

LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota

September 26, 2018

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, September 26, 2018, at 12:30 p.m.

A quorum was determined with the following members answering the roll call: Laura Armstrong, Steve Laurenti, Jason Salamun, Becky Drury and Chad Lewis. Absent: None.

(NOTE: For sake of continuity, the following minutes are not necessarily in chronological order. Also, all referenced documents are on file with the Master Agenda.)

ADOPTION OF AGENDA

Motion was made by Drury, second by Lewis and carried to adopt the agenda.

GENERAL PUBLIC COMMENT

None.

CONSENT ITEMS

Charmaine White Face spoke in opposition of agenda item number 4 regarding the Mayor's proposed resolution in support of the relocation and construction of a new Indian Health Service Hospital in Rapid City. She is against the resolution and feels a responsibility to come forward and state why. Long ago, for many years Sioux San Hospital was a tuberculosis sanitarium. Over 50 years ago the Rapid City Indian community got together and asked that when it was decided that it would no longer be used as a sanitarium that it be used as a general health hospital for the local Native American community. A special appropriation was needed in order to do this. None of the tribes that are named in the Mayor's resolution were involved in that. White Face stressed they did not help us. As an elder in the tribe, she feels a responsibility to be here today to make sure Sioux San Hospital is still where it is and people are still able to receive services. The tribes do not have jurisdiction outside the reservation boundaries. So they are wondering how they feel they can do this without legal authority. Even using the Great Plains Tribal Chairman's Health Board as a conduit still does not give them any legal authority without asking the community. They are very concerned because there has been no input from the Rapid City Indian community on subject. White Face feels this is far more complicated than the Mayor realizes and she urges the City Council to reject this resolution.

Motion was made by Drury, second by Laurenti and carried to approve Items 1-21 as they appear on the Consent Items with the exception of Item No. 4.

- 1) Approve Minutes for September 12, 2018

MAYOR'S OFFICE

- 2) LF092618-01 – Confirm the Reappointments of Todd Hollan, Nick Patton, Don Hedrick and Kelly Gibson to the Downtown Business Improvement District (BID) Board Each for Terms of Two Years
- 3) LF092618-06 – Confirm the Reappointment of Malcom Chapman to the Community Investment Committee
- 4) LF092618-11 – Salamun asked City Attorney Joel Landeen if this resolution buys the City into anything by making this resolution and that it is more of a statement of support if the Council accepts this. Landeen confirmed that it is a statement of support and it does not buy the City into anything. Landeen further explained the Mayor was asked by the Tribal Chairman's Unified Health Board and there are reasons for them to look at this. The concern was that Indian Health Service was

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going to commit and start spending money at the Sioux San site and they wanted to make sure there was ample opportunity to look at alternatives and how that various entities within the community is supportive of that. Salamun appreciates the feedback today. He supports that we have quality healthcare for our Native American community. One reason he supports this is the potential for better access of care off the interstate, better facilities and hopefully recruit good healthcare professionals. Drury appreciates Ms. White Face for coming forward to express her concerns and she respects everyone needs to be included in the process. She also feels there is a need for better healthcare within the community. Laurenti moved to send Resolution No. 2018-073 a Resolution Declaring Support for the Relocation and Construction of a New Indian Health Service Hospital in Rapid City to Council without recommendation. Second by Drury. Lewis made an alternative motion to Approve Resolution No. 2018-073 a Resolution Declaring Support for the Relocation and Construction of a New Indian Health Service Hospital in Rapid City. Second by Salamun. Motion carried.

