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A Brief Analysis of City/County Government Consolidations

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Glossary of Terms*

- ANNEX:** The addition of territory to a unit of government. In several states, annexation may take place by city action alone, i.e., Nebraska, Virginia, and Texas.
- AT LARGE:** The election of members of a legislative body by the voters of an entire governmental unit rather than subdivisions thereof.
- CITY:** A municipal corporation, chartered by the state, that is usually larger than a village, town, or borough, or other incorporated area.
- CONSTITUENT:** The resident or residents of a political division.
- CONSOLIDATION:** A merger or union with another unit of comparable standing.
- COUNTY/PARISH:** The largest administrative sub-unit of a State.
- DISTRICT:** A political sub-division made for a specific purpose. For the purpose of this study, allocation of seats in the legislative body.
- EQUITY:** For the purpose of this paper, equity means fairness, impartiality, and justice. The scope of English Common Law use of equity does not apply.
- MERGER:** Combining several sub-units of government by either voluntary or involuntary means.
- STATE:** reserved
In this manuscript, a political community occupying a definite territory and exercising all rights not to the federal government.

*See the County Attorney or Attorney General for legal meanings.

INTRODUCTION

The Joint Committee to Study City/County Merger was appointed by the Mayor of Omaha, City Council, and the Douglas County Board of Commissioners. The Study Group met on May 8, 2002, and unanimously elected Lou Lamberty Chair and Kathleen Jeffries as Co-Chair.

On July 10, 2002, Lou Lamberty and Kathleen Jeffries reached a point of information overload. At that time, they asked Carol Gendler and Chuck Powell to assist in examining merger efforts around the country and report findings to the Study Group.

PROBLEM STATEMENTS

Carol Gendler and Chuck Powell each developed a problem statement and agreed to work independently in seeking solutions. The problem statements are listed below:

Carol Gendler: AExamine the extent to which we might apply to the Omaha-Douglas County situation the experience of earlier consolidation plans in terms of goals, methodology, factors to consider, impact, and achievability.@

Chuck Powell: ACompare and contrast a small sample of successful and unsuccessful City/County Merger of Governments and report the findings to the Study Group for decision making pursuant to the possible merger of the Governments of Omaha and Douglas County, Nebraska.@

To the extent possible, this work will follow the Carol Gendler problem statement by examining consolidation.

BACKGROUND

There is a massive body of literature pertaining to consolidation of governments that runs back to 1000 BC. In the interest of conserving space and time, only consolidations that have taken place since World War II will be examined under this study. This fifty-seven year period has produced several scenarios that are worth reporting to the Study Group. These are:

- (1) Consolidation by legislative fiat,**
- (2) Consolidation by referendum**
- (3) Consolidation by functions**

FINDINGS

On the following pages, a detailed example is presented for each of the above types of consolidation. Every effort has been made to describe the goals, methodology, factors to be considered and impact. The achievability should be left to the Study Group.

The findings listed below only apply to the structural government that emerged from merger/consolidation and the cases apply to Indianapolis-Marion County, Indiana; Baton Rouge-East Baton Rouge Parish, Louisiana; Louisville-Jefferson County, Kentucky; and Charlotte-Mecklenburg County, North Carolina.

CONSOLIDATION BY LEGISLATIVE FIAT

INDIANAPOLIS-MARION COUNTY, INDIANA

Method used: INDIANA LEGISLATURE.

Demographics: Marion County, Indiana population (860,454)

Goal: Enhance the image of Indianapolis and make the city a destination for tourists.

Structural Government that exists today in Indianapolis-Marion County.

Elected Mayor, Three Deputy Mayors appointed

Elected Council, 25 District, 4 At Large

Elected County Recorder

Elected County Sheriff

Elected County Corner

Elected County Auditor

Elected County Assessor

Elected County Clerk (Serves as Election Commissioner)

Elected County Prosecutor

Elected County Treasurer

Elected County Surveyor

Elected office holders in nine Townships each with an assessor

Analysis of Indianapolis-Marion County government shows the following: residents of a consolidated Indianapolis are served by eleven school districts, more than ten police departments, eight fire departments, and twenty special service districts. These overlapping jurisdictions yield variations in service delivery and eighty-five different taxing districts. The consolidated government (UniGov) has final say over land use and economic development. A cursory examination of these data indicates that Indianapolis-Marion County consolidation has changed the image of the community. Indianapolis has spent lavishly on sports facilities and securing the United Airlines maintenance facility. We find spotty service delivery and rather large tax abatements throughout the metropolitan area. Raw wage comparisons between Omaha and Indianapolis produce insignificant findings (2000 Census), i.e., \$44,123 vs \$45,548 or about three percentage points.

