

|AGENDA Monday, February 8, 2010
|Charter Revision
|Cargegie Town Hall
|Commission
|Tenth Street

8:30 a.m. at
235 West

Call To Order

Approval of Minutes

A. DOC: A. FEBRUARY 5, 2010 MINUTES

Public Input

Old Business

A. PRESENTATION/APPROVAL OF COMMISSION'S SUMMARY REPORT AND OFFICIAL BALLOT
2010 INCLUDING BALLOT ADDENDUM FOR CITY COUNCIL

Doc: Summary Report

Doc: Revised Summary Report

Doc: Official Ballot 2010

Doc: Revised Official Ballot

Doc: Ballot Addendum for City Council

Doc: Revised Ballot Addendum for City Council

New Business

A. ESTABLISH FUTURE MEETING DATE, IF NECESSARY

Adjournment

Date: 2010-02-08
SIRE Meeting ID: 1202
Meeting Type: Charter Revision Commission

YouTube:<https://youtu.be/O5ePGqeFzDM>
Agenda Item: Not Assigned
Item ID: 53377

The following document(s) are public records obtained from the
City of Sioux Falls.

MINUTES

Friday, February 5, 2010

Charter Revision
Commission

1:30 p.m. at Carnegie Town
Hall
235 West Tenth Street



Members Present: Tam Baker, Bill Earley, Dick Gregerson, Pam Miller, and Lon Stroschein.

Members Absent: None.

Staff Present: R. Shawn Tornow, Assistant City Attorney, Cari Hanzel, Paralegal, and Tamara Jorgensen, Assistant City Clerk.

1. Call To Order

Chairman Gregerson called the meeting to order at 1:30 p.m.

2. Approval of Minutes

A. January 26, 2010, Minutes

A motion was made by Bill Earley and seconded by Lon Stroschein to approve the minutes.

Vote to approve the minutes. Roll Call: Yeses, Tam Baker, Bill Earley, Dick Gregerson, Pam Miller, Lon Stroschein, 5. Noes, 0. **Motion Passed.**

3. **Public Input**

Mary Glenski stated that ballot language should include the over struck/underlined verbiage so that citizens can better understand what they are voting on. Discussion followed.

4. **Old Business**

A. Further discussion and possible vote on proposal regarding Charter § 6.03

Attachment: 4A

Owen discussed this item regarding initiated measures and charter revision amendments proposed by the public.

A motion was made by Tam Baker and seconded by Bill Earley to withdraw Item 4A.

Vote to withdraw Item 4A. Roll Call: Yeses, Tam Baker, Bill Earley, 2. Noes, Dick Gregerson, Pam Miller, Lon Stroschein, 3. **Motion Failed.**

Additional discussion was held regarding this item with a focus on the drafting of the language.

A motion was made by Pam Miller and seconded by Bill Earley to withdraw Item 4A . Vote to withdraw Item 4A . Roll Call: Yeses, Tam Baker, Bill Earley, Pam Miller, 3. Noes, Dick Gregerson, Lon Stroschein, 2. **Motion Passed.**

B. Further discussion and possible vote on potential revision to Charter § 5.04

Attachment: 4B

Discussion was held regarding the proposed amendment to add "The city council may require additional information or details about the Mayor's budget proposal". Tom Huber, Assistant Director of Finance, discussed this item with the Commission.

A motion was made by Tam Baker and seconded by Pam Miller to approve Item 4B. Vote to approve Item 4B. Roll Call: Yeses, Tam Baker, Dick Gregerson, Pam Miller, Lon Stroschein, 4. Noes, Bill Earley, 1. **Motion Passed.**

5. New Business

A. Any additional proposals for consideration

Earley brought forward a proposal to change the required amount of signatures on nominating petitions from 100 signatures to 50 signatures for district vacancies only. This item is already scheduled for a second reading on the City Council Agenda dated February 8, 2010.

Discussion was held regarding open meeting laws and posting notices to the public about agenda items.

