Essential Responsibilities of Local Governing Boards

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What does it mean to say that North Carolina city council members and county commissioners "govern"? Local elected officials and their public managers give a lot of different answers to this question. A common one is "Local elected officials are responsible for policy, and public managers are responsible for administration." Although this statement is true, it fails to capture the wide range of governing responsibilities that local elected officials carry out with the support of their top-level managers.

This article introduces the Local Government Governing Model (LGGM), which addresses the essential responsibilities of local elected governing boards. The LGGM differs from other governance models in focusing specifically on responsibilities of public-sector governing boards at the local level. It can be used to help board members understand, plan, organize, and review board work.

In their official capacity, members of local governing boards work with others in local government and the community to represent citizens' views and needs and to solve public problems. A person serving as a member of a local governing board shares responsibility and authority for exercising a broad range of official activities. Acting as a governing body, boards of county commissioners, city councils, and other local government boards have the authority to enact local ordinances, promulgate rules, and set policies.[1] Governing boards consider and decide local issues, allocate resources for selected purposes, and oversee and evaluate how well the manager and the organization are addressing local priorities. They exercise all

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these responsibilities under constraints that often make governing difficult.

The work of local governing boards occurs under a set of conditions that are unique to government.[2] Unlike members of corporate and not-for-profit boards, local elected officials are required by state law to operate in the public eye as local legislators, adjudicators, and policy makers. They act in a complex environment, full of competing demands from multiple groups and individuals. No individual board member may enact policy, and nobody is an expert in all the matters that the board must decide.

Functioning in this environment often leads to distraction, disinterest, and group division, resulting in less efficient, less responsive local government and heightened mistrust by citizens. As more local governing boards broadcast their meetings on local television, citizens are increasingly aware of how well or poorly board members interact with each other, with their employees, and with the public. Newly elected officials with limited experience or skill in managing public meetings, handling complicated community issues, or overseeing complex organizations can be quickly overwhelmed when they take office. It may take more than one term in office for an elected official to understand what the board and the local government do and how they relate to local, state, and regional stakeholders.

One way to help local governing boards and their public administrators become familiar with their responsibilities is to use a process model such as the LGGM. Developed to describe essential responsibilities of public boards, the model suggests a sequence in which

North Carolina's city councils, boards of county commissioners, and other local governing boards may best accomplish their work. The essential responsibilities described in the LGGM will be familiar to people who have served on or worked closely with governing boards. What the LGGM does differently is to illustrate how these individual local governing responsibilities link to, build on, and support one another.

How the LGGM is applied in any particular circumstance depends on the needs of the governing board and the manager. Boards and managers can use it as an educational tool, to assist members in understanding the nature of and the relationships among the many activities involved in carrying out their responsibilities. Boards and managers also can use the LGGM to plan and organize governing board work, mapping an issue through the sequence to determine an agenda and a time frame for activities to be accomplished. For work already under way, boards and managers can use the LGGM as a checklist, to evaluate issues on its agenda and determine where additional information or action may be needed, to prompt questions about the strengths and the weaknesses of particular activities, to stay on track with planned work, and to evaluate progress. For sample questions constituting a checklist, see the sidebar on page 21.

As with any process model, the LGGM is most useful as a general guide for action. Local circumstances and individuals will influence to what degree the five essential responsibilities are carried out. In practice, the essential

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governing responsibilities must be grounded in a local context, in recognition of the importance of each community's particular history, politics, and culture. How well work is performed depends on the commitment of local government leaders to carrying out their governing responsibilities and on the ability of local board members and public managers to work together and with others successfully to solve public problems.

The Meaning of "Governing" at the Local Level

Drawing on the disciplines of political science, public administration, and international relations, a definition of "governing" at the local government level might simply read,

> *Exercising leadership and applying democratic values within local government and the community to represent citizens' interests, set the course for public issues, oversee how public issues are addressed, and make sure that local government's actions positively contribute to the community's current and future quality of life.*[3]

Such a definition may help a public board understand what governing at the local level means, but it does not guide a public board in how to govern effectively. Governing occurs at many levels. The LGGM offers practical guidance on a board's essential governing responsibilities, acknowledging that these responsibilities take place within a political context. Local officials are elected to represent a particular geographic area in their community or a network of community coalitions and groups. As individuals, elected officials govern using leadership, values, ethics, and commitments. Across officials, these attributes will vary. A board member who is committed to reducing the size of local government, for instance, will vote differently from a board member who believes that government has an obligation to serve

