

LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota

June 10, 2020

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, June 10, 2020, at 12:30 p.m.

A quorum was determined with the following members answering the roll call: Becky Drury, Darla Drew, Lance Lehmann and Ritchie Nordstrom. Absent: Chad Lewis

(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 Lehmann second by Drew to adopt the agenda. Motion carried unanimously.

GENERAL PUBLIC COMMENT

Natalie LaFrance-Slack of 550 Texas Street Rapid City, spoke on behalf of a group of active and concerned residents in Rapid City who would like to begin to take part in ensuring the City is accountable in all matters including funding allocation. In affirmation that black lives matter and indigenous rights are human rights, the group is jumping into the ongoing conversation about how municipal funds are developed decided and distributed. The group asks today, that the Council keep in front of mind the mission to allocate funds in ways which meet the needs of all residents which includes those who experience racial and other forms of discrimination, poverty, disability, homelessness, food insecurity, and domestic violence. The group would like to see more than stopgap or survival measures and include some leadership initiative and effort to ensure residents of Rapid City can thrive. She added that there are always difficult choices when budgeting funds and they ask the Committee to remember those who may not reach out and assert their needs due to the factors mentioned. As a group, they hope to raise and amplify voices in need and advocate for their needs. The group also asks that the Committee take the time to make a personal commitment to pursuing continuing education on systemic racism, the cycle of poverty, and historical trauma, as it relates specifically to municipal finance in communities like ours.

CONSENT ITEMS

Motion was made by Lehmann, second by Drew to approve Items 1-13 as they appear on the Consent Items with the exception of Item Nos. 2 and 3. Motion carried unanimously.

CONSENT ITEMS -- Items 1 – 13

Public Comment opened – Items 1 – 13

Gabriel Spahn of 22801 Norris Peak Lane Rapid City, spoke against items 2 and 3. Mr. Spahn believes, especially related to current events around the country, there are more important policing issues that deserve the City's funding at this time, pointing out specifically how the RCPD interacts with the Native American population of Rapid City and also the overall transparency and community accountability of the RCPD. The first point he brought forward were stats involving crime and jailing of the Native American population with the most recent data he could find online, which stated this particular population is under a quarter of the City's population but counts for more than half of the arrests and the jailed population. He reported that the City received a Grant in 2015 that sought to address a lot of these issues and there have been some measures that came from that involving officers interacting with the community differently and making some initiatives but he concludes that those failed to address a lot of systematic issues that underlie the Police Departments interaction with the Native American population. Spahn said the City should be allocating more City funds for addressing and restructuring a lot of the justice system, specifically things such as the

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bail system, failing to appear in court, and failing to satisfy other elements of the process. Spahn would like to see the City's funds used to both initiate research into restructuring the system into a way that better works for the Native American citizens and then acting on the recommendations of that research. The second issue Spahn addressed is transparency and accountability within the Police Department. He expressed that the Rapid City Police Department like many around the country, have issues with public facing accountability on internal investigations, especially those relating to use of force as an example. He mentioned the 2014 killing of a Native American man by the RCPD indicating the investigation that was conducted essentially occurred behind closed doors by the department leaving a lot of citizens, including himself, feeling left out and not knowing what was happening. He relayed the importance of investing in measures to make our police department more accountable including things such as civilian review boards for use of force. Spahn concluded by proclaiming the City has large problems that need to be addressed which are more important than funding new vehicles for RCPD.