FIRE DEPARTMENT

- 5) LF092618-10 – Accept Quitclaim Deed from Rapid City Economic Development Foundation, Inc. for Tract A of South Creek Industrial Park No. 2

POLICE DEPARTMENT

- 6) LF092618-04 – Approve Joint Powers Agreement for Internet Crimes Against Children Unit (ICAC) Between the State of South Dakota, Office of Attorney General Division of Criminal Investigation, the Pennington County Sheriff's Office and the City of Rapid City
- 7) LF092618-05 – Approve Joint Powers Agreement for a Psychologist Between the State of South Dakota, Office of Attorney General Division of Criminal Investigation, the Pennington County Sheriff's Office and the City of Rapid City
- 8) LF092618-09 – Authorize Staff to Purchase Equipment Lockers from Mid America Business Systems in the Amount of \$27,644.25

FINANCE DEPARTMENT

- 9) Acknowledge the Following Volunteers for Worker's Compensation Purposes: Alice Bailey Nervig (RSVP+), Hope Hoesel (RSVP+), Sharon Hansen (RSVP+), Mary Miracle (RSVP+), Kristy Nemetz (Library), Dale Lawton (Library), Aspen Rearick (Parks & Recreation), Maya Rearick (Parks & Recreation), Brendon Sato (Parks & Recreation), Avery Webb (Parks & Recreation), Emily Leech (Parks & Recreation), Trevor Cook (Parks & Recreation), Daniel High Bear (Parks & Recreation), Ashley Vincent (Parks & Recreation), Zachary Boeve (RSVP+)
- 10) LF092618-02 – Acknowledge August 2018 General Fund Cash Balance Report
- 11) LF092618-03 – Acknowledge July 2018 Sales Tax Report
- 12) LF092618-07 – Approve Resolution No. 2018-072 a Resolution Correcting an Error in Resolution No. 2018-065 a Resolution Levying Assessments for Abatement of Nuisances
- 13) LF092618-12 – Authorize the RSVP+ Program to Apply and Accept, if Awarded, the 2019 Corporation for National Community Services (CNCS) Grant
- 14) LF092618-14 – Approve Resolution No. 2018-075 a Resolution Levying Assessment for Abatement of Nuisances

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COMMUNITY DEVELOPMENT

- 15) LF092618-08 – Authorize Mayor and Finance Officer to Sign the FY2016 Community Development Block Grant (CDBG) Indenture of Restrictive Covenants for St. Isaac Jogues Church – Mother Butler Center
- 16) 18AN005 – Approve Resolution No. 2018-064 a Request by City of Rapid City to Consider and Application for a Resolution of Annexation of Prairie Acres South Mobile Home Park for Property Generally Located North of Seger Drive, East of 143rd Avenue, West of Dyess Avenue
- 17) 18TP028 – Approve the 2019 Unified Planning Work Program – Draft Report
- 18) 18TP030 – Approve Amendment No. 1 for Professional Services Agreement Between the City of Rapid City and SRF Consulting Group, Inc. for a No Cost Time Extension for the Completion of the Rapid City Quiet Zone Assessment
- 19) 18TP031 – Approve Amendment No. 2 for Professional Services Agreement Between the City of Rapid City and Felsburg Holt & Ullevig for a No Cost Time Extension for the Completion of the Rapid City Area Transit Feasibility Study
- 20) 18TP035 – Approve Amendment No. 1 for Professional Services Agreement Between the City of Rapid City and Nelson/Nygaard Consulting Associates, Inc. for a No Cost Time Extension for the Completion of the Coordinated Public Transit – Human Services Transportation Plan
- 21) LF092618-13 – Approve the 2019 Air Quality Pass-Through Agreement with DENR

END OF CONSENT CALENDAR

NON-CONSENT ITEMS – **Items 22 – 23**

Public Comment opened – **Items 22 – 23**
Public Comment closed

FINANCE DEPARTMENT

- 22) LF091218-01 – Lewis moved to approve Second Reading and Recommendation of Ordinance No. 6283 an Ordinance Regarding Supplemental Appropriation #6 for 2018. Second by Laurenti. Motion carried.

COMMUNITY DEVELOPMENT

- 23) 18OA011 – Drury moved to send Introduction and First Reading of Ordinance No. 6249 an Ordinance Amendment to Allow for Accessory Dwelling Units in Residential Districts (*First Reading Approved by Planning Commission (4-3)*) to Council without recommendation Second by Lewis. Motion carried.

ADJOURN

There being no further business to come before the Committee at this time, motion was made by Laurenti second by Drury and carried to adjourn the meeting at 12:48 p.m.