Table 1. Distinguishing Features of Five Governing Models

Governing Model	What It Focuses On	What It Does	What It Does Not Do
Dichotomy/ Duality Model[1]	Distinguishes between council's and manager's responsibilities in four areas: • Mission • Policy • Administration • Management	Demonstrates that board is primarily responsible for mission and policy development, while manager takes lead for administration and management Refers specifically to responsibilities of city councils, mayors, and their managers Provides useful way for local elected officials and managers to discuss and assess their respective roles and responsibilities for policy making and administration	Does not attend to other public board governing responsibilities, such as adjudication, community collaboration, and guaranteeing of accountability Does not specify exclusive set of governing board responsibilities
Policy Governance Model[2]	Defines nonprofit boards' responsibilities in four areas: • Determining ends • Setting executive limitations • Managing board-executive relationship • Monitoring board processes	Helps nonprofit boards understand their governing responsibilities Describes governing board's policy-making role in detail	Does not provide for legal authority that establishes, empowers, and constrains local governments Does not directly address public board's responsibilities dealing directly with citizens, key stakeholders, and other officials Does not give specific attention to public board's role in resource allocation and oversight Does not describe executive's shared role in governance
Health System Governance Model[3]	Describes board's responsibilities in five areas: • Determining ends • Overseeing executive performance • Ensuring quality of care • Overseeing financial performance • Monitoring board performance	Incorporates financial oversight and quality assurance as distinct board responsibilities Delineates board's roles in policy development, decision making, and oversight	Does not acknowledge legal authority that establishes, empowers, and constrains local governments Does not directly address public board's responsibilities dealing directly with citizens, key stakeholders, and other officials Does not describe executive's shared role in governance
Effective Board of Trustees Model[4]	Identifies six governance competencies: • Understanding history and culture • Nurturing board leadership • Educating board members • Managing complexity • Working with multiple constituencies • Thinking strategically	Augments and complements other governance models by defining core governing competencies Provides research base for factors that distinguish more effective from less effective boards in higher education Suggests practices that lead to more effective governing board performance	Does not recognize legal authority that establishes, empowers, and constrains local governments Does not describe executive's shared role in governance Does not address locally elected public board's role in accountability
Local Government Governing Model	Describes five essential governance responsibilities for local government boards: • Understanding legal authority • Working with others • Setting policy • Allocating resources • Being accountable	Integrates responsibilities relevant to local government boards into new governing model Describes responsibilities of elected boards Provides tool that can be used to educate new members Helps board members plan and manage board work	Does not describe executive's shared role in governance

1. James H. Svara, *Council Roles, Performance, and Form of Government*, in THE FUTURE OF LOCAL GOVERNMENT ADMINISTRATION (H. George Frederickson & John Nalbandian eds., Washington, D.C.: Int'l City/County Mgmt. Ass'n, 2002).
2. JOHN CARVER, BOARDS THAT MAKE A DIFFERENCE (San Francisco: Jossey-Bass, 1990).
3. DENNIS D. POINTER & CHARLES M. EWELL, REALLY GOVERNING: HOW HEALTH SYSTEM AND HOSPITAL BOARDS CAN MAKE MORE OF A DIFFERENCE (Albany, N.Y.: Del Mar Publishers, 1994).
4. RICHARD P. CHAIT ET AL., THE EFFECTIVE BOARD OF TRUSTEES (Phoenix: Oryx Press, 1993).

all citizens, regardless of their ability to pay. The essential governing responsibilities for all members of the board, however, remain the same.

Development of a Local Government Governing Model

Moving from definition to practice requires examining essential governing responsibilities more closely, seeing how they fit together, and learning how to move from one responsibility to another. A model of governing for local government should focus on what public governing boards do and what actions lead to improved outcomes for local government, related organizations, communities, and regions. Few models focus on the responsibilities of elected governing boards at the local level. Attention to governing in the public sector has largely been focused on federal and state legislatures and executive branch activities.[4] Therefore I found it necessary to develop a model exclusively for local governing boards. The LGGM is intended specifically to assist members of local governing boards such as city councils, boards of county commissioners, and school boards, though bodies at other levels of government, such as state legislatures and Congress, as well as other local boards, share many of these essential governing responsibilities.

Governing boards in nonprofit, health care, and education organizations share some responsibilities with local government boards, so governance models developed for such boards can be useful in helping people understand what local government boards are responsible for. For a brief description of four governing board models used in the local government, nonprofit, health care, and education sectors, see Table 1. Table 1 also includes an assessment of each model's utility for helping locally elected governing boards understand their essential governing responsibilities.

The first model, the Dichotomy/Duality Model, is the only one that focuses directly on the policy and administrative responsibilities of local

Figure 1. **Local Government Governing Model: Essential Responsibilities of Local Governing Boards**

elected officials and their managers. Based on Woodrow Wilson's distinction between policy and administration, this model is commonly used to distinguish between the local elected board's and the manager's responsibilities.[5] The Dichotomy/Duality Model focuses on a public council's and manager's responsibilities in four areas: mission, policy, administration, and management.[6] The Policy Governance Model describes a nonprofit board's responsibility in four areas: determining ends, setting executive limitations, managing the board-executive relationship, and monitoring board processes.[7] The Health System Governance Model portrays a health system board's ultimate responsibilities as determining ends, overseeing executive performance, ensuring quality of care, overseeing financial performance, and monitoring board performance.[8] The Effective Board of Trustees Model focuses on six competencies that are associated with more effective higher education governing boards: understanding history and culture; nurturing board leadership; educating board members; managing complexity; working with multiple constituencies; and thinking models contribute useful perspectives, none of them fully capture the unique activities and responsibilities of elected boards serving local government.

To describe the responsibilities of local government boards more completely, a fifth model, the LGGM, adapts components of other board governance models and applies them to the work of local government boards, adding elements relevant to local government boards that are missing in other models. The LGGM depicts the governing

responsibilities of local government boards, not the responsibilities of the public manager. In the LGGM, public managers have a duty to assist their boards in performing these essential governing responsibilities, but boards cannot delegate these responsibilities in whole to the manager, nor can the board hold the manager exclusively or ultimately accountable for making sure that the board has performed them.

A Local Government Governing Model

Five essential governance responsibilities of local governing boards emerged from my review of North Carolina's state statutes and the governance literature, and my own experience serving on and working with boards:[10]

1. To understand the legal authority granted to the local elected board

2. To work with others in local government and in the community

3. To develop policies and enact local ordinances that set the direction for local government and the community as a whole

4. To allocate resources for effective and efficient local government operation, programs, and services

5. To be accountable for and oversee local government using board, administrative, and program reports

The process through which these responsibilities ideally occur is shown in Figure 1. In practice, a local governing board may not follow the exact sequence presented in Figure 1, instead moving forward and backward through the process on particular issues. Although the responsibilities flow logically within the model, how specific activities will occur in practice depends on a variety of situational factors.

