FY2020 CDBG
ANNUAL ACTION PLAN
AMENDED OCTOBER 2020
AMENDED FEBRUARY 2021

PREPARED BY:
Community Development Department
Community Development Block Grant Program Division
City of Rapid City, South Dakota

Michelle Schuelke
CDBG Program Division Manager
300 6th Street
Rapid City, SD 57701
605-394-4181
Michelle.Schuelke@rcgov.org
rcgov.org
This plan was substantially amended in October 2020 and again in February 2021 due to CDBG CARES Act funding and projects.

Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

The Community Development Block Grant (CDBG) is a flexible program that provides Rapid City with resources to address a wide range of unique community development needs. The City gives priority to activities that benefit low- and moderate-income persons. Activities may also be carried out which aid in the prevention or elimination of slums or blight, or certified activities that meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and where other financial resources are not available to meet such needs. CDBG funds may not be used for activities that do not meet these broad national objectives.

The CDBG program ensures that decent, affordable housing is created and preserved, that services to the most vulnerable in the community are implemented, public facilities are sustained, and that economic development opportunities are supported. In accordance with the U.S. Department of Housing and Urban Development’s (HUD) entitlement community requirements, Rapid City prepared a five-year Consolidated Plan in order to implement Federal programs within the community for the period of April 1, 2018, to March 31, 2023. Each year Rapid City creates an Annual Action Plan to address the high-priority housing, public service, public facility, and economic development needs of the City, as outlined in Rapid City’s Consolidated Plan and Comprehensive Plan. The FY20 Annual Action Plan’s program year runs from April 1, 2020, through March 31, 2021.
2. **Summarize the objectives and outcomes identified in the Plan**

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

Objectives include supporting affordable housing and public facilities projects along with public services that address high-priority needs. AP-20 outlines the annual goals, objectives, and outcome indicators.

According to the Black Hills Knowledge Network, Rapid City has a shortage of 3,490 owner-occupied units costing $899 or less per month and a shortage of 1,459 rental units with gross rents of $500 or less per month. The City will address this need by increasing the supply of housing and strategically fund public services that address immediate needs and those that foster self-sufficiency and independence for low- and moderate-income individuals.

Additionally, the City will support public facility and improvement projects that contribute to essential community infrastructure to ensure all residents enjoy the same basic quality of life and that their most basic needs are met.

3. **Evaluation of past performance**

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

The City continues to focus on the goals set in the 2018-2022 Consolidated Plan.

Safe and accessible infrastructure is essential to providing quality services to the public; therefore, public facilities activities that addressed safety improvements or other critical needs were given priority over lower-priority public facility improvement requests.

Housing development and rehabilitation continues to be a high-priority need and the City prioritized activities that addressed housing for homeless, very-low-income, and special
populations. Additionally, the City evaluates past performance and the likelihood of success when funding projects.

Public service activities that prove to be valuable to the community by reducing the need for additional costly services are supported.

4. **Summary of Citizen Participation Process and consultation process**

The Resident Participation Plan for the CDBG program was updated on July 3, 2017, to meet HUD regulations and the City provides residents opportunities to comment on Annual Action Plans, Consolidated Plans, and Consolidated Annual Performance and Evaluation Reports. Reports are published on the City website and hard copies are displayed in the City administration building, the CDBG Program Division office, the Public Library’s main office, the General Beadle School satellite library, and the lobby of the Pennington County Housing and Redevelopment Commission office building. Public notices are published in two local papers, the Rapid City Journal and Native Sun News. Public Comments are also accepted during the Legal and Finance Committee and City Council meetings. The Community Development Department regularly attends and hosts public meetings that allow public discussions in pre-established forums in which the public may be more inclined to participate and provides a variety of audiences the opportunity to provide input.

5. **Summary of public comments**

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

Common Council approved the Community Investment Committee’s recommendations for FY20 activities. No comments were received during open public comment periods or during public meetings regarding the award of FY20 funding or Neighborhood Lift lots.

A public comment period was opened and a meeting held to discuss the FY20 AAP; the following comments were received at that meeting:
A comment was received that Rapid City needs affordable apartments with rents set at or below $500 per month.

A comment was received that a demonstration or pilot project would be beneficial.

A comment was received that a land give away project/package that would work for everyone would be helpful to meet affordability requirements.

A comment was received that funding should be set aside for specific goals to address high-priority needs.

A comment was received that setting a minimum to the self-scoring system should be data-driven.

A comment was received that the sustainability of projects can be an issue and that the availability of funding for repairs or upgrades would help with the long-term sustainability of projects.

Many comments were received that an online application would be better than a paper application.

Comments received were in support of the elimination of the logic model in the applications.

The public comment period announcing CDBG-CV and CDBG-CV3 awards garnered two public comments in support of the funding recommendations. In response to the public comment period for the first substantial amendment to the FY20 AAP, a comment was received expressing a desire for more money to be allocated towards rent and mortgage assistance.

6. **Summary of comments or views not accepted and the reasons for not accepting them**

All comments received were accepted and considered.
7. **Summary**

Rapid City’s holistic approach in finding solutions to the community’s most pressing needs means considerations as to the impact, the likelihood of success, and the possibility of making long-lasting social change is taken into consideration when funding activities.
PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

<table>
<thead>
<tr>
<th>Agency Role</th>
<th>Name</th>
<th>Department/Agency</th>
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<tbody>
<tr>
<td>Lead Agency</td>
<td>RAPID CITY</td>
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<tr>
<td>CDBG Administrator</td>
<td>RAPID CITY</td>
<td>Community Development Block Grant Program Division</td>
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<td>HOPWA Administrator</td>
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<td>HOME Administrator</td>
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<td>HOPWA-C Administrator</td>
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</tbody>
</table>

Table 1 – Responsible Agencies

Narrative (optional)

CDBG funds are administered under Rapid City’s Community Development Department by the Community Development Block Grant Program Division.

Consolidated Plan Public Contact Information

Michelle Schuelke

CDBG Program Division Manager

300 6th St., Rapid City, SD 57701

Office: (605) 394-4181

Email: Michelle.Schuelke@rcgov.org
AP-10 Consultation – 91.100, 91.200(b), 91.215(l)

1. Introduction

The Community Development Department consulted with a broad group of nonprofit organizations, service providers, local governments, faith-based, and financial institutions. Not only were organizations represented, but new members within those organizations also participated in the process.

Provide a concise summary of the jurisdiction’s activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l))

Through coordinated efforts and community conversations, CommonBond Communities has committed to entering the Rapid City market to provide housing with resident-based services. This development and others are the results of coordinated efforts to address community challenges that benefit both individuals and the community as a whole.

United Way of the Black Hills is moving to a community impact model to address the greatest needs and root causes of those needs as identified in the recently published Black Hills Area Community Needs Assessment. The transition will evolve over the next three years and will ensure long-lasting change. The top three priorities include mental health, substance abuse, and childcare services with an underlying goal of increasing self-sufficiency.

OneHeart, a Collective Impact initiative, will be a transformative campus with customized housing plans along with co-located wrap-around services for addiction and mental health, life-skills, and budgeting. Local non-profit agencies have committed to providing services on-site to allow for a full range of services in a centralized location. OneHeart will be located next to Care Campus.

Care Campus provides Safe Solutions, intensive and residential treatment, detoxification, custodial care, crisis care, health and human services, and long-term specialized methamphetamine/opiate day treatment. Together, OneHeart and Care Campus provide a continuum of complimentary services along with safe temporary housing options.
Care Campus is the culmination of efforts from the 2007 Black Hills Community Needs Assessment, which led to the formation of the Black Hills Mental Health and Substance Abuse Collaborative representing nearly 40 area organizations. Care Campus houses 24/7 Crisis Care, the Rapid City Police Department’s Quality of Life Unit, Pennington County Health and Human Services, and Behavior Management Services. Care Campus has been open for over a year and expansion on the second floor has already taken place due to the demand for services.

The Rapid City Police Department’s Quality of Life Unit works hand-in-hand with caseworkers in order to provide boots-on-the-ground social work to homeless and vulnerable members of the community.

Pennington County Health and Human Services continues to be an integral partner in moving homeless and those at risk of becoming homeless into stability. Pennington County Health and Human Services provides assistance in securing permanent public and private housing solutions while administering intensive case management. Pennington County Health and Human Services and Behavior Management Systems have units of transitional housing at the Owens Apartments, located at Quincy and 6th Street. This collaboration provides housing options for those engaged in case management with the agencies.

The City’s strategic plans incorporate the National League of Cities Strengthening Families for Better Outcomes for Children platform to coordinate efforts within the City and facilitate collaboration on high-priority issues. Area foundations drive leadership within the community and help develop partnerships across a broad range of housing, health, and service agencies.

**Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.**

The CDBG Program Division participates in the South Dakota Housing for the Homeless Consortium, a statewide organization consisting of service and housing providers, individuals, government, and faith-based organizations all working together to address homelessness through a coordinated statewide Continuum of Care (CoC). The Consortium works together to
develop plans for addressing homeless needs and gaps in service and to access CoC funding. CDBG Program Division staff works closely with Rapid City CoC service providers, organizations, and others who offer programs and services to people who are homeless or at risk of becoming homeless.

Locally, the Black Hills Regional Homeless Coalition (BHRHC) members represent agencies that provide emergency shelter and services, transitional housing and services, and permanent supportive housing. The strategic committee of BHRHC includes members of City government, local foundations, the Department of Veterans Affairs (VA), public housing, county health and human services, and the school district. Efforts have resulted in providing enough VASH vouchers for all qualified homeless Veterans and increasing awareness of the McKinney-Vento Act. The Coalition provides objectives and goals for ending involuntary homelessness through a strategic plan. Participation from the West side of the state has recently increased, bringing a well-rounded and state-wide approach and a voice for those needing services in or near the Black Hills. Over 15 organizations from the West side of South Dakota are now represented on the CoC, compared to less than five in 2018.

Volunteers from the BHRHC historically conducted the Point-In-Time homeless count but through a donation made by the John T. Vucurevich Foundation, Volunteers of America Northern Rockies hired the first full-time Black Hills Regional Homeless Coalition Coordinator to manage the effort.

The City also facilitates and participates in housing development exploratory meetings between City Council members, foundations, developers, service agencies, the VA, Rapid City School District, individuals experiencing homelessness, lawmakers, and non-profit agencies for the creation of housing that addresses the high-priority needs of the community including housing for special populations including minorities, chronically homeless individuals and families, families with children, veterans, unaccompanied youth, very low-income, and those with special needs. Additionally, there is a statewide Coordinated Entry System (CES) in place to increase coordination on a state level.
Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

The HMIS data system is used by state and local agencies participating in the Emergency Solutions Grant (ESG) to gather information and evaluate outcomes. Additional agencies have begun exploring and implementing HMIS systems for a better data collection on services provided to and utilized by persons experiencing homelessness in the community. The City of Rapid City does not receive ESG funds; they are managed by South Dakota Housing Development Authority for the state. Therefore, the City does not develop performance standards, evaluate outcomes, or develop funding policies or procedures for the administration of HMIS. However, as an active member of the South Dakota Housing for the Homeless Consortium, the CDBG Program Division is able to provide input on such matters. The South Dakota Housing for the Homeless Consortium is responsible for implementing and maintaining the Homeless Management Information System (HMIS) with the goal of having agencies that serve homeless individuals utilize the HMIS to provide one unified system with accurate data.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction’s consultations with housing, social service agencies and other entities
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<thead>
<tr>
<th></th>
<th><strong>Agency/Group/Organization</strong></th>
<th><strong>Community Health Center of the Black Hills, Inc.</strong></th>
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</table>
|   | **Agency/Group/Organization Type** | Services-Children  
Services-Elderly Persons  
Services-Persons with Disabilities  
Services-homeless  
Services-Health  
Health Agency |
|   | **What section of the Plan was addressed by Consultation?** | Homeless Needs - Chronically homeless  
Homeless Needs - Families with children  
Homelessness Strategy  
Non-Homeless Special Needs |
|   | **Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?** | Input was received from the agency staff through discussions with Collective Impact committees and one-on-one meetings. Outcome: Outreach will improve health care among the homeless. |
| 2 | **Agency/Group/Organization** | Black Hills Area Habitat for Humanity |
|   | **Agency/Group/Organization Type** | Housing  
Service-Fair Housing  
Regional organization |
|   | **What section of the Plan was addressed by Consultation?** | Housing Need Assessment  
Public Housing Needs  
Homeless Needs - Chronically homeless  
Homeless Needs - Families with children  
Homelessness Needs - Veterans  
Homelessness Needs - Unaccompanied youth  
Homelessness Strategy |
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<tr>
<th><strong>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</strong></th>
<th>The agency was invited to participate in housing, homeless, and fair housing listening sessions. Outcome: The agency provides referrals to the City Neighborhood Restoration program and City provides information on the agency’s Home Repair program based on the scope of work requested. Communication between Black Hills Area Habitat for Humanity, NeighborWorks Dakota Home Resources, and North Rapid Civic Association resulted in the completion of eight new single-family owner-occupied homes along with five new owner-occupied row homes. Additionally, these coordinated efforts have revitalized a community garden. Additional outcomes will include the completion of a resident-led community plan.</th>
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<td><strong>3</strong></td>
<td><strong>Agency/Group/Organization</strong></td>
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<td><strong>Agency/Group/Organization Type</strong></td>
<td>Services - Housing</td>
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<td>Services-Children</td>
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<td>Services-Elderly Persons</td>
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<td>Services-Persons with Disabilities</td>
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<td>Services-Persons with HIV/AIDS</td>
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<td>Services-Victims of Domestic Violence</td>
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<td>Services-Education</td>
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<td>Service-Fair Housing</td>
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<td>Regional organization</td>
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<td><strong>What section of the Plan was addressed by Consultation?</strong></td>
<td>Housing Need Assessment</td>
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<td>Homeless Needs - Families with children</td>
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<td>Homelessness Needs - Veterans</td>
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<td>Homelessness Strategy</td>
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<td>HOPWA Strategy</td>
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<td>Agency/Group/Organization</td>
<td>NeighborWorks Dakota Home Resources</td>
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</table>
| **Agency/Group/Organization Type** | Housing  
Services - Housing  
Services-Education  
Service-Fair Housing  
Regional organization  
Neighborhood Organization |
| **What section of the Plan was addressed by Consultation?** | Housing Need Assessment  
Homelessness Strategy  
Market Analysis |
| **Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?** | Agency was invited to participate in housing, homeless and fair housing listening sessions with other non-profit housing agencies. Single-family homeownership is not the highest priority so discussions took place around possible involvement with rental housing, rehabilitation of housing, neighborhood revitalization. Information provided has been included in this plan. Outcome: More affordable housing and consideration for rental units. |

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<tr>
<th>Agency/Group/Organization</th>
<th>WORKING AGAINST VIOLENCE INC.</th>
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| **Agency/Group/Organization Type** | Housing  
Services - Housing  
Services-Victims of Domestic Violence  
Services-homeless  
Services-Education  
Service-Fair Housing  
Services - Victims |
| **Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?** | Agency was asked to participate in listening sessions for housing, homelessness, fair housing, and services for persons with HIV/AIDS. Agency is interested in substance treatment programs and exploring ways to work with the City and other agencies to address affordable housing. Agency currently works with local AIDS/HIV clients. Outcome: Increased agency involvement in housing and substance abuse treatment activities and representation on the BHRHC. |
| What section of the Plan was addressed by Consultation? | Housing Need Assessment  
Homeless Needs - Chronically homeless  
Homeless Needs - Families with children  
Homelessness Strategy |
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<tr>
<td>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</td>
<td>Agency was invited to participate in listening sessions for housing, homelessness, fair housing, and services for domestic violence clients. Information has been included in the plan. Outcome: Better coordination for transitioning victims of domestic violence and sexual assault to permanent housing.</td>
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<tr>
<td>Agency/Group/Organization</td>
<td>PENNINGTON COUNTY HOUSING AND REDEVELOPMENT COMM.</td>
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</table>
| Agency/Group/Organization Type | PHA  
Services - Housing  
Services-homeless  
Service-Fair Housing  
Regional organization |
| What section of the Plan was addressed by Consultation? | Housing Need Assessment  
Public Housing Needs  
Homeless Needs - Chronically homeless  
Homeless Needs - Families with children  
Homelessness Needs - Veterans  
Homelessness Strategy  
Market Analysis |
<p>| Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination? | Agency was invited to participate in housing needs listening sessions and to participate in John T. Vucurevich Foundations New Start Housing Collaborative and Prosperity Initiative meetings. Partnerships with non-profit housing agencies for increasing affordable housing units and difficulties in identifying funds for project management were discussed. The City will continue to work with the agency to develop plans to sustain affordable housing and make funding available for viable projects. Information provided has been included in the plan. Outcomes: The agency will continue to work with the City to address housing needs in the community. |</p>
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<th></th>
<th><strong>Agency/Group/Organization</strong></th>
<th><strong>SOUTH DAKOTA HOUSING DEVELOPMENT AUTHORITY</strong></th>
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<tr>
<td><strong>Agency/Group/Organization Type</strong></td>
<td>PHA&lt;br&gt;Services - Housing&lt;br&gt;Services-homeless&lt;br&gt;Service-Fair Housing&lt;br&gt;Regional organization&lt;br&gt;Planning organization</td>
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<td><strong>What section of the Plan was addressed by Consultation?</strong></td>
<td>Housing Need Assessment&lt;br&gt;Public Housing Needs&lt;br&gt;Homelessness Strategy</td>
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<td><strong>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</strong></td>
<td>Agency was invited to comment on the City Consolidated Plan and Annual Action Plan. The City also partnered with the agency on public comment listening sessions for housing needs and on SDHDAs Consolidated Plan. Information received has been included in this plan. Outcome: Better coordination of services for state-wide and new program development to serve high-priority needs.</td>
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<td><strong>Agency/Group/Organization</strong></td>
<td>Black Hills Special Services</td>
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<td><strong>Agency/Group/Organization Type</strong></td>
<td>Housing&lt;br&gt;Services - Housing&lt;br&gt;Services-Persons with Disabilities&lt;br&gt;Services-Employment&lt;br&gt;Service-Fair Housing&lt;br&gt;Regional organization</td>
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<td><strong>What section of the Plan was addressed by Consultation?</strong></td>
<td>Housing Need Assessment&lt;br&gt;Non-Homeless Special Needs&lt;br&gt;Anti-poverty Strategy</td>
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<tr>
<td><strong>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</strong></td>
<td>Agency was invited to participate in listening sessions for services offered through the various non-profit housing agencies. Agency also participates in New Start Housing Collaborative and Prosperity Initiative meetings. Information provided has been included with this plan. Outcome: Additional group homes for persons with developmental disabilities.</td>
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<td>Agency/Group/Organization</td>
<td>WELLFULLY AKA WELLSPRING INC.</td>
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<td>9</td>
<td>Agency/Group/Organization Type</td>
<td>Services-Children</td>
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<td>Services-Education</td>
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<td>Services - Victims</td>
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<td>Child Welfare Agency</td>
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<td>9</td>
<td>What section of the Plan was addressed by Consultation?</td>
<td>Non-Homeless Special Needs</td>
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<td>9</td>
<td>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</td>
<td>Agency was invited to participate in listening sessions for housing, fair housing, and youth services with other non-profit agencies. The agency helps identify the needs of at-risk youth. Information provided has been included in this plan. Outcome: More effective communication and coordination with at-risk youth.</td>
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<td>10</td>
<td>Agency/Group/Organization</td>
<td>Canyon Lake Senior Center</td>
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<td>Agency/Group/Organization Type</td>
<td>Services-Elderly Persons</td>
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<td>10</td>
<td>What section of the Plan was addressed by Consultation?</td>
<td>Housing Need Assessment</td>
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<td>Homelessness Strategy</td>
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<td>Non-Homeless Special Needs</td>
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<td>Anti-poverty Strategy</td>
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<td>Affordable Workforce-Supportive Housing</td>
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<td>10</td>
<td>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</td>
<td>Agency was invited to participate in listening sessions with other non-profit agencies. Outcome: Better understanding of senior needs and gaps in services.</td>
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<td>11</td>
<td>Agency/Group/Organization</td>
<td>Minneluzahan Senior Center</td>
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<td>11</td>
<td>Agency/Group/Organization Type</td>
<td>Services-Elderly Persons</td>
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<td>Services-Education</td>
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<td>What section of the Plan was addressed by Consultation?</td>
<td>Housing Need Assessment</td>
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<td>Public Housing Needs</td>
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<td>Homelessness Strategy</td>
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<td>Non-Homeless Special Needs</td>
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<td><strong>12</strong> Agency/Group/Organization</td>
<td>Lutheran Social Services</td>
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<tr>
<td>Agency/Group/Organization Type</td>
<td>Housing Services - Housing Services-Children Services-homeless Services-Education Child Welfare Agency</td>
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<tr>
<td>What section of the Plan was addressed by Consultation?</td>
<td>Housing Need Assessment Public Housing Needs Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Anti-poverty Strategy</td>
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<tr>
<td>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</td>
<td>Agency was invited to participate in listening sessions for housing, fair housing, poverty, and youth services with other non-profit agencies. Housing needs for renovation and additional youth beds were discussed. Information provided has been included in this plan. Outcome: Continue a program that provides housing and counseling for at-risk youth in the legal system.</td>
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<td><strong>13</strong> Agency/Group/Organization</td>
<td>Salvation Army of the Black Hills</td>
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<td>Agency/Group/Organization Type</td>
<td>Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-homeless Services - Victims Regional organization</td>
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</table>
| What section of the Plan was addressed by Consultation? | Housing Need Assessment  
Homeless Needs - Chronically homeless  
Homeless Needs - Families with children  
Homelessness Needs - Veterans  
Homelessness Needs - Unaccompanied youth  
Homelessness Strategy  
Non-Homeless Special Needs  
Anti-poverty Strategy |
<table>
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<tbody>
<tr>
<td>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</td>
<td>Agency was invited to participate in housing, homeless, and other services listening sessions with other non-profit housing agencies. Agency’s knowledge of gaps in services and changing needs is essential and their partnership helps leverage local funds. Information provided has been included in this plan. Outcome: Better understanding of homeless needs.</td>
</tr>
<tr>
<td><strong>Agency/Group/Organization</strong></td>
<td>YOUTH AND FAMILY SERVICES</td>
</tr>
</tbody>
</table>
| **Agency/Group/Organization Type** | Services-Children  
Services-Education  
Child Welfare Agency |
| What section of the Plan was addressed by Consultation? | Housing Need Assessment  
Homelessness Strategy  
Non-Homeless Special Needs |
| Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination? | Agency was invited to participate in housing, homeless, fair housing, and youth services listening sessions with other non-profit housing agencies. The agency is an active participant in affordable housing, youth education, care and family counseling along with Prosperity Initiatives. Information provided has been included in this plan. Outcome: Increased youth services and alignment with housing agencies. |
| **Agency/Group/Organization** | Behavior Management Systems |
| **Agency/Group/Organization Type** | Housing  
Services-Persons with Disabilities  
Services-homeless  
Services-Health  
Health Agency |
| What section of the Plan was addressed by Consultation? | Housing Need Assessment  
Public Housing Needs  
Homeless Needs - Chronically homeless  
Non-Homeless Special Needs  
Anti-poverty Strategy |
|------------------------------------------------------|-------------------------------------------------------------|
| Briefly describe how the  
Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination? | Agency was invited to participate in fair housing and client services listening sessions with other non-profit agencies. The agency participates in the New Start Housing Collaborative, Prosperity Initiative, and Mental Health and Substance Abuse Collaboration meetings. Information provided has been included in this plan. Outcome: Discussions of the next phases for OneHeart and improved family support services are being discussed for future projects. |

<table>
<thead>
<tr>
<th>16</th>
<th>Agency/Group/Organization</th>
<th>Hope Center</th>
</tr>
</thead>
</table>
| Agency/Group/Organization Type | Housing  
Services - Housing  
Services-homeless |
| What section of the Plan was addressed by Consultation? | Housing Need Assessment  
Public Housing Needs  
Homeless Needs - Chronically homeless  
Homeless Needs - Families with children  
Homelessness Needs - Veterans  
Homelessness Needs - Unaccompanied youth  
Homelessness Strategy  
Anti-poverty Strategy |
| Briefly describe how the  
Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination? | Agency was invited to participate in housing, homeless, fair housing, and client services listening sessions with other non-profit agencies. The agency participates in New Start Housing Collaborative and Prosperity Initiative meetings. Information provided has been included in this plan. Outcome: Agency is exploring ways they can assist with community case management and coordination of services for persons without homes. |
<table>
<thead>
<tr>
<th>Agency/Group/Organization</th>
<th>Consumer Credit Counseling Services</th>
</tr>
</thead>
</table>
| Agency/Group/Organization Type | Services - Housing  
                          Services-Education  
                          Service-Fair Housing  
                          Education for Financial, Homebuyer, Bankruptcy, Counseling |
| What section of the Plan was addressed by Consultation? | Housing Need Assessment  
                          Non-Homeless Special Needs  
                          Anti-poverty Strategy |
| Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination? | Agency was invited to participate in housing needs and banking-financing listening sessions with other non-profit agencies. Information provided has been included in this plan. Outcome: Provide financial workshops for potential housing clients, including those obtaining housing through other non-profit agencies. The agency created a new renting class educating landlords and tenants on rights and responsibilities. |

<table>
<thead>
<tr>
<th>Agency/Group/Organization</th>
<th>Rapid City Area Schools</th>
</tr>
</thead>
</table>
| Agency/Group/Organization Type | Services-Children  
                          Services-homeless  
                          Services-Education |
| What section of the Plan was addressed by Consultation? | Housing Need Assessment  
                          Homelessness Strategy  
                          Non-Homeless Special Needs  
                          Anti-poverty Strategy |
<table>
<thead>
<tr>
<th>Agency/Group/Organization</th>
<th>South Dakota School of Mines &amp; Technology</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agency/Group/Organization Type</td>
<td>Services-Education</td>
</tr>
</tbody>
</table>
| What section of the Plan was addressed by Consultation? | Housing Need Assessment  
Public Housing Needs  
Non-Homeless Special Needs  
Market Analysis  
Economic Development |
<p>| Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination? | School was invited to participate in the Collective Impact housing, fair housing, and youth services listening sessions. Safe, affordable housing for students is important for the success of the school and students. Public-Private partnerships are necessary for meeting the identified needs. Information provided has been included in this plan. Outcome: Students formed a Tiny House Team dedicated to designing tiny homes, particularly for the homeless population, that incorporate recycled materials and passive heating and ventilation systems. |</p>
<table>
<thead>
<tr>
<th>20</th>
<th><strong>Agency/Group/Organization</strong></th>
<th>United Way of the Black Hills</th>
</tr>
</thead>
</table>
|    | **Agency/Group/Organization Type** | Services - Housing  
Services-Children  
Services-Elderly Persons  
Services-Persons with Disabilities  
Services-Persons with HIV/AIDS  
Services-Victims of Domestic Violence  
Services-homeless  
Services-Health  
Services-Education  
Services-Employment  
Services - Victims  
Regional organization  
Planning organization |
|    | **What section of the Plan was addressed by Consultation?** | Housing Need Assessment  
Public Housing Needs  
Homeless Needs - Chronically homeless  
Homeless Needs - Families with children  
Homelessness Needs - Veterans  
Homelessness Needs - Unaccompanied youth  
Homelessness Strategy  
Non-Homeless Special Needs  
HOPWA Strategy  
Market Analysis  
Anti-poverty Strategy |
<p>|    | <strong>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</strong> | Agency was invited to participate in the Collective Impact session for housing, fair housing, and youth services. Agency also participates in priority, goal setting, and funding discussions to better leverage and coordinate funding for City and United Way projects. Information provided has been included in this plan. Outcome: Better coordination of projects and use and leveraging of funds for community needs is achieved. The agency launched the National Campaign for Grade-Level Reading initiative. The agency conducted a community needs assessment. |</p>
<table>
<thead>
<tr>
<th>21</th>
<th><strong>Agency/Group/Organization</strong></th>
<th>John T Vucurevich Foundation</th>
</tr>
</thead>
</table>
|    | **Agency/Group/Organization Type** | Regional organization  
Planning organization  
Business Leaders  
Civic Leaders  
Foundation |
|    | **What section of the Plan was addressed by Consultation?** | Housing Need Assessment  
Public Housing Needs  
Homeless Needs - Chronically homeless  
Homeless Needs - Families with children  
Homelessness Needs - Veterans  
Homelessness Needs - Unaccompanied youth  
Homelessness Strategy  
Non-Homeless Special Needs  
HOPWA Strategy  
Market Analysis  
Economic Development  
Anti-poverty Strategy |
<p>|    | <strong>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</strong> | Agency conducted the Collective Impact housing session and participates in fair housing, poverty, homelessness, youth services, and other services listening sessions. The Foundation also participates in priority, goal setting, and funding discussions to better leverage and coordinate funding for City, United Way, and John T. Vucurevich projects. The Foundation uses the Collaborations for Change strategy to solve community issues. Information provided has been included in this plan. Outcomes: Better coordination of projects and leveraging of funds for community needs is achieved. Rapid City Collective Impact, initially housed under the Foundation has issued applications for the fourth cadre. New Start Housing Collaborative and Prosperity Initiatives were funded by the Foundation. Initiatives like these make a greater impact on the community through a shared sense of responsibility. |</p>
<table>
<thead>
<tr>
<th>22</th>
<th><strong>Agency/Group/Organization</strong></th>
<th>CATHOLIC SOCIAL SERVICES</th>
</tr>
</thead>
</table>
|    | **Agency/Group/Organization Type** | Services-Children  
Services-Education  
Services - Victims  
Child Welfare Agency  
Regional organization  
Planning organization |
|    | **What section of the Plan was addressed by Consultation?** | Housing Need Assessment  
Homelessness Strategy  
Non-Homeless Special Needs  
Anti-poverty Strategy |
|    | **Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?** | Agency was invited to participate in the Collective Impact housing, fair housing, and youth services listening session with other non-profit agencies. The agency also participates in New Start Housing Collaborative, Prosperity Initiative, and Collective Impact meetings. Information provided has been included in this plan. Outcome: Agency became an anchor agency for the Prosperity Initiative. The agency trains and certifies Prosperity Coaches and conducts presentations to ensure Rapid City is Poverty Informed. |

<table>
<thead>
<tr>
<th>23</th>
<th><strong>Agency/Group/Organization</strong></th>
<th>Pennington County Health and Human Services</th>
</tr>
</thead>
</table>
|    | **Agency/Group/Organization Type** | Services - Housing  
Services-Elderly Persons  
Services-Persons with Disabilities  
Services-Persons with HIV/AIDS  
Services-homeless  
Services-Health  
Other government - County |
| What section of the Plan was addressed by Consultation? | Housing Need Assessment  
Public Housing Needs  
Homeless Needs - Chronically homeless  
Homeless Needs - Families with children  
Homelessness Needs - Veterans  
Homelessness Needs - Unaccompanied youth  
Homelessness Strategy  
Non-Homeless Special Needs  
Anti-poverty Strategy |
<table>
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</thead>
<tbody>
<tr>
<td>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</td>
<td>Agency was invited to participate in housing, fair housing, and health/education services listening sessions with other non-profit agencies. The agency also participates in New Start Housing Collaborative and Prosperity Initiative meetings. Information provided has been included in this plan. Outcome: The City and County work together to address services and gaps in services.</td>
</tr>
<tr>
<td>24</td>
<td>Pennington County City/County Alcohol &amp; Drug Program</td>
</tr>
<tr>
<td>Agency/Group/Organization</td>
<td>Pennington County City/County Alcohol &amp; Drug Program</td>
</tr>
</tbody>
</table>
| Agency/Group/Organization Type | Services-Health  
Health Agency  
Other government - County  
Other government - Local |
| What section of the Plan was addressed by Consultation? | Housing Need Assessment  
Homeless Needs - Chronically homeless  
Homelessness Needs - Veterans  
Non-Homeless Special Needs  
Anti-poverty Strategy |
<p>| Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination? | Agency was invited to participate in Collective Impact listening sessions for housing, homeless, fair housing, and drug-alcohol rehab services with other non-profit housing agencies. Information provided has been included in this plan. Outcome: The agency provides updated information regarding gaps in services for substance abuse treatment. Temporary housing service is available for homeless with substance abuse challenges. |</p>
<table>
<thead>
<tr>
<th></th>
<th>Agency/Group/Organization</th>
<th>South Dakota Dept. of Social Services</th>
</tr>
</thead>
</table>
|   | Agency/Group/Organization Type | Services - Housing  
Services-Children  
Services-homeless  
Services-Education  
Services - Victims  
Child Welfare Agency  
Other government - State  
Regional organization |
|   | What section of the Plan was addressed by Consultation? | Housing Need Assessment  
Homeless Needs - Chronically homeless  
Homeless Needs - Families with children  
Homelessness Needs - Veterans  
Homelessness Needs - Unaccompanied youth  
Homelessness Strategy  
Non-Homeless Special Needs  
Economic Development  
Anti-poverty Strategy |
|   | Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination? | Agency was invited to participate in Collective Impact sessions for housing, homeless, fair housing, and other client-based services listening sessions. Information provided has been included in this plan. Outcome: The department’s interactions with families provide great insight into gaps in services and partnerships with other agencies to serve the families. |
|   | Agency/Group/Organization | CORNERSTONE RESCUE MISSION |
|   | Agency/Group/Organization Type | Housing  
Services - Housing  
Services-Children  
Services-Elderly Persons  
Services-Persons with Disabilities  
Services-Persons with HIV/AIDS  
Services-Victims of Domestic Violence  
Services-homeless  
Services - Victims |
<table>
<thead>
<tr>
<th>Agency/Group/Organization</th>
<th>State Homeless Consortium</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>What section of the Plan was addressed by Consultation?</strong></td>
<td>Housing Need Assessment</td>
</tr>
<tr>
<td></td>
<td>Public Housing Needs</td>
</tr>
<tr>
<td></td>
<td>Homeless Needs - Chronically homeless</td>
</tr>
<tr>
<td></td>
<td>Homeless Needs - Families with children</td>
</tr>
<tr>
<td></td>
<td>Homelessness Needs - Veterans</td>
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<tr>
<td></td>
<td>Homelessness Needs - Unaccompanied youth</td>
</tr>
<tr>
<td></td>
<td>Homelessness Strategy</td>
</tr>
<tr>
<td></td>
<td>Anti-poverty Strategy</td>
</tr>
<tr>
<td><strong>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</strong></td>
<td>Agency was invited to participate in listening sessions for housing, fair housing, homelessness, and poverty with other non-profit housing agencies. Information provided has been included in this plan. Outcome: Better understanding of the needs of the homeless and identification of gaps in services.</td>
</tr>
</tbody>
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<thead>
<tr>
<th>Agency/Group/Organization</th>
<th>Rapid City Police Department- Quality of Life Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>What section of the Plan was addressed by Consultation?</strong></td>
<td>Housing Need Assessment</td>
</tr>
<tr>
<td></td>
<td>Public Housing Needs</td>
</tr>
<tr>
<td></td>
<td>Homeless Needs - Chronically homeless</td>
</tr>
<tr>
<td></td>
<td>Homeless Needs - Families with children</td>
</tr>
<tr>
<td></td>
<td>Homelessness Needs - Veterans</td>
</tr>
<tr>
<td></td>
<td>Homelessness Needs - Unaccompanied youth</td>
</tr>
<tr>
<td></td>
<td>Homelessness Strategy</td>
</tr>
<tr>
<td>Agency/Group/Organization</td>
<td>Pennington County Sheriffs Dept.</td>
</tr>
<tr>
<td>--------------------------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td>Agency/Group/Organization Type</td>
<td>Other government - County Other government - Local</td>
</tr>
<tr>
<td>What section of the Plan was addressed by Consultation?</td>
<td>Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Unaccompanied youth Homelessness Strategy</td>
</tr>
<tr>
<td>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</td>
<td>Members were invited to participate in the Collective Impact public comment sessions regarding all issues. Outcomes: Better coordination of services locally and statewide.</td>
</tr>
</tbody>
</table>

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<thead>
<tr>
<th>Agency/Group/Organization</th>
<th>Black Hills Council of Local Governments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agency/Group/Organization Type</td>
<td>Planning organization</td>
</tr>
<tr>
<td>What section of the Plan was addressed by Consultation?</td>
<td>Housing Need Assessment Market Analysis Economic Development</td>
</tr>
<tr>
<td>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</td>
<td>The organization is working with Community Development Block Grant staff, contractors, and Subrecipients to complete environmental reviews and assist with enrollment in SAM.gov. Outcomes: Better coordination of services among counties in Western South Dakota and more businesses registered in SAM.gov.</td>
</tr>
</tbody>
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<thead>
<tr>
<th>Agency/Group/Organization</th>
<th>CommonBond Communities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agency/Group/Organization Type</td>
<td>Housing Services - Housing</td>
</tr>
</tbody>
</table>
| What section of the Plan was addressed by Consultation? | Housing Need Assessment  
Public Housing Needs  
Homeless Needs - Chronically homeless  
Homeless Needs - Families with children  
Homelessness Needs - Veterans  
Homelessness Needs - Unaccompanied youth  
Homelessness Strategy |
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<tbody>
<tr>
<td>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</td>
<td>Community organizations talked to CommonBond to request they speak to Rapid City residents and to discuss the needs of Rapid City. Outcomes: CommonBond has announced it will provide service-based housing in Rapid City.</td>
</tr>
<tr>
<td>32 Agency/Group/Organization</td>
<td>Black Hills Regional Homeless Coalition</td>
</tr>
</tbody>
</table>
| Agency/Group/Organization Type | Housing  
Services - Housing |
| What section of the Plan was addressed by Consultation? | Housing Need Assessment  
Public Housing Needs  
Homeless Needs - Chronically homeless  
Homeless Needs - Families with children  
Homelessness Needs - Veterans  
Homelessness Needs - Unaccompanied youth  
Homelessness Strategy  
Anti-poverty Strategy |
| Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination? | Coalition members were consulted on homeless needs and the best type of housing to address those needs. Outcomes: Better representation of providers from the West side of the state. A full-time employee to coordinate the PIT count. |
| 33 Agency/Group/Organization | South Dakota Multi Housing Association |
| Agency/Group/Organization Type | Housing |
| What section of the Plan was addressed by Consultation? | Housing Need Assessment  
Public Housing Needs |
<p>| Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination? | Agency was invited to participate in listening sessions for housing, fair housing, homelessness, and poverty with other non-profit housing agencies. Outcome: Discussions of coordination at the state level among multi-family housing providers. |</p>
<table>
<thead>
<tr>
<th>34</th>
<th><strong>Agency/Group/Organization</strong></th>
<th>BLACK HILLS AREA COMMUNITY FOUNDATION</th>
</tr>
</thead>
</table>
|    | **Agency/Group/Organization Type** | Planning organization  
Business and Civic Leaders  
Foundation |
|    | **What section of the Plan was addressed by Consultation?** | Housing Need Assessment  
Public Housing Needs  
Homeless Needs - Chronically homeless  
Homeless Needs - Families with children  
Homelessness Needs - Veterans  
Homelessness Needs - Unaccompanied youth  
Homelessness Strategy  
Non-Homeless Special Needs  
HOPWA Strategy  
Market Analysis  
Economic Development  
Anti-poverty Strategy |
|    | **Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?** | The Foundation participates in priority, goal setting, and funding discussions to better leverage and coordinate funding for City, United Way, and John T. Vucurevich projects. The Foundation uses the Collaborations for Change strategy to solve community issues. Information provided has been included in this plan. Outcomes: Better coordination of projects and leveraging of funds for community needs is achieved. |

<table>
<thead>
<tr>
<th>35</th>
<th><strong>Agency/Group/Organization</strong></th>
<th>Western South Dakota Community Action, Inc.</th>
</tr>
</thead>
</table>
|    | **Agency/Group/Organization Type** | Services-Children  
Services-Elderly Persons  
Services-Persons with Disabilities  
Services-homeless  
Services-Health  
Planning organization |
| What section of the Plan was addressed by Consultation? | Housing Need Assessment  
Public Housing Needs  
Homeless Needs - Chronically homeless  
Homeless Needs - Families with children  
Homelessness Needs - Veterans  
Homelessness Needs - Unaccompanied youth  
Homelessness Strategy  
Non-Homeless Special Needs  
HOPWA Strategy  
Market Analysis  
Economic Development  
Anti-poverty Strategy |
<table>
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</thead>
<tbody>
<tr>
<td>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</td>
<td>Agency was invited to participate in listening sessions with other non-profit agencies. Outcome: Agency to form a partnership with Western Dakota Technical Institute for a tiny home concept.</td>
</tr>
<tr>
<td>36</td>
<td>Agency/Group/Organization</td>
</tr>
</tbody>
</table>
| Agency/Group/Organization Type | Services-Children  
Services-Education |
| What section of the Plan was addressed by Consultation? | Housing Need Assessment  
Homeless Needs - Chronically homeless  
Homeless Needs - Families with children  
Homelessness Needs - Unaccompanied youth  
Homelessness Strategy  
Non-Homeless Special Needs  
Anti-poverty Strategy |
| Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination? | Members were invited to participate in the Collective Impact public comment sessions regarding all issues. Outcomes: Youth City Council was created and will meet to discuss issues that are relevant to the youth in Rapid City and encourage youth engagement with City affairs. |
| 37 | Agency/Group/Organization | Various Developers & Bankers |
| Agency/Group/Organization Type | Services - Housing  
Services-Education  
Service-Fair Housing  
Business and Civic Leaders |
What section of the Plan was addressed by Consultation?

<table>
<thead>
<tr>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Housing Need Assessment</td>
</tr>
<tr>
<td>Non-Homeless Special Needs</td>
</tr>
<tr>
<td>Anti-poverty Strategy</td>
</tr>
</tbody>
</table>

Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?

<table>
<thead>
<tr>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Organizations were invited to participate in housing needs and banking/financing listening sessions. Outcome: Bring awareness of the need for housing units at lower price points.</td>
</tr>
</tbody>
</table>

Identify any Agency Types not consulted and provide rationale for not consulting

All agency types were consulted.

Other local/regional/state/federal planning efforts considered when preparing the Plan

<table>
<thead>
<tr>
<th>Name of Plan</th>
<th>Lead Organization</th>
<th>How do the goals of your Strategic Plan overlap with the goals of each plan?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Continuum of Care</td>
<td>South Dakota Housing Development Authority</td>
<td>Rapid City agencies participate in the development of the State Continuum of Care Plan. The priorities of addressing and eliminating chronic involuntary homelessness are consistent with the City’s Consolidated Plan.</td>
</tr>
</tbody>
</table>

Table 3 – Other local / regional / federal planning efforts

Narrative (optional)

Additional Broadband and Hazard Mitigation Resiliency consultation was not conducted but is and will continue to be considered from the information obtained in the 2018-2022 Con Plan.

CDBG funds are not expected to be utilized for such purposes because the State of South Dakota has a broadband initiative and Pennington County Emergency Management serves as the countywide agency for the purpose of overseeing the planning, response, recovery and mitigation of any and all major disasters/emergencies that occur within the county.
AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation

Summarize citizen participation process and how it impacted goal-setting

The City provides for and encourages the submission of resident’s views and proposals regarding the CDBG Program Division. The City provides free grant training sessions for the public to become familiar with grant requirements and high-priority needs. Additionally, one-on-one technical training is provided year-round on an ongoing basis.

Public notices of training, application deadlines, public meetings, and public comment periods are published in the Rapid City Journal and Native Sun News and emailed to over 200 individuals.

To remove location barriers, reports are published on the City web site and hard copies are displayed in the City administration building, the CDBG Program Division office, the Public Library’s main office, the General Beadle School satellite library, and the lobby of the Pennington County Housing and Redevelopment Commission office building.

In addition to 30-day public comment periods for funding allocations, additional opportunities for comment are provided at two Legal & Finance Committee meetings and two City Council meetings.

A public meeting and open comment period were held concerning the FY20 AAP in efforts to increase citizen participation. Comments received can be found in AP-05 and were consistent with the goals outlined in the ConPlan.

Rather than holding public comment meetings solely on the subject of CDBG, the City has implemented Coffee with Planners, an informal public gathering discussing several relevant topics in one room. Topics include land use, permitting, zoning, code enforcement, public facility improvements, parks, traffic, CDBG, and other related subjects. Participants can rotate to the topics that are most relevant to them. Additionally, the Community Development Department gathers public input and suggestions at non-profit board meetings, community
service connection meetings, Neighborhood Watch groups, and town hall forums that help shape strategic plans.

See the Resident Participation Plan for further information.

**Citizen Participation Outreach**

<table>
<thead>
<tr>
<th>Sort Order</th>
<th>Mode of Outreach</th>
<th>Target of Outreach</th>
<th>Summary of response/attendance</th>
<th>Summary of Comments received</th>
<th>Summary of comments not accepted and reasons</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Internet Outreach</td>
<td>Minorities</td>
<td>Broadcast emails for notice of available FY20 funds, grant training class, and application deadline 07/12/19</td>
<td>N/A</td>
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<td>Persons with disabilities</td>
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<td>Broadcast emails for notice of available Neighborhood Lift lots, grant training class, and application deadline 07/12/19</td>
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<td>Summary of Comments received</td>
<td>Summary of comments not accepted and reasons</td>
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<td>Public Notice of available Neighborhood Lift lots, grant training class, and application deadline 07/17-23/19 Native Sun News</td>
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<td>Broadcast emails for notice of FY20 application deadline 09/09/19</td>
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<td>Minorities</td>
<td>Persons with disabilities</td>
<td>Broadcast emails for notice of 30-day comment period for proposed FY20 funding and Lift lot recommendations 11/20/19</td>
<td>N/A</td>
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<td>Non-targeted/broad community</td>
<td>Public Notice of 30-day comment period for proposed FY20 funding and Lift lot recommendations 11/20-26/19 Native Sun News</td>
<td>N/A</td>
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<td>Legal &amp; Finance Meeting Preliminary Approval for FY20 Funding &amp; Neighborhood Lift lot 12/11/19</td>
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<td>Council Meeting Preliminary Approval for FY20 Funding &amp; Neighborhood Lift lots 12/16/19</td>
<td>N/A</td>
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<td>Legal &amp; Finance Meeting Final Approval for FY20 Funding &amp; Neighborhood Lift lots 1/15/20</td>
<td>N/A</td>
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<td>Council Meeting Final Approval for FY20 Funding &amp; Neighborhood Lift lots 1/21/20</td>
<td>N/A</td>
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<td>Public comment request for FY20 CDBG Annual Action Plan 01/08/20 Rapid City Journal</td>
<td>N/A</td>
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<td>Public comment request for FY20 CDBG Annual Action Plan 01/08-14/20 Native Sun News</td>
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<td>Non-targeted/broad community</td>
<td>Public meeting to discuss FY20 Annual Action Plan 01/28/20</td>
<td>See AP-05 Summary of Public Comments</td>
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<td>Public Notice of 30-day comment period for FY20 Annual Action Plan 2/26/20 Rapid City Journal</td>
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<td>Minorities</td>
<td>Public Notice of 30-day comment period for FY20 Annual Action Plan 2/26-3/3/20 Native Sun News</td>
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<td>25</td>
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<td>Broadcast emails for 30-day comment period for FY20 Annual Action Plan 2/26/20</td>
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<td>Public Notice of substantial amendment 3/18/2020</td>
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<td>Public Notice of substantial amendment 3/18-24/20 Native Sun News</td>
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<td>Public Notice of 14-day comment period for Resident Participation Plan amendment 4/22/20 Rapid City Journal</td>
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<td>31</td>
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<td>Public Notice of amendments to FY19 and FY20 Activities 5/29/20 Rapid City Journal</td>
<td>N/A</td>
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<td>Public Notice of amendments to FY19 and FY20 Activities 5/27-6/2/20 Native Sun News</td>
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<td>Public Notice of 15-Day Public Comment Period for FY19 CAPER 6/24/20 Rapid City Journal</td>
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<td>Public Notice of 15-Day Public Comment Period for FY19 CAPER 6/24-7/1/20 Native Sun News</td>
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<td>Public Notice of 30-Day Comment Period for Amendment to Resident Participation Plan 7/22/20 Rapid City Journal</td>
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<td>Public Notice of 30-Day Comment Period for Amendment to Resident Participation Plan 7/22-28/20 Native Sun News</td>
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<td>Public Notice of available FY21 funds and application deadline 8/26/20 Rapid City Journal</td>
<td>N/A</td>
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<td>Public Notice of 20-day comment period for CDBG-CV funding recommendations and conflict of interest disclosure 10/7/20 Rapid City Journal</td>
<td>See supplemental appendices - G. Larson comment</td>
<td>comment accepted</td>
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<td>Newspaper Ad</td>
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<td>Public Notice of 20-day comment period for CDBG-CV funding recommendations Subrecipients and conflict of interest disclosure 10/7-13/20 Native Sun News</td>
<td>See supplemental appendices - G. Larson comment</td>
<td>comment accepted</td>
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<td>See supplemental appendices - G. Larson comment</td>
<td>comment accepted</td>
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<td>Internet Outreach</td>
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<td>Public notice for Public Notice of substantial amendment of FY20 AAP due to CV funds 10/21/20</td>
<td>See supplemental appendices - A. Richie-Vanderbush comment</td>
<td>comment accepted</td>
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<td>Public Notice of substantial amendment of FY20 AAP due to CV funds 10/21-27/20</td>
<td>See supplemental appendices - A. Richie-Vanderbush comment</td>
<td>comment accepted</td>
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<td>See supplemental appendices - A. Richie-Vanderbush comment</td>
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<td>Public Notice of available CDBG-CV3 funds and application deadline Native Sun News</td>
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<td>Radio Segment</td>
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<td>Details on CDBG program, CDBG-CV funds available 8/20/20 KOTA/FOCUS</td>
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<td>Press Release</td>
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<td>City to receive additional CDBG CARES Act funds 9/11/20</td>
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<td>News Article-City to receive additional CDBG CARES Act funds 9/14/20 KOTA News</td>
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<td>Minorities Non-targeted/broad community</td>
<td>News Article-City to receive additional CDBG CARES Act funds 9/15/20 Native Sun News</td>
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<td>CDBG program, census 11/5/20 KOTA/FOCUS</td>
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<td>City Council Meeting: FY20 amendment to Resident Participation Plan - preliminary approval 8/3/20</td>
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<tr>
<td>70</td>
<td>Public Meeting</td>
<td>Non-targeted/broad community</td>
<td>Legal and Finance Meeting: FY20 CDBG Annual Action Plan substantial amendment - preliminary approval 10/28/20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>71</td>
<td>Public Meeting</td>
<td>Non-targeted/broad community</td>
<td>City Council Meeting: FY20 CDBG Annual Action Plan substantial amendment - preliminary approval 11/2/20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>72</td>
<td>Public Meeting</td>
<td>Non-targeted/broad community</td>
<td>Legal and Finance Meeting: FY20 CDBG-CV funding recommendations - final approval 10/28/20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>73</td>
<td>Public Meeting</td>
<td>Non-targeted/broad community</td>
<td>City Council Meeting: FY20 CDBG-CV funding recommendations - final approval 11/2/20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>74</td>
<td>Public Meeting</td>
<td>Non-targeted/broad community</td>
<td>City Council Working Session: FY20 CDBG Annual Action Plan substantial amendment - final approval 11/10/20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>75</td>
<td>Public Meeting</td>
<td>Non-targeted/broad community</td>
<td>City Council: FY20 CDBG Annual Action Plan substantial amendment - final approval 11/16/20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sort Order</td>
<td>Mode of Outreach</td>
<td>Target of Outreach</td>
<td>Summary of response/attendance</td>
<td>Summary of Comments received</td>
<td>Summary of comments not accepted and reasons</td>
</tr>
<tr>
<td>------------</td>
<td>------------------</td>
<td>--------------------</td>
<td>-------------------------------</td>
<td>-------------------------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>76</td>
<td>Press Release</td>
<td>Non-targeted/broad community</td>
<td>Press Release: notice of available CDBG-CV3 funds and application deadline 12/2/20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>77</td>
<td>Public Meeting</td>
<td>Non-targeted/broad community</td>
<td>City Council Working Session: FY20 CDBG-CV3 funding recommendations - preliminary approval 1/13/21</td>
<td></td>
<td></td>
</tr>
<tr>
<td>78</td>
<td>Public Meeting</td>
<td>Non-targeted/broad community</td>
<td>City Council: FY20 CDBG-CV3 funding recommendations - preliminary approval 1/19/21</td>
<td></td>
<td></td>
</tr>
<tr>
<td>79</td>
<td>Public Meeting</td>
<td>Non-targeted/broad community</td>
<td>City Council Working Session: FY20 CDBG-CV3 funding recommendations - final approval 1/27/21</td>
<td></td>
<td></td>
</tr>
<tr>
<td>80</td>
<td>Public Meeting</td>
<td>Non-targeted/broad community</td>
<td>City Council: FY20 CDBG-CV3 funding recommendations - final approval 2/1/21</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 4 – Citizen Participation Outreach
Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

Anticipated Resources

<table>
<thead>
<tr>
<th>Program</th>
<th>Source of Funds</th>
<th>Uses of Funds</th>
<th>Expected Amount Available Year 1</th>
<th>Expected Amount Available Remainder of ConPlan</th>
<th>Narrative Description</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Annual Allocation:</td>
<td>Program Income:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Prior Year Resources:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Total:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>


<table>
<thead>
<tr>
<th>Program</th>
<th>Source of Funds</th>
<th>Uses of Funds</th>
<th>Expected Amount Available Year 1</th>
<th>Narrative Description</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Annual Allocation: Program Income: Prior Year Resources: Total:</td>
<td></td>
</tr>
<tr>
<td>CDBG</td>
<td>public - federal</td>
<td>Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services</td>
<td>$522,535 $87,988 $0 $610,523</td>
<td>Planning and administration of the CDBG program. Nearly $440,000 in previous years' resources are committed to previous years' activities that will be expended in FY20. $160,432 is committed to project 2019/3 Affordable Housing Projects. Eligible activities include property acquisition of bare land or land with structures, rehabilitation, renovation, and/or infrastructure. Funds are a contingency for project(s) that demonstrate the ability to proceed quickly. $27,000 of RL funds are expected to be used for unidentified Neighborhood Restoration Loan Program activities under project 2020/2. The RL fund has a balance of $50,344. RL funds will be committed to activities once identified. The remaining balance is available for additional Neighborhood Restoration Loan Program activities. $37,644 program income is estimated and consists of PI and RL. Of that estimation, $2,400 is consistent and is allocated to activities. The remaining $35,244 will not be allocated to projects or activities until received. The estimated $37,644 program income plus the RL fund balance of $50,344 accounts for $87,988 indicated as Program Income in the AP-15. All FY20 EN funds ($522,535.00) plus $2,400 in PI are obligated to FY20 activities. Obligations account for at least 90% of expected resources. The remaining funds will be held in contingency.</td>
</tr>
</tbody>
</table>

Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
### Table 5 - Expected Resources – Priority Table

<table>
<thead>
<tr>
<th>Program</th>
<th>Source of Funds</th>
<th>Uses of Funds</th>
<th>Expected Amount Available Year 1</th>
<th>Expected Amount Available Remainder of ConPlan</th>
<th>Narrative Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other</td>
<td>public - federal</td>
<td>Other</td>
<td>$723,905</td>
<td>$0</td>
<td>CDBG-CV and CDBG-CV3 funds to be used to prevent, prepare for and respond to the Coronavirus.</td>
</tr>
</tbody>
</table>

**Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied**

Organizations funded with CDBG dollars are able to leverage other Federal, state, local, and private funds. Organizations’ ability to leverage CDBG funds is a factor taken into consideration as part of the evaluation process but matching funds are not required.

**If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan**

Through the Neighborhood Lift Program, the City will grant ownership to one or more agencies for the development of housing and/or public facility projects that will benefit low- and moderate-income persons. The program allows abandoned and/or tax-delinquent properties to be developed into affordable housing or public facilities that provide affordable housing to low-income households.
### Annual Goals and Objectives

#### AP-20 Annual Goals and Objectives

#### Goals Summary Information

<table>
<thead>
<tr>
<th>Sort Order</th>
<th>Goal Name</th>
<th>Start Year</th>
<th>End Year</th>
<th>Category</th>
<th>Geographic Area</th>
<th>Needs Addressed</th>
<th>Funding</th>
<th>Goal Outcome Indicator</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>CDBG Program Administration &amp; Planning</td>
<td>2018</td>
<td>2022</td>
<td>CDBG Grant Administration and Planning</td>
<td>Rapid City Corporate Limits</td>
<td>CDBG Program Administration and Oversight</td>
<td>CDBG: $104,987</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>CDBG CV and CV3: $119,905</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Housing - Increase Affordable Housing Stock</td>
<td>2018</td>
<td>2022</td>
<td>Affordable Housing</td>
<td>Rapid City Corporate Limits</td>
<td>Housing - Production of New Ownership Homes</td>
<td>CDBG: $0</td>
<td>Homeowner Housing Added: 1 Household Housing Unit</td>
</tr>
<tr>
<td>3</td>
<td>Public Facilities &amp; Improvements</td>
<td>2018</td>
<td>2022</td>
<td>Homeless Public Facility Rehabilitation</td>
<td>Rapid City Corporate Limits</td>
<td>Housing-Production of New Rental Housing Units</td>
<td>CDBG: $355,367</td>
<td>Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 1998 Persons Assisted Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit: 2100 Households Assisted Rental units constructed: 3 Household Housing Unit</td>
</tr>
<tr>
<td>Sort Order</td>
<td>Goal Name</td>
<td>Start Year</td>
<td>End Year</td>
<td>Category</td>
<td>Geographic Area</td>
<td>Needs Addressed</td>
<td>Funding</td>
<td>Goal Outcome Indicator</td>
</tr>
<tr>
<td>------------</td>
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<td>----------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Public Services</td>
<td>2018</td>
<td>2022</td>
<td>Affordable Housing</td>
<td>Rapid City Corporate Limits</td>
<td>Public Services - Homeless Prevention - Housing</td>
<td>CDBG: $64,581</td>
<td>Public service activities other than Low/Moderate Income Housing Benefit: 395 Persons Assisted</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Homeless</td>
<td></td>
<td>Public Service - Rental Assistance Rapid Rehousing</td>
<td>CDBG-CV and CV3: $604,000</td>
<td>Public service activities for Low/Moderate Income Housing Benefit: 175 Households Assisted</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Non-Homeless Special Needs</td>
<td></td>
<td>Public Service - Mental Health Treatment/Services</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Non-Housing Community Development</td>
<td></td>
<td>Public Services – Counseling</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Public Service - Disabled Persons Services</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>Public Service - Early Child Education/Child Care</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>Public Services - Substance Abuse Treatment/Prevent</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Public Service - Youth Activities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Housing - Preserve Existing Housing Stock</td>
<td>2018</td>
<td>2022</td>
<td>Affordable Housing</td>
<td>Rapid City Corporate Limits</td>
<td>Housing - Rehabilitation of Existing Housing</td>
<td>CDBG: $27,000</td>
<td>Homeowner Housing Rehabilitated: 1 Household Housing Unit</td>
</tr>
<tr>
<td></td>
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<td></td>
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<td></td>
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</tr>
</tbody>
</table>

**Table 6 – Goals Summary**

**Goal Descriptions**

<table>
<thead>
<tr>
<th>Goal Name</th>
<th>Goal Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Goal Name</td>
<td>CDBG Program Administration &amp; Planning</td>
</tr>
<tr>
<td>2 Goal Name</td>
<td>Housing - Increase Affordable Housing Stock</td>
</tr>
<tr>
<td>3 Goal Name</td>
<td>Public Facilities &amp; Improvements</td>
</tr>
<tr>
<td>4 Goal Name</td>
<td>Public Services</td>
</tr>
<tr>
<td>5 Goal Name</td>
<td>Housing - Preserve Existing Housing Stock</td>
</tr>
</tbody>
</table>
Projects

AP-35 Projects – 91.220(d)

Introduction

Projects to be undertaken in FY20 are consistent with the goals and objectives set in the ConPlan.

Projects

<table>
<thead>
<tr>
<th>#</th>
<th>Project Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Program Planning and Administration</td>
</tr>
<tr>
<td>2</td>
<td>Neighborhood Restoration Loan Program</td>
</tr>
<tr>
<td>3</td>
<td>Affordable Housing Projects</td>
</tr>
<tr>
<td>4</td>
<td>Public Service for Non-Housing Activity</td>
</tr>
<tr>
<td>5</td>
<td>Public Service - Housing</td>
</tr>
<tr>
<td>6</td>
<td>Public Facilities - Non-Housing</td>
</tr>
<tr>
<td>7</td>
<td>Public Facilities - Housing</td>
</tr>
<tr>
<td>8</td>
<td>CV-Public Services LMI</td>
</tr>
<tr>
<td>9</td>
<td>CV-Public Services Urgent Need</td>
</tr>
<tr>
<td>10</td>
<td>CV-Planning and Admin</td>
</tr>
<tr>
<td>11</td>
<td>CV3-Public Services LMI</td>
</tr>
<tr>
<td>12</td>
<td>CV3-Planning and Admin</td>
</tr>
</tbody>
</table>

Table 7 - Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The CDBG Program Division funds projects that have the greatest ability to perform outcomes. With the highest priorities in mind, the Community Investment Committee takes a holistic approach in funding decisions and awards projects that demonstrate the greatest ability to perform set outcomes. Allocations are based on identified priority needs, collaborative efforts, and knowledge of other funding sources available to applicants.

Working towards the goal of increasing the affordable housing stock, one additional owner-occupied home will be built and 3 low-income special needs residents will benefit from a new facility that provides housing along with supportive services. One owner-occupied household is expected to complete repairs through the Neighborhood Restoration loan program.
Public facility projects will benefit hundreds of individuals and aid the creation of viable communities by providing services to low- and moderate-income individuals in need.

Additional goals to be achieved in FY20 through multi-year projects or rollover accomplishments from previous years’ activities include the completion of three new rental units from rehabilitation work started last year and 14 new HUD-certified homes will be placed for low-income rental purposes.

A transitional home for homeless foster children will be built to house 6 children. The design also includes attached two-bedroom apartments to house an additional 4 individuals transitioning out of foster care.

Although housing projects will be undertaken, the greatest obstacle in creating and sustaining affordable housing is relatively low household incomes coupled with high development costs. High land costs and a competitive construction environment continue to drive up the cost of construction.

High rental rates coupled with limited funding for vouchers and housing services reduce the number of households that receive assistance. With 3200 households on the PHA waitlist, rental and utility assistance services are quickly depleted.

Managed by Rapid City’s CDBG Program Division, the Neighborhood Restoration Loan Program provides loans to homeowners in need of repair services. Loans are issued with low- or no-interest based on family income, size, and debt-to-income ratio. Zero percent loans are fully forgiven after a period of time, typically 10 years, and low-interest loans require small monthly payments that go into a revolving loan fund. These payments fund the program in perpetuity.

Affordable housing is much-needed in Rapid City and projects that address this need, especially rental projects for very low-income households are prioritized.

Public Service for Non-Housing Activities include leveraging CDBG funds to address mental health and substance abuse, childcare and early education, health, and domestic abuse,
especially for disproportionately affected populations including minority racial and ethnic populations, disabled individuals, and very low-income households.

Public Facilities – Non-Housing projects address a wide range of public facilities needs that address safety, remove barriers, and increase accessibility, especially to disproportionately affected populations including minority racial and ethnic populations, disabled individuals, and very low-income households.

Public Facilities – Housing projects will be designated for use in providing shelter for persons having special needs and include but are not limited to shelters for the homeless, group homes, foster homes, nursing homes, and domestic violence shelters.

CV and CV3-Public Services LMI and CV-Public Services Urgent Need - Public Services to prevent, prepare for, and respond to the Coronavirus pandemic.
AP-38 Project Summary

Project Summary Information

<table>
<thead>
<tr>
<th></th>
<th>Project Name</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Project Name</td>
<td>Program Planning and Administration</td>
</tr>
<tr>
<td></td>
<td>Target Area</td>
<td>Rapid City Corporate Limits</td>
</tr>
<tr>
<td></td>
<td>Goals Supported</td>
<td>CDBG Program Administration &amp; Planning</td>
</tr>
<tr>
<td></td>
<td>Needs Addressed</td>
<td>CDBG Program Administration and Oversight</td>
</tr>
<tr>
<td></td>
<td>Funding</td>
<td>CDBG: $104,987</td>
</tr>
<tr>
<td></td>
<td>Description</td>
<td>Planning and administration for the CDBG grant.</td>
</tr>
<tr>
<td></td>
<td>Target Date</td>
<td>3/31/2021</td>
</tr>
<tr>
<td></td>
<td>Estimate the number and type</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>of families that will benefit</td>
<td></td>
</tr>
<tr>
<td></td>
<td>from the proposed activities</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Location Description</td>
<td>300 6th St. Rapid City, SD 57701</td>
</tr>
<tr>
<td></td>
<td>Planned Activities</td>
<td>Program oversight, audits, and administration.</td>
</tr>
<tr>
<td>2</td>
<td>Project Name</td>
<td>Neighborhood Restoration Loan Program</td>
</tr>
<tr>
<td></td>
<td>Target Area</td>
<td>Rapid City Corporate Limits</td>
</tr>
<tr>
<td></td>
<td>Goals Supported</td>
<td>Housing - Preserve Existing Housing Stock</td>
</tr>
<tr>
<td></td>
<td>Needs Addressed</td>
<td>Housing - Rehabilitation of Existing Housing</td>
</tr>
<tr>
<td></td>
<td>Funding</td>
<td>CDBG: $27,000</td>
</tr>
<tr>
<td></td>
<td>Description</td>
<td>Rehabilitation of owner-occupied housing for low-income households.</td>
</tr>
<tr>
<td></td>
<td>Target Date</td>
<td>3/31/2021</td>
</tr>
<tr>
<td>3</td>
<td><strong>Project Name</strong></td>
<td>Affordable Housing Projects</td>
</tr>
<tr>
<td>---</td>
<td>----------------</td>
<td>----------------------------</td>
</tr>
<tr>
<td><strong>Target Area</strong></td>
<td>Rapid City Corporate Limits</td>
<td></td>
</tr>
</tbody>
</table>
| **Goals Supported** | Housing - Increase Affordable Housing Stock  
Housing - Preserve Existing Housing Stock |
| **Needs Addressed** | Housing - Production of New Ownership Homes |
| **Funding** | 0 |
| **Description** | Eligible activities include property acquisition of bare land or land with structures, rehabilitation, renovation, and/or infrastructure. |
| **Target Date** | 3/31/2021 |
| **Estimate the number and type of families that will benefit from the proposed activities** | 1 low-income family will benefit from the proposed activities. |

<table>
<thead>
<tr>
<th>4</th>
<th><strong>Project Name</strong></th>
<th>Public Service for Non-Housing Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Target Area</strong></td>
<td>Rapid City Corporate Limits</td>
<td></td>
</tr>
<tr>
<td><strong>Goals Supported</strong></td>
<td>Public Services</td>
<td></td>
</tr>
</tbody>
</table>
| Needs Addressed | Public Service - Disabled Persons Services  
|                | Public Service - Mental Health Treatment/Services  
|                | Public Services - Substance Abuse Treatment/Prevention |
| Funding        | CDBG: $29,581 |
| Description    | Non-housing public services to meet high-priority needs of the community. |
| Target Date    | 3/31/2021 |
| Estimate the number and type of families that will benefit from the proposed activities | 160 low-income families will benefit from the proposed activities. |
| Location Description | 111 North Street  
|                    | Rapid City, SD  
|                    | and  
|                    | 350 Elk Street  
|                    | Rapid City, SD 57701 |
| Planned Activities | Funding for salaries of 1.125 employees to assist people with mental health issues in completing applications to obtain free pharmaceutical medications through Patient Assistance Programs. 160 people will receive a total of approximately $1.75 million in free medication. |
| Project Name    | Public Service - Housing |
| Target Area     | Rapid City Corporate Limits |
| Goals Supported | Public Services |
| Needs Addressed | Public Services - Homeless Prevention - Housing  
<p>|                | Public Service - Rental Assistance Rapid Rehousing |
| Funding        | CDBG: $35,000 |
| Description    | Temporary (not to exceed three months) housing assistance for homeless individuals and families those at risk of homelessness and/or moving from transitional living arrangements to permanent housing. |
| Target Date    |</p>
<table>
<thead>
<tr>
<th>Estimate the number and type of families that will benefit from the proposed activities</th>
<th>25 low-income families will benefit from the proposed activity.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location Description</td>
<td>Throughout City.</td>
</tr>
<tr>
<td>Planned Activities</td>
<td>Public Services activities that support housing.</td>
</tr>
<tr>
<td>6</td>
<td>Project Name</td>
</tr>
<tr>
<td>Target Area</td>
<td>Rapid City Corporate Limits</td>
</tr>
<tr>
<td>Goals Supported</td>
<td>Public Facilities &amp; Improvements</td>
</tr>
<tr>
<td>Needs Addressed</td>
<td>Public Improvements &amp; Infrastructure - Non Housing</td>
</tr>
<tr>
<td>Funding</td>
<td>CDBG: $144,993</td>
</tr>
<tr>
<td>Description</td>
<td>Meet needs of the community through public facility improvement projects.</td>
</tr>
<tr>
<td>Target Date</td>
<td></td>
</tr>
<tr>
<td>Estimate the number and type of families that will benefit from the proposed activities</td>
<td>1148 low-income, primarily Native American, families will benefit from one safety improvement activity and 850 low-income families from a variety of backgrounds will benefit from a public facility renovation project.</td>
</tr>
</tbody>
</table>
| Location Description | 2112 S. Valley Drive  
Rapid City, SD 57701  
and  
120 E Adams St  
Rapid City, SD 57701 |
<p>| Planned Activities | Funding will support constructing a fence for an early childhood education center to improve safety and replacing an aging HVAC system on another early childhood education center, both of which provide Head Start programs. |
| 7 | Project Name | Public Facilities - Housing |</p>
<table>
<thead>
<tr>
<th><strong>Target Area</strong></th>
<th>Rapid City Corporate Limits</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Goals Supported</strong></td>
<td>Public Facilities &amp; Improvements</td>
</tr>
</tbody>
</table>
| **Needs Addressed** | Housing - Production of New Rental Housing Units  
Housing - Group Home  
Public Facilities - Rehabilitation/Renovation  
Public Facilities - Emergency Shelter & Trans House  
Public Improvements & Infrastructure - LMI Housing |
| **Funding** | CDBG: $210,374 |
| **Description** | Public facility projects that improve access to, improvements to, or affordability for low-income households. |
| **Target Date** | 3/31/2021 |
| **Estimate the number and type of families that will benefit from the proposed activities** | 2103 low-income families are expected to benefit from the proposed activities. |
| **Location Description** | 527 Quincy St  
Rapid City, SD 57701  
and  
248 Curtis St  
Rapid City, SD 57701 |
| **Planned Activities** | A group home with supportive services for 3 adults with disabilities will be constructed. Windows will be replaced at an emergency shelter for domestic violence and sexual assault victims. |
| **Project Name** | CV-Public Services LMI |
| **Target Area** | Rapid City Corporate Limits |
| **Goals Supported** | Public Services |
| **Needs Addressed** | Housing - Rental Assistance  
Public Service - Early Child Education/Child Care  
Public Service - Rental Assistance Rapid Rehousing |
<p>| <strong>Funding</strong> | CDBG-CV: $200,000 |</p>
<table>
<thead>
<tr>
<th>Description</th>
<th>LMI Public Services to prevent, prepare for, and respond to the Coronavirus pandemic.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target Date</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>Estimate the number and type of families that will benefit from the proposed activities</td>
<td>80 LMI households are expected to benefit from rent or mortgage assistance not to exceed 3 months. 12 child care providers who primarily serve LMI households are expected to receive assistance.</td>
</tr>
<tr>
<td>Location Description</td>
<td>City of Rapid City</td>
</tr>
<tr>
<td>Planned Activities</td>
<td>Emergency payments for rent or mortgages not to exceed three consecutive months. Payments will be made directly to providers on behalf of LMI households. Assistance to child care providers including but not limited to reimbursement of eligible expenses such as personal protective equipment (PPE), cleaning supplies, increased staffing costs (including salaries, wages, and fringe benefits), increased food costs, increased travel costs, and other increased or additional costs related to the COVID-19 pandemic.</td>
</tr>
<tr>
<td>Project Name</td>
<td>CV-Public Services Urgent Need</td>
</tr>
<tr>
<td>Target Area</td>
<td>Rapid City Corporate Limits</td>
</tr>
<tr>
<td>Goals Supported</td>
<td>Public Services</td>
</tr>
</tbody>
</table>
| Needs Addressed | Housing - Rental Assistance  
Public Service - Early Child Education/Child Care  
Public Service - Rental Assistance Rapid Rehousing |
<p>| Funding | CDBG-CV: $50,000 |
| Description | Urgent Need Public Services to prevent, prepare for, and respond to the Coronavirus pandemic. |
| Target Date | 12/31/2021 |
| Estimate the number and type of families that will benefit from the proposed activities | 20 LMI households are expected to benefit from rent or mortgage assistance not to exceed 3 months. 3 child care providers who primarily serve LMI households are expected to receive assistance. |</p>
<table>
<thead>
<tr>
<th>Location Description</th>
<th>City of Rapid City</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planned Activities</td>
<td>Emergency payments for rent or mortgages not to exceed three consecutive months. Payments will be made directly to providers on behalf of LMI households. Assistance to child care providers including but not limited to reimbursement of eligible expenses such as personal protective equipment (PPE), cleaning supplies, increased staffing costs (including salaries, wages, and fringe benefits), increased food costs, increased travel costs, and other increased or additional costs related to the COVID-19 pandemic.</td>
</tr>
<tr>
<td>Project Name</td>
<td>CV-Planning and Admin</td>
</tr>
<tr>
<td>Target Area</td>
<td>Rapid City Corporate Limits</td>
</tr>
<tr>
<td>Goals Supported</td>
<td>CDBG Program Administration &amp; Planning</td>
</tr>
<tr>
<td>Needs Addressed</td>
<td>CDBG Program Administration and Oversight</td>
</tr>
<tr>
<td>Funding</td>
<td>CDBG-CV: $57,390</td>
</tr>
<tr>
<td>Description</td>
<td>Planning and administration related to the prevention of, preparation for, and response to the Coronavirus pandemic.</td>
</tr>
<tr>
<td>Target Date</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>Estimate the number and type of families that will benefit from the proposed activities</td>
<td></td>
</tr>
</tbody>
</table>

11 | Project Name | CV3-Public Services LMI |
| Target Area | |
| Goals Supported | Public Services |
| Needs Addressed                                                                 | Public Services - Counseling  
|                                                                                | Public Service - Disabled Persons Services  
|                                                                                | Public Service - Early Child Education/Child Care  
|                                                                                | Public Services - Homeless Prevention - Housing  
|                                                                                | Public Service - Rental Assistance Rapid Rehousing  
|                                                                                | Public Service - Mental Health Treatment/Services  
|                                                                                | Public Services - Substance Abuse Treatment/Prevnt  
|                                                                                | Public Service - Youth Activities  
| Funding                                                                        | CDBG-CV: $354,000  
| Description                                                                    | LMI Public Services to prevent, prepare for, and respond to the Coronavirus pandemic.  
| Target Date                                                                    | 12/31/2023  
| Estimate the number and type of families that will benefit from the proposed activities | The project will assist approximately 295 low/moderate-income households.  
| Location Description                                                           | The City of Rapid City, SD  
| Planned Activities                                                             | Planned activities include assisting 50 elderly households with food security, 150 LMI households with emergency rent and mortgage payments, 35 households with youth who have addiction, behavioral, and mental health challenges, 40 homeless households with childcare, and 20 households with afterschool childcare and e-learning services.  
| Project Name                                                                   | CV3-Planning and Admin  
| Target Area                                                                    |  
| Goals Supported                                                                | CDBG Program Administration & Planning  
| Needs Addressed                                                                | CDBG Program Administration and Oversight  
| Funding                                                                        | CDBG-CV: $62,515  
| Description                                                                    | Planning and administration related to the prevention of, preparation for, and response to the Coronavirus pandemic.  
| Target Date                                                                    | 12/31/2023  

Annual Action Plan  
2020  

OMB Control No: 2506-0117 (exp. 06/30/2018)
<table>
<thead>
<tr>
<th>Estimate the number and type of families that will benefit from the proposed activities</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location Description</td>
<td>The City of Rapid City, SD</td>
</tr>
<tr>
<td>Planned Activities</td>
<td>Planning and administration related to the prevention of, preparation for, and response to the Coronavirus pandemic.</td>
</tr>
</tbody>
</table>
AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

All funded activities will benefit persons living within the corporate limits of the City of Rapid City.

<table>
<thead>
<tr>
<th>FY20 Activities</th>
<th>Activity Address</th>
<th>Census Tract</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Family Owner-Occupied Home</td>
<td>627 St Cloud Street</td>
<td>108</td>
</tr>
<tr>
<td>Group Home for Adults with Disabilities</td>
<td>248 Curtis Street</td>
<td>104</td>
</tr>
<tr>
<td>Public Facility Improvement</td>
<td>2112 South Valley Drive</td>
<td>109.07</td>
</tr>
<tr>
<td>Public Facility Improvement</td>
<td>527 Quincy St.</td>
<td>102</td>
</tr>
<tr>
<td>Public Facility Improvement</td>
<td>120 Adams St.</td>
<td>104</td>
</tr>
<tr>
<td>Public Service – Mental Health</td>
<td>350 Elk St.</td>
<td>109.04</td>
</tr>
<tr>
<td>Public Service – Mental Health</td>
<td>111 North St.</td>
<td>104</td>
</tr>
<tr>
<td>Public Service – Rapid Rehousing/Homeless Prevention</td>
<td>321 Kansas City St.</td>
<td>102</td>
</tr>
</tbody>
</table>

The Unique Grantee Unique Appendices shows the population by age and race, with the highest percentage reporting as white alone and the second-highest percentage reporting as American Indian and Alaska Native alone. In the 2010 Census, 2,816, or 4.14% persons reported having Hispanic or Latino origin in Rapid City.

Rapid City median household income was $50,742.00, in 2018 dollars, compared to $50,833 in 2013 dollars with 16.3% of individuals living below the poverty rate according to census.gov. The 2019 Federal Financial Institutions Examination Council Census reports that all 6 moderate-income census tracts had minority populations greater than 20%. Three out of 11 middle-income census tracts had minority populations greater than 20%. Zero out of three upper-income census tracts reported minority populations greater than 20%. The census tract with the lowest median household income has the highest percentage of minorities; the census tract with the highest median household income does not have the lowest percent of minorities.
Geographic Distribution

<table>
<thead>
<tr>
<th>Target Area</th>
<th>Percentage of Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rapid City Corporate Limits</td>
<td>100</td>
</tr>
</tbody>
</table>

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

Projects funded and people assisted with CDBG dollars may be located anywhere throughout the corporate limits of Rapid City. Housing for low- and moderate-income people throughout the City is encouraged in order to provide equal opportunities at all income levels and access to transportation, food, and essential services is taken into consideration. Five activities are located in moderate-income census tracts and three are located in middle-income census tracts to provide opportunity through the City while addressing localized needs.
Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

Maintaining and creating new affordable housing stock is a priority and the City attempts to further focus funding on serving homeless, those with special needs, and the lowest-income households through affordable housing activities. The City owns two abandoned tax-delinquent properties and will grant ownership to one or more agencies for the development of housing and/or public facility projects that will benefit low- and moderate-income persons as part of the Neighborhood Lift Program.

Rapid City recently adopted an affordable housing policy that aims to expand housing varieties to meet the community’s changing needs and establishes a comprehensive housing strategy. It establishes a local definition of ‘affordable housing’ while allowing flexibility in ways specific projects can qualify. As part of the Rapid City Affordable Housing Policy, the City will prepare and follow a comprehensive Affordable Housing Strategic Plan which will set forth several objectives including targeted strategies for a variety of household types, planning opportunities for the development of housing that aligns with needs of target groups, expanding the City’s purview and approach to housing beyond programs currently in place, supporting collaboration, and promoting development of affordable housing close to public transit and other essential services.

Through an ordinance amendment and by recommendation of Rapid City’s Comprehensive Plan, the City now allows legal, permitted, accessory dwelling units in residential neighborhoods to provide supplementary living accommodations in the community and encourage unique affordable and workforce housing options.

Black Hills Area Community Foundation has launched a new initiative focusing on affordable housing and includes two new staff positions centered on that effort. They were awarded
$207,000 to implement a collective impact process that ensures the availability of affordable housing for low-income families in Rapid City.

<table>
<thead>
<tr>
<th>One Year Goals for the Number of Households to be Supported</th>
</tr>
</thead>
<tbody>
<tr>
<td>Homeless</td>
</tr>
<tr>
<td>Non-Homeless</td>
</tr>
<tr>
<td>Special-Needs</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

Table 9 - One Year Goals for Affordable Housing by Support Requirement

<table>
<thead>
<tr>
<th>One Year Goals for the Number of Households Supported Through</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rental Assistance</td>
</tr>
<tr>
<td>The Production of New Units</td>
</tr>
<tr>
<td>Rehab of Existing Units</td>
</tr>
<tr>
<td>Acquisition of Existing Units</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

Table 10 - One Year Goals for Affordable Housing by Support Type
AP-60 Public Housing – 91.220(h)

Introduction

Actions planned during the next year to address the needs to public housing

To address a growing demand for public housing, applications for additional units of Tenant Based Assistance will be made and outreach to potential voucher landlords will be conducted. Pennington County Housing and Redevelopment Commission plans to utilize 20% of its public housing operating subsidy for capital improvements in accordance with HUD regulations and plans to improve the quality of assisted housing and provide improved living environments through crime prevention activities. In meeting the goal of enhancing the image of Public Housing, a plan has been implemented to convert interior fluorescent lighting to LED.

Pennington County Housing and Redevelopment Commission will ensure equal opportunity and affirmatively further fair housing by providing staff with adequate training in the areas of Equal Opportunity, Fair Housing, and Reasonable Accommodations and continue to make progress in modernizing facilities to fully comply with 504 Accessibility Standards.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

The PHA has an established Resident Advisory Board (RAB), the membership of which represents the residents assisted by the PHA. The PHA consulted with the RAB in developing the 5-Year PHA Plan, including any changes or revisions to the policies and programs. The RAB provided comments for the 5-Year PHA plan, which will be submitted by the PHA as an attachment to the PHA Plan (24 CFR 903.17(a), 24 CFR 903.19). The PHA does not operate a homeownership program.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

Pennington County Housing and Redevelopment Commission is not a troubled PHA.
AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

The City’s high priorities include ending chronic homelessness, reducing situational homelessness, reducing youth homelessness, and providing services and affordable housing to persons with mental health and substance abuse issues, disabilities, the elderly, and populations with disproportionately higher needs.

Volunteers of America Northern Rockies houses HIV/AIDS services including the Ryan White Care Act for HIV-positive adults who live at or below 300% of the poverty level and they are part of the West River HIV Health Network to address the healthcare needs of HIV-positive individuals. Ten households are receiving tenant-based assistance through HOPWA, zero are receiving short-term rent, mortgage, or utility assistance through HOPWA, and 11 households are on the HOPWA waiting list.

The City recognizes there is a large discrepancy among how Federal agencies acknowledge homelessness. Most notably, the McKinney Vento program reported 602 students as homeless in the Rapid City School District during the 2018-2019 school year yet only 474 people identified as homeless in the 2019 PIT Homeless Count throughout 15 western South Dakota counties. Reducing homelessness can be a matter of definition.

The City’s goal is to develop a regional definition of homelessness; it is recognized that a subset population with urgent housing needs may never be considered homeless as defined by some Federal programs. All agencies will continue to comply with homeless definitions as set by programs, but a broader data-set will also be captured. The City will take action to reduce homelessness by funding housing-first activities and public services targeted at those experiencing homelessness or at risk of homelessness.
Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

Many organizations conduct street-level outreach to the homeless and others with special needs. Entities such as the VA, Community Health Center of the Black Hills, Western SD Community Action, Behavior Management Systems, Western Resources for Independent Living, the HOPE Center, the Black Hills Regional Homeless Coalition, Volunteers of America Northern Rockies, and the Police Department’s Quality of Life Unit make connections and provide referrals to appropriate agencies and services.

The Rapid City Police Department’s Quality of Life Unit works hand-in-hand with caseworkers in order to provide boots-on-the-ground social work service to homeless and vulnerable members of the community. This unit is charged with building relationships with the visible part of the poverty spectrum (street level homeless, public inebriates, panhandlers, etc.) and connecting them with services they might not otherwise know about. The grant awarded for this initiative was written under the advisory/collaboration with a multidisciplinary team of agencies including Rapid City Collective Impact, Behavioral Management Systems, and Center for American Indian Research & Native Studies, Working Against Violence, Inc., The Hope Center, and the Rapid City Police Department Community Advisory Committee. The Police Department also hired a Community Based Crime Reduction Project Manager to advance strategic goals through various community partners.

The PIT Count organized by the Black Hills Regional Homeless Coalition annually assesses the characteristics of the homeless population. They also conduct Project Homeless Connect, a one-day event designed to provide access to services. The Black Hills Homeless Coalition Youth Taskforce creates solutions for runaway youth and provides resources for youth facing homelessness.
Postings of public meetings in public spaces encourage all members of the community to be involved. Individuals experiencing homelessness participate in public meetings and contribute to solving homeless and homeless-related issues.

**Addressing the emergency shelter and transitional housing needs of homeless persons**

Through Coordinated Entry case conferencing models, prioritization flowcharts help identify the best solution for addressing homelessness on an individual level.

Through regular case conferencing meetings, community partners arrive with assessments of emergency or transitional housing needs of individuals. It is a highly customized process in which to identify and provide the housing needs of specific individuals with the greatest needs based on a standard assessment tool. The prioritization model assists those with the most critical needs first, but a lack of housing options makes the process challenging.

**Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again**

Coordinated Entry efforts have bolstered in Rapid City and throughout the state through increased education and awareness about the model. Priorities are set by the Coordinated Entry model to most effectively problem-solve and shorten the time individuals and families experiencing homelessness.

The VA’s outreach at the Cornerstone Rescue Mission and Volunteers of America Northern Rockies connects eligible veterans to services and VASH vouchers. State-wide youth telemeetings have provided avenues for youth input in addressing homeless needs. Two additional foster homes in Rapid City will allow homeless youth to transition from homeless to permanently housed to living independently.
Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

Through homeless prevention services, including short-term (not to exceed three months) rental assistance, homelessness is avoided and provides a cushion during a crisis.

Through the development of two new therapeutic foster homes, one partially funded with CDBG, youth transitioning out of foster care can move into apartments attached to the group home portion of the structure. Statistically, a history of foster care correlates with becoming homeless at an earlier age and remaining homeless for longer periods of time. The goal of this program is to prevent youth from becoming homeless at the onset of their eighteenth birthday.

Other temporary services such as utility, food, and childcare assistance prevent homelessness by providing a safety net during times of need. The 211 Community Resources Helpline Center connects individuals to services. When a household is in crisis or cannot afford necessities, temporary financial support can prevent homelessness.

Passages implements a reentry program with housing for women discharged from correction facilities to prevent homelessness upon release.

The City’s Section 8 Housing Choice Voucher Program is administered by Pennington County Housing and Redevelopment Commission and can be used to prevent homelessness, especially among the elderly, disabled, and Veterans.

**Discussion**

Lack of funding and vouchers limit the ability of the City to meet the needs of all individuals experiencing or facing homelessness. Volunteers of America Northern Rockies reports additional funding needs for rapid re-housing services.
AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment.

Pennington County recently passed a tax break over a period of five years for housing projects with four or more units with rental rates set for households under 60% AMI for a 10-year period. Rapid City is also exploring the possibility of providing incentives and/or reductions for qualified affordable housing projects. The culmination of these incremental tools will reduce costs for developers and incentivize affordable housing projects.

In conjunction with Rapid City’s new Affordable Housing Policy, the City will pursue target strategies to assist and promote affordable housing. One such strategy will include establishing new zoning districts for small lot single-family zoning and inclusionary zoning where a share of new construction is required to include affordable housing options. Additional target strategies will include special zoning allowances for smaller lot sizes, increased density for multi-family development, decreased off-street parking requirements, increased lot coverage limits, and decreased setback requirements. The City will also establish guidelines and incentives for mobile home improvements and redevelopments.

The Community Development Department is also working on updating the Tax Increment Financing policy to better align City and developer goals and bring transparency and accountability to the process.

Discussion:

The recent approval of accessory dwelling units will immediately add additional legal housing units without any infrastructure of development costs. Additional creative uses and policies can have positive impacts on reducing the barriers to creating and preserving affordable housing.
AP-85 Other Actions – 91.220(k)

Introduction:

**Actions planned to address obstacles to meeting underserved needs**

Grants are conducted and administered in compliance with the Fair Housing Act (42 USC 3601) and compliance is required among Subrecipients. Pursuant to these regulations, the City will assess and remove barriers that disproportionately impede housing choice for people in one or more protected classes of the Fair Housing Act and maintain records reflecting the analysis and actions taken. Impediments to fair housing choice may be circumstances, conditions, policies, and other factors that intentionally or unintentionally affect these protected classes.

A review of zoning ordinances will assess the effects of regulatory barriers, both intended and unintended, especially on protected classes and promote Fair Housing choice for all.

South Dakota’s Governor, in partnership with the State Legislature, launched a broadband development program, Connect South Dakota, which includes $5 million in grant money. Program goals include increasing the availability of high-speed broadband to every South Dakota citizen, business, and community institution, and to do so with the standards set by the FCC at download speeds of 25 Megabits per second and upload speeds at 3 Megabits per second. The most pressing broadband need is in rural areas. In Pennington County, 9.4% of the population lacks access. Neighboring rural counties such as Custer (84.4% no access rate), Meade (18.6% no access rate), Oglala Lakota (77.6% no access rate), Jackson (85.9% no access rate), and Haakon (60.4% no access rate) have a disproportionately greater need. Rapid City is served by at least 2 large providers, Midco and Vast Broadband. According to census.gov, 80.5% of Rapid City households had a broadband internet subscription from 2014-2018. The goal of the program is to ensure all residents have access to broadband services.

**Actions planned to foster and maintain affordable housing**

Work towards a pilot program or case study to demonstrate the viability of affordable housing projects will continue. This effort will ensure multiple goals and objectives are met and allow open competition to those interested in meeting goals through a partnership with the City.
Incentive packages, reduced fees, or zoning exceptions may be used to encourage qualified participants.

**Actions planned to reduce lead-based paint hazards**

Exposure to lead-based paint can cause a range of health problems including damage to the brain and vital organs. The City will continue to require lead-based testing and safe lead practices in all CDBG funded projects.

**Actions planned to reduce the number of poverty-level families**

Elevate Rapid City is a joint venture of Rapid City Economic Development, the South Dakota Ellsworth Development Authority, the Economic Development Foundation, and Rapid City Area Chamber of Commerce. They crafted a strategic, results-oriented economic development plan for Rapid City that includes the creation and retention of jobs, response to business needs, and results measuring. The members represent a wide range of business leaders, entrepreneurs, philanthropists, Ellsworth Air Force base representatives, primary and secondary educators, and Rapid City Mayor Steve Allender. Part of the initiative will focus on mitigating barriers for low-income households such as childcare and transportation. Additionally, they will work towards providing a scaled social service reduction approach to incentivize individuals to become self-sufficient. The strategic plan also outlines a method to increase per capita income by 15%.

The South Dakota Department of Labor houses one-on-one job counseling and job training sessions such as “Bring Your A-Game” soft skills training and a job search assistance program. They also host South Dakota Board of Technical Professions Meetings. The South Dakota DOL issues National Career Readiness Certificates that certify skills necessary for workplace success. It tests on skills employers believe to be critical for job success. Elevate Rapid City will encourage more employers to recognize the certificates.

The John T. Vucurevich Foundation continues to provide leadership to promote community awareness of issues affecting generational poverty through the Prosperity Initiative. Community members volunteer as Prosperity Coaches and meet regularly to learn, share, and
develop plans for increasing opportunities for persons living in poverty. The Coaches train staff within their organizations or businesses on the issues that affect poverty-level families. Coaches also serve as designated liaisons and provide referrals to those in need of services. The Prosperity Initiative has implemented Pathways to Prosperity community information sessions for persons interested in volunteering to be adult mentors for persons experiencing poverty.

Rapid City was the first community in South Dakota to join the National Campaign for Grade-Level Reading Initiative and is committed to ensuring children from all economic backgrounds become proficient readers by the end of third grade. Third grade is the milestone in which children transition from “learning to read” to “reading to learn.” Based on research that students not reading well by the third grade are 4 times more likely to drop out, this initiative tackles ending intergenerational poverty at the early stages of life.

**Actions planned to develop institutional structure**

Service agencies’ mandate is to fulfill the needs of the community and evolve to address those needs. By working together, gaps and duplication of services have been identified and resulted in better efficiencies and greater outcomes for the community. Agencies are expected to participate in broad-reaching conversations and commit to providing their expertise to solve complex issues together. Involvement by organizations representing racial/ethnic minorities and people with disabilities are encouraged to participate in efforts to develop an institutional structure that is inclusive and representative of the community and to discuss disproportionately greater needs among racial and ethnic minorities.

The John T. Vucurevich Foundation, Black Hills Area Community Foundation, United Way of the Black Hills, other private and public funders, the City, Pennington County, South Dakota Housing Development Authority, Black Hills Knowledge Network, Black Hills Council of Local Governments, and others provide financial and technical assistance to agencies who wish to partner in meeting the needs of the community.
Actions planned to enhance coordination between public and private housing and social service agencies

A campaign to inform property managers of the services available to their residents will begin this year. When tenants can’t pay rent, property managers can refer them to short-term rental, food, clothing, job placement, utility, and medical assistance to help residents get back to a place of stability and reduce the risk of eviction.

Additional agencies are expected to commit to providing services at OneHeart for a more inclusive service experience for the residents in transitional phases.

CommonBond’s development in Rapid City will pair private housing with social services with a focus on stability and independence for residents.

The dedication of regular case management meetings will continue to provide coordinated service and housing needs to the most vulnerable homeless individuals.

Discussion:

Career Learning Center provides job-specific training, GED® preparation classes, adult basic education, English-as-a-second language, computer, and driver’s education. Area Job Fairs are held several times each year. Specialized Job Fairs include a Veterans Job Fair and South Dakota School of Mines and Technology’s Job Fair.

Currently located at South Dakota School of Mines and Technology and with a new center under construction, Ascent Innovation Center provides tech and small business management assistance and cost-effective workspace. Other shared-space platforms include The OWN and The Garage. These platforms reduce the costs of start-up and small businesses by sharing resources like office space, internet, and administrative assistance.

Lutheran Social Services’ New Alternatives Program provides case management assistance to youth coming out of JVC or homelessness to find and retain employment.
BakeWorks provides employment and career readiness for over 600 adults with disabilities, including intellectual or developmental disabilities, visual and hearing impairments, brain injuries and chronic illnesses, physical challenges, and more through a downtown bakery.

Organizations that provide free or low-cost services so that household income can be used for critical necessities like food and shelter exist. Some examples include AARP and VITA’s free tax preparation services for seniors and low-income households, Feeding South Dakota’s Mobile Food Pantry, and Fork Real Community Café, a pay-what-you-can nonprofit restaurant model dedicated to increasing food security.

YFS and Rural America Initiative’s Head Start Programs ensure school readiness of children under 5 from low-income families through education, health, social, and other services. The Library features fun learning activities and objectives and the YMCA of Rapid City houses programs including Jump Start Child Development Center, a full-service center allowing teen parents to finish high school and reduce the chances of living in poverty. These programs reduce generational poverty by providing a solid foundation for very young people while supporting their parents.
Program Specific Requirements
AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

Introduction:

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table.

Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed 35,244
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan. 0
3. The amount of surplus funds from urban renewal settlements 0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan 0
5. The amount of income from float-funded activities 0

Total Program Income: 35,244

Other CDBG Requirements

1. The amount of urgent need activities 2

2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan. 90%

Annual Action Plan 2020 79
At least 70% of CDBG funds will be used to benefit persons of low and moderate-income. The City expects that 90% of the CDBG funds will be used to benefit persons of low and moderate-income. The year to determine the overall benefit for this Annual Action Plan is FY20.
Attachments
Grantee Unique Appendices
<table>
<thead>
<tr>
<th>Name of Plan*</th>
<th>Lead Organization</th>
<th>How do the goals of your Strategic Plan overlap with the goals of each plan?</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Dakota Housing &amp; Community Development 2019 Annual Action Plan</td>
<td>South Dakota Housing Development Authority &amp; Governor’s Office of Economic Development</td>
<td>Housing priorities listed, including affordable, workforce, &amp; housing for homeless and special needs populations are consistent with the City’s high-priority needs and were considered when preparing this plan.</td>
</tr>
<tr>
<td>Pennington County Public Housing Plan</td>
<td>Pennington County Housing &amp; Redevelopment Commission</td>
<td>The City and Pennington County Housing &amp; Redevelopment Commission communicate about needs, challenges, possible partnerships, &amp; proposed actions. The Pennington County Public Housing Plan is complementary to the City’s Consolidated Plan.</td>
</tr>
<tr>
<td>Rapid City Housing Affordability Study</td>
<td>Black Hills Knowledge Network &amp; John T. Vucurewich Foundation</td>
<td>The study provides detailed analysis of local housing gaps &amp; sustainable price points. The report provides quantitative data on which to set goals &amp; priorities. The information was incorporated into the Consolidated Plan.</td>
</tr>
<tr>
<td>Rapid City Future Land Use Plan</td>
<td>City of Rapid City</td>
<td>The Rapid City Land Use Plan describes growth areas &amp; projected uses for housing, types of housing, commercial, and related space which is taken into consideration when developing the Consolidated Plan. The Future Land Use Plan determines housing density.</td>
</tr>
<tr>
<td>Plan Rapid City Comprehensive Plan</td>
<td>City of Rapid City</td>
<td>Plan Rapid City was adopted by City Council on April 21, 2014, &amp; includes many of the housing &amp; public service high-priority goals that were accepted in the Consolidated Plan.</td>
</tr>
<tr>
<td>Rapid City Collective Impact</td>
<td>Rapid City Collective Impact &amp; Block Hills Community Foundation</td>
<td>Community leaders and City leadership have partnered for the Rapid City Collective Impact Study &amp; plan for action. Overlapping goals include service provided housing &amp; support of public services.</td>
</tr>
<tr>
<td>Rapid City Senior Needs Assessment &amp; Service Gap Analysis</td>
<td>John T. Vucurewich Foundation</td>
<td>The Rapid City Senior Needs Assessment &amp; Service Gap Analysis was published in November 2012 &amp; the City has included many of the identified needs &amp; service gaps in the five-year Consolidated Plan.</td>
</tr>
</tbody>
</table>

Table 3 — Other local / regional / federal planning efforts
### Census Tract Income and Minority Data

<table>
<thead>
<tr>
<th>Census Tract</th>
<th>Median Income</th>
<th>Tract Minority Income %</th>
<th>2019 ESL Tract Median Family Income</th>
<th>Tract Population</th>
<th>Minority Population</th>
<th>Tract Minority %</th>
<th>CDHG Planned Activities to FY20</th>
</tr>
</thead>
<tbody>
<tr>
<td>102</td>
<td>Moderate</td>
<td>60,25</td>
<td>$44,884</td>
<td>6091</td>
<td>240</td>
<td>39.52</td>
<td>2</td>
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<tr>
<td>103</td>
<td>Moderate</td>
<td>56,44</td>
<td>$40,028</td>
<td>3610</td>
<td>555</td>
<td>15.26</td>
<td>3</td>
</tr>
<tr>
<td>104</td>
<td>Moderate</td>
<td>60,47</td>
<td>$41,059</td>
<td>4986</td>
<td>1732</td>
<td>25.6</td>
<td>3</td>
</tr>
<tr>
<td>105</td>
<td>Moderate</td>
<td>61,70</td>
<td>$44,863</td>
<td>3325</td>
<td>1476</td>
<td>44.88</td>
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<tr>
<td>106</td>
<td>Moderate</td>
<td>65,35</td>
<td>$47,056</td>
<td>3577</td>
<td>222</td>
<td>62.32</td>
<td>3</td>
</tr>
<tr>
<td>107</td>
<td>Middle</td>
<td>78,84</td>
<td>$53,347</td>
<td>4418</td>
<td>1255</td>
<td>28.41</td>
<td>1</td>
</tr>
<tr>
<td>108</td>
<td>Moderate</td>
<td>93,32</td>
<td>$84,641</td>
<td>3964</td>
<td>523</td>
<td>13.33</td>
<td>1</td>
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<tr>
<td>109</td>
<td>Moderate</td>
<td>103,14</td>
<td>$67,905</td>
<td>7944</td>
<td>798</td>
<td>14.94</td>
<td>1</td>
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<tr>
<td>110</td>
<td>Moderate</td>
<td>112,47</td>
<td>$76,287</td>
<td>5300</td>
<td>1175</td>
<td>21.75</td>
<td>1</td>
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<tr>
<td>111</td>
<td>Middle</td>
<td>101,51</td>
<td>$69,925</td>
<td>5748</td>
<td>621</td>
<td>8.13</td>
<td>1</td>
</tr>
<tr>
<td>112</td>
<td>Moderate</td>
<td>96,28</td>
<td>$84,237</td>
<td>5469</td>
<td>580</td>
<td>28.23</td>
<td>1</td>
</tr>
<tr>
<td>113</td>
<td>Middle</td>
<td>100,08</td>
<td>$70,808</td>
<td>5078</td>
<td>425</td>
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<tr>
<td>114</td>
<td>Upper</td>
<td>139,64</td>
<td>$99,848</td>
<td>5293</td>
<td>1294</td>
<td>19.33</td>
<td>1</td>
</tr>
<tr>
<td>115</td>
<td>Upper</td>
<td>129,78</td>
<td>$96,470</td>
<td>5473</td>
<td>589</td>
<td>8.41</td>
<td>1</td>
</tr>
<tr>
<td>116</td>
<td>Middle</td>
<td>131,88</td>
<td>$71,134</td>
<td>5362</td>
<td>748</td>
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<tr>
<td>117</td>
<td>Upper</td>
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<td>5492</td>
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</tr>
<tr>
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<td>$75,145</td>
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<td>1</td>
</tr>
<tr>
<td>119</td>
<td>Middle</td>
<td>100,06</td>
<td>$71,134</td>
<td>989</td>
<td>830</td>
<td>11.78</td>
<td>1</td>
</tr>
</tbody>
</table>

Source: 2018 Federal Poverty Income and Depression Census and Census Reports

Table 12: Census Tract Income and Minority Data
Date: 7/12/2019

To: #Broadcast email list General

Subject: FY2020 CDBG Fund & Neighborhood Lift Scheduled Training Class

Attachments: CDBG - FY2020 CDBG Application Advisor, Neighborhood Lift Application Training Advisor

Hi Everyone,

Attached are the public notices for the CDBG FY2020 and Neighborhood Lift applications. A training class for both programs will be held on July 30th, from 9:00-11:00 am in the City/School Administration Center, 300 Sixth St., 2nd Floor West. Please RSVP for this training by July 26th and let us know if you have any questions.

Thank you,

[Signature]

City of Rapid City

FY2020 CDBG Fund & Neighborhood Lift Training Class: Broadcast to email list (7/12/2020 12:22:07 PM)
Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Pennington  S.S.:  

Sheri Spender being first duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, an employee of the RAPID CITY JOURNAL, a corporation of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: That said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bona fide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said Rapid City Journal, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each day, the first publication hereof being on the day of July 2019; that the fees charged for the publication hereof are $22.50 dollars and 09 cents.

Sheri Spender

Subscribed and sworn to before me this 12th day of City 2019.

Cathy Jaknevich

Notary Public

My commission expires 4-10-2024
PUBLIC NOTICE

THE CITY OF RAPID CITY IS ACCEPTING APPLICATIONS FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING FOR FISCAL YEAR 2020

The CDBG Program Division for the City of Rapid City will accept applications for the use of Community Development Block Grant funds for FY 2020. Projects or activities funded must meet the National Objectives of the Housing and Community Development Act of 1992, and be an eligible activity defined by the federal regulations. Funds can be utilized for projects and programs that benefit low- and moderate-income (LMI) populations or to eliminate slums and blight, within the census tract of Rapid City. Applications will be accepted for projects that will address the needs of LMI people for the following high-priority areas:

Housing Projects
- Production of Rental Housing
- Rehabilitation of Existing Housing
- Public Facilities
- Emergency Shelter
- Other Improvements
- Housing Indicators
- Housing Assistance/Re-Housing
- Homeownership

Economic Development
- Environmental

Other Information
- Government Organization
- Other Improvements
- Group Homes

The City of Rapid City estimates that $470,000 in FY 2020 CDBG funds will be available. Program applications may be obtained at the City Planning Office, Community Development, 201 East 5th Street, Rapid City, SD 57701 or online at https://www.rapidcitysi.gov/departments/community-planning-developments/development-agency/development-programs/cdbg-programs-overview. Application deadlines are set by the City, and all applications due to be solicited by the City Planning Office by May 31, 2020.

All applications must be submitted to the City Planning Office, Community Development, 201 East 5th Street, Rapid City, SD 57701, by 4:00 p.m., Mountain Time on Oct 1, 2019. Applications not submitted by that date will NOT be accepted.

For more information, contact Michelle Osterhout, CDBG Program Manager, in Room 304, 201 East 5th Street, Rapid City, SD 57701, by phone at 605-367-7000 or by email at mosterhout@rapidcitysi.gov.

An annual application training session will be held on July 23, 2019 at the City-County Administration Center, 201 East 5th Street, from 5:00 p.m. to 8:00 p.m. This is an optional training offering, and no pre-registration is required. Questions or concerns should be directed to Michelle Osterhout, Program Manager, at 605-367-7000.

A CDBG Program and Grant Application Training class will be held on July 30, 2019 at the City-County Administration Center, 201 East 5th Street. For more information on meeting times, visit http://www.rapidcitysi.gov/departments/community-planning-developments/development-agency/development-programs/cdbg-programs-overview. Applications due to be solicited by the City Planning Office by May 31, 2020. RSVP to Kelly LaReau, CDBG Program Administrative Secretary, CDBG Division, (605) 394-4391 or email kilaraeu@rapidcitysi.gov by July 23, 2019.

ADA Compliance: The City of Rapid City fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend a public meeting, you are in need of special accommodations (including TTY/TTY Dial 711), contact the Rapid City Planning Office, (605) 394-4366, 24 hours prior to the meeting so that appropriate auxiliary aids and services are available. Persons with limited English proficiency and or illiterate persons may request free oral interpretation of written materials or written transcription of oral documents by calling (605) 394-4366.

EQUAL OPPORTUNITY EMPLOYER

Approved by the segregation cost of $251.08
AFFIDAVIT OF PUBLICATION OF NEWSPAPER
NOTICE OF PUBLIC NOTICE
ACCEPTING APPLICATIONS

COUNTY OF Pennington

BEFORE ME, the undersigned authority, on this day personally appeared
Marion Schuckel, publisher (OR REPRESENTATIVE) of Native Sun News, who, being by
me duly sworn, upon oath deposes and says:

That the attached as published in the NATIVE SUN NEWS, a newspaper published in the English
language and of general circulation in the City of Rapid City, South Dakota described in the
following issue: 18, Volume II, 2017, and that the attached newspaper clipping is
a true and correct copy of said published notice.

Signed: Marion Schuckel

Sworn to and subscribed before me, this the 24th day of July, 2019

Christy C. Tibbits
Notary Public in and for Pennington County, South Dakota

Commission expires: March 23, 2023

(S E A L)

CHRISTY C. TIBBITTS

Published at a rate of $346.50
PUBLIC NOTICE

THE CITY OF RAPID CITY IS ACCEPTING APPLICATIONS FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING FOR FISCAL YEAR 2020

The CDBG Program Division for the City of Rapid City will be accepting applications for the use of Community Development Block Grant funds for FY 2020. Projects or activities funded must meet the National Objectives of the Housing and Community Development Act of 1992, and be an eligible activity defined by the federal regulations. Funds can be used for projects and programs that benefit low- and moderate-income (LMI) persons, or to improve streets and streets within the corporate limits of Rapid City. Applicants will be accepted for projects that will address the needs of LMI people for the following high priority issues:

Housing Projects
- Production of Aesthetic Housing
- Production of Owners-Occupied Housing
- Group Homes

Public Services
- Street Maintenance
- Environmental Services
- Snow Removal

Public Facilities
- Emergency Shelter
- Transportation
- Safety Improvements

Economic Development
- Job-Training
- Small Business Assistance

The City of Rapid City estimates that $337,000 in FY 2020 CDBG funds will be available. The administration of the CDBG program is 20% (594,000), Public Service cap is 18% (570,500), and Housing and Public Facilities and Economic Development (305,500). Applications are available at the CDBG Program office located at 313 6th Street, Rapid City, SD 57701, or by contacting the CDBG Program at 605-796-2152.

Completed applications must be submitted via U.S. Postal Service or private mailing service to 100 5th Street, Rapid City, SD 57701 or hand delivered to 313 6th Street, Rapid City, SD 57701 by 4 p.m. Mountain Time on Oct 1, 2019. Applications via facsimile or e-mail will NOT be accepted.

[Contact information]

A CDBG Program and Grant Application Training will be held on July 30, 2019, at the City Hall Conference Room, 313 6th Street, Room 115. The City of Rapid City reserves the right to modify the schedule and CDBG Program and Grant Application Training. The City of Rapid City reserves the right to modify the schedule and CDBG Program and Grant Application Training.

ABSA Disability Compliance: The City of Rapid City subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend a public meeting and are in need of special accommodations (including TTY Dial 711), please notify the Office of Compliance at 605-796-2152.

OMB Control No: 2506-0117 (exp. 06/30/2018)
STATE OF SOUTH DAKOTA
County of Pennington

Sheri Sponder being first duly sworn, upon his/her oath says: That
he/she is now and was at all time hereinafter mentioned, an
employee of the RAPID CITY JOURNAL, a corporation of Rapid
City, South Dakota, the owner and publisher of the RAPID CITY
JOURNAL, a legal and daily newspaper printed and published in
Rapid City, in said County of Pennington, and has full and
personal knowledge of all the facts herein stated as follows: that
said newspaper is and at all of the times herein mentioned has been
a legal and daily newspaper with a bona fide paid circulation of at
least Two Hundred copies daily, and has been printed and published
in the English language, at and within an office maintained by
the owner and publisher thereof, at Rapid City, in said Pennington
County, and has been admitted to the United States mail under
the second class mailing privilege for at least one year prior to the
publication herein mentioned; that the advertisement, a printed
copy of which, taken from said Rapid City Journal, the paper in
which the same was published, is attached to this sheet and made a
part of this affidavit, was published in said paper once each

[Signature]

Subscribed and sworn to before me this 8th
day of July, 2019

[Signature]
Notary Public

My commission expires 4-16-2024

Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
AFFIDAVIT OF PUBLICATION OF NEWSPAPER
NOTICE OF PUBLIC NOTICE
ACCEPTING APPLICATIONS

COUNTY OF ____________

BEFORE ME, the undersigned authority, on this day personally appeared

Marija Schauer, ____________, publisher (OR REPRESENTATIVE) of NATIVE SUN NEWS,

who, being by

me duly sworn, upon oath depooses and says:

That the attached as published in the NATIVE SUN NEWS, a newspaper published in the English language and of general circulation in the City of RAPID CITY, SOUTH DAKOTA described in the following issue: 18 Volume 11, __________, 20__ and that the attached newspaper clipping is a true and correct copy of said published notice.

Signed: ____________

Said to and subscribed before me this the 24th day of __________, 20__.

Notary Public in and for __________ County, South Dakota

Commission expiring __________

Published at a rate of $__198.00
PUBLIC NOTICE

THE CITY OF RAPID CITY IS ACCEPTING APPLICATIONS FOR THE DEVELOPMENT OF TWO LOTS LOCATED AT 248 CURTIS STREET AND 627 ST. CLOUD STREET

The CDBG Program Division of the City of Rapid City will be accepting applications for the purchase and ownership of lots for development as part of the Neighborhood Lift Program. Projects or activities funded must meet the National Objectives of the Housing and Community Development Act of 1992, be an eligible activity defined by the federal regulations and benefit low- and moderate-income persons. Applicants must be a NID (A) organization.

In reference to this application and in conjunction with the FY20 CDGB allocation training, a Neighborhood Lift Application Training class will be held on July 30, 2019, at the City/County Administration Center, 300 Sixth Street, 3rd Floor West meeting room, from 9:00 a.m. to 11:00 a.m. Topics will cover city priorities, National Objectives of the Housing and Community Development Act of 1992, eligible activities, application review, and reporting requirements. The class is free. Seating is limited. RSVP to: Lucy L'assale, CDGB Program Administrative Assistant, CDGB Division, (605) 394-4181 or email lucy_l'assale@cityofrapidcity.org by July 26, 2019.

ADA Compliance: The City of Rapid City fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend a public meeting and are in need of special accommodations (including TTY 651-711), please notify Nick Smith, (605) 394-4181, 44 hours prior to the meeting so that appropriate auxiliary aids and services are available. Persons with limited English proficiency or visitors requiring written materials in Spanish or other translation of vital documents by calling (605) 394-4181.

EQUAL OPPORTUNITY EMPLOYER

3. Project Description
The purpose of this project is to provide Targeted Assistance Services in the areas of Reading and Mathematics to eligible students in grades kindergarten through 8th grade at RCES/ OLL. Eligibility for the purpose of this project means those students most at risk for failure in the areas of Reading and Mathematics at RCES/ OLL. The Targeted Assistance Program must comply with Elementary and Secondary Schools Act regulations found in the ESEA Sec. 1117(5) (C) and Sec. 1117(6)(1)(A), (B), (C), and (D). To be considered for selection, the proposal should include:

1. A identified students (students at risk of failure, students achieving at or near basic level, or students who are below basic level, or students with spelling/reading deficiencies) and a digital version (digits, thumbtaps, etc.) of the proposal.

2. Project Scope
The successful bidder will be responsible for providing a proposal for the instructional staff for the designated Title I Targeted Assistance Services project for approximately 200 120 students on a daily basis between 8:00 a.m. and 2:00 p.m. The duration of the project will be from August 26, 2019 to June 2020. Services will begin concurrently with the start of school at RCES/ OLL on August 26th. Renewal of agreement will be dependent upon consultation with both public and non-public school administration.

4. OMB Control No: 2506-0117 (exp. 06/30/2018)
Hello Everyone,

PUBLIC NOTICE

THE CITY OF RAPID CITY IS ACCEPTING APPLICATIONS FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING FOR FISCAL YEAR 2020

The CDBG Program Division for the City of Rapid City will be accepting applications for the use of Community Development Block Grant Funds for FY 2020. Projects or activities funded must meet the Western Objective of reducing poverty and improving quality of life. Projects must be targeted towards low-income persons or lower income persons and geographic areas within the City of Rapid City. Applications will be accepted for projects that will address the needs of low income for the following high priority issues:

Lending Projects
Preparation of Tax-Deferred Housing
Rehabilitation of Existing Housing
Production of Owner-Occupied Housing

Public Services
General Public Services
Rental Assistance/Rapid Re-housing
Counseling
Housing Counseling
Substance Abuse Treatment

Public Facilities
Emergency Shelter
Transitional Housing
Safety Improvements

Economic Development
Micro Enterprise

The City of Rapid City estimates that 54% of Rapid City's population will meet the low income standard. Low income areas are defined as 80% of the median income for the State of South Dakota.

The City of Rapid City is a CDBG Program recipient and fundee as defined in the Department of Housing and Urban Development’s Code of Federal Regulations 24 Subpart B. The City is a subrecipient of the Rapid City Housing Authority.

The City of Rapid City is accepting applications for CDBG FY 2020. Applications will be accepted through July 30th, 2020. Applications will be reviewed using the standard FY 2020 CDBG Program Application. All applications must be postmarked by July 30th, 2020. Applications may be submitted online through the Rapid City Housing Authority’s website at rapidcityhousing.org. All applications must be submitted in a timely manner to be considered for funding.

For more information, please contact the Rapid City Housing Authority at 605-381-7170 or visit their website at rapidcityhousing.org.
DIVISION MANAGERS, Inc. 256-4161 or public踏实@sc.gov, 800-941-6965, with questions. Answers must meet all applicable UPL requirements, including but not limited to, Uniform Plan Review, Fair Housing Act, Building Code, Section 3, and Conflict of Interest.

ADA Compliance: The City of Rapid City fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend a public meeting and are in need of specific accommodations (including TTY No. 711), please notify the administrator, 300 E. 313, 347 North Street, 502-313-1386, 24 hours prior to the meeting, so that appropriate auxiliary aids and services are available. Persons with limited English proficiency or who are deaf may request free oral interpretation of written materials or written translation of vital documents by calling (605) 394-4161.

