

Local vs. State

- A central struggle of modern government is the battle between state and local authorities over social policy and financial autonomy.
- Cities are given some autonomy to act but are still tethered to the laws of the state and dependent on state and federal funds to operate.

preemption: the supremacy of rules and laws handed down at the state level

The Powers and Functions of Local Government

Dillon's Rule

- Although the state and federal government share power across a range of policy issues, local government is often fenced in by state authority.

Dillon's rule: a ruling that established that state governments can place restrictions on municipalities as long as these rules do not violate the state's constitution

The Powers and Functions of Local Government

Ordinances

- City government’s “legislate” by using ordinances, the local law of a municipal area, passed by a city council.
- In providing services and dealing more directly with the people, local governments often grapple with policy issues that are not addressed at the state or national levels.

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County Level Government

- Texas has 254 counties.
- Counties serve dual purposes: providing government services for residents and administrative services on behalf of the state.
- Counties' responsibilities include public safety, property tax collection, jails, transportation and roads, elections, and environmental protection.

County Level Government

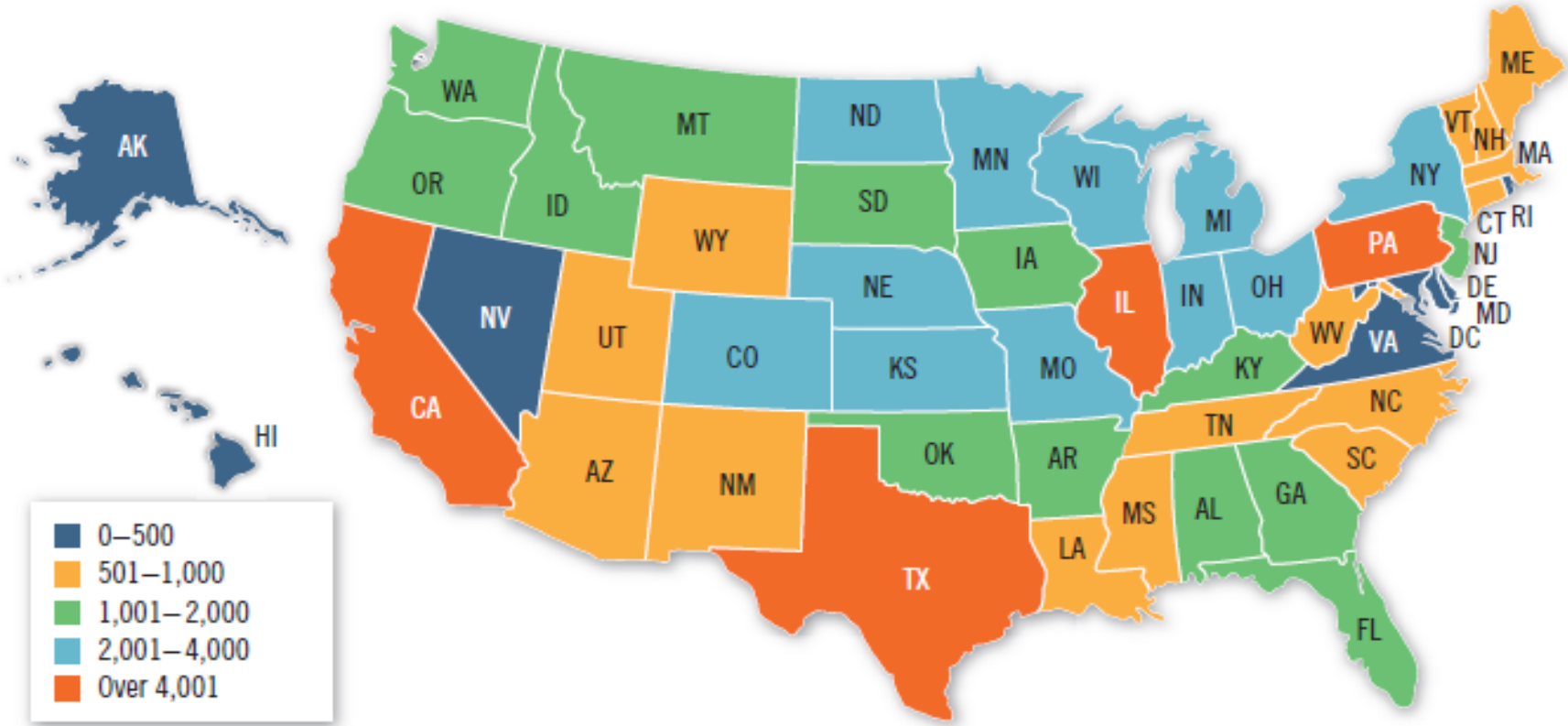
- Some counties are small: Rockwall County, east of Dallas, is only 148 square miles.
- Some counties are huge: Brewster County, home to the Terlingua Chili Cook-off, is more than 6,000 square miles, three times the size of Delaware.
- Size impacts governance.
- In larger counties, for example, county government leaders play a larger role in the economic development of **unincorporated areas** of the county, regions that are administered as part of a county but not a city.

County Level Government

- The legislature rigidly sets the structure of county governments.
- This structure is comprised of dozens of local officials who administer county government, elected by the county voters.
- Only the Texas legislature can—and sometimes does—authorize changes to county government structure.

County Government

Number of Local Governments



Source: US Census Bureau.

How Texas Compares

- Illinois stands out with almost 7,000 localities, 2,000 more than Pennsylvania with the next most governments.
- Texas is in the top three with 4,856 total governments, behind Pennsylvania but ahead of California.
- States with large populations have more local governments.
- In Texas, responsibility for policy issues are shifted to local government entities. For instance, Nevada administers public libraries at the county level, whereas Texas has smaller library districts.

