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 prioritized 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 FY21 Annual Action Plan’s program year runs from April 1, 2021, through March 31, 2022.

2. Summarize the objectives and outcomes identified in the 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. While developing this plan, the City took the approach of addressing
critical needs due to the Coronavirus pandemic with CDBG-CV and CDBG-CV3 funds while primarily directing FY21 funding towards activities meeting the objectives within the 2018-2022 Consolidated Plan.

3. **Evaluation of past performance**
The City continues to focus on the goals set in the 2018-2022 Consolidated Plan with addressing new critical needs that have presented as a result of the Coronavirus pandemic.

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 continue to be a high-priority need and the City prioritized activities that addressed housing for homeless, very-low-income, and special populations. Public service activities that prove to be valuable to the community by reducing the need for additional costly services are supported.

Additionally, the City evaluates past performance and the likelihood of success when funding activities. The pandemic resulted in mixed performance implications for different Subrecipients over the past year.

4. **Summary of Citizen Participation Process and consultation process**
The City provides residents opportunities to comment on Annual Action Plans, Consolidated Plans, and Consolidated Annual Performance and Evaluation Reports (CAPER) Reports are published on the City’s website and hard copies are available by reasonable request. Public notices are published in two local papers, the Rapid City Journal and Native Sun News, and delivered via email broadcasts. Public Comments are also accepted during City Council Working Sessions (formally Legal and Finance Committee meetings) and City Council meetings.

The Resident Participation Plan was amended twice during FY20. The first amendment updated physical locations and methods for public access to CDBG Program Division documents
including but not limited to Consolidated Plans, Annual Action Plans, CAPERS, and appropriate documentation. The second amendment addressed the temporary reduction in the number of days required for certain public comment periods allowed by a waiver issued by HUD and as outlined in “CARES Act Flexibilities for CDBG Funds Used to Support Coronavirus Response” dated April 9, 2020.

The consultation process included City participation in several public and private meetings, including pre-established forums in which a variety of audiences are allowed to provide input. Many virtual methods were included in the consultation process. See section AP-12 for a detailed list of outreach actions.

5. **Summary of public comments**
   TBD

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

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. The availability of other resources not managed by the City is taken into consideration when funding recommendations are made.
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 the 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, SD</td>
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<tr>
<td>CDBG Administrator</td>
<td>RAPID CITY, SD</td>
<td>Community Development Block Grant Program Division</td>
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</tbody>
</table>

Table 1 – Responsible Agencies

**Narrative**

CDBG funds are administered under Rapid City’s Community Development Department by the Community Development Block Grant Program Division. The CDBG Program Division is responsible for preparing Consolidated Plans, Annual Action Plans, and CAPERS.

**Consolidated Plan Public Contact Information**

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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, neighborhood groups, faith-based organizations, philanthropic groups, housing providers, and developers.

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))

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.

The newly formed Rapid City Strategic Housing Trust Fund has representation from a multitude of sectors including government, philanthropic, developers, and the local public housing authority. Partners such as Elevate Rapid City, Black Hills Area Community Foundation, and the John T. Vucurevich Foundation have contributed financially to the trust fund. Targeted approaches of the strategic housing initiative include increasing inventory, accessibility and stability, reducing housing insecurity, lessening the housing cost burden, and aligning a network of nonprofit providers to support property managers and residents with critical services.

OneHeart, a transformative campus with customized housing plans along with co-located wrap-around services opened in January 2021. Over 15 non-profit agencies will provide a wide range of services in a centralized location. OneHeart is located next to Care Campus’s addiction treatment services. Part of OneHeart’s financial support comes from a $5 million award from the City.

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 Systems. Together,
OneHeart and Care Campus provide a continuum of complimentary services along with safe temporary housing.

CommonBond Communities develops high-quality inclusive affordable housing coupled with support services focused on education, health and wellness, and community engagement throughout the Midwest. CommonBond staff is working on real estate acquisition in the area with the number of housing units yet to be determined based on market analysis.

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 Black Hills Regional Homeless Coalition regularly meets with representation from the VA, the police department, service providers, and engaged community members.

Region 1 Coordinated Entry System (CES) case conferring meetings are held on a monthly basis. CES case managers connect people to permanent housing. Households are prioritized based on need. Volunteers of America Northern Rockies is Rapid City’s designated coordinated entry location and its Homeless Services Coordinator conducts outreach and coordinates the annual Point-In-Time homeless count.

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

Partner meetings are held to determine a collaborative approach in applying for ESG funds with a focus on addressing systemic changes along with critical emergency needs. The Coronavirus pandemic increased collaborative efforts and brought together numerous agencies to take a holistic approach in addressing challenges. Although involved in the consultation process, Rapid City does not allocate ESG funds.

