

# Memorandum



**Date:** July 18, 2007

**To:** Victor M. Diaz, Jr., Chairman  
Charter Review Task Force

**From:** Susanne M. Torriente  
Assistant County Manager

**Subject:** Charter Review Task Force Benchmarking Research

At its initial meeting on July 9, 2007, the Charter Review Task Force requested staff to review available research regarding best practices in municipal and county governance in support of this effort.

In the course of conducting this initial research, it became apparent that there is no commonly accepted "best practice" model for municipal governance; rather, city and county governance models reflect the unique history, values and characteristics of each particular community. Associations or nonprofit organizations may advocate for a certain form of government, but this advocacy is informed by the organization's own purpose and membership. For example, the International City-County Management Association (ICMA), as an association of professional city and county managers, advocates the council-manager form of government. That said, for certain subject areas, there may exist generally accepted best practices, and/or concepts considered to be particularly innovative or progressive. These areas might include, for example, ethics, the role of lobbyists, and alternative electoral methods (e.g. proportional voting, instant run-offs, etc.).

As a point of departure, staff has conducted initial benchmarking research regarding form of government, board composition and whether constitutional officers are elected or appointed for a sample of large Florida counties and selected counties nationwide; results are provided in Attachment 1. Additionally, we identified a number of organizations that research local government issues and, in some cases, advocate for particular governance models or issues. We have placed links to the respective organizations on the newly created Charter Review Task Force web site (<http://www.miamidade.gov/charterreview>) for our information and convenience. Specifically, the research section includes links to the National League of Cities and the National Civic League, which both include information on charter revisions and model charters. Attachment 2 includes two articles regarding the most recent revisions to the National Civic Leagues' Model City Charter, 8<sup>th</sup> edition. Other links in the research section include:

- American Government and Public Policy Internet Resources - Institute of Governmental Studies Library, University of California at Berkeley
- American Society for Public Administration (ASPA)
- Florida Association of Counties
- Florida League of Cities
- Governing Magazine
- Government Innovators Network at Harvard University
- International City/County Management Association (ICMA)
- International Institute of Municipal Clerks
- National Association of Counties (NACo) - State and Local Government on the Net
- State and local government Internet directory provided by HelloMetro
- State Links - Provided by Council of State Governments. State Web pages available on the Internet
- U.S. Conference of Mayors

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- USA.gov Local Governments - Local government links from the U.S. government's official Web portal

We have attached a summary of *Governing* magazine's Grading the Counties study conducted in 2002 (Attachment 3), in which the nation's largest counties were assigned letter grades for their performance in areas such as strategic management, finance, human resources and information technology. The *Governing* study is the best known attempt to "objectively" evaluate local governments, although findings are now somewhat dated, and offer no conclusions regarding the impact of county governance models on managerial performance.

Finally, at the previous Task Force meeting, there was some discussion regarding top academic public policy institutions. Attachment 4 includes a list of top public affairs programs according to the U.S. News and World Report. Based on further direction from the Task Force, staff will conduct additional research into these or any other specific topics.

**Attachments**

C: George M. Burgess, County Manager

Miami-Dade County  
Office of Strategic Business Management

**Selected Florida and National Counties:  
Form of Government, Board Composition, and Constitutional Officers**

County Name	2005 Population	Form Of Government	Composition of Board	Constitutional Officers Elected or Appointed?*				
				Tax Collector	Property Appraiser	Supervisor of Elections	Sheriff**	
Florida Jurisdictions								
Miami-Dade	2,376,014	Commission/ Executive (Mayor)	13 single member districts, 1 elected Mayor	Appointed	Appointed	Appointed	Appointed (Police Department Director)	
Broward	1,777,638	Commission/ Administrator	9 single member districts	Appointed	Elected	Elected	Elected	
Palm Beach	1,268,548	Commission / Administrator	7 single members districts.	Elected	Elected	Elected (Supervisor of Elections)	Elected	
Hillsborough	1,132,152	Commission/ Administrator	4 single member districts, 3 at large	Elected	Elected	Elected	Elected	
Orange	1,023,023	Commission / Executive (Mayor)	6 single member districts, 3 at large	Elected	Elected	Elected	Elected	
Pinellas	928,032	Commission/ Administrator	4 single member districts, 3 at large.	Elected	Elected	Elected	Elected	
Duval / City of Jacksonville	826,436	Council / Executive (Mayor)	14 single member districts, 5 at large, 1 elected Mayor	Elected	Elected	Elected (Supervisor of Elections)	Elected	

County Name	2005 Population	Form Of Government	Composition of Board	Constitutional Officers Elected or Appointed?				
				Tax Collector	Property Appraiser	Supervisor of Elections	Sheriff**	
Selected National Comparables								
Los Angeles, CA	9,935,475	Council / Executive	5 single member districts	Elected	Elected	Elected (Registrar-Recorder/County Clerk)	Elected	
Cook County, IL	5,303,683	Council / Executive (President)	17 single member districts and 1 President elected at large	Elected	Elected	Elected (Office of County Clerk)	Elected	
Maricopa, AZ	3,635,528	Commission / Administrator	5 single member districts (partisan)	Combined Functions - Elected		Elected	Elected	
Orange County, CA	2,988,072	Council	5 single member districts	Elected	Elected	Appointed (Registrar of Voters)	Elected	
San Diego County, CA	2,933,462	Commission / Administrator	5 single member districts	Elected	Elected	Appointed (Registrar of Voters)	Elected	
Dallas County, TX	2,305,454	Council	4 single member districts, 1 at large	Elected	Elected	Appointed	Elected	
Wayne, MI	1,998,217	Commission/ Executive	15 single member districts	Appointed	Appointed	Appointed	Elected	
King, WA	1,793,563	Council/ Executive	9 single member districts (partisan)	Appointed	Elected (partisan)	Appointed	Elected (partisan)	
Clark, NV	1,710,551	Commission / Administrator	7 single member districts	Elected	Elected	Appointed (Registrar of Voters)	Elected	
Fairfax, VA	1,006,529	Commission	9 single member districts, 1 at large	Appointed		Appointed	Elected	
Fulton County, GA	915,623	Commission/ Administrator	5 single member districts, 2 at large	Elected (Tax Commissioner)	Appointed	Appointed	Elected	
Mecklenburg, NC	796,372	Commission/ Administrator	6 single member districts, 3 at large	Appointed	Appointed	Appointed (Board of Elections)	Elected	
Baltimore, MD	786,113	Council / Executive	7 single member districts	Appointed	Appointed	Appointed	Elected	

**Notes:**

\*Elected officials not specifically noted as "partisan" may or may not be elected on a partisan basis

\*\*Sheriff duties and responsibilities vary by jurisdiction and may include, for example: processing of warrants, summonses and writs; municipal police services; specialized police services; operation of correctional facilities; bailiff and other court services, etc.