Discussion held regarding the process for the City Council to bring forward Charter Revision amendments.

Discussion was held regarding the proposed ordinance scheduled for the City Council Meeting regarding this same subject. Owen updated the Charter Revision Commission about the timeline and the amount of times this proposal has been discussed in public formats.

Discussion held about whether or not this item was discussed in advance. Discussion held about whether or not it should be noted on the ballot that this item was brought forward by the Council and not the Charter Revision Commission.

A request was made by the Commission Members that future communications improve between city departments. Earley requested that the City Council bring proposed amendments to the Charter Meetings vs. on their own. He also stated that he felt amendments should be differentiated on the ballot between what is recommended by the Charter Revision Commission and what is recommended by the City Council.

A motion was made by Bill Earley and seconded by Pam Miller to withdraw Item 5A .
Vote to withdraw Item 5A . Roll Call: Yeses, Tam Baker, Bill Earley, Dick Gregerson,
Pam Miller, Lon Stroschein, 5. Noes, 0. **Motion Passed.**

B. Discussion about preparation of the proposed ballot and summary report

Discussion held regarding a recent proposal from the Finance Department which was received by the City Attorney's Office yesterday. However, due to time constraints, it will not be considered at this time.

Discussion held regarding the timeline for the ballot language. There are two items to be proposed for the ballot and the language will be sent via email to the Commission Members this weekend for their review. The final review will be completed on Monday, February 8, 2010, at the 8:30 a.m. Charter Revision Commission Meeting.

6. Adjournment

A motion was made by Pam Miller and seconded by Tam Baker to adjourn the meeting at 2:45 p.m .

Vote to adjourn the meeting at 2:45 p.m . Roll Call: Yeses, Tam Baker, Bill Earley, Dick Gregerson, Pam Miller, Lon Stroschein, 5. Noes, 0. **Motion Passed.**

A. Future Charter Revision Commission Meetings: FEBRUARY 8, 2010, AT 8:30 A.M.

Tamara Jorgensen, CMC

Assistant City Clerk

Date: 2010-02-08
SIRE Meeting ID: 1202
Meeting Type: Charter Revision Commission

YouTube:<https://youtu.be/O5ePGqeFzDM>
Agenda Item: Not Assigned
Item ID: 53381

The following document(s) are public records obtained from the
City of Sioux Falls.



Date: February 8, 2010

Contact: Sioux Falls City Attorney's Office, or
charterrevisioncomments@siouxfalls.org

Phone: (605) 367-8880

***CHARTER REVISION COMMISSION SUMMARY REPORT
PRIOR TO APRIL 13, 2010, BALLOT PROPOSALS***

Sioux Falls, South Dakota: The fourth Sioux Falls Charter Revision Commission, appointed in August 2007 by the Mayor with the advice and consent of the City Council, has conducted eleven public meetings since May of 2008 (following the public's approval of a number of Charter revisions in April, 2008) in order to assist them in preparing a report of proposed revisions to the City's Charter in 2010. The Commission is prepared to deliver the proposed revisions to City election authorities for placement on the upcoming April 13, 2010, ballot.

During the course of their public meetings, the Charter Revision Commission considered various Charter revision proposals brought forward by city departments, council members, Charter Revision Commission members and/or citizens. After review and discussion about the various proposals, the Commission decided that some of the issues which were raised warranted further review and were therefore either withdrawn or taken under advisement for further research and discussion by the Commission following the

upcoming election. After discussion and debate, the Commission affirmatively voted to advance two proposed measures which, following delivery and filing with the City Council, will be presented to the public for further consideration and, ultimately, to be voted on by city voters.

The two proposed revisions to the Charter which will serve to clarify the form or format of the Mayor's budget submission to the City Council each year as well as specifying who is eligible to serve on the City's districting commission, as most recently considered and approved by the Charter Revision Commission, will be presented in the form of Charter Amendments to city voters for their consideration in the upcoming city election. City voters have previously approved a number of revisions to the City Charter in 1996, 2000, 2004 and 2008. The City's Charter is the broad governing document for the conduct of local municipal government in Sioux Falls.

