

LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota

May 27, 2020

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, May 27, 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 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. Motion carried unanimously.

GENERAL PUBLIC COMMENT

None.

CONSENT ITEMS

Motion was made by Lewis, second by Drew to approve Items 1-6 as they appear on the Consent Items with the exception of Item No. 6. Motion carried unanimously.

CONSENT ITEMS -- Items 1 – 6

Public Comment opened – Items 1 – 6

Public Comment closed

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

- 1) Approve Minutes for May 13, 2020

MAYOR’S ITEMS

- 2) LF052720-04 – Confirm the Reappointment of Addie Kalmbach and Mary Jane Chiles to the Retired Senior Volunteer Program (RSVP) Advisory Council

FINANCE DEPARTMENT

- 3) Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Jaden Elliott (Police Department) Mark Friedel (RSVP+), Jerri Heggem (RSVP+), Darlene Kokesh (RSVP+), Carol Veazie (RSVP+)
- 4) LF052720-01 – Approve Resolution No. 2020-038 A Resolution Amending Certain Fees to be Charged in 2020 for Various Licenses, Permits and Applications

COMMUNITY DEVELOPMENT

- 5) LF052720-02 – Continue the FY20 CDBG Contract for Behavior Management Systems, Inc. to June 10, 2020 Legal and Finance Committee Meeting
- 6) 20TI004 – Nordstrom asked Patsy Horton from Long Range Planning to explain this change. Horton said the original application was to amend TID 78 which is the unnamed tributary drainage channel. Those improvements were complete and as part of that, the Developer was going to use some additional funds that they hadn’t used, to construct a gravity sewer main. Part of the requirements to get that accomplished was for the Developer to construct a sewer main extending east, and two of the Rapid City CIP projects also had to be complete. Those projects are anticipated to be done

May 27, 2020

in 2024/2025. The current Developer had indicated in the past that this was not going to meet his timeline and wanted to get moving with his residential development that he has in motion in this particular subdivision. The Developer has now submitted a new application to create a new district that overlays Tax Increment District 78 so they can construct a lift station that will serve this property until the other two gravity sewer lines are constructed by the City in 2024/2025. Horton pointed out that this lift station will be owned and operated by the Rapid Valley Sanitary District and it does not currently meet the policy as identified in the existing requirements; however, the TIF Committee did recommend approval provided that we come forward with an agreement between the Developer, Rapid Valley Sanitary District, and the City of Rapid City, to ensure that those funds are always available for maintenance of this facility. Horton provided some background with a short presentation explaining the two master plans, one submitted in 2016 as part of TID 78, and the second one submitted with the current application. She identified the public improvements, proposed costs associated with the project and also shared some photos of what is being developed in this area both commercial and residential. Horton reiterated that the TIF Committee and the Planning Commission have approved this TIF. City Attorney Joel Landeen informed the committee that the property taxes and the TID pay for the improvement, not the City. Nordstrom moved to Approve Resolution No. 2020-028 and Resolution No. 2020-029 Resolutions to Create Orchard Meadows Lift Station TID and Approve Project Plan for Property Generally Described as Being Located East and West of Elk Vale Road between E. Highway 44 and the Current Terminus of East Fairmont Street. Second by Drew. Motion carried unanimously.

END OF CONSENT CALENDAR

NON-CONSENT ITEMS – Items 7 – 9

Public Comment opened – Items 7 - 9

Public Comment closed

FINANCE DEPARTMENT

7) LF052720-03 – Finance Officer Pauline Sumption said the amount shown in this ordinance will get the City through the year 2020 and is based on the projections with the information the City had at the time. She pointed out that new projections could come in as the sales tax comes in as well, but this is what is known as of now. She clarified that this document will not change and the only way to make changes is with the passing of a new budget supplement by the City Council. Sumption said that there will be additional budget supplements for other things throughout the year, but this is the one that reduces the budget to reflect the projected sales tax loss as well as other revenue losses. Nordstrom moved to approve the Introduction and First Reading of Ordinance No. 6429 Regarding Supplemental Appropriation No. 3 for 2020. Second by Lehmann. Motion carried unanimously.

ATTORNEY'S OFFICE

8) LF051320-08 – Nordstrom moved to send the Second Reading and Recommendation of Ordinance No. 6424 an Emergency Ordinance Extending the Date by which the City can Implement Measures Necessary to Slow the Community Spread of Coronavirus (COVID-19) to Council without recommendation. Second by Drew. Motion carried unanimously.

9) LF052720-05 – Drew moved to send the Emergency Resolution No. 2020-041 Extending Resolution No. 2020-03 to Council without recommendation. Second by Lewis. Motion carried unanimously.

ADJOURN

There being no further business to come before the Council at this time, the meeting was adjourned by Drury at 12:41 p.m.