

# Charter Amendment Election

## - Official Ballot -

### April 8, 2014

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

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## 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."

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## Amendment A

Shall Section 2.02(c) be amended to read:

Sec. 2.02 (c). [City Council] Election and terms.

The terms of council members shall be four (4) years beginning ~~on the third Monday no later than whichever day the City Council meets during the third week~~ of May following the official canvass of any final council or mayoral election, whichever is later, and shall continue until a successor has been elected and takes office. No council member may serve more than two (2) full or partial terms consecutively; however, a council member may immediately thereafter be eligible to be a candidate for mayor. The two consecutive term limit shall apply regardless of whether a council member has served as a district or an at large council member or both.

### City Attorney's Explanation of Amendment A:

The proposed change, as approved and submitted by the Charter Revision Commission, would allow scheduling flexibility for City Council terms of office to begin on whichever day the City Council meets during the third week of May immediately following the official canvas of an April municipal election. The current language requires the term to begin on Monday of that third week of May.

*Shall the City of Sioux Falls adopt Amendment A?*

Φ Yes

Φ No

## **Amendment B**

Shall Section 3.02 be amended to read:

Section 3.02 Election and qualifications of mayor.

The mayor shall be elected for a term of four years by a direct vote of the people at the regular city election. No mayor shall serve more than two (2) full or partial terms consecutively; however, the mayor may immediately thereafter be eligible to be a candidate for council member. The mayor's terms shall begin ~~on the third Monday~~ no later than whichever day the City Council meets during the third week of May following the official canvass of the mayor's election and shall continue until a successor has been elected and takes office.

### **City Attorney's Explanation of Amendment B:**

The proposed change, as approved and submitted by the Charter Revision Commission, would allow scheduling flexibility for the mayor's term of office to begin on whichever day the City Council regularly meets during the third week of May immediately following the official canvas of an April municipal election. The current language requires the term to begin on Monday of that third week of May.

*Shall the City of Sioux Falls adopt Amendment B?*

Φ Yes

Φ No

## **Amendment C**

Shall Section 4.03 be amended to read:

Section 4.03 Legal officer.

There shall be a legal officer of the city appointed by the mayor effective with the advice and consent of a majority of the eight members of the council. Notwithstanding Charter Section 2.05(b), the legal officer may be removed by the mayor during the mayor's four-year term of

office only with the consent of a majority of the eight members of the council. The consent of a majority of the council is not required for the expiration of the legal officer's term of office that occurs upon the mayor's expiration of term of office. The legal officer shall serve as chief legal advisor to the city council, the mayor and all city departments, offices and agencies, shall perform any other duties prescribed by state law, by this charter or by ordinance, and shall handle or monitor the representation of the city in legal proceedings.

### **City Attorney's Explanation of Amendment C:**

The first proposed change, as approved and submitted by the Charter Revision Commission, would require that a majority of the eight members of the City Council consent to the Mayor's appointment of the City Attorney. The current language is unclear as to how many Council members must vote to consent to such an appointment. The second proposed change, as approved and submitted by the Charter Revision Commission, would require that a majority of the eight members of the City Council consent to the Mayor's decision to remove the City Attorney during a Mayor's four-year term. Currently, the Mayor has the sole authority to remove the City Attorney at any time. The Mayor would retain the authority to remove the City Attorney without Council consent at the start of the Mayor's second term of office, should the Mayor be re-elected.

*Shall the City of Sioux Falls adopt Amendment C?*

Φ Yes

Φ No