Jane M. Jones, Admin. Secretary
EAP Program Director
300 East Street (Hunting)
333 South Street (Office)
Rapid City, SD 57701
(605) 394-4161 Fax (605) 394-4160

Opportunity for the Disabled

The City of Rapid City does not discriminate based on disability and provides reasonable accommodations to ensure programs and facilities are accessible to all City programs, services, and improvements.

To request a reasonable accommodation, please contact the ADA Coordinator at (605) 394-4161 or email: admin@sc.gov. 

For additional information on City programs and services, including the availability of materials in alternative formats or assistance in reading materials, please call (605) 394-4161. TTY: (605) 394-7779.

Annual Action Plan
2020
Affidavit of Publication

STATE OF SOUTH DAKOTA
County of Pennington     SS:

Sheri Spander being first duly sworn, upon his/her oath says: That he/she is now and was at all times hereinafter mentioned, an employee of the RAPID CITY JOURNAL, a corporation of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bonafide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said Rapid City Journal, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each day for one successive day, the first publication thereof being on the 11th day of Sept 2019, that the fees charged for the publication thereof are $2.81 dollars and 08 cents.

Sheri Spander

Subscribed and sworn to before me this 16th day of September, 2019.

Cathy Chapman
Notary Public

My commission expires 4-10-2024
PUBLIC NOTICE
THE CITY OF RAPID CITY IS ACCEPTING APPLICATIONS FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR FISCAL YEAR 2020

The CDBG Program Division for the City of Rapid City, will be accepting applications for the U.S. Department of Housing and Urban Development (HUD) CDBG Program for the fiscal year of 2020. The City of Rapid City is requesting proposals for CDBG projects for the next fiscal year of 2020. The City of Rapid City is seeking to address priorities in the areas of Housing, Economic Development, Public Facilities, and Community Development.

Housing Projects

- Production of Owner-Occupied Housing
- Rehabilitation of Existing Housing
- Rental Assistance
- Public Service
- Emergency Shelter
- Transitional Housing
- Safety Improvements
- Economic Development
- Micro-Enterprise Loans
- Direct Homemakership Assistance

The City of Rapid City estimates that $470,000 in FY 2020 funds will be available. Program Administration cost is 5% ($23,500), Public Service cost is 15% ($70,500), and the Housing and Public Facilities and Economic Development (505,000) available.

Applications are available at the City of Rapid City, 335 Sixth Street, Rapid City, SD 57701 or by emailing Cityparks@rapidcity.sd.us. Applications must be submitted by U.S. Postal Service or private mailing service to 335 Sixth Street, Rapid City, SD 57701 or hand delivered to 335 Sixth Street, Rapid City, SD 57701 by November 1, 2020. Applications received via fax or email will NOT be accepted. Email or call Michelle DeLaCruz, CDBG Program Manager at (605) 394-4181 or visit www.rapidcity.gov for more information.

Equal Opportunity Employer and Lender

OMB Control No: 2506-0117 (exp. 06/30/2018)
AFFIDAVIT OF PUBLICATION OF NEWSPAPER
NOTICE OF PUBLIC NOTICE

COUNTY OF Pennington

BEFORE ME, the undersigned authority, on this day personally appeared
Jackie Beverly, publisher (OR REPRESENTATIVE) of Native Sun News
who, being by
me duly sworn, upon oath deposes and says:

That the attached as published in the NATIVE SUN NEWS, a newspaper published in the English language and of general circulation in the City of RAPID CITY, SOUTH DAKOTA described in the following issues: 2019 Volume 49 ... 2019, and that the attached newspaper clipping is a true and correct copy of said published notice.

Signed: Jackie Beverly

SWORN TO AND SUBSCRIBED BEFORE ME, this the 11th day of September, 2019

Christy C. Tibbitts
Notary Public in and for Pennington County, South Dakota
Commission expiring March 28, 2023

(Seal)
CHRISTY C. TIBBITTS
NOTARY PUBLIC SOUTH DAKOTA

Published at a rate of $27.00
PUBLIC NOTICE
THE CITY OF RAPID CITY IS ACCEPTING APPLICATIONS FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING FOR FISCAL YEAR 2020

The CDBG Program available to the City of Rapid City will be accepting applications for the use of Community Development Block Grant funds for FY 2020, pursuant to the requirements of the Federal Obligations of the Housing and Community Development Act of 1974, as amended, and all regulations issued by the federal regulations. Funds are available for: Infrastructure projects that would otherwise be deemed a necessity by the City; economic development; and public services projects that are necessary to maintain the current quality of life within the community. Applicants will be expected to prepare and submit the needs of the people for the following priority issues:

- Housing
  - Production of Very Low Income Rental Housing
  - Production of Owner-Occupied Housing
- Infrastructure
  - Water and Sewerage
- Public Services
  - Planning/Community Development
  - Police/Security
  - Fire Protection
- Housing
  - Homeownership Assistance
  - Housing Assistance
- Transportation
  - Public Transportation
  - Transportation Planning
- Economic Development
  - Business Development
  - Industry Advice and Counseling

The City of Rapid City offers $70,000 in FY 2020. Further, an amount of $700,000, and Housing and Economic Development (CDBG-DR) applications are available at https://www.doi.gov/cdgb-dr.

Application materials are available at City Hall, 1515 Broadwater Avenue, Rapid City, SD 57701, on or before 4:30 p.m. on October 5, 2019. Applications postmarked on October 5, 2019, are not acceptable. Small or illegal applications, CDBG Program will not consider. Applicants must meet all applicable HUD requirements.

For more information, please contact the Department of Community Development at 605-347-2481.
Date: 09-09-2019

To: Broadcast Email List General 1
CO: Schuellek, Michele

Subject: Application for Development of Lots (248 Curtis St. & 627 St. Cloud St)

Good Morning Everyone,

PUBLIC NOTICE

THE CITY OF RAPID CITY IS ACCEPTING APPLICATIONS FOR THE DEVELOPMENT OF TWO LOTS LOCATED AT 248 CURTIS STREET AND 627 ST. CLOUD STREET

The CDBG Program Division of the City of Rapid City will be accepting applications for the use and ownership of lots for development as part of the Neighborhood Stabilization Program. Projects or activities funded must meet the National Objectives of the Housing and Community Development Act of 1992, be an eligible activity defined by the federal regulations and benefit low- and moderate-income persons. Applicants must be a 501(c)(3) organization.

Applications are available at https://www.rapgov.org/departments/community-planning-development/cdbg-program-division/cdbg-program-dedication-435.shtml at the CDBG Program Office located at 233 South Street, Rapid City, SD 57701 or by emailing michele.schuellek@rapgov.org. Completed applications must be delivered via U.S. Postal Service or private mailing service to 300 6th Street, Rapid City, SD 57701 or hand delivered to 333 6th Street, Rapid City, SD 57701 by 4:00 p.m. Mountain Time on Oct 1, 2019. Applications via facsimile or email will NOT be accepted. For questions, contact Michele Schuellek, CDBG Program Manager, at (605) 394-4131 or michele.schuellek@rapgov.org with questions. Awarded must meet all applicable HUD requirements, including, but not limited to, Environmental Review, Fair Housing Act, Davis-Bacon Act, Section 3, and Conflict of Interest.

ADA Compliance: The City of Rapid City fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend a public meeting and have need for special accommodations (including TDD/TTY Dial 711), please notify Nick Strout, (605) 394-4136, 14 hours prior to the meeting so that appropriate auxiliary aids and services are available. Persons with limited English proficiency or vision impairments may request the oral interpretation of written materials or written translation of oral documents by calling (605) 394-4131.

Please let us know if you have any questions. Thank you.

Sincerely,

Doy LeBlanc, Administrator
CDBG Program Division
333 South Street (Office)
Rapid City, SD 57701
(605) 394-4131 Fax (605) 394-3620

Equal Opportunity Employer and Lender

The City of Rapid City does not discriminate on the basis of race, color, national origin, age, sex, religion, handicap, or familial status and provides reasonable accommodation to persons with disabilities. To request an accommodation, please contact Nick Strout, Section 3/Executive Assistant, at (605) 394-4136. To request language assistance in your native language to participate in City programs and services, including the 504 program, or translation of written materials, please call (605) 394-4131. For TEA/711, please call 711.

Broadcast/Email - Application for Development of Lots (248 Curtis St. & 627 St. Cloud St.) - 9/9/2020 1:53:53 PM
Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Pennington SS:

Sheri Sponder being first duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, an employee of the RAPID CITY JOURNAL, a corporation of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bona fide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said Rapid City Journal, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each day for one successive day, the first publication thereof being on the 13th day of Sept 2019, that the fees charged for the publication thereof are $141 dollars and 65 cents.

[Signature]

Subscribed and sworn to before me this 16th day of September, 2019

[Signature]

Notary Public

My commission expires 4-10-2024
NOTICE OF MEETING

THE CITY OF RAPID CITY IS ACCEPTING APPLICATIONS FOR THE DEVELOPMENT OF TWO LOTS LOCATED AT 249 CURTIS STREET AND 427 ST. CLOUD STREET

The CDBG Program Division for the City of Rapid City will be accepting applications for the use and ownership of lots for development as part of the Neighborhood Improvement Program. Projects or activities funded must meet the National Objectives of the Housing and Community Development Act of 1992, as an eligible activity defined by the federal regulations and local tax- and non-tax-funded sources of funds. Applicants must be a 501(c)(3) organization.

Applications are available at https://www.rapidcity.gov/departments/communityplanning-development/pdf/cdbg-program/division/application2019.pdf. Applications must be submitted to the CDBG Program office located at 203 South Street, Rapid City, SD 57701 or by emailing cdbg@rapidcity.gov. Completed applications must be delivered via U.S. Postal Service or private mailing service to 203 South Street, Rapid City, SD 57701 on or before 5:00 p.m., September 11, 2019. Applications via facsimile or e-mail will NOT be accepted. A meeting of all applicants or representatives of the applicants will be held on October 3, 2019, at 3:30 p.m. at the Rapid City Public Library, 1421 Monument Ave. Applications must meet all applicable HUD requirements, including, but not limited to, Environmental Review, Lead-Based Paint, Section 5, and Conflict of Interest.

ADA Compliance: The City of Rapid City subscribes to the principles of the Americans with Disabilities Act. If you desire to attend a public meeting and are in need of special accommodations (including TDD/TTY Dial 711), please notify the Clerk, (605) 394-4190, 24 hours prior to the meeting on the application. The City of Rapid City is an equal opportunity employer/employer.

Published one time at the approximate cost of $1.00
AFFIDAVIT OF PUBLICATION OF NEWSPAPER
NOTICE OF PUBLIC NOTICE

COUNTY OF

BEFORE ME, the undersigned authority, on this day personally appeared

, publisher (OR REPRESENTATIVE) of , who, being by

me duly sworn, upon oath deposes and says:

That the attached as published in the NATIVE SUN NEWS, a newspaper published in the English language and of general circulation in the City of RAPID CITY, SOUTH DAKOTA described in the following issue: Vol. Issue ____, 2019, and that the attached newspaper clipping is a true and correct copy of said published notice.

Signed: 

SWORN TO AND SUBSCRIBED BEFORE ME, this the __________ day of September, 2019.

, Notary Public in and for County, South Dakota

Commission expires March 28, 2023

Published at a rate of $____.____.
SEPTEMBER 11 - SEPTEMBER 17, 2019  85  PUBLIC NOTICE

THE CITY OF RAPID CITY IS ACCEPTING APPLICATIONS FOR THE DEVELOPMENT OF TWO LOTS LOCATED AT 260 GURTIS STREET AND 627 ST. CLOUD STREET.

The CDMS Program Division for the City of Rapid City will be accepting applications for the use and ownership of lots for development as part of the Neighborhood Lift Program. Projects of activities funded must meet the National Objectives of the Housing and Community Development Act of 1992, be an eligible activity defined by the federal regulations and benefit low and moderate-income persons.

Applications are available at https://www.rapidcity.org/departments/community-development/development/neighborhood-lift-program. Completed applications must be delivered via U.S. Postal Service or mailed to P.O. Box 426, Rapid City, SD 57701. Applications due by 5:00 p.m., Mountain Time, on Oct. 1, 2020. Applications received after this date will NOT be accepted. Email or call Michelle Schmetzer, CDMS Program Division Manager, at (605) 394-4183 or michelle.schmetzer@rapidcity sd.gov with questions.

ADA Compliance: The City of Rapid City subscribes to the provisions of the Americans with Disabilities Act. If you require an alternative format of this document, please call 605-394-4183.

The City of Rapid City complies with the U.S. Civil Rights Act. If you believe that your civil rights have been violated under this Act, you may file a complaint by calling the U.S. Department of Justice, Civil Rights Division, at 1-800-555-1212.
Date: 11-20-2019

To:  
*Please: Email List General 1

Cc:  
Sch. Elle Michelle

Subject:  
FY2020 CDGB Grant: Neighborhood Lift Lot Recommendations 30-Day Public Comment Period

Attachments:  

Good Morning Everyone,

FYI - Recommendations attached.

FYI/PUBLIC NOTICE

30 Day Public Comment Period for
Proposed FY 2020 Community Development Block Grant Funds & Neighborhood Lift Lot Recommendations

The City of Rapid City is soliciting public comments on the proposed funding recommendations for FY 2020 Community Development Block Grant (CDBG) funds and Neighborhood Lift Lot Reimbursements.

The City estimates CDBG funding available totaling $476,800.00. Funding requests totaling $1,960,817.85 were received. Preliminary recommendations will go before the Legal & Finance committee on December 11, 2019, and City Council on December 16, 2019. Final approval will go before the Legal & Finance committee on January 13, 2020, and City Council on January 20, 2020. Comments on the proposed recommendations will be received until 11:59 p.m. on January 20, 2020. All comments received will be considered and any changes warranted will be made. Copies of the recommendations are available on the City web site at https://www.rcgov.org/departments/community-planning-development/cdbg-program-division/cDBG-program-division-436.html, the CDBG Program Division, 333 6th St., Public Library Main Branch, 610 Quince St., Public Library North (General Beadle School), 10 Van Buren St., and at the Pennington County Housing and Redevelopment Commission, 1805 Fulton St., Rapid City, SD. Comments should be directed, in writing, to Michelle Schuette, CDBG Program Division, at 300 6th Street or by email to michele.schuette@rcgov.org or by phone at 394-4181. The City of Rapid City does not discriminate based on disability and provides reasonable accommodations to ensure people with disabilities have equal access to City programs, services, and employment opportunities. To request a reasonable accommodation, please contact Nick Street, Section 504 and ADA Coordinator, at (605) 394-4136. To request language assistance to participate in City programs and services, including free oral interpretation or translation of written materials, please call (605) 394-4181. For TDD/TTY, please dial 711.

Equal Opportunity Employer and Lender

Thank you,

Lonye O. Davis, Admin. Secretary
CDBG Program Division
301 North Street (Building)
333 North Street (Office)
Rapid City, SD 57701
(605) 394-4787 Fax (605) 395-3890

Equal Opportunity Employer and Lender

The City of Rapid City does not discriminate based on disability and provides reasonable accommodations to ensure people with disabilities have equal access to City programs, services, and employment opportunities. To request a reasonable accommodation, please contact Nick Street, Section 504 and ADA Coordinator, at (605) 394-4136. To request language assistance to participate in City programs and services, including free oral interpretation or translation of written materials, please call (605) 394-4181. For TDD/TTY, please dial 711.
Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Pennington SS:

Sheri Sponder being first duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, an employee of the RAPID CITY JOURNAL, a corporation of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bona fide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said Rapid City Journal, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each day for one successive 28th, the first publication thereof being on the day of Nov 2019 that the fees charged for the publication thereof are $37 dollars and 98 cents.

Sheri Sponder

Subscribed and sworn to before me this day of December 4th, 2019.

(Notary Public)

My commission expires
AFFIDAVIT OF PUBLICATION OF NEWSPAPER
NOTICE OF PUBLIC NOTICE

THE STATE OF SOUTH DAKOTA

COUNTY OF Pennington

BEFORE ME, the undersigned authority, on this day personally appeared Jackie Grego, publisher (OR REPRESENTATIVE) of Native Sun News, who, being by me duly sworn, upon oath deposes and says:

That the attached NOTICE OF PUBLIC HEARING was published in the NATIVE SUN NEWS, a newspaper published in the English language and of general circulation in the City of RAPID CITY, SOUTH DAKOTA and in the territory proposed to be annexed, which said territory is described in said NOTICE OF PUBLIC HEARING, in the following issue: 36 Volume 11. 2019 and that the attached newspaper clipping is a true and correct copy of said published notice.

Signed: Jackie Grego

SWORN TO AND SUBSCRIBED BEFORE ME, this the 27th day of November, 2019.

Chritsy C. Tibbits
Notary Public in and for Pennington County, South Dakota

Commission expires March 29, 2023

Published at a rate of $165.00

Annual Action Plan
2020
Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Pennington  SS:

Sheri Sponder being first duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, an employee of the RAPID CITY JOURNAL, a corporation of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bona fide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said Rapid City Journal, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each day for one successive day, the first publication thereof being on the 8th day of January 2020, that the fees charged for the publication thereof are $104.99 dollars and 99 cents.

Sheri Sponder

Subscribed and sworn to before me this 16th day of January 2020.

[Signature]

Notary Public

December 5, 2020
APRIBAVIT OF PUBLICATION OF NEWSPAPER
NOTICE OF PUBLIC NOTICE

THE STATE OF SOUTH DAKOTA

COUNTY OF

BEFORE ME, the undersigned authority, on this day personally appeared Mervin Schueler, publisher (OR REPRESENTATIVE) of Native Sun News, who, being by me duly sworn, upon oath deposes and says:

That the attached NOTICE OF PUBLIC HEARING was published in the NATIVE SUN NEWS, a newspaper published in the English language and of general circulation in the City of RAPID CITY, SOUTH DAKOTA and in the territory proposed to be annexed, which said territory is described in and NOTICE OF PUBLIC HEARING, in the following issue: 11 Vol. 11, 20XX and that the attached newspaper clipping is a true and correct copy of said published notice.

Signed: Mervin Schueler

SWORN TO AND SUBSCRIBED BEFORE ME, this the 5th day of January, 20XX.

Christy C. Tibbits
Notary Public in and for Pennington County, South Dakota

Commission expires March 25, 2027

(S seal)

Published at a rate of $15.00
PUBLIC NOTICE
Public Comment Request for
FY 2020 Community Development Block
Grant Annual Action Plan

The City of Rapid City is soliciting public comments for FY 2020 Community
Development Block Grant (CDBG) Annual Action Plan.

The City of Rapid City's CDBG Program Division will draft the 2020 CDBG
Annual Action Plan for submission to the U.S. Department of Housing and Urban
Development. In preparing this plan, the CDBG Program Division seeks public input on
the proposed plan, funding priorities, program requirements, and community needs. A
public meeting will be held on January 28, 2020 at 6:00 p.m. at City Hall
located at 300 6th Street, 1st floor conference room to discuss these topics.

Additionally, written comments will be received until 5:00 p.m. on January 28,
2020, and should be directed to Michelle Schaeffer, CDBG Program Division, at 300
6th Street or by email to michelle.schaeffer@cityofrapidcity.sd.us or by phone at (605) 394-4181.

The City of Rapid City does not discriminate based on disability and provides reasonable
accommodations to ensure people with disabilities have equal access to City programs,
services, and employment opportunities. To request a reasonable accommodation,
please contact Vicki Strook, Section 503 and ADA Coordinator, at (605) 394-4186. To
request language assistance to participate in City programs and services, including
interpretation or translation of written materials, please call (605) 394-4181. For
TDD/TTY, please dial 711.

Equal Opportunity Employer and Lender

Oglala Sioux Tribe
Property & Supply

The Oglala Sioux Tribe Property and Supply Department is accepting bids for a contractor for the
construction of a new waste water treatment facility. The project will include the design, construction,
and operation of a new waste water treatment facility to treat and dispose of waste water from the
tribal community. The contractor must be able to provide all necessary equipment and materials
and be available to begin work as soon as possible.

Interested parties should contact the Oglala Sioux Tribe Property and Supply Department at
(605) 394-4181 for more information.

The Oglala Sioux Tribe Property and Supply Department reserves the right to reject or cancel
any contract at any time, for any reason, without further notice.

Bid documents are available starting February 1, 2020.

Bid documents must be submitted by 4:00 p.m. on February 14, 2020, to the Oglala Sioux Tribe
Property and Supply Department, PO Box 97, Hot Springs, SD 57747.

Annual Action Plan

OMB Control No: 2506-0117 (exp. 06/30/2018)
Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Pennington    SS:

Sheri Spooner being first duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, an employee of the RAPID CITY JOURNAL, a corporation of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bonafide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said Rapid City Journal, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each day for one successive day, the first publication thereof being on the 24th day of Feb, 2020, that the fees charged for the publication thereof are $104.00 dollars and 99 cents.

Sheri Spooner

Subscribed and sworn to before me this 2nd day of March, 2020

[Notary Public]

My commission expires December 5, 2025
PUBLIC NOTICE
30 Day Public Comment Period for
Proposed FY20 Community Development Block Grant Annual Action Plan

The City of Rapid City is soliciting public comments on the FY20 Community Development Block Grant (CDBG) Annual Action Plan. Notice is hereby given that the City of Rapid City CDBG Program Division plans to file their FY20 Annual Action Plan on April 1, 2020 with the U.S. Department of Housing and Urban Development. The Legal & Finance Committee will review the plan on April 1, 2020 and the plan will go before City Council on April 8, 2020 for final approval. The plan outlines how the City intends to spend an estimated $476,000 in titled CDBG funds and an estimated $2,400 in program income to fund activities listed in the proposed FY20 Annual Action Plan.

Public participation is an essential part of the development of Annual Action Plans. Copies of the FY20 Annual Action Plan are available at www.cityrapidcity.com and at the following locations:
- Community Development Block Grant Office, 205 5th St, City Hall, 205 5th St, Rapid City, SD 57701.
- Community Development Block Grant Office, 205 5th St, City Hall, 205 5th St, Rapid City, SD 57701.

Comments on the proposed FY20 Annual Action Plan will be accepted until 11:59 p.m. on April 8, 2020. Comments should be directed, in writing, to the Department of Community Development, 205 5th St, City Hall, Rapid City, SD 57701. Comments can also be submitted electronically to cDBG@cityrapidcity.com.

The City of Rapid City does not discriminate based on disability and provides reasonable accommodations to persons with disabilities. To request a reasonable accommodation, please contact the City of Rapid City at (605) 394-4138. To ensure language assistance to applicants, please call (605) 394-4138. To receive language assistance to applicants, please call (605) 394-4138. For TDD/TTY, please dial 711.

Published in the Rapid City Journal on March 28, 2020.

Attn: Rapid City Journal

[Signature]

Attorney for
AFFIDAVIT OF PUBLICATION OF NEWSPAPER
NOTICE OF PUBLIC NOTICE

COUNTY OF Pennington

BEFORE ME, the undersigned authority, on this day personally appeared

JACKIE GOORE, publisher (OR REPRESENTATIVE) of Native Sun News

who, being by
me duly sworn, upon oath deposes and says:

That the attached as published in the NATIVE SUN NEWS, a newspaper published in the English language and of general circulation in the City of RAPID CITY, SOUTH DAKOTA described in the following issue: Volume 11, 2020 and that the attached newspaper clipping is a true and correct copy of said published notice.

Signed: Jacki Goore

SWORN TO AND SUBSCRIBED BEFORE ME, this the 26th day of March
2020

Christy C. Tibbits
Notary Public in and for Pennington Country, South Dakota
Commission expiring March 28, 2023

Published at a rate of $15.00
Good Morning Everyone,

FYI;

PUBLIC NOTICE
30 Day Public Comment Period for
Proposed FY20 Community Development Block Grant: Annual Action Plan

The City of Rapid City is soliciting public comments on the FY20 Community Development Block Grant (CDBG) Annual Action Plan.

Notice is hereby given that the City of Rapid City CDBG Program Division plans to file their FY20 Annual Action Plan on April 7, 2020 with the U.S. Department of Housing and Urban Development. The Legal & Finance Committee will review the plan on April 1, 2020 and the plan will go before City Council on April 6, 2020 for final approval. The plan outlines how the City intends to spend an estimated $470,000 in federal CDBG funds and an estimated $2,400 in program income to fund activities listed in the proposed FY20 Annual Action Plan.

Public participation is an essential part of the development of Annual Action Plans. Copies of the FY20 Annual Action Plan are available at www.rcgov.org; the RC Public Library, 610 Quincy St; RC Public Library-North (General Beadle School), 19 Ver Buren St; City Hall, 300 6th St; CDBG Program Division Office, 300 6th St; and at Pennington County Housing and Redevelopment Commission, 1805 Fulton St. Comments on the proposed FY20 Annual Action Plan will be received until 11:59 p.m. on April 8, 2020. Comments should be directed, in writing, to the CDBG Program Division at 333 6th Street or by email to the CDBG Program Division Manager, Michelle Schuelke, at michelle.schuelke@rcgov.org.

The City of Rapid City does not discriminate based on disability and provides reasonable accommodations to ensure people with disabilities have equal access to City programs, services, and employment opportunities. To request a reasonable accommodation, please contact Nick Strout, Section 504 and ADA Coordinator, at (605) 394-4136. To request language assistance to participate in City programs and services, including free oral interpretation or translation of written materials, please call (800) 394-4194. For TDD/TTY, please dial 711.

Thank you,

[Signature]

Equal Opportunity Employer and Lender

The City of Rapid City does not discriminate based on disability and provides reasonable accommodations to ensure people with disabilities have equal access to City programs, services, and employment opportunities. To request a reasonable accommodation, please contact Nick Strout, Section 504 and ADA Coordinator, at (605) 394-4136. To request language assistance to participate in City programs and services, including free oral interpretation or translation of written materials, please call (800) 394-4194. For TDD/TTY, please dial 711.
Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Pennington SS:

Sheri Sponder being first duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, an employee of the RAPID CITY JOURNAL, a corporation of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bona fide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said Rapid City Journal, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each day for successive days, the first publication thereof being on the __th day of Mar 2020, that the fees charged for the publication thereof are $141 and __ cents.

Sheri Sponder

Subscribed and sworn to before me this 26th day of March, 2020.

Matthew J. Ferguson
Notary Public
December 5, 2025
My commission expires
PUBLIC NOTICE
March 16, 2020

20 Day Public Comment Period for Notice of Substantial Amendment to FY20 CDBG Activities

The City of Rapid City is soliciting public comments on proposed amendments to activities within the FY20 CDBG Annual Action Plan. Proposed changes will not create changes to Rapid City’s 2019-2021 CDBG Consolidated Plan.

The amendments account for an additional $95,293.00 of funds contributed to the following activities:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Original Allocation</th>
<th>Proposed Allocation</th>
<th>Increase</th>
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<td>Estimated Program Income</td>
<td>476,000.00</td>
<td>529,595.00</td>
<td>53,595.00</td>
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<tr>
<td>Program Administration</td>
<td>94,480.00</td>
<td>164,870.00</td>
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<td>VAWA Windows</td>
<td>19,346.00</td>
<td>60,024.00</td>
<td>40,678.00</td>
</tr>
</tbody>
</table>

Explanation:
Due to receiving more entitlement funds than estimated, an additional $95,293.00 is included to program administration will be allocated. An additional $2,403,000 is proposed to be allocated to VAWA for replacement of shelter windows.

Public participation is essential in the development of the Annual Action Plan. Proposed amendments are available at www.rapidcity.gov or at Rapid City Public Library, 610 Quincy St., AC Public Library-North (General Beadle School), 1415 Brown St., Child Protective Division Office, 1001 S. Washington St. and at the Pennington County Housing and Redevelopment Commission, 1055 Fulton St., Rapid City, SD. Comments will be received until 4:00 p.m. on April 29, 2020. Comments should be directed to the CDBG Program Division at 333 S. 5th Street or by email to Michele Schuster at michelle.schuster@rapidcity.gov or at the Legal and Finance meeting on April 15, 2020 or at the City Council meeting on April 20, 2020.

The City of Rapid City does not discriminate based on disability and provides reasonable accommodations to ensure people with disabilities have equal access to City programs, services, and employment opportunities. To request a reasonable accommodation, please contact Nick Scott, Section 504 and ADA Coordinator, at (605) 394-4196. To request language assistance to participate in City programs and services, including free interpretation or translation of written materials, please call (605) 394-4181. For TTY/TTV, please dial 711.

Equal Opportunity Employer and Lender. Published one time at the appropriate rate of 1⁄4 cent.

Annual Action Plan 2020

OMB Control No: 2506-0117 (exp. 06/30/2018)

120
AFFIDAVIT OF PUBLICATION OF NEWSPAPER
NOTICE OF PUBLIC NOTICE

COUNTY OF

BEFORE ME, the undersigned authority, on this day personally appeared

JACKIE BERING, publisher (OR REPRESENTATIVE) of NATIVE SUN NEWS,
who, being by

me duly sworn, upon oath deposes and says:

That the attached as published in the NATIVE SUN NEWS, a newspaper published in the English language and of general circulation in the City of RAPID CITY, SOUTH DAKOTA described in the following issue: D1 Volume 12, 2020 and that the attached newspaper clipping is a true and correct copy of said published notice.

Signed: Jackie Bering

SWEARING TO AND SUBSCRIBED BEFORE ME, this the 26th day of March 2020

CHRISTY C. TIBBITTS
Notary Public in and for Pennington County, South Dakota
Commission expiring March 28, 2023

Published at a rate of $ 264.00

Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
**Public Notice**

30 Day Public Comment Period for Notice of Substantial Amendment to FY20 CDBG Activities

The City of Rapid City is soliciting public comments on proposed amendments to activities within the FY20 CDBG Annual Action Plan. Proposed changes will not create changes to Rapid City's 2019-2022 CDBG Consolidated Plan.

The amendments account for an additional $322,535.00 of funds committed to the following activities:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Original Allocation</th>
<th>Proposed Allocation</th>
<th>Indicated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated Program Income</td>
<td>470,000.00</td>
<td>622,805.00</td>
<td>52,835.20</td>
</tr>
<tr>
<td>Program Administration</td>
<td>2,400.00</td>
<td>2,400.00</td>
<td>0.00</td>
</tr>
<tr>
<td>WASH Windows</td>
<td>6,346.00</td>
<td>68,374.00</td>
<td>42,028.00</td>
</tr>
</tbody>
</table>

**Explanations:**

Due to receiving more entitlement funds than estimated, an additional $10,097.00 in program administration will be added. An additional $42,028.00 is proposed to be allocated to WASH for replacement of shell windows.

Public participation is an essential part in the development of the Annual Action Plan. Proposed amendments are available at [www.napo.org](http://www.napo.org), the Rapid City Public Library, 610 Quincy St., RC Public Library North (General Butte School), 12 Van Buren St., CDBG Program Division Office, 309 6th St., and at the Pennington County Housing and Redevelopment Commission, 403 Fulton St., Rapid City, SD. Comments will be received until 4:00 p.m. on April 20, 2020. Comments should be directed, in writing, to the CDBG Program Division at 333 6th Street or by email to Michelle Schlovel at mslides@rapidcity.sd.us or at the Legal and Finance meeting on April 15, 2020 or at the City Council meeting on April 20, 2020.

The City of Rapid City does not discriminate on the basis of disability and provides reasonable accommodations to ensure people with disabilities have equal access to City programs, services, and employment opportunities. To request a reasonable accommodation, please contact Nick Steck, Section 504 and ADA Coordinator, at (605) 394-4136. To request language assistance to participate in City programs and services, including free interpretation or translation of written materials, please call (605) 394-4181. For TDDTTY, please dial 711.

---

**Sisseton Wahpeton Oyate**

**REQUEST FOR PROPOSALS FOR CONSULTING & TRAINING SERVICES FOR TWO "FOR-PROFIT" BUSINESS (DAKOTA CROSSING, 1-29 MOTEL, FUEL INC, OA C-STORE & DAKOTA WESTERN)**

The Sisseton Wahpeton Oyate is looking for an Accounting Services to have Compilations & Training services, review of available technical information for the project and all existing and appropriate development documents. Work closely with Tribal Council and government officials to define project details, hold project meetings with the above-named groups, and any additional meetings as needed.

**SUBMISSION DEADLINE:** Friday, March 27, 2020, 4:30 PM (CST).
**NOTIFICATION OF PRE-SELECTION AND INTERVIEWS:** by April 7, 2020

**FINAL CONTRACT NOTICE:** April 9, 2020

Please request a complete RFP SCOPE OF WORK from and submit RFP Answer to:

**RFP Contact Name:** Leenle Berndt-Peters, Program Manager
Sisseton-Wahpeton Oyate Procurement Department
**Contact Address:** 12554 BA HWY 711/P.O. BOX 509
Agency village, South Dakota 57722
**Telephone Number:** 605-327-4937

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**Native Sun News Today**

No Weekends! Fun Environment Experience preferred but will train the right person. Hourly + Commission, Ask for Jackie (605) 721-1266
Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Pennington

Sheri Sponder being first duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, an employee of the RAPID CITY JOURNAL, a corporation of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bona fide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said Rapid City Journal, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each day for one successive day, the first publication thereof being on the 22nd day of Sept., 2020, that the fees charged for the publication thereof are $10.00 dollars and 00 cents.

Sheri Sponder

Subscribed and sworn to before me this 4th day of May, 2020.

Notary Public

My commission expires December 5, 2025
PUBLIC NOTICE

14-Day Public Comment Period for
City of Rapid City - CDBG - Amendment to Resident Participation Plan

The City of Rapid City is accepting comments on an amendment to its Resident Participation Plan. Comments will be accepted until May 11, 2020, at 4:00 p.m. and can be submitted in writing to the CDBG Program Division office at 500 S. 7th St, Rapid City, S.D. 57701; by email to Michelle.Schueler@rrip.gov; in person at the Legal and Finance meeting on May 13, 2020, at 6:30 p.m. or at the City Council meeting on May 18, 2020, at 6:30 p.m. in the Council Chambers at 500 S. 7th St. Due to COVID-19, the public is encouraged to use the online comment form found here: http://www.rapidcity sd.org/city_departments/finance/ajmc/comments. The City Council will consider all comments received prior to final approval. The plan can also be found at www.rapidcity sd.org by clicking (800) 394-1161.

The City of Rapid City does not discriminate based on disability and, to provide reasonable accommodations, to ensure people with disabilities have equal access to City programs, services, and employment opportunities, if you need assistance or reasonable accommodation. Please contact Nick Stine, Section 504 and ADA Coordinator, at 605-361-4359. To request language assistance to participate in City programs and services, including free oral translation or translation of written materials, please call 605-361-4359. For TDD/TTY, please dial 711.

Equal Opportunity Employer and Lender

Published one time at the approximate cost of $104.98
COUNTY OF Pennington

BEFORE ME, the undersigned authority, on this day personally appeared

Jardine Ewers, publisher (OR REPRESENTATIVE) of Native Sun News

who, being by

me duly sworn, upon oath deposes and says:

That the attached as published in the Native Sun News, a newspaper published in the English language and of general circulation in the City of Rapid City, South Dakota described in the following issue: 8 Volume 12, 2020 and that the attached newspaper clipping is a true and correct copy of said published notice.

Signed: Jardine Ewers

SWORN TO AND SUBSCRIBED BEFORE ME, this the 19 day of June, 2020

Christy C. Tibbitts
Notary Public in and for Pennington County, South Dakota
Commission expiring March 28, 2023

Published at a rate of $165.00
PUBLIC NOTICE
14-Day Public Comment Period for
City of Rapid City - CDBG - Amendment to Resident Participation Plan

The City of Rapid City is accepting comments on an amendment to its Resident Participation Plan. Comments will be accepted until May 11, 2020, at 4:00 p.m. and can be submitted in writing to the CDBG Program Division office at 360 8th Street, Rapid City, SD 57701; by email to Michelle.Schuelke@rgov.org; in person at the Legal and Finance meeting May 13, 2020, at 12:00 p.m. or at the City Council meeting May 18, 2020, at 6:30 p.m. in the Council Chambers at 360 8th Street. Due to COVID-19, the public is encouraged to use the online comment form found here: https://www.rgov.org/68-public-comments-for-meetings/24-public-comment-form.html. The City Council will consider all comments received prior to final approval. The plan can be found at www.rgov.org or by calling (605) 394-4161. The City of Rapid City does not discriminate based on disability and provides reasonable accommodations to ensure people with disabilities have equal access to City programs, services, and employment opportunities. To request a reasonable accommodation, please contact Nick Street, Section 504 and ADA Coordinator, at 605-394-4166. To request language assistance to participate in City programs and services, including free oral interpretation or translation of written materials, please call 605-394-4161. For TDDTTY, please dial 711.
Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
October 14, 2020

To: Lucy LeDeaux City of Rapid Community Block Grant Division

From: Kirk A. Dickerson
Native Sun News Today

Hello Lucy, this is Kirk A. Dickerson with the Native Sun News Today. Due to a Covid-19 spike, the Native Sun News Today temporarily closed from April 15th - May 5th. Three weekly issues during this time period did not run at this time. We re-opened operations on May 6th and have been operating consecutively since that date.

[Signature]
Sales Manager

Native Sun News Today
650 Gemball St. Ste. 3
Rapid City, SD 57701
(605) 721-4289
Fax: (605) 721-1367

Annual Action Plan
2020
To: *Broadcast Email List General 1
Cc: Schuelke Michelle
Subject: Public Notice 14-Day Public Comment Period

Hello Everyone,

PUBLIC NOTICE
14-Day Public Comment Period for
City of Rapid City - CDBG - Amendment to Resident Participation Plan

The City of Rapid City is accepting comments on an amendment to its Resident Participation Plan. Comments will be accepted until May 11, 2020, at 4:00 p.m. and can be submitted in writing to the CDBG Program Division office at 300 6th Street, Rapid City, SD 57701; by email to Michelle.Schuelke@rgov.org; in person at the Legal and Finance meeting May 13, 2020, at 12:30 p.m. or at the City Council meeting May 18, 2020, at 6:30 p.m. in the Council Chambers at 300 6th Street. Due to COVID-19, the public is encouraged to use the online comment form found here: https://www.rgov.org/08-public-comments-for-meetings/24-public-comment-form.html. The City Council will consider all comments received prior to final approval. The plan can be found at www.rgov.org or by calling (605) 394-4181.

The City of Rapid City does not discriminate based on disability and provides reasonable accommodations to ensure people with disabilities have equal access to City programs, services, and employment opportunities. To request a reasonable accommodation, please contact Nick Street, Section 504 and ADA Coordinator, at 605-394-4146. To request language assistance to participate in City programs and services, including free oral interpretation or translation of written materials, please call 605-394-4181. For TTY, please dial 711.

Thank you,

City of Rapid City,
200 6th Street (Mail)
300 6th Street (Office)
Rapid City, SD 57707
(605) 394-4111 Fax (605) 394-3629

Equal Opportunity Employer and Landlord

The City of Rapid City does not discriminate based on disability and provides reasonable accommodation to ensure people with disabilities have equal access to City programs, services, and employment opportunities. To request a reasonable accommodation, please contact Nick Street, Section 504 and ADA Coordinator, at 605-394-4146. To request language assistance to participate in City programs and services, including free oral interpretation or translation of written materials, please call 605-394-4181. For TTY, please dial 711.

file://C:/CDBG%20FUNDS/2020%20CDBG/FY20%20Adv/FY20%20Adv-%20Day%20... 10/13/2020

Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
Not Available
Affidavit of Publication

STATE OF SOUTH DAKOTA
County of Pennington  SS:

Sheri Sponder, being first duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, an employee of the RAPID CITY JOURNAL, a corporation of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bona fide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said Rapid City Journal, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each day, for one successive day, the first publication thereof being on the 25th day of May 2020 that the fees charged for the publication thereof are $12.50 dollars and __32 cents.

Sheri Sponder

Subscribed and sworn to before me this 5th day of June 2020

Matthew J. Frankland
Notary Public
December 5, 2025

My commission expires
PUBLIC NOTICE
30 Day Public Comment Period for
Notice of Amendments to FY19 and FY20 CDBG Activities

The City of Rapid City is soliciting public comments on proposed amendments to activities within the FY19 and FY20 CDBG Annual Action Plan. Proposed changes will not create changes to Rapid City’s 2018-2022 CDBG Consolidated Plan. The amendments are to maintain compliance with federal guidelines and account for a reduction of $28,600.00 in FY19 CDBG funds and for an increase of $19,900.00 in FY20 CDBG funds committed to the following activities:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Original Allocation</th>
<th>Proposed Allocation</th>
<th>Net Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Behavior Management Systems</td>
<td>66,200.00</td>
<td>67,600.00</td>
<td>($1,400.00)</td>
</tr>
<tr>
<td>Behavior Management Systems</td>
<td>29,581.00</td>
<td>49,481.00</td>
<td>19,900.00</td>
</tr>
</tbody>
</table>

Proposed amendments are available at www.rcgov.org, or by calling (605) 394-4131. Comments will be received until 4:00 p.m. on July 3, 2020. Comments should be directed, in writing, to the CDBG Program Division at 300 8th Street or by email to Michelle Schuelke at michelle.schuelke@rcgov.org or at the Legal and Finance meeting on July 1, 2020 or at the City Council meeting on July 6, 2020.

The City of Rapid City does not discriminate based on disability and provides reasonable accommodations to ensure people with disabilities have equal access to City programs, services, and employment opportunities. To request a reasonable accommodation, please contact Nick Stroot, Section 504 and ADA Coordinator, at (605) 394-4136. To request language assistance to participate in City programs and services, including free oral interpretation or translation of written materials, please call (605) 394-4181. For TDD/TTY, please dial 711.

Equal Opportunity Employer and Lender (Published one time at the approximate cost of $123.32)
COUNTY OF Pennington

BEFORE ME, the undersigned authority, on this day personally appeared
Kirk Dickerson, publisher (OR REPRESENTATIVE) of Native Sun News,
who, being by me duly sworn, upon oath deposeth and says:

That the attached is published in the NATIVE SUN NEWS, a newspaper published in the English
language and of general circulation in the City of RAPID CITY, SOUTH DAKOTA described in the
following issue: 11, Volume 13, 2020 and that the attached newspaper clipping is
a true and correct copy of said published notice.

Signed:

Sworn to and subscribed before me this the 19th day of July
2020.

Christy C. Tibbits
Notary Public in and for Pennington County, South Dakota
Commission expiring March 28, 2023

Published at a rate of $165.00.
PUBLIC NOTICE

30 Day Public Comment Period for
Notice of Amendments to FY19 and FY20 CDBG Activities

The City of Rapid City is soliciting public comments on proposed amendments to activities within the FY19 and FY20 CDBG Annual Action Plan. Proposed changes will not create changes to Rapid City's 2019-2020 CDBG Consolidated Plan. The amendments are in compliance with Federal guidelines and account for a reallocation of $28,800.00 in FY19 CDBG funds and for an increase of $16,600.00 in FY20 CDBG funds committed to the following activities.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Original Allocation</th>
<th>Proposed Allocation</th>
<th>Net Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Behavioral Management Systems</td>
<td>99,200.00</td>
<td>7,600.00</td>
<td>(81,600.00)</td>
</tr>
<tr>
<td>Behavioral Management Systems</td>
<td>26,191.00</td>
<td>49,661.00</td>
<td>23,470.00</td>
</tr>
</tbody>
</table>

Proposed amendments are available at www.rapidcity.gov. Comments will be received until 4:00 p.m. on July 9, 2020. Comments should be directed, in writing, to the CDBG Program Specialist at 500 S. Third St. or by e-mail to Michelle.Scheele@rapidcity.gov or at the Finance meeting on July 2, 2020.

The City of Rapid City does not discriminate based on disability and provides reasonable accommodations to ensure people with disabilities have equal access to City programs, services, and employment opportunities. To request a reasonable accommodation, please contact Rich Struck, Section 504 and ADA Coordinator, at (605) 394-4136. To receive language assistance to participate in City programs and services, including free oral interpretation or translation of written materials, please call (605) 394-4181. For TDD/TTY, please dial 711.

Equal Opportunity Employer and Landlord
Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Pennington SS:

Sheri Sponder being first duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, an employee of the RAPID CITY JOURNAL, a corporation of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bona fide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said Rapid City Journal, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each ____________________ day, for ____________________ successive days, the first publication thereof being on the 21st day of June 2020, that the fees charged for the publication thereof are 75 dollars and 22 cents.

______________________________
Sheri Sponder

Subscribed and sworn to before me this 21st day of June 2020.

______________________________
Matthew J. Prangell
Notary public

My commission expires December 5, 2015

Annual Action Plan

2020
June 24, 2020

PUBLIC NOTICE

15-Day Public Comment Period for
Rapid City’s Community Development Block Grant FY 19 Consolidated Annual
Performance and Evaluation Report

The City of Rapid City’s Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPEX) for fiscal year 2018 (April 1, 2018 to March 31, 2018) is available for public review and comment until July 10, 2020 at 4:30 p.m. Comments can be submitted in writing to the CDBG Department at 506 Silted Street, Rapid City, SD 57701; by email to cdbg@rapidcity.gov; or by dropping off comments at the Rapid City Council Chamber at 220 St. John Street, Rapid City. The City Council will consider all comments received. Copies of the report can be obtained at http://www.rapidcity.sd.us/departments/community-planning-development/cdbg-program/division.html, the CDBG Division at 506 Silted Street, Rapid City, SD, the Rapid City Downtown Public Library, the Pennington County Housing and Redevelopment Commission offices at 100 Main Avenue, Rapid City, or by calling (605) 367-4181. Please note, due to COVID-19 some offices may have limited weekend availability.

ADA Compliant: The City of Rapid City is committed to the principles of the Americans with Disabilities Act. If you desire to attend a public meeting and need accommodations including TTY (Tel 711), please notify the Nick Schrader, 605-367-4181, 24 hours prior to the meeting to appropriate auxiliary aids and services are available.

Persons with limited English proficiency or vision impairments may request oral interpretation of written materials or written transcription of oral documents by calling (605) 367-4181.

For more information contact: Nick Schrader, Compliance Officer 605-367-4181 nicks@rapidcity.gov
AFFIDAVIT OF PUBLICATION OF NEWSPAPER
PUBLIC NOTICE

COUNTY OF Pennington

BEFORE ME, the undersigned authority, on this day personally appeared
Jackie Gibson, publisher (OR REPRESENTATIVE) of Native Sun News,

who, being by
me duly sworn, upon oath deposes and says:

That the attached as published in the NATIVE SUN NEWS, a newspaper published in the English language and of general circulation in the City of RAPID CITY, SOUTH DAKOTA described in the following issue: 15 Volume 12, 20 20 and that the attached newspaper clipping is a true and correct copy of said published notice.

Signed: Jackie Gibson

SWORN TO AND SUBSCRIBED BEFORE ME, this the 30th day of June, 20 20

Christy C. Tibbitts
Notary Public

Notary Public in and for Pennington County, South Dakota

Commission expiring March 28, 2023

Published at a rate of $1.50
PUBLIC NOTICE
15-Day Public Comment Period for
Rapid City's Community Development Block Grant FY'19 Consolidated Annual
Performance and Evaluation Report

The City of Rapid City's Community Development Block Grant (CDBG) Consolidated Annual
Performance and Evaluation Report (CAFEE) for fiscal year 2019 (April 1, 2019 to March 31,
2020) is available for public review and comment until July 10, 2020 at 4:00 p.m. Comments
may be submitted in writing to the CDBG Division at 300 Sixth Street, Rapid City, SD 57701; by
email to michelle.schraeder@rcgov.org; in person at Legal and Finance meetings on July 1,
2020 and July 29, 2020 at 12:30 p.m.; or at City Council meetings on July 6, 2020 and
August 3, 2020 at 6:30 p.m. in the Council Chambers at 300 Sixth Street, Rapid City. The City
Council will consider all comments received. Copies of the report can be obtained at
http://www.rcgov.org/departments/community-planning-development/teborg-program-
division.html, the CDBG Division at 303 Sixth Street, Rapid City, SD, the Rapid City
Development Public Library, the Pennington County Housing and Redevelopment Commission
office at 1010 West Potter Street, or by calling (605) 394-4181. Please note, due to COVID-19
some offices may have limited walk-in availability.

ADA Compliance: The City of Rapid City is subject to the provisions of the Americans with Disabilities Act. If
you require an alternative public meeting and need a real-time interpretation for the deaf, please notify the USA
Division, (605) 394-4181, 34 hours prior to the meeting to appropriate auditory aid and
services are available. Persons with limited English proficiency or vision impairments may request oral
interpretation of written materials or written translation of vital documents by calling (605) 394-4181.
Affidavit of Publication

STATE OF SOUTH DAKOTA
County of Pennington SS:

Sheri Sponder being first duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, an employee of the RAPID CITY JOURNAL, a corporation of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bona fide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said Rapid City Journal, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each day for one successive day, the first publication thereof being on the 22nd day of July, 2020, that the fees charged for the publication thereof are ______ dollars and ______ cents.

[Signature]

Subscribed and sworn to before me this ______ day of ______, 2020.

[Notary Public]

My commission expires ______

OMB Control No: 2506-0117 (exp. 06/30/2018)
The City of Rapid City is accepting comments on an amendment to its FY20 Resident Participation Plan. Comments will be accepted until August 24, 2020, at 4:00 p.m. and can be submitted in writing to the OGBG Program Division office at 300 8th Street, Rapid City, SD 57701, or by email to Michelle.Schuler@rggov.org. In person at the Legal and Finance meeting July 29, 2020 or September 2, 2020, at 10:30 a.m., or at the City Council meeting August 18, 2020 or September 8, 2020, at 6:30 p.m. in the Council Chambers at 300 8th Street. Due to COVID-19, the public is encouraged to use the online comment form found here: https://www.rg.gov/Rapid-City-Public-Comments-Form.html. The City Council will consider all comments received prior to their approval. The plan can be found at www.rg.gov or by calling (605) 394-4161.

The City of Rapid City does not discriminate based on disability and provides reasonable accommodations to ensure people with disabilities have equal access to City programs, services, and employment opportunities. To receive a reasonable accommodation, please contact Nick Sorensen, Section 604 and ADA Coordinator, at 605-394-4165. To request language assistance to participate in City programs and services, including free oral interpretation or translation of written materials, please call 605-394-4161. For TDD/TTY, please dial 711.

Equal Opportunity Employer and Lender [Published one time at the approximate cost of $15.00]
COUNTY OF Pennington

BEFORE ME, the undersigned authority, on this day personally appeared

Jackie Guaga, publisher (OR REPRESENTATIVE) of NATIVE SUN NEWS

who, being by me daily sworn, upon oath deposes and says:

That the attached as published in the NATIVE SUN NEWS, a newspaper published in the English language and of general circulation in the City of RAPID CITY, SOUTH DAKOTA described in the following issue: 19 Volume 12, 2020 and that the attached newspaper clipping is a true and correct copy of said published notice.

Signed: Jackie Guaga

SWORN TO AND SUBSCRIBED BEFORE ME, this the 23rd day of July, 2020

Christy C. Tibbits
Notary Public in and for Pennington County, South Dakota

Commission expires March 28, 2023

Published at a rate of $22.00
PUBLIC NOTICE
30-Day Public Comment Period for
City of Rapid City - CDBG - FY20 Resident Participation Plan

The City of Rapid City is accepting comments on an amendment to its FY20 Resident Participation Plan. Comments will be accepted until August 24, 2020, at 4:00 p.m. and can be submitted in writing to the CDBG Program Officer, City of Rapid City, 240 2nd St. S., Rapid City, South Dakota 57701; by email to: Michelle.Schubert@rapidcity.org; or at the next City Council meeting, August 3, 2020. Comments can also be submitted online at www.rapidcity.org/city/council/meetings/fy2020-publish-comment-form.html. The City Council will consider all comments received prior to final approval. The plan can be found at www.rapidcity.org or by calling (605) 364-4181.

The City of Rapid City does not discriminate based on disability and provides reasonable accommodations to ensure people with disabilities have equal access to City programs, services, and employment opportunities. To request a reasonable accommodation, please contact Nick North, Section 504 and ADA Coordinator, at 605-364-4146. To request language assistance to participate in City programs and services, including free oral interpretation or translation of written materials, please call 605-364-4191. For TDD/TTY, please dial 711.
Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Pennington

Sheri Sponder, being first duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, an employee of the RAPID CITY JOURNAL, a corporation of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: That said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bona fide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said Rapid City Journal, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each successive day the first publication there of being on the 21st day of August, 2020, that the fees charged for the publication thereof are $14.15 dollars and 15 cents.

Sheri Sponder

Subscribed and sworn to before me this 10th day of September, 2020.

[Notary Public Signature]

My commission expires
Annual Action Plan
2020
AFFIDAVIT OF PUBLICATION OF NEWSPAPER
NOTICE OF PUBLIC NOTICE

COUNTY OF Pennington

BEFORE ME, the undersigned authority, on this day personally appeared
Kirk Dickerson, publisher (OR REPRESENTATIVE) of Native Sun News
who, being by me duly sworn, upon oath deposes and says:

That the attached as published in the Native Sun News, a newspaper published in the English language and of general circulation in the City of Rapid City, South Dakota described in the following issue: 25, Volume 12, 2020 and that the attached newspaper clipping is a true and correct copy of said published notice.

Signed:

[Signature]

SWEARING TO AND SUBSCRIBED BEFORE ME, this the 14th day of September, 2020

[Signature]
Christy C. Tibbits
Notary Public in and for Pennington County, South Dakota

Commission expires March 28, 2023

PUBLISHED AT A RATE OF 125.00
PUBLIC NOTICE
THE CITY OF RAPID CITY IS ACCEPTING APPLICATIONS FOR FISCAL YEAR 2021 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS

Rapid City's CDBG Program is accepting applications for the use of FY21 CDBG funds. Projects must address a National Objective of the Housing and Community Development Act of 1992 and be an eligible activity defined by federal regulations. The city of rapid city, Estimates receiving $400,699 in FY21 CDBG CDBG funds. $94,000 will be used for administrative costs, and up to $30,000 may be used for public services.

Projects must address high priority needs outlined in Rapid City's 2019-2022 Consolidated Plan and primarily benefit low and moderate-income individuals through the following categories:

- Affordable Housing
- Public Facilities and Improvements
- Economic
- Public Services

Applications are available at https://www.rapidcity SD.gov/communityplanning/development.htm. Applications can be submitted by 4:00PM on October 1, 2020.

Contact: CDBG Program Director Manager, Michelle Schutte, at (605)364-4181 or michelle.schutte@rcgov.org

ADA Compliance: The City of Rapid City fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend a public meeting and are in need of special accommodations (including TDD/TTY), please notify the city at (605)364-4186, 24 hours prior to the meeting so that appropriate auxiliary aids and services are available. Persons with limited English proficiency or visual impairments may request free oral interpretation or written materials or written translation or oral documents by calling (605)364-4181.

Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
Shutting down for 2 weeks

date: April 13, 2020

KAMOJCUY – The Sun News Today will not publish for the next two weeks because of the spread of the Coronavirus. We have staff and management with pre-existing conditions who are very vulnerable to the illness.

It is clear that with the Single Motorcycle Rally and the Stump career and the Stump career at Museum Entrance that the next two weeks will be the most crucial in containing this disease.

They will be no newspapers from August 10 to August 26. The re-launch will be published on September 2, 2020. We hope having to make this decision, but the health of the owners and the staff is much more important. We thank you for being with our decision.

https://www.madisonnews.com/stories/shutting-down-for-2-weeks/
PUBLICATION NOTICE
THE CITY OF RAPID CITY IS ACCEPTING APPLICATIONS FOR FISCAL YEAR 2021 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS

Rapid City’s CDBG Program is accepting applications for the use of FY21 CDBG funds. Projects must meet the National Objective of the Housing and Community Development Act of 1992 and be an eligible activity defined by federal regulations. The City of Rapid City estimates receiving $470,000 in FY21 CDBG funds. $94,000 will be used for administration and planning; up to $376,000 may be used for public services.

Projects must address high-priority needs culled in Rapid City’s 2018-2022 Consolidated Plan and primarily benefit low- and moderate-income individuals through the following categories:
- Affordable Housing
- Public Facilities and Improvements
- Economic Development
- Public Services

Applications are available at https://www.rcgov.org/departments/community-planning-development/cdbg-program-division/cdbg-program-division-8355.html. The application deadline is 4:00 p.m. on October 1, 2020.

Contact: CDBG Program Division Manager, Michelle Schuelke, at (605) 394-4181 or michael.schuelke@rcgov.org

ADA Compliance: The City of Rapid City fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend a public meeting and are in need of special accommodations (including TDD/TTY Dial 711), please notify the Nick Street, (605) 394-4138, 24 hours prior to the meeting to that appropriate auxiliary aids and services are available. Persons with limited English proficiency or vision impairments may request free oral interpretation of written materials or written translation of vital documents by calling (605) 394-4131.

Thank you,

City of Rapid City, Arkansas
CDBG Program Division
300 Canal Street (Healing)
333 East Avenue (Office)
Rapid City, SD 57701
(605) 394-4167 Fax (605) 366-2620

(Adapted to meet accessibility requirements. Original text includes: “RAPID CITY, ARKANSAS” in capital letters, and “CDBG PROGRAM DIVISION” in capital letters. Additional text: “RAPID CITY, SD 57701” in capital letters, and “(605) 394-4167” in capital letters.)

Annual Action Plan 2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
REMEMBER:

PUBLISH NOTICE
THE CITY OF RAPID CITY IS ACCEPTING APPLICATIONS FOR FISCAL YEAR 2021 COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) FUNDS

Rapid City’s CDBG Program is accepting applications for the use of FY21 CDBG funds. Projects must
meet a National Objective of the Housing and Community Development Act of 1992 and be an eligible
activity defined by federal regulations. The City of Rapid City estimates receiving $470,000 in FY21
CDBG funds. $94,000 will be used for administration and planning, up to $70,000 may be used for public
services.

Projects must address high-priority needs outlined in Rapid City’s 2018-2022 Consolidated Plan and
primarily benefit low- and moderate-income individuals through the following categories:
Affordable Housing
Public Facilities and Improvements
Economic Development
Public Services

Applications are available at http://www.rapidcitysd.org/departments/community housing development/Community-
Development-Block-Grant-funding.pdf. The application deadline is 4:00 p.m. on October 1,
2020.

Contact: CDBG Program Division Manager, Michelle Schuelke, at (605) 394-4171 or
michelle.schuelke@rapidcitysd.org.

ADA Compliance: The City of Rapid City fully subscribes to the provisions of the Americans with
Disabilities Act. If you desire to attend a public meeting and are in need of special accommodations
(including TDD/TTY Dial 711), please notify the Nick Street, (605) 394-4136, 48 hours prior to the
meeting so that appropriate auxiliary aids and services are available. Persons with limited English
proficiency or vision impairments may request free oral interpretation of written materials or written
translation of vital documents by calling (888) 394-4191.

Thank you,

[Address]

CDBG Program Division
394 North Street (Mail)
234 North Street (Office)
Rapid City, SD 57701
(605) 394-4171 Fax (605) 394-3720

City Opportunity Program and Lender
The City of Rapid City does not discriminate on the basis of disability and provides reasonable accommodations to ensure people with disabilities equal
Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Pennington SS:

Sheri Sponder being first duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, an employee of the RAPID CITY JOURNAL, a corporation of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bona fide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said Rapid City Journal, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each day for one successive day, the first publication of which being on the day of Aug 31 2020 that the fees charged for the publication there of are 25 dollars and 28 cents.

Sheri Sponder

Subscribed and sworn to before me this 24th day of August 2020.

Matthew J. Zanquell
Notary Public
December 5, 2025
My commission expires
AFFIDAVIT OF PUBLICATION OF NEWSPAPER
NOTICE OF PUBLIC NOTICE

THE STATE OF SOUTH DAKOTA
COUNTY OF

BEFORE ME, the undersigned authority, on this day personally appeared , publisher (OR REPRESENTATIVE) of Native Sun News, who, being by me duly sworn, upon oath deposes and says:

That the attached NOTICE OF PUBLIC HEARING was published in the NATIVE SUN NEWS, a newspaper published in the English language and of general circulation in the City of RAPID CITY, SOUTH DAKOTA and in the territory proposed to be annexed, which said territory is described in said NOTICE OF PUBLIC HEARING, in the following issue: 22 Volume 12 2020, and that the attached newspaper clipping is a true and correct copy of said published notice.

Signed: 

SWORN TO AND SUBSCRIBED BEFORE ME, this the 13th day of August, 2020.

Notary Public in and for Pennington County, South Dakota

Commission expiring March 2, 2023

Published at a rate of $ .98

CITY NEWS

ACCOUNTS PAYABLE
It's a policy he said that will trickle down to his staff in Washington. Even though his constituents would know if he defeats Rounda, things won't change when it comes to communication with those he serves.

"I can guarantee you that everyone who works for me will know that the first time I don't get a message that I should get, there's going to be a problem. You have to have those interactions, learn what we have in common move things forward."

Ayers said many of his constituents were Republicans.

"People who say that work with colleagues across the aisle doesn't work..."
Good Morning,

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE CITY OF RAPID CITY IS SEEKING QUALIFIED SUBRECIPIENTS TO DELIVER PUBLIC SERVICE PROGRAMS FOR RAPID CITY RESIDENTS IMPACTED BY COVID-19

$200,000 in CDBG-CV funds will be made available for activities that meet a National Objective AND prevent, prepare for, and respond to the COVID-19 Pandemic.

Funding applications are available at https://www.rapidcity.gov/Departments/Community-Planning-Development/OtherProgramDivisions/CDBGProgram/Division438.html, or by calling (605) 394-4181. Applications must be received by 4:00 p.m. September 18, 2020.

ADA Compliant: The City of Rapid City fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend a public meeting and are in need of special accommodations (including TDD/TTY Dial 711), please notify Nick Ettner at (605) 394-4136, 24 hours prior to the meeting so that appropriate auxiliary aids and services are available. Persons with limited English proficiency or vision impairments may request free oral interpretation of written materials or written translation of vital documents by calling (605) 394-4181.

Thank you,

[Signature]

[Title]

[Address]

[Phone]

[Fax]

Annual Action Plan
2020
Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Pennington

Sheri Sponder being first duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, an employee of the RAPID CITY JOURNAL, a corporation of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bonafide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said Rapid City Journal, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each __________ for __________ successive __________, the first publication thereof being on the __________ day of __________ 2020 that the fees charged for the publication thereof are __________ dollars and __________ cents.

______________________________
Sheri Sponder

Subscribed and sworn to before me this __________ day of __________ 2020.

______________________________
Matthew J. Frank, M.A.

Notary Public

December 5, 2025

My commission expires
PUBLIC NOTICE

20-Day Public Comment Period for
Proposed 2020 CDBG CARES Act (CDBG-CV) Funding Recommendations and
Public Disclosure of Conflict of Interest

The City of Rapid City is soliciting public comments on proposed CDBG-CV funding allocations.

The City Council has requested $149,020. The Community Investment Committee will review the recommendations and may adjust them. The adjusted amount may include Pennington County Health & Human Services ($100,000) and United Way of the Black Hills ($100,000). $37,500 will be retained for priority and administrative purposes. Comments on the recommendations will be accepted until 4:00 p.m. on October 27, 2020. All comments received will be considered.

Recommendations will also be reviewed by the Legal & Finance committee on October 14, 2020 and October 28, 2020, and the City Council on October 19, 2020 and November 2, 2020. Copies of the proposed allocations are available at www.rapidcity.gov. Comments should be directed in writing to the CDBG Program Division at 300 5th Street, Rapid City, SD 57701, or by email to mteixeira@rapidcity.gov or by phone at (605) 394-4138.

A conflict of interest exists in that Jamie Teixeira, Executive Director of United Way of the Black Hills, is a Community Investment Committee member and as such has the authority to make funding recommendations. Ms. Teixeira recused herself and withdrew from the decision-making process with respect to CDBG-CV recommendations.

The City of Rapid City does not discriminate on the basis of disability and provides reasonable accommodations to ensure people with disabilities have equal access to City programs, services, and employment opportunities. To request a reasonable accommodation, please contact Nick Sauer, ADA Coordinator, at (605) 394-4138.

For TDD/TTY, please dial 711.
AFFIDAVIT OF PUBLICATION OF NEWSPAPER
NOTICE OF PUBLIC NOTICE

COUNTY OF Pennington

BEFORE ME, the undersigned authority, on this day personally appeared

Kevin Dickerson, publisher (OR REPRESENTATIVE) of Native Sun News

who, being by me duly sworn, upon oath deposes and says:

That the attached as published in the NATIVE SUN NEWS, a newspaper published in the English language and of general circulation in the City of RAPID CITY, SOUTH DAKOTA described in the following issues: 20 Volume 12 20 20 and that the attached newspaper clipping is a true and correct copy of said published notice.

Signed:

[Signature]

SWORN TO AND SUBSCRIBED BEFORE ME, this the 13th day of October 2020

Christy C. Tibbits
Notary Public in and for Pennington County, South Dakota

Commission expiring March 23, 2023

(SEAL)

CHRISTY C. TIBBITTS
Notary Public in and for South Dakota

Published at a rate of $ 45.00
PUBLIC NOTICE

20-Day Public Comment Period for
Proposed 2020 CDBG CARES Act (CDBG-CV) Funding Recommendations and
Public Disclosure of Conflict of Interest

The City of Rapid City is soliciting public comments on proposed CDBG-CV funding allocations.

The City received requests totaling $449,920. The Community Investment Committee preliminary funding recommendations include Pennington County Health & Human Services ($255,000) and United Way of Black Hills ($194,920). $37,000 will be retained for planning and administrative purposes. Comments on the recommendations will be accepted until 4:00 p.m. on October 27, 2020. All comments received will be considered. Recommendations will be before the City Council on October 28, 2020.

Copies of the proposed allocations are available at www.rapidcity.org. Comments should be directed to the CDBG Program Manager, 200 1st Street, by email to michelle.johnson@rapidcity.org, or by phone at (605) 394-4181.

A current list of projects is available at www.rapidcity.org. Comments are invited with regard to the proposed changes and or additions. The City of Rapid City does not discriminate based on disability and provides reasonable accommodations for persons with disabilities. To request a reasonable accommodation, please contact Nick Struck, Section 504 and ADA Coordinator, at (605) 394-4122. If you require language assistance to participate in City programs and services, including free or low-cost interpretation or translation of written materials, please call (605) 394-4451. For TDD/TTY, please dial 711.

Equal Opportunity Employer and Lender

Annual Action Plan

2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
From:

To:

Subject: REMINDER: CDBG-CV February Application (Due Date: September 18, 2020) by 4:00 p.m.

Date: Friday, September 11, 2020 3:13:00 PM

Attachments: FY20 CDBG-CV Application.docx

CDBG-CV Programs: Application of Benefits Attachment CV-10-0178-0179.xlsx

...Just a REMINDER:

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE CITY OF RAPID CITY IS SEEKING QUALIFIED SUBRECIPIENTS TO DELIVER PUBLIC SERVICE PROGRAMS FOR RAPID CITY RESIDENTS IMPACTED BY COVID-19

SBA/30 in CDBG-CV funds will be made available for activities that meet a National Objective AND prevent, prepare for, and respond to the COVID-19 Pandemic.

Funding applications are available at: https://www.rapidcitygov.com/departments/community-planning-development/cdbg-program-division/cdbg-program-division_436.html or by calling (605) 394-4181.

Applications must be received by 4:00 p.m. on September 18, 2020.

ADA Compliance: The City of Rapid City fully subscribes to the provisions of the Americans with Disabilities Act. If you need to attend a public meeting and are in need of special accommodations (including TDD/TTY Dial 711), please notify Nick Stool at (605) 394-4136, 24 hours prior to the meeting so that appropriate auxiliary aids and services are available. Persons with limited English proficiency or vision impairments may request free oral interpretation of written materials or written translation of vital documents by calling (605) 394-4181.

Thank you,

[Signature]

City of Rapid City, Administrative Services
CDBG Program Division
100 South Street (Mail)
333 South Street (Office)
Rapid City, SD 57701
(605) 394-4181 Fax (605) 394-3650

Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Pennington

Sheri Spender being first duly sworn, upon her/his oath says: That
she/he is now and was at all time hereinafter mentioned, an
employee of the RAPID CITY JOURNAL, a corporation of Rapid
City, South Dakota, the owner and publisher of the RAPID CITY
JOURNAL, a legal and daily newspaper printed and published in
Rapid City, in said County of Pennington, and has full and
personal knowledge of all the facts herein stated as follows: that
said newspaper is and at all of the times herein mentioned has been
a legal and daily newspaper with a bona fide paid circulation of at
least Two Hundred copies daily, and has been printed and published
in the English language, at and within an office maintained by the
owner and publisher thereof, at Rapid City, in said Pennington
County, and has been admitted to the United States mail under the
second class mailing privilege for at least one year prior to the
publication herein mentioned, that the advertisement, a printed
copy of which, taken from said Rapid City Journal, the paper in
which the same was published, is attached to this sheet and made a
part of this affidavit, was published in said paper once each
day for one successive

forty-fourth

day of November, 2020

the first publication there of being on the

day of November, 2020

that the fees charged for

the publication there of are 125 dollars
and 32 cents.

Sheri Spender

Subscribed and sworn to before me this fifteen

day of November, 2020

Matha J. Coughlin

Notary Public

December 5, 2020

My commission expires

Annual Action Plan

2020
Notice is hereby given that the City of Rapid City is seeking qualified subrecipients to deliver public service programs for Rapid City residents impacted by COVID-19.

$356,000 in CDBG-CV funds will be made available for activities that meet a National Objective to assist, prevent, prepare for, and respond to the COVID-19 Pandemic.

Funding applications are available at https://www.rgov.org/departments/community-planning-development/cdbg-program-division/cdbg-program-division-3388.html, or by calling (605) 394-4181. Applications must be received by 4:00 p.m. December 5, 2020.

AUA Compliance: The City of Rapid City fully subscribes to the provisions of the American With Disabilities Act. If you desire to attend a public meeting and are in need of special accommodations (including TDD/TTY Dial 711), please notify Nick Strood at (605) 394-4196, 24 hours prior to the meeting so that appropriate auxiliary aids and services are available. Persons with limited English proficiency or vision impairments may request free oral interpretation of written materials or written translation of vital documents by calling (605) 394-4181.

Equal Opportunity Employer and Lender (published one time at the approximate cut off of 3/25/20)
City seeks applications for $355,000 in CARES Act funds

Sianchira Bonnet
Nov 4, 2020

Organizations can apply for $355,000 in Community Development Block Grant CARES Act funds until Dec. 3.
The funds will go to organizations that provide service programs for Rapid City residents impacted by COVID-19. The programs should focus on short-term emergency rent, mortgage assistance, assistance to child care programs, food security, utility assistance, transportation, COVID-19 testing and other assistance.

Michelle Schuelke, Community Development Block Grant CARFAS fund manager, said the $355,000 available comes from an initial $416,000 allocated to the city through the nationwide CARFAS Act.

Schuelke said this is the second round of applications for the funds. Seven organizations applied in the first round, but only two applications were granted.

She said $150,000 went to Pennington County Health and Human Services and $100,000 went to the United Way of the Black Hills to help child care providers afford personal protective equipment, sanitation and other cleaning products.

Schuelke said the city will retain about $61,000 for administrative and program planning.

Organizations can apply for the full $355,000. Schuelke said there will be more rounds of applications if there’s leftover funding.

"Historically, we receive more applications than we’re able to fund and I imagine that’s the case this time," she said.

Applications can be downloaded on the Community Block Development Grant Program Division website and must be submitted to the division by 4 p.m. Dec. 3.

Individuals who may need financial assistance due to COVID-19 impact should dial 211 to reach the state-wide Helpline Center.

Siandhara Bonnet  
City reporter
REMINDER:

NOTICE IS HEREBY GIVEN THAT THE CITY OF RAPID CITY IS SEEKING QUALIFIED SUBRECIPIENTS TO DELIVER PUBLIC SERVICE PROGRAMS FOR RAPID CITY RESIDENTS IMPACTED BY COVID-19

$355,000 in CDBG-CV funds will be made available for activities that meet a National Objective AND prevent, prepare for, and respond to the COVID-19 Pandemic.

Funding applications are available at https://www.rcgov.org/departments/community-planning-development/department-utility-program-division-sgrs.html, or by calling (605) 394-4181. Applications must be received by 4:00 p.m., December 3, 2020.

ADA Compliance: The City of Rapid City fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend a public meeting and are in need of special accommodations (including TDD/TTY Dial 7-1-1), please notify Nick Sloot at (605) 394-4186, 24 hours prior to the meeting so that appropriate auxiliary aids and services are available. Persons withLimited English proficiency or who have impairments may request free oral or interpreting of written materials or written translation of vital documents by calling (605) 394-4181.

Thank you,

[Signature]

City of Rapid City, Economic Development Division
323 6th Street (Downtown)
Rapid City, SD 57701
(605) 394-4187 Fax (605) 394-3380

Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
FOR IMMEDIATE RELEASE/September 11, 2020

CITY TO RECEIVE ADDITIONAL CARES ACT FUNDS
More Than $416,000 Awarded
To Assist Households Facing Eviction

RAPID CITY, SD—The City of Rapid City is set to receive $416,515 in Community Development Block Grant (CDBG) funds as part of the remaining $1.988 billion in CARES Act funding set aside for CDBG programs nationwide. The United States Department of Housing and Urban Development issued the announcement earlier today.

The allocation announced for Rapid City today is in addition to the $307,390 in CARES Act funding announced by HUD for Rapid City in May. These latest grants are to be focused on areas where households are facing a higher risk of eviction. To date, HUD has provided nearly $5 billion in CDBG funding nationwide to help communities address the Coronavirus and alleviate economic hardship.

HUD indicates the funds can be used to provide temporary financial assistance to meet rental obligations for up to six months.

Rapid City officials welcomed the news of the additional grant awards.

"The CARES Act funding will be utilized to assist those who are facing burdens due to the pandemic, including challenges in meeting financial obligations. Keeping people housed is critical during this crisis," said Michelle Schuelke, Rapid City's CDBG Program Division Manager.

Schuelke says the City will be reviewing options for the funding and seek partners to carry out programs that meet the needs of the community.
HUD NEWS
U.S. Department of Housing and Urban Development - Ben Carson, Secretary
Office of Public Affairs, Washington, DC 20410

HUD No. 20-143
HUD Public Affairs
202-708-0685
2020
HUD.gov/Press

FOR RELEASE
Friday
September 11.

HUD AWARDS NEARLY $2 BILLION IN CARES ACT RELIEF FUNDS,
FOCUSING ON COMMUNITIES WITH HIGHER RISK OF EVICTION

WASHINGTON - United States Department of Housing and Urban
Development Secretary Ben Carson today announced the allocation of the remaining
$1.598 billion in CARES Act funding for the Community Development Block Grant
(CDBG) program. The allocation focuses funds towards places with households
facing higher risk of eviction. To date, HUD has provided nearly $5 billion in CDBG
funding nationwide to help communities combat the coronavirus and alleviate
economic hardship.

“The Trump Administration has maintained that no one should risk losing
their home due to the coronavirus,” said Secretary Ben Carson. “We’ve taken several
actions since the beginning of this pandemic to keep Americans in their homes.
Today, we announce additional aid to the communities that need it the most. These
funds can help households struggling to meet their rental or mortgage obligations to
stay afloat as our nation continues to recover from the coronavirus pandemic.”

These funds can be used to provide temporary financial assistance to meet
rental obligations for up to 6 months. The funds are focused toward places with
households facing higher risk of eviction. Specifically:
• Communities with high rates of individuals in industries with high job loss in states with high unemployment;
• Communities with high rates of businesses in industries with high job loss in states with high unemployment; and
• Concentrations of those most at risk for transmission and risk of eviction, with higher amounts for states with high rates of coronavirus.

Today’s announcement is consistent with the President’s August 8, 2020 Executive Order “Fighting the spread of COVID-19 by Providing Assistance to Renters and Homeowners,” which directs HUD to identify “any and all available Federal funds to provide temporary financial assistance to renters and homeowners who, as a result of the financial hardships caused by COVID-19, are struggling to meet their monthly rental or mortgage obligations.”

Since President Trump issued that order, the United States Department of Housing and Urban Development (HUD) has reiterated the Trump Administration’s commitment to minimize displacement and evictions resulting from the COVID-19 global pandemic national emergency. For more information on HUD’s response to the novel coronavirus pandemic and the actions the Department has taken, please visit HUD.gov/Coronavirus.

Homelessness service providers and Public Housing Authorities across the Nation have jumped into action to assist those they serve during this unprecedented time. Read more about their stories featured in HUD’s Neighbors Helping Neighbors campaign, here.

###

HUD’s mission is to create strong, sustainable, inclusive communities and quality affordable homes for all.


For information about Opportunity Zones visit: https://opportunityzones.hud.gov/

You can also connect with HUD on social media and follow Secretary Carson on Twitter and Facebook or sign up for news alerts on HUD’s Email List.

HUD COVID-19 Resources and Fact Sheets

Thank you,
Additional CARES Act funding can help people facing eviction

The funds can be used to provide temporary assistance for rent, utilities, car or up to six months.

RAPID CITY, S.D. (KOTA) - The pandemic has been hard on people. It's been especially hard for people who've been put out of work. The new CARES Act can be some help on the way.

Rapid City officials have now heard that more than $400,000 in Community Development Block Grant funding from the CARES Act will be available to help people at risk of being evicted.

HUD, the Department of Housing and Urban Development, determined that Rapid City needed additional CARES Act funding. Communities were chosen based on income and percent unemployment and homeownership rates. The U.S. CDBG program is for the purpose of helping people who have no other hope.

"Week after week, we have seen an increase in not only the number of families who need assistance but also the amount of assistance," said Monique Schrake, Rapid City's CDBG program division manager. "Some of the original CARES Act initial emergency funds are nearing some help, which is an issue. These and other federal funds will be really help those who are desperate, those who are really hard to other agencies."

Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
City to receive additional Care Act funds

By Staff on September 15, 2020

RAPID CITY – The city is set to receive $416,515 in Community Development Block Grant (CDBG) funds as part of the remaining $1.988 billion in CARES Act funding set aside for CDBG programs nationwide. These funds are from the United States Department of Housing and Urban Development and were announced earlier today.

The allocation announced for Rapid City today is in addition to the $307,390 in CARES Act funding announced by HUD for Rapid City in May. These grants are to be focused on areas where households are facing a higher risk of eviction. To date, HUD has provided nearly $5 billion in CDBG funding nationwide to help communities address the Coronavirus and alleviate economic hardship.

HUD indicates the funds can be used to provide temporary financial assistance to meet rental obligations for up to six months.

Rapid City officials welcomed the news of the additional grant awards.

“The CARES Act funding will be utilized to assist those who are facing burdens due to the pandemic, including challenges in meeting financial obligations. Keeping people housed is critical during this time,” said an official from the Rapid City Housing Authority.

By continuing to browse or by clicking 'Accept', you agree to our site's privacy policy.
Schuelke says the City will be reviewing options for the funding and seek partners to carry out programs that meet the needs of the community.

This site uses Akismet to reduce spam. Learn how your comment data is processed.
Good Morning,

PUBLIC NOTICE

30 Day Public Comment Period for
Notice of Substantial Amendment to FY20 CDBG Activities

The City of Rapid City is soliciting public comments on proposed amendments to activities within the FY20 CDBG Annual Action Plan. Proposed changes will not create changes to Rapid City's 2016-2022 CDBG Consent Dated Plan.

The amendments account for an additional $62,535.00 of funds committed to the following activities.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Original Allocation</th>
<th>Proposed Allocation</th>
<th>Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated Program Income</td>
<td>2,100.00</td>
<td>2,400.00</td>
<td>300.00</td>
</tr>
<tr>
<td>Program Administration</td>
<td>94,480.00</td>
<td>104,987.00</td>
<td>10,507.00</td>
</tr>
<tr>
<td>WAVI Windows</td>
<td>19,346.00</td>
<td>80,374.00</td>
<td>61,028.00</td>
</tr>
</tbody>
</table>

Explanation:
Due to receiving more entitlement funds than estimated, an additional $10,507.00 in program administration will be allocated. An additional $42,028.00 is proposed to be allocated to WAVI for replacement of shelter windows.

Public participation is an essential part in the development of the Annual Action Plan. Proposed amendments are available at www.rcgov.org, the Rapid City Public Library, 610 Quincy St., RC Public Library North (General Biddle School), 10 Van Buren St., CDBC Program Division Office, 300 8th St., and at the Pennington County Housing and Redevelopment Commission, 1805 Fulton St., Rapid City, SD. Comments will be received until 4:00 p.m. on April 20, 2020. Comments should be directed, in writing, to the CDBG Program Division at 333 8th Street or by email to Michelle Schuelke at michelle.schuelke@rcgov.org or at the Legal and Finance meeting on April 15, 2020 or at the City Council meeting on April 20, 2020.

The City of Rapid City does not discriminate based on disability and provides reasonable
accommodations to ensure people with disabilities have equal access to City programs, services, and employment opportunities. To request a reasonable accommodation, please contact Nick Street, Section 504 and ADA Coordinator, at (605) 364-4136. To request language assistance to participate in City programs and services, including free oral interpretation or translation of written materials, please call (605) 394-4181. For TDD/TTY, please dial 711.

Thank you.

Nick Street, Administrator
CAO/200 Program Director
300 4th Street (Mail)
303 4th Street (Office)
Rapid City, SD 57701
(605) 364-4181 Fax (605) 365-3680

Equal Opportunity Employer
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LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota

December 11, 2019

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, December 11, 2019, at 12:30 p.m.

A quorum was determined with the following members answering the roll call: Becky Drury, Lance Lehmans, Chad Lewis, Darl Lewis, Darl Lewis, Darl Lewis. Absent: None.

(NOTE: For the 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 Nordstrom, seconded by Drew and carried to adopt the agenda.

GENERAL PUBLIC COMMENT
None.

CONSSENT ITEMS
Motion was made by Lewis, seconded by Lehmans and carried to approve items 1-15 as they appear on the Consent Items with the exception of item nos. 3 and 14. Amended motion was made by Drew to also pull item no. 8. Second by Nordstrom. Motion carried.

CONSSENT ITEMS - Items 1-15

Public Comment opened - Items 1-15
Public Comment closed

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

1) Approve Minutes for November 27, 2019

MAYOR'S ITEMS
2) LF 121119-09 - Authorize the Mayor and Finance Officer to Sign a 2020 Agreement with the Rapid City Fine Arts Council for Arts Contingency Fund Distribution

3) LF 121119-10 - Nordstrom, needs for clarification on this item. It looks like there are three different options the Mayor has proposed and Nordstrom prefers number three, but wants to know if that needs to be indicated in the motion or how is that to be made. City Attorney Landeen said his impression from the Mayor regarding Item #3 is the idea of having the council members identify people from their wards and the mayor would make a couple appointments of some of those that have some sort of expertise, but the idea is to have a combination of both people that expertise or experience that would make them valuable as well as a cross section of the community. Drew made a comment to making it known to the public that this is a transparent effort and they will be looking to the community to give input on the home rule as it goes forward and asking at each ward to find people that will fill those positions giving people who are interested a great opportunity to be involved in how we go forward with our governance. Nordstrom moved to authorize the Mayor to Create a Home Rule Charter Committee. (Further discussion to be held on Monday, December 16th at the City Council meeting) Second by Lewis. Motion carried.

POLICE DEPARTMENT
LEGAL AND FINANCIAL COMMITTEE
December 11, 2019

4) LF121119-12 – Authorize the Mayor and Finance Officer to Sign Taser Contract for Rapid City Police Department to Replace Aging Tasers

FIRE DEPARTMENT

5) LF121119-07 - Authorize Staff to Apply and Accept if Awarded the Build Strong Grant Funds in the Amount of $23,660.00 for Hazardous Materials Response Trailer and for Transport of Equipment to a Hazardous Materials Scene

FINANCE DEPARTMENT

6) Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Alexander Brost (Police Department), Colby Anderson (Police Department), Marc Felix (Police Department), John Williams (Police Department), Savannah Williamson (Police Department), L.J. Fillmon (Police Department), Tony Garcia (Police Department), Jim White (Police Department), Alice McCray (Police Department), Jim McCray (Police Department), Daniel Scolaro (Police Department), William Clark (Police Department), John Darrek (Police Department), Marie Romano (Police Department), George Larson (Police Department), James Moore (Police Department)

7) LF121119-01 – Authorize Mayor and Finance Officer to Sign Combined Election Agreement with Pennington County for the 2020 Municipal Election to be Held on June 2, 2020 and for any Special Elections in 2020

8) LF121119-02 – Traci Hansen, a partner from Kessel Thorstenson said the partners at the firm would like to request the Committee consider leaving and keeping $200,000 worth of audit services locally in so doing would save the taxpayers of Rapid City approximately $24,000. She understands the recommendation came from the Finance Department based on the concept of auditor rotation, which is one factor to consider when reviewing auditor proposals but it is not required. She added that Kessel Thorstenson maintains professional standards and has provided the City with quality services over the past several years and would like to continue to do so in the future. Drew asked Tracy Davis from the Finance Office why the decision was made to change and why a company that is out of town to perform auditing. Davis said that Eide Bailly is a company that has not audited the City’s books before and are not local. She added that over the three-year period, there is an 86,700 difference between Kessel Thorstenson, who the City has had for the past nine years and Eide Bailly. Prior to Kessel Thorstenson the City was with Casey Peterson. Davis said it has been recommended to switch at the end of a multi-year contract. Drew would like to see the audits remain local and stay with Kessel Thorstenson. Drury added that she does see a lot of marketing and sees many accounting firms that are not local and also knows that there are general and accepted accounting practices that tell you to switch once in a while, but she is also a proponent of shopping local. Nordstrom added that he feels it is good to explore but also likes the argument of keeping things local as well and would like to see just a little more information provided by the Finance Department on it. Davis asked the committee what specifically they are looking to see. Nordstrom said he will look over the letter again and touch base with finance before the Monday night City Council meeting. Nordstrom moved to send Award Contract to Eide Bailly to Perform the Financial and Compliance Audits for the City of Rapid City for Calendar Years 2019, 2020 and 2021 to Council without recommendation. Second by Lewis.

9) LF121119-04 – Approve Resolution No. 2019-095 a Resolution Laying Down Assessment for Abatement of Nuisance

10) LF121119-05 – Acknowledge the October 2019 Sales Tax Report

11) LF121119-13 – Approve Request for Property Tax Abatement as Follows: Eric Edelmohm 2018, $36.60 [Total $36.60]
LEGAL AND FINANCE COMMITTEE
December 11, 2019

COMMUNITY DEVELOPMENT

12) LF121119-03 — Approve Preliminary Recommendations for FY2020 Community Development Block Grant (CDBG) Entitlement Funds and Neighborhood Lift Lot Allocations

13) 19RD005 — Approve Resolution No. 2019-056 a Resolution Renaming Willowbend Road to Cross Water Court

14) LF121119-08 — Nordstrom asked the Director of Community Development Ker Young to summarize what and how this software program works. Young explained that the TRAKIT permit system has helped the City move from the dark ages of paperwork permitting to a very organized program. The upgrade will allow the City to receive and do permitting online and otherwise received digitally, which will make the whole service more efficient and effective. What was initially put into place in 2012, were the basics of the TRAKIT program but the City did not at that time have the full upgrade level that was available and there is now growing concern of how much longer the vendor is going to be able to maintain our current program since they are not making it or selling it any longer. He emphasized the importance of getting up to speed with the current program but also that it allows the City to jump forward significantly with the online permitting and plans review. Nordstrom shared his excitement for the upgrade so it will allow people to make all of their comments, redlining and inspection notes which will all go back to the building permit online rather than having to carry around blueprints and other documents. Young added that we are saving trees, time and money, Nordstrom moved to approve to authorize the Mayor and Finance Officer to Sign the Professional Services Agreement for the Upgrade to the TRAKIT Permitting Software and Related Programs with Central Square Technologies in an Amount Not to Exceed $148,740.00. Second by Lewis. Motion carried.

15) LF121119-11 — Approve Resolution No. 2019-088 a Resolution to Set the Fee for Registration of Accessory Dwelling Units

Chair recognized a speaker request form for item number 13 that was received after public comment was closed on items 1 - 15. Chair recommended the individual come back to the City Council Meeting on Monday December 16, as the item will be on the agenda and to please turn in a speaker request form before the meeting begins to have the opportunity to discuss their comments. She also added the individual should feel free to contact any council members during the time between now and Monday night.

END OF CONSENT CALENDAR

NON-CONSENT ITEMS — Items 16 - 18

Public Comment opened — Items 16 - 18

Public Comment closed

FINANCE DEPARTMENT

16) LF121119-05 — Drew moved to approve the Introduction and First Reading of Ordinance No. 6374 Regarding Supplemental Appropriation #9 for 2019. Second by Lewis. Motion carried.

PARKS AND RECREATION

17) LF121218-01 — Drew asked Parks and Recreation Director Jeff Biegler if we have a system for registering and tracking remains in perpetuity. Biegler explained that there is a comprehensive electronic record-keeping system called Stone Orchard Software which keeps track of all burials and all historical information has also been entered into it giving a very accurate record including the Cemetery. Nordstrom asked if the electronic software is a database and is it connected to the City Server. Biegler said it is a database and is not cloud based at this time. Lehmann moved to
LEGAL AND FINANCE COMMITTEE
December 11, 2019

approve the Second Reading and Recommendation of Ordinance No. 6373, An Ordinance Amending Sections of the Rapid City Municipal Code Relating to City Cemeteries, Second by Lewis. Motion carried.

CITY ATTORNEY’S OFFICE

18) LF121119-14 – Draw moved to approve the Introduction and First Reading of Ordinance 5370 An Ordinance to Revise the Composition of the Downtown Business Improvement District Board by Amending Section 3.25.060 of the Rapid City Municipal Code, Second by Lewis. Motion carried.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Nordstrom second by Draw and carried to adjourn the meeting at 12:50 p.m.
Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at the City/School Administration Center in Rapid City, South Dakota on Monday, December 16, 2019, at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Aldermen: Ritchie Nordstrom, Lisa Modick, Laura Armstrong, Chad Lewis, Lance Lehnmann, John Roberts, Greg Strommen, Darla Drew, Becky Drury and Bill Evans; the following Aldermen arrived during the course of the meeting: None; and the following were absent: None.

Staff members present included: Finance Officer Pauline Sunjuk, City Attorney Joel Landeen, Police Chief Karl Jegera, Community Development Director Ken Young, Parks and Recreation Director Jeff Bliegler, Public Works Director Dale Tech, Fire Chief Rod Seals and Administrative Coordinator Heldi Weaver-Norris.

The Dakota Choral Union sang a song in lieu of the invocation.

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

AWARDS AND RECOGNITIONS
Steve Massopust presented the Above and Beyond Award on behalf of the Mayor’s Committee for People with Disabilities to the Rapid City Aquatics Division: Roosevelt Swim Center. Accepting the award was Emily Carstens and Barbara Iken from the City of Rapid City.

PRESENTATION

GENERAL PUBLIC COMMENT
Anne Marie Thulber stated there was a Christmas Benefit at the Performing Arts Center in memory of Ray Hillenbrand to benefit ONEHEART. The benefit is on December 20, 2019 from 7:30 pm to 9:30 pm. It is also being held on December 21, 2019 from 2:00 pm to 4:00 pm.

NON-PUBLIC HEARING ITEMS – Items 3 – 36
Kyle Lambert, treasurer of the Allied Arts Funds, addressed the council on item LF121119-09 – Authorize Mayor and Finance Officer to sign 2020 Agreement with the Rapid City Fine Arts Council for Arts Contingency Fund Distribution and spoke in opposition to the item. Chance Whelchel, Rapid City Arts Council President, spoke in favor of the same item. Jim Phoenix spoke on item LF121119-10 – Authorize the Mayor to Create a Home Rule Charter Committee, and in favor of the same item. Mike Stickler, speaking on behalf of the Mayor, stated that the Mayor would not sign the agreement. He asked that the road name be changed. He asked that the road name be changed.

CONSENT ITEMS – Items 3 – 28
12. LF121119-09 – Authorize the Mayor and Finance Officer to sign 2020 Agreement with the Rapid City Fine Arts Council for Arts Contingency Fund Distribution.
13. LF121119-10 – Authorize the Mayor to Create a Home Rule Charter Committee.
22. 19RD005 – Approve Resolution No. 2019-006 a Resolution Renaming Willowband Road to Cross Water Court

Motion was made by Lewes, second by Drury and carried to approve items 3-28 with the exception of items 12, 13 and 22.

**Approve Minutes**

3. Approve Minutes for the December 2, 2019 Regular Council meeting.

**Alcoholic Beverage License Applications Set for Hearing (January 6, 2020)**

4. Bar K-9 LLC DBA Bar K-9, 2400 N Maple Ave for a Retail (on-off sale) Malt Beverage & SD Farm Wine License

5. S Tanks Corp DBA Pour 54 Tap House, 515 Main Street for a Retail (on-off sale) Wine and Cider License and Retail (on-off sale) Malt Beverage & SD Farm Wine License

**Public Works Committee Consent Items**

6. PW/21019-01: Approve Change Order 1 F to Lind-Exec, Inc. for Fulton Street Reconstruction Project; Project #15-2223/CIP 50872 for a decrease of $38,700.18.

7. PW/21019-02: Approve Change Order 2F to Site Works Specialties, Inc. for Sturgis Road Area Utilities Reconstruction Project; Project #11-2001/CIP 50824 for an increase of $112,993.07.

8. PW/21019-04: Authorize Mayor and Finance Officer to sign agreement between the City of Rapid City and Advanced Engineering and Environmental Services, Inc. (AEES) for Professional Services for WRF Lift Station and Odor Control Facilities Arc Flash Analysis; Project No. 19-2523 / CIP #51246 in the amount of $54,401.00.

9. PW/21019-05: Authorize purchase of a new Electric Mindaer, remote operated low-profile loader from Track-O in the amount of $139,425.00. The purchase is a sole-source procurement.

10. PW/21019-06: Approve Change Order No. 2F to BTD Enterprises, LLC, for LaCroix Disc Golf and Sidewalk Project No. PR18-6156, for an increase of $2,374.15.

11. PW/21019-03: Request Authorization for Mayor and Finance Officer to sign an Amendment to Professional Services Agreement with F&M Engineering for Rushmore Plaza Civic Center Arena Expansion Project #2452 Boundary and Topographic Survey in the amount of $387,403.00.

**Legal & Finance Committee Consent Items**

14. LF/21119-12 – Authorize the Mayor and Finance Officer to Sign Taser Contract for Rapid City Police Department to Replace Aging Tasers

15. LF/21119-07 – Authorize Staff to Apply and Accept if Awarded the Build Strong Grant Funds in the Amount of $23,890.00 for Hazardous Materials Response Trailer and for Transport of Equipment to a Hazardous Materials Scene

16. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Alexander Bost (Police Department), Cody Anderson (Police Department), Marc Feliz (Police Department), John Williams (Police Department), Savannah Williamson (Police Department), LJ Filimor (Police Department), Tony Garcia (Police Department), Jim White (Police Department), Allen McCray (Police Department), Jim McCay (Police Department), Daniel Scalora (Police Department), William Clark (Police Department), John Dereek (Police Department), Marie Romano (Police Department), George Larson (Police Department), James Moore (Police Department)

17. LF/21119-01 – Authorize Mayor and Finance Officer to Sign Combined Election Agreement with Pennington County for the 2020 Municipal Election to be Held on June 2, 2020 and for any Special Elections in 2020

18. LF/21119-04 – Approve Resolution No. 2019-095 a Resolution Authorizing Assessment for Abatement of Nuisances

19. LF/21119-08 – Acknowledge the October 2019 Sales Tax Report
20. LF121119-13 – Approve Request for Property Tax Abatement as Follows: Eric Eckholm, 2018, $36.66 [Total $36.66]

Community Development Consent Items
21. LF121119-03 – Approve Preliminary Recommendations for FY2020 Community Development Block Grant (CDBG) Entitlement Funds and Neighborhood Lift Lot Allocations
23. LF121119-08 – Authorize the Mayor and Finance Officer to Sign the Professional Services Agreement for the Upgrade to the TRAKIT Permitting Software and Related Programs with Central Square Technologies in an Amount Not to Exceed $148,740.00.
24. LF121119-11 – Approve Resolution No. 2019-098 a Resolution to Set the Fee for Registration of Accessory Dwelling Units
25. No. 18AN001 – Approve Resolution 2019-037, A request by Paul Beasley for Atlantis, LLC for a De-Amendment for property generally described as being located at 450 S. Interstate 90 Service Road

Bid Award Consent Items
26. No. DC121619-02.1 – Approve award of total bid for Pavement Rehabilitation Project – Summerville Area, Project No. 18-2475 / CIP No. 50844 opened on December 10, 2019 to the lowest responsible bidder, B.C. Companies, Inc. in the amount of $936,468.99
27. No. CC121619-02.2 – Approve award of total bid for Concrete Panel Repair Project at 5th Street and Healing Way, Project No. 19-2542 / CIP No. 50445 opened on December 10, 2019 to the lowest responsible bidder, Tri-Flora Construction Inc. in the amount of $46,440.00
28. No. CC121619-02.3 – Approve award of total bid for 2019 Annual Roof Replacement, Project No. 19-2482 / CIP No. 50088 opened on December 10, 2019 to the lowest responsible bidder, Black Hills Roofing Co. in the amount of $411,625.00

END OF CONSENT ITEMS

Mayor read in item (LF121119-03) Authorize the Mayor and Finance Officer to Sign a 2020 Agreement with the Rapid City Fine Arts Council for Arts Contingency Fund Distribution. Modrick and Evans spoke in opposition of the proposed amount. Drew stated they should make the best of what is given. Motion was made by Lehmann, second by Drury to approve. Motion carried 7-3 with Modrick, Evans and Roberts voting no.

Mayor read in item (LF121119-10) Authorize the Mayor to Create a Home Rule Charter Committee. Modrick, Armstrong and Nordstrom spoke in favor of the item. Nordstrom would like more information about the city manager position. He would like that salary based on a wage study. The committee will take between 6-9 months to evaluate the home rule charter and the city manager position. Motion was made Modrick, second by Nordstrom and carried to approve.

Mayor read in item (19RD005) Approve Resolution No. 2019-096 a Resolution Renaming Willow Bend Road to Cross Water Court. Motion was made by Drury, second by Roberts to send back to Legal & Finance. Substitute motion by Modrick, second by Roberts to deny the name change. Mayor said substitute motion is out of order. Substitute motion by Modrick, second by Roberts to table the item (19RD005). Motion carried 10-0.

NON-CONSENT ITEMS – Items 29 – 36

Ordinances

Ordinance 378 (LF112719-01) An Ordinance Amending Sections of the Rapid City Municipal Code Relating to City Cemeteries. Having passed its first reading on December 2, 2019 motion was made by Lewis, second by Lehmann that the title be read the second time. Upon vote being taken, the following voted AYE: Lehmann, Drury, Nordstrom, Lewis, Modrick, Evans, Armstrong, Drew, Stronman and
Roberts. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6373 was declared duly passed upon its second reading.

Ordinance 6374 (LF121119-06) Regarding Supplemental Appropriation #6 for 2019. Motion was made by Drury, second by Lewis and carried that Ordinance 6374 be placed upon its first reading and the title was fully and distinctly read and second reading set for January 6, 2019.

Ordinance 6370 (LF121119-14) An Ordinance to Revoke the Composition of the Downtown Business Improvement District Board by Amending Section 3.25.060 of the Rapid City Municipal Code. Motion was made by Drew, second by Nordstrom to approve. Modick is concerned about lowering the number of members. Ordinance 6370 carried and placed upon its first reading and the title was fully and distinctly read and second reading set for January 6, 2019.

Legal & Finance Committee Items

LF121119-02 – Award Contract to Elida Bally to Perform the Financial and Compliance Audits for the City of Rapid City for Calendar Years 2019, 2020 and 2021. Motion was made by Lewis, second by Lehnmann and carried to continue item (LF121119-02) to the January 21, 2020 city council meeting.

Community Development Items

No. 19PL090 - A request by Flick Land Surveying & Consulting Engineers, Inc. for Pat Hall for a Preliminary Subdivision Plan for proposed Lots 1 thru 22 of Morris Ranch Estates, generally described as being located on the east side of Old Folsom Road 1/4 mile south of Lamb Road. Motion was made by Drew, second by Drury and carried to approve with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, construction plans for Old Folsom Road, a principal arterial street, shall be submitted for review and approval showing the street located in a minimum 60-foot wide right-of-way (the existing 88-foot wide right-of-way with an additional 17 feet of right-of-way) and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual and with a dry sewer main designed and constructed pursuant to Figure 3-1 or criteria shall be met to obtain an Exception. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 2. Upon submittal of a Development Engineering Plan application, construction plans for 235th Street, a collector street, shall be submitted for review and approval showing the street located in a minimum 60-foot wide right-of-way (the existing 88-foot wide right-of-way with an additional 17 feet of right-of-way) and with an additional 5 feet of right-of-way the first 200 feet as the street extends west from Old Folsom Road and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual and with a dry sewer main designed and constructed pursuant to Figure 3-1 or criteria shall be met to obtain an Exception. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 3. Upon submittal of a Development Engineering Plan application, construction plans for Chase Street, a local street, shall be submitted for review and approval showing the street located in a minimum 30-foot wide right-of-way with an additional 10 feet of right-of-way the first 200 feet as the street extends west from Old Folsom Road and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual and with a dry sewer main designed and constructed pursuant to Figure 3-1 or criteria shall be met to obtain an Exception. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 4. Upon submittal of a Development Engineering Plan application, construction plans for Page Street, a local street, shall be submitted for review and approval showing the street located in a minimum 30-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual and with a dry sewer main designed and constructed pursuant to Figure 3-1 or criteria shall be met to obtain an Exception. In addition, the cul-de-sac bulb shall be constructed pursuant to Figure 2-13 of the Infrastructure Design Criteria Manual and with an intermediate turnaround designed pursuant to Section 2.13.2 or criteria shall be met to obtain an Exception. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 5. Upon submittal of a Development Engineering Plan application, construction plans for the section line highway, a local street, located adjacent to Page Street.
shall be submitted for review and approval showing the section line highway as a 66-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual with a dry sewer main designed and constructed pursuant to Figure 3-1 or criteria shall be met to obtain an Exception or the section line highway shall be vacated. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 6. Prior to submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval showing the construction of sidewalk along each of the streets in compliance with the Infrastructure Design Criteria Manual and Chapter 12.03 of the Rapid City Municipal Code as a subdivision improvement or criteria shall be met to obtain a Variance from City Council; 7. Prior to approval of the Development Engineering Plan application, engineering reports required for construction approval shall be acceptable and agreements required for construction approval shall be executed. In addition, permits required for construction shall be approved and issued and construction plans shall be approved in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City standards, as required by the Infrastructure Design Criteria Manual; 8. Upon submittal of a Development Engineering Plan application, water plans and analyses prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual. The design report shall demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development. If determined that domestic flows and required fire flows cannot be provided, than a Covenant Agreement shall be submitted for recording with the Final Plat application stating that fire sprinkler protection shall be provided in all new residential structures or criteria shall be met to obtain an Exception. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 9. Upon submittal of a Development Engineering Plan application, soils data for the proposed lots demonstrating that the soils are suitable for on-site wastewater treatment systems shall be submitted for review and approval; 10. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer shall be submitted for review and approval for the proposed subdivision improvements. The drainage report shall demonstrate that stormwater is being retained at pre-developed, historic rates and provide stormwater quality. In addition, easements shall be provided as needed; 11. Upon submittal of a Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and the Infrastructure Design Criteria Manual shall be submitted for review and approval if subdivision improvements are required; 12. Upon submittal of a Development Engineering Plan application, a cost estimate for any required subdivision improvements shall be submitted for review and approval; 13. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements; 14. Prior to submittal of a Final Plat application, the plat document shall identify a non-access easement along Old Folsom Road; 15. Prior to submittal of a Final Plat application, the applicant shall submit proof of the legal entity which will provide the mechanism for street maintenance and snow removal; 16. Prior to submittal of a Final Plat application, a miscellaneous document shall be recorded at the Register of Deed's Office securing an easement for the proposed community well and water distribution corridor located outside the boundaries of the plat. In addition, a copy of the recorded easement shall be submitted with the Final Plat application; 17. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of the proposed community well and water system; 18. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any proposed drainage elements. In addition, Major Drainage Easements shall be dedicated for the proposed drainage improvements; 19. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and, 20. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.
No. 19PI 067 - A request by FMG Engineering for Harold Bies for a Preliminary Subdivision Plan for proposed Lots 4 thru 4 of Sunset Meadows Subdivision, generally described as being located north of Highway 44 and east of Anderson Road. Motion was made by Modrick, second by Lewis and carried to approve with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, construction plans for Anderson Road shall be submitted for review and approval showing the dedication of 50 feet of right-of-way, half of the 100 feet of right-of-way required for a Minor Arterial Street, and constructed pursuant to Figure 2-1 of the Infrastructure Criteria Design Manual or such meet criteria for obtaining an Exception or Variance (sidewalk). If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application; 2. Upon submittal of a Development Engineering Plan application, soils data shall be provided demonstrating that the soils are suitable for on-site wastewater treatment systems; 3. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval if subdivision improvements are required; 4. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements that are required to be constructed by the developer; 5. Prior to submittal of a Final Plat application, a Variance from the Pennington County Planning Commission shall be approved to allow reduced lot sizes in the Limited Agricultural District for the proposed development. A copy of the minutes of the approval shall be submitted with the Final Plat application; 6. Upon submittal of a Final Plat application, an agreement securing ownership and maintenance of proposed drainage elements shall be submitted for recording; 7. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and, 8. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within easement(s).

No. 19PI 098 - A request by Dream Design International, Inc. for Yasmeen Dream, L.I.C. for a Preliminary Subdivision Plan for proposed Lot 3 of Orchard Meadows Subdivision, generally described as being located west of Elk Vale Road between Orchard Lane and Garden Lane. Motion was made by Drew, second by Drury and carried to approve with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, the redline comments shall be addressed on the site plan. In addition, the redline comments shall be returned with the Development Engineering Plan application; 2. Prior to approval of the Development Engineering Plan application, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed pursuant to Chapter 1.15 of the Infrastructure Design Criteria Manual. In addition, permits required for construction shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards, as required by the Infrastructure Design Criteria Manual; 3. Upon submittal of a Development Engineering Plan application, construction plans for the proposed turnaround shall be submitted for review and approval showing the turnaround constructed per Section 2.13 and Figure 2.8 of the Infrastructure Design Criteria Manual within the dedicated right-of-way as shown on the site plan or criteria for obtaining an Exception shall be met. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 4. Upon submittal of a Development Engineering Plan application, water plans and analysis prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual. The design report shall demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development. The plans shall also show water services constructed per City Standards. In addition, easements shall be provided as needed; 5. Upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual shall be submitted for review and approval. The design report shall demonstrate that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity in conformance with the

Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
No. 19PL099 - A request by Dream Design International, Inc. for Community Enhancement LLC for a Preliminary Subdivision Plan for proposed Lots 1 thru 6 of Feigel Subdivision #3, generally described as being located 100,1 and R-11, E. North Street, Roberts asked to abstain. Motion was made by Lewis, second by Strommen and carried to approve with the following stipulations: 1. Prior to submittal of a Development Engineering Plan application, a Traffic Impact Study shall be submitted for review and approval or shall meet the criteria for obtaining an Exception. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 2. Upon submittal of a Development Engineering Plan application, a site plan demonstrating that sufficient parking and access is being provided on each lot for the existing and proposed commercial development of each lot shall be submitted for review and approval or a Covenant Agreement creating shared parking and access shall be submitted for recording with the Final Plat application. In addition, the site plan shall show existing signage to ensure that off-premise signage is not being created as a result of platting the property as proposed and to demonstrate compliance with Chapter 17.60 of the Rapid City Municipal Code; 3. Upon submittal of a Development Engineering Plan application, construction plans for the installation of sewer along E. Philadelphia Street and a portion of E. North Street and N. Cherry Avenue shall be submitted for review and approval showing the construction of sewer main(s) along the entire right-of-way abutting the property or shall meet the criteria for obtaining an Exception. A Master Plan for providing new sanitary sewer mains shall be submitted as a part of the Exception request. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 4. If new sanitary sewer mains are required, then upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual shall be submitted for review and approval. The report shall also identify any existing sanitary sewer services that shall not be used and show the abandonment of such services. In addition, easements shall be provided as needed; 5. Upon submittal of a Development Engineering Plan application, water plans and analysis prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual. The report shall also identify any existing water services that shall not be used and show the abandonment of such services. In addition, easements shall be provided as needed; 6. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual and the Rapid City Municipal Code shall be submitted for review and approval. The drainage report shall address current conditions, detention requirements and water quality. In addition, easements shall be dedicated as required.
CITY COUNCIL

DECEMBER 16, 2019

 needed. 7. Upon submittal of a Development Engineering Plan application, a plat document shall be submitted for review and approval showing the dedication of 10 feet of additional right-of-way along E. North Street with an additional 10 feet of right-of-way the first 200 feet extending west from the intersection of N. Cambell Street to accommodate the right turn lane or shall meet criteria for obtaining an Exception. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 8. Upon submittal of a Development Engineering Plan application, a plat document shall be submitted for review and approval showing the dedication of additional right-of-way along N. Cambell Street to ensure that 50 feet of right-of-way shall be dedicated for the west half of the minimum 100-foot wide right-of-way required for a principal arterial street with an additional 5 feet of right-of-way the first 200 feet extending south from the intersection of E. North Street or shall meet criteria for obtaining an Exception. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 9. Upon submittal of a Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and the Infrastructure Design Criteria Manual shall be submitted for review and approval if subdivision improvements are required; 10. Upon submittal of a Development Engineering Plan application, a cost estimate for any required subdivision improvements shall be submitted for review and approval; 11. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements; 12. Prior to submittal of a Final Plat application, the plat document shall be revised to show the Owner's Certificate with the appropriate acknowledgment for the entity signing, not an individual acknowledgment; 13. Upon submittal of a Final Plat application, survey for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and, 14. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. Motion carried 9-0 with Roberts abstaining.

PUBLIC HEARING ITEMS – Items 37 – 39

CONSENT PUBLIC HEARING ITEMS – Item 37 – 39

Alcohol Licenses
37. Pennington County Democratic Party for a SPECIAL EVENT On-Sale wine license for an event scheduled for February 7, 2020 at Prairie Edge, 606 Main Street
38. Elevate Rapid City – Chamber Division for a SPECIAL EVENT On-Sale wine license and On-Sale malt beverage license for an event scheduled for January 14, 2020 at Regional Health Orthopedic & Specialty Hospital, 1635 Caregiver Circle
39. American Heart Association Inc. FOR A SPECIAL EVENT On-Sale wine license and off-sale package wine license for an event scheduled for March 7, 2020 at Rushmore Plaza Civic Center, 444 N. Mt. Rushmore Road

Motion was made by Armstrong, second by Strommen and carried to approve items 37-39.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – (NONE)

BILLS
The following bills have been audited:

BILL LIST - DECEMBER 16, 2019

1. Roll Period End 11/23/19, PD 11/27/19
3. Wellmark Inc. Health Claims Through 12/03/19, PD 12/12/19
4. Wage Work, Section 125 Claims Through 12/02/19, PD 12/03/19

8
### Annual Action Plan

#### 2020

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Sumpion presented the bill list of $8,452,294.77. Motion was made by Lewis, second by Drany and carried to authorize (No. CC121619-01) the Finance Officer to issue warrants or treasurer checks, drawn on proper funds, in payment thereof.

### Adjourn

There being no further business to come before the Council at this time, motion was made by Armstrong, second by Simnimen and carried to adjourn the meeting at 7:51 p.m.

Dated this 18th day of December, 2019.

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**ATTEST:**

Finance Officer

**CITY OF RAPID CITY**

Mayor

(Seal)
LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota

January 15, 2020

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, January 15, 2020, at 12:31 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 Nordstrom and carried to adopt the agenda.

GENERAL PUBLIC COMMENT
None.

CONSENT ITEMS
Motion was made by Lewis, second by Lehmann and carried to approve items 1-11 as they appear on the Consent Items with the exception of Item Nos. 8, 10, and 11.

CONSENT ITEMS -- Items 1 – 11
Public Comment opened – Items 1 – 11
Public Comment closed

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

1) Approve Minutes for December 30, 2019

FIRE DEPARTMENT
2) LF011520-01 – Approve Rental Contract for Storage Building for Rapid City Fire Department

FINANCE DEPARTMENT
3) Acknowledge the Following Volunteers for Worker’s Compensation Purposes: None

4) LF011520-02 – Approve Resolution No. 2020-001 Establishing 2020 Encumbrances

5) LF011520-03 – Authorize Mayor and Finance Officer to Sign Life Safety Loan Agreement JB Properties, LLC, and the City of Rapid City

6) LF011520-04 – Drew asked Director of Community Development Ken Young if the assessment is for the City's cleanup costs and to walk through the process. Young explained that when a nuisance is identified by code enforcement officers, a citation is issued, the property owner is given ten days to take care of it. When that doesn’t occur, then a contractor is contracted to take care of that cleanup, (whether it be yard cleanup, weeds, or snow removal) and the cost of that cleanup plus an administrative fee is then charged to the property owner. Drew would like to see this item revisited at some point because she has heard that ten days is simply not enough time for owners to respond. Nordstrom said he thought that at some point a resolution or an ordinance was passed in which administrative fees escalate if a property owner does not comply within one year, or after three times, and asked for clarification. Sumption said she doesn’t recall anything ever being
LEGAL AND FINANCE COMMITTEE
January 15, 2020

passed. Her office receives what should be billed out, including the administrative fees, from Code Enforcement and doesn’t believe anything more than the $12,000 is charged for the administrative fee. Nordstrom feels that in the past, the City has turned into becoming property managers for some of these properties by doing the cleanup on a regular basis and abating the nuisance on it, and now these same properties are seen on repetitive nuisances. He is curious if the City can do anything regarding these frequent flyers and look at an escalated fee schedule for the administrative fees. He will do some further research and have more conversation at a later time. Lewis moved to Approve Resolution No. 2019-101 a Resolution Laying Assessment for Abatement of Nuisances. Second by Drew. Motion carried.

7)  LF011520-07 – Approve Request for Property Tax Abatements as follows: Eric Eckholm, 2019, $37,90; Dennis Hanson, 2019, $442.06; Scott Young, 2019, $77.80; Dorothy Adams Frasier, 2019, $601.90; City of Rapid City, 2019, $507.56; City of Rapid City, 2019, $906.82; Dean Sankovich, 2019, $689.90; Jasper Grain Jr., 2019, $4,102.26; Diocese of Rapid City, 2019, $43,004.02; City of Rapid City, 2019, $45,336.00; City of Rapid City, 2019, $2,428.30; City of Rapid City, 2019, $18,361.14; Adams Frasier Revocable Trust, 2019, $525.62 [Combined Total for all Rapid City: $97,142.18]

8)  LF011520-08 – Approve Resolution No. 2020-002 a Resolution Declaring Miscellaneous Personal Property Surplus to be Surplused

9)  LF011520-08 – Acknowledge November 2019 Sales Tax Report

10) LF011520-10 – Nordstrom acknowledged the phenomenal job that has been done by the staff in turning this program around and is in complete support of the program. Sumption said this particular grant is year two of a three year proposal, the amount is approximately $50,000 with the total budget being around $70,000, so the rest comes in in-kind expenses or through donations and other foundational grants that Ann Hinak and Dave Yuhos have applied for. She added that the City has not heard back on the grant application for the Northern Hills but should hear something in the next month or two. Lehmann moved to authorize the RSVP+ Program to Apply and Accept Year Two of their Corporation for National & Community Service (CNCS) Grant. Second by Lewis. Motion carried.

COMMUNITY DEVELOPMENT

11) LF011520-09 – Nordstrom asked the Manager of the CDBG Program Michelle Schuelke to give a summary of how this grant process works. Schuelke explained that once a year there is an application cycle with applications due October 1 of every year which is for the upcoming fiscal year that begins April 1 and runs through March 31. The Investment Committee screens the applications along with allocating and giving recommendations to the City Council for the proposals that meet the community needs as well as the national objectives of the program. Nordstrom moved to Approve Final Recommendations for the FY2020 Community Development Block Grant: Entitlement Funds and Neighborhood Lift Lot Allocations. Second by Drew. Motion carried.