The five essential governing responsibilities are both distinct from and related to one another. For instance, a local governing board's legal structure (responsibility 1) directs how its members can interact with the public (responsibility 2)

and what policies it can adopt (responsibility 3). A governing board's ability to work with others (responsibility 2) affects its ability to develop policy (responsibility 3). Thinking of the model as a recirculating waterfall, where responsibilities flow into, are captured by, and spill over into lower pools, better reflects the realities of how these essential governing responsibilities influence and depend on one another.

Understanding Its Legal Authority

The elected official's first responsibility is to know, understand, and adhere to legal authority and procedures. Because local government boards are established by state statute, elected officials must understand their responsibilities and obligations as members of public entities.[11] "Legal responsibilities" refers to such authorities as the following:

- A governing board's statutory mandates, laws, and administrative rules

- A governing board's procedural requirements

- A governing board's law-making authority

- An elected official's avoidance of conflict of interest

Local governing boards are required by law to exercise some legal responsibilities directly. They have the legal authority to delegate other responsibilities to professional managers, their staff, appointed boards, or nongovernmental organizations. To govern effectively at the local level, elected officials need to know what they are statutorily responsible for, what options are available to them in fulfilling these responsibilities, and what laws, rules, and procedures they are required to follow.[12] Local governments typically hire attorneys to advise them on legal issues, but to fulfill their governance roles, elected board members should have a general understanding of their own and local government's legal responsibilities.[13]

Working with Others

No person or board governs alone. In the second part of the LGGM, local governing boards exercise their responsibility to work with others to understand issues that the board, the local government, and the community want to address. Once a candidate is elected, he or she becomes a member of a local governing board and must work with others to identify issues and decide what priorities to address. At a minimum, mayors must work with city councils to enact local ordinances, and chairs of boards of county commissioners can move a policy forward only when it has the support of a majority of the group.

Typically, board members interact with a variety of people inside and outside government to understand issues and determine how best to address them. The public manager and the staff bring policy proposals before the board. Citizens and coalition groups have specific concerns that they want the board and their local government to address. Collaboration can occur with other local boards and external organizations that have their own governing authority. These multiple stakeholders raise important and competing local issues; offer different perspectives about how issues should be framed; and ask for endorsements, partnerships, and resources for their preferred causes. Local board members who know how to listen to, interact with, and work with others are better able to learn about local values, interests, and priorities and expand their options for responding to and solving public problems.

How effectively a local governing board works with others influences how well it carries out other essential responsibilities depicted in the LGGM. For instance, individual citizens expect to be engaged during policy making (responsibility 3), and governing boards need to be knowledgeable about how to include them in meaningful ways.[14] Local governing boards also are building relationships as they contract with external individuals and organizations to accomplish public objectives (responsibility 4), or conduct the local manager's performance evaluation (responsibility 5).[15] Working effectively with others in the public arena requires that governing board members understand politics, people, and turf issues and be able to use interpersonal communication and conflict resolution skills effectively across a broad network of individuals and organizations.

Setting Policy

The third essential governing responsibility is to set the government's course through decision making and policy development. Policy development is the local governing board's most important job. In carrying out its policy development responsibilities, a city council or a board of county commissioners focuses on such tasks as defining the local government's mission, vision, and values; setting priorities; and deciding what services to offer to whom, and how to pay for them. Effectively exercising its policy-making responsibilities requires that a governing board understand how to select the issues that it will address, and determine how it will address them.

To carry out its policy-making responsibility, a governing board needs to know how to engage productively in discussions about mission and goals. The governing board must be able to analyze short- and long-term issues strategically and decide what the local government's responsibility for these issues is, if it has any. Once the governing board agrees that the local government has the responsibility to respond to a particular issue, it must frame the policy that guides how the local government will respond, deliberate on the policy, and decide how to move forward.

To carry out this policy-making role effectively, board members need access to appropriate and necessary information. Public managers are the primary source of information for the governing board. The quality of the information that managers provide contributes to the quality of the decisions that boards make. When managers and others pro-

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Periodic elections are an integral part of a local governing board's being accountable.

vide material that is confusing and voluminous, board members are unable to determine the relevant questions and make critical decisions.

Allocating Resources

Once a board has adopted policies, it must find resources to support policy implementation. Allocating resources, the fourth component of the model, refers to the governing board's responsibility to create the capacity for local government to act. In carrying out this responsibility, the board decides what resources (finances, personnel, in-kind contributions, equipment, and capital) it needs, how it will generate them, and within what parameters it will use them. In this component of the model, the governing board is responsible for determining how use of resources will be monitored, but the monitoring function itself falls under the accountability role (responsibility 5).

City councils and boards of county commissioners in North Carolina have the authority to generate revenues through taxation and fees, and are responsible for budgeting and capital financing, oversight and control of expenditures, and contracting and purchasing.[16] In the LGGM, responsibility for allocating resources includes the governing board's decisions regarding resource acquisition and distribution to achieve local government policy objectives.

Allocating resources is distinct from developing policy in the LGGM because resource-related activities, such as advising on, reviewing, and adopting the budget, are separate from decision making about what is to be done with those resources. Resource allocation is an important responsibility of public governing boards, and it consumes a substantial part of a board's and a manager's time. The governing board's policy-making and resource-allocating responsibilities (responsibilities 3 and 4, respectively) are closely related, for governing boards routinely make policy decisions on the basis of how resources will be allocated, used, and accounted for. By separating the two responsibilities, the LGGM emphasizes that governing boards have an essential responsibility for deciding how resources are generated, used, and monitored to support major policy initiatives and benefit the community at large.