County Judge and Commissioner's Court

- At the top of county government are the county judge and commissioner's court.
- Each Texas county is run by a county judge and a commissioner's court made up of four county commissioners.
- These commissioners serve four-year terms and represent districts that must have equal populations.
- County judges are frequently called on to manage crises that occur in their jurisdictions, as they are responsible for homeland security and emergency management in their counties.

County Sheriff

- The county sheriff—part administrator, part politician, and full-time law enforcement officer—is often referred to as the “lord of the county line.”
- Sheriffs are charged with enforcing state laws, managing and operating the county jail, serving warrants and civil papers to residents, seizing property after court judgments, enforcing traffic laws on county roads, and providing security for the courts.

County Officials

- **County prosecutors:** The county attorney and district attorney are the chief prosecutors for criminal cases in Texas counties.
- **County administrators:** A district clerk, if a county has one, is predominately a legal record keeper, processing passport applications, administering child support payments, processing court fees, and recording all proceedings of the district courts.
- **County finance officers:** County tax assessor-collector, county auditor, county treasurer.

City Governments

- **Two types of cities**

general law city: a city that is only allowed to operate under laws the state provides

home rule city: a city that is allowed self-governance independent of state law

General Law City

- If a general law city has not been specifically granted authority to act by the legislature, it may not undertake the action.
- General law cities, for example, may not add mandatory fees to utility bills without permission of the state.
- State law officials may also step in when local ordinances conflict with state laws.

Home Rule City

Referendum: a procedure through which local voters can repeal existing ordinances that a city council won't rescind

Recall: a process through which voters can oust sitting members of the city government before their terms are up

Example: College Station used a referendum to submit to voters a plan to ban the use of red light cameras, unmanned digital cameras that photograph a vehicle running a red light. College Station citizens then voted to remove red light cameras by a slim 51 percent.



Types of City Governments

Mayor-Council System

mayor-council system: a system of local government headed by an elected mayor and a city council

- There are strong and weak mayor-council systems.
- In a weak-mayor system, the mayor has no formal authority to act outside of the council. The mayor lacks veto power, and other important city officers, such as the treasurer or department heads, are elected by the people.
- In strong-mayor systems, the mayor has legislative powers (voting on many matters and presiding over city council meetings) and executive powers are often exercised unilaterally. The mayor can often take a wide range of independent action, with little input from the council or the public.



Types of City Governments

Council-Manager System

council-manager system: a system of local government in which the city council appoints a city manager to run city business

- The board of directors (the city council) acting on behalf of stockholders (the people) appoint a chief executive officer (city manager) to run city business.
- The city manager runs the day-to-day operations in the city and serves as the chief administrator and budget officer for the city.
- The city manager's primary role is to enforce city regulations, supervise municipal employees and programs, execute the city budget, and prepare the agenda of the city council.

Special Districts

special district: a single-purpose government that performs a specialized function

- County and city government cover only a small fraction of the governments in Texas.
- Special districts make up the bulk of the local government in the state.
- Example: education, water supply, economic development, or hospital care
- Special districts raise their funds from property taxes, giving way to concern about the rising tax burden from citizens.
- These governments operate in a set geographic area and are created because of an inability of other governments to provide a particular service.

School Districts

- There are 1,227 school districts in Texas.
- The number of school districts in Texas has declined as smaller, rural systems have been consolidated with larger ones.
- School boards of trustees oversee the school districts, managing schools and selecting superintendents.
- They make final decisions on district policies, personnel, textbooks, and budgets.
- Board members have exclusive power to govern and tax residents within the district and are elected usually to three- to four-year nonpartisan (candidates run without a political party affiliation) terms.

Special Improvement Districts

- Special (or Public) Improvement Districts allow an area to levy and collect special assessments on properties for a limited range of services, including landscaping, construction, parking facilities, and improving streets and sidewalks.

municipal bond: a debt security where a municipality takes out a loan to spend funds and agrees to pay the funds back, generally with interest

More Districts

- **Library Districts**
- **Municipal Utility Districts (MUDs)**
- **Hospital Districts**
- **Homeowners Associations (not technically a special district)**

Local Elections

- City and county elections can be either partisan or nonpartisan elections.
- Voters tend to have little interest in these elections, and voter turnout is typically low—even though Texans interact closely with these governments.
- The outcome of these elections can vary widely, as different electoral systems—countywide, citywide, or districtwide—have a significant effect on who gets elected and, in turn, who is represented.

Elections

County Elections:

- The county judge and commissioners are elected for four-year terms in partisan elections.
- Commissioners are elected to districts that divide the county into four geographic regions. County judges are elected countywide.

Elections

City Elections:

- Texas cities elect representatives in one of two ways, at-large or place system.
- At-large members are elected citywide. These positions tend to be mayors, city comptrollers, and district attorneys.
- **place system:** an electoral system in which voters elect council members from a citywide area but that specifies a separate seat carved into districts

Minority Representation in Municipal Government

- Half the city council and fifteen of the last seventeen mayors were elected from only four zip codes—out of seventy-eight total zip codes in the city.
- The switch to a single member district place system increased the diversity of candidates and the diversity of those elected to the city council in terms of race and gender, and the public felt more involved in municipal government.

cumulative voting: voters cast multiple votes (usually equal to the positions in an election)



Issues in Local Government

Issues

- Local governments are often short on cash.
- One common way to generate additional revenue in city finances is Tax Increment Reinvestment Zones (or TIRZs).

Tax Increment Reinvestment Zones (TIRZs): special zones created to attract business and develop the economy within the geographic zone

Issues in Local Government

Debt Per Capita by County

