</sup> Id. Current budget information available at  
<http://www.montgomerycountymd.gov/ombtml.asp?url=/content/omb/fy06/appr/vol1/1-1.asp> would suggest that this trend has continued.

<sup>26</sup> Notes from the conference call are on file with the author and with the Commission.

Maricopa County is a large, growing county including the cities of Phoenix and Scottsdale, Arizona. Since 1994, the county population has grown from 2.5 million to 3.6 million inhabitants. The County employs 15,000 employees, 6,000 of which are under the direction of the county manager. (The remainder is under the direction of independently elected officials such as the sheriff, the county attorney, etc.)

The Maricopa County Board of Supervisors creates a strategic plan which indicates the direction which the Board desires to take the County. This strategic plan includes broad goals (e.g. protecting the environment, developing a sustainable economy, keeping property taxes low, etc.). Each broad goal is refined by more detailed goals designed to implement the broader goals over the next several years<sup>27</sup>. This list of goals is the performance program that serves as objective criteria against which the County manager's performance is evaluated at his bi-annual performance reviews.

Over the past three years, Maricopa County's bond rating has been upgraded three times and the bonded indebtedness has been greatly reduced. Property tax rates were kept flat, and even reduced, even while the county had to invest \$1 billion in capital improvement projects.<sup>28</sup> It should be noted, however, that a growing population can help create these budget surpluses.

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<sup>27</sup> The strategic plan may be found at [http://www.maricopa.gov/county\\_glance/pdf/StrategicPlan.pdf](http://www.maricopa.gov/county_glance/pdf/StrategicPlan.pdf).

<sup>28</sup> <http://www.maricopa.gov/cao/>