

Transforming Government Via Charter, Part 1

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November 14, 2023

Updated November 21

Introduction

- **Goal: create marvelous fundamental change in local governance!**
- All our troubles mean nothing until we fix the system, eliminate corruption, and win elections
- Change structure so we can reduce crime, minimize addiction, eliminate food deserts, create walkable neighborhoods, ...
- Update charter (constitution) and ordinance (law) to provide better government for Sioux Falls

Problems To Correct

- I'm criticizing a system, not people
- Corruption due to costly campaigns
- Secrecy that hides corruption & civil rights abuses
- Unresponsive government leaders
- Candidates with sound bites but no policies
- Election practices that encourage radicalization and discourage voting
- Missing checks on power, no accountability

Campaign Finance

- Expensive elections promote corruption
- Politicians sell out to finance campaign; lie to themselves and voters; reward donors with \$\$\$\$\$\$
- Solution: publicly finance campaigns
- Prevents the main impetus for corruption
- Candidates opt in for tax-funded \$150,000 campaign allowance
- Further spending is not allowed; city discourages opting out via regulation and public notices

Paying For Campaigns

- Preventing one bad deal would finance city campaigns for 11 years
- In 2017, city approved small parking garage at \$21 million instead of bigger one at \$9.6 million; garage needed millions more to renovate

$$\begin{array}{ccccccc}
 \$21,000,000 & & 4 \text{ year term} & & \text{campaign office} & & \text{-----} \\
 \text{---} * & \text{-----} * & \text{-----} * & \text{-----} * & & = & 11 \text{ years one bad} \\
 \text{deal} & 10 \text{ offices} & \$150,000 & 5 \text{ candidates} & & &
 \end{array}$$

PACs and Super PACs

- PAC stands for Political Action Committee
- Collect donations, publish ads, influence elections
- Super PACs can collect unlimited donations from people, PACs have a limit
- Make it easier to buy candidates
- Should be illegal
- Slide added November 21, 2023

Election Date

- Under-publicized April municipal elections discourage voting
- 24% of city voters voted in 2022 municipal election
- April elections require candidates to campaign over the winter; that makes door-to-door grass roots efforts difficult; date favors well-funded candidates
- Solution: merge city election with national election in November
- Invite school board to join merged elections

Election Guide

- City should write grant to impartial 3rd party such as League of Women Voters
- They review candidates, ballot issues, voting requirements
- Mail guide to all adult city residents