Being Accountable

Being accountable, the final component of the governance model, refers to a wide range of issues, including the board's responsibility to document how effectively and efficiently it, the manager, and the local government's administrators and programs have addressed needs and served the community's interest. An effective governing board understands and monitors its success at fulfilling its own responsibilities, just as it clearly delineates expectations for the manager and key local government programs. Ideally the governing board establishes annual goals and does an annual self-assessment to evaluate how well it used its legal authority and how well it worked with others to establish policy, allocate resources, and provide the necessary oversight and leadership to ensure that local government accomplished its goals.[17] Too often, governing boards evaluate local government by reviewing the actions and the success of the manager. But, as Professors Delmer Dunn and Jerome Legge point out, "Elected officials must, in a democracy, constitute a key component of the accountability-responsibility relationship with public administrators."[18]

"Accountability is the price citizens exact for conferring substantial administrative discretion and policy responsibility on both elected and appointed government personnel," Dunn and Legge maintain.[19] Citizens hold individual elected officials accountable by deciding whether or not to vote for them. If local elected officials want to be reelected, it serves their own and the community's interest if they can demonstrate how they worked with other members of the board, local government, and the community to achieve important objectives during their time in office. Often, the issue on which a person campaigned ends up being difficult, if not impossible, for that person to address in a single term. For citizens, elected officials, and staff members to know what has been accomplished, a mechanism must be in place that documents what major initiatives were carried out and whether specific objectives were realized. Through a combination of annual performance evaluations of the manager, financial audits, program reviews, and board self-assessments, local government boards establish a track record of accomplishments and identify areas for improvement.

Another reason to include accountability in a governance model is that "what gets measured gets done."[20] Public boards are in a position to determine what will be given priority and what will be noticed. How a board determines what will receive attention and how it holds itself and its manager accountable for organizational results are important parts of the board's overall responsibility. Professor Donald Kettl writes, "Managers have little incentive to pay careful attention to performance measures if elected officials do not signal that they, too, are paying attention."[21] In sum, boards will be more effective in achieving specific local government goals if they have an explicit plan and evaluation system in place.

Use of the LGGM: Three Examples

The following realistic examples offer a better understanding of how the LGGM might work in practice. They illustrate the model's value at different levels of complexity: planning for internal issues, addressing community-based issues, and handling interjurisdictional issues. Using the model can assist board members in understanding and determining the board's options for approaching governance matters. When a governing board follows this comprehensive approach to addressing its responsibilities, it can minimize common governance problems, such as failing to consult key stakeholders, cutting resources while expanding policy objectives, and failing to have a way to determine whether goals were achieved.

Example 1: Evaluation of the Manager's Performance

It was time for Newburg's city council to conduct the manager's annual performance review. At a work session in which the seven council members and the manager began to plan the review, council member Adams asked whether the board was required to use the same process that was previously used. Immediately, council member Jackson suggested that the appraisal tool be changed because the current one was not focused on Newburg's priorities. Council member Martin expressed concern that the current process was handled exclusively by a subcommittee of the board. Council member Peterson suggested getting rid of the manager's annual review altogether, noting that the current manager had been with the city for more than five years without incident.

The mayor asked the manager what he thought of the process. The manager acknowledged that the instrument was largely unrelated to his primary duties and that the review process had not provided him with feedback from the full board. But he said that having an opportunity to hear how he was doing from members of the council had been beneficial.

A motion was made and carried that an ad hoc committee of three council members be established to design a new process and tool for the manager's annual review. Using the LGGM, the committee proceeded in the following manner.

Understanding its legal authority. The ad hoc committee first sought to understand the council's legal responsibility for performance appraisal. The city attorney told committee members that Section 160A-147 of the North Carolina General Statutes (hereinafter G.S.) gives cities the authority to appoint a manager and adopt rules, regulations, ordinances, and policies as needed to authorize management's duties and activities.[22] He noted that the council's process, involving a majority of the board, must comply with the state's open meetings laws and that personnel issues involving compensation fall under provisions governing closed sessions. Therefore the council's discussion to develop an evaluation process would occur during an open meeting, but the evaluation itself would take place under the provision for closed sessions. The attorney added that, though the statutes did not require the council to conduct an annual performance review, doing so was considered good management practice.

Working with others. The question then became how to design a new performance review process and tool. Looking at the LGGM, the ad hoc committee

Table 2. Sample Questions for the Manager's Performance Review

Excerpt from Old Evaluation Tool	Excerpt from New Evaluation Tool
Competencies:	**Goal #2:** Minimize cost and increase efficiency of city government.
Reliability	**Performance Objectives and Measures**
Responds to requests for service and assistance	Maintain high level of service
Follows instructions, responds to direction	Customer complaints
Takes responsibility for own actions	Customer satisfaction survey
Initiative	Determine and maintain appropriate staffing levels
Volunteers readily	Employee turnover rate
Undertakes self-development activities	Employee satisfaction survey
Seeks increased responsibiities	Expand electronic functions
Judgment	Update website
Makes decisions and accepts accountability	Upgrade hardware/software
Exhibits sound and accurate judgment	Prioritize capital projects
Supports and explains reasoning for decisions	Establish management system
Problem Solving	Promote economic development and redevelopment
Identifies problems in a timely manner	Create business and government forum
Gathers and analyzes information skillfully	Uphold fiscal integrity
Develops alternative solutions	Contract for annual audit

Sources: Old tool adapted from an actual North Carolina performance appraisal instrument. New tool adapted from the process described in a case study by John Szerlag (city manager of Troy, Michigan) and Jan Perkins, published in 87 POPULAR MANAGEMENT 11 (2005).