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Date: 2010-02-08
SIRE Meeting ID: 1202
Meeting Type: Charter Revision Commission

YouTube:<https://youtu.be/O5ePGqeFzDM>
Agenda Item: Not Assigned
Item ID: 53382

The following document(s) are public records obtained from the
City of Sioux Falls.



Date: February 8, 2010

Contact: Sioux Falls City Attorney's Office, or
charterrevisioncomments@siouxfalls.org

Phone: (605) 367-8880

***CHARTER REVISION COMMISSION SUMMARY REPORT
PRIOR TO APRIL 13, 2010, BALLOT PROPOSALS***

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During the course of their public meetings, the Charter Revision Commission considered various Charter revision proposals brought forward by city departments, council members, Charter Revision Commission members and/or citizens. After review and discussion about the various proposals, the Commission decided that some of the issues which were raised warranted further review and were therefore either withdrawn or taken under advisement for further research and discussion by the Commission following the

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Date: 2010-02-08
SIRE Meeting ID: 1202
Meeting Type: Charter Revision Commission

YouTube:<https://youtu.be/O5ePGqeFzDM>
Agenda Item: Not Assigned
Item ID: 53383

The following document(s) are public records obtained from the
City of Sioux Falls.

Charter Amendment Election
- Official Ballot -
April 13, 2010

The following amendments to the Sioux Falls City Charter have been proposed by the City's Charter Revision Commission.

Instructions to Voters:

Voters desiring to vote in favor of the proposed amendment should completely blacken the oval (Φ) immediately preceding the word "Yes."

Voters desiring to vote against the proposed amendment should completely blacken the oval (Φ) immediately preceding the word "No."

Amendment A

Shall Section 5.04 be amended to read:

The budget shall provide a complete financial plan of all city funds and activities for the ensuing fiscal year and, except as required by law or this charter, shall be in such form as the mayor deems appropriate. The city council may require additional information or details about the mayor's budget proposal. The budget shall begin with a clear general summary of its contents; shall show in detail all estimated income, indicating the proposed property tax levy, and all proposed expenditures, including debt service, for the ensuing fiscal year; and shall be so arranged as to show comparative figures for actual and estimated income and expenditures of the current fiscal year and actual income and expenditures of the preceding two (2) fiscal years. It shall indicate in separate sections:

City Attorney's Explanation of Amendment A

The proposed change, as approved and submitted by the Charter Revision Commission, clarifies that the mayor will determine the appropriate format of his annual budget submission to the city council and also specifies that city council members may thereafter inquire and obtain any necessary information about the mayor's budget proposal.

Shall the City of Sioux Falls adopt Amendment A?

Φ Yes

Φ No

Amendment B

Shall Subsections (1) and (4) of Section 6.02(b) be amended to read:

- (b) Districting commission; composition; appointment; terms; vacancies; compensation.
- (1) There shall be a districting commission consisting of five (5) members. No more than three (3) commission members may belong to the same political party. The city council shall appoint five (5) members, one member from each of the city's five districts. These five (5) members shall, with the affirmative vote of at least three (3) members, choose one of their members who shall serve as chair person.
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- (4) In the event of a vacancy on the commission by death, resignation, incapacity, or moving out of the district within 30 days of their appointment, the city council shall appoint a new member enrolled in the same political party and from the same city district from which his or her predecessor was selected, to serve the balance of the term remaining.

City Attorney's Explanation of Amendment B

The proposed change, as approved and submitted by the Charter Revision Commission, would require that in the future each appointed districting commission member would have their home residence in a separate city council district in order to allow for representation of each of the five (5) city council districts. In addition, Subsection 4 further clarifies how a vacancy on the districting commission may occur and/or be filled by the city council.

Shall the City of Sioux Falls adopt Amendment B?