*Over a  
Century of  
Community  
Building*

## *National Civic League*

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### **Possible Approaches to the Model Charter Revision**

**by Jim Svara**

#### **Purposes of developing model charters**

Model city charters provide guidance to citizens and officials about the best approaches to local government structure and process. The nature of the proposals-as distinct from their substantive content-has varied over the seven editions of the model charter. As the process for revising the model charter gets underway, it is useful to reflect on how previous editions have related to the prevailing thinking about local government and practices in use. The models have reflected differing combinations of emphasis on the following purposes.

1. Innovation: developing new approaches to local government structure and process.
2. Advocacy: promoting acceptance of reform ideas, either new or stated in previous versions of the model.
3. Conservation: when reforms are widely accepted, a third role is to "explain" to local officials and citizens the meaning and importance of the reforms that have been accepted in their local governments and to defend the continued use of these reforms.
4. Adaptation: altering recommendations to reflect new conditions and practices. The focus is on adjustment rather than innovation.

The first two editions were remarkable for the extent of innovative ideas they contained. The recommendation of a strong elected executive in the first edition was such a drastic departure from prevailing practice that it gained little acceptance. The second edition presented a different but equally innovative model-"a new municipal program." Although the council-manager form contained in the second edition represented an even greater departure from the constitutional model to which Americans were accustomed and was used by only a few cities at the time it was endorsed, the council-manager form of government won acceptance by a growing number of cities over time.

In the third through the fifth editions, there was little innovation. The primary purpose shifted from advocacy of adopting practices that most cities did not use in the third edition to explanation and defense of practices that most cities did use by the time of the fifth edition.

"New" approaches appeared in the sixth edition and to a greater extent in the seventh, but the practices recommended were more adaptations than innovations. The model charter revision process attempted to respond to new conditions and challenges in American cities and to give legitimacy to practices that were becoming increasingly common, in particular the use of district elections and the direct election of the mayor. The 7th Edition was more innovative in the sense that it articulated a new rationale for

the mayor as a facilitative leader. The institutional practices recommended to enhance the position of the mayor as a political leader, however, were not new nor is the idea that the mayor can be a leader in his or her own right—not just the leader of the council. The commentary sought to defend the use of model institutions and provide a rationale for adapting them by considering alternative approaches. It was a model with alternatives.

As a new revision process begins over one hundred years after the first model charter, it should be recognized that the current edition is not a source of new ideas or a challenge to the prevailing assumptions of local officials and citizens as they consider how to improve the performance of their government by altering the structures and processes that it uses. The 7th edition provides guidance and is educational—part advocacy, part conservation, and part adaptation—by informing readers why the institutions of local government that have become widely accepted continue to have value and what the essential features of a well-designed government are. The context for the 7th and the proposed 8th editions, however, is very different than at the beginning of the reform movement. In 1897 and 1915, there were virtually no well-designed local governments in operation in the United States. Today governments that incorporate model charter principles are the norm. To provide information and insights not available from other sources, the new edition could go farther in examining how to handle complex issues within the current structure. This would be a more sophisticated approach to the adaptation purpose of the 7th edition. In addition, the model charter might again attempt to be truly innovative by broadening the scope of issues addressed. Expanded guidance about adaptation and innovative ideas would not take the place of advocacy and conservation but would build on them.

### **Types of Recommendations**

In the suggested approach, there would be three types of recommendations provided.

#### **Advice about Adopting Charters: The Basic Model Charter**

The core structural issues and traditional recommended practices will be presented. This discussion provides the foundation for other types of recommendations.

#### **Expanded Advice about Adapting Charters**

In the current revision process, it is important to reexamine more fully than in the past whether any changes in the recommendations for core charter provisions should be made. Citizens and officials in many communities need help in examining whether special conditions or challenges may indicate the need for adaptation of their existing charter. The discussion of options should make it clear why the essential features of the model charter are important and point out the beneficial effects that they can have. Beyond the basic approaches, however, some local governments may choose to consider unique approaches. The model charter should help these communities diagnose their conditions and consider options with the best information available about the consequences associated with each option. There should also be more attention given to recommending features of the mayor-council form of government for cities that use or prefer to choose this form.<sup>1</sup> It is important to remember that over half of the mayor-council governments (even when small cities are excluded) do not provide for a city administrator. Most of these cities are unlikely to adopt the council-manager form, but more could add a central administrative position staffed by a professional administrator to their government.

*Innovative Advice that Goes Beyond the Charter: New Approaches to Community Governance*

Beyond these questions related to charter provisions, the process could also examine the elements of sound community governance in the 21st century. Basic charter provisions are key elements of sound governance, but they are not the totality.<sup>2</sup> Other practices need to be proposed as well to meet the needs and respond to the conditions of communities today. If pursued, this approach would be a substantial departure from that used since the second edition<sup>3</sup> in several respects.

- First, the recommendations will deal with matters that go beyond charter provisions. A discussion of new approaches to community governance should address what can be accomplished through the charter in achieving sound governance, but examine other practices and processes as well. Presumably, these measures need to be flexible and adaptable. Therefore, they should not be included in the charter since this constitutional document is appropriately hard to change. It is important, however, that they not undermine charter principles. For example, a proposal to resolve all policy questions by internet referenda would probably be rejected because it would undermine representative democracy. A new approach to community governance, however, may appropriately provide for more and different kinds of direct democracy than are currently in common use.
- Second, new approaches to community governance will go beyond "settled knowledge" about what works. Just as the authors of the 2nd edition made recommendations based on an analysis of problems and the conceptual case for a new approach but little direct experience or evidence (except from other countries), the section on community governance would consider new approaches even though their efficacy is not fully established. A distinction might be made between "recommended approaches"-ordinances, activities, processes-that have a demonstrated capacity to address an important aspect of community governance, and "innovative approaches" that have promise but are more experimental.
- Third, new approaches to community governance will go beyond the boundaries of an individual local government and deal with issues that are not clearly resolved. Still, the model of governance should deal with the reality that many of the greatest governance challenges in urban America cannot be addressed within the boundaries of single jurisdictions.

In summary, I propose for discussion that the current process have three elements.

