

FAQ for the Brookings City Charter Revision Process

City Charter and Home Rule Charter Explained

What is a City Charter? A City Charter serves as a city's constitution, outlining the structure, powers, and responsibilities of the local government. It is created and adopted by the city's citizens.

Why is a City Charter important?

- It explains what elected officials and city departments are supposed to do
- Makes sure the local government is responsible and answers to the people
- Ensures that local rules match state laws and what the community needs
- Reflects the community's values

Why does Brookings have a City Charter? Brookings adopted a City Charter to establish a clear governance framework and ensure that local policies align with community priorities.

What is a Home Rule Charter? Home Rule means that local governments (like cities or towns) can make their own rules and decisions about local issues, as long as they don't break state laws. It's allowed by the state's constitution or laws and helps local leaders handle local matters without needing constant approval from the state government. This way, the state and local governments can work better together.

When and why did Brookings become a Home Rule Community? In November 2002, Brookings became a **Home Rule Community** in South Dakota to ensure a more responsive government to community needs rather than relying on one-size-fits all state laws. This gave Brookings more control over what happens in the community - with expanded legislative powers and financial flexibility - so it can make more of its own decisions without always needing approval from the state.

Why is Home Rule important?

- Gives a basic guide for making local decisions
- Reduces how much the state can interfere with local matters
- Helps the state and local governments work together better

What other cities in South Dakota have a Home Rule City Charter?

- Aberdeen
- Beresford
- Elk Point
- Faith
- Fort Pierre
- Pierre
- Sioux Falls
- Springfield
- Vermillion
- Watertown

Brookings City Charter Commission

How was the City Charter Commission selected? The commission responsible for revising the City Charter was not handpicked. The selection process followed these steps:

- **Nominations** of potential commissioners were made by the Mayor, council and city staff
- **Final Selection:** The commission members were chosen by city council based on their qualifications, experience, and commitment to public service.

What was the criteria for commission selection?

The following criteria were applied:

- A commitment to transparency and public service
- Expertise in legal knowledge, government structures, community values, historical understanding of the charter's origins and intent
- Representation of various community sectors (e.g., public, private, nonprofit, community)
- Availability for public meetings and discussions

When was the Charter Commission appointed?

- The most recent Charter Review Commission for Brookings was created on June 25, 2024

Public Engagement in the Process

All meetings regarding the charter revisions were open to the public, ensuring transparency and encouraging community involvement.

Upcoming Public Meeting

- **Date:** January (specific date TBD)
- **Location:** Chamber of Commerce
- **Presenters:** David and Lisa, supported by commissioners
- **Format:** Saturday morning and/or evening session
- **Additional Features:**
 - Televised and recorded for public access
 - News media invitations

Charter Amendments Summary

- **Preamble:** Updated to reflect the charter purpose and values of the community.
- **Intergovernmental Relations:** Revised for clarity and modern relevance.
- **Limitations:** Outdated provisions removed.
- **Transition Language:** Removed language no longer applicable.
- **Clerk (2.08):** Updated language for current practices.

- **Investigations (2.09):** Clarified procedures.
- **Codification (2.16):** Ensures charter review every 10 years.

Article III: City Manager

- **Section 3.01:** Clarified residency requirements.
- **Section 3.02:** Updated removal and resignation procedures.
- **Section 3.04:** Expanded powers and duties.

Article IV: Departments, Offices, and Agencies

- **Section 4.02:** Revised City Attorney's responsibilities.

Article V: Financial Procedures

- **Section 5.03:** Budget guidelines updated to enhance procedure and transparency.
- **Section 5.04:** Process on council action on budget clarified.
- **Section 5.05:** Streamlined appropriation processes.
- **Section 5.07:** Enhanced administrative and fiduciary oversight.
- **Section 5.08:** Modernized budget administration.
- **Section 5.09:** Reinforced public record access.

Article IX: Charter Amendment

- **Section 9.01 (a):** Updated amendment procedures.

Article X: Transition/Severability Provision

- Removed outdated transition language.

Other Questions:

Do we have to wait every 10 years after each charter review to change the City Charter?

No. Provisions in the City Charter allow for charter changes in between reviews through the following methods:

1. By ordinance: The City Council can propose amendments through an ordinance, except for certain sections specified in the charter
2. By Charter Commission: The City Council can create a Charter Commission to review and propose amendments
3. By citizen petition: At least 10% of voters who participated in the last gubernatorial election can initiate a petition to adopt or amend the charter

Process Details to Change the Charter

- For changes proposed by ordinance or Charter Commission, an election must be held for voters to approve the amendments
- Amendments become effective 30 days after the canvass of votes if approved by a majority of voters

- The Charter Commission, when established, works independently of the City Council and submits a report with proposed amendments
- It's important to note that while Brookings has home rule status, any charter amendments must still comply with the South Dakota Constitution and general state laws