

Name \_\_\_\_\_ Teacher \_\_\_\_\_

# An Overview of Local Governments in Texas

## What IS local government, anyway?

At some time in your life you have probably learned about federalism and the fact that government in our nation is shared among the federal, state, and local levels. This simple division gets a little more complicated when you realize that there is not just one “local level” the way there is just one “federal level” or one “state level” for Texas. In fact, even in your very own city or town, there is not just one “local level” of government. Altogether in our state, even though there are fewer than 1,500 cities, there are more than 4,000 local government units that make decisions and provide services for people.

1. Just for fun, list as many local government units as you can think of in your area.

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Many of these local governmental units perform special functions. In 1990, for example, Texas had 1,892 special districts and 1,113 school districts, in addition to its 1,171 cities and 254 counties. Right this minute, the only one of those numbers that is still probably accurate is the number of counties, which has stayed the same for over 100 years. The number of cities and special districts has been increasing steadily since that count was made in 1990. On the other hand, the number of school districts has been shrinking as districts merge together to provide better opportunities for students at a lower cost.

2. Why do you think the number of cities and special districts in Texas is increasing?

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3. In what parts of Texas do you think school districts should be consolidating or joining together with other school districts? Explain.

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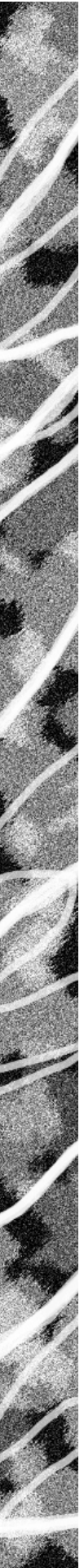
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## Background: What municipal governments do NOT do in Texas

Each unit of local government was created to meet a special need of the people in that **locality**, or specific area. Over time, as the needs of people in Texas changed, the nature of local government has been able to respond. Because the **municipal**, or town and city governments are just one part of the local level, let’s take a look at what functions city governments do *not* have to do. These functions are already taken care of by other local government units.



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**What do County Governments Take Care Of?**

County governments in Texas are called “general purpose” because they do so many things. You have probably heard of general purpose cleansers, for example, that can clean many different things. Similarly, a “general purpose” government governs or has responsibility for many different things in an area. There are two main categories of jobs that county governments have.

First, county governments provide **governmental** services for their residents. As you read this list, notice how very basic some of these county services are.

Counties: 1.) build and take care of roads, jails, and courts,  
2.) enforce laws, through the county sheriff’s department, and  
3.) provide health and welfare services. For example, counties often have medical clinics, emergency medical services (EMS), county parks, and community centers.

4. Tonight, look in a telephone book under “county government” or the exact name of your county. Figure out which number to call if you need to report a county road that needs a repair. When the county fixes that road problem, it is performing a governmental service. County road repair phone number:

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Second, county governments provide **administrative** services on behalf of the state. The state administrative services that county governments do usually involve records that need to be kept and fees that need to be collected. The 254 Texas counties act as “agents” of the state government in their area when they help county residents with this record-keeping. Examples of administrative services performed by county governments include voter registration and motor vehicle licensing.

5. Check in the phone book. Which county government office would you call if you need to help an adult register to vote? \_\_\_\_\_

**What do Special District Governments Do?**

These interesting units of local government were created to do just one special task. Usually the general purpose county government could not do that task, so a special district was formed. You will already know about some special districts such as school districts, but may not know about water supply districts, hospital authorities, utility districts, or mosquito control districts.

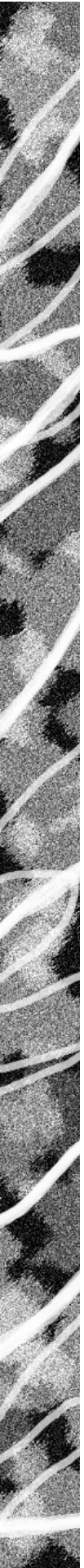
6. Look in your phone book to see if there are any special districts in your area. Write their names down here:

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**What do Municipal Governments Do?**

Of all the kinds of local governments in Texas, city and town governments in Texas perform the largest number of functions. The responsibilities of cities and towns can be put into two categories: governmental functions and proprietary functions.

**Governmental functions** of cities are similar to the governmental services of counties that you just learned about. These 34 governmental responsibilities are given to cities by state law. They include: 1.) police and fire protection, 2.) health and sanitation services, 3.) street construction and design, 4.) transportation systems, such as bus lines, and 5.) building and maintaining jails.



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State law lists three **proprietary functions** of cities:

- 1.) operating a public utility, such as an electric department,
- 2.) operating amusements owned by the city, and
- 3.) performing activities that are ultra hazardous or dangerous.

## Kinds of Municipalities in Texas

In your own life, you have probably done things for two main reasons: because you wanted to and because you were told to do something. When you were small, you had fewer choices about what to do; other people decided what was good for you. As you have grown, the opportunities for you to make decisions for yourself have probably increased. The same holds true for cities in Texas. When cities are small, they have fewer choices and the state makes many of the decisions about what cities may and may not do. As cities grow, they have more and more choices about what they want to do and how they want to be.

