

## REMARKS TO THE HILLSBOROUGH COUNTY CHARTER REVIEW BOARD

APRIL 30, 2010

Good Morning. Thank you for inviting me to speak to you this morning on behalf of the Florida City and County Management Association. I am John Wesley White, a longtime member of FCCMA and a former city, county, and state government manager.

As you might expect, FCCMA and its national counterpart, the International City and County Management Association, support professional management of local government services. Typically, this means that ICMA and FCCMA support the council-manager plan currently used by Hillsborough County. However, the hallmarks of professional local government management are found in many variations of this plan. My purpose today is not to promote or defend any sacrosanct plan and my comments do not address the many hybrid models of governance. Instead, I would like to stimulate a discussion to define the essence of what professional management means to you. Although I am appearing on behalf of FCCMA, the specifics of my comments are my responsibility and may not completely reflect the adopted views of FCCMA.

By way of introduction, I have worked in both of the two main alternate forms of local government—council-manager and strong mayor. For 10 years, I was the Sarasota County Administrator, reporting to the Board of County Commissioners. For four years before that, I was the Chief Administrative Officer of Prince George's County, Maryland, a large suburb of Washington DC, reporting to an elected County Executive who was NOT also a member of the council. I had the good fortune in those positions to work for outstanding elected officials of both political parties and diverse philosophies.

My personal view is that the right people can make any system of government work well. The essential question, however, is which system of government is most likely to work well. Most of the literature by historians and objective analysts over the 100 years of experience with the council-manager form of government in thousands of cities and counties concludes that the council-manager plan most consistently leads to good governance and ethical conduct. My view, based upon my experience of somewhat less than 100 years, is that I strongly agree.

Before addressing the aspects of both forms, I would like to preface the discussion with a rhetorical question: what objective would one be trying to accomplish if you were to suggest changing the form of government? Hillsborough County has had a long and successful experience with the council-manager form of government. Hillsborough County administrators generally have had enviable reputations as ethical and competent public servants. Over the years, you have avoided many of the ethical and divisive political issues experienced elsewhere. You can rightfully be thankful for the caliber of your appointed officials. Please forgive me if I am presumptuous for suggesting that Hillsborough County

should first address that question—what problem do you want to fix—before you turn to the relative merits of the alternatives.

In every community that examines this issue of the form of government, the debate generally centers on a few key points. Advocates of an elected executive typically talk about accountability and leadership—the ability to elect and hold accountable a person with strong community ties who can create a vision for addressing whatever are that community’s challenges. I acknowledge that this prospect is not only possible but also very appealing. However, nothing is guaranteed. On the other side, advocates of the council-manager plan point out the advantages of selecting the executive from a nationwide pool of people with educational qualifications and professional experience as a chief executive, as well as by selecting that person from a profession that is serious about enforcing a strict code of ethics. Yet, these attributes of a council-manager system do not create an absolute assurance of an executive free of human foibles or managerial weaknesses.

Let’s focus for a moment on accountability. My view is that I was always accountable in Sarasota County for the management of county government. In fact, I used to tell my Board that I was on Tuesday-to-Tuesday probation. But it is really not a joke. The reason that my colleagues in the profession of city and county management have relatively brief tenures is because those who fall short of expectations are held accountable, sometimes instantly, for the actions of the government, as well as because governing bodies change and sometimes want to move in a new direction. There is nothing unaccountable about that arrangement. In fact, I think a good argument can be made that this is far more accountable than having to wait for up to four years to make changes at the next election.

What about the flaws in each system of government? Critics of popular election of the top manager of the organization point out that there is nothing about the electoral process that ensures a quality selection—or even a good choice among people with the right skills to head a complex organization. Some have even questioned what connection there is between political fundraising or a good 30-second spot advertisement and honestly managing an enterprise funded by hundreds of millions of tax dollars. But many local governments have had the benefit of capable and enlightened elected executives and, frankly, that was my own experience. My former boss served honorably for three four-year terms as County Executive of Prince Georges County and two terms as Governor of Maryland. However, a few years before that, Maryland had a County Executive from Baltimore County named Spiro Agnew, who was subsequently elected Governor, and ended his political career with felony convictions for his actions in those offices. The form of government did not produce either result; the person did. It does, however, raise the question of what risks are you willing to take. Which current or former local elected official would you least like to see as county mayor? That’s who you might get for four or more years...think about it.