Using the Local Government Governing Model:
A Checklist for Local Governing Boards

1. Understand Its Legal Authority

___ Do we know what we are legally required to do or restricted from doing on this issue?

   ___ Are there constitutional issues?

   ___ Statutory issues?

   ___ Local policies that we must follow?

___ Do we know what we are obligated to do by state or federal law?

___ Do we know what we are prevented from doing by state or federal law?

___ Do we know what we are given the option to do by state or federal law?

___ Do we know if there are other laws or standards that need to be considered?

2. Work with Others

___ Have we identified individuals and groups that need to be consulted or buy in before we can act?

___ Are all members of the board informed and prepared to act on this issue?

___ Have we engaged the manager and the organization on this issue?

___ Have we consulted relevant external individuals and groups?

___ Have we identified who will be helped and who will be harmed if we pursue this issue?

___ Are the media informed on the issue and the board's proposed action?

___ Are there other units of government that need to be involved (e.g., the state, municipalities, neighboring counties)?

___ What agreements need to be negotiated internally or externally with key stakeholders to move the issue forward?

3. Set Policy

___ What result do we hope to achieve?

___ What policy do we want to enact?

___ How is this issue tied to our strategic plan?

___ Can we address this matter in our regular meetings, or do we need to hold a special meeting?

___ What information do we need to make a good decision?

___ What information will we need to monitor this issue over time?

___ Do we need to hold a public hearing?

___ Does the issue require a public referendum?

4. Allocate Resources

___ What resources will be required, and how will we know how well they were used?

___ Do we have the resources to pursue action on our own?

___ What other groups are contributing or might contribute resources to this issue?

___ Have we allocated resources to support our priorities?

___ Do we have a process for monitoring resource use?

5. Be Accountable

___ What will success look like, and how will we know if we achieve it?

___ What will we hold ourselves (as a board), our manager, and our organization accountable for?

___ How will we assess our own (board) work?

___ How will we assess the manager's and the organization's performance?

___ How will we address performance problems for the board, the manager, and the organization?

___ How will we recognize performance achievements by the board, the manager, and the organization?

saw that collaboration was the second step. Council member Adams asked, "Can the three of us alone design a new tool and process, or should we collaborate with others?" After discussion about whom to involve, the committee decided to ask the manager to participate, along with an external consultant. The decision to use an external consultant was influenced by the manager's previous experience with performance reviews. He stated that the ad hoc committee's plan to change the previous tool and process could be facilitated by an experienced consultant who would have sample tools and experience with alternative approaches to performance reviews of managers. With the full council's support to fund a consultant, the process moved forward.

Setting policy. With the consultant's help, the ad hoc committee and the manager decided to propose that the annual review be carried out by the full board and include input from senior managers. They recommended that the tool have a mix of standard items taken from the previous tool plus a series of questions related to the council's current priorities (see Table 2, page 20).

The ad hoc committee also decided to ask the council to do a self-assessment. The committee members realized during their discussions that they believed the city's success to depend on both the manager's and the council's performance. During this discussion, council member Martin raised the question of linking pay to performance. This prompted the committee to turn its attention to the question of resources related to the manager's performance evaluation.

Allocating resources. After selecting a tool and a process for the manager's and the council's annual performance review, the ad hoc committee considered what resources would be required. Financial resources included personnel and supply costs associated with revising and producing the appraisal tool, distributing it, and collecting and summarizing the results. The ad hoc committee also wanted resources to extend the consultant's contract to guide the performance review for the manager and the council. Nonfinancial resources included the manager's, the council members', and senior managers' time and energy to prepare, implement, and evaluate the review process. As the ad hoc committee began to finalize its proposal to the full council, it decided to recommend that the council's budget include a bonus for the manager in the event that he received a positive performance review.

Being accountable. In conducting the manager's performance evaluation, the council recognized that it was, in part, performing its accountability function. The ad hoc committee members stepped back, looked at all they had done, and asked themselves some additional questions. For example:

- How will we know what constitutes effective performance by the manager?

- How will we reward the manager for effective performance?

- What will we do in the event that we find the manager to have been ineffective?

- How will the council provide ongoing oversight of the manager's performance?

- How will we assess performance for the council?

- How will we address ineffective council performance?

As they put the finishing touches on the manager's and the council's performance appraisal process and tool, the members of the ad hoc committee felt prepared to recommend to the full council that it initiate a performance review for the manager and conduct a self-assessment.

> **Through a combination of annual performance evaluations of the manager, financial audits, program reviews, and board self-assessments, local government boards establish a track record of accomplishments and identify areas for improvement.**
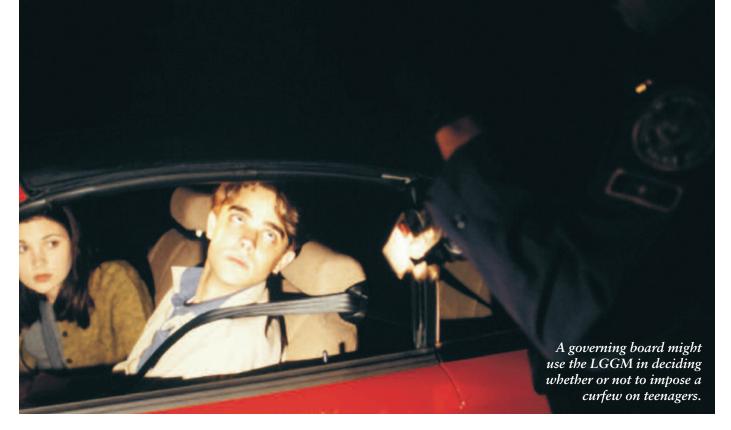
Example 2: A Curfew for Teenagers

The small, historic town of Oldham became a favored spot for teenagers looking for something to do in the evenings. Residents and business owners living in the downtown area complained to the town council about the teenagers' rowdy behavior. In response, members of the town council proposed to enact an ordinance setting a 9:00 P.M. curfew for teenagers under the age of eighteen. Angry parents and teenagers challenged the proposed curfew, saying that it violated individual rights. The mayor suggested that the council take another look at the issue before adopting an ordinance. The LGGM guided the council's work.

