

**SO YOU WANT TO BE AN
ELECTED MUNICIPAL OFFICIAL...**

What you need to know first



Introduction

Why are you running for election to a local office?

This is a question you may be asked many times and one you must carefully answer.

People often run for office because they are deeply committed to their city or town and want to influence the community's direction. At times, people run because they are passionate about a single issue or problem.

However, once the election is over, things change. Candidates who ran on a single issue or their passion, find themselves responsible for a much broader array of challenges, services and programs once they are elected.

Holding a public office is an act of service to the public - that is, service to all the residents of a city or town, not just those who share your views or those who voted for you. It is a challenge that requires every office holder to rise above the fray, to reach beyond comfort zones, and to work with others with whom they may have significant differences.

Rising to that challenge is what makes democracy work. It's what makes shaping our shared future possible. It's what others have done before us. And it's what has made our cities and towns places we can be proud of.

Working as part of a team

Getting elected as a councilmember, alderman, commissioner or mayor brings a special status. It also comes with a special obligation to look beyond yourself and cultivate the qualities of collaboration, teamwork, and civility.

Elected officials set the tone for the civic life of their community. When elected officials demonstrate how to differ with one another respectfully, find principled compromises, and focus on the common good, community members often will too. When elected officials get mired in blame, recrimination, or division, civic progress can grind to a halt, and the city's sense of common purpose can fracture.

To govern well, elected leaders must help each other and the public stay focused on the future and on the common good. That can be an uphill struggle when the passions of the moment lead to demands for instant solutions, or when there is a deep division over a single issue that threatens to push longer term problems aside. There will always be occasions when elected officials differ among themselves. But the mark of leadership is the ability to handle those differences in ways that move the agenda forward, build trust, and create a civic culture of mutual respect that makes progress possible.

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Roles and Responsibilities

Cities and towns provide services that are vital to community health, safety, and economic activity. While specific services may vary, most cities and towns provide public safety, land use and planning, parks, and public works such as street maintenance and construction, water, sewer, and/or stormwater management. Understanding the role of elected officials is critical to ensure proper planning, oversight, and delivery.

Working with other jurisdictions

City and town elected officials' jobs don't stop at the city/town limits. The municipality's streets must connect with county roads and state highways. Similarly, municipalities must work with other jurisdictions and many levels of government to achieve collective goals. In some cases, this can involve complex, technical inter-jurisdictional agreements for services such as public safety, sewage treatment, or other utilities.

Cities and towns must abide by state and federal regulations, and can benefit from state and federal funding programs. There may also be special purpose districts for fire protection, ports, sewer and water, cemeteries, libraries, and a host of other specific functions that interact with city government. Residents have the right to expect that these relationships are well managed, efficient, and collaborative, and it's up to elected officials to make this happen.

Celebrating community achievements and promoting civic pride

City and town elected officials also serve as champions for civic achievement. By appearing at ribbon cutting ceremonies, participating in charity events, and attending celebrations of student achievement, elected officials bring recognition and attention to the values of civic

engagement and individual accomplishment. This might not be in the official version of the elected leader's job description, but it is an important part of how elected leaders can bring out the best in their communities and strengthen the traditions that build civic pride.

Policy making vs. administration

Councils/commissions are legislative bodies – that is, they are elected to make major policy decisions and pass budgets. So the basic job of councilmembers is to find the balance among themselves that represents the best interests of the majority of residents, while respecting the rights of all.

Councilmembers make policies, but mayors (in mayor-council cities/towns) and city managers (in council-manager cities/towns) are responsible for policy implementation and administration. Learning the difference between two key functions – policy making and administration – and respecting the boundaries between them is critical to a well-run government.

The separation of powers between legislative and administrative functions serve not only as a check on the exercise of authority between the two branches of local government, but also as a way to promote their efficient day-to-day operation and staff direction.

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Understanding your municipal form of government and classification

The structure of the government for a particular city or town defines the specific responsibilities of elected officials. Every municipality falls into *or is a combination* of one of several forms of government, outlined below. It's essential to know which form generally defines your municipality's government structure.*

Weak Mayor-Council:

- Mayor serves as president/ chairman and presides over council but has no veto power
- Council (including mayor) appoints all officers and department heads
- Entire council, not just the mayor, has management authority (i.e., administrative oversight, appointments, budget)

Strong Mayor-Council:

- Mayor designated as chief executive of administrative branch
- Council designated as legislative branch and Mayor has veto power

- Mayor has management authority and all administrative officials and employees are ultimately responsible to the mayor

Council-Manager:

- Mayor serves as president or chairman in presiding over the council and serves as ceremonial leader while the Council hires professional manager to be chief executive officer
- City manager, as chief executive/administrative officer, is responsible for the supervision of all departments and functional operations
- Council has oversight function and general responsibility for municipal affairs through budgeting and setting policy

Commission:

- Commissioners have administrative functions
- Commissioners serve as department heads and have management authority
- Administrative accountability is completely decentralized

Ethics

Even though you may consider yourself an ethical person, there are certain aspects of Maryland ethics law of which you should be aware; and even some that may require you to complete and submit forms regarding your activity.

