

# A Time for Change: El Paso Adopts the Council-Manager Form

BY DEREK OKUBO

The “strong mayor” form of government is a rarity among contemporary Texas cities. Until last year, El Paso and Houston were the last holdouts against the more prevalent city council–city manager model, first proposed by the National Municipal League in 1915. In February 2004, the voters of El Paso approved a charter change to move from a strong mayor to a council-manager government. An additional charter amendment approved by voters included a shift to four-year, staggered city council terms starting with the election in April 2005. (Granting pay increases for council members was the only charter related amendment that failed at the polls during that election.)

Another rarity these days is for a city the size of El Paso to change from a strong mayor to council-manager system. According to data collected by the International City/County Management Association, twenty-four U.S. municipalities have adopted the council-manager form since 1998. Of those municipalities, El Paso, with a population 581,000, is by far the largest city to do so. The next largest city is Norwich, Connecticut, with a population of 36,000. The smallest is Carnation, Washington, with 1,900. Within the same period, nineteen communities rejected transitioning to the council-manager form and fourteen other cities, including Oakland, California, and Miami, Florida, abandoned the council-manager form altogether and adopted the strong mayor form of government.

## Professionalism and Continuity

In the past, El Paso city leaders were reluctant to change the city’s form of government. Some may have been fearful of losing power, or perhaps losing

the ability to address the needs of their constituents as directly as they could under the strong mayor form. Under the old system, district representatives would learn of immediate needs from constituents and go directly to city staff to get them addressed. City staff members had grown accustomed to this approach and some of them were also resistant to change. But in the opinion of many El Paso civic activists, more power in the hands of a top elected official didn’t necessarily mean better decisions, results, or services on the part of local government. As the current mayor, Joe Wardy, explained, the strong mayor form of government “felt like a merry-go-round that you couldn’t get off of.”

Under the old city charter, the mayor and each of El Paso’s eight district representatives ran on a slate every two years. Because of new elections every two years, there was frequent turnover in leadership. In fact, El Paso has had seven mayors over the past fifteen years, and with each new mayor came a change in direction. Elected officials, city staff, and citizens alike were frustrated with the lack of continuity and progress. Under the strong mayor form in past years, the El Paso mayor appointed a chief administrative officer (CAO) to help run the city’s day-to-day operations. This position was a political appointment that was most recently held by the former city attorney. The challenge was that historically, the person appointed as CAO, didn’t necessarily have the specialized, broad skills necessary to effectively manage a city the size of El Paso. In addition, as a political appointee of the mayor, the CAO often ran into problems when addressing issues that became unnecessarily politicized because this position was viewed as an extension of the mayor.

“El Paso needed someone with professional training and experience to run the city,” said Risher Gilbert, an attorney and a member of the Citizens Advisory Committee that helped with the city manager selection process. “We needed more continuity of governance. There were many multiyear projects, and we had to start all over every few years. Mayors had great vision, but they could never do the follow-through to get the projects to completion because they decided not to run again or were not re-elected.”

“It felt like a yo-yo,” said Susan Austin, city representative for District 1.

In addition to the instability that resulted from frequent changes in leadership, there were other reasons for changing the form, among them achieving accountability, fostering professionalism, de-politicizing the process, and getting things done. With 6,200 employees with the City of El Paso, the mayor and council were often too bogged down with short-term, internal issues to lead the city on bigger issues.

“A city manager is a professional position,” noted Anthony Cobos, El Paso’s current mayor pro-tem. “The former mayor is an attorney. The current mayor is in transportation. Most elected officials don’t have the well-rounded qualities to run a city. We do have excellent individual skills and talents. All aspects of our budgeting, different financing, management skills, solid waste, public works, bonding capacity—all those different aspects are a lot to learn if you’re not a professional and haven’t been doing it for years.”

“El Paso is recognized as a large city,” explained Joyce Wilson, the El Paso city manager as of six months, “It is in a strategic location and is a complex organization. But the organization didn’t have the [internal] infrastructure in place to run the community’s agenda.”

### Advocates for Change

El Paso is the fifth-largest city in Texas, the seat of El Paso County, and the twenty-second largest city in

the United States. Located in the farthest western point of the state on the north side of the Rio Grande River, it shares a border with the Mexican city of Ciudad Juárez, the fourth largest city in Mexico with a population of 1.7 million. El Paso shares this historical kinship of cultural and economic viability with Juarez, making it the largest international metroplex in the world. The city was founded in 1598 when Juan de Oñate took formal possession of the area for King Philip II of Spain and crossed the Rio Grande near a site west of present downtown. He called the site “El Paso del Rio del Norte,” meaning the crossing of the river—a name that was later shortened to “El Paso.” In 1827 Juan María Ponce de León established the first permanent settlement, and in 1873 El Paso was incorporated. Following the arrival of the Southern Pacific Railroad in 1881, the city began to grow. Today El Paso is an important port of entry to the United States from Mexico. The high technology, medical device manufacturing, plastics, refining, automotive, food processing, and defense-related industries are important to the economy. El Paso’s service sector has experienced healthy growth since the 1980s.

