

How to Adopt Council-Manager Government

Getting Started

Adopting and implementing the council-manager form in your community requires a well-informed public and governing body, as well as, adherence to state legislation. A campaign supporting the council-manager form may be necessary before a community or council vote on the referendum. For detailed information about the implementation of the council-manager plan in your community, suggested contacts include:

- **International City/County Management Association**

(Publications including *The Benefits of Hiring A Professional Administrator*, *Citizens' Handbook on Retention of the Council-Manager Plan*, *The Council-Manager Plan: Answers to Your Questions*, *The County Administrator Video*, *Council-Manager Plan Video: Good Government at Work*, *Guide for Charter Commissions*, *Model City Charter*, *Model County Charter*, *Responsive Local Government Packet*, and *Responsive County Package*)

- **Your state's municipal league or association of counties**

(Local information, model charter/ordinance)

- **The National Civic League**

(Information, model charter/ordinance)

- **Managers within your region**

Your state's municipal league or association of counties, National Civic League, and ICMA can provide a model ordinance or charter that your community's attorney can modify to fit state legislation and your community's needs. Local active and retired managers can be asked to speak or answer questions at community meetings. The general counsel's office, or research division, of your state's municipal league and association of counties can also provide examples of what other communities within your state have done.

Organizing a Campaign

The following is a list of steps to help achieve the adoption of the council-manager form:

1. **Organize a citizens' committee**

It is essential that a committee be organized to lead the campaign in support of the council-manager form. The citizens' committee should have centralized leadership and be broadly based, including as many segments of the community as possible.

2. **Address the logistics of the referendum**

Try to schedule the date of the referendum for maximum voter participation, particularly if a high turnout will result in adoption of the plan. Consider how long the campaign should be. A short campaign means a quick vote. If a long campaign will allow the opposition to gain strength, perhaps the short campaign is a wise choice.

3. **Carry out the campaign**

Inform the public, research and get the facts about the council-manager form, seek finances and volunteers, and concentrate resources in focus areas to maximize campaign effectiveness.

Ways to Adopt the Plan

There are generally three ways to adopt the council-manager form:

1. Public Vote to Change the Charter

Jurisdictions with a charter can place an issue on the ballot for citizens to determine. Charter change generally can be placed on the ballot either by a vote of the elected body or through a citizen petition. The petition process is governed by the charter or state law.

2. Adopt Ordinance

In this case, council votes on an ordinance or resolution to implement the council-manager form.

3. Adopt Existing State Legislation

In this case, council votes on an ordinance or resolution to adopt existing state legislation which implements the council manager form.

An Example

As mentioned above, the laws and means necessary to implement the council-manager form vary by state. The following is the legal underpinnings of the council-manager plan in California:

State law authorizes general law cities to adopt what is known as the “city manager form of government which is sometimes also referred to as “the council-manager plan”. (See generally Cal. Gov’t Code §34851 et seq.) This approach allows the council to delegate to a manager the power to administer the day-to-day affairs of the city.

The managers responsibilities are defined by ordinance. (See generally Cal. Gov’t Code §34852.) These responsibilities include most types of personnel decisions including hiring and firing subordinate employees. (See generally Cal. Gov’t Code §34856.)

A city manager form is created by ordinance. The ordinance may be enacted in one of three ways:

- By the council;
- Submitted by the council to the citizenry of the city for a vote; or
- Put on the ballot by initiative by the citizenry.

(See generally Cal. Gov’t Code §34851.) The city manager holds office at the pleasure of the city council. (See generally Cal. Gov’t Code §34506.)

Of course, charter cities are free to organize as they choose, subject to the provision of their charters and the state constitution. *Reprinted with the Permission of Western City, 1996*

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