Φ Yes

Φ No

Date: 2010-02-08
SIRE Meeting ID: 1202
Meeting Type: Charter Revision Commission

YouTube:<https://youtu.be/O5ePGqeFzDM>
Agenda Item: Not Assigned
Item ID: 53384

The following document(s) are public records obtained from the
City of Sioux Falls.

Charter Amendment Election
- Official Ballot -
April 13, 2010

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Instructions to Voters:

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Amendment A

Shall Section 5.04 be amended to read:

The budget shall provide a complete financial plan of all city funds and activities for the ensuing fiscal year and, except as required by law or this charter, shall be in such form as the mayor deems appropriate. The city council may require additional information or details about the mayor's budget proposal. The budget shall begin with a clear general summary of its contents; shall show in detail all estimated income, indicating the proposed property tax levy, and all proposed expenditures, including debt service, for the ensuing fiscal year; and shall be so arranged as to show comparative figures for actual and estimated income and expenditures of the current fiscal year and actual income and expenditures of the preceding two (2) fiscal years. It shall indicate in separate sections:

City Attorney's Explanation of Amendment A:

The proposed change, as approved and submitted by the Charter Revision Commission, clarifies that the mayor will determine the appropriate form or format of the annual budget submission to the city council and also specifies that city council members may thereafter inquire and obtain any necessary information about the mayor's budget proposal.

Shall the City of Sioux Falls adopt Amendment A?

Φ Yes

Φ No

Amendment B

Shall Subsections (1) and (4) of Section 6.02(b) be amended to read:

- (b) Districting commission; composition; appointment; terms; vacancies; compensation.
- (1) There shall be a districting commission consisting of five (5) members. No more than three (3) commission members may belong to the same political party. The city council shall appoint five (5) members, one member from each of the city's five districts. These five (5) members shall, with the affirmative vote of at least three (3) members, choose one of their members who shall serve as chairperson.
-
- (4) In the event of a vacancy on the commission by death, resignation, incapacity or moving out of the district within 30 days of his or her appointment, the city council shall appoint a new member enrolled in the same political party and from the same city district from which his or her predecessor was selected, to serve the balance of the term remaining.

City Attorney's Explanation of Amendment B:

The proposed change, as approved and submitted by the Charter Revision Commission, would require that in the future each appointed districting commission member would have his or her home residence in a separate city council district in order to allow for representation of each of the five (5) city council districts. In addition, Subsection 4 further clarifies how a vacancy on the districting commission may occur and/or be filled by the city council.

Shall the City of Sioux Falls adopt Amendment B?

Φ Yes

Φ No

Date: 2010-02-08
SIRE Meeting ID: 1202
Meeting Type: Charter Revision Commission

YouTube:<https://youtu.be/O5ePGqeFzDM>
Agenda Item: Not Assigned
Item ID: 53385

The following document(s) are public records obtained from the
City of Sioux Falls.

Charter Amendment Election
- Ballot Addendum for City Council -
April 13, 2010

The following amendments to the Sioux Falls City Charter have been proposed by the City's Charter Revision Commission.

Instructions to Voters:

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Voters desiring to vote against the proposed amendment should completely blacken the oval (Φ) immediately preceding the word "No."

Amendment A

Shall Section 5.04 be amended to read:

The budget shall provide a complete financial plan of all city funds and activities for the ensuing fiscal year and, except as required by law or this charter, shall be in such form as the mayor deems appropriate. The city council may require additional information or details about the mayor's budget proposal. The budget shall begin with a clear general summary of its contents; shall show in detail all estimated income, indicating the proposed property tax levy, and all proposed expenditures, including debt service, for the ensuing fiscal year; and shall be so arranged as to show comparative figures for actual and estimated income and expenditures of the current fiscal year and actual income and expenditures of the preceding two (2) fiscal years. It shall indicate in separate sections:

City Attorney's Explanation of Amendment A

The proposed change, as approved and submitted by the Charter Revision Commission, clarifies that the mayor will determine the appropriate format of his annual budget submission to the city council and also specifies that city council members may thereafter inquire and obtain any necessary information about the mayor's budget proposal.