Understanding its legal authority. First, the council sought to understand and act within its legal authority to establish curfews. The Oldham city attorney told the council that G.S. 160A-174 gives cities the authority to prohibit and regulate "acts, omissions, or conditions detrimental to the . . . safety, or welfare of its citizens and the peace and dignity of the city."[23] The attorney advised the council that an ordinance establishing

a curfew just for minors might raise constitutional issues by restricting minors' rights more than adults' rights. The attorney recommended that specific provisions be included in the proposed ordinance to address constitutional concerns and reduce the burden of the curfew on minors engaged in legitimate activities.

Working with others. Once the council was aware of its legal authority, it needed to work with others to understand different perspectives on curfews for minors. Council member Jones was ready for the attorney to draft an ordinance establishing a 9:00 P.M. curfew for minors. Council member Anderson had heard teenagers, parents, and religious and business leaders expressing concerns about a curfew. Council member Morris had concerns about how to enforce the curfew and wanted more data from law enforcement about actual complaints and arrests before the council voted on an ordinance. These different objectives prompted the mayor to recommend that the council gather more information and schedule a public hearing on the matter. The mayor

A governing board might use the LGGM in deciding whether or not to impose a curfew on teenagers.

volunteered to work with the manager in collecting the additional documentation and making arrangements for the public hearing.

At the public hearing, the council heard complaints from downtown residents that teenagers were making a lot of noise, hanging around the business district, leaving trash in people's yards, destroying property, drag racing through neighborhoods late into the evening, and making residents feel unsafe walking downtown after dark. The police chief reported that residents and businesses routinely complained about these problems. Two downtown businessmen, owners of a game room and an ice cream parlor, claimed that they benefited from the evening patrons. A petition signed by owners of six other downtown businesses detailed having routinely to clean up trash and repair outside fixtures and furniture broken by rowdy teenagers. Teenagers expressed their need for places to gather and said a curfew would violate their constitutional rights. Parents raised concerns that a 9:00 P.M. curfew would restrict teenagers from working evening shifts or participating in church, sports, and club activities. In sum, the council learned that, although a curfew for minors might provide some relief for downtown residents and businesses, it

would create difficulties for other community members and might not solve the downtown residents' problems.

Setting policy. Now the council had to decide what to do: take no action, adopt a curfew for minors, or address teenagers' need for a safe place to meet. The council proposed that the city attorney draft an ordinance that would establish a 10:00 P.M. curfew for minors for six months, noting that the curfew would not apply to minors participating in work-, church-, and school-related activities. Further, the council agreed that it would monitor the effects of the ordinance, then revisit the issue at the end of the six months to determine whether the curfew was working, before making it permanent. The council asked the manager and the police chief to propose a budget at its next meeting for enforcing the new ordinance.

Before moving on to other business, the mayor asked the council members what outcomes they would like to see from the new curfew ordinance. The council members agreed that in six months they should review whether or not the curfew for minors had accomplished the following:

1. Reduced the number of noise complaints in the downtown area by 50 percent

2. Reduced vandalism, loitering, and litter violations in the downtown area by 75 percent

Allocating resources. The manager, the police chief, and the mayor met to determine what resources would be needed to enforce the curfew. They decided that the best way to address the noise, loitering, and vandalism would be to have officers patrol the downtown area on foot or bicycle rather than in cars during the most active evening hours. In addition, the police chief recommended putting a patrol car in the vicinity to provide additional surveillance and backup for the officers on foot. The police chief estimated that his department would need an extra $52,000 to increase the number of officers on patrol downtown from 9:00 P.M. until 1:00 A.M. for the six-month pilot program.

At the council's next meeting, the manager proposed that it support a pilot 10 P.M. curfew for minors, running from May 1 through October 31. During these six months, the city would increase its police surveillance downtown during the evening. The total cost for the pilot curfew program was estimated to be $52,000, and the funds for the program would come from postponing two new hires in the city's finance and administrative offices for six months.

Being accountable. Once the pilot curfew ordinance was adopted, the mayor and the manager scheduled a report on the curfew following its six-month trial period. They agreed that the report should address the extent to which the curfew ordinance reduced the number of noise complaints, the vandalism, and the loitering and litter violations in the downtown area. The mayor asked the manager to keep the council informed of any problems arising during the six-month pilot period and also recommended that the manager think about how to continue the program at the end of the six-month trial, should it be deemed a success.

Example 3: Impacts of Growth

Thomas County and its neighbor, Harold County, grew rapidly in the last decade, resulting in sprawling housing developments, strip malls, overcrowded roads, and long traffic delays during peak driving hours. Harold County was considering the development of a large shopping complex on its northern border, not far from two towns located in southern Thomas County. Council members from these towns publicly denounced Harold County's plan, saying that a large shopping center would further congest traffic along their southern border and undermine their local businesses. They were angry that they had not been consulted by Harold County in advance. Both town councils asked to meet with the Harold County commissioners to discuss the planned shopping center. The LGGM guided Harold County's process.

Understanding its legal authority. The attorney for Harold County advised the commissioners that they had the authority to decide what areas within their jurisdiction would be zoned for commercial development. A portion of the property being proposed for the shopping center had previously been zoned for commercial development and sat adjacent to other commercial properties. However, a larger tract of land also being considered for the shopping center was currently zoned for agricultural use. To rezone the land for commercial purposes before approving new construction, Harold County was required to provide public notices, hold public hearings, and publish plans.