- A. Examine and presumably reaffirm the basic charter provisions that have been endorsed since the 2nd edition. This presumption is based on the expectation that a careful examination of the conditions in local governments, the evidence about local government performance, and the "logic" of optimal local government performance will lead to an endorsement of a model charter based on the principles of unitary government, representative democracy, and professional administration. The recommendations will reflect the increased appreciation of the importance of innovative political leadership and responsible professional leadership in effective governmental performance. In this aspect of the process, the focus will be on describing and explaining why the basic model provisions in the charter contribute to the best results for most local governments insofar as a governmental charter can shape performance. The presentation of the basic charter provisions might even be simpler than the current version, since the focus is on helping citizens and officials grapple for the first time with basic questions of putting their organizational structure on a sound foundation.
- B. Examine special conditions in some local governments that may lead to

considering charter provisions that depart from the model provisions. This is different in subtle ways from the "model with alternatives" found in the 7th edition. The argument is not that any local government will be well served by choosing from the menu of alternatives but rather that some cities may have distinctive or exceptional conditions for which non-traditional approaches are appropriate. The distinctive conditions may be quite common. For example, in part A of the process, the practice of electing council members at-large may be reaffirmed. There are clear advantages in having all the members of the council represent all the citizens of the community. It is quite common, however, in communities that are distinctive because of their size or diversity for other approaches to defining the constituency of the council member to be recommended. District elections alone or in combination with at-large elections may be preferable in these communities.

Other conditions may be more rare. The difficulties of achieving the proper blend of representative, political, and professional leadership may be so great in certain local governments that special charter provisions regarding the position of the mayor should be considered. The analysis conducted in this part of the process would seek to determine how one recognizes the special conditions that call for an unusual remedy and what the elements of the remedy are. Furthermore, the analysis should also carefully consider what the potential negative consequences of the remedy would be. For example, the analysis should note that the substantial enhancement of the mayor's position could weaken the representative leadership of the council and the professional leadership of the city manager. As suggested above, this is not a menu with standard options, but rather a special section of the menu that examines atypical choices to meet unusual circumstances (with an explanation of potential side effects.) In considering these special approaches, the participants in the revision process obviously go beyond the standard reform practices that are established in part A. [See sample below.]

As an extension of A and B, the revision process should also consider more fully recommendations for the normal and special provisions in elected executive forms of government in cities and counties.

- C. Examine and make recommendations concerning structures and processes outside the charter than can advance the quality of community governance both within individual jurisdictions and across jurisdictions. Examples of areas that might be considered are the following:
- o citizen participation
  - o neighborhood governance
  - o regional governance
  - o utilizing new information technologies to promote involving and responding to citizens
  - o contracting out and privatization
  - o incorporating nongovernmental agencies and organizations in the work of local government
  - o ethics

In this part of the process, attention should be given to the interaction between charter provisions and other practices with guidance given about how to promote compatibility between the two. It is also important that the analysis help officials and citizens distinguish between "fads" that will not improve performance and new approaches that offer good prospects for positive impact. There is an obvious risk that the revision process could be overwhelmed by the wide range of topics that could be considered.



Hopefully, the participants in the revision process will have the ability to identify the aspects of model community governance that are most important at the present time and focus their attention on these.

The parts reflect the needs of different audiences or "users" of the charter. Part A is well suited for the "first-time" users. The most common example is probably a community that has never done anything to transform its government from a weak mayor-council government by committee with limited staff. Because of growth or other challenges, it needs to organize itself better. The basic charter provisions are a useful guide. Part B is for "advanced" users. These would include communities that already have basic reform provisions but feel the need to examine their practices and consider whether adaptation is in order or those communities considering a change in form. The commentary in this part should not lead users to make changes for the sake of change but to carefully analyze their situation and the advantages and disadvantages of change. Communities with problems in the governmental process and cities that mandate a periodic review of their charters are examples of these advanced users. Another group is cities that are examining whether they should shift from a general law to a home rule charter. For example, in California, the home rule charter can provide some additional authority for the city but also opens up the possibility of other structural changes. These advanced users are not well served by the existing model charter. Indeed, many have already adopted it but now consider questions that go beyond the basic model.

Part C could be of interest to any community that wants to go beyond their charter structure to incorporate other innovations that address challenging new governance problems.

The time has come for a re-examination and revision of the National Civic League's *Model City Charter* to address both basic and advanced questions about local government structure. The time may have come as well for incorporating the model charter into a comprehensive set of recommendations for *New Approaches to Community Governance*.

Illustrative example: Distinctions among basic recommendations, alternatives, and special provisions and between discussion of charter provisions and new approaches to governance.

*Note: some may not agree with the logic underlying this example and many more details could be provided. It is offered simply to show how it is possible to make recommendations that vary in their scope of application.*

It is obvious that a key issue in the revision process will be the role of the mayor.

A basic recommendation is that the mayor be a facilitative leader who does not have executive powers that separate the mayor from the council.

Alternatives are those contained in the 7th edition. Mayors may be chosen from within the council. There are clear advantages to this approach. The council can choose the leader it wants and either retain that person or choose to give several members the opportunity to exercise the special responsibilities of the mayor's office over time. About a third of the council-manager cities still use this approach, including a majority of cities in California. Any city, however, may want to adopt the alternative of electing the mayor directly. This approach potentially enhances the political leadership of the mayor and gives the incumbent a mandate for a program of actions sanctioned through the electoral process. Approximately two thirds of council-manager cities already use direct

election of the mayor.

Special provisions may be considered under unusual circumstances. In a small number of cities, the council is fragmented to such an extent that the potential benefits of representative democracy are not being fully realized. The manager's accountability may also be weakened by the absence of clear direction and consistent oversight from the council. When this condition persists and becomes endemic, it may be beneficial to consider giving the mayor special powers that go beyond direct election and other provisions, e.g., giving an annual state of the city address, that strengthen the mayor's voice as a political leader. When the only remedy is to give the mayor additional leverage over the council and the ability to focus the city manager's attention on key priorities, the mayor may be given empowering provisions in the charter, such as a formal distinct role in the budget process and the authority to nominate the city manager to the council.

The potential negative consequences of these changes should be recognized. Cities face a difficult dilemma in empowering the mayor. On the one hand, the mayor can be a force for promoting cohesion. Empowering the mayors can give them more tools to work with and encourage a wider range of candidates to seek the office. On the other hand, making mayors different and more powerful can both encourage them to go their own way and ignore other members of the council and also weaken the council and produce resentment among other council members. One could argue that enhanced authority for the mayor within the council-manager form should not be necessary, but it may be an "insurance policy" in unusual circumstances that provides an internal remedy for dealing with a very fragmented council. Even empowered mayors, however, should develop their skills as facilitative leaders and not rely on their special powers. The powers should be used only in an emergency and as a last resort.