CONSOLIDATION BY REFERENDUM

BATON ROUGE-EAST BATON ROUGE PARISH, LOUISIANA

Method: REFERENDUM

Demographics: East Baton Rouge Parish, Louisiana population

(412,852)

Goal: Abolish the police jury and city commission council form of government.

STRUCTURAL GOVERNMENT.

The structural government today is composed of four wings, each responsible to the citizens of East Baton Rouge Parish. They are:

Executive Branch:

Elected Mayor-President (elected at large and presides over the Metropolitan Council)

The Mayor presides over seventeen Departments, divided among three broad categories: Finance, Public Safety, and Anti-Drug services.

Legislative Branch, Metropolitan Council

12 Elected Council members (elected by district)

The Council supervises Fourteen Departments, divided among two broad categories: Council Administrator and Administrative Boards.

Two of these boards are Statutorily defined: Municipal Fire & Police Civil Service and Fire Protection District Boards.

Constitutional Offices (elected at large)

Assessor

District Court

Clerk of Court

Family Court

Juvenile Court

Sheriff

District Attorney

Registrar of Voters

Coroner

Public Defender

Judicial Branch

City Court

City Constable

Analysis: the consolidation of Baton Rouge-East Baton Rouge Parish,

Louisiana, was selected because this sub-government was the first to emerge as a consolidation after World War II. On August 12, 1947, the voters of the city and parish adopted a merger plan that went into effect on January 1, 1949. Considering the time, the event, and the place, the vote was reasonably close with 7,012 votes for the consolidation and 6,705 against.

Baton Rouge is the Capital of Louisiana, the home of a large university, and several smaller universities/colleges. Current research has failed to turn up evidence that the City of Baton Rouge has attempted to become a major league sports center. An examination of the Metropolitan Council suggests that minority representation is working in this local jurisdiction for reasons that are not obvious.

Examining the description of the structural government above, we see the evolution of local government over the past fifty-three years. It is beyond the scope of this study to trace that evolution.

CONSOLIDATION BY REFERENDUM: SECOND CASE STUDY

LOUISVILLE-JEFFERSON COUNTY, KENTUCKY

Method: REFERENDUM

Demographics: Jefferson County, Kentucky population (693,604)

Goal: Create a larger, competitive unit of government.

STRUCTURAL GOVERNMENT TODAY.

City of Louisville

Mayor (elected at large)

Presides over city government and the associated departments. Prepares the City Budget and other tasks as needed.

12 Elected Aldermen (elected by district)

Approve the City Budget

Aldermen serve on ten standing committees covering twenty-seven content areas

A City Clerk acts as a repository for city agendas, minutes of meetings, code of ordinances, and other city business.

Each Alderman has a legislative aide and staff members.

Jefferson County

3 Commissioners (elected at large)

Oversee thirty County Departments

Elected County Judge/Executive(chief administrative officer)

Elected Constitutional Officers

**DESCRIPTION OF CONSOLIDATION OF THE
GOVERNMENT OF LOUISVILLE-JEFFERSON COUNTY
EFFECTIVE JANUARY 1, 2003**

Mayor (elected in a partisan election)

26 Metropolitan legislators (elected by district in partisan races).

3 Commissioners (elected at large - no definitive resolution as to function)

1 County Judge/Executive (elected at large)

Constitutional officials (elected at large - no definitive resolution to function)

as

Analysis: Three previous referenda had failed (1956, 1982, and 1983). The victory in 2000 was due to a variety of initiatives. For example, Louisville and Jefferson County had been sharing revenue from a wage tax since 1988.

This and other Interlocal agreements had produced service consolidation in libraries, health, purchasing, schools, sewer, water, and transit.

A transition task force headed by the County Attorney has been working to make the transition to countywide government a smooth event. However, there are still many factors in governance that are undecided. According to the Brookings manuscript, the merging of Louisville-Jefferson County paves the way to regionalism.

Additionally, the Brookings report warns that the emerging government faces serious human-capital and quality-of-life challenges that threaten the very competitive rationale for the merger. Among those issues cited by the report is the region=s aging and uneducated workforce, weakness in high-end technical knowledge, increase in cost of delivering human resources, and the concentration of low-income and minority populations in a social divide.

CONSOLIDATION OF FUNCTIONS:
USE OF INTERLOCAL AGREEMENTS

CHARLOTTE-MECKLENBURG COUNTY, NORTH CAROLINA

Method: FUNCTIONAL CONSOLIDATION OF SERVICES
WITH USE OF INTERLOCAL AGREEMENTS.

Demographics: Mecklenburg County, North Carolina (695,454)

Goal: Unable to discover an official goal.

STRUCTURAL GOVERNMENT.