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
<table>
<thead>
<tr>
<th></th>
<th><strong>Agency/Group/Organization</strong></th>
<th>Community Health Center of the Black Hills, Inc.</th>
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<tbody>
<tr>
<td></td>
<td><strong>Agency/Group/Organization Type</strong></td>
<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-homeless</td>
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<td>Services-Health</td>
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<td>Health Agency</td>
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<td><strong>What section of the Plan was addressed by Consultation?</strong></td>
<td>Homeless Needs - Chronically homeless</td>
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<td>Homeless Needs - Families with children</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>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>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.</td>
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<td><strong>Agency/Group/Organization</strong></td>
<td>Black Hills Area Habitat for Humanity</td>
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<td><strong>Agency/Group/Organization Type</strong></td>
<td>Housing</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>Public Housing Needs</td>
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<td>Homeless Needs - Chronically homeless</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 Needs - Unaccompanied youth</td>
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<td>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>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. Additional coordination allows the organization to consult with others that provide complimentary housing options before or after first-time home ownership.</td>
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<td><strong>3 Agency/Group/Organization</strong></td>
<td>Volunteers of America Northern Rockies</td>
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</tbody>
</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-Education
Service-Fair Housing
Regional organization |
| **What section of the Plan was addressed by Consultation?** | Housing Need Assessment
Homeless Needs - Families with children
Homelessness Needs - Veterans
Homelessness Strategy
HOPWA Strategy |
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<tr>
<th>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</th>
<th>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.</th>
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<td><strong>4</strong> Agency/Group/Organization</td>
<td>NeighborWorks Dakota Home Resources</td>
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<td><strong>Agency/Group/Organization Type</strong></td>
<td>Housing</td>
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<td>Services - Housing</td>
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<td>Services-Education</td>
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<td>Service-Fair Housing</td>
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<td>Neighborhood 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>Homelessness Strategy</td>
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<td>Market Analysis</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 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.</td>
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<td><strong>5</strong> Agency/Group/Organization</td>
<td>WORKING AGAINST VIOLENCE INC.</td>
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<tr>
<td><strong>Agency/Group/Organization Type</strong></td>
<td>Housing</td>
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<td>Services-Victims of Domestic Violence</td>
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<td>Services-homeless</td>
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<td>Services-Education</td>
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<td>Service-Fair Housing</td>
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<td>Services - Victims</td>
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| 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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<td>6</td>
<td>Agency/Group/Organization</td>
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</table>
| Agency/Group/Organization Type | Housing  
PHA  
Services - Housing  
Services-homeless  
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  
Market Analysis  
Lead-based Paint Strategy |
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<tr>
<th>Agency/Group/Organization</th>
<th>South Dakota Housing Development Authority</th>
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| Agency/Group/Organization Type | Housing  
Services - Housing  
Services-homeless  
Service-Fair Housing  
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  
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? | 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. |</p>
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<th>Agency/Group/Organization</th>
<th>Agency/Group/Organization Type</th>
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<td>8</td>
<td>Black Hills Special Services</td>
<td>Housing Services - Housing Services-Persons with Disabilities Services-Employment Service-Fair Housing Regional organization</td>
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<td>What section of the Plan was addressed by Consultation?</td>
<td>Housing Need Assessment Non-Homeless Special Needs Anti-poverty Strategy</td>
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<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 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>
</tr>
<tr>
<td>9</td>
<td>WELLFULLY AKA WELSPRING INC.</td>
<td>housing Services - Housing Services-Children Services-Education Services - Victims Child Welfare Agency Community Development Financial Institution</td>
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<td>What section of the Plan was addressed by Consultation?</td>
<td>Non-Homeless Special Needs</td>
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<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 other organizations serving at-risk youth.</td>
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<td>10</td>
<td>Canyon Lake Senior Center</td>
<td>Services-Elderly Persons</td>
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| What section of the Plan was addressed by Consultation? | Housing Need Assessment  
Public Housing Needs  
Homelessness Strategy  
Non-Homeless Special Needs  
Anti-poverty 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 with other non-profit agencies. Outcome: Better understanding of senior needs and gaps in services.</td>
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<td><strong>11</strong> Agency/Group/Organization</td>
<td>Minneluzahan Senior Center</td>
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</table>
| Agency/Group/Organization Type | Services-Elderly Persons  
Services-Education |
| What section of the Plan was addressed by Consultation? | Housing Need Assessment  
Public Housing Needs  
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 listening sessions with other non-profit agencies. Outcome: Better understanding of senior needs and gaps in services. |
| **12** Agency/Group/Organization | Lutheran Social Services |
| Agency/Group/Organization Type | Housing  
Services - Housing  
Services-Children  
Services-homeless  
Services-Education  
Child Welfare Agency |
| What section of the Plan was addressed by Consultation? | Housing Need Assessment  
Public Housing Needs  
Homelessness Needs - Unaccompanied youth  
Homelessness Strategy  
Non-Homeless Special Needs  
Anti-poverty Strategy |
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<tr>
<th>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</th>
<th>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.</th>
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<td>13</td>
<td>Agency/Group/Organization</td>
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</table>
| Agency/Group/Organization Type | Services - Housing  
Services-Children  
Services-Elderly Persons  
Services-Persons with Disabilities  
Services-homeless  
Services - Victims  
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  
Anti-poverty Strategy |
| 14 | Agency/Group/Organization | YOUTH AND FAMILY SERVICES |
| Agency/Group/Organization Type | Services-Children  
Services-Education  
Child Welfare Agency |
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<tr>
<th>Agency/Group/Organization</th>
<th>Behavior Management Systems</th>
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<tr>
<td><strong>Agency/Group/Organization Type</strong></td>
<td>Housing</td>
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<td>Services-Persons with Disabilities</td>
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<td>Services-Health</td>
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<td>Health Agency</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>Public Housing Needs</td>
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<td>Homeless Needs - Chronically homeless</td>
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<td>Non-Homeless Special Needs</td>
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<td>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 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: Continued coordination among service providers and organization will be a partner at OneHeart.</td>
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<th>Agency/Group/Organization</th>
<th>Hope Center</th>
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<td><strong>Agency/Group/Organization Type</strong></td>
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<td>Services - Housing</td>
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<td>Services-homeless</td>
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| 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 |
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<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, 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.</td>
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<td>17</td>
<td>Agency/Group/Organization</td>
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| | Agency/Group/Organization Type | Services - Housing  
Services-Education  
Service-Fair Housing |
| | 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. |
| 18 | Agency/Group/Organization | Rapid City Area Schools |
| | 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 |
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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 the Collective Impact housing, fair housing, poverty, homelessness, and youth services listening sessions. The Rapid City Area School district and the McKinney-Vento homeless outreach staff serve 500-800 homeless youth a year. Information provided has been included in this plan. Outcome: Several schools within the district now offer free lunches in accordance with the Community Eligibility Provision, a non-pricing meal service option for schools in low-income areas. The newly formed summer meal program, made possible by Rapid City Collective Impact, Feeding South Dakota, and Rapid City Area Schools, provided more than 30,000 free breakfast and lunches throughout the city during the summer months. United Way of the Black Hills launched the National Campaign for Grade-Level Reading initiative and the City offers free public transportation for students.</td>
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<td>19</td>
<td>Agency/Group/Organization</td>
</tr>
<tr>
<td></td>
<td>Agency/Group/Organization Type</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 |
<table>
<thead>
<tr>
<th>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</th>
<th>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. There is expected to be an increased connection between the school and the downtown sector due to multiple construction projects and a downtown lighting project.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agency/Group/Organization</td>
<td>United Way of the Black Hills</td>
</tr>
<tr>
<td>Agency/Group/Organization Type</td>
<td>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</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  
Non-Homeless Special Needs  
HOPWA Strategy  
Market Analysis  
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 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's recent community needs assessment is expected to help with funding decisions and program development.</td>
</tr>
<tr>
<td>21</td>
<td>John T Vucurevich Foundation</td>
</tr>
</tbody>
</table>
| Agency/Group/Organization Type | Regional organization  
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  
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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 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. The agency hosts meetings with a variety of unique stakeholders participating and sharing resources and ideas, particularly related to childcare, medical and mental health, food security, advanced learning, government resources, and funding opportunities.</td>
</tr>
<tr>
<td>#</td>
<td>Agency/Group/Organization</td>
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<tr>
<td>22</td>
<td><strong>Agency/Group/Organization Type</strong></td>
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<td><strong>What section of the Plan was addressed by Consultation?</strong></td>
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<td></td>
<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>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>23</th>
<th>Agency/Group/Organization</th>
<th>Pennington County Health and Human Services</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Agency/Group/Organization Type</strong></td>
<td>Services - Housing</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Services - Elderly Persons</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Services - Persons with Disabilities</td>
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<tr>
<td></td>
<td></td>
<td>Services - Persons with HIV/AIDS</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Services - homeless</td>
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<tr>
<td></td>
<td></td>
<td>Services - Health</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Other government - County</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  
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, 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>
</tbody>
</table>
| Agency/Group/Organization Type | Services-Health  
Health Agency  
Other government - County |
| 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>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. |
| 26 | 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 |
| **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  
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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>
</tr>
<tr>
<td><strong>Agency/Group/Organization</strong></td>
</tr>
</tbody>
</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 |
| **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 |
<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> | Consortium members were invited to participate in the Collective Impact public comment sessions regarding all issues. Outcomes: Better coordination of services locally and statewide. Increased participation from members on the West side of the state and representation on the PAC. |
| <strong>Agency/Group/Organization</strong> | Rapid City Police Department- Quality of Life Unit |
| <strong>Agency/Group/Organization Type</strong> | Other government - Local |</p>
<table>
<thead>
<tr>
<th>Agency/Group/Organization</th>
<th>Pennington County Sheriffs Dept.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agency/Group/Organization Type</td>
<td>Other government - County</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 - Unaccompanied youth  
Homelessness Strategy |
| Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination? | The police department provides updates on community needs, input to proposed plans, and reports on Quality of Life initiatives. Outcomes: Better coordination of services and first-hand knowledge of community issues not well known. |

