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CITY OF  
SIOUX FALLS

CITY COUNCIL

## AGENDA

### City Council Meeting

Tuesday, February 13, 2024, at 6:00 PM

Carnegie Town Hall, 235 West 10<sup>th</sup> St., Sioux Falls, South Dakota 57104

### CALL TO ORDER

1. MEETING ROLL CALL

Council Member David Barranco

Council Member Sarah Cole

Council Member Alex Jensen

Council Member Rich Merkouris

Council Member Greg Neitzert

Council Member Marshall Selberg

Council Member Curt Soehl

Council Member Pat Starr

Mayor Paul TenHaken

2. INVOCATION

- Tajuan Jackson, Deeper Wells Church Family

3. PLEDGE OF ALLEGIANCE

### CONSENT AGENDA

*Items appearing on the Consent Agenda are routine administrative items and are acted upon by the Council with one vote. Pursuant to §30.014(b) of the Code of Ordinances, "At the request of any one council member, an item may be removed from the consent agenda and placed on the regular agenda whenever that council member believes additional discussion on the item is necessary". Items removed from the Consent Agenda are typically considered after Approval of the Regular Agenda.*

4. APPROVAL OF THE CONSENT AGENDA

## 5. APPROVAL OF MINUTES

- Regular City Council Meeting of Monday, February 5, 2024

## COMMUNICATIONS

6. Notice of Contracts/Agreements under \$100K and Change Orders over \$100K through January 31, 2024.
7. Approval of contracts/agreements over \$100K on the memorandum dated February 9, 2024.

## NOTICE OF HEARINGS

8. **Set a date of hearing for Tuesday, March 5, 2024. A RESOLUTION OF INTENT TO ENTER INTO A LEASE OF MUNICIPAL REAL PROPERTY.**

**Sponsor:** Mayor

**Background & Objective:** City administration contemplates leasing multiple properties owned by the city.

## REGULAR AGENDA

*The City Council may adopt the Regular Agenda by a majority vote during "Approval of the Regular Agenda". The Council may also change the order of items or remove items, both by amendment. Items up for consideration are presented and public comment is taken prior to the making of motions.*

*For Regular Agenda items, comments are limited to three minutes, unless the item is being presented for final adoption, in which case public input is limited to five minutes. For all Regular Agenda items, comments are limited to the agenda item under consideration only.*

9. APPROVAL OF THE REGULAR AGENDA

## INTRODUCTION AND ADOPTION OF ORDINANCES

*The title of each ordinance is read twice with at least five days intervening between the first and second reading (SDCL 9-19-7).*

## ORDINANCE SECOND READINGS

*Ordinance Second Readings are considered for final adoption; the ordinance title was read at a previous meeting.*

*Actions: Presentation, Public Comment (five minutes), Council Questions, Motion, Debate, Vote (five affirmative votes by members of the Council for adoption of ordinances (some ordinances require six affirmative votes for adoption)).*

10. **2nd Reading:** AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AUTHORIZING THE ISSUANCE OF ITS WASTEWATER SYSTEM REVENUE BOND TO THE SOUTH DAKOTA CONSERVANCY DISTRICT, AUTHORIZING THE USE OF THE PROCEEDS THEREOF FOR CAPITAL IMPROVEMENTS, PLEDGING THE WASTEWATER SYSTEM REVENUE OF THE CITY TO THE PAYMENT OF SAID WASTEWATER SYSTEM REVENUE BOND, FIXING THE TERMS OF SUCH WASTEWATER SYSTEM REVENUE BOND, AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN THE CITY AND THE SOUTH DAKOTA CONSERVANCY DISTRICT, AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH WASTEWATER SYSTEM REVENUE BOND TO THE SOUTH DAKOTA CONSERVANCY DISTRICT NOT TO EXCEED \$61,000,000.

**Sponsor:** Mayor

**Background & Objective:** This ordinance authorizes the City to coordinate with the Department of Agriculture and Natural Resources on the issuance of bonds and execute a loan agreement for Pump Station 240 Capacity Improvements. This project will be using State Revolving Fund (SRF) Loans. Pump Station 240 is on the east side near Six Mile Road and 57th Street.

11. **2nd Reading:** AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY OF SIOUX FALLS, SD, BY REVISING BOUNDARIES FOR VOTING PRECINCTS AS SET FORTH IN SECTION 38.003 OF CHAPTER 38: ELECTIONS.

**Sponsors:** Council Members Selberg and Merkouris

**Background & Objective:** This ordinance updates some of the precincts within the City's Central Council District. These changes mirror the precinct updates by Minnehaha County and will keep the polling locations the same for the voters for the Municipal Election and the Primary/General Elections.

## **HEARINGS AND RESOLUTIONS**

*Resolutions and Motions are considered for final adoption. On occasion, Public Hearings are listed with no action required for said item.*

*Actions: Presentation, Public Comment (five minutes for items up for final consideration; three minutes otherwise), Council Questions, Motion, Debate, Vote (majority of members present on most items).*

12. A RESOLUTION OF THE CITY OF SIOUX FALLS DECLARING SUPPORT AND ADOPTION OF THE 2023 PRE-DISASTER MITIGATION PLAN FOR MINNEHAHA AND LINCOLN COUNTIES.

**Sponsor:** Mayor

**Background & Objective:** The Minnehaha and Lincoln Counties Pre-Disaster Mitigation Plan is a federally required document that covers the City of Sioux Falls and makes the City eligible for Federal dollars related to emergency events and prevention. The plan is required to be updated regularly and this version is the latest version as required by the Federal government. The full plan can be found online at:

<https://cms2.revize.com/revize/secoghousing/Pre-Disaster Mitigation/Compressed - Final Draft of the Lincoln County & Minnehaha County Pre-Disaster Mitigation Plan 2023.pdf>

13. A RESOLUTION ACKNOWLEDGING THE ASSIGNMENT OF ORDINANCE NO. 17-21 FROM NORTHWESTERN CORPORATION TO NORTHWESTERN ENERGY PUBLIC SERVICE CORPORATION.