Working with others. The Harold County commissioners worked with internal stakeholders (Harold County's manager, planning director, economic development director, and planning board) to attract and secure an appropriate site for the shopping center. Although the county was not legally required to seek input from neighboring jurisdictions, the commissioners recognized that there might be problems resulting from higher traffic volume in and out of the shopping center, impact on businesses outside the county, and lack of coordination of commercial areas with neighboring jurisdictions. The commissioners also recognized that they might want to contract with neighboring jurisdictions for water and sewer services. Using the LGGM prompted the Harold County commissioners to take a comprehensive look at stakeholders affected by the shopping center and to consult with external groups, such as other local government leaders, neighborhood associations, and area business owners as a part of their overall process. Because traffic congestion was a major concern, Harold County also worked with the State Department of Transportation.

Setting policy. The Harold County commissioners might support a shopping center for several policy reasons. For instance, they might be committed to expanding the nonresidential tax base of the county, providing more convenient shopping options for county residents, or increasing job opportunities in their jurisdiction. They recognized that they could achieve these policy objectives independently of one another or in a coordinated fashion.

Other policy issues also might be at play in Harold County. For instance, Harold County might be interested in building the shopping center near neighboring towns to assert itself as a player in the region's economic system. Further, the commissioners might be concerned about the character of the county and interested in clustering commercial

> **How a governing board carries out its governance responsibilities also depends on individual ethics, values, leadership, and stewardship.**

development in areas that already were commercial. From a strategic perspective, Harold County needed to identify which policy objectives it wanted to address and consider the possible long-term consequences of its actions on achieving these objectives. Depending on the extent to which Harold County commissioners wanted to extend the county's regional influence, they might want to develop policies in a coordinated fashion with other jurisdictions in their region.

Allocating resources. Once the board articulated a clear policy objective, the Harold County commissioners had to decide what resources they required to achieve their goal. Added traffic and commercial development would require extra law enforcement and fire protection capacity. If the county decided to provide water and sewer services, either on its own or through an arrangement with neighboring jurisdictions, there would be expenses related to extending lines to serve the new site.

Being accountable. Once the Harold County commissioners determined the policy objectives they wanted to achieve, they needed to identify the results that they expected to see if these objectives were met. For instance, if they decided that a policy objective for the shopping complex was to help diversify the county's tax base, they might adopt the following measures of accountability:

1. By 2010, Harold County will have at least 30 percent of its taxes coming from commercial and industrial businesses.

2. By 2010, at least 60 percent of Harold County residents will report that they shop in the county.

Depending on the other objectives the county commissioners agreed on, they might adopt other measures of accountability as well. For instance, if the board was interested in the regional impact of its new commercial development, it also might want to measure the proportion of noncounty residents who shopped in Harold County.

Conclusion

These three hypothetical examples show how a city council or a board of county commissioners might use the LGGM to anticipate and plan for its responsibilities. They also illustrate that each issue has its own complexity and that many equally acceptable options might be pursued by a governing board. Although the LGGM prompts a governing board to focus on and plan for its responsibilities, the model does not prescribe a particular way in which the board must act. Ultimately a city council or a board of county commissioners must determine what it wants to achieve.

The five responsibilities in the LGGM parallel the fundamental work that elected boards are charged to do by law, recommended to do in theory, and required to do in practice. The model emphasizes what a local governing board, such as a city council or a board of county commissioners, is ultimately responsible for, and suggests how a board should carry out its responsibilities. The LGGM does not explain everything about how a governing board's work should occur. How a governing board carries out its governance responsibilities also depends on individual ethics, values, leadership, and stewardship. Using this model as a general guide for practice, while taking into account local needs, constraints, history, and commitment, can help local governing boards and their managers carry out all their essential governing responsibilities.

Notes

1. A number of local government governing boards established and authorized by state statute also could use this model as a framework for understanding and planning their work. Boards of education, social services, and health, for example, all have responsibilities similar to those described by the model.

2. John Nalbandian, *The Council-Staff Partnership: A Team in Service to the Community*, WESTERN CITY MAGAZINE, Sept. 1999, at 5.

3. For definitions of governance in political science, *see* JAMES G. MARCH & JOHAN P. OLSEN, DEMOCRATIC GOVERNANCE 28 (New York: Free Press, 1995). For definitions in public administration, see Carolyn J. Hill & Lawrence E. Lynn Jr., *Governance and Public Management: An Introduction*, 23 JOURNAL OF POLICY ANALYSIS AND MANAGEMENT 3, 4 (2004); WILLIAM R. DODGE, REGIONAL EXCELLENCE: GOVERNING TOGETHER TO COMPETE GLOBALLY AND FLOURISH LOCALLY 38 (Washington, D.C.: Nat'l League of Cities, 1996); Lawrence E. Lynn Jr. et al., *Studying Governance and Public Management: Challenges and Prospects*, 10 JOURNAL OF PUBLIC ADMINISTRATION RESEARCH AND THEORY 233, 236 (2000); LAWRENCE E. LYNN JR. ET AL., IMPROVING GOVERNANCE: A NEW LOGIC FOR EMPIRICAL RESEARCH 7 (Washington, D.C.: Georgetown Univ. Press, 2001). For definitions in international relations, *see* ANNE METTE KJAER, GOVERNANCE 4 (Malden, Mass.: Polity Press, 2004); ORGANIZATION FOR ECON. COOPERATION AND DEV., DEVELOPING PUBLIC SECTOR LEADERSHIP FOR THE 21ST CENTURY: EXECUTIVE SUMMARY 1 (Paris: OECD, 2001), available at www.oecd.org (last visited Sept. 27, 2004); Wolfgang Michalski et al., *Governance in the 21st Century: Power in the Global Knowledge Economy and Society*, in GOVERNANCE IN THE 21ST CENTURY 7, 9 (Paris: Organization for Econ. Cooperation and Dev., 2001); Gerry Stoker, *Governance as Theory: Five Propositions*, 50 INTERNATIONAL SOCIAL SCIENCE JOURNAL 17, 17 (1998).

