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County Form of Government 2002

Dear County Clerk:

December 2002

The International City/County Management Association (ICMA) has conducted *the Form of Government* surveys for many years. This survey gathers comprehensive information on county form of government, election systems, provisions for referendum/recall, and term limits. A summary of the results will be available on ICMA's web site (<http://icma.org>) after the data have been tabulated. Please contribute to this significant body of knowledge by completing the survey and returning it **within three weeks**. Thank you.

- The term **commission** refers to an elected body whose members may be called commissioners, council members, supervisors, board members, or a similar title.
- The **chief appointed official** of the local government is often referred to as county manager, county administrator, chief administrative officer, county coordinator, or a similar title.
- The **presiding officer** of the local government may have the title of presiding officer, judge, board chair, or the like.

1. Please indicate which of the following best describes your current legal form of government as defined by your charter, ordinance, or state law. (*Please read all definitions first and check only one.*)

- a. Each elected commissioner or board member serves as director of one or more functional departments (e.g. Public Works Director or Director of Health and Human Services) in addition to his/her policymaking role. The presiding officer may be chosen from the board or elected directly (e.g., county judge). This is popularly known as the **commission** form of government.
- b. An elected board sets policy, adopts legislation, and approves the budget. The commission appoints an administrator to conduct the day-to-day county business, to prepare the budget, to oversee department heads, and to recommend policy to the board. This is popularly known as the **council-administrator** form.
- c. An elected board sets policy, adopts legislation, and approves the budget. The commission appoints a manager or administrator with broad executive authority to oversee and manage county departments, hire and fire most department directors, hire and fire county staff, prepare the budget, and recommend policy to the board. This is popularly known as the **council-manager** form.
- d. The elected board is responsible for making policy. The executive, elected at -large, implements county board policies, prepares the budget, and acts as county spokesperson. The executive often has veto power, which can be overridden. This form fully separates the legislative and executive powers and is popularly known as the **council-elected executive** form.

2. How is your county's *structure or form of government* established? (*Check only one.*)

- a. Charter
- b. State law
- c. Local ordinance
- d. Council resolution
- e. Other (*Please specify.*) _____

3. Does your county have the position of *chief appointed official* (CAO)? a. Yes b. No

A. If your county does have the position of *chief appointed official*, what action established the position? (*This question refers only to the establishment of the position, not to the person or group that does the hiring.*)

- a. Charter
- b. State law
- c. Local ordinance
- d. Commission resolution
- e. Chief elected official created position
- f. Other (*Please specify.*) _____

B. If your county does have the position of *chief appointed official*, who appoints the chief appointed official? (*Check only one.*)

- a. Presiding officer
- b. Commission
- c. Combination of presiding officer and commission
- d. Other (*Please specify.*) _____

4. How is your presiding officer selected? (*Check only one.*)

- a. Voters elect directly
- b. Commission selects from among its members
- c. The commission member receiving the most votes in the general election becomes the presiding officer
- d. Commission members rotate into the position of presiding officer
- e. Other (*Please specify.*) _____

5. Is the presiding officer a member of commission? 1. Yes 2. No

6. How long is the presiding officer's term of office? (*Important: If the presiding officer is a member of the commission, specify the term for the position of presiding officer, not of commission member.*) (*Check only one.*)

- a. 1 year
- b. 2 years
- c. 4 years
- d. Other (*Please specify.*) _____

7. Does the presiding officer have the authority to veto commission-passed measures? 1. Yes 2. No

A. If yes, in what cases may the presiding officer exercise veto power? (*Check all applicable.*)

- 1. Over ordinances
- 2. Over specific sections of ordinances
- 3. Over resolutions
- 4. Over appropriations
- 5. Over specific items of appropriations
- 6. Other (*Please specify.*) _____

8. Since 1997, have any recall initiatives been filed against the presiding officer? 1. Yes 2. No

A. If yes, were any successful? 1. Yes 2. No

9. How many seats, vacant and filled, are on your commission? _____ (*Include the presiding officer if that position serves on the commission. If the presiding officer is a member of the commission, your answer to question 5 should be "yes."*)

10. How many current commission members are (*Total number of commission members should equal the total in question 9.*)

- a. Male _____
- b. Female _____

11. How many current commission members are (*Total number of commission members should equal the total in question 9.*)

- a. Native American _____
- b. Hispanic _____
- c. Asian or Pacific Islander _____
- d. White _____
- e. Black _____

12. Does your county have a provision for any of the following? *(Check all applicable.)*
- a. **Initiative** Permits citizens to place charter, ordinance, or home rule changes directly on a ballot for approval or disapproval by the voters.
 - b. **Binding referendum** Allows voters to determine the outcome on public issues by binding the governing body to act on voters' opinions.
 - c. **Non-binding referendum** Allows voters to express an opinion on a specific topic without binding the governing body to act on voters' opinions.
 - d. **Recall** A vote by the citizens to remove an elected official from office before the expiration of that official's term.
 - e. **Petition or protest referendum** Allows voters to delay enactment of local ordinance or bylaw until a referendum is held.

13. Are the members of your commission elected? *(Check only one.)*
- a. All at large b. All by ward/district c. Combination of at large and ward/district.
- A. *If you selected c*, indicate the number of commission members elected by each of the following methods:
- _____ a. at large _____ b. by ward/district

14. Does the political party affiliation of commission candidates appear on the ballot in your local general elections? a. Yes b. No

15. Are the following department heads appointed or elected?

	<u>Appointed</u>	<u>Elected</u>		<u>Appointed</u>	<u>Elected</u>
a. Assessor	<input type="checkbox"/>	<input type="checkbox"/>	f. School superintendent	<input type="checkbox"/>	<input type="checkbox"/>
b. Prosecutor	<input type="checkbox"/>	<input type="checkbox"/>	g. Treasurer	<input type="checkbox"/>	<input type="checkbox"/>
c. Civil attorney	<input type="checkbox"/>	<input type="checkbox"/>	h. Clerk of governing board	<input type="checkbox"/>	<input type="checkbox"/>
d. Sheriff	<input type="checkbox"/>	<input type="checkbox"/>	i. Clerk of court	<input type="checkbox"/>	<input type="checkbox"/>
e. Recorder	<input type="checkbox"/>	<input type="checkbox"/>	j. Controller	<input type="checkbox"/>	<input type="checkbox"/>

If appointive, please note whether any of these positions were at one time elective offices:

16. Is there a legal limit on the number of terms a commission member may serve? a. Yes b. No
- A. If yes, what is the maximum number of terms allowed by law? _____
- B. When was the term limitation enacted? _____
- C. By what authority is the number of terms limited? *(Check only one.)*
1. Ordinance 2. Charter 3. State law 4. Other *(Please specify.)* _____

17. How many incumbents ran for reelection to commission in the last general election? _____
- A. How many incumbents ran unopposed? _____ B. How many incumbents were reelected? _____

18. How is a commission member's seat filled if it is vacated before the term has expired? *(Check only one.)*
- a. Special election
 - b. Appointed by commission
 - c. Method depends on length of term remaining
 - d. Appointed by presiding officer
 - e. Position left vacant until next regular election
 - f. Political party/governor appoints
 - g. Other *(Please specify.)* _____

19. When does your fiscal year begin? Month _____ Year _____

Name: _____ Office telephone number: _____
 Title: _____ E-mail: _____

Please refold this questionnaire so that the postage paid reply side faces out, staple/tape closed and return to ICMA.