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There had been other moves to consider a charter change in the past, but the time may not have been right. “[As recent as] three or four years ago, a citizens committee reviewed the form and a decision was made to not bring it to a vote,” explained Leonard Goodman III, chair of the most recent charter’s Citizen Advisory Committee. “The committee felt it wouldn’t pass and there was simply no advocate for it.” The difference this time was that the form change had a number of advocates—a mayoral candidate and four city council members who ran on a platform to put the issue of changing the form

of government out for community discussion. The business community, tired of a lack of progress and cohesive direction, also supported it. Finally, many citizens who learned about the potential change through community forums and quality reporting by the media came to embrace the idea.

It started with Joe Wardy, who ran for mayor and won against the incumbent. His platform included bringing the charter change to the community for discussion. Four other council members ran for office and supported the change in form. All four won their races. The ingredients to move the change forward began to come together with the timing to match it. But in order for the change to actually happen, a catalyst was needed. “The reason it passed this time was because this mayor supported it from the beginning and advocated for it,” said Goodman, “Even I wasn’t in support of it five or six years ago.” Some described Wardy’s role as advocating for the change while others said he simply wanted the public to have a chance to discuss the issue and decide for themselves. Either way, Wardy and the approach taken were effective to educate and gain buy-in from key players and the community.

Joe Wardy was born in El Paso in 1953 and was educated in local Catholic schools. He graduated with a business degree from the University of Texas-El Paso. He became intimately acquainted with the charter issue twelve years ago when, as a CEO of a highly successful transportation company, he served on a Chamber of Commerce Charter Review Committee. He recognized and understood the issues of mayoral power and the structural limitations under the old charter. When Wardy ran for mayor in 2003, he understood the frustration that existed under the old system. Rather than have a blue ribbon panel decide, however, he wanted the issue to be discussed openly and ultimately in the community and to allow the citizens to decide. “I told people that if they were happy with the way things were run the last twenty-five years to go ahead and vote no,” he said. “But if they dared to

dream, to make El Paso the progressive city it could be, then consider voting yes.”

The process of moving the change forward included a number of community forums throughout the city. Charter change was one topic of many. The Chamber of Commerce took the lead on setting up the forums, and it helped that citizens presented the pros and cons of changing the form, not government officials and staff. Virtually all those interviewed stated that the mayor’s selflessness and willingness to let go of power and allow the citizens to decide for themselves was absolutely critical to success. The forums were well attended, with as many as sixty participants, and were informational rather than advocating for the change. Once the ballot measures were fixed, citizens drove the campaign. Private dollars were used to mail additional information to residents. The media was helpful with its balanced reporting leading up to the election. Prior to the election, the newspaper endorsed the idea in an editorial.

When asked by a local reporter if he felt undermined by the citizens’ vote, Mayor Wardy said it wasn’t about power, but about the community and the city’s potential.

Although there was no organized opposition, there was as expected, a small number of vocal citizens who were uncomfortable about the change. Their main concern focused on accountability, that the city manager was appointed and not elected and therefore citizens couldn’t vote the manager out of office if he or she was ineffective. Knowledgeable citizens explained that five voting members of the council could remove the city manager or six members could override a veto of the mayor if the constituents felt the city manager wasn’t doing a good job.

The turnout for the election was low, only 8 percent, but not historically low for El Paso city elections.

Those who did vote were the dedicated residents who saw the value in making their vote count. Those interviewed still felt, though, that most people still did not fully understand the charter change, another common reality with citizens regarding government structure. Citizens did understand, however, that the old system was not working as well as they desired. Wardy himself was surprised that the citizens approved the change. When asked by a local reporter if he felt undermined by the citizens' vote because after all, it was perceived as a reduction in the mayor's power, Wardy said it wasn't about power, but about the community and the city's potential. "I was thrilled that it passed," he said. "I didn't need power. It was simply a selfless act with the best interests of the community in mind."