END OF CONSENT CALENDAR

NON-CONSENT ITEMS – Items 12 – 13

Public Comment opened – Items 12 – 13

Doyle Estes spoke on item number 13 to discuss their interest in working with the City to use the tax increment district process to extend Homestead Street so it will connect Timmons Boulevard to DeRaeul. Last year he was contacted by Ritchie Nordstrom and Bill Evans with regards to what might be done to get that road built. Estes came back with the idea that if the City would be interested in working with them to use the tax increment district to build the road, they would be
LEGAL AND FINANCE COMMITTEE

January 15, 2020

willing to cooperate. They are currently involved and have property they recently sold out there with developments that he believes will add an excess of 14 million dollars to the tax base; so if that property is included in that being developed by them or by the people he sold property to, that tax increment district would pay itself off in less than ten years. If there is no interest by the City and working with them on that tax increment district he doesn't think the road will be built. The cost to build the road is in the neighborhood of one million dollars and they are not in a situation that it is beneficial to them to spend a million dollars to build it. His concern today is to tell the committee that they are willing to work with the City to use the tax increment district process under today's rules. He has not examined what the City is going to do if the rules are changed but his offer to the City to use the tax increment district for them to finance the district, to finance the cost at construction is based on the current rules and if the rules are changed, that offer is off the board and they would have to look to see what the impact is under the new rules. He just wants to make sure that is put on the table, if the City changes the rules, their offer is withdrawn.

Kent Haag spoke on item number 13 with concerns on the proposed TIF guideline changes. He said there are some fundamental changes that limit the City Council's authority or ability or discretion as to what they can do and how they can utilize one of the key significant economic development tools, a TIF, and believes by limiting yourself in the scope of how that can be done, is a tremendous mistake. Haag stated that John Way from Bank West would not be interested in backing this TIF under these new provisions. He expressed that he is here purely offering input to keep the City Council from making a mistake in adopting these guidelines in a subsequent ordinance. He commented that one of the things that has been stated many times is that it is "just guidelines", but he pointed out that going through the proposed guidelines, you will see some language that it is mandatory, there are "musts" and "shall"s and those types of things. There are rating systems as to giving priority and that is fine except to the extent that it may hinder what a program would be eligible for under state law and because of the City's own guidelines could therefore be turned out. One very well meaning but a completely wrong headed way to go the feels, is the requirement that there is any residential development inside a TIF district, that 30% must be affordable and 5% of that must be under a certain level of the poverty level. He explained some residential developments or subdivisions that may seek a TIF and it will be vital to have a TIF; would NOT have this requirement in that business model. A couple of examples he gave were The Meadows up on Highway 16 to have somehow incorporate affordable housing in the district, again in and of itself that is fine, but it certainly can be one of those non-starters and many, if not most, subdivisions like Red Rocks, that produces millions of dollars in tax revenues, would not have qualified to get water up there. Haag is requesting this TIF be tabled or continued until a comprehensive plan can be made. What they are offering and trying to put together is a group of stakeholders (a developer, a banker, an economic development such as Elevate, and other interested parties) to come up with a comprehensive plan for these guidelines. If there are new guidelines that are absolutely needed then he would like to see it done correctly and not inadvertently do it from the most restrictive means, which is what this current plan does.

Public Comment closed

COMMUNITY DEVELOPMENT

12) 190A002 – Long Range Planning Manager Patsy Horton and Director of Community Development Ken Young provided a presentation regarding the revised policy are the benefits of this ordinance. Young began with a comment of introduction emphasizing that they have been working diligently over the last two and a half years on needed amendments to the tax increment financing policy; they have been in contact with many developers and bankers over this time frame and have exhausted the City's abilities to further bring forward a better proposal. Young stated that as far as Mr. Estes's proposed TIF for 12 project is concerned, if anything, the new policies are going to make it a better opportunity are easier. He stressed that the policy being brought forward is not a restrictive policy it is just a more defined policy. Young listed some of the items being brought
forward, such as: better criteria for the review of TIF applications, new procedures and opportunities for improving the certificant process of the costs. He added that although they are open and willing to look at further proposals that may come forward, he believes that what the City has proposed and is going to present to the Committee today is a much better policy than what the City has had previously or that is currently in place. He expressed that there are many needs and benefits that will come out of this new proposal, saving time and money for both the applicant and the City in these processes. He told the committee that going forward there will be many opportunities that will increase the ability to use tax increment financing throughout the community without area restrictions. Over the last couple of years, it has been determined that there needs to be a greater focus on promoting and assisting economic development, on affordable housing, transit oriented development, and greater guidance for applicants in submitting their applications all the way through the certification processes. Horton began the presentation with informing the Committee that they have met with the cities of Aberdeen and Sioux Falls will find that many of their recommendations are included in this new policy. There were also over ten public meetings and outreach opportunities and all of those comments are included in a frequently asked questions or the website. Horton touched on the revision highlights that included a TIF Chart description, updated verbiage throughout, defined baseline application requirements, and added evaluation criteria. She detailed the many targeted uses of new economic development, affordable and workforce housing, development and redevelopment of infill and blighted areas, with enhanced definitions, requirements, percentages. She reviewed some changes to project management, walked through the guiding principles, the revised eligible costs, the base requirements, the evaluation criteria, the processes for TIF’s, the certification process, and shared a chart regarding the housing number breakdown for different income levels with pulled census data. She shared some examples she put together which included a 40 acre property and identified how many single family homes would have to have affordability and then also showed an apartment complex and how many units would have to have affordability. She also pulled up the HUD numbers showing the 2020 fair market rent. Horton will attach this presentation to the agenda for reference. Young also informed the committee that the City has also recently met with John Way from Bank West and he expressed to the City that his previous concerns with the proposal that is now revised since that time, have been addressed. Young feels that although this might not be a perfect policy, it is much better than the current one and it would be a great step to move forward realizing of course, if additional revisions need to occur, they can be addressed and brought forward. He strongly urges the Council to consider approving this policy. Lewis voiced his concerns and will not be in support of this item as he is not sure why we are fixing something that he is not sure what all is broken. He understands there are some things that might need fine-tuned and there may be a need to increase the fees, but he is not sure what metric is used to measure the success of a TIF. He believes the valuations have gone up drastically because of TIF’s and there have been projects that never would have gone forward had the TIF’s not been there. He gave several examples. He has noticed other cities are now jumping on board allowing TIF’s and trying to use TIF’s to develop and if Rapid City limits the usage of TIF’s, it will limit our own growth because people will, and are building, in areas outside of the City. Nordstrom asked Fatsy Horton a few questions for clarification with regard to the appeal process of the TRC, to define transit development a bit more and to explain a bit more overlapping TIF districts. Horton explained that when a district is created, state law is very clear that the Planning Commission has to make a recommendation to create the district, if the Planning Commission does not approve it, there is no appeal process. She said the City is encouraging higher densities where there are existing transit stops so that people do not have to rely on a vehicle to get to work, face, medical services, etc. (a transit stop meaning a stop which is less than three quarters of a mile from their home or work). Horton said the City is encouraging no more than two overlapping districts because the first district has to generate movement and generate the way to pay off those project costs first. As soon as the second one comes in, they are seconces in line after the first one is paid off so by limiting to two, the second one actually pays off. She added that when this was first put in the policy, there was not an allowable way to add anything to the project plan without re-determining the base valuation, once the base valuation is re-determined, generally
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most of that increment disappears and you have to start all over, Nordstrom asked Mr. Estes to
state his concerns with Homestead with the proposed changes. Mr. Estes said he really hasn’t
examined what the City is proposing to change, his point is that he knows what the current rules
are now and is willing to play the current rules. He stated he and his wife had to borrow a million
dollars to build the road and made the offer based on the current rules but if they change, then their
offer goes away and they would have to see if they can work with what the City is trying to do.

Lewis moved to send the Introduction and First Reading of Ordinance No. 6310, an Ordinance to
Update the Tax Increment Financing District Review Process by Amending Chapter 3.20 of the
Rapid City Municipal Code to City Council without recommendation. Second by Lehmann. Motion
carried.

13) LF011520-06 – Lewis moved to send Resolution No. 2C19-315 a Resolution Adopting the Rapid
City Tax Increment Financing Policy to City Council without recommendation. Second by Lehmann.
Motion carried.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Nordstrom
second by Drew and carried to adjourn the meeting at 1:27 p.m.
Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at City Hall in Rapid City, South Dakota on Tuesday, January 21, 2020, at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Aldermen: Ritchie Nordstrom, Lisa Modick, John Roberts, Laura Armstrong, Lance Lehmann, Greg Strommen, Darla Drew, Becky Drury; the following Aldermen arrived during the course of the meeting: None; and the following were absent: Chad Lewis and Bill Evans.

Staff members present included: Deputy Finance Officer Tracy Davis, City Attorney Joel Landeen, Police Chief Karl Jegeris, Community Development Director Ken Young, Parks and Recreation Director Jeff Baglar, Public Works Director Dale Teich, Fire Chief Rod Seals, Community Development Director Michelle Schuestke, and Administrative Secretary Angie Boeve.

ADOPTION OF AGENDA
Motion was made by Drury, second by Roberts and carried to adopt the agenda.

COMMUNITY UPDATE
Ron Jeffries provided an update on the 62nd Annual Black Hills Stock Show & Rodeo. The official dates are January 31 thru February 2, 2020, events actually started January 17th at the Event Center. Big changes this year are moving the Truck Defender Horse Sale to the James Barnett Arena in its entirety, adding the first ever Youth Livestock Show and Wild Ride event. They feel that bringing a youth event will bring growth to the Stock Show.

PRESENTATION
CC012120-04 – Mike Perkovich, P.E. and Eric Meinstma, P.E. from the South Dakota Department of Environment and Natural Resources presented the Environmental Protection Agency’s Aquarius Award to the City of Rapid for the East Rapid City Water System Expansion Project. It was awarded due to the exceptional focus on sustainability and protection of public health; this is a unique project serving more that 600 non-city residents East of city limits. Perkovich credits Morgan Falcone with submitting the nomination. This was one of 10 drinking water projects to receive this award in 2019. He also thanked Mayor Allender, Stacy Titus Falcone, and all City staff for being excellent partners, Bill Lass of the Black Hills Council and Denise Livingston formerly of the Rural Community Assistance Partnership for spearheading the partnership between the City and all of the various water systems. Lastly, Perkovich recognized Celec Engineering and Banner and Associates for the engineering services provided.

GENERAL PUBLIC COMMENT (3-minute time limit per speaker)

Erik Heller, Justin Haarman of Protect Pachola and Dr. Lillias Jarding spoke against the exploration and drilling for minerals in the Ginny Gulch and Sunny Side which is Rapid City’s water shed directly above Pachola Reservoir. Citizens have until February 5, 2020 to submit letters to the Forest Service in regard to this matter.

Stephen Farruggia, Seraphim Theatrical Entertainment wanted to let Council know that he was present for any questions in regard to item #33.

Councilwoman Drury exercised personal point of privilege, to invite the public to the meet and greet for Robert Joyce, new director of the Rapid City Arts Council, on February 6, from 4-6 p.m. at the Dahl.

713 7th Street.
NON-PUBLIC HEARING ITEMS -- Items 3 – 38
Lyssann Zeller, on behalf of the Sustainability Committee spoke on item 14; she commended the Parks and Recreation and the City's efforts and offered their help should it be needed.

CONSENT ITEMS -- Items 3 – 28
10. PW011420-04: Approve Agreement Between the City of Rapid City and Pyrotechnic Display, Inc. For Annual Fireworks Displays

Motion was made by Drury, second by Lehmann and carried to approve Items 3-28 with the exception of items 10, 14, and 23

Approve Minutes
3. Approve Minutes for the January 6, 2020 Regular Council meeting.

Alcoholic Beverage License Applications Set for Hearing (February 3, 2020)
4. Lost Cabin Beer Co. for a SPECIAL EVENT On-Sale malt beverage license for an event scheduled for February 20, 2020 at Canyon Lake Park (designated area) 4181 Jackson Blvd.
5. Elevate Rapid City for a SPECIAL EVENT On-Sale malt beverage license and On-Sale wine license for an event scheduled for February 20, 2020 at Bange, McCullin, Stuller, Poe & Simmons LLP, 339 West Blvd Ste. 400
6. Elevate Rapid City for a SPECIAL EVENT On-Sale malt beverage license and On-Sale wine license for an event scheduled for March 10, 2020 at Ribe's Rapid Motorsports, 3337 E Mail Drive

Public Works Committee Consent Items
7. PW011420-01: Approve Change Order #3 to R.C.S. Construction, Inc. for Willow Avenue, Ivy Avenue, Feathawn Drive, Street and Utility Reconstruction Project, Project #15-2259 i CIP No. 50421.3-1 C for an increase of $25,300.00.
8. PW011420-02: Authorize Mayor and Finance Officer To Sign Equipment Purchase Agreement For Purchase Of New Komplett Topturn X63 Compost Turner From Source Well For A Total Of $675,522.00. Purchase Authority Granted January 6, 2020 on Item PW123119-14.
9. PW011420-03: Request to Purchase one (1) Current Model Year 1/2 Ton Pick-Up Truck, 4X4, Long Box, off the State Contract to be used by Water Billing Department. State Contract #17345 in the amount of $26,237.00.
10. PW011420-05: Authorize Staff to Purchase two (2) 2020 RAM 1500 Extended Cab, 4X4, 5.7L V8 Pickup Trucks from Liberty Superstores with State Bid Pricing Contract #17339, in the amount of $25,496.09 each for a total of $50,992.18.
11. PW011420-06: Authorize Staff to Purchase a 2020 RAM 3500 Crew Cab Dually 4X4 Pickup Truck with 8 ft. box, 6.4L V8 gas engine from Liberty Superstores with State Bid Pricing, Contract #17345 in the amount of $34,035.00.
12. PW011420-07: Authorize Staff to Purchase a 2020 Groundsmaster 4000D T4 AWD with Light Adapter Kit and Rear Light Kit from Midwest Turf & Irrigation with Omnia (IPA) Pricing Contract #2017025 in the amount of $66,595.00.
13. PW011420-08: Approve Lease Agreement between the City of Rapid City and Rapid City Youth B积极响应，有什么需要我帮忙的吗？
Legal & Finance Committee Consent Items
16. LF011520-01 – Approve Rental Contract for Storage Building for Rapid City Fire Department
17. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: None
18. LF011520-02 – Approve Resolution No. 2020-001 Establishing 2020 Encumbrances

RESOLUTION 2020-001
RESOLUTION ESTABLISHING 2020 ENCUMBRANCES

WHEREAS there are existing bills due and payable relating to Calendar Year 2019 operations of the City of Rapid City totaling $2,574,606.93, and

WHEREAS it is desirable that these bills be charged to the 2019 appropriation;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Rapid City does hereby request that the Rapid City Finance Officer encumber appropriate balances of December 31, 2019, in the amount of $2,574,606.93.

GENERAL FUND 0101
0101 MAYOR 657.75
0104 FINANCE 4,176.82
0108 ATTORNEY 231.76
0109 PUBLIC WORKS ADMINISTRATION 3,136.69
0110 GENERAL GOVERNMENT BUILDINGS 43,823.62
0111 HUMAN RESOURCES 2,497.84
0201 POLICE 90,488.52
0202 FIRE 2,204.14
0204 DEVELOPMENT SERVICE CENTER 614.64
0206 TRAFFIC ENGINEERING 9,325.51
0301 STREETS & HIGHWAYS 3,765.78
0302 SNOW REMOVAL 18,975.28
0304 STREET LIGHTING 71.13
0305 EQUIPMENT MAINTENANCE 929.87
0401 STREET CLEANING 62.35
0801 RECREATION 0.46
0803 ICE ARENA 7,116.24
0807 PARKS DEPARTMENT 8,460.63
0809 LIBRARY 139,895.69
0810 LIBRARY RURAL 40,966.11
0812 SWIMMING POOL 7,485.29
0815 PARKVIEW POOL 140.00
0818 SIOUX PARK POOL 140.00
0817 HORACE MANN POOL 256.71
0818 PUBLIC TRANSPORTATION 2,475.39
0820 PARK & RECREATION ADMINISTRATION 6,091.00
0706 TRANSPORTATION PLANNING 203.61
0707 HISTORIC PRESERVATION 0.00
0711 CODE ENFORCEMENT 27.50
0714 COMM DEVELOPMENT NON-Grant 41.20
0850 CEMETERY 1,174.61
1010 COUNCIL 25.92
8024 INFORMATION TECHNOLOGY 3,864.91 398,401.74
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AMBULANCE ENTERPRISE 0618
0890 AMBULANCE ENTERPRISE

EDUCATIONAL LOAN FUND 0718
1002 EDUCATIONAL LOAN

CIVIC CENTER ENTERPRISE FUND 0775
0913 CIVIC CENTER OPERATIONS
0915 CIVIC CENTER CAPITAL OUTLAY

ENERGY PLANT FUND 0777
0914 ENERGY PLANT

RSVP FUND 0785
0928 RSVP

LIBRARY BOARD FUND 0986
0971 LIBRARY BOARD

*** GRAND TOTAL ***

23,710.17
1,053.75
13,106.06
(9,312.60)
3,793.46
972.09
17.42
1,858.00

2,574,806.93

AND BE IT FURTHER RESOLVED that this Resolution is necessary for the immediate preservation of the public peace, health, safety and support of the municipal government and its existing public institutions, and shall take effect upon the passage and publication thereof.

Dated this 21st day of January, 2020.

CITY OF RAPID CITY

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3. Such assessments, unless paid within thirty (30) days after the filing of the assessment roll in the Office of the Finance Officer, shall be certified as delinquent to the Pennington County Auditor and payable through the Pennington County Treasurer’s Office with the statutory interest rate.

Dated this 21st day of January, 2020.

CITY OF RAPID CITY

/s/ Steve Allender
Mayor

ATTEST:
/s/ Pauline Sumption
Finance Officer

21. LF011520-07 – Approve Request for Property Tax Abatements as follows: Eric Eckholm, 2019, $37.90; Dennis Hanson, 2019, $442.06; Scott Young, 2019, $77.80; Dorothy Adams Frasier, 2019, $601.90; City of Rapid City, 2019, $570.96; City of Rapid City, 2019, $908.82; Dean Sankovich, 2019, $809.50; Jasper Gracn Jr., 2019, $410.26; Diocese of Rapid City, 2019, $43,004.56; City of Rapid City, 2019, $45.86; City of Rapid City, 2019, $21,428.00; City of Rapid City, 2019, $18,351.14; Adams Frasier Revocable Trust, 2019, $538.82 [Combined Total for all City of Rapid City: $67,142.18]

22. LF011520-08 – Approve Resolution No. 2020-002 a Resolution Declaring Miscellaneous Personal Property Surplus to be Surplused

Resolution #2020-002

RESOLUTION DECLARING MISCELLANEOUS PERSONAL PROPERTY SURPLUS

WHEREAS the below-described property is no longer necessary, useful or suitable for municipal purposes

NOW, THEREFORE, BE IT RESOLVED that the following property be declared surplus and disposed of according to state statutes:

From: Parkes 607
For: Deletion (Trade):
2008 CASE LOADER
SERIAL #: N76P09525
2016 KUBOTA RTV
-SERIAL #: 26004

BE IT FURTHER RESOLVED that the Mayor and Finance Officer may do all acts necessary to dispose of this property according to state law.

Dated this 21st day of January, 2020.

CITY OF RAPID CITY

/s/ Steve Allender
Mayor

ATTEST:
/s/ Pauline Sumption
Finance Officer

24. LF011520-10 – Authorize the RSVP+ Program to Apply and Accept Year Two of their Corporation for National & Community Service (CNCS) Grant
Community Development Consent Items
25. LF011520-05 - Approve Final Recommendations for the FY2020 Community Development Block Grant Entitlement Funds and Neighborhood Lift Lot Allocations

Bid Award Consent Items
27. No. CC012120-02.2 - Approve award and purchase of (1) One New Current Model Year Tandem Dump Truck with Plow, Wing, & Anti-Icing System from Floyd's Truck Center in the amount of $187,200.00 after trade.
28. No. CC012120-02.3 - Approve award and purchase of (1) One New Current Model Year Single Axle 4X4 Dump Truck with V-Plow from Boyer Trucks Sioux Falls in the amount of $165,600.00 after trade.

END OF CONSENT ITEMS

Mayor read in item (FW011420-04) Approve Agreement Between the City of Rapid City and Pyrotechnic Display, Inc. For Annual Fireworks Displays Drury asked where the money for this comes from and Biegler responded it is a budgeted item under Parks and Recreation. Motion was made by Roberts, second by Armstrong and carried to approve 9-0.

Mayor read in item (FW011420-08) Approve Resolution No. 2019-099 entitled A Resolution of the City Council Designating Rapid City as a BEE CITY USA Affiliate. Motion was made by Drury, second by Lohrman to approve. Drury inquired how spraying for mosquitoes can affect the bees. Biegler stated they inform the bee community when and where fogging will take place and they relay information on to others so they can cover the hive and minimize the impact of the spray. Most fogging is done in the middle of the night when bees are less active. Motion carried 9-0.

RESOLUTION NO. 2019-099
A RESOLUTION of the City Council Designating Rapid City as a BEE CITY USA® Affiliate.

WHEREAS, the mission of BEE CITY USA is to galvanize communities to sustain pollinators, responsible for the reproduction of almost 90% of the world's flowering plant species, by providing them with healthy habitat, rich in a variety of native plants and trees to nearly free of pesticides; and

WHEREAS, thanks to the more than 3,660 species of native bees in the United States, along with introduced honey bees, we have very diverse dietary choices rich in fruits, nuts, and vegetables; and

WHEREAS, bees and other pollinators have experienced population declines due to a combination of habitat loss, poor nutrition, pesticides (including insecticides, fungicides, and herbicides), parasites, diseases, and climate change; and

WHEREAS, pollinator-friendly communities can benefit local and regional economies through healthier ecosystems, increased vegetable and fruit crop yields, and increased demand for pollinator-friendly plant materials from local growers; and

WHEREAS, ideal pollinator-friendly habitat (A) is comprised of mostly native wildflowers, grasses, vines, shrubs, and trees blooming in succession throughout the growing season to provide diverse and abundant nectar and pollen, since many wild pollinators prefer or depend on the native plants with which they co-adapted; (B) is free to nearly free of pesticides, as many pesticides can harm pollinators and/or...
their habitat; (C) comprises undisturbed spaces (leaf and brush piles, unmown fields or field margins, fallen trees and other dead wood) for nesting and overwintering; and (D) provides connectivity between habitat areas to support pollinator movement and resilience; and

WHEREAS, Integrated Pest Management (IPM) is a long-term approach to maintaining healthy landscapes and facilities that minimizes risks to people and the environment by: identifying and removing the causes of pest problems rather than only attacking the symptoms (the pests); employing pests' natural enemies along with cultural, mechanical, and physical controls when prevention is not enough; and using pesticides only when no other method is feasible or effective; and

WHEREAS, supporting pollinators fosters broad-based community engagement in environmental awareness and sustainability; and

WHEREAS, Rapid City should be certified a BEE CITY USA community because the Parks & Recreation Department has already undertaken various efforts to provide pollinator-friendly habitat and feeding grounds and wishes to continue expanding these efforts; and

NOW, THEREFORE, in order to enhance understanding among local government staff and the public about the vital role that pollinators play and what each of us can do to sustain them, Rapid City chooses to support and encourage healthy pollinator habitat creation and enhancement, resolving as follows:

1. The Rapid City Parks & Recreation Department is hereby designated as the BEE CITY USA sponsor.
2. The Landscape Designer/Architect of Rapid City Parks and Recreation Department is designated as the BEE CITY USA Liaison.
3. Facilitation of Rapid City’s BEE CITY USA program is assigned to the Urban Wildlife Committee.
4. The Urban Wildlife Committee is authorized to and shall:
   a. Celebration: Host at least one educational event or pollinator habitat planting or restoration each year to showcase Rapid City’s commitment to raising awareness of pollinator conservation and expanding pollinator health and habitat.
   b. Publicity & Information: Install and maintain at least one authorized BEE CITY USA street sign in a prominent location, and create and maintain a webpage on the City of Rapid City website which includes, at minimum a copy of this resolution and links to the national BEE CITY USA website; contact information for your BEE CITY USA Liaison and Committee; reports of the pollinator-friendly activities the community has accomplished the previous year(s); and your recommended native plant species list and integrated pest management plan (explained below).
   c. Habitat: Develop and implement a program to create or expand pollinator-friendly habitat on public and private land, which includes, but is not limited to, identifying and inventorying Rapid City’s real property that can be enhanced with pollinator-friendly plantings; creating a recommended locally native plant list to include wildflowers, grasses, vines, shrubs, and trees and a list of local suppliers for those species; and, tracking (by square footage and/or acres) annual area of pollinator habitat created or enhanced.
   d. Pollinator-Friendly Pest Management: Create and adopt an integrated pest management (IPM) plan designed to prevent pest problems, reduce pesticide use, and expand the use of non-chemical pest management methods.
   e. Policy & Plans: Establish a policy in the Plan Rapid City Comprehensive Plan to acknowledge and commit to the BEE CITY USA designation and review the Comprehensive Plan and other relevant documents to consider improvements to pest management policies and practices as they relate to pollinator conservation identify appropriate locations for pollinator-friendly plantings, and consider other appropriate measures.
f. Renewal: After completing the first calendar year as a BEE CITY USA affiliate, each February, apply for renewal of Rapid City’s BEE CITY USA designation following the format provided by BEE CITY USA, including a report of the previous year’s BEE CITY USA activities, and paying the renewal fee based on Rapid City’s population.

Dated this 21st day of January, 2020.

CITY OF RAPID CITY
/s/ Steve Allender
Mayor

ATTEST:
/s/ Pauline Sumption
Finance Officer

Mayor read in item (LF011520-09) Acknowledge November 2019 Sales Tax Report — Motion was made by Drury, second by Armstrong to acknowledge. Drury inquired when the December 2019 numbers would be received. Davis responded they are expected the first part of February, they are usually about one month behind, the first payment from December has been received, just waiting on the second. Draw followed by asking what the numbers were compared to 2018 and if there was a way to determine the cause of the increase, such as the internet sales tax. Davis reported that in 2019 it was 2.75% compared to 2.45% in 2018. There really isn’t a way for the State to show what the additional revenue is from so it can’t necessarily be attributed to internet sales, but it could have an effect on it. Draw asked if this result is better than anticipated and Davis agreed. Motion carried 6-0.

NON-CONSENT ITEMS — Items 29 – 38
Kathy Johnson, spouse of Doyle Edloe spoke against Item 34 (19OA002). Deanna Kelly, Live Well Black Hills, spoke against the approval of Item 36 (PW011420-10).

Ordinances
Ordinance 6375 (19R2039) an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc for Yasmeen Dream, LLC for a Rezoning request from General Agricultural District to Light Industrial District for property generally described as being located south of North Valley Drive. Motion was made by Modrick, second by Drew and carried that Ordinance 6375 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, February 3, 2020.

Ordinance 6377 (19R2041), an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc for Yasmeen Dream 111, LLC for a Rezoning request from Medium Density Residential District to General Commercial District for property generally described as being located west of the current terminus of E. Arneson Street. Motion was made by Drew, second by Nordstrom and carried that Ordinance 6377 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, February 3, 2020.

Ordinance 6378 (19R2042), an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc for Yasmeen Dream 11, LLC for a Rezoning request from General Agricultural District to Medium Density Residential District for property generally described as being located north of Homestead Street. Motion was made by Nordstrom, second by Roberts and carried that Ordinance 6378 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, February 3, 2020.

Ordinance 6379 (19R2043) an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Risk Land Surveying & Consulting Engineers, Inc for Keiz Laron for a
Rezoning request from General Agricultural District to Low Density Residential District for property generally described as being located west of the intersection of Hideaway Court and Hideaway Lane. Motion was made by Drury, second by Strommen and carried that Ordinance 5379 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, February 3, 2020.

Ordinance 6365 (20R2044) an Ordinance amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Brent Hill for Seraphim Theatrical Entertainment, LLC for a Rezoning from Medium Density Residential District to General Commercial District for property generally described as being located at 1124 Kansas City Street. Drew understood this to be a hybrid of church and theater and asked Mr. Farruggio to explain more details and ask if they planned to rent out the facility to other entities as this is in her ward and she is concerned for the neighborhood. Farruggio explained the function of the theater and he has no current plans of renting it out. Motion was made by Armstrong, second by Lehmann and carried with Roberts abstaining, that Ordinance 6365 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, February 3, 2020.

Ordinance No. 6310 (19OA002) an Ordinance to update the Tax Increment Financing District Review by Amending Chapter 3.28 of Rapid City Municipal Code. Motion was made by Nordstrom to send back to Community Development and recommend that Mayor develop a task force to oversee and review the process, second by Strommen. Nordstrom, Drury and Modrick spoke in favor of the motion and commended the City staff on the hard work and time spent, but feel it isn’t complete. Drew confirmed with Landeen that the existing TIF policy would remain in effect until a new one could be approved. Motion carried 8-0.

Public Works Committee Items
Mayor read in item (PW011420-09) Approve Resolution 2019-018 Adopting the Rapid City Tax Increment Financing Policy - A request by City of Rapid City to consider a Resolution Adopting the Rapid City Tax Increment Financing Policy, Associated with 19OA002 (which is Item 34 on this agenda) **This same item was heard at Legal and Finance under item LF011520-06** Motion was made by Nordstrom to send back to Community Development and recommend that Mayor develop a task force to oversee and review the process, second by Drury. Motion carried 8-0.

Mayor read in item (PW011420-10) Request from Samaritan Construction for a Variance to Waive the requirement to install Sidewalk along Deadwood Avenue, Rapid City, per City Ordinance 12.04.050. Drew, Drury, Nordstrom, Armstrong spoke in favor of denying the variance, while Modrick and Roberts spoke in favor of approving the variance. Tech provided information in regards to the staff’s recommendation and if there were any scheduled improvements for the Deadwood Ave. area. Motion to deny was made by Drury, second by Nordstrom. Motion ended in a tie vote 4-4, Drury, Drew, Nordstrom and Armstrong voted no and Lehman, Modrick, Roberts and Strommen voted yes. Mayor Allender broke the tie vote with an aye vote. Motion carried 5-4.

Legal & Finance Committee Items
Mayor read in item (LF121119-02) Award Contract to Ketel Thorstenson to Perform the Financial and Compliance Audit for the City of Rapid City for the Calendar Year of 2019. The original item to award the contract to Elde Baily was continued from the December 15, 2019 City Council meeting per Council’s request to re-evaluate the applicants.) Motion was made by Drew, second by Strommen to award contract to Ketel Thorstenson for the 2019 calendar year. Motion carried 8-0.

Community Development Items
No. 19PL 035 - A request by Banner Associates, LLC for Fox LLC for a Preliminary Subdivision Plan for proposed Lot 6 and 7 of Moon Ridge Subdivision, generally described as being located at 2251 Moon Meadows Drive. Motion was made by Modrick, second by Roberts and carried to approve with the
CONSENT PUBLIC HEARING ITEMS – Item 39

Alcohol Licenses

39. Sadico Inc. DBA Comfort Suites, 1333 N. Elk Vale Rd for a Retail (on-sale) Liquor License TRANSFER from Heinso Investments LLC DBA Comfort Suites, 1333 N. Elk Vale Rd

Motion was made by Medrick, second by Roberts and carried to approve item 39.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – (NONE)
BILLS
The following bills have been audited:

BILL LIST - JANUARY 21, 2020

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<td>BLACK HILLS ENERGY, ELECTRICITY, PD 01/13/20</td>
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Davis presented the bill list of $10,113,849.70. Motion was made by Nordstrom, second by Drew to approve. Drury asked to abstain. Authorize (No. CCU212120-91) the Finance Officer to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Motion carried 7-0 with Drury abstaining.

ADJOURN
There being no further business to come before the Council at this time, motion was made by Armstrong, second by Drury and carried to adjourn the meeting at 7:40 p.m.

Dated this 21st day of January, 2020.

ATTEST:

Finance Officer

(CLEAN)

Mayor

12
FY2020 Annual Action Plan Comment Meeting
January 28, 2020
12:00 noon – 1:30
City Hall, 300 6th Street

CDBG Goals & Priorities Comments:
Comment received for affordable apartments 5500 & less/constructed & affordable apts.
Comment received to set funds up as a package or pre-package for several organizations to increase productivity of projects and that 50% of project must be for 30% AMI.
Comment received to have “demo” project to show need and accomplishments.
Comment received to obtain & have a land give away project/package that will work for everyone.
Comment was received that depending on the amount of funding acceptable & the type of projects, there should be a set $ amount for each year for operational cost for project.

CDBG Application Comments:
Discussion on affordability of housing, housing projects, etc. Example: How many affordable units a housing project must have & 30% at basic minimum. Comment was received requiring minimum self-sufficiency for housing project should be data driven.
Comment received on getting scale to do housing & read to push percentage for each individual project.
Comment also received on sustainability of organizations project, can funds be used for sustainability.
Comment on receiving funds for initial phase & then at later time get funding for repairs/upgrades as needed would help the sustainability of the project.
Most agreed would be better to go online with application and the elimination of the logic model was good.

Annual Action Plan
2020
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) LF040120-09 – Authorize the Rapid City Fire Department to Apply and Accept if Awarded, the Assistance to Fire Fighters (AFG) Grant.

3) LF040120-09 – Authorize Staff to Purchase One (1) Damors 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) LF40120-04 – Approve Resolution No. 2020-020 a Resolution Correcting an Error in Resolution No. 2020-018 a Resolution Levying Assessments for Abatement of Nuisances

9) LF40120-08 – Approve Resolution No. 2020-023 a Resolution Declaring Miscellaneous Personal Property Surplus to be Surplused

10) LF40120-07 – Approve Request for Property Tax Abatement as Follows: Debra Rodlinger, 2019, $348.26 [Total for Rapid City is $348.26]

DEPARTMENT OF COMMUNITY DEVELOPMENT

11) LF40120-09 – 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 connection 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) 20TP022 – 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 (due in December 2018) 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.

END OF CONSENT CALENDAR

NON-CONSENT ITEMS: Items 15 – 16

Public Comment opened – Items 15 – 16
Public Comment closed

FINANCE DEPARTMENT

COMMUNITY DEVELOPMENT
16) 200A001 – Public Works Director Dalla 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.
PROCEEDINGS OF THE CITY COUNCIL  
Rapid City, South Dakota  
April 6, 2020

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at City Hall, 300 Sixth Street, in Rapid City, South Dakota on Monday, April 6, 2020, at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Alderpersons: Ritchie Nordstrom, Greg Strommen, Laura Armstrong, Chad Lewis, Lance Lehmann, John Roberts and Darla Drew. The following Alderpersons arrived during the course of the meeting: None. None of the following Alderpersons were present telephonically: Bill Evans and Backy Druly; and the following were absent: None.

Staff members present included: Finance Officer Pauline Sumpson, City Attorney Joel Landeen, Police Chief Karl Jagers, Parks and Recreation Director Jeff Siegler, Public Works Director Dale Tech, and Administrative Coordinator Heidi Weaver

ADOPTION OF AGENDA
Motion was made by Armstrong, second by Lewis to adopt the agenda. Roll-call vote: those voting aye: Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans and Drew; none. Motion carried.

GENERAL PUBLIC COMMENT
Nick Uhre, Manager of Grand Gateway Hotel and Bar, addressed the council. He said they have lost a lot of revenue due to the shutdown. He is worried how this will affect summer tourism revenue. He asked if the property tax deadline of April 30 would be extended with no late penalty since many businesses with be negatively affected with the shutdown.

NON-PUBLIC HEARING ITEMS – Items 1 – 49
CONSENT ITEMS – Items 1 – 40
The following items were removed from the Consent Items:

11. PW033120-08: Authorize Staff to advertise for Bids for 2020 Lane Line Painting Project No. 20-2579 / CIP No. 50594. Estimated Cost: $120,000

13. PW033120-10: Request Authorization to Seek Proposals for Professional Services for San Marco Boulevard Bridge Replacement Project, Project No. 20-2581 / CIP No. 51194.

33. No. 20TP006 – Approve the Rapid City Year End 2019 Population Estimate

Motion was made by Lewis, second by Lehmann to approve items 1-40 with the exception of items 11, 13 and 33. Roll-call vote: those voting aye: Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans and Drew; none. Motion carried.

Approve Minutes:
1. Approve Minutes for the March 16, 2020 Regular Council meeting.
2. Approve Minutes for the March 27, 2020 Special Council meeting.

Alcoholic Beverage License Applications Set for Hearing (April 20, 2020)
3. Froesch, Inc. DBA Joe's Place Bar & Grill, 4302 Pendleton Drive, for a Retail (on-off sale) Malt Beverage License.

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OMB Control No: 2506-0117 (exp. 06/30/2018)
4. Authorize Finance Officer to set a public hearing and publish the appropriate notice for all on/off sale malt beverage and on/off sale wine license applications received prior to the close of business on April 8, 2020.

Public Works Committee Consent Items

5. PW033120-02: Authorize Mayor and Finance Officer to sign Amendment #1 to the Bridge Reinspection Program Resolution, Project No. 19-2502 / CIP #50639

6. PW033120-03: Authorize Mayor and Finance Officer to sign Agreement between City of Rapid City and Dakota Pump, Inc. for Supersdy Control and Data Acquisition (SCADA) Professional Services and Equipment Installation for the Northridge Booster Pump Station and Stony Creek Booster Pump Station Improvements Project No. 14-2178 / CIP No. 50812 CD, in the amount of $10,712.25.

7. PW033120-04: Authorize Mayor and Finance Officer to sign an Agreement between the City of Rapid City and FMI Engineering for Professional Engineering Services for Perrine and Unnamed Tributary Drainage Basin Design Plans (DBC) Amendment – Phase 3, Project Number 18-2430, CIP 51189.3, in the amount of $72,270.00.

8. PW033120-05: Authorize Mayor and Finance Officer to sign an Agreement between the City of Rapid City and Yasmine Dream, LLC, for Construction of 16’ Public Water Masts.

9. PW033120-06: Authorize Mayor and Finance Officer to sign a Railroad Pipeline License between the City of Rapid City and the State of South Dakota Department of Transportation.

10. PW033120-07: Authorize Mayor and Finance Officer to sign Value Engineering Service agreement with PennMark in the amount of $56,170.00.

11. PW033120-08: Authorize staff to advertise for 2020 Street Patching Project, Project No. 19-2544 / CIP 50644 for $300,000.

12. PW033120-11: Authorize staff to advertise for Paving Rehabilitation Project Valley West Drive Overlay, Project No. 19-2546 / CIP 50649 for $140,000.

13. PW033120-12: Request authorization to allow the Public Works Director to extend the 90-day deadline for suspended Development Engineering Plan applications.

14. PW033120-13: Request from Renner Associates, LLC on behalf of Fox LLC for a time extension for the Development Engineering Plan application associated with a subdivision of lot 4 of the Moon Ridge Subdivision.

15. PW033120-14: Authorize Request to purchase Two GPS Survey Equipment Setups off the State Contract from Frontier Precision in the amount of $17,383.50.

16. PW033120-15: Approve Request from Hormann Egge Engineering, INC. for a Variance to Waive the Requirement to Install Sidewalk along Cambell Street, Rapid City, per City Ordinance 12.06.360.

17. PW033120-16: Approve Request from Nicholas Kingsbury for a variance to waive the requirement to install sidewalk along Elysonian Court, Rapid City, per City Ordinance 12.06.060.

18. PW033120-17: Approve Request for purchase of one (1) New 2020 Ford F-250 4X4 Long Box Pick Up Truck. Model is matching the State Contract #17513 in the amount of $31,297.00.

19. PW033120-18: Approve Correction to Purchasing Authority of 12/16/2019 for Authorizing purchase of a new Electric Minibuses, remote operated low-profile loader from Track-O in the amount of $139,425.00. The correct vendor name should have been MOVEX INNOVATION INC.

20. PW033120-19: Authorize staff to submit transist grant to FTA for $3,000 Formula funds for capital assistance in the amount of $200,000.

21. PW033120-20: Deny Request from Scull Construction for a Variance to Waive the Requirement to Install Sidewalk along Rapid Street and 12th Street, Rapid City, per City Ordinance 12.08.060.

Legal & Finance Committee Consent Items

24. LF040120-04 – Authorize the Rapid City Fire Department to Apply and Accept If Awarded, the Assistance to Fire Fighter (AFD) Grant

25. LF040120-06 – Authorize Staff to Purchase One (1) Demers Type I MXP 150 4X4 Chevy 3500 Ambulance for $177,280 Using SAVVIK Purchasing Contract
26. LF040120-10 – Authorize Mayor and Finance Officer to Sign the Pennington County Emergency Services Communications Center (ESCC) Joint Powers Agreement
27. LF040120-01 – Acknowledge December 2019 Sales Tax Report
28. LF040120-02 – Acknowledge January 2020 Sales Tax Report
29. LF040120-03 – Acknowledge February 2020 General Fund Cash Balance Report
30. 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

RESOLUTION NO. 2020-020
A RESOLUTION CORRECTING AN ERROR IN RESOLUTION 2020-018 RESOLUTION LEVYING ASSESSMENTS FOR ABATEMENT OF NUISANCES

WHEREAS, on March 16, 2020, the Common Council adopted Resolution No. 2020-018 Resolution Levying Assessments for Abatement of Nuisances; and
WHEREAS, the Resolution levied assessments against several parcels for the City’s costs to abate nuisances on the properties; and
WHEREAS, the Resolution erroneously listed $187.00 as the amount of the assessment for the property at 621 Saint James Street, legally described as Lot 11-12, Block 14, Flormann Addition; and
WHEREAS, the $187.00 assessment amount for the nuisance abatement at 621 Saint James Street was paid in full on February 14, 2020; and
WHEREAS, the City wishes to remove the assessment on the property at 621 Saint James Street.

NOW, THEREFORE, BE IT RESOLVED by the Common Council that the assessment imposed by Resolution No. 2020-018 on the property at 621 Saint James Street is hereby revoked and cancelled.

Dated this 6th day of April, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumpton
Finance Officer

31. LF040120-08 – Approve Resolution No. 2020-023 a Resolution Declaring Miscellaneous Personal Property Surplus to be Surplused

RESOLUTION #2020-023
RESOLUTION DECLARING MISCELLANEOUS PERSONAL PROPERTY SURPLUS

WHEREAS the below-described property is no longer necessary, useful or suitable for municipal purposes

NOW, THEREFORE, BE IT RESOLVED that the following property be declared surplus and disposed of according to state statutes:

From: Police (201)
For Disposition (Crash)
2013 FORD TAURUS INTERCEPTOR
BE IT FURTHER RESOLVED that the Mayor and Finance Officer may do all acts necessary to dispose of this property according to state law.

Dated this 6th day of April, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

32. LF040120-07 - Approve Request for Property Tax Abatement as Follows: Debra Radlinger, 2019, $348.26 [Total for Rapid City is $348.26]

Community Development Consent Items
34. No. 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
35. 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.

Bid Award Consent Items
36. No. CC040620-02.1 - Award Total Bid in the amount of $206,320.00 to A & B Welding Supply opened on March 31, 2020 for Liquid Oxygen Supply for the Elk Vale Lift Station.
37. No. CC040620-02.2 - Award Total Bid in the amount of $139,400.00 to Simon Contractors of SD, Inc., opened on March 31, 2020 for Hot Mix Asphaltic Concrete for various City departments.
38. No. CC040620-02.3 - Award Total Bid in the amount of $66,899.25 to Simon Contractors of SD, Inc., opened on March 31, 2020 for Limestone Gravel for various City departments.
39. No. CC040620-02.4 - Approve award of total bid for Woodrow Dr. & Downing St Sanitary Sewer Replacement, Project No. 15-2285 / CIP No. 50623 opened on March 31, 2020 to the lowest responsible bidder, Underground Construction, LLC in the amount of $1,734,014.85.
40. No. CC040620-02.5 - Approve award of total bid for East St. Cloud Inter, Project No. 18-2531 / CIP No. 51236 opened on March 31, 2020 to the lowest responsible bidder, Simon Contractors of SD, Inc. in the amount of $189,540.00.

END OF CONSENT ITEMS

Mayor read in item (PW033120-08) Authorize Staff to advertise for Bids for 2020 Lane Line Painting, Project No. 20-2576 / CIP No. 50594. Estimated Cost $120,000. In response to a question from Drew, Tech said lane lines would be done in June and October but could possibly be delayed due to the situation with COVID-19. Motion was made by Nordstrom, second by Strommen to approve. Roll-call vote: those voting aye: Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans and Drew; no: none. Motion carried.

Mayor read in item (PW033120-10) Request Authorization to Seek Proposals for Professional Services for San Marco Boulevard Bridge Replacement Project, Project No. 20-2581 / CIP No. 51164. In response to a question from Drew, Tech said the project could happen anytime until 2022. He said DCT funding is normally at 80%. Motion was made by Nordstrom, second by Strommen to approve. Roll-call vote: those...
Annual Action Plan

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OMB Control No: 2506-0117 (exp. 06/30/2018)
CITY COUNCIL

APRIL 6, 2020

Mayor read in item (No. 20R015) First Reading, Ordinance 6405, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Longbranch Civil Engineering, Inc. for BFD Development, LLC for a Rezoning request from Office Commercial District to Low Density Residential District for property generally described as being located at the northern terminus of Hawkson Street. Roberts indicated he needed to abstain from the vote. Motion to approve was made by Nordstrom, second by Strommen that Ordinance 6405 be placed upon its first reading and the title was fully and distinctly read and second reading set for April 20, 2020. Roll-call vote: those voting aye: Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans and Drew; abstain: Roberts; no: none. Motion carried.

Mayor read in item (No. 20R016) First Reading, Ordinance 6406, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Longbranch Civil Engineering, Inc. for BFD Development, LLC for a Rezoning request from Medium Density Residential District to Low Density Residential District for property generally described as being located at the northern terminus of Hawkson Street. Roberts indicated he needed to abstain from the vote. Motion to approve was made by Drew, second by Lehmann that Ordinance 6406 be placed upon its first reading and the title was fully and distinctly read and second reading set for April 20, 2020. Roll-call vote: those voting aye: Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans and Drew; abstain: Roberts; no: none. Motion carried.

Mayor read in item (No. 20A0101) First Reading, Ordinance 6384, an Ordinance to Add a Pre-Submittal Meeting to the Requirements for Development Engineering Plans by Amending Section 16.03.070 of the Rapid City Municipal Code. Motion to approve was made by Drew, second by Nordstrom that Ordinance 6384 be placed upon its first reading and the title was fully and distinctly read and second reading set for April 20, 2020. Roll-call vote: those voting aye: Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; no: none. Motion carried.

Council Items & Liaison Reports

Mayor read in item (CC040R20-03) Review and Discuss (Resolution 2020-025) whether to allow the mandatory closures contained in Ordinance 6412 to expire on April 8th, or whether the closures should be extended for an additional period of time. Nordstrom said he was in favor of extending closures for two additional weeks. Motion was made by Lewis, second by Armstrong to extend mandatory closures until Wednesday, April 22, 2020. Roberts is out in favor of extending but said he was relieved the council is only extending for two more weeks. He does not want anything longer than that. Roberts asked how long these businesses will have to be closed. Mayor indicated they are leaning heavily on medical advice. He hopes to have a more definite time frame in the next two weeks and be able to discuss that at the April 20, 2020 council meeting. He understands keeping things closed isn’t realistic. South Dakota is projected to peak in June. Roll-call vote: those voting aye: Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, and Drew; no: Roberts. Motion carried 8 to 1. "Special note: this resolution was originally published separately on Wednesday, April 8, 2020 and became effective on that date."

RESOLUTION NO. 2020-025
AN EMERGENCY RESOLUTION IN RESPONSE TO THE CURRENT PUBLIC HEALTH CRISIS EXTENDING THE MANDATORY CLOSURE ORDER CONTAINED IN CITIZEN ORDINANCE.

WHEREAS, The City of Rapid City has adopted an emergency ordinance which orders that certain businesses where people gather for socializing or entertainment either close, or modify their operations, in order to prevent groups of people from congregating; and

WHEREAS, the order contained in the ordinance is set to automatically expire on April 8, 2020; and

WHEREAS, the ordinance authorizes the City Council to extend this order via a resolution; and

Resolved, that the matter has been extended via this resolution and extends the ordinance until further notice.
WHEREAS, the current public health crisis caused by the COVID-19 pandemic is ongoing and the recommendations from the CDC and state to engage in social distancing are still in effect; and

WHEREAS, the City Council finds that in order to protect the community’s health, safety, and general welfare it is in the best interests of Rapid City to continue the restrictions contained in the ordinance for an additional period of time.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the mandatory orders and restrictions contained in Ordinance 6412, or Ordinance 6413 if approved, which were set to expire on April 8th are hereby extended until April 22, 2020.

Dated this 6th day of April, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer


default

Mayor read the item (CC040620-54) Appeal of denied individual security license by Jacob LaPlante – Karl Jegeris. Jacob LaPlante, applicant, addressed the council. He gave a brief background on himself and why he should be granted the license. Chief Jegeris addressed the council. He stated the applicant has had frequent negative contact with the police department. He feels the community would be at risk if the applicant was given a license right now. If he has no incidents with the police in the next year, he can reapply. Motion was made by Roberts, second by Lehmann to deny. Roll call vote: those voting to deny: Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Grury, Evans, Roberts and Drew, to approve: none. Motion carried.

PUBLIC HEARING ITEMS - Items 50 – 60

CONSENT PUBLIC HEARING ITEMS – Items 50 – 56

Alcoholic Licenses

50. Withdrawal Special Event from Elevate Rapid City – Chamber Division for a SPECIAL EVENT On-Sale malt beverage license and On-Sale Wine license for an event scheduled for April 23, 2022 at RESPEC, 3824 Jet Dr.

51. Approve Special Olympics Dakota for a SPECIAL EVENT On-Sale malt beverage license and On-Sale Wine license for an event scheduled for June 6, 2020 at Black Hills Harley Davidson, 2320 Harley Drive

52. Approve Rodney Hanson DBA Lucky Duck Inc., 6839 Wellington Drive for a Retail (on-off sale) Malt Beverage & SD Farm Wine license with Video lottery (inactive) TRANSFER from Colonial House Inc. DBA Colonial House, 2315 Mount Rushmore Road

53. Approve L & B Wine LLC DBA D’Vine Wine Bar for a Retail (on-off sale) Wine and Cider license and a Retail (on-off sale) Malt Beverage & SD Farm Wine license at 516 7th Street

54. Approve Shane Schriver DBA Jarnbonz Deux(2), 740 M. View Road for a Retail (on-sale) Liquor License TRANSFER (inactive) TRANSFER from Elizabeth Frederick DBA Joe’s Place Bar & Grill, 4322 Pendleton Drive

55. Approve Zymurgy Bear Co. for a SPECIAL EVENT On-Sale Malt Beverage license for an event scheduled for June 27, 2020 at Storybook Island, 1501 Sheridan Lake Road

56. Approve Rushmore German Club for a SPECIAL EVENT On-sale malt beverage license and on-sale wine license for an event scheduled for August 21-29, 2020 at the Central States Fair, 800 San Francisco Street
END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS — Items 57 - 60

Mayor read in item (No. 19RZ06) Second Reading, Ordinance 6386, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Cory Back for SLH Holdings, LLC for a Rezoning request from General Agricultural District to Medium Density Residential District for property generally described as being located northeast of the intersection of Sannis Trail and Healing Way. Having passed its first reading on March 16, 2020 motion was made by Roberts, second by Lehmann to approve in Conjunction with the associated Initial Planned Development application (File # 20IP002). Upon roll-call vote being taken, the following voted AYE: Lehmann, Nordstrom, Lewis, Evans, Armstrong, Roberts, Drew, Drury and Stromman. NO: None. Whereupon, the Mayor declared the motion passed and Ordinance 6386 was declared duly passed upon its second reading.

Mayor read in item (No. 20RZ010) Second Reading, Ordinance 6396, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc for Yasmeen Dream, LLC for a Rezoning request from General Agricultural District to Medium Density Residential District for property generally described as being located east of Elk Vale Road, south of Jaffa Garden Way. Having passed its first reading on March 16, 2020 motion was made by Drew, second by Stromman to approve. Upon roll-call vote being taken, the following voted AYE: Lehmann, Nordstrom, Lewis, Evans, Armstrong, Roberts, Drew, Drury and Stromman. NO: None. Whereupon, the Mayor declared the motion passed and Ordinance 6396 was declared duly passed upon its second reading.

Mayor read in item (No. 20RZ011) Second Reading, Ordinance 6399, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc for Yasmeen Dream, LLC for a Rezoning request from General Agricultural District to Medium Density Residential District for property generally described as being located east of Elk Vale Road, south of Jaffa Garden Way. Having passed its first reading on March 16, 2020 motion was made by Nordstrom, second by Armstrong to approve. Upon roll-call vote being taken, the following voted AYE: Lehmann, Nordstrom, Lewis, Evans, Armstrong, Roberts, Drew, Drury and Stromman. NO: None. Whereupon, the Mayor declared the motion passed and Ordinance 6399 was declared duly passed upon its second reading.

Mayor read in Item (20T1002) Approve Resolution No. 2020-018 - A Resolution to Approve TID No. 68 Project Plan Amendment #1 to Redistribute Project Plan Costs for the SE1/4 NE1/4, 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 Big Sky Subdivision, Located at the Eastern Terminus of Homestead Street. Motion was made by Drew, second by Roberts to approve. Roll-call vote: those voting aye: Nordstrom, Stromman, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; no: none. Motion carried.

Resolutions 2020-015

RESOLUTION APPROVING PROJECT PLAN AMENDMENT #1 FOR HOMESTEAD TAX INCREMENT DISTRICT NUMBER SIXTY-EIGHT AS SUBMITTED BY THE RAPID CITY PLANNING COMMISSION

WHEREAS, the Council of the City of Rapid City has determined that it is in the best interest of the City to implement plans which promote economic development and growth in the City; and

WHEREAS, the Council embraces the concept of Tax Increment Financing as a tool to encourage this desirable growth and redevelopment; and

WHEREAS, the Homestead Tax Increment District Number Sixty-Eight Project Plan was approved on April 21, 2008; and
CITY COUNCIL

WHEREAS this Project Plan Amendment #1 will replace the Project Plan approved by the City Council on April 21, 2008; and

WHEREAS, the Council deems it desirable to promote economic development and create jobs in the corporate limits of the City of Rapid City; and

WHEREAS, the use of Tax Increment Funding to promote this development is in keeping with the statutes adopted by the South Dakota State Legislature; and

WHEREAS, the 2003 base valuation of the District as determined by the South Dakota Department of Revenue was $173,064 and the 2019 year-end equalized valuation of the District was $10,338,719, evidence that the District has stimulated the general economic welfare and prosperity of the state through the promotion and advancement of industries or commercial development as required in South Dakota Codified Law 11-9-9; and

WHEREAS, Project Plan Amendment #1 reallocates project costs to accurately reflect expenditures for the City’s expenditures for the water transmission main located within the Homestead Street right-of-way located between Carl Avenue and Reservoir Road; and

WHEREAS, the Council considered Amendment #1 submitted by the Planning Commission and determined that the Project Plan Amendment #1 for Homestead Tax Increment District Number Sixty-Eight is economically feasible; and

WHEREAS, the Council further determined that the Project Plan Amendment #1 is in conformity with the adopted Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED by the City of Rapid City that Project Plan Amendment #1 for Homestead Tax Increment District Number Sixty-Eight be and hereby is approved as attached and submitted by the Rapid City Planning Commission.

Dated this 8th day of April, 2020

CITY OF RAPID CITY

a/ Steve Allender
Mayor

ATTEST:
a/ Pauline Sumption
Finance Officer

BILLS
The following bills have been audited:

BILL LIST - APRIL 6, 2020

<table>
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<tr>
<th>Description</th>
<th>Amount</th>
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<tr>
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<td>1,940,811.30</td>
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<tr>
<td>SOUTH DAKOTA DEPARTMENT OF REVENUE, FEB 2020 EXCISE TAX PAYABLE,</td>
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Annual Action Plan
2020
PD 03/16/20
SOUTH DAKOTA DEPT OF REVENUE, FEB 20 CCTR SALES TAX PAYABLE, PD 03/16/20
WELLMARK INC., HEALTH CLAIMS THROUGH 03/13/20, PD 03/19/20
WELLMARK INC., HEALTH CLAIMS THROUGH 03/20/20, PD 03/25/20
WAGE WORKS, SECTION 125 CLAIMS THROUGH 03/16/20, PD 03/17/20
WAGE WORKS, SECTION 125 CLAIMS THROUGH 03/23/20, PD 03/24/20
WAGE WORKS, SECTION 125 CLAIMS THROUGH 03/30/20, PD 03/31/20
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 03/19/20, PD 03/19/20
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 03/25/20, PD 03/26/20
SDRS SPECIAL PAY PLN SPECIAL PAY PLN FEE KUNTMABACH, NICHOLSON
PD 03/20/20
US BANK, CREDIT CARD CHARGES, PD 03/31/20
BANK WEST, TD347 TOWER RD, PD 03/18/20
BANK WEST, TD54 RAINBOW RIDGE, PD 03/18/20
BANK WEST, TD56 RUSHMORE CROSSING, PD 03/18/20
BANK WEST, TD65 MINNESOTA ST, PD 03/18/20
BANK WEST, TD70 CATRON BLVD, PD 03/18/20
CITY OF RAPID CITY, TD64 CABELA'S, PD 03/18/20
FIRST INTERSTATE BANK, TD50 FEDERAL BEEF FOUNDERS PARK DEV, PD 03/18/20
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 03/16/20
BLACK HILLS ELECTRIC COOPERATIVE, ELECTRICITY, PD 03/24/20
BLACK HILLS ENERGY, ELECTRICITY, PD 03/24/20
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 03/24/20
COMPUTER BILL LIST
CDEF COMPUTER BILL LIST
SUBTOTAL
11,208,570.01
RSVP, P/ROLL PERIOD END 03/14/20, PD 03/20/20
RSVP, P/ROLL PERIOD END 03/14/20, PD 03/20/20
RSVP, COMPUTER BILL LIST
RSVP, US BANK, CREDIT CARD CHARGES, PD 03/31/20
TOTAL
11,208,570.01

Sumption presented the bill list of $11,208,570.01. Motion was made by Lewis, second by Nordstrom and carried to authorize (No. CC040120-01) the Finance Officer to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Motion was made by Drew, second by Roberts to approve. Roll-call vote: those voting aye: Nordstrom, Stromman, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; none nay. Motion carried.

ADJOURN
There being no further business to come before the Council at this time, motion was made by Nordstrom, second by Lehmann and carried to adjourn the meeting at 7:37 p.m.

Dated this 6th day of April, 2020.

ATTEST:

Finance Officer
(Seal)

CITY OF RAPID CITY
Mayor

Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota

April 15, 2020

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, April 15, 2020 at 12:30 p.m.

A quorum was determined with the following members answering the roll call: Becky Drury (telephonically), 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 Nordstrom second by Lehmann to adopt the agenda. Roll call vote taken with Drew, Lehmann, Nordstrom, Drury and Lewis voting “yes”. Motion carried unanimously.

GENERAL PUBLIC COMMENT
None.

CONSENT ITEMS
Motion was made by Nordstrom, second by Lehmann to approve Items 1-2 as they appear on the Consent Items with the exception of Items No. 4 and 9. Roll call vote taken with Drew, Nordstrom, Lehmann, Drury and Lewis voting “yes”. Motion carried unanimously.

CONSENT ITEMS – Items 1 – 9

Public Comment opened – Items 1 – 9
Public Comment closed

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

*) Approve Minutes for April 1, 2020

MAYOR'S ITEMS
2) LF241520-06 – Confirm the Reappointment of Michelle Thorsen to the Rapid City Regional Airport Board of Directors

FINANCE DEPARTMENT
3) Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Larry Romano (RSVP+), Marie Romano (RSVP+)

4) LF241520-02 – Lehmann moved to Approve Resolution No. 2020-024 a Resolution Authorizing Assessment for Abatement of Nuisances. Second by Nordstrom. Roll call vote taken with Drew, Nordstrom, Lehmann and Lewis voting “yes”. Motion carried. (Drury abstained from this item.)

5) LF241520-03 – Approve Resolution No. 2020-026 a Resolution Declaring Miscellaneous Personal Property Surplus to be Surplused

6) LF241520-04 – Approve Resolution No. 2020-027 a Resolution Declaring Miscellaneous Personal Property Surplus to be Traded

Annual Action Plan 2020
LEGAL AND FINANCE COMMITTEE
April 15, 2020
7) LF041520-06 Acknowledge March 2020 General Fund Cash Balance Report

COMMUNITY DEVELOPMENT
8) LF041520-01 – Approve Community Development Block Grant (CDBG) FY20 Working Against Violence, Inc. (WAVI) to increase funding from $18,346 to $60,374.00 for the Windows Project


END OF CONSENT CALENDAR

NON-CONSENT ITEMS – Item 10

Public Comment opened – Item 19
Public Comment closed

COMMUNITY DEVELOPMENT

ADJOURN
There being no further business to come before the Council at this time, motion was made by Nordstrom second by Lehmann and carried to adjourn the meeting at 12:38 p.m.
Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at City Hall, 300 Sixth Street, in Rapid City, South Dakota on Monday, April 20, 2020, at 8:30 P.M.

The following members were present: Mayor Steve Allender and the following Alderpersons: Ritchie Nordstrom, Greg Strommen, Laura Armstrong, Chad Lewis, Lance Lehmann, John Roberts, Bill Evans and Darla Drew the following Alderpersons arrived during the course of the meeting. None; the following Alderpersons were present by telephone: Becky Drury; and the following were absent: None.

Staff members present included: Finance Officer Pauline Sumption, City Attorney Joel Landoen, Police Chief Karl Jagert, Parks and Recreation Director Jeff Biegler, Public Works Director Dale Tech, IT Director Jim Gilbert, Planner Patty Horton and Administrative Coordinator Heidi Weaver

ADOPTION OF AGENDA
Motion was made by Armstrong, second by Lehmann to adopt the agenda. Roll-call vote: those voting aye: Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans and Drew; none. Motion carried.

GENERAL PUBLIC COMMENT (3-minute time limit per speaker)
Doug Langworthy, Terri Weaver, Nick Uhre, Cody Wynia and Steve Wynia spoke against the continued closure of businesses regarding COVID-19. Tom Johnson, CEO of Elevate Rapid City, said he understood what council was doing. He offered resources for small businesses that need help.

NON-PUBLIC HEARING ITEMS – items 1 – 32
CONSENT ITEMS – Items 1 – 24
The following items were removed from the Consent Items:

17. PW031020-1: Approve Partial Abatement Request for Stormwater Drainage Utility Fee for KTLD CO, LLC, for property located at 1221 Santa Ana Ct., Tax ID 63320, in the amount of $27,472.

Motion was made by Lewis, second by Lehmann to approve items 1-24 with the exception of item 17. Roll-call vote: those voting aye: Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans and Drew; none. Motion carried.

Approve Minutes
1. Approve Minutes for the April 6, 2020 Regular Council meeting.

Tax Increment District Set for Hearing (May 18, 2020)
2. No. 20TI003 - A request by John Gomez for Alta Terra Development for a Resolution to approve TID No. 70 Project Plan Amendment #2 to reallocate project plan costs for property generally described as being located at Catron Boulevard from 5th Street to South U.S. Highway 16, then south along U.S. Highway 16 to Saunders Trail and east to the proposed Hyland Crossing Subdivision.

Alcoholic Beverage License Applications Set for Hearing (May 4, 2020)
3. MG Oil Company DBA Chances Casino 4, 1865 Haines Ave. Suite B-1 for a Retail (on-off sale) Mat Beverage & SD Farm Wine license TRANSFER from MG Oil Company DBA Jackpot Casino West, 2144 Jackson Blvd #3
4. MG Oil Company DBA Choochino Casino 5, 1565 Halhees Ave, Suite B-2 for a Retail (on-off sale) Malt Beverage & SD Tann Wine license TRANSFER from MG Oil Company DBA Jackpot West II, 2144 Jackson Blvd #4

**Public Works Committee Consent Items**

5. PW041420-01: Authorize Mayor and Finance Officer to sign a contract amendment with Chamberlin Architects for Project No. 2527 / CIP No. 51240 Ster of the West Restrooms.

6. PW041420-02: Approve Change Order #1 for Project No. 2568 / CIP No. 51247 East Main Street North Emergency Bridge Repair with True-Form Construction for an increase of $1,543.80.

7. PW041420-03: Approve Change Order #1F for Project No. 2483 / CIP No. 51184 Park Drive Storm Sewer Repair with BTD Enterprises, LLC for a decrease of $5,659.90.

8. PW041420-04: Approve Change Order #2 for Project No. 2491 / CIP No. 51225 City Hall Renovation with MAC Construction Co., Inc. for an increase of $27,278.29.

9. PW041420-05: Authorize Mayor and Finance Officer to sign a permanent 10' Electrical Underground Basements for Black Hills Power.

10. PW041420-06: Authorize Mayor and Finance Officer to sign Amendment No. 1 to Professional Services Agreement between the City of Rapid City and Forber Engineering Company, Inc. for 12th Street Reconstruction – West Main Street to Fulton Street, Project No. 19-2469 / CIP No. 60927, in the amount of $20,170.00.

11. PW041420-07: Authorize Mayor and Finance Officer to sign Amendment No. 2 to the Agreement between the City of Rapid City and Black & Veatch Corporation for Master Planning Professional Services for the Wastewater Utility System Master Plan Update / Model Recalibration, Project No. 14-2192 / CIP 50149 for a reduction in fees in the amount of $15,115.00, and an extension of the contract through June 30, 2021.

12. PW041420-08: Approve Request from N. ACES for a Variance to Waive the Requirement to Install Sidewalk along the east side of N. Elk Vale Rd at 2341 N. Elk Vale Rd, fee waived per City of Rapid City Ordinance 12-08-000.

13. PW041420-10: Authorize staff to submit, and accept, if awarded, Transit Grant Application to FTA for CARES ACT funds for operating assistance in the amount of $3,838,543.

14. PW041420-11: Approve Change Order No. 1 to SplashTacular, LLC for FR20-8175 Waterslide Resurfacing to extend original project schedule, if necessary. This is a No Cost Change Order.

15. PW041420-12: Request Authorization to Seek Proposals for qualified firms to provide a Neutral Host Distributed Antenna System (DAS) for the Civic Center Area. Project No. 2452.

16. PW041420-13: Authorize staff to Advertise for Bids for Civic Center Expansion Project Furniture and Accessories, Project No. 2452, estimated cost of $500,000.

**Legal & Finance Committee Consent Items**

18. LF041520-03 – Confirm the Reappointment of Michelle Thomson to the Rapid City Regional Airport Board of Directors.

19. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Larry Romano (RSVP+), Marie Romano (RSVP+)

20. LF041520-02 – Approve Resolution No. 2020-024: a Resolution Levying Assessment for Abatement of Nuisances

**RESOLUTION NO. 2020-024**

RESOLUTION LEVYING ASSESSMENTS FOR
ABATEMENT OF NUISANCES

BE IT RESOLVED by the City Council of the City of Rapid City, South Dakota, as follows:

1. The City Council has made all investigations which it deemed necessary and has found and determined that the condition of your property had constituted a nuisance. The City abated this nuisance.


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OMB Control No: 2506-0117 (exp. 06/30/2018)
The cost of the abatement, including administrative costs, is the amount stated in the proposed Assessment Roll for Abatement of Nuisances.

2. The Assessment Roll for Abatement of Nuisances is hereby approved and assessments thereby specified are levied against each and every lot, place, or parcel of land thereby described.

3. Such assessments, unless paid within thirty (30) days after the filing of the assessment roll in the Office of the Finance Officer, shall be certified as delinquent to the Pennington County Auditor and payable through the Pennington County Treasurer's Office with the statutory interest rate.

Dated this 20th day of April, 2020.

CITY OF RAPID CITY
/s/ Steve Allender
Mayor

ATTEST:
/s/ Pauline Sumption
Finance Officer

21. LF041520-03 – Approve Resolution No. 2020-025 a Resolution Declaring Miscellaneous Personal Property Surplus to be Surplused.

Resolution #2020-025

RESOLUTION DECLARING MISCELLANEOUS PERSONAL PROPERTY SURPLUS

WHEREAS the below-described property is no longer necessary, useful or suitable for municipal purposes,

NOW, THEREFORE, BE IT RESOLVED that the following property be declared surplus and disposed of according to state statutes:

From: Police (201)
For Deletion (Total Loss-insurance):
2018 FORD EXPLORER #A173
VIN# 1FM5K5GR4GC01854

BE IT FURTHER RESOLVED that the Mayor and Finance Officer may do all acts necessary to dispose of this property according to state law.

Dated this 20th day of April, 2020.

CITY OF RAPID CITY
/s/ Steve Allender
Mayor

ATTEST:
/s/ Pauline Sumption
Finance Officer

22. LF041520-04 – Approve Resolution No. 2020-027 a Resolution Declaring Miscellaneous Personal Property Surplus to be Traded

Resolution #2020-027

RESOLUTION DECLARING MISCELLANEOUS PERSONAL PROPERTY SURPLUS
WHEREAS the below-described property is no longer necessary, useful or suitable for municipal purposes.

NOW, THEREFORE, BE IT RESOLVED that the following property be declared surplus and disposed of according to state statutes:

From: Streets (401)
   For Deletion (Trade):
   2009 ISUZU JOHNSTON SWEEPER
   VIN# 4GSMF1BX9F700230

BE IT FURTHER RESOLVED that the Mayor and Finance Officer may do all acts necessary to dispose of this property according to state law.

Dated this 20th day of April, 2020.

CITY OF RAPID CITY

/\Steve Allender
Mayor

ATTEST:
/\ Pauline Sumption
Finance Officer

23. LF041520-06 – Acknowledge March 2020 General Fund Cash Balance Report

Community Development Consent Items
24. LF041520-01 – Approve Community Development Block Grant (CDBG) FY20 Working Against Violence, Inc. (WAVI) to increase Funding from $18,346 to $80,874.00 for the Windows Project

END OF CONSENT ITEMS

Mayor read in item (PW031020-11) Approve Partial Abatement Request for Stormwater Drainage Utility Fee for KTLD CO, LLC, for property located at 1221 Santana Ct, Tax ID 63320, in the amount of $27.47. Roberts said the applicant contacted him and said he was sick and asked that the item be continued to the May 4, 2020 city council meeting. Motion was made by Roberts, second by Armstrong to continue to the May 4, 2020 city council meeting. Roll-call vote: those voting aye: Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans and Drew; no: none. Motion carried.

NON-CONSENT ITEMS -- Items 25 – 32

Ordinances
Mayor read in item (No. 20R2018) First Reading, Ordinance 6408, an Ordinance Amending Section 17.05 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from No Use District to Heavy Industrial District for property generally described as being located at 5400 Old Polson Road. Motion to approve was made by Roberts, second by Drew and that Ordinance 6408 be placed upon its first reading and the title was fully and distinctly read and second reading set for May 4, 2020. Roll-call vote: those voting aye: Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; none. Motion carried.

Mayor read in item (No. 20R2019) First Reading, Ordinance 6409, an Ordinance Amending Section 17.05 of Chapter 17 of the Rapid City Municipal Code, a request by Fehr Engineering Co., Inc for Black Hills Corporation for a Rezoning request from General Agricultural District to Light Industrial District for property generally described as being located at 2550 Tatanka Road. Motion to approve was made by
Drew, second by Strommen and that Ordinance 6409 be placed upon its first reading and the title was fully and distinctly read and second reading set for May 4, 2020. Roll-call vote: those voting aye: Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; no: none. Motion carried.

Mayor read in item (No. 20R2020) First Reading, Ordinance 6410, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc. for a Rezoning request from General Agricultural District to Low Density Residential District II for property generally described as being located north of the current terminus Diamond Ridge Boulevard. Motion to approve was made by Roberts, second by Strommen and that Ordinance 6410 be placed upon its first reading and the title was fully and distinctly read and second reading set for May 4, 2020. Roll-call vote: those voting aye: Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; no: none. Motion carried.

Mayor read item (No. 20R2021) First Reading, Ordinance 6411, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc. for a Rezoning request from General Agricultural District to Medium Density Residential District for property generally described as being located at the eastern terminus of Garden Lane. Motion to approve was made by Lehmann, second by Roberts and that Ordinance 6411 be placed upon its first reading and the title was fully and distinctly read and second reading set for May 4, 2020. Roll-call vote: those voting aye: Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; no: none. Motion carried.

Public Works Committee items
Mayor read in item (PW041420-34) Authorize Mayor and Finance Officer to sign purchase agreement in the amount of $51,300.00 between the City of Rapid City and Abel A. Harman, and Authorize the Public Works Director to Accept the Warranty Deed for Lot 3 in Block 5 of Lamport’s Addition to the City of Rapid City, Pennington County, SD, excepting therefrom any highway rights-of-way. In response to a question from Drew, Tech said the purchase was to develop land near wilderness walking trail by Skyline Drive. Motion was made by Roberts, second by Strommen to approve. Roll-call vote: those voting aye: Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans and Drew; no: none. Motion carried.

Mayor read in item (PW041420-08) Authorize Staff to Advertise for Bikis Project No. 2508 / CIP No. 51261 Fitzgerald Stadium Renovation, estimate cost of $4,100,000.00, in response to a question from Nordstrom, Sumpson stated the project is being funded by CIP and Vision Funds with BH Sports financing a portion of it. She said there could be a possible delay because of projected revenue shortfalls in 2020 and 2021, however, they would still have enough in reserves to do the project. Motion was made by Drury, second by Nordstrom to approve. Drury believes the council should stick by their word and complete the project on-time. Drew and Evans don’t feel it’s responsible of the city to complete the project right now. In response to a question from Armstrong, Rod Johnson said they started working on this project a year ago with the design phase. They are looking to do a June bid opening to be able to award or reject. He said council can decide at that time if they want to accept a bid or reject them all. Strommen and Roberts both said the project would help employee workers and boost the economy when the project is done. In response to a question from Drury, Landeen said the current ordinance will not let council transfer money from the vision fund to the general fund. Council would have to amend that ordinance if that is an option they want to look at. Drew said she is not opposed to the project just thinks it’s the wrong time. Lewis said the money can’t be transferred to the general fund so they should keep the project moving and keep the Vision Fund commitment. Roll-call vote: those voting aye: Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, and Drury; no: Evans and Drew. Motion carried 7 to 2.
Community Development Items
Mayor read in item (20TP018) Approve the 2020 Unified Planning Work Program Amendment #20-02 and Associated Agreement. Paty Horton, planner, explained the contracts are being carried over from 2019 to 2020. Motion was made by Roberts, second by Stromman to approve. Roll-call vote: those voting aye: Nordstrom, Roberts, Stromman, Armstrong, Lewis, Lehmann, Drury, Evans and Drew; no: none. Motion carried.

Council Items & Liaison Reports
Mayor read in item (CC042020-03) Resolution 2020-032 Review and Discuss whether to allow the mandatory closures contained in Ordinance 6413 to expire on April 22nd, or whether the closures should be extended for an additional period of time. Roberts would like to see the businesses start opening with guidelines. Drew suggested a task force to come up with ideas on what would be a compromise for the businesses. Motion was made by Lewis, second by Armstrong to keep Ordinance 6413 in effect until Wednesday, May 6, 2020 and discuss this again at the May 4, 2020 city council meeting. Lewis, Armstrong, and Drury all agree that there have not been enough people tested to get an accurate result. Armstrong stated that everyone wants to get back to normal but the council also wants to be cautious. Substitute motion was made by Roberts, second by Lehmann to hold a special council meeting on April 27, 2020 to discuss reopening. Evans indicated that he still feels this is very serious and he doesn’t want to rush reopening any business. Substitute motion by Lewis, second by Stromman to hold special council meeting on Monday, April 27, 2020 and extend Ordinance 6413 to Wednesday, April 29, 2020. Roll-call vote: those voting aye: Strommen, Armstrong, Lewis, Lehmann, Evans and Drew; no: Roberts, Nordstrom, and Drury. Motion carried 6 to 3. **Special note: this resolution was originally published separately on Wednesday, April 22, 2020 and became effective on that date.**

RESOLUTION NO. 2020-032
AN EMERGENCY RESOLUTION IN RESPONSE TO THE CURRENT PUBLIC HEALTH CRISIS EXTENDING THE MANDATORY CLOSURE ORDER CONTAINED IN CITY ORDINANCE:

WHEREAS, The City of Rapid City has adopted an emergency ordinance which orders that certain businesses where people gather for discretionary socializing or entertainment either close, or modify their operations, in order to prevent groups of people from congregating; and

WHEREAS, the order contained in the ordinance is set to automatically expire on April 22nd, 2020; and

WHEREAS, the ordinance authorizes the City Council to extend this order via a resolution; and

WHEREAS, the current public health crisis caused by the COVID-19 pandemic is ongoing and the recommendations from the CDC and state to engage in social distancing are still in effect; and

WHEREAS, the City Council finds that in order to protect the community’s health, safety, and general welfare it is in the best interests of Rapid City to continue the restrictions contained in the ordinance for an additional period of time.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the mandatory orders and restrictions contained in Ordinance 6413 if approved, which were set to expire on April 22nd are hereby extended until the 29 day of April, 2020.

Dated this 20th day of April, 2020.

CITY OF RAPID CITY
/s/ Steve Attebery
Mayor
ATTEST:
s/ Pauline Sumption
Finance Officer

PUBLIC HEARING ITEMS — items 33 – 38
CONSENT PUBLIC HEARING ITEMS — item 33

Alcohol Licenses
Mayor read in the item. Approve Fresch, Inc. DBA Joe’s Place Bar & Grill, 4302 Pendleton Drive, for a Retail (on-off sale) Malt Beverage License. Motion was made by Roberts, second by Nordstrom to approve. Roll-call vote: those voting aye: Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans and Drew; no: none. Motion carried.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS — items 34 – 38
Mayor read in Item (No. 20RZ013) Second Reading, Ordinance 6403, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Black Hills Habitat for Humanity for a Rezoning request from Office Commercial District to Medium Density Residential District for property generally described as being located at 611 Harman Street. Having passed its first reading on April 6, 2020 motion was made by Drew, second by Lewis to approve in conjunction with the associated Major Amendment to the Planned Development application (File# 20PD005). Upon roll-call vote being taken, the following voted AYE: Lehmann, Nordstrom, Lewis, Evans, Armstrong, Roberts, Drew, Drury and Strommen: NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6403 was declared duly passed upon its second reading.

Mayor read in Item (No. 20RZ014) Second Reading, Ordinance 6404, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Longbranch Civil Engineering, Inc for BFD Development, LLC for a Rezoning request from Neighborhood Commercial District to Low Density Residential District for property generally described as being located at the northern terminus of Haakon Street. Roberts asked to abstain. Having passed its first reading on April 6, 2020 motion was made by Lehmann, second by Lewis to approve. Upon roll-call vote being taken, the following voted AYE: Lehmann, Nordstrom, Lewis, Evans, Armstrong, Drew, Drury and Strommen: Abstain: Roberts: NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6404 was declared duly passed upon its second reading. Motion carried 6-0 with Roberts abstaining.

Mayor read in Item (No. 20RZ015) Second Reading, Ordinance 6405, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Longbranch Civil Engineering, Inc for BFD Development, LLC for a Rezoning request from Neighborhood Commercial District to Low Density Residential District for property generally described as being located at the northern terminus of Haakon Street. Roberts asked to abstain. Having passed its first reading on April 8, 2020 motion was made by Drew, second by Nordstrom to approve. Upon roll-call vote being taken, the following voted AYE: Lehmann, Nordstrom, Lewis, Evans, Armstrong, Drew, Drury and Strommen: Abstain: Roberts: NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6405 was declared duly passed upon its second reading. Motion carried 8-0 with Roberts abstaining.

Mayor read in Item (No. 20RZ016) Second Reading, Ordinance 6406, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Longbranch Civil Engineering, Inc for BFD Development, LLC for a Rezoning request from Medium Density Residential District to Low Density Residential District for property generally described as being located at the northern terminus of Haakon Street. Roberts asked to abstain. Having passed its first reading on April 8, 2020 motion was made by Lehmann, second by Lewis to approve. Upon roll-call vote being taken, the following voted AYE: Lehmann, Nordstrom, Lewis, Evans, Armstrong, Drew, Drury and Strommen: Abstain: Roberts: NO:
None; Whereupon, the Mayor declared the motion passed and Ordinance 6406 was declared duly passed upon its second reading. Motion carried 8-0 with Roberts abstaining.

Mayor read in item (No. 2004001) Second Reading, Ordinance 6384, an Ordinance to Add a Pre-Submittal Meeting to the Requirements for Development Engineering Plans by Amending Section 18.06.070 of the Rapid City Municipal Code. Having passed its first reading on March 16, 2020 motion was made by Drew, second by Strommen to approve. Upon roll-call vote being taken, the following voted AYE: Lehrmann, Nordstrom, Lewis, Evans, Armstrong, Roberts, Drew, Drury and Strommen. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6384 was declared duly passed upon its second reading.

**BILLS**

The following bills have been audited:

**BILL LIST - APRIL 20, 2020**

<table>
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<tr>
<th>BILL</th>
<th>AMOUNT</th>
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<tr>
<td>P/Roll Period End 03/28/20, PD 04/03/20</td>
<td>1,784,244.43</td>
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<td>South Dakota Retirement System, Mar 20 Retirement, PD 04/06/20</td>
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<td>West River Electric Association, F/E Electricity, PD 04/13/20</td>
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<td>Black Hills Energy, Electricity, PD 04/13/20</td>
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<td>Computer Bill List</td>
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Sumption presented the bill list of $6,327,191.75. Motion was made by Nordstrom, second by Strommen and carried to authorize (No. CC042020-01) the Finance Officer to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Roll-call vote: those voting AYE: Nordstrom, Strommen, Armstrong, Lewis, Lehrmann, Drury, Evans, Roberts and Drew; NO: None. Motion carried.

Evans asked when the council would have video conferencing capabilities. He said many other businesses are using this technology. Gilbert said they are working on it. However, they lack the staff needed to hold the meetings. They are discussing their options.

**ADJOURN**

There being no further business to come before the Council at this time, motion was made by Lewis, second by Armstrong and carried to adjourn the meeting at 8:08 p.m.
Dated this 20th day of April, 2020.

ATTEST:  

[Signature]
Finance Officer
(SEAL)

CITY OF RAPID CITY

[Signature]
Mayor

CITY COUNCIL

APRIL 20, 2020

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Annual Action Plan
2020 231
LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota

April 29, 2020

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, April 29, 2020, at 12:30 p.m.

A quorum was determined with the following members answering the roll call: Becky Drury, Lance Lehmann, and Ritchie Nordstrom. Absent: Darla Drew, 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 Nordstrom second by Lehmann to adopt the agenda. Motion carried.

GENERAL PUBLIC COMMENT
None.

CONSENT ITEMS
Motion was made by Lehmann, second by Nordstrom to approve items 1-13 as they appear on the Consent Items. Motion carried.

CONSENT ITEMS -- Items 1–13
Public Comment opened -- Items 1–13
Public Comment closed
Remove Items from the “Consent Items” and Vote on Remaining Consent Items

1) Approve Minutes for April 15, 2020

MAYOR’S ITEMS
2) LF042920-07 – Confirm the Appointments of Evan Thomas, Kathleen Burr, Patrick Jones, Carman Timmerman, Alan Dietrich, Chris Orr, Jared McEnteefer, Linda Lee Viken, Michael Hickey, Rick Kahler, Jason Green, Michael Nelson, Dave Kelley, Don Franklin, Ed McLaughlin, Patrick Wyas, Rex Hagg, Tamara Pier, and Lynn Kendall to the Home Rule Charter Committee

FIRE DEPARTMENT
3) LF042920-02 – Authorize Staff to Apply for and Accept if Awarded a Pullout Strong Grant

4) LF042920-03 – Authorize Staff to Apply for and Accept if Awarded a Public Assistance Grant

FINANCE DEPARTMENT
5) Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Sheryl Jasper (RSVP+), George Vansco (RSVP+), Julie Vansco (RSVP+), Gloria Baken (RSVP+), Pamela Baum (RSVP+), Patty creek (RSVP+), Marlene Isturg (RSVP+), Glenda Nived (RSVP+), Bob Oliver (RSVP+), Laura Oliver (RSVP+), Myrna Ragels (RSVP+), Jean Sagemoe (RSVP+), Hugo Schles (RSVP+), Sherry Stodolski (RSVP+), Kimberly Tollefson (RSVP+)

6) LF042920-01 – Authorize Mayor, and Finance Officer to Sign Life Safety Loan Agreement Between Epic Journey Enterprises, LLC and the City of Rapid City

Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
LEGAL AND FINANCE COMMITTEE
April 29, 2020
8) LF042920-08 – Acknowledge February 2020 Sales Tax Report
9) LF042920-09 – Approve Resolution No. 2020-031 a Resolution Declaring Miscellaneous Personal Property Surplus to be Sold at City Auction
10) LF042920-10 – Approve Resolution No. 2020-033

COMMUNITY DEVELOPMENT
11) LF042920-05 – Authorize Mayor and Finance Officer to Sign the FY2020 Community Development Block Grant Contract for Pennington County Health & Human Services
12) 7OTIP012 – Authorize Mayor and Finance Officer to Sign Amendment #1 for the Transportation Alternatives Program Grant Agreement #715373

CITY ATTORNEY’S OFFICE
13) LF042920-06 – Authorize Mayor and Finance Officer to Sign Addendum to Agreement with Risk Administration Services, Inc. to Cover Take-Over Claim Funds

END OF CONSENT CALENDAR

NON-CONSENT ITEMS – Item 14

Public Comment opened – Item 14
Public Comment closed

COMMUNITY DEVELOPMENT
14) 190A008 – Community Development Planner III Fletcher Lacock, clarified the changes to this ordinance by first mentioning the current language of the ordinance which states that any permitted or conditional use in the Medium Density Residential District is also allowed as a permitted or conditional use in the Office Commercial District. He expressed that the intent of the Office Commercial District is to provide areas within the City for institutional and commercial activities. Lacock said the ordinance amendment is to revise the permitted and conditional uses in this district, specifically removing single-family, two-unit townhomes and duplexes, in the permitted uses, multi-family dwellings with one “primary structure” remain a permitted use because higher density residential is more of a commercial use than the typical single-family home. He then explained that in “conditional uses”, a lot of the uses identified in Medium Density Residential District were added in addition to multi-family dwellings in “multiple structures”, which under the current system requires a plan development requiring public review and approval. This amendment makes sure the ordinance states “multiple structures” require that conditional use permit. Lacock also pointed out that associated with this ordinance amendment are a lot of rezoning requests being processed by the City because there are a lot of single family homes, townhomes (two-unit structures on individual lots) and duplexes (two units on one lot) that were developed in the Office Commercial District. He noted that the properties are being rezoned with no fee to the property owners to keep them in compliance with the current zoning ordinance. Nordstrom asked Lacock to explain the conditional use permit process. Lacock said in the future, a multi-family dwelling (three or more units within one structure) or for example, a 50 unit apartment building in one structure, will just be a building permit in the Office Commercial District; however, if it is 50 units and three structures, that would trigger the conditional use permit process which goes before Planning Commission for review and approval and can be appealed to City Council. This covers Office Commercial Districts throughout the City. The basis of this amendment is simply removing single-family homes, townhomes and duplexes from Office Commercial Districts but continue to allow multi-family
LEGAL AND FINANCE COMMITTEE
April 29, 2020

dwellings as a permitted use. Nordstrom moved to approve the Introduction and First Reading of Ordinance No. 6254 an Ordinance Amendment Amending Chapter 17.40 to Revise Permitted and Conditional Uses in the Office Commercial District. Second by Lehmann. Motion carried.

*Drury reminded everyone electronic public comments for the City Council Meeting this coming Monday, May 4, 2020, must be in by noon of that day or they will not be attached for the meeting.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Nordstrom second by Lehmann and carried to adjourn the meeting at 12:38 p.m.
Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at City Hall, 300 Sixth Street, in Rapid City, South Dakota on Monday, May 4, 2020, at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Alderpersons: Becky Drury, Ritchie Nordstrom, Greg Strommen, Laura Armstrong, Chad Lewis, Lance Lahnmann, John Roberts, Bill Evans and Darla Drew. The following Alderpersons arrived during the course of the meeting: None; and the following were absent: None.

Staff members present included: Finance Officer Pauline Sumption, City Attorney Joel Landeen, Police Chief Karl Jaggers, Parks and Recreation Director Jeff Biegler, Public Works Director Dale Tech, IT Director Jim Gilbert, Community Development Director Ken Young and Administrative Coordinator Heidi Wever.

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

AWARDS AND RECOGNITIONS
Mayor read the National Travel and Tourism Week Proclamation.

NON-PUBLIC HEARING ITEMS – Items 2 – 51
CONSENT ITEMS – Items 2 – 34
The following items were removed from the Consent Items:

13. LF042920-07 – Confirm the Appointments of Evan Thomas, Kathleen Burr, Patrick Jones, Carmen Timmerman, Aiah Dietrich, Chris Orr, Jared McInteer, Linda Lea Viken, Michael Hickey, Rick Kahler, Jason Green, Michael Nelson, Dave Kelley, Don Frankenhof, Ed McLoughlin, Patrick Wyss, Rex Hagg, Tanara Piat, and Lynn Kandel to the Home Rule Charter Committee  

21. LF042920-10 – Approve Resolution No. 2020-033, A RESOLUTION AUTHORIZING THE ISSUANCE OF SALES TAX REVENUE REFUNDING BONDS OF THE CITY; PLEDGING A PORTION OF THE SALES TAX RECEIPTS OF THE CITY TO THE PAYMENT OF SAID BONDS; AUTHORIZING OFFICERS OF THE CITY TO APPROVE, EXECUTE AND DELIVER CERTAIN AGREEMENTS AND DOCUMENTS RELATING TO THE BONDS

30. LF042920-05 – Authorize Mayor and Finance Officer to Sign the FY2020 Community Development Block Grant Contract for Pennington County Health & Human Services

Motion was made by Lewis, second by Armstrong and carried to approve items 2-34 with the exceptions of Items 13, 21 and 30.

Approve Minutes
2. Approve Minutes for the April 20, 2020 Regular Council meeting.
3. Approve Minutes for the April 27, 2020 Special Council meeting.

Resolution to Approve TID No. 70 Project Plan Amendment #2 Set for Hearing (May 18, 2020)
4. No. 2071003 - A request by John Gomez for Alta Terra Development for a Resolution to approve TID No. 70 Project Plan Amendment #2 to reallocate project plan costs for property generally described as being located at Catterson Boulevard from 5th Street to South U.S. Highway 16, then...
south along U.S. Highway 16 to Semmels Trail and east to the proposed Hyland Crossing Subdivision.

**Alcoholic Beverage License Applications Set for Hearing (May 18, 2020):**
5. Spiker Management LLC DBA La Vida Mexican Restaurant, 1001 E North Street for a Retail (on-off sale) Mail, Beverage & SD Farm Wine license TRANSFER from Fiesta Tequila Mexican Restaurant LLC, DBA Fiesta Tequila Mexican Restaurant, 1001 E North Street

**Public Works Committee Consent Items:**
6. PW042620-01: Authorize Mayor and Finance Officer to Sign Settlement Agreement Between the City of Rapid City and BF Rushmore, LLC
7. PW042620-02: Approve Change Order 2F to Lind-Exco, Inc. for Gray Fox Ct and Fox Run Or Storm Sewer Outfall Stabilization Project, Project #1-244/CIP NO. 518167 for a decrease of $80,496.35.
8. PW042620-03: Approve Request From Property Owners John And Jody Van Beck For A Variance To Waive The Requirement To Install Sidewalk Along Happy Hollow Street And Horse Creek Road, Rapid City, Per City Ordinance 12.08.080.
9. PW042620-04: Authorize Mayor and Finance Officer to sign State of SDDOT Section 5307 Urban Public Transportation Matching Funds Agreement, for $30,793.87.
10. PW042620-05: Authorize Mayor and Finance Officer to sign Amendment #2 to TripSpark System Supply and Support Agreement in order to migrate Licensee’s use of TripSpark PASS Mon Software to TripSpark NOVUS Mon Software
11. PW042620-06: Authorize Mayor and Finance Officer to sign Amendment #3 to TripSpark Software License and Maintenance Agreement to migrate license from TripSpark PASS software to TripSpark NOVUS DR software and to increase TripSpark DriveMileage software to an additional two (2) paratransit vehicles.
12. PW042620-07: Authorize Staff To Purchase Additional And Replacement Office Furniture From Evergreen Office Solutions, Pricing From State Contract #16773 3 IFB 222 In The Amount Of $46,790.00

**Legal & Finance Committee Consent Items:**
14. LF042920-02 - Authorize Staff to Apply for and Accept if Awarded a Build Strong Grant
15. LF042920-03 - Authorize Staff to Apply for and Accept if Awarded a Public Assistance Grant
16. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Sheryl Jasper (RSVP+), George Vansco (RSVP+), Julie Vansco (RSVP+), Gila Saaten (RSVP+), Pamela Bum (RSVP+), Janie Isburg (RSVP+), Glenda Ofsted (RSVP+), Bob Oliver (RSVP+), Laura Oliver (RSVP+), Myrna Regals (RSVP+), Joan Szymko (RSVP+), Hugo Schae (RSVP+), Sherry Stodolsi (RSVP+), Kimberly Tolison (RSVP+)
17. LF042920-01 – Authorize Mayor and Finance Officer to Sign Safety Life Loan Agreement Between EpiK Journey Enterprises, LLC and the City of Rapid City
19. LF042920-08 – Acknowledge February 2020 Sales Tax Report
20. LF012920-09 – Approve Resolution No. 2020-031 a Resolution Declaring Miscellaneous Personal Property Surplus to be Sold at City Auction

**Resolution #2020-031**

RESOLUTION DECLARING MISCELLANEOUS PERSONAL PROPERTY SURPLUS

WHEREAS the below-described property is no longer necessary, useful or suitable for municipal purposes

NOW, THEREFORE, BE IT RESOLVED that the following property be declared surplus and disposed of according to state statutes, including release to insurance company due to total loss:

Annual Action Plan 2020

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OMB Control No: 2506-0117 (exp. 06/30/2018)
2020 ANNUAL CITY AUCTION (ONLINE)

AIRPORT
1. ELECTRIC BADGE PUNCH MACHINE, WORKING
2. NAPA AIR FILTER 2103, GM 1.6L, 2.8L OR 4.1L
3. NAPA AIR FILTER 8845, FORD 6.6L OR 7.8L
4. NAPA OIL FILTER 1830, GM 2.5L
5. SHOP VAC, VERY POOR
6. BUD WHEEL MOUNTED WITH 9R-22.5 GOODYEAR, GOOD TREAD
7. TRUCK RIM PARTS 11R22.5 (TIRES NOT INCLUDED) GOOD, 10-HOLE CONICAL
8. NAPA WIRE FEED WELDER MODEL 53-328, COMPLETE/NON-WORKING
9. 5 GALLON BUCKET DIAMOND VOGEL ACRYLIC TRAFFIC PAINT BLACK
10. OFFICE CHAIR-BLACK, GOOD
11. 3'X3'X2' OFFICE TABLE, GOOD
12. 40" SAMSUNG TELEVISION, WILL NOT POWER ON
13. OBSOLETE AIRFIELD LIGHTING COMPUTER SYSTEM
14. DELL DESKTOP COMPUTER
15. GATEWAY DESKTOP COMPUTER
16. GATEWAY LAPTOP
17. COMPUTER SPEAKERS
18. CIRCUIT CARDS FROM OLD COMPUTERS
19. HARD SIDED METAL SUITCASE
20. COMPUTERS MODEL: DL1-9200FXF0000, USED
21. COMPUTERS MODEL: DL1-9200FXF0000, NEW

AIR QUALITY (108)
1. HP COMPAQ ELITE 8300 COMPUTER (S1772) SERIAL #MXL4020Q6Z
2. HP MOUSE
3. HP KEYBOARD
4. HP SPEAKERS
5. Z710 KODAK EASYSHARE CAMERA

ATTORNEY'S OFFICE (108)
1. HP KEYBOARD
2. HP MOUSE (CORDED)
3. HP SPEAKERS (BLACK)
4. MICROSOFT KEYBOARD
5. 20" DELL MONITORS
6. HARMAN/KARDON SPEAKER (WHITE)
7. HP DESKTOP - SERIAL NO. MXL2281PCQW (SYSTEM NO. S1600)
8. 5 DRAWER GRAY METAL FILE CABINET
9. 4 DRAWER GRAY METAL FILE CABINET
10. HP MOUSE (CORDED)
11. HP SPEAKERS (BLACK) CT: DATH00AUG3L12F
12. MICROSOFT KEYBOARD SERIAL NO. 7687601955220
13. 2 HP KEYBOARDS
   - SERIAL NO. BDAFGP0NB3RRAU
   - SERIAL NO. BDAFGP0NB3RJ0W
14. HP ELITEBOOK 850 G3 - SERIAL NO. 5CG8425YJK (52269)
15. WST1025 210 CHANNEL VHF/AIR/UHF/DESKTOP SCANNER

CIVIC CENTER (513)
1. METAL PATIO TABLES
2. METAL STACKABLE PATIO CHAIRS

3
18. FOLDING METAL PATIO CHAIRS
1. 10 INCH TABLE SAW (WORKS)
1. 12 INCH ROCKWELL RADIAL ARM SAW (WORKS)
1. MILLER STICK WELDER 220 VOLT WITH I RODS (WORKS)
20. HALOGEN LIGHTS
1. HYPERTHERM PLASMA CUTTER (DOES NOT CURRENTLY WORK)
29. BOBRICK 3 FOLD PAPER TOWEL DISPENSERS
1. EPSON DFX 5000+ PRINTER (WORKS)
4. TWO BULB FLUORESCENT FIXTURES
47. SPOTLIGHT TRACK LIGHTS (OLD)
40. USED PHONES
1. SMALL HP PRINTER INKJET
ASSORTED ROLLS OF CAT 5E CABLE
ASSORTED ROLLS OF TELEPHONE WIRE
2. EMERGENCY Backup BATTERY PACKS FOR TELEPHONE
1. BROADBAND AMPLIFIER
1. CANNON IMAGECLASS MF8450C PRINTER (WORKING CONDITION)
1. TWO SHELF COMPUTER CART
1. TAYLOR SOFTIE ICE CREAM MACHINE # 17274
1. TAYLOR SOFTICE CREAM MACHINE
1. CORNER DESK
1. METAL 5 SHELF
1. HOME-MADE STORAGE CART
1. 3 SHELF PLASTIC STORAGE SHELF
1. WALL MOUNTED TROPHY CASE
1984 CHEVY UTILITY TRUCK (FIVE SPEED, FOUR WHEEL DRIVE)
ASSORTED SERVING WARE
36. CASH DRAWERS
85. REGISTERS
27. PRINTERS
6. HANDHELDs
ASSORTED CABLES
1. SMALL ELECTRIC GRILL

CITY HALL
2. RECEPTION DESK
2. L SHAPED DESK
3. TABLE DESK
2. RECTANGLE DESK
1. TV CABINET

Cemetery (864)
1. OSTERCLAMPS 410 R STAINLESS STEEL 1 5/8" (UNOPENED), BAG OF 100
13. TORO 2001 SPRINKLER HEADS (USED)
1. TORO 17 SPRINKLER HEADS (USED)
3. RAIN BIRD MAXI PAW SPRINKLER HEADS (USED)
12. HUNTER I-25 SPRINKLER HEADS (USED)
3. HUNTER I-40 SPRINKLER HEADS (USED)
1. DEWALT DC39 CIRCULAR SAW WITH WOOD BLADE (USED) (NO BATTERY)
1. DEWALT DC385 RECIPROCATING SAW (FOR PARTS)
79. LOGIC PI US RECEIVERS (USED)
3. LOGIC PLUS RECEIVERS (NEW)
1. HIT LOGIC PLUS 42 CONTROLLER (USED) (KEY)
1. HIT LOGIC PLUS 128 CONTROLLER (WITH REMOTE) (K-V)
2. 2" RAIN BIRD IRRIGATION VALVES (GREEN) (USED)
3. 2" TORO P220 IRRIGATION VALVES (USED)
4. 1 ½" TORO P220 IRRIGATION VALVES (USED)
5. 2" HUNTER IRRIGATION VALVES (USED)
6. BOX OF Misc. TORO IRRIGATION PARTS

COMMUNITY DEVELOPMENT SERVICES (204)
1. DELL OPTIFLEX 7010 COMPUTER ($1940) SERIAL #7SB4S22
2. DELL OPTIFLEX 7010 COMPUTER ($1935) SERIAL #7SB7S22
3. DELL OPTIFLEX 7010 COMPUTER ($1936) SERIAL #7SB0W22
4. DELL OPTIFLEX 7010 COMPUTER ($1937) SERIAL #7SBYR22
5. DELL OPTIFLEX 7010 COMPUTER ($1942) SERIAL #7SB6S22
6. DELL OPTIFLEX 7010 COMPUTER ($1939) SERIAL #7SB5S22
7. DELL OPTIFLEX 7010 COMPUTER ($1939) SERIAL #7SBQR22
8. DELL KEYBOARDS
9. DELL MOUSE
10. HP KEYBOARD
11. HP SPEAKERS
12. GATEWAY SPEAKERS
13. EPSON PERFECTION 4490 PHOTO SCANNER
14. PLASTIC PAPER TRAYS
15. PLASTIC-PHONE-CATTY
16. FOOT REST
17. OCTAPHONE TRANSCRIPTION SOUND SET
18. LANIER DICTATION FOOT CONTROL
19. DICTAPHONE TRANSCRIPTION FOOT CONTROL
20. PHILTRONICS TELEPHONE HEADSET
21. SWINTEC 2640 TYPEWRITER (CITY #13173)
22. GBC DOCUBIND P200 BINDING SYSTEM (CITY #11381) SERIAL #PJP0750
23. MISCELLANEOUS PHONE CORDS AND PHONE MATERIALS
24. MISCELLANEOUS COMPUTER CORDS

FINANCE (104)
3. OFFICE CHAIR
4. HP ELIDISPAY E202 MONITOR COLOR OK - STARTING TO FADE
5. DELL MONITOR, BAD COLOR; BAD COLOR IN UPPER LEFT CORNER
6. GATEWAY LAPTOP, S0823
7. SHARP COMPET CS-2124H, PAPER MALFUNCTIONS
8. DELL COMPUTER, S1414
9. DELL KEYBOARD
10. HP COMPAG ELITE 8300 CONVERTIBLE MICRO TOWER, $1620
11. GATEWAY MONITOR
12. HP KEYBOARD
13. ASCOM HASLER MODEL 400 AUTOMATIC LETTER OPENER
14. C4191A BLACK TONER CARTRIDGE
15. C4192A CYAN TONER CARTRIDGE
16. C4193A MAGENTA TONER CARTRIDGE
17. 27X BLACK TONER CARTRIDGE
18. DESKTOP TRAYS
19. AI-1000 OVERHEAD PROJECTOR
20. SWINGLINE OPTIMA AS ELECTRIC STAPLER, DOES NOT CONTINUOUSLY WORK

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1. BOSTITCH EXTRA HEAVY DUTY STAPLER, WORKS ONLY SOMETIMES
2. COMPUTER SPEAKERS
15. DCSKS/DESK COMPONENTS, SOME MAY HAVE TO BE SENT TO THE 2021 AUCTION
DEPENDING ON PROJECT TIMING
2. METAL BOX FILE
3. CARD FILE BOXES
1. DELL OPTILEX 750 S1052
50. OPEN END LEGAL ENVELOPES
25. BINDER COVERS 81744
50. SMEAD REPORT COVERS
100. NUMBERED TABS
1. 3-HOLE PUNCH
1. 2-DRAWER LATERAL FILE CABINET
1. WILSON JONES 24-38L METAL DATA CABINET WITH FLIP DOWN DOORS
1. IBM WHEELWRITER 35 BY LEXMARK HIT & MISS AS TO WHEN IT WORKS
1. Dell OptiPlex 7010  S1961
1. Dell OptiPlex 7020  S2687
1. Dell OptiPlex 7020  S2888
1. Dell OptiPlex 7020  S2990
1. HP Elitebook 850 G1 S1982

FIRE (2027)
1. PHILLIPS CONFERENCE RECORDING SYSTEM.
1. 2001 FORD F350, DIESEL, LARGE RESCUE UTILITY BOX, VIN # FDAW57F11ED01032
1. CUB CADET RIDING LAWN MOWER

INFORMATION TECHNOLOGY (8024)
ADTRAN NET FANTA 1335, LBADTB1347AF753,
ADTRAN NET FANTA 1335, LBADTN1331AC691,
ALLIED TEL FIBER MEDIA CONVERTER, L1M4213F,
AFC BACK-UPS 350, 380062X15285,
APC UPS BK850MC, PB2250221299,
APC UPS SUA3000RM2U, JS0303000421,
APC UPS SUA3000XLT, AS1242424622,
APC UPS SUA3000XLT, AS1242424623,
AV RACK, CORC INV# 19830,
BRIGHT EYE NXR7415 ROUTER V/BROADCAST, A2WYF1129,
BROADCAST PIX 4RU COMPUTER, VM08542055,
BROADCAST PIX STUDIO CONTROL BOARD, BPPC1111090255,
BURST ELECT. COLOR BAR GEN, SG-3, SG20770,
CISCO AEROMET 1200 AP, FFX0738K1Q1,
CRADLEPOINT IBR500LPE, MM170091701804,
CRADLEPOINT IBR800LPE, MM170091701806,
DELL 1RU SERVER, 8M/VHL1,
DELL DOCKING STATION K09A, 3108564650061J087E,
DELL DOCKING STATION PRO 2X, 357015301441,
DELL LATITUDE E5550, 8WFY952, RCPL-937,
DELL MINI DESKTOP PC, 7SD2522, S1968,
DELL OPTIPLEX 7020, 482QNN1, S1416,
DELL OPTIPLEX 960, BPWTVK1, S1076,
DENON BLUERAY PLAYER DN-V500BD, 9097300404,
D-LINK AP DWL-8200AP, DCGL185000020,

Bosch Extra Heavy Duty Stapler, Works Only Sometimes

Computer Speakers

Desks/Desk Components, Some May Have to be Sent to the 2021 Auction Depending on Project Timing

Metal Box File

Card File Boxes

DELL OptiPlex 750 S1052

Open End Legal Envelopes

Binder Covers 81744

Smead Report Covers

Numbered Tabs

3-Hole Punch

2-Drawer Lateral File Cabinet

Wilson Jones 24-38L Metal Data Cabinet with Flip Down Doors

IBM Wheelwriter 35 by Lexmark Hit & Miss as to when it Works

DELL OptiPlex 7010 S1961

DELL OptiPlex 7020 S2687

DELL OptiPlex 7020 S2888

DELL OptiPlex 7020 S2990

HP Elitebook 850 G1 S1982

Phillips Conference Recording System

2001 Ford F350, Diesel, Large Rescue Utility Box, VIN # FDAW57F11ED01032

Cub Cadet Riding Lawn Mower

Information Technology (8024)

Adtran Net Fanta 1335, LBADTB1347AF753

Adtran Net Fanta 1335, LBADTN1331AC691

Allied Tel Fiber Media Converter, L1M4213F

AFC Back-UPS 350, 380062X15285

APC UPS BK850MC, PB2250221299

APC UPS SUA3000RM2U, JS0303000421

APC UPS SUA3000XLT, AS1242424622

APC UPS SUA3000XLT, AS1242424623

AV Rack, CORC INV# 19830

Bright Eye NXR7415 Router V/Broadcast, A2WYF1129

Broadcast Pix 4RU Computer, VM08542055

Broadcast Pix Studio Control Board, BPPC1111090255

Burst Elect. Color Bar Gen, SG-3, SG20770

Cisco Aeromet 1200 AP, FFX0738K1Q1

Cradlepoint IBR500LPE, MM170091701804

Cradlepoint IBR800LPE, MM170091701806

Dell 1RU Server, 8M/VHL1

Dell Docking Station K09A, 3108564650061J087E

Dell Docking Station Pro 2X, 357015301441

Dell Latitude E5550, 8WFY952, RCPL-937

Dell Mini Desktop PC, 7SD2522, S1968

Dell OptiPlex 7020, 482QNN1, S1416

Dell OptiPlex 960, BPWTVK1, S1076

Denon Blu-ray Player DN-V500BD, 9097300404

D-Link AP DWL-8200AP, DCGL185000020

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OMB Control No: 2506-0117 (exp. 06/30/2018)
EXTRON CAVA 6 MX VIDEO AMP/SPLIT, 725790027E123855,
GATEWAY E410G, 0032040952, S0845
GATEWAY E475M LAPTOP, 004528493, S0984
GATEWAY MONITOR, MUL5022CD000650,
GATEWAY MONITOR, MG4667P02698,
GATEWAY MONITOR, MOW750N00019,
GRANICUS 2RU COMPUTER, 267524032001,
HP ACCESS POINT MSM517 J9222A, CN4251X01C.
HP AP MSM522 J93388, S50529K007,
HP COMPAQ DC 7500 DESKTOP, MXL00403CN, S1081
HP COMPAQ ELITE 8100, 2UA302141Y, S1628
HP COMPAQ ELITE 8200 CM1 PC, MXL2098K02, S1541
HP DOCKING STATION A7E944AA#ABA, CNJ34625VP,
HP ELITEDESK, MXL32609X6, S1700
HP ELITEDESK 800 G1 SFF, 2UA1626B8Y, S1822
HP ELITEDESK 800 G1 SFF, 2UA1626B4W, S1827
HP ELITEDESK 800 G1 SFF, 2UA1626B0JO, S1623
HP ELITEDESK 800 G1 SFF, 2UA1626B4V, S1828
HP ELITEDESK 800 G1 SFF, 2UA2224XKL, S1571
HP ELITEDESK 800 G1 SFF, 2UA1626B1J, S1830
HP ELITEDESK 8100, MXL044TFTS, S1400
HP ELITEDESK 8100, 2UA0450RTX, S1433
HP LASERJET 4250N Q5430A, CN1418537,
HP LASERJET P1102W, VNB4430286,
HP LASERJET PAPER TRAY Q07-6007, CNJC45723,
HP PHOTO SMART CB390 AIO, MY984J01XI,
HP SERVER RACK 22U 24017-001, 2UJ605000J,
HP SWITCH J4903A, SG417NE0D6,
HP SWITCH J8886A, CN227C06R6,
HP SWITCH J9773A, CN56F-P441X,
HP SWITCH J9774A, CN56F-P56W9,
HP TOUCH SMART IQ 506, 3C83406CLL,
LEICHTONIX NEXUS ULTRA HD VIBROADCAST, 00E0F8100208,
MAGNAVOX HD DVR MD867H/F7, J34611848,
MINUTEMAN ENSPIRE UPS, AE6616030260,
MINUTEMAN PRO1600RT, AF15141100625,
MINUTEMAN PRO1600RT, AF15141100625,
MISCELLANEOUS COMPUTER PARTS
SNAP 8 SPR 300 MULTI METRIK, CD351,
SONICWALL SONICPOINT AP G-NA, 6006B120112F,
SONICWALL TZ170, 008B134C068,
SONICWALL TZ170, 008B129D948,
SONICWALL TZ400, 18B18935E94,

LANDFILL (7102)
1990 DODGE POWER RAM 150, WHITE, CTY1411; VIN#1B7HM16Y1LS763048; L908; CONDITION: POOR, MILEAGE=61,980.
2002 DODGE RAM 3500 FLATBED, BLUE, CTY1597; VIN#386MC36542M308614; M985; CONDITION: FAIR, MILEAGE=88,029.
1992 FORD T-150 CUSTOM, WHITE, CTY1650; VIN#2FTEF150NNA57377; L977; CONDITION: FAIR, MILEAGE=82,368.
HYPERTHERM POWERMAX 1100 PLASMA CUTTER; SERIAL # 1100-012728
APPROXIMATELY 15-20 BOXES OF PLASTIC WELDING ROD, 2" DIAMETER; PHILLIPS K-306 RESIN.
WEATHER GUARD WHEEL WELL TOOL BOX; WHITE.
ROUND SHOP FAN, APPROXIMATELY 3 FEET DIAMETER; POOR CONDITION, NO ID PLATE.
DELL COMPUTER; CITY ID # 52140
S1873, IPAD A1458
S1672, IPAD A1458
S1965, HP OIRC1960:D

LIBRARY
1  ALPHA LITEBOOK LINUX NOTEBOOK, 201703300003
1  BOX OF 2-16 CHANNEL ANCHOR RECEIVERS FOR ASSISTIVE LISTENING PACK
105 FLOOR TILES 12X12X1/8, TAN
15 FLOOR TILES 12X12X1/8, GRAY
304 WALL TILES 4.25X4.25X.25, WHITE
33 WALL TILES 4.25X4.25X.25, HAZED WHITE
7 WALL TILES 4.25X4.25X.25, LIGHT TAN
40 WALL TILES 4.25X4.25X.25, PURPLE
9 WALL TILES 4.25X4.25X.25, TAN
50 WALL TILES 4.25X4.25X.25, YELLOW
28 WALL TILES 4.25X4.25X.25, RED
33 WALL TILES 4.25X4.25X.25, GRAY
1 APC BATTERY BACKUP APC BACK-UPS960, WHITE
1 APC SMART 200XL BATTERY BACKUP, WHITE
1 APC 650 BATTERY BACKUP, WHITE
1 APC ES 350 BATTERY BACKUP/SURGE PROTECTOR 300531X34983, DOES NOT WORK
1 MINUTEMAN ENSPRIE200 BATTERY BACKUP/SURGE AE571102000823, BLACK
1 CLEAR BEVERAGE SERVER, SILVER BASE
1 BOOK DISPLAY, CREAM COLOR, 4 SIDES, SLATTED WITH 3 SLIDING SHELVES VFS
3 BOOK DISPLAY CREAM AND WOOD, 4 SHELVES EACH SIDE
1 BOOK SHELF WOOD, WHITE
1 BOX OF MISC CRAFT SUPPLIES
1 BOX OF MISC KEYBOARDS, DELL/HP
1 BOX OF LAPTOP POWER ADAPTERS, DELL/HP
3 BOX OF MISC. CABLES
3 BOX OF MISC CABLES, ADAPTERS, AND CORDS
1 BOX OF MISC. GAMING EQUIPMENT (CHARGERS, CONTROLLERS, CABLES, ETC.)
1 BOX OF RECEIPT TAPES
1 BOX OF MISC KEYBOARDS
1 BOX OF MISC QWERTY KEYBOARDS
1 CASH REGISTER SHARP ES-A410 7D000709
74 CHAIR WOOD, BROWN
1 OFFICE CHAIR, MAROON, MOBILE
1 OFFICE CHAIR, BLUE, MOBILE
4 CLIP BOARDS
1 19" COLOR DELL ULTRASHARP 1702FP COMPUTER MONITOR MX080G1524795851CRA7W2, HAS DVI AND VGA INPUTS, POWER CABLE FOR MONITOR INCLUDED; DOES NOT WORK
1 19" DELL 1908FPB COMPUTER MONITOR, CN-CG3131-F-7426H-6C8-46GL, HAS DVI AND VGA INPUTS, POWER CABLE FOR MONITOR INCLUDED; DOES NOT WORK
1 19" DELL ULTRASHARP-1702FP-COLOR-COMPUTER-MONITOR, MX080G1524795851AN081, HAS DVI AND VGA INPUTS, POWER CABLE FOR MONITOR INCLUDED; DOES NOT WORK
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1. DELL COMPUTER MONITOR, CN0G313H742618CB448L VGA AND DVI INPUTS, DOESN'T WORK
2. DELL 1980FPF COMPUTER MONITOR CN-DG5S4F64788884084CH, SILVER & BLACK, BROKEN
3. Gateway FPD1520 Desktop Computer Monitor MUL50C9A006496, WHITE
4. Gateway FPD1520 Desktop Computer Monitor MUL50C9A006496, BLACK
5. HP Elite Display 201 Computer, 6CM382Z6Y, BLACK DOES NOT WORK
6. HP 170z2 Computer Monitor CN65272SVQ
7. 17" KDS Computer Monitor RAD-7XJ4638C99009003, SILVER
8. ViewSonic VS11435 Computer Monitor QN0711022277, BLACK, VGA AND DVI INPUTS
9. Desktop Dell OptiPlex 7010 RCPL-914 6973P22
10. Desktop Computer Dell OptiPlex 7020 RCPL-945 215MV52
11. Desktop Computer Dell OptiPlex 7020 RCPL-944215PV62
12. 1 Dell OptiPlex EliteDesk Desktop Computer RCPL-990 2UA4170L10
13. HP Compaq Elite 8300 Desktop Computer RCPL-863 M6L3241 YQY
14. HP EliteDesk 800 G1 Desktop Computer RCPL-901 2UA4170L11
15. Disc Repair Machine AzurDisk PADS AND ACCESSORIES
16. File Cabinet, Beige and Wood, 2 Drawers
17. Foot Rest Kensington, Gray and Black, Adjustable
18. Handheld WiiU Nintendo JWS9B71918
19. Handheld WiiU Nintendo JAV04855980
20. Apple iPad 16, GS F6QN209WYDFHW 36 Pin Connector, Does Not Work
21. Apple iPad EQ-174 DNPDP4X1VF10 1 BROKEN
22. Apple iPad EQ-175 F6QMF07VF10 1 1 BROKEN
23. Mini Apple iPad, EQ-037 DLXJWQCFJ66
24. Apple iPhone, CGC-E2422B 1, BLACK, 30 PIN PORT, MODE NO. A1349
25. Amazon Kindle, EQ-154 8023 1706 4089 0C3A, BLACK BROKEN
26. Dell Latitude Laptop E5550 RCPL-938 85ZBY52
27. DELL Latitude Laptop E5550 RCPL-940 4002Y52
28. DELL Latitude Laptop E5550 RCPL-939 H1RTVR32
29. DELL Latitude Laptop E5440 RCPL-933 323VK12
30. DELL Latitude Laptop E5550 RCPL-938 E30BY52
31. DELL Latitude Laptop E5550 RCPL-994 2FNNJ72
32. DELL Latitude Laptop E5440 RCPL-934 EY1VK12
33. DELL Latitude Laptop E5440 RCPL-932 Br2VK12
34. DELL Latitude Laptop E5440 RCPL-927 225VK12
35. DELL Latitude Laptop E5440 RCPL-925 G4VK12
36. DELL Latitude Laptop E5440 RCPL-831 063VK12
37. HP ProBook Laptop 4510s RCPL-707 CN0U023PLX, BLACK
38. HP ProBook Laptop 4510s RCPL-701 CN0U057LL7, BLACK
39. HP EliteBook Laptop 8560p RCPL-839 5CB2B88YU, SILVER & BLACK
40. HP EliteBook Laptop 8560p RCPL-835 5CB2B76LDN, SILVER & BLACK
41. HP Elitebook Laptop 8590p RCPL-826 2CE0G1C1QP HAD LINUX OS
42. HP Probook Laptop 4510s RCPL-714 CN0U023PML
43. HP Probook Laptop 4510s RCPL-713 CN0U023PML
44. LED Projector WME-HTPE-DV81, EQ-006
45. Apple Mac Mini Computer, RCPL-R399 07H81NXDJDO MODEL NO. A1347
46. Magnifying Reader Aladdin Alta 20 HD 30 ALV201020115
47. Office Chair, Light Blue, Mobile
48. Office Chair 2 Purple, Static
49. Phone Mitel 5300 AVAV98880, CORDLESS BLACK IP BASE
50. Play Station 3CF49436934CE0-3001A
51. Box of Play Station 3XBOX 360 GAMES

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OMB Control No: 2506-0117 (exp. 06/30/2018)
19  XBOX/PLAYSTATION 3 GAMES
1  POSTER PRINTER EPSON ULTRACHROME XD SURECOLOR T3000 QB5E003343
1  PRINTER HP CP1518NI FO38 CNDO111511
1  RITEK RII MINI X96TURBO
1  SHELVING INTERMETO UNIT - 6 SHELVES, 4 LEGS BLACK WIRE SHELVING
1  SHELVING OFF WHITE METAL, TAKEN APART AND BOUND TOGETHER
1  SMALL DESK, BLACK, 2 SHELVES
1  SMALL TABLE, BROWN
1  TAPE RECORDER BOGEN PROHOLD 7814
1  THERMAL PRINTER BIXOLON SRP-350II USA0NKA11100R17
1  THERMAL PRINTER BIXOLON SRP-350II USA0NKA11100R17
1  THERMAL PRINTER BIXOLON HP-350 CAT5G1AYB00017, WHITE
1  THERMAL PRINTER BIXOLON SRP-350 U CDKA09010033, WHITE
1  THERMAL PRINTER BIXOLON SRP-350II EQ-022 USA0NKA12020099, DOESN'T WORK
1  THERMAL PRINTER ITHACA ITERM 280 WDD03955726
1  THERMAL PRINTER STAR TSP660
1  TOUCHSMART COMPUTER HP TOUCHSMART PC IQ 500
1  WIFI BOOSTER COUNTY TECH 005002D2CCD3, BLACK
1  WI NINTENDO, EQ-079 IU33585299, WHITE
1  WI NINTENDO, EQ-032 KU407237153, BL A CK
1  WI NINTENDO, EQ-038 FW402008730, BLACK
1  WI NINTENDO, FW44031681, BL A CK
1  WIRELESS HANDHELD MICROPHONE SYSTEM SHURE BLX4R 1ND0415614-03,
RECEIVER AND ACCESSORY POUCH; K12 614-638MHZ
1  XBOX 360, EQ-080 26899123309
1  XBOX 360, EQ-054 60130334108
1  XBOX 360 WITH KINECT, EQ-008 8601694207
1  TV CART, BRENTFORD, BLACK METAL WITH CORD
1  CRAYONS - BOX MIS C. COI ORS
1  LEGOS- BOX LARGE SIZE, MIS C. COI ORS
1  LEGOS- BOX SMALL SIZE, MIS C. COI ORS
1  LETTERS- BOX MAGNETIC LETTERS, MIS C. COI ORS
1  LEGOS- BOX GEAR BLOCKS
1  PUZZLE BLOCKS- BOX WOOD HEXAGON BLOCKS
1  BLOCKS BLOCK BUSTER, SET WOODEN BUILDING BLOCKS
1  DISPLAY LIGHT WOOD, 6 SIDES, SLATTED
2  BOOK SHELF TALL WHITE, 4 SHELVES
1  ROLLING SHELF, DARK GRAY, FLEXIBLE HEIGHT
1  OTTO MAN SEAT, BLACK, WEDGE, DUCK TAPE DIP R
1  TABLE BROWN, MEDIUM
2  OFFICE CHAIR PURPLE, MOBILE
1  OFFICE CHAIR BLACK, MOBILE, MESH BACK, ADJUSTABLE
1  DESK DISPLAY, METAL STAND WITH CLEAR TABBED FOR PAPER
1  BLOCKS- BOX BLUE, MAGNETIC
1  TRASH CAN, GRAY, MEDIUM HEIGHT
2  TRASH CAN, BLACK, MEDIUM HEIGHT
3  TRASH CAN, BLACK, SHORT
5  TRASH CAN, BLUE, SHORT, RECYCLE
5  TRASH CAN, SHORT, ROUND
2  TRASH CAN, GRAY, SIX SIDED
1  TRASH CAN, GRAY, ROUND, TALL
1  TRASH CAN, GRAY, TALL
1  COAT HANGER, DISASSEMBLED
PARKS (607)
1998 CHEVROLET ASTRO VAN, VIN 1GNE1WY1WB1855677
2002 DODGE RAM, VIN 3B7KC26Z2M279541
2002 RED HOOK 16' TRAILER (T1-10, SN 47SS1602810823 (POOR CONDITION)
72" V BLADE H#AT17, SN 03390388
BOBCAT SALT DISTRIBUTOR, SN 103500399
MISC. OLD SHOP TOOLS
TAP & DIE
MISCELLANEOUS CHRISTMAS DECORATIONS

PARKS & REC ADMINISTRATION (620)
HP COMPUTER, SYSTEM 1983, SN 2UA5021807
HP COMPUTER, SYSTEM 1819, SN 2UA5120720
HP MONITOR
HP PHOTOSMART 5520 PRINTER
DELL COMPUTER, SYSTEM S1057
GATEWAY MONITOR
EPSON 4130 PHOTO SCANNER

SWIM CENTER
HP ELITEDESK 800 G1 SFF, SN 2UA51415C, S1814
HP ELITEDESK 800 G1 SFF, SN 2UA5111878, S1815
HP ELITEDESK 800 G1 SFF, SN 2UA511460, S1816

GOLF COURSE (604)
1995 CASE BACKHOE 480F SN JGC0094436 TRANSMISSION HAS NO FORWARD
JOHN DEERE YARD MOWER MODEL MG0322X S/N 110574 HAS DECK AND SNOW THROWER
ATTACHMENTS
RANSOME LYNX MOWER MODEL XT280 S/N 003057
1996 DODGE 1500 4X4 99150 MILES VIN: 1B7TH18Y7TJ191748
18' TRAILER 2 AXLES
CUSHMAN ROTARY MOWER 6' DECK MODEL 888007-92001562 BAD HYDROSTAT
CUSHMAN ROTARY MOWER 6' CUT MODEL 888007-92001570
JOIN DECOR, OUTFRONT ROTARY MOWER MODEL T935 SERIAL MOF35X11159
1-TON NAPA FLOOR JACK
4 METAL MILITARY STYLE CABINETS
1 HP KOLBER ENGINE
5 HP KOLBER ENGINE
3 HP & S TRASH PUMP
STIHL 028AV CHAINSAW
4.5 HP CRAFTSMAN ENGINE
PUSH BLOWER 8 HP ENGINE
MISC BOX OF SEALS AND BEARINGS
MISC ENGINE PARTS FOR CUSHMAN 222 ENGINES
GATEWAY COMPUTER TOWER S/N 0004539360
HP COMPUTER TOWER S1807, S/N MLX4020991
HP COMPAG ELITE 8900 CMT, S/N MLX4020993, S1805
HP COMPAG ELITE 8900 CMT, S/N MLX4020994, S1806
HP COMPAG ELITE 8900 CMT, S/N MLX4020992, S1808

RECREATION (601, 603, 612)
HP ELITEBOOK 8560P, S1560
HP ELITEBOOK 8560P, S1561
FLOOR SCRUBBER, ADFINITY X20C ECOFLEX
RUBBER HOSE, 1" X 250', RED
HP OFFICEJET 6700 PRINTER
CHANGE MACHINE, AMERICAN CHANGER CORP MODEL ACS00
HANDHELD BUFFER (2), CYCLO MODEL 5 MODEL E
DELL MONITOR (2)
POULAN PUSH MOWER, PRO 900E 140CC
STAR MODEL TSP490 RECEIPT PRINTER
EXTERNAL HARDDRIVE (2)
MISC KEYBOARDS AND CABLES
MONITOR ACC E2043 FK
SHARP METAL CABINET, 30'L 20' W 27' H
SANYO DS19310 TELEVISION
ADVANCE REEL CLEANER
COMPUTRAINER LAB BIKE TRAINER (2)
AUTOMATIC DURAMIX DUO POOL VACUUM (2)
FUNDELLA 20' UMBRELLA TOP (3)
STAINLESS SINK, 22" X 15"
PANASONIC CT-27SC14MJ TELEVISION W/ WALL MOUNTS (2)
SYLVANIA SSD903 VCR/DVD PLAYER
SONY SLV-D360P VCR/DVD PLAYER
KETTLE WEIGHTS (20) SOFT 6-10 LB
SIGNS, HANDHELD (18) STOP/SLOW
LIFEGUARD CHAIR, STAINLESS STEEL-SHORT
PUMP/MOTOR 2HP BRIGS AND STRATTON MODEL BS232 PUMP BSG-8 MONARCH INDUSTRIES
POLO NETS (2) COMPOSITE
FREEZER, EIGHTIER UPRIGHT MODEL FHF17MSGW0

POLICE DEPARTMENT (201)
25/15 IN-CAR HD VIDEO SYSTEM L3 MODEL FLASHBACK 3HD (REQUIRES L3 BACKEND SOFTWARE)

***TO BE SOLD INDIVIDUALLY OR GROUPS OF 5 QTY***
FBH402496
FBH402497
FBH402498
FBH402499
FBH402565
FBH402566
FBH402567
FBH402568
FBH402569
FBH402570
FBH402571
FBH402572
FBH402573
FBH402574
FBH402575
FBH402576
FBH402577
FBH402578
FBH402579
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DELL E6430 LAPTOP, SN: 9MP2LX1, S1991
DELL E6430 LAPTOP, SN: 27N2LX1, S1679
DELL E6430 LAPTOP, SN: 8GP2LX1, S1880
DELL DW5802 LAPTOP, SN: BW427W1, S1715
DELL DW5802 LAPTOP, SN: 8ICCSS1, S1719
DELL E6430 LAPTOP, SN: JMP2LX1, S1895
DELL 5414 LAPTOP, SN: 7G1RS62, S1791
DELL E6430 LAPTOP, SN: GROXXW1, S1656
DELL E6430 LAPTOP, SN: B2Q2LX1, S1678
DELL E6430 LAPTOP, SN: 43Q2LX1, S1682
DELL E6430 LAPTOP, SN: JMG2LX1, S1686
DELL E6430 LAPTOP, SN: 2PG2LX1, S1692
DELL E6430 LAPTOP, SN: DGP2LX1, S1698
DELL E6430 LAPTOP, SN: 5PP2LX1, S1697
DELL E6430 LAPTOP, SN: GHCP2LX1, S1695
DELL E6430 LAPTOP, SN: HCOXMD12, S1928
DELL E6430 LAPTOP, SN: 5W4HP12, S1927

RECORDS:
7 Laptops
1831 PD-ACRD-10L1891 C30DG12
1892 PD-ACRD-10L1892 989DD12
1993 PD-ACRD-10L1893 7BDG12
1954 PD-ACRD-10L1894 9PDO12
1923 PD-CRS-10L1853 HZK7M12
2069 PD-CID-10L2069 541ZM32
2071 PD-PTRL-10L2071 6LYYM32
1 6-DRAWER GREY METAL CABINET, 60X24X30
1 2-PART BROWN WOOD CONFERENCE TABLE, 120X50X30
4 CLOTH CHAIRS
1 LARGE CAMERA TRIPOD WITH CASE.