Generally, municipalities in Maryland that have a population above 1,800 must enact an ordinance that meets the State's ethics criteria. These ethics ordinances cover locally elected officials, candidates for office, and some employees. Provisions of these ethics ordinances include:

- Financial Disclosure
- Prohibited Conduct and Interests
- Lobbying
- Local Ethics Commission

Financial Disclosure – Elected officials as well as those running for office must complete an annual financial disclosure statement. The person's statement must include:

- interest in real property,
- interest in businesses (particularly those doing business with the town),
- acceptance of gifts,
- employment or indebtedness to entities that do business with the town,
- employment with the town, and
- sources of income.

Some of these financial disclosures apply to immediate family members as well. These financial disclosure forms are retained and made accessible to the public for a certain duration, as dictated by state statute and/or town ordinance or code.

*Most Maryland cities and towns, through their governing charters, have a hybrid of the "pure" forms listed, taking what the municipal leaders feel are the best attributes of each form to best match the needs of the community.

Prohibited Conduct and Interests –

An elected official may not participate in any matter in which the official or qualified relative has an interest, with some exceptions. This provision is designed to eliminate conflicts of interest, primarily with regard to the official and outside businesses. If a conflict arises, officials must recuse themselves and disclose the nature of the conflict.

For municipal officials, there are also restrictions on outside employment and business interests that deal directly with the town both while in office and after leaving elected office. Officials also may not solicit gifts or use their prestige of office for personal gain.

Lobbying – A smaller subset of those municipalities that are required to have an ethics ordinance are also required to have a lobbying provision. This provision requires lobbyists to register as such and file activity and special gift reports.

Local Ethics Commission – Municipalities required to have an ethics ordinance also establish a municipal ethics commission. The commission interprets the ethics ordinance and provides advice to those subject to it. It also hears complaints regarding alleged violations and in some cases takes enforcement action. Financial disclosure statement and lobbying forms are kept by the local ethics commission.

Maryland Open Meetings Act

If you are a local elected official, you are a member of a public body and therefore subject to the Open Meetings Act (OMA). The goal of the OMA is to bring transparency to government by having public business discussed in a public forum with citizen participation.

There are many nuances to the OMA, but following these steps will help to comply with the law:

- Provide advance public notice of the meeting
- Hold the meeting open to the public
- Prepare minutes
- Designate an OMA trainee and obey training requirements, and
- If necessary, follow procedure to enter a closed session of the meeting

The entire OMA may be viewed online at www.marylandattorneygeneral.gov.

Maryland Public Information Act

In another effort for government transparency, the Maryland Public Information Act (MPIA) allows citizens to request access to public documents, and in most scenarios the governmental entity must grant the request, with some exceptions. The range of public records is broad and includes any documentary material made or received by the agency in connection with the transaction of public business in any form. The MPIA has detailed procedures and criteria that need to be followed during the review and dissemination/denial process. The entire MPIA may be viewed online at www.marylandattorneygeneral.gov.

Training

The Maryland Municipal League offers in-person training on both the MPIA and OMA through workshops at our summer and fall conferences. Online training for the OMA is also available through the website of the Maryland Office of the Attorney General.

Implementing Policy

Adopting a city budget

One of the most challenging tasks for local elected officials is developing and adopting annual budgets. They can be complex and technical documents, but budgets are important expressions of a city or town's vision, values, priorities, and strategic goals.

Budgets are also a tool for evaluating past performance, as elected leaders and staff make note of what was accomplished in the past year and how actual costs compared to estimated projections.

Mastering the budget process can be a steep learning curve for newly-elected leaders. There are guiding state laws about the timing and content of city budgets. Once in office, elected officials soon find that the budget is such an important policy document that they can't be effective unless they fully understand it, and can explain it to their constituents.

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Publications and Resources

You can find many materials, publications, and other resources online. Below are a few highlighted resources that may be of value to you even before becoming an elected leader.

- Maryland Municipal League
www.mdmunicipal.org
- *Quick Guide for Maryland Municipal Officials*
Online primer found on our website under “Information for New Officials”
- *Municipal Maryland Magazine*
MML’s magazine features articles on timely topics relevant to cities/towns. Copies of the magazine can be found on the League’s website.

Training opportunities

After getting elected, the Maryland Municipal League offers regional workshops and statewide conferences to help you learn important laws and hone skills to become a more effective leader.

Our premiere training includes:

Annual Summer Conference
June (Ocean City)

Annual Fall Conference
Traditionally in October
(Location varies)

MML offers the **Academy for Excellence in Local Governance**, a voluntary certificate training program in partnership with the University of Maryland’s School of Public Policy for municipal officials designed to help officials meet the challenges of their roles. Academy courses are offered at the League’s two annual training conferences.

They include core offerings on:

- Basics of Risk Management
- Conducting Effective Meetings
- Consensus & Team Building
- Employment Issues
- Ethics
- Municipal Budgeting
- Open Meetings
- Public Information Act
- Structure of Municipal Government



THE
MARYLAND
MUNICIPAL
LEAGUE

Located in the state capital of Annapolis, MML was founded in 1936 and represents 157 municipal governments and two special taxing districts throughout the State of Maryland.

A voluntary, nonprofit, nonpartisan association controlled and maintained by city and town governments, MML works to strengthen and support municipal government through advocacy and the development of effective leadership.

Through its membership in the National League of Cities, MML offers legislative representation in Washington, urban research programs, and a national municipal government information exchange.

MML is the only statewide organization in Maryland composed solely of municipal officials and devoted to the promotion of all branches of municipal administration.

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