CHAPTER 23 Local Government in Texas

Learning Objectives

After reading this chapter you should be able to

* Define the key terms at the end of the chapter.
* Analyze and explain the powers and duties of each branch of Local Government.
* Discuss the relationship between State and County Governments.
* Compare and contrast the differences between County Revenue source and City revenue sources.
* Differentiate between Economic Development of Texas counties and cities.
* Explain the different types of city government.
* Discuss the challenges facing Texas counties and cities today.
* Explain how the Councils of Government can be effective if it is voluntary.
* Differentiate between the different types of Special Districts in Texas and how each is special.

# KATRINA GAVE HOUSTON A GOOD REPUTATION

Although the federal government is supposed to take the lead in disaster relief, the City of Houston and Harris County went above and beyond their normal responsibilities to take care of people who fled from Hurricane Katrina, and stayed during Hurricanes Rita and Ike. Houston opened the Astrodome, their human services and their hearts to the displaced people of Louisiana, and then used it as a shelter for subsequent Hurricanes Rita and Ike. In all, the Astrodome accommodated over 150,000 evacuees. During times of crisis, these events were a perfect example of how local governments can come together to solve problems.

Chapter Overview

This chapter examines four major areas of local government; county government, city government, the Councils of Government and Special Districts. County government should be thought of as an extension of state government at the local level. The main source of authority at the county level is the Commissioner’s Court. City Government can be incorporated or unincorporated. City’s over 5000 can create a Home Rule Charter and run themselves, with most giving most authority to a City Council, who hires a city manager to run things on a day-to-day business. The Council of Government is a voluntary organization designed to aid in planning on a regional scale. Special Districts run independent agencies designed to accomplish a specific purpose, such as school districts, airports, community colleges, water districts, etc… Since most people interact with and take an interest in government at the local level, it is important for you to learn about the agencies that will affect you the most.

## County Government

As the Texas population has grown, so has the number of counties. Thirty-six were operating by the time of the 1845 Constitution, and we reached our current total of 254 counties in 1931. No matter the number of the counties, they are still subordinate units of state government.

Although 80% of the Texas population lives in an urban county, the majority of Texas counties are rural. The four most populated counties, Harris, Dallas, Tarrant and Bexar, represent the three corners of the “Texas triangle” of population. Commissioners courts rule as the governing body of every county, but each county also has several major elected officials. Every county elects a sheriff for law enforcement, but in many urban counties, the sheriff is limited to running the county jail. Counties also elect a District Attorney for felonious crimes and a County Attorney for juvenile crimes, family violence and most DUI/DWI’s. Some smaller counties combined the District Attorney and County Attorney offices. Counties also elect Justices of the Peace for minor misdemeanor crimes, and Constables to serve warrants. Other officials include the County Clerk, District Clerk, County Treasurer and/or County Auditor, who handle administrative duties, taxing and spending duties.

Most county revenue comes from property taxes and the commissioners court spends most of this revenue building and maintaining roads and bridges. The local Central Appraisal District estimates property values every year. Additional revenue can come from state and federal agencies, but are usually limited to specific programs. In some instances the county can take .05% of sales taxes or create a special taxing district.

Counties are very big into stimulating business and attracting businesses to their county, so they can expand their own tax bases. Many counties have established a county development board to oversee economic development. Recent changes in state tax laws have reduce property tax rates and increased taxes on businesses.

Texas counties continually petition the Texas Legislature for new laws and powers. The Texas Constitution severely limits the power to pass ordinances over their own areas. One possible solution is to allow counties to create their own “home rule charters” to pass their own rules and regulations, instead of going to the Texas Legislature all the time. Poor Texas counties have always had a hard time providing police and fire services because of the low property taxes of their counties. Many counties have formed groups to better cooperate and petition Austin together.

## City Government

City, or municipal, government can make its own rules. Once a town reaches a population of 5000, it can create a “home rule charter” to make its own rules, or ordinances. Although there are several forms of city government, most cities use the Council-Manager form of government. With the Council-Manager form of government, the city council chooses a City Manager to run the day-to-day operations of the city. Other cities elected to keep the Strong Mayor form of government, where the mayor chooses people to run the city on a day-to-day basis. A little used form of government is the Commission, which has individual councilmen choosing Dept Heads to run city offices. Elections of city officials can be at large, where everyone can vote for anyone, or by place, where city residents can only vote for councilpersons in their district.

Most cities have two major sources of revenue, sales taxes and property taxes. They can also assign fees for certain permits and services. For major initiatives, cities can sell bonds. Cities will also receive funds from the federal, state and independent agencies in the form of grants for specific purposes.

To add to their tax base, cities try and attract new businesses to their area. Many cities have even created economic develop boards financed by a special sales tax. These special tax funds are to be used for improving the quality of life for all city residents.