### Making the Transition

Following the passage of the change, a small transition committee made up of two council members, the new mayor's executive assistant, and a governmental affairs staff member were convened to develop the change process. The committee focused on the process of hiring an experienced city manager and on the nuts and bolts of the transition to a council-manager government. A search firm was hired. Charter expert Terrell Blodgett, professor emeritus from the LBJ School of Public Affairs and an honorary life director and former chair of the National Civic League, met with staff to address internal transition questions and issues, most of which the committee left for the city manager to address after being hired. This approach made hiring an experienced city manager with knowledge of the required infrastructure a crucial element for success—a must.

"The [transition] committee wanted someone who could help professionalize city government, who could streamline operations, help with responsiveness with procedures like licensing, someone who could look at cost controls while keeping the customer responsiveness," explained Kathleen Staudt, professor of political science and director for civic engagement at the University of Texas, El Paso (UTEP). "Someone

who could help facilitate partnerships and convene common interests was needed. Someone who could make things less political and look out for the broader interests."

That person was Joyce Wilson, the former deputy county manager for Arlington, Virginia. Her background included an eight-and-a-half-year tenure as city administrator of Yuma, Arizona, and nearly four years as assistant city manager for the City of Richmond, Virginia. She had the varied professional skill set that El Paso was looking for. There was a consensus among the transition committee and council in choosing Wilson.

Among staff, most of the directors were excited with the change in form, but there was some hesitancy. Some city staff members were concerned there wouldn't be a change in the way business was conducted, only a change in titles and structure. There was also some concern that the council wouldn't fully embrace the form because it meant giving up authority.

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But since the new hire, that perception has changed. Wilson feels the staff has begun to align behind her as they have observed her willingness to invest and empower them in their work. There are still unanswered questions with regard to the budget and how much money needs to go into the Office of City Manager and how much staff the mayor and council should have in place. Some decisions on staffing vacancies will have to be made once a thorough internal review is complete.

"The staff were afraid they were going to hire some hack that would turn something they knew into a nightmare," said Austin. "It hasn't happened at all.

They trust [Joyce Wilson's] ability and that the process in hiring her was fair and intelligent."

"The city manager has been very strong, focused, and driven," confirmed Patricia Aduato, deputy city manager for building and planning services. "In recent months, they have seen substantive changes. In the past, they reported not only to the mayor and every representative but also the CAO, and thus had many, many bosses. Now they work for Joyce. She has helped reduce the pressure that council had placed on the departments on different issues with different direction."

"Having a manager has allowed certain priorities to get addressed more quickly than before," Wilson explained. "Even when I came in there was nothing in place. I knew where to look because of my background in government."

The transition has been relatively smooth, but the changes in norms and procedures have posed new challenges. "Everyone has a way to go as far as clarifying roles and responsibilities of city manager, mayor's office, and council," observes Staudt. "There may be a rough process ahead as far as clarifying those roles and responsibilities. The mayor's office may lose some authority and maybe some staff. With council, there will be some concern as far as serving their constituents, intervening and helping people with their eye on the prize of the next election."

"The change in role is still in process. Everyone knows the transition is going to take a while. I'm very encouraged because I see all of the city representatives, the mayor, the city manager, and department heads making an effort to blend into an efficient form of government where everyone knows what their roles are, understands the protocols, everyone is courteous," said Cobos. "It will take us a while to blend into a well-oiled city government. But no one is trying to divide or poison the waters. Everyone wants to make things work. The honeymoon is still happening."

The change in roles and responsibilities affects staff and council members. Staff members are adapting to their different relationship and protocols with the elected officials, whereas they used to report directly to council on a day-to-day basis and are working through the confusion as to what is appropriate and what is inappropriate. Questions that emerged among staff involved protocols with council on areas such as whether staff members could meet with them (yes) and could council continue to make decisions for the staff (no). The change requires laying out new ground rules for both council and staff. From a direction standpoint for staff, it was a helpful exercise that added clarity. Now they are working for the city manager.

The council is now exploring exactly what these changes mean. "New protocols were unfamiliar to them where they could no longer direct, and that the city manager was to do that," commented R. Alan Shubert, building permits and inspections director. "They now realize it doesn't change their ability to get things done. It adds a step to the process but it allows a lot more coordinated management approach to the city's day-to-day function."

"I can't speak for other people but I think the main thing is I copy (the city manager) on everything, says city council member Austin. "There's a lot more things that I can leave at her doorstep and she gets the staff to be very responsive. To me it's working as well or better than if I call the staff. Now they have to perform for someone who's actually going to evaluate their effectiveness. Before, when there was an issue to be addressed, we used to have to play chase. Now Joyce can coordinate the right departments to get it done."