<table>
<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>
</tbody>
</table>
| What section of the Plan was addressed by Consultation? | Housing Need Assessment  
Market Analysis  
Economic Development |
| 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: Better coordination of services locally and statewide. |

<table>
<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>
</tbody>
</table>
| What section of the Plan was addressed by Consultation? | Housing Need Assessment  
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? | 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. |</p>
<table>
<thead>
<tr>
<th></th>
<th><strong>Agency/Group/Organization</strong></th>
<th><strong>Black Hills Regional Homeless Coalition</strong></th>
</tr>
</thead>
</table>
|   | **Agency/Group/Organization Type** | Housing  
Services - Housing  
Community Development Financial Institution |
|   | **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. |
| 32 | **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 |
|   | **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. Increased awareness of state programs. |
| 33 | **Agency/Group/Organization** | BLACK HILLS AREA COMMUNITY FOUNDATION |
|   | **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 |
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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>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.</td>
</tr>
<tr>
<td>Agency/Group/Organization</td>
<td>Western South Dakota Community Action, Inc.</td>
</tr>
</tbody>
</table>
| Agency/Group/Organization Type | Services-Children  
Services-Elderly Persons  
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>
<thead>
<tr>
<th>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</th>
<th>Agency was invited to participate in listening sessions with other non-profit agencies. Agency was invited to participate in recurring community meetings. Outcome: Better awareness of agency’s capacity.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agency/Group/Organization</td>
<td>Teen Up</td>
</tr>
<tr>
<td>Agency/Group/Organization Type</td>
<td>Services-Children, Services-Victims of Domestic Violence, Services-homeless, Services-Education</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: 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.</td>
</tr>
<tr>
<td>Agency/Group/Organization</td>
<td>Various Developers &amp; Bankers</td>
</tr>
<tr>
<td>Agency/Group/Organization Type</td>
<td>Housing, Services - Housing, Services-Education, Service-Fair Housing, Business and Civic Leaders</td>
</tr>
<tr>
<td>What section of the Plan was addressed by Consultation?</td>
<td>Housing Need Assessment, Non-Homeless Special Needs, Anti-poverty 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>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. Awareness of banking and financing trends.</td>
</tr>
<tr>
<td>No.</td>
<td>Agency/Group/Organization</td>
</tr>
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<tr>
<td>37</td>
<td>Rapid City Strategic Housing Trust Fund</td>
</tr>
<tr>
<td></td>
<td>What section of the Plan was addressed by Consultation?</td>
</tr>
<tr>
<td></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>
</tr>
<tr>
<td>38</td>
<td>Black Hills Works</td>
</tr>
<tr>
<td></td>
<td>What section of the Plan was addressed by Consultation?</td>
</tr>
<tr>
<td></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>
</tr>
</tbody>
</table>