Small villages, towns, and cities in Texas are **general law municipalities**. These towns usually have fewer than 5,000 people and their powers of local governance are limited by state laws. If state law does not give a general law city the power to do something, the city may not do it, no matter what. About 3 out of 4 cities in Texas, or 75 percent of Texas municipalities, are general law cities.

### *Very Small Towns*

To become a general law city, an area must have 210 to 10,000 residents and it must “incorporate.” You may have noticed signs along the highway that announce the limits of incorporated cities and towns. These signs mark the limits of the authority of that town’s government. Outside of that boundary line, the county government probably has **jurisdiction**, or controlling power.

7. Why would state law make it be illegal for an area with 5 or 10 people to become a city?

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When a small city of less than 600 people incorporates, it can choose to have either a city **board of commissioners** or a **board of aldermen** to govern it. Used this way, the word “board” is another term for group. If a municipality decides it wants to change the type of governing board it uses, it may do so.

A board of commissioners can be smaller than a board of aldermen. A board of commissioners always has a mayor and two commissioners elected by the voters. The board always appoints a city **clerk**, who handles the town paperwork. The board may appoint or hold elections for other officials that the town thinks it needs.

A board of aldermen is made up of six members: a mayor and 5 aldermen. All these leaders are elected by the voters **at-large**. When officials are elected at-large, they are chosen to represent the entire town and not just one area of the town. The city must also have an elected **marshal** and may pass ordinances to have other municipal officers.

8. In a small town of this size, do you think it would be better to be governed by 3 persons (commission members) or 6 persons (aldermen)? Explain your thinking.

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### *Larger Towns*

When a larger city with more than 600 people incorporates, it has more choices about its government. These larger municipalities are governed by a **city council**. If the city council is elected **at-large**, it must have a mayor and 5 councilmembers. Each member of the council is supposed to vote on ordinances and rules in a way that represents the needs of the whole city, or the city “at large.”

Another way to elect members is to divide the city into **wards**, or voting districts. A mayor presides over the city council. The city council decides what officials are needed, and decides if the city council or the voters will choose these officials.

A city may choose to have a **city manager** to run it. The city manager is a paid employee of the city. He or she is hired by the city council to supervise the everyday operations of the city. The city manager makes many decisions about how to do things, just like a store manager makes many decisions about how a store will be run. The city manager takes instructions from the city council, which has the final say on all the big **policy** decisions. When the council decides policy issues, it decides how much the city government will do. For example, a city council might decide that the city should build an airport. The council would instruct the city manager to come up with possible locations, and ways to pay for building and running the airport. The council would choose what it thought was the best plan for the city, and the city manager would make sure that the airport was built and operated well.

## Home Rule Cities

If you live in a city with more than 5,000 residents, chances are very good that yours is a **home rule** city. Home rule cities have the right to run their local governments without a lot of interference from the state government. Many people like the home rule idea because it allows people at the “grassroots” level to make decisions. To become a home rule city, your town must have adopted a **home rule charter**. A charter is a written plan for government that describes how power is divided among leaders and citizens in your city. At some time in your town’s history, the charter was approved by the majority of the voters in an election. Any time a change in the charter is suggested, the people in your town have an opportunity to vote on the change.

Notice that the voters in home rule cities hold much power over the way their town is run. Voters decide:

- 1.) the form of local government: mayor-council or council-manager, for example,
- 2.) the number of members of city council,
- 3.) the way councilmembers will be elected: at-large, by single member district, or by **place**, which is a numbered seat on the council,
- 4.) how long councilmembers’ terms of office should be,
- 5.) whether councilmembers’ terms of office should overlap,
- 6.) how the mayor is to be chosen, either by the council or by the voters, and;
- 7.) which boards and commissions are necessary to make the town run smoothly.

These powers are very important ones to be held in a town. Another power of home rule cities is the power to **annex** land next to the city, with or without the permission of persons living in the area. When an area is annexed, it is added to the area of the city and becomes part of the city.

9. Why would a city like having the power to annex land?

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10. Why would a city *not* want to annex all the nearby land that it possibly could?

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Another advantage of being a home rule city is that voters have special powers that they do not have in general law cities. One of these powers is called **initiative**. When a person initiates something, he or she starts or introduces something. In a home rule city, voters may take the initiative to place a question on the ballot to be voted on by all citizens. Initiative gives ordinary citizens the power to make sure their ideas are put into effect. This power is important if their elected councilmembers refuse to act on an idea for some reason. Initiative begins with a **petition** signed by enough registered voters to have the item placed on the ballot. Then the city council may vote on the idea or it may call an election to vote on it.

11. How does initiative limit the power of city councilmembers?

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Citizens in home rule cities also have the power to **repeal** unwanted ordinances. When an ordinance is repealed, it is taken off the books and ceases being a law in the town. Like initiative, repeal also begins with a petition signed by voters. After the petition is received, the city council may repeal the ordinance or it must call for an election to decide about the ordinance.

12. What might be a possible danger of giving citizens the right to repeal city ordinances?

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Even with these important powers, there are limits on what home rule cities can do. Home rule cities must always follow the state constitution and state laws. For example, state law sets maximum amounts of property tax that citizens may pay, and cities may not charge more than that amount. Also, cities may only hold elections on days that state law allows.

13. Why would the state want elections to be held only on certain days? Why can a town not hold an election every single day if it wants to?

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