Public Comment closed

Remove Items from the "Consent Items" and Vote on Remaining Consent Items

- 1) Approve Minutes for May 27, 2020

POLICE DEPARTMENT

- 2) LF061020-02 – Drew asked Police Chief Karl Jegeris to address the public comment on these two items. Jegeris began by inviting Mr. Spahn to contact him at his office to visit with him personally or with a staff member to bring him up to speed on some of the extreme efforts that the police department has made in order to best serve the community with very specific focus on the City's Native American population. In regard to the vehicles, Jegeris said the truck and one of the jeeps being purchased are for the Quality of Life Unit. He explained that the RCPD has employed the Quality of Life Unit, a community based model, that is directly dedicated to connecting our chronically displaced and vulnerable families and individuals to services in the community in hopes of helping them overcome challenges they are facing. The Unit provides ongoing mentorship and works with assigned case managers to serve these members of the community. The Unit is in need of new vehicles to support their community-based efforts which are focused on non-arrest activities such as transporting individuals to doctors and service appointments. RCPD considers these efforts to be vital to building permanent and long term solutions to challenges that the City's most vulnerable populations face. Jegeris added that in the short-term, these vehicles are considered important to the City's response to persons during COVID-19 and will be used to transport displaced individuals to a temporary shelter in an effort to hopefully build into the long term model of community support. He reiterated that the vehicles are a necessity to continue the police force to best meet the needs of the most vulnerable members of the community and the COVID grant funding for two of the vehicles is very specific in its uses for COVID. Drew moved to Authorize Staff to Purchase Dodge Ram Truck for \$32,359.00 at State Bid Price to Replace Aging Vehicle in the Police Department Fleet. Second by Lehmann. Motion carried unanimously.
- 3) LF061020-10 – Lehmann moved to Authorize Staff to Purchase Two Jeep Grand Cherokees for a Total of \$52,672.00 at State Bid Price to Replace Aging Vehicles in the Police Department Fleet. Second by Drew. Motion carried unanimously.

FIRE DEPARTMENT

- 4) LF061020-06 – Authorize Staff to Apply for and Accept if Awarded the SAFER Grant-Staffing for Adequate Fire & Emergency Response
- 5) LF061020-07 – Authorize Staff to Apply for and Accept if Awarded the Fire Prevention and Safety Grant

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FINANCE DEPARTMENT

- 6) Acknowledge the Following Volunteers for Worker's Compensation Purposes: Kathy Weimer (RSVP+)
- 7) LF061020-01 – Approve Resolution No. 2020-052A a Resolution Fixing Time and Place for Hearing on Assessment Roll for A Business Improvement District 2020
- 8) LF061020-03 – Approve Resolution No. 2020-053 a Resolution Levying Assessment for Abatement of Nuisances
- 9) LF061020-04 – Approve Resolution No. 2020-054 a Resolution Declaring Miscellaneous Personal Property Surplus to be Traded
- 10) LF061020-05 – Acknowledge April 2020 Sales Tax Report
- 11) LF061020-09 – Approve Resolution No. 2020-055 a Resolution Declaring Miscellaneous Property Surplus to be traded

COMMUNITY DEVELOPMENT

- 12) LF052720-02 – Continue the FY20 Community Development Block Grant (CDBG) Contract for Behavior Management systems, Inc. that was continued from the May 27, 2020 Legal and Finance Meeting, to the July 1, 2020 Legal and Finance Meeting

CITY ATTORNEY'S OFFICE

- 13) LF061020-08 – Authorize the Mayor and Finance Officer to Sign the Vision Funds Agreement with Black Hills Works

END OF CONSENT CALENDAR

NON-CONSENT ITEMS – Items 14 – 16

Public Comment opened – Items 14 - 16

Public Comment closed

FINANCE DEPARTMENT

- 14) LF052720-03 – Drew moved to approve the Second Reading and Recommendation of Ordinance 6429 Regarding Supplemental Appropriation #3 for 2020. Second by Lehmann. Motion carried unanimously.

COMMUNITY DEVELOPMENT

- 15) 200A002 – Drew asked City Attorney Joel Landeen to provide some background on this item. Landeen said his understanding is that there was not a limitation on the retail component. The retail sales component should be an accessory to the brewery use, not a retail establishment with an accessory brewery. He added that generally when there is a change to an ordinance like this, it is a clarification or cleanup to make sure the rule works the way it was originally intended. He said further questions can be emailed to Planning for them to be prepared to address it more on Monday June 15, 2020 at the City Council meeting. Nordstrom moved to approve the Introduction and First Reading of Ordinance No. 6428 an Ordinance to Clarify the Retail Sales Component for Microbreweries as Conditional Uses in the Light Industrial District by amending Section 17.22.030N of the Rapid City Municipal Code. Second by Lehmann. Motion carried unanimously.

ADDENDUM NO. 1

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- 16) LF061020-11 – Drury asked City Attorney Joel Landeen to explain this resolution. Landeen said that the current resolution expires at the end of next week, therefore, if this extended resolution is not approved, it would revert back to the more restrictive requirements in the ordinance. This resolution can also be extended or modified. Drew moved to send Resolution No. 2020-056 an Emergency Resolution Extending Resolution No. 2020-034 to Council without recommendation. Second by Lehmann. Motion carried unanimously.

ADJOURN

There being no further business to come before the Council at this time, the meeting was adjourned by Drury at 12:52 p.m.