Table 2 – Agencies, groups, organizations who participated

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

All agency types were consulted.
<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 Rapid City’s Consolidated Plan.</td>
</tr>
<tr>
<td>Rapid City Housing Affordability Study</td>
<td>John T. Vucurevich</td>
<td>The study provides a detailed analysis of local housing gaps and sustainable price points. The report provides quantitative data on which to set goals and priorities. The information was incorporated into the Consolidated Plan.</td>
</tr>
<tr>
<td>Pennington County Public Housing Plan</td>
<td>Pennington County Housing and Redevelopment Commission</td>
<td>The City and Pennington County Housing and Redevelopment Commission communicate about needs, challenges, possible partnerships, and proposed actions. The Pennington County Public Housing Plan is complementary to 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 and projected uses for housing, types of housing, commercial, and retail 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, and includes many of the housing and public service high-priority goals that were adopted in the Consolidated Plan.</td>
</tr>
<tr>
<td>2011 and 2019 Black Hills Area Community Needs Assessment</td>
<td>United Way of the Black Hills</td>
<td>The United Way of the Black Hills commissioned a needs assessment, in partnership with the City of Rapid City and other area non-profit agencies in 2011. The high-priority issues identified in the Community Needs Assessment for Rapid City are included in the Consolidated Plan. The City provided input and utilized information reported in the 2019 assessment to make funding recommendations.</td>
</tr>
<tr>
<td>Table 3 – Other local / regional / federal planning efforts</td>
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<td>---------------------------------------------------------</td>
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</tr>
<tr>
<td><strong>Rapid City Senior Need Assessment and Service Gap</strong></td>
<td>John T. Vucurevich Foundation</td>
<td>The Rapid City Senior Need Assessment and Service Gap Analysis were published in November 2012 and the City has included many of the identified needs and service gaps in the five-year Consolidated Plan.</td>
</tr>
<tr>
<td><strong>Rapid City Collective Impact</strong></td>
<td>Rapid City Collective Impact and Black Hills Community Foundation</td>
<td>Community leaders and City leadership have partnered for the Rapid City Collective Impact study and plan for action. The study and plan include many of the City's high-priority issues that are included in the Consolidated Plan.</td>
</tr>
<tr>
<td><strong>Rapid City Affordable Housing Policy</strong></td>
<td>City of Rapid City</td>
<td>In an effort to address affordable housing challenges, the City of Rapid City adopted the policy for the promotion and provision of increased and improved safe and affordable housing options in the community.</td>
</tr>
<tr>
<td><strong>2020 Annual Action Plan</strong></td>
<td>South Dakota Housing Development Authority</td>
<td>The priorities of addressing homelessness, affordable housing, community development, infrastructure, public facilities, and economic development are consistent with the plan.</td>
</tr>
<tr>
<td><strong>Five Year (2018-2022) Consolidated Plan</strong></td>
<td>South Dakota Housing Development Authority</td>
<td>The priorities of addressing homelessness, affordable housing, community development, infrastructure, public facilities, and economic development are consistent with the plan.</td>
</tr>
<tr>
<td><strong>HOME Program Allocation Plan</strong></td>
<td>South Dakota Housing Development Authority</td>
<td>Priorities addressing homeownership, owner-occupied rehabilitation, rental acquisition and/or rehab, and rental construction are consistent with the plan.</td>
</tr>
<tr>
<td><strong>Housing Opportunity Fund Allocation Plan</strong></td>
<td>South Dakota Housing Development Authority</td>
<td>Rental housing and homeownership goals outlined are consistent with the plan.</td>
</tr>
<tr>
<td><strong>HTC Qualified Allocation Plan</strong></td>
<td>South Dakota Housing Development Authority</td>
<td>Goals include new construction, rehabilitation, or acquisition with rehabilitation that are consistent with the plan.</td>
</tr>
<tr>
<td><strong>Housing Trust Fund Allocation Plan</strong></td>
<td>South Dakota Housing Development Authority</td>
<td>Overlapping goals include a focus on rental acquisition, rehabilitation, and construction.</td>
</tr>
<tr>
<td><strong>Sustainable Housing Inventive Program Plan</strong></td>
<td>South Dakota Housing Development Authority</td>
<td>Goals including providing resources for service providers and landlords to assist in maintaining permanent housing for households difficult to house are consistent with the plan.</td>
</tr>
</tbody>
</table>
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
## 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>Non-targeted/broad community</td>
<td>Broadcast Email: 30-day public comment period - notice of substantial amendment to FY20 activities 3/18/2020</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Newspaper Ad</td>
<td>Non-targeted/broad community</td>
<td>Public Notice: 30-day public comment period - notice of substantial amendment to FY20 activities 3/18/2020 Rapid City Journal</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Newspaper Ad</td>
<td>Minorities Non-targeted/broad community</td>
<td>Public Notice: 30-day public comment period - notice of substantial amendment to FY20 activities 3/18-24/2020 Native Sun News</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Public Meeting</td>
<td>Non-targeted/broad community</td>
<td>Legal and Finance Meeting: substantial amendment to FY20 activities – approval 4/15/2020</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Public Meeting</td>
<td>Non-targeted/broad community</td>
<td>City Council Meeting: substantial amendment to FY20 activities – approval 4/20/2020</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Internet Outreach</td>
<td>Non-targeted/broad community</td>
<td>Broadcast Email: 14-day public comment period - amendment to Resident Participation Plan 4/21/2020</td>
<td></td>
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<td>9/15/2020</td>
<td>Native Sun News</td>
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<td>City Council Meeting: FY20 CDBG-CV funding recommendations-preliminary approval 10/19/2020</td>
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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>
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<td>Annual Allocation</td>
<td>Program Income</td>
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<tr>
<td>CDBG</td>
<td>public - federal</td>
<td>Acquisition Admin and Planning Economic Development</td>
<td>470,000</td>
<td>67,972</td>
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<td></td>
<td></td>
<td>Housing Public Improvements Public Services</td>
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</table>

Narrative Description

Nearly $562,000 in previous years' resources are committed to previous years' activities that will be expended in FY21. $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 a project(s) that demonstrate the ability to proceed quickly.

$10,000 of RL funds are expected to be used for unidentified Neighborhood Restoration Loan Program activities under project 2021/2. The RL fund has a balance of $55,972. RL funds will be committed to activities once identified. The remaining balance is available for additional Neighborhood Restoration Loan Program activities.

$12,000 program income is estimated and consists of PI and RL. It will not be allocated to projects or activities unless received. The estimated $12,000 program income plus the RL fund balance of $55,972 accounts for $67,972 indicated as Program Income in the AP-15. Obligations account for at least 90% of expected resources. The remaining funds will be held in contingency.

Table 5 - Expected Resources – Priority Table

Annual Action Plan 41
Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Most organizations receiving CDBG dollars can 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.

Anticipated resources are estimates and will be adjusted once the City’s annual allocation is announced. A reduction in funding may result in reduced allocations to proposed projects. Funding received above the estimates will be held in contingency.

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 granted ownership of abandoned tax-delinquent property to a non-profit that will construct a new group home for individuals with disabilities. The non-profit will provide support services for the individuals living in the home. This is the first project moving forward through the program.

The Public Housing Authority (PHA) owns land within the jurisdiction that may be developed to increase the number of available units 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: $94,000</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Public Services</td>
<td>2018</td>
<td>2022</td>
<td>Affordable Housing Homeless Homeless Non-Homeless Non-Special Needs Non-Housing Community Development</td>
<td>Rapid City Corporate Limits</td>
<td>Public Service - Disabled Persons Services Public Services - Homeless Prevention - Housing Public Service - Rental Assistance Rapid Rehousing Public Service - Mental Health Treatment/Services Public Services - Substance Abuse Treatment/Prevnt</td>
<td>CDBG: $70,500</td>
<td>Public service activities other than Low/Moderate Income Housing Benefit: 175 Persons Assisted Public service activities for Low/Moderate Income Housing Benefit: 30 Households Assisted</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></td>
<td>Public Facilities - Rehabilitation/Renovation</td>
<td>CDBG: $182,700</td>
<td>Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 790 Persons Assisted</td>
</tr>
<tr>
<td>4</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: $10,000</td>
<td>Homeowner Housing Rehabilitated: 1 Household Housing Unit</td>
</tr>
<tr>
<td>5</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 - Clearance and Demolition Housing - Rehabilitation of Existing Housing Housing - Acquisition of Existing Housing Units Housing - Production of New Rental Housing Units Housing - Production of New Ownership Homes Housing - Group Home</td>
<td>CDBG: $100,000</td>
<td>Contingency</td>
</tr>
</tbody>
</table>
### Goal Descriptions

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

**Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.215(b)**

One moderate-income and three extremely low-income families are expected to be provided affordable housing in FY21.
Projects

AP-35 Projects – 91.220(d)

Introduction

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.

