



## Backgrounder - Home Rule Charter and City Manager

August 12, 2020

<p><b>What is Rapid City’s current form of government?</b></p>	<p>Rapid City has an Aldermanic form of government with ten city council members, two from each ward, serving staggered three-year terms. The mayor is a full-time position, elected for four-year terms. The mayor is the chief executive officer, with veto power and the ability to appoint department heads (with council approval).</p>
<p><b>What is the Home Rule Charter Committee?</b></p>	<p>The Home Rule Charter Committee is tasked with making a recommendation to the City Council whether or not to pursue the Home Rule form of government. Forty individuals applied and the City Council officially appointed 18 to the Committee in April. Each of the City’s five wards is represented, and the committee is authorized to be in place for no longer than one year.</p>
<p><b>What is the Home Rule Charter Committee doing?</b></p>	<p>The Committee has had meetings and has reached the point that it wants citizen participation. There will be several public meetings to provide information and to ask for feedback and input as the Committee develops the recommendation to the City Council.</p>
<p><b>Who would ultimately decide on a change to the City’s form of government?</b></p>	<p>Should the Home Rule Charter Committee’s recommendation to the City Council be a change to a Home Rule form of government, the City Council will take that recommendation under consideration. If the City Council agrees with the recommendation, the question will be put to a vote and the citizens of Rapid City make the ultimate decision.</p>
<p><b>What is Home Rule?</b></p>	<ul style="list-style-type: none"> <li>• Home Rule is a government framework, which would increase the City’s flexibility to meet the needs of, and be responsive to, the citizens and government operations. There is a distinction between the City’s current form of government and Home Rule.</li> <li>• Under the current charter, the City can only do those things that are allowed by its charter, state law and the state Constitution.</li> <li>• Home Rule will allow the City to do those things that are not prohibited by its charter, state law and the state Constitution.</li> <li>• In other words, Home Rule will allow the City to govern itself without having to wait for the legislature to create laws that allow the City to make changes. It will allow the City to be more nimble in times of crisis or when it appears the legislature might not be responsive to the City’s citizens to make laws or change laws to accommodate the City’s citizens.</li> </ul>
<p><b>How will Home Rule allow the City to respond to new challenges?</b></p>	<p>When the City needs to respond to a crisis or a need unique to the citizens of Rapid City, currently the City might have to wait until the next legislative session for a law to be passed which would allow the City to act. The wait could be months. Under Home Rule, assuming an action is not already prohibited, the City can act more quickly.</p>
<p><b>Will the City have too much power?</b></p>	<p>The City will have the ability to operate with more freedom from the state legislature, but it still <b>cannot</b></p> <ul style="list-style-type: none"> <li>• levy an income tax or change assessment practices for property taxes</li> <li>• issue more liquor licenses or permit more gaming,</li> <li>• incur debt beyond what is already allowed,</li> <li>• govern civil relationships.</li> </ul>
<p><b>Will citizens have more control over local government?</b></p>	<p>Home Rule is allowed under the state Constitution to give citizens more local control over its affairs. It gives more freedom for local governments to carry out their duties and responsibilities.</p>
<p><b>Is Home Rule a new concept?</b></p>	<p>The idea of Home Rule dates back to 1851 in Iowa and in 1875 the state of Missouri granted St. Louis Home Rule.</p>
<p><b>What is the greatest impact Home Rule will have?</b></p>	<p>The greatest impact of Home Rule is allowing Rapid City more freedom to decide how it will carry out its duties and responsibilities, so long as its action is not prohibited by state law or City charter.</p>



<b>Who manages the day-to-day operations of Rapid City?</b>	Currently, the Mayor oversees the day-to-day operations of the City, delegating much of the work to department heads. Nevertheless, the ultimate responsibility is the Mayor's.
<b>Can that responsibility be shifted to someone else?</b>	One possibility is a City Manager, a person hired to oversee the operations of the city. The City Manager makes sure the city operates efficiently and is responsible for more than 800 employees. A Home Rule Charter can be drafted with or without a City Manager.
<b>What is a City Manager?</b>	The City Manager is hired by the City Council and reports to the City Council. The City Manager works within the framework of the City Charter, within the City's budget and carries out the short- and long-term policies set forth by the City Council.
<b>If there is a City Manager, will there still be a Mayor?</b>	There will still be a Mayor, but the Mayor will not have to divide her/his duties between the operational management of the City, being part of the policy setting of the City and promoting the City.
<b>Will a City Manager provide continuity?</b>	The City Manager will provide operational management of the City. The City Manager's employment will likely overlap the election cycles of City Council and Mayor, providing long-term management continuity.
<b>Who appoints or hires the City Manager?</b>	The City Manager is an employee hired by the City Council for the express purpose of implementing the policies approved by the Council. The City Manager is directly accountable to the City Council for performing the assigned duties.
<b>Will the election process of the City Council and Mayor change?</b>	It may or may not, depending on how the City Charter is written.
<b>Will the City Council's role change?</b>	The City Council will continue to be elected by the citizens of Rapid City. Whether a home rule charter includes a City Manager or not, the Council retains all of the policy-making authority for the City.
<b>Definitions</b>	<b>Home Rule</b> - A framework of government allowing more freedom in the control of local affairs. Under Home Rule, local governments can do anything not prohibited by the state.
	<b>City Council</b> - the representative governing body elected by the citizens to set policy and institute ordinances.
	<b>Mayor</b> - the elected head of the City.
<b>Common descriptors/source:</b> Guide for Charter Commissions. Sixth Edition. National Civic League.	<b>Strong Mayor</b> - "Strong" does not indicate the effectiveness of the person in the office. Rather, <ul style="list-style-type: none"> <li>• The mayor is the chief executive officer, centralizing executive power.</li> <li>• The mayor directs the administrative structure, appointing and removing of department heads.</li> <li>• Most "strong" mayors are in the mayor-council form of government, and are directly elected by citizens to that office.</li> </ul>
	<b>Weak Mayor</b> - "Weak" does not indicate the effectiveness of the person in the office. Rather, <ul style="list-style-type: none"> <li>• Most "weak" mayors are mayors in a council-manager form of government, elected by the citizens.</li> <li>• The City Manager handles the administration and manages the day-to-day operations.</li> </ul>
	<b>Dillon's Rule</b> – court rulings that limit the powers and actions of municipalities.