EVIDENCE:
2 PINK SLOT PAPER DIVIDERS
MISC. BINDER
HP OFFICE JET 4632 PRINTER
XEROX DOCMATF DOCUMENT SCANNER
MONITOR STAND
KEYBOARD TRAY
6 DELL 3010CN TONER CARTRIDGES
DELL POWER EDGE RAID SERVER WITH POWER CORDS
1 FUJI S700 41A18397
11 FUJI S290CHD
OU89807 IN ZUERCHER
OU89808 IN ZUERCHER
QUE39558 IN ZUERCHER

Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
PARKING:
44 POM DIGITAL METERS WITH BLACK HOUSINGS
368 EAGLE DIGITAL METERS WITH HOUSINGS
155 MECHANICAL METERS WITH HOUSINGS (SELL SEVERAL INDIVIDUALLY AS WE HAVE HAD LOTS OF INTEREST FROM COLLECTORS ON WANTING ONE OR TWO) LOTS OF MISC METER PARTS, HOUSINGS AND POLES

PUBLIC WORKS
2 RECTANGLE DESKS
1 RECTANGLE DESK WITH HUTCH
5 L SHAPED DESKS
4 U SHAPED DESKS
1 L SHAPED DESK WITH HUTCH
3 FILING CABINETS
1 BOOKSHELF
1 OVER HEAD WALL MOUNTED STORAGE
1 TABLE DESK

UTILITY MAINTENANCE
HP ELITEDESK 800 G1 SFF, SN: 2UA415217L, S1847
HP ELITEDESK 800 G1 SFF, SN: 2UA415217K, S1848
HP ELITEDESK 800 G1 SFF, SN: 2UA42628SS, S1883

ENGINEERING (108)
2002 CHEVY 1/2 TON PICKUP VIN 2GCEK19V721239000

RAPID TRANSIT (618)
COIN COUNTER
(2) DESK LAMPS
ALARM CLOCK AND RADIO
VACUUM BAGS (UNUSED)
KENMORE PROGRESSIVE VACUUM
(2) HP OFFICE JET PRO 8835 DESK TOP PRINTER/COPIER/FAX MACHINE
HP ENVY 1045 DESKTOP PRINTER/COPIER/FAX MACHINE
JAR OF MISC BOLTS, NUTS AND WASHERS

RSVP (928)
2 ROLLING DESK CHAIRS (RED)
1. **SHARP EL-1801V CALCULATOR**  SERIAL # 9D08681—WORKS
2. **SMALL 1 DRAW WOODEN DESK**
3. **RED PADDED OFFICE CHAIR**
4. **4-DRAWER METAL DESK**
5. **4-DRAWER WOOD DESK**
6. **6 DRAWER WOOD DESK**
7. **DELL COMPUTER MONITOR (NO SERIAL OR MODEL #) - NO CITY INVENTORY STICKER**
8. **GATEWAY COMPUTER MONITOR — MODEL FPD1530  SERIAL # MUL5022C0008698**
9. **GATEWAY COMPUTER MONITOR — MODEL FPD1730  SERIAL # MUL7000DI00027787**
10. **GATEWAY COMPUTER MONITOR — MODEL FPD1785  SERIAL # MWG8880002146**
11. **BLUE PLASTIC ROLLING BASKET**
12. **FAUX LEATHER DESK MAT**
13. **GATEWAY KEYBOARD — MODEL KB-2361, SERIAL # 07C27802697D**
14. **2-SHELF ROLLING CART**
15. **3-FOLDER METAL HANGING FOLDER**
16. **SHOPPING CART WITH WOOD TOP**
17. **2-SHELF WOOD BOOK CASE**

**TRAFFIC ENGINEERING (269)**
1. **2002 GMC SAFARI VAN, VIN#1GKEL19X028260523** RUNS OK, INTERIOR BEAT UP AND PASSENGER WINDOW MOTOR BURNED OUT, CANT RAISE IF LOWERED.
2. **2002 CHEVROLET EXPRESS VAN, VIN#1GCGG25F121111080** BURNS OIL AND HAS TROUBLE HOLDING A CHARGE IN ITS BATTERY, NEEDS TO BE JUMPSTARTED ROUTINELY
3. **2003 FORD F350 WITH VERSALIFT AERIAL LIFT, VIN#1FDWF36P83ECC95835,** TRUCK NEEDS A NEW TRANSMISSION.
4. **6'-8" WIDE SNOW PLOW BLADE**
5. **OLD POLICE CAR LIGHTBARS**
6. **WOOD FORKLIFT PALLETTS**
7. **PALETTE-BOX OF EMPTY 5-GALLON BUCKETS**
8. **SEVERAL INCANDESCENT AMBER VEHICLE WARNING LIGHT STRIPS**

**TRANSPORTATION PLANNING (706)**
1. **DELL LATITUDE E5450 (S2153)**  SERIAL # SWWV372
2. **HP ELITEBOOK 800 COMPUTER (S1948)**  SERIAL # 2UA2020RQD
3. **HP SPEAKERS**
4. **HP KEYBOARD**

**WATER BILLING/SERVICE (7114)**
- **CRADLEPOINT MOBILE ROUTER (W301)** MM16047800244
- **CRADLEPOINT MOBILE ROUTER (W307)** MM17091701809
- **CRADLEPOINT MOBILE ROUTER (W310)** MM16047800245
- **CRADLEPOINT MOBILE ROUTER (W324)** MM16047800247
- **CRADLEPOINT MOBILE ROUTER (W341)** MM16047800243
- **CRADLEPOINT MOBILE ROUTER (W345)** MM170010000497
- **MOTOROLA PAGER** 355-5264
- **MOTOROLA PAGER** 355-5285
- **MOTOROLA PAGER** 355-5288
- **MOTOROLA PAGER** 355-5287
- **HP COMPUTER TOWER** S1994
COMPUTER/PRINTER POWER CORD
2 MONITOR STANDS, 15"X17" WHITE PLASTIC
1 DESK, CHERRY WOOD LAMINATE, W/CORNER PIECE, RETURN & LOCKING DRAWERS
1 DESK, OAK WOOD LAMINATE, W/RETURN & LOCKING DRAWERS
3 DESKS, METAL GRAY/PUTTY-COLORED, W/RETURN & LOCKING DRAWERS
1 COUNTER/DESK, LIGHT GRAY LAMINATE W/MATCHING LOCKING DRAWERS
1 COUNTER/DESK, MAHOGANY WOOD LAMINATE
1 COUNTER/DESK, METAL GRAY/PUTTY-COLORED
1 BOX OF ID BADGE STRAPS W/CLIPS

WATER REG. FACILITY 830-7072
1999 JEEP CHEROKEE, VIN: 1J4FF28S2XL58256

WATER PRODUCTION (7011)
DELL OPTIPLEX 7020 COMPUTER TOWER S2108

BE IT FURTHER RESOLVED that the Mayor and Finance Officer may do all acts necessary to dispose of this property according to state law.

Dated this 4th day of May, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumplan
Finance Officer

22. LF042920-06 – Authorize Mayor and Finance Officer to Sign Addendum to Agreement with Risk Administration Services, Inc. to Cover Take-Over Claim Fees

CIP Committee Consent Items
23. No. CIP041720-00 – Acknowledge Capital Improvement Programs Committee Monthly Updates for April 2020.
24. No. CIP041720-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, Summary)
25. No. CIP041720-04 – Approve Capital Plan for Fire Vehicles
26. No. CIP041720-05 – Approve Capital Plan for Parks & Recreation
27. No. CIP041720-06 – Approve Capital Plan for Information Technology
28. No. CIP041720-01 – Acknowledge Financial Report (Summary, DCA Charges and Debt Service)
29. No. CIP041720-02 – Approve Capital Plan for PW Infrastructure

Community Development Consent Items
31. 20TP012 – Authorize Mayor and Finance Officer to Sign Amendment #1 for the Transportation Alternatives Program Grant Agreement #715373

Bid Award Consent Items
32. No. CC050420-02.1 – Approve award of total bid for Pavement Rehabilitation Project - Valley West Drive Overlay, Project No. 19-2546 / CIP No. 50549 opened on April 29, 2020 to the lowest responsible bidder, J & J Asphalt in the amount of $125,326.50.
33. No. CC050420-02.2 – Approve award of total base bid plus alternate 2 for 2020 Lane Line Painting, Project No. 20-2578 / CIP No. 60564 opened on April 29, 2020 to the lowest responsible bidder, Dakota Barricade, LLC in the amount of $136,300.00.
34. No. CC050426-023 - Approve award of total bid using Schedule A + B for 2020 Street Patching Project, Project No. 18-2544 / CIP No. 50844 opened on April 29, 2020 to the lowest responsible bidder, Simon Contractor of SD, Inc. in the amount of $357,450.00.

END OF CONSENT ITEMS

Drew addressed item (LFO4290-07). She asked the mayor to read in all of the names. Mayor confirmed the appointments of Evan Thomas, Kathleen Burr, Patrick Jones, Carmen Timmerman, Alan Dietrich, Chris Orr, Jared McEntaffer, Linda Lee Viken, Michael Hickey, Rick Kahler, Jason Green, Michael Nelson, Dana Kelley, Don Frankenfield, Ed McLaughlin, Patrick Wyss, Rex Haag, Tamara Pier, and Lynn Kendall to the Home Rule Charter Committee. He indicated that Rex Haag did ask to be removed. In response to a question from Drew, Mayor described how the committee was chosen. He said there are representatives chosen from each ward and the names are sent to council for comments. He stated that 16 individuals were chosen by council to make up this committee. Drew thanked them all for their service. Motion was made by Lehmann, second by Nordstrom and carried to confirm the appointments to the Home Rule Charter Committee.

Mayor read in Item (LFO4290-13) Approve Resolution No. 2020-033, A RESOLUTION AUTHORIZING THE ISSUANCE OF SALES TAX REVENUE REFUNDING BONDS OF THE CITY; PLEDGING A PORTION OF THE SALES TAX RECEIPTS OF THE CITY TO THE PAYMENT OF SAID BONDS; AUTHORIZING OFFICERS OF THE CITY TO APPROVE, EXECUTE AND DELIVER CERTAIN AGREEMENTS AND DOCUMENTS RELATING TO THE BONDS. Motion was made by Drury, second by Nordstrom to approve. In response to a question from Drury, Sumption said the savings on the refinancing would be around $300,000 and the payoff will be the same date. Drury thanked Sumption for finding ways to save the city money. Motion carried 9-3.

Resolution 2020-033

A RESOLUTION AUTHORIZING THE ISSUANCE OF SALES TAX REVENUE REFUNDING BONDS OF THE CITY; PLEDGING A PORTION OF THE SALES TAX RECEIPTS OF THE CITY TO THE PAYMENT OF SAID BONDS; AUTHORIZING OFFICERS OF THE CITY TO APPROVE, EXECUTE AND DELIVER CERTAIN AGREEMENTS AND DOCUMENTS RELATING TO THE BONDS

BE IT RESOLVED by the City Council of the City of Rapid City, South Dakota, as follows:

Section 1. Findings. It is hereby found, determined and declared that:

(A) The City of Rapid City, in the County of Pennington and State of South Dakota (the "City"), is a political subdivision of the State of South Dakota and a body corporate and politic.

(B) Under the laws of the State of South Dakota, the City is possessed of all powers which are necessary, requisite or proper for the government and administration of its local and municipal matters, and all rights and powers that now or hereafter may be granted to municipalities by the laws of the State of South Dakota.

(C) The City is authorized by Chapter 10-52, South Dakota Codified Laws (the "Sales Tax Act") to levy a "non-ad valorem tax" (as defined by the Sales Tax Act) on the sale, use, storage and consumption of items taxed under Section 10-45 and 10-46 of the South Dakota Codified Laws, subject to certain exceptions; and the City has adopted and enacted Chapter 3.16 of the Rapid City Municipal Code, as amended through Ordinance No. 0195 (said Chapter 3.16 as so amended, the "Sales Tax Ordinance"), imposing and providing for the administration of the taxes authorized by the Sales Tax Act within the City, such tax being hereinafter referred to as the "Sales Tax.”
(D) The City may issue municipal non-ad valorem tax revenue bonds pursuant to Section 10-52-2.10 of the Act and Chapter 8-8B, South Dakota Codified Laws in anticipation of the collection of the Sales Tax. Such bonds are required to be payable solely from collections of the Sales Tax, and the City is required to covenant that it will continue to impose and collect the Sales Tax so long as such bonds are outstanding.

(E) The City is authorized under Section 3.18.060 of the Sales Tax Ordinance to deposit 50% of the Sales Tax (the "Pledged Sales Taxes") in the Rapid City Capital Improvements & Vision Fund (the "Fund"), and to finance projects eligible under the Sales Tax Ordinance.

(F) The City has established two accounts within the Fund, the Capital Improvements Account and the Vision Account, and provided that approximately 58% of the Sales Tax deposited in the Fund shall be allocated to the Capital Improvements Account and 42% shall be allocated to the Vision Account, provided that in any given month, such allocation may vary, with the account which is underfunded to be reimbursed from the other account over such time period as the Council shall determine.

(G) The City has previously issued its Sales Tax Revenue Bonds, Series 2013 (the "Series 2013 Bonds"), in the original aggregate principal amount of $22,916,000, payable as to principal, premium, if any, and interest from the Pledged Sales Taxes, pursuant to an Indenture of Trust, dated as of August 15, 2005, as supplemented by a First Supplemental Indenture, dated as of February 1, 2013, as further supplemented by a Second Supplemental Indenture dated as of October 1, 2018 (the "Second Supplement"), as further supplemented by a Third Supplemental Indenture dated as of December 1, 2018 (the "Third Supplemental Indenture"; as so amended, the "Original Indenture"), between the City and U.S. Bank National Association, as successor to The First National Bank in Sioux Falls, in Sioux Falls, South Dakota (the "Trustee"). The portion of the Sales Tax pledged to the Series 2013 Bonds was previously deposited in the Utility Support Fund of the City, but pursuant to Resolution No. 2017-088 and the Second Supplement, the Series 2013 Bonds are secured by the Pledged Sales Taxes, as defined in the Second Supplement, and expected to be paid from the portion of the Pledged Sales Taxes deposited in the Capital Improvements Account (the "Capital Improvements Account Revenues").

(H) The City has previously issued its Sales Tax Revenue Bonds, Series 2018 (the "Series 2018 Bonds"), in the original aggregate principal amount of $100,685,000, secured by the Pledged Sales Taxes and expected to be paid from the portion of the Pledged Sales Taxes deposited in the Vision Account of the Fund (the "Vision Account Revenues").

(I) Other than the Series 2013 Bonds and the Series 2018 Bonds, no other obligations are outstanding which are payable from the Pledged Sales Taxes.

(J) As authorized by the Sales Tax Ordinance and the Act, the City has determined that it is necessary and desirable to issue obligations (the "Sales Tax Obligations"; together with the Series 2013 Bonds and Series 2018 Bonds, the "Bonds") payable from the Pledged Sales Taxes for the purpose of refunding in advance of maturity and redemption on December 1, 2021, the Series 2013 Bonds maturing in the years 2022 through 2032 (the "Refunded Bonds"); outstanding in the aggregate principal amount of $14,280,000 (the "Refunding"). The Sales Tax Obligations will be issued pursuant to the Original Indenture, as supplemented by a Fourth Supplemental Indenture of Trust (the "Fourth Supplement"); the Original Indenture as so amended, the "Indenture"), between the City and the Trustee. As provided in the Indenture, if at any time the proceeds of Pledged Sales Taxes are not sufficient to pay when due all debt service on the Bonds, the City shall nevertheless provide moneys to cure any such deficiency, but only to the extent of funds legally available for that purpose, and then only if such legally available funds are appropriated for such purpose by the City's governing body. The governing body of the City is not obligated to appropriate funds to cure a deficiency.
(K) The Sales Tax Obligations shall be issued in an aggregate principal amount not to exceed the amount necessary to provide for the refunding of the Refunded Bonds, plus amounts necessary to fund or finance a reserve fund, if necessary, and pay costs of issuance of the Sales Tax Obligations, including a discount not exceeding 2% of the principal amount of the Sales Tax Obligations, bond insurance premium, if necessary, and original issue discount (not to exceed 2% of the principal amount of the Sales Tax Obligations), if any.

(L) The Sales Tax Obligations may be issued in one or more series; on a taxable or tax-exempt basis (or convertible); may mature on any date on or prior to thirteen (13) years following the date of issuance; shall be secured by or made payable from the Pledged Sales Taxes; shall bear interest at the rate or rates provided in such Sales Tax Obligations, provided that the average initial yield on the Sales Tax Obligations shall not exceed 2.75% and shall be issued on such other terms as the officers of the City executing such Sales Tax Obligations shall approve.

(M) If required, the Sales Tax Obligations may be insured by a municipal bond insurance policy.

Section 2. Authorization of Sales Tax Obligations.

(A) The Mayor, Finance Officer and City Attorney are hereby authorized and directed to execute and deliver (a) a term sheet, commitment letter or bond purchase agreement (any such agreement, the "Purchase Agreement") with one or more purchasers (the "Purchaser") selected by the City in consultation with Dougherty & Company LLC ("Dougherty"), (b) the Fourth Supplement and the documents required thereunder, (c) the Sales Tax Obligations, and (d) any other documents required to complete the financing contemplated hereby. Execution and delivery of such documents by the Mayor, Finance Officer and City Attorney shall constitute evidence that such items are consistent with the terms of this Resolution and such Purchase Agreement and have been duly authorized, executed and delivered by the City and are enforceable against the City in accordance with their terms, subject to customary exceptions relating to bankruptcy, reorganization, insolvency and other laws affecting creditors’ rights. In the event of the absence or disability of the Mayor or City Finance Officer, such other officials of the City as may, in the opinion of the City Attorney, act in the absence of such officers, are hereby authorized to act in the place and stead of the Mayor and City Finance Officer, and to take all actions and execute all documents approved hereby.

(B) The Sales Tax Obligations shall be special, limited obligations of the City, payable solely from the Pledged Sales Taxes and other moneys pledged therefor, if any. The Sales Tax Obligations shall not be payable from any general or other fund of the City, and the Sales Tax Obligations shall not constitute general obligations of the City.

Section 3. Pledge of Pledged Sales Tax. The Pledged Sales Taxes shall be pledged or may be appropriated to the payment of the unrefunded Series 2013 Bonds, the Series 2016 Bonds, the Sales Tax Obligations and any additional obligations payable therefrom to the extent permitted by the Sales Tax Ordinance and documents entered into in connection with the Sales Tax Obligations.

Section 4. Retention of Placement Agent, Bond Counsel and Trustees, Registrar and Paying Agent. The City hereby retains Dougherty as placement agent for the Sales Tax Obligations. The City hereby retains the firm of Dorsey & Whitney LLP, Minneapolis, Minnesota, to act as bond counsel with respect to the Sales Tax Obligations. The City hereby retains U.S. Bank National Association, in St. Paul, Minnesota, as trustee under the Indenture and as registrar and paying agent for the Sales Tax Obligations.

Section 5. Ratification. All actions heretofore taken by the City or any of its officers in connection with the Sales Tax Obligations are hereby ratified and confirmed.
Section 6. Amendment. This resolution may be amended at any time prior to the issuance of the Sales Tax Obligations by adoption of an administrative resolution.

Dated this 4th day of May, 2020.

CITY OF RAPID CITY

s/ Pauline Sumption
Finance Officer

Mayor read in item (LF042820-03) Authorize Mayor and Finance Officer to Sign the FY2020 Community Development Block Grant Contract for Pennington County Health & Human Services. Motion was made by Drury, second by Nordstrom to approve. In response to a question from Drury, Young said the program offers housing assistance. The committee is in charge of vetting through the applicants and their requests. Motion carried 9-0.

NON-CONSENT ITEMS – Items 34-51
Janelle Finck addressed the council regarding item No. PW042820-03. She explained the request for the sidewalk variance and asked that sidewalks be waived along East Saint Patrick Street and Pecan Lane. It will cost the homeowner over $6000 and property was built in 1936. The applicant wants to build a garage and that is what prompted the requirement for the sidewalk. They would like the sidewalk to be waived on both streets. Finck also thinks this ordinance needs to be revised.

Bill Freytag spoke on item No. PW042820-11. He built a retention facility for this property. He said he spent $20,000 on a retention pond and gave up a $15,000 lot and now he’s getting a drainage assessment fee for $692.12. He said he already spent a lot of money to take care of a water flow that was never there. He is asking for $10,000 drainage fee be waived since he gave up a $46,000 lot and spent $19,000 on a retention pond and it’s never going to have any water in it.

Ordinances
Mayor read in item (No. 2DR2001) First Reading, Ordinance 6389, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Medium Density Residential District for property generally described as being located at 321 E. New York Street. Motion to approve was made by Drury, second by Strommen and that Ordinance 6389 be placed upon its first reading and the title was fully and distinctly read and second reading set for May 18, 2020. Those voting aye, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew, no: none. Motion carried.

Mayor read in item (No. 2DR2002) First Reading, Ordinance 6390, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Medium Density Residential District for property generally described as being located at Settlers Creek Place. Motion to approve was made by Drew, second by Drury and that Ordinance 6390 be placed upon its first reading and the title was fully and distinctly read and second reading set for May 18, 2020. Those voting aye, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew, no: none. Motion carried.

Mayor read in item (No. 2DR2003) First Reading, Ordinance 6391, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Medium Density Residential District for property generally described as being located west of Sunny Springs Drive between Wescayan Boulevard and Harmony Heights Lane. Motion to approve was made by Nordstrom, second by Strommen and that Ordinance
6391 be placed upon its first reading and the title was fully and distinctly read and second reading set for

Mayor read in item (No. 20RZ004) First Reading, Ordinance 6392, an Ordinance Amending Section
17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning
request from Office Commercial District to Medium Density Residential District for property generally
described as being located east of Sunny Springs Drive and south of Wesleyan Boulevard. Motion to
approve was made by Nordstrom, second by Drury and that Ordinance 6392 be placed upon its first
reading and the title was fully and distinctly read and second reading set for May 18, 2020. Those voting
aye, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; no: none. Motion carried.

Mayor read in item (No. 20RZ005) First Reading, Ordinance 6393, an Ordinance Amending Section
17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning
request from Office Commercial District to Low Density Residential District II for property generally
described as being located at the eastern terminus of Table Rock Road. Motion to approve was made by
Drew, second by Lehmann and that Ordinance 6393 be placed upon its first reading and the title was fully and distinctly read and second reading set for May 18, 2020. Those voting aye, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; no: none. Motion carried.

Mayor read in item (No. 20RZ006) First Reading, Ordinance 6394, an Ordinance Amending Section
17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning
request from Office Commercial District to High Density Residential District for property generally
described as being located at 311 Quincy Street. Motion to approve was made by Drew, second by
Nordstrom and that Ordinance 6394 be placed upon its first reading and the title was fully and distinctly read and second reading set for May 18, 2020. Those voting aye, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; no: none. Motion carried.

Mayor read in item (No. 20RZ007) First Reading, Ordinance 6395, an Ordinance Amending Section
17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning
request from Office Commercial District to Low Density Residential District II for property generally
described as being located at 918 Meadowwood Drive. Motion to approve was made by Drew, second by
Strommen and that Ordinance 6395 be placed upon its first reading and the title was fully and distinctly read and second reading set for May 18, 2020. Those voting aye, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; no: none. Motion carried.

Mayor read in item (No. 20RZ009) First Reading, Ordinance 6397, an Ordinance Amending Section
17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning
request from Office Commercial District to Low Density Residential District II for property generally
described as being located at 4084 and 4282 Tower Road. Motion to approve was made by Drew, second by Nordstrom and that Ordinance 6397 be placed upon its first reading and the title was fully and distinctly read and second reading set for May 18, 2020. Those voting aye, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; no: none. Motion carried.

Mayor read in item (No. 20RZ012) First Reading, Ordinance 6400, an Ordinance Amending Section
17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning
request from Office Commercial District to Low Density Residential District II for property generally
described as being located at Horizon Point North of Tower Road. Motion to approve was made by Drew,
second by Strommen and that Ordinance 6400 be placed upon its first reading and the title was fully and distinctly read and second reading set for May 18, 2020. Those voting aye, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; no: none. Motion carried.
Mayor read in item (No. 20RZ022) First Reading, Ordinance 6414, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Renner Associates, LLC for Creek Drive Land, LLC for a Rezoning request from Medium Density Residential District to General Commercial District for property generally described as being located at 415 North Creek Drive. Motion to approve was made by Nordstrom, second by Roberts and that Ordinance 6414 be placed upon its first reading and the title was fully and distinctly read and second reading set for May 18, 2020. Those voting aye, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; no: none. Motion carried.

Mayor read in item (No. 20RZ023) First Reading, Ordinance 6415, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc for BH Capital LLC for a Rezoning request from General Agricultural District to Low Density Residential District II for property generally described as being located north of Philadelphia Street, east of E. Anamosa Street. Motion to approve was made by Lehmann, second by Drury and that Ordinance 6415 be placed upon its first reading and the title was fully and distinctly read and second reading set for May 15, 2020. Those voting aye, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; no: none. Motion carried.

Mayor read in item (No. 20RZ024) First Reading, Ordinance 6416, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc for Yasmeen Dream, LLC for a Rezoning request from General Agricultural District to Medium Density Residential District for property generally described as being located west of Elk Vale Road at the terminus of Orchard Lane. Motion to approve was made in conjunction with approval of a Planned Development Designation was made by Nordstrom, second by Roberts and that Ordinance 6416 be placed upon its first reading and the title was fully and distinctly read and second reading set for May 18, 2020. Those voting aye, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; no: none. Motion carried.

Mayor read in item (No. 20RZ025) First Reading, Ordinance 6417, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Stephanie Kroese for a Rezoning request from Park Forest District to Low Density Residential District II for property generally described as being located at 828 3rd Street. Motion to approve was made by Roberts, second by Drury and that Ordinance 6417 be placed upon its first reading and the title was fully and distinctly read and second reading set for May 18, 2020. Those voting aye, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, and Roberts; no: Drew; Motion carried 8-1 with Drew voting no.

Mayor read in item (No. 19OA06) First Reading of Ordinance No. 6294 an Ordinance Amendment Amending Chapter 17.40 to Revise Permitted and Conditional Uses in the Office Commercial District. Motion to approve was made by Drew, second by Drury and that Ordinance 6294 be placed upon its first reading and the title was fully and distinctly read and second reading set for May 13, 2020. Those voting aye, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, and Drew; no: Roberts. Motion carried 8-1 with Roberts voting no.

Public Works Committee Items
Mayor read in item (PW031020-11) Approve Partial Abatement Request for Stormwater Drainage Utility Fees for KTLD CO, LLC, for property located at 1221 Santana Ct, Tax ID 63320, in the amount of $27,47. This Item was continued from the April 20, 2020 city council meeting per the applicant's request. In response to a question from Nordstrom, Tech said the subject property was a 50.73 acre lot in 2016 and after platting, it is now a 49.36 acre lot. In approximately 2006, a detention facility was built downstream of the subject property which was part of the subdivision requirements. After Katelyn Development purchased the property in 2019, that downstream drainage facility was changed. Tech stated that Freytag changed that himself in order to create another developable lot along an existing street. There was an additional lot created which reduced the overall size of the property that he now occupies. The
reduction for the stormwater drainage utility fee is the $27.57 that they are offering to refund. Tech said every property pays a stormwater drainage facility fee in order to do the maintenance and improvements on the entire drainage system. Freytag answered some questions from Druy. Roberts said there should be a way for the city to measure flows of water. The water that comes off the hill soaks into the ground before it even gets to the retention facility. Freytag said he'd like to pay a total of $35.00 per year, the same as a residence pays. In response to a question from Roberts, this property is agricultural not residential. This is the lowest rate a person can be charged for property in the city of Rapid City. Motion was made by Drew, second by Nordstrom to uphold the city's recommendation to abate $27.47. Motion carried 5-4 with Lewis, Lehmann, Roberts and Strommen voting no.

Mayor read in Item (PW042320-08) Request from Right Land Surveying & Consulting Engineers, Inc. for an variance to waive the requirement to install sidewalk along East Saint Patrick Street and Pecan Lane, Rapid City, per City Ordinance 12.08.060. Evans said he walked the area. He does not think a sidewalk should be put in at this time when it would be open on both ends. He is in favor of granting the variance on both streets. Motion was made by Roberts, second by Lehmann to approve the variance for both Pecan Lane and East Saint Patrick Street. Nordstrom is not in favor of the variance on either street. He said taxpayers shouldn't have to pay for this down the road. Drew said she'd rather see the sidewalks built when they are called in. Motion carried 5-1 with Nordstrom voting no.

Mayor read in Item (PW043230-09) Request from Davis Engineering, Inc. for an variance to waive the requirement to install sidewalk along Deadwood Avenue, Rapid City, per City Ordinance 12.08.060. Evans agrees with the variance. Motion was made by Roberts, second by Strommen to approve the variance. Nordstrom doesn't want the taxpayers to get stuck paying for sidewalk later. He would like money set aside for funding down the road. Motion carried 5-1 with Nordstrom voting no.

PUBLIC HEARING ITEMS – Items 52 – 57
CONSENT PUBLIC HEARING ITEMS – Items 52 and 53

Alcohol Licenses
52. MG Oil Company DBA Chances Casino 4, 1565 Haines Ave, Suite B-1 for a Retail (on-off sale) Mall Beverage & SD Farm Wine license TRANSFER from MG Oil Company DBA Jackpot Casino West, 2144 Jackson Blvd #3
53. MG Oil Company DBA Chances Casino 5, 1565 Haines Ave, Suite B-2 for a Retail (on-off sale) Mall Beverage & SD Farm Wine license TRANSFER from MG Oil Company DBA Jackpot West II, 2144 Jackson Blvd #4

Motion was made by Roberts, second by Lehmann and carried to approve items 52 and 53.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 54 – 57
Mayor read in Item (No. 20R2018) Second Reading, Ordinance 6408, an Ordinance Amending Section 17.08 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from No Use District to Heavy Industrial District for property generally described as being located at 5400 Old Forsom Road. Having passed its first reading on April 13, 2020 motion was made by Strommen, second by Lewis to approve. The following voted aye: Druy, Roberts, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. No: None.

Mayor read in Item (No. 20R2018) Second Reading, Ordinance 6409, an Ordinance Amending Section 17.08 of Chapter 17 of the Rapid City Municipal Code, a request by Febre Engineering Co, Inc for Black Hills Corporation for a Rezoning request from General Agricultural District to Light Industrial District for property generally described as being located at 2500 Talanka Road. Having passed its first reading on
CITY COUNCIL

April 16, 2020 motion was made by Drew, second by Roberts to approve the following voted aye: Drury, Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. No: None.

Mayor read item (No. 20RZ020) Second Reading, Ordinance 6410, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc. for a Rezoning request from General Agricultural District to Low Density Residential District II for property generally described as being located north of the current terminus Diamond Ridge Boulevard. Having passed its first reading on April 16, 2020 motion was made by Drury, second by Lehmann to approve. The following voted aye: Drury, Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. No: None.

Mayor read item (No. 20RZ020) Second Reading, Ordinance 6411, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc. for a Rezoning request from General Agricultural District to Medium Density Residential District for property generally described as being located at the eastern terminus of Garden Lane. Having passed its first reading on April 16, 2020 motion was made by Drew, second by Nordstrom to approve. The following voted aye: Drury, Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. No: None.

BILLS
The following bills have been audited:

BILL LIST - MAY 4, 2020

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MAY 4, 2020

CITY COUNCIL

BLACK HILLS ENERGY, ELECTRICITY, PD 04/27/20 141,129.75
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 04/27/20 35,152.88
COMPUTER BILL LIST 5,339,393.14
CDEV COMPUTER BILL LIST 297.18
SUBTOTAL 8,695,100.03
RSVP, PIROLL PERIOD END 04/11/20, PD 04/17/20 2,036.69
RSVP, PIONEER BANK & TRUST, 04/11/20 PIROLL TAXES, PD 04/17/20 460.25
RSVP, COMPUTER BILL LIST 1,154.30
RSVP, US BANK, CREDIT CARD CHARGES, PD 04/30/20 40.50
TOTAL 8,638,717.68

Sumption prompted the mayor to read the correct ordinance numbers for items 44-47, which are 6414, 6415, 6416, and 6417, in that order.

Sumption presented the bill list of $8,638,717.68. Motion was made by Lewis, second by Drury and carried to authorizes (No. CO866420-01) the Finance Officer to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Those voting aye: Nordstrom, Stutmman, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; no: none. Motion carried.

ADJOURN
There being no further business to come before the Council at this time, motion was made by Armstrong, second by Roberts and carried to adjourn the meeting at 7:34 p.m.

Dated this 4th day of May, 2020.

ATTEST:

Finance Officer
(SEAL)

CITY OF RAPID CITY

Mayor
LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota

May 13, 2020

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City South Dakota, on Wednesday, May 13, 2020, at 12:30 p.m.

A quorum was determined with the following members answering the roll call: Becky Drury, Carla Drew, Lance Lehmann, Chad Lewis (telephonically) and Richie 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 taken with Drury, Drew, Nordstrom, Lehmann and Lewis voting “yes”. Motion carried unanimously.

GENERAL PUBLIC COMMENT
None.

CONSENT ITEMS
Motion was made by Lehmann, second by Nordstrom to approve Items 1-11 as they appear on the Consent Items with the exception of Items No. 6, 7 and 8. Roll call vote taken with Drury, Drew, Nordstrom, Lehmann and Lewis voting “yes”. Motion carried unanimously.

CONSENT ITEMS -- Items 1 – 11

Public Comment opened -- Items 1 – 11
Public Comment closed

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

1) Approve Minutes for April 29, 2020

FINANCE DEPARTMENT
2) Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Shirley Aman (RSVP+), Marilyn Halse (RSVP+), Marcia Smith (RSVP+). Amanda Wessels (Police Department)

3) LF051320-01 – Approve Resolution No. 2020-015 a Resolution Declaring Miscellaneous Personal Property Surplus to be Donated and/or Sold

4) LF051320-02 – Acknowledge March 2020 Sales Tax Report

5) LF051320-06 – Approve Resolution No. 2020-036 a Resolution Levying Assessment for Abatement of Nuisances

COMMUNITY DEVELOPMENT
Motion was made by Drew, second by Nordstrom to approve Items 6, 7 and 8 as they appear on the Consent Items. Roll call vote taken with Drury, Drew, Nordstrom, Lehmann and Lewis voting “yes”. Motion carried unanimously.

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LEGAL AND FINANCE COMMITTEE
May 13, 2020

6) LF051320-03 - CDBG Program Division Manager Michelle Schuelke clarified that the original contract was for a lower amount but have received more money than anticipated for fiscal year 2020, so the amount has been increased to just over $80,000.00. She pointed out the money will be used to replace windows at the domestic violence shelter. Authorize the Mayor and Finance Officer to Sign the Community Block Grant for Working Against Violence, Inc. for FY20.

7) LF051320-04 - CDBG Program Division Manager Michelle Schuelke explained that HUD has requested an update to the SF-24 to include the Revolving Loan Fund balance which is just over $50,000.00. Schuelke said it is something new but is for a neighborhood restoration loan program (direct loans to owner-occupied homes). Authorize the Mayor and Finance Officer to Sign Amended SF-24 for Community Block Grant for FY20

8) LF051320-05 - CDBG Program Division Manager Michelle Schuelke reported that this is a contract for CD funds in the amount of $390,000.00 the City will be receiving relating to COVID-19, which will be used specifically to prevent, prepare for, and respond to, COVID-19 activities. Authorize the Mayor and Finance Officer to Sign the FY20 Community Block Grant-CV (CDBG-CV) SF-24, SF-424D and Certifications

9) LF061320-07 - Approve Amendment to Resident Participation Plan (CDBG)

10) 2071003 - Approve Resolution No. 2020-021 a Resolution to Approve TIC No. 70 Project Plan Amendment #1 to Reallocate Project Plan Costs for Property Generally Described as Being Located at 5th Street in South US Highway 16 then South Along US Highway 16 to Sammis Trail East to the Proposed Hyland Crossing Subdivision

11) C3T1001 Approve Resolution No. 2020-30 a Resolution to Dissolve Tax Increment District #38 for Property Generally Described as Being Located at the Intersection of Eglin Street and Elk Valley Road

END OF CONSENT CALENDAR

NON-CONSENT ITEMS - Items 12 - 14

Public Comment opened - Items 12 - 14
Public Comment closed

COMMUNITY DEVELOPMENT

2) 19A0006 - Drew asked Community Development Director Ken Young what triggered this ordinance change. Young explained that a couple of years ago when reviewing the land use plan and the zoning, and how they were matching up, it was noticed that there were a lot of applications and development occurring for residential development in the Office Commercial District. As it was studied further, it was determined that the problem was found where the City allows multiple family housing in an Office Commercial District, which normally is applied in a mixed-use type of an arrangement; but multiple family development has with it an associated conditional use list that includes single-family houses; therefore, the City was seeing single family houses being developed in an Office Commercial Zone. It was decided that it is probably not appropriate and looked at where that is occurring and how could possible occur into the future; and determined if indeed the demand for single-family housing is occurring in some of those areas, then the zone should be changed to reflect that. He went on to say that in other areas where it was determined it is not an appropriate use, the City will maintain that zone but will amend the uses list so that single-family homes will no longer be permitted in the Office Commercial District. There were several properties that were affected based on that. The City then invited all of the affected property owners to attend 'Coffee with the Planners' and 'special public hearings' to get their feedback. The information
LEGAL AND FINANCE COMMITTEE
May 13, 2020

received from those meetings then led to this ordinance proposal and there will also be some zone changes following soon. Young emphasized that there is opportunity for multifamily development to occur on its own in the Office Commercial Zoning, but the City is simply trying to prevent development of single-family homes without any other provision. Young added that the City is looking at best practices for appropriate zoning when viewing where development is occurring, how it is occurring and what the best way is for that to occur. Lehmann moved to approve the Second Reading and Recommendation of Ordinance No. 6294 an Ordinance Amendment Amending Chapter 17.40 to Rezone Permitted and Conditional Uses in the Office Commercial District. Second by Nordstrom. Roll call vote taken with Drury, Drew, Nordstrom, Lehmann and Lewis voting “yes”. Motion carried unanimously.

CITY ATTORNEY’S OFFICE
13) LF051320-03 – Nordstrom asked City Attorney Joel Landeen to discuss what is transpiring with this ordinance and following resolution. Landeen made clear that this ordinance simply allows the City to implement regulations through the end of July. He said with the peak of COVID-19 being predicted for some time in early June, the ordinance makes sure there is the ability to act quickly if the situation changes but also does not require that any restrictions are imposed. He explained the resolution being brought forward is to make sure the current regulations that go through the end of the original ordinance (May 31, 2020), do not lapse, ending up in a situation where there is a week or so when the original emergency ordinance is still in effect, because essentially that means businesses would have to close again since what is allowing them to stay open are the changes that were made in the resolution, striking up the resolution with the current ordinance. If the reading of this ordinance (extending the ordinance through July) is approved, then Landeen will bring back a second resolution along with the second reading of the ordinance so the Council can address extending the regulations either through the end of July or however long they determine. (Second reading is June 1, 2020) Drew moved to send the Introduction and First Reading 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 City Council without recommendation. Second by Nordstrom. Roll call vote taken with Drury, Drew, Nordstrom, Lehmann and Lewis voting “yes”. Motion carried unanimously.


ADJOURN
There being no further business to come before the Council at this time, the meeting was adjourned by Drury at 12:43 p.m.
Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at City Hall, 300 Sixth Street, in Rapid City, South Dakota on Monday, May 18, 2020, at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Aldermen: Becky Drey, Ritchie Nordstrom, Greg Strommen, Laura Armstrong, Chad Lewis, Lance Lehmann, John Roberts, Bill Evans and Darin Thews. The following Aldermen arrived during the course of the meeting: None; and the following were absent: None.

Staff members present included: Finance Officer Pauline Sumpton, City Attorney Joel Landeen, Police Chief Karl Jegeris, Parks and Recreation Director Jeff Biagiel, Deputy Finance Officer Tracy Davis, IT Director Jim Gilbert, Community Development Director Ken Young and Administrative Coordinator Heidi Weaver.

ADOPTION OF AGENDA
Mayor added item from Dustin Willeit, as 32A, authorizing funding for emergency shelter up to $75,000. Motion was made by Armstrong, second by Lewis and carried to add item 32A and adopt the agenda.

GENERAL PUBLIC COMMENT
Stanton Antor, President of Rapid City Racer Swim Team, addressed the council. He understands this is a tough time for the city and the parks and recreation department. He asked that the council reconsider opening the pools for the summer. He said the city should follow the rules by USA Swimming that allows the public to use the pools with COVID-19 parameters.

NON-PUBLIC HEARING ITEMS — Items 1 – 34
Drew called for point of privilege. She said there is an important election coming up. She, Strommen and Armstrong are launching a campaign called Vote Local. She stated that voting during local elections is very important. She urged the citizens of Rapid City to get to know the candidates and the issues when it's time to vote.

CONSENT ITEMS — Items 1 – 25
There were no items removed from the Consent Items.

Approve Minutes
1. Approve Minutes for the May 4, 2020 Regular Council meeting.

Tax Increment District and Approve Project Plan Set for Hearing (June 1, 2020)
2. No. 2071004 - A request by Dream Design International, Inc, for Yasmeen Dream, LLC for a Resolution 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 Falmont Street.

Alcoholic Beverage License Applications Set for Hearing (June 1, 2020)
3. Rapid City Elks Golf & Event Center Inc, DBA Rapid City Elks Golf & Event Center Inc., 3333 Jolly Lane for a Retail (on-off sale) Malt Beverage and SD Farm Wine license with video lottery TRANSFER from Rapid City Elks Club DBA Elks Lodge #1187, 3333 E. 36th Street

4. MG Oil Company DBA Uncle Sam’s South 3, 2110 Jackson Blvd for a Retail (on-off sale) Malt Beverage and SD Farm Wine license with video lottery TRANSFER from MG Oil Company DBA East North Casino, 230 E North Street
Public Works Committee Consent Items
5. PW051220-01: Approve change order 4F to Tri-Form Construction, Inc. for Dick and Haines Avenue Intersection, Project #16-2347/CIP NO.5121 for an increase of $3,016.99.
6. PW051220-02: Approve change order 1F to Tri-Form Construction, Inc. for Main Street Valve Repair 5th to West Blvd, Project #2458/CIP NO.50706 for an increase of $7,055.72.
7. PW051220-03: Approve change order 1F to Tri-Form Construction, Inc. for Concrete Panel Repair Project 5th and Healing Way, Project #2642/CIP NO.50446 for an increase of $35,411.
8. PW051220-04: Authorize staff to advertise for 2020 Chip Seal, Project No. 19-2543 / CIP 50844 for $205,000.
9. PW051220-05: Authorize staff to advertise for Pavement Rehabilitation Project Grand Vista Ct to Keos Ct, Project No. 19-2547 / CIP 50549 for $310,000.
10. PW051220-07: Authorize Mayor and Finance Officer to sign Agreement between the City of Rapid City and Yasmeen Dream 111, LLC for Sanitary Sewer Main Cost Reimbursement for Shepherd Hills Subdivision for an amount not to exceed $2,888.00.
11. PW051220-08: Authorize the Mayor and Finance Officer to sign a covenant agreement between the City of Rapid City and DEVCOR, LLC allowing connection to City water system.
12. PW051220-09: Approve Request from Dean Kelly Construction for a variance to waive the requirement to install sidewalk along Krebs Drive, Rapid City, per City Ordinance 12.08.060.

Legal & Finance Committee Consent Items
13. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Shirley Aman (RSVP+), Marilyn Halse (RSVP+), Marcia Smith (RSVP+), Amanda Wessels (Police Department)
14. LF051320-01 - Approve Resolution No. 2020-035 a Resolution Declaring Miscellaneous Personal Property Surplus to be Donated and/or Sold

RESOLUTION DECLARING MISCELLANEOUS PERSONAL PROPERTY SURPLUS

WHEREAS the below-described property is no longer necessary, useful or suitable for municipal purposes

NOW, THEREFORE, BE IT RESOLVED that the following property be declared surplus and disposed of according to state statute:

From: Police (201)

For Deletion (Donation):

City 42 Philips Head Start Automated External Defibrillator

Serial #: B09D-00583
B09D-01835
B09D-01339
B09D-01428
B09D-01827
B09D-01673
B09D-01884
B09D-01877
B09D-01922
B09D-01808
B09D-01909

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BE IT FURTHER RESOLVED that the Mayor and Finance Officer may do all acts necessary to dispose of this property according to state law.

Dated this 18th day of May, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

15. LF051320-02 – Acknowledge March 2020 Sales Tax Report
16. LF051320-06 – Approve Resolution No. 2020-036 a Resolution Levying Assessment for Abatement of Nuisances

RESOLUTION NO. 2020-036
RESOLUTION LEVYING ASSESSMENTS FOR ABATEMENT OF NUISANCES

BE IT RESOLVED by the City Council of the City of Rapid City, South Dakota, as follows:

1. The City Council has made all investigations which it deems necessary and has found and determined that the condition of your property had constituted a nuisance. The City stated this nuisance. The cost of the abatement, including administrative costs, is the amount stated in the proposed Assessment Roll for Abatement of Nuisances.

2. The Assessment Roll for Abatement of Nuisances is hereby approved and assessments thereby specified are levied against each and every lot, place, or parcel of land thereby described.

3. Such assessments, unless paid within thirty (30) days after the filing of the assessment roll in the Office of the Finance Officer, shall be certified as delinquent to the Pennington County Auditor and payable through the Pennington County Treasurer's Office with the statutory interest rate.

Dated this 18th day of May, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer
Community Development Consent Items

17. LP051320-03 - Authorize the Mayor and Finance Officer to Sign the Community Block Grant for Working Against Violence, Inc. for FY20
18. LF051320-04 - Authorize the Mayor and Finance Officer to Sign Amended SF-424 for Community Block Grant for FY20
19. LP051320-05 - Authorize the Mayor and Finance Officer to Sign the FY20 Community Block Grant-CV (CDBG-CV) SF-424, SF-424D and Certifications
20. LP051320-07 - Approve Amendment to Resilient Participation Plan (CUAG)
21. No. 20TI003 – (This is a duplicate item and is correctly placed under non-consent public hearing items.) Approve Resolution No. 2020-021 - A Resolution to Approve TID No. 70 - Project Plan Amendment No. 1 to Redevelop Project Plan Costs for Property Generally Described as Being Located on Criton Boulevard from 6th Street to South US Highway 16, then South along US Highway 16 to Somme Trail and East to the Proposed Hyland Crossing Subdivision
22. No. 03T1001 - Approve Resolution No. 2020-030 a Resolution to Dissolve Tax Increment District #38 for Property Generally Described as Being Located at the Intersection of Eglin Street and Elk Vale Road

RESOLUTION NO. 2020-030
A RESOLUTION DISSOLVING
TAX INCREMENT DISTRICT NUMBER THIRTY EIGHT

WHEREAS, the City of Rapid City created Tax Increment District Number Thirty Eight on February 17, 2003; and
WHEREAS, there are no longer any reimbursable project costs remaining to be paid; and
WHEREAS, the City Council of the City of Rapid City is authorized to dissolve this Tax Increment District pursuant to SDCL 11-8-46(2),
NOW, THEREFORE, BE IT RESOLVED by the City of Rapid City that the Tax Increment District Number Thirty Eight is hereby dissolved.

BE IT FURTHER RESOLVED that any funds which are deposited in the Tax Increment District Number Thirty Eight Special Fund, pursuant to SDCL 11-9-31, be distributed as provided by SDCL 11-9-45.

Dated this 18th day of May, 2020.

CITY OF RAPID CITY

/\ Steve Allender
Mayor

ATTEST:
/\ Pauline Sumption
Finance Officer

Bid Award Consent Items

23. CC051820-02.1 - Approve award of total bid for Flomann Street Water Main Replacement Project, Mt. Rushmore Road to Apollo Circle, Project No. 19-2512 / CIP No. 51235 opened on May 13, 2020 to the lowest responsible bidder, Lind Excel, Inc. in the amount of $889,526.42.
Annual Action Plan
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CITY COUNCIL

MAY 18, 2020


25. CC051820-02.3 - Approve award of total bid for Northridge Booster Pump Station and Stony Creek Booster Pump Station Improvements, Project No. 14-2178 / CIP No. 50812.CD opened on May 13, 2020 to the lowest responsible bidder, Mainline Contracting, Inc. in the amount of $418,050.00.

END OF CONSENT ITEMS

NON-CONSENT ITEMS - Items 20 - 34

Nick Ufha, manager of Grand Gateway Hotel, addressed the council. He said his business is financially suffering. He did call the government for help but is not receiving relief. He wants all businesses open now and doesn't think an extension is necessary.

Bob Fuchs, owner of the Firehouse, said the council had his full support and thought the initial plan was logically thought out. He asked that restrictions end by May 31. He has everything in place to keep the guests and employees safe. He adheres to social distancing and employees wearing masks. He said the stimulus loans are good but those will run out in June. He is asking the restrictions be lifted since many businesses are losing money in every instance.

Ordinances

Mayor read in item (No. 20RZ026) First Reading, Ordinance 6418, an Ordinance Amending Section 17.08 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Low Density Residential District for property generally described as being located at 4039 and 4052 Whittaway Place. Motion to approve was made by Drew, second by Lehmann and that Ordinance 6418 be placed upon its first reading and the title was fully and distinctly read and second reading set for June 1, 2020. Those voting aye, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Druy, Evans, Roberts and Drew; nay: none. Motion carried.

Mayor read in item (No. 20RZ027) First Reading, Ordinance 6419, an Ordinance Amending Section 17.08 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Low Density Residential District for property generally described as being located at 4122, 4134, 4148, 4158 and 4170 Wisconsin Avenue. Motion to approve was made by Druy, second by Strommen and that Ordinance 6419 be placed upon its first reading and the title was fully and distinctly read and second reading set for June 1, 2020. Those voting aye, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Druy, Evans, Roberts and Drew; nay: none. Motion carried.

Mayor read in item (No. 20RZ028) First Reading, Ordinance 6420, an Ordinance Amending Section 17.08 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Low Density Residential District for property generally described as being located at 3622, 3626, 3632, 3636 and 3700 City View Drive. Motion to approve was made by Drew, second by Armstrong and that Ordinance 6420 be placed upon its first reading and the title was fully and distinctly read and second reading set for June 1, 2020. Those voting aye, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Druy, Evans, Roberts and Drew; nay: none. Motion carried.

Mayor read in item (LF051320-09) First Reading 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). Mayor asked Landeen to speak. He indicated that the ordinance did not extend the restrictions, but it does allow council to adopt regulations by resolution and also to lessen or removed those same regulations by resolution. He stated a resolution can be approved with one reading. Just because the ordinance goes to July 31 does not mean that we need to have restrictions...
until July 31. If the ordinance is allowed to expire on June 6, all restrictions would go away. Drew spoke to both Uhr and Fuchs. They explained applying for the PPP loan and that their payroll will be covered for eight weeks which is the middle of June and then that money is gone. Drew wants to keep the option of the resolution in place which will allow council to make quicker decisions if the numbers of people are becoming more or less infected. She wants Rapid City’s numbers to stay low so that tourists see that and want to visit Rapid City. Roberts wants to revisit this in two weeks. He wished that council hadn’t closed the businesses so early. Drury is ready to have business as usual in Rapid City. Evans feels restrictions are still necessary. Strommen agreed with Landeen’s explanation of allowing council the ability to make regulations through July 31. Motion to approve was made by Lewis, second by Armstrong and that Ordinance 8424 be placed upon its first reading and the title was fully and distinctly read and second reading set for June 1, 2020. Troese voting aye, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew, no; none. Motion carried.

Legal & Finance Committee Items
Mayor read in item (LP061320-09) Resolution No. 2020-037 an Emergency Resolution Extending Resolution No. 2020-034. Motion to approve was made by Drew, second by Armstrong to extend current regulations to June 6, 2020. Evans said that South Dakota is sitting at 26th highest in the United States. He thinks at our rate of increase that we could be #1 in the upcoming months if we aren’t careful. Motion passed 6-3 with Lehmann, Drury and Roberts voting no. **This item was published separately on Wednesday, May 20, 2020, which is the effective date of this resolution.**

RESOLUTION NO. 2020-037
AN EMERGENCY RESOLUTION EXTENDING RESOLUTION 2020-034.

WHEREAS, the City adopted an emergency resolution modifying the mandatory orders contained in Ordinance 8413 on April 27, 2020; and

WHEREAS, the modified orders contained in the resolution are set to expire on May 31, 2020; and

WHEREAS, this meeting is the last regularly scheduled meeting before the resolution expiries; and

WHEREAS, Ordinance 8413 does not expire until June 6, 2020; and

WHEREAS, the City Council has determined that it is in the City’s best interests to extend the modified orders so they do not expire prior to the expiration of Ordinance 8413.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the provisions contained in Resolution 2020-034 are hereby extended until June 6, 2020, unless otherwise repealed, modified or extended.

BE IT FURTHER RESOLVED, by the City of Rapid City, that due to the fact a national and statewide emergency has been declared and one of the primary recommendations to combat this emergency is to practice social distancing and limit person to person contact, this resolution is considered necessary for the immediate preservation of the public peace, health, and safety of the City of Rapid City and shall be effective immediately upon publication thereof.

Dated this 18th day of May, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumrall
Finance Officer
### Alcoholic Beverage License Applications (58 applications)

31. Approve 2020 Retail (on- & off-sale) Mall Beverage & SD Farm Wine License Renewals

<table>
<thead>
<tr>
<th>Application No</th>
<th>Name</th>
<th>Address Details</th>
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<tbody>
<tr>
<td>RB-2010</td>
<td>UNIQUE PROMOS INC</td>
<td>3306 DEADWOOD AVE N</td>
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<tr>
<td>RB-2082</td>
<td>ESSENCE OF COFFEE LLC</td>
<td>906 MAIN ST</td>
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<td>RB-2190</td>
<td>LATE HARVEST INC</td>
<td>530 6TH ST</td>
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<td>M G OIL COMPANY</td>
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<td>RB-2289</td>
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<td>May 11, 2020</td>
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Motion to approve was made by Armstrong, second by Roberts and carried 9-0 with all 56 applications being approved.

Mayor's Items
Mayor read in the item (CC051820-01) Presentation from Mayor Allender – Recommended 2020 Budget Revisions Resulting from COVID-19. Mayor stated that the city approves the upcoming year’s budget months in advance of the next year. He said with the pandemic, the city has seen lower than budgeted revenues. Therefore it is necessary to make an adjustment to the spending plan. If council is on board with the recommendations, he will bring an ordinance forward to a future council meeting. The budget configuration is made up of the general fund, special revenue funds, and enterprise funds. Reduction in enterprise funds doesn’t benefit the general fund. The general fund is the issue today. Mayor went over the projected shortfall reasons. He stated the estimated shortfall amount is projected to be around $6.6 million. Most of the general fund is made up of sales tax and property tax. We do not receive sales tax numbers in real time, so everything is based on a guess. There is also a projected state tax subject to year end property tax submissions. Revenue is also subject to future economic activity over the next seven months. The reduction philosophy is a combination of one-time purchase delays, staff, and program reductions, reductions to subsidies, delay of CIP projects, and one-time use of reserve funds. He went over the plan for reductions in each department to make up for the shortfall. He also explained the justification for using reserves. In response to a question from Nordstrom, Biegler said not opening the pools will save a great deal of money. None of the pools ever make enough to cover their expenses. Drew is concerned that kids will start using the creek since the swimming pools are closed. Lewis stated he appreciated the suggestions the mayor made. Motion was made by Drury, second by Armstrong to acknowledge and bring back a proposed ordinance at a later date. Motion carried.

Mayor read in the item (CC051820-05) authorize funding for emergency shelter up to $75,000. He explained that there is currently an emergency shelter at the civic center in the Rushmore room. This is something completely closed designed for the chronic homeless who are vulnerable and generally a non-compliant population. There has been about $28,000 in expenditures so far to get that up and running and those have been handled by local groups and philanthropy. If the city ends up using it, there will be 24-hour supervision, food costs, healthcare costs, a number of things to isolate that population and care for them and that will cost money. In all likelihood, there will be reimbursement for that money. The money is needed upfront to operate the facility with half coming from the city and half coming from the county. In response to a question from Roberts, the money could be taken from reserves or out of the emergency management budget. Lewis, Drew, and Nordstrom spoke in favor of funding. In response to a question from Evans, Mayor Allender indicated that June 26, 2020 was originally chosen as the end of the closure dates for the events at the civic center, since no one knew the speed at which the virus could spread. July events have not been cancelled as of right now. Motion was made by Drury, second by Lehmann and carried to designate up to $75,000 from the reserve fund for the emergency shelter.

Staff Items
Mayor read in item (CC051820-03) Rapid City Coronavirus Emergency Response — Chief Karl Jegers. Chief Jegers explained the Office of Justice Programs and U.S. Department of Justice have approved the application by the City of Rapid City for an award under the CUP funding opportunity entitled “BJA FY 20 Coronavirus Emergency Supplemental Funding Program.” Motion to approve was made by Roberts, second by Drury and carried to approve.

Mayor read in Item (CC061820-04) - Authorize Mayor and Finance Officer to sign Settlement Agreement with Darren Haer. Motion was made by Drew, second by Lewis to approve. Motion carried 9-0.

PUBLIC HEARING ITEMS -- Item 35 - 80
CONSENT PUBLIC HEARING ITEMS -- Item 35
Alcohol Licenses
35. Spiker Management LLC DBA La Vida Mexican Restaurant, 1001 E North Street for a Retail (on-off sale) Mail Beverage & SD Farm Wine license TRANSFER from Fiesta Tequila Mexican Restaurant LLC, DBA Fiesta Tequila Mexican Restaurant, 1001 E North Street

Motion was made by Lewis, second by Armstrong to approve item 35. Motion carried 9-0.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 36 - 50
Mayor read Item (No. 207-028) A request by John Gomez for Alta Terra Development for a Resolution 2020-021 to approve TID No. 70 Project Plan Amendment #2 to reallocate project plan costs for property generally described as being located at Pebron Boulevard from 5th Street to South U.S. Highway 16, then south along U.S. Highway 16 to Sammis Trail and east to the proposed Hyland Crossing Subdivision. Having passed its first reading on May 18, 2020 motion was made by Lewis, second by Roberts to approve. The following voted aye: Druy, Roberts, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. No: None.

Res #2020-021
RESOLUTION APPROVING TID NO. 70 PROJECT PLAN AMENDMENT #2 FOR SOUTH HIGHWAY 16 SEWER TAX INCREMENT DISTRICT NUMBER SEVENTY AS SUBMITTED BY THE RAPID CITY PLANNING COMMISSION

WHEREAS, the Council of the City of Rapid City has determined that it is in the best interest of the City to implement plans which promote economic development and growth in the City; and

WHEREAS, the Council embraces the concept of Tax Increment Financing as a tool to encourage this desirable growth and redevelopment, and

WHEREAS, the South Highway 16 Sewer Tax Increment District was created on September 15, 2008 and the Project Plan was approved on February 6, 2012; and

WHEREAS this Project Plan Amendment #2 will replace the Project Plan Revision #1 approved by the City Council on October 11, 2016; and

WHEREAS, the Council deems it desirable to promote economic development and create jobs in the corporate limits of the City of Rapid City; and

WHEREAS, the Tax Increment District includes commercially zoned property thereby forming an economic development Tax Increment District; and

WHEREAS, the 2008 base valuation of the District as determined by the South Dakota Department of Revenue was $22,894,400 and the 2016 year end equalized valuation of the District was $30,714,566, evidence that the District has stimulated the general economic welfare and prosperity of the state through the promotion and advancement of industrial or commercial development as required in South Dakota Codified Law 11-9-8; and

WHEREAS, the Project Plan Revision #2 reallocated project costs to reflect certified expenditures for the sewer main extension, Moon Meadows Drive extension, storm drain, traffic signal and water main crossing at Moon Meadows Drive and US Highway 16, Engineering Design, Testing and Surveying, Construction Administration and financing costs; and

Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
WHEREAS, the Council has considered the Project Plan Amendment #2 submitted by the Planning Commission and determined that the Project Plan Amendment #2 for South Highway 16 Tax Increment District Number Seventy is economically feasible; and

WHEREAS, the Council has further determined that this Project Plan Amendment #2 is in conformity with the adopted Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED by the City of Rapid City that the Tax Increment District Project Plan Amendment #2 for South Highway 16 Tax Increment District Number Seventy be and hereby is approved as submitted by the Rapid City Planning Commission.

Dated this 18th day of May, 2020.

CITY OF RAPID CITY

/s/ Steve Allender
Mayor

ATTEST:

/s/ Paulina Sumpfen
Finance Officer

Mayor read in item (No. 20RZ2001) Second Reading, Ordinance 6389, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Medium Density Residential District for property generally described as being located at 324 E. New York Street. Having passed its first reading on May 4, 2020 motion was made by Drury, second by Lehmann to approve. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6389 was declared duly passed upon its second reading.

Mayor read in item (No. 20RZ2002) Second Reading, Ordinance 6390, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Medium Density Residential District for property generally described as being located at Settlers Creek Place. Having passed its first reading on May 4, 2020 motion was made by Drew, second by Drury to approve. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6390 was declared duly passed upon its second reading.

Mayor read in item (No. 20RZ2003) Second Reading, Ordinance 6391, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Medium Density Residential District for property generally described as being located west of Sunny Springs Drive between Wesleyan Boulevard and Harmony Heights Lane. Having passed its first reading on May 4, 2020 motion was made by Nordstrom, second by Drury to approve. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6391 was declared duly passed upon its second reading.

Mayor read in item (No. 20RZ2004) Second Reading, Ordinance 6392, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Medium Density Residential District for property generally described as being located east of Sunny Springs Drive and south of Wesleyan Boulevard. Having passed its first reading on May 4, 2020 motion was made by Drew, second by Nordstrom to approve. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommen, Armstrong,
CITY COUNCIL

MAY 18, 2020

Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6392 was declared duly passed upon its second reading.

Mayor read in Item (No. 20RZ006) Second Reading, Ordinance 6393, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Low Density Residential District II for property generally described as being located at the eastern terminus of Table Rock Road. Having passed its first reading on May 4, 2020 motion was made by Lehmann, second by Nordstrom to approve. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6393 was declared duly passed upon its second reading.

Mayor read in Item (No. 20RZ006) Second Reading, Ordinance 6394, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to High Density Residential District for property generally described as being located at 311 Quincy Street. Having passed its first reading on May 4, 2020 motion was made by Nordstrom, second by Drury to approve. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6394 was declared duly passed upon its second reading.

Mayor read in Item (No. 20RZ007) Second Reading, Ordinance 6395, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Low Density Residential District II for property generally described as being located at 918 Meadowood Drive. Having passed its first reading on May 4, 2020 motion was made by Drew, second by Armstrong to approve. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6395 was declared duly passed upon its second reading.

Mayor read in Item (No. 20RZ009) Second Reading, Ordinance 6397, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Low Density Residential District for property generally described as being located at 4034 and 4232 Tower Road. Having passed its first reading on May 4, 2020 motion was made by Drury, second by Nordstrom to approve. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6397 was declared duly passed upon its second reading.

Mayor read in Item (No. 20RZ012) Second Reading, Ordinance 6400, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Low Density Residential District II for property generally described as being located at Horizont Point north of Tower Road. Having passed its first reading on May 4, 2020 motion was made by Drew, second by Nordstrom to approve. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6400 was declared duly passed upon its second reading.

Mayor read in Item (No. 20RZ032) Second Reading, Ordinance 6414, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Rorison Associates, LLC for Creek Drive Land, LLC for a Rezoning request from Medium Density Residential District to General Commercial District for property generally described as being located at 413 North Creek Drive. Having passed its first reading on May 4, 2020 motion was made by Nordstrom, second by Drury to approve. Upon vote
being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6414 was declared duly passed upon its second reading.

Mayor read in item (No. 20RZ2023) Second Reading, Ordinance 6415, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc for BH Capital LLC for a Rezoning request from General Agricultural District to Low Density Residential District II for property generally described as being located north of Philadelphia Street, east of E. Anamosa Street. Having passed its first reading on May 4, 2020 motion was made by Lehmann; second by Drew to approve. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6415 was declared duly passed upon its second reading.

Mayor read in item (No. 20RZ2024) Second Reading, Ordinance 6416, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc for Yasmien Dream, LLC for a Rezoning request from General Agricultural District to Medium Density Residential District for property generally described as being located west of Elk Vale Road at the terminus of Orchard Lane. Having passed its first reading on May 4, 2020 motion was made by Drury, second by Nordstrom to approve in conjunction with approval of a Planned Development Designation. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6416 was declared duly passed upon its second reading.

Mayor read in item (No. 20RZ2025) Second Reading, Ordinance 6417, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Stephanie Kroeze for a Rezoning request from Park Forest District to Low Density Residential District II for property generally described as being located at 1225 3rd Street. Having passed its first reading on May 4, 2020 motion was made by Nordstrom; second by Roberts to approve. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, and Evans. NO: Drew; Whereupon, the Mayor declared the motion passed and Ordinance 6417 was declared duly passed B-1 upon its second reading.

Mayor read in item (No. 19OA006) Second Reading of Ordinance No. 6294, an Ordinance Amending Chapter 17.40 to Revise Permitted and Conditional Uses in the Office Commercial District. Having passed its first reading on May 4, 2020 motion was made by Drew, second by Nordstrom to approve. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6294 was declared duly passed upon its second reading.

**BILLS**

The following bills have been audited:

**BILL LIST - MAY 18, 2020**

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CITY COUNCIL

MAY 18, 2020

RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 05/06/20, PD 05/07/20 4,784.12
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 05/13/20, PD 05/14/20 7,017.36
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 05/12/20 21,407.67
BLACK HILLS ENERGY, ELECTRICITY, PD 05/12/20 36,880.69
COMPUTER BILL LIST 2,844,824.61
CDEV COMPUTER BILL LIST 31,038.42
SUBTOTAL 5,869,077.01
RSVP, PAYROLL PERIOD END 04/25/20, PD 05/01/20 2,110.00
RSVP, PIONEER BANK & TRUST, 04/25/20 PAYROLL TAXES, PD 05/01/20 457.28
RSVP, COMPUTER BILL LIST 221.16
TOTAL 5,872,705.44

Sumption presented the bill list of $5,872,705.44. Motion was made by Nordstrom, second by Armstrong and carried to authorize (No. CC$51820-01) the Finance Officer to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Those voting aye: Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; no: none. Motion carried.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Armstrong, second by Roberts and carried to adjourn the meeting at 8:18 p.m.

Dated this 18th day of May, 2020.

ATTEST:

Finance Officer
(SFAL)

CITY OF RAPID CITY

Mayor

15

Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
LEGAL AND FINANCE COMMITTEE MINUTES  
Rapid City, South Dakota  
July 01, 2020  

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, July 01, 2020, at 12:30 p.m.  

A quorum was determined with the following members answering the roll call: Becky Drury, Dara Drew, Chad Lewis, Ritchie Nordstrom, and Lance Lehmann. Absent: None  

(NOTE: For ease 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 Nordstrom, second by Lewis and carried to adopt the agenda.  

GENERAL PUBLIC COMMENT  
None.  

CONSENT ITEMS  
Motion was made by Lewis, second by Lehmann and carried to approve items 1-15 as they appear on the Consent Items.  

1)  Approve Minutes for June 10, 2020  

MAYOR'S ITEMS  
2)  LF-170120-03 – Confirm the Appointment of Kelly Arguello to the Planning Commission to Fill the Unexpired Term Vacated by Galen Hoogstraat and Confirm the Appointment of Haven Stuck to the Planning Commission to Fill the Unexpired Three-Mile Representative Term Vacated by Kelly Arguello  

AIRPORT  
3)  LF-170120-12 – Approve Rapid City Airport Rates and Charges for FY2020 Revision 1  

FIRE DEPARTMENT  
4)  LF-170120-01 – Authorize Staff to Apply for and Accept if Awarded the Western States Fire Managers Wildfires Mitigation Grant  

5)  LF-170120-04 – Authorize the Mayor and Finance Officer to Sign MAP Agreement and the RC Approved Addendum Agreement Between Marco Technology and the Rapid City Fire Department for print/copy/scanner/fax Machine Maintenance for Fire Stations 1, 2, 3, 4, 5, 6, and 7  

FINANCE DEPARTMENT  
6)  Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Danielle High Bear (Parks and Recreation), Ashley Vincent (Parks and Recreation), Lynne Enochaun (Parks and Recreation), Vince Benz (Parks and Recreation), Mary Benz (Parks and Recreation), Kris Nordin (Parks and Recreation), Jan Gustin (Parks and Recreation), Don Gustin (Parks and Recreation), Tamara Pier (Parks and Recreation), Pat Resendy (Parks and Recreation), Ryan Burke (Parks and Recreation), Laura Armstrong (Parks and Recreation), Becky Drury (Parks and Recreation), Joanne Hurler (Parks and Recreation), Priscilla Bade (Parks and Recreation), Larry Beamley (Parks and Recreation), David Holland (Parks and Recreation), Rebecca Holland (Parks and Recreation), Tammi Applegarth (RSVP+), Judy Adam (RSVP+), Miekko Ruhm (RSVP+), Thomas
LEGAL AND FINANCE COMMITTEE
July 01, 2020
Buhm (RSVP+), Patty Goetz (RSVP+), Esther Lux (RSVP+), Donna McLoughlin (RSVP+), Mary Moad (RSVP+), Michelle Morin (RSVP+), Donna Page (RSVP+), Jay Pransan (RSVP+), Sian Young (RSVP+)

7) LF070'20-02 – Acknowledge May 2020 General Fund Cash Balance Report

8) LF070'20-05 – Authorize the Mayor and Finance Officer to Sign Life Safety Loan Agreement with Tom L. Odom, Jr., Vicki Odom and Joseph Graziano

9) LF070120-10 – Approve Resolution No. 2020-059 A Resolution Authorizing the Execution of Contractual Documents with the State of South Dakota for the Receipt of CARES Act Funds to Address the COVID-19 Public Health Crisis

COMMUNITY DEVELOPMENT
10) LF070120-11 – Authorize the Mayor and finance Officer to Sign the FY20 Community Development Block Grant Contract for Rural America Initiatives, Inc., and the Indenture of Restrictive Covenants

11) LF070120-08 – Authorize the Mayor and Finance Officer to Sign the FY19 Community Development Block Grant Amended Contract for Behavior Management Systems, Inc.

12) LF052720-02 – Authorize the Mayor and Finance Officer to Sign 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

13) LF070120-07 – Approve Resolution No. 2020-056 a Resolution Declaring Surplus Property and Appointing Three Real Property Owners to Appraise the Property at 248 Curtis Street

14) LF070120-08 – Authorize the Mayor and Finance Officer to Sign the FY20 Community Development Block Grant/Neighborhood Lift Contract for Black Hills Works, Inc., and Indenture of Restrictive Covenants, Quit Claim Deed, Mortgage, Promissory Note and Associated Documents

15) LF070120-09 – Approve the Preliminary FY19 Consolidated Annual Performance and Evaluation Report (CAPER)

END OF CONSENT CALENDAR

NON-CONSENT ITEMS – Items 16 – 19

Public Comment opened

Public Comment closed

POLICE DEPARTMENT
18) LF070120-13 – Lewis moved to table the Introduction and First Reading of Ordinance No. 6430 an Ordinance to Change the Permissible Hours of Sale of Alcohol Beverages for Off-Premises Consumption by Amending Section 5.12.080 of the Rapid City Municipal Code. Second by Lasmann, Motion carried unanimously.

COMMUNITY DEVELOPMENT
19) 20200202 – Lewis moved to approve the Second Reading and Recommendation of Ordinance No. 6428 an Ordinance to Clarify the Retail Sales Component of Microbreweries as Conditional Uses in the Light Industrial District by Amending Section 17.22.030N of the Rapid City Municipal Code. Second by Nordström, Motion carried unanimously.
18) 20OA003 – Drew asked Sarah Hanzel from Long Range Planning; how this ordinance change came about. Hanzel, who is also the staff liaison to the Historical Preservation Commission gave a little bit of background on this ordinance amendment which looks at the section of the code that establishes the commission, assigns powers and duties, and is published in the zoning section of the code in chapter 17. It was put in chapter 17 in 2015 because that general part of the code describes the process for historic preservation; but today they are looking at changing just the membership requirement so it is more of just the administrative procedural portion. When some revisions to the preservation review process were made back in 2015, a consultant’s recommendation was to make sure to have stakeholders from historic districts serving on the commission. They wanted to give a clear direction on who is eligible to be a member of the commission and the way it was written was a pretty strict category, with three members having to be from West Boulevard, three people who must be from downtown, and those who must serve from the professional preservation planning standpoint. Over time they have found it is difficult to keep up with everyone initially approved to be on the commission because they fit those strict categories but then they move to a new neighborhood within the City and then suddenly they do not fall into the same category, leaving the categories sort of messed up. The amendment brought forward today gives a little more stakeholder flexibility for persons who move to different areas of the City and it also helps maintain compliance with the ordinance. Hanzel said there has been a full membership on the commission since the ordinance was adopted back in 2015. This amendment will also reduce the number of members on the commission from nine members to seven (5 voting members plus 2 alternates), who she believes serve two-year terms and then can renew a certain number of times. Nordstrom asked Hanzel to give a brief overview of what the commission is currently doing for the community. Hanzel said one of the projects they are working on with grant funding is updating the historic preservation plan and part of that is updating the historic context document. The last time the historic context document was created for Rapid City was 1989 so they have started looking at updating that document in the first phase and then updating the preservation plan. They have been having community meetings, exploring some internal visioning and goal setting, looking at what has been accomplished and where to go with the preservation program, and also examining priorities for the community. Hanzel said part of what the commission does is assist the city with historic reviews but several years ago they had a more active role in that process actually taking the lead on reviewing every building permit in the historic district. The Commission has since switched to more of an administrative process and generally only reviews a couple of projects a year, usually those that have potential for some tax damage to a historic building. Hanzel did not have immediate percentages on the number of historic buildings in the city but indicated that Rapid City does have one of the largest historical districts in the state. Nordstrom moved to approve the introduction and First Reading of Ordinance No. 6423 an Ordinance Amendment to Recodify Establishment and Organization of the Historic Preservation Commission by Removing Section 17.54.010E and Adding Chapter 2.62 to the Rapid City Municipal Code. Second by Drew. Motion carried unanimously.

19) 20OA004 – Nordstrom moved to approve the introduction and First Reading of Ordinance No. 6434 an Ordinance Amendment to Revise the Requirement for a Planned Development Overview by Amending Section 17.59.060 of the Rapid City Municipal Code. 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 12:44 p.m.
Annual Action Plan
2020

PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota
July 6, 2020

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at the City/School Administration Center in Rapid City, South Dakota on Monday, July 6, 2020, at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Alderpersons: Ritchie Nordstrom, Darle Drew, Laura Armstrong, John Roberts, Greg Stromman, Lance Lahmann, Bill Evans, Becky Dury and Chad Lewis; the following Alderpersons arrived during the course of the meeting: None; and the following were absent: None.

Staff members present included: Finance Officer Paula Sumption, City Attorney Joel Laakso, Interim Police Chief Don Hedrick, Interim Fire Chief Jason Cullerson, Public Works Director Dale Tech, Community Development Planning Manager Vicki Fisher, Parks and Recreation Director Jeff Stegler, and Administrative Coordinator Heidi Weaver.

OLD BUSINESS

NON-PUBLIC HEARING ITEMS — Items 1 - 5

Holly Sager, President of RV Ministries, gave her speaking time to Jared Tomac, attorney for The RV Ministry. He requested that the mayor stop serving on any board due to conflicts of interest. He believed that it should be handled under new business. He went over the intentions of RV Ministries along with their hours of operation and crossing guard concerns. Eileen Diamond also gave her speaking time to Jared Tomac. She continued to give reasons to allow this conditional use permit.

Cathie Harris, former president of The RV Ministry and the owner of the building, who is operating under James II LLC. She said she is not doing anything underhanded. She wanted the building to allow the organization to serve the homeless. She stated that One Heart isn't open yet. She only wanted to help be another resource for people struggling with life.

Roberta Harmon, Director of Y-me, Inc. said Cathie Harris is helping homeless people get their lives back. She said Cathie helped her and The RV Ministry is not doing anything disruptive.

Tonya Anderson, owner of Parkway Laundromat, complimented RV Ministries on their effort. She believes this location is very unsafe and the evenings will be even more unsafe with people crossing the busy traffic at night. She spent 30 minutes watching people leave The RV Ministry building and seven people leaving there, crossed traffic and didn't use the crosswalk. She said it's a very dangerous location and does not think the CUP should be allowed there.

CONSENT ITEMS — Items 1-3

Approved Minutes
Motion was made by Lewis, seconded by Armstrong and carried to Approve Minutes for the June 9, 2020 Special Council meeting and the June 15, 2020 Regular Council meeting.

Legal and Finance Committee Consent Items
Motion was made by Lewis, seconded by Armstrong and carried to (LP070120-12) Approve Rapid City Airport Rates and Charges for FY2020 Revision 1.

NON-CONSENT ITEMS — Items 4 and 5

Public Works Committee Items
CITY COUNCIL
JULY 8, 2020

Mayor read in (PW063020-24) Appeal by Western Housing Enterprises, LLC of an Exception Request denial to waive the requirement to improve Valley Drive to collector street standards. Mayor indicated the applicant asked that the item be continued to the July 20, 2020 city council meeting. Motion was made by Lewis, second by Lehmann and carried to continue to July 20, 2020.

Staff Items
Mayor read in item (MC070620-03) Presentation of Mayor's Written Objection and Veto of the Request by Catherine B Harris for a Final Planned Development Overlay to allow a Mission in the General Commercial District for property generally described as being located at 112 East North Street, which the Council approved June 15, 2020. Mayor said he took an in-depth look at this item and there are many concerns about public safety. There is a lot of foot traffic near the railroad tracks and East North Street. He didn't think the conditions were clear when the original vote was taken. He asked for the veto out for the common good of Rapid City. In response to a question from Drew, Tomac said The RV Ministry would do everything to comply with the CUP and if the city wanted to have it reviewed in three, six or nine months, they would comply. He indicated there would be a crossing guard when they were open. Hedrick indicated there have been problems with warming shelters in the past. He stated that some concerns are people bringing alcohol in and the men and women not having separate places to stay. Motion was made by Roberts, second by Lewis to uphold the mayor's veto. In response to a question from council, Landeen said the mayor rarely asks for a veto, but has the right to do so under old business since the council who is voting now, has already heard the item and were responsible for the first vote. In response to a question from Drew, Fisher said there is no probationary period for them to re-apply as long as they pay the application fee again. Motion carried 9-0 to uphold the mayor's veto.

PUBLIC HEARING ITEMS - Items 6-11
CONSENT PUBLIC HEARING ITEMS - Items 6-8

Alcohol Licenses
6. MG Oil Company DBA The Park, 707 Mountain View Rd for a Retail (on-sale) Liquor license TRANSFER from MG Oil Company DBA Clock Tower Lounge, 2525 W Main St
7. MG Oil Company DBA The Park 3, 707 Mountain View Rd, Suite C for a Retail (on-sale) Liquor license TRANSFER from MG Oil Company DBA Uncle Sam's South, 2110 Jackson Blvd
8. MG Oil Company DBA The Park 2, 707 Mountain View Rd Suite B for a Retail (on-sale) Liquor license TRANSFER from MG Oil Company DBA Jokers Casino South III, 1320 Mount Rushmore Road Suite B

Motion was made by Roberts, second by Lehmann to approve items 6-8. Motion carried 9-0.

NON-CONSENT PUBLIC HEARING ITEMS - Items 9-11
Mayor read in item (20OA002) Second Reading of Ordinance No. 6428 an Ordinance to Clarify the Retail Sales Component for Microbreweries as Conditional Use in the Light Industrial District by amending Section 17.22.030N of the Rapid City Municipal Code. Motion was made by Drury, second by Roberts that the title be read the second time. Upon vote being taken the following voted AYE: Drew, Armstrong, Nordstrom, Broman, Lewis, Evans, Lehmann, Drury and Roberts. NO: None. whereupon the Mayor declared the motion passed and Ordinance 6428 was declared duly passed upon its second reading.

Mayor read in item (No. 20ZR030) Second Reading, Ordinance 6422, an Ordinance Amending Section 17.08 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Medium Density Residential District for property generally described as being located north of the intersection of East Stumar Road and Shelby Avenue. Motion was made by Lehmann, second by Roberts that the title be read the second time. Upon vote being taken the following voted AYE: Drew, Armstrong, Nordstrom, Broman, Lewis, Evans, Lehmann, Drury and Roberts. NO: None. whereupon the Mayor declared the motion passed and Ordinance 6422 was declared duly passed upon its second reading.
No. 20RZ32 - Second Reading, Ordinance 6427, an Ordinance Amending Section 17.05 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to High Density Residential District for, generally described as being located at 726 South Street. Motion was made by Lowe, second by Roberts that the title be read the second time. Upon vote being taken the following voted AYE: Drew, Armstrong, Nordstrom, Strommen, Lewis, Evans, Lehmann, Drury and Roberts. NO: None. Whereupon the Mayor declared the motion passed and Ordinance 6427 was declared duly passed upon its second reading.

END OF "OLD BUSINESS" PUBLIC HEARING CALENDAR

RECOGNIZE OUTGOING COUNCIL MEMBERS
Mayor Allender recognized Chad Lewis and Becky Drury for their service to the citizens of Rapid City during their time on the council.

RECESS TO SWEAR IN NEWLY ELECTED COUNCIL MEMBERS
Mayor called the meeting to recess at 7:19 p.m. At this time the Oath of Office was administered by Sumption to Ward Council Members Patrick Jones, Ritchie Nordstrom, Jason Salemun, John Roberts and Laura Armstrong.

RECONVENE
Mayor Allender reconvened the meeting at 7:29 p.m. with the following members present: Bill Evans, Greg Strommen, Lance Lehmann, Darla Drew, Ritchie Nordstrom, Jason Salemun, Patrick Jones, John Roberts and Laura Armstrong.

ELECTION OF OFFICERS
Mayor Allender opened the floor for nominations for Council President. Motion was made by Salemun, second by Roberts to nominate Laura Armstrong for Council President. Motion was made by Jones, second by Strommen to cease nominations. Mayor named Armstrong Council President by default.

Mayor Allender opened the floor for nominations for Council Vice-President. Motion was made by Roberts, second by Strommen to nominate Lance Lehmann for Council Vice-President. Motion was made by Roberts, second by Strommen to cease nominations. Mayor named Lehmann Council Vice-President by default.

PRESENTATION
Mayor read in Item (CC070820-02) Rapid City Transmission Line Rebuild Project. Marc Eyre, Vice President of Operations for Black Hills Energy presented the information to the council. He said the project is around eight miles long and will be broken into two phases. He indicated that safety is their top priority. In response to a question from Strommen, Eyre said the line rebuild is from the west service station off of Deadwood Avenue to the south substation off of Calhoun Blvd. He indicated these lines were built in the 1980’s and everything needs replaced. Mayor thanked Eyre for his presentation.

ADOPTION OF THE AGENDA
Motion was made by Armstrong, second by Nordstrom and carried to adopt the agenda.

GENERAL PUBLIC COMMENT (3-minute time limit per speaker)
Drew Wishon, spoke on behalf of the Black Hills Community for Action Initiative. He said this group protests almost every Monday, Wednesday and Friday. He is concerned about the Rapid City Police Department. He said they should be wearing masks in order to protect citizens from COVID. He stated the officers have refused to provide badge numbers. He said the police are refusing to step and help. He
wants all officers to wear body cams. This way the officers will remain in control without being condescending and disrespectful.

Mary Holm spoke on behalf of the Black Hills Community Action Initiative as well. She thinks the police department budget should be cut. She said masks are not being worn by PD. She stated it was unsafe to live in Rapid City.

Andrew Hoot stated he was arrested during the protest against the police on July 3 in Keystone. He said the police had shields and batons that were used against people. He was one of twelve person arrested during the protest. He said it started as a peaceful protest on July 3, then the police officers made it violent. He is demanding justice and wants the charges against the protesters dropped.

NON-PUBLIC HEARING ITEMS - Items 17 – 71
CONSENT ITEMS - Items 17 – 64

The following items were removed from the Consent Items:

47. LF070120-03 – Confirm the Appointment of Kelly Arguello to the Planning Commission to Fill the Unexpired Term Vacated by Galen Hoogestraet and Confirm the Appointment of Haven Stuck to the Planning Commission to Fill the Unexpired Three-Mile Representative Term Vacated by Kelly Arguello

53. LF070120-10 – Approve Resolution No. 2020-059 A Resolution Authorizing the Execution of Contractual Documents with the State of South Dakota for the Receipt of CARES Act Funds to Address the COVID-19 Public Health Crisis

55. 20TP022: Acknowledge the Sixth and Omaha Crossing Feasibility Study - Draft Report

Motion was made by Armstrong, second by Strommen and carried to approve items 17-64 with the exception of items 47, 53 and 55.

Alcoholic Beverage License Applications Set for Hearing (July 20, 2020)
17. Naja Shriners for a SPECIAL EVENT On-Sale Dealer License for an event scheduled for July 25, 2020 at Naja Shrine Center, 4081 Sturgis Road
18. City of Rapid City OBA Rushmore Plaza Civic Center, 444 ML Rushmore Rd, for a Retail (on-off sale) Malt Beverage & SD Form Wine license
19. Solier Management OBA LaVida, 1061 E North Street for a Retail (on-off sale) Wine and Other Liquor License TRANSFER from Fiesta Tequila Mexican Restaurant LLC OBA Fiesta Tequila Mexican Restaurant, 1061 E North Street

Public Works Committee Consent Items

20. PW/063020-01: Approve change order 4F to R.C.S. Construction, Inc. for Willow Ave, Ivy Ave, Farlane Dr, Street and Utility Reconstruction, Project #2254/CIP NO.50421.3-1 C for a decrease of $70,202.76.
21. PW/063020-02: Approve change order 1 F to Unr-Exco, Inc. for Tower Court Storm Sewer Outfall Stabilization, Project #2166/CIP NO.51203 for a decrease of $100,283.45.
22. PW/063020-03: Approve change order 1 F to Simon Contractors of SD, Inc. for 2019 Roadway Paving Project, Project #2466/CIP NO.50297 for a decrease of $3,752.81.
23. PW/063020-04: Approve change order 1 F to Watanabe Construction for Pavement Rehabilitation Project, Fountain Plaza Drive and Rand Rd, Project #2471/CIP NO.50549 for a decrease of $20,543.81.
24. PW/063020-05: Approve change order 1 F to Ainsworth Benning for West Main and Jackson Blvd Panel Repair Project, Project #2613/CIP NO.50445 for an increase of $10,184.54.
25. PW083020-06: Approve change order 1 F to BTD Enterprises, LLC, for Clifton Street Sidewalk Improvements, Project #2528/CIP NO. 50716.3 for a decrease of $8,000.
26. PW083020-07: Approve change order 1 to Simon Contractors of SD, Inc. for Pavement Rehabilitation Project Grand Vista Ct to Kepp Ct, Project #2547/CIP NO. 50549 to extend the contract completion date to July 31, 2021. This is a no cost change order.
27. PW083020-08: Approve change order 1 to J.V. Bailey Co., Inc. for Sheridan Lake Rd Panel Repair Project, Project #2556/CIP NO. 50445 for an increase of $16,583.54.
28. PW083020-09: Authorize Staff to Advertise Bids for GII Ave Sewer Reconstruction Project, Project No. 20-2584/CIP No. 51294. Estimated Cost $300,000.00
29. PW083020-10: Authorize Staff to Advertise for Bids Project No. 20-2597 / CIP No. 50093 PETT Blvd Food Replacement
30. PW083020-11: Approve Correction to Award Recommendation for Sheridan Lake Rd Panel Repair Project, Project No. 10-2559 \ CIP No. 50446. awarded at the May 18, 2020 Council Meeting, to the lowest responsible bidder J.V. Bailey Co., Inc., in the amount of $390,101.20. The funding source originally identified was incorrect.
31. PW083020-12: Authorize Mayor and Finance Officer to Sign Amendment No. 2 to the Agreement between the City of Rapid City and Advanced Engineering and Environmental Services, Inc. (AE2S) for Professional Engineering Services for Analysis of Federal Emergency Management Agency (FEMA) Special Flood Hazard Area (SFHA) Meade/Hawthorne Drainage Basin, Project Number 18-2458, CIP 51130 in the amount of $18,067.00.
32. PW083020-13: Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid City and FMG Engineering for Professional Engineering Services for Tower Road Stabilization Project, Project No. 19-2537 CIP No. 51254 in the amount of $55,785.00
33. PW083020-14: Authorize Mayor and Finance Officer to Sign Professional Services Agreement between the City of Rapid City and Renner Associates, LLC for Alta Vista Drive Storm Sewer Improvement Project, Project No. 20-2595 / CIP No. 51300, for an Amount not to Exceed $20,501.00.
34. PW083020-15: Authorize Mayor and Finance Officer to Sign Professional Services Agreement between the City of Rapid City and Longbranch Civil Engineering, Inc. for Meade Hawthorne Drainage Basin Improvements, Detention Ponds 224 and 225, Project No. 2596/ CIP No. 51206, for an Amount not to Exceed $29,620.00.
35. PW083020-28: Approve Request from William & Jill Blickensderfer (the property owners) for a Variance to Waive the Requirement to Install Sidewalks per City Ordinance 12.08.060, along Harter Drive which is the easement of their property located at 2404 Canyon Lake Drive.
36. PW083020-28: Approve Request to Purchase one (1) Expoflink Modvace for the Solid Waste Division from SourceWell Contract 122017-EXP for a cost of $18,616.00
37. PW083020-17: Approve request to purchase one (1) Conover Hydrosizer for the Solid Waste Division to cover MSW and for use in erosion control from SourceWell contract 052417-FINN for a cost of $75,600.75.
38. PW083020-18: Authorize Staff to Advertise for Bids to Rapid City Solid Waste - Lake Harman Outfall Improvements, Project No. 20-2589 / CIP No. 51289. Estimated Cost $220,000.00.
39. PW083020-19: Request authorization for Mayor and Finance Officer to sign Amendment One to agreement with HDR Engineering for Water Reclamation Facility (WRF) Arc Flash Analysis, Project No. 17-2434 / CIP No. 51180. This is a no cost amendment.
40. PW083020-20: Authorize Mayor and Finance Officer to Sign Service Agreement with Midco Dining and Marine Services for reservoir cleaning for seven of seventeen reservoirs. Estimated Cost: $22,093.00
41. PW083020-21: Authorize Mayor and Finance Officer to sign a Professional Services Agreement with HDR Engineering, Inc. for the Water Risk and Resilience Assessment, Project No. 20-2575; CIP No. 51269. Estimated Cost: $69,200.00
42. PW083020-22: Approve Change Order No. 2F to Con Construction for Parks and Recreation Bridge Improvements Project No. PR18-2408 for a decrease of $2,416,90.

Annual Action Plan 2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
CITY COUNCIL

JULY 6, 2020

43. PW03020-23: Authorize the Mayor and Finance Officer to sign a covenant agreement between the City of Rapid City and JD Math Investments, LLC allowing connection to the City water system with a non-conforming service line.

44. PW03020-25: Authorize the Mayor and Finance Officer to sign a covenant agreement between the City of Rapid City and DOEK LLC for identification of ownership and maintenance of drainage lot.

Legal & Finance Committee Consent Items

45. No. 20AM002 – Approve Resolution 2020-039 A request by Cross Country Real Estate LLC for a Petition of De-Annexation for property generally described as being located northeast of the intersection of Jolly Lane and E. Highway 44.

Resolution No. 2020-039

A RESOLUTION EXCLUDING THE WITHIN DESCRIBED TERRITORY

WHEREAS, a petition has been filed with the City, that was signed by not less than three-fourths of the registered voters and by the owners of not less than three-fourths of the value of the territory sought to be excluded from the City; and

WHEREAS, the territory that the petitioners are seeking to have excluded is on the border of the City of Rapid City and,

WHEREAS the City Council of the City of Rapid City deems it to be in the best interest of the City that the territory described in the petition be excluded and thereby removed from the corporate limits of the City,

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City that the following territory, containing 1.35 acres, more or less, is hereby removed from the corporate limits of the City and excluded from the City.

A portion of the NW¼ of the SW¼ of Section 10, T1N, R6E, BHM, Pennington County, South Dakota more fully described as follows: Commencing at the Section ¾ Corner common to Sections 9 and 10, T1N, R6E, BHM, thence, S0°09'57"W, along the section line common to said Sections 9 and 10, a distance of 189.01 feet, thence, S88°54'33"E, a distance of 33.00 feet to a point on the easterly edge of Jolly Lane right-of-way, and the point of beginning; thence, first course: S51°11'21"W, a distance of 538.85 feet; thence, second course: S38°48'39"W, a distance of 190.00 feet, to a point on the northerly edge of E. Highway 44 right-of-way; thence, third course: N81°11'21"W, along the northerly edge of said E. Highway 44 right-of-way, a distance of 190.24 feet; thence, fourth course: N00°37'50"W, along the northerly edge of said E. Highway 44 right-of-way, a distance of 70.45 feet, to the easterly edge of said Jolly Lane right-of-way; thence, fifth course: N00°09'57"E, along the easterly edge of said Jolly Lane right-of-way, a distance of 241.73 feet, to the point of beginning.

Dated this 6th day of July, 2020.

CITY OF RAPID CITY

/s/ Steve Allender
Mayor

ATTEST:
/s/ Pauline Sumpson
Finance Officer
(SEAL)
46. LH070120-07 – Approve Resolution No. 2020-058 a Resolution Declaring Surplus Property and Appointing Three Real Property Owners to Appraise the Property at 248 Curtis Street

Resolution No. 2020-058

A RESOLUTION DECLARING THE S78.5° OF THE W98.5° LESS LOT H-1 OF BLOCK 31 OF AIRPORT ADDITION TO THE CITY OF RAPID CITY SURPLUS AND APPOINTING THREE REAL PROPERTY OWNERS OF THE CITY OF RAPID CITY TO APPRAISE THE PROPERTY

WHEREAS, the property described below was donated to the City of Rapid City by Pennington County pursuant to a deed dated June 20, 2017 and filed in the Office of the Pennington County Register of Deeds on June 23, 2017; and

WHEREAS, the property described below contained a vacant, severely dilapidated house that was demolished by the City of Rapid City in early 2019 in order to remove blight in the City; and

WHEREAS, the City has created the Neighborhood Lift Program in order to transfer property acquired by the City, such as the property described below, to a nonprofit corporation to develop the property and guarantee affordability for a period of 20 years in accordance with certain affordable housing standards; and

WHEREAS, the property is no longer necessary, useful, or suitable for the purpose for which it was acquired.

NOW, THEREFORE, BE IT RESOLVED, that the following property commonly known as 248 Curtis Street and legally described below is declared surplus and shall be disposed of according to state statutes:

South Seventy-Eight and Five Tenths Feet (S78.5°) of the West Ninety-eight and Five Tenths Feet (W98.5°) less Lot H-1 of Block Thirty-one (31) of Airport Addition to the City of Rapid City, Pennington County, South Dakota

BE IT FURTHER RESOLVED that the following three real property owners of the City of Rapid City are hereby appointed to appraise the property: Ritchie Nordstrom, Gregory Strommen, and Clifford Lemme.

Dated this 6th day of July, 2020.

CITY OF RAPID CITY

/s/ Steve Allender
Mayor

ATTEST:
/s/ Pauline Sumption
Finance Officer

48. LF070120-01 – Authorize Staff to Apply for and Accept if Awarded the West Michigan Fire Managers Wildfire Mitigation Grant

49. LF070120-04 – Authorize the Mayor and Finance Officer to Sign MAP Agreement and the RG Approved Addendum Agreement Between Marco Technology and the Rapid City Fire Department for print/copy/scann/fax Machine Maintenance for Fire Stations 1, 2, 3, 4, 5, 6, 7

50. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Danielle High Bear (Parks and Recreation), Ashley Vincent (Parks and Recreation), Lynn Emchekin (Parks and Recreation), Vince Barum (Parks and Recreation), Mary Benz (Parks and Recreation), Kris Norlin (Parks and Recreation), Jan Gustin (Parks and Recreation), Ron Gustin (Parks and Recreation),
CITY COUNCIL

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Tamara Pier (Parks and Recreation), Pat Roseland (Parks and Recreation), Ryan Burke (Parks and Recreation), Laura Armstrong (Parks and Recreation), Becky Drury (Parks and Recreation), Jeannette Hunor (Parks and Recreation), Priscilla Bade (Parks and Recreation), Larry Beazley (Parks and Recreation), David Holland (Parks and Recreation), Rebecca Holland (Parks and Recreation), Tammi Applethorpe (RSVP+), Judy Adams (RSVP+), Mielke Bluhm (RSVP+), Thomas Bluhm (RSVP+), Patty Goltz (RSVP+), Esther Lux (RSVP+), Donna McLoughlin (RSVP+), Mary Mead (RSVP+), Michelle Monn (RSVP+), Donna Page (RSVP+), Joy Pearson (RSVP+), Stan Young (RSVP+)

51. LF70120-02 – Acknowledge May 2020 General Fund Cash Balance Report

52. LF70120-05 – Authorize the Mayor and Finance Officer to Sign Life Safety Loan Agreement with Tom L. Odom, Jr., Vicki Odom and Joseph Graziano

Community Development Consent Items

54. 20T7021: Acknowledge the 2021-2024 Transportation Improvement Program - Draft Report

56. 20T7023: Acknowledge the Metropolitan Transportation Plan and Bicycle and Pedestrian Master Plan Update - Draft Report

57. LF70120-11 – Authorize the Mayor and Finance Officer to Sign the FY20 Community Development Block Grant Contract for Rural America Initiatives, Inc., and the Indenture of Restrictive Covenants

58. LF70120-06 – Authorize the Mayor and Finance Officer to Sign the FY19 Community Development Block Grant Amended Contract for Behavior Management Systems, Inc.

59. LF70120-02 – Authorize the Mayor and Finance Officer to Sign 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

60. LF70120-08 – Authorize the Mayor and Finance Officer to Sign the FY20 Community Development Block Grant/Neighborhood Lift Contract for Black Hills Works, Inc., and Indenture of Restrictive Covenants, Quit Claim Deed, Mortgage, Promissory Note and Associated Documents

61. LF70120-09 – Approve the Preliminary FY19 Consolidated Annual Performance and Evaluation Report (CAPER)

Bid Award Consent Items

62. CC700620-02.1 – Approve award of total bid for Forest Hills Dr. & Clark St. Inlay Project, Project No. 19-2555 / CIP No. 50549 opened on June 30, 2020 to the lowest responsible bidder, J & J Asphalt in the amount of $195,863.10.

63. CC700620-02.2 – Approve award of total bid for 5th Street Paver Repair Project, Project No. 19-233 / CIP No. 50445 opened on June 30, 2020 to the lowest responsible bidder, J.V. Bailey Co., Inc. in the amount of $228,350.50.

64. CC700620-02.3 – Approve award of total bid for Pavement Rehabilitation Project Tower Road, Project No. 20-2537 / CIP No. 50799 opened on June 30, 2020 to the lowest responsible bidder, Tu-Forn Construction, Inc. in the amount of $358,997.25.

END OF CONSENT ITEMS

Mayor read in item (LF70120-03) Confirm the Appointment of Kelly Arguello to the Planning Commission to Fill the Unexpired Term Vacated by Coden Hoegestreet and Confirm the Appointment of Haven Stuck to the Planning Commission to Fill the Unexpired Three-Mile Representative Term Vacated by Kelly Arguello. In response to a question from Drew, Karen Bulman, Planning Commissioner explained the new appointments. In response to a question from Pat Jones, Bulman said they advertise for citizens to apply through the website and press releases. Motion was made by Nordstrom, second by Armstrong and carried to approve.

Mayor read in item (LF70120-10) Approve Resolution No. 2020-059 A Resolution Authorizing the Execution of Contractual Documents with the State of South Dakota for the Receipt of CARES Act Funds
to Address the COVID-19 Public Health Crisis. Drew spoke in favor of this resolution. She asked the mayor to read the resolution into the minutes. Sumption stated that the resolution becomes part of the minutes. She still wanted to read the resolution into the minutes. Motion was made by Nordstrom, second by Armstrong to approve. Mayor read the resolution into the minutes. Nordstrom said there is a conflict with this issue. He applauds staff for working on it. Motion carried 9-0.

City of Rapid City Resolution Number 2020-058
A RESOLUTION AUTHORIZING THE EXECUTION OF CONTRACTUAL DOCUMENTS WITH THE STATE OF SOUTH DAKOTA FOR THE RECEIPT OF CARES ACT FUNDS TO ADDRESS THE COVID-19 PUBLIC HEALTH CRISIS

WHEREAS, pursuant to section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020) (the "CARES Act"), the State of South Dakota has received federal funds that may only be used to cover costs that: (a) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); (b) were not accounted for in the budget most recently approved as of March 27, 2020, for the State of South Dakota; and (c) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020; and

WHEREAS, the City of Rapid City acknowledges that the State of South Dakota, in its sole discretion, may retain full use of these funds for the purposes designated in the CARES Act; and

WHEREAS, the City of Rapid City acknowledges that in order to provide financial assistance to counties and municipalities in South Dakota, the State of South Dakota, in its sole discretion, may allocate CARES Act funds Act on a statewide basis to reimburse counties and municipalities as delineated herein; and

WHEREAS, the City of Rapid City seeks funding to reimburse eligible expenditures incurred due to the public health emergency with respect to COVID-19; and

WHEREAS, the City of Rapid City acknowledges that any request for reimbursement of expenditures will only be for expenditures that were not accounted for in the budget for the City of Rapid City most recently approved as of March 27, 2020; and

WHEREAS, the City of Rapid City acknowledges that it will only seek reimbursement for costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Rapid City that the Mayor and Finance Officer may execute any and all documents as required by the State in order to receive CARES Act funds.

IT IS FURTHER RESOLVED that any request for reimbursement will be only for those costs authorized by the State that: (1) Are necessary expenditures incurred due to the public health emergency with respect to COVID-19; (2) Were not accounted for in the City budget most recently approved as of March 27, 2020; and (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

IT IS FURTHER RESOLVED that the City will not request reimbursement from the State under the CARES Act for costs for which the City previously received reimbursement or for which the City has a reimbursement request pending before another source.

Dated this 6th day of July, 2020.
Mayor read in item (20TP022) Acknowledge the Sixth and Omaha Crossing Feasibility Study - Draft Report. Motion was made by Salamun, second by Nordstrom to acknowledge the draft report. Salamun asked Harrington to explain where we were at on this. Harrington said engineering is reviewing the funding. There are many factors including the state highway department and the department of transportation. The city wants to proceed with the most reasonable cost. Harrington spoke about the build that was mentioned by Nordstrom. He said the city is a strong candidate for funding to take care of the cost. In response to a question from Jones, Harrington said all the supporting documents are linked online. Harrington stated a couple of the options regarding the crossing are a tunnel under or over the street or a hybrid system. Nothing has been started; this is just a feasibility study. Harrington said information could be found at www.sixthstreetstudy.com and on the City of Rapid City website. Motion carried 9-0.