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>Affordable Housing Projects</td>
</tr>
<tr>
<td>3</td>
<td>Public Facilities - Non-Housing</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>
</tbody>
</table>

Table 7 - Project Information

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

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 household income, size, and debt-to-income ratio. Zero percent loans are fully forgiven after a period of time, typically 10 years while low-interest loans require small monthly payments that go into the revolving loan fund. These payments fund the program in perpetuity. One owner-occupied household is expected to complete repairs through the Neighborhood Restoration loan program. Preserving older housing is a key strategy in addressing housing needs.

FY21 projects will continue making progress in improving public facilities and supporting public services. Additionally, $100,000 will be held in contingency for affordable housing projects. Public service activities include leveraging CDBG funds to address mental health, substance
abuse, and housing insecurity. Public facility non-housing projects address building improvements and accessibility upgrades, especially to disproportionately affected populations including disabled individuals and very low-income households.

The greatest obstacle in creating and sustaining affordable housing is relatively low household incomes coupled with high development costs. More than half of households earning less than $20,000 per year in 2016 spent more than 50 percent of their income on housing. Median household incomes in Rapid City fell by 3.2 percent from 2010 to 2016, while median home prices rose by 11.5 percent. The high demand for housing continues to push prices up.

High rental rates coupled with limited funding for vouchers and housing services limit the number of households that move into public housing. The majority of the over 3,000 households on Pennington County Housing and Redevelopment Commission’s waitlist will not receive public housing without a Veteran, disabled, or elderly family member.

**AP-38 Project Summary**

**Project Summary Information**

<table>
<thead>
<tr>
<th></th>
<th>Project Name</th>
<th>Description</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: $94,000</td>
</tr>
<tr>
<td></td>
<td>Description</td>
<td>Planning and administration of the CDBG grant.</td>
</tr>
<tr>
<td></td>
<td>Target Date</td>
<td>3/31/2022</td>
</tr>
<tr>
<td></td>
<td>Estimate the number and type of families that will benefit from the proposed activities</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Location Description</td>
<td>Rapid City Corporate Limits</td>
</tr>
<tr>
<td></td>
<td>Planned Activities</td>
<td>Planning and administration of the CDBG grant.</td>
</tr>
</tbody>
</table>

| 2 | Project Name | Affordable Housing Projects |

Annual Action Plan 46

OMB Control No: 2506-0117 (exp. 09/30/2021)
<table>
<thead>
<tr>
<th><strong>Target Area</strong></th>
<th>Rapid City Corporate Limits</th>
</tr>
</thead>
</table>
| **Goals Supported** | Housing - Preserve Existing Housing Stock  
                      Housing - Increase Affordable Housing Stock |
| **Needs Addressed** | Housing-Production of New Rental Housing Units  
                      Housing - Production of New Ownership Homes  
                      Housing - Acquisition of Existing Housing Units  
                      Housing - Rehabilitation of Existing Housing  
                      Housing - Clearance and Demolition  
                      Housing - Group Home |
| **Funding** | CDBG: $110,000 |
| **Description** | Eligible activities include property acquisition of bare land or land with structures, rehabilitation, renovation, and/or infrastructure. |
| **Target Date** | 12/31/2023 |
| **Estimate the number and type of families that will benefit from the proposed activities** | $100,000 will be held in contingency for a future affordable housing project.  
                                                                  $10,000 is expected to be provided as a loan through the NRP program. |
| **Location Description** | Rapid City Corporate Limits |
| **Planned Activities** | Unknown at this time. |

3. **Project Name**: Public Facilities - Non-Housing  
   **Target Area**: Rapid City Corporate Limits  
   **Goals Supported**: Public Facilities & Improvements  
   **Needs Addressed**: Public Facilities - Rehabilitation/Renovation  
   **Funding**: CDBG: $182,700  
   **Description**: Meet community needs through public facility improvement projects.  
   **Target Date**: 3/31/2022  
   **Estimate the number and type of families that will benefit from the proposed activities**: An estimated 790 low- or moderate-income individuals will benefit from the proposed activities.  
   **Location Description**: Rapid City Corporate Limits  
   **Planned Activities**: Building improvements and accessibility upgrades.  

4. **Project Name**: Public Service for Non-Housing Activity
<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 Services</td>
</tr>
</tbody>
</table>
| **Needs Addressed** | Public Service - Disabled Persons Services  
Public Service - Mental Health Treatment/Services  
Public Services - Substance Abuse Treatment/Prevnt |
| **Funding** | CDBG: $49,800 |
| **Description** | Non-housing public services to meet high-priority needs of the community. |
| **Target Date** | 3/31/2022 |
| **Estimate the number and type of families that will benefit from the proposed activities** | An estimated 175 low- or moderate-income individuals will benefit from the proposed activity. |
| **Location Description** | Rapid City Corporate Limits |
| **Planned Activities** | $49,800 will be used for payroll-related expenses for 1.125 full-time equivalents that will assist clients in obtaining free pharmaceutical mediations. |

5  
| **Project Name** | Public Service - Housing |
| **Target Area** | Rapid City Corporate Limits |
| **Goals Supported** | Public Services |
| **Needs Addressed** | Public Services - Homeless Prevention - Housing  
Public Service - Rental Assistance Rapid Rehousing |
| **Funding** | CDBG: $20,700 |
| **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** | 3/31/2022 |
| **Estimate the number and type of families that will benefit from the proposed activities** | An estimated 30 low- or moderate-income households will benefit from the proposed activity. |
| **Location Description** | Rapid City Corporate Limits |
| **Planned Activities** | $20,700 will be used for 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. |
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. The Unique Grantee Appendices show the City’s 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.

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.
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 individuals, those with special needs, and the lowest-income households through affordable housing activities. Black Hills Works’ group home will provide housing for three individuals with disabilities, identified as special-needs in the table below.

<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

Discussion

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 the term ‘affordable housing’ while allowing flexibility in ways specific projects can qualify. As part of the policy, the Community Development Department has prepared and will submit for consideration a comprehensive strategic housing plan, prioritizing affordability, which sets forth several objectives including targeted strategies for a variety of household types, planning opportunities for the development of housing that aligns with the needs of targeted groups, expanding the City’s purview and approach to housing.
beyond programs currently in place, supporting collaboration, and promoting the development of affordable housing close to public transit and other essential services.

Adding to the affordable housing work already launched by Black Hills Area Community Foundation, the newly developed Rapid City Strategic Housing Trust Fund seeks to increase affordable and workforce housing options. Affordable housing was identified as a workstream focus in May of 2016 during a multi-stakeholder convention hosted by Rapid City Collective Impact consultants. The John T. Vucurevich Foundation commissioned the Black Hills Knowledge Network, now Benchmark Data Labs, to conduct the Rapid City Housing Affordability Study. The study was released at the second convention in June of 2018. Shortly after, a point person was elevated to lead and direct work to increase affordable housing. One workstream continued with a focus on development, financing, and policy work while a second one focused on work with property managers and residents. The affordable housing point person created an operating agreement, developed an advisory board, and began raising funds for the trust fund. The operating agreement for the trust fund was finalized in May of 2020.
AP-60 Public Housing – 91.220(h)

Introduction

Pennington County Housing and Redevelopment Commission maintains a waitlist of over 3,000 households.