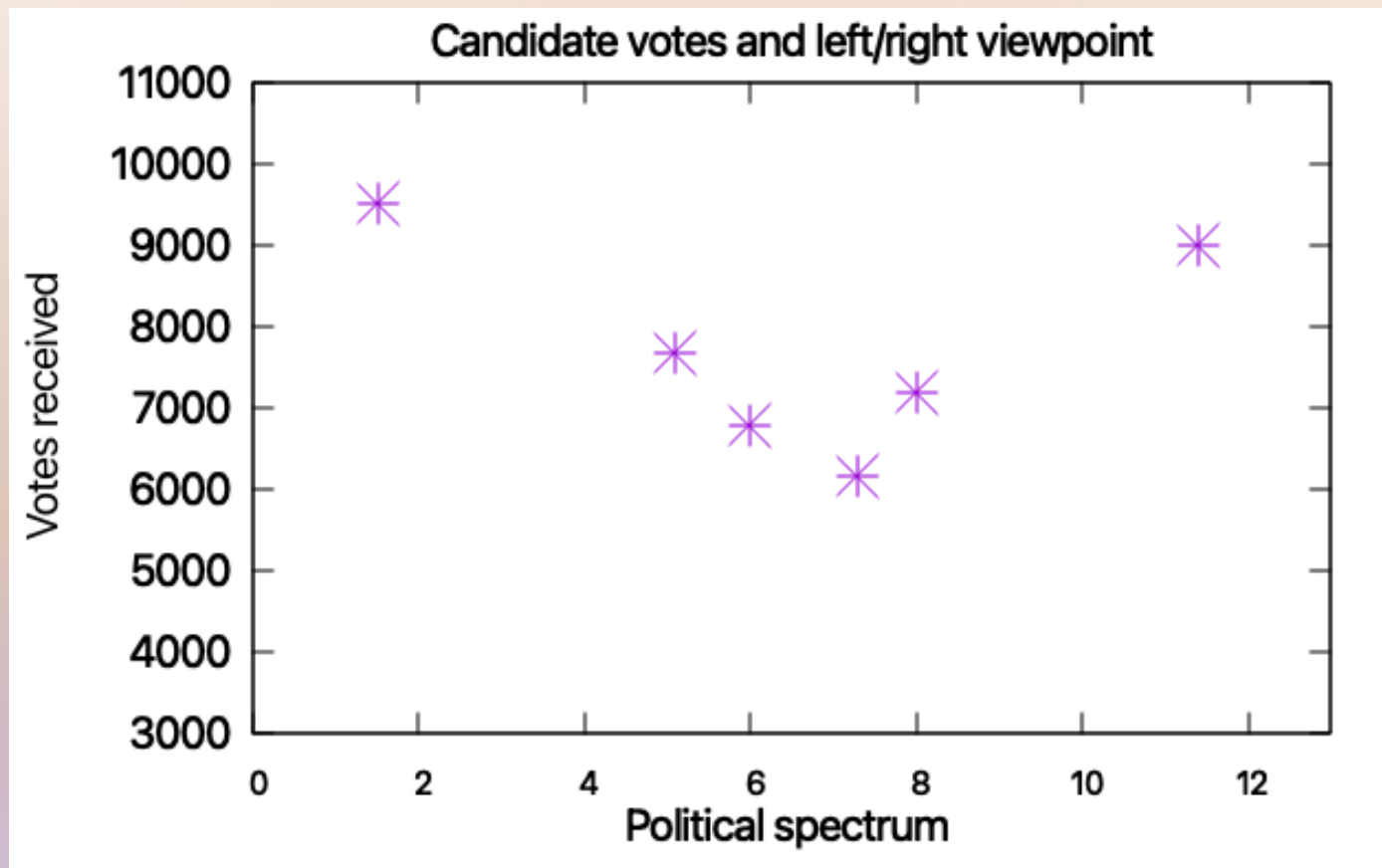
Voter Registration

- Goals: encourage democracy, citizen participation
- Allow registration at the voting booth
- City should determine how many eligible people are not registered to vote
- Former prisoners should be allowed to vote because they are still people who participate in the economy
- All lucid adult US citizens should be allowed to vote

Voting Method – Plurality

- Most USA elections use plurality voting (AKA first past the post)
- Whoever gets the most votes wins
- Encourages two party system per Duverger's law
- Subject to spoiler effect – similar popular candidates draw votes from each other causing less popular candidate to win
- Center squeeze spoiler selects more extreme candidates
- Promotes gradual extremism in one-party states because campaign donors demand ever more subsidies supported by ever more extreme rhetoric

Center Squeeze Spoiler Effect



- Center squeeze spoiler selects more extreme candidates; left-wing and right-wing radicals go to runoff
- Collectively more popular centrist candidates fail

Voting Method – STAR

- STAR: Score Then Automatic Runoff
- Accurately depicts voter preferences
- Encourages broad appeal for the runoff
- Voters score each candidate from 0 to 5; scores are compared; top 2 candidates have mathematical runoff using voter choices on existing ballots
- Allows voting conscience; no votes are wasted; eliminates spoiler effect; eliminates expensive runoffs which favor wealthy candidates; works within state law
- City should switch to STAR

Voting Method – Ranked Choice

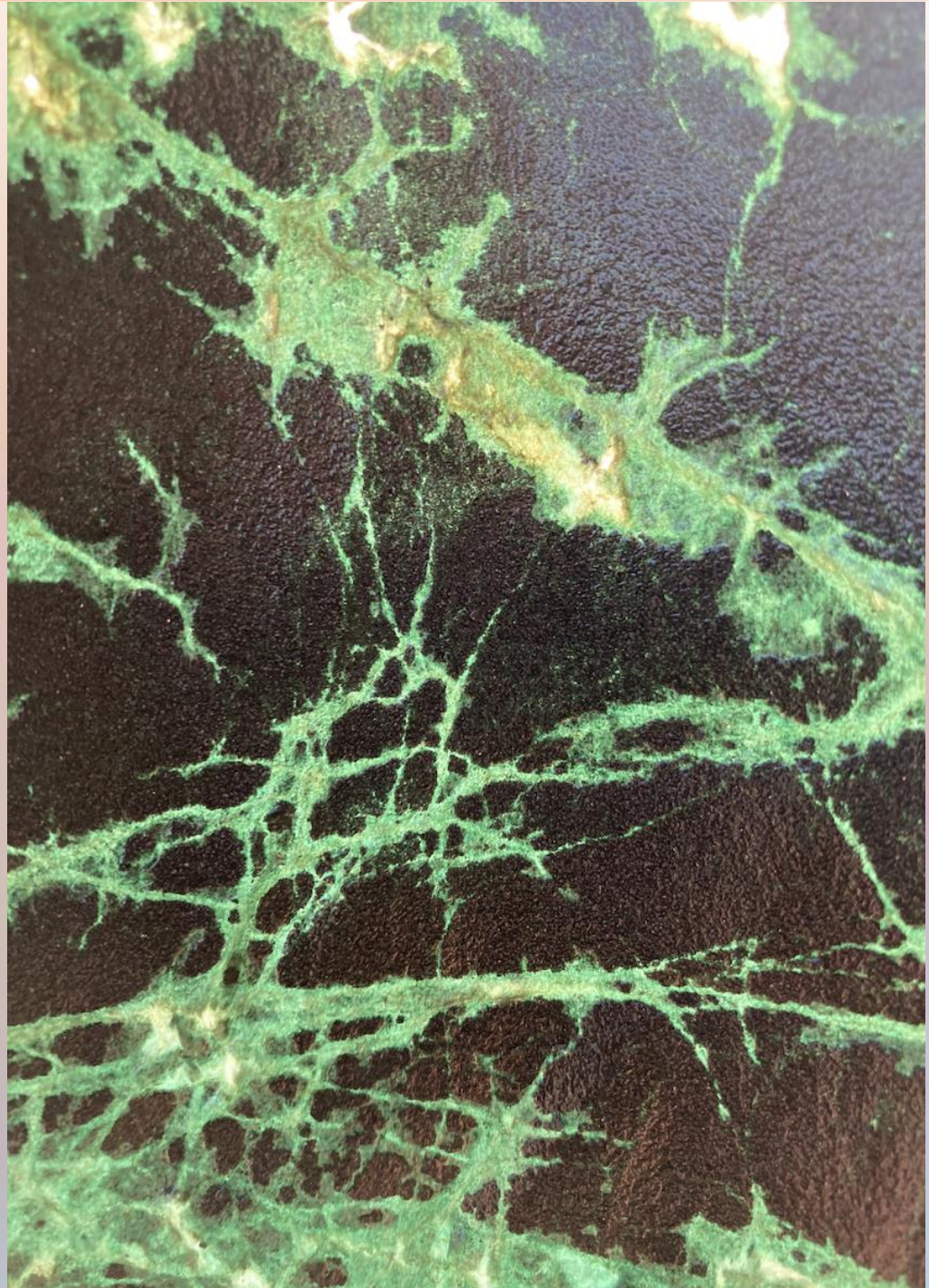
- Not explained here because it is illegal per SD law "12-1-9.1 Ranked choice voting prohibited"
- Law shows legislator bias toward partisan elections that Republicans usually win
- Better than current plurality but not as expressive as STAR
- Has a center squeeze spoiler effect