Thus, charter recommendations could be divided into three types: basic provisions, alternative provisions, and special provisions. For some provisions, there may be no alternatives and/or no special provisions. Basic and alternative provisions would be included in Part A-the basic model charter. Special provisions would be included in Part B.

Part C on new approaches to community governance would offer recommendations about practices adopted by communities to enhance leadership and promote dialogue and consensus building. These might include mayoral task forces or community-based visioning processes. Part C will contribute to the recognition that changes in performance can be promoted by new approaches that go beyond changing the charter.

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1. The recommended features of the mayor-council government contained in the 7th edition deviate from practices in most cities that use this form with regard to the chief administrative officer. The 7th edition recommends that the mayor appoint and remove the CAO without council involvement and that the mayor determine the responsibilities of the CAO. Most cities provide at least for council approval of appointment of the CAO, and many (the proportion is not known) define qualifications for the CAO or assign functions to the CAO in the charter.
  2. Governance refers to the process by which communities democratically establish goals that reflect common aspirations and needs, arrive at policies and programs to meet these goals, carry those policies and deliver services responsively and effectively, and make the best possible use of the limited resources of local government.
  3. When the first two charters were drafted, there presumably were no clearly established limits on the kinds of issues considered nor general agreement about what proposals should be made.

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*Cover Story***Renewing the Model City Charter:****The Making of the Eighth Edition****Christopher T. Gates and Robert Loper**

The National Civic League (NCL) will publish the eighth edition of the Model City Charter in the spring of 2003. The newly revised charter addresses critical issues confronting local governments today and stresses the role of citizen participation in public life. The decision to update the charter evinces NCL's continuing dedication to its historic mission of fostering good government at the local level.

In 1899, the National Municipal League (as NCL was originally named) approved the first Model City Charter, which has been revised periodically to help cities and their citizens improve the structures and procedures of local government.

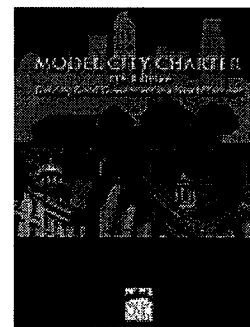
Revision of the model charter is not an automatic process. It is undertaken when a judgment is made, with the advice of experts in the field, that circumstances have so changed that the model must be updated to ensure that it continues to provide reliable guidance on the relationship between the structure of local government and its performance.

In fact, taken overall, the changes in the Model City Charter over the years present a history of reflection on how cities should be structured to best achieve the goals of efficiency, effectiveness, and equity. Although created under the auspices of NCL, the Model City Charter has from its inception been the result of the combined efforts of leading thinkers and practitioners in the area of municipal administration.

**THE NEED FOR A CITY CHARTER**

Before detailing the significant changes made in this newest edition of the model charter, let's consider charters and their impact on government performance. Some readers may find this topic esoteric. Fortunately, though, in Martin Scorsese's film "Gangs of New York," we have a wonderful cinematic illustration of the turbulence of urban governance in the mid-19th century and thus of the impetus for the reform movement that sought to ensure accountable and professional city government. To anyone who has seen this movie, we think it will come as no surprise that New York was the first home of the National Municipal League.

The events that Scorsese portrays occurred roughly in the middle third of



the 19th century. The later history of New York politics, up to the founding of the National Municipal League in 1894, saw the consolidation of rule by political machine evident in nascent form in the film.

During this time, city government was weak and corrupt, and provision for public order was erratic. Volunteer fire companies routinely fought each other while fires burned, and looters took advantage of this disarray. Patronage, graft, bribery, and outright thuggery and violence were the order of the day. Herbert Asbury, author of the book that inspired Scorsese (and gave him the title of his movie) reports that in 1855 gang leaders could draw on some 30,000 individuals. By rioting at polling places and stuffing ballot boxes, gangs doing the bidding of political bosses were instrumental in seizing and maintaining political power.

The fascinating and undeniably violent history of this period is too little known among us today. While any number of examples would illustrate our general point concerning the role of effective charters as means of improving city government, a vignette about the police force in New York City during this period merits mention here.

Corruption within the police force was so bad that in 1857 the state legislature abolished the municipal police force and appointed a metropolitan board to enforce the law in a district encompassing Manhattan, Brooklyn, Staten Island, and other places (this of course was before greater New York City, encompassing the five boroughs, was constituted). The mayor of New York, however, refused to disband the municipal force, and on June 16, rioting broke out between the Municipals and the Metropolitans, as the two police forces were known.

The feud continued throughout the summer, and according to Asbury, members of the rival forces interfered with one another's attempts to make arrests, letting the would-be prisoners go in the process. Aldermen and magistrates supportive of one side would remain in police stations controlled by the other so that they could release prisoners on their own recognizance.

This situation was clearly a far cry from today's professional and accountable administration of municipal affairs. These unruly conditions and the consequent corruption via political machines helped fuel the energies of the reform movement, which resulted in the forming of the National Municipal League and the development of the Model City Charter.

Although a city charter by itself cannot ensure good government, a well-designed charter can provide a structure that reduces opportunities for corruption and mismanagement while reinforcing efficient and responsible practices. The model charter has long served as a guide for charter commissions, recommending particular arrangements and discussing the merits and potential problems of a range of options for configuring municipal government.

**The Model City Charter has always been the result of the combined efforts of leading thinkers and practitioners in the area of municipal administration.**

The commentary that forms part of the model charter not only helps clarify the charter's provisions but also draws attention to events and developments that might not warrant extended treatment in the charter itself but that nonetheless have an important influence on the problem-solving capacities of local government.

In the commentary sections of the new edition of the model charter, particular attention is paid to the increasing salience of regionalism, new information technologies, improvements in performance measurement, citizen participation in public life, and the fostering of interaction among neighborhoods.

#### CHANGES IN THE MODEL CITY CHARTER

In an article entitled "Possible Approaches to the Model Charter Revision," which was written before the most recent revision was made, Jim Svava developed a useful typology for thinking about how and why charter reform might be undertaken. He identified four emphases that could guide model revision: innovation, advocacy,

conservation, and adaptation. (The entire article is available on the NCL Web site at [http://www.ncl.org/npp/charter/articles/possible\\_approaches.html](http://www.ncl.org/npp/charter/articles/possible_approaches.html))

Professor Svara, who was a senior adviser to the charter revision committee for the eighth edition, heads the department of political science and public administration at North Carolina State University. In his article, he pinpointed the approach taken by each of the past editions of the model charter to these four emphases. (For a fuller treatment of changes in the Model City Charter over time, see H. George Frederickson et al., "How American City Governments Have Changed: The Evolution of the Model City Charter," *National Civic Review*, Vol. 90, No. 1, pp. 3-18).