**Sponsor:** Mayor

**Background & Objective:** The City adopted Ordinance No. 17-21 dated February 26, 2021, authorizing NorthWestern Corporation to operate the gas distribution system within the city of Sioux Falls. As of January 1, 2024, NorthWestern Corporation's South Dakota and Nebraska assets and related contractual obligations will transfer to a new entity named NorthWestern Energy Public Service Corp Corporation d/b/a NorthWestern Energy consistent with a corporate reorganization authorized by the South Dakota Public Utilities Commission.

14. A RESOLUTION REMOVING UNCOLLECTIBLE AND DELINQUENT ACCOUNTS FROM THE RECORDS.

**Sponsor:** Mayor

**Background & Objective:** Annual approval of uncollectible accounts over \$5,000 as required by the City's Code of Ordinances.

15. A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO CERTAIN CITIZEN BOARDS.

**Sponsor:** Mayor

**Background & Objective:** The Resolution appoints/reappoints members to the: Disability Awareness and Accessibility Review Board (DAARB) and Falls Community Health Center Governing Board.

## **NEW BUSINESS**

*During consideration of new business, the Mayor or any two City Council members may bring before the City Council any business that person feels should be deliberated upon by the City Council. These matters can be added to the agenda by a vote of six City Council members and will be considered under new business. Formal action on these matters shall be deferred until a subsequent City Council meeting, unless consideration is necessary for the immediate preservation of the public peace, health or safety of the municipal government. If the City Council chooses to take immediate action on the newly calendared agenda item, an affirmative vote of six members of the Council is required for approval. (City Ordinance §30.014(d)).*

## **GENERAL PUBLIC INPUT**

*During General Public Input, comments shall last no more than three minutes per person and comments are limited to topics which do not involve agenda items appearing earlier in the agenda as comments will have already been received for those items (City Ordinance §30.015).*

## **ADJOURNMENT**

*A motion to adjourn is decided without debate and without the need for a roll call vote.*

*Actions: Motion and Voice Vote*

*UPON REQUEST, ACCOMMODATIONS FOR MEETINGS WILL BE PROVIDED FOR PERSONS WITH DISABILITIES. PLEASE CONTACT THE CITY CLERK'S OFFICE AT (605) 367-8080 (VOICE) OR (605) 367-7039 (TDD) TWO (2) BUSINESS DAYS IN ADVANCE OF THE MEETING.*

*WHEN THE CITY COUNCIL WILL ACT AS A DECISION-MAKER ON AN UPCOMING MATTER INVOLVING A LICENSE OR A PERMIT, PERSONS ARE ENCOURAGED TO PROVIDE WRITTEN COMMENTS TO THE ENTIRE CITY COUNCIL OR TO PROVIDE ORAL COMMENT AT THE PUBLIC MEETING WHEN THAT ITEM IS CONSIDERED BY THE ENTIRE CITY COUNCIL. THOSE WHO PROVIDE COMMENTS IN ANY MANNER SHOULD UNDERSTAND THAT THEIR COMMENTS MAY BECOME PART OF THE OFFICIAL RECORD AND SUBJECT TO REVIEW BY ALL PARTIES AND THE PUBLIC.*

*FOR REGULAR MEETINGS, PUBLIC INPUT IS TAKEN BOTH FOR ANY ITEM ON THE REGULAR AGENDA AND GENERALLY. PERSONS PROVIDING INPUT FOR ANY ITEM ON THE REGULAR AGENDA ARE LIMITED TO THREE MINUTES, UNLESS THE ITEM IS BEING PRESENTED FOR FINAL ADOPTION, IN WHICH CASE PUBLIC INPUT IS LIMITED TO FIVE MINUTES. FOR ALL REGULAR AGENDA ITEMS, COMMENTS ARE LIMITED TO THE AGENDA ITEM UNDER CONSIDERATION ONLY.*

*DURING THE "GENERAL PUBLIC INPUT" PORTION OF THE MEETING, INPUT SHALL LAST NO MORE THAN THREE MINUTES PER PERSON. DURING THE "GENERAL PUBLIC INPUT" PORTION OF THE MEETING, PERSONS WILL BE LIMITED TO TOPICS WHICH DO NOT INVOLVE THOSE AGENDA ITEMS APPEARING EARLIER IN THE REGULAR AGENDA AS PUBLIC INPUT SHALL BE RECEIVED WHEN THAT AGENDA ITEM IS UP FOR DISCUSSION.*

*PER COUNCIL POLICY: THE CHAIR RESERVES THE RIGHT TO LIMIT THE NUMBER OF SPEAKERS DURING ANY AGENDA ITEM FOLLOWING ONE HOUR OF TESTIMONY, BUT MAY BE OVERRIDDEN BY A MAJORITY VOTE OF THE CITY COUNCIL; AND, DURING A SPECIAL MEETING OF THE CITY COUNCIL, PUBLIC INPUT WILL ONLY BE ALLOWED FOR THE AGENDA ITEM AFTER THE STAFF PRESENTATION, BUT BEFORE CITY COUNCIL DISCUSSION AND VOTING. EACH SPEAKER WILL BE ALLOWED UP TO FIVE MINUTES.*

*MEETINGS ARE BROADCAST LIVE AND RECORDED. GO TO [WWW.SIOUXFALLS.GOV](http://WWW.SIOUXFALLS.GOV) FOR MORE INFORMATION.*