NON-CONSENT ITEMS – Items 65 – 71

Ordinances
Mayor read in item (No. 20RZ031) First Reading of Ordinance 6428, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KT M Design Solutions, Inc. for BH Capital 4, LLC for a Rezoning request from General Agricultural District to Light Industrial District for property generally described as being located southeast of the intersection of N. Creek Drive and Eglint Street. Motion to approve was made by Draw, second by Salamun that Ordinance 6428 be placed upon its first reading and the title was fully and distinctly read and second reading set for July 20, 2020. Those voting aye: Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; NO: none. Motion carried.

Mayor read in item (20OA003) First Reading of Ordinance No. 6429 an Ordinance Amendment to Recodify Establishment and Organization of the Historic Preservation Commission by Reenacting Section 17.64.010 and Adding Chapter 2.62 to the Rapid City Municipal Code. Motion to approve was made by Nordstrom, second by Nordstrom that Ordinance 6429 be placed upon its first reading and the title was fully and distinctly read and second reading set for July 20, 2020. Those voting aye: Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; NO: none. Motion carried.

Mayor read in item (20OA004) First Reading of Ordinance No. 6430 an Ordinance Amendment to Revisit the Requirement for a Planned Development Overlay by Amending Section 17.50.050 of the Rapid City Municipal Code. Motion to approve was made by Draw, second by Lehmann that Ordinance 6430 be placed upon its first reading and the title was fully and distinctly read and second reading set for July 20, 2020. Those voting aye: Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; NO: none. Motion carried.

Community Development Items
Mayor read in item (No. 20PL017) A request by Dream Design International, Inc. for Yasserman Dream 111, LLC for a Preliminary Subdivision Plan for proposed Lots 24 thru 62 of Block 2, Lots 3 thru 7 of Block 5, and Lot 1 of Block 6 of Shepherd Hills Subdivision generally described as being located east of the current terminus of Philadelphia Street. Motion was made by Salamun, second by Roberts and carried to approve with the following stipulations: 1. Prior to submittal of a Development Engineering Plan application, an Exception shall be obtained to allow 59 dwelling units with one point of access or the plat document shall be revised to provide a second street connection; 2. Prior to approval of the Development Plan
Engineering Plan application, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed pursuant to Chapter 1.15 of the Infrastructure Design Criteria Manual. In addition, permits required for construction shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards, as required by the Infrastructure Design Criteria Manual. 3. Upon submittal of a Development Engineering Plan application, construction plans for Solomon Court and Aaron Court, local streets, shall be submitted for review and approval showing the streets located in a minimum 52-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual, with the cul-de-sac bulb at the northern terminus of each street located in a minimum 118-foot diameter right-of-way and constructed with a minimum 96-foot diameter pavement or shall meet criteria for obtaining an Exception or Variance (sidewalk). If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application. 4. Upon submittal of a Development Engineering Plan application, construction plans for E. Philadelphia Street, a collector street, shall be submitted for review and approval showing the street located in a minimum 68-foot wide right of way with a minimum 34-foot wide paved surface and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception or Variance (sidewalk). If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application. 5. Upon submittal of a Development Engineering Plan application, water plans and analysis prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual. The design report shall demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development. In addition, prior to approval of a Development Engineering Plan application, the conversion of the existing low level 12-inch water main to the North Rapid Pressure Zone shall be completed. An Exception shall be obtained to allow a dead-end water main or the plans shall be revised to provide looping of the North Rapid system in compliance with the Infrastructure Design Criteria Manual. 6. Upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual shall be submitted for review and approval. The design report shall demonstrate that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity in conformance with the Infrastructure Design Criteria Manual. In addition, easements shall be provided as needed; 7. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual and the Rapid City Municipal Code shall be submitted for review and approval for the proposed subdivision improvements. The drainage plan shall include a storm water quantity control and storm water quality treatment. In addition, easements and conveyances shall be secured from this area to the proposed pond shown from Phase 1B or any other proposed off-site drainage system(s); 8. Upon submittal of a Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and the Infrastructure Design Criteria Manual shall be submitted for review and approval for the required subdivision improvements; 9. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval; 10. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements; 11. Prior to submittal of a Final Plat application, a Final Plat for the adjacent phase (Phase 1A) of the development shall be recorded securing access to the subject property or the portion of the E. Philadelphia Street right-of-way shall be included in the Final Plat application for the subject property; 12. Prior to submittal of a Final Plat application, Rezone 20Z023 to change the zoning designation on a portion of the property from General Agriculture District to Low Density Residential District II shall be approved by City Council; 13. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any proposed drainage elements. In addition, Major Drainage Easements shall be dedicated for the proposed drainage improvements; 14. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have
not been completed shall be posted and the subdivision inspection fees shall be paid; and, 15. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

Mayor said in item No. 30F009) A request by KTM Design Solutions, Inc. for a Preliminary Subdivision Plan for Lot K and Lot A1 of North Valley Park Subdivision, generally described as being located southeast of the intersection of N. Creek Drive and Eglin Street. Motion was made by Nordstrom, second by Strommen and carried to approve with the following stipulations: 1. Prior to approval of the Development Engineering Plan application, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed pursuant to the Infrastructure Design Criteria Manual. An additional budget is permitted for construction to be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and shall contain a Certification Statement of Conformance with City Standards, as required by the Infrastructure Design Criteria Manual. 2. Upon submittal of a Development Engineering Plan application, construction plans for North Valley Drive, a collector street, shall be submitted for review and approval showing the street located in a minimum 60-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception or Variance (sidewalk). A minimum 28-foot pavement width is required adjacent to commercial and/or industrial properties. The construction width shall add to 34 feet at the southern limits of the project adjacent to residential uses to allow on-street parking. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 3. Upon submittal of a Development Engineering Plan application, the Traffic Impact Study shall be updated to address the proposed changes in land use; 4. Upon submittal of a Development Engineering Plan application, water plans and analysis prepared by a Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual. The design report shall demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development. In addition, an Exception shall be obtained to allow a dead-end street or the plans shall be revised to provide loopings of the North Rapid system in compliance with the Infrastructure Design Criteria Manual. Easements shall also be provided as needed; 5. Upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Professional Engineer as per the Infrastructure Design Criteria Manual shall be submitted for review and approval. The design report shall demonstrate that the sanitary sewer system is adequate to meet estimated flows and provide sufficient system capacity in conformance with the Infrastructure Design Criteria Manual. In addition, easements shall be provided as needed; 6. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Professional Engineer as per the Infrastructure Design and the Rapid City Municipal Code shall be submitted for review and approval for the proposed subdivision improvements. Major drainage easements and conveyances shall also be required to allow upstream future lots northeast of N. Valley Drive to drain to Pond S816; 7. Upon submittal of a Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and the Infrastructure Design Criteria Manual shall be submitted for review and approval for the required subdivision improvements. 8. Upon submittal of a Development Engineering Plan application, a geotechnical report shall be submitted for review and approval. The report shall specifically address the roadway embankment requirements with the significant fill associated with the roadway profile; 9. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval. 10. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements; 11. Prior to submittal of a Final Plat application, requests for override costs shall be approved by the City Council; 12. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any proposed drainage elements. In addition, Major Drainage Easements shall be dedicated for the proposed drainage improvements; 13. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have
not been completed shall be posted and the subdivision inspection fees shall be paid; and, 14. Prior to the City's acceptance of the public improvements, a warranty shall be submitted for review and approval as required.

Mayor read item (No. 20PL6040) A request by Ferber Engineering Co., Inc. for Wayne Hellman for a Preliminary Subdivision Plan for proposed Lots 1 and 2 of Cabot Subdivision, generally described as being located north of the Cabot Road terminus. Motion was made by Drew, second by Jones and carried to approve with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, construction plans for Cabot Hill Road shall be submitted for review and approval. In particular, the construction plans shall show a turnaround at the end of Cabot Hill Road (County Section). In addition, that portion of Cabot Hill Road located on the subject property (private section) shall be widened and turned around provided every 600 feet pursuant to the Infrastructure Design Criteria Manual or an Exception shall be obtained. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 2. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted showing the construction of a sidewalk along Cabot Hill Road; both County and private sections, or a Variance from the City Council shall be obtained to waive the requirement; 3. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual and the Rapid City Municipal Code shall be submitted for review and approval for all infrastructure elements per Section 1.15 of the Infrastructure Design Criteria Manual. In particular, the drainage report shall address subdivided zoning of the private road widening and deflection requirements. In addition, easements shall be provided as needed; 4. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval; 5. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all required improvements; 6. Prior to submittal of a Final Plat application, the property shall be annexed into the City limits of Rapid City or an Exception shall be obtained to waive the requirement. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application. If the property is annexed into the City, all roadway and utility improvements shall be required per the Infrastructure Design Criteria Manual; 7. Prior to submittal of a Final Plat application, the applicant shall enter into a Wild Fire Mitigation Plan for the property; 8. Prior to submittal of a Final Plat application, the property shall be rezoned with Pennington County to support the proposed lot size(s) or a Variance shall be obtained from Pennington County to reduce the required lot size requirement in the General Agriculture District; 9. Prior to submittal of a Final Plat application, the plat document shall be revised to show the existing overgrown electric line within a utility easement as required by Black Hills Energy; 10. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any proposed drainage elements. In addition, easements shall be dedicated as needed; 11. Upon submittal of a Final Plat application, a maintenance agreement shall be submitted for recording; 12. Upon submittal of a Final Plat application, a Covenant Agreement shall be entered into with the City to ensure that fire suppression systems are installed in any new residential structures. The system design and installation shall meet the system requirements of NFPA 13, 13R and 13D, as applicable; 13. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and, 14. Prior to the City's acceptance of the public improvements, a warranty shall be submitted for review and approval as required.

Bid Awards
Mayor read item (CC070630-02.4) Approve award of total bid for Rushmore Plaza Furniture and Furnishings Bid Package 1, 2, 3, 4, 5, and 6 for Rushmore Plaza Civic Center Expansion, Project No. 2462 June 9, 2020 to the lowest responsive bidder, Centfield Business Interiors in the amount of $374,070.71. Motion was made by Drew, second by Evans to approve. In response to a question from Roberts, Summerton stated this bid was part of the $130 million dollar package from the Vision Funds.
response to a question from Jones, Landeen said Greenfield Business is based out of Sioux Falls but they do have an office in Rapid City. Motion carried 9-0.

**PUBLIC HEARING ITEMS - (Presented under old business)**

**CONSENT PUBLIC HEARING ITEMS - (Presented under old business)**

**FUND OF CONSENT PUBLIC HEARING CALENDAR**

**NON-CONSENT PUBLIC HEARING ITEMS - (Presented under old business)**

**BILLS**

The following bills have been audited.

**BILL LIST - JULY 6, 2020**

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RISK ADMIN SERVICES INC: WORK COMP CLAIMS THROUGH 07/01/20
SD RETIREMENT SYSTEM SPECIAL PAY PLAN, SPECIAL PAY PLAN FEES. ASSESSORS,
CURTIS, DALY, JONES, MILLER, REINER, SOLO, TATON, WARD, PD 06/28/20
15,950.10
US BANK, CREDIT CARD CHARGES, PD 07/01/20
11,710.18
BANK WEST, 11947 TOWER RD, PD 06/23/20
57,979.99
BANK WEST, 11954 RAINBOW RIDGE, PD 06/23/20
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BANK WEST, 11956 RUSHMORE CROSSING, PD 06/23/20
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CITY OF Rapid CITY, 11954 COMM AVE, PD 06/23/20
98,293.38
CITY OF Rapid CITY, 11968 NORTH FIRE STATION, PD 06/23/20
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FIRST INTERSTATE BANK, 11930 FEDERAL, BEEF/FOUNDEES PARK DRY,
PD 06/23/20
193,670.54
MARKET SQUARE LLC, 11952 E 8TH CHARLES ST, PD 06/23/20
12,880.29
BLACK HILLS ELECTRIC COOPERATIVE, ELECTRICITY, PD 06/23/20
988.00
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33,536.03
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119,734.31
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 06/17/20
441.83
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 06/23/20
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COMPUTER BILL LIST
5,185,203.70
3,962.66
SUBTOTAL
13,036,226.16
RSVP, P/ROLL PERIOD END 06/06/20, PD 06/12/20
2,178.29
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565.02
RSVP, COMPUTER BILL LIST
238.26
TOTAL
13,036,226.16

Sampson presented the bill list of $13,036,226.16. Motion was made by Nordstrom, second by Jones and carried to authorize (No. CJ200620-01) the Finance Officer to issue warrants or treasurer checks drawn on proper funds, in payment thereof.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Armstrong, second by Salas and carried to adjourn the meeting at 8:16 p.m.

Dated this 8th day of July, 2020.

ATTEST:  
Finance Officer
(SALE)
LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota
July 29, 2020

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, July 29, 2020, at 12:30 p.m.

A quorum was determined with the following members answering the roll call: Darla Drew, Lance Lehmann, Laura Armstrong (telephonically), Pat Jones and Jason Salamun. Absent: None

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

ADOPTION OF AGENDA
Motion was made by Jones second by Lehmann to adopt the agenda. Roll call votes taken with Drew, Lehmann, Jones, Salamun and Armstrong voting “yes.” Motion carried unanimously.

GENERAL PUBLIC COMMENT
None.

CONSENT ITEMS
Motion was made by Lehmann, second by Salamun to approve items 1-9 as they appear on the Consent Items. Roll call votes taken with Drew, Lehmann, Jones, Salamun and Armstrong voting “yes.” Motion carried unanimously.

CONSENT ITEMS -- Items 1 – 9

Public Comment opened – Items 1 – 9
Public Comment closed
Remove Items from the “Consent Items” and Vote on Remaining Consent Items

1) Approve Minutes for July 15, 2020

MAYOR’S OFFICE
2) LF072920-03 – Confirm the Appointment of Ritz Corklin to the Retired Senior Volunteer Program (RSVP) Advisory Council

POLICE DEPARTMENT
3) LF072020-06 – Authorize Staff to Apply for and Accept if Awarded the 2020 JAG Grant for an Amount of $88,760.00 to Be Evenly Split Between RCPD and the Pennington County Sheriff’s Office to Replace Aging Radius

FINANCE DEPARTMENT
4) Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Sue Aker (RSVP+), Betty Goddard (RSVP+), Darla Drew (RSVP+), Bernard Iszler (RSVP+), Laura Iszler (RSVP+), Candace Laursen (RSVP+), Merle McKelvie (RSVP+), Diana Metzger (RSVP+), Ceci Miller (RSVP+), Don Pekin (RSVP+), Mary Pevelec (RSVP+), Robert Pavlinek (RSVP+), Jerilyn Riemer (RSVP+), Ralph Riener (RSVP+), Robert Schneider (RSVP+), Kathleen Schneider (RSVP+), Ruth Ann Schwartz (RSVP+), Albert Selara (RSVP+), Lacota Setera (RSVP+), Richard Tinkler (RSVP+), Romona Tinkler (RSVP+), Sharon Thoman (RSVP+), Rena Bowers (RSVP+), Sandy Truante (RSVP+), Terry Truante (RSVP+), Sharon (Sherry) Scudder (RSVP+), Lori Lola Kunkla (RSVP+)
Legal and Finance Committee
July 29, 2020

5) LF072020-01 — Acknowledge Annual TID Report to Council

6) LF072020-02 — Acknowledge June 2020 General Fund Cash Balance Report

7) LF072020-07 — Acknowledge Report on Retail (on/off sale) Matt Beverage Licenses Eligible for Video Lottery

Community Development

8) LF072020-04 — Approve Final FY19 Consolidated Annual Performance and Evaluation Report (CAPER)

9) LF072020-05 — Approve Preliminary FY20 Amendment to Resident Participation Plan

End of Consent Calendar

Non-Consent Items — Items 10 – 14

Public Comment opened — Items 10 – 14

Public Comment closed

Finance Department

10) LF071520-01 — Salamun moved to approve the Second Reading and Recommendation of Ordinance No. 6432 Regarding Supplemental Appropriation 4 for 2020. Second by Jones. Roll call vote taken with Crew, Lehmann, Jones, Salamun and Armstrong voting "yes". Motion carried unanimously.


Community Development

12) ZOA005 — Salamun asked for clarification on this ordinance amendment. Assistant City Attorney Kinsley Groots said this amendment removes the front setback restriction for RVs and trailers that would be phased in that setback because a large number of properties are not in compliance given that people currently keep their RVs, boat trailers, or other trailers there. City Attorney Joel Lundeen speculated that the original ordinance was probably put in place for aesthetic reasons so things were not parked in front of houses within the setback making that area clear. He said many of the older homes had detached garages and were set back a way. Generally the setback is the front of the house; therefore, since most houses built now have the garage right at the front yard setback along with the rest of the house, it is hard to be in compliance, being that anything parked in front of the house is in violation of that ordinance. He said any camper or boat parked in your driveway even if it is not blocking the sidewalk and is off of the street, is technically still in violation. Jones asked if there is a certain length of time an RV/camper/boat can be parked in front until it has to be moved. Groots reported that with the change, there would be no time requirement as long as it meets the other provisions, such as being on a gravelled or hard surface. Lundeen added that time restrictions can be an enforcement nightmare and they also encourage people to game the system. He used an example of the current restriction "or length of time a car can be parked "on-street" (24 hours) with it being apparent that people simply drive around the block, park it again, say they moved it and are compliant, but the car essentially stays on the street all the time. He believes enforcement would be somewhat difficult because if there were to be a three or four day requirement in place, then someone would have to go out each day and document that it wasn't moved and prove that it wasn't moved. Drew asked about cars/trailers parked on both sides of the...
L-EAL AND FINANCE COMMITTEE
July 29, 2020

Since Groza said the police department enforces the "on street" parking provisions. Interim Police Chief Don Hedrick said they do receive calls regarding on street parking and RCPD does go out, take a look, and a large majority are resolved just by talking with the owner. He added that if it becomes a chronic problem there are methods the police department can use to address those. Salamun moved to approve the Introduction and First Reading of Ordinance No. 2988 an Ordinance to Amend Provisions of the Rapid City Municipal Code Relating to the Storage and Parking of Certain Vehicles and Trailers. Second by Lehmann. Roll call vote taken with Drew, Lehmann, Jones, Salamun and Armstrong voting "yes". Motion carried unanimously.

13) PW072820-08 - Sarah Hanwel from Long Range Planning provided a brief presentation with an update on the Historic Preservation Commission grant projects they are currently working on with education and outreach projects in the community. The Commission has been working on hosting the biannual conference of SD Historic Preservation Commissions which was originally scheduled for March 2020 but has now been postponed to March 2021. Another grant-funded project in the works is updating the Historic Context Document and Historic Preservation Plan, which are quite outdated. Once Phase III has been completed of this project, an update will be presented to the City Council. She mentioned other projects/activities include working on social media, working with other institutions to provide presentations and partnering with Downtown Rapid City to help update downtown interpretive signs. Hanwel also stated the number of historic reviews that have been completed prior to 2018: 18 residential applications, 2 commercial applications, and 1 case report in 2018; and 6 resident applications, 2 commercial applications and 0 case reports thus far in 2020. Drew asked Hanwel to explain why the Commissions work is important to Rapid City and what it brings to the community economically. Hanwel also stated the importance of historic preservation and the value it brings to the City being a tourism-based community. She said telling the story of our community is something that does have a real economic draw with our historic downtown. But it is also about our sense of place here, who we are as a community, the quality of life, our community identity and how we have developed over time. Salamun moved to acknowledge the Update and Report from the Historic Preservation Commission Regarding Current Projects and Activities. Second by Lehmann. Roll call vote taken with Drew, Lehmann, Jones, Salamun and Armstrong voting "yes". Motion carried unanimously.

ITEMS FROM THE PUBLIC
14) LF072920-08 - Todd Gagne shared photos of the building he and partner Matt Ehrman purchased at 406 St. Joseph Street and presented his request for a no build easement over city-owned property located at 416 St. Joseph Street. The owners feel the building does not have much natural light and have added garage doors on both ends to help in adding more natural light. He mentioned that there are a lot of professional buildings downtown that are housing 50 to 100 people that make $20,000.00 to $30,000.00 a year. Their goal with this building is to build something that will be able to bring 100 people downtown with an average salary of $75,000.00 that can spend their money downtown. The owners started working with architects and found that a pig selling point is having a lot of glass on the west side. They feel it being dark on both sides, it is difficult to make an inviting environment for a hundred people. City Attorney Joel Landsein explained that the lots that are adjacent are currently a parking lot and at this point it would not harm the parking lot, but the problem is as staff looks at this request, when considering the long term, it probably will not remain a surface lot. He went on to say that if the City has now put an easement across it, it prevents someone from building to the property line impeding their ability to develop that property, which then decreases the value of that property in the future. Landsein said that any business that is going to devalue that property would ask for compensation for that or expect something in return. He noted that a discussion has taken place with the owners who are seeking the easement and city and they were not interested in doing that. Landsein said his understanding is that the owners did offer to purchase the lots but because the City needs that parking right now, the City is not ready to sell that lot. He conveyed that selling the lot is a potential option but then there are people that lease space there that may not have a spot to park. Landsein said during staff discussions another option
LEGAL AND FINANCE COMMITTEE
July 29, 2020

Presented was entering into a covenant agreement allowing the owners to obtain a permit to install windows but if at some point in the future that property is developed and those owners want to build a building up to the property line, then they would have to remove the windows at their own expense. The City does not have any specific development plans right now, so that would allow the owners to do what they are proposing to do and then if that property never develops, the City has not decreased the value of the property and preserves that for the taxpayers and for anyone who would be interested in purchasing that property. Staff prefers that if the City is going to give up the ability to develop or it decreases the value of this lot in the future, there should be some type of compensation, or look for an alternative that potentially allows the owners to move forward with their project in a way that does not decrease the value of the property, or at least keeps the options open in the future for development. Gagne said Mr. Ehlnan told him $266,600 was offered but nothing came back from the City, so they are trying to understand that if there was a compensation offer out there, how can they get back to that because if it is something that is reasonable, Gagne believes they are open to that option. Finance Officer Pauline Sumpson commented that unless the conversation happened between only Wude and Matt, there was no conversation during their discussions about the owners paying any money and that Mr. Ehlnan was rather adamant that he was not interested in paying for the easement. Gagne said that is different from what Mr. Ehlnan had told him and it is a miscommunication, after talking to Mr. Ehlnan since the discussions with the City, Gagne feels they would be interested in talking about that if that were an option. Landeen said unlike a purchase, it is a little harder to come up with a value for an easement, but if it is something that the owners are now open to having that discussion, it would be easier for the Council to decide if they want to pursue that or not. Drew asked Landeen and Gagne if the item should be continued and allow them to come back and present a different option. Landeen said he would like some guidance from the committee as to what their view is currently, because even if the City obtains $266,600 or $360,000 now, it is going to impact the ability to develop that property. He said the dilemma the Committee has is that there is a sure project ready to go now that the Committee probably thinks is a good idea, and it is hard to sacrifice that for some vision of the future that may or may not come true, but one of the things that should be considered is the vision for that corridor and the vision is not to have a lot of surface parking but more development like you see on Main and 5th Street now, between Rushmore Road and 5th Street. Landeen said the question the committee has to ask themselves is: do you want to sacrifice the sure project right now for that vision, because it is not going to allow someone to build right up to the property line. James asked Gagne if they have to have windows on that side of the building and is it a no windows no project deal or what are the other options. Gagne said it certainly detracts from what they can do inside, but does not know if it kills the project in total, but it would send them back to the drawing board to figure out what else they can do to create light in there. Gagne added that adding windows now, but the possibility of having to remove them later, is not something they want to do because if they ever want to sell the building, that is something that detracts from the resale value. Salamun added his comments regarding the positive impact of this business and believes this is actually in line with the vision of what the City wants for this area. He would personally like to see a negotiation for the easement at a reasonable rate. Landeen asked Gagne about his timeline for the project and if the item can be continued for two weeks to have further discussions. Gagne feels that would be fine since this is a pretty important milestone for them. Salamun wants to make sure all of the information is out there so the owners don’t feel like they are wasting their time. Salamun is leaning towards option three on the current list of items presented from city staff, but would like to make this happen one way or another and would like the owners to have the ability to come back with a pretty clear agreement, but at the same time being careful that the City does not just give that part of the parking lot for nothing either. Drew asked Landeen if there is any obligation to window size or can they put smaller windows in or are there no fireproof windows? Landeen said windows are expensive and if windows are put in, it does create problems because even if you buy really expensive windows that are fire rated so you can obtain the permit, if in five years the City sells that lot and somebody builds up against it now the window is just black because it is up against a building, which is not an ideal solution for them either. Lehmann moved
LEGAL AND FINANCE COMMITTEE
July 29, 2020

To continue the Request from 11 Main, LLC for No Build Easement Over City Owned Property Adjacent to 415 St. Joseph Street to the August 12, 2020 Legal and Finance meeting. Second by Salamun. Roll call vote taken with Drew, Lehmann, Jones, Salamun and Armstrong voting “yes”. Motion carried unanimously.

Jones asked the Chair for a point of privilege. Jones is concerned that there is still a tremendous amount of fireworks going off in the neighborhood in Ward 1. He is going to use every possible platform to bring attention to this issue. He is hopeful that something can be done to address this because it is causing a major amount of disruption in their neighborhood and many of the residents are very tired of it and are calling and asking help from the City to get this resolved. He is looking for directions to try to solve this.

ADJOURN
There being no further business to come before the Council at this time, motion was made by Salamun seconded by Lehmann and carried to adjourn the meeting at 1:16 p.m.
Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at City Hall, 300 South Street, in Rapid City, South Dakota on Monday, August 3, 2020, at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Aldermen: Pat Jones, Rithie Nordstrom, Greg Strommen, Laura Amstrong, Jason Salamun, Lance Lehmann, Darla Drew, and Bill Evans; the following Aldermen arrived during the course of the meeting: None; and the following were absent: John Roberts.

Staff members present included: Finance Officer Pauline Sumption, City Attorney Joel Landeen, Interim Police Chief Don Hedrick, Parks and Recreation Director Jeff Biegler, IT Director Jim Gilbert, Interim Fire Chief Jason Cutlerson, Public Works Director Dale Tchach, Community Development Director Keun Young, Community Development Block Grant Program Manager Michelle Schuelke, Assistant City Attorney Jessica Rogers and Administrative Secretary Angie Boeke.

ADOPiON OF AGENDA
Motion was made by Salamun, second by Jones, and carried to adopt the agenda.

PRESENTATION
Bill Casper with the Veterans Banner Program addressed the Council about the history of Veterans Day and the Banner Program and presented samples of the banners. He commended Scott Anderson of Parks for his assistance. Banners will be hung September 8-10 and Destination Rapid City will put them up on October 1. They would like the banners to hang from before Memorial Day through Veterans Day.

GENERAL PUBLIC COMMENT
Kira Kelly and Grace B of the Youth City Council Environmental Committee invited people to a park clean up and tailgate picnic on August 22, 2020 at 11:00 a.m. at Founders Park.

Drew Wishen, Joey Dubb and Mary Haan of the Black Hills Community Action Initiative spoke in opposition of the Rapid City Police Department; Mark Smith spoke in support of the Rapid City Police Department.

Justin Harriman and Theresa Sullivan of Rapid Creek Watershed Action spoke in support of protecting the watershed from the effects of mining.

NON-PUBLIC HEARING ITEMS -- Items 2 - 33
CONSENT ITEMS -- Items 2 - 25
The following items were removed from the Consent Items:
22. LF072920-04 – Approve Final FY19 Consolidated Annual Performance and Evaluation Report (CAPER)

Motion was made by Salamun, second by Jones and carried to approve items 2-33 with the exception of item 22.

Approve Minutes
2. Approve Minutes for the July 20, 2020 Regular Council meeting.
CITY COUNCIL

Alcoholic Beverage License Applications Set for Hearing (August 17, 2020)

3. Dolcevita LLC DBA Salabino’s Italian Ristorante, 617 Main Street, for a Retail (on-off sale) Malt Beverage & SD Farm Wine Licenses and a Retail (on-off sale) Wine and Cider license

4. Naja Shriners for a SPECIAL EVENT On-Sale Dealer License for an event scheduled for August 22, 2020 at Naja Shrine Center, 4091 Sturgis Road

5. Clarion Inn for a SPECIAL EVENT On-Sale Dealer License for an event scheduled for August 22, 2020 at Clarion Inn, 1902 N LeCrosse Street

6. Azulada Inc. DBA Juniper, 405 Canal Street Suite 1300 for a Retail (on-off sale) Malt Beverage & SD Farm Wine License

7. Lacota Dream Museum Inc. DBA DeCory’s Entertainment Company for a Retail (on-off sale) Malt Beverage & SD Farm Wine License

Public Works Committee Consent Items

6. PW072820-01: Approve Change Order #1-F for Project No. 2494 / CIF No. 51226 Rapid City Public Library Air Handling Unit Replacement with Climate Controls System and Service for a decrease of $899.52.

9. PW072820-02: Authorize Mayor and Finance Officer to Sign Resolution No. 2020-063 Construction Fee Resolution for Highpointe Ranch Phase 2 Water Main Oversize - Per Acre Fee, Project No. DEV17-1384.

Resolution # 2020-063

CONSTRUCTION FEE RESOLUTION FOR HIGHPOINTE RANCH PHASE 2 WATER OVERSIZE
PROJECT NO. DEV17-1384
WHEREAS, Section 13.04.190 of the Rapid City Municipal Code (RCMC) authorizes the City Council to require properties benefited by the construction of water pipes or mains to pay their proportionate share of the cost to construct such water pipe or main prior to being allowed to connect to the City’s water utility; and

WHEREAS, a 12" water main was extended in Wind River Road per City Project No. DEV17-1384; and

WHEREAS, the City’s total oversize cost of constructing this water main was $13,331.74; and

WHEREAS, the City’s engineering staff has identified the total area that will benefit from construction of this water main, as shown on Exhibit A, which has been attached hereto and incorporated herein; and

WHEREAS, the City’s Public Works Director is recommending the cost to construct this main be paid by the properties which will benefit from its construction prior to such properties being served by the City’s water utility; and

WHEREAS, the City’s Public Works Director is recommending the construction fees be apportioned to the benefiting area shown on Exhibit A, based on the benefits that accrue to such property, and as such, should be established on a per-acre basis; and

WHEREAS, the City Council, having considered the recommendation of the City’s Public Works Director and having made such investigation as it finds necessary, determines that it is in the best interests of the City and its water utility that the owners of properties within the benefiting area should pay their proportionate share of the cost to construct this project on a per-acre basis.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that prior to being allowed to connect to the City’s water system, the owners of property in the benefiting area shown in Exhibit A shall be required to pay a proportionate share of the cost of constructing the 12" water main shown in City Project No. DEV17-1384.
CITY COUNCIL

August 3, 2020

BE IT FURTHER RESOLVED that the owners of the property shown on Exhibit A shall pay $932.43 per
store to connect to the City’s water utility.

BE IT FURTHER RESOLVED that all construction fees collected an established herein shall accrue to
the water utility enterprise fund.

BE IT FURTHER RESOLVED that such utility construction fees shall remain in effect until such time as
the balance of the project costs totaling $13,331.74 has been collected, or until all benefitting properties
have connected to City water, at which time this Resolution and the utility construction fee shall
automatically expire.

Dated this 3rd day of August, 2020

CITY OF RAPID CITY

/\ Steve Allender
Mayor

ATTEST:

/\ Pauline Sumption
Finance Officer
(Seal)

10. PW072820-03: Authorize Mayor and Finance Officers to Sign an Amendment to the original
Agreement between the City of Rapid and Longbranch Civil Engineering, Inc. for Professional
Engineering Services for Robbinsdale Phase 6 Design, Project No. 19-2515, CIP No. 51232, in
the amount of $10,800.00.

11. PW072820-04: Authorize Mayor and Finance Officers to sign agreement between the City of
Rapid City and PMG Engineering, Inc. for Professional Services for P6 Design, Rating, and
Construction services for Rapid City Solid Waste - Lake Hermon Outfall Improvements, Project
No. 20-2389/CIP No. 51269 in the amount of $30,930.00.

12. PW072820-07: Approve Request for purchase of one (1) New 2020 5500 Dodge Ram 4x4
Regular Cab Chassis from Liberty Super store with price match from State Contract #17341 in
the amount of $48,511.00.

13. PW072520-08: Approve Request for purchase of one (1) New 2020 5500 Dodge Ram 4x4
Regular Cab Chassis from Liberty Super Store with price matching from State Contract #17341 in
the amount of $48,511.00.

14. PW072820-05: Approve Change Order No. 2F to Comm Construction for Parks and Recreation
Bridge Improvements Project No. PR18-2406 for a decrease of $2,818.50.

15. PW072820-06: Acknowledge Update and Report from the Historic Preservation Commission
Regarding Current Projects and Activities

Legal & Finance Committee Consent Items

16. LF072920-03 – Confirm the Appointment of Rta condition to the Retired Senior Volunteer Program
(RSVP) Advisory Council.

17. LF072920-06 – Authorize Staff to Apply for and Accept if Awarded the 2020 JAG Grant for an
Amount of $88,752.00 to be Evenly Split Between RCPO and the Pennington County Sheriff's
Office to Replace Aging Radios.

18. Acknowledge the Following Volunteers for Work's Compensation Purposes: Sue Aker
(RSVP+), Betty Goddard (RSVP+), Harlene Hill (RSVP+), Bernard Isler (RSVP+), Laura Isler
(RSVP+), Candace Larsen (RSVP+), Maren McKelvie (RSVP+), Diana Metzger (RSVP+), Cleo
Miller (RSVP+), Don Peklin (RSVP+), Mary Pavlicek (RSVP+), Robert Pavlicek (RSVP+), Jeryl
Reimer (RSVP+), Ralph Reimer (RSVP+), Robert Schneider (RSVP+), Kathleen Schneider
(RSVP+), Ruth Ann Schwartz (RSVP+), Albert Selara (RSVP+), Loceta Setara (RSVP+), Richard
Tinkler (RSVP+), Romona Tinkler (RSVP+), Sharon Thorman (RSVP+), Rena Bozic (RSVP+),

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OMB Control No: 2506-0117 (exp. 06/30/2018)
Sandy Prantle (RSVP+), Terry Prantle (RSVP+), Sharon (Sherry) Soudler (RSVP+), Lori Loch Kunka (RSVP+)

19. LF072920-01 – Acknowledge Annual TID Report to Council
20. LF072920-02 – Acknowledge June 2020 General Fund Cash Balance Report
21. LF072920-07 – Acknowledge Report on Retail (on-off sale) Malt Beverage Licenses Eligible for Video Lottery

Community Development Consent Items
23. LF072920-05 – Approve Preliminary FY20 Amendment to Resilient Participation Plan

Bid Award Consent Items
24. C006320-02.1 – Approve award of total bid for PETT Bldg Roof Replacement, Project No. 20-2957 / CIP No. 50685 opened on July 28, 2020 to the lowest responsible bidder, The Roofing & Construction Co. in the amount of $136,900.00.
25. C006320-02.2 – Approve award of total bid for Gil Ave Sewer Reconstruction Project Project No. 20-2564 / CIP No. 51254 opened on July 28, 2020 to the lowest responsible bidder, Simon Contractors of SD, Inc. in the amount of $317,083.00.

END OF CONSENT ITEMS

Mayor read in item LFO72920-04 Approve Final FY19 Consolidated Annual Performance and Evaluation Report (CAPER). Drew likes items in report, asked for more information in regard to the affordable housing items in the report, and asked Young to discuss the accomplishments. Young referred to Schulze who talked about the new housing projects in Rapid City. JH Holdings on E Watertown consists of 14 new, HUD approved mobile homes and a renovated tri-plex; a new group home for Black Hills Works, single family home built by Black Hills Habitat for Humanity and Abbott House is building their second group home. This is all done with CDBG money. There is a third round of COVID related funds but it is unclear at this time if any funds will be received by Rapid City. Motion was made by Nordstrom, second by Strommen and carried to approve 8-0.

NON-CONSENT ITEMS – Items 26 – 33
Jennifer Boeger spoke against the denial of item 28 (PW071420-14).

Ordinances
Mayor read in item (LF071520-01) Second Reading of Ordinance No. 6432, Regarding Supplemental Appropriation 4 for 2020. Having passed its first reading on July 20, 2020 motion was made by Drew, second by Nordstrom to approve. Upon vote being taken, the following voted AYE: Nordstrom, Strommen, Armstrong, Jones, Lehmann, Salmon, Evans and Drew. NO: None. Whereupon, the Mayor declared the motion passed and Ordinance 6432 was declared duly passed upon its second reading.

Mayor read in item (LF071520-02) Second Reading of Ordinance No. 6433, Regarding Supplemental Appropriation 5 for 2020. Having passed its first reading on July 20, 2020 motion was made by Jones, second by Nordstrom that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Strommen, Armstrong, Jones, Lehmann, Salmon, Evans and Drew. NO: None. Whereupon, the Mayor declared the motion passed and Ordinance 6433 was declared duly passed upon its second reading.

Mayor read in item (200A005) First Reading of Ordinance 6388 to Amend Provisions of the Rapid City Municipal Code Relating to the Storage and Parking of Certain Vehicles and Trailers. Motion was made by Salmon, second by Lehmann and carried to approve Ordinance 6388 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, August 17, 2020.
Public Works Committee Items

Mayor read in Item (PW-07420-14) Appeal by Jennifer Boeger of 2731 Country Club Drive of an Exception. Request denial to allow two driveway approaches for a residential lot with less than 200 feet of frontage. In response to a question from Salamun about the denial, Tech said access points are limited. The more access points the more conflict with traffic. He also said there would be limited on-street parking by creating a bigger driveway. He stated drainage is affected by curb cuts. They don’t convey storm water as well as standard curb and gutter. Evans and Salamun said they understood the situation and would likely vote to grant the exception. Jones and Drew asked the applicant if she considered other alternatives. She said not really because of the uniqueness of the corner. Motion was made by Armstrong, seconded by Lehmann to approve the exception. Motion carried 5-2 with Jones and Drew voting no.

Community Development Items

Mayor read in Item (No. 20PL048) A request by Fisk Land Surveying & Consulting Engineers, Inc for Carkert Construction, LLC for a Preliminary Subdivision Plan for proposed Lots 6A and 6B of Block 29 of Garmston Subdivision, generally described as being located at 507 and 509 Topaz Lane. Motion was made by Armstrong, seconded by Salamun to approve with the following stipulation: 1. Prior to submittal of a Final Plat application, the plat document shall be revised to include a telephone number for the preparer of the document. Motion carried 7-1 with Strommen voting no.

Mayor read in Item (No. 20PL048) A request by Renner Associates, LLC for Tyler Schent for a Preliminary Subdivision Plan for proposed Lots 1 thru 4 and 5A and 5B of Beckman Subdivision, generally described as being located north of the eastern terminus of Empsman Drive. Motion was made by Drew, seconded by Nordstrom and carried to approve with the following stipulations: 1. Prior to approval of the Development Engineering Plan application, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed. In addition, construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards, as required by the Infrastructure Design Criteria Manual. In addition, all information required per Chapter 16.12.040 of the Rapid City Municipal Code shall be submitted for review and approval as applicable; 2. Upon submittal of a Development Engineering Plan application, construction plans for Beckman Drive shall be submitted for review and approval showing the street located in a minimum 95-foot wide right-of-way and constructed pursuant to 2-1 of the Infrastructure Design Criteria Manual with the cul-de-sac bulb located in a minimum 104-foot diameter right-of-way and constructed with a minimum 64-foot diameter pavement or shall meet criteria for obtaining an Exception or Variance (sidewalk). If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application. In addition, the east right-of-way line shall be extended to the east property line to include the area of steep roadway embankment; 3. Upon submittal of a Development Engineering Plan application, construction plans for the “shared access easement” located on proposed Lot 1 shall be submitted for review and approval showing the easement with a minimum width of 20 feet and constructed with a minimum 18-foot wide paved surface or shall meet criteria for obtaining an Exception. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 4. Upon submittal of a Development Engineering Plan application, the plat document shall be revised to show proposed Lot 4 as a “flagpole lot” or construction plans shall be submitted for review and approval for the proposed “access easement” located along the common lot line between Lot 3 and Lot 5A. In particular, the construction plans shall show the easement with a minimum width of 20 feet and constructed with a minimum 16-foot wide paved surface or shall meet criteria for obtaining an Exception. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan; 5. Upon submittal of a Development Engineering Plan application, water plans and analysis prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual. The design report shall demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development.
In addition, the design report shall demonstrate that adequate water capacity and pressure are available at the proposed building location(s). Easements shall also be provided as needed; 6. Upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual shall be submitted for review and approval. The design report shall demonstrate that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity in conformance with the Infrastructure Design Criteria Manual. In addition, construction plans shall be submitted for review and approval adjusting the manhole located outside of the roadway near the curve of Backman Drive to be closer to the street for easier access. Easements shall also be provided as needed; 7. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual and the Rapid City Municipal Code shall be submitted for review and approval for the proposed subdivision improvements. The drainage report shall address storm water quantity control and storm water quality treatment. In addition, easements shall be provided as needed; 8. Upon submittal of a Development Engineering Plan application, a grading plan shall be submitted for review and approval. The grading plan shall show lowering the building pad elevations as needed to ensure that building sites do not exceed the 3,450-foot elevation to be served by the South Canyon-Arrowhead Water Zone. In addition, the grading plan shall address the ditch located outside the right-of-way along the inside of the curve of Backman Drive. In particular the grading plan shall show eliminating the ditch to allow drainage to overland flow to the street or a drainage easement shall be dedicated and an agreement shall be entered into to secure maintenance to convey drainage across the property; 9. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements; 10. Prior to approval of the Development Engineering Plan application, the water and sewer plans shall be approved by the South Dakota Department of Environment and Natural Resources. 11. Prior to Development Engineering Plan approval, any engineer’s cost estimate shall be signed and approved; 12. Prior to Development Engineering Plan approval, any necessary on-site easements shall be secured; 13. Upon submittal of a Final Plat application, the plat document shall include a 6-foot-wide exterior maintenance easement on either side of the common lot line between Lot 6A and 5B; 14. Upon submittal of a Final Plat application, the plat document shall be revised to show the lots located in Block 3. 15. Upon submittal of a Final Plat application, survey for any required subdivision improvements that have not been accepted shall be posted and the subdivision inspection fees shall be paid; and, 16. Prior to the City’s acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

Municipal Items
Mayor read the item (CC08(0320-03) - Presentation - Human Relations Commission Task Force. Task Force Members include Terra Haring, Denise Maher, Karen Mattimer, Tony Rhodes and Amy Seazue. The task force is developing a plan to address complaints and build the community. Mattimer, Rhodes and Seazue each spoke on different aspects of the human relations commission. The topics were the HRC functions, the complaint process; HRC Structure, and Public Private Partnerships. They met 17 times to exam the commission and propose new ideas to make it better. Motion was made by Salzman, second by Armstrong to acknowledge. Salzman said there were a great group of people working on this and they have done a good job. He stated it would be good to concentrate on the things that unite everyone. This program is beyond just complaints; it’s proactive instead of reactive. In response to a question from Salzman, Allender said he is going to include the salary for the proposed director in his 2021 budget. Karen Mattimer said that the commissioners will be the ones who set most of the standards. Armstrong spoke in favor of the Human Relations Commission and thanked the mayor for bringing it to the forefront to be improved. Draw suggested more promotion toward getting the community educated about the group. She said uncomfortable conversations are going to take place before this will be positive. Jones spoke in favor of the HRC. He commended the task force on a job well done. Evans was impressed with the task force and all they came up with. Nustrom is glad the MCA is working with the HRC. He believes in the private public partnership. Mayor expressed his gratitude on the job they did. He said no action was needed on this item.
Council Items & Liaison Reports
Mayor res: In item (CC080320-04) - Report on RSVP - Ritchie Nordstrom, in response to a question from Drew, Nordstrom said the funding was mostly out of the commission for the national and community services. It is a federal grant that we get and 10% of that is used for the administrative part. There is very little done by the City. They are expanding and have started servicing Spearfish. There was no action taken on this item.

PUBLIC HEARING ITEMS - 34 - 36
CONSENT PUBLIC HEARING ITEMS - Items 34 - 36

Alcoholic Licenses
34. Great Western Coral, LLC DBA Golden Coral, 1180 North LaCrosse Street, for a Retail (on-off sale) & Malt Beverage & SD Farm Wine License and a Retail (on-off sale) Wine and Cider license
35. Fleet Farm Group LLC DBA Fleet Farm Fuel, 1115 East Mall Drive, for a Retail (on-off sale) Malt Beverage & SD Farm Wine License and a Retail (on-off sale) Wine and Cider license
36. Fleet Farm Group LLC DBA Fleet Farm, 1001 East Mall Drive, for a Retail (on-off sale) Malt Beverage & SD Farm Wine License and a Retail (on-off sale) Wine and Cider license

Motion was made by Lehmann, second by Jones and carried to approve items 34-36

END OF CONSENT PUBLIC HEARING CALENDAR

BILLS
The following bills have been audited:

BILL LIST - AUGUST 3, 2020

PERIOD END 07/18/20, PD 07/24/20
CDEV PERIOD END 07/18/20, PD 07/24/20
SUPP PERIOD END 07/18/20, PD 07/24/20
PIERCE & BANK & TRUST, 07/18/20 PERIOD END, 07/24/20
CDEV PERIOD END, 07/18/20 PERIOD END, 07/24/20
PIERCE & BANK & TRUST, SUPP PERIOD END, 07/18/20 PERIOD END, 07/24/20
WELLMARK INC, HEALTH CLAIMS THROUGH 07/17/20, PD 07/22/20
WELLMARK INC, HEALTH CLAIMS THROUGH 07/17/20, PD 07/22/20
WAGE WORKS, SECTION 125 CLAIMS THROUGH 07/20/20, PD 07/21/20
WAGE WORKS, SECTION 125 CLAIMS THROUGH 07/20/20, PD 07/21/20
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 07/22/20, PD 07/23/20
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 07/22/20, PD 07/23/20
BANK WEST, TID59 RUSH/MORE CROSSING, PD 07/22/20
BANK WEST, TID59 MINNESOTA ST, PD 07/22/20
BANK WEST, TID70 CATRON BLVD, PD 07/22/20
FIRST INTERSTATE BANK, TID50 FEDERAL BEEF/FOUNDERS PARK DEV, PD 07/22/20
MARKET SQUARE LLC, TID62 E ST CHARLES ST, PD 07/22/20
BLACK HILLS ENERGY, ELECTRICITY, PD 07/22/20
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 07/22/20
COMPUTER BILL LIST
CDEV COMPUTER BILL LIST
SUBTOTAL
RSVP, PERIOD END 07/18/20, PD 07/24/20
RSVP, PIONEER BANK & TRUST, 07/18/20 PERIOD END, 07/24/20
RSVP, COMPUTER BILL LIST

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OMB Control No: 2506-0117 (exp. 06/30/2018)
CITY COUNCIL

TOTAL
IMPREST FUND: TIMOTHY ZOLL, PAYROLL LOAN, PD 07/23/20
GRAND TOTAL

8,707,245.81
2,739.00
8,709,984.81

August 3, 2020

Stumpton presented the bill list of $8,709,984.81. Motion was made by Nordstrom, second by Drew to approve. Drury asked to abstain. Authorize (No. C0360320-01) the Finance Officer to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Those voting aye: Nordstrom, Strommen, Armstrong, Jones, Lehmann, Salmun, and Evans; no: none, Drew abstained. Motion carried 7-0.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Armstrong, second by Drury and carried to adjourn the meeting at 8:19 p.m.

Dated this 3rd day of August, 2020.

ATTEST:

(Seal)

Finance Officer

CITY OF RAPID CITY

Mayor
A Legal and Finance Committee meeting was held at the City/County Administration Center in Rapid City, South Dakota, on Wednesday, August 12, 2020, at 12:35 p.m.

A quorum was determined with the following members answering the roll call: Darla Drew, Lance Lehmann, Laura Armstrong (telephonically), Pat Jones and Jason Salamun. 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 Jones second by Lehmann to adopt the agenda. Roll call vote taken with Drew, Lehmann, Jones, Salamun and Armstrong voting "yes". Motion carried unanimously.

GENERAL PUBLIC COMMENT
None.

CONSENT ITEMS
Motion was made by Lehmann, second by Salamun to approve Items 1-7 as they appear on the Consent Items. Roll call vote taken with Drew, Lehmann, Jones, Salamun and Armstrong voting "yes". Motion carried unanimously.

CONSENT ITEMS - Items 1-7

Public Comment opened - Items 1-7
Public Comment closed

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

1) Approve Minutes for July 29, 2020

MAYOR'S ITEMS
2) LF081220-02 – Amend Request Authorizing the City Hall Maintenance Division to Purchase a 2020 Dodge Ram Under State Bid in the Amount of $25,406.09
3) LF081220-03 – Confirm the Appointment of James Emmart to the Rapid City Public Library Board of Trustees

FINANCE DEPARTMENT
4) Acknowledge the Following Volunteers for Worker's Compensation Purposes: Girl Scout Troop #74030; Amara Usraa (Parks Department), Miranda Kenney (Parks Department), Holly Kieper (Parks Department), Kyla Perkins (Parks Department), Shannon Perkins – Troop Leader (Parks Department), Shann Petro – Troop Leader (Parks Department), Shirley Edwards (RSP+), Janice Key (RSP+), Douglas Miller (RSP+), Michael Reade (RSP+), Rosemary Seymour (RSP+), Cara Dailey (RSP+), Carson Quinn (Library)
5) LF081220-01 – Approve Resolution No. 2020-014 a Resolution Levying Assessment for Abatement of Nuisances

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COMMUNITY DEVELOPMENT
6) 17T002 – Approve Resolution No. 2020-026 a Resolution Dissolving Tax Increment District No. 73 for Property Generally Described as Being Located in Village on Monroe

7) LF081220-04 – Approve Resolution No. 2020-065 a Resolution Declaring 627 Saint Cloud Street Surplus

END OF CONSENT CALENDAR

NON-CONSENT ITEMS – Items 8 – 9

Public Comment opened – Items 8 – 9

Public Comment closed

COMMUNITY DEVELOPMENT

ITEMS FROM THE PUBLIC
9) LF072920-08 On behalf of 11 Main, LLC, Todd Gagne provided a short presentation regarding a proposal to purchase eight city lots west of their current property located at 406 St. Joseph Street. 11 Main, LLC plans to build a 14,000 square foot commercial real estate project. He explained that the project is to support “Property Meir” which is a fast-growing software company here in the region. He displayed photos of the proposed building which would add to the downtown corridor from a design perspective. Gagne shared the history, the local success, the economic impact, and the projected growth of Property Meir. He informed the committee that President and CEO Tom Johnson, from Elevate Rapid City, would like to present an analysis of the economic impact to the City Council this Monday night (8/17/2020). Gagne also went over the financial proposal they have netted out with staff in order to figure out how to price the eight lots. 11 Main, LLC began their proposal using $15.29 per square foot which is the amount they paid for the purchase of 406 St. Joseph Street in 2020. City staff recommended $17.00 per square foot as a starting point. After 11 Main, LLC consulted with Chris Long from Keller Williams who validated that $17.00 was well within the ballpark for lots downtown, they put together a proposal around the $20,000 square feet that are there, then added some discounts based on some of the conditions they are being asked if they do purchase the lots. One condition is to keep the surface parking for three years as there are contracts associated with that, so they cannot do anything with it for that three year period. Therefore, they have asked for a 5% discount. Another 5% discount they added is for lot maintenance. He explained that there was a proposal in between these about the City leasing back the land from them at a flat fee but in this model the City is basically saying 11 Main, LLC would take over the lease agreements as well as maintenance (snow removal and insurance) on the properties. He said that the price for the eight City lots ends up at $428,400.00 with these deductions. Gagne added that there are a couple of other open issues which are still being worked through with City staff that include an easement on the Stock Growers Building and an access issue to the Stock Growers Building basement that crosses over onto these City lots. He concluded by saying that this is the proposal they would prefer to move forward. Salamun asked City Attorney Joel Landeen how the figure of $17.00 per square foot was arrived at as an option to present to the owners. Landeen said the value number was derived from looking at some of the commercial sales on the staff's Rapid Map, the sale of the Imperial lot (about $22.00 a square foot), the 11 Main, LLC sale (the lot at $15.00 a square foot), and the appraisal for the 5th and St. Joe property, (with the most updated version being in 2014, at a little over a million dollars). He does not have the exact
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August 12, 2020

number of the 5th and St. Joe property but it was along those lines in that area. He also pointed out that there is not really a lot of bare land for sale in the downtown area to use as comparable. Looking at an in between of $22.00 and $15.00, he felt $17.00 per square foot was a good starting point. Landeen also spoke with Alderman John Roberts, a realtor, who probably say the property is worth a lot more than $17.00 a square foot. Landeen said he thinks the options are that you could tell 11 Main, LLC that the City is not interested in any easement or the City would consider an easement where the owners agree to revoke it. The problem with that is, it is going to change the materials that they would have to use to build at least the outside of the building which is going to make the project more expensive and Landeen doesn’t know what that does to the overall viability of the project. The reality is that this is about more than just windows because it is also about the material on that side of the building if they have to build it so it is fire rated. Another option on the table if the City does want to sell the property, 11 Main, LLC would be willing to pay for an easement with discussions on price being in the mid twenty-thousands (10 feet about $14.00 or $15.00 a square foot) also with the City recognizing that a significant amount of the value of that 10 feet would be decreased because no one would really be able to build there. Landeen said it does not mean that it could not be used, it could be used for parking or other outdoor features. The other option he said would be at that point to maybe negotiate with 11 Main, LLC that if someone was to develop that portion of it, what the value of that would be and purchase that back; but to retrofit the building and make it work, would probably be pretty expensive. When having discussions, another more creative option in the middle, was to look at just selling the property. One of the reasons the City had not agreed to discussing this initially was the concern over needing that as surface parking for at least a couple of years until 5th and St. Joe develops and the City has alternative parking there. The proposal today came out of discussions of if the City went down the sales route then 11 Main, LLC would be responsible for developing that property so they could develop it in a way that was harmonious with what they were doing with Property Meld and that is kind of where we came up with this proposal and as a potential option for the Council to consider. James asked Mr. Gagne what their second best option is if their first option is the no build easement. Gagne said their second option would be to purchase the land adjacent to the property if they could come to an agreement on price. Once then asked Landeen what the City would be able to pay for the easement and second option. Landeen said he could put together a recommendation but ultimately it is up to the council to decide philosophically the best option. He said that or one hand these are local guys, if they were to get this property if we could preserve it, he thinks they will develop it, but suspects however, if the Council goes down the sales route, the Council will hear that there might be some other people that would have been interested and, of course, it is going to be very easy for those people, at that point to say they would pay you more for it. He does not think the City would want to go down the route they did with the 5th and St. Joe project where the City solicited proposals through an RFP [Request for Proposal], which takes a lot of time. Landeen said there are some advantages obviously, with 11 Main, LLC developing it, because whatever they do is going to be harmonious on that lot with what they are doing with Property Meld, but again he asks the committee the question; are you necessarily getting the best deal for the land? If it is put up for sale where everyone can bid on it openly, the City may get more money for it; so the committee needs to decide as a policy question, what the value of this project is, does this make sense, recognizing that the City may be able to get a better deal, but feel that in the overall big picture, this is the best route to go. He added that if the committee is not sure, then an easement route could be pursued. He also expressed that the main reason staff was not supportive of an easement previously was because there was a misunderstanding of whether or not 11 Main, LLC was willing to pay for it and how much they would be willing to pay for it. If they are willing to pay for the easement, he does not think staff would have an objection. Landeen said the question again is: do we sit and debate the value of a no build easement which becomes a lot more difficult to determine? Or if the committee accepts this $17.00 or $18.00 a square foot as reasonable, then he thinks the $24,000 or $25,000 range is reasonable, but also commented that this is not his area of expertise and a realtor or someone else might tell the committee something different. Finance Officer Pauline Sumption said from her perspective her preference or first choice would be the
September 30, 2020

The Finance Committee meeting on September 30th was held to discuss the annual action plan for the upcoming fiscal year. The meeting was led by Mr. Lehman, who is the chair of the Finance Committee. Mr. Lehman welcomed everyone to the meeting and stated that the purpose of the meeting was to review the annual action plan.

First on the agenda was the discussion of the new building on the city’s main street. Mr. Lehman stated that the city has received a grant to build a new building on the main street, and that it would be the first step in revitalizing the downtown area. Mr. Lehman also mentioned that the city would be seeking additional funding from other sources to complete the project.

Next, the committee discussed the city’s budget for the upcoming fiscal year. Mr. Lehman stated that the budget was well-balanced and that it would be submitted to the city council for approval.

The meeting ended with an open period for any questions or comments from the attendees. Mr. Lehman thanked everyone for attending and stated that the next meeting would be held on October 7th.
LEGAL AND FINANCE COMMITTEE
August 12, 2020

LLC for No Build Easement Over City-Owned Property Adjacent to 415 S. Joseph Street (Continued from July 29, 2020, Legal and Finance meeting) to Council without recommendation. Second by Armstrong. No vote was taken as Jones made a substitute motion to sell the land at $17.00 a square foot and allow the project to move forward. Second by Salamun. Roll call vote taken with Drew, Jones, Salamun and Armstrong voting "yes", Lehmann voting "no". Motion carried.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Salamun second by Lehmann and carried to adjourn the meeting at 1:12 p.m.
Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at City Hall, 300 Sixth Street, in Rapid City, South Dakota on Monday, August 17, 2020, at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Alderpersons: Pat Jones, Ritchie Nordstrom, Greg Strommen, John Robards, Laura Armstrong, Jason Salamon, Lance Lehmann, Darla Drew, and Bill Evans; the following Alderpersons arrived during the course of the meeting: None; and the following were absent: None.

Staff members present included: Finance Officer Pauline Sumption, City Attorney Joel Landeen, Police Chief Don Hedrick, Parks and Recreation Director Jeff Boglar, IT Director Jim Gilbert, Fire Chief Jason Culberson, and Administrative Coordinator Heidi Weaver.

ADOPTION OF AGENDA
Motion was made by Salamon, second by Armstrong and carried to adopt the agenda.

MAYOR'S ITEMS
Mayor read in item (No. CC081720-04.1) Confirm Appointment of Jason Culberson as Chief of the Fire Department and Authorize Mayor and Finance Officer to sign employment contract. Motion was made by Roberts, second by Evans to approve. Motion carried 9-0.

Finance Officer Pauline Sumption swore in Jason Culberson as Chief of the Rapid City Fire Department.

Mayor read in item (No. CC081720-04.2) Confirm Appointment of Don Hedrick as Chief of the Rapid City Police Department and Authorize Mayor and Finance Officer to sign employment contract. Motion was made by Salamon, second by Jones to approve. Motion carried 9-0.

Finance Officer Pauline Sumption swore in Don Hedrick as Chief of the Rapid City Police Department.

GENERAL PUBLIC COMMENT (3-minute time limit per speaker)
Notty Larson spoke about the budget. She said only 1% of the general fund was allocated to arts and culture in 2020. She indicated that 48% of last year's budget went to public safety. She would like more money allocated to community service, housing and the homelessness crisis. She asked that council decrease the PD budget by 5% and use that money for community service.

Andrew Huij asked that council decrease the amount of money the RCPD gets from the general fund. Citizens need housing, food and good jobs. He thinks police reform is ineffective.

Gary Weason said there was gravel and mud on Mt. Rushmore Road sidewalks and he wants it removed.

NON-PUBLIC HEARING ITEMS -- Items 5 - 25
CONSENT ITEMS -- Items 5 - 23

Motion was made by Jones, second by Armstrong and carried to approve items 5-23.

Approve Minutes
2. Approve Minutes for the August 3, 2020 Regular Council meeting.
Public Works Committee Consent Items
3. PW081120-10: Confirm the reappointment of Jim Anderson and the new appointment of Shelle Hoyt to the Air Quality Board.
4. PW081120-01: Approve Change Order #1-F to Black Hills Roofing for Project No. 20-2492 / CIP No. 50586 2019 Roof Replacement – Hall Damage for an Increase of $6,455.60.
5. PW081120-02: Authorize Staff to Advertise for Bids for Robbinsdale Phase 6 Parkview Reconstruction Project No. 19-2517 / CIP No. 61232-B. Estimated Cost $2,626,000.00
6. PW081120-03: Authorize Staff to Advertise for Bids for Tower Road Stabilization Project, Project No. 19-2537 / CIP No. 51254 in the amount of $400,000.00
7. PW081120-04: Authorize Staff to Advertise for Bids for City Springs Lane Overlay Project / Project No. 19-2552 / CIP No. 50549. Estimated Cost $130,000.00
8. PW081120-05: Authorize Mayor and Finance Officer to sign a contract amendment number 3 with Chamberlin Architects for Project No. 2527 / CIP No. 51249 Star of the West Roundups.
9. PW081120-06: Authorize Mayor and Finance Officer to sign Professional Services Agreement between the City of Rapid City and Fehrman Engineering Company for Knollwood Drainage Basin Detention Element 305 Maintenance, Project No. 20-2501/ CIP No. 57393, for an Amount Not to Exceed $40,300.00.
10. PW081120-07: Authorize Mayor and Finance Officer to sign an Infill and Oversize Agreement between the City of Rapid City and Indian Health Services for construction of a public water main in Soo Sen Drive north of Canyon Lake Drive, not to exceed $10,997.50.
11. PW081120-07: Authorize Mayor and Finance Officer to sign Professional Services Agreement between the City of Rapid City and Fehrman Engineering Company for Cambell Street Bike Path Extension, Project No. PR20-6178, for an Amount Not to Exceed $33,110.00.
12. PW081120-08: Authorize Staff to Request Proposals for Security Services for Park Shelters, Gates, and Restrooms and Cemetary Gates and Office.

Legal & Finance Committee Consent Items
13. LF081220-02 – Amend Request Authorizing the City Hall Maintenance Division to Purchase a 2023 Dodge Ram Under State Bid in the Amount of $25,406.09
14. LF081220-03 – Confirm the Appointment of James Emment to the Rapid City Public Library Board of Trustees
15. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Girl Scout Troop #74030: Amara Leras (Parks Department), Miranda Kenney (Parks Department), Haley Klepp (Parks Department), Kyra Perkin (Parks Department), Shamon Perkins – Troop leader (Parks Department). Sharna Perkin (Parks Department), Tiffanieetros – Troop Leader (Parks Department), Shirley Edwards (RSVP+), Janice Key (RSVP+), Douglas Miller (RSVP+), Michael Reede (RSVP+), Rosemary Seymour (RSVP+), Cara Bailey (RSVP+), Caron Quinn (Library)
16. LF081220-01 – Approve Resolution No. 2020-008 a Resolution Levying Assessment for Abatement of Nuisances

RESOLUTION NO. 2020-008
RESOLUTION LEVYING ASSESSMENTS FOR ABATEMENT OF NUISANCES

BE IT RESOLVED by the City Council of the City of Rapid City, South Dakota, as follows:

1. The City Council has made all investigations which it deems necessary and has found and determined that the condition of your property had constituted a nuisance. The City abated this nuisance. The cost of the abatement, including administrative costs, is the amount stated in the proposed Assessment Roll for Abatement of Nuisances.

2. The Assessment Roll for Abatement of Nuisances is hereby approved and assessments thereby specified are levied against each and every lot, piece, or parcel of land thereby described.
3. Such assessments, unless paid within thirty (30) days after the filing of the assessment roll in the Office of the Finance Officer, shall be certified as delinquent to the Pennington County Auditor and payable through the Pennington County Treasurer’s Office with the statutory interest rate.

Dated this 17th day of August, 2020.

CITY OF RAPID CITY

Attest:

/\ Pauline Sumpilin
Finance Officer

(SEAL)

<table>
<thead>
<tr>
<th>CUSTOMER NAME</th>
<th>ID#</th>
<th>CLEAN ADDRESS</th>
<th>UP ADDRESS</th>
<th>MAILING ADDRESS</th>
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<td>407 E 9th St,</td>
<td>North Platte, NE 69101</td>
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<td>Gary L</td>
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<td>2 Grabow, Reall</td>
<td>29944</td>
<td>110 E Oakland St</td>
<td>1910 Redwood Ave,</td>
<td>Niceville, FL 32578</td>
<td>Lot 26, Block 3, Rebbinsdale Terrace</td>
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<td>3 Janss Holdings LLC</td>
<td>38024</td>
<td>1828 W Kansas City St</td>
<td>1828 W Kansas City St,</td>
<td>Rapid City, SD 57702</td>
<td>E15' of Lot 30 &amp; All of Lot 31-35, Block 1, Jones Trest</td>
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<td>62870</td>
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<td>3515 Jefferson St</td>
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<td>804 Silver St</td>
<td>804 Silver Street, Rapid City, SD 57701</td>
<td>57701</td>
<td>Lot 11-12, Block 2, Mallow's Add</td>
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Community Development Consent Items

17.  17.0102 – Approve Resolution No. 2020-082 a Resolution Dissolving Tax Increment District No. 79 for Property Generally Described as Being Located in Village on Monroe

RESOLUTION NO. 2020-082
A RESOLUTION DISSOLVING TAX INCREMENT DISTRICT NUMBER SEVENTY NINE

WHEREAS, the City of Rapid City created Tax Increment District Number Seventy Nine on June 12, 2017; and

WHEREAS, there are no longer any reimbursable project costs remaining to be paid; and

WHEREAS, the City Council of the City of Rapid City is authorized to dissolve this Tax Increment District pursuant to SDCL 11-9-48(2),

NOW, THEREFORE, BE IT RESOLVED by the City of Rapid City that the Tax Increment District Number Seventy Nine be and is hereby dissolved.

BE IT FURTHER RESOLVED that any funds which are deposited in the Tax Increment District Number Seventy Nine Special Fund, pursuant to SDCL 11-9-31, be distributed as provided by SDCL 11-9-45.

Dated this 17th day of August, 2020.

CITY OF RAPID CITY
/s/ Steve Allender
Mayor

ATTEST:
/s/ Pauline Sumption
Finance Officer
(SEAL)

18.  LF01220-04 – Approve Resolution No. 2020-065 a Resolution Declaring 627 Saint Cloud Street Surplus

Resolution No. 2020-065

A RESOLUTION DECLARING THE WEST 1/4 OF LOT 14 AND ALL OF LOT 15 OF Block 17 of Flormann Addition to the City of Rapid City Surplus and Appointing Three Real Property Owners of the City of Rapid City to Appraise the Property

WHEREAS, the property described below was purchased by the City of Rapid City for $21,000.00 pursuant to a 2010 purchase agreement and two deeds; and

WHEREAS, the property described below contained a severely dilapidated house that was demolished by the City of Rapid City in early 2016 in order to remove blight in the City; and

WHEREAS, the City has created the Neighborhood Lift Program in order to transfer property acquired by the City, such as the property described below, to a nonprofit corporation to develop the property and guarantee affordability for a period of 20 years in accordance with certain affordable housing standards; and

WHEREAS, the property is no longer necessary, useful, or suitable for the purpose for which it was acquired.
NOW, THEREFORE, BE IT RESOLVED, that the following property commonly known as 627 Saint Cloud Street and legally described below is declared surplus and shall be disposed of according to state statutes:

West Half (W/2) of Lot 14 and all of Lot 15 of Block 17 of Flormann Addition, City of Rapid City, Pennington County, South Dakota

BE IT FURTHER RESOLVED that the following three real property owners of the City of Rapid City are hereby appointed to appraise the property: Ritchie Nordstrom, Gregory Strommen, and Clifford Lemme.

Dated this 17th day of August, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:

s/ Pauline Sumption
Finance Officer
(SEAL)

Bid Award Consent Items

19. CC81720-02.1 - Approve award of total bid for 2020 MIPPS, Project No. 19-2559 / CIP No. 50698 opened on August 11, 2020 to the lowest responsible bidder, Tru-Form Construction, Inc. in the amount of $238,537.00.

20. CC81720-02.2 - Approve award of total bid for Pavement Rehabilitation Project - Mary Drive, Project No. 19-2546 / CIP No. 50644 opened on August 11, 2020 to the lowest responsible bidder, J&J Asphalt in the amount of $330,394.00

END OF CONSENT ITEMS

NON-CONSENT ITEMS — Items 24 – 25

Todd Gagne spoke on behalf of himself and his partner, Matt Ehlman on the proposed building at 406 St Joseph Street. There would be two floors that would support about 100 employees. Ray Hespen, co-founder of a property management software company called Property Meld. This building is important for recruitment. He stated it’s important to take assets of what we have downtown and improving them. Tom Johnson, CEO Elevate Rapid City, spoke of how this project will beautify downtown and will create jobs and better income. Gagne is asking that the no build easement be approved.

Ordinances

Mayor read in item (200A005) Second Reading of Ordinance No. 6388 Approve an Ordinance to Amend Provisions of the Rapid City Municipal Code Relating to the Storage and Parking of Certain Vehicles and Trailers. Having passed its first reading on August 3, 2020 motion was made by Lehmann, second by Armstrong to approve. Upon vote being taken, the following voted AYE: Nordstrom, Strommen, Armstrong, Jones, Lehmann, Salamun, Evans, Roberts and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6388 was declared duly passed upon its second reading.

Legal & Finance Committee Items

Mayor read in item (LF72520-08) Request from 11 Main, LLC for No Build Easement Over City-Owned Property Adjacent to 415 St Joseph Street, motion to sell the land at $17.00 per square foot and allow the project to move forward. Motion was made by Nordstrom, second by Roberts to direct the Mayor and Finance Officer to grant a 10-foot permanent "no build" easement in a form acceptable to the City Attorney to the owners of 11 Main LLC for $24,000. Roberts said this company is off to a good start and
established a lot of good things. Armstrong and Drew have received positive feedback. Strommen said he received several calls against this. He felt some laws weren't followed and some steps were skipped at the Legal and Finance meeting. Drew said this was a nice infill project and Rapid City needs more of these. Jones said this is a step to bring SDSMT and downtown together. He approves the project. Roberts supports the project and said that council needs to follow the proper process in the future. Salamun has the same thoughts as Roberts. Nordstrom favors the project and all the people involved. Motion carried 9-0.

PUBLIC HEARING ITEMS – Items 26 – 30

CONSENT PUBLIC HEARING ITEMS -- Item 26 – 30

Alcohol Licenses
21. Delovett LLC DBA Stabatmo's Italian Ristorante, 617 Main Street, for a Retail (on-off sale) Malt Beverage & SD Farm Wine License and a Retail (on-off sale) Wine and Cider license
22. Naja Shriners for a SPECIAL EVENT On-Sale Dealer License for an event scheduled for August 22, 2020 at Naja Shrine Center, 4014 Sturgis Road
23. Clarion Inn for a SPECIAL EVENT On-Sale Dealer License for an event scheduled for August 22, 2020 at Clarion Inn, 1902 N LeCrosse Street
24. Adelaide Inc, DBA Jumper, 405 Canal Street Suite 1300 for a Retail (on-off sale) Malt Beverage & SD Farm Wine License
25. Lakota Dream Museum Inc, DBA DeCory's Entertainment Company for a Retail (on-off sale) Malt Beverage & SD Farm Wine License

Motion was made by Lehmann, second by Roberts and carried to approve items 26-30.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – (NONE)

BILLS

The following bills have been audited:

BILL LIST - AUGUST 17, 2020

| PAYROLL PERIOD END | 08/01/20 | PD 08/07/20 | 1,762,587.84 |
| PIONEER BANK & TRUST, 09/01/20 | PAYROLL TAXES, PD 08/07/20 | 486,027.68 |
| WELLMARK INC, HEALTH CLAIMS THROUGH 08/07/20, PD 08/13/20 | | 180,375.42 |
| WAGE WORKS, SECTION 125 CLAIMS THROUGH 08/03/20, PD 08/04/20 | | 2,969.65 |
| WAGE WORKS, SECTION 125 CLAIMS THROUGH 08/10/20, PD 08/11/20 | | 3,706.32 |
| SOUTH DAKOTA RETIREMENT SYSTEM, JUL 20 RETIREMENT, PD 08/04/20 | | 457,089.59 |
| RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 08/08/20, PD 08/08/20 | | 5,736.15 |
| RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 08/12/20, PD 08/13/20 | | 6,783.04 |
| SD DEPT. OF LABOR-REEMPLOYMENT ASSISTANCE BENEFIT CHARGES, PD 08/12/20 | | 124,049.18 |
| WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 08/12/20 | | 47,633.38 |
| BLACK HILLS ENERGY, ELECTRICITY, PD 08/12/20 | | 92,244.13 |
| COMPUTER BILL LIST | | 3,571,406.40 |
| CDEV COMPUTER BILL LIST | | 73,569.29 |
| SUBTOTAL | | 6,806,257.88 |
| RSVP, PAYROLL PERIOD END | 09/01/20, PD 08/07/20 | | 2,559.05 |
| RSVP, PIONEER BANK & TRUST, 09/01/20 | PAYROLL TAXES, PD 08/07/20 | | 565.96 |
| RSVP, COMPUTER BILL LIST | | 5,221.56 |
| TOTAL | | 6,814,034.37 |
Sumption presented the bill list of $6,814,534.37. Motion was made by Roberts, second by Jones to approve. Authorize (No. CC081720-01) the Finance Officer to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Those voting aye: Nordstrom, Strommen, Armstrong, Drew, Jones, Lehmnan, Salamun, Roberts and Evans; no: none. Motion carried 9-0.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Salamun, second by Armstrong and carried to adjourn the meeting at 7:30 p.m.

Dated this 17th day of August, 2020.

ATTEST:

Finance Officer

(SEAL)

CITY OF RAPID CITY

Mayor
LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota

September 2, 2020

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, September 2, 2020, at 12:30 p.m.

A quorum was determined with the following members answering the roll call: Lance Lehmann, Laura Armstrong, Jason Salamun and Bill Evans. Absent: Darla Drew and Pat Jones

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

GENERAL PUBLIC COMMENT
None.

CONSENT ITEMS
Motion was made by Evans, second by Lehmann to approve items 1-9 as they appear on the Consent Items with the exception of Item No. 2. Motion carried unanimously.

CONSENT ITEMS — Items 1 – 9

Public Comment opened — Items 1 – 9

Public Comment closed

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

1) Approve Minutes for August 12, 2020

POLICE DEPARTMENT

2) LF080226-09 — Lehmann asked Police Chief Don Hedrick to provide some detail on this item. Hedrick explained that this item is a change to a grant that the City Council had authorized in 2019, which was originally set up for coverage of a full-time police officer to partner with Great Plains Tribal Chairman's Health Board. As the program progressed, there came a realization that it was probably a better fit to be more of a point of contact sort of partnership with the OPTCB. There is a school liaison officer that works to identify kids that are struggling with at-risk behavior and as that point of contact, are able to get them services through the Great Plains Tribal Chairman's Health Board and they then, have the ability to follow up on these at-risk youth. The partnership sees a lot of benefit and would like it to continue, but just in a different manner. Lehmann moved to Authorize the Mayor and Finance Officer to Sign the Amendment to Original Terms and Conditions of the Connecting with our Youth Grant through Great Plains Tribal Chairman's Health Board. Second by Salamun. Motion carried unanimously.

FINANCE DEPARTMENT

3) Acknowledge the Following Volunteers for Worker's Compensation Purposes: Julie Adams (RSVP+), Irene Hlavata (RSVP+), Nora Muckie (RSVP+), Rapid City Sustainability Committee: Karl Merbach (Parks Department), Lysann Zeller (Parks Department), Ria Hagen (Parks Department), Jade Reents (Parks Department), Kevin Crosby (Parks Department), Alakna Crosby (Parks Department), Kelli Aarestad (Parks Department), Faith Wadsworth (Parks Department), Jordan Hanson (Parks Department), Boy Scout Troop: Gregg Holand (Parks Department), Isaac Holand (Parks Department), Ian Maharaj (Parks Department), Jinen Maharaj (Parks Department),
LEGAL AND FINANCE COMMITTEE
September 2, 2020
Department: Paitone Palmer (Parks Department), Daniel Dunigan (Parks Department), John VanderWall (Parks Department), Edward Dunigan (Parks Department), Dale Hemminger (RSVP+), Dianne Hemminger (RSVP+), Evelyn Weaver (RSVP+), Jason Dunigan (RSVP+), Rodney Garner (RSVP+), Michael Goodwin (RSVP+)

4) LF090220-01 — Acknowledge July 2020 General Fund Cash Balance Report
5) LF090220-02 — Acknowledge June 2020 Sales Tax Report
6) LF090220-03 — Approve Request for Property Tax Abatements as Follows: Angel Gerald, $9,119, $2,319, $2,319, Total for all Rapid City: $16,740
7) LF090220-04 — Approve Resolution No. 2020-67 a Resolution Declaring Miscellaneous Personal Property Surplus to be traded
8) LF090220-05 — Approve Resolution No. 2020-68 a Resolution Declaring Miscellaneous Personal Property Surplus to be discarded

COMMUNITY DEVELOPMENT
9) LF090220-06 — Approve the Final FY20 Amendment to Resident Participation Plan

END OF CONSENT CALENDAR

NON-CONSENT ITEMS — Items 10 – 14

Public Comment opened — Items 10 – 14

Public Comment closed

FINANCE DEPARTMENT
10) LF090220-06 — Salamun moved to approve the Introduction and First Reading of Ordinance No. 6445 Regarding Supplemental Appropriation 6 for 2020. Second by Lehmann. Motion carried unanimously.

11) LF090220-10 — Salamun commented that he had reached out to the Finance Department to see if there was going to be a response and Finance did provide a printed response for the committee today, but it was not attached to the agenda. He just wants to make sure the responses will be included with the agenda for City Council. Salamun moved to send Approved Audit Report of City of Rapid City – 2019 Financial and Compliance Report to City Council without recommendation. Second by Lehmann. Motion carried unanimously.

COMMUNITY DEVELOPMENT
12) 207/027 — Bill Evans pointed out a mistake on number 9 above under Community Development that refers to the “City School Administration Building” which needs corrected. Kelly Brennan from Long Range Planning gave a brief overview of the draft of the 2021 Unified Planning Work Program for the Rapid City Metropolitan Planning Organization (MPO). The document includes the annual activities, planning studies and products that will be developed in 2021. In addition to the usual products such as the traffic count book, the socioeconomic report and the TIP, the plan this year is to complete the US 16 Corridor Intersection Study, update the Transit Development Plan, complete the 9/79 Campbell Street Bridge Bike and Ped Study, update the Meade County Transportation Plan, and complete the I-90 Exit 63 interchange study. On top of those, the MPO is going to possibly update the Aerial Imagery for the entire MPO as well as building footprints.
LEGAL AND FINANCE COMMITTEE

September 2, 2020


13) LF090220-07 – Teri Corrigan from Behavior Management Systems provided an update regarding some of the Community Development Block Grant funding that is received each year. A portion of the funding goes towards funding two positions, one full-time one part-time, with a primary goal of assisting individuals in applying for medication assistance from the pharmaceutical companies. She said that in mental health, medications can go a long way in helping people find a recovery, give them the ability to do much better in their day-to-day functioning, create stability, and help to prevent things such as loss of jobs or homes. In 2019, approximately 357 individuals were assisted in obtaining medication assistance totaling over two and a half million dollars. Corrigan shared the numbers for April, May and June of 2020 which served 84 individuals, 65 new people who have not been assisted before through this grant totaling approximately $763,000.00 in medications. She said at the beginning of the pandemic there were a lot of changes happening quickly and they were able to transition a majority of their services to telehealth. The center offers such a wide array of services, some of which are so intensive for kids and families with serious mental illness as well as many other services, that they were not able to transition all of them fully to telehealth. Therefore, they have remained completely open to provide support for crisis situations through the crisis call center at the Care Campus. They have seen pretty stable numbers, so not a huge increase or decrease for crisis services there. One of their unique partnerships is working with the Rapid City area schools where they have counseling staff in 13 of the schools. They saw a sharp drop in their kids and family services as the pandemic started and schools closed but they will be going back into the schools for this upcoming school year. Overall what the center is hearing from people is a lot of unrest, anxiety, fear, and just waiting to see what the long term effects will be on a society that has changed so quickly. Lehmann moved to Acknowledge the Behavior Management Systems CDBG/Mental Health Update with Speaker Teri Corrigan. Second by Salamun. Motion carried unanimously.

PUBLIC WORKS

14) PW090120-08 – Solid Waste Superintendent Jeff Barber personally invited the Committee to take a tour of the Solid Waste Facility. Evans expressed how important it is for all City Council members to tour the facility because now is the time to be thinking about the City’s next phase for the facility, especially with some very important votes coming up after the first of the year. He said it is critical that people who have a solid knowledge base and know exactly what they are spending this money on and how it will be setting the City up for the next 30 or 40 years in terms of sustainability, recycling and land use. Lehmann moved to Acknowledge the Invitation to City Council Members to Tour Solid Waste Facility. Second by Evans. Motion carried unanimously.

Armstrong took a point of personal privilege and addressed the increasing numbers of COVID 19 cases in the state, especially within in the Black Hills area. She conveyed her concern regarding the fact that more and more people are getting ill, and as a community, this virus/pandemic must be taken seriously. It is our civic duty and it is of the utmost importance to be respectful and help our community for the health and safety of the general public. Armstrong strongly encourages everyone to step up and follow the CDC guidelines by washing hands more, social distance, avoid large crowds, and wear masks or appropriate face coverings. She proclaimed that it is imperative to protect our health care professionals, students, teachers, all school employees, first responders, pastors, the air force base, elders, veterans, neighbors, each other and ourselves.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Lehmann second by Evans and carried to adjourn the meeting at 12:50 p.m.
Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at City Hall, 300 Sixth Street, in Rapid City, South Dakota on Tuesday, September 8, 2020 at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Alderpersons: Pat Jones, Kellie Nordstrom, Greg Strommen, Laura Armstrong, Jason Salamun, John Roberts, Lance Lehmann, Darla Drew and Bill Evans; the following Alderpersons arrived during the course of the meeting: None; and the following were absent: None.

Staff members present included: City Attorney Joel Lendeen, Police Chief Don Hedrick, Fire Chief Jason Culberson, Public Works Director Dale Tech, Community Develop Director Ken Young, IT Director Jim Gilbert, Parks and Recreation Director Jeff Biegler, Community Development Block Grant Manager, Michelle Schuelke, Deputy Finance Officer Tracy Davis, Long Range Planner Kip Harrington, Grants Compliance Manager Dave Yuhes and Administrative Secretary Angie Boeve.

ADOPTION OF AGENDA
Motion was made by Armstrong, second by Lehmann and carried to adopt the agenda.

UPDATE
Mayor introduced John Kaiser, Operations Manager Central States Fair and Mike Kuhl, Director of Pennington County Buildings and Grounds for an update on State Fair Project for Pennington County. Kuhl said they were granted Vision Funds for this project and they came in under budget by $30,000. Kaiser said when they opened in May the impact was immediate. They have big rodeos they are hosting and since they have two barns, they can hold multiple events at the same time. Thanked the City and County for coming together to make this happen. Motion was made by Salamun, second by Armstrong to acknowledge. Salamun is happy the facility was completed and that intergovernmental agencies were able to work well together.

GENERAL PUBLIC COMMENT (3-minute time limit per speaker)
Chuck Henry said the new civic center arena is coming along nicely and on time.

Gary Wasson addressed the Council. He indicated that the rocks on Mt. Rushmore Road have still not been cleaned up. He has a medical scooter and the rocks get caught in his tires. When there is bad weather, the rocks end up on the sidewalks.

Nancy Tryon, Treasurer of the Daughter’s of the American Revolution, spoke on Constitution Week. It is annual and occurs during the week of September 17th through the 23rd as dedication for the servants of Constitution week. It is the 233rd anniversary of the drafting of the U.S. Constitution. The Rapid City group will celebrate its 100th anniversary in 2021.

Drew thanked the citizens and businesses of Rapid City who require masks during the pandemic.
NON-PUBLIC HEARING ITEMS — Items 2 – 46
Chuck Henry spoke on item 20TP025, he said there has only been one public comment previously regarding Transportation Improvement Program. He thinks another public comment period should be allowed before it's final.

CONSENT ITEMS — Items 2 – 38
The following items were removed from the Consent Items:

11. PW090120-06: Authorize Mayor and Finance Officer To Sign 2021-2023 Title VI Program Plan As Required by FTA To Receive Federal Transit Grant Funds

12. PW090120-08: Request from Kimberly and Shane Geldal (the property owners) for a Variance to Waive the Requirement to Install Sidewalk, per City Ordinance 16.16.050, along Bradsky Road which is the west frontage of their property located at 23410 Bradsky Road.

14. 20TP025: Acknowledge the 2021-2024 Transportation Improvement Program - Final Report
15. 20TP029: Approve the Sixth Street Corridor Study – Draft Report
16. 20TP030: Approve the 2020-2023 Transportation Improvement Program Amendment # 20-004

Motion was made by Salamun, second by Jones and carried to approve items 2 – 38, except for items 11, 12, 14, 15 and 16.

APPROVE MINUTES
2. Approve Minutes for the August 17, 2020 Regular Council meeting.
3. Approve Minutes for the August 17, 2020 Special City Council meeting.

ALCOHOLIC BEVERAGE LICENSE APPLICATIONS FOR HEARING (SEPTEMBER 21, 2020)
4. Naja Shriners for a SPECIAL EVENT On-Sale Malt Beverage License for an event scheduled for September 27, 2021 at Naja Shrine Center, 4091 Sturgis Road

PUBLIC WORKS COMMITTEE CONSENT ITEMS
5. PW090120-10: Confirm the appointment of Jeremy Atman to the Historic Preservation Commission
6. PW090120-01: Approve change order 1F to Simon Contractors of SD, Inc. for East St. Cloud Inlay, Project #2531/CIP NO.51238 for a decrease of $3,649.95.
7. PW090120-02: Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid and West Plains Inc. for Design and Bidding for Well 5 and Well 9 Professional Services, Project No. 20-2600 / CIP No. 8130, in the amount of $27,195.00.
8. PW090120-03: Approve and Authorize Mayor and Finance Officer to sign Amendment Number 1 with Ferber Engineering, Inc. for the Flormann Street Water Main Replacement Project, Mt Rushmore Road to Apollo Circle, Project No. 19-2512 / CIP 51235, in the amount of $10,643.80.

Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
9. PW060120-04: Approve and Authorize Mayor and Finance Officer to sign Professional
Services Agreement with Ferber Engineering Company, Inc. for the St. Andrew Street East of
Palo Verde Drive- Street Reconstruction and Utility Project, Project No. 20-2804 / CIP 51260,
in the amount of $78,110.00.

10. PW060120-05: Approve Correction to Award Recommendation 5th Street Panel Repair
Project, Project No. 19-2533 / CIP No. 50445, awarded at the July 6, 2020 Council Meeting
to the lowest responsible bidder, J.V. Bailey Co. Inc. in the amount of $228,350.50. The
funding originally awarded was incorrect and should be 101/301 and 804/833. Bids were
opened on June 30, 2020.

13. 20CA001: Approve Comprehensive Plan Amendment to Revise the Rapid City Future Land
Use Plan - A request by City of Rapid City to consider Resolution 2020-066 an application
for a Comprehensive Plan Amendment to Revise the Rapid City Future Land Use Plan

Resolution 2020-066
RESOLUTION AMENDING THE COMPREHENSIVE PLAN
OF THE CITY OF RAPID CITY

WHEREAS, the City of Rapid City has engaged in the comprehensive planning process
for the physical development of the municipality, including the areas outside the boundary and
within its planning jurisdiction since the initial "City Plan" was adopted in 1949; and

WHEREAS, the Rapid City Planning Commission, after careful study and a public
hearing in accordance with SDCL 11-6-17, recommends to this Council a comprehensive plan
amendment to update the Future Land Use Map and the Neighborhood Land Use
Categories, components of Rapid City's Comprehensive Plan titled "Plan Rapid City;" and

WHEREAS, the City Council of Rapid City, carefully considered the proposed
amendments along with the accompanying maps, plans, charts and descriptive and explanatory
matter attached hereto, identified as 20CA001, and incorporated herein as if fully set forth; and

WHEREAS, the City Council of Rapid City South Dakota, held a public hearing in
accordance with SDCL 11-6-18 on the proposed revisions to the Rapid City Comprehensive
Plan for the City of Rapid City and finds that said revisions constitute a suitable, logical, and
timely plan for the future development of the Rapid City area.

NOW, THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the attached
comprehensive plan amendment identified as 20CA001, including the accompanying text,
maps, charts, and diagrams is hereby approved in accordance with SDCL ch. 11-6.

Dated this 6th day of September, 2020.

CITY OF RAPID CITY

/s/ Steve Allender
Mayor

ATTEST:

/s/ Pauline Sumption
Finance Officer

(SEAL)
17. FAW090120-09: Acknowledge Invitation To City Council Members to Tour Solid Waste Facility

Legal & Finance Committee Consent Items
18. LF090220-08 – Authorize the Mayor and Finance Officer to Sign the Amendment to Original Terms and Conditions of the Connecting with our Youth Grant through Great Plains Tribal Chairman’s Health Board.
19. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Julie Adams (RSVP+), Irene Heikels (RSVP+), Nona Muckle (RSVP+), Rapid City Sustainability Committee: Karl Merbach (Parks Department), Lysann Zeller (Parks Department), Rich Harper (Parks Department), Jade Redleaf (Parks Department), Kevin Crosby (Parks Department), Akasha Crosby (Parks Department), Kelli Aarstad (Parks Department), Garth Wedeworth (Parks Department), Jordan Hannon (Parks Department); Boy Scout Troop: Gregg Holland (Parks Department), Isaac Holland (Parks Department), Ian Maharaj (Parks Department), Jesse Maharaj (Parks Department), Patrice Palmer (Parks Department), Daniel Dunnigan (Parks Department), John VanderWall (Parks Department), Edward Dunnigan (Parks Department), Dale Hamminger (RSVP+), Dianne Hamminger (RSVP+), Evelyn Weaver (RSVP+), Ivan (Mike) Weaver (RSVP+), Christine Davis (RSVP+), Rodney Garrett (RSVP+), Michelle Goodwin (RSVP+)
20. LF090220-01 – Acknowledge July 2020 General Fund Cash Balance Report
21. LF090220-02 – Acknowledge June 2020 Sales Tax Report
22. LF090220-03 – Approve Request for Property Tax Abatements as Follows: Angel Gerald, 2019, $62.02; [Total for all Rapid City: $62.02]
23. LF090220-04 – Approve Resolution No. 2020-067 a Resolution Declaring Miscellaneous Personal Property Surplus to be traded

Resolution #2020-067
RESOLUTION DECLARING MISC. PERSONAL PROPERTY SURPLUS

WHEREAS the below-described property is no longer necessary, useful, or suitable for municipal purposes

NOW, THEREFORE, BE IT RESOLVED that the following property be declared surplus and disposed of according to state statute:

From: GOLF MAINTENANCE (664)
For Deletion (Trade):
TORO TEE BOX MOWER (#G21)
VIN#2100001326

JACOBSEN TEE BOX MOWER (#G22)
VIN#55540

TORO 5360D FAIRWAY 4WD MOWER
VIN#50850

JACOBSEN MOWER (#G23)
VIN#3541
FAIRWAY MOWER (#G39)
VIN#20246

TORO TEE BOX MOWER (#G16)
VIN#60507

JACOBSEN TEE BOX MOWER (#G17)
VIN#3561

BE IT FURTHER RESOLVED that the Mayor and Finance Officer may do all acts necessary to dispose of this property according to state law.

Dated this 8th day of September, 2020.

CITY OF RAPID CITY

/s/ Steve Allender
Mayor

ATTEST:
/s/ Pauline Sumption
Finance Officer

(SEAL)

24 LFC012020-05 – Approve Resolution No. 2020-068 a Resolution Declaring Miscellaneous Personal Property Surplus to be discarded

Resolution #2020-068
RESOLUTION DECLARING MISCELLANEOUS PERSONAL PROPERTY SURPLUS

WHEREAS the below-described property is no longer necessary, useful, or suitable for municipal purposes

NOW, THEREFORE, BE IT RESOLVED that the following property be declared surplus and disposed of according to state statutes:

From: LIBRARY (609)
For Deletion:

ELMO ST20X SERIES MICROFILM/MICROFICHE READER (#11117)
SERIAL# 303140

BE IT FURTHER RESOLVED that the Mayor and Finance Officer may do all acts necessary to dispose of this property according to state law.

Dated this 8th day of September, 2020.

CITY OF RAPID CITY

/s/ Steve Allender
ATTEST:  Mayor
a. Pauline Sumption
Finance Officer

(SEAL)

**CIP Committee Consent Items**
25. No. CIP082120-00 – Acknowledge Capital Improvement Programs Committee Monthly Updates for August 2020
26. No. CIP082120-03 – Approve Capital Plans for Government Facilities (Fire & Emergency Services, Parks & Recreation, Summary)
27. No. CIP082120-04 – Approve Capital Plan for Fire Vehicles
28. No. CIP082120-05 – Approve Capital Plan for Parks & Recreation
29. No. CIP082120-06 – Approve Capital Plan for Information Technology
30. No. CIP082120-01 – Acknowledge Financial Report (Summary, DCA Charges and Debt Service)
31. No. CIP082120-02 – Approve Capital Plan for PW Infrastructure

**Community Development Consent Items**
32. LF090229-08 – Approve the Final FY20 Amendment to Resident Participation Plan
34. LF090229-07 – Acknowledge the Behavior Management Systems CDBG/Mental Health Update with Speaker Teri Conigan.

**Bid Award Consent Items**
35. CC090629-02.1 - Approve award of total bid for Northridge Dr. Overlay Project, Project No.19-2554 / CIP No. 50546 opened on September 1, 2020 to the lowest responsible bidder, Simon Contractors of SD, Inc. in the amount of $270,488.25.
36. CC090620-02.2 - Approve award of total bid for Rapid City Solid Waste Lake Herman Outfall Improvements, Project No.20-2889 / CIP No. 61289 opened on September 1, 2020 to the lowest responsible bidder, Mainline Contracting, Inc. in the amount of $265,484.25.

**END OF CONSENT ITEMS**

Mayor read in item (PW090120-06): Authorize Mayor and Finance Officer To Sign 2021-2023 Title VI Program Plan As Required by FTA To Receive Federal Transit Grant Funds. In response to a question from Drew, Tech explained that part of the language plan identifies if there is a need in the community for language assistance. They monitor the transit riders to see if there is a need for assistance when their first language is not English. It’s important to have a plan to address the language issue, but the need is extremely low right now. Motion was made by Lehmien, second by Strommen and carried to approve.

Mayor read in item (PW090120-06): Request from Kimberly and Shane Geidel (the property owners) for a Variance to Waive the Requirement to Install Sidewalk, per City Ordinance 18.18.030, along Bradley Road which is the west frontage of their property located at 23410 Bradley Road. In response to a question from Jones, Tech said the city handles platting within the 3-mile jurisdiction. There is a gravel road in front of this property and there is nowhere to put.
a sidewalk. Motion was made by Nordstrom, second by Roberts and carried to approve the variance.

Mayor read in item (20TP025): Acknowledge the 2021-2024 Transportation Improvement Program - Final Report. In response to a question from Armstrong, Harrington said there were many ways to be involved with public comment. He said they publish notices of the meetings and agendas in the paper, there is a website, www.RapidCityAreaMPO.org that items can be reviewed and commented on, and citizens can read the draft report and come to council meetings. Motion was made by Salamun, second by Lehmann and carried to acknowledge.

Mayor read in item (20TP029): Approve the Sixth Street Corridor Study - Draft Report. Strommen asked Harrington to briefly explain what they have been looking at in the study. It is the main link between downtown and Memorial Park. Staff has been talking to Sixth Street business owners to get their input. Staff has also published an online survey to get input. Four goals are accessibility, connection, character, and identity. They will work on finalizing the report and it will go before the MPO and City Council in October. Motion was made by Salamun, second by Strommen and carried to approve.

Mayor read in item (20TPC30): Approve the 2020-2023 Transportation Improvement Program Amendment #20-004. In response to a question from Drew, Tech said when any new federal and state funding is approved it needs to be added to the plan. They had received funds to use for the San Marco bridge which is scheduled to be bid and completed by 2023. Motion was made by Nordstrom, second by Strommen and carried to approve.

Legal & Finance Committee Items
Mayors asked if the audit report could be heard now and moved out of order. There were no objections. Mayor read in item (LF092220-10) Approve Audit Report of City of Rapid City – 2016 Financial and Compliance Report. Tracy Hansen from Kellie Thorstenson addressed the council. Tracy Davis said she was available for questions as well. Motion was made by Nordstrom, second by Armstrong to approve. In response to a question from Nordstrom, Davis said there was an issue from old software to new software. There were previous abilities that were allowed in the old but not the new. Motion carried.

NON-CONSENT ITEMS – Items 37 – 46

Ordinances
Mayor read in item (No. 20RZ033) First Reading, Ordinance 8436, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Fisk Land Surveying & Consulting Engineers, Inc. for One Heart for a Rezoning request from High Density Residential District to General Commercial District for property generally described as being located at 216 and 218 Quincy Street. Motion was made by Salamun, second by Nordstrom and carried to approve Ordinance 8436 and that it be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, September 21, 2020.

Mayor read in item (No. 20RZ034) First Reading, Ordinance 8437, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Fisk Land Surveying & Consulting Engineers, Inc. for Dennis Casey for a Rezoning request from Medium
Density Residential District to Office Commercial District for property generally described as being located at 423 South Street. Motion was made by Drew, second by Strommen and carried to approve Ordinance 8438 and that it be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, September 21, 2020.

Mayor read in Item No. (2GRZ035) First Reading, Ordinance 8438, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Low Density Residential District II for property generally described as being located southeast corner of Healing Way and Addison Avenue. Motion was made by Drew, second by Strommen and carried to approve Ordinance 8438 and that it be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, September 21, 2020.

Mayor read in Item No. (LF090220-06) First Reading of Ordinance 6410 Regarding Supplemental Appropriation 6 for 2020. Roberts asked Davis if the CPI tax increase was in this budget; Davis clarified that this item was a supplemental appropriation for the 2020 budget and the next item was for the 2021 budget. Both years have CPI funds. The estimated amount of CPI funds for 2021 is $119,000.00. Motion was made by Jones, second by Nordstrom and carried to approve Ordinance 6440 and that it be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, September 21, 2020. Motion carried 8-1 with Robert voting no.

Mayor read in Item No. (CC082620-03) Second Reading, Ordinance 6441, regarding FY2021 Appropriation Ordinance. Motion was made by Jones, second by Drew that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Strommen, Armstrong, Jones, Lehmann, Salamun, Drew, and Evans; NO: Roberts. Whereupon the Mayor declared the motion passed and Ordinance 6441 was declared duly passed upon its second reading. Motion carried 8-1 with Roberts voting no.

Community Development Items
Mayor read in Item (No. 20PL057) A request by Fisk Land Surveying & Consulting Engineers, Inc. for Mount Rushmore Properties for a Preliminary Subdivision Plan for proposed Lot B of Dupont Addition, generally described as being located at 1211 Mount Rushmore Road. Motion was made by Nordstrom, second by Roberts to approve with the following stipulation: A Final Plat shall be submitted for review and approval.

Mayor read in Item (No. 20PL056) A request by Renner Associates, LLC for Kimberly and Shane Geidel for a Preliminary Subdivision Plan for proposed Lote A and B of Junell Subdivision, generally described as being located at 23410 Bradsky Road. Motion was made by Lehmann, second by Drew to approve with the following stipulations: 1. Prior to submittal of a Development Engineering Plan application, a Variance shall be obtained from City Council to waive the requirement to install sidewalk along Bradsky Road or construction plans shall be submitted for the sidewalk with the Development Engineering Plan application; 2. Prior to submittal of a Development Engineering Plan application, an Exception shall be obtained from the City Council allowing 104 dwelling units with one point of access in lieu of a maximum of 40 dwelling units pursuant to Section 2.6 of the Infrastructure Design Criteria Manual or a second
point of access shall be provided; 3. Prior to submittal of a Final Plat application, a lot size variance shall be obtained from Pennington County to reduce the required minimum lot size in the General Agriculture District from 40 acres to 11.795 acres and 27.516 acres, respectively, or the property shall be rezoned to support the proposed lot size(s) or the Pennington County Zoning Ordinance shall be amended to allow a minimum 10-acre lot size in the General Agriculture District; 4. Prior to submittal of a Final Plat application, the plat document shall be revised to show the effective date of FIRM Map No. 46109C1250H; 5. Upon submittal of a Final Plat application, surveys for any required subdivision improvements that have not been accepted shall be posted and the subdivision inspection fees shall be paid; and, 6. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

Council Items & Liaison Reports
Mayor read in item (CC090320-04.1) Acknowledge report by Mayor's Committee on Disabilities. Pat Jones stated the committee updated their website and included a new mission and vision statement. They had two openings and now have two new members. They have also received direction on how to report handicap violations. Motion was made to acknowledge by Nordstrom, second by Salem and carried.

Mayor read in item (CC090320-04.2) Acknowledge report by Humane Society of the Black Hills. They ran a promotion to adopt cats. They are always in need of donations. They held their Wag to Whiskers event. They have updated their social media policy. They are not taking animals into school or other areas for presentations due to the pandemic. They need two new board members. They are updating their bylaws. Motion was made by Nordstrom, second by Drew to acknowledge. In response to a question from Strommen, Jones said the Humane Society is not in favor of urban chickens. They are concerned about enforcement and the extra work it would cost. Drew said it is the urban chicken groups goal to regulate them and not get the humane society involved for enforcement. She said code enforcement gets minimal calls regarding chickens. Evans asked if the disability committee has been contacted regarding the rock issue on the sidewalks. Jones said no. Motion carried.

PUBLIC HEARING ITEMS – (NONE)
CONSENT PUBLIC HEARING ITEMS – (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – (NONE)

EXECUTIVE SESSION
At 7:23 p.m., motion was made by Roberts, second by Armstrong and carried to go into executive session pursuant to SDCL 1-25-2(3) to consult with legal counsel about proposed litigation.

STAFF DIRECTION
At 7:42 p.m., motion was made by Armstrong, second by Lehmann and carried to come out of executive session. Motion was made by Jones, second by Evans and carried to authorize City
Attorney's office to take any and all legal action to pursue resolving the Ridgestone Mobile Home Park issue.

**BILL**
The following bills have been audited:

**BILL LIST - SEPTEMBER 8, 2020**

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Annual Action Plan 2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
Davis presented the bill list of $11,815,594.24. Motion was made by Salemun, second by Lehmann to approve. Authorize (No. CCOH51620-01) to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Those voting aye: Nordstrom, Strommen, Armstrong, Jones, Lehmann, Salemun, Evans, Roberts, and Drew. No: none. Motion carried 9-0.

**ADJOURN**

There being no further business to come before the Council at this time, motion was made by Armstrong, second by Lehmann and carried to adjourn the meeting at 7:45 p.m.

Dated this 8th day of September, 2020.

CITY OF RAPID CITY

Finance Officer

(Seal)
LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota

September 16, 2020

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, September 16, 2020, at 12:30 p.m.

A quorum was determined with the following members answering the roll call: Darla Drew, Pat Jones, Lanca Lehmann, Laura Armstrong, and Jason Salamun. Absent: None.

(NO! E: 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 Jones, second by Armstrong and carried to adopt the agenda.

GENERAL PUBLIC COMMENT
Name: Jeffrey Frink
Address: 916 Ridgeview Court
Rapid City, SD 57701
Agenda Item: Backyard Hens
Comment:
Please vote yes to get the backyard hens on the agenda items for a vote. I know that there has been negative comments on social media regarding this but as most know the squeaky wheel gets the grease. There many in support of this and other cities have been doing this for years. I noticed a lot of the negative comments were geared to smell, noise, small lot sizes etc. This will not be a problem if people keep them within the bounds of the rules. If anything, consider requiring larger lots for example one acre. Currently I believe that you can own them on more than 3 acres. Reduce that to one acre and it would be a great compromise.

Name: Betty Backus
Address: 3505 Cypress Ct
Rapid City, SD 57701
Agenda Item: Backyard Hens
Comment:
I am not in favor of changing city ordinances to allow backyard hens in the city of Rapid City. I am primarily concerned for the potential for injury to people and pets. Predators will be drawn to the homes that are keeping backyard hens. There isn’t any ordinance that can keep predators such as skunks, coyotes, mountain lions, snakes, raccoons, etc from roaming our neighborhoods in search of an easy meal. It is also known that backyard flocks have caused diseases such as salmonella and coccidiosis to be transmitted to humans.

CONSSENT ITEMS — items 1–14
Motion was made by Jones, second by Lehmann to approve Items 1-14 as they appear on the Consen: items with the exception of Item numbers 5, 8, 9 and 13. Motion carried unanimously.

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 September 2, 2020

Annual Action Plan
2020

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OMB Control No: 2506-0117 (exp. 06/30/2018)
LEGAL AND FINANCE COMMITTEE
September 16, 2020

MAYOR'S ITEMS
2) LF091620-03 – Confirm the Appointment of Dustin Dale to the Rapid City Regional Airport Board of Directors

3) LF091620-05 – Confirm the Reappointment of Karen Sullivan, John Herr, Erik Heikes and Vince Vidal to the Planning Commission

4) LF091620-06 – Confirm the Reappointment of Jamie Toennies to the Community Investment Committee

5) LF091620-11 – Salamun asked City Attorney Joel Landaan who the executive director will report to and who will have the authority to hire, terminate and develop the position. Landaan explained that this position will be considered a City employee but he does not believe that those details have been discussed. This will be a unique position and more details will be finalized later when the ordinance and bylaws are revised. Salamun would like to have a good working relationship and wants to have an ultra-violet reporting relationship and chain of command. Jones asked if this will be a City employee. Landaan confirmed it will be a City employee, the funding sources for the salary is to be determined. Armstrong clarified that he has been working closely with the HRC Taskforce and Assistant City Attorney Jessica Rogers and she stressed they really need the MOU in place first so they can move forward with the plan to establish funding, their name, the structure, and their policies and procedures. She also pointed out that they are actively working on obtaining grants up to $250,000. Salamun agrees that this has potential to be a wonderful relationship. He does believe that this executive director position would be best to report to the City, he feels that if the person reports to the committee it would be a mistake. He would like to see that reporting relationship stay in the City structure. Salamun moved to Authorize the Mayor and Finance Officer to Sign a Memorandum of Understanding between the City of Rapid City and the Minchukayniokahniok Ambassadors (MOA) to Create a Public-Private Partnership to Continue the Work Begun by Both MOA and the former Human Relations Commission. Second by Lehmann. Motion carried.

FINANCE DEPARTMENT
6) Salamun moved to Acknowledge the Following Volunteers for Worker's Compensation Purposes: Rapid City Youth Council/Common Council: Kristin Kiner (Parks Department), Dusty Kiner (Parks Department), Sean Brader (Parks Department), Grace Braden (Parks Department), Hannah Churchill (Parks Department), Lance Lehmann (Parks Department), Ryan Barnett (Parks Department), Carie Churchill (Parks Department), Jeff Churchill (Parks Department), Cathy Thresh (Parks Department), Amanda Hill (Parks Department), Tim Caron (Parks Department), Jocelyn Kokesch (Parks Department), Lyann Zeller (Parks Department), Bailey Suh (Parks Department), Koll Suh (Parks Department), Darla Drew (Parks Department), Genesis Matthews (Parks Department), Alan Anderson (Parks Department), Central High School Girls Basketball Team; Jasseylyn Noyes (Parks Department), Jaylee Noyes (Parks Department), Jim Noyes (Parks Department), Presley McGinity (Parks Department), Beth Young (Parks Department), Adriana Young (Parks Department), Laura Roybal (Parks Department), Fil Roybal (Parks Department), Leila Roybal (Parks Department), Scott Nelson (Parks Department), Lindsey Nelson (Parks Department), Tia Jiron (Parks Department), Tello Jiron (Parks Department), Allan Bertram (Parks Department), Second by Jones. Motion carried with Drew and Lehmann abstaining.

7) Set a Special Council Meeting for December 26, 2020 at 12:00 p.m. to Pay the Final Bills of the Year

8) LF091620-04 – Approve Resolution No. 21620-01/0 a Resolution Cancelling Checks or Warrants Not Presented for Payment within One Year of Date of Issuance

Annual Action Plan 2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
LEGAL AND FINANCE COMMITTEE
September 16, 2020

9) LF091620-07 – Drew asked Parks and Recreation Director Jeff Begler to clarify exactly what we are purchasing. Begler explained we are purchasing three mowers, all riding mowers, specialty mowers used for golf maintenance. One is a fairway mower that has a wider cut, one is a rough mower which mows all the areas outside of the areas of play and the last one is a greens mower specialized to cut the grass short. The other item being purchased is a utility cart that the maintenance crew will use. The current mowers will be surplused, they are approximately 30 years old and were actually handed down from another golf course. Jones moved to Authorize the Mayor and Finance Officer to Sign Loan Documentation with Black Hills Community Bank for Executive Golf Course D/Motion Equipment. Second by Armstrong. Motion carried unanimously.

10) LF091620-09 – Approve Resolution No. 2020-074 a Resolution Levying Assessment for Abatement of N/Jeanes

11) LF091620-10 – Acknowledge July 2020 Sales Tax Report

COMMUNITY DEVELOPMENT

12) LF091620-01 – Authorize the Mayor and Finance Officer to Sign FY20 Youth & Family Services, Inc. Contract and Indentures of Restrictive Covenants

13) LF091620-02 – Drew asked Community Development Director Ken Young why we have an Air Quality Program, is it something that we are required to do? Young explained it is a State requirement to have the program. There is Federal funding that feeds into that, our program is subsidized at 70%. Drew asked if there is a place that we do an air quality report to let the citizens know that the air quality is poor. Young stated no that we do not have anything in place for that, we usually rely on other news/weather sources to get that message out but it may be something to look into. Drew feels it would be important to look into. Armstrong noted there are resources out there on weather apps, news and such, she also supports the idea of the City being more proactive with that. Salamun also likes the idea that the City being a central hub for getting the air quality statues out. Lehmann moved to Authorize the Mayor and Finance Officer to Sign the State of South Dakota Agreement/Letter of Agreement for the Air Quality Program. Second by Armstrong. Motion carried unanimously.

14) LF091620-08 – Authorize the Mayor and Finance Officer to Sign the Community Development: Block Grant/Neighborhood Lilt Contract for Black Hills Area Habitat for Humanity and Indentures of Restrictive Covenants, Quit Claim Deed, Mortgage, Promissory Note and Associated Documents

END OF CONSENT CALENDAR

NON-CONSENT ITEMS – Items 15 – 16

Public Comment opened – Items 15 – 16
Public Comment closed

FINANCE DEPARTMENT


COMMUNITY DEVELOPMENT

16) 200A007 – Salamun asked Community Development Director Ken Young what problem or challenge is this solving by this ordinance change. Young explained that a lot of the utility companies and operations that are based in residential areas have guidelines and requirements

Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
LEGAL AND FINANCE COMMITTEE
September 16, 2020

On their end to have security fencing and access regulations for their facilities so they are looking
to increase those or improve those where it is possible. Currently our ordinance does not provide
for that so this is our way to correct that and have our ordinance allow for those exceptions.
Lehmann moved to approve introduction and First Reading of Ordinance No. 6439 an Ordinance
Amendment to Amend Fences Height Provisions by Amending Section 17.50.340 of the Rapid City

ADJOURN
There being no further business to come before the Council at this time, motion was made by Jones second
by Armstrong and carried to adjourn the meeting at 12:51 p.m.
Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at City Hall, 300 Sixth Street, in Rapid City, South Dakota on Monday, September 21, 2020 at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Alderpersons: Pat Jones, Ritchie Nordstrom, Greg Strommen, Laura Armstrong, Jason Salamun, John Roberts, Lance Lehmann, Darla Drew and Bill Evans; the following Alderpersons arrived during the course of the meeting: None; and the following were absent: None.

Staff members present included: City Attorney Joel Landeen, Police Chief Don Hedrick, Fire Chief Jason Culberson, Public Works Director Dale Tech, IT Director Jim Gilbert, Parks and Recreation Director Jeff Biegler, Finance Director Pauline Sumption, Assistant City Attorney Jessica Rogers, Communications Coordinator Darrell Shoemaker and Administrative Secretary Angie Boeve.

ADOPTION OF AGENDA
Motion was made by Salamun, second by Armstrong and carried to adopt the agenda.

PRESENTATION
Chair Hannah Churchill and Vice-Chair Jordyn Kokesh of Youth City Council presented an update on what they are doing and have accomplished since they started. They have approximately 17 student members ages 14-18, grades 8-12. They meet the second Tuesday of the month in the Council Chambers of City Hall. They shared the benefits of their organization to the City Council, the community and to the Youth City Council. They have formed three committees, Community Relations - Cultural Competence, Environment and Mental Health. More information and applications to be apart of the Youth City Council can be found at www.roycoc.com.

GENERAL PUBLIC COMMENT (3-minute time limit per speaker)
Dan Stenfner, President of Destination Rapid City and longtime downtown resident spoke in favor of alley lighting. Blank Hills Energy has offered to install three light poles with LED lights per block at no charge as they are already working in the area. Stenfner has already installed them in the alleys where he owns property. Monthly cost per light would be about $16.40. He encourages Council to strongly consider alley lighting for the downtown alleyways.

NON-PUBLIC HEARING ITEMS -- Items 2 - 37
CONSENT ITEMS -- Items 2 - 31
The following items were removed from the Consent items:

19. LF091620-05 - Confirm the Reappointment of Karen Buhman, John Harr, Erik Heikens and Vinca Vidal to the Planning Commission

21. LF091620-11 - Authorize the Mayor and Finance Officer to Sign a Memorandum of Understanding Between the City of Rapid City and the Maluzahen Okolakidayaat Ambassadors (MOA) to Create a Public-Private Partnership to Continue the Work Begun by Both MOA and the former Human Relations Commission.

22. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Rapid City Youth
CITY COUNCIL

September 21, 2020

Council/Committee: Kristin Kiner (Parks Department), Dusty Kiner (Parks Department), Sean Binder (Parks Department), Grace Bradley (Parks Department), Hannah Churchill (Parks Department), Lance Lammann (Parks Department), Ryan Barnett (Parks Department), Cenne Churchill (Parks Department), Jeff Churchill (Parks Department), Cathy Thraun (Parks Department), Amanda Hill (Parks Department), Tim Carson (Parks Department), Jordyn Klotz (Parks Department), Lyann Zeller (Parks Department), Bailey Suh (Parks Department), Kelli Suh (Parks Department), Darla Drew (Parks Department), Genevieve Matthews (Parks Department), Alan Anderson (Parks Department), Central High School Girls Basketball Team: Jessalyn Noyes (Parks Department), Jaylee Noyes (Parks Department), Jim Noyes (Parks Department), Presley McCamy (Parks Department), Seth Young (Parks Department), Adriana Young (Parks Department), Laura Ruybal (Parks Department), Lila Ruybal (Parks Department), Scott Nelson (Parks Department), Lindsey Nelson (Parks Department), Tara Jiron (Parks Department), Tesa Jiron (Parks Department), Allan Bertram (Parks Department).

25. LF091620-07 - Authorize the Mayor and Finance Officer to Sign Loan Documentation with Black Hills Community Bank for Executive Golf Course Division Equipment.

29. LF091620-02 - Authorize the Mayor and Finance Officer to Sign the State of South Dakota Agreement/Letter of Agreement for the Air Quality Program.

Motion was made by Jones, seconded by Armstrong and carried to approve items 2-31, with exception of items 18, 21, 22, 25 & 29.

Approve Minutes

2. Approve Minutes for the September 8, 2020 Regular City Council meeting.

Alcoholic Beverage License Applications Set for Hearing (October 5, 2020)

3. MG Oil Company DBA The Park 707 Mountain View Rd for a Retail (on-off sale) Malt Beverage and SD Farm Wine License TRANSFER from MG Oil Company DBA Jackpot Casino North, 685 LaCrose Street Suite 2-B

4. MG Oil Company DBA Jackpot Casino Too #3 for a Retail (on-off sale) Malt Beverage and SD Farm Wine License TRANSFER from MG Oil Company DBA Jackpot Casino North III, 685 LaCroase Street Suite 2-D

5. MG Oil Company DBA The Park 2, 707 Mountain View Rd Suite 9 for a Retail (on-off sale) Malt Beverage and SD Farm Wine License TRANSFER from MG Oil Company DBA Jackpot Casino North II, 685 LaCroase Street Suite 2-C

Public Works Committee Consent Items

6. PW091520-01: Revise funding source identified on Change Order #1F to Complete Concrete, Inc. for Star of the West Restrooms Bid #2 Project No. 2584 / CIP No. 51249 that was approved July 20, 2020. The funding source should be Vision 0107-132-4320. It was incorrectly stated as 107-132-4372.

7. PW091520-02: Approve change order 1 F to Simon Contractors of SD, Inc. for 2020 Street patching Project. Project #2544/CIP NO.50844 for an increase of $12,636.38.