Svara went on to suggest that the new edition of the model charter should take into account the different needs of three types of potential users. The first type would be localities adopting a charter for the first time and needing basic information on government structures and performance. The second type would be a locality that might be looking to revise its existing charter to better address special circumstances it faced. Such local governments require a more sophisticated assessment of alternatives and tradeoffs among possible choices, Svara wrote.

And the third type of user would be a municipality interested in more encompassing processes of community governance than can be specified within the provisions of a city charter. This interest was, and is, of particular concern to NCL, and the eighth edition of the model charter is intended to contribute to this wider discourse on citizen participation and community governance.

#### **City Council**

Unsurprisingly, the preference for the council-manager form of government has been retained in the new edition of the model charter, although the discussion of the mayor-council form has been greatly expanded. The model does not advance a preferred method for electing the council but does stress anew the value of at-large elections. In keeping with the seventh edition, the eighth edition recognizes that the use of single-member districts remains popular for selecting councilmembers as a means of ensuring compliance with the Voting Rights Act, and the benefits of the mixed form (combining at-large and single-member elections) are highlighted.

Given the technological developments that have made proportional representation and instant runoff voting less complicated than before, and the more widespread interest in these voting procedures, the new edition contains an extensive consideration of these alternatives in the commentary on the elections section. (Last year, San Francisco became the nation's first major city to adopt the instant runoff method for selecting the mayor and other top office-holders.)

#### **City Manager**

A new emphasis is given to recognizing the professionalism of the city manager. The preexisting phrase "[t]he city manager shall be appointed solely on the basis of executive and administrative qualifications" has been changed to "... appointed solely on the basis of education and experience in the accepted competencies and practices of local public management." To clarify the intent of this change, the International City/County Management Association's minimum qualification for a city manager has been inserted into the commentary:

A master's degree with a concentration in public administration, public affairs, or public policy and two years' experience in an appointed managerial or administrative position in a local government or a bachelor's degree and five years of such experience.

A new emphasis on promoting long-term goals, regional and intergovernmental cooperation, and greater citizen participation is exemplified by the addition of the following tasks to the duties of the city manager:

- Assist the council to develop long-term goals for the city and strategies to implement these goals.
- Encourage and provide staff support for regional and intergovernmental cooperation.
- Promote partnerships among council, staff, and citizens in developing public policy and building a sense of

community.

### **Mayor**

In one of the most significant changes found in the new edition, a different approach has been taken to the role of the mayor in the mayor-council form of government. Commentary on this form remains in an appendix, but instead of simply addressing the strong mayor-council form alone, the eighth edition presents a choice between two options and provides a set of analytical questions to help guide deliberations in cities that prefer to use the mayor-council form.

The two options 1) are the traditional strong mayor form, with a clear separation of powers between the mayor and the council; and 2) the standard mayor form, with both a separation of powers and a sharing of authority between the mayor and the council. One of the key differences between these two options, of course, involves the role and status of the chief administrative officer (CAO).

In the strong mayor form, the mayor fulfills the functions performed by the city manager in the council-manager form. If there is a CAO, he or she is appointed and removed by the mayor alone. By contrast, in the standard mayor form, the CAO is nominated by the mayor and approved by the council and can be removed by the mayor. The two mayor-council options are distinguished in shorthand reference as "mayor-CAO-council" and "mayor-council-CAO," respectively.

The analytical questions used to frame deliberation are "how should authority be divided between the mayor and the council" and "should a chief administrative officer be appointed." Of these two alternatives, the model charter expresses a clear preference for the mayor-council-CAO option. Regardless of the choice made between the strong and the standard mayor approach, the appointment of a CAO is recommended.

### **Initiatives, Citizen Referendums, and Recalls**

The eighth edition incorporates initiative, referendum, and recall procedures into the provisions of the model charter. This decision was made for a number of reasons. For one, the inclusion of these elements simply acknowledges the fact that they are contained in the vast majority of charters in operation today. But these procedures were an important aspect of the reform movement of the early 20th century, and while the model charter shows a clear preference for relying on the established practices of representative government for day-to-day decision making, committee members decided that it was important to preserve these options as part of the overall armory of governing mechanisms.

This summary has covered only some of the changes made to the model charter. For a fuller discussion, scroll though the NCL Web site at [www.ncl.org](http://www.ncl.org) to the point where the complete text of the charter and the commentary are posted.

### **PARTICIPANTS IN THE MODEL CHARTER REVISION**

The revision project was truly an inclusive venture. The committee in charge of writing the eighth edition comprised a diverse set of individuals and representatives from all major organizations with an interest in the revision of the charter. The organizations represented were the American Bar Association, American Society for Public Administration, Association of State Municipal Leagues, International City/County Management Association, International Municipal Lawyers Association, International Personnel Management Association, League of Women Voters, National Academy of Public Administration, National Association of Counties, National Association of Schools of Public Affairs and Administration, and National League of Cities.

Involvement of leading academic experts in the field of public administration has always been part of the history and tradition of the charter revision process. This tradition was maintained in this latest round through insightful contributions from Professors H. George Frederickson, John Nalbandian, David Schulz, David Sink, and Jim Svara.

NCL benefited enormously from the generous commitment of time and talent by these individuals and organizations and wishes to thank them all for their great contributions. We also want to make special mention of the extraordinary leadership provided by the two chairs of the committee, Betty Jane Narver and ICMA Executive Director Bob O'Neill. They reinforced for all of us a deep appreciation of the difference made by inspirational leadership. It is with sadness and respect that the eighth edition of the Model City Charter is dedicated to the memory of Betty Jane, who passed away on December 9, 2001.

**Unsurprisingly, the preference for the council-manager form of government has been retained in the new edition of the model charter, although the discussion of the mayor-council form has been greatly expanded.**

And finally, the process greatly benefited from the involvement of four senior advisers: Terrell Blodgett, William N. Cassella, Jr., Robert Kipp, and Jim Svara. Terrell Blodgett is the Mike Hogg Professor Emeritus in Urban Management at the LBJ School of Public Affairs at the University of Texas and a former chairman of NCL, while William N. Cassella, Jr., is the former long-time executive director of NCL, and Robert Kipp is group vice president at Hallmark Cards and a former city manager of Kansas City, Missouri.

The expertise of these individuals and the range of experiences and perspectives that they brought to bear on revising the model charter make us confident that this edition of the Model City Charter not only updates best practices to keep the document current but also orients it to the future.

We wanted to modernize the charter and ensure its relevance to the new millennium, and we feel that we succeeded in doing so.