Other areas to watch exist in some departments such as the Office of City Attorney, which continues to operate somewhat autonomously as before. Other challenges are on the horizon. But the attitude is that change is a process and not an event. "Nobody is surprised that things aren't going to

happen easily or overnight,” said Goodman. “We were moving in a certain direction before Joyce got there in the area of personnel. We hired a new finance person who was a finalist with Joyce for the city manager position. Joyce is providing the effort to bring in new people. “Joyce is not there as a hatchet person. She is trying to take things off the council that they don’t need to mess with that can be given to her or other people so they can focus on bigger issues.”

Goodman added, “There are lots of good people and good department heads. The main thing is council can focus on big issues for their district. I don’t think there is anything that will stop things from progressing the way that people want it to.”

### Support from the Community

The key word is progress. The community of El Paso continues to be supportive. A key indicator of the support is the apparent lack of controversy surrounding the change at all levels. There was no controversy over the selection of a city manager or complaints over her salary and contract. “We were concerned that process would be painful and controversial,” says Gilbert. “But it simply didn’t happen.”

“The El Paso community has been very supportive,” said Wilson. “Wherever I go people say whatever you need let us know and we’ll help you. The community is really pumped by the opportunity the change presents and they see this as a real opportunity to change the government.”

New staff members are being hired to fill key positions. A deputy manager has been hired and the position of administrative assistant to the city manager has been filled. A series of new ordinances to delegate the authority officially to the manager have been adopted. Wardy feels that within the next six months, the council and Joyce Wilson will need to compile a list of areas where they share responsibility and focus on how to work in those areas. Wilson said the expanded audit has been recently complet-

ed and it identified additional procedures that need to be put in place.

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“The changes have been dramatic. Directors and staff are now saying, ‘Hey, this might actually work!’” commented Adatao. “There is a renewed excitement about possibilities in departments. There had to be changes in how departments functioned. In the very short time Joyce has made a lot of positive change. Staff is reinvigorated. If the last few months are any reflection, it is going to be hugely successful.”

“Staff welcomes the change.” Shubert says, “The most profound difference is we are able to move things along a lot quicker. The city manager now has the authority to approve things that used to have to go to the mayor and sometimes in front of the mayor and council. From a citizens and staff standpoint, we are going to see a more responsive government to move things along faster.”

“The community loves Joyce,” added Austin. “She comes across as very professional. The staff is much more professional. She is bringing out the best in people. Joyce has a keen eye on where improvements need to take place.”

### Lessons from El Paso

The experience of the change has provided a learning laboratory for other municipalities considering similar moves, and valuable advice has emerged. Wilson feels that communities considering a change in form should first bring in a municipal attorney who understands the council-manager form of government to go through the charter and write the amendment. In El Paso, city officials have discovered conflicts within the charter between the old model and the new model they were trying to instill.

“I’d advise that the minute the change passes, put together a transition group and bring in some outside resources to get the systems in place before you bring the manager on board,” said Wilson. “A challenge has been that I don’t have the luxury to manage while I am dealing with all of these aspects.”

“What has happened is that the CM is also to be the person who figures out how to transition the government into a true council manager form,” said Gilbert. “It’s not enough to just change a few provisions in a city charter. You need to go through your entire codes, analyze and review procedures and policies, both ones that are there that need to be changed and those that aren’t there that may need to be drafted.”

An advantage is the mutual understanding among the key players that the transition is a work in progress. In hiring Wilson, folks were looking for her to teach as well as manage. “We are looking to Joyce to identify and explain what needs to be done differently,” said Austin. “They don’t have a lot of preconceived ideas of how things are going to be done differently, but we are reliant on the city manager to walk everyone through with a relatively gentle hand. But someone that understands change is a process.”

“One of the practical realities is that the first year will be focused on the transition, and the city man-

ager cannot get as much accomplished as she could have because she is spending a year on the legal framework of establishing a council-manager form of government,” added Gilbert.

In Wardy’s words, El Paso is a community that dared to dream. Power was set aside for what was considered best for the city to accomplish the challenges facing it. “El Paso, being a very unique big city on the Mexican, New Mexico border, has a lot of very complex issues to deal with,” Cobos says. “There are a lot of state issues, international issues and at this point and time I’m confident that the public made the right decision. Any city who wants to do better should look at a city manager form of government.”

“I feel honored and privileged to be the first one to lay the groundwork for what will be a successful experiment,” said Wilson. “It’s an awesome responsibility because the community is so excited about this change that I feel a huge obligation to make sure we don’t let them down. I’m committed 1,000 percent for how long or how hard I have to work to do what we need to do.”

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*Derek Okubo is vice president of the National Civic League.*

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