Although cities have the power of eminent domain and annexation to increase their bases, their main problem is financial. Somehow, cities have to come up with the funds to combat homelessness, mandated environmental regulations, unemployment, and traffic congestion. Several new municipal organizations have been formed to help cities cope, like the Texas Municipal League and the Texas League of General Law Cities. Yet no matter what they do, Texas cities will be facing growing populations and more problems over the next 30 years.

## Councils of Government

A voluntary organization designed to help coordinate the planning efforts of various regions in Texas. Their main function is to help coordinate infrastructure planning and assisting local governments in meeting the requirements of federal mandates. Currently, there are 24 different councils operating in Texas.

## Special Districts

Of all our special districts, the most numerous, and many consider the most important, are the Texas Independent School Districts (ISD’s). Although we only have 254 counties in Texas, we have over 1000 ISD’s. The day-to-day operations of ISD’s are run by a superintendent, who is chosen by a publicly elected board of trustees. Most of a citizen’s local taxes go to pay for the local schools. Although we pay a lot for our schools, Texas education is considered one of the worst in the nation.

There are numerous other special districts that you should be aware of. Many perform basic functions like your local water district or your local airport. Some are educational like your local community college, and other try to provide a public service, like mass transportation. Whatever the special district, remember that all of them are accountable to the general public, so you can have input into their operation and expansion.

Key Terms

general law units of government

home rule charter

ordinances

commissioners court

single-member district election

at-large election

earmarked taxes

**special taxing district**

county reinvestment zone

county development district

**county development board**

**commission government**

**weak mayor-council government**

**strong mayor-council government**

**council-manager government**

**by place**

**cumulative voting**

**eminent domain**

extraterritorial jurisdiction (ETJ)

**annexation**

**Council of Government (COG)**

**independent school district (ISD)**

# Research and Resources

Most local governments have their own websites, which can be found by entering “county of \_\_\_\_\_” or “city of \_\_\_\_\_\_” in a search engine. Each will have its own design, but all will have links to the different offices and officials of local government. Many will even allow you to pay bills or taxes on-line. Whichever site you go to, they will all have some sort of history, calendars and a list of services. Some of Texas’ major cities and county governments are listed below:

City of Dallas: <<http://www.dallascityhall.com/>> Dallas County: <<http://www.dallascounty.org/>>
City of Denton: <<http://www.cityofdenton.com/>> Denton County: <<http://www.dentoncounty.com/>>
City of Houston: <<http://www.houstontx.gov/>> Harris County: <<http://www.co.harris.tx.us/>>
City of Austin: <<http://www.ci.austin.tx.us/>> Travis County: <<http://www.co.travis.tx.us/>>
City of San Antonio: <<http://www.ci.sat.tx.us/>> Bexar County: <<http://www.co.bexar.tx.us/>>
City of Ft Worth: <<http://www.fortworthgov.org/>> Tarrant County: <<http://www.tarrantcounty.com/>>
City of El Paso: <<http://www.elpasotexas.gov/>> El Paso County: <<http://www.co.el-paso.tx.us/>>
City of Midland: <<http://www.ci.midland.tx.us/>> Midland County: <<http://www.co.midland.tx.us/>>
City of Brownsville: <<http://www.cob.us/>> Cameron County: <<http://www.co.cameron.tx.us/>>

For a quick look at lots of numerical data on individual cities and counties, check out the “Quick Facts” section of the U.S. Census Bureau. Once into the State of Texas, you can chose individual cities and counties to look at. <<http://quickfacts.census.gov/qfd/states/48000.html>>

Councils of Government can be reached through their home page. <<http://www.txregionalcouncil.org/>>

# Using Your Knowledge

1. Using the resources suggested above, learn about your own town. Who is your mayor? Who is on your City Council and what are they talking about this month? Check out the city calendar and see if you can attend a meeting of your City Council.

2. Do you know who your county officials are? Go to your county website and explore who your elected officials are. Find your County Clerk and see if you can register to vote. Most clerks have Voter Registration information on-line. You can’t participate, if you don’t vote, and registering to vote is the first step!

3. Do you know who is on your local school board? Find your school boards website and see what they are doing. Did you enjoy the textbooks you had in high school? Your local school board helps choose which books are used. Take a look, see what’s up and get involved.

# Getting Involved

Go to your city website and see what Community Advisory Boards they have. Most cities have Library Committees, Park Boards and Transportation Boards, but larger towns have Community Development Block Grant Committees, who make recommendations about where and how to spend thousands of dollars from the Housing and Urban Development Administration. Volunteer some of your time (usually one meeting month), and give back to you community with your own judgment and advice.