NCL, as the nation's oldest political reform organization promoting the cause of good government at the local level, will continue to update the model charter as changing circumstances warrant. This focus on understanding and supporting effective local government is a significant part of NCL's overall commitment to the goal of reinvigorating citizen democracy.

Whether through NCL's 53-year-old civic recognition program, the All-America City award, or the work it does on civic engagement and political reform, NCL is dedicated to the principle that all sectors of our society, the public, private, and nonprofit, must work together to address our common needs and build a thriving democracy. NCL recognizes that in the modern American community, local government not only provides services to the public but also contributes the leadership that allows new models of community governance to flourish.

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**Christopher T. Gates is president of the National Civic League, Denver, Colorado ([chrisg@ncl.org](mailto:chrisg@ncl.org)), and Robert Loper is editor, *National Civic Review*, National Civic League, Washington, D.C. ([robert@ncldc.org](mailto:robert@ncldc.org)).**

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From *Governing's*  
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## County Report Cards:

- [Grading the Counties introduction](#)
- [Data behind the grades](#)

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## THE GOVERNMENT PERFORMANCE PROJECT

# How We Grade Them

**T**his is the fourth installment of the Government Performance Project — a joint venture between *Governing* and the [Maxwell School of Citizenship and Public Affairs](#) at Syracuse University, and funded by [the Pew Charitable Trusts](#). It scrutinizes 40 of the nation's largest counties, and builds upon two similar efforts dedicated to states, and one to cities. In many ways, the evaluations that follow are the most complex of all.

When the Government Performance Project began evaluating state government, some readers objected that comparing states is like comparing apples and oranges. Our response was: "Yes, but what's wrong with comparing two different kinds of fruit? There are far more similarities than differences." No such riposte is available when it comes to counties. There are times when comparing them is like comparing apples and koala bears. More than any other institution of government in America, counties are asked to do different things, and given different powers. Milwaukee County, for instance, has a huge range of responsibilities and a lot of freedom in how it deals with them. Dallas County, by contrast, is a creature of Texas state government, with a narrow list of functions and not much independence.



But this problem aside, we are convinced that there is enormous value in evaluating counties in the five areas the GPP has covered for the past four years — financial management, capital management, human resources, managing for results and



**King, Wash.**

information technology. Even if the counties differ greatly, virtually all of them must handle all five of these tasks, and their skill at doing so is a matter of crucial consequence. Counties nationwide spend nearly \$200 billion a year.

**Los Angeles, Calif.****Maricopa, Ariz.****Mecklenburg, N.C.****Miami-Dade, Fla.**

This year's GPP covers 40 of the largest counties — not literally the 40 most populous ones. In fact, deciding which counties to evaluate was the first problem in this effort. Using a strict list of the top 40 by population, we would have had to include counties such as Middlesex, Massachusetts, which contains nearly 2 million people but is essentially just a geographic subdivision, not a government. Some other standard had to be used.

**Milwaukee, Wis.****Monroe, N.Y.****Montgomery, Md.**

Another possibility was to look at the 40 largest counties measured strictly by revenue. The problem there is that California would have overwhelmed the list. Ultimately, a reasonable compromise emerged: Split the country up into four regions and take the largest counties from each region, measured by revenue. The final division included 12 from the West; 10 from the East; 10 from the South and eight from the Midwest.

**Nassau, N.Y.****Oakland, Mich.****Orange, Calif.****Palm Beach, Fla.****Prince George's, Md.****Riverside, Calif.****Sacramento, Calif.****San Bernardino, Calif.****San Diego, Calif.****Santa Clara, Calif.****Shelby, Tenn.****Suffolk, N.Y.****Wayne, Mich.****Westchester,**

Although the presentation format varies somewhat from prior years, one element has stayed the same: Grades are assigned to each of the five categories covered. And despite every effort to focus readers on the positives and negatives that contribute to the grades, it's a simple fact of life that readers tend to focus in on the grades themselves. The drawback to this is that the grades are, at best, a rather blunt instrument to describe a complicated body of information. What's more, they sometimes force elected officials into a defensive posture. The positive is that the grades draw attention to areas of government service that are too frequently overlooked. Based on our experience with cities and states, that focus has helped governmental entities to benchmark on one another and to make improvements.



Designing a new survey instrument was the first step in the process of putting the whole package together. It was similar to the one developed for states and cities, but modified somewhat to fit the contours of county government. The survey is hinged, as much as possible, to a series of criteria in each of the categories that has been established over years of discussion with experts of all stripes. The task of developing the survey instrument fell largely to academics at Maxwell and partners they have brought in from the University of Connecticut, the University of Nebraska in Omaha, and Lynchburg University in Virginia. A separate survey was sent out to all counties for each area covered.

As the surveys poured in — and subsequently, trickled in — graduate researchers at the Maxwell School, under the guidance of faculty members from the various institutions, digested them

**N.Y.**

with a traditional academic approach. They coded the responses in a numeric fashion that allowed them to be analyzed and reviewed dispassionately. The researchers also reviewed stacks of supplementary documents that helped clarify the surveys and provided a safeguard against respondents overstating or understating the quality of their management.

The journalists took a very different approach. They, too, carefully read the surveys, as well as the document-based information distilled by Maxwell. But their evaluations were based on hundreds of interviews with officials in the counties. Some of these sources were the same men and women who had filled out the surveys. Some were their bosses. Efforts were made throughout to utilize interviews in one area of evaluation to help obtain more information about another. For example, the final word on the effectiveness of human resources technology doesn't usually come from the IT people in a county, but from the personnel department. *Governing* reporters also utilized a variety of sources outside the governments, including research groups, local journalists, academics and financial rating agencies.

In the vast majority of cases, the counties cooperated fully with this effort, thanks, in part, to the support of the National Association of Counties. All of the 40 responded to our questions in some way, although a handful did so only through interviews and documents; they were unwilling or unable to fill out survey instruments.

As one might expect, there are benefits and flaws to both the academic and journalistic approaches. A journalist is somewhat more likely to be misled by a persuasive informant than is an academic who looks only at documents. On the other hand, without context obtained by live interviews, the facts and figures can mislead, and fail to supply the context that is critical for informed commentary.

After the research was done, the academics and the journalists met to discuss the grades. They agreed most of the time. Where there was disagreement, efforts were made to reach an acceptable consensus, and in some instances, further investigation was done. At the end of the day, in a small number of cases, the academic and journalistic approaches could not be made to mesh. Where that happened, the grades published in the pages that follow are the responsibility of *Governing* editors and staffers, as informed by the academic analysis.

Also critical to understanding and using the information in the report:

- The Government Performance Project does not grade any individual or group of individuals. Many parties contribute to the management efforts that are being evaluated. Sometimes, state policy is as much responsible for a county's performance in a given area as are the actions of the county's leaders.