8. PW091520-03: Request Authorization for Mayor and Finance Officer to sign Professional Services Agreement Amendment with Upper Deck Architects for 2019 Roof Replacement - Hall Damage Project No. 19-2492 in the amount of $8,890.00.

9. PW091520-04: Request Authorization for Mayor and Finance Officer to sign Professional Services Agreement with FMG Engineering for Fitzgerald Stadium Renovations Project No. 19-2505 CIP #51231 for an amount not to exceed $34,733.50.

10. PW091520-05: Approve Acceptance of infrastructure for East Saint Patrick Street 16-Inch Water main intercepter – Project 20-2577

Annual Action Plan

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OMB Control No: 2506-0117 (exp. 06/30/2018)
11. PW091520-08: Authorize Mayor and Finance Officer to Sign Amendment 1 to Railroad Pipeline License WL1136 between the City of Rapid City and the State of South Dakota Department of Transportation.

12. PW091520-07: Request from Mark Cernicky (Property Owner) for a Variance to Waive the Requirement to Install Sidewalk per City Ordinance 12.08.900 along Rosemary Lane and along Wonderland Drive for the property located at 4202 Rosemary Lane.

13. PW091520-08: Request from All Around Construction for a variance to waive the requirement to install sidewalk along Glenrose Street, Rapid City, per City Ordinance 12.08.900.

14. PW091520-09: Authorize Staff to Advertise for Bids for 2020 Miscellaneous Improvements Projects, General Civil Projects, Project No. 20-2605 / CIP 51132.1. Estimated Cost $1,200,000.00.

15. PW091520-10: Authorize Mayor and Finance Officer to sign agreement between the City of Rapid City and HDR Engineering, Inc. for Professional Services for Bidding and Construction Administration Services for 2020 Miscellaneous Improvements Projects, General Civil Projects, Project Number: 20 – 2605 / CIP 51132.1 in the amount of $59,000.00.

16. PW091520-11: Authorize Staff to Advertise Bids for Miscellaneous Improvements Projects, Facility Type Projects Boiler Pre-purchase, Project No. 20-2607 / CIP 51132.3. Estimated Cost $250,000.

17. PW091520-12: Approve Request for purchase of one (1) New Bobcat Skid-Steer Loader S595T4, Sourcewell purchase Contract # 040319-CEC with Jenner Equipment in the amount of $42,000.00.

Legal & Finance Committee Consent Items

18. LFDC1620-03 - Confirm the Appointment of Dustin Dale to the Rapid City Regional Airport Board of Directors.

20. LFDC1620-06 - Confirm the Reappointment of Jamie Toomes to the Community Investment Committee.

23. Set a Special Council Meeting for December 28, 2020 at 12:00 p.m. to Pay the Final Bills of the Year

24. LFDC1620-04 - Approve Resolution No. 2020-070 a Resolution Cancelling Checks or Warrants Not Presented for Payment within One Year of Date of Issuance.

RESOLUTION #2020-070
RESOLUTION CANCELLING CHECKS OR WARRANTS NOT PRESENTED FOR PAYMENT WITHIN ONE YEAR OF DATE OF ISSUANCE

WHEREAS SDCL 9-23-21 authorizes the governing body, by resolution, to cancel any check or warrant not presented for payment within one year of the date of issuance; and

WHEREAS the attached Appendix A contains a list of such checks not presented for payment within one year of the date of issuance; and

WHEREAS detailed information on the checks and warrants listed on Appendix A is on file and available for public inspection during normal business hours in the City Finance Office.

NOW, THEREFORE, BE IT RESOLVED that the checks shown on Appendix A totaling $11,157.70 which have not been presented for payment within one year from the date of issuance be cancelled.

Dated this 21st day of September, 2020.

CITY OF RAPID CITY
/s/ Steve Allender
Mayor
ATTEST:
/s/ Pauline Sumpion  
Finance Officer  
(SEAL)

26. LF081620-09 - Approve Resolution No. 2020-074 a Resolution Levying Assessment for Abatement of Nuisances

RESOLUTION NO. 2020-074
RESOLUTION LEVYING ASSESSMENTS FOR ABATEMENT OF NUISANCES

BE IT RESOLVED by the City Council of the City of Rapid City, South Dakota, as follows:

1. The City Council has made all investigations which it deems necessary and has found and determined that the condition of your property had constituted a nuisance. The City abated this nuisance. The cost of the abatement, including administrative costs, is the amount stated in the proposed Assessment Roll for Abatement of Nuisances.

2. The Assessment Roll for Abatement of Nuisances is hereby approved and assessments thereby specified are levied against each and every lot, piece, or parcel of land thereby described.

3. Such assessments, unless paid within thirty (30) days after the filing of the assessment roll in the Office of the Finance Officer, shall be certified as delinquent to the Pennington County Auditor and payable through the Pennington County Treasurer’s Office with the statutory interest rate.

Dated this 21st day of September, 2020.

CITY OF RAPID CITY  
/s/ Steve Allender  
Mayor

ATTEST:
/s/ Pauline Sumpion  
Finance Officer  
(SEAL)

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<td>104 SAVOY CIR</td>
<td>104 Savoy Cir, Rapid City, SD 57701</td>
<td>Lot 12, Block 5, Eastridge Estates Sub</td>
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27. LF091620-10 – Acknowledge July 2020 Sales Tax Report

Community Development Consent Items
28. LF091620-01 – Authorize the Mayor and Finance Officer to Sign FY20 Youth & Family Services, Inc. Contract and Indentures of Restrictive Covenants

30. LF091620-08 – Authorize the Mayor and Finance Officer to Sign the Community Development Block Grant/Neighborhood Lift Contract for Black Hills Area Habitat for Humanity and Indenture of Restrictive Covenants, Quill Clean Dred, Mortgage, Promissory Note and Associated Documents

Bid Award Consent Items
31. CC092120-02.1 - Approve award of total bid for City Springs Lane Overlay Project, Project No. 19-2562 / CIP No. 60545 opened on 9/15/2020 to the lowest responsible bidder, J & J Asphalt in the amount of $126,462.25.

END OF CONSENT ITEMS

Mayor Allender read in item (LF091620-05) Confirm the Reappointment of Karen Bulman, John Herr, Erik Helges and Vince Vistol to the Planning Commission. Motion was made to approve by Selman, second by Jones. Selman stated that this is related to 16, 19 and 20, he thanked all that serve the City in these capacities and encourages people to be engaged and participate in the many boards and committees of the City. Motion to confirm carried 9-0.

Mayor Allender read in item (LF091620-11) Authorize the Mayor and Finance Officer to Sign a Memorandum of Understanding Between the City of Rapid City and the Minuteman Okklaizowpl Ambassadors (MOA) to Create a Public-Private Partnership to Continue the Work Begun by Both MOA and the former Human Relations Commission. Motion was made to be approved, second by Nordstrom to approve. Motion carried 9-0.

Mayor Allender read in item Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Rapid City Youth Council/Community Council: Kristin Kiner (Parks Department), Dusty Kiner (Parks Department), Sean Binder (Parks Department), Grace Bradley (Parks Department), Hannah Churchill (Parks Department), Lance Lehmann (Parks Department), Rylan Barnett (Parks Department), Carrie Churchill (Parks Department), Jeff Churchill (Parks Department), Cathy Thrash (Parks Department), Amanda Hill (Parks Department), Tim Carson (Parks Department), Jordyn Kokesh (Parks Department).
Mayor Allender read in item (LF091620-07) Authorize the Mayor and Finance Officer to Sign Loan Documentation with Black Hills Community Bank for Executive Golf Course Division Equipment. Drew asked Biegler what equipment this is and why it is needed. Discussion continued. Motion was made by Strommen, second by Lehmann to approve. Motion carried 9-0.

Mayor Allender read in item (LF091620-02) Authorize the Mayor and Finance Officer to Sign the State of South Dakota Agreement/Letter of Agreement for the Air Quality Program. Shoemaker explained it was state law. Discussion continued. Motion was made by Nordstrom, second by Strommen and carried to approve 9-0.

NON-CONSENT ITEMS — Items 32 – 37
Shane Gielde spoke on item 35 (PW091520-13) He asked that the Council approve the Exception. He wants to split 40 acre property into a 12 acre lot that has a home on it and an 28 acre lot, selling the 12 acre and building a new home on the 28 acre lot for his family.

Ordinances
Mayor Allender read in item (200A2007) First Reading of Ordinance No. 6439 an Ordinance Amendment to Amend Fence Height Provisions by Amending Section 17.50.340 of the Rapid City Municipal Code. Motion was made by Salamun, second by Jones and carried to approve Ordinance 6439 be placed upon its first reading and the title was fully and distinctly reading second reading set for Monday, October 5, 2020.

Mayor Allender read in item (LF090220-06) Second Reading of Ordinance 6440 Regarding Supplemental Appropriation 6 for 2020. Having passed its first reading on September 8, 2020 motion was made by Jones, second by Nordstrom that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Strommen, Armstrong, Jones, Lehmann, Salamun, Evans and Drew. NO: None. Whereupon, the Mayor declared the motion passed and Ordinance 6440 was declared duly passed upon its second reading.

Public Works Committee Items
Mayor Allender read in item (PW090120-07) Appeal by Lloyd Companies of a stipulation to extend public water main as part of an Exception Request approval, which has been continued from the September 1, 2020 meeting. Mayor Allender indicated that the applicant's wish to withdraw their request. Motion was made by Nordstrom, second by Roberts and carried 9-0 to acknowledge the applicant's request to withdraw the appeal.

Mayor Allender read in item (PW091520-13) Request from Renner Associates, LLC for an Exception to allow more than 40 dwelling units with one point of access, via Bradley Road. In response to a question from Salamun, Tech explained the reason for the staff's recommendation was about safety and emergency vehicle access. Discussion continued. Motion to allow the exception was made by Nordstrom, second by Evans. Motion to allow the exception carried 8-1 with Jones voting no.
Mayor Allender read in item (FW091820-14) Appeal by KTM Design Solutions, Inc. of an Exception denial to allow dead-end water mains longer than 600 feet but less than 1,200 feet in Neel Street and DeGeneat Drive. Mayor indicated that the applicant wished to withdraw their request. Motion was made by Salamun, second by Letkemann to withdraw the item per the applicant's request.

Community Development Items

Mayor Allender read in item (No. 20PL064) A request by KTM Design Solutions, Inc for Yasmeen Dream 111, LLC for a Preliminary Subdivision Plan for proposed Lots 1 thru 17 of Block 1, Lots 1 thru 12 of Block 2, Lots 1 thru 11 of Block 3, Lots 1 thru 12 of Block 4, Lots 1 thru 17 of Block 5, Lot 1 thru 2 of Block 6 of Shepherd Hill South Subdivision, generally described as being located east of E. Anamosa Street between E. Philadelphia and McKeeon Drive. Motion was made by Drew, second by Jones and carried 9-0 to approve with the following stipulations: 1. Prior to submittal of a Development Engineering Plan application, the plat document shall be reviewed to include the unplatted lot in the southwest corner of E. Anamosa Street and E. Philadelphia Street and the proposed green space between E. Philadelphia Street and proposed Street A; 2. Prior to submittal of a Development Engineering Plan application, a Traffic Impact Study shall be submitted for review and approval or an Exception shall be obtained waiving the requirement. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 3. Prior to submittal of a Development Engineering Plan application, an Exception shall be obtained to allow 160 dwelling units with one point of access or the plat document shall be revised to provide a second street connection. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 4. Prior to approval of the Development Engineering Plan application, engineering design reports (in part to include utilities, sewer, drainage, and pavement) required for construction approval shall be accepted and agreements required for construction approval shall be executed pursuant to Chapter 11E of the Infrastructure Design Criteria Manual. In addition, permits required for construction shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All first engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards, as required by the Infrastructure Design Criteria Manual; 5. Upon submittal of a Development Engineering Plan application, construction plans for Street A shall be submitted for review and approval showing the street located in a minimum 52-foot wide right-of-way with an additional 10 feet of right-of-way the first 200 feet extending east from the intersections of E. Anamosa Street and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual with the cul-de-sac bulb at the northern terminus of each street located in a minimum 104-foot diameter right-of-way and constructed with a minimum 84-foot diameter pavement or shall meet criteria for obtaining an Exception or Variance (sidewalk). If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application. The plans shall also confirm that Street A connects with E. Anamosa Street at an angle between 75 to 90 degrees; 6. Upon submittal of a Development Engineering Plan application, construction plans for Street B and Isaac Street shall be submitted for review and approval showing the streets located in a minimum 52-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception or Variance (sidewalk). If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 7. Upon submittal of a Development Engineering Plan application, construction plans for E. Anamosa Street, a principal arterial street, shall be submitted for review and approval showing the street located in a minimum 103-foot wide right-of-way with a minimum 35-foot wide paved surface and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception or Variance (sidewalk). If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 8. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval; 9. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements. 10. Prior to approval of the Development Engineering Plan application, an Oversize Agreement shall be acted upon by City Council for any requested oversize costs; 11. Prior to
submitting a Final Plat application, proposed street names for Street A and Street B shall be submitted to the Emergency Services Communication Center for review and approval. In addition, the plat document shall be revised to show the approved street names. 12. Prior to submittal of a Final Plat application, that portion of proposed Lots 16 and 17 of Block 8 currently zoned General Agriculture District shall be rezoned to Low Density Residential District II; 13. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any proposed drainage elements and green spaces. In addition, Major Drainage Easements shall be dedicated for the proposed drainage improvements; 14. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and, 15. Prior to the City’s acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

PUBLIC HEARING ITEMS – Items 38 – 41
CONSENT PUBLIC HEARING ITEMS – Item 38

Alcohol Licenses
38. Naja Shriners for a SPECIAL EVENT On-Sale Malt Beverage License for an event scheduled for September 27, 2020 at Naja Shrine Center, 4091 Sturgis Road

Motion was made by Roberts, second by Jonas and carried to approve Item 38.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 39-41

Ordinances
Mayor Allender read in item (20RZ033) Second Reading, Ordinance 6436, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Fisk Land Surveying & Consulting Engineers, Inc. for One Unit for a Rezoning request from High Density Residential District to General Commercial District for property generally described as being located at 216 and 218 Quincy Street. Having passed its first reading on September 8, 2020 motion was made by Salamun, second by Lehmann to approve. Upon vote being taken, the following voted AYE: Nordstrom, Strommen, Armstrong, Jones, Lehmann, Salamun, Evans, Roberts and Drew. NO: None. Whereupon, the Mayor declared the motion passed and Ordinance 6436 was declared duly passed upon its second reading.

Mayor Allender read in item (20RZ034) Second Reading, Ordinance 6437, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Fisk Land Surveying & Consulting Engineers, Inc. for Dennis Casey for a Rezoning request from Medium Density Residential District to Office Commercial District, for property generally described as being located at 423 South Street. Mayor Allender indicated that the applicant’s wishes to withdraw their request. Motion was made by Jones, second by Nordstrom and carried 9-0 to acknowledge the applicant’s request to withdraw the rezoning request.

Mayor Allender read in item (20RZ035) Second Reading, Ordinance 6438, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Low Density Residential District II for property generally described as being located southeast corner of Healing Way and Addison Avenue. Having passed its first reading on September 8, 2020 motion was made by Drew, second by Lehmann to approve. Upon vote being taken, the following voted AYE: Nordstrom, Strommen, Armstrong, Jones, Lehmann, Salamun, Evans, Roberts and Drew. NO: None. Whereupon, the Mayor declared the motion passed and Ordinance 6438 was declared duly passed upon its second reading.
BILLS

The following bills have been audited:

BILL LIST - SEPTEMBER 21, 2020

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Sumpton presented the bill list of $5,973,418.85. Motion was made by Nordstrom, second by Strommen to authorize (No. C0092120-01) the Finance Officer to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Those voting aye: Nordstrom, Roberts, Strommen, Armstrong, Jones, Lehmann, Salemus, Evars, and Drew; no: none. Motion carried 9-0.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Armstrong, second by Strommen and carried to adjourn the meeting at 7:36 p.m.

Dated this 21st day of September, 2020.

ATTEST:

Finance Director
(SEAL)

CITY OF RAPID CITY

Mayor
LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota

October 14, 2020

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, October 14, 2020, at 12:30 p.m.

A quorum was determined with the following members answering the roll call: Darla Drew, Lance Lehmann, Laura Armstrong, Jason Salamon and Pat Jones. 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 Jones second by Lehmann to adopt the agenda. Motion carried unanimously.

GENERAL PUBLIC COMMENT
None.

CONSENT ITEMS
Motion was made by Armstrong, second by Jones to approve Items 1-9 as they appear on the Consent: Items with the exception of item nos. 4, 6 and 7. Motion carried unanimously.

CONSENT ITEMS -- Items 1 – 9

Public Comment opened – Items 1 – 9
Public Comment closed

1) Approve Minutes for September 30, 2020

MAYOR'S ITEMS
2) LF101420-07 – Confirm the Appointments of Val Simpson and Chris Huber to the Community Investment Committee

FINANCE DEPARTMENT
3) Acknowledge the Following Volunteers for Worker's Compensation Purposes: Marcia Aiken (RSVP+), Richard Mayforth (RSVP+), Alwyn Thoreson (RSVP+), John McManigal (Police Department), Darlene Swartz (RSVP+), Joja Yalis (Library), Carol Coburn (RSVP+), Barry Sullivan (RSVP+), Harald Harvala (RSVP+), Mary Wendt (RSVP+), Marna Bergstrøm (RSVP+), Teresa Hill (RSVP+), Myrna Schamber (RSVP+)

4) LF101420-01 – Drow asked Deputy Finance Officer Tracy Davis to explain the addendum on this item. Davis said the addendum outlines the timeline of all the different steps in the process, deadlines to meet, and certain obligations related to the fiscal year audit that must all be completed by September 30, 2021. Armstrong moved to Authorize Mayor and Finance Director to Sign Engagement Letter with Addendum with Katal Thorstenson, LLP for the FY2020 Audit. Second by Lehmann. Motion carried unanimously.

5) LF101420-06 – Approve Resolution No. 2020-077 a Resolution Levying Assessment for Abatement of Nuisance

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6) LF101420-06 - Drew asked Davis to give a run-down of the sales tax revenue. Davis said the numbers show the City is up 88% through the month of August 2020. Drew asked Davis if she has any insight as to where this is coming from and if the City is now receiving sales tax from Amazon. Davis said we did have some tourism this year and the City should be receiving sales tax from Amazon, but the City does not receive notifications specific to a particular retailer such as Amazon because it is proprietary information; therefore, the Department of Revenue is not able to release that information. Salamun moved to Acknowledge August 2020 Sales Tax Report. Second by Jones. Motion carried unanimously.

INFORMATION TECHNOLOGY

7) LF101420-02 - Salamun asked IT Director Jim Gilbert to explain what this project entails. Gilbert said the City is currently running an Exchange platform which is the email server that is running out of life and in order to maintain support from Microsoft, an upgrade needs to be made to a supported version. The City is also currently in an active directory environment which is where our accounts are stored with the County and because active directory and exchange are so tied together, it makes it very difficult for us to upgrade either. There are so many moving parts to coordinate to make sure the jail can have outage, so this is an opportunity to split no; only the exchange off but our active directory infrastructure as well. Binary Tree software and support services will be used to accelerate that as much as possible; however, it will still be a very long process because we will be moving over any department at a time. He added that the exchange will happen very quickly because it can be done separately but all of the active directories will take approximately a year to finish. Gilbert explained that active directory is something that is not generally backed up directly because it replicates everything to all of the other active directory machines in the environment. He expressed that there is more concern on the City’s part about making sure everyone’s permissions are carried over correctly, which is where the Binary Tree software comes into play. This software involves a lot of behind the scenes work to help the transition go smoothly splitting the exchange and the active directories. Salamun moved to Authorize Mayor and Finance Director to Sign Contract and Statement of Work for Professional Services between Binary Tree and the City of Rapid City and Authorize Staff to Purchase Required Software Licenses from Binary Tree and Software House International (SHI). Second by Armstrong. Motion carried unanimously.

COMMUNITY DEVELOPMENT

8) LF101420-04 - Approve the Preliminary Recommendations for the FY20 Community Development Block Grant CV Funding

9) 201104 - Authorize the Mayor and Finance Director to Sign Agreement between the City of Rapid City, Rapid Valley Sanitary District and Yasmeen Dream LLC, for Construction, Operation and Maintenance of Orchard Meadows Lift Station (TID 82)

END OF CONSENT CALENDAR

NON-CONSENT ITEMS – Items 10 – 14

Public Comment opened – Items 10 – 14
Public Comment closed

FINANCE DEPARTMENT

10) LF101420-03 - Armstrong moved to approve the Introduction and First Reading of Ordinance No. 6446 Regarding Supplemental Appropriation 7 for 2020. Second by Jones. Motion carried unanimously.

11) LF101420-05 - Salamun moved to approve the Introduction and First Reading of Ordinance No. 6447 an Ordinance to Amend Provisions Concerning Purchasing Procedures and Delegation of

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CITY ATTORNEY'S OFFICE
12) LF:01420-09 - Armstrong referenced the attached memorandum that was generated in July of 2019 recommending streamlining meetings and agendas. The memorandum was then brought forward to the last City Council working session held in October of 2019 and it was collectively agreed upon to try this. The reason for combining the meetings is to be more transparent, more efficient, saving time which equates to saving money and also to streamline City business. One of the recommendations is to combine three meetings into one work session that would replace Agenda Review, Public Works Committee, and Legal and Finance Committee meetings. Currently, the City Council members are divided in half, with half attending Public Works meetings and the other half attending Legal and Finance meetings. This would bring everybody to the table so that not only can these working sessions be streamlined but the City Council meetings as well. Staff is currently attending pre agenda meetings, then agenda review meetings, and Public Works meetings and Legal and Finance meetings. Armstrong mentioned that there are other municipalities that also blend these working sessions together. Jones brought forth that initially his first concern was if there would be missed opportunities for public input and would the public lose an opportunity to bring things forward and ask questions; but after further discussions he found that from the items he listed below, he is in support of trying this seeing it as a great opportunity for more interaction with staff, to learn more and also be able to take things to the full City Council that are ready.

1) No formal action would be taken at these working sessions but rather would be used by the City Council, staff, and the public to become better informed on issues.

2) The Council can ask questions with much more interaction with staff and then can decide what items are ready to go to the full City Council for final action.

3) This trial would give council a chance to see if they like the new process or if it is better to keep the other one.

4) The Department Directors and staff would have an opportunity to present more things to the council on a more significant level in turn being able to dive into things and find out more.

Salzman said he is in support of this item with the trial period only with item B(a) in the memorandum removed as he would like to see the work session filmed and streamed for the sake of transparency for the public/media to be able to hear the discussions, so when presented to City Council, the public has the opportunity to hear everything rather than just hearing a decision at that meeting. He is also not in favor of B(c), (a roundtable setting in a conference room), but rather it be held in the Council Chambers for the sake of technology and for the public to easily have a place to be especially during this time of social distancing. Salzman will not be on board unless these items can be changed. Drew commented that she was not in favor of this when she first heard about it as she feels the Legal and Finance Committee and Public Works Committee are a more deliberative body that can nicely take time to look at all of the issues and speak more freely and give more time. She does feel it is a good training ground for newer members and likes the idea of having time to elaborate in the public and can see where it can save a lot of time for people, she will vote for it and give it a chance, but will be looking at it very closely moving forward. Armstrong said the resolution was written fairly loosely to be able to improve and evolve as they learn. Community Development Director Ken Young said that the most important thing beyond the saving of time which is very significant, is this allows a better communication forum between the Department Directors/Staff and the City Council. Jones asked if there is a date in mind as to when this would be rolled out. Armstrong said the time and details will be determined at the next City Council meeting on Monday, October 19th but also reminded everyone that the items on the memorandum are just recommendations. She added that item number 2 of the memorandum regarding date and time, after speaking with Vice President Lehmann, believes they are leaning towards the Wednesday at either 12:00 or 12:30 p.m., but feels that discussion should take place at a City Council meeting. Drew asked Armstrong why or how this effort would streamline City Council meetings. Armstrong said that pre conversations can take place to see what the pros and what
Legal and Finance Committee;
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The opposition might be. There are several examples that can be used, but if something gets postponed for a month, at that point an explanation can be given as to why it is getting postponed and allows more fact finding abilities to do more research. Another example is if a staff person has one item on the agenda currently, they need to attend the pre-agenda review, agenda review, the committee meeting, and the City Council meeting; therefore, if they are giving a presentation they are showing that one presentation possibly three separate times. Lehmann moved to Approve Resolution No. 2020-080 A Resolution Creating a Trial Program for Conduct of Official City Business by Combining the City's Current Public Works and Legal and Finance Committee Meetings Into a Joint Council Working Session. Second by Armstrong. Motion carried 4 to 1 with Salamun voting "no".

13) LF101420-10 — Jones spoke on the overall bid process and he has questions about the way bids are opened at the City. He is confident that the rules are being followed but wants to know why the council cannot see more of what goes on instead of having to go to the bid opening or why it cannot be a more public open transparent process. He would like to see the City take a look at the bid opening process so the City Council can perhaps know more about who is bidding, the amounts that are being bid and why the bids are accepted, etc. Jones asked Civic Center Manager Craig Balzer to speak on this resolution. Balzer explained that the Civic Center's intention was not necessarily to specifically bring a resolution before City Council, but rather simply ask a question to the City's legal department about the process of already approved monies for these FF&E items but then having to get them reapproved again, and this resolution ended up being the answer the legal department came up with. The Civic Center's concerns are a timing issue which could potentially add two weeks for items to get through council, a large number of things would be coming in front of council, and there have been some items that have already gone through council which have brought some confusion to the public with regard to the items being above and beyond the approved budget for the Civic Center, which they are not. The budget for the Civic Center of $160 million dollars out of the vision funds is mostly made up of the contract with Mortenson who handles most of the items. The FF&E (furniture, fixtures and equipment) items are handled by the Civic Center directly, so for each one of those items to go before council creates a time issue and some confusion in the public. Jones said his understanding is it seems that without something like this resolution, then the council has to reapprove what has already been approved which adds to the level of confusion; therefore, he sees this as a request to have more autonomy to be able to move the project forward. Balzer said that is accurate. Salamun asked Deputy City Attorney Wade Nyberg for clarity and weigh in to address some of the concerns and why passing this resolution is a good idea. Nyberg explained that the City Council already delegates those types of purchases on a smaller scale to Department Directors. He said there is a process for making purchases or implementing a public improvement. There are different numbers or limits for different things with public improvements set at a larger number of $100,000 and purchase of equipment set at $50,000 for example. Some things are exempt from public bidding altogether such as IT infrastructure. Department Directors have a certain authority to sign a contract for whatever dollar figure that might be so this is following the same rules and statutes and is basically just expanding that delegation for this one particular project in the one particular area of FF&E using monies that are already budgeted for it. Nyberg said bid requirements are the same so if something is required to be bid, it would still have to be bid in compliance with statutes and would generally involve the City Attorney's Office assisting with those types of things and to review any contracts before department directors sign them. Salamun asked Davis if the Finance Department has any concerns. Davis said their only concern is making sure that it is documented somewhere either in the minutes or some mechanism that shows what is being purchased, who it is being purchased from, and the dollar amount, for auditing purposes. Salamun understands that it can be quite a lengthy process with the Civic Center Board overseeing the Civic Center, then going to staff and then it coming through City Council to get bills paid. He just wants to make sure everything is being done the right way, make sure it is within the parameters of how the finance Department likes to work, that it does not cost any additional money, and there are appropriate checks and balances.
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in place. Drew requested that a special notice be sent to the City Council of upcoming Bid meetings and what projects are being bid at; that session, Davis said that each department schedules their own bid meetings and after the required publications, Finance opens the bids that have been submitted at these meetings which are open to the public and also broadcast on the City Facebook page and YouTube. Davis said getting a notification out to the City Council as well can be discussed. Jones moved to Approve Resolution No. 2020-071 A Resolution Authorizing the Executive Director of the Rushmore Plaza Civic Center to Enter Into contracts for the Acquisition of Furniture, fixtures, and Equipment for the Arena Expansion Project Consistent with the Amounts Already Budgeted from the City’s Vision Fund. Second by Lehmann, Motion carried unanimously.

COMMUNITY DEVELOPMENT

20T1005 - Patsy Horton from Long Range Planning provided a presentation regarding the project to extend the road on Homestead Street. The purpose of the TIF (tax increment district) is to construct a portion of Homestead Street (approximately 900 linear feet) that is currently unconstructed and located between Timmons Boulevard and Missoula Street. Additionally, it will eliminate the loop-da-loop route that the taxpayers and residents of this community have to go through to get from east to west. Horton shared the master plan showing the proposed revenue generators in the area which include: 59 single family homes, a 40 unit apartment complex, two 12 unit apartment complexes, and one 15 unit apartment complex. She pointed out that even though residential is all that is currently being identified to generate taxes, within this district boundary there are several undeveloped commercial and office commercial properties that are also anticipated to be developed before the TIF is paid off. In the event that does happen, the TIF could be paid off sooner rather than later. Horton reviewed the proposed project costs that included the TIF funded and Non-TIF funded costs for street, water, sanitary sewer, storm sewer, professional fees, contingency fees, financing costs and administrative fees to total an approximate 2.7 million dollar TIF. She also shared the impact to the taxing entities (school, County, City). The TIF will be considered an economic development TIF which is important to the residents within the school district because 1/4 million will be paid by property taxpayers throughout the whole state not just within the school district. She wanted to make sure everyone understands that the school district will still receive those funds it just comes from a statewide school formula instead of within the localized school district. It is anticipated the TIF will be paid off by mid-2033. The County is foregoing $720,000.00 through the life of the TIF, the City $480,000.00, the Water District $3,600.00, and the Rapid Valley Sanitary District $47,000.00 for a total of roughly 2.9 million that will generally be created within this district. Lastly, Horton went over the amortization schedule showing just a little over one million for interest. The TIF Committee and the Planning Commission both recommended approval. Horton informed the committee that the state law changed in 2018 to a regulation where a TIF is either billfunded or it creates economic benefit for not only the district but statewide and this will create that economic benefit. Jones moved to Approve Resolution No. 2020-071 and Resolution No. 2020-072 Resolutions to Create a TIF and Approve a Project Plan for the Homestead Street Extension for Property Generally Described as Being Located at Homestead Street East of Elk Vale Road Between Timmons Boulevard and Missoula Street. Second by Lehmann, Motion carried unanimously.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Jonas second by Lehmann and carried to adjourn the meeting at 1:17 p.m.
RESIDENT PARTICIPATION PLAN

RESIDENT PARTICIPATION PLAN
24 CFR 91.105 & Section 91.100(c)(2)

CITY OF RAPID CITY
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

City of Rapid City
300 Sixth Street
Rapid City, South Dakota 57701-2724
Phone (605) 394-4181

July, 2020
RESIDENT PARTICIPATION PLAN

Annual Action Plan
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FOR THE CITY OF RAPID CITY

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I. INTRODUCTION

The City of Rapid City utilizes the programs of various federal and state agencies, including the U.S. Department of Housing and Urban Development, to implement housing and community development related activities and recognizes the legal obligation to adopt a resident participation plan that sets forth the City’s policies and procedures for resident participation and encourages their participation by providing adequate information to residents regarding those programs through which it may seek funding.

Therefore, the City will ensure that adequate information is provided to local residents to evaluate various proposals. The City will create and maintain a proper forum to obtain input and reviews on housing and community development related issues.

The City receives an annual Community Development Block Grant (CDBG) allocation from the IJD, resulting from its classification as an “entitlement” community. The City is also eligible to apply for supplemental funds under the Section 108 Loan Guarantee Program. The City may exercise its option to apply for Section 108 Loan Guarantee Program funding, and in so doing, will follow the procedures outlined in this Resident Participation Plan. From time to time, the City may also apply for other forms of financial assistance in support of housing and community development initiatives including federal HOME Investment Partnership (HOME) funds, Emergency Solutions Grants (ESG) funds, and Continuum of Care (CoC) funds. In these circumstances, the City will follow the procedures outlined in this document.

The City believes that persons affected by public action should have a voice in policy formulation. Although the various housing and community development related activities are designed to have a long term beneficial effect on the community, these activities may also have an adverse impact on some individuals. Therefore, it is important that residents know what is being planned and given an opportunity to present their views. Residents can use this information to become involved in the community process that shapes the local use of these federal funds for local projects that benefit low-to-moderate income and homeless people in our community.

Projects funded may include high priority CDBG eligible activities to include, but not limited to:

- Acquiring property for new construction or rehab of existing housing or public facilities to benefit low-to-moderate income people,
- Infrastructure improvements,
- Rehabilitation or renovation of aging housing stock or public facilities,
- Revitalization of neighborhoods,
- Providing human services for those in need,
- Emergency housing and services for the homeless or domestic violence victims, and
- Economic opportunities for low-and-moderate income residents.
II. WHAT IS THE RESIDENT PARTICIPATION PLAN?

A Resident Participation Plan details how the residents of Rapid City can be involved in the development and implementation of the City's Consolidated Plan for utilization of funds received from the U.S. Department of Housing and Urban Development (HUD) and/or other state and federal funds.

In order to comply with the spirit of program requirements relative to resident participation, the City has developed this Resident Participation Plan. Generally, the plan is designed to insure the involvement of affected persons and other concerned residents, the openness and freedom of access to information, the adequate and timely presentation of pertinent data, the submission of views and proposals, and the continuity of resident participation through each stage of the planning and execution of CDBG activities. Public participation is also encouraged in the development and revisions of the Assessment of Fair Housing (AFH), the Consolidated Plan, Annual Action Plans (AAP) and Consolidated Annual Performance Evaluation Reports (CAPERs) (24 CFR § 91.110(a)(7)(i)).

Consultation [§91.100]

The City recognizes the need to consult and coordinate with appropriate public, nonprofit, and private agencies that provide assisted housing, health services, homeless services, and social and fair housing services, including those focusing on services for children, elderly persons and persons with disabilities, persons with HIV/AIDS and their families, and homeless persons.

Consultations regarding non-housing community development needs, the City shall notify and include the state and local jurisdictions, local public housing agencies participating in an approved Capital Fund Program, and City departments, to assure that its programs and plans are comprehensive and address all statutory requirements.

The City will also confer with social services agencies regarding the housing needs of children, elderly persons, persons with disabilities, homeless persons, and other categories of residents.

The City will consult with the state and local health and child welfare agencies, and examine existing data on lead-based paint hazards and poisonings, including health department data on the addresses of housing units in which children have been identified as lead poisoned.

The non-housing community development needs will be provided to the state, Pennington County, and the adjacent communities of Box Elder and Black Hawk.

What kind of information does it provide?

At the time the City initiates the process to seek or offer specific funding opportunities, the following program information shall be provided:
A. The total amount of funds expected to be available to the City for housing and community development activities;
B. The range of eligible activities that may be undertaken with these funds;
C. The estimated amount of funds proposed to be used for activities that will benefit low-, very low-, and extremely low-income persons;
D. The possibility of residential and/or commercial displacement resulting from program implementation and the plans for minimizing such displacement, and;
E. The types and levels of assistance to be made available to persons displaced by contemplated activities;
F. Deadline dates and times for applications.

Upon completion and submission of an application for funding to the appropriate agency, the City shall publish a notice in a newspaper(s) of general circulation, if program regulations so require. The notice shall appear in both the Rapid City Journal and the Native Sun News. The notice will indicate that the application has been submitted and is available to interested parties upon request. The City shall make copies of the appropriate documentation available at the CDBG Program Division page of the City’s website, located at https://www.rcgov.org/departments/community-planning-development/cdbg-program-division.html. The CDBG Program Division office during regular business hours, by telephone at 605-394-4181 or by request in writing to the CDBG Program Division at:
City of Rapid City
CDBG Program Division
300 6th Street
Rapid City, SD 57701

III. ENCOURAGEMENT OF PUBLIC PARTICIPATION [24 CFR 91.105(a)(2)(i)]

The City shall provide for full public access of information pertaining to the CDBG program, or other federal funds, to residents, public agencies, and other interested parties, including those most affected by proposed activities. Affirmative efforts will be made to make adequate information available to residents, especially to those of low-, very low-, and extremely low-income and moderate-income to those residing in blighted areas and in areas where funds from federal or state programs are proposed to be used. The City will also take whatever actions appropriate to encourage the participation of all citizens and stakeholders, including minorities and non-English speaking persons, as well as persons with disabilities.

Stakeholders [24 CFR 91.105(a)(2)(ii)]

Federal regulations at 24 CFR 91.100 require consultation with public and private agencies when developing and implementing the Consolidated Plan and Assessment of Fair Housing. Local and regional institutions and other organizations, including businesses, developers, non-profit service providers, community and faith-based organizations, and philanthropic
foundations will be included in the process of developing and implementing the consolidated plan and any substantial amendments to it.
Public Housing Agencies [24 CFR 91.105(a)(2)(iii)(B) 91.100]

The City will consult and encourage participation of the Pennington County Housing and Redevelopment Commission (PCHRC), their residents, and residents of assisted housing developments, advisory boards, councils, and resident management corporations, along with other low-income residents of targeted revitalization areas in the development of the Consolidated Plan, Annual Action Plans, and Assessment of Fair Housing.

The City will provide information to Pennington County Housing and Redevelopment Corporation and South Dakota Housing Development Authority on the plans and the Consolidated Annual Performance Evaluation Report.

The City provides annual review and certification of the PCHRC's plans are consistent with the City's Consolidated Plan. Pennington County Housing has never been a troubled FHA, but should it have need of financial or other assistance, the City would work with them to develop a plan and identify actions, if any, that are available and eligible for CDBG assistance to improve its operations and remove such designation under remedies for Section 507 Voluntary Compliance to provide accessible units for persons with disabilities.

Public Involvement Techniques [24 CFR 91.105(a)(2)(iv)]

The City will continue to explore and incorporate alternative public involvement techniques and qualitative ways to measure efforts that encourage citizen participation in a shared vision for change in communities and neighborhoods, and the review of program performance through focus groups, use of the internet, online and paper surveys, and attendance at other community meetings of all types to hear and record their discussions of community needs and gaps in service.

Opportunities to comment on the information.

The City shall provide for and encourage the submission of residents' views and proposals regarding Community Development Programs; particularly low- and moderate-income persons, residents of identified blighted areas, and residents of public housing. This includes submission of such views:

A. directly to the City during the planning period and public comment periods;
B. at other informal meetings, if scheduled by the City prior to formal public hearings;
C. at formal public hearings;
D. at Legal and Finance meetings; and
E. at City Council meetings.
Legal & Finance and Council meetings provide for public comment prior to discussion and action on agenda items. These meetings may be counted as public hearings. The City shall provide timely responses to all written proposals stating the reasons for the actions taken by the City on the proposal.

Whenever possible, the City will respond within fifteen (15) working days and, whenever practical, responses will be made prior to the consideration and action on the Community Development Program by the City Council of the City of Rapid City.

IV. THE CONSOLIDATED PLAN AND STRATEGY

What is the Consolidated Plan (CP)?

The City's Consolidated Plan evaluates the needs of the community, underserved persons and/or areas of the community, and gaps in services and housing. Consultations with the community and stakeholders provide information and assistance in setting priorities and goals for expenditures of funds for the plan period, which is five (5) years.

The Five Year Consolidated Plan consists of, and is implemented through:

- Annual Plans (five (5) annual plans):
  - Each year a Request for Proposals is issued for projects that will address the high priority goals of the plan;
  - Consolidated Annual Performance Evaluation Reports (CAPERs)
    - At the end of each plan year an evaluation of the expenditures and goal accomplishments is prepared.

The plans and reports are published and public comments and input is sought throughout the process, as described in this Resident Participation Plan.

In addition to the Resident Participation Plan, the Consolidated Plan also incorporates several other studies and plans:

- **Five Year Strategic Plan** - sets priorities and goals for addressing community needs for economic development, housing, and the needs of the homeless, persons living in poverty, low-and-moderate income households, and the disadvantaged.

- **Assessment of Fair Housing** - This assessment identifies and evaluates local and regional fair housing issues and factors contributing to obstacles to obtaining and retaining fair housing. The City consults with community-based and regionally-based organizations that represent protected class members, and organizations that enforce fair housing laws, such as state or local fair housing enforcement agencies, including participants in the:
  - Fair Housing Assistance Program.
- Fair Housing organizations;
- Non-profit organizations that receive funding under the Fair Housing Initiative Program; and
- Other public and private fair housing service agencies, to the extent that such entities operate within our area.

- **Substantial Amendments** to the Action Plans or Strategic Plan — Over the five year period of the plan new high priority issues may surface and some issues may no longer be high priority. The Plan may be amended to include or delete priorities and goals, per this plan.

This plan may be modified at any time by with required public notice, input, and comments from residents of the community and approval of the City Council.

**Administrative Responsibilities and Contact Information**

The Rapid City Community Resources Department's Community Development Division staff has the responsibility for administration of the Community Development Block Grant program, including the Consolidated Plan, Annual Action Plans (AAP), Consolidated Annual Performance Evaluation Reports (CAPER), Assessments of Fair Housing (A^2H), the Resident Participation Plan and all activities related to the programs and reports.

Additional information may be obtained by contacting:

**CDBG Program Division Manager**

Michelle Schuelke
333 E St., Rapid City, SD 57701 (office)
300 E St., Rapid City, SD 57701 (mail)
(605) 394-4181
Michelle.Schuelke@rcgov.org

Or by visiting the City website:

https://www.rcgov.org/departments/community-planning-development/cdbg-program-division.html
V. ASSESSMENT OF FAIR HOUSING (AFH)

What is the Assessment of Fair Housing?

The federal Fair Housing Act and its amendments (FHA) protect people from negative housing actions that occur because of their race, color, national origin, religion, sex, disability, or family status. State fair housing laws cover additional groups: marital status, sexual orientation or gender identity, age, and military/veteran status. Together, these groups are referred to as “protected classes.” Housing practices should not discriminate against or negatively affect these state and federal protected classes.

These housing practices would include and follow current rules of the Violence Against Women Act (VAWA) also. The Assessment of Fair Housing (AFH) looks at how our community is doing in carrying out fair housing practices. In addition to complying with the regulations, the Assessment of Fair Housing offers the opportunity to reconsider barriers to housing for protected classes of people, and see what strategies are needed to reduce those barriers. On or before July 5, 2022, the City is required to complete the Fair Housing Assessment to ensure compliance with the Code of Federal Regulations.

The Assessment of Fair Housing will follow all of the procedures mentioned in this document, with the following additions:

A. The assessment will include, in addition to organizations mentioned earlier, tenant organizations or PHA-related residency resources, realtors, property management companies, and lenders.

B. The City will consult with other public and private agencies that provide assisted housing, health services, and social services (including those focusing on services for children, elderly persons, persons with disabilities, persons with HIV/AIDS and their families, or homeless persons), community-based and regionally-based organizations that represent protected class members, and organizations that enforce fair housing laws.

C. Make the HUD-provided data and any other data to be included in the AFH available to its residents, public agencies, and other interested parties.

D. Publish the proposed AFH in a manner that affords residents and others the opportunity to examine its content and submit comments.

E. Provide a period of not less than 30 calendar days to receive comments from residents of the community.

F. If submitting a revised AFH to HUD, the City will also provide for community participation before the revision is submitted.
Criteria for revision to the AFH (24 CFR 91.105(c)(1)(ii))

The City shall revise its previously accepted AFH under the following circumstances:

1. A material change occurs. A material change is a change in circumstances in the City that affects the information on which the AFH is based to the extent that the analysis, the fair housing contributing factors, or the priorities and goals of the AFH no longer reflect actual circumstances. A material change includes, but is not limited to:
   A. Presidentially declared disasters, under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), in the City that are of such a nature as to significantly impact the steps the City may need to take to affirmatively further fair housing;
   B. Significant demographic changes;
   C. New significant contributing factors in the City; and
   D. A civil rights finding, determination, settlement (including Voluntary Compliance Agreements), or court order.

2. Upon HUD's written notification specifying a material change that requires the revision.

VI. PLANNING PROCESS

What is the Consolidated Plan Planning Process?

The planning and preparation of the City's Consolidated Plan, along with the proposed use of annual entitlement funds, shall be carried out in accordance with applicable HUD requirements. The Consolidated Plan will cover a 5-year period. The current plan will expire in March, 2018. The new plan will cover 2018-2022, and every five years thereafter, unless Council approval of a shorter time frame to align with other City plans. Preparation of the plan includes:

A. Assembly of affordable housing and community development information will be carried out as an ongoing, year around process to identify City needs. Prior to preparing the Consolidated Plan, the City will meet with all community stakeholders, non-profit organizations, citizens groups, Public Housing residents, local businesses and agencies and any other interested parties to gather input and comments about community need, gaps in services and options to be considered in setting goals and priorities.

B. Conduct a public hearing during each consolidated program year to obtain the views of residents and organizations prior to the commencement date (April 1) of the City's consolidated program year. The hearing shall be conducted to solicit resident input for development of the proposed consolidated plan.
E. Hearings will be conducted at locations and times that provide ease of access for resident attendance. Information presented by those in attendance will be used to identify and prioritize housing and community development needs and plan proposed projects and activities to address said needs.

D. Conduct public meetings to communicate to the public, nonprofit, and private agencies, local residents, and focus groups proposed housing and community development priorities and needs and allocations of funding preliminarily approved by City Council.

E. Provide a thirty (30) day review and comment period on the proposed consolidated plan and strategy which include projects and activities to be undertaken with CDBG funds. The public notice shall identify locations where the proposed consolidated plan will be available for resident review. During the review period, residents may provide comments to the City of Rapid City. See Notice of Hearing and Meeting.

F. Public comments shall be accepted and considered on the proposed consolidated plan and strategy, and Annual Action Plans during or following the thirty (30) day review and comment period and shall contain a summary of the Proposed Consolidated Plan and/or Annual Action Plan submission. The notice shall also provide the expected dates for action by the Rapid City governing body. All resident comments shall be presented in writing prior to, or in writing or verbally during the public hearing. Adequate time will be reserved to modify the proposed consolidated plan based on resident comment prior to final action of the City Council and submittal of the Consolidated Plan and/or Annual Action Plan to HUD.

G. Public comments shall be accepted for not less than 15 days prior to final approval of the Consolidated Annual Performance Evaluation Report (CAPER), following the same guidelines as the Consolidated Plan and Annual Action Plans for notification, publication and comment submissions.

H. The City may act on the consolidated plan and use of entitlement funds at any time following the thirty (30) day review period and second public hearing prior to submittal of the Consolidated Plan, Annual Action Plan or Substantial Amendments to HUD.
VII. RESPONSE TO PROPOSALS SUBMITTED

How will the City respond to proposals submitted?

The City of Rapid City will respond in writing to all proposals submitted verbally or in writing at public hearings or meetings. The City's response to a request for activities or projects shall be made within fifteen (15) days from the date of the hearing or meeting, or prior to the meeting of the City Council to consider approval of the use of annual entitlements funds.

VIII. AMENDMENT PROCESS

Amendments to the Annual Action Plan and/or Five Year Consolidated Plan
[24 CFR 91.105(c)(3)(i)]

The City shall amend its approved plan whenever it makes one of the following decisions:

(1) To make a change in its allocation priorities;

(2) To make a change in the method of distribution of funds;

(3) To carry out an activity, using funds from any program covered by the consolidated plan (including program income), not previously described in the action plan; or

(4) To change the purpose, scope, location, or beneficiaries of an activity.

Substantial Amendment §91.105 and § 91.115

A Substantial Amendment would be required for the following actions:

A. A substantial change to allocation priorities;
   A substantial increase or decrease in allocation priorities is defined as:
   1) A 50% change in the project, if the project is funded at $25,000 or less.
   2) A 25% change in the project if the project is funded at $25,001 or more.

B. To undertake an activity, using program funds, including program income, which was not previously described in an action plan or funding application.

C. To not carry out an activity for which funding was approved; or

D. To substantially change the purpose, scope, location or beneficiaries of an activity.
A substantial change is defined as:
1) the increase or decrease of more than 25% in the service area and/or
2) class of beneficiaries.

A substantial amendment requires a public comment period for citizen participation and input. In such instances, the City of Rapid City shall provide residents with reasonable notice of, and opportunity to comment on, such proposed changes in its use of funds. The City will publish a notice in the non-legal section of a paper of general circulation of the proposed substantial program change and give interested or affected residents at least thirty (30) calendar days to submit comments on the amendment, prior to City Council approval for taking such amendment action.

HUD Notification of Amendments (24 CFR § 91.115(c)(3)(i))

The City will notify HUD or the appropriate funding agency of the proposal and provide a description of any changes. The City shall submit to HUD a copy of each Amendment at the time it occurs, or at the end of the program year. Letters transmitting copies of amendments must be signed by the Mayor.

IX. ANTI-DISPLACEMENT POLICY

It is the policy of the City of Rapid City to carry out its Community Development Block Grant Program in a manner that minimizes the displacement of residents and businesses. The City will make every effort, whenever feasible, to not displace residents due to demolition, rehabilitation, or housing conversion by City action. However, in instances where displacement is unavoidable, information on the types and levels of assistance to be made available to persons displaced will be made available through the Community Development Division, who is also responsible for tracking the replacement of lower income housing and ensuring that it is within the scope of the block grant policies.

X. RESPONSIBILITY FOR CONDUCTING HEARINGS OR MEETINGS

Who is responsible for conducting hearings?

The City shall have the responsibility for conducting meetings and hearings relative to the Community Development Block Grant program. The City shall also develop procedures for meetings and hearings. See Notice of Hearing and Meeting.
XI. NOTICE OF HEARING AND MEETING

What opportunities are there for residents to provide input and comments?

An initial hearing will be held to obtain the views of interested residents and organizations regarding overall community development and housing needs, development of proposed activities, and a review of program performance. The second hearing will be held to obtain the views of interested residents and organization on the proposed use of CDBG funds and other elements of the consolidated plan.

Generally, hearings shall be held at the City/School Administration Building. However, the City has the option of conducting hearings in local neighborhood meeting places, such as local churches, community centers, the library, or other public facilities, as appropriate. Such hearings will be duly advertised and held at times that provide reasonable and timely access to meetings, such as from 4 p.m. to 6 p.m. and at Legal & Finance and City Council meetings. All public hearings will be held in facilities that afford accessibility for persons with disabilities. At least fourteen (14) calendar days prior to any hearing, a notice shall be published in the non-legal section of a paper of general circulation, to include the Rapid City Journal and Native Sun News. The notice will give the date, time, place and topics to be considered at the hearing.

Notices will also be sent by email and/or letter to social service agencies and other public and semi-public groups which may have particular interest in or be affected by the proposed program. The City will work through these agencies and groups to encourage participation in the hearing process on the part of low, very low, and extremely low-income persons who reside in areas where funds will be spent. (24 CFR § 91.110(a)).

The City will also work with these agencies and groups to involve persons who reside in low, very low, or extremely low-income neighborhoods. All notices of the second hearing will also contain a detailed description of the area or areas affected by the project activities in an effort to alert the residents of these areas of such proposals and to encourage their participation in the hearing process.

If any organizations or groups representing affected residents wish to become involved in the resident participation process, the City will place such group on its mailing list of representative groups and organizations. The City shall be responsible for maintaining a list of representative groups and organizations. This list shall be updated at the beginning of each program year, with new additions being included throughout the year, at the time of a request by a new contact. Additions to the list may also be made by written request to the City stating the nature of the organization’s services and why it should be included on the City’s list of representative groups.
The City shall have the responsibility for calling meetings and hearings with residents likely to be affected by activities undertaken by the City. The City shall also develop procedures for meetings and hearings for moderating such meetings.

A summary of the comments or views received and a summary of any comments or views not accepted, and the reasons why, will be attached to the Annual Action Plan, Consolidated Annual Performance Report, and/or substantial amendments of the Assessment of Fair Housing or Consolidated Plan, as appropriate. [24 CFR §91.115 (c)(3)]

XII. NON-ENGLISH SPEAKING AND PHYSICALLY DISABLED RESIDENTS

What is the City doing for non-English speaking residents and physically disabled residents? [24 CFR 91.105(a)(2)(i)].

The City will take such measures as are appropriate to encourage and accommodate the participation of minorities, non-English speaking persons, limited English proficiency persons and persons with disabilities.

Non-English Speaking Residents [24 CFR 91.105(a)(4)].

Any non-English speaking residents wishing to participate in hearings may contact the Community Development Division (CDD) prior to the hearings so that adequate arrangements may be made. Such requests should be made at least five (5) working days prior to the hearing date to permit the CDD time to make the arrangements needed. At a minimum, handout material prepared for such hearings will be bi-lingual to accommodate the needs of the attendees where a significant number of non-English speaking residents can be reasonably expected to participate. Secondly, the City may engage the services of a bi-lingual person to assist in presenting relevant information at the hearing, if such services are requested. Persons with limited English proficiency or vision impairments may request free oral interpretation of written materials or written translation of vital documents by calling the Community Development Division at (605) 394-4181.

Residents with Disabilities [24 CFR § 91.115(d)(2)(ii)(g)]

In accordance with the Americans with Disabilities Act persons needing special accommodations to participate in any proceedings should contact the City Finance office, at (605) 394-4143, 24 hours prior to the meeting so that appropriate Auxiliary aids and services are available. The Telephone Device for the Deaf (TDD/TTY Dial 711) number may be utilized by hearing impaired residents to access information. The City will publish the TDD/TTY number in all ads and notices for meetings and hearings.
All meeting locations will be accessible to persons with disabilities. Persons requiring assistance should contact the City at least five (5) days prior to the meeting date. Contact the Community Development Division for further information regarding each program.

XIII. TECHNICAL ASSISTANCE

Is technical assistance available?

Technical assistance from the City or third party contractors to the City or its agencies will be provided to resident participants, low, very low, and extremely low-income groups or persons in order to enable them to understand the federal requirements associated with the CDBG program, such as Davis-Bacon Federal Labor Standards provisions, environmental policies, equal opportunity requirements, relocation provisions, etc. Technical assistance will also be provided to groups representative of persons of low, very low, and extremely low-income that request assistance in developing proposals. Such assistance will be made available upon request by interested residents or organizations to the City. In addition, the City, through the public hearings, will review such program requirements and will have available for interested parties handout materials dealing with technical program requirements so as to assure understanding. Furthermore, the City will provide interpretation services to any non-speaking person or hearing impaired person who may require such assistance in understanding a particular program being planned or administered by the City.

XIV. RESPONSE TO COMPLAINTS SUBMITTED BY RESIDENTS [24 CFR 91.110 (f)]

How will the City respond to complaints by residents?

The City of Rapid City will provide a timely, substantive written response to every written citizen complaint related to the Community Development Program within fifteen (15) working days from receipt of such complaint.

All correspondence should be directed to:

City of Rapid City
City Attorney's Office
300 Sixth Street
Rapid City, SD 57701-2724
XV. EMERGENCY PROJECTS

For emergency activities, it is the policy of the City Council of the City of Rapid City to grant a temporary waiver for the thirty (30) day "Resident Review and Comment Period". The City will advertise the project for resident comment concurrent with the start of the project.

In keeping with federal regulations, an emergency project can be defined as an emergency activity of recent origin in which existing conditions pose a serious and immediate threat to the health, safety, or welfare of the community. A sub-recipient must submit certification from a qualified official stating the nature of the emergency and that it poses a serious threat to the community.

Due to COVID-19, CDBG program flexibilities and amendments to plans are requested. These flexibilities and amendments establish expedited procedures to draft, propose, or amend consolidated plans (including annual action plans) and citizen participation plans. The minimum 5-day public comment period cited below for substantial amendments may run concurrently with a minimum 5-day public comment period on amendments to Rapid City’s Resident Participation Plan as outlined in “CARLS Act Flexibilities for CDBG Funds Used to Support Coronavirus Response” dated April 9, 2020.

Given the need to expedite actions to respond to COVID-19, HUD waives 24 CFR 91.105(b)(2) and (k), as specified below, in order to balance the need to respond quickly to the growing spread and effects of COVID-19 with the statutory requirement to provide reasonable notice and opportunity for citizens to comment on substantial amendments concerning the proposed uses of CDBG, HOME, HTF, HOPWA, or ESC funds.

The 30-day minimum required public comment period is waived for substantial amendments, provided that no less than 5 days are provided for public comments on each substantial amendment. This waiver is in effect until March 31, 2021.

As noted above, the regulations at 24 CFR 91.105 set forth the citizen participation plan requirements for recipients. For substantial amendments to the consolidated plan, the regulations require the recipient to follow its citizen participation plan to provide citizens with reasonable notice and opportunity to comment. Rapid City’s Resident Participation Plan states how reasonable notice and opportunity to comment are provided.

HUD recognizes the efforts to contain COVID-19 require limiting public gatherings, such as those often used to obtain citizen participation, and that there is a need to respond quickly to the growing spread and effects of COVID-19. Therefore, HUD waives 24 CFR 91.105(c)(2) and (k) and 24 CFR 91.101 as specified below to allow Rapid City to determine what constitutes reasonable notice and opportunity to comment given the circumstances related to COVID-19. Rapid City may use alternative methods for public participation and will allow for reasonable notification and access for citizens. This authority is in effect until March 31, 2021.
XVI. MONITORING AND EVALUATION OF COMMUNITY DEVELOPMENT PERFORMANCE

How will the Community Development Program be evaluated?

The City will provide full public access to program information. The City shall maintain the following data:

A. Mailing and promotional material related to the Resident Participation Process.

B. Record of Hearing

C. Key documents including prior statements, consolidated plan and strategy, approval letters, performance reports, evaluation reports, and other documents required by the Department of Housing and Urban Development.

D. Copies of regulations and policy statements issued by the Department of Housing and Urban Development (available at hud.gov).

A list of the above data is available for Inspection at 333 6th Street, Rapid City, SD in the Community Development Division office and online at https://www.rcgov.org/departments/community-planning-development/cdbg-program-division.html

Availability to the Public [24 CFR 91.105(g)]

Typical or standard documents available for public access, at a minimum will include copies of the proposed, revised and final Assessment of Fair Housing, Annual Action Plans, Consolidated Plan, Annual Performance Evaluation Reports, and Resident Participation Plan. The City will provide a copy of standard documents, within two (2) working days of a request at no charge to the general public. Every reasonable attempt shall be made to accommodate persons with disabilities and assist them in obtaining requested materials. Standard documents shall be made available at:

CDBG Program Division 333 6th St.,
Rapid City, SD 57701 (605) 394-4181
Lucy.LaDeau@rcgov.org

Access to Records [24 CFR 91.105(i)]

The City of Rapid City will provide the public with reasonable and timely access to information and records relating to the data or content of the A-H, the Consolidated Plan, and the proposed, actual and past use of funds covered by this Citizen Participation Plan. The law requires reasonable public access to records about previous expenditures during the past five years, and reasonable public access to records relating to the expenditure of
funds during the previous five (5) program years.

XVII. MODIFICATION OF PLAN

Can this Plan be modified?

The resident participation plan may be modified from time to time by the City provided such revisions are consistent with federal and state law, HUD’s CDBG regulations, and administrative requirements covering resident participation. Prior to any modification of the resident participation plan, the City will publish a notice of modification of the plan in sufficient time to permit residents to comment prior to approval by the City Council. The notice shall be published in local newspapers of general circulation at least fourteen (14) days prior to the adoption of the modification by the City Council.

XVIII. AVAILABILITY OF PROGRAM AND RELATED INFORMATION

Copies of any of the CDBG plans, Annual Reports, including the Resident Participation Plan, may be obtained from the City web site at: www.rcgov.org/departments/community-planning-development/cdbg-program-division.html or from the Community Development Division office at the address below.

More information regarding the Community Development Block Grant program through HUD can be accessed through their website at: https://www.hudexchange.info/programs/cdbs/

Any questions or comments on this plan, requests for materials in another language or to accommodate visual impairment, or requests for information should be directed to:

City of Rapid City
300 Sixth Street, Rapid City, SD 57701-2724
(605) 394-4181

Annual Action Plan
2020
CDBG-CV Funding Recommendations - Public Comments

The following public comment was received by George Lawson, Executive Director of Western South Dakota Senior Services, Inc. (Meals on Wheels Western South Dakota) on October 15, 2020:

"My public comment is that I approve of the expenditures as submitted by the committee."
Notice of Substantial Amendment to FY20 CDBG Annual Action Plan – Public Comments

The following public comment was received by Amy Richie-Vanderbush on October 21, 2020:

"I whole heartedly approve the discernment of these CARE Act funds. However, I feel going forward there needs to be more allocated to assistance with rent and utilities for individuals that can demonstrate a COVID connection with the inability to pay their rent and or utilities."
LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota

May 13, 2020

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, May 13, 2020, at 12:30 p.m.

A quorum was determined with the following members answering the roll call: Becky Drury, Daifa Drew, Lance Lehmann, Chad Lewis (telephonically) and Rishia 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 taken with Drury Drew, Nordstrom, Lehmann and Lewis voting "yes". Motion carried unanimously.

GENERAL PUBLIC COMMENT
None.

CONSENT ITEMS

Action was made by Lehmann, second by Nordstrom to approve Items 1-11 as they appear on the Consent Items with the exception of Items No. 6, 7 and 8. Roll call vote taken with Drury Drew, Nordstrom, Lehmann and Lewis voting "yes". Motion carried unanimously.

CONSENT ITEMS – Items 1 – 11

Public Comment opened – Items 1 – 11
Public Comment closed

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

1) Approve Minutes for April 29, 2020

FINANCE DEPARTMENT

2) Acknowledge the Following Volunteers for Worker's Compensation Purposes: Shirley Aman (RSVP+), Marilyn Hais (RSVP+), Marcia Smith (RSVP+), Amanda Wessels (Police Department)

3) LF051320-01 – Approve Resolution No. 2020-035 a Resolution Declaring Miscellaneous Personal Property Surplus to be Donated and/or Sold

4) LH051320-02 – Acknowledge March 2020 Sales Tax Report

5) LF051320-06 – Approve Resolution No. 2020-036 a Resolution Levying Assessment for Abatement of Nuisances

COMMUNITY DEVELOPMENT

Motion was made by Drew, second by Nordstrom to approve Items 6, 7 and 8 as they appear on the Consent Items. Roll call vote taken with Drury, Drew, Nordstrom, Lehmann and Lewis voting "yes". Motion carried unanimously.
LEGAL AND FINANCE COMMITTEE
May 13, 2020

6) LF051320-03 – CDBG Program Division Manager Michelle Schuelke clarified that the original contract was for a lower amount but have received more money than anticipated for fiscal year 2020, so the amount has been increased to just over $59,000.00, so paid out the money will be used to replace windows at the domestic violence shelter. Authorize the Mayor and Finance Officer to sign the Community Block Grant for Working Against Violence, Inc. for FY20.

7) LF051320-04 – CDBG Program Division Manager Michelle Schuelke explained that IUIU has requested an update to the SF-424 to include the Revolving Loan Fund balance which is just over $90,000.00. Schuelke said it is something new but is for a neighborhood rehabilitation loan program (direct loans to owner occupied homes). Authorize the Mayor and Finance Officer to sign amended SF-424 for Community Block Grant for FY20.

8) LF051320-05 – CDBG Program Division Manager Michelle Schuelke reported that this is a contract for CD funds in the amount of $390,000.00 the City will be receiving relating to COVID-19, which will be used specifically to prevent, prepare for, and respond to, COVID-19 activities. Authorize the Mayor and Finance Officer to sign the FY20 Community Block Grant-CV (CDBG-CV) SF-424.

9) LF051320-07 – Approve Amendment to Resident Participation Plan (CDBG)

10) 20T1003 – Approve Resolution No. 2020-02 – Resolution to Approve TID No. 70 Project Plan Amendment #1 to RealLocate Project Plan Costs for Property Generally Described as Being Located at 4th Street & 6th Street SW

11) 20T1001 – Approve Resolution No. 2020-30 – A Resolution to Dissolve Tax Increment District #36 for Property Generally Described as Being Located at the Intersection of Eglon Street and Upland Road

END OF CONSENT CALENDAR

NON-CONSENT ITEMS – Items 12 – 14

Public Comment opened – Items 12 - 14

Public Comment closed

COMMUNITY DEVELOPMENT

12) 3COA006 – Drew asked Community Development Director Ken Young what triggered this ordinance change. Young explained that a couple of years ago when reviewing the land use plan and the zoning, and how they were matching up, it was noticed that there were a lot of applications and development occurring for residential development in the Office Commercial District. As it was studied further, it was determined that the problem was found where the City allows multiple family housing in an Office Commercial District, which normally is applied in a mixed-use type of an arrangement; but multiple family development; has with it an associated conditional uses list that includes single-family houses, therefore, the City was seeing single-family houses being developed in an Office Commercial Zone. It was decided that it is probably not appropriate and looked at where that is occurring and how it could possibly occur into the future; and determined if indeed the demand for single-family housing is occurring in some of those areas, then the zone should be changed to reflect that. He went on to say that in other areas where it was determined it is not an appropriate use, the City will maintain that zone but will amend the uses list so that single-family homes will no longer be permitted in the Office Commercial District. There were several properties that were affected based on that. The City then invited all of the affected property owners to attend "Coffee with the Planners" and "special public hearings" to get their feedback. The information
LEGAL AND FINANCE COMMITTEE  
May 13, 2020  

received from those meetings then led to this ordinance proposal and there will also be some zone changes following soon. Young emphasized that there is opportunity for multi-family development to occur on its own in the Office Commercial Zoning, but the City is simply trying to prevent development of single-family homes without any other provision. Young asked that the City is looking at best practices for appropriate zoning when allowing development is occurring, how it is occurring and what the best way is for that to occur. Lehmann moved to approve the Second Reading and Recommendation of Ordinance No. 6294 an Ordinance Amendment Amending chapter 17.40 to Revise Permitted and Conditional Uses in the Office Commercial District. Second by Nordstrom. Roll call vote taken with Drury, Drew, Nordstrom. Lehmann and Lewis voting "yes". Motion carried unanimously.

CITY ATTORNEY'S OFFICE  
13) LF051320-08 – Nordstrom asked City Attorney Joel Landeen to discuss what is transpiring with this ordinance and following resolution. Landeen made clear that this ordinance simply allows the City to implement regulations through the end of July. He said with the peak of COVID-19 being predicted for some time in early June, the ordinance makes sure there is the ability to act quickly if the situation changes but also does not require that any restrictions are imposed. He explained the resolution being brought forward is to make sure the current regulations that go through the end of the original ordinance (May 31, 2020), do not lapse, ending up in a situation where there is a week or so when the original emergency ordinance is still in effect, because essentially that means businesses would have to close again since what is allowing them to stay open are the changes that were made in the resolution, extending the resolution with the current ordinance. If the reading of this ordinance (extending the ordinance through July) is approved, then Landeen will bring back a second resolution along with the second reading of the ordinance so the Council can address extending the regulations either through the end of July or however long they determine. (Second reading is June 1, 2020). Drew moved to send the Introduction and First Reading of Ordinance No. 6294 an Emergency Ordinance Extending the Date by which the City can Implement Measures Necessary to Slow the Community Spread of Coronavirus (COVID-19) to City Council without recommendation. Second by Nordstrom. Roll call vote taken with Drury, Drew, Nordstrom, Lehmann and Lewis voting "yes". Motion carried unanimously.


ADJOURN  
There being no further business to come before the Council at this time, the meeting was adjourned by Drury at 12:44 p.m.

Annual Action Plan  
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota
May 18, 2020

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at City Hall, 300 Sixth Street, in Rapid City, South Dakota on Monday, May 18, 2020, at 8:30 P.M.

The following members were present: Mayor Steve Allender and the following Aldermen: Becky Drury, Ritchie Nordstrom, Greg Strommen, Laura Armstrong, Chad Lewis, Lance Lehmann, John Roberts, Bill Evans and Darla Drew. The following Aldermen arrived during the course of the meeting:
None; and the following were absent: None.

Staff present included: Finance Officer Pauline Sumption, City Attorney Joel Landman, Police Chief Karl Jagers, Parks and Recreation Director Jeff Biegler, Deputy Finance Officer Tracy Davis, IT Director Jim Gilbert, Community Development Director Ken Young and Administrative Coordinator Heidi Weaver

ADOPTION OF AGENDA
Mayor added item from Dustin Willett as 32A, authorize funding for emergency shelter up to $75,000. Motion was made by Armstrong, second by Lewis and carried to add item 32A and adopt the agenda.

GENERAL PUBLIC COMMENT
Stanton Ander, President of Rapid City Racer Swim Team, addressed the council. He understands this is a tough time for the city and the parks and recreation department. He asked that the city reconsider opening the pools for the summer. He said the city can follow the rules by USA Swimming that allows the public to use the pools with COVID-19 parameters.

NON-PUBLIC HEARING ITEMS – Items 1 – 34
Drew called for point of privilege. She said there is an important election coming up. She, Strommen and Armstrong are launching a campaign called Vote Local. She stated that voting during local elections is very important. She urged the citizens of Rapid City to get to know the candidates and the issues when it’s time to vote.

CONSENT ITEMS – Items 1 – 25
There were no items removed from the Consent Items.

Approve Minutes
1. Approve Minutes for the May 4, 2020 Regular Council meeting.

Tax Increment District and Approve Project Plan Set for Hearing (June 1, 2020)
2. Nu. 201004 - A request by Dream Design International, Inc. for Yasmeen Dream, LLC for a Resolution 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 Fairmount Street.

Alcoholic Beverage License Applications Set for Hearing (June 1, 2020)
3. Rapid City Elks Golf & Event Center Inc. DBA Rapid City Elks Golf & Event Center Inc., 3333 Jolly Lane for a Retail (on/off sale) Mall Beverage and SD Farm Wine license with Video lottery TRANSFER from Rapid City Elks Club DBA Elks Lodge #1167, 3333 E. 39th Street

4. MG Oil Company DBA Uncle Sam’s South 3, 2110 Jackson Blvd for a Retail (on/off sale) Mall Beverage and SD Farm Wine license with Video lottery TRANSFER from MG Oil Company DBA East North Casino, 230 N North Street
Public Works Committee Consent Items
5. PW051220-01: Approve change order 4F to Tru-Form Construction, Inc. for Disel and Haines Avenue Intersection, Project #15-2347/CIP No.51124 for an increase of $3,016.99.
6. PW051220-02: Approve change order 1F to Tru-Form Construction, Inc. for Main Street Valve Repair 5th to West Blvd. Project #2438/CIP No.50705 for an increase of $7,065.72.
7. PW051220-03: Approve change order 1F to Tru-Form Construction, Inc. for Concrete Panel Repair Project 5th and Healing Way, Project #2542/CIP No.50446 for an increase of $33,41.
8. PW051220-04: Authorize staff to advertise for 2020 Chip Seal, Project No. 19-2543 / CIP 50644 for $206,000.
9. PW051220-05: Authorize staff to advertise for Pavement Rehabilitation Project Grand Vista Ct to Kepo Ct, Project No. 19-2547 / CIP 50549 for $316,000.
10. PW051220-07: Authorize Mayor and Finance Officer to sign Agreement between the City of Rapid City and Yasmeen Dream 111, LLC for Sanitary Sewer Main Cost Reimbursement for Shepherd Hills Subdivision for an amount not to exceed $92,888.00.
11. PW051220-08: Authorize the Mayor and Finance Officer to sign a covenant agreement between the City of Rapid City and DEVCOR, LLC allowing connection to City water system.
12. PW051220-08: Approve Request from Dean Kelly Construction for a variance to waive the requirement to install sidewalk along Kesia Drive, Rapid City, per City Ordinance 12.08.000.

Legal & Finance Committee Consent Items
13. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Shirley Aman (RSVP), Marilyn Halse (RSVP), Marcus Smith (RSVP), Amanda Nussbaile (Police Department)
14. LFV051320-01 – Approve Resolution No. 2020-035 a Resolution Declaring Miscellaneous Personal Property Surplus to be Donated and/or Sold

RESOLUTION DECLARING MISCELLANEOUS PERSONAL PROPERTY SURPLUS

WHEREAS the below-described property is no longer necessary, useful or suitable for municipal purposes;

NOW, THEREFORE, BE IT RESOLVED that the following property be declared surplus and disposed of according to state statutes:

From: Pelico 201

For Donation (Donation):

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<th>Qty</th>
<th>Description</th>
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<td>Philips Head Sensor Automated External Defibrillator</td>
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Annual Action Plan 2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
From: Police (201)
For Deletion (Sell):
   City 6  L3 Flash Back 2 In-Car Digital Recorder
   Serial #:  
   FB016942
   FB016943
   FR020582
   FB020583
   FB03324
   KB23323
   FBG32326
   FB27516

From: Police (201)
For Deletion (Sell):
   City 11  L3 Flash Back 3 In-Car Digital Recorder
   Serial #:  
   FBE300139
   FBE300140
   FBE300494-1B
   FBE303452
BE IT FURTHER RESOLVED that the Mayor and Finance Officer may do all acts necessary to dispose of this property according to state law.

Dated this 18th day of May, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

15. LF051320-02 – Acknowledge March 2020 Sales Tax Report
16. LF051320-06 – Approve Resolution No. 2020-036 a Resolution Levying Assessment for Abatement of Nuisances

RESOLUTION NO. 2020-036
RESOLUTION LEVYING ASSESSMENTS FOR ABATEMENT OF NUISANCES

BE IT RESOLVED by the City Council of the City of Rapid City, South Dakota, as follows:

1. The City Council has made all investigations which it deems necessary and has found and determined that the condition of your property had constituted a nuisance. The City abated this nuisance. The cost of the abatement, including administrative costs, is the amount stated in the proposed Assessment Roll for Abatement of Nuisances.

2. The Assessment Roll for Abatement of Nuisances is hereby approved and assessments thereby specified are levied against each and every lot, place, or parcel of land thereby described.

3. Such assessments, unless paid within thirty (30) days after the filing of the assessment roll in the Office of the Finance Officer, shall be certified as delinquent to the Pennington County Auditor and payable through the Pennington County Treasurer’s Office with the statutory interest rate.

Dated this 18th day of May, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer
CITY COUNCIL

MAY 18, 2020

COMMUNITY DEVELOPMENT CONSENT ITEMS
17. LF051320-03 - Authorize the Mayor and Finance Officer to Sign the Community Block Grant for Working Against Violence, Inc. for FY20
18. LF051320-04 - Authorize the Mayor and Finance Officer to Sign Amended SF-424 for Community Block Grant for FY20
19. LF051320-05 - Authorize the Mayor and Finance Officer to Sign the FY20 Community Block Grant-CV (CDBG-CV) SF-424, SF-424D and Certifications
20. LF051320-07 - Approve Amendment to Resident Participation Plan (CDBG)
21. No. 20TI003 - (This is a duplicate item and is correctly placed under non-consent public hearing items.) - Approve Resolution No. 2020-024, a Resolution to Approve TID No. 70 Project Plan Amendment #1 to Re-execute Project Plan Costs for Property Generally Described as Being Located on Cotton Boulevard from 6th Street to South US Highway 16, then South Along US Highway 16 to Seminole Trail and East to the Proposed Hybrid Crossing Subdivision
22. No. 03TI001 - Approve Resolution No. 2020-030 a Resolution to Dissolve Tax Increment District 388 for Property Generally Described as Being Located at the Intersection of Eglin Street and Ellis Vale Road

RESOLUTION NO. 2020-030
A RESOLUTION DISSOLVING TAX INCREMENT DISTRICT NUMBER THIRTY EIGHT

WHEREAS, the City of Rapid City created Tax Increment District Number Thirty Eight on February 17, 2003; and

WHEREAS, there are no longer any reimbursable project costs remaining to be paid; and

WHEREAS, the City Council of the City of Rapid City is authorized to dissolve this Tax Increment District pursuant to SDCL 11-9-46(2),

NOW, THEREFORE, BE IT RESOLVED by the City of Rapid City that the Tax Increment District Number Thirty Eight be and is hereby dissolved.

BE IT FURTHER RESOLVED that any funds which are deposited in the Tax Increment District Number Thirty Eight Special Fund, pursuant to SDCL 11-9-31, be distributed as provided by SDCL 11-9-46.

Dated this 18th day of May, 2020.

CITY OF RAPID CITY
/s/ Steve Allender
Mayor

ATTEST:
/s/ Pauline Sumption
Finance Officer

BID AWARD CONSENT ITEMS
23. CO061820-021 - Approve award of total bid for Florman Street Water Main Replacement Project, Mt. Rushmore Road to Apollo Circle, Project No. 18-2512 / CIP No. 81355 opened on May 13, 2020 to the lowest responsible bidder, Lind Exco, Inc. in the amount of $899,526.42.

25. CC051820-02.3 - Approve award of total bid for Northridge Booster Pump Station and Stoney Creek Booster Pump Station Improvements, Project No. 14-2178 / CIP No. 50612.CD opened on May 13, 2020 to the lowest responsible bidder, Mainline Contracting, Inc. in the amount of $400,000.00.

END OF CONSENT ITEMS

NON-CONSENT ITEMS - Items 25 – 34

Nick Uhr, manager of Grand Gateway Hotel, addressed the council. He said his business is financially suffering. He did call the government for help but is not receiving relief. He wants all businesses open now and doesn’t think an extension is necessary.

Bob Fuchs, owner of the Firehouse, said the council had his full support and thought the initial plan was logically thought out. He asked that restrictions end on May 31. He has everything in place to keep the guests and employees safe. He adheres to social distancing and employees wearing masks. He said the stimulus loans are good but those will run out in June. He is asking the restrictions be lifted since many businesses are losing money in every instance.

Ordinances:
Mayor read in item (No. 20ZR209) First Reading, Ordinance 6418, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Low Density Residential District for property generally described as being located at 4039 and 4052 Winchester Place. Motion to approve was made by Drew, second by Lehmann and that Ordinance 6418 be placed upon its first reading and the title was fully and distinctly read and second reading set for June 1, 2020. Those voting aye, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; no: none. Motion carried.

Mayor read in item (No. 20ZR217) First Reading, Ordinance 6419, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Low Density Residential District for property generally described as being located at 4122, 4134, 4146, 4155 and 4170 Wisconsin Avenue. Motion to approve was made by Drury, second by Strommen and that Ordinance 6419 be placed upon its first reading and the title was fully and distinctly read and second reading set for June 1, 2020. Those voting aye, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; no: none. Motion carried.

Mayor read in item (No. 20ZR218) First Reading, Ordinance 6420, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Low Density Residential District for property generally described as being located at 3022, 3026, 3032, 3036 and 3070 City View Drive. Motion to approve was made by Drew, second by Armstrong and that Ordinance 6420 be placed upon its first reading and the title was fully and distinctly read and second reading set for June 1, 2020. Those voting aye, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; no: none. Motion carried.

Mayor read in item (LF051320-08) First Reading 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). Mayor asked Larelen to speak. He indicated that the ordinance did not extend the restrictions, but it does allow the council to adopt regulations by resolution and also to lessen or remove those same regulations by resolution. He stated a resolution can be approved with one reading. Just because the ordinance goes to July 31 does not mean that we need to have restrictions
until July 31. If the ordinance is allowed to expire on June 8, all restrictions would go away. Drew spoke to both Utne and Fuchs. They explained applying for the PPP loan and that their payroll will be severed for eight weeks which is the middle of June and then that money is gone. Drew wants to keep the option of the resolution in place which will allow council to make quicker decisions if the numbers of people are becoming more or less infected. She wants Rapid City’s numbers to stay low so that tourists see that and want to visit Rapid City. Roberts wants to revisit this in two weeks. He wished that council hadn’t closed the businesses so early. Drury is ready to have business as usual in Rapid City. Evans feels restrictions are still necessary. Stromman agreed with Landeen’s explanation of allowing council the ability to make regulations through July 31. Motion to approve was made by Lewis, second by Armstrong and that Ordinance 6424 be placed upon its first reading and the title was fully and distinctly read and second reading set for June 1, 2020. Those voting aye, Nordstrom, Stromman, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; no: none. Motion carried.

Legal & Finance Committee Items
Mayor read in Item (LF051320-08) Resolution No. 2020-037 an Emergency Resolution Extending Resolution No. 2020-034. Motion to approve was made by Drew, second by Armstrong to extend current regulations to June 6, 2020. Evans said that South Dakota is sitting at 29th highest in the United States. He thinks at our rate of increase that we could be #1 in the upcoming months if we aren’t careful. Motion passed 8-3 with Lehmann, Drury and Roberts voting no. **This item was published separately on Wednesday, May 20, 2020, which is the effective date of this resolution.**

RESOLUTION NO. 2020-037
AN EMERGENCY RESOLUTION EXTENDING RESOLUTION 2020-034.

WHEREAS, the City adopted an emergency resolution modifying the mandatory orders contained in Ordinance 6413 on April 27, 2020; and

WHEREAS, the modified orders contained in the resolution are set to expire on May 31, 2020; and

WHEREAS, this meeting is the last regularly scheduled meeting before the resolution expires; and

WHEREAS, Ordinance 6413 does not expire until June 6, 2020; and

WHEREAS, the City Council has determined that it is in the City’s best interests to extend the modified orders so they do not expire prior to the expiration of Ordinance 6413.

NOW, THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the provisions contained in Resolution 2020-034 are hereby extended until June 6, 2020, unless otherwise repealed, modified, or extended.

BE IT FURTHER RESOLVED, by the City of Rapid City, that due to the fact a national and statewide emergency has been declared and one of the primary recommendations to combat this emergency is to practice social distancing and limit person to person contact, this resolution is considered necessary for the immediate preservation of the public peace, health, and safety of the City of Rapid City and shall be effective immediately upon publication thereof.

Dated this 18th day of May, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer
| RB-2010    | UNIQUE INK PROMOS INC | UNIQUE INK PROMOS INC | 3300 DEADWOOD AVE N |
| RB-2082    | ESSENCE OF COFFEE LLC | ESSENCE OF COFFEE    | 908 MAIN ST         |
| RB-2180    | LATE HARVEST INC     | TALLY’S SILVER SPoon | 530 6TH ST          |
| RB-2275    | M G OIL COMPANY      | UNCLE SAM’S WEST     | 2730 WEST MAIN ST   |
| RB-2289    | TRIFECTA GROUP LLC   | DELMONICO GRILL      | 609 MAIN ST         |
| RB-2342    | M G OIL COMPANY      | RUSHMORE CASINO III  | 1808 MOUNT RUSHMORE RD STE C |
| RB-2349    | M G OIL COMPANY      | JACKPOT CASINO TOO #2 | 1415 N LACROSSE ST STE F |
| RB-25623   | M G OIL COMPANY      | CORNER PANTRY #14    | 501 DEADWOOD AVE    |
| RB-25624   | M G OIL COMPANY      | CORNER PANTRY #13    | 310 E FAIRMONT BLVD |
| RB-25625   | M G OIL COMPANY      | CORNER PANTRY #10    | 1818 MT RUSHMORE RD |
| RB-25626   | M G OIL COMPANY      | CORNER PANTRY #9     | 1279 E ST PATRICK ST |
| RB-25627   | M G OIL COMPANY      | CORNER PANTRY #6     | 801 MOUNTAIN VIEW   |
| RB-25628   | M G OIL COMPANY      | CORNER PANTRY - LACROSSE | 2130 LACROSSE ST    |
| RB-25629   | M G OIL COMPANY      | CORNER PANTRY #8     | 302 E NORTH ST      |
| RB-25630   | M G OIL COMPANY      | CORNER PANTRY #4     | 901 EAST NORTH ST   |
| RB-25649   | BIG D OIL CO         | BIG D OIL CO #17     | 3549 STURGIS RD     |
| RB-25650   | BIG D OIL CO         | BIG D OIL CO #22     | 49 E OMAHA          |
| RB-25651   | BIG D OIL CO         | BIG D OIL CO #4      | 1507 E ST PATRICK   |
| RB-25652   | BIG D OIL CO         | BIG D OIL CO STORE #42 | 650 E NORTH ST     |
| RB-25653   | BIG D OIL CO         | BIG D OIL CO STORE #44 | 1160 LACROSSE ST   |
| RB-25654   | BIG D OIL CO         | BIG D OIL CO #24     | 3010 W MAIN         |
| RB-25655   | BIG D OIL CO         | BIG D OIL # 45       | 251 STURMER RD      |
| RB-25656   | BIG D OIL CO         | BIG D OIL CO #8      | 2303 JACKSON BLVD   |
| RB-2604    | M G OIL COMPANY      | MARKET SQUARE II     | 1524 EAST ST PATRICK STE 103 |
| RB-2797    | M G OIL COMPANY      | LACROSSE STREET CASINO #1 | 720 LACROSSE ST BUILDING B SUITE 1 |

Alcoholic Beverage License Applications (56 applications)

31. Approve 2020 Retail (on-off sale) Malt Beverage & SD Farm Wine License Renewals
| RA-2608 | M G OIL COMPANY | JOKERS SOUTH | CASINO | 1320 MOUNT RUSHMORE RD STE C-1 |
| RA-2606 | M G OIL COMPANY | #2-EAST NORTH CASINO | 230 E NORTH ST |
| RA-2602 | M G OIL COMPANY | RUSHMORE CASINO | 1606 MOUNT RUSHMORE RD STE A |
| RA-2655 | CCKT INC | KING OF HEARTS CASINO | 2620 W MAIN ST STE B |
| RA-2664 | M G OIL COMPANY | JACKPOT NORTH CASINO | 685 N LACROSSE ST STE 2-B |
| RA-2665 | M G OIL COMPANY | BP CASINO II | 609 MOUNTAIN VIEW RD STE C-2 |
| RA-2667 | M G OIL COMPANY | CHANCES CASINO | 1855 HAINES AVE STE D |
| RA-2669 | M G OIL COMPANY | JACKPOT CASINO III | 685 N LACROSSE ST STE 2-D |
| RA-2685 | CCKT INC | KING OF HEARTS TWO | 2290 W MAIN SUITE A |
| RA-2686 | M G OIL COMPANY | JACKPOT CASINO II | 685 N LACROSSE ST STE 2-C |
| RA-2687 | M G OIL COMPANY | UNCLE SAMS SOUTH TOO | 2110 JACKSON BLVD |
| RA-2685 | M G OIL COMPANY | JACKPOT CASINO TOO | 1415 N LACROSSE ST STE 2 |
| RA-2696 | CCKT INC | QUEEN OF HEARTS CASINO | 4006 CHEYENNE BLVD |
| RA-3007 | M G OIL COMPANY | UNCLE SAMS SOUTH | 3116 EAST BLVD STE 110 |
| RA-3007 | M G OIL COMPANY | QUEEN OF HEARTS CASINO II | 2110 JACKSON BLVD |
| RA-3006 | M G OIL COMPANY | JACKPOT WEST II | 2144 JACKSON BLVD STE 2-D |
| RA-3012 | M G OIL COMPANY | HAPPY JACKS EAST | 909 E ST PATRICK ST #20 |
| RA-3019 | CCKT INC | MARKET SQUARE CASINO | 609 MT VIEW SUITE C-1 |
| RA-3027 | M G OIL COMPANY | MARKET SQUARE CASINO | 3116 EAST BLVD STE 100 |
| RA-3037 | M G OIL COMPANY | CHANCES CASINO | 1624 E ST PATRICK ST |
| RA-3039 | M G OIL COMPANY | SUN'S # 2 | 1565 HAINES AVE STE C-2 |
| RA-3044 | M G OIL COMPANY | TOBY'S CASINO NORTH | 720 E NORTH ST STE B |
| RA-3114 | M G OIL COMPANY | LACROSSE STREET CASINO | 720 E NORTH ST STE 110 |
| RA-3208 | M.G. OIL COMPANY | LACROSSE STREET CASINO | 2144 JACKSON BLVD STE 3 |
| RA-3219 | M G OIL COMPANY | TOBY'S CASINO NORTH | 2144 JACKSON BLVD STE 3 |
| RA-3338 | M G OIL COMPANY | TOBY'S CASINO SOUTH TOO | 714 CLEVELAND ST |
| RA-3510 | M G OIL COMPANY | CHANCES CASINO TOO | 1565 HAINES AVE STE C |
| RA-3593 | M G OIL COMPANY | TOBY'S CASINO SOUTH | 714 CLEVELAND ST |
| RA-3657 | M G OIL COMPANY | HAPPY JACKS TOO | 909 E ST PATRICK ST #21 |
| RA-3810 | M G OIL COMPANY | HAPPY JACKS OMAHA | 1100 WEST OMAHA ST # |
Motion to approve was made by Armstrong, second by Roberts and carried 9-0 with all 56 applications being approved.

Mayor's Items

Mayor read in Item (CC051820-01) Presentation from Mayor Allender – Recommended 2020 Budget Revisions Resulting from COVID-19. Mayor stated that the city approves the upcoming year's budget months in advance of the next year. He said with the pandemic, the city has seen lower than budgeted revenues. Therefore it is necessary to make an adjustment to the spending plan. If council is on board with the recommendations, he wants to bring an ordinance forward to a future council meeting. The budget configuration is made up of the general fund, special revenue funds, and enterprise funds. Reduction in enterprise funds doesn't benefit the general fund. The general fund is the issue today. Mayor went over the projected shortfall reasons. He stated the estimated shortfall amount is projected to be around $6.8 million. Most of the general fund is made up of sales tax and property tax. We do not receive sales tax numbers in real time, so everything is based on a guess. There is also projected data subject to year-end property tax submissions. Revenue is also subject to future economic activity over the next seven months. The reduction philosophy is a combination of one-time purchase delays; staff and program reductions; reductions to subsidies; delay of CIP projects; and one-time use of reserve funds. He went over the plan for reductions in each department to make up for the shortfall. He also explained the justification for using reserves. In a response to a question from Nordstrom, Shugart said not opening the pools will save a great deal of money. None of the pools ever make enough to cover their expenses. Drew is concerned that kids will start using the creek since the swimming pools are closed. Lewis stated he appreciated the suggestions the mayor made. Motion was made by Drury, second by Armstrong to acknowledge and bring back a proposed ordinance at a later date. Motion carried.

Mayor read in the Item (CC051820-05) authorize funding for emergency shelter up to $75,000. He explained that there is currently an emergency shelter at the civic center in the Rushmore room. This is something completely covid related designed for the chronic homeless who are vulnerable and generally a non-compliant population. There has been about $28,000 in expenditures so far to get that up and running and there have been handled by local groups and philanthropy. If the city ends up using it, there will be 24-hour supervision, food costs, healthcare costs, a number of things to isolate that population and care for them. That will cost money. In all likelihood, there will be reimbursement for that money. The money is needed upfront to operate the facility with half coming from the city and half coming from the county. In response to a question from Roberts, the money could be taken from reserves or out of the emergency management budget. Lewis, Drew and Nordstrom spoke in favor of funding. In response to a question from Evans, Mayor Allender indicated that June 29, 2020 was originally chosen as the end of the closure dates for the events at the civic center, since no one knew the spread at which the virus could spread. July events have not been cancelled as of right now. Motion was made by Drury, second by Lehmann and carried to designate up to $75,000 from the reserve fund for the emergency shelter.

Staff Items

Mayor read in item (CC051820-03) Rapid City Coronavirus Emergency Response – Chief Karl Jegarls. Chief Jegarls explained the Office of Justice Programs and U.S. Department of Justice have approved the application by the City of Rapid City for an award under the CIP funding opportunity entitled “BJA FY 20 Coronavirus Emergency Supplemental Funding Program.” Motion to approve was made by Roberts, second by Drew and carried to approve.

Mayor read in Item (CC051820-04) - Authorize Mayor and Finance Officer to sign Settlement Agreement with Derren Haar. Motion was made by Drew, second by Lewis to approve. Motion carried 9-0.

PUBLIC HEARING ITEMS – Items 25 – 50

CONSENT PUBLIC HEARING ITEMS – Item 35

Annual Action Plan 2020

389

OMB Control No: 2506-0117 (exp. 06/30/2018)
Alcohol Licenses
35. Spiker Management LLC OBA La Vida Mexican Restaurant, 1001 E North Street for a Retail (on- off sale) Matt Beverage & SD Farm Wine license TRANSFER from Fiesta Tequila Mexican Restaurant LLC, OBA Fiesta Tequila Mexican Restaurant, 1001 E North Street

Motion was made by Lewis, second by Armstrong to approve item 35. Motion carried 9-0.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 36 – 50

Mayor read in item (No. 2011037) A request by John Gomez for Alta Terra Development for a Resolution 2020-021 to approve TID No. 70 Project Plan Amendment #2 to reallocate project plan costs for property generally described as being located at Calton Boulevard from 6th Street to South U.S. Highway 16, then south along U.S. Highway 16 to Summit Trail and east to the proposed Hyland Crossing Subdivision. Having passed its first reading on May 18, 2020 motion was made by Lewis, second by Roberts to approve. The following voted aye: Drury, Roberts, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. No: None.

Res #2020-021
RESOLUTION APPROVING THE PROJECT PLAN AMENDMENT #2 FOR SOUTH HIGHWAY 16 SEWER TAX INCREMENT DISTRICT NUMBER SEVENTY AS SUBMITTED BY THE RAPID CITY PLANNING COMMISSION

WHEREAS, the Council of the City of Rapid City has determined that it is in the best interest of the City to implement plans which promote economic development and growth in the City; and

WHEREAS, the Council embraces the concept of Tax Increment Financing as a tool to encourage this desirable growth and redevelopment; and

WHEREAS, the South Highway 16 Sewer Tax Increment District was created on September 15, 2009 and the Project Plan was approved on February 6, 2012; and

WHEREAS this Project Plan Amendment #2 will replace the Project Plan Revision #1 approved by the City Council on October 11, 2016; and

WHEREAS, the Council deems it desirable to promote economic development and create jobs in the corporate limits of the City of Rapid City; and

WHEREAS, the Tax Increment District includes commercially zoned property thereby forming an economic development Tax Increment District; and

WHEREAS, the 2008 base valuation of the District as determined by the South Dakota Department of Revenue was $22,894,400 and the 2018 year and equalized valuation of the District was $30,714,866, evidence that the District has stimulated the general economic welfare and prosperity of the state through the promotion and advancement of industrial or commercial development as required in South Dakota Codified Law 11-9-8; and

WHEREAS, the Project Plan Revision #2 reallocates project costs to reflect certified expenditures for the sewer main extension, Moon Meadows Drive extension, turn lanes, traffic signal and water main crossing at Moon Meadows Drive and US Highway 16, Engineering Design, Testing and Surveying, Construction Administration and financing costs; and
WHEREAS, the Council has considered the Project Plan Amendment #2 submitted by the Planning Commission and determined that the Project Plan Amendment #2 for South Highway 16 Tax Increment District Number Seventy be and hereby is approved as submitted by the Rapid City Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the City of Rapid City that the Tax Increment District Project Plan Amendment #2 for South Highway 16 Sewer Tax Increment District Number Seventy be and hereby is approved as submitted by the Rapid City Planning Commission.

Dated this 18th day of May, 2020.

CITY OF RAPID CITY

/\ Steve Allender
Mayo

ATTEST:
/\ Pauline Sumption
Finance Officer

Mayor read in item (No. 20RZ001) Second Reading, Ordinance 6388, an Ordinance Amending Section 17.00 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Medium Density Residential District for property generally described as being located at 324 E. New York Street. Having passed its first reading on May 4, 2020 motion was made by Drury, second by Lehmann to approve. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6388 was declared duly passed upon its second reading.

Mayor read in item (No. 20RZ002) Second Reading, Ordinance 6390, an Ordinance Amending Section 17.00 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Medium Density Residential District for property generally described as being located at Settlers Creek Place. Having passed its first reading on May 4, 2020 motion was made by Drew, second by Drury to approve. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6390 was declared duly passed upon its second reading.

Mayor read in item (No. 20RZ003) Second Reading, Ordinance 6391, an Ordinance Amending Section 17.00 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Medium Density Residential District for property generally described as being located west of Sunny Springs Drive between Wesleyan Boulevard and Harmony Heights Lane. Having passed its first reading on May 4, 2020 motion was made by Nordstrom, second by Drury to approve. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6391 was declared duly passed upon its second reading.

Mayor read in Item (No. 20RZ004) Second Reading, Ordinance 6392, an Ordinance Amending Section 17.00 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Medium Density Residential District for property generally described as being located east of Sunny Springs Drive and south of Wesleyan Boulevard. Having passed its first reading on May 4, 2020 motion was made by Drew, second by Nordstrom to approve. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommen, Armstrong,
Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6392 was declared duly passed upon its second reading.

Mayor read in item (No. 20RZ015) Second Reading, Ordinance 6393, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Low Density Residential District II for property generally described as being located at the eastern terminus of Taborock Road. Having passed its first reading on May 4, 2020 motion was made by Lehmann, second by Nordstrom to approve. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6393 was declared duly passed upon its second reading.

Mayor read in item (No. 20RZ026) Second Reading, Ordinance 6394, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to High Density Residential District for property generally described as being located at 311 Quincy Street. Having passed its first reading on May 4, 2020 motion was made by Nordstrom, second by Drury to approve. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6394 was declared duly passed upon its second reading.

Mayor read in item (No. 20RZ027) Second Reading, Ordinance 6395, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Low Density Residential District II for property generally described as being located at 918 Meadowood Drive. Having passed its first reading on May 4, 2020 motion was made by Drew, second by Armstrong to approve. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6395 was declared duly passed upon its second reading.

Mayor read in item (No. 20RZ028) Second Reading, Ordinance 6397, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Low Density Residential District II for property generally described as being located at 4104 and 4282 Tower Road. Having passed its first reading on May 4, 2020 motion was made by Drury, second by Nordstrom to approve. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6397 was declared duly passed upon its second reading.

Mayor read in item (No. 20RZ029) Second Reading, Ordinance 6400, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Low Density Residential District II for property generally described as being located at Horizon Point north of Tower Road. Having passed its first reading on May 4, 2020 motion was made by Drew, second by Nordstrom to approve. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6400 was declared duly passed upon its second reading.

Mayor read in item (No. 20RZ032) Second Reading, Ordinance 6414, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Remner Associates, LLC for Creek Drive Land, LLC for a Rezoning request from Medium Density Residential District to General Commercial District for property generally described as being located at 415 North Creek Drive. Having passed its first reading on May 4, 2020 motion was made by Nordstrom, second by Drury to approve. Upon vote
being taken, the following voted AYE: Drury, Nordstrom, Roberts, Shrumner, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6414 was declared duly passed upon its second reading.

Mayor read in item (No. 20RZ023) Second Reading, Ordinance 6415, an Ordinance Amending Section 17.08 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc for BH Capital LLC for a Rezoning request from General Agricultural District to Low Density Residential District II for property generally described as being located north of Philadelphia Street, east of E. Anamosa Street. Having passed its first reading on May 4, 2020 motion was made by Lehmann, second by Drew to approve. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommer, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6415 was declared duly passed upon its second reading.

Mayor read in item (No. 20RZ024) Second Reading, Ordinance 6416, an Ordinance Amending Section 17.08 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc for Yasmeen Dream, LLC for a Rezoning request from General Agricultural District to Medium Density Residential District for property generally described as being located west of Elk Vale Road at the terminus of Orchard Lane. Having passed its first reading on May 4, 2020 motion was made by Drury, second by Nordstrom to approve in conjunction with approval of a Planned Development Designation. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommer, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6416 was declared duly passed upon its second reading.

Mayor read in item (No. 20RZ025) Second Reading, Ordinance 6417, an Ordinance Amending Section 17.08 of Chapter 17 of the Rapid City Municipal Code, a request by Stephanie Kroese for a Rezoning request from Park Forest District to Low Density Residential District II for property generally described as being located at 525 3rd Street. Having passed its first reading on May 4, 2020 motion was made by Nordstrom, second by Roberts to approve. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommer, Armstrong, Lewis, Lehmann, and Evans. NO: Drew; Whereupon, the Mayor declared the motion passed and Ordinance 6417 was declared duly passed R-1 upon its second reading.

Mayor read in item (No. 19OA036) Second Reading of Ordinance No. 6294, an Ordinance Amendment Amending Chapter 17.40 to Reallow Permitted and Conditional Uses in the Office Commercial District. Having passed its first reading on May 4, 2020 motion was made by Drew, second by Nordstrom to approve. Upon vote being taken, the following voted AYE: Drury, Nordstrom, Roberts, Strommer, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6294 was declared duly passed upon its second reading.

**BILLS**

The following bills have been audited:

**BILL LIST - MAY 18, 2020**

<table>
<thead>
<tr>
<th>BILL</th>
<th>DESCRIPTION</th>
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<td>SOUTH DAKOTA RETIREMENT SYSTEM, APR20 RETIREMENT, PD 05/11/20</td>
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CITY COUNCIL

MAY 18, 2020

RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 05/06/20, PD 05/07/20 4,764.12
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 05/13/20, PD 05/14/20 7,617.36
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 05/12/20 21,407.57
BLACK HILLS ENERGY, ELECTRICITY, PD 05/12/20 36,380.89
COMPUTER BILL LIST 2,844,324.91
CDEV COMPUTER BILL LIST 51,038.42
SUBTOTAL 5,889,077.04
RSVP, R/COLL PERIOD END 04/25/20, PD 05/01/20 2,310.00
RSVP, PIONEER BANK & TRUST, 04/26/20 R/COLL TAXES, PD 05/01/20 497.28
RSVP, COMPUTER BILL LIST 821.15
TOTAL 5,872,705.44

Sumpian presented the bill list of $5,872,705.44. Motion was made by Nordstrom, second by Armstrong and carried to authorize (No. CC051820-01) the Finance Officer to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Those voting aye: Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew, no: none. Motion carried.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Armstrong, second by Roberts and carried to adjourn the meeting at 8:18 p.m.

Dated this 18th day of May, 2020.

ATTEST:

Finance Officer
(CSEAL)

CITY OF RAPID CITY

Mayor

15

Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
Affidavit of Publication

STATE OF SOUTH DAKOTA
County of Pennington

Sheri Sponder being first duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, an employee of the RAPID CITY JOURNAL, a corporation of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bona fide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said Rapid City Journal, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each day for the first publication thereof being on the day of August 21, 2020, and the fees charged for the publication thereof are Two dollars and Twenty-eight cents.

Subscribed and sworn to before me this 24th day of August, 2020.

[Signature]
Notary Public

December 5, 2020
My commission expires
AFFIDAVIT OF PUBLICATION OF NEWSPAPER
NOTICE OF PUBLIC NOTICE

THE STATE OF SOUTH DAKOTA
COUNTY OF Pennington

BEFORE ME, the undersigned authority, on this day personally
appeared , publisher (or representative) of
Native Sun News, who, being by me duly sworn, upon oath deposes and says:

That the attached NOTICE OF PUBLIC HEARING was published in the NATIVE SUN
NEWS, a newspaper published in the English language and of general circulation in the City of RAPID
CITY, SOUTH DAKOTA and in the territory proposed to be annexed, which said territory is described
in said NOTICE OF PUBLIC HEARING, in the following issue: 28, Volume 17
2020, and that the attached newspaper clipping is a true and correct copy of said published notice.

Signed: 

SWORN TO AND SUBSCRIBED BEFORE ME, this the 13th day of April, 2020

Commission, expiring March 7, 2023

Notary Public in and for Pennington County, South Dakota

Published at a rate of $ .99.00

Annual Action Plan
2020

OMD Control No: 2506-0117 (exp. 06/30/2018)
It's a policy he said that will trickle down to his staff in Washington. Even though his constituent list would grow if he defeats Rounds, things won't change when it comes to communication with those he serves.

"I can guarantee you that everyone who works for me will know that the first time I don't get a message that I should get, there's going to be a problem. You have to have those interactions, learn what we have in common, move things forward."

Ashlers said many of his first legislature were Republicans, bills, he said, in Pierre that no ship in order to pass. He said work with colleagues across.

"People who say that work across the aisle don't work"
Good Morning,

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE CITY OF RAPID CITY IS SEEKING QUALIFIED SUBRECIPIENTS TO DELIVER PUBLIC SERVICE PROGRAMS FOR RAPID CITY RESIDENTS IMPACTED BY COVID-19

$200,000 in CDBG-CV funds will be made available for activities that meet a National Objective AND prevent, prepare for, and respond to the COVID-19 Pandemic.

Funding applications are available at https://www.rapidcity.gov/departments/community-planning-development/cdbgprogram-division/cdbg-program-division-438.html, or by calling (605) 394-4181.

Applications must be received by 4:00 p.m. September 18, 2020.

ADA Compliance: The City of Rapid City fully subscribes to the Spirit of the Americans with Disabilities Act. If you desire to attend a public meeting and are in need of special accommodations (including TDD/TTY Dial 711), please notify Nick Shrom at (605) 394-4181, 24 hours prior to the meeting so that appropriate auxiliary aids and services are available. Persons with limited English proficiency or vision impairments may request free oral interpretation of written materials or written translation of vital documents by calling (605) 394-4181.

Thank you,

Sincerely,

[Signature]

[Position]
PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE CITY OF RAPID CITY IS SEEKING QUALIFIED SUBRECIPIENTS TO DELIVER PUBLIC SERVICE PROGRAMS FOR RAPID CITY RESIDENTS IMPACTED BY COVID-19

$200,000 in GDBG-CV funds will be made available for activities that meet a National Objective AND prevent, prepare for, and respond to the COVID-19 Pandemic.
Funding applications are available at https://rapidcity.gov/departments/community-planning-development/COVID-19-funding/program-divisions/item10211.html, or by calling (605) 367-4181.
Applications must be received by 4:00 p.m., September 18, 2020.

ADA Compliance: The City of Rapid City fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend a public meeting and are in need of special accommodations (including TDD/TTY Dial 711), please notify Nic Blinco at (605) 367-4135, 24 hours prior to the meeting so that appropriate auxiliary aids and services are available. Persons with limited English proficiency or vision impairments may request free and interpretation of written materials or written translation of vital documents by calling (605) 367-4181.

Thank you,

Lucy LeDeaux, City of Rapid City, 3538 East 24th Street, Rapid City, SD 57701
(605) 367-4181 Fax (605) 367-4190
Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Pennington SS:

Sheri Sponder being first duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, an employee of the RAPID CITY JOURNAL, a corporation of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bona fide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said Rapid City Journal, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each day for one successive day, the first publication whereof being on the 7th day of October 2020, that the fees charged for the publication thereof are $1.15 dollars and 15 cents.

Sheri Sponder

Subscribed and sworn to before me this 14th day of October, 2020.

[Signature]

Notary Public

December 5, 2025

My commission expires...
October 7, 2020

PUBLIC NOTICE

20-Day Public Comment Period for
Proposed 2020 CDBG CARES Act (CDBG-CV) Funding
Recommendations and
Public Disclosure of Conflict of Interest

The City of Rapid City is soliciting public comments on proposed CDBG-CV funding allocations.

The City received requests totaling $490,000. The Community Investment Committee preliminary funding recommendations include Pennington County Health & Human Services ($150,000) and United Way of the Black Hills ($100,000); $140,000 will be retained for planning and administrative purposes. Comments on the recommendations will be accepted until 4:00 p.m. on October 22, 2020. All comments received will be considered.

Recommendations will go before the Legal & Finance committee on October 14, 2020 and October 28, 2020, and the City Council on October 15, 2020 and November 2, 2020. Copies of the proposed allocations are available at www.rapidcity.org. Comments should be directed, in writing, to the CDBG Program Division at 300 8th Street; by email to michelle.schwadron@rapidcity.org; or by phone at (605) 394-4181.

A conflict of interest exists in that Jamie Fitzgerald, Executive Director of United Way of the Black Hills, is a Community Investment Committee member and as such has the authority to make funding recommendations. Ms. Fitzgerald recused herself and withdrew from the decision-making process with respect to CDBG-CV recommendations.

The City of Rapid City does not discriminate based on disability and provides reasonable accommodations to ensure people with disabilities have equal access to City programs, services, and employment opportunities. To request a reasonable accommodation, please contact Nick Breunig, Section 504 and ADA Coordinator, at (605) 394-4136. To request language assistance to participate in City programs and services, including translation of written materials, please call (605) 394-4181.

For TTY, please dial 711.

Rapid City is an Equal Opportunity Employer and Lender

OMB Control No: 2506-0117 (exp. 06/30/2018)
AFFIDAVIT OF PUBLICATION OF NEWSPAPER
NOTICE OF PUBLIC NOTICE

COUNTY OF Pennington

BEFORE ME, the undersigned authority, on this day personally appeared

Kerry Dickenson, publisher (OR REPRESENTATIVE) of Native Sun News

who, being by me duly sworn, upon oath depose and say:

That he attached as published in the Native Sun News, a newspaper published in the English language and of general circulation in the City of Rapid City, South Dakota described in the following issue: 30 Volume 12, 2020 and that the attached newspaper clipping is a true and correct copy of said published notice.

Signed: ________

Sworn to and subscribed before me, this the 13th day of October, 2020

Christy C. Tibbits
Notary Public in and for Pennington County, South Dakota

Commission expiring March 23, 2023

(Seal)

Published at a rate of $15.00
PUBLIC NOTICE
28-Day Public Comment Period for
Proposed 2020 CDBG CARES Act (CDBG-CV) Funding Recommendations and
Public Dissemination of Consolidated Plan

The City of Rapid City is soliciting public comments on proposed CDBG-CV funding
allocations.

The City received requests totaling $440,020. The Community Investment Committee
approved funding recommendations totaling $272,000 for planning and administrative purposes. 
Comments on the recommendations must be submitted in writing by November 30, 2020.

A statement of intent to file a written objection to all or any part of the proposed funding
recommendations must be made in writing to the Community Investment Committee, c/o
Rapid City, 200 South Main Street, Rapid City, SD 57701, Attention: Community
Investment Committee. All written objections must be received by November 30, 2020.

A statement of intent to file a written objection to all or any part of the proposed funding
recommendations must be made in writing to the Community Investment Committee, c/o
Rapid City, 200 South Main Street, Rapid City, SD 57701, Attention: Community
Investment Committee. All written objections must be received by November 30, 2020.

To view the Consolidated Annual Performance and Evaluation Report (CAPER) for the
fiscal year ending June 30, 2021, please visit www.rapidcity.org/cdbg.

If you need assistance in understanding or communicating your comments, please contact
Community Investment Committee, 200 South Main Street, Rapid City, SD 57701, by
e-mail to communityinvestment@rapidcity.org, by phone at (605) 394-4171,
or in-person at City Hall.

The City of Rapid City does not discriminate based on disability and provides reasonable
accommodations to ensure people with disabilities have equal access to City programs,
services, and employment opportunities. To request a reasonable accommodation,
please contact Nick Stroh, Building Division, at (605) 394-4172.

For TDD/TTY, please dial 711.
Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
CDBG-CV Funding Recommendations - Public Comments

The following public comment was received by George Larson, Executive Director of Western South Dakota Senior Services, Inc. (Meals on WHEEL’s Western South Dakota) on October 15, 2020:

"My public comment is that I approve of the expenditures as submitted by the committee."
LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota

October 14, 2020

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, October 14, 2020, at 12:30 p.m.

A quorum was determined with the following members answering the roll call: Marie Drew, Lance Lehmann, Laura Armstrong, Jason Salarrun and Pat Jones. Absent: None.

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

ADOPTION OF AGENDA
Motion was made by Jones second by Lehmann to adopt the agenda. Motion carried unanimously.

GENERAL PUBLIC COMMENT
None.

CONSENT ITEMS
Motion was made by Armstrong, second by Jones to approve items 1-9 as they appear on the Consent Items with the exception of item nos. 4, 6 and 7. Motion carried unanimously.

CONSENT ITEMS -- Items 1-9

Public Comment opened -- Items 1-9

Public Comment closed

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

1) Approve Minutes for September 30, 2020

MAYOR'S ITEMS
2) LF101420-07 - Confirm the Appointments of Val Simpson and Chris Huber to the Community Investment Committee

FINANCE DEPARTMENT
3) Acknowledge the Following Volunteers for Worker's Compensation Purposes: Marcia Aiken (RSVP+), Richard Mayforth (RSVP+), Alwyn Thoreson (RSVP+), John McManigal (Police Department), Darlene Swartz (RSVP-), Joyce Yula (Library), Carol Coburn (RSVP+), Barry Sullivan (RSVP+), Harold Haavala (RSVP+), Mary Wendt (RSVP+), Marna Bergstrom (RSVP+), Teresa Hill (RSVP+), Myra Schenker (RSVP+)

4) LF101420-01 - Drow asked Deputy Finance Officer Tracy Davis to explain the addendum on this item. Davis said the addendum outlines the timeline of all the different steps in the process, deadlines to meet, and certain obligations related to the fiscal year audit that must all be completed by September 30, 2021. Armstrong moved to Authorize Mayor and Finance Director to Sign Engagement Letter with Addendum with Ketel Thorstenson, LLP for the FY2020 Audit. Second by Lehmann. Motion carried unanimously.

5) LF101420-06 - Approve Resolution No. 2020-077 a Resolution Levying Assessment for Abatement of Nuisances

Annual Action Plan
2020
LEGAL AND FINANCE COMMITTEE
October 14, 2020

6) LF101420-06 — Drew asked Davis to give a run-down of the sales tax revenue. Davis said the numbers show the City is up 99% through the month of August 2020. Drew asked Davis if she has any insight as to where this is coming from and if the City is now receiving sales tax from Amazon? Davis said we did have some tourism this year and the City should be receiving sales tax from Amazon, but it is not due to Amazon because it is proprietary information; therefore, the Department of Revenue is not able to release that information. Salamun moved to Acknowledge August 2020 Sales Tax Report. Second by Jones. Motion carried unanimously.

INFORMATION TECHNOLOGY
7) LF101420-02 — Salamun asked IT Director Jim Gilbert to explain what the project entails. Gilbert said the City is currently running an exchange platform which is the email server that is running out of staff and in order to maintain support from Microsoft, an upgrade needs to be made to a supported version. The City is also currently in an active directory environment which is where our accounts are stored with the County and because active directory and exchange are so tied together, it makes it very difficult for us to upgrade either. There are so many moving parts to coordinate to make sure the jail can have outage, so this is an opportunity to split not only the exchange off but our active directory infrastructure as well. Binary Tree software and support services will be used to automate that as much as possible; however, it will still be a very long process because we will be moving over one department at a time. He added that the exchange will happened very quickly because it can be done separately but all of the active directories will take approximately a year to finish. Gilbert explained that active directory is something that is not generally backed up directly because it replicates everything to all of the other active directory machines in the environment. He expressed that there is more concern on the City's part about making sure everyone's permissions are carried over correctly, which is where the Binary Tree software comes into play. This software involves a lot of hard work to help the transition go smoothly in splitting the exchange and the active directories. Salamun moved to Authorize Mayor and Finance Director to Sign Contract and Statement of Work for Professional Services between Binary Tree and the City of Rapid City and Authorize Staff to Purchase Required Software Licenses from Binary Tree and Software House International (SHI). Second by Armstrong. Motion carried unanimously.

COMMUNITY DEVELOPMENT
8) LF101420-04 — Approve the Preliminary Recommendations for the FY20 Community Development Block Grant CV Funding

9) 20 TID 04 — Authorize the Mayor and Finance Director to Sign Agreement between the City of Rapid City, Rapid Valley Sanitary District and Yasmeen Dream LLC, for Construction, Operation and Maintenance of Orchard Meadows Lift Station (TID 82)

END OF CONSENT CALENDAR

NON-CONSENT ITEMS — Items 1 - 14

Public Comment opened — Items 10 - 14
Public Comment closed

FINANCE DEPARTMENT
10) LF101420-03 — Armstrong moved to approve the Introduction and First Reading of Ordinance No. 6146 Regarding Supplemental Appropriation 7 for 2020. Second by Jones. Motion carried unanimously.

11) LF101420-06 — Salamun moved to approve the Introduction and First Reading of Ordinance No. 6148 amending Ordinance to Amend Provisions Concerning Purchasing Procedures and Delegation of
LEGAL AND FINANCE COMMITTEE
October 14, 2020


CITY ATTORNEY’S OFFICE

12) LF101420-09 - Armstrong introduced the attached memorandum that was generated in July of 2019 recommending streamlining meetings and agendas. The memorandum was then brought forward to the last City Council working session held in October of 2019 and it was extensively agreed upon to try this. The reason for combining the meetings is to be more transparent, more efficient, saving time which equates to saving money and also to streamline City business. One of the recommendations is to combine three meetings into one work session that would replace Agenda Review, Public Works Committee, and Legal and Finance Committee meetings. Currently, the City Council members are divided in half, with half attending Public Works meetings and the other half attending Legal and Finance meetings. This would bring everybody to the table so that not only can these working sessions be streamlined but the City Council meetings as well. Staff is currently attending pre-agenda meetings, then agenda review meetings, and Public Works meetings and Legal and Finance meet regularly. Armstrong mentioned that there are other municipalities that also blend these working sessions together. Jones brought forth that initially his first concern was if there would be missed opportunities for public input and would the public lose an opportunity to bring things forward and ask questions; but after further discussions he found that from the items he listed below, he is in support of trying to see this as a great opportunity for more interaction with staff, to learn more and also be able to take things to the full City Council that are ready.