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 a portion 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.

The PHA 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.

The agency is expected to explore adding more units within its current structures and/or build additional properties.

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.

1,058 persons were experiencing homelessness state-wide as reported in the 2020 PIT count of which 66% identified as American Indian, 25% as White, 6% as Black, less than 1% as Asian, zero as Native Hawaiian, and 2% as multiple races. 58% of the persons counted resided in the 15 western South Dakota counties. The 2020 PIT count identified 161 sheltered and 192 unsheltered homeless persons in Rapid City.

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.

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, Creek Patrol, the 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 Police Department encourages the public to call if unsheltered persons are in need, particularly during times of inclement weather.
The Rapid City Police Department’s Quality of Life Unit works hand-in-hand with caseworkers to provide boots-on-the-ground social work 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, the Center for American Indian Research & Native Studies, Working Against Violence, Inc., the Hope Center, and the Rapid City Police Department’s Community Advisory Committee. Also, the Police Department’s Community Based Crime Reduction Project Manager’s role is to advance strategic goals through various community partners and connections and convene regular meetings with community collaborators and research institutions.

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

With regular Coordinated Entry case conferencing meetings, community partners arrive with assessments of emergency or transitional housing needs of individuals. It is a highly customized process that identifies the housing needs of specific individuals 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**

OneHeart will help homeless individuals and families transition into permanent housing through a service-based housing approach. Childcare will be provided while adults develop life skills and work towards moving into self-sufficiency.

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 Annual Action Plan.
Entry model to most effectively problem-solve and shorten the time individuals and families experience homelessness.

The VA’s outreach at the Cornerstone Rescue Mission and Volunteers of America Northern Rockies connects eligible Veterans to services and VASH vouchers. The PHA administers the Foster Youth to Independence Initiative which helps youth make the transition from foster care into adulthood and state-wide youth telemeetings provide avenues for youth input in addressing homeless needs.

**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) emergency 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 funds, 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 a longer period 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 correctional facilities to prevent homelessness upon release. The organization plans to build a new residence to accommodate 14 women.
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. Individuals without those preferred categories rarely access public housing.

**Discussion**

Lack of funding and vouchers limit the ability of the City to meet the needs of all individuals experiencing or facing homelessness. Pennington County Housing and Redevelopment Commission reports over 3,000 households on its Section 8 waitlist.
AP-75 Barriers to affordable housing – 91.220(j)

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 that have rental rates set for households under 60% AMI for a 10-year period. The City’s recent approval of accessory dwelling units can increase additional legal housing units without any infrastructure or development costs.

In conjunction with Rapid City’s new Affordable Housing Policy, the City will pursue targeted strategies to assist and promote affordable housing. One tactic will include increased density for multi-family development, decreased off-street parking requirements, increased lot coverage limits, and decreased setback requirements. The City will also review and update standards for mobile home parks that allows for upgrades and rehabilitation while maintaining safety and quality housing standards. The Community Development Department will also present for consideration a permit-fee waiver schedule and an administrative exception for affordable housing projects. As part of an effort to create additional affordable housing in the City, the department reviewed zoning options throughout calendar year 2020 to allow for tiny houses and small garden homes. The department will also review the parking regulations to determine if the City is “over-parking” some uses. If determined to be a viable option, reducing the amount of required parking would allow for more usable space.

The Strategic Housing Plan will guide opportunities for housing affordability strategies. It builds upon the strengths of community partnerships and identifies a need to spur development of housing units along the entire income spectrum with a priority on infill development.

Discussion:

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)

Actions planned to address obstacles to meeting underserved needs

The CDBG grant is 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 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.

Rapid City’s Comprehensive Plan encourages linking new and existing neighborhoods together with roads, sidewalks, trails, parks, and schools to enhance connections between neighborhoods and destinations. Transportation connectivity maps including public transportation routes, sidewalks, and bike trails will be updated.

South Dakota’s Governor, in partnership with the State Legislature, launched a broadband development program, Connect South Dakota, which has provided nearly $16.7 million in grant money for internet connectivity. Program goals include increasing the availability of high-speed broadband to every South Dakota citizen, business, and community institution, and 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 goal of the program is to ensure all residents have access to broadband services. The most pressing broadband need is in rural areas. According to census.gov, 83.7% of Pennington County households had a broadband internet subscription (2015-2019) compared to 48.3% in Jackson County and 45.2% in Oglala Lakota County. Rapid City is served by at least 2 large providers, Midco and Vast Broadband. 82.7% of Rapid City households had a subscription during 2015-2019, up from 80.5% during 2014-2018.
Additional Broadband and Hazard Mitigation Resiliency consultation was not conducted but is and will continue to be considered in the information obtained in the 2018-2022 Consolidated Plan. CDBG funds are not expected to be utilized for such purposes.

The Community Development department will study the future needs of the public transit system, including evaluating existing service and ridership, changes or expansion in service, and the development of a capital improvement plan.

The Metropolitan Planning Organization solicits competitive applications annually from transit service providers that specialize in services to meet the needs of seniors and individuals with disabilities, or when public transportation is insufficient, inappropriate, or unavailable.

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

The City’s Neighborhood Restoration Loan program will continue to make loans to low- and moderate-income residents for owner-occupied modifications, repairs, rehabilitation, and weatherization projects. Other agencies including Black Hills Area Habitat for Humanity, NeighborWorks Dakota Home Resources, and Western South Dakota Community Action manage similar programs.

**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 lead safe practices in all CDBG-funded projects.

The PHA tested over 90 units for lead-based paint in FY20 as part of its maintenance and repair schedule.

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

The Ascent Innovation Center will provide tech industry startup support including business management assistance and cost-effective workspace to bring technology businesses and jobs to Rapid City.
Catholic Social Services Rapid City’s Uplifting Parents Program (Program UP) was created to empower single-parent families by providing resources to support their advancement in education and become financially stable. The program includes financial and mentoring resources like scholarship funds and stipends, case management, parenting classes, financial counseling, and community engagement opportunities. Notre Dame’s Wilson Sheehan Lab for Economic Opportunities is implementing a randomized control study on Program UP to create evidence-based results that could be used to inform policymakers and develop a standardized process for program replication in other areas.

The Salvation Army of Rapid City’s Pathway of Hope program provides long-term strategies to help households move out of poverty by providing financial planning, job training, and assistance with securing housing and childcare.