- The list of elected officials that appears on the top of each county's page is meant to include all countywide elected officials whose responsibilities are broadly administrative. It includes, for example, auditors and sheriffs, but not judges.
- The positives and negatives that accompany each grade are not exhaustive — but are representative of highlights. Including all criteria would be impossible, given space limitations.
- While the overviews that accompany each of the write-ups are connected to the grades, these also contain information that goes beyond the formal grading criteria.
- As we have always acknowledged, this whole process is a mixture of art and science. It's inevitable that some readers will challenge the published evaluations. There are essentially three major reasons why this will happen:
  1. The GPP analysis was incorrect, or based on incorrect information in the survey or other sources.
  2. The reader has a bias for or against a government that fuels his or her sentiments.
  3. There is a basic disagreement about the criteria that underlie the process.

In an effort to facilitate readers' understanding of these criteria, following are the essential ones used:

## **Financial Management**

1. Does the government have a multi-year perspective on budgeting including meaningful revenue and expenditure estimates; long-term revenue and expenditure estimates; measures to gauge future fiscal impact of financial decisions?
2. Does the government have mechanisms that preserve stability and fiscal health including: structural balance between revenues and expenditure; use of contingency planning devices, such as rainy day funds; appropriate management of long-term liabilities; appropriate use and management of debt and rational investment and cash-management policies?
3. Does the government provide sufficient financial information to policy makers managers and citizens including: accurate and thorough financial reports; useful financial data; a means for

communicating budgetary and financial data to citizens; timely financial reporting; the capacity to gauge the cost of delivering programs or services; a budget that is delivered on time?

**4.** Does the government have appropriate control over financial operations including: sufficient control over expenditures; appropriate managerial flexibility; solid management of procurement including contracts?

## **Capital Management**

**1.** Does the government conduct a thorough analysis of future needs including: a formal capital plan that coordinates and prioritizes capital activities; a multi-year linkage between operating and capital budgeting; a multi-year linkage between strategic planning and capital budgeting; sufficient data to support analysis?

**2.** Does the government adequately monitor and evaluate projects through their implementation at both the entity-wide and agency levels?

**3.** Does the government conduct appropriate maintenance of capital assets with sufficient data to plan maintenance adequately and sufficient funding?

## **Human Resources**

**1.** Does the government conduct strategic analysis of present and future human resource needs (workforce planning)?

**2.** Can the government obtain the employees it needs by hiring in a timely manner and giving managers appropriate discretion in hiring and recruiting?

**3.** Is the government able to maintain an appropriately skilled workforce by training, retaining skilled employees, and disciplining or terminating employees without undue constraints?

**4.** Can the government motivate employees to performance effectively by: rewarding superior performance through cash or non-cash incentives; evaluating the performance of its employees effectively; providing sufficient opportunity for employee feedback; maintaining productive labor-management relations?

**5.** Does the government have a civil service structure that supports its ability to achieve workforce goals including: a

classification system that is coherent and of appropriate size; personnel policies that permit flexibility in civil service and pay structure; and good communications of human resources policies and goals to employees?

## **Managing for Results**

- 1.** Does the government engage in results-oriented strategic planning in which: strategic objectives are identified and provide a clear purpose; government leadership effectively communicates objectives to employees; government plans are responsive to input from citizens and other stakeholders including employees; agency plans are coordinated with central government plans?
- 2.** Does the government develop indicators and evaluative data that can measure progress toward results and accomplishments and does it take steps to ensure that these data are valid and accurate?
- 3.** Do leaders and managers use results data for policy making, budgeting, management and evaluation of progress?
- 4.** Are there organizations within the government whose responsibility it is to evaluate programs or agencies, and are their conclusions utilized?
- 5.** Does government communicate the results of its activities to stakeholders?

## **Information Technology**

- 1.** Do government-wide and agency-level information technology systems provide information that adequately supports managers' needs and strategic goals?
- 2.** Do government information technology systems form a coherent architecture and are strategies in place to support present and future coherence in architecture?
- 3.** Does the government conduct meaningful multi-year technology planning including: an information technology planning process that is sufficiently centralized; providing managers appropriate input into the planning process; creating government-wide and agency IT plans?
- 4.** Is IT training adequate for end-users and technology specialists?

5. Can the government evaluate and validate the extent to which information technology system benefits justify investment?
6. Can the government procure the IT systems needed in a timely manner with appropriate financial controls?
7. Do IT systems support the government's ability to communicate with and provide services to its citizens?

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### Grading the Counties introduction

#### THE GOVERNMENT PERFORMANCE PROJECT

## County Grades at a Glance

COUNTY	Average Financial Grade Management		Capital Management	Human Resources	Managing for Results	Information Technology
Alameda, Calif.	C+	C+	B-	D+	C	B
Allegheny, Pa.	D	C-	D+	D-	D	D
Anne Arundel, Md.	C	C+	C-	C	D+	B
Baltimore, Md.	B+	A-	A-	B-	B	A-
Broward, Fla.	B-	B+	C+	B+	B	C+
Clark, Nev.	C+	B+	C+	C-	B	C
Contra Costa, Calif.	B-	B-	B-	B-	C-	B-
Cook, Ill.	C+	B-	C+	D	B-	B-
Cuyahoga, Ohio	C	B	C-	C-	B-	D+
Dallas, Texas	B	B+	B-	B+	B	B-
Erie, N.Y.	C+	B-	C+	C-	C	B
Fairfax, Va.	A-	A-	A-	A-	A-	A
Franklin, Ohio	B	B	B+	B-	B	C+
Fulton, Ga.	C	B-	C	C	C	C-
Hamilton, Ohio	B	B	B+	B	B+	C+
Harris, Texas	C+	B-	B-	C+	C+	C+
Hennepin, Minn.	B	B+	B+	B-	B	B+
Hillsborough, Fla.	C	B	C	D	C+	C-
King, Wash.	C	B-	B	D+	C	C-
Los Angeles, Calif.	C	B-	D+	B-	C+	C-
Maricopa, Ariz.	A-	A-	B+	B+	A-	A
Mecklenburg, N.C.	B	B-	C+	B	B+	B
Miami-Dade, Fla.	C+	B-	C	B-	B-	D+
Milwaukee, Wis.	B-	C+	C+	C+	B	B-
Monroe, N.Y.	C	C	B	C-	C	D