Shall the City of Sioux Falls adopt Amendment A?

Φ Yes

Φ No

Amendment B

Shall Subsections (1) and (4) of Section 6.02(b) be amended to read:

- (b) Districting commission; composition; appointment; terms; vacancies; compensation.
- (1) There shall be a districting commission consisting of five (5) members. No more than three (3) commission members may belong to the same political party. The city council shall appoint five (5) members, one member from each of the city's five districts. These five (5) members shall, with the affirmative vote of at least three (3) members, choose one of their members who shall serve as chairperson.
- (4) In the event of a vacancy on the commission by death, resignation, incapacity, or moving out of the district within 30 days of their appointment, the city council shall appoint a new member enrolled in the same political party and from the same city district from which his or her predecessor was selected, to serve the balance of the term remaining.

City Attorney's Explanation of Amendment B

The proposed change, as approved and submitted by the Charter Revision Commission, would require that in the future each appointed districting commission member would have their home residence in a separate city council district in order to allow for representation of each of the five (5) city council districts. In addition, Subsection 4 further clarifies how a vacancy on the districting commission may occur and/or be filled by the city council.

Shall the City of Sioux Falls adopt Amendment B?

Φ Yes

Φ No

Date: 2010-02-08
SIRE Meeting ID: 1202
Meeting Type: Charter Revision Commission

YouTube:<https://youtu.be/O5ePGqeFzDM>
Agenda Item: Not Assigned
Item ID: 53386

The following document(s) are public records obtained from the
City of Sioux Falls.

Charter Amendment Election
- Ballot Addendum for City Council -
April 13, 2010

The following amendments to the Sioux Falls City Charter have been proposed by the City's Charter Revision Commission.

Instructions to Voters:

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Voters desiring to vote against the proposed amendment should completely blacken the oval (Φ) immediately preceding the word "No."

Amendment A

Shall Section 5.04 be amended to read:

The budget shall provide a complete financial plan of all city funds and activities for the ensuing fiscal year and, except as required by law or this charter, shall be in such form as the mayor deems appropriate. The city council may require additional information or details about the mayor's budget proposal. The budget shall begin with a clear general summary of its contents; shall show in detail all estimated income, indicating the proposed property tax levy, and all proposed expenditures, including debt service, for the ensuing fiscal year; and shall be so arranged as to show comparative figures for actual and estimated income and expenditures of the current fiscal year and actual income and expenditures of the preceding two (2) fiscal years. It shall indicate in separate sections:

City Attorney's Explanation of Amendment A:

The proposed change, as approved and submitted by the Charter Revision Commission, clarifies that the mayor will determine the appropriate form or format of the annual budget submission to the city council and also specifies that city council members may thereafter inquire and obtain any necessary information about the mayor's budget proposal.

Shall the City of Sioux Falls adopt Amendment A?

Φ Yes

Φ No

Amendment B

Shall Subsections (1) and (4) of Section 6.02(b) be amended to read:

- (b) Districting commission; composition; appointment; terms; vacancies; compensation.
- (1) There shall be a districting commission consisting of five (5) members. No more than three (3) commission members may belong to the same political party. The city council shall appoint five (5) members, one member from each of the city's five districts. These five (5) members shall, with the affirmative vote of at least three (3) members, choose one of their members who shall serve as chairperson.
- (4) In the event of a vacancy on the commission by death, resignation, incapacity or moving out of the district within 30 days of his or her appointment, the city council shall appoint a new member enrolled in the same political party and from the same city district from which his or her predecessor was selected, to serve the balance of the term remaining.

City Attorney's Explanation of Amendment B:

The proposed change, as approved and submitted by the Charter Revision Commission, would require that in the future each appointed districting commission member would have his or her home residence in a separate city council district in order to allow for representation of each of the five (5) city council districts. In addition, Subsection 4 further clarifies how a vacancy on the districting commission may occur and/or be filled by the city council.

Shall the City of Sioux Falls adopt Amendment B?

Φ Yes

Φ No