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 generational poverty.

The 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.

Lutheran Social Services’ Alternatives Program provides case management to youth coming out of juvenile detention to help secure employment.

BakeWorks provides employment and career readiness for adults with disabilities, including intellectual or developmental, visual or hearing impairments, brain injuries, chronic illnesses, physical challenges, and more through a downtown bakery.
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, Benchmark Data Labs, 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

The City and supporting agencies will build upon the increased coordination between housing and social service agencies that developed as a result of the pandemic. Dozens of private housing providers are now familiar with some of the resources available to households struggling to meet financial obligations. The increased coordination and communication is expected to develop into long-lasting mutually beneficial relationships where landlords and property managers can refer tenants to agencies that assist with rent payments.

OneHeart’s service-based housing model makes for a more inclusive experience for residents in transitional phases and develops relationships between service providers and households if they need services after moving from OneHeart. Efficiencies are realized when multiple providers are under the same roof. Additional agencies are expected to participate as the program develops.
CommonBond’s development in Rapid City will pair private housing and social services with a focus on stability and independence for residents. Work continues in this area to determine a site with consideration to transportation and essential services.

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

**Discussion:**

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. These and other services are available, primarily to low-income households and provide a cumulative support network.
**Program Specific Requirements**

AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

**Introduction:**

*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.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>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</td>
<td>$55,972</td>
</tr>
<tr>
<td>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</td>
<td>0</td>
</tr>
<tr>
<td>3. The amount of surplus funds from urban renewal settlements</td>
<td>0</td>
</tr>
<tr>
<td>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.</td>
<td>0</td>
</tr>
<tr>
<td>5. The amount of income from float-funded activities</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total Program Income</strong></td>
<td><strong>$55,972</strong></td>
</tr>
</tbody>
</table>
### Other CDBG Requirements

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>The amount of urgent need activities</td>
<td>0</td>
</tr>
<tr>
<td>2</td>
<td>The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income.</td>
<td>90%</td>
</tr>
</tbody>
</table>

**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.

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 FY21.
AP-50 Supplemental Map and Graph

Geographic Distribution of Activities
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 2018-2022 CDBG Consolidated Plan.

The amendments account for an additional $52,535.00 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></td>
<td>470,000.00</td>
<td>522,535.00</td>
<td>52,535.00</td>
</tr>
<tr>
<td>Estimated Program Income</td>
<td>2,400.00</td>
<td>2,400.00</td>
<td>0.00</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>18,346.00</td>
<td>60,374.00</td>
<td>42,028.00</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 Beadle School), 10 Van Buren St., CDBG Program Division Office, 300 6th 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 6th 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 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.

Thank you,

Lucy LeDeaux, Admin. Secretary
CDPSC Program Division
300 Sixth Street (Mailing)
333 Sixth Street (Office)
Rapid City, SD 57701
(605) 394-4181 Fax (605) 355-3520

Equal Opportunity Employer and Lender

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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 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 18th day of March 2020 that the fees charged for the publication thereof are 141 dollars and 15 cents.

Sheri Sponder

Subscribed and sworn to before me this 20th day of March, 2020.

[Signature]

Notary Public

[Signature]

My commission expires December 5, 2025
March 18, 2020

PUBLIC NOTICE

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

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</thead>
<tbody>
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<td>2,400.00</td>
<td>2,400.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Program Administration</td>
<td>84,480.00</td>
<td>104,987.00</td>
<td>10,507.00</td>
</tr>
<tr>
<td>WAVI Windows</td>
<td>18,346.00</td>
<td>60,394.00</td>
<td>42,048.00</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 $42,048.00 is proposed to be allocated to WAVI for replacement of shelter windows.

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Equal Opportunity Employer and Lender (Published one time at an approximate cost of $416.85)
PUBLIC NOTICE

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<tr>
<td></td>
<td>470,000.00</td>
<td>522,535.00</td>
<td>52,535.00</td>
</tr>
<tr>
<td>Estimated Program</td>
<td>2,400.00</td>
<td>2,400.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Income</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Program</td>
<td>94,480.00</td>
<td>104,967.00</td>
<td>10,507.00</td>
</tr>
<tr>
<td>Administration</td>
<td>18,348.00</td>
<td>60,374.00</td>
<td>42,026.00</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 $42,026.00 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 Beadle School), 10 Van Buren St., CDBG Program Division Office, 300 6th 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.

Public Council and government officials to refine project detail, hold project meetings with the above-named groups and any additional meetings as needed.

Sisseton Wahpeton Oyate

REQUEST FOR PROPOSALS FOR COMPILATION & TRAININGS SERVICES FOR SWO “FOR-PROFITS” BUSINESS (DAKOTA CROSSING, I-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 refine project detail, 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


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

RFP Contact Name: Lennie Bernard-Peters, Program Manager
Sisseton-Wahpeton Oyate Procurement Department
Contact Address: 12554 BIA HWY 711/P.O. BOX 509
Agency Village, South Dakota 57252
Telephone Number: (605) 688-3202
AFFIDAVIT OF PUBLICATION OF NEWSPAPER
NOTICE OF PUBLIC NOTICE

COUNTY OF Pennington

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

Jackie Bieg — 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: 01 Volume 12 2020 and that the attached newspaper clipping is a true and correct copy of said published notice.

Signed: Jackie Bieg

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

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

Commission expiring March 28, 2023

Published at a rate of $ 769.00
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 1-9 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

1) Approve Minutes for April 1, 2020

MAYOR’S ITEMS

2) LF041520-05 – Confirm the Reappointment of Michelle Thomson 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) LF041520-02 – Lehmann moved to Approve Resolution No. 2020-024 a Resolution Levying 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) LF041520-03 – Approve Resolution No. 2020-026 a Resolution Declaring Miscellaneous Personal Property Surplus to be Surplused

6) LF041520-04 – Approve Resolution No. 2020-027 a Resolution Declaring Miscellaneous Personal Property Surplus to be Traded
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 10
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 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, 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 Landeen, Police Chief Karl Jegeris, Parks and Recreation Director Jeff Biegler, Public Works Director Dale Tech, IT Director Jim Gilbert, Planner Patsy 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; no: none. Motion carried.

