

1st Reading: _____
 2nd Reading: _____
 Date Adopted: _____
 Date Published: _____
 Effective Date: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROPOSING TWO CITY CHARTER AMENDMENTS FOR THE 2022 APRIL ELECTION UNDER THE AUTHORITY OF CHARTER ARTICLE VIII: CHARTER AMENDMENT, SECTION 8.01(b).

BE IT ORDAINED BY THE CITY OF SIOUX FALLS, SD, THE PROPOSED CHARTER AMENDMENTS WILL APPEAR ON THE BALLOT:

Section 1. That Section 2.05(b) of Article II of the City Charter of Sioux Falls, SD, is hereby amended to read as follows:

§ 2.05 PROHIBITIONS.

(b) *Appointments and removal.* Except as authorized by Charter Section 4.03, n~~Neither~~ the city council nor any of its members shall in any manner control or demand the appointment or removal of any city administrative officer or employee whom the mayor or any subordinate of the mayor is empowered to appoint, but the council may express its views and fully and freely discuss with the mayor anything pertaining to appointment or removal of such officers and employees.

Section 2. That Section 4.03 of Article IV of the City Charter of Sioux Falls, SD, is hereby amended to read as follows:

§ 4.03 LEGAL OFFICER.

There shall be a legal officer of the city appointed by the mayor effective with the advice and consent of five (5) or more members of the council~~a majority of the eight members of the council~~. Notwithstanding Charter Section 2.05(b), the legal officer may be removed by an affirmative vote of six (6) or more members of the council or by the mayor ~~during the mayor's four-year term of office only~~ with the consent of five (5) or more members of the council~~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. The role of the legal officer is to provide counsel in the best interest of the city, not the interest of one inquiring source.

Section 3. If the majority of the registered voters of the city voting upon these proposed charter amendments vote in favor of them, these charter amendments shall become effective thirty (30) days after the initial canvas certifying its adoption by the voters.

Section 4. Pursuant to SDCL 9-19-13, this ordinance provides for an election and shall become effective upon its passage and publication.

Date adopted: _____.

Paul TenHaken, Mayor

ATTEST:

Thomas Greco, City Clerk