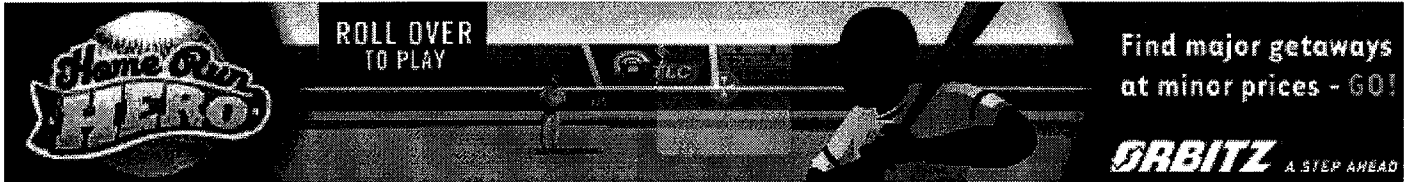
Montgomery, Md.	B	B+	C	B+	B+	B-
Nassau, N.Y.	D-	F	D-	D	F	D+
Oakland, Mich.	B	B	B-	B	C	A-
Orange, Calif.	B	B	B	B-	C+	A-
Palm Beach, Fla.	C+	B	B	C	B-	C-
Prince George's, Md.	B-	B+	C	B-	C+	B+
Riverside, Calif.	C+	B-	C-	B	C	C
Sacramento, Calif.	C+	B-	C-	C	B-	C+
San Bernardino, Calif.	C-	C	C-	C-	D	D+
San Diego, Calif.	B+	A-	A-	B-	A-	B+
Santa Clara, Calif.	C+	B	B-	C+	C-	D+
Shelby, Tenn.	B	B	B	B	B-	B-
Suffolk, N.Y.	C-	B-	B-	C-	F	C
Wayne, Mich.	B-	B-	B-	B-	C+	B-
Westchester, N.Y.	C+	B	A-	D+	D+	B-

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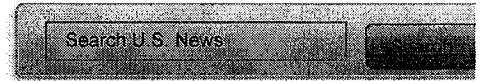
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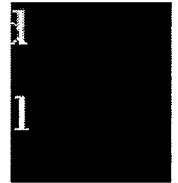
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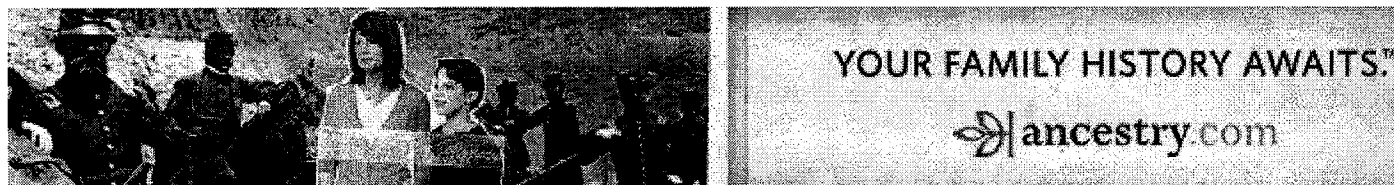


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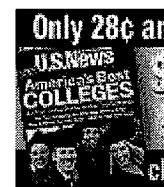
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## Public Affairs Methodology

**O**ur ranking, completed in 2004, is based on a survey of deans, directors, and department chairs representing 253 master's programs.

Note: Lists of schools and individuals surveyed were provided by the National Association of Schools of Public Affairs and Administration and the Association for Public Policy Analysis and Management. Respondents were asked to rate the academic quality of programs on a scale of 1 (marginal) to 5 (distinguished). The response rate was 57 percent. Surveys were conducted by Synovate.

The institutions below received the greatest number of nominations from survey respondents for their excellence in a given specialty. Keep in mind that nominees were drawn only from the schools surveyed. So, for example, a university like Yale—which offers a degree in environmental management through its School of Forestry and Environmental Management but not a degree in public affairs—would not show up here.

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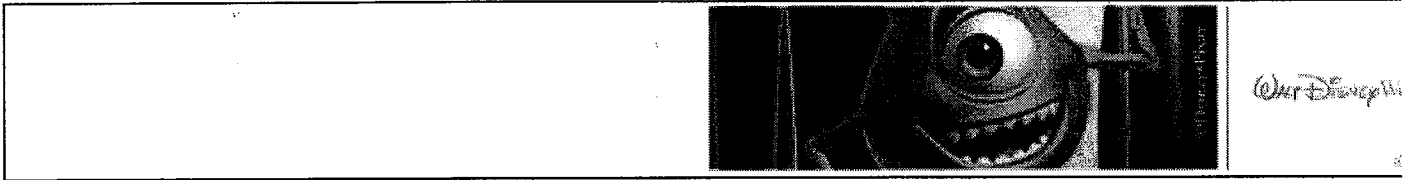
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	<a href="#">University of Georgia</a>	4.2

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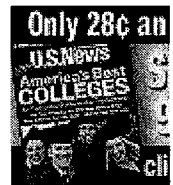
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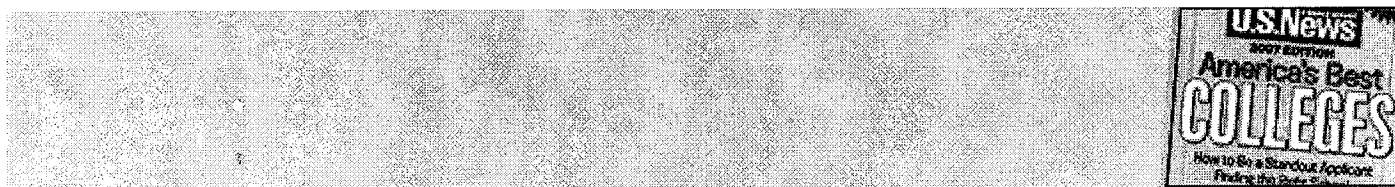
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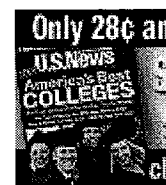
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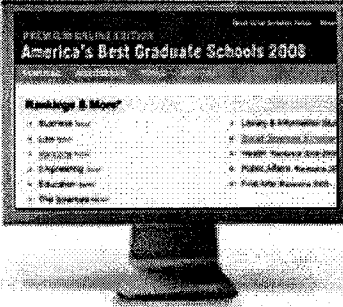
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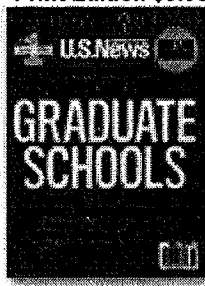
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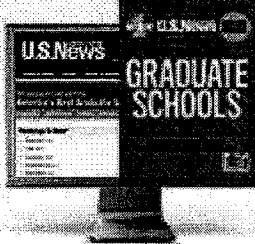
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