Critics of the appointed executive system will frequently assert that it fosters managers with a bureaucratic, rule-driven approach that is not responsive to community concerns. To be honest, I have known a few of those types myself. But they usually did not last very long or, if they did, it was because

the elected governing body did not want innovative leadership and simply wanted a cautious steward who followed its direction. And there have been a few—fortunately, very few—managers who have been guilty of outright wrongdoing. But I have known many city and county managers, including those who have served here, who were honest, hard-working, risk-taking innovators and were very successful in giving their elected officials policy choices that optimized the use of taxpayer dollars. Again, what price are you willing to pay, or what risk are you willing to take, to have a desired positive outcome?

One observation probably applies to both governance models—each of them has potential unintended consequences. Let me identify some areas where I think there are adverse unintended consequences of an elected executive system. I offer them for your evaluation and consideration.

The first unintended—and I would suggest unavoidable—consequence of an elected executive is the diminution of the authority and policy influence of the governing body. It is a totally uneven balance of power...the executive has too many tools at his or her disposal, including the bully pulpit and the entire staff of the government. In some respects, one could argue that this is not unintended at all—that one of the selling points of the elected executive is creating something different from the group responsibility of a governing body. What I believe is unintended is the extent of the shift. Proponents may truly believe that the continued existence of a legislative body means that there will still be an effective role for that institution. However, the nature of the news media and the focus of public attention almost always gravitates to the elected executive. On rare occasions, the legislative body will assert itself on a particular issue but the reality is that the executive becomes the only game in town. And part of that game is picking off votes for key legislation by whatever means are available to the executive—and sometimes that process is surprisingly easy and not at all pretty. The Sunshine Law, even in the unlikely event that it applies to a separately elected executive, would not be an impediment to this vote-getting process, since most of it is delegated to political aides. It serves to subvert the inherent protections from political logrolling that exists when all of the elected officials have somewhat equal power. In these circumstances, I believe that representative democracy suffers.

The second unintended consequence, closely related to the first, is the pervasive influence of personality that permeates the government. This is truly unavoidable, even where the elected executive is conscientious about not fostering it. I can say from close personal observation that an elected executive becomes the personification of the institution. Their identities converge...everything is attributable to “The \_\_\_\_\_ Administration”. As such, employees throughout the organization frequently do not differentiate between the interest of the public and the political interests of the elected executive. Without even being explicit, this mindset begins to constrain available choices or policies, down to a level in the organization that is not readily visible to the executive. The balance shifts from measuring ones actions against ethical or professional standards towards considering the political consequences. This tendency to avoid bad news or tough decisions at all costs is very real and pernicious in all forms of government but it is greatly exacerbated in an elected executive form. Controversy or “bad press” is avoided, even when the action is the right thing for the community at large, because those consequences are against the political interests of the executive. Even correcting

honest mistakes must be weighed against the adverse publicity. Anything that “makes waves” must be cleared with aides who owe their positions and their allegiance to the elected executive and who view the government through a highly political lens. Gradually, employees (particularly mid-managers and those aspiring to success in their careers) almost subconsciously begin to view the choices in a way that ensures that the executive’s relatively short-term political interests are well served.

The final unintended consequence I will identify today is particularly applicable to county governments, especially those in Florida. By and large, the institution of county government has only become important in the relatively brief period of time since rapid suburbanization after World War II. Before that, county governments were merely subdivisions of state government, responsible for maintenance of rural roads and supporting the court system and jails, requiring very few persons with managerial skills. It was of little importance that the institution was fragmented and compartmentalized with separately elected officials responsible for various facets. As the population of unincorporated areas and the demand for urban services grew, city governments did not expand to meet those demands and county governments became purveyors of urban services. Yet the structure did not change much, except that county commissions gradually began to recognize the need for greater expertise and more focused management skills. The rise of professional county management, by then a model already widely used in city governments, has been a direct consequence of these forces. But the old courthouse environment of separate and somewhat competing power centers has not changed very much. In Sarasota County, I was fortunate to work with a group of elected department heads, frequently called constitutional officers, who were very professional and did quite a good job. Hillsborough County may have had that same experience. But I believe that the old political tug-of-war continues everywhere, especially around budget issues. Now introduce a new source of political competition—an elected executive—who has greater access to the media and can accumulate more concentrated political power than five or seven individual county commissioners can. The unintended result is that the political insider game becomes a much more serious struggle for ascendancy. I think that in most counties, even the current level of intrigue among competing elected officials is a distraction from the public interest—that situation is greatly exacerbated when it is on steroids, as it would be with an elected executive.

In conclusion, the Florida City and County Management Association believes it would be a mistake to change the form of government in Hillsborough County from that which has provided you with so much success for so long. There would be many unintended consequences from such a change. I hope these comments are helpful. I would be pleased to answer your questions, clarify my comments, or participate in a further discussion of this important issue.