4. James H. Svara, *Council Roles, Performance, and Form of Government*, in THE FUTURE OF LOCAL GOVERNMENT ADMINISTRATION 213 (H. George Frederickson & John Nalbandian eds., Washington, D.C.: Int'l City/County Mgmt. Ass'n, 2002).

5. DONALD F. KETTL, THE TRANSFORMATION OF GOVERNANCE: PUBLIC ADMINISTRATION FOR TWENTY-FIRST CENTURY AMERICA (Baltimore: Johns Hopkins Univ. Press, 2002); John Nalbandian, *Politics and Administration in Council-Manager Government: Differences between Newly Elected and Senior Council Members*, 64 PUBLIC ADMINISTRATION REVIEW 200 (2004), available at www.goodlocalgovernment.org (last visited Aug. 29, 2004).

6. Svara, *Council Roles*.

7. JOHN CARVER, BOARDS THAT MAKE A DIFFERENCE (San Francisco: Jossey-Bass, 1990).

8. DENNIS D. POINTER & CHARLES M. EWELL, REALLY GOVERNING: HOW HEALTH SYSTEM AND HOSPITAL BOARDS CAN MAKE MORE OF A DIFFERENCE (Albany, N.Y.: Del Mar Publishers, 1994).

9. RICHARD P. CHAIT ET AL., THE EFFECTIVE BOARD OF TRUSTEES (Phoenix: Oryx Press, 1993).

10. Continuously since 1986, I have served local, state, and national public and nonprofit organizations either as their executive director or as a member of their governing board. I also have chaired local and national boards and numerous board committees.

11. In North Carolina, cities and counties are given authority to act by the General Assembly. *See* MUNICIPAL GOVERNMENT IN NORTH CAROLINA 33 (David M. Lawrence & Warren J. Wicker eds., 2d ed., Chapel Hill: Inst. of Gov't, Univ. of N.C. at Chapel Hill, 1995); COUNTY GOVERNMENT IN NORTH CAROLINA 8 (A. Fleming Bell, II, & Warren J. Wicker eds., 4th ed., Chapel Hill: Inst. of Gov't, Univ. of N.C. at Chapel Hill, 1998).

12. A. FLEMING BELL, II, SUGGESTED RULES OF PROCEDURE FOR SMALL LOCAL GOVERNMENT BOARDS (2d ed., Chapel Hill: Inst. of Gov't, Univ. of N.C. at Chapel Hill, 1998); JOSEPH S. FERRELL, SUGGESTED RULES OF PROCEDURE FOR THE BOARD OF COUNTY COMMISSIONERS (3d ed., Chapel Hill: Inst. of Gov't, Univ. of N.C. at Chapel Hill, 2002); JOSEPH S. FERRELL, HANDBOOK FOR NORTH CAROLINA COUNTY COMMISSIONERS (2d ed., Chapel Hill: Inst. of Gov't, Univ. of N.C. at Chapel Hill, 1998); DAVID M. LAWRENCE, OPEN MEETINGS AND LOCAL GOVERNMENTS IN NORTH CAROLINA: SOME QUESTIONS AND ANSWERS (6th ed., Chapel Hill: Inst. of Gov't, Univ. of N.C. at Chapel Hill, 2002).

13. COUNTY GOVERNMENT IN NORTH CAROLINA (Bell & Wicker eds.); Kurt Jenne, *Governance in Council-Manager Cities*, in MUNICIPAL GOVERNMENT IN NORTH CAROLINA 59 (Lawrence & Wicker eds.).

14. Carolyn Lukensmeyer & Ashley Boyd, *Putting the "Public" Back in Management: Seven Principles for Planning Meaningful Citizen Engagement*, 86 PUBLIC MANAGEMENT 10 (2004).

15. STEPHEN GOLDSMITH & WILLIAM D. EGGERS, GOVERNING BY NETWORK: THE NEW SHAPE OF THE PUBLIC SECTOR (Washington, D.C.: Brookings Inst., 2004).

16. COUNTY GOVERNMENT IN NORTH CAROLINA (Bell & Wicker eds.); MUNICIPAL GOVERNMENT IN NORTH CAROLINA (Lawrence & Wicker eds.).

17. For a discussion of establishing goals and conducting self-assessments, *see Enhancing the Governing Body's Effectiveness*, in THE EFFECTIVE LOCAL GOVERNMENT MANAGER 57 (Charldean Newel ed., Washington, D.C.: Int'l City/County Mgmt. Ass'n, 2004).

18. Delmer D. Dunn & Jerome S. Legge Jr., *Accountability and Responsibility of Local Government Administrators*, in THE FUTURE OF LOCAL GOVERNMENT ADMINISTRATION 131, 137 (Frederickson & Nalbandian eds.).

19. *Id.* at 131.

20. DAVID OSBORNE & TED GAEBLER, REINVENTING GOVERNMENT 146 (Reading, Mass.: Addison-Wesley, 1990).

21. DONALD F. KETTL, THE GLOBAL PUBLIC MANAGEMENT REVOLUTION: A REPORT ON THE TRANSFORMATION OF GOVERNANCE 67 (Washington, D.C.: Brookings Inst. Press, 2000).

22. Jenne, *Governance in Council-Manager Cities*.

23. Thomas H. Thornburg, *Curfews for Minors and Other Special Responses to Crime*, POPULAR GOVERNMENT, Fall 1995, at 2, 2.