1) No formal action would be taken at these working sessions but rather would be used by the City Council, staff, and the public, to become better informed on issues.

2) The Council can ask questions with much more interaction with staff and then can decide what items are ready to go to the full City Council for final action.

3) This trial would give council a chance to see if they like the new process or if it is better to keep the other one.

4) The Department Directors and staff would have an opportunity to present more things to the council on a more significant level in turn being able to dive into things and find out more. Salmun said he is in favor of this item with the trial period only with item 6(a) in the memorandum removed as he would like to see the work session filmed and streamed for the sake of transparency for the public and media to be able to hear the discussions, so when presented to City Council, the public has the opportunity to hear everything rather than just hearing a decision at that meeting. He is also in favor of 6(c), (a roundtable meeting in a conference room), but rather it be held in the Council Chambers for the sake of technology and for the public to easily have a place to be especially during this era of social distancing, Salmun will not be on board unless these items can be changed. Drew commented that she was not in favor of this when she first heard about it as she feels the Legal and Finance Committee and Public Works Committee are more deliberative bodies that can really take time to look at all of these issues and speak more freely and give more time. She does feel it is a good training ground for newer members and likes the idea of having time to deliberate in the public and can see where it can save a lot of time for people, so she will vote for it and give it a chance, but will be looking at it very closely moving forward. Armstrong said the memorandum was written fairly loosely to be able to improve and evolve as they learn. Community Development Director Ken Young said that the most important thing beyond the saving of time which is very significant, is it allows a better communication forum between the Department Directors/staff and the City Council. Jones asked if there is a date in mind as to when this would be rolled out. Armstrong said the time and details will be determined at the next City Council meeting on Monday, October 19th but also reminded everyone that they have the memorandum and any recommendations. She added that item number 2 of the memorandum regarding date and time, after speaking with Vice President Lehmann, believes they are leaning towards the Wednesday at either 12:00 or 12:30 pm, but feels that discussion should take place at a City Council meeting. Drew asked Armstrong why or how this effort would streamline City Council meetings. Armstrong said that pre-conversations can take place to see what the pros are and what
LEGAL AND FINANCE COMMITTEE
October 14, 2020

The opposition might be. There are several examples that can be used, but if something gets postponed for a month, at that point an explanation can be given as to why it is getting postponed and allows more fact finding abilities to do more research. Another example is if a staff person has one item on the agenda currently, they need to attend the pre-agenda review, agenda review, the committee meeting, and the City Council meeting; therefore, if they are giving a presentation they are showing that one presentation possibly three separate times. Lehmann moved to Approve Resolution No. 2020-080 A Resolution Creating & Trial Program for Conduct of Official City Business by Combining the City’s Current Public Works and Legal and Finance Committee Meetings Into a Joint Council Working Session. Second by Armstrong. Motion carried 4 to 1 with Salamuni voting “no.”

13) LF101420-10 – Jones spoke on the overall bid process and he has questions about the way bids are opened at the City. He is confident that the rules are being followed but wants to know why the council cannot see more of what goes on instead of having to go to the bid opening or why it cannot be a more public open transparent process. He would like to see the City take a look at the bid opening process so the City Council can perhaps know more about who is bidding, the amounts that are being bid and why the bids are accepted, etc. Jones asked Civic Center Manager Craig Baltzer to speak on this resolution. Baltzer explained that the Civic Center’s intention was not necessarily to specifically bring a resolution before City Council, but rather simply asked a question to the City’s legal department about the process of already approved monies for these FF&E items but then having to get them reapproved again, and this resolution ended up being the answer the legal department came up with. The Civic Center’s concerns are a timely issue which could potentially add two weeks for items to get through council, a large number of things would be coming in front of council, and there have been some items that have already gone through council which have brought some confusion to the public with regard to the items being approved and beyond the approved budget for the Civic Center, which they are not. The budget for the Civic Center of 150 million dollars out of the vision funds is mostly made up of the contract with Morton who handles most of these items. The FF&E (furniture, fixtures and equipment) items are handled by the Civic Center directly, so for each one of those items to go before council creates a time issue and some confusion in the public. Jones said his understanding is it seems that without something like this resolution, then the council has to reapprove what has already been approved which adds to the level of confusion; therefore, he sees this as a request to have more autonomy to be able to move the project forward. Baltzer said that, in fact. Salamuni asked Deputy City Attorney Wade Nyberg for clarity and weigh in to address some of the concerns and why passing this resolution is a good idea. Nyberg explained that the City Council already delegates these types of purchases on a smaller scale to Department Directors. He said there is a process for making purchases or implementing a public improvement. There are different numbers or limits for different things with public improvements set at a larger number of $100,000.00 and purchasing of equipment set at $50,000.00 for example. Some things are exempt from public bidding altogether such as IT infrastructure. Department Directors have a certain authority to sign a contract for whatever dollar figure that might be so this is following the same rules and statutes and is basically just expanding that delegation for this one particular project in the one particular area of FF&E using monies that are already budgeted for it. Nyberg explained that requirements are the same so if something is required to be bid, it would still have to be bid in compliance with statutes and would generally involve the City Attorney’s Office assisting with those types of things and to review any contracts before department directors sign them. Salamuni asked Davis if the Finance Department has any concerns. Davis said their only concern is making sure that it is documented somewhere either in the minutes or some mechanism that shows what is being purchased, who it is being purchased from, and the dollar amount, for auditing purposes. Salamuni understands that it can be quite a lengthy process with the Civic Center Board overseeing the Civic Center, then going to staff and then it coming through City Council to get bills paid. He just wants to make sure everything is being done the right way, make sure it is within the parameters of how the Finance Department likes to work, that it does not cost any additional money, and there are appropriate checks and balances.
COMMUNITY DEVELOPMENT

14: 2371005 – Patsy Horton from Long Range Planning provided a presentation regarding the project to extend the road or Homestead Streets. The purpose of the TID (tax increment district) is to construct a portion of Homestead Street (approximately 900 linear feet) that is currently unconstructed and located between Timmons Boulevard and Missoula Street. Additionally, it will eliminate the loop-de-loop route that the taxpayers and residents of this community have to go through to get from east to west. Horton shared the master plan showing the proposed revenue generation in the area which include: 56 single family homes, a 40 unit apartment complex, two 12 unit apartment complexes, and one 10 unit apartment complex. She pointed out that even though the area is all that is currently being identified to generate taxes, within this area all residents are several undeveloped commercial and office commercial properties that are also anticipated to be developed before this is paid off. In the event that does happen, the TIF could be paid off sooner rather than later. Horton reviewed the proposed project costs that included the TIF funded costs for street, water, sanitary sewer, storm sewer, professional fees, contingency fees, financing costs and administrative fees to total approximately 2.7 million dollars TIF. She also shared the impact to the taxing entities (school, County, City). The TIF will be considered an economic development TIF which is important to the residents within the school district because 1.7 million will be paid by property taxpayers throughout the whole state not just within the school district. She wanted to make sure everyone understands that the school district will still receive those funds just come from a statewide school formula instead of within the local school district. It is anticipated the TID will be paid off by mid-2033. The County is foregoing $720,000.00 through the life of the TIF, the City $580,000.00, the Water District $3,600.00, and the Rapid Valley Sanitary District $47,000.00 for a total of roughly 2.8 million that will generally be created with this district. Lastly, Horton went over the amortization schedule showing just a little over one million for interest. The TIF Committee and the Planning Commission both recommended approval. Horton informed the committee that the state law changed in 2016 so a regulation where a TIF is either blighted or it creates economic benefit for not only the district but statewide and this will create that economic benefit. Jones moved to Approve Resolution No. 2020-071 and Resolution No. 2020-072 Resolutions to Create a TID and Approve a Project Plan for the Homestead Street Extension for Property Generally Described as Being Located at Homestead Street East of Elk Vale Road Between Timmons Boulevard and Missoula Street. Second by Lehmann. Motion carried unanimously.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Jones second by Lehmann and carried to adjourn the meeting at 1:47 p.m.
Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at City Hall, 300 Sixth St., in Rapid City, South Dakota on Monday, October 19, 2020 at 6:30 P.M.

The following members were present: Mayor Steven Allender and the following Aldermen: Pat Jones, Greg Strommen, Laura Armstrong, Jason Salamon, Richie Nordstrom, Lance Lehmann, Darla Drew and Bill Evans; the following Aldermen arrived during the course of the meeting: None; and the following were absent: John Roberts.

Staff members present included: City Attorney Joel Landeen, Police Chief Don Hadrick, Fire Chief Jason Culbertson, Public Works Director Dale Tech, Community Development Director Ken Young, Parks and Recreation Director Jeff Biegler, Deputy Finance Officer Tracy Davis, CDBG Program Division Manager Michelle Schuette, Civic Center Director Craig Baitzer, Communications Coordinator Darrell Shoemaker and Administrative Secretary Angie Boeke.

ADOPTION OF AGENDA
Motion was made by Nordstrom, second by Salamon and carried to adopt the agenda.

AWARDS AND RECOGNITIONS
1. Sustainability Committee award presentation to the Black Hills Farmers Market
2. Annual Update & Presentation from the Sustainability Committee - presented by Lysann Zeikor, Jason Phillips, Kevin Crosby, Garth Wadsworth, and Kelli Juhl

PRESENTATION
3. Veteran Banner Project Update / Video - Bill Casper
4. Municipal League Elected Officials Workshop Update - Darla Drew and Pat Jones
5. 2020 Bridge Re-Inspection (20-2576/CIP 50630) - Bruce Wilsley and Spencer Docktor spoke on behalf of Brosz Engineering for the FHA and SDDOT. They inspected 33 NBIS structures in Rapid City. NBIS are structures that are over 20 feet long. They supplied the city with all 33 inspection reports. SDDOT requires NBIS structures to be inspected every 24 months unless they meet other certain conditions. In response to a question from Salamon, Tech explained the Big Giant scope criteria on how the state issues grants.

Mayor Allender stated that Councilman Jones wanted a personal point of privilege. Jones stated that early voting has begun for the new candidate in Ward One. He encouraged Ward One residents to vote.

GENERAL PUBLIC COMMENT
Kaylie Sterud and Jackie Rausch spoke in opposition of a mask mandate.

NON-PUBLIC HEARING ITEMS - Items 6 - 35
Joe Leon spoke on Item 8 (LF101420-46) and said code enforcement sent him a letter to dispose of a couch, which he did remove. Code Enforcement then charged him to remove a second couch, which they thought was the first couch. Mr. Leon is asking that the assessment be dropped since Code Enforcement was the one who made the mistake of disposing of the wrong couch.

CONSENT ITEMS - Items 6 - 30
The following items were removed from the Consent Items:
7. Approve Dominique Cluas, DBA Black Hills Barbershop, 516 Sixth Street, for a new Retail (on-
of-sale) Malt Beverage & SD Farm Wine license

9. PW101320-02: Authorize Mayor and Finance Director to Sign Amendment No. 1 to Professional Services Agreement between the City of Rapid City and Longbranch Civil Engineering, Inc. for Regency Court Storm Sewer Improvements Project No. 25869 CIP No. 51301, for a total Contract Amount not to exceed $60,842.40.


21. PW101320-14: Authorize Mayor and Finance Officer to Sign Agreement Between the City of Rapid City and Mountain States Security for Parks and Cemetery Security Services.

25. LF101420-06 – Approve Resolution No. 2020-077 a Resolution Leving Assessment for Abatement of Nuisances

Motion was made by Jones, seconded by Armstrong and carried to approve items 6-30, with the exception of items 7, 9, 20, 21, and 26.

Approve Minutes
6. Approve Minutes for the October 5, 2020 Regular Council meeting.

Public Works Committee Consent Items
8. PW101320-01: Authorize the Mayor and Finance Director to sign an agreement between the City of Rapid City and SSST, LLC for Construction of Public Sewer and Oversize Sewer Main Cost Reimbursement, not to exceed $72,784.00.

10. PW101320-03: Authorize Public Works Director to Accept and Record Deed for Transfer of Floodway Property from the Estate of Carl Schuler, Jr. to the City of Rapid City, with a Purchase Price of $11,510.

11. PW101320-04: Authorize Staff to Seek Proposals for Engineering Services for St. Patrick St. Reconstruction – Mt. Rushmore Rd. to 5th St., Project No. 20-2582/CIP No. 51126

12. PW101320-05: Authorize Staff To Purchase Additional And Replacement Office Furniture From Evergreen Office Solutions, Pricing From State Contract # 18773 3 IFB 222 In The Amount Of $11,968.84.

13. PW101320-06: Authorize Staff To Purchase Additional And Replacement Office Furniture From Evergreen Office Solutions, Pricing From State Contract # 18773 3 IFB 222 In The Amount Of $7,847.84

14. PW101320-07: Authorize Staff To Advertise For Bids For The Purchase Of Two (2) DigiA-Ride vehicles. Estimated Cost $200,000.

15. PW101320-08: Authorize Mayor and Finance Director To Sign Contract Amendment 1 To TrpSpark Software License And Maintenance Agreement, To Add Mapping Capabilities to the Scope of The Agreement, With An Increased Cost of $3,100.

18. PW101320-09: Approve Extending Contract Bid To The Following Contractors For The Parking Lot Contracts For The 2020-2021 Snow Season: G.J. Holmesworth Lots 6-2 and 9, and JMD Excavating Lots 4, 5, 7, 8 and West Boulevard Lot.

17. PW101320-10: Approve Extending Contract Bid To The Following Contractors For The Operating Equipment Rental For Street Snow Removal Contract For The 2020-2021 Snow Season: Mainline Contracting, Simon, Lind-Exco, Beta Corporation, Site Works Specialists and JMD Excavating.

18. PW101320-11: Authorize Staff To Purchase One (1) New Tier 4 Diesel Pneumatic Tire Lift Truck Model D870N1/1400G From Sourcewell Contract # 101818-MCF with RAKA In The Amount Of $81,885.80.
Legal & Finance Committee Consent Items

22. LF101420-07 – Confirm the Appointments of Val Simpson and Chris Huber to the Community Investment Committee

23. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Manu Akrum (RSVP+), Richard Mayforth (RSVP+), Almy Thoreson (RSVP+), John McManigal (Police Department), Darlene Swartz (RSVP+), Joyce Yale (Library), Cardi Cubrun (RSVP+), Barry Sullivan (RSVP+), Harold Halvada (RSVP+), Mary Wurzit (RSVP+), Marna Bergstrom (RSVP+), Teresa Hill (RSVP+), Myrle Schmacher (RSVP+)

24. LF101420-01 – Authorize Mayor and Finance Director to Sign Engagement Letter with Addendum with Katal Thomsen, LLP for the FY2020 Audit.


26. LF101420-02 – Authorize Mayor and Finance Director to Sign Agreement and Statement for Work for Professional Services Between Binary Tree and the City of Rapid City and Authorize Staff to Purchase Required Software Licenses from Binary Tree and Software House International (SHI).

27. LF101420-10 – Approve Resolution No. 2020-081 A Resolution Authorizing the Executive Director of the Rushmore Plaza Civic Center to Enter into Contract for the Acquisition of Furniture, Fixtures, and Equipment for the Arena Expansion Project Consistent with the Amounts Already Budgeted from the City’s Vision Fund.

RESOLUTION NO. 2020-081

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OF THE RUSHMORE PLAZA CIVIC CENTER TO ENTER INTO CONTRACTS FOR THE ACQUISITION OF FURNITURE, FIXTURES, AND EQUIPMENT FOR THE ARENA EXPANSION PROJECT CONSISTENT WITH THE AMOUNTS ALREADY BUDGETED FROM THE CITY’S VISION FUND.

WHEREAS, the Common Council of the City of Rapid City has previously authorized construction of a new arena at the Rushmore Plaza Civic Center which will soon become known as the Monument (the “Project”); and

WHEREAS, the total budget for the Project is $130 million which includes the cost of construction, design, furniture, fixtures, and equipment; and

WHEREAS, the contracts for the design and construction of the Project were previously approved by the City Council; and

WHEREAS, the purchase of the furniture, fixtures, and equipment (FF&E) needed for the Project to operate when completed are not covered under the contracts already entered into; and

WHEREAS, the Project team is in the process of selecting and purchasing the FF&E necessary to complete the Project and

WHEREAS, the purchase of FF&E is already a component of the Project’s master budget which is included in the overall cost of the Project already approved by the City Council; and

WHEREAS, the purchase of the FF&E for the Project will be in compliance with all state laws governing public purchasing; and

WHEREAS, SDCL 9-1-5 allows the City Council to delegate to an employee the authority to enter into a contract on behalf of the municipality subject to any limitations established by the City Council; and

3
CITY COUNCIL

WHEREAS, rather than having every contract for the purchase of FF&E for the Project come back to the City Council for approval, the City Council believes it is in the City’s best interests to delegate to the Executive Director of the Civic Center authority to enter into contracts to purchase these items so long as the purchase is consistent with the master budget for the Project and the purchase can be paid out of the funds the City Council has already budgeted for the Project.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City that the Executive Director of the Rushmore Plaza Civic Center is hereby authorized pursuant to SDCL 9-1-5 to enter into contracts on behalf of the City of Rapid City for the purchase of furniture, fixtures, and equipment for the Project. Any contract entered into pursuant to this resolution will be made in compliance with any state and local rules and regulations governing public purchases. Any contracts entered into pursuant to this resolution shall not necessitate an increase in the funds already appropriated by the City Council for the Project unless such increase is specifically authorized by the City Council. Nothing in this resolution shall be construed as limiting the Project team from amending the amounts for various cost centers in the master budget as needed to complete the Project, so long as such amendments do not increase the total cost of the Project over the amounts already appropriated by the City Council.

Dated this 19th day of October, 2020.

CITY OF RAPID CITY

s/ Steve Allender
Mayor

ATTEST:

s/ Pauline Sumption
Finance Director

(SEAL)

Community Development Consent Items:

29. LF101429-04 – Approve the Preliminary Recommendations for the FY20 Community Development Block Grant CV Funding

30. 20T1004 – Authorize the Mayor and Finance Director to Sign Agreement between the City of Rapid City, Rapid Valley Sanitary District and Yasmeeen Dream LLC. for Construction, Operation and Maintenance of Orchard Meadows Lift Station (TID 82)

END OF CONSENT ITEMS

Alcoholic Beverage License Applications: Set for Hearing (November 2, 2020) Mayor Allender read in item #7. Approve Dominique Cikas, DBA Black Hills Barber Shop, 516 Sixth Street, for a new Retail (on-off sale) Matt Beverage & SD Farm Wine license. In response to questions from Jonas, Landeen explained that this was just a set for hearing and the actual hearing would be on November 2, 2020. Drew indicated that nail and hair salons serve alcohol already. She doesn’t see a problem with it. Motion was made by Lehmann, second by Jonas and carried to approve the set for hearing.

Mayor Allender read in item (PV101320-02) Authorize Mayor and Finance Director to Sign Amendment No. 1 to Professional Services Agreement between the City of Rapid City and Longbranch Civil Engineering, Inc. for Regency Court Storm Sewer Improvements, Project No. 2689, CIP No. 51301, for a total Contract Amount not to Exceed $99,642.40. In response to a question from Drew, Tech explained the location of the hill in this development shows the hill is sliding. Therefore, the entire storm sewer needs to be redone. This is not being charged to the homeowners because these are issues of storm water management. Motion was made by Nordstrom, second by Lehman and carried to approve.
Mayor Anderer read in item (PW10120-13) Authorize Purchase of Garbage and Recycling Containers from Railing Pacific Company through Omnia Partners Cooperative Contract #00254, in the amount of $60,545.80. Motion was made to approve by Jones, second by Nordstrom and carried.

Mayor Anderer read in item (PW10120-14) Authorize Mayor and Finance Officer to Sign Agreement Between the City of Rapid City and Mountain States Security for Parks and Cemetery Security Services. Motion was made by Salem, second by Jones to approve. Salem asked if this service includes looking around crevices and bridges for people who are in need of shelter. Biegler answered no and explained a security service is hired each year to take care of opening and closing gates at the parks and cemeteries. They also check that park restrooms are locked at night as well.

Mayor Anderer read in item (FW101429-09) Approve Resolution No. 2020-077 a Resolution Levying Assessment for Abatement of Nuisances. Young explained the situation. Armstrong asked if it was appropriate to remove Mr. Leon's assessment. Davis said council is allowed to do that. Motion was made by Armstrong, second by Lehmann to approve Resolution 2020-077 with Joe Leon being removed from the assessment. Mayor also indicated that Mr. Leon could submit a copy of the bill of sale for reimbursement of the amount that the city mistakenly disposed of.

RESOLUTION NO. 2020-077
RESOLUTION LEVYING ASSESSMENTS FOR
ABATEMENT OF NUISANCES

BE IT RESOLVED by the City Council of the City of Rapid City, South Dakota, as follows:

1. The City Council has made all investigations which it deemed necessary and has found and determined that the condition of your property has constituted a nuisance. The City abated this nuisance.
2. The cost of the abatement, including administrative costs, is the amount stated in the proposed Assessment Roll for Abatement of Nuisances.
3. The Assessment Roll for Abatement of Nuisances is hereby approved and assessments thereby specified are levied against each and every lot, piece, or parcel of land thereby described.

Dated this 10th day of October, 2020.

CITY OF RAPID CITY

/\ Steve Anderer
Mayor

ATTEST:
/\ Pauline Jumpton
Finance Director
(SEAL)
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**NON-CONSENT ITEMS** – Items 31 – 35

**Ordinances**

Mayor Alexander read in Item (LF101420-03) Approve First Reading of Ordinance No. 6448 Regarding Supplemental Appropriation 7 for 2020. Motion was made by Armstrong, second by Salamun and carried to approve Ordinance 6448 and that it be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, November 2, 2020.
Mayor Allender read in item (LF101420-08) Approve Resolution No. 1959 Creating A Trial Program for Conduct of Official City Business by Combining the City’s Current Public Works and Legal and Finance Committee Meetings into a Joint Council Working Session. Nordstrom stated he doesn’t like the language in the resolution and thinks it needs to be revised. Salamun said he’s not really concerned about the resolution, more concerned about the process. He doesn’t want to take a step back in openness. In response to a question from Salamun, Landeen explained that a quasi-judicial hearing entities the applicant to due process. Landeen gave suggestions on how to handle the due process items. He said council might want to move all due process items straight to the council meeting. Salamun said he likes the idea of saving staff time and hearing more from the directors. He wants to make sure the meetings are open to the public. Armstrong said that this resolution would allow council to go from three or four meetings into one. She said she started talking to the directors almost two years ago, so there has been a lot of thought into this. She said she is in favor of the public showing up. She wants the meeting to be in a conference room. She wants this to be like a big agenda review meeting. She doesn’t want to feel like the city has to film everything to cover themselves. She indicated the original start date was proposed to be November 11, but that is Veteran’s Day and city offices are closed that day. She proposes the first meeting be scheduled for Tuesday, November 10, 2020 at 12:30 p.m. and going forward the off weeks of Wednesday at 12:30 p.m. Drew said she is not in favor of this but realizes how much work has gone into it and feels like she needs to give it a chance. She would like to have it in chambers and for it to be filmed. She is concerned with quorum gathering, since those aren’t allowed. Evans is in favor of combining the committees but is concerned with the amount of research that goes into each item. He realizes most people have jobs and some of these issues take time away from home. He thinks members should have assignments so that each member does some background work. He said he is in favor of recording and thinks public comment should be saved for the council meeting. Armstrong said other states like Colorado and Utah already do their meetings this way. Landeen said the trial period is for a year, however, if the council agreed to cut it short they could. Landeen said some views against taping would be that people hold back when they are being taped and they don’t have as much dialogue. He said with COVID it would be nice to have it taped since people have to socially distance themselves. He stated that the Airport Board does record their meetings on audio, not video, so if someone wants to hear the meeting they can. Nordstrom said videotaping doesn’t take place during council working sessions. Mayor Allender stated that the biggest risk with this is just overthinking it. The committee meetings were formed to prepare the council members on the items. The two meetings are not required by law, they were adopted by the city in the 1970’s. He indicated that they are not passing a law and they are not bound to anything in the resolution. It can be changed if they don’t like it. Motion was made by Armstrong, second by Lehmann to approve. Motion carried 7 to 1 with Salamun voting no.

RESOLUTION NO. 2020-080
A RESOLUTION CREATING A TRIAL PROGRAM FOR CONDUCT OF OFFICIAL CITY BUSINESS BY COMBINING THE CITY’S CURRENT PUBLIC WORKS AND LEGAL AND FINANCE COMMITTEE MEETINGS INTO A JOINT COUNCIL WORKING SESSION.

WHEREAS, the City of Rapid City (the “City”) currently has two standing committees which review and make recommendations for items of City business before they are debated and acted on by the City Council; and
WHEREAS, half the City’s aldermen serve on each committee which both meet the week before a City Council meeting; and

WHEREAS, the intent of the committees is to provide an opportunity for aldermen to ask questions and generally educate themselves on issues coming before the City Council at its regularly scheduled meeting; and

WHEREAS, other communities conduct similar work through a committee of the entire body, or through regularly scheduled working sessions; and

WHEREAS, the purpose of working sessions is for aldermen to educate themselves on issues, have more in-depth discussions on policy and important projects, and decide what issues should move forward to the regular meeting of the City Council for formal action; and

WHEREAS, the City Council believes it would be in the City’s best interests to implement a trial program where instead of City business being initially discussed in two separate committees composed of only half of the alderman, that the responsibilities of the two committees be combined into a working session comprising a committee of the entire City Council; and

WHEREAS, some of the advantages of a working session consisting of the entire City Council are that it would require fewer meetings for the elected officials and staff, and would allow the entire City Council to weigh in and yet important issues in the preliminary stages of discussion, rather than rely on only half of the City Council to do so; and

WHEREAS, even though the working sessions will have a quorum of the City Council present, the purpose of these meetings will be education and discussion of the City Council and no formal action will be taken on any item other than to make recommendations or give direction to City staff, or determine what matters being considered are ready to be sent to the regular City Council meeting for final debate and approval or denial; and

WHEREAS, the working sessions covered by this resolution are public meetings and subject to the state’s open meeting laws.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the current Legal & Finance and Public Works Committees be combined into a committee of the whole whose meetings will be designated as working sessions. The purpose of these meetings will be to allow in-depth discussion on City policies and items of regular business prior to final consideration and approval at a regular meeting of the City Council and to give direction and make recommendations to staff regarding City business. No formal or final action will be taken on any item other than to make recommendations or give direction to City staff, or send a matter being considered to the regular City Council meeting for final debate and approval. While no formal action will be taken on any item on the agenda of a working session, this will not prohibit the City Council from setting a special meeting that is contemporaneous with the working session at which formal action can be taken on a matter before the City Council. Such special meeting shall be set consistent with state law for the setting of such meetings and noticed separately from any notice provided for the working session.

BE IT FURTHER RESOLVED, that any reference in City ordnances, resolutions, or policy that directs that an item be considered by the City’s current Legal & Finance or Public Works Committees will be sent to a working session for review and consideration in lieu of review by one of the current committees.

BE IT FURTHER RESOLVED, that at least one working session shall be held prior to all regularly scheduled meetings of the City Council at a time and place determined by the City Council. Working
Sessions are public meetings and the time and place of the working session, along with a proposed agenda, will be properly noticed in compliance with state law.

BE IT FURTHER RESOLVED, that The City Council may develop and adopt rules and procedures for the conduct of these meetings and the form of the agenda.

BE IT FURTHER RESOLVED, that it is intended that the change be a trial program which will be reviewed occasionally to determine if it will continue. While the City Council can end these changes at any time, if no formal action is taken within a year, the Council shall review the program and shall determine whether to end the use of work sessions and go back to the previous committee structure or some modified form thereof, continue the current trial program for another specified term, or direct that staff bring forward the appropriate ordinance and policy changes to make the committee structure created by this resolution permanent.

Dated this 19th day of October, 2020.

CITY OF RAPID CITY

/s/ Steve Allender
Mayor

ATTEST:

/s/ Pauline Sumption
Finance Director
(SEAL)

Mayor Allender read in item (CG101920-02) Direction to staff on time, date, and location of first working session. Armstrong stated she wanted to amend the original suggestion of November 11 being the first meeting date. That day is Veteran’s Day and the city is closed. Motion by Armstrong, second by Jones to approve November 10, 2020 at 12:30 p.m. as the first meeting date. All subsequent meetings will be held on every 1st Wednesday at 12:30 p.m. Motion carried 9-0.

Community Development Items

Mayor Allender read in item (No. 20PLU71) A request by Davis Engineering, Inc for Murphy Brothers Partnership, LLC for a Preliminary Subdivision Plan for proposed Lots 8, 9, 10 of Block 1 and Lot 1 Revised, Lot 2 Revised, Lot 3 Revised, Lot 4 Revised, Lot 5 Revised, Lot 6 Revised, Lot 7 Revised, Lot 8 Revised and Lot 10 Revised of Block 2 of Murphy Ranch Estates Subdivision, located in the NW1/4 of the NW1/4 of Section 14, T1N, R6E, BHM, Pennington County, South Dakota, generally described as being located south of Longview Road and east of Reservoir Road. Motion was made by Nordstrom, second by Lehmann to approve with the following stipulations: Staff recommends that the Preliminary Subdivision Plan be approved with the following stipulations: 1. Prior to submittal of a Final Plat application, the plat document shall be revised to show the dedication of 17 additional feet of right-of-way for Long View Road as it abuts the property or an Exception shall be obtained. If an Exception is obtained, a copy of the approved document shall be submitted with the Final Plat application; 2. Prior to submittal of a Final Plat application, the Long View Road Improvements as previously agreed to with the Pennington County Highway Department and the detention cell in Phase 7 shall be completed and accepted by the Pennington County Highway Department; 3. Prior to submittal of a Final Plat application, the plat document shall be revised to address the following: a) The plat title shall be revised to show that the property is formerly a part of Tract A instead of Tract F; b) The “all located in” description shall be changed to include NW1/4/NW1/4; c) The scale shall be revised to read “1”=100” instead of “1”=60”; d) “Derringer Road” shall be spelled correctly; e) Long View Road shall be shown along the north lot lines of Lots 8, 9 and 10 of Block 11. In addition, the street right-of-way widths for Long View Road, Derringer Road and Blackpowder Road shall be labeled; f) “Revised” shall be removed from the legal and on the lot labeling for Lots 1 through 10 of Block 12 since these lots have not previously been platted; g) “Previously Platted” shall be removed from Lot 24 and 25 of Block 3 and Lots 1 through 4 of Block 9 lot
labeling since these lots have not previously been platted; h) All hearings and lot dimensions shall be shown; and, i) A Certificate and Acknowledgment of Ownership shall be added for Devis Engineering, Inc.; 4. Upon submitted of a Final Plat application, a signed and approved cost estimate for the required subdivision improvements shall be submitted; 5. Upon submission of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and, 6. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

PUBLIC HEARING ITEMS – Items 36 – 40

CONSENT PUBLIC HEARING ITEMS – Items 36 – 39

Alcohol Licenses
36. Neja Shimmens for a SPECIAL EVENT On-Sale Mail Beverage License for an event scheduled for November 7, 2020 at Black Hills Harley Davidson, 2340 Harley Drive
37. Bar K-9 LLC for a SPECIAL EVENT On-Sale Mail Beverage License for an event scheduled for October 23-24, 2020 at Rushmore Mall (Enclosed off area), 2200 N Maple Ave
38. J.M. Kingsbury Family Brewing Co DBA Cohot Craft Brewery, 4055 6th Street, Suite 103 for a Retail (on or off sale) Mail Beverage & SD Farm Wine license
39. Pross Start, LLC, DBA Free Start, LLC, 504 Mt. Rushmore Road for a Retail (on or off sale) Liquor License TRANSFER from KOL, LLC, DBA KOL, 504 Mt. Rushmore Road

Motion was made by Jones, second by Salamun and carried to approve Items 36-39.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Item 40

Mayor Amendt read in Item 2070005 Approve Resolution No. 2020-071 and Resolution No. 2020-072 Resolutions to Create a TID and Approve a Project Plan for the Homestead Street Extension for Property Generally Described as Being Located at Homestead Street East of Elk Vale Road Between Timpanogos Boulevard and Missouri Street. Motion to approve by Salamun, second by Jones. Evans said people in that neighborhood will be thrilled. He is happy with the public private cooperative effort. Salamun said this is a win-win and in alignment with where the City is going, Motion carried 3-0.

Resolution 2020-071
A RESOLUTION CREATING THE HOMESTEAD STREET EXTENSION TAX INCREMENT DISTRICT NUMBER EIGHTY-THREE AS SUBMITTED BY THE RAPID CITY PLANNING COMMISSION

WHEREAS, the property within the following described District meets the qualifications and criteria set forth in SDCL 11-8; and

WHEREAS, the Common Council of the City of Rapid City finds that the aggregated assessed value of taxable property in this District, plus the assessed values of all other districts currently in effect, does not exceed ten percent (10%) of the total assessed value of taxable property in the City of Rapid City; and

WHEREAS, the Council finds pursuant to SDCL 11-8 that:

(1) Not less than fifty percent, by area, of the real property within the district will stimulate and develop the general economic welfare and prosperity of the State through the promotion and advancement of industrial, commercial, manufacturing, agricultural, or natural resources development; and
CITY COUNCIL

(2) The improvement of the area is likely to significantly enhance the value of substantially all other real property in the district.

NOW, THEREFORE, BE IT RESOLVED, by the City of Rapid City that the real property legally described as

Lots 2 thru 13 and Drainage Lot A of Block 9, Lots 2 thru 14 of Block 10, all of Avenue A Subdivision;

Lots 1, 2, 3A, 3B, 3C, and 4 thru 6 of Block 1, Lots 1 thru 3 of Block 2, Lots 1 and 2R of Block 3, Lots 1B, 2 and 3 of Block 4, Lots 1 thru 4 of Block 5, all of Big Sky Business Park;

Tract A less Tract BR of Neff Subdivision #4, less Avenue A Subdivision and less ROW;

S1/2 GL 3 less Big Sky Subdivision, less Big Sky Business Park and less ROW, S1/2 GL 4 less Big Sky Business Park, less Lot H1, H2, and ROW;

SE1/4NW1/4 less Big Sky Subdivision and less ROW;

W1/2SW1/4NW1/4 less Big Sky Business Park, less Lot H2 and less ROW, and dedicated right-of-way adjacent to said lots, all located in Section 9, T11N, R8E, BHM, Rapid City, Pennington County, South Dakota

all located in Section 9, T11N, R8E, BHM, Rapid City, Pennington County, South Dakota

be and is hereby designated as the Homestead Street Extension Tax Increment District Number Eighty-Three.

Dated this 19th day of October, 2020.

CITY OF RAPID CITY

Attest:

Steve Allender
Mayor

ATTEST:

Pauline Sumption
Finance Director
(SAIL)

Resolution No. 2020-072
RESOLUTION APPROVING THE PROJECT PLAN FOR
HOMESTEAD STREET EXTENSION
TAX INCREMENT DISTRICT NUMBER EIGHTY-THREE
AS SUBMITTED BY THE RAPID CITY PLANNING COMMISSION

WHEREAS, the Common Council of the City of Rapid City has determined that it is in the best interest of the City to implement plans which promote economic development and growth in the City; and

WHEREAS, the Council embraces the concept of Tax Increment Financing as a tool to encourage this desired growth and redevelopment; and

WHEREAS, there has been established the Homestead Street Extension Tax Increment District Number Eighty-Three; and
CITY COUNCIL

OCTOBER 19, 2020

WHEREAS, the Council deems it desirable to promote economic development and create jobs in the corporate limits of the City of Rapid City; and

WHEREAS, this Tax Increment District includes commercial property, thereby forming an economic development Tax Increment District; and

WHEREAS, the Project Plan submitted creates a direct, contiguous collector road segment for emergency response services, the Rapid City Area School District and area residents currently using the existing circulatory road alignment from Elk Vale Road east to Valley View Elementary and East Middle School by assuring with funding to design and construct that portion of Homestead Street between Timmons Boulevard and Messaola Street; and

WHEREAS, the use of Tax Increment Funding to promote the development within this neighborhood is in keeping with the statutes adopted by the South Dakota State Legislature; and

WHEREAS, the Project Plan submitted for this Tax Increment District proposes this public improvement; and

WHEREAS, the Council has considered the Project Plan submitted by the Planning Commission and determined that the Project Plan for the Homestead Street Extension Tax Increment District Number Eighty-Three is economically feasible; and

WHEREAS, the Council has further determined that this Project Plan is in conformity with the adopted Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED, by the City of Rapid City that the Homestead Street Extension Project Plan for Tax Increment District Number Eighty-Three be and hereby is approved as submitted by the Rapid City Planning Commission.

Dated this 19th day of October, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:

s/ Pauline Sumption
Finance Director
(GEAL)

BILLS
BILL LIST-OCTOBER 19, 2020

1,674,579.48
1,674,579.48
s/ Pauline Sumption
Finance Director

(639.83)

(481,479.95)

(22.08)

(282,672.79)

(230,373.21)

(1,652.99)

(4,002.88)

(491,556.83)

(65,234.96)

(34,968.28)
City Council

October 19, 2020

WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 10/13/20 49,188.20
BLACK HILLS ENERGY, ELECTRICITY, PD 10/13/20 47,870.61
COMPUTER BILL LIST 4,293,677.79
COEV COMPUTER BILL LIST 232.14
SUBTOTAL 7,769,141.01
RSVP, PAYROLL PERIOD END 08/28/20, PD 10/02/20 2,613.73
RSVP, PIONEER BANK & TRUST, 09/26/20 PAYROLL TAXES, PD 10/02/20 570.14
RSVP, COMPUTER BILL LIST 1,772.83
TOTAL 7,774,053.71

Davis presented the bill list of $7,774,053.71. Motion was made by Salamun, second by Jones to authorize (No. CC101920-01) the Finance Director to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Those voting aye: Nordstrom, Strommen, Armstrong, Jones, Lehmann, Salamun, Evans, and Drew; no: none. Motion carried 8-0.

Adjourn

There being no further business to come before the Council at this time, motion was made by Armstrong, second by Nordstrom and carried to adjourn the meeting at 8:25 p.m.

Dated this 19th day of October, 2020.

ATTEST:

(SIGNATURE)

Finance Director

CITY OF RAPID CITY

MAYOR

(SIGNATURE)

(SEAL)
LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota

October 28, 2020

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, October 28, 2020, at 12:30 p.m.

A quorum was determined with the following members answering the roll call: Darla Drew, Greg Strommen, Laura Armstrong, Jason Schoneman and Pat Jones. Absent: Lance Lohmann

(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 Jones second by Armstrong to adopt the agenda. Motion carried unanimously.

GENERAL PUBLIC COMMENT
None.

CONSSENT ITEMS
Motion was made by Jones, second by Armstrong to approve Items 1-11 as they appear on the Consent Items with the exception of Item no. 5. Motion carried unanimously.

CONSSENT ITEMS -- Items 1 – 11

Public Comment opened – Items 1 – 11
Public Comment closed

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

1) Approve Minutes for October 14, 2020

MAYOR'S ITEMS
2) LF102820-06 – Authorize Mayor's Office to Act as the Lead Applicant for an Early Learner Community Toolkit Grant Through the United Way of the Black Hills in Partnership with Early Learners Rapid City

FINANCE DEPARTMENT
3) LF102820-01 – Acknowledge August 2020 General Fund Cash Balance Report

4) LT102820-05 – Approve Resolution No. 2020-083 a Resolution Declaring M Garland Personal Property Surplus to be Traded

HUMAN RESOURCES
3) LF102820-07 – Sulaiman asked Human Resources Director Nick Strood to give an overview of the healthcare plan changes. Strood explained that historically the City has offered one health care plan which is written into contracts with our union representatives, so there are certain structural things the City is bound by; however, some changes need to be made to help the fund balance. The City is a self-funded plan which means the City collects the premiums and then pays out claims through Wellmark ROFS. He further explained that by doing that, the City is responsible for maintaining that fund balance. Strood has been working with the Mayor, the Healthcare Committee and the Department Directors to come up with a four year plan to incrementally make some changes to help stabilize the healthcare fund because due to some high dollar claims and bad luck over the past couple of years, the fund balance is decreasing. To help stabilize the fund, there will now be
October 28, 2020

two plan options: one, which is going to be more expensive but have a little bit better benefits to it and then one that is a little less expensive that meets the contractual obligations with the unions but the benefits are not quite as rich. Street said if this were to be implemented this year, then they will start looking at different things that can be done to incentivize better healthcare choices through the City's employees such as incentives to have spouses go on a different plan (if that is an option). They will continue to try to create a fund balance. One of Sallam's concerns from a business standpoint, is retaining employees, which is one of the best ways to save money because high turnover and cost of replenishing employees can be difficult. Sallam asked if by making these changes, it will diminish the amount of take home pay for employees because of the amount they have to put into the insurance plan. Street said in response that it is a lower base plan that is going to raise by 3% which was voted on in the spring by the Healthcare Committee. In order to have a spouse or family there will be a 5% increase to your premium monthly. He went on to say if you choose the more robust or enhanced plan, that is more expensive than in 2020's plan but is an option for every employee to either maintain their premium or see a 5% increase. Street explained that the City is shedding the “grandfather status”. The grandfather status came about when the ACA passed there was an option to leave your plan as is and you wouldn't have to accept all of the changes in the ACA, which is what the City chose to do for ten years and it really was not designed to do that. By shedding the grandfather status and going to a more full ACA robust benefit package, there is no chance the majority of employees may actually pay less over a year than they would currently because now there are some things they are being covered at 100% such as preventative services (i.e. colonoscopies, mammograms, etc.) There will be an all in copay which means you will pay a $30 copay and there is no co-insurance that follows that. Sallam asked if there are any compensation studies being done of the salaries are keeping up with wage adjustments to compensate for the changes. Street said in late 2019 a wage study was done for the non-union and the AFSCME employees. He said they currently have wage data for the Police Department employees. There is a current contract with the Fire Department employees that goes through 2022, so their increase is already built in. Street said that non-union wages will be going up in the first part of January, and are working with AFSCME to hopefully lock in a contract that will see some increases for them. Drawn asked if they took into consideration COVID-related health care problems that the City will probably see an increase in the amount of claims. Street said that was definitely taken into consideration when looking at things like raising out-of-pocket maximums. He added that they are seeing what is called a COVID delay meaning people were delaying different surgeries in March-June and then started going in July to have them done so now the City is getting hit pretty hard right now which are not even COVID related, but the hope is that levels out to get a better picture of what the true costs are going to be in early 2021. Armstrong moved to authorize the Mayor and Finance Director to sign 2021 Renewal with Wellmark BCBS for City Healthcare Plan. Second by Jones. Motion carried unanimously.

COMMUNITY DEVELOPMENT
6) LF102820-02 – Approve Amendment to the Preliminary FY20 CDBG Annual Action Plan
7) LF102820-04 – Approve Final FY20 CDBG-CV Funding Recommendations
8) LF102820-03 – Authorize the Mayor and Finance Director to Sign the CDBG-CV, SF-424, SF-424D and Certifications for FY20
9) 20TP031 – Approve the 2021 Unified Planning Work Program – Final Report
10) 20TP034 – Authorize the Mayor and Finance Director to Sign the Agreement Between the City of Rapid City and the South Dakota Department of Transportation for Accomplishing the Rapid City Area Transportation Planning Process in the Amount of $664,601.00

CITY ATTORNEY'S OFFICE

Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
LEGAL AND FINANCE COMMITTEE
October 28, 2020
11) LF102620-08 – Authorize the Mayor and Finance Director to Sign the Contract for Construction of Public Improvements by Private Developer for Homestead Street Tax Increment District

END OF CONSENT CALENDAR

NON-CONSENT ITEMS – Items 12 – ‘5

Public Comment opened – Items 12 – 16

Valerie Bin Eagle spoke in support of item #14 regarding the land swap in the three parcels of land found in the Rapid City Indian School lands project. She voiced that for the past 70 years their grandmothers and elders have been asking for native land for development that will be a great benefit to the native community.

Billie Jo Brown spoke on item #14 and is requesting more information on it before she votes on anything. She would like to see some representation from officials from the Bureau of Indian Affairs (BIA) because she feels this is a BIA matter. She knows that rent is very high here in Rapid City and she is currently trying to find housing for her granddaughters who are being evicted by Frickey. She believes this land is needed to help not only Native Americans but others as well. Armstrong offered to speak with Brown after the meeting to provide some resources that can help address her immediate needs.

Bov Warne, a Lakota Elder, spoke in support of item #14 regarding the land swap. She provided a little background of living in Osikosh Camp along Rapid Creek (now Founders Park) in the 1940’s where she felt safe in the camp until she went downtown Rapid City where she saw a sign in a store window that said “no Indians allowed”. Her Father told her it was because others did not know them. She feels strongly that the majority of the non-native community still do not know them. Warne said that what they are doing regarding the land swap is helping themselves. She wants the land swap completed so they can work on issues that we all face today. She believes this is the beginning of their ability as Lakota, other native people, and their allies, to do something positive to give the City into a friendly, good place. She added that approving this resolution will be a solid beginning in the healing of the native community.

Hubin Zephyer also spoke in support of item #14 regarding the land swap. He is a volunteer to the Rapid City Indian School Land Project but is here as a Lakota, a Rapid City resident and small business owner. He is honored and privileged to stand up for the people they have tried to help in honoring all of the children that had passed away in the school, but also to give honor to those that fought so hard by trying to seek some type of remedy for inequality for existence and survival. Zephyer said the statute that is at the base of this overall issue is the 1948 statute that is very clear in nature and the group is standing here today by following the footsteps of those that went before them and trying to carry forth the grand commitment to them and to their spirits. He asks the council and the council to make the decision to accept this resolution and bring us forward into the 21st century. He also encourages this issue to be resolved with diplomacy.

Karen Mortimer spoke in support of item #14. She asked the committee to carefully consider the approval of the resolution to resolve the three outstanding deeds. The Miniluzulun Okulakidiyapi Ambassadors group (MOA) has been working to address the problem of the lack of or broken relationships between the native and non-native community, which she has been a part of since 2014. Native and non-native leaders in the community have been brought together over time to work on this issue. Mortimer has been working with Heather Thompson, Kibbe Conrady, and Dr. Zimmer on unfolding this very important history in the community. She voiced that these three deeds are legally important and must be dealt with but they are also symbolic of this broken relationship and it is time to address this directly. She again hopes the committee will very carefully consider the creative solution that has been sought through this resolution versus a litigious result and bring this forward to the City council on Monday, November 2, 2020.

Troy Faithman, sixth generation grandson of Chief Sitting Bull, spoke in support of item #14. He began by saying that Indian and white relations throughout Rapid City has been subjective to a lot of different
LEGAL AND FINANCE COMMITTEE
October 28, 2020

Avenues and those objectives over his lifetime have been approached by the City Council on many different avenues such as education and economic development, which he comments. He knows the council to do the right thing regarding the land agreements with these three deeds. Fairbanks wants to work together as a community to better the community and asks the committee to look at the community as a whole because he believes an agreement can be reached.

Public Comment closed

FINANCE DEPARTMENT
12) LF101420-08 - Salaman movoc to approve the Second Reading and Recommendation of Ordinance No. 6446 Regarding Supplemental Appropriation 7 for 2020. Second by Janes. Motion carried unanimously.

13) LF101420-09 - Salaman movoc to approve the Second Reading and Recommendation of Ordinance No. 6448 an Ordinance to Amend Provisions Concerning Purchasing Procedures and Delegation of Purchasing Authority by Amending Sections in Chapter 3.04 of the Rapid City Municipal Code. Second by Armstrong. Motion carried unanimously.

MAYOR'S ITEMS
14) LF102820-09 - Heather Thompson gave a presentation regarding the Rapid City Indian School Lands Project. She began by informing the committee that the elders came to them to help find the graves of the children that were buried in unmarked graves at the boarding school. In doing so, they uncovered all of the other land issues that were related to the boarding school lands. She emphasized that this was not a new issue to the elders in the community as they have been raising this essentially every decade since 1948. The elders have been requesting investigations, writing to congress, writing to City Council, to tribes, and unfortunately it went largely unheard. She explained that when they discovered these difficult issues, they met with the Department of Interior who has the legal right to these parcels for reversion and they have been engaged in the conversation from the beginning. Thompson referenced a letter the committee has in their possession that came from those initial conversations after the Department of Interior reviewed all of the documents and found that these three parcels were subject to reversion back to the Department of Interior. The three entities that are on those parcels do not wish that their parcels revert back to the DOI. Her group has worked tirelessly for the last three years to find a solution. Per the resolution, there is a provision in the statute that only deals with the 1200 acres that used to be the Rapid City Indian Boarding School that goes from Mountain View to Cayyan Lake. There is a second provision in that statute that does allow those three parcels to be swapped or exchanged for other land within or near Rapid City as long as that land is used for needy Indians. Their group has had over a hundred presentations and meetings including a series of very specific meetings in 2019 to obtain as much community input as they could. The community voted for a land exchange that would empower the creation of a Native American Community Center which is something that would help the entire community that everyone would be able to utilize. The secondary component of the resolution is to help capitalize a Community Development Corporation for the sole purpose of generating revenue which would subsidize the Community Center. The three top vote getters in the community for what areas of business that the CDC could invest in were housing, a hotel/motel space, and a cultural arts business tourism type business which is what is in the proposal today. Thompson pointed out that in the end, this is a negotiation between the City and the Department of Interior and is the Department of Interior that owns the right to reversion. In the 2017 letter the Department of Interior encouraged the City and the school district to be creative and work with the Native American Community which is what they have done. She concluded by saying they believe this is a very creative proposal that is a win-win for the entire City and helps resolve a 70-year-old legal battle in a very positive way that doesn’t involve litigation. Jones said it is not sure what her group represents and what authority they have in bringing this forward. He asked Thompson the following questions: 1) Has the Department of Interior given her...
LEGAL AND FINANCE COMMITTEE
October 28, 2020

Group legal authority to act on their behalf to bring this forward? Thompson clarified that their group is made up of approximately 100 volunteers who are Native American community members that are common men and women from every background who believe this is important and are bringing it forward. Johnson clarified that they do not represent any other organization, tribe, private or public group or government entity of any kind. Thompson said that is correct with the usual that coalitions are incredibly important so they try to build coalitions with everybody in Rapid City who are interested in the topic, but do not work for or represent anybody other than themselves. She added that they represent an effort to try and gain consensus as best as possible within the Native American community to address that process. 2) Are the people in her organization involved in other organizations or elements that are trying to do other things to bring people together in Rapid City? Thompson said there are different groups that have different strategies on how to go about this conversation but this group has chosen a diplomatic strategy right now, but she believes we would all be remiss to not understand that the Native community has not had a whole lot of faith in working in the diplomatic strategy or within the process. Thompson pointed out that other Native organizations in Rapid City for the most part, deferred to their organization to try to work through plan A in a positive diplomatic way as best as possible with the understanding that these three parcels have been occupied for 70 years and the Native community has raised it at least 24 times that she knows of the top of her head so we can understand their frustration in not having a lot of faith in the process. She can only speak for their organization who are 100% volunteer and are not a 501c and not controlled by any entity but their team goal is to find a diplomatic solution. 3) There are people who have worked on this for some time who have said that this will solve all of the Native American conflict and issues in Rapid City. Is that your belief? Thompson said that is not her belief; this is just one very specific statute, three very specific parcels that is an important positive incremental forward step. Armstrong would like the item be sent to City council without recommendation because it is important to have further discussion with the full City Council as well as the Mayor who has been intimately involved with these discussions over the last three or four years, to give the council more time to do some research, to be able to formulate some more questions, and get further insight from the other council members. So amun conveyed his appreciation for all of the work that Thompson and her group has been put in over the years. He does agree that if these transfers were done illegally then work has to be done to make right but do to the significance and the nature of the matter, it is best to make sure facts guide the decision making. Salamon had several questions that he feels need to be answered to allow progress to happen in these discussions because the right answers get to the right resolution. The first question he asked is if the City is negotiating with the appropriate legal entity. Thompson said the City is negotiating with the Department of Interior. Salamon asked the City would need a letter authorizing their group to negotiate on behalf of the Department of Interior. Thompson made clear that their group is not negotiating on behalf of the Department of Interior but that a letter was sent by the DOI in 2017 to the City notifying the City that these three parcels were subject to reversion. The letter also offered the City the opportunity to come up with a creative solution. Their group has taken it upon themselves to put together a creative solution while trying to collect as much consensus as possible and the reason why it is relevant is because the DOI has a trust responsibility to them as individual Native Americans through federal law so it matters to them what the opinion is of the Native community and also the opinion of the tribes. She reiterated that from a legal standpoint this is strictly a negotiation between the City and the DOI but the DOI has informed the City and the school district that they want to hear the opinion of the community and their group has solicited the opinion of the community. Question two Salamon asked is if the City has independently confirmed that improper title transfers occurred on the three parcels and if so can the council see the title search documents. The new question Salamon had is if the 20 million dollar valuation of the three parcels is for the land alone or does it include the structures. Thompson said the reason the 20 million dollar value was chosen was the City's appraisals themselves which valued both the land and the buildings and for the Native community that is what they would receive upon reversion. Salamon's last question: if a settlement is reached, does it resolve the matter and who actually receives the funds. Thompson said if a settlement is reached it resolves the matter for
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these three parcels and these three parcels alone and the DOI has the final determination on that. The funds would be a combination of land that would go to the DOI so a swap land would be federal land. They would change their DOI land on West Rapid for whatever land is swapped. The monies would be a “set-aside” Native organization that would run the Community Center. Their group has purposely not created a DOI or formed any entity because it is irrelevant unless it is moved forward with the City. Once this passes, then the group would open it to the whole community to participate and shape what that would look like. Salamun wants to be sure the City is talking with the right entities that have the legal authority to resolve the issue and would like to hear from representatives from DOI or whoever they authorize. Thompson said that Regional Director Tim LaPointe has made himself available and they can make that happen before the vote or Monday. City Attorney Joe Landeen communicated that he has some of the same concerns initially about who we are negotiating with and there is not a legal entity but after some discussions with Thompson, although it is not perfect, he feels comfortable with it. He said ultimately the DOI is going to have to sign it on this. He said the letter from DOI in 2017 appears to be saying this is a big old mess and we think you might be right, why don’t you try and figure it out and come back to us once you do; and to Thompson’s credit, their group has stepped up. Landeen reminded everyone that this resolution is not technically an agreement, it is the framework to reach an agreement. He pointed out that no one is going to be able to guarantee if this resolution is approved on Monday night that the DOI is going to sign off on any recommendation. He said this is just the first step to continue moving forward. Landeen voiced that there is a dispute over the title to these three parcels and the reality is there could be a situation where some of the parcels could be found to be consistent with the federal grant and some of the parcels may not, which is probably the most likely outcome. He added that the Mayor does not view this as strictly a legal issue and while this has come to the committee as a settlement of a legal dispute, it is more than just a legal dispute and one of the questions when deciding how to proceed is if invoicing this money will benefit the Native community and benefit the community as a whole. He also added that some of these things that this group is talking about, separate from this are probably things the council would prioritize, but at this point, the DOI will need to be involved, or at least be aware. He reiterated that as positive a step forward as this might be, everyone needs to be realistic that does not mean everything is going to work out because we would still need to sit down and identify parcels, financials and other things that are going to need to be done and we may not be able to reach an agreement on that; or maybe the small group is able to reach an agreement but maybe the DOI does not agree to it, or maybe tribal entities come out and say they are not in agreement with it, which changes the DOI’s view on it. In his perspective, the best we can hope for is that this small group and the volunteers that Thompson is working with reach some proposals and bring it forward, the DOI signs off on it, and the majority of the community of Rapid City agrees to it. Landeen will give a more detailed analysis above just a strictly legal analysis because a simple legal analysis is not going to work on this decision as it is more complicated and involves bigger issues than just the legal aspects of it. Salamun believes what is missing is the DOI’s presence in these discussions. Strommen agrees with Salamun that all of the questions raised will not be able to be answered by the Monday, November 2nd City Council Meeting. He believes there are additional questions raised from Thompson’s response. He pointed out a letter that says the use of the Regional Hospital land is consistent with the grant and even that the letter of 2017 is now more than three years old and does not say anything or even address Thompson’s entity or group. Strommen would like to see this postponed at least until the first full council meeting on November 10, 2020 so all of these questions can be answered before then. "Thompson remarked that she understands it is complicated as Landeen pointed out, but these are trying to avoid litigation and have given an enormous amount of pro bono time for many years with the hope of avoiding litigation, adding that they will move forward to enforce the law but they are here to try and do it in a diplomatic manner first. Drew asked what the difference between the 1948 statute and whatever they enacted 1968? Thompson said 1948 is the statute at hand and is not familiar with anything in 1968. She said in the early 1960’s many native
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communities were living along the creek which is where they have historically lived and two weeks after the statute passed in 1948. Native Americans requested land in that 1200 acres for housing. The citizens of West Rapid put together a petition to oppose that and City Council put together a plan with the school district to move people from Osawatchi camp to what became Sioux Addition two miles north. Drew is in support of this item and would like to see the Community Center regardless of what happens with this land exchange. Jones agrees with Landeen that it is important for the majority of the citizens in the community to be in support of this item and it is the obligation of elected officials to research what they are being asked to vote on, what to do and ask all of the questions. Armstrong appreciates Strohmenn's comments but would still like to see discussion at the City Council meeting Monday, November 2nd to keep the conversations moving forward, and if additional time is needed it at that point, then it could be postponed to the next working session. Armstrong moved to send the Approval of Resolution No. 2020-98 for Resolution to Resolve Three Outstanding Needs Related to the Rapid City Indian Boarding School Lands to City Council without recommendation. Second by Salamun. Strohmenn made a substitute motion to continue this item to the first City Council working session on November 10, 2020. Second by Salamun. A vote taken with Strohmenn voting “yes,” and Drew, Armstrong, Salamun. Jones voting “no.” Motion “ailed 4-1.

A vote taken on the original motion with Drew, Armstrong, Jones and Salamun voting “yes” and Strohmenn voting “no.” Motion carried 4-1.

ADDITIONAL NO. 1

CONSENT ITEM

CITY ATTORNEY’S OFFICE
15) LF102820-10 - Landeen requested the committee send this item to council without recommendation so to some connections that need to be made and for purposes of the record the Credit Union in the title is no longer accurate and is actually Midwest Business Solutions d/b/a Pacola. Which is a consolidation of credit unions that funds bigger projects. Sentinel was the underlying financial institution but the agreement will be with Midwest Business Solutions d/b/a Pacola. There may be a couple of other little tweaks that will be done by Friday and there will be an updated draft attached to review before the City Council meeting Monday, November 2nd. Salamun moved to send Authorization to the Mayor and Finance Director to Sign the Assignment Agreement with Sentinel Federal Credit Union for the Contract for Construction of Public Improvements by Private Developer for the Homestead Street Tax Increment District to City Council without recommendation. Second by Armstrong. Motion carried unanimously.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Jones second by Armstrong and carried to adjourn the meeting at 1:55 p.m.
PROCEEDINGS FOR THE CITY COUNCIL
City of Rapid City, South Dakota
6:30 P.M., Monday, November 2, 2020

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at City Hall, 300 Sixth Street, in Rapid City, South Dakota on Monday, November 2, 2020 at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Aldermen: Pat Jones, Greg Strommen, Laura Armstrong, Jason Sandum, Ritchie Nordstrom, Lance Lehmann, Darla Drew, John Roberts and Bill Evans; the following Aldermen arrived during the course of the meeting: None; and the following were absent: None

Staff members present included: City Attorney Joel McDonald, Police Chief Dan Hendrick, Fire Chief Jason Cilbergen, Public Works Director Dale Tech, Community Development Director Ken Young, Parks and Recreation Director Jeff Biegler, Communications Coordinator Darrell Stromaker and Administrative Coordinator Heidi Weaver

ADOPTION OF AGENDA
Motion was made by Jones, second by Lehmann and carried to adopt the agenda.

AWARDS AND RECOGNITIONS
Pam Selberg with the Small Business Administration received the National Veteran Small Business Week Proclamation. She thanked the Mayor and the Community for their support.

Tom Johnson gave the city council an Update from ELEVATE Rapid City. In spite of COVID-19, Elevate has done great things in 2020.

GENERAL PUBLIC COMMENT
(3-minute time limit per speaker)
Jenny Big Crow voiced concern about the homeless people in Rapid City. She stated if we work together, we can do better. She wants to see change happen.

Pat Jones called a point of personal privilege. He reminded ward one citizens that they needed to ask for a special ballot to vote for a new representation in ward one on Election Day.

NON-PUBLIC HEARING ITEMS -- Items 3 - 36
CONSENT ITEMS -- Items 3 - 36

Approve Minutes
3. Approve Minutes for the October 19, 2020 Regular Council meeting.

Public Works Committee Consent Items
4. PW102722-01: Authorize Mayor and Finance Director to sign an Amendment to the original Agreement between the City of Rapid and Longbranch Civil Engineering, Inc. for Professional Engineering Services for St. Cloud Reconstruction – 5th to Highland Ct., Project No. 18-2481, CIP No. 51036, in the amount of $5,380.00.
5. PW102722-02: Approve Change Order #4 for Project No. 2491 / CIP No. 51225 City Hall Renovation with MAC Construction Co. Inc. for an increase of $28,253.18.
6. PW102720-03: Approve change order 2F to J.V. Bailey, Inc. for 5th St Panel Repair Project, Project #2583/CIP NO.50445 for an increase in the amount of $44,383.17.
7. PW102720-04: Approve change order 1F to J.S. J. Asphalt for Forest Hills Dr. Clark St. Indy Project, Project #2659/CIP NO.50549 for a decrease in the amount of $48,448.31.
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8. PW102720-06: Approve change order 1F to Dakota Barriere LLC for 2020 Lane Lima Painting Project, Project #2578/CIP NO.50594 for an increase in the amount of $7,808.86.

9. PW102720-05: Approve change order 1F to R.C.S. Construction, Inc. for Dakota Drive Drain Project, Project #2578/CIP NO.51251 for an increase in the amount of $19,334.19.

10. PW102720-07: Approve change order 1 to Tru-Form Construction, Inc. for Pavement Rehabilitation Project Tower Road, Project #2577/CIP NO.50768 to add 16 days to the contract completion date and to increase contract in the amount of $5,050.00.

11. PW102720-08: Authorize the Mayor and Finance Director to sign a 12 month contract with Franklin Engineering for Landfill Air Compliance Assistance for the year of 2021. In an amount not exceed $11,000.

12. PW102720-09: Authorize the Mayor and Finance Director to sign an 18 month contract with Franklin Engineering for Semi-Monthly Monitoring Data Review and Teleconference Assistance for Landfill gas collection and control system in an amount not to exceed $7,720.


14. 20TP040: Authorize staff to advertise the Digital GIS Base Map Development Services Request for Proposals to acquire aerial photography and building footprints.

Legal & Finance Committee Consent Items

15. LF102820-06 – Authorize Mayor's Office to act as the Lead Applicant for an Early Learner Community Toolkit Grant Through the United Way of the Black Hills in Partnership with Early Learner Rapid City


17. LF102820-05 – Approve Resolution No. 2020-083 a Resolution Declaring Miscellaneous Personal Property Surplus to Be Traded

18. LF102820-07 – Authorize Mayor and Finance Director to sign 2021 Renewal with Wellmark BCBS for City Healthcare Plan.

Community Development Consent Items

19. 2CTP035: Approval of the Sixth Street Study - Final Report

20. LF102820-02 – Approve Amendment to the Preliminary FY20 CDBG Annual Action Plan

21. LF102820-04 – Approve Final FY20 CDBG-CV Funding Recommendations

22. LF102820-03 – Authorize the Mayor and City Finance Director to Sign the CDBG-CV, 5F-424, SF 424D, and Certifications for FY20

23. 2CTP031 – Approve the 2021 Unified Planning Work Program - Final Report

24. 2CTP034 – Authorize the Mayor and Finance Director to Sign the Agreement Between the City of Rapid City and the South Dakota Department of Transportation for Accomplishing the Rapid City Area Transportation Planning Process in the Amount of $964,805.00

END OF CONSENT ITEMS

NON-CONSENT ITEMS – items 25 - 35

Ordinances

Mayor Allemand read in item (PW102720-11) Approve First Reading of Ordinance No. 6447 An Ordinance to Amend Section 9.06.070 of the Rapid City Municipal Code to Clarify Inclusion of Solid Waste Charges in the Utility Rate Relief Program. Motion was made by Armstrong, second by Salomon and carried to approve Ordinance 6447 and that it be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, November 16, 2020.
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Mayor Allender read in item (PW102720-12) Approve First Reading of Ordinance No. 6442 An Ordinance to Revise and Clarify Certain General Provisions in Title 13 Public Utilities and Services by Amending Chapter 13.04 of the Rapid City Municipal Code. Motion was made by Drew, second by Strommen and carried to approve Ordinance 6442 and that it be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, November 16, 2020.

Mayor Allender read in item (PW102720-13) Approve First Reading of Ordinance No. 6443 An Ordinance to Revise and Clarify Certain Provisions Concerning the City's Water Service System by Amending Chapter 13.08 of the Rapid City Municipal Code. Motion was made by Drew, second by Nordstrom and carried to approve Ordinance 6443 and that it be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, November 16, 2020.

Mayor Allender read in item (PW102720-14) Approve First Reading of Ordinance No. 6444 An Ordinance to Revise and Clarify Certain Provisions Concerning the Sewer Service System by Amending Chapter 13.16 of the Rapid City Municipal Code. Motion was made by Armstrong, second by Salamun and carried to approve Ordinance 6444 and that it be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, November 16, 2020.

Mayor Allender read in item (LF101420-03) Approve the Second Reading and Recommendation of Ordinance No. 6446 Regarding Supplemental Appropriation 7 for 2020. Having passed its first reading on October 19, 2020 motion was made by Drew, second by Lehmann to approve. The following voted AYE: Nordstrom, Strommen, Armstrong, Jones, Lehmann, Salamun, Evans, Roberts and Drew. NO: None. Whereupon, the Mayor declared the motion passed and Ordinance 6446 was declared duly passed upon its second reading.

Mayor Allender read in item (LF101420-08) Approve the Second Reading and Recommendation of Ordinance No. 6448 An Ordinance to Amend Provisions Concerning Purchasing Procedures and Delegation of Purchasing Authority by Amending Sections in Chapter 3.04 of the Rapid City Municipal Code. Having passed its first reading on October 19, 2020 motion was made by Drew, second by Lehmann to approve. The following voted AYE: Nordstrom, Strommen, Armstrong, Jones, Lehmann, Salamun, Evans, Roberts and Drew. NO: None. Whereupon, the Mayor declared the motion passed and Ordinance 6448 was declared duly passed upon its second reading.

Legal & Finance Committee Items

Mayor Allender read in item (LF102520-18) Authorize the Mayor and Finance Director to Sign the Assignment Agreement with Midwest Business Solutions, LLC. (the Parties for the Contract for Construction of Public Improvements by Private Developer for the Homestead Street Tax Increment District. Motion was made by Nordstrom, second by Roberts to approve. Motion carried 9-0.

Mayor Allender read in item (LF102520-08) Authorize the Mayor and Finance Director to Sign the Contract for Construction of Public Improvements by Private Developer for Homestead Street Tax Increment District. Motion was made by Drew, second by Lehmann to approve. Motion carried 9-0.

Community Development Items

Mayor Allender read in item (No. 20PL076) A request by Atlantis LLC for a Preliminary Subdivision Plan for proposed Lots A and B of Lot 1 Revised of Atlantis Subdivision, generally described as being located at 1314 N. Elk Vale Road. Motion was made by Strommen, second by Lehmann to approve with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, construction plans for the shared access shall be submitted for review and approval showing the commercial driveway constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 2. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review.

Annual Action Plan

2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
Annual Action Plan
2020

CITY COUNCIL

and approval if subdivision improvements are required; 3. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City if public improvements are required; 4. Upon submission of a Final Plat application, surely for any required subdivision improvements that have not been completed shall be paid and the subdivision inspection fees shall be paid; and, 5. Prior to the City’s acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

Mayor Alander read item (No. 20PI.077) A request by Fink Land Surveying & Consulting Engineers, Inc for Michael and Manlie Gould, Stuart Ribe, Ross and Angela McKee for a Preliminary Subdivision Plan for proposed Lots A through D of Skyline Ranch Subdivision No. 2, generally described as being located at 1880, 2300 and 2221 Skyline Ranch Road. The applicant's request was continued to the next city council meeting. Motion was made by Lehmann, seconded by Stratton to continue to the November 16, 2020 City Council Meeting. Motion carried 9-0.

Alcoholic Beverage License Applications Renewals for 2021

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Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
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<td>HIMALAYAN KITCHEN LLC</td>
<td>405 CANAL ST, STE 1200</td>
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<td>DAKOTA BREWING LLC</td>
<td>4624 CREEK DR, SUITE B</td>
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<td>WV LLC</td>
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<td>RV-25747</td>
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<td>RV-6479</td>
<td>WINE LAND INC</td>
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<td>RV-6691</td>
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<td>RV-7557</td>
<td>LATE HARVEST INC</td>
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Mayor Allender noted the 82 alcohol renewals on the agenda. In response to a question from Drew, Hendrick said there were no issues with any of the alcohol renewals. Motion was made by Roberts, second by Sataluna to approve the 82 alcohol renewals. Motion carried 9-0.

**Mayor's Items**

Mayor Allender stated that now is the time for public comment on item (LF102820-06) Approve Resolution No. 2020-054 A Resolution to Resolve Three Outstanding Deeds Related to the Rapid City Indian Boarding School Lands. Those that spoke in opposition of the resolution were: Rick Gerlach, Kathy Gerlach, Aaron Bear, Julie Brown Money and Dick McConnell. Those that spoke in favor of the resolution were: Barry Warne, Dr. Eric Zimmerman, Talavim Means, Rebecca Kildma, Chuck Nichols, Ted Montgomery, Loretta Pothier, Cheryl (Jean) Castillo, Mary Bowman, Bre Jankowski, Beverly Running Bear, Dr. Art Zimiga, Martyn Miner, Gene Tyon, Troy Fairbanks, Darrell Red Cloud, Hani Shafat, Dan Tribby, Orma LeBeau, Cheryl Angel, Joan Reisch, Karen Mortimer, Father Cody Majerus, Reverend Erik Throne, Cindy Ritter, Karin Hant, Grace Davis, Peyton Swallow, Ryan Barrett, Hannah Churchill, Tom Johnson, Bill May, Donna Gilbert, Byron Brewer, Jace Duggery, and Robin Zwikler.

President Armstrong read in Item (LF102820-06) Approve Resolution No. 2020-054 A Resolution to Resolve Three Outstanding Deeds Related to the Rapid City Indian Boarding School Lands. Mayor Allender addressed the public from the podium. He stated he enjoyed listening to everyone speak. He spoke on the exchange of the Rapid City Indian Boarding School Lands and the different entities.
CITY COUNCIL


PUBLIC HEARING ITEMS — ITEM 37

CONSENT PUBLIC HEARING ITEMS — ITEM 37

ALCOHOL LICENSES

07. Dominique Cluza, DBA Black Hills Barber Shop, 616 Sixth Street, for a new Retail (on-off sale) malt beverage & SD farm wins license

MOTION WAS MADE BY SALAMUN, SECOND BY LEHMANN AND CARRIED TO APPROVE THE RETAIL (ON-OFF SALE) MALT BEVERAGES & SD FARM WINS LICENSE FOR DOMINIQUE CLUZA, DBA BLACK HILLS BARBER SHOP.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS — (NONE)

BILLS

The following bills have been satisfied:

BILL LIST - NOVEMBER 2, 2020

P/ROLL PERIOD END 10/10/20, PD 10/16/20 1,860,923.61
PIONEER BANK & TRUST, 10/10/20 P/ROLL TAXES, PD 10/19/20 484,669.61
SOUTH DAKOTA DEPARTMENT OF REVENUE, SEPTEMBER SALES TAX PAYABLE, PD 10/22/20 72,607.55
SOUTH DAKOTA DEPARTMENT OF REVENUE, SEPTEMBER EXCISE TAX PAYABLE, PD 10/22/20 483.51
SOUTH DAKOTA DEPT OF REVENUE, SEPTEMBER OCTOBER SALES TAX PAYABLE, PD 10/26/20 2,773.85
WELLMARK INC, HEALTH CLAIMS THROUGH 10/15/20, PD 10/22/20 169,691.45
WELLMARK INC, HEALTH CLAIMS THROUGH 10/22/20, PD 10/22/20 172,033.92
WAGE WORKS, SECTION 125 CLAIMS THROUGH 10/15/20, PD 10/20/20 2,278.16
WAGE WORKS, SECTION 125 CLAIMS THROUGH 10/20/20, PD 10/27/20 2,990.56
SD DEPARTMENT OF LABOR-REEMPLOYMENT ASSISTANCE BENEFIT CHARGES, PD 10/20/20 127,499.91
AR GROUP LLC, TIDF8 ANAMOSA/AR GROUP, PD 10/22/20 14,720.69
BANK WEST, TID47 TOWER RD, PD 10/22/20 23,445.43
BANK WEST, TID54 RAINBOW RIDGE, PD 10/22/20 6,421.62
BANK WEST, TID59 RUSHMORE CROSSING, PD 10/22/20 6,020.64
BANK WEST, TID65 MINNESOTA ST, PD 10/22/20 17,266.59
BANK WEST, TID70 CATRON BLVD, PD 10/22/20 244,189.87
CITY OF RAPID CITY, TID98 ANAMOSA/AR GROUP, PD 10/22/20 14,720.53
CITY COUNCIL

NOVEMBER 2, 2020

CITY OF RAPID CITY, TID 154 CABELA'S, PD 10/22/20
FIRST INTERSTATE BANK, TID 850 FEDERAL BEEF/FOUNDERS PARK DEV.
PD 10/22/20
BLACK HILLS ENERGY, ELECTRICITY, PD 10/27/20
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 10/27/20
COMPUTER BILL LIST
CDEV COMPUTER BILL LIST
SUBTOTAL
RSVP, PROLOG PERIOD END 10/10/20, PD 10/16/20
RSVP, PIONEER BANK & TRUST, 10/10/20 PAYROLL TAXES, PD 10/16/20
RSVP, COMPUTER BILL LIST
TOTAL

Sumption presented the bill list of $13,472,525.87. Motion was made by Nordstrom, second by Strommen to approve. Authorize (No. CC1(0220-31) to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Those voting aye: Nordstrom, Strommen, Armstrong, Jones, Lehman, Salamun, Evans, Roberts, and Drew. No: None. Motion carried 9-0.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Strommen, second by Nordstrom and carried to adjourn the meeting at 10:25 p.m.

Dated the 2nd day of November, 2020.

ATTESI:
Finance Director

(SEAL)

CITY OF RAPID CITY

Owen
Mayor

Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
Affidavit of Publication

STATE OF SOUTH DAKOTA
County of Pennington SS:

Sheri Sponder being first duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, an employee of the RAPID CITY JOURNAL, a corporation of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bona fide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof; at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said Rapid City Journal, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each day for one successive day, the first publication thereof being on the 21st day of October 2020, that the fees charged for the publication thereof are $11.5 dollars and 15 cents.

Sheri Sponder

Subscribed and sworn to before me this 23rd day of October, 2020.

Notary public

My commission expires December 5, 2025.
PUBLIC NOTICE
5-Day Public Comment Period for
Notice of Substantial Amendment to FY20 CDBG Annual Action Plan

The City of Rapid City is soliciting public comments on proposed amendments to the FY20 CDBG Annual Action Plan (AAP). Rapid City will receive an additional $307,398 in supplemental CDBG funds provided through the CARES Act. The amendments account for $107,200 committed to the following projects:

<table>
<thead>
<tr>
<th>Project</th>
<th>Proposed Allocation</th>
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<tbody>
<tr>
<td>Public Services for Low- and</td>
<td>134,434</td>
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<tr>
<td>Moderate-Income Households</td>
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<tr>
<td>Public Services/Urgent Need</td>
<td>61,476</td>
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<tr>
<td>CARES Act CDBG Planning and</td>
<td>61,476</td>
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<tr>
<td>Administration</td>
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<td>TOTAL</td>
<td>357,398</td>
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The amended FY20 AAP is located at https://www.rapidcity.sd.us/departments/community-planning-development/cdbg-program-development-cdbg-program-division-0060.html. Comments will be accepted until 4:00 p.m. on October 29, 2020. Comments should be directed, in writing, to the CDBG Program Division at 300 5th Street or by email to Michelle Smolen at michelle.smolen@rapcity.gov or at the Legal and Finance meetings on October 28 and November 9, 2020, or at the City Council meetings on November 2 and 6, 2020.

The City of Rapid City does not discriminate based on disability. Reasonable accommodations for people with disabilities shall be made to, including, but not limited to, any city programs, services, and employment opportunities. To request a reasonable accommodation, please contact Ms. Alicia Starnes, Section 504 and ADA Coordinator, at (605) 364-4138. To request language preference to participate in city programs and services, including to request interpretation or translation of written materials, please call (605) 364-4138. For TTY, please call 711.

Equal Opportunity Employer and Lender
(Published one time at the approximate cost of $11.05)
AFFIDAVIT OF PUBLICATION OF NEWSPAPER
NOTICE OF PUBLIC MEETING

THE STATE OF SOUTH DAKOTA
COUNTY OF Pennington

BEFORE ME, the undersigned authority, on this day personally
appeared Kirk Nickerson, publisher (OR REPRESENTATIVE) of
Adams Sun-News, who, being by me duly sworn, upon oath deposes and says:

That the attached NOTICE OF PUBLIC HEARING was published in the NATIVE SUN
NEWS, a newspaper published in the English language and of general circulation in the City of RAPID
CITY, SOUTH DAKOTA and in the territory proposed to be annexed, which said territory is described
in said NOTICE OF PUBLIC HEARING, in the following issue: 32 Volume 12,
20 2D and that the attached newspaper clipping is a true and correct copy of said published notice.

Signed: [Signature]

SWORN TO AND SUBSCRIBED BEFORE ME, the 21st day of October, 20 2D

Cherity C. Dobbs
Notary Public in and for Pennington County, South Dakota
Commission expiring March 28, 2023

Published at a rate of $165.00
St. Joseph’s Indian School celebrates Native American Day

CHAMBERLAIN — St. Joseph’s Indian School, a Catholic school in the Archdiocese of Rapid City, celebrated National Native American Day with a special event on Friday, Oct. 11. The event included a powwow, a traditional Native American meal, and a ceremony to honor and remember Native American history.

The powwow was held in the school’s gymnasium, with performances by the school’s Native American dance group and other local Native American groups. The traditional Native American meal was provided by the school’s cafeteria, featuring dishes such as fry bread, bannock, and beans.

The ceremony to honor and remember Native American history was held in the school’s auditorium, with a presentation by a local Native American historian. The presentation highlighted the contributions of Native Americans to American history and culture, and the importance of recognizing and respecting Native American heritage.

"It’s important for our students to understand their heritage and the history of Native Americans," said Father John Michael, the school’s principal. "By celebrating National Native American Day, we’re able to educate our students and honor the contributions of Native Americans to American culture and history.

"We’re also able to bring the community together through our powwow and traditional meal, and it’s a great way to promote cultural understanding and respect."
PUBLIC NOTICE
5-Day Public Comment Period for Notice of Substantial Amendment to FY20 CDBG Annual Action Plan

The City of Rapid City is soliciting public comments on proposed amendments to the FY20 CDBG Annual Action Plan (AAP). Rapid City will receive an additional $307,390 in supplemental CDBG funds provided through the CARES Act. The amendments account for $307,390 committed to the following projects:

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<tr>
<td>Public Services for Low- and Moderate-Income Households</td>
<td>184,434</td>
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<tr>
<td>Public Services/Urgent Need</td>
<td>61,478</td>
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<td>CARES Act CDBG Planning and Administration</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>307,390</strong></td>
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</tbody>
</table>

The amended FY20 AAP is located at https://www.rcgov.org/departments/community-planning-development/cdbg-program-division/cdbg-program-division-6358.html. Comments will be accepted until 4:00 p.m. on October 29, 2020. Comments should be directed, in writing, to the CDBG Program Division at 300 8th Street or by email to Michelle Schulteke at michelle.schulteke@rcgov.org or at the Legal and Finance meetings on October 28 and November 10, 2020 or at the City Council meetings on November 2 and 6, 2020.

The City of Rapid City does not discriminate based on disability and provides reasonable accommodations to ensure people with disabilities have equal access to City programs, services, and employment opportunities. To request a reasonable accommodation, please contact Nick Strohl, Section 504 and ADA Coordinator, at (605) 384-1136. To request language assistance to participate in City programs and services, including free oral interpretation or translation of written materials, please call (605) 394-4151. For TDD/TTY, please dial 711.

Equal Opportunity Employer and Lender
Notice of Substantial Amendment to FY20 CDBG Annual Action Plan – Public Comments

The following public comment was received by Amy Richie-Vanderbush on October 21, 2020:

“I wholeheartedly approve the discernment of these CARE Act funds. However, I feel going forward there needs to be more allocated to assistance with rent and utilities for individuals that can demonstrate a COVID connection with the inability to pay their rent and or utilities.”
LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota

October 28, 2020

A Legal and Finance Committee meeting was held at the City Hall Administration Center in Rapid City, South Dakota, on Wednesday, October 28, 2020, at 12:30 p.m.

A quorum was determined with the following members answering the roll call: Dar a Drew, Greg Strommen, Laura Armstrong, Jason Salamun and Pat Jones. Absent: Lance Lane.

(NOTE: For sale 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 Jones second by Armstrong to adopt the agenda. Motion carried unanimously.

GENERAL PUBLIC COMMENT
None.

CONSENT ITEMS
Motion was made by Jones, second by Armstrong to approve items 1-11 as they appear on the Consent Items with the exception of item no. 5. Motion carried unanimously.

CONSENT ITEMS -- Items 1 – 11
Public Comment opened – Items 1 – 11
Public Comment closed
Remove Items from the “Consent Items” and Vote on Remaining Consent Items

1) Approve Minutes for October 14, 2020

MAYOR’S ITEMS
2) LF102820-06 – Authorize Mayor’s Office to Act as the Lead Applicant for an Early Learner Community Toolkit Grant Through the United Way of the Black Hills in Partnership with Early Learner Rapid City

FINANCE DEPARTMENT
3) LF102820-01 – Acknowledge August 2020 General Fund Cash Balance Report

4) LF102820-05 – Approve Resolution No. 2020-083 a Resolution Declaring Miscellaneous Personal Property Surplus to be Taxed

HUMAN RESOURCES
5) LF102820-07 – Salamun asked Human Resources Director Nick Srool to give an overview of the healthcare plan changes. Srool explained that historically the City has offered one healthcare plan which is written into contracts with our union representatives, so there are certain structural things the City is bound by; however some changes need to be made to help fund the balance. The City is a self-funded plan which means the City collects the premiums and then pays out claims through Wellmark BCBS. He further explained that by doing that, the City is responsible for maintaining that fund balance. Srool has been working with the Mayor, the Healthcare Committee and the Department Directors, to come up with a four year plan to incrementally make some changes to help stabilize the healthcare fund because due to some high dollar claims and bad luck over the past couple of years, the fund balance is decreasing. To help stabilize the fund, there will now be
Annual Action Plan 2020

LEGAL AND FINANCE COMMITTEE
October 28, 2020

Two plan options: one, which is going to be more expensive but have a little bit better benefits to it and then one that is a little less expensive that meets the contractual obligations with the unions but the benefits are not quite as rich. Stroot said if this were to be implemented this year, then they will start looking at different things that can be done to incentivize better healthcare choices through the City's employees such as incentives to have spouses go on a different plan (if that is an option). They will continue to try to be creative on maintaining the fund balance. One of Salamun's concerns from a business standpoint is retaining employees, which is one of the best ways to save money because high turnover and cost of replenishing employees can be difficult. Salamun asked if by making these changes, it will diminish the amount of take home pay for employees because of the amount they have to put into the insurance plan. Stroot said in response that the lower base plan is going to increase by 5% which was voted on in the spring by the Healthcare Committee, so if you have a spouse or family there will be a 5% increase to your premium monthly. He went on to say if you choose the more robust or enhanced plan, that is more expensive than in 2020's plan but is an option for every employee to either maintain their premium or see a 5% increase. Stroot explained that the City is shedding the "grandfather status". The grandfather status came about when the ACA passed there was an option to leave your plan as is and you wouldn't have to accept all of the changes in the ACA, which is what the City chose to do for ten years and it really was not designed to do that. By shedding the grandfather status and going to a more full ACA robust benefit package, there is a good chance the majority of employees may actually pay less each year than they would currently because now there are some things that are being covered at 100% such as preventative services (i.e. colonoscopies, mammograms, etc.) There will also be an upcopay which means you will pay a $30 copay and there is no co-insurance that follows that. Salamun asked if there are any compensation studies being done or the salaries are keeping up with wage adjustments to compensate for the changes. Stroot said in late 2019 a wage study was done for the non-union and the AFSCME employees. He said they currently have wage rates for the Police Department employees. There is a current contract with the Fire Department employees that goes through 2022, so their increase is already locked in. Stroot said that non-union wages will be going up in the first part of January, and are working with AFSCME to hopefully lock in a contract that will see some increases for them. Drew asked if they took into consideration COVID related health care problems that the City will probably see an increase in the amount of claims. Stroot said that was definitely taken into consideration when looking at things like raising out-of-pocket maximums. He added that they are seeing what is called a COVID delay meaning people were delaying different surgeries March-June and then started going in July to have them done so now the City is getting hit pretty hard right now which are not even COVID related, but the hope is that levels out to get a better picture of what the true costs are going to be in early 2021. Armstrong moved to authorize Mayor and Finance Director to sign 2021 Renewal with Wellmark BCBS for City Healthcare Plan. Second by Jones. Motion carried unanimously.

COMMUNITY DEVELOPMENT
6) LF102820-02 – Approve Amendment to the Preliminary FY20 CDBG Annual Action Plan
7) LF102820-04 – Approve Final FY20 CDBG-CV Funding Recommendations
8) LF102820-03 – Authorize the Mayor and City Finance Director to Sign the CDBG-CV, SF-424, SF-424D and Certifications for FY20
9) 21TP031 – Approve the 2021 Unified Planning Work Program – Final Report
10) 21HP034 – Authorize the Mayor and Finance Director to Sign the Agreement Between the City of Rapid City and the South Dakota Department of Transportation for Accomplishing the Rapid City Area Transportation Planning Process in the Amount of $664,805.00

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11) LT-102280-08 – Authorize the Mayor and Finance Director to Sign the Contract for Construction of Public Improvements by Private Developer for Homestead Street Tax Increment District

END OF CONSENT CALENDAR

NON-CONSENT ITEMS – Items 12 – 15

Public Comment opened – Items 12 – 15

Valerie Big Eagle spoke in support of item #14 regarding the land swap in the three parcels of land found in the Rapid City Indian School lands project. She voiced that for the past 70 years their grandmothers and sisters have been asking for native land for development that will be a great benefit to the native community.

Billie Jo Brown spoke on item #14 and is requesting more information on it before she votes on anything. She would like to see some representation from officials from the Bureau of Indian Affairs (BIA) because she feels this is a BIA matter. She knows that rain is very high here in Rapid City and she is currently trying to find housing for her granddaughters who are being avoided by Friday. She believes this land is needed to help not only Native American but others as well. Armstrong offered to speak with Brown after the meeting to provide some resources that can help address her immediate needs.

Bev Wama, a Lakota Elder, spoke in support of item #14 regarding the land swap. She provided a little background of living in Casheloch Camp along Rapid Creek (now Founders Park) in the 1940s where she fell sick in the camp until she went downtown Rapid City where she saw a sign in a store window that said “no Indians allowed”. Her father told her it was because others did not know them. She feels strongly that the majority of the non-native community still do not know them. Wama said that what they are doing regarding the land swap is helping themselves. She wants the land swap complete so they can work on issues that we all face today. She believes this is the beginning of their self-determination as Lakota, other native people, and their allies, to do something positive, to grow the city into a friendly, good place. She added that approving this resolution will be a start of beginning in the healing of the native community.

Robin Zephier also spoke in support of item #14 regarding the land swap. He is a volunteer to the Rapid City Indian School Land Project but is here as a Lakota, a Rapid City resident and small business owner. He is honored and privileged to stand up for the people they have tried to help in honoring all of the children that had passed while at the school, but also to give honor to those that fought so hard to try to seek some type of remedy for inequality for existence and survival. Zephier said the statute that is at the base of this overall issue is the 1948 statute that is very clear in nature and the group is standing here today by following in the footsteps of those that went before them and trying to carry forth the grand commitment to them and their spirits. He asks the committee and the council to make the decision to accept this resolution and bring us forward into the 21st century. He also encourages this issue to be resolved with diplomacy.

Karen Mortimer spoke in support of item #14. She asked the committee to carefully consider the approval of the resolution to resolve the three outstanding needs. The Minikudman Okolakdipay Ambassadors group (MOA) has been working to address the problem of the lack of or broken relationships between the native and non-native community, which she has been a part of since 2014. Native and non-native leaders in the community have been brought together over time to work on this issue. Mortimer has been working with Heather Thompson, Katie Guanti and Dr. Zimmer on unfolding this very important history in the community. She voiced that these three deeds are legally important and must be dealt with but they are also symbolic of this broken relationship and it is time to address this directly. She again hopes the committee will very carefully consider the creative solution that has been sought through this resolution versus a legalistic result and bring this forward to the City council on Monday, November 2, 2020.

Troy Fairbanks, sixth generation grandson of Chief Sitting Bull, spoke in support of item #14. He began by saying that Indian and white relations throughout Rapid City have been subjective to a lot of different
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 avenues and those objectives over his lifetime have been approached by the City Council on many different avenues such as education and economic development, which he commands. He knew the council to do the right thing regarding the land agreements with these three deeds. Fairbanks wants to work together as a community to better the community and asks the committee to look at the community as a whole because he believes an agreement can be reached.

Public Comment closed

FINANCE DEPARTMENT

12) LF101420-03 — Salaman moved to approve the Second Reading and Recommendation of Ordinance No. 6448 Regarding Supplemental Appropriation 7 for 2020. Second by Jones. Motion carried unanimously.


MAYOR'S ITEMS

14) LF102820-09 — Heather Thompson gave a presentation regarding the Rapid City Indian School Lands Project. She began by informing the committee that the elders came to them to help find the graves of the children that were buried in unmarked graves at the boarding school. In doing so, they uncovered all of the other land issues that were related to the boarding school lands. She emphasized that this was not a new issue to the elders in the community as they have been raising this essentially every decade since 1948. The elders have been requesting investigations, writing to congress, writing to City Council, to tribes, and unfortunately it went largely unheard. She explained that when they discovered these difficult issues, they met with the Department of Interior who has the legal right to these parcels for reversion and they have been engaged in the conversation from the beginning. Thompson referenced a letter the committee has in their possession that came from those initial conversations after the Department of Interior reviewed all of the documents and found that these three parcels were subject to reversion back to the Department of Interior. The three entities that are on these parcels do not wish that their parcels revert back to the DOI. Her group has worked tirelessly for the last three years to find a solution. For the resolution, there is a provision in the statute that only deals with the 1200 acres that used to be the Rapid City Indian Boarding School that goes from Mountain View to Canyon Lake. There is a second provision in that statute that does allow those three parcels to be swapped or exchanged for other land within or near Rapid City as long as that land is used for needy Indians. Their group has had over a hundred presentations and meetings including a series of very specific meetings in 2019 to obtain as much community input as they could. The community voted for a land exchange that would empower the creation of a Native American Community Center which is something that would help the entire community that everyone would be able to utilize. The secondary component of the resolution is to help capitalize a Community Development Corporation for the sole purpose of generating revenue which would subsidize the Community Center. The three top vote getters in the community for what areas of business that the CDC could invest in were housing, a hotel/meeting space, and a cultural art based tourism type business which is what is in the proposal today. Thompson pointed out that in the end, this is a negotiation between the City and the Department of Interior and is the Department of Interior that owns the right to reversion. In the 2017 letters the Department of Interior encouraged the City and the school district to be creative and work with the Native American Community which is what they have done. She concluded by saying they believe this is a very creative proposal that is a win-win for the entire City and helps resolve a 75-year old legal battle in a very positive way that does not involve litigation. Jones said he is not sure what her group represents and what authority they have in bringing this forward. He asked Thompson the following questions 1) Has the Department of Interior given her...
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Thompson clarified that their group is made up of approximately 100 volunteers who are Native American community members that are common men and women from every background who believe this is important and are bringing it forward. James clarified that they do not represent any other organization, tribe, private or public group or government entity of any kind. Thompson said that is correct with the caveat that coalitions are incredibly important so they try to build coalitions with everybody in Rapid City who are interested in the topic; but do not work for or represent anybody other than themselves. She added that they represent an effort to try and gain consensus as best as possible within the Native American community to advise that process. 2) Are the people in her organization involved in other organizations or elements that are trying to do other things to not bring people together in Rapid City? Thompson said there are different groups that have different strategies on how to go about this conversation but this group has chosen a diplomatic strategy right now, but she believes we would all be remiss to not understand that the Native community has not had a whole lot of faith in working in the diplomatic strategy or within the process. Thompson pointed out that other Native organizations in Rapid City for the large part, deferred to their organization to try to work through plan A in a positive diplomatic way as best as possible with the understanding that these three parcels have been occupied for 70 years and the Native community has raised it at least 24 times that she knows of her past so we can understand their frustration in not having a lot of faith in the process. She can only speak for their organization who are 100% volunteer and are not a 501c and are not controlled by any entity but their team goal is to find a diplomatic solution. 3) There are people who have worked on this for so many years who have said that this will solve all of the Native American conflict and issues in Rapid City. Is that your belief? Thompson said that is not her belief; this is just one very specific statute, three very specific parcels that is an important positive incremental forward step. Armstrong would like this item to be sent to City council without recommendation because it is important to have further discussion with the full City Council as well as the Mayor who has been intimately involved in these discussions over the last three or four years, to give the council more time to do some research, to be able to formulate some more questions, and get further insight from the other council members. Salamun conveyed the appreciation for all of the work that Thompson and her group has been put in over the years. He does agree that if these transfers were done illegally, then work has to be done to make it right but do to the significance and the nature of the matter, it is best to make sure facts guide the decision making. Salamun had several questions that he feels need to be answered to allow progress to happen in those discussions because the right answers get to the right resolution. The first question he asked is if the City is negotiating with the appropriate legal entity. Thompson said the City is negotiating with the Department of Interior. Salamun said the City would need a letter authorizing their group to negotiate on behalf of the Department of Interior. Thompson made clear that their group is not negotiating on behalf of the Department of Interior but that a letter was sent by the DOI in 2017 to the City notifying the City by that these three parcels were subject to reversion. The letter also offered the City the opportunity to come up with a creative solution. Their group has taken it upon themselves to put together a creative solution while trying to collect as much consensus as possible and the reason why it is relevant is because the DOI has a trust responsibility to them as individual Native Americans through federal law so it matters to them what the opinion is of the Native community and also the opinion of the tribes. She reiterated that from a legal standpoint this is strictly a negotiation between the City and the DOI but the DOI has informed the City and the school district that they want to hear the opinion of the community and their group has collected the opinion of the community. Question two Salamun asked is if the City has independently confirmed that improper title transfers occurred on the three parcels and if so can the council see the title search documents. The next question Salamun had is if the 20 million dollar valuation of the three parcels is for the land alone or does it include the structures. Thompson said the reason the 20 million dollar value was chosen was the City's appraisals themselves which valued both the land and the buildings and for the Native community, that is what they would receive upon reversion. Salamun's last question: if a settlement is reached, does it resolve the matter and who actually receives the funds. Thompson said if a settlement is reached it resolves the matter for
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these three parcels and these three parcels, alone and the DOI has the final determination on that. The funds would be a combination of land that would go to the DOI so a swap land would be federal land. They would change their DOI land on West Rapd for whatever land is swapped. The monies would be a "to be formed" Native organization that would run the Community Center. Their group has purposely not created a 501(c)3 or formed any entity because it is irrelevant unless it is moved forward with the City. Once this passes, then the group would rejoin it to the whole community to participate and shape what that would look like. Salamun wants to be sure the City is talking with the right entities that have the legal authority to resolve the issue and would like to hear from representatives from DOI or whoever they authorize. Thompson said that Regional Director Tim LaPoints has made himself available and they can make that happen before the vote on Monday. City Attorney Joe Landeen communicated that he has some of the same concerns initially about who we are negotiating with and there is not a legal entity but after some discussions with Thompson, although it is not perfect, he feels comfortable with it. He said ultimately the DOI is going to have to sign off on this. He said the letter from DOI in 2017 appears to be saying this is a big old mess and we think you might be right. Why don't you try and figure it out and come back to us some other day and to Thompson's credit, their group has stepped up. Landeen reminded everyone that this resolution is not technically an agreement, it is the framework to reach an agreement. He pointed out that no one is going to be able to guarantee if this resolution is approved on Monday night that the DOI is going to sign off on any recommendation. He said this is just the first step to continue moving forward. Landeen voiced that there is a dispute over the title to these three parcels and the reality is there could be a situation where some of the parcels could be found to be consistent with the federal grant and some of the parcels may not, which is probably the most likely outcome. He added that the Mayor does not view this as strictly a legal issue and while this has come to the committee as a settlement of a legal dispute, it is more than just a legal dispute and one of the questions when deciding how to proceed is when issuing this money will benefit the native community and benefits the community as a whole. He also added that some of these things that this group is talking about have not been resolved and things have potentially look at investing in anyway even on paper before this. If this is approved, then there would be a small group formed to work together to bring on agreement forward that is concrete and at that point the DOI will need to be involved; or at least be aware. He reiterated that as positive a step forward as this might be, everyone needs to be realistic that does not mean everything is going to work out because we would still need to sit down and identify parcels, financials and other things that are going to need to be done and we may not be able to reach an agreement on that; or maybe the small group is able to reach an agreement but maybe the DOI does not agree to it, or maybe tribal entities come out and say they are not in agreement with it, which changes the DOI's view on it. In his perspective, the road we can hope for is this small group and the volunteers that Thompson is working with reach some proposals and bring it forward, the DOI signs off on it, and the majority of the community of Rapid City agrees to it. Landeen will give a more detailed analysis above just a strictly legal analysis because a simple legal analysis is not going to work on this decision as it is more complicated and involves bigger issues than just the legal aspects of it. Salamun believes what is missing is the DOI's presence in these discussions. Strommen agrees with Salamun that all of the questions raised will not be able to be answered by the Monday, November 2nd City Council Meeting. He believes there are additional questions raised from Thompson's responses. He pointed out a letter that says the use of the Regional Hospital is consistent with the grant and also that the letter of 2017 is new more than three years old and does not say anything or even address Thompson's entity or group. Strommen would like to see this postponed at least until the first full council working session on November 10, 2020 so all of these questions can be answered before then. Thompson remarked that she understands it is complicated as Landeen pointed out, but they are trying to avoid litigation and have given an enormous amount of pro bono time for many years with the hope of avoiding litigation, adding that they will move forward to enforce the law but they are here to try and do it in a diplomatic manner first. Drew asked what the difference between the 1948 statute and whatever they enacted 1968? Thompson said 1948 is the statute at hand and is not familiar with anything in 1968. She said in the early 1950's many native
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Communities were living along the creek which is where they have historically lived and two weeks after the statute passed in 1948, Native Americans requested land in that 1200 acres for housing. The citizens of West Rapid put together a petition to oppose that and City Council put together a plan with the school district to move people from Oakkosh camp to what became Sioux Addition two miles north. Drew in support of this item and would like to see the Community Center regardless of what happens with this land exchange. Jones agrees with Landeen that it is important for the majority of the citizens in the community to be in support of this item and it is the obligation of elected officials to research what they are being asked to vote on, what to do and ask all of the questions. Armstrong appreciates Strommen's comments but would still like to see discussion at the City Council meeting Monday, November 26th to keep the conversations moving forward, and if additional time is needed at that point, then it would be postponed to the next working session.

Armstrong moved to send the Approval of Resolution No. 2020-784 A Resolution to Resolve Three Outstanding Deeds Related to the Rapid City Indian Boarding School Lands to City Council without recommendation. Second by Selamun. Strommen made a substitute motion to continue this item to the first City Council working session on November 10, 2020. Second by Selamun. A vote taken with Strommen voting “yes” and Drew, Armstrong, Selamun, Jones voting “no”. Motion failed 1-4. A vote taken on the original motion with Drew, Armstrong, Jones and Selamun voting “yes” and Strommen voting “no”. Motion carried: 4-1.

ADDENDUM NO. 1

CONSENT ITEM

CITY ATTORNEY’S OFFICE
15) LT 102020-10 — Landeen requested the committee send this item to council without recommendation so to some corrections that need to be made and for purposes of the record the Credit Union in the file is no longer accurate and it is actually Midwest Business Solutions dba Pacola which is a consortium of credit unions that funds bigger projects. Sentinel was the underlying financial institution but the agreement will be with Midwest Business Solutions dba Pacola. There may be a couple of other little tweaks that will be done by Friday and there will be an updated draft attached to review before the City Council meeting Monday November 2nd. Selamun moved to send Authorization to the Mayor and Finance Director to Sign the Assignment Agreement with Sentinel Federal Credit Union for the Contract for Construction of Public Improvements by Privia Redevelopment for the Homestead Street Tax Increment District to City Council without recommendation. Second by Armstrong. Motion carried unanimously.

ADJOURN

Then being no further business to come before the Council at this time, motion was made by Jones second by Armstrong and carried to adjourn the meeting at 1:55 p.m.
Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at City Hall, 300 Sixth Street, in Rapid City, South Dakota on Monday, November 2, 2020 at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Aldermen: Pat Jones, Greg Strommen, Laura Arnson, Jason Salamun, Riché Nordstom, Lance Lohmann, Darla Drew, John Roberts and Bill Evans; the following Aldermen arrived during the course of the meeting: None; and the following were absent: None.

Staff members present included: City Attorney Joel Landeen, Police Chief Dan Hedrick, Fire Chief Jason Cubbenton, Public Works Director Dale Taich, Community Development Director Ken Young, Parks and Recreation Director Jeff Biegler, Communications Coordinator Darrell Shoemaker and Administrative Coordinator, Heidi Weaver.

ADOPTION OF AGENDA
Motion was made by Jones, seconded by Lohmann and carried to adopt the agenda.

AWARDS AND RECOGNITIONS
Patt Seiberg with the Small Business Administration received the National Veteran Small Business Week Proclamation. She thanked the Mayor and the community for their support.

Tom Johnson gave the city council an Update from ELEVATE Rapid City. In spite of COVID-19, Elevate has done great things in 2020.

GENERAL PUBLIC COMMENT (3-minute time limit per speaker)
Jimmy Big Crow voiced concern about the homeless people in Rapid City. He stated if we work together, we can do better. She wants to see change happen.

Pat Jones called a point of personal privilege. He reminded ward one citizens that they needed to ask for a special ballot to vote for a new representative in ward one on Election Day.

NON-PUBLIC HEARING ITEMS – Items 3 – 36
CONSENT ITEMS – Items 3 – 24

Approve Minutes
3. Approve Minutes for the October 19, 2020 Regular Council meeting.

Public Works Committee Consent Items
4. PW1027220-01: Authorize Mayor and Finance Director to Sign an Amendment to the original Agreement between the City of Rapid and Longbranch Civil Engineering, Inc. for Professional Engineering Services for St. Cloud Reconstruction – 5th to Highland Ctl, Project No. 18-2467, CIP No. 51036, in the amount of $5,380.00.
5. PW1027220-02: Approve Change Order #4 for Project No. 2461 / CIP No. 51225 City Hall Renovation with MAC Construction Co. Inc. for an increase of $28,263.18.
6. PW1027220-03: Approve change order 2F to J.V. Bailey, Inc. for 5th St Panel Repair Project, Project #2539/CIP NO.50446 for an increase in the amount of $44,835.17.
7. PW1027220-04: Approve change order 1F to J & J Asphalt for Forest Hills Dr. Clark St. Inley Project, Project #2539/CIP NO.50549 for a decrease in the amount of $46,448.51.
8. PW102720-05: Approve change order 1F to Dakota Bankers LLC for 2020 Lame Line Painting Project, Project #2578/CIP NO. 50594 for an increase in the amount of $7,608.80.
9. PW102720-06: Approve change order 1F to R.C.S. Contracting, Inc. for Dakota Drive Drain Plan Project #2580/CIP NO. 51251 for an increase in the amount of $19,339.19.
10. PW102720-07: Approve change order 1 to Tru-Form Construction, Inc. for Pavement Rehabilitation Project Tower Road, Project #2557/CIP NO. 50798 to add 18 days to the contract completion date and to increase contract in the amount of $6,050.00.
11. PW102720-08: Authorize the Mayor and Finance Director to sign a 12 month contract with Franklin Engineering for Landfill Air Compliance Assistance for the year of 2021, in an amount not exceeded $11,500.
12. PW102720-09: Authorize the Mayor and Finance Director to sign an 18 month contract with Franklin Engineering for Semi-Monthly Monitoring Data Review and Teleconference Assistance for Landfill gas collection and control system in an amount not to exceed $9,720.
14. 2OTP040: Authorize staff to advertise the Digital GIS Base Map Development Services Request for Proposals to acquire aerial photography and building footprints.

Legal & Finance Committee Consent Items
15. LF102820-06 – Authorize Mayor’s Office to Act as the Lead Applicant for an Early Learner Community Tool Kit Grant Through the United Way of the Black Hills in Partnership with Early Learner Rapid City
17. LF102820-06J – Approve Resolution No. 2020-083 a Resolution Declaring Miscellaneous Personal Property Surplus to be Sold
18. LF102820-07 – Authorize Mayor and Finance Director to sign 2021 Renewal with Weimarf BCBS for City Healthcare Plan.

Community Development Consent Items
19. 2OTP035: Approval of the Sixth Street Study - Final Report
20. LF102820-02 – Approve Amendment to the Preliminary FY20 CDBG Annual Action Plan
21. LF102820-03 – Approve FY20 CDBG-CV Funding Recommendations
22. LF102820-04 – Authorize the Mayor and City Finance Director to sign the CDBG-CV, SF-424, SF-424D, and Certifications for FY20
23. 2OTP031 – Approve the 2021 Unified Planning Work Program – Final Report
24. 2OTP036 – Authorize the Mayor and Finance Director to sign the Agreement Between the City of Rapid City and the South Dakota Department of Transportation for the Rapid City Area Transportation Planning Process in the Amount of $884,905.00

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 25 – 38

Ordinance:
Mayor  Allender read in item (PW102720-11) Approve First Reading of Ordinance No. 6447 An Ordinance to Amend Section 6.10.010 of the Rapid City Municipal Code to Clarify Inclusion of Solid Waste Charges in the Utility Rate Relief Program. Motion was made by Armstrong, second by Salmon and carried to approve Ordinance 6447 and that it be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, November 16, 2020.
Mayor Allender read in item [PW102720-12] Approve First Reading of Ordinance No. 6442 An Ordinance to Revise and Clarify Certain General Provisions in Title 13 Public Utilities and Services by Amending Chapter 13.04 of the Rapid City Municipal Code. Motion was made by Drew, second by Strommen, and carried to approve Ordinance 6442 and that it be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, November 16, 2020.

Mayor Allender read in item (PW102720-13) Approve First Reading of Ordinance No. 6443 An Ordinance to Revise and Clarify Certain Provisions Concerning the City’s Water Service System by Amending Chapter 13.08 of the Rapid City Municipal Code. Motion was made by Drew, second by Nordsrom and carried to approve Ordinance 6443 and that it be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, November 16, 2020.

Mayor Allender read in item (PW102720-14) Approve First Reading of Ordinance No. 6444 An Ordinance to Revise and Clarify Certain Provisions Concerning the Sewer Service System by Amending Chapter 13.06 of the Rapid City Municipal Code. Motion was made by Armstrong, second by Salem, and carried to approve Ordinance 6444 and that it be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, November 16, 2020.

Mayor Allender read in item [LF101420-03] Approve the Second Reading and Recommendation of Ordinance No. 6445 Regarding Supplemental Appropriation 7 for 2020. Having passed its first reading on October 19, 2020 motion was made by Drew, second by Lehmann to approve. The following voted AYE: Nordsrom, Strommen, Armstrong, Jones, Lehmann, Salem, Evans, Roberts and Drew. NO: None, Whereupon, the Mayor declared the motion passed and Ordinance 6445 was declared duly passed upon its second reading.

Mayor Allender read in item [LF101420-04] Approve the Second Reading and Recommendation of Ordinance No. 6446 an Ordinance to Amend Provisions Concerning Purchasing Procedures and Delegation of Purchasing Authority by Amending Sections in Chapter 3.04 of the Rapid City Municipal Code. Having passed its first reading on October 19, 2020 motion was made by Drew, second by Lehmann to approve. The following voted AYE: Nordsrom, Strommen, Armstrong, Jones, Lehmann, Salem, Evans, Roberts and Drew. NO: None, Whereupon, the Mayor declared the motion passed and Ordinance 6446 was declared duly passed upon its second reading.

Legal & Finance Committee items
Mayor Allender read in item [PF102820-10] Authorize the Mayor and Finance Director to Sign the Assignment Agreement with Midwest Business Solutions, L.L.C. dba PECOCA for the Contract for Construction of Public Improvements by Private Developer for the Homestead Street Tax Increment District. Motion was made by Nordsrom, second by Roberts to approve. Motion carried 8-0.

Mayor Allender read in item [PF102820-05] Authorize the Mayor and Finance Director to Sign the Contract for Construction of Public Improvements by Private Developer for Homestead Street Tax Increment District. Motion was made by Drew, second by Lehmann to approve. Motion carried 8-0.

Community Development Items
Mayor Allender read in item (No. 2OP1078) A request by Atlantis LLC for a Preliminary Subdivision Plan for proposed Lots A and B of Lot 1 Revised of Atlantis Subdivision, generally described as being located at 1314 N. Elk Vale Road. Motion was made by Strommen, second by Lehmann to approve with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, construction plans for the shared access shall be submitted for review and approval showing the commercial driveway constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 2. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review.
Mayor Alander read item (No. 20FL077) a request by Fleck Land Surveying & Consulting Engineers, Inc for Michael and Manie Gould, Stuart Rice, Rosa and Angela McKie for a Preliminary Subdivision Plan for property lots A through D of Skyline Ranch Subdivision No. 2, generally described as being located at 1460, 230C and 2221 Skyline Ranch Road. The applicant’s request to continue to the next city council meeting. Motion was made by Lohn, second by Strommen to continue to the November 16, 2022 City Council Meeting. Motion carried 9-0.

Alcoholic Beverage License Applications Renewals for 2021

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<td>LEATHER HOSPITALITY- RAPID CITY, LLC</td>
<td>RUSHMORE PLAZA HOLIDAY INN</td>
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<td>523 6TH ST</td>
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Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
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Mayor Allender noted the B2 alcohol renewals on the agenda. In response to a question from Drew, Hodnick said there were no issues with any of the alcohol renewals. Motion was made by Roberts, second by Salamun to approve the B2 alcohol renewals. Motion carried 9-0.

Mayor's Items
Mayor Allender stated that now is the time for public comment on item (Lfi102820-09) Approve Resolution No. 2020-084 A Resolution to Resolve Three Outstanding Deeds Related to the Rapid City Indian Boarding School Lands. Those that spoke in opposition of the resolution were: Rick Gerlaich, Kathy Gerlaich, Aaron Bear, Julie Brown Money and Dick McConnell. Those that spoke in favor of the resolution were: Rey Wanne, Dr. Frike Zimmer, Tiftiwn Means, Rebecca Kiddor, Chuck Nickola, Tod Montgomery, Lesse Peters, Cheryl (Jean) Castillo, Mary Bowman, Bre Jackson, Beverly Running Bear, Dr. Art Zimiga, Marlyce Miner, Gans Tyron, Troy Fairbanks, Darrell Red Cloud, Hani Shafet, Dan Tribby, Coni LaBeau, Cheryl Angel, Jean Roshel, Karen Mortimer, Father Cody Maguire, Reverand Erik Trueme, Cindy Raln, Carre Hart, Grace Donders, Peyton Swollow, Rylan Barnett, Hannah Churchill, Tom Johnson, Bill May, Donna Gilber, Bryan Bremer, June Davrey, and Robin Zunkier.

President Armstrong read in item (Lfi102820-09) Approve Resolution No. 2020-084 A Resolution to Resolve Three Outstanding Deeds Related to the Rapid City Indian Boarding School Lands. Mayor Allender addressed the public from the podium. He stated he enjoyed listening to everyone speak. He spoke on the exchange of the Rapid City Indian Boarding School Lands and the different entities.
CITY COUNCIL

NOVEMBER 2, 2020

Involved such as the Department of the Interior - Bureau of Indian Affairs (BIA), the City of Rapid City, the Sioux Indian Sanatorium, the Rapid City Area School District, the State of South Dakota for use of the South Dakota National Guard, Sioux San Unified Health Board comprised of the Rosebud Sioux Tribe, Cheyenne River Sioux Tribe, the Oglala Sioux Tribe and the Rapid City Native American community, Canyon Lake Activity Center, Clarkson Health Care - Westville Village, and Monument Health - Behavioral Health Center. He stated that the resolution is not a plan; it's a resolution of intent. He asked council to limit themselves to two options; approve the resolution as is or change the language if they want or to disapprove it. They could continue the item and take it into the "working session" on November 10, 2020. If you approve as is, it will put the city on a six-month course to create a plan. He said he would respect whatever they decide to do. Mayor went back to date. Discussion continued among the council members. Motion was made by Roberts, second by Stramm to continue this item to the November 10, 2020 working session. Motion carried 5-3 with Jones, Drew and Armstrong voting no.

PUBLIC HEARING ITEMS – Item 37
CONSENT PUBLIC HEARING ITEMS – Item 37

Alcohol Licenses

37. Dominique Chase, DBA Black Hills Barbershop, 610 Sixth Street, for a new Retail (on-off sale) Malt Beverage & SD Farm Wine license.

Motion was made by Salamun, second by Lehmann and carried to approve the retail (on-off sale) malt beverage & SD farm wine license for Dominique Chase, DBA Black Hills Barbershop.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – (NONE)

BILLS

The following bills have been audited:

BILL LIST - NOVEMBER 2, 2020

P/ROLL PERIOD END 10/19/20, PD 10/16/20 1,880,924.51
PIONEER BANK & TRUST, 10/19/20 P/ROLL TAXES, PD 10/16/20 464,880.61
SOUTH DAKOTA DEPARTMENT OF REVENUE, SEP 20 SALES TAX PAYABLE, PD 10/26/20 42,607.55
SOUTH DAKOTA DEPARTMENT OF REVENUE, SEP 20 EXCISE TAX PAYABLE, PD 10/26/20 483.51
SOUTH DAKOTA DEPT OF REVENUE, SEP 20 CCTS SALES TAX PAYABLE, PD 10/28/20 2,773.85
WELLMARK INC, HEALTH CLAIMS THROUGH 10/19/20, PD 10/22/20 180,691.45
WELLMARK INC, HEALTH CLAIMS THROUGH 10/21/20, PD 10/22/20 172,935.92
WAGE WORKS, SECTION 125 CLAIMS THROUGH 10/19/20, PD 10/22/20 2,273.16
WAGE WORKS, SECTION 125 CLAIMS THROUGH 10/26/20, PD 10/27/20 2,969.86
SD DEPT OF LABOR-REEMPLOYMENT ASSISTANCE BENEFIT CHARGES, PD 10/20/20 127,489.91
AR GROUP LLC, TID39 ANAMOSAAR GROUP, PD 10/22/20 14,720.63
BANK WEST, TID47 TOWER RD, PD 10/22/20 23,436.43
BANKWEST, TID34 RAINBOW RIDGE, PD 10/22/20 6,431.42
BANKWEST, TID35 RUSHMORE CROSSING, PD 10/22/20 8,020.64
BANKWEST, TID35 MINNESOTA ST, PD 10/22/20 17,288.99
BANKWEST, TID36 CATHROM BLVD, PD 10/22/20 244,125.87
CITY OF RAPID CITY, TID39 ANAMOSAAR GROUP, PD 10/22/20 14,720.53

Annual Action Plan 2020
CITY COUNCIL

CITY OF RAPID CITY, TID94, CABELAS, PD 10/22/20 1,014.66
FIRST INTERSTATE BANK, TID50 FEDERAL BEEF/FOUNDERS PARK DEV. 20,184.36
PD 10/22/20
BLACK HILLS ENERGY, ELECTRICITY, PD 10/27/20 105,998.08
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 10/27/20 6,047.78
COMPUTER BILL LIST 10,112,069.78
CDEV COMPUTE BILL LIST 15,136.15
SUBTOTAL 13,468,356.15
RSVP, FIROLL PERIOD END 10/10/20, PD 10/16/20 2,841.37
RSVP, PIONEER BANK & TRUST, 10/10/20, FIROLL TAXES, PD 10/16/20 570.34
RSVP, COMPUTER BILL LIST 749.33
TOTAL 13,472,325.87

Sumption presented the bill list of $13,472,325.87. Motion was made by Nordstrom, second by Strommen to approve. Authority (No. CC 110629-01) to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Those voting aye: Nordstrom, Strommen, Armstrong, Jones, Lehmann, Saltanur, Evans, Roberts, and Drew. Not None. Motion carried 9-0.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Strommen, second by Nordstrom and carried to adjourn the meeting at 10:25 p.m.