Voting Method – Approval

- Better than plurality but not as expressive of voter's evaluation as STAR
- Simpler than STAR
- Mark all candidates voter approves of
- Eliminates spoiler effect and runoff elections
- Works within state law
- Idea from Joe Kirby siouxfallsjoe.com/2023/05/02/not-too-early-to-be-thinking-of-2026-election/

Beauty Is
Everywhere

Drying
Sandpaper



Transforming Government Via Charter, Part 2

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Individual Meetings

- *All* city officials, councilors, and staff should be available to meet with the public
- Every reasonably polite email, text, and phone call from the public should be answered
- Full time leaders could limit public meeting & correspondence time to 8 hours weekly. Part time leaders limit to 4 hours weekly.
- Adults should be able to discuss anything with anyone

Public Information

- *All* government documents should be public unless there is a proven need for confidentiality
- Provide requested information free or at minimal charge
- See "Parking Ramp Questions" December 19, 2017 by myself for how not to provide information
- May be necessary to supersede state law via home rule charter to allow providing “sensitive” info

Even These Should Be Public

- Advice from city attorney to city leaders
- Contract negotiations (city council made big contracts public)
- Police video should be available to anyone who has been arrested, detained, or interviewed by police (except when interview affects ongoing investigation). Police chief asked for comment Sept 15, 2023.
- Helps protect constitutional right to fair trial (see [Brady vs Maryland 1963](#))

Balancing Power 1

- Sioux Falls has a powerful-mayor government
- Mayor directs administration, officiates city council meetings
- Allows mayor and council to quickly pass good & bad policy
- City council normally approves mayoral proposals with a large majority

Balancing Power 2

- Mayor should attend but not officiate city council meetings
- Would provide more effective power to city council
- Add one council district to maintain odd number of effective council members
- Thanks to Joe Kirby for idea

City Councilor Time 1

- There are pros and cons to full-time and part-time city councilors
- Solve the question by allowing both
- Full-time provides more time for understanding issues, meeting with public, working with budget
- Full-time would strengthen legislature, weaken executive branch – better balancing of power
- Part-time allows a career outside of politics

City Councilor Time 2

- A full-time council term would prevent some mid-career citizens from running for office
- An educational stipend at the end of a council term would help ex-councilors get back in the job market and thereby encourage full-time councilors

Current Leadership Pay

- Mayor now paid \$150,342 annually, inflation adjusted
- Councilors get 15% of mayor's salary or \$22,551
- See city ordinance 9.05 (f)
- Pay often indicates value and skill
- Current councilor pay seems insultingly low
- Mayor paid more than leaders of other areas

Proposed Pay Plan

- Reduce mayor's pay from \$150,000 to \$140,000 to better match other mayors
- Raise part-time councilor pay from 15% to 25% of mayor's – \$35,000 instead of \$23,000
- Full time councilor pay could be 50% of mayor's – \$70,000
- Educational stipend for parting full-time councilors could be half annual salary – \$35,000

City Administrator

- Mayors have political skill, not necessarily city administration skill
- Divide mayor's job into politician (mayor) and professional manager (city administrator)
- Create new city administrator position to manage government
- Replaces deputy mayor, assistant mayor, chief of staff
- Selected by mayor with approval from council
- Idea from John Cunningham

Getting It Passed

- 1) Develop ideas for ballot initiative (mostly done)
- 2) Write ballot initiative, get state's attorney approval
- 3) Fundraising to support petition drive
- 4) Advertising, educate the public
- 5) Petitioning, gather signatures
- 6) City voters approve it during the 2026 election

Live!
Wherever
You May Be