City of Charlotte:

Mayor (elected at large)

Appointed City Manager

Four (4) City Council Members (elected at large)

Seven (7) City Council Members (elected by district)

Council Members sit on eight (8) functional Committees

Mecklenburg County:

Three (3) County Commissioners elected at Large

Six (6) County Commissioners elected by District

Elected Sheriff

Elected Register of County Deeds

Elected Coroner

Elected Clerk of Superior Court

Elected County Treasurer

Commissioners sit as a board and supervise:

Appointed County Manager and the following

Departments:

Financial Services

Customer Satisfaction and Communication

Land Use and Environmental Services

Human and Health Services

Community Services

Management Services

Detention and Court Support Services

Analysis: Since the end of World War II, the major services of the two principal local governments have been provided across the entire county by either Charlotte or Mecklenburg County. The functional consolidations exist as a result of contracts negotiated between the City of Charlotte and Mecklenburg County. The contracts, or interlocal service agreements, indicate which jurisdiction will provide service, how long the contract will be in force, and how it may be renewed or terminated. The contracts also show how payments from one unit of government to the other will be made.

These consolidations now cover nineteen areas as the City/County works toward unduplicated service delivery through interlocal agreements. The service, producer and year of execution are listed below:

Service	Producer		Year
	City	County	
Parks and recreation		*	1988
Planning and zoning (14 members)	*		1984
Police	*		1993
Solid waste disposal	*		1984
Storm water	*	*	1993
Public transit	*		1999
Computer services & licensing	*	*	1995/1998
Charlotte-Mecklenburg utilities (water and sewer)	*		1972
Building inspection		*	1982
Animal control	*		1982
Community relations	*		1989
Historic landmarks/districts	*		1989
Cable television regulations	*		1992
Elections		*	1982
Purchasing	*		1982
Tax administration		*	1982
Communications	*	*	1982
City-county government center	*	*	1985
Wrecker zones, youth council	*		1990

Charlotte-Mecklenburg functions under the interlocal agreements and thrives as a government and cultural center.

UNKNOWNNS

This short analysis has examined a sampling of City/County consolidations. There are many unknowns that should be explored prior to any consideration of consolidation. Perhaps the City Planning Department or the Metropolitan Area Planning Agency has made an analysis of these unknowns. If so the Study Group should invite these agencies to share. For example, this study has not examined any of the following:

a. **SERVICE**: The overriding issue in any consolidation of government sub-divisions should be **delivery of service to the constituent population**. Prior to any consolidation, careful study should be made of service delivery systems. For example, equitable services to all constituencies should be the first order of business.

b. **HISTORICAL EVOLUTION**: In the examination of consolidations of governments since World War II, one or more causal factors have been present. These broad categories have provided the impetus for change: (a) restore the benevolent community, (b) the triumphant individual, (c) the mob at the gate, (d) clear the rot at the top, or (e) power plays.

c. **CULTURE**: External and internal environments were not examined to determine the cultural mix occasioned by a consolidation.

d. **SOCIETY**: Society in this case means the arrangements of families, neighborhoods, recreation, and hundreds of other variables associated with quality of life.

e. **ECONOMY**: The economy created by the merged units. The emerging economy should be aimed at enhancing the quality of life.

f. **DEMOGRAPHICS**: The demographics that emerged after the consolidation. What mix of age, skill, and other population attributes were a factor in the consolidation.

g. **IMAGE**: What role did the **image** makers play in creating the consolidation? A cursory examination of public relations releases indicates that **Aselling@ individual political figures and public policy** has become big business in the current political environment.

SUMMARY

The examination of consolidation of city/county governments has produced a significant body of literature. Among the findings, we have discovered several methods of achieving consolidations.

The findings can be used as items to consider rather than be discarded in a rush to judgment.

* Consolidation through **STRUCTURAL MERGER** is a complex task

- * Consolidation through STRUCTURAL MERGER compounds the complexity of the task.
- * Consolidation through STRUCTURAL MERGER is rare as less than one percent (1%) of the county/city governments have used this vehicle.
- * Consolidation through STRUCTURAL MERGER appears irrevocable as none of the twenty-five cases since World War II have been overturned.
- * Consolidation through STRUCTURAL MERGER produces no monetary savings in units with populations over 250,000 according to current research.
- * Consolidation through INTERLOCAL AGREEMENT uses negotiation as a vehicle.
- * Consolidation through INTERLOCAL AGREEMENT defines the accountability and obligations of the parties.
- * Consolidation through INTERLOCAL AGREEMENT defines the services to be delivered.
- * Consolidation through INTERLOCAL AGREEMENT provides the flexibility of renegotiation or cancellation by the parties.
- * Achievability of Omaha/Douglas County consolidation is far beyond the scope of this study. The popularity of consolidation is attractive; however, the implementation, if not studied carefully, may have unexpected and negative outcomes.

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*** The legal citations may need the assistance of a lawyer.**

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