Dated the 2nd day of November, 2020.

ATTEST:
Finance Director

CITY OF RAPID CITY

Mayor

(SEAL)
WORK SESSION MINUTES
City of Rapid City, South Dakota
Tuesday, November 10, 2020

Call to Order: by Council President Laura Armstrong at 12:30pm
Council in Attendance: Laura Armstrong, Darla Drew, Ritchie Nordstrom, Greg Strommen, Lance Lehmam, Pat Jones, Jason Salamun, Bill Evans, Absent: John Roberts
City Staff in Attendance: Don Hodrick, Chief of Police; Jason Culberson, Fire Chief, Pauline Sumption, Finance Director; Joel Landeen, City Attorney; Ken Young, Community Development Director; Michelle Schuelke, CD3G Manager, Dale Tech, Public Works Director; Dan Coon, Assistant Public Works Director; Rod Johnson, Operations Management Engineer; Jeff Beigle, Parks and Recreation Director

DISCUSSION ITEMS (Council Non-Consent Calendar)

PUBLIC WORKS
Coon spoke to items 1-4. Questions were presented by Drow and Nordstrom. All items move to Council.
1) PW102720-11: Introduction and Second Reading of Ordinance No. 6447 An Ordinance to Amend Section 8.08.070 of the Rapid City Municipal Code to Clarify Inclusion of Solid Waste Charges in the Utility Rate Relief Program Staff Recommendation: APPROVE

MAYOR & COUNCIL ITEMS
All members of the Council spoke to various concerns with item 5. Landeen advised options they can take at the Council meeting on Monday. Item moves to Council.
5) LF102820-08: Approve Resolution No. 2020-084 A Resolution to Resolve Three Outstanding Deeds Related to the Rapid City Indian Boarding School Lands

REGULAR BUSINESS ITEMS (Council Consent Calendar)

MAYOR & COUNCIL ITEMS
No questions were raised. All items move to Council.
6) Approve Minutes of October 27, 2020 Public Works meeting
7) Approve Minutes of October 28, 2020 Legal & Finance meeting

COMMUNITY DEVELOPMENT
Schuelke spoke to the intent of items 8-10. All items move to Council.
8) WS111020-01: Authorize the Mayor and Finance Director to sign the City of Rapid City and Black Hills Council of Local Governments Performance Contract for FY2021
9) WS111020-02: Approve Final Substantial Amendment to the FY20 Community Development Block Grant Annual Action Plan
10) WS111020-03: Approve Preliminary Substantial Amendment to FY18 and FY19 Activity for Abbott House

FINANCE
Sumption spoke to the intent of items 11-14. All items move to Council.
11) WS111020-04: Resolution No. 2020-086 - Resolution Levy Assessment for Abatement of Nuisances
12) Acknowledge the Following Volunteers for Workers' Compensation Purposes: Linda Grenz (RSVP+), Kathleen (Kay) Ingalls (RSVP+), Maryann Stroeschel (RSVP+), Risa Boersma (RSVP+), Ria Harper (Solid Waste)
Public Works
Tech spoke to the intent of items 5-24. Questions on 16 were addressed by Johnson. All items move to Council.

15) WS111020-05: Approve change order 1 to Heavy Constructors, Inc., for West Omaha Street Utilities Project #3090/CIP No. 50804 for an increase in the amount of $43,113.65

16) WS111020-06: Approve Change Order #1 for Fitzgerald Stadium Renovation Project No. 19-2508 CIP #51231 with MAC Construction for an increase of $124,557.87.

17) WS111020-07: Authorize Mayor and Finance Director to sign 2nd Bridge Improvement Grant (BIG) Agreement with South Dakota Department of Transportation for Camplin Street Box Culvert Outfall Repair, Project No. 15-2313/ CIP No. 51035.

18) WS111020-08: Authorize Staff to Seek Proposals for Engineering Services for Southeast Area Trunk Sewer Reconstruction – Elm Ave to Prairie Ave Project No. 20-2571/CIP No. 50829.

19) WS111020-09: Authorize Staff to Advertise for Abandonment of Omaha Trunk Sewer – 1st Street to Maple Avenue Project, Project No. 20-2610/CIP No. 51367, Estimated Cost $80,000.

20) WS111020-10: Authorize Staff to Advertise for Bids for Downtown Lighting Project, Project 20-2619/CIP #1296, for an estimated $2,000,000.

21) WS111020-11: Authorize Purchase of Trimble R12i Model 60 ROW from Frontier Precision, in the amount of $27,085.50 from State Contract

22) WS111020-12: Authorize Request to purchase Three GPS Survey Equipment Setups off the State Contract from Frontier Precision in the amount of $32,075.25.

23) WS111020-13: Authorize Staff to submit transit grant application to FTA, and accept and administer it awarded, for 5307 Formula funds for operating assistance in the amount of $1,285,218.00

24) WS111020-14: A request from Dakota Castles, Inc., for a variance to waive the requirement to install sidewalks along Feather Ridge Court and Hwy 44, Rapid City, per City Ordinance 12.06.060. Staff Recommendation: APPROVE

Police
Hedrick spoke to the intent of item 26, item moves to Council.

26) WS111020-15: Authorize Mayor and Finance Director to sign and accept the additional Project Safe Neighborhood grant funding.

Public Comment, Speaker Requests:
Troy Fairbanks spoke in support of item 5, David Swallow spoke on item 5, Billie Jo Brown spoke in opposition of item 5.
Meeting Adjourned by Armstrong at 2:56pm
AGENDA
AGENDA FOR THE CITY COUNCIL
City of Rapid City, South Dakota
5:30 P.M., Monday, November 16, 2020

ROLL CALL AND DETERMINATION OF QUORUM

INVOCATION (You are welcome to participate, but not required)

PLEDGE OF ALLEGIANCE

SWEAR IN NEWLY Elected COUNCIL MEMBER
1. Oath of Office administered to Ward One Council Member Ron Wollenbach

ADOPTION OF AGENDA

AWARDS AND RECOGNITIONS (NONE)

PRESENTATION
2. Downtown Ambassadors Program Presentation – Dan Sorenson and Mani Davilla

GENERAL PUBLIC COMMENT (3-minute time limit per speaker)

A time for the members of the public to discuss or express concerns to the Council on any issue not on the agenda. Action will not be taken at the meeting on any issue not on the agenda, except by placement on the agenda by unanimous vote of the Council members present.

NON-PUBLIC HEARING ITEMS -- Items 3 – 28

Open Public Comment – Items 3 – 28 (3-minute time limit per speaker)

Close Public Comment

CONSENT ITEMS – Items 3 – 28 Approve 3-28 except 20, 26, 27, 28.

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

Approve Minutes
3. Approve Minutes for the November 2, 2020 Regular Council meeting.
3A. Approve Minutes for the November 10, 2020 Special Council meeting.

Vacations of Right-Of-Way Set for Hearing (December 21, 2020)
4. No 20VR004 - A request by Fleck Land Surveying & Consulting Engineers, Inc. for Rapid City Club for Boys for a Vacation of Right-of-Way for property generally described as being located at 320 North 4th Street.

Alcoholic Beverage License Applications and Renewals Set for Hearing (December 7, 2020)
5. Bar K-9 LLC for a SPECIAL EVENT On-Sale Malt Beverage License for an event scheduled for December 15-18, at the Rushmore Mid, 2200 N. Maple Ave Suite 2002
5A. Iron Phnx LLC DBA Iron Phnx, 3468 Sturpis Road, for a Retail (on-off sale) Malt Beverage & SD Farm Wine License and a Retail (on-off sale) Wine and Cider License

2021 Retail (on-off sale) Malt Beverage & SD Farm Wine Renewals
6. Moye Petroleum Company DBA Common Cents Rushmore Rd, 2860 Mt Rushmore Rd, for a Retail (on-off sale) Wines and Cider license renewal

Annual Action Plan
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7. Black Sheep Group, LLC DBA Harriet Café, 329 Main Street, for a Retail (on-off sale) Wine and Cider license renewal

**Working Session Consent Items**

8. WS111020-01: Authorize the Mayor and Finance Director to sign the City of Rapid City and Black Hills Council of Local Governments Performance Contract for FY2021

9. WS111020-02: Approve Final Substantial Amendment to the FY20 Community Development Block Grant Annual Action Plan

10. WS111020-03: Approve Preliminary Substantial Amendment to FY18 and FY19 Activity for Abbott Hollee

11. WS111020-04: Resolution No. 2020-086 – Resolution Levying Assessment for Abatement of Nuisances

12. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Linda Grenz (RSVP+), Kathleen (Kay) Ingalis (RSVP+), Maryann Stroikein (RSVP+), Rena Boersma (RSVP+), Rick Harper (Solid Waste)

13. WS111020-18: Authorize Mayor and Finance Director to Sign Agreement with Convergent Technologies in the amount of $71,696.86 for security enhancements at City Hall.

14. WS111020-17: Authorize Mayor & Finance Officer to Sign Amended Renewal Ready Subscriber Agreement with Black Hills Power, Inc., due Black Hills Energy

15. WS111020-05: Approve Change Order 1 to Heavy Constructors, Inc. for West Omaha Street Utilities, Project #2099/CIP NO.503004 for an increase in the amount of $43,113.65

16. WS111020-06: Approve Change Order #1 for Fitzgerald Stadium Renovations Project No. 19-2608 CIP #51231 with MAC Construction for an increase of $124,557.87.

17. WS111020-07: Authorize Mayor and Finance Director to Sign 2nd Bridge Improvement Grant (BIG) Agreement with South Dakota Department of Transportation for Cambell Street Box Culvert Outfall Repair, Project No. 5-2312 / CIP No. 51035.

18. WS111020-08: Authorize Staff to Seek Proposals for Engineering Services for Southeast Area Trunk Sewer Reconstruction – Elm Ave to Prairie Ave Project No. 20-2571 / CIP No. 50829.

19. WS111020-09: Authorize Staff to Advertise Bids for Abandon Omaha Trunk Sewer – 1st Street to Maple Avenue Project, Project No. 20-2610 / CIP No. 51307. Estimated Cost $80,000.

20. Approve WS111020-10: Authorize Staff to Advertise for Bids for Downtown Lighting Project, Project 20-2613/CIP 51228, for an estimated $2,000,500.

21. WS111020-11: Authorize Purchase of Trimble R2i 3D Model 60 ROW from Frontier Precision, in the amount of $27,085.50 from State Contract.

22. WS111020-12: Authorize Request to purchase Three GPS Survey Equipment Setup from the State Contract from Frontier precision in the amount of $26,075.25.

23. WS111020-13: Authorize Staff to submit transit grant application to FTA, and accept and administer if awarded, for 5307 Formula funds for operating assistance in the amount of $41,286,218.00

24. WS111020-14: A variance from Dakota Castles, Inc. for a variance to waive the requirement to install a sidewalk along Feather Ridge Court and Hwy 44, Rapid City, per City Ordinance 12.09.060.

25. WS111020-15: Authorize Mayor and Finance Director to sign and accept the additional Project Safe Neighborhood grant funding.

**CIP Committee Consent Items (NONE)**

**Community Development Consent Items (NONE)**

**Bid Award Consent Items**

26. Approve CC111020-02:1 – Approve award of total bid for Miscellaneous Improvements Projects, Facility Type Projects Boiler Pre-purchase Project No. 20-2907 / CIP No. 51132.3 opened on
Annual Action Plan

2020

November 10, 2020 to the lowest responsible bidder, G & R Controls, Inc. in the amount of $277,800.00.

27. Approve CC111620-02.2 - Approve award of total bid for two (2) Paratransit Vehicles, opened November 10, 2020, to the lowest responsible bidder, Creative Bus Sales in the amount of $168,126.

28. Approve CC111620-02.4 - Concur with the SDDOT Transportation Commission bid award at its regularly scheduled meeting on November 24, 2020, and authorize Mayor and Finance Officer to sign contract for LaCrosse Street Utility Replacement, Project No. 16-2316 / CIP No. 6110S opened on November 4, 2020 to the lowest responsible bidder, Complete Concrete Inc. dba Complete Contracting Sol in the amount of $707,279.23.

END OF CONSENT ITEMS

NON-CONSENT ITEMS - Items 29 - 37

Open Public Comment - Items 29 - 37 (3-minute time limit per speaker)

Close Public Comment

Ordinances

29. Approve PW102720-11: Approve Second Reading of Ordinance No. 6447 An Ordinance to Amend Section 8.06.070 of the Rapid City Municipal Code to Clarify Inclusion of Solid Waste Charges in the Utility Rate Relief Program.

Staff Recommendation: Approve


Staff Recommendation: Approve


Staff Recommendation: Approve


Staff Recommendation: Approve

33. Approve No. 20RZ038 – Approve First Reading, Ordinance 6449, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Longbranch Civil Engineering, Inc. for James and Jam Carpenter for a Rezoning request from Neighborhood Commercial District to Medium Density Residential District for property generally described as being located southeast of the intersection of Country Road and Haines Avenue.

Staff Recommendation: Approve

34. Tabled LF093020-04 – Approve First Reading of Ordinance No. 6445 an Ordinance Authorizing the Keeping of Hens on Certain Residential Properties in the City by Amending Section 8.08.020 of the Rapid City Municipal Code.

Recommendation: This item was continued from the October 5, 2020 City Council Meeting.

(Non-Ordinance) Working Session Committee Items (NONE)

Community Development Items

35. Continue to the December 7, 2020 City Council Meeting No. 20P.077 - A request by Fink Land Surveying & Consulting Engineers, Inc for Michael and Marnie Gould, Stuart Rice, Ross and Angela McElroy for a Preliminary Subdivision Plan for proposed Lots A through D of Skyline Ranch

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Annual Action Plan

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CITY COUNCIL

NOVEMBER 18, 2020

Subdivision No. 2, generally described as being located at 1850, 2300, and 2221 Skylie Ranch Road.

Recommendation: This item was continued from the November 2, 2020 City Council meeting per the applicant's request. The applicant has requested that the item be continued to the December 7, 2020 City Council meeting.

Bid Awards (NONE)

Alcoholic Beverage License Applications Renewals for 2021

36. Approve the following 100 Alcohol License Renewals for (CL) Convention Center (onsale) Liquor, (FL) Package (off-sale) Liquor, (RL) Retail (on-sale) Liquor, (RR) Retail (on-sale) Liquor – Restaurant, and (R) Retail (on-sale) Wine and Cider.

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Annual Action Plan
2020

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<td>HAMPTON INN</td>
</tr>
<tr>
<td>96</td>
<td>RW-8596</td>
<td>MUSEUM ALLIANCE OF RAPID CITY INC</td>
<td>THE MUSEUM</td>
</tr>
<tr>
<td>97</td>
<td>RW-8597</td>
<td>DIAMOND HOSPITALITY LLC</td>
<td>HOWARD JOHNSON INN &amp; SUITES</td>
</tr>
<tr>
<td>98</td>
<td>RW-8728</td>
<td>WNRC LLC</td>
<td>BUFFALO WINGS AND RINGS</td>
</tr>
<tr>
<td>99</td>
<td>RW-7603</td>
<td>BLACK HILLS COFFEE COMPANY</td>
<td>STONEWALLS ESPRESSO CAFE &amp; PIZZA</td>
</tr>
<tr>
<td>100</td>
<td>RW-7601</td>
<td>SOMEONES IN THE KITCHEN INC</td>
<td>SOMEONES IN THE KITCHEN</td>
</tr>
</tbody>
</table>
Mayor’s Items
37. Approved Revised Resolution (waiting to hear from the attorney’s office for the new resolution) Approved 9-1 with Jones voting no. LF102820-09 — Approve Resolution No. 2020-084 A Resolution to Resolve Three Outstanding Deeds Related to the Rapid City Indian Boarding School Lands.
   Recommendation: This item was continued from the November 2, 2020 City Council Meeting.

Council Items & Liaison Reports (NONE)

Staff Items (NONE)

Appeals (NONE)
   Planning Commission Appeals
   License Appeals
   Sign Code Appeals
   Other Appeals Heard by the Council

PUBLIC HEARING ITEMS – (NONE)
   Open Public Hearing (comment) - None
   Close Public Hearing (comment) - None

CONSENT PUBLIC HEARING ITEMS – None

Community Development Items (NONE)

Alcohol Licenses (NONE)

Assessment Rolls (NONE)

Other Items Requiring Public Hearings (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – None

BILLS
36. Approve No. CC111620-01 — Bill List for November 16, 2020

ADJOURN

Meeting adjourned at 8:04 p.m.
September 1, 2020

Samuel L. Potter  
Senior CFD Representative  
Office of Community Planning and Development: Region VIII  
1670 Broadway Street  
Denver, Colorado 80202-4801

RE: Opinion of Counsel for City of Rapid City, Recipient  
Conflict of Interest Exception Request (Teernies)  
24 CFR § 570.611(b)(1)(ii) / 24 CFR § 570.489(b)(4)(ii)

Ladies and Gentlemen:

The City of Rapid City is providing this opinion to you pursuant to 24 CFR § 570.611(b)(1)(ii) and 24 CFR § 570.489(b)(4)(ii) as those regulations apply to the CARES Act grant from the United States Department of Housing and Urban Development (HUD) to the City of Rapid City (the "City"). The City has requested an exception request to authorize consideration of the United Way of the Black Hills ("UWBH") as a qualified recipient, while its Executive Director, Jamie Teernies, is a member of the City's Community Investment Committee (the "Committee").

The Office of the City Attorney is the general counsel for the City of Rapid City, and exists pursuant to SDCL 9-14-23 and Chapter 2.16 of the Rapid City Municipal Code. All attorneys in the City Attorney's Office are licensed to practice law by the State Bar of South Dakota.

Factual Background

Jamie Teernies currently serves as the Executive Director of UWBH, a South Dakota nonprofit corporation. She was appointed to the Committee in September of 2019 to fill a vacancy created by a previous member's resignation. Her term expires on October 2020.

Annual Action Plan 2020
Mr. Samuel L. Porter  
Senior CPD Representative  
September 1, 2020  

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The Committee was created by ordinance, and its primary purpose is to "make recommendations to the Common Council on the annual Community Development Block Grant sub-grantee selections, and the annual selection of non-profit grantees recipients of the general fund allocation made for that purpose." Rapid City Municipal Code (RCMC) Section 2.49.010. As a member of the Committee, Ms. Toennies is "in a position to participate in a decision-making process or gain information with regard to such activities[.]" 24 CFR § 570.611(b). Accord 24 CFR § 570.489(b). She, as an appointed official for the City, is a covered person under 24 CFR § 570.611(c) and 24 CFR § 570.489(g).

To mitigate the conflict, the City has proposed a course of action that includes Ms. Toennies' abstention from all consideration of funding requests of applicants for CARES Act grant funding. It also includes public notice disclosing the conflict and soliciting of public comment via publication in two local newspapers, direct email to over 200 individuals, and notice on the City's website.

Compliance with State and Local Law

In making my determination, I have reviewed the following:

1. 24 CFR part 570;
2. SDCL ch. 6-1, "Acts and Records of Local Officers";
3. SDCL ch. 9-14, "Municipal Officers and Employees";
4. RCMC 2.04, "Officers and Employees Generally";
5. RCMC 2.49, "Community Investment Committee";
6. Resolution 2016-096 of the Rapid City Common Council, A Resolution Adopting a Conflict of Interest Policy for Elected and Appointed Officials of the City of Rapid City;
7. Hanzig v. City of Warner, 2005 SD 10, 692 N.W.2d 202; and
8. such other documents, instruments, and records as I have considered relevant for purposes of this opinion.

Based upon such examination, the factual background noted above, and such research and investigation as I deemed necessary, I am of the opinion that

1. Ms. Toennies has a conflict of interest in making application for grant funding on behalf of her employer while sitting on the committee that vets such applications. While Ms. Toennies does not have a direct pecuniary interest, an indirect pecuniary interest or personal interest may be present. See Hanzig, supra at ¶19,

2. The appropriate remedy for such conflict is disclosure of the conflict to the Committee and her recusal as a member of the Committee from all consideration of applications made for CARES Act grant funding. See Resolution 2016-096; SDCL 6-1-17.
3. Such disclosure and recusal is legally sufficient, under the laws of the State of South Dakota and the City of Rapid City, to address the conflict of interest of a member of the Committee. \textit{Id.}

4. Consideration of the application by United Way of the Black Hills by the Committee, a recommendation by the Committee of funding, and eventual approval by the City's Common Council of grant funding would not violate South Dakota or Rapid City law if such disclosure and recusal is accomplished. \textit{Id.}

5. Ms. Toennies would not violate South Dakota or Rapid City law by remaining on the Committee to fulfill the duties of a committee member outside of the application process for CARES Act grant funding.

As to matters of law, we limit our opinion to the laws of the City of Rapid City, the State of South Dakota, and the United States of America, and our opinions are limited to the facts and laws in existence on the date of this opinion. This opinion is delivered to you in connection with the request for exception referenced above. It may not be utilized or quoted by you for any other purpose, nor may it be relied upon by any other person or entity other than your successor or assigns without our express written consent. Please feel free to contact the undersigned if you have any questions related to the content of this opinion.

Very truly yours,

\begin{center}
Wade Nyberg
Deputy City Attorney
\end{center}

WEN\textsubscript{211}
September 3, 2020

Samuel L. Potter
Senior CPII Representative
Office of Community Planning and Development: Region VIII
1670 Broadway Street
Denver, Colorado 80202-4801

RE: Conflict of Interest Exception Request (Toennies)

Dear Ladies and Gentlemen:

Jamie Toennies serves on Rapid City's Community Investment Committee; she is also the Executive Director of United Way of the Black Hills. The Community Investment Committee makes CDBG funding recommendations to Rapid City’s Common Council. United Way of the Black Hills has expressed an interest in applying for CDBG-CV funds to deliver a program that assists child care providers with COVID-related costs. A conflict of interest exists as United Way of the Black Hills will be a CDBG-CV applicant while the Executive Director participates in the decision making process with regards to CDBG activities.

An exception is requested to allow United Way of the Black Hills to be considered a qualified applicant while the Executive Director remains on the Community Investment Committee. If the exception is granted, Ms. Toennies will abstain from the decision making process with respect to the specific activity in question. No interest or benefit was present before Ms. Toennies was appointed as a committee member. The interest presented itself after the onset of the Coronavirus Pandemic and Ms. Toennies will not be a beneficiary of the proposed activity. Please see the opinion of counsel for the City of Rapid City as a continuation of the City's CDBG program.

United Way of the Black Hills exhibits an essential degree of expertise in delivering public service programs and has developed financial management systems adequate for managing Federal funds.

A competitive opportunity has been provided to the public to apply for Rapid City’s CDBG-CV funds. The funding opportunity was published in two local newspapers, posted on the City’s website, and emailed to over 200 individuals. A public notice disclosing the conflict and soliciting comments will be published in two local newspapers and emailed to over 200 individuals. The CDBG-CV funding application is received by United Way of the Black Hills. All public comments will be considered.

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The waiver request is to allow United Way of the Black Hills to be considered a qualified applicant as the Community Investment Committee makes funding recommendations to Rapid City’s Common Council. Rapid City’s CDBG-CV application deadline is September 18, 2020. Thank you for your attention to this matter.

Sincerely,

Michelle Schuelke  
Manager, CDBG Program Division

Enclosure: Opinion of Counsel
September 30, 2020

Michelle Schuelke, Manager
CDBG Program Division
City of Rapid City
300 6th Street
Rapid City, SD 57701-5035

SUBJECT: Townies Conflict of Interest Exception Request

Dear Ms. Schuelke:

This letter is in response to the City of Rapid City’s September 3, 2020 request to the U.S. Department of Housing and Urban Development’s (HUD) Office of Community Planning and Development (CPD) for an exception to the Community Development Block Grant (CDBG) Conflict of Interest provisions of 24 CFR § 570.611(b). HUD Region VIII’s CPD and Office of Counsel has reviewed the City of Rapid City’s request and CPD has included its conclusions below.

A. Ms. Townies is an appointed member to the City of Rapid City’s Community Investment Committee and the Executive Director of the United Way of the Black Hills, a potential grant recipient of the city through the Community Investment Committee. These two positions held by Ms. Townies do constitute a conflict of interest as per 24 CFR § 570.611(b) and (c).

B. On September 3, 2020, the City of Rapid City requested in writing an exception to the provisions of the Community Development Block Grant Conflict of Interest provisions of 24 CFR § 570.611(b). The request included a letter from the City disclosing the nature of the conflict as per the first part of 24 CFR § 570.611(d)(1); however, it did not include a public disclosure as indicated under 24 CFR § 570.611(d)(1), only describing how the public disclosure would happen. Additionally, the request included an opinion from the recipient’s attorney stating that if the Rapid City’s Community Investment Committee member recused herself from decisions related to the non-profit in which she is the Executive Director and the public disclosures planned for in the two letters were carried out, neither the committee member nor the United Way of the Black Hills would be in violation of South Dakota or Rapid City law as required by 24 CFR § 570.611(d)(1)(ii).

Therefore, at this time, CPD cannot issue an exception to 24 CFR § 570.611. An exception may be granted to a local government for an activity that constitutes a conflict of interest; however, the grant recipient must submit evidence of the public disclosure, the recipient’s attorney’s opinion stating that the interest for which the exception is sought would not violate state or local law based upon the earlier analysis and the completed public disclosure, and a confirming certification that Ms. Townies has not and will not participated in any part of the CDBG CARES Act funding application review and decision-making process. Upon receipt, our office will review the evidence that the conflict of interest has been disclosed with provision of sufficient...
time for the public to learn of the disclosure and that all other matters above have been addressed. At that time, CTD will also determine whether the exception will further the purpose of the Act and the effective and efficient administration of the recipient's program or project as per 24 CFR § 570.61 (d)(2).

This Office appreciates the partnership with the City of Rapid City, SD and looks forward to continuing to support the City's efforts to meet the goals of its Consolidated Plan. If there are any questions or if there is a request for technical assistance, please do not hesitate to contact Mr. Samuel L. Potter, Community Planning and Development Representative, by phone at 303-672-5166 or by email at Samuel.L.Potter@hud.gov.

Sincerely,

Katy Burke
Regional Director

cc: Mr. Ken Young, Director Community Development
November 25, 2020

Ms. Kaye Burke  
Regional Director  
Office of Community Planning and Development, Region VIII  
1670 Broadway Street  
Denver, Colorado 80202-4881  

RE: Opinion of Counsel for City of Rapid City, Recipient Conflict of Interest Exception Request (Toennies)  

Ladies and Gentlemen:  

The City of Rapid City is providing this opinion to you pursuant to 24 CFR § 570.611(d)(1)(ii) and 24 CFR § 570.489(h)(4)(ii) as those regulations apply to the CARIN Act grant from the United States Department of Housing and Urban Development (HUD) to the City of Rapid City (the “City”). The City has requested an exception request to authorize consideration of the United Way of the Black Hills (“UWBI”) as a qualified applicant, while its Executive Director, Jamie Toennies, is a member of the City’s Community Investment Committee (the “Committee”).

The Office of the City Attorney is the general counsel for the City of Rapid City, and exists pursuant to SDCL 9-14-23 and Chapter 21.16 of the Rapid City Municipal Code. All attorneys in the City Attorney’s Office are licensed to practice law by the State Bar of South Dakota.

Factual Background

Jamie Toennies currently serves as the Executive Director of UWBI, a South Dakota nonprofit corporation. She was appointed to the Committee in September of 2019 to fill a vacancy created by a previous member’s resignation. She was reappointed to a full term commencing September 30, 2020, and Expiring October 1, 2023.

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OMB Control No: 2506-0117 (exp. 06/30/2018)
Ms. Katy Burke  
Regional Director  
November 25, 2020  
Page 2

The Committee was created by ordinance, and its primary purpose is to “make recommendations to the Common Council on the annual Community Development Block Grant sub-grantee selections, and the annual selection of non-profit grantee recipients of the general fund allocation made for that purpose.” Rapid City Municipal Code (RCMC) Section 2.49.010. As a member of the Committee, Ms. Tenney is “in a position to participate in a decision-making process or gain information with regard to such activities[,]” 24 CFR § 570.611(b). Accord 24 CFR § 570.489(b). She, as an appointed official for the City, is a covered person under 24 CFR § 570.611(c) and 24 CFR § 570.489(g).

To mitigate the conflict, Ms. Tenney disclosed this conflict, and she abstained from all consideration of funding requests of applicants for CARES Act grant funding. In addition, the City’s Department of Community Development provided public notice disclosing the conflict and solicited public comment via publication in two local newspapers, direct email to over 200 individuals, and notice on the City’s website.

Compliance with State and Local Law

In making my determination, I have reviewed the following:

1. 24 CFR part 570;
2. SDCL ch. 6-1, “Acts and Records of Local Officers”;
3. SDCL ch. 9-14, “Municipal Officers and Employees”;
4. RCMC 2.04, “Officers and Employees Generally”;
5. RCMC 2.49, “Community Investment Committee”;
6. Resolution 2016-096 of the Rapid City Common Council, A Resolution Adopting a Conflict of Interest Policy for Elected and Appointed Officials of the City of Rapid City;
7. Hartig v. City of Winner, 2005 SD 10, 692 N.W.2d 202; and
8. Minutes of the Community Investment Committee from its September 28, 2020 meeting;
9. such other documents, instruments, and records as I have considered relevant for purposes of this opinion.

Based upon such examination, the factual background noted above, and such research and investigation as I deemed necessary, I am of the opinion that

1. Ms. Tenney has a conflict of interest in making application for grant funding on behalf of her employer while sitting on the committee that vets such applications. While Ms. Tenney does not have a direct pecuniary interest, an indirect pecuniary interest or personal interest may be present. See Huang, supra at ¶ 19.
2. The appropriate remedy for such conflict is disclosure of the conflict to the Committee and her recusal as a member of the Committee from all consideration of applications made for CARES Act grant funding. See Resolution 2016-096, SDCl. 6-1-17.

3. Such disclosure and recusal is legally sufficient, under the laws of the State of South Dakota and the City of Rapid City, to address the conflict of interest of a member of the Committee. id.

4. Consideration of the application by United Way of the Black Hills by the Committee, a recommendation by the Committee of funding, and eventual approval by the City’s Common Council of grant funding does not violate South Dakota or Rapid City law, as disclosure and recusal were accomplished. id.

5. Ms. Tronics is not in violation South Dakota or Rapid City law by remaining on the Committee to fulfill the duties of a committee member outside of the application process for CARES Act grant funding.

As to matters of law, we limit our opinion to the laws of the City of Rapid City, the State of South Dakota, and the United States of America, and our opinions are limited to the facts and laws in existence on the date of this opinion. This opinion is delivered in connection with the request for exception referenced above. It may not be utilized or quoted by you for any other purpose, nor may it be relied upon by any other person or entity other than your successors or assigns without our express written consent. Please feel free to contact the undersigned if you have any questions related to the content of this opinion.

Very truly yours,

Wade Nyberg
Deputy City Attorney

WFM/ALL

Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
State of South Dakota)
       ss.
County of Pennington)

CERTIFICATION

I, Jamie Toennies, Executive Director of United Way of the Black Hills, duly sworn upon
my oath or affirmation, hereby certify that I did not and will not participate in any funding
application review and decision-making process related to Rapid City’s CDBG CARES Act
(CDBG-CV) funding application which had a posted deadline of September 18, 2020.

Dated this 3rd day of December, 2020.

 Jamie Toennies

Subscribed and sworn to before me this 3rd day of December, 2020.

(spd)

Dorina Pericka
Notary Public
My Commission Expires 12/31/25
State of South Dakota

County of Pennington

CERTIFICATION

I, Michelle Schuelke, CDBG Program Division Manager for the City of Rapid City, do
swear upon my oath or affirmation, hereby certify that Jamie Tecumseh, Executive Director of
United Way of the Black Hills and member of the City’s Community Investment Committee, did
did not and will not participate in any funding application review and decision-making process
related to Rapid City’s CDBG CARES Act (CDBG-CV) funding application which had a posted
deadline of September 18, 2020.

Dated this 7th day of December, 2020.

[Signature]

Michelle Schuelke

Subscribed and sworn to before me this 7th day of December, 2020.

[Signature]

Angela M. Boeve
Notary Public
My Commission Expires: 01/21/2023

State of South Dakota
WORK SESSION MINUTES
City of Rapid City, South Dakota
Tuesday, November 10, 2020

Call to Order by Council President Laura Armstrong at 12:30pm
Council In Attendance: Laura Armstrong, Darla Drew, Ritchie Nordstrom, Greg Stromman, Lance Lehmann, Pat Jones, Jason Salarvan, Bill Evans, Absent: John Roberts
City Staff In Attendance: Don Hedrick, Chief of Police; Jason Culberson, Fire Chief; Pauline Szymon, Finance Director; Joel Landeen, City Attorney; Ken Young, Community Development Director; Michelle Schuelke, CDBG Manager; Dale Tech, Public Works Director; Dan Coughin, Assistant Public Works Director; Rod Johnson, Operations Management Engineer; Jeff Begler, Parks and Recreation Director

DISCUSSION ITEMS (Council Non-Concurrence Calendar)

PUBLIC WORKS

Coon spoke to items 1-4. Questions were presented by Drew and Nordstrom. All items move to Council.

1) PW102720-11: Introduction and Second Reading of Ordinance No. 6447: An Ordinance to Amend Section 8.08.070 of the Rapid City Municipal Code to Clarify Inclusion of Solid Waste Charges in the Utility Rate Relief Program Staff Recommendation: APPROVE


MAYOR & COUNCIL ITEMS

All members of the Council spoke to various concerns with Item 5. Landeen advised options they can take at the Council meeting or Monday. Item moves to Council.

5) LF102820-09: Approve Resolution No. 2020-084 A Resolution to Resolve Three Outstanding Deeds Related to the Rapid City Indian Boarding School Lands

REGULAR BUSINESS ITEMS (Council Consent Calendar)

MAYOR & COUNCIL ITEMS

No questions were raised. All items move to Council.

6) Approve Minutes of October 27, 2020 Public Works meeting

7) Approve Minutes of October 28, 2020 Legal & Finance meeting

COMMUNITY DEVELOPMENT

Schuelke spoke to the intent of Items 8-10. All items move to Council.

8) WS111320-01: Authorize the Mayor and Finance Director to sign the City of Rapid City and Black Hills Council of Local Governments Performance Contract for FY2021

9) WS111320-02: Approve Final Substantial Amendment to the FY20 Community Development Block Grant Annual Action Plan

10) WS111320-03: Approve Preliminary Substantial Amendment to FY18 and FY18 Activity for Abbott House

FINANCE

Sumption spoke to the intent of Items 11-14. All Items move to Council.

11) WS111320-04: Resolution No. 2020-066 + Resolution Levying Assessment for Abatement of Nuisances

12) Acknowledge the Following Volunteers for Worker's Compensation Purposes: Linda Grenz (RSVP+), Kathleen (Kay) Ingalls (RSVP+), Maryann Strachan (RSVP+), Rena Boersma (RSVP+), Rita Harper (Solid Waste)
13) WS111020-16: Authorize Mayor and Finance Director to Sign Agreement with Convergent Technologies in the amount of $71,886.36 for security enhancements at City Hall.
14) WS111020-17: Authorize Mayor & Finance Officer to Sign Amended Renewal Ready Subscriber Agreement with Black Hills Power, Inc., dba Black Hills Energy

**PUBLIC WORKS**

Ted spoke to the intent of items 15-24. Questions on 16 were addressed by Johnson. All items move to Council.

15) WS111020-05: Approve change order 1 to Heavy Constructors, Inc. for West Omaha Street Utilities, Project #2019/CIP No. 50004 for an increase in the amount of $43,113.65
16) WS111020-08: Approve Change Order #1 for Fitzgerald Stadium Renovations Project No. 19-2508 CIP #51231 with VAC Construction for an increase of $124,557.87.
17) WS111020-07: Authorize Mayor and Finance Director to Sign 2nd Bridge Improvement Grant (BIG) Agreement with South Dakota Department of Transportation for Cambell Street Box Culvert Outlet Repair, Project No. 15-2315 / CIP No. 51035.
18) WS111020-08: Authorize Staff to Seek Proposals for Engineering Services for Southeast Area Trunk Sewer Reconstruction – Elm Ave to Prairie Ave Project No. 20-2571 / CIP No. 59829.
19) WS111020-09: Authorize Staff to Advertise Bids for Abancor Omaha Trunk Sewer – 1st Street to Maple Avenue Project, Project No. 20-2310 / CIP No. 51307. Estimated Cost $80,000.
20) WS111020-10: Authorize Staff to Advertise Bids for Downtown Lighting Project, Project 20-2613/CIP 51228, for an estimated $2,000,000.
21) WS111020-11: Authorize Purchase of Trimble R12i Model 60 ROW from Frontier Precision, in the amount of $27,000.00 from State Contract.
22) WS111020-12: Authorize Request to purchase Three GPS Survey Equipment Setups off the State Contract from Frontier precision in the amount of $25,075.25.
23) WS111020-13: Authorize Staff to submit transit grant application to FTA, and accept and administer if awarded, for 5307 Formula funds for operating assistance in the amount of $1,285,218.00.
24) WS111020-14: A request from Dakota Castles, Inc. for a variance to waive the requirement to install sidewalk along Feather Ridge Court and Hwy 44, Rapid City, per City Ordinance 12.05.065. Staff Recommendation: APPROVE

**POLICE**

Hedrick spoke to the intent of item 25. Item moves to Council.

25) WS111020-15: Authorize Mayor and Finance Director to sign and accept the additional Project Safe Neighborhood grant funding.

**PUBLIC COMMENT Speaker Requests:**

Max Fairbanks spoke in support of item 5. David Swallow spoke on Item 5. Bill Jo Brown spoke in opposition of item 5.

**MEETING ADJOURNED** by Armstrong at 2:56pm

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OMB Control No: 2506-0117 (exp. 06/30/2018)
PROCEEDINGS OF THE CITY COUNCIL
City of Rapid City, South Dakota
6:30 P.M., Monday, November 16, 2020

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at City Hall, 306 Sixth Street, in Rapid City, South Dakota on Monday, November 16, 2020 at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Alderpersons: Pat Jones, Greg Strommen, Laura Armstrong, Jason Geelanun, Ritchie Nordstrom, Lance Lehmann, Dona Drew and Bill Evans; John Roberts and the following Alderpersons arrived during the course of the meeting: None; and the following were absent: None.

Staff members present included: Finance Director, Pauline Sumption, City Attorney Joel Landerit, Police Chief Don Hadlack, Fire Chief Jason Culbarson, Public Works Director Carla Tech, Community Development Director Ken Young, Parks and Recreation Director Jeff Biegler, IT Director Jim Gilbert, Communications Coordinator Darrell Shoemaker and Administrative.

SWEAR IN NEWLY ELECTED COUNCIL MEMBER
Finance Director, Pauline Sumption administered the Oath of Office to Ward One Council Member Ron Wendenbach. He joined the council members at the dais.

ADOPTION OF AGENDA
Motion was made by Salamun, second by Jones and carried to adopt the agenda.

PRESENTATION
Dan Senthin and Mani Davilla gave the Downtown Ambassadors Program Presentation. Davilla stated he and his staff walk the streets and are available to help visitors with any questions they have. Visitors are looking for a grocery store and pharmacy downtown. Senthin said it would be nice to have more on staff and they are looking for a way to make that happen.

GENERAL PUBLIC COMMENT
Billie Brown stated that the Native Americans weren't asked to be part of the negotiations of the land swap. She is in favor of getting the land back with no swap.

Ms. Goss addressed the council and said she wished there was a way of doing public comment on YouTube. She appreciates all that the council and mayor do for Rapid City.

Tim Hughes asked about Amendment A and Measure 26 which was voted on by the South Dakota residents on November 3, 2020, and passed, Allender said there are no rules drawn up yet. He indicated this is being taken care of by the Legislature and once they have something in place, the city will work on it as well.

NON-PUBLIC HEARING ITEMS -- Items 3 – 37

CONSENT ITEMS -- Items 3 – 28

The following items were removed from the Consent Items:

20. WS111020-10: Authorize Staff to Advertise for Bids for Downtown Lighting Project. Project 20-2613/CIF 51228, for an estimated $2,000,500.
26. CC111620-02.1 – Approve award of total bid for Miscellaneous Improvements Projects, Facility Type Projects Boiler Pre-purchase Project No. 20-2807 / CIP No. 51132.3 opened on November 10, 2020 to the lowest responsible bidder, G & R Controls, Inc. in the amount of $277,800.00.

27. CC111620-02.2 – Approve award of total bid for two (2) Paratransit Vehicles, opened November 10, 2020, to the lowest responsible bidder, Creative Bus Sales in the amount of $188,129.

28. CC111620-02.3 – Concur with the SDDOT Transportation Commission bid award at its regularly scheduled meeting on November 24, 2020, and authorize Mayor and Finance Director to sign contract for LaCrosse Street Utility Replacement, Project No. 16-2318 / CIP No. 51108 opened on November 4, 2020 to the lowest responsible bidder, Complete Concrete Inc. dba Complete Contracting So in the amount of $707,270.23.

Motion was made by Armstrong, second by Lehmann and carried to approve items 3-28, with the exception of items 20, 26, 27 and 28.

Approve Minutes
3. Approve Minutes for the November 2, 2020 Regular Council meeting.
3A. Approve Minutes for the November 10, 2020 Special Council meeting.

Vacations of Right-Of-Way Set for Hearing (December 21, 2020)
4. No, 20VR004 - A request by Fisk Land Surveying & Consulting Engineers, Inc. for Rapid City Cub for Boys for a Right-of-Way for property generally described as being located at 320 North 4th Street.

Alcoholic Beverage License Applications and Renewals Set for Hearing (December 7, 2020)
5. Bar K-9 LLC for a SPECIAL EVENT On-Sale Malt Beverage License for an event scheduled for December 18-19, at the Rushmore Mall, 2200 N. Maple Ave Suite 2022
5A. Iron PT-NX LLC DBA Iron Phnx, 3468 Sturgis Road, for a Retail (on-sale) Malt Beverage & SD Farm Wine license and a Retail (on-sale) Wine and Cider license renewal

2021 Retail (on-sale) Malt Beverage & SD Farm Wine Renewals
6. Moyle Petroleum Company DBA Common Cents Rushmore Rd., 2800 Mt Rushmore Rd., for a Retail (on-sale) Wine and Cider license renewal
7. Black Sheep Group, LLC DBA Harnet Café, 329 Main Street, for a Retail (on-sale) Wine and Cider license renewal

Working Session Consent Items
8. WS111020-01: Authorize the Mayor and Finance Director to sign the City of Rapid City and Black Hills Council of Local Governments Performance Contract for FY2021
9. WS111020-02: Approve Final Substantial Amendment to the FY20 Community Development Block Grant Annual Action Plan
10. WS111020-03: Approve Preliminary Substantial Amendment to FY19 and FY19 Activity for Abbott House
11. WS111020-04: Resolution No. 2020-088 – Resolution Levying Assessment for Abatement of Nuisances

RESOLUTION NO. 2020-086
RESOLUTION LEVYING ASSESSMENTS FOR ABATEMENT OF NUISANCES

BE IT RESOLVED by the City Council of the City of Rapid City, South Dakota, as follows:
CITY COUNCIL

NOVEMBER 16, 2020

1. The City Council has made all investigations which it deems necessary and has found and determined that the condition of your property has constituted a nuisance. The City abated this nuisance. The cost of the abatement, including administrative costs, is the amount stated in the proposed Assessment Roll for Abatement of Nuisances.

2. The Assessment Roll for Abatement of Nuisances is hereby approved and assessments thereby specified are levied against each and every lot, place, or parcel of land thereby described.

3. Such assessments, unless paid within thirty (30) days after the filing of the assessment roll in the Office of the Finance Director, shall be certified as delinquent to the Pennington County Auditor and payable through the Pennington County Treasurer's Office with the statutory interest rate.

Dated this 16th day of November, 2020

CITY OF RAPID CITY
/s/ Steve Allender
Mayor

ATT'EST:
/s/ Pauline Sumption
Finance Director

<table>
<thead>
<tr>
<th>OWNER NAME</th>
<th>ID#</th>
<th>CLEAN UP ADDRESS</th>
<th>MAILING ADDRESS</th>
<th>LEGAL DESCRIPTION</th>
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<td>1 SCHRENK, AMY</td>
<td>59382</td>
<td>104 SAVOY CIRCLE</td>
<td>104 Savoy Circle, Rapid City, SD 57701</td>
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<td>2 HUNTER, SHIRLEY B</td>
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<td>408 E MINNESOTA ST</td>
<td>PO Box 1442, Parker AZ 85344</td>
<td>Lot A of Lot 34, Block 7, Robbinsdale #10</td>
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<td>82 RENA PL</td>
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<td>6383 S Motherland Way, Centennial CO 80016</td>
<td>Lot 10-18, Block 123, Original Town of Rapid City</td>
<td>$197.00</td>
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12. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Linda Greiz (RSVP-), Kathleen (Kay) Ingalls (RSVP-), Maryann Stroschein (RSVP-), Rene Boersma (RSVP-), Pat Harper (Solid Waste)
13. WS111020-16: Authorize Mayor and Finance Director to Sign Agreement with Convergent Technologies in the amount of $71,696.56 for security enhancements at City Hall.
14. WS111020-17: Authorize Mayor & Finance Director to Sign Amendment Renewal Ready Subscriber Agreement with Black Hills Power, Inc., dba Black Hills Energy
15. WS111020-06: Approve change order 1 to Heavy Constructors, Inc. for West Omaha Street Utilities, Project #20999/CIP #50904 for an increase in the amount of $48,113.65
16. WS111020-05: Approve Change Order #1 for Fitzgerald Stadium Renovations Project No. 19-2608 CIP #81231 with MAC Construction for an increase of $124,357.87.

Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
CITY COUNCIL

NOVEMBER 16, 2020

17. WSS11320-07: Authorize Mayor and Finance Director to Sign 2nd Bridge Improvement Grant (BIG) Agreement with South Dakota Department of Transportation for Campbell Street Box Culvert Outlet Repair. Project No. 15-3213 / CIP No. 51035.
18. WSS11320-08: Authorize Staff to Seek Proposals for Engineering Services for Southeast Area Trunk Sewer Reconstruction – Elm Ave to Prairie Ave Project No. 20 - 2571 / CIP No. 50328.
19. WSS11320-09: Authorize Staff to Advertise Bids for Abandon Omaha Trunk Sewer 1st Street to Maple Avenue Project, Project No. 20 - 2610 / CIP No. 51307. Estimated Cost $80,000
21. WSS11020-11: Authorize Purchase of Trimble R12i Model 60 PCW from Frontier Precision, in the amount of $27,085.00 from State Contract
22. WSS11020-12: Authorize Request to purchase Three GPS Survey Equipment Setups off the State Contract from Frontier precision in the amount of $26,075.25
23. WSS11020-13: Authorize Staff to submit transit grant application to FTA, and accept and administer if awarded, for 5307 Formula funds for operating assistance in the amount of $1,235,218.00
24. WSS11020-14: A request from Dakota Castles, Inc. for a variance to waive the requirement to install sidewalk along Feather Ridge Court and Hwy 44, Rapid City, per City Ordinance 12.08.060.
25. WSS11020-15: Authorize Mayor and Finance Director to sign and accept the additional Project Safe Neighborhood grant funding.

END OF CONSENT ITEMS

Mayor Allender read in item (WSS11320-18) Authorize Staff to Advertise for Bids for Downtown Lighting Project Project 20-2613/CIP 51228, for an estimated $2,000,500. Evans voiced his concerns about the lighting being obsolete before they are even installed. He would like to see the lights have a “smart” infrastructure. He was assured the lighting fixtures will be the most current and if there are funds available then additional special features could be considered. In response to a question from Drew, Santher said the vision fund is funding this project. Motion was made by Salamun, seconded by Armstrong and carried to approve.

Mayor Allender read in item (CC111620-02.1) Approve award of total bid for Miscellaneous Improvements Projects, Facility Types Projects Boiler Pre-purchase Project No. 20-2607 / CIP No. 51132.3 opened on November 10, 2020 to the lowest responsible bidder, G & R Controls, Inc. in the amount of $277,600.00. Jones went over the bid process with Tech Tracy Davis and was satisfied with the city’s process. Motion was made by Lehmann, seconded by Salamun and carried to approve.

Mayor Allender read in item (CC111620-02.2) Approve award of total bid for two (2) Paratransit Vehicles, opened November 10, 2020, to the lowest responsible bidder, Creative Bus Sales in the amount of $183,128. Motion was made by Jones, seconded by Salamun and carried to approve.

Mayor Allender read in item (CC111620-32.3) Concur with the SDDOT Transportation Commission bid award at its regularly scheduled meeting on November 24, 2020, and authorize Mayor and Finance Director to sign contract for LeGrouce Street Utility Replacement, Project No. 18-2316 / CIP No. 51106 opened on November 4, 2020 to the lowest responsible bidder, Complete Concrete Inc, for Complete Contracting Sol in the amount of $707,279.23. Drew stated at the municipal conference that cities are encouraged to look into the bid process because sometimes money gets lost here. Drew is happy with our employees and the process. Motion was made by Jones, seconded by Lehmann and carried to approve.

NON-CONSENT ITEMS - Items 28 - 37

Troy Fairbanks spoke in favor of the mask mandate. He appreciates what the council and mayor are doing. He would like to be part of the committee if one is formed. He believes the council is fight for the Native American people.
Ordinances

Mayor Alender read in item (PW 102720-11) Approve Second Reading of Ordinance No. 6447 An Ordinance to Amend Section 8.05.070 of the Rapid City Municipal Code to Clarify Inclusion of Solid Waste Charges in the Utility Rate Relief Program. Having passed its first reading on November 2 motion was made by Drew, second by Nordstrom that the title be read the second time. Upon vote being taken the following voted AYE: Nordstrom, Strommen, Armstrong, Jones, Lehmann, Salamun, Evans, Drew, Roberts and Weflenbach NO: None. Whereupon, the Mayor declared the motion passed and Ordinance 6447 was declared duly passed upon its second reading.

Mayor Alender read in item (PW 102720-12) Approve Second Reading of Ordinance No. 6442 An Ordinance to Revise and Clarify Certain General Provisions in Title 13 Public Utilities and Services by Amending Chapter 13.04 of the Rapid City Municipal Code. Having passed its first reading on November 2 motion was made by Drew, second by Nordstrom that the title be read the second time. Upon vote being taken the following voted AYE: Nordstrom, Strommen, Armstrong, Jones, Lehmann, Salamun, Evans, Drew, Roberts and Weflenbach NO: None. Whereupon, the Mayor declared the motion passed and Ordinance 6442 was declared duly passed upon its second reading.

Mayor Alender read in item (PW 102720-13) Approve Second Reading of Ordinance No. 6443 An Ordinance to Revise and Clarify Certain Provisions Concerning the City’s Water Service System by Amending Chapter 13.08 of the Rapid City Municipal Code. Having passed its first reading on November 2 motion was made by Armstrong, second by Jones that the title be read the second time. Upon vote being taken the following voted AYE: Nordstrom, Strommen, Armstrong, Jones, Lehmann, Salamun, Evans, Drew, Roberts and Weflenbach NO: None. Whereupon, the Mayor declared the motion passed and Ordinance 6443 was declared duly passed upon its second reading.

Mayor Alender read in item (PW 102720-14) Approve Second Reading of Ordinance No. 6444 An Ordinance to Revise and Clarify Certain Provisions Concerning the Sewer Service System by Amending Chapter 13.16 of the Rapid City Municipal Code. Having passed its first reading on November 2 motion was made by Armstrong, second by Jones that the title be read the second time. Upon vote being taken the following voted AYE: Nordstrom, Strommen, Armstrong, Jones, Lehmann, Salamun, Evans, Drew, Roberts and Weflenbach NO: None. Whereupon, the Mayor declared the motion passed and Ordinance 6444 was declared duly passed upon its second reading.

Mayor Alender read in item (No. 20RZ036) Approve First Reading, Ordinance 6449, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Longbranch Civil Engineering, Inc. for James and Jamii Carpenter for a Rezoning request from Neighborhood Commercial to Medium Density Residential District for property generally described as being located on the southeast of the intersection of Country Road and Halves Avenue. Motion was made by Roberts, second by Salamun and carried to approve Ordinance 6449 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, December 7, 2020.

Mayor Alender read in item (LF093020-04) Approve First Reading of Ordinance No. 6445 an Ordinance Authorizing the Keeping of Hens on Certain Residential Properties in the City by Amending Section 6.08.020 of the Rapid City Municipal Code. Drew said the council didn’t trust the people who showed up to the meetings or the research done by Ken Young and Joel Landens. Drew worked on answers to dispel the myths and she felt unheard. She stated the younger people wanted this passed. She said she would be on board if anyone wants to bring this back in the future. Motion was made by Nordstrom, second by Lehmann and carried to table Ordinance 6445. Motion passed 10-0.

Community Development Items

Mayor Alender read in item (No. 20PL077) A request by Fisk Land Surveying & Consulting Engineers, Inc for Michael and Yamic Gould, Stuart Ross, Ross and Angela McGee for a Preliminary Subdivision Plan for proposed Lots A through D of Skyline Ranch Subdivision No. 2, generally described as being
CITY COUNCIL

November 16, 2020

Located at 1860, 2300 and 2221 Skyline Ranch Road. This item has been continued to the December 7, 2020 City Council meeting on the applicant's request. Motion was made by Armstrong, second by Strommon and carried to continue to the December 7, 2020 City Council meeting per the applicant's request.

Alcoholic Beverage License Applications Renewals for 2021

36. Approve the following 100 Alcoholic License Renewals for (CL) Convention Center (on-sale), (L) Liquor (PL) Package (on-sale), (RL) Retail (on-sale), (RR) Retail (on-sale) Liquor Restaurant, and (RM) Retail (on-sale) Wine and Cider. Armstrong, Lehmann 10-0

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<td>RW-24259</td>
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Mayor's Items

Mayor Allander read in item (LF102820-09) Approval Resolution No. 2020-084 A Resolution to Resolve Three Outstanding Deeds Related to the Rapid City Indian Boarding School Lands. There was a revised agreement sent out before the council meeting. Motion was made by Nordstrom, second by Drew to approve the amended resolution 2020-084. Nordstrom said there is a tentative agreement between himself and Ms. Thompson. In response to a question from Drew, Tatiewin Means, verified that their group is willing to work with the city. There was not much favor in leaving the dollar amount in the resolution. The resolution gives a deadline date of June 30, 2021 to come to an agreement. There will be future talk regarding the possible use of the vision funds in the final agreement. There is nothing in the resolution that is binding. It is a way to get started on the proposed plan. The council would like a working group put together and get a plan drafted. Motion carried 9 to 1 with Jones voting no.

RESOLUTION NO. 2020-084
RESOLUTION TO RESOLVE THREE OUTSTANDING DEEDS RELATED TO THE RAPID CITY INDIAN BOARDING SCHOOL LANDS

WHEREAS, the federal government created and ran a series of boarding schools throughout the United States in an attempt to assimilate Native American children from the mid-1800s to the 1960s — including the Rapid City Indian Boarding School (“the Boarding School”) from the 1890s-1930s, and

WHEREAS, in the late 1890s the United States federal government purchased 1200+ acres extending from what is now Mt. View Road to Canyon Lake Park on the west side of Rapid City to create the Rapid City Indian Boarding School (“the Boarding School”); and

WHEREAS, the U.S. government took children from as far away as North Dakota, Montana, and Wyoming to the school, but most of the children were Lakotas brought from the Pine Ridge Reservation, the Rosebud Reservation, and the Cheyenne River Reservation, which are home to the three tribal Nations closest to Rapid City; and

WHEREAS, many Native American families came to Rapid City to be near their children and many of the Native people still living in Rapid City today are descendants of these children and their families; and

WHEREAS, when the federal government cut back some of the boarding schools during the Great Depression, the school was transitioned into a tuberculosis hospital for Native American patients (1930s-1960s) and then in the 1960s to a permanent Indian Health Services clinic; and

WHEREAS, in the late 1960s the City of Rapid City, the Rapid City School District, the Chamber of Commerce, the National Guard, and local churches lobbied Congress to gain access to the 1200+ acres of land belonging to the Rapid City Indian Boarding School, and

WHEREAS, Congress passed a law in 1948 ("the Act" or "Act of 1948") allowing the Department of Interior - Bureau of Indian Affairs ("DIIA"), to dispose of the 1200+ acres in three ways:

1. Governmental Entities: to gift the land for free to the governmental entities of the City of Rapid City, the Rapid City Area School District, or the South Dakota National Guard, subject to a "reversion clause" declaring that any land deeded under the 1948 Act would be returned to the DIIA when no longer used for municipal, educational, or National Guard-related purposes; and

2. Religious Organizations: to sell the land to churches for "religious purposes," at "reasonable value;" and

City Council
November 16, 2020

Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
CITY COUNCIL  

NOVEMBER 16, 2020

(3) Needy Indians: to use or exchange the lands for the benefit of "needy Indians"—a term of art used at the time to refer to disadvantaged Native Americans; and

WHEREAS, the following is a summary of the land parcels which were gifted under the governmental entities' category:

- **City of Rapid City:** received two parcel allocations, one parcel (approximately 207 acres) which became known primarily as "Sioux Park," and another parcel (approximately 40 acres) which became known as "West Middle School;" and
  - **Rapid City Area School District:** received two parcels which became Canyon Lake Elementary School, one of which became Stevens High School, and another for a school maintenance facility, and
  - **National Guard:** received approximately 600 acres for its current training facility, and

WHEREAS, under the Religious Organization provision, approximately 9 churches purchased approximately 200 acres contained in 13 different lots, 8 lots of which the churches resold; and

WHEREAS, no parcels or acreages were designated for the use or exchange of land for "needy Indians," despite repeated requests by the Native community over the course of several decades, including repeated inquiries into why none of the lands had ever been allocated to them; and

WHEREAS, this resolution addresses three specific parcels that were originally gifted to either the City or the School District under the government entity provision, that currently have non-municipal or non-educational occupants:

**Parcel A1**
- **Recipient:** City of Rapid City (July 15, 1949)
- **Restriction:** "The title to the land thus conveyed shall revert to the United States of America when the land is no longer used for municipal purposes;"
- **Current Occupant:** Monument Health-Behavioral Health Center, a private nonprofit organization

**Parcel A2**
- **Recipient:** City of Rapid City (July 15, 1949)
- **Restriction:** "The title to the land thus conveyed shall revert to the United States of America when the land is no longer used for municipal purposes;"
- **Current Occupant:** Black Hills Care—Westhills Village, a private religious nonprofit organization

**Parcel B**
- **Recipient:** Rapid City Area School District (July 9, 1954)
- **Restriction:** "The title to the land thus conveyed shall revert to the United States of America when the land is no longer used for educational purposes;"
- **Current Occupant:** Canyon Lake Activity Center ("Canyon Lake Senior Center"), a private nonprofit organization (March 21, 2005, the RCAS transferred this property by Quit Claim Deed)

WHEREAS, parcels A1, A2, and B, upon which the above mentioned nonprofit organizations are located, were originally gifted to the City of Rapid City and the Rapid City Area School District, and are
subject to the reversion clause when they are no longer being used for "municipal" or "educational" purposes respectively, under the 1948 Act; and

WHEREAS, there are no records indicating any payments or rentals by the current occupants of Parcels A1, A2, and B; and

WHEREAS, the DOI-BIA retains the reversion rights to the parcels gifted to the City of Rapid City and the Rapid City Area School District; and

WHEREAS, the concept of "adverse possession" is inapplicable regarding federal land rights; and

WHEREAS, the DOI-BIA sent a letter to the Rapid City Area School District and the City of Rapid City, dated July 13, 2017, stating that these three parcels are now "subject to reversion to Department of Interior - Bureau of Indian Affairs (DOI-BIA) because they are no longer being utilized for the deeded purposes" and

WHEREAS, Native community members have indicated strong interest in these three parcels reverting to the DOI-BIA thus triggering their eligibility for use under the "needy Indians" provision, and providing the opportunity to transform the three existing buildings into a Native American Community Center (Canyon Lake Senior/Activity Center), a Native Assisted Living Facility (Clarkson Health Care-Washills Village), and a Tribal Health Treatment Facility (Monument Health Behavioral Health Center); and

WHEREAS, the current occupants of A1, A2, and B, Monument Health Behavioral Health Center, Clarkson Health Care-Washills Village, and the Canyon Lake Senior/Activity Center, have indicated that they do not wish that the land upon which they are located revert to the federal government, since that transaction would cause them great expense and inconvenience; and

WHEREAS, the Rapid City Area School District received Parcel B under the 1948 Act, and the Rapid City Area School District transferred the land to the Canyon Lake Senior/Activity Center, on March 21, 2005, and the Rapid City Area School District has not engaged to assist the Canyon Lake Senior/Activity Center to help resolve the issues related to the land upon which the Canyon Lake Senior/Activity Center is located, leaving the Canyon Lake Senior/Activity Center to turn to the City of Rapid City for assistance concomitant to the resolution related to Parcels A1 and A2; and

WHEREAS, in its letter to the School District and the City, dated July 13, 2017, the DOI-BIA also encouraged the local Native community, the City of Rapid City, and the Rapid City Area School District to find a "creative solution that helps rectify these dead vulgaries and this historical imbalance"; and

WHEREAS, rather than completing the execution of the reversion clause of the 1948 Act, all parties prefer a creative solution rooted in a land exchange that could allow the current occupants of Parcels A1, A2, and B to remain on that land while rectifying the inequities related to the lack of "needy Indian" receipt of land under the 1948 Act and to honor 70 years of Native community requests for use of the lands; and

WHEREAS, the Office of the Mayor of Rapid City contracted for a formal appraisal of Parcels A1, A2, and B which found the land values combined with the replacement value of the buildings to the current occupants to rebuild elsewhere to be approximately twenty million dollars; and

WHEREAS, under the Act of 1948, the only other alternative to reversion appears to be the "needy Indian" provision, which allows the DOI-BIA to "exchange" any of the Rapid City Indian Boarding School lands for "other lands in or near Rapid City" for the use of "needy Indians;" and
WHEREAS, the Native American community in Rapid City submitted numerous requests for the 1200+ acres, including for museums, powwow grounds, and housing— with the most reoccurring request being a gathering place, an Indian community center; and

WHEREAS, these historical requests for a gathering place were reaffirmed when the members of the Rapid City Indian Boarding School Lands Project, a group of volunteer researchers and advocates, conducted a series of in-person listening sessions and surveys (including remote online voting) among the Native community between 2017 and 2019, during which 76% of respondents overwhelmingly chose a Native American Community Center as their first or second choice; and

WHEREAS, many members of the Native community have indicated that they want to ensure that any Native American Community Center has a reliable source of income for operating expenses and is not wholly dependent on grants or government subsidy; and

WHEREAS, during the surveys held between 2017 and 2019, respondents chose to create a Community Development Corporation that would generate revenue to support the Native American Community Center through three entrepreneurial or industrial arenas: (1) Housing, (2) a Hotel/Convention Center, and (3) a Tourism/Native Arts/Museum.

NOW THEREFORE, BE IT RESOLVED, the Rapid City Common Council seeks to be responsive to the Department of Interior - Bureau of Indian Affairs' letter dated July 13, 2017, and to find resolution to the questions surrounding the occupation of the three parcels herein labeled Parcel A1, A2, and B and rectify any potential deed violations; and

BE IT FURTHER RESOLVED, as the current occupants of Parcels A1, A2, and B have indicated they do not wish to have their parcels revert to the DOI-BIA, the Rapid City Common Council supports a creative solution whereby Parcels A1, A2, and B are exchanged for other lands in or near Rapid City for the use of "needy Indians;" and

BE IT FURTHER RESOLVED, that the Mayor of Rapid City and the Rapid City Common Council will work with Native American community members and the Rapid City Indian Boarding School Lands Project to devise and present a draft plan in the next six months which entails and exchanges ancillary financial investments which, when combined, equal the value of the land and buildings for Parcels A1, A2, and B of twenty million dollars; and

BE IT FURTHER RESOLVED, that this plan will focus on the end goal of building a Rapid City Native American Community Center and capitalizing a Rapid City Native American Development Corporation which will generate revenue to support the Native American Community Center; and

BE IT FURTHER RESOLVED, that the plan will be presented to the Department of Interior - Bureau of Indian Affairs for consideration and approval of the land exchange portion of the plan in order to obtain clean title to Parcels A1, A2, and B; and

BE IT FURTHER RESOLVED, that the Mayor of Rapid City and the Rapid City Common Council shall make a good faith attempt to engage the Rapid City Area School District, Monument Health Behavioral Health Center, Clarkson Health Care–Westhills Village, and the Canyon Lake Activities Center to help secure financial and other support and assistance with regard to resolving the land exchange; and

BE IT FURTHER RESOLVED, this resolution and the plan it describes are limited to resolving only the three parcels explicitly referenced herein; and
BE IT FINALLY RESOLVED, by the Common Council of the City of Rapid City that the Mayor of Rapid City is authorized to lead our City’s efforts to meet the goals and parameters laid out in this resolution.

Dated this 16th day of November, 2020

CITY OF RAPID CITY

/\ Steve Allender
Mayor

ATTEST:
/s/ Pauline Sumpton
Finance Director

PUBLIC HEARING ITEMS – (NONE)
CONSENT PUBLIC HEARING ITEMS – None

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – None

BILLS
The following bills have been audited:

BILL LIST - NOVEMBER 16, 2020

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Sumption presented the bill list of $7,712,467.77. Motion was made by Salamun, second by Jones to authorize (No. CC111620-01) the Finance Director to issue warrants or treasurer checks, drawn on proper funds. In payment thereof. Those voting aye: Nordstrom, Roberts, Strommen, Armstrong, Jones, Lehmann, Salamun, Evans, Wallenbach and Drew; no: None. Motion carried 10-0.
CITY COUNCIL

ADJOURN

There being no further business to come before the Council at this time, motion was made by Armstrong, second by Lehmann and carried to adjourn the meeting at 8:04 p.m.

Dated this 16th day of November, 2023.

ATTEST:

__________________________________________
Finance Director

(SEAL)

CITY OF RAPID CITY

Mayor

November 16, 2020
DEADLINE TOMORROW

Annual Action Plan

2020

City of Rapid City
Rapid City, South Dakota

Communications Division

FOR IMMEDIATE RELEASE

October 2, 2020

HEADLINE TOMORROW

ADMINISTRATOR

CITY WIDE APPRAISER

FOC CARE ACT FUNDING

Provider: Rapid City Child Care, Food Security,

AIDS Services, Transportation, COVID-19 assistance

Rapid City, S.D.—Today the public has an opportunity to hear the latest about the Rapid City Developmental Services (RCD) Agency. The

City will be releasing the 2020 Annual Action Plan for the City’s CARES Act Funding. The CARES Act was passed by Congress

in 2020 to assist state and local governments in responding to the COVID-19 pandemic.

The CARES Act allocated funds to states to support community health centers, hospitals, and other health programs. The

funds will be used to help address the needs of individuals and families affected by COVID-19. The City of Rapid City

will receive $14,000,000 in CARES Act funding.

For more information, contact Rapid City Developmental Services at 360-367-4395.

2020

City of Rapid City
Rapid City, South Dakota

Communications Division

FOR IMMEDIATE RELEASE

October 2, 2020

HEADLINE TOMORROW

ADMINISTRATOR

CITY WIDE APPRAISER

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will receive $14,000,000 in CARES Act funding.

For more information, contact Rapid City Developmental Services at 360-367-4395.
WORK SESSION AGENDA
City of Rapid City, South Dakota
12:30 P.M., Wednesday, January 13, 2021

CALL TO ORDER AT 12:30PM by LAURA ARMSTRONG
(VOTE: For sake of continuity, the following minutes are not necessarily in chronological order. Also, all referenced documents are on file with the Master Agenda)

Members in attendance: Salamon, Wiesanbach, Jones, Drew, Lehman, Armstrong, Stromman, Evans, Roberts, Nordstrom, Absent: None

City Staff present: Joel Landess, City Attorney; Dale Tech, Public Works Director; Ken Young, Community Development Director; Pauline Sumption, Finance Director; Jason Culberson, Fire Chief; Jeff Biegler, Parks and Recreation; Jesse Rogers, Assistant City Attorney; Ted Johnson, City Engineer, Michelle Schurek, CDBG Manager; Kelly Brennan, Long Range Planner; Rick Harrington, Long Range Planner;

PRESENTATION ITEMS: Do not Send to Council

None Identified

DISCUSSION ITEMS: On Non-Consent

None Identified

PARKS AND RECREATION BIEGLER SPOKE TO 1 PM
1) W5011321-C1: Authorized Purchase of two (2) 2021 RAM 2500 Crew Cab, 4x4, 6.4L V8 Trucks from Liberty Superstore with matching State Bid Pricing in the Amount of $31,279.00 each for a total price of $62,558.00.

FIRE DEPARTMENTS CULBERSON SPOKE TO ITEM 2
2) W5011371-12: Approve Purchase of Rosenbauer Aerial Fire Apparatus through Snaize Well (Former NIPA) in the amount of $99,257.00

FINANCE SUMPTION SPOKE TO ITEMS 3-6
3) Acknowledge the following Volunteers for Worker’s Compensation Purposes; RSVP - Judith Berry, Rosalee Johnson, Jane Moore, Rita Schwartz, Kathryn Tribby
4) W5011321-02: Resolution No. 2021-003 Establishing 2021 Encumbrances
5) W5011321-15: Resolution No. 2021-002 – Resolution Levying Assessment for Abatement of Nuisances
6) W5011321-16: Resolution 2021-004 - Resolution Declaring Misroel andans Personal Property Surplus to be traded.

PUBLIC WORKS TECH SPOKE TO ITEMS 7-12
7) W5011321-03: Request Transfer of Tax Deed Property from Pennington County to the City of Rapid City and Authorize Public Works Director to Accept and Record Deed When Transferred.
8) W5011321-04: Authorize Staff to Advertise for Paving Rehabilitation Project – Rand Road, Project No. 20-2618 / CIP No. 50708, Estimated Cost $340,300
9) W5011321-05: Request Authorization to Seek Proposals for Engineering Services for Wtr Aeration Back Clarification and Sewer Piping Construction, Project Number 2829 / CIP Number 51129
10) W5011321-13: Authorize Mayor and Finance Director to sign an agreement between the City of Rapid City and AET for Annual Contract Renewal Work Plan for Sampling, analysis, and Reporting related to 2021 Environmental Monitoring of the Rapid City Landfill for a total cost of $136,715.30
11) WSC11321-13: Request to purchase 2020 MAHSD mechanical sweeper through Sourcewell, Global Environmental, Transcore Contract #122017-GEPI in the amount of $261,606.00
12) WSC11321-14: Approve Request from Fisk Land Surveying & Consulting, Engineers, INC. for a variance to waive the requirement to install sidewalk along Nemo Road, Bittersweet Road, and undeveloped section line ROW, Rapid City, per City Ordinance 12.08.060

Staff Recommendation: Approve

COMMUNITY DEVELOPMENT: SCHUELKE SPOKE TO ITEMS 13-15. DREW, NORDSTROM, SAAM, JONES. WE FENNECH ASKED QUESTIONS ON ITEMS 13-15. HARRINGTON SPOKE TO ITEM 16. BRENNAN SPOKE TO ITEM 17. EVANS, WELFENNECH COMMENTED ON ITEMS 16-17.

13) WSC11321-06: Approve the Preliminary Recommendations of FY20 CDBG-CV funds
14) WSC11321-07: Authorize the Mayor and Finance Director to sign the FY20 CDBG-CV Grant Funding Agreement
15) WSC11321-08: Authorize the Mayor and Finance Director to sign the amended Community Development Block Grant FY20 SF-424
16) 20TP043: Authorize the Mayor and Finance Director to sign the Professional Services Agreement with Fugro USA, Inc. for Digital GIS Base Map Development Services in an amount not to exceed $60,970.19
17) 21TP001: Authorize staff to advertise RFP Request for Proposals for the Campbell Street Structure Replacement and Multi-modal Routing Study

MAYOR/COUNCIL ITEMS
18) WSC11321-C9: Confirm the reappointment of Michael Calabrese and the new appointment of Roger Heacock to the Parks & Recreation Advisory Board.
19) WSC11321-10: Confirm the reappointment of Kyle Blade to the Historic Sign Review Committee

REGULAR BUSINESS ITEMS (Council Non-Consent Calendar)

None Identified

Public Comment opened
- Rita Dupre, spoke to an issue not on the agenda, RE: Water Bills
- Kevin Quasney, spoke to an issue not on the agenda, RE: Water Bills

Public Comment closed

ADJOURN BY ARMSTRONG AT 1:31PM.
PROCEEDINGS OF THE CITY COUNCIL
City of Rapid City, South Dakota
6:30 P.M., Tuesday January 19, 2021

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at City Hall, 300 Sixth Street, in Rapid City, South Dakota on Tuesday, January 19, 2021 at 6:30 P.M.

Mayor Steve Allender chaired the meeting. The following Alderpersons were present: Greg Strommen, Jason Salamin, Ritchie Nordstrom, Lance Lehmann; Pat Jones, Darla Drew, Ron Waffenbach and Bill Evans, Laura Armstrong, and John Roberts; the following Alderpersons arrived during the course of the meeting: None; and the following were absent: None

Staff members present included: Finance Director Pauline Sumption, City Attorney Joel Landeen, Police Captain Scott Sitts, Fire Chief Jason Culberson, Public Works Director Dale Tech. Community Development Director Ken Young, Parks and Recreation Director Jeff Bickler, IT Director Jim Gilbert, Transportation Planning Coordinator Patsy Horton, Community Development Director Michelle Schuelke, Communications Coordinator Darrell Shoemaker and Administrative Coordinator Heidi Weaver.

ADOPTION OF AGENDA
Motion was made by Lehmann, second by Nordstrom and carried to approve the agenda.

Armstrong asked for a Point of Privilege and spoke in honor of Martin Luther King Jr. Day.

AWARDS AND RECOGNITIONS
Mayor Allender presented a Citizen Certificate of Recognition to Niki Hughes who volunteered in starting a neighborhood watch in the Robbinsdale Community.

GENERAL PUBLIC COMMENT
Nick Ubbelohde and Dwayne Langenfeld feel they are being retaliated against for their complaint filed on Councilwoman Armstrong. Bill Clayton and Jasmine Stange voiced their complaints again. Councilwoman Armstrong and the timeliness of the City Attorney to act on the 91 complaints filed with the City Attorney’s office. Jordan Mason spoke in favor of the People’s Rule and wants information to be released on the Home Rule study done by the City.

NON-PUBLIC HEARING ITEMS – Items 2 – 20
Chuck Hinke spoke on items 20TI008, WS011321-04 and 21TP01.

CONSENT ITEMS – Items 2 – 27
The following items were removed from the Consent Items:
7. WS011321-12: Approve Purchase of Rosenbauer Aerial Fire Apparatus through Source Well (Former NJPA) in the amount of $999,207.00.
20. WS011321-05: Approve the Preliminary Recommendations of FY20 CDBG-CV3 funds

Motion was made by Lehmann, second by Jones to approve Items 2-27 with the exception of Items 7 and 20. Motion carried 10-0.

Approve Minutes
2. Approve Minutes for the January 4, 2021 Regular Council meeting.

Alcoholic Beverage License Applications Set for Hearing (February 1, 2021)
3. Naja Shrine Temple for a SPECIAL EVENT On-Sale Dealer License for an event scheduled for March 20, 2021 at the Rapid City Shrine Center, 4091 Sturgis Road
4. Last Mile Brewery LLC, 335 Creek Drive, Unit C, DBA Last Mile Brewery, for a Retail (on-off sale) Malt Beverage & SD Farm Wine License
5. Thuy Nuyen, 4700 Kataral St #104, DBA 705 Mountain View Suite F, for a Retail (on-off sale) Malt Beverage & SD Farm Wine License

Working Session Consent Items
6. WS011321-01: Authorize Purchase of two (2) 2021 RAM 2500 Crew Cab, 4X4, 6.4L V8 Trucks from Liberty Superstore with matching State Bid Pricing in the Amount of $31,279.00 each for a total price of $62,558.03.
7. WS011321-02: Resolution No. 2021-003 Establishing 2021 Encumbrances
8. WS011321-03: Confirm the reappointment of Michael Calabrese and the new appointment of Roger Heacock to the Parks & Recreation Advisory Board.
9. WS011321-04: Confirm the reappointment of Kyle Blada to the Historic Sign Review Committee.
10. WS011321-05: Acknowledge the following Volunteers for Worker's Compensation Purposes: RSVP - Judith Berry, Rosalee Johnson, Jane Moore, Rita Schwartz, Kathryn Tribby
11. WS011321-06: Resolution No. 2021-003 Establishing 2021 Encumbrances

RESOLUTION 2021-003
RESOLUTION ESTABLISHING 2020 ENCUMBRANCES

WHEREAS there are existing bills due and payable relating to Calendar Year 2020 operations of the City of Rapid City totaling $1,030,525.82, and

WHEREAS it is desirable that these bills be charged to the 2020 appropriation;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Rapid City does hereby request that the Rapid City Finance Officer encumber appropriate balances of December 31, 2020, in the amount of $1,030,525.82.

GENERAL FUND 0101

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AND BE IT FURTHER RESOLVED that this Resolution is necessary for the immediate preservation of the public peace, health, safety and support of the municipal government and its existing public institutions, and shall take effect upon the passage and publication thereof.

Dated this 19th day of January, 2021.

CITY OF RAPID CITY

s/ Steve Allender  
Mayor

ATTEST:

s/ Pauline Sumpion  
Finance Director  
(SEAL)
RESOLUTION NO. 2021-002
RESOLUTION LEVYING ASSESSMENTS FOR
ABATEMENT OF NUISANCES

BE IT RESOLVED by the City Council of the City of Rapid City, South Dakota, as follows:

1. The City Council has made all investigations which it deems necessary and has found and determined that the condition of your property had constituted a nuisance. The City abated this nuisance. The cost of the abatement, including administrative costs, is the amount stated in the proposed Assessment Roll for Abatement of Nuisances.

2. The Assessment Roll for Abatement of Nuisances is hereby approved and assessments thereby specified are levied against each and every lot, piece, or parcel of land thereby described.

3. Such assessments, unless paid within thirty (30) days after the filing of the assessment roll in the Office of the Finance Officer, shall be certified as delinquent to the Pennington County Auditor and payable through the Pennington County Treasurer's Office with the statutory interest rate.

<table>
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<th>CUSTOMER NAME</th>
<th>ID#</th>
<th>CLEAN UP ADDRESS</th>
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<th>LEGAL DESCRIPTION</th>
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<td>1104 WFST BLVD</td>
<td>CAVR 480, PO BOX 1541 APO, AE 09128</td>
<td>ALL OF LOT 15-16, W1/2 OF LOT BLOCK 27: BOULEVARD ADD</td>
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<td>2. SODERLIN, CHARLES F</td>
<td>28900</td>
<td>1911 IVY AVE</td>
<td>PO BOX 122, MARTIN, SD 57501</td>
<td>LOT BLOCK 10, ROBBINSDALE</td>
<td>$1,342.00</td>
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Dated this 19th day of January, 2021.

CITY OF RAPID CITY
/s/ Steve Allender
Mayor

ATTEST:
/s/ Pauline Sumption
Finance Director
Resolution #2021-004

RESOLUTION DECLARING MISCELLANEOUS PERSONAL PROPERTY SURPLUS

WHEREAS the below-described property is no longer necessary, useful or suitable for municipal purposes:

NOW, THEREFORE, BE IT RESOLVED that the following property be declared surplus and disposed of according to state statutes:

From: PARKS (697)

For Sale (Trade):

KUBOTA BROOM- ATTACHMENT FOR #003
Vin# 21604985

KUBOTA BLADE FOR #003
Vin# 21805024

2004 SMITHCO SWEEPER
Vin# G4-5007

2018 KUBOTA SPORT UTILITY RTV
Vin# 41333

1987 JOHN DEERE TRACTOR
Vin# CD3179D34886 (#11775)

BE IT FURTHER RESOLVED that the Mayor and Finance Officer may do all acts necessary to dispose of this property according to state law.

Dated this 19th day of January, 2021.

CITY OF RAPID CITY

/s/ Steve Allender
Mayor

ATTEST:

/s/ Pauline Sumption
Finance Director

(SEAL)

4. WSO11321-03: Request Transfer of Tax Deed Property from Pennington County to the City of Rapid City and Authorize Public Works Director to Accept and Record Deed When Transferred.

5. WSO11321-04: Authorize Staff to Advertise Bids for Paving: Rehabilitation Project – Rand Road, Project No. 20-2618 / CIP No. 50798. Estimated Cost $340,000

6. WSO11321-05: Request Authorization to Seek Proposals for Engineering Services for WRF Reclamation Basins Clarifiers and Siphon Piping Construction, Project Number 2629 / CIP Number 51129

7. WSO11321-11: Authorize Mayor and Finance Director to sign an agreement between The City of Rapid City and AET for Annual Contract Renewal Work Plan for Sampling, analysis, and Reporting Related to 2021 Environmental Monitoring of the Rapid City Landfill for a total cost of $116,715.60

8. WSO11321-13: Request to purchase 2020 M4HSD mechanical sweeper through Sourcewell, Global Environmental, Transoursa Contract #122017-6EP in the amount of 5261,606.00
21. WSO11321-07: Authorize the Mayor and Finance Director to sign the FY20 COBG-CV Grant Funding Agreement.

22. WSO11321-08: Authorize the Mayor and Finance Director to sign the amended Community Development Block Grant FY20 SF-424.

23. 20TP043: Authorize the Mayor and Finance Director to sign the Professional Services Agreement with Fugro USA Land, Inc. for Digital GIS Base Map Development Services in an amount not to exceed $60,979.19.

24. 20TP001: Authorize staff to advertise the Request for Proposals for the Campbell Street Structure Replacement and Multi-modal Routing Study.

**Bid Award Consent Items**

25. CC011921-04.1 - Approve award of total bid for Abundant Omaha Trunk Sewer – 1st Street to Maple Avenue. Project No. 20-2810 / CIP No. 81307 opened on January 12, 2021 to the lowest responsible bidder, Mainline Contracting, Inc. in the amount of $118,767.60.

26. CC011921-04.2 - Staff recommends continuing the bid award of one (1) new current model year tandem axle dump truck with anti-lock system & valved for future use for the Street Division to the February 1, 2021 Council meeting.

27. CC011921-04.3 - Staff recommends continuing the bid award of one (1) new current model year single axle 4x4 sand truck with pre-wet system and p-plow for the Street Division to the February 1, 2021 Council meeting.

END OF CONSENT ITEMS

Mayor Allender read in Item (WSO11321-12): Approve Purchase of Rosenbauer Aerial Fire Apparatus through Source Well (Former NAPA) in the amount of $599,257.30. Chief Culberson explained the need and the uses of the new fire truck, not only for the Fire Department but for Emergency Services as well. He also spoke on the ISO rating and the standards put out by the National Fire Protection Association. Motion was made by Lehmann, second by Salamun and carried to approve, 10-0.

Mayor Allender read in Item (WSO11321-06): Approve the Preliminary Recommendations of FY20 COBG-CV3 funds. Drew and Evans stated it seems like the same organizations apply and get funding. Schutze explained there are public notices that get published and emails go out to the organizations explaining how to apply. Council would like to see smaller groups get some money. Motion was made by Lehmann, second by Jones and carried to approve 10-0.

**NON-CONSENT ITEMS – Items 28 and 29**

**Community Development Items**

Mayor Allender read in Item (No. 20PL029) A request by Fisk Land Surveying & Consulting Engineers, Inc. for Coelarnt Construction, LLC for a Preliminary Subdivision Plan for new lot 18A and Lot 18B of Block 1 of Gemstone Subdivision, generally described as being located at 524 and 526 Topaz Lane. Wellenbach stated he needed to abstain. Motion was made by Nordstrom, second by Salamun to approve with the following stipulation: 1. Prior to submittal of a Final Plat application, the plat certificates shall be revised for a Final Plat. Motion carried 9-0 with Wellenbach abstaining.

Mayor Allender read in Item (No. 20PL101) A request by D.C. Scott Co. Land Surveyors for Lorin and Debra Lippert for a Preliminary Subdivision Plan for proposed Tract A and Tract B of Lippert Addition generally described as being located at 14830 Long View Road. Motion was made by Drew, second by
CITY COUNCIL

January 19, 2021

Armstrong to approve with the following stipulations: 1. Upon submittal of a Final Plat application, all feet of right-of-way shall be dedicated from the section line highway located along Long View Road as shown on the proposed plat document; and, 2. Upon submittal of a Final Plat application, the plat document shall show any necessary easements. Motion carried 1D-0.

Public Hearing Items - Items 30 - 32
Kyle Trobar of Dream Design spoke in favor of saving item (20T1006) as is without adding any stipulations.

Consent Public Hearing Items - Items 30 and 31
Alcohol Licenses
30. Happy Family Co., 968 South St, DBA Bo-uje Ramen, 516 Mt. Rushmore Rd, for a Retail (on-off sale) Malt Beverage & SD Farm Winery license and a Retail (on-off sale) Wine and Cider license

Other Items Requiring Public Hearings
31. C0011921-02 - Authorize Mayor and Finance Director to Sign the Agreement to Enter into a Lease for a portion of office space located at 333 Sixth Street with Jefferson Partners L.P.

Motion was made by Drew, second by Lehmann to approve items 30 and 31. Motion carried 10-0.

End of Consent Public Hearing Calendar

Non-Consent Public Hearing Items - Item 32
Mayor Alender read in item (20T1006) Approve Resolution No. 2020-090 to Approve a Project Plan for Property Generally Described as Being Located East of North Street, North of SD Highway 44, West of Elk Vale and South of Ealing Street. Horton spoke on the item. She explained an alternate plan that involved surrounding developers. Trimmer indicated they did not want to include other developers. Tech explained a feasibility study is essential before construction begins. Motion was made by Drew, second by Roberts to approve the stipulations that were attached from the previous city council meeting, Discussion continued. Substitute motion was made by Armstrong, second by Nordstrom to approve original stipulations with the additional stipulation to obtain the feasibility study. Motion carried 10-0.

Resolution No. 2020-090
RESOLUTION APPROVING THE PROJECT PLAN FOR E ANAMOSA STREET WATER MAIN EXTENSION TAX INCREMENT DISTRICT NUMBER EIGHTY-FOUR AS SUBMITTED BY THE RAPID CITY PLANNING COMMISSION

WHEREAS, the Common Council of the City of Rapid City has determined that it is in the best interest of the City to implement plans which promote economic development and growth in the City; and

WHEREAS, the Council embraces the concept of Tax Increment Financing as a tool to encourage this desirable growth and redevelopment; and

WHEREAS, there has been established the E Anamosa Street Water Main Extension Tax Increment District Number Eighty-Four; and

WHEREAS, the Council deems it desirable to promote economic development and create jobs in the corporate limits of the City of Rapid City; and

WHEREAS, this Tax Increment District includes commercial property, thereby forming an economic development Tax Increment District; and
WHEREAS, the Project Plan submitted provides incremental tax funding to complete critical water distribution infrastructure between E North Street and the water reservoir located east of Elk Vale Road, including a water booster station if deemed feasible; and

WHEREAS, the use of Tax Increment Funding to promote the development within this neighborhood is in keeping with the statutes adopted by the South Dakota State Legislature; and

WHEREAS, the Project Plan submitted for this Tax Increment District proposes this public improvement; and

WHEREAS, the Council has considered the Project Plan adopted by the Planning Commission and revised it to include additional capital costs for street construction; and

WHEREAS, the Council has determined that the Project Plan for the E Anamosa Street Water Main Extension Tax Increment District Number Eighty-Four is economically feasible; and

WHEREAS, the Council has further determined that this Project Plan is in conformity with the adopted Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED, by the City of Rapid City that the E Anamosa Street Water Main Extension Project Plan for Tax Increment District Number Eighty-Four be and hereby is approved as submitted by the Rapid City Planning Commission.

DATED this 18th day of January, 2021.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

FINANCE DIRECTOR

BILLS

The following bills have been audited:

BILL LIST - JANUARY 19, 2021

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<tr>
<th>BILL</th>
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City Council

January 19, 2021

SUBTOTAL
RSVP, P/Roll Period End 01/02/21, P 01/08/21
RSVP, Pioneer Bank & Trust, 01/02/21 P/Roll Taxes, P 01/08/21
RSVP, Computer Bill List
TOTAL

6,516,189.73
2,387.18
622.54
669.32
6,520,269.02

Sumption presented the bill list of $6,520,269.02. Motion was made by Sumption, second by Armstrong and carried to authorize (No. CCQ11921-01) the Finance Director to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Motion carried 10-0.

Adjourn

There being no further business to come before the Council at this time, motion was made by Strommen, second by Armstrong and carried to adjourn the meeting at 8:18 p.m.

Dated this 19th day of January, 2021.

City of Rapid City

Attest:

/s/ Steve Allender
Mayor

/s/ Pauline Sumption
Finance Director
(SEAL)

Published at the approximate cost:

Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
CITY COUNCIL WORK SESSION MINUTES  
City of Rapid City, South Dakota  
12:30 P.M. Wednesday, January 27, 2021

CALL TO ORDER at 12:30 P.M. by Laura Armstrong


City Staff present: Joel Landson, City Attorney; Dale Tech, Public Works Director; Pauline Sumption, Finance Director; Don Hedrick, Chief of Police; Kan Young, Community Development Director; Michelle Schuelle. CDGC; Jeff Biagler, Parks and Recreation;

PRESENTATION ITEMS: Send to Council

1) WS012721-39: Explanation of Updated Ordinances 13.08.390.A and 13.08.430.2  
   Tech provided an explanation of changes approved to ordinance. Questions were asked by Evans, Jones, Nordstrom, Roberts, Lehman, Salamun. Send to Council at direction of the members present.  
   Comments from Public were delivered by:  
   Tracy Parkinson, Kahler Property Management; David Kahler, Kahler Property Management; Todd Holland, NWA Property Management; Janice Pauil, Property Owner.

DISCUSSION ITEMS (Council Non-Consent Calendar)

None Identified

REGULAR BUSINESS ITEMS (Council Consent Calendar)

PARKS AND RECREATION: Biagler spoke to items 2-5. Questions were asked by Jones.

2) WS012721-12: Authorize Purchase of a 2021 John Deere 4052R Compact Utility Tractor from RDO Equipment Co. with Sourcewell Grounds Maintenance Pricing in the Amount of $56,089.61 with a 5% trade-in of a John Deere 2155 Tractor for $2,600.00 and a 2016 Kubota for $11,450.00 for a Total Price of $42,039.66
3) WS012721-15: Authorize Staff to Purchase a 2021 RAM 3500 Regular Cab, 4×4, 6.4L V8 Truck from Liberty Superstore with Matching State Bid Pricing in the Amount of $29,919.00
4) WS012721-16: Authorize Staff to Purchase a 2021 RAM 5500 Regular Cab, 4×4, 8.4L V8 Truck from Liberty Superstores with Matching State Bid Pricing in the Amount of $35,161.09
5) WS012721-23: Authorize Staff to Purchase a 2022 Ford F750 Diesel Regular Cab Base 212" WB 156" GA with Crystal "Select" 16' Jump Body from National Auto Fleet with Sourcewell Pricing for a Total Price of $104,583.00

FINANCE DEPARTMENT: Sumption spoke to items 6-14. Questions were asked by Nordstrom, Salamun.

6) Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Shirley Bros. (RSVP+), Johanna Daum (RSVP+), Loretta Endres (RSVP+), Bonnie Fugate (RSVP+), Donna Janus (RSVP+), Sally Levengood (RSVP+), Bonnie Manning (RSVP+), Jane Matteo (RSVP+), Robert Ryther (RSVP+), Sue Sisson (RSVP+), Karen Turgeon (RSVP+), Les Turgeon (RSVP+), Loria Umphrey (RSVP+), Joanna Vigoren (RSVP+), Bonnie Witt (RSVP+), Connie Zimbileman (RSVP+)

7) WS012721-09: Acknowledge December 2020 General Fund Cash Balance Report
8) WS012721-10: Acknowledge November 2020 Sales Tax Report
9) WS012721-11: Approve Resolution No. 2021-005 a Resolution Declaring Miscellaneous Personal Property Surplus to be liquidated and/or donated
COUNCIL WORK SESSION

10) WS012721-17: Approve Resolution No. 2021-007 a Resolution Declaring Miscellaneous Personal Property surplus to be discarded

11) WS012721-20: Approve Resolution No. 2021-008 a Resolution Authorizing and the Issuance of Gross Receipts Revenue Refunding Bonds, Series 2021, of the City; Pledging the Revenues of the Gross Receipts Tax of the City to the Payment of Said Bonds; Authorizing Officers of the City to Approve, Execute and Deliver Certain Agreements and Documents Relating to Bonds

12) WS012721-22: Authorize Mayor and Chief of Police to Sign the 2021 Federal Equitable Sharing Agreement

13) WS012721-26: Approve Request for Property Tax Abatements as Follows: City of Rapid City (Tax ID 70020), 2020, $710,864; David Snyder (Tax ID 21873), 2023, $112,654; Rapid City Police Officers (Tax ID 44526), 2020, $2,987.02; City of Rapid City (Tax ID 70021), 2020, $14,070.96; City of Rapid City (Tax ID 21873), 2020, $31,910; City of Rapid City (Tax ID 85525), 2020, $4,556.38; City of Rapid City (Tax ID 59223), 2020, $452.28; City of Rapid City (Tax ID 59224), 2020, 584.24; Donald Back (Tax ID 48473), 2020, $601.48; Prairie Acres (Tax ID 6002299), 2020, $40.46; Prairie Acres (Tax ID 401807), 2020, $25.20; NW Engineering (Tax ID 8005839), 2020, $478.4. [Total for City of Rapid City: $24,814.22]

14) WS012721-27: Approve Resolution No. 2021-009 a Resolution Acknowledging Corrections to the January 4, 2021 Council Minutes

PUBLIC WORKS Tech spoke to items 15-26. Questions were raised by Evans, Nordstrom

15) WS012771-01: Request Authorization to Seek Proposals for Professional Services for Dyess Avenue Reconstruction – Seger Drive to City Limits, Project No. 20-1530 / CIP No. 51262

16) WS012771-02: Authorize Mayor and Finance Officer to Sign an Agreement Between the City of Rapid City and FMG Engineering, Inc. for Wonderland Avenue Street and Utilities Reconstruction Phase 1, Project No. 20-2603 – CIP 51070.1

17) WS012721-03: Authorize Staff to Purchase One (1) New Current Model Year Bucket Truck Through the Versalift Sourcewell Cooperative Contract 1D12418-TIM with Ash Equipment in the Amount of $97,785.00

18) WS012721-04: Authorize Mayor and Finance Officer to Sign Agreement Between the City of Rapid City and Frank P. Boyle for Temporary Construction Fasements and Permanent Sanitary Sewer Main Easements for Property Located at 3633 Edwards Street for the Fik Vail Lift Station Gravity Main and Force Main Project, Project No. 18-2480 / CIP No. 50729, in the Amount of $40,400.00

19) WS012721-05: Request from Stephen and Sharon Richards for a Variance to Waive the Requirement to Install Sidewalk Along Pine Hills Drive and Sturgis Road. Rapid City, per City Ordinance 12.08.060

Staff Recommendation: APPROVE

20) WS012721-06: Authorize Mayor and Finance Director to Sign a Joint Funding Agreement Between the U.S. Department of Interior, U.S. Geological Survey and City of Rapid City for FY2021 Water Resource Investigations, CIP No. 51279. The City of Rapid City’s Share of the Program is $138,000.00

21) WS012721-07: Request from R.C.S. Construction, Inc. for a Variance to Waive the Requirement to Install Sidewalk Along Commerce Road and Fountain Plaza Drive, Rapid City, per City Ordinance 12.08.060

Staff Recommendation: APPROVE

22) WS012721-08: Request Authorization for Staff to Seek Proposals for Engineering Services for Race Track Draw Drainage Basin Design Plan (DDBP) Update, Project No. 20-2920, CIP No. 51315

23) WS012721-13: Authorization for the City To Advertise Bids for St. Cloud Street Reconstruction Project – 5th St. To Highland Dr., Project No. 19-2487 / CIP No. 51036. Estimated Cost $2,640,000.

24) WS012721-14: Request from KTJ Design Solutions, Inc. on behalf of Western Housing Enterprises, LLC for a Variance to Waive the Requirement to Install Sidewalk along 10th Highway 44, Rapid City, per City Ordinance 12.08.060

Staff Recommendation: APPROVE
25) WSO12721-18: Authorize Staff to Advertise for Bids Downtown Lighting Project Phase 3 CIP #51228 Engineers Estimate $400,000

26) WSO12721-21: Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid City and Skyline Engineering, LLC for Construction Administration for the Downtown Lighting, Project No. 20-1613 / CIP No. 51228. In the amount of $112,705.00

COMMUNITY DEVELOPMENT Schuelke spoke to item 27. Questions were raised by Nordsrom.

27) WSO12721-24: Approve Final Recommendation for the FY20 Community Development Block Grant CV3 Funds

MAYOR’S OFFICE

28) WSO12721-19: Confirm the Reappointments of Nick Petton and Rick Denhander to the Downtown BID Board

29) WSO12721-26: Confirm the Appointment of Shawna Retka to the Community Investment Committee

CITY ATTORNEY’S OFFICE Landeen spoke to item 30. No questions were raised.

30) WSD12721-28: Approve 2021 Insurance Renewal Amounts for Property, Liability, and Excess Worker’s Compensation

REGULAR BUSINESS ITEMS: (Council Non-Consent Calendar)

None Identified

Public Comment opened
Public Comment closed

ADJOURN by Laura Armstrong at 1:50 P.M.
CDBG-CV3 Funding Recommendations – Public Comments

The following public comment was received by George Larson, Executive Director of Western South Dakota Senior Services, Inc. (Meals on Wheels Western South Dakota) on January 13, 2021:

"I approve of the selections."
### Application for Federal Assistance SF-424

**Form No.:** SF-424

**OMB Control No.:** 2506-0117 (exp. 06/30/2018)

### Sections

#### 1. Type of Applicant: Select Applicant Type:
- City or Township Government

#### 2. Name of Federal Agency:

#### 3. Catalog of Federal Domestic Assistance Number:

#### 4. Funding Opportunity Number:

#### 5. Project Title:

#### 6. Consortium Identification Number:

#### 7. Areas Affected by Project (Cities, Counties, States, etc.):

#### 8. Description title of Applicant’s Project:
- Property acquisition, demolition, rehabilitation, etc.
- Public facilities and improvements
- Infrastructure: water, sewer, development, and public services for low-income individuals and families

---

**Annual Action Plan**

2020

**OMB Control No:** 2506-0117 (exp. 06/30/2018)
NOTE. Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management, and completion of project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance, and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will not dispose of, modify the use of, or transfer the title of real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record in the title of real property acquired in whole or in part with Federal assistance funds, to assure non-discrimination during the useful life of the project.

4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.

5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.

6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

7. Will establish safeguards to prohibit employees from utilizing their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

8. Will comply with the Intergovernmental Personnel Act of 1970 (2 U.S.C. §41728-4762), relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM Standards for a Merit System of Personnel Administration (5 C.F.R. 500, Subpart E).

9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.), which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

10. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§2000d-2000m), which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681, 1683, and 1685-1688), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicap; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1990 (P.L. 101-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism: (g) §§253 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§520, 527), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
1. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646), which provide for an equitable and fair treatment of persons displaced of whose property is acquired as a result of Federal-aided housing and community development programs. These requirements apply to all persons in real property acquired for project purposes regardless of Federal participation in purchases.

12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

13. Will comply, in applicability, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Cumberland Act (40 U.S.C. §276c) and the Civilian Work Hours and Safety Standards Act (40 U.S.C. §§278a-333) regarding labor standards for laborers-assisted construction subagreements.

14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

15. Will comply with mental standards which may be prescribed pursuant to the following: (a) institution of environmental-quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating entities pursuant to EO 11514; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State disaster program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State ; Clean Air implementation Plan, under Section 170(c) of the Clean Air Act of 1965, as amended (42 U.S.C. §7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).


18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."

19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

20. Will comply with the requirements of Section 109(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits recipient award recipients, or sub-recipient from (1) engaging in severe forms of trafficking in persons during the period of time that the award is in effect or (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the production of the performance of the award or subawards under the award.

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<td>John Smith</td>
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CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing -- The jurisdiction will affirmatively further fair housing.

Uniform Relocation Act and Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601-6655) and implementing regulations at 49 CFR Parts 24. It has in effect and is following a residential anti-displacement and relocation assistance plan required under 24 CFR Part 24 in connection with any activity assisted with funding under the Community Development Block Grant or HOME program.

Anti-Lobbying -- To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subgrants, subcontracts, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction -- The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the program for which it is seeking funding, in accordance with applicable H.U.D. regulations.

Consistency with plan -- The housing activities to be undertaken with Community Development Block Grant, HOME, Emergency Solutions Grant, and Housing Opportunities for Persons With AIDS funds are consistent with the strategic plan in the jurisdiction's consolidated plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701q) and implementing regulations at 24 CFR Part 135.

Steve Allender, Mayor

4-8-2020

Pauline Simpson, Finance Officer

4-8-2021
Specific Community Development Block Grant Certifications

The Entitlement Community certifies that:

Citizen Participation — It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan — Its consolidated plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objective of the CDBG program (i.e., the development of viable urban communities, by providing decent housing and expanding economic opportunities, primarily for persons of low and moderate income, and reinvestment of 24 CFR Parts 91 and 570).

Following a Plan — It is following a current consolidated plan that has been approved by HUD.

Use of Funds — It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it has developed an Action Plan so as to give maximum feasible priority to activities which benefit low and moderate-income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include CDBG-assisted activities which the grantee certifies are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available (see Optional CDBG Certification).

2. Overall Benefit. The aggregate use of CDBG funds, including Section 108 guaranteed loans, during program years 2020 (a period specified by the grantees of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period.

3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing a user amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

The following are excluded:

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (including, in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property, with respect to the public improvements financed by a source other than CDBG funds.

In addition, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it includes CDBG funds to cover the assessment.

Excessive Force — It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations, and

2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.
Compliance with Anti-discrimination laws — The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.

Lead-Based Paint — Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, Subparts A, B, I, K and R.

Compliance with Laws — It will comply with applicable laws.

Steve Attender: Mayor

[Signature]

4-8-2020

[Date]

Pamela Sumption, Finance Officer

[Signature]

4-8-2020

[Date]
**Discharge Policy**

The recipient will establish and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as welfare care facilities, mental health facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent this discharge from immediately resulting in placement for these persons.

---

*Signature*

Steve Allender, Mayor

4-8-2020

Date

---

*Signature*

Pauline Sumpson, Finance Officer

4-8-2020

Date
APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING CERTIFICATION:

Lobbying Certification
This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $150,000 for each such failure.
Application for Federal Assistance SF-424

**Annual Action Plan**

**2020**

**OMB Control No:** 2506-0117 (exp. 06/30/2018)

**Application Identifier:** 123456789-10

**Federal Award Identifier:** 123456789-10

**State Application Identifier:** 123456789-10

**Application Information:**

**Applicant Name:**

**Employer/ taxpayer identification number (ein/tin):**

**Organization Doing Business As:**

**Address:**

**Street:** 123 Main Street

**City:** Wafl City

**County:**...
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<td>10. Name of Federal Agency</td>
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<tr>
<td>11. Catalog of Federal Domestic Assistance Number</td>
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<td>Prevent, prepare for, and respond to COVID-19</td>
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**Application for Federal Assistance SF-424**

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<td><strong>b. Program/Project:</strong> 1</td>
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<td><strong>x. Program is subject to E.O. 13272 but it has not been selected by the State for review:</strong></td>
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<tr>
<td><strong>v. Program is not covered by E.O. 13272.</strong></td>
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<td><strong>x. Yes</strong></td>
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<tr>
<td><strong>x. No</strong></td>
</tr>
<tr>
<td>If &quot;Yes,&quot; provide explanation and attach</td>
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</table>

21. "By signing this application, I certify (1) to the statements contained in the list of certifications" and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurance" and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or omissions may subject me to criminal, civil, or administrative penalties. (U.S. Code Title 21, Section 2091) 

**x. I agree**

**x. The list of certifications and assurances in an Internet site where you may obtain this form is contained in the announcement or agency specific instructions.**

**Authorized Representative:**

<table>
<thead>
<tr>
<th>First Name:</th>
<th>Last Name:</th>
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<tr>
<td></td>
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<tr>
<th>Signature of Authorized Representative:</th>
</tr>
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<td></td>
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</table>

**Date Signed:** 5/20/2020

Pauline Swaddle, Finance Director
PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances, if such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial, and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all reports, books, papers, or documents related to the assistance; and will establish and maintain an accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency name and number and inducement in the title of the real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project.

4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review, and approval of construction plans and specifications.

5. Will provide and maintain complete and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and forbear progressive reports and other information as may be required by the assistance awarding agency or State.

6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

7. Will establish safeguards to prohibit employees from using their positions for a purpose that results in or presents the appearance of personal or organizational conflict of interest, or personal gain.

8. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to:
   a. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d-2000m) which prohibits discrimination on the basis of race, color, or national origin;
   b. Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1688), which prohibits discrimination on the basis of sex;
   c. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §§ 794), which prohibits discrimination on the basis of handicap;
   d. the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age;
   e. the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-250), as amended, relating to non-discrimination on the basis of drug abuse;
   f. the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-816), as amended, relating to nondiscrimination on the basis of alcohol abusing and alcohol abuser records;
   g. Title VIII of the Housing Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental, or financing of housing;
   h. any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and
   i. the requirements of any other nondiscrimination statute(s) which may apply to the application.
11. Will comply or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal assistance in purchases.

12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§ 952, 953) which limit the political activities of federal employees whose principal employment activities are funded in whole or in part with Federal funds.

13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a-6 to 276a-7), the Copeland Act (40 U.S.C. §§276c and 18 U.S.C. §§674), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§333) requiring labor standards for federally-assisted construction subagreements.

14. Will comply with flood insurance purchase requirements of Section 102(e) of the Flood Disaster Protection Act of 1973 (P.L. 93-318) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 90-92); (b) certification of federal or EPA personnel; and (c) certification of project compliance with the National Historic Preservation Act of 1966 (16 U.S.C. §§470) as amended.


18. Will ensure that all Federal, State, and local government entities, and non-profit organizations, are notified, as required, of the review and compliance audits in accordance with the Single Audit Act Amendments of 1984 and OMB Circulars A-133.

19. Will comply with all applicable requirements of all other Federal, State, executive orders, regulations, and policies governing this program.

20. Will comply with the requirements of Section 108(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. §7109) which prohibits grant award recipients or sub-recipients from (1) engaging in severe forms of trafficking in persons during the period of time that the award is in effect; (2) procuring commercial sex acts during the period of time that the award is in effect; or (3) using forced labor in the performance of the award or subawards under the award.

---

**Signature**

[Signature]

**Date**

5-29-20
CERTIFICATIONS CDBG CV

CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing — The jurisdiction will affirmatively further fair housing.

Uniform Relocation Act and Anti-displacement and Relocation Plan — It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24. It has in effect and is following a residential anti-displacement and relocation assistance plan required under 24 CFR Part 42 in connection with any activity assisted with funding under the Community Development Block Grant or HOME programs.

Anti-Lobbying — To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form 177, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subrecipients at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction — The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan — The housing activities to be undertaken with Community Development Block Grant, HOME, Emergency Solutions Grant, and Housing Opportunities for Persons With AIDS funds are consistent with the strategic plan in the jurisdiction's consolidated plan.

Section 3 — It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1709q) and implementing regulations at 24 CFR Part 135.

Steve Allender
Mayor, City of Rapid City
Date

[Signature]

Finance Officer
CERTIFICATIONS CDBG-CV

Finance Director, City of Rapid City
Title
CERTIFICATIONS CD86-CV

Specific Community Development Block Grant Certifications

The entitlement Community certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its consolidated plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objective of the CDBG program (i.e., the development of viable urban communities, by providing decent housing and expanding economic opportunities, primarily for persons of low and moderate income) and requirements of 24 CFR Parts 91 and 570.

Following a Plan -- It is following a current consolidated plan that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include CDBG-assisted activities which the grantee certifies are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other federal resources are not available (see Optional CDBG Certification).

2. Overall Benefits. The aggregate use of CDBG funds, including Section 108 guaranteed loans, during program year(s) _______ (as specified by the grantee of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period.

3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (except in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

In addition, if the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations;

2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

Annual Action Plan
2020

OMB Control No: 2506-0117 (exp. 06/30/2018)
CERTIFICATIONS CDBG-CV

Compliance with Anti-discrimination laws — The grant will be conducted and administered in compliance with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.

Lead-Based Paint -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, Subparts A, B. I, K and R.

Compliance with Laws -- It will comply with applicable laws.

[Signature]  
Steve Allender  
Date

Mayor, City of Rapid City
Title
[Signature]  
Pete Nimmer  
Date

Finance Director, City of Rapid City
Title
CERTIFICATIONS CDBG CV

OPTIONAL Community Development Block Grant Certification

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having particular urgency as specified in 24 CFR 570.208(c).

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG-assisted activities which are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

Steve Allender
Mayor, City of Rapid City

[Signature]  S-26-20
Date

Pamela Sumpson
Finance Director, City of Rapid City

[Signature]  S-27-20
Date
CERTIFICATIONS CDBG-CV

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING CERTIFICATION:

Lobbying Certification
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<td>□ Conclusion</td>
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<tr>
<td>Attach supporting documents as specified in agency instructions:</td>
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<td>Add Attachment</td>
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## Application for Federal Assistance SF-424

### 16. Congressional Districts On:
- *a. Applicant:
- *c. Program/Project:

### 17. Proposed Project:
- *g. End Date: 5/31/2020

### 18. Estimated Funding [1]:

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<th>b. Applicant</th>
<th>c. Rate</th>
<th>d. Costs</th>
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### 19. Is Application Subject to Review By State Under Executive Order 12372 Process?
- [ ] The application was made available to the State under the Executive Order 12372 Process for review.
- [ ] Program is not covered by E.O. 12372.

### 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)
- [ ] Yes
- [x] No

### 21. By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurance** and agree to comply with any resulting terms if I accept all award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 26, Section 501)
- [ ] I AGREE

### Authorized Representative:

<table>
<thead>
<tr>
<th>Name:</th>
<th>Title/Name:</th>
<th>Address:</th>
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<table>
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<tr>
<th>Title:</th>
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<th>Phone:</th>
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<tbody>
<tr>
<td>Mayor</td>
<td>111 Main St, Any City</td>
<td>(123) 456-7890</td>
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</table>

**Signature of Authorized Representative:

[Signature]

Date: 11-4-20

### Additional Information:
- OMB Control No: 2506-0117 (exp. 06/30/2018)
Please do not return your completed form to the Office of Management and Budget. Send it to the address provided by the sponsoring agency.

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As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management, and completion of project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will not dispose of, modify the use of, or change the form of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to ensure non-discrimination during the useful life of the project.

4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.

5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the completed work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.

6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or gives rise to the appearance of personal or organizational conflict of interest, or personal gain.

8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4725-4733) relating to prescribed standards of initial entry for appropriate personnel to be assigned to a State or local government agency.

9. Will comply with the Lead-Based Paint Hazard Prevention Act (42 U.S.C. §§4801 et seq.), which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

10. Will comply with all Federal statutes pertaining to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000m) which prohibits discrimination on the basis of race, color, or national origin; (b) Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. §§1681-1688, which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §§794), which prohibits discrimination on the basis of handicap; (d) the Age Discrimination Act of 1975, as amended (29 U.S.C. §§601-610); (e) Title VI of the Drug Abuse and Treatment Act of 1977 (P.L. 95-225), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Narcotic Abuse and Drug Abuse Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 92-616), as amended, relating to nondiscrimination or the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act (42 U.S.C. §§200 and 200 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; and (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental, or financing of housing; (i) any other non-discrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (PL. 91-654) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

12. Will comply with the provisions of the “ all U.S.C. §§1501-1509 and 7324-7328”) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.


14. Will comply with flood insurance purchase requirements of Section 107(h) of the Flood Disaster Protection Act of 1973 (PL 93-234) which requires residents in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (PL. 91-196) and Executive Order (EO) 11014; (b) notification of violating facilities pursuant to EO 11796; (c) protection of wetlands pursuant to EO 11988; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) compliance of Federal actions to State (Clean Air) implementation plans under Section 176(c) of the Clean Air Act of 1963, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground or surface sources of drinking water under the Safe Drinking Water Act of 1974, as amended (PL 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (PL 93-205).


17. Will assist the awarding agency in ensuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11988 (identifies and protects historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§409a-1 et seq.)

18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1981 and OMB Circular No. A-33, "Audits of States, Local Governments, and Non-Profit Organizations.”

19. Will comply with all applicable requirements of all other federal laws, executive orders, regulations, and policies governing this program.

20. Will comply with the requirements of Section 108(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C 7104) which prohibits grant award recipients or sub-recipients from (1) engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) coercing a commercial sex act during the period of time that the award is in effect or (3) using forced labor in the performance of the award or subawards under the award.
CERTIFICATIONS CDBG-CV

CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing — The jurisdiction will affirmatively further fair housing

Uniform Relocation Act and Anti-displacement and Relocation Plan — It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. (42 U.S.C. 4601-4653) and implementing regulations at 49 CFR Part 24. It has in effect and is following a resident anti-displacement and relocation assistance plan required under 24 CFR Part 24 in connection with any activity assisted with funding under the Community Development Block Grant or HOME programs.

Anti-Lobbying — To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions, and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all levels (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction — The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan — The housing activities to be undertaken with Community Development Block Grant, HOME, Emergency Solutions Grant, and Housing Opportunities for Persons With AIDS funds are consistent with the strategies in the jurisdiction’s consolidated plan.

Section 3 — It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 170a) and implementing regulations at 24 CFR Part 135.

Steve Allen

Mayor, City of Rapid City

11-3-2020

Date

Pauline Sumpson

Finance Director, City of Rapid City

11-4-2020

Date
CERTIFICATIONS

CDBG-CV

Specific: Community Development Block Grant

Certifications
The Entitlement Community certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its annual plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objectives of the CDBG program (i.e., the development of viable urban communities, by providing decent housing and expanding economic opportunities, primarily for persons of low and moderate income) and requirements of 24 CFR Parts 91 and 570.

Following A Plan -- It is following a current consolidated plan that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include CDBG-assisted activities which the grantee certifies are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available (see Optional CDBG Certification).

2. Overall Benefit. The aggregate use of CDBG funds, including Section 108 guaranteed loans, during program year[s] [a period specified by the grantee of one, two, or three specific consecutive program years], shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period.

3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

In addition, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations, and

2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.
CERTIFICATIONS CDH-CV

Compliance with Anti-discrimination laws - The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.

Lead-Based Paint -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, Subparts A, B, I, K, and R.

Compliance with Laws -- It will comply with applicable laws.

[Signature]
Steve Allender

Date: 11-3-2020

Mayor, City of Rapid City
Title

[Signature]
[Title]

Date: 11-4-20

Utility Director, City of Rapid City
CERTIFICATIONS CDBG-CV

OPTIONAL Community Development Block Grant Certification

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having particular urgency as specified in 24 CFR 575.208(c):

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG-assisted activities which are designed to meet other community development needs having particular urgency because existing conditions pose a serious and imminent threat to the health or welfare of the community and other financial resources are not available to meet such needs.

Steve Allender
Mayor, City of Rapid City
Title

[Signature]

11-3-2020
Date

Pauline Numption
Finance Director, City of Rapid City

[Signature]

11-4-20
Date

OMB Control No: 2506-0117 (exp. 06/30/2018)
CERTIFICATIONS CDBG-CV

Discharge Policy  The recipient will establish and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, mental health facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent this discharge from immediately resulting in homelessness for these persons.

Mayor, City of Rapid City
Tib.  

Date

Finance Director, City of Rapid City
CERTIFICATIONS CDBG-CV

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING CERTIFICATION:

Lobbying Certification
This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for such such failure.