

LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota

April 1, 2020

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, April 1, 2020, at 12:30 p.m.

A quorum was determined with the following members answering the roll call: Becky Drury, Darla Drew, Lance Lehmann, Chad Lewis (telephonically) and Ritchie Nordstrom. 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 Drew, second by Lehmann to adopt the agenda. Roll call vote: Drury Y, Drew Y, Lehmann Y, Nordstrom Y, Lewis Y. Motion carried unanimously.

GENERAL PUBLIC COMMENT

None.

CONSENT ITEMS

Motion was made by Nordstrom, second by Drew to approve Items 1-14 as they appear on the Consent Items with the exception of Item Nos. 12, and 14. Roll call vote: Drury Y, Drew Y, Nordstrom Y, Lehmann Y, Lewis Y. Motion carried unanimously.

CONSENT ITEMS -- Items 1 – 14

Public Comment opened – Items 1 – 14

Public Comment closed

Remove Items from the “Consent Items” and Vote on Remaining Consent Items

- 1) Approve Minutes for March 11, 2020

FIRE DEPARTMENT

- 2) LF040120-08 – Authorize the Rapid City Fire Department to Apply and Accept if Awarded, the Assistance to Fire Fighter (AFG) Grant
- 3) LF040120-09 – Authorize Staff to Purchase One (1) Demers Type I MXP 150 4x4 Chevy 3500 Ambulance for \$177,280 Using SAVIKK Purchasing Contract

POLICE DEPARTMENT

- 4) LF040120-10 – Authorize Mayor and Finance Officer to Sign the Pennington County Emergency Services Communications Center (ESCC) Joint Powers Agreement

FINANCE DEPARTMENT

- 5) LF040120-01 – Acknowledge December 2019 Sales Tax Report
- 6) LF040120-02 – Acknowledge January 2020 Sales Tax Report
- 7) LF040120-03 – Acknowledge February 2020 General Fund Cash Balance Report

LEGAL AND FINANCE COMMITTEE

April 1, 2020

- 8) LF040120-04 – Approve Resolution No. 2020-020 a Resolution Correcting an Error in Resolution No. 2020-018 a Resolution Levying Assessments for Abatement of Nuisances
- 9) LF040120-06 – Approve Resolution No. 2020-023 a Resolution Declaring Miscellaneous Personal Property Surplus to be Surplused
- 10) LF040120-07 – Approve Request for Property Tax Abatement as Follows: Debra Radlinger, 2019, \$348.26 [Total for Rapid City is \$348.26]

DEPARTMENT OF COMMUNITY DEVELOPMENT

- 11) LF040120-05 – Authorize the Mayor and Finance Officer to Sign the SF-424, SF-424D and Certifications Approving the Community Development Block Grant (CDBG) FY20 Annual Action Plan.
- 12) 20TP006 – Drew asked Community Development Director Ken Young how this estimate is determined. Young explained that the estimate is built using the 2010 census figures as a base number. He said the number is adjusted every year based on the building data so there will be some kind of a correction when the new census comes out with their numbers. Patsy Horton from Long Range Planning added that this particular method is used so if there is ever a need to challenge the census number that comes out, the City already has that data established. Horton said this data is a requirement based on our existing City Ordinance which identifies whether the City has allowable alcoholic beverage licenses available. The data is also used for trend purposes and long range planning. Young also added that many of the federal grants will be based on the City's population numbers. He expressed that once the census comes out, it will offer the City the opportunity to assist in correcting their numbers to come up with a final number, which is based on anything that happened up through December 31st of 2019. Nordstrom moved to Approve the Rapid City Year End 2019 Population Estimate. Second by Lehmann. Roll call vote: Drury Y, Drew Y, Nordstrom Y, Lehmann Y, Lewis Y. Motion carried unanimously.
- 13) 20TP015 – Approve Amendment No. 1 Agreement for Professional Services Agreement Between the City of Rapid City and HDR Engineering, Inc. for a No Cost Time Extension for the Completion of the Southern Meade County Corridor Study
- 14) 20TI002 – Patsy Horton from Long Range Planning explained that this instance is similar to when a developer comes forward and reallocates costs based on existing expenditures. The City now has an opportunity to do that with the costs that were involved in this particular district. The City entered into an agreement with the previous developer who has since been repaid. Now it is the City's turn. The City paid for installation of a 16 inch water main as well as some property acquisition because the development didn't move forward as quickly as anticipated back in 2008. This request is also asking for authorization of property acquisition which generally has to be done before the TIF application is submitted; therefore, the City is specifically requesting that City Council authorize the property acquisitions so that the enterprise funds can be reimbursed for the full expenditures for this particular water extension. The 16 inch water main was part of the water extension to get water out to the airport. Horton said the City's policy currently specifies that if property acquisitions are included in an application, it has to have approval by City Council before the application is submitted. Horton shared a map displaying the area the developer had responsibility for and the area where the City installed the water main extension. She pointed out the blue portion of the road outside the hatched area informing the committee that the developer has come forward with a final plat (done in December of 2019) and will be constructing the rest of that road. Nordstrom moved to Approve Resolution No. 2020-015 - A Resolution to Approve TID No. 68 Project Plan Amendment #1 to Reallocate Project Plan Costs for the SE1/4NE1/4, Government Lot 1 and Tract C of Big Sky Subdivision, and the Dedicated Right-of-Way for Homestead Street Lying Adjacent to Tract C of

LEGAL AND FINANCE COMMITTEE

April 1, 2020

Big Sky Subdivision, Located at the Eastern Terminus of Homestead Street. Second by Lehmann.
Roll call vote: Drury Y, Drew Y, Nordstrom Y, Lehmann Y, Lewis Y. Motion carried unanimously.

END OF CONSENT CALENDAR

NON-CONSENT ITEMS – Items 15 – 16

Public Comment opened – Items 15 – 16

Public Comment closed

FINANCE DEPARTMENT

15) LF031120-07 – Nordstrom moved to approve the Second Reading and Recommendation of Ordinance No. 6402 Regarding Supplemental Appropriation 2 for 2020. Second by Drew. Roll call vote: Drury Y, Drew Y, Nordstrom Y, Lehmann Y, Lewis Y. Motion carried unanimously.

COMMUNITY DEVELOPMENT

16) 20OA001 – Public Works Director Dale Tech acknowledged that when this item first appeared on the agenda at the Legal and Finance Committee meeting on February 12, 2020, there were some citizens that had some concerns but they have since met with those people; the language has been changed, everyone is fully on board and it is ready to move forward. Tech reiterated that this will save not only time but money for the developers as well as making the reviews much more efficient, in turn making better use of City staff time. Lehmann moved to approve the Introduction and First Reading of Ordinance No. 6384 an Ordinance to Add a Pre-Submittal Meeting to the Requirements for Development Engineering Plans by Amending Section 16.08070 of the Rapid City Municipal Code (Continued from February 12, 2020 Legal and Finance Meeting). Second by Nordstrom. Roll call vote: Drury Y Drew Y Nordstrom Y Lehmann Y Lewis Y. Motion carried unanimously.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Nordstrom second by Drew to adjourn the meeting at 12:49 p.m. Roll call vote: Drury Y Drew Y Nordstrom Y Lehmann Y Lewis Y. Motion carried unanimously.