Sample Exam Questions

Multiple-Choice Questions

1. In addition to police and fire protection, garbage collection and street repair, local government is also responsible for providing “public goods.” What are these “public goods” that local government is supposed to provide?

a. community cars and homes

b. cattle, bison and other herd animals

c. holiday gifts and merchandise

d. food and clothing

e. parks, hospitals and schools

2. Currently, Texas has the largest number of counties of any state in the U.S. How many counties does Texas have?

a. 133

b. 182

c. 254

d. 297

e. 331

3. What is the synonym for ordinances?

a. taxing

b. spending

c. local laws

d. sports facilities

e. schools

4. Which of the following counties has a population under one thousand?

a. Borden

b. Bexar

c. Travis

d. Fort Bend

e. Sterling

5. Which of the following is the head governing entity of every county in Texas?

a. City Council

b. District Attorney

c. County Judge

d. Justices of the Peace

e. Commissioners Court

6. What entity is considered the chief law enforcement officer of the county?

a. County Sheriff

b. County Attorney

c. District Attorney

d. County Judge

e. Justice of the Peace

7. What Texas official is elected to serve legal papers, such as warrants?

a. County Judge

b. District Attorney

c. Justice of the Peace

d. County Attorney

e. Constable

8. Which county entities job is to act as the official repository of all county documents, files, transcripts and other information as needed, but also records all vital statistics?

a. County Judge

b. Constable

c. Tax Assessor-Collector

d. County Auditor

e. None of these

9. What entity sets property values for cities and counties property taxes?

a. Tax Assessor-Collector

b. Central Appraisal District

c. County Treasurer

d. Count Auditor

e. District Clerk

10. What is the main source of income for counties?

a. fees and handling charges

b. sales taxes

c. special taxes

d. property taxes

e. state and federal grants

11. What do we call designated areas characterized as blighted in which a county wants to spur economic growth?

a. county development district

b. eminent domain

c. county reinvestment zone

d. duty free economic region

e. county economic revival area

12. What term is used to described the unplanned and impoverished settlements along our southern border with Mexico?

a. mestizos

b. extraterritorial jurisdiction

c. water sheds

d. colonias

e. magadores

13. Which of the following is an advantage of having a Home Rule Charter?

a. Cities can write their own ordinances.

b. Bars annexation by another city.

c. Allows cities to annex more land.

d. Tailors laws to needs of city residents.

e. All of these.

14. What was the first community to adopt the Commission form of government in 1901?

a. Austin

b. El Paso

c. Galveston

d. Houston

e. San Antonio

15. Which of the following is a disadvantage of the Commission form of government?

a. City operations cannot be overseen by a central official.

b. No potential for infighting.

c. Conflict resolution was too easy.

d. Allowed too many minorities to get into office.

e. All of these.

16. We used to vote for every City Council seat with an at-large election. Why are most seats or all seats one the City Council become single-member district elections?

a. Reform proposed by the Progressives.

b. Result of rampant corruption in Municipal Government.

c. Allowed for more representation by minorities.

d. Allowed for more cohesion and cooperation.

e. All of these.

17. What term do we use to describe the method of voting where a voter can cast more than one vote in the same race?

a. multiple voting

b. cumulative voting

c. multi-vote election

d. additive voting

e. multi-task voting

18. What is the oldest and most traditional way of organizing city government?

a. Mayor-Council

b. Weak Mayor

c. Strong Mayor

d. Council-Manager

e. Commission

19. What is the primary method of financing city government?

a. sales taxes and fees

b. fees and property taxes

c. sales taxes and property taxes

d. sales taxes, property taxes and fees

e. None of the above

20. What kind of tax money can be used for parks, sports, entertainment facilities, affordable housing, job training and educational facilities?

a. 4A tax money

b. 4B tax money

c. 4C tax money

d. 4D tax money

e. 4E tax money

21. What term do we use to describe the process by which governments extens their geopolitical boundaries by incorporating adjacent land areas?

a. eminent domain

b. annexation

c. extraterritorial jurisdiction

d. transcendentalism

e. public right-of-way

22. How much land can a city legally annex every year?

a. 2.55%

b. 5%

c. 7.5%

d. 10%

e. As much as they want.

23. Which of the following entities is allowed to join a Council of Government?

a. cities

b. municipal utility districts

c. counties

d. soil and drainage districts

e. all of these

24. What does the acronym MUD stand for?

a. Mayor Uniform Decision

b. Manager Uniform Division

c. Municipal Utility District

d. Managerial Utility Decision

e. none of these

25. What sort of pressure will lead many urban areas to consider forming a rapid/mass transit authority in the future?

a. public pressure

b. federal air quality standards

c. global warming

d. scientific pressure

e. None of the above

Essay Questions

1. Discuss some of the major problems with our structure of County Government and what we can do about it.

2. What are the problems with the sources of revenue for the counties and what options do they have?

3. Differentiate between the Weak-Mayor and the Strong-Mayor forms of government.

4. Discuss the advantages and disadvantages of eminent domain to Municipal government and citizens.

5. Discuss the advantages and disadvantages of annexation.

Answers to Multiple-Choice Questions

1. e

2. c

3. c

4. a

5. e

6. a

7. e

8. e

9. b

10. d

11. c

12. d

13. e

14. c

15. a

16. c

17. b

18. d

19. c

20. b

21. b

22. d

23. e

24. c

25. b