GENERAL PUBLIC COMMENT (3-minute time limit per speaker)
Doug Langworthy, Tonchi 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. PW031020-11: 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

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; no: 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. 20Tl003 - 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 Sammis 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, 1565 Haines Ave, Suite B-1 for a Retail (on-off sale) Malt Beverage & SD Farm Wine license TRANSFER from MG Oil Company DBA Jackpot Casino West, 2144 Jackson Blvd #3
4. MG Oil Company DBA Chances Casino 5, 1565 Haines Ave, Suite B-2 for a Retail (on-off sale) Malt Beverage & SD Farm Wine license TRANSFER from MG Oil Company DBA Jackpot West II, 2144 Jackson Blvd #4

Public Works Committee Consent Items
5. PW033120-01: Authorize Mayor and Finance Officer to sign a contract amendment with Chamberlin Architects for Project No. 2527 / CIP No. 51249 Star of the West Restrooms.
6. PW041420-01: Approve Change Order #1 F for Project No. 2560 / CIP No. 51247 East Main Street North Emergency Bridge Repair with Tru-Form Construction for an increase of $1,543.80.
7. PW041420-02: Approve Change Order #1F for Project No. 2483 / CIP No. 51184 Park Drive Storm Sewer Repair with BTD Enterprises, LLC for a decrease of $3,659.90.
8. PW041420-03: 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 Easement 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 Ferber Engineering Company, Inc. for 12th Street Reconstruction – West Main Street to Fulton Street, Project No.19-2499 / CIP No. 50927, 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 50819 for a reduction of fee in the amount of $15,115.00, and an extension of the contract through June 30, 2021.
12. PW041420-09: Approve Request from ACES for a Variance to Waive the Requirement to Install Sidewalk along the west side of N Elk Vale Rd at 2341 N Elk Vale Rd, be waived per City of Rapid City Ordinance 12.08.060.
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 $3,638,543.
14. PW041420-11: Approve Change Order No. 1 to SplashTacular, LLC for PR20-6175 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 Arena. 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. LF041520-05 – 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 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 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. 2020-026 a Resolution Declaring Miscellaneous Personal Property Surplus to be Surplused.

Resolution #2020-026
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):
    2016 FORD EXPLORER #A173
    VIN# 1FM5K8AR4G8C91854

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# 4GTMF1BX8F700230

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

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 $60,374.00 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, Lehmman, Drury, Evans and Drew; no: none. Motion carried.

NON-CONSENT ITEMS — Items 25 – 32

Ordinances

Mayor read in item (No. 20RZ018) First Reading, Ordinance 6408, 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 No Use District to Heavy Industrial District for property generally described as being located at 5400 Old Folsom 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, Lehmman, Drury, Evans, Roberts and Drew; no: none. Motion carried.

Mayor read in item (No. 20RZ019) First Reading, Ordinance 6409, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Feber 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. 20RZ020) 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. 20RZ021) 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 (PW041420-04) 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. Harmon, and Authorize the Public Works Director to Accept the Warranty Deed for Lot 3 in Block 5 of Lampert’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 Bids Project No. 2508 / CIP No. 51231 Fitzgerald Stadium Renovation, estimate cost of $4,100,000.00. In response to a question from Nordstrom, Sumption 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. Patsy Horton, planner, explained the contracts are being carried over from 2019 to 2020. 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.

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 every business. Substitute motion by Lewis, second by Strommen 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 22, 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 Allender
Mayor

6
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 Herman 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 8-0 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 Office 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 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 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 6406 was declared duly passed upon its second reading. Motion carried 8-0 with Roberts abstaining.

Mayor read in item (No. 20OA001) Second Reading, Ordinance 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. 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: Lehmann, 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

P/ROLL PERIOD END 03/28/20, PD 04/03/20 1,784,244.43
CDEV P/ROLL PERIOD END 03/28/20, PD 04/03/20 3,863.33
PIONEER BANK & TRUST, 03/28/20 P/ROLL TAXES, PD 04/03/20 475,911.02
CDEV PIONEER BANK & TRUST, 03/28/20 P/ROLL TAXES, PD 04/03/20 960.21
WELLMARK INC, HEALTH CLAIMS THROUGH 03/27/20, PD 04/02/20 151,020.32
WELLMARK INC, HEALTH CLAIMS THROUGH 04/03/20, PD 04/09/20 120,655.65
WELLMARK INC, HEALTH CLAIMS THROUGH 04/10/20, PD 04/16/20 120,814.03
WAGE WORKS, SECTION 125 CLAIMS THROUGH 04/06/20, PD 04/07/20 5,823.45
WAGE WORKS, SECTION 125 CLAIMS THROUGH 04/13/20, PD 04/14/20 7,610.28
SOUTH DAKOTA RETIREMENT SYSTEM, MAR20 RETIREMENT, PD 04/06/20 482,340.21
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 04/01/20, PD 04/02/20 2,408.65
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 04/08/20, PD 04/09/20 2,623.76
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 04/15/20, PD 04/16/20 5,642.15
BERKLEY ASSIGNED RISK SERVICES, MAR20 CLAIMS, PD 04/07/20 30,517.70
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 04/13/20 22,055.73
BLACK HILLS ENERGY, ELECTRICITY, PD 04/13/20 36,012.54
COMPUTER BILL LIST, 3,034,206.75
CDEV COMPUTER BILL LIST 38,056.07
SUBTOTAL 6,324,766.28
RSVP, P/ROLL PERIOD END 03/28/20, PD 04/03/20 1,763.20
RSVP, PIONEER BANK & TRUST, 03/28/20 P/ROLL TAXES, PD 04/03/20 455.45
RSVP, COMPUTER BILL LIST 206.82
TOTAL 6,327,191.75

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, Lehmann, 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.
CITY COUNCIL

Dated this 20th day of April, 2020.

ATTEST:

Finance Officer
(SEAL)

CITY OF RAPID CITY

Mayor

APRIL 20, 2020
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/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) 394-4181.

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 Stroot, Section 504 and ADA Coordinator, at 605-394-4186. 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,

Lucy LaJeunesse, Admin. Secretary
CDBG Program Division
300 Sixth Street (Mailing)
333 Sixth Street (Office)
Rapid City, SD 57701
(605) 394-4181 Fax (605) 355-3580

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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 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 the

________________________ successive

________________________ day, the first publication there of being on the

________________________ day of ____________ that the fees charged for the

publication there of are ______________ dollars and ______________ cents.

__________________________

Subscribed and sworn to before me this ____________ day of ____________

__________________________

My commission expires ____________
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Equal Opportunity Employer and Lender

(Published one time at the approximate cost of $104.96)
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COUNTY OF Pennington

BEFORE ME, the undersigned authority, on this day personally appeared Jackie Gray, 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: Jackie Gray

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

(SEAL)

Published at a rate of $165.00
FOR IMMEDIATE RELEASE/May 12, 2020

CITY TO RECEIVE CARES ACT FUNDS
More Than $307,000 Awarded For COVID-19 Response

MEDIA NOTE: Community Development Block Grant Program Division Manager Michelle Schuelke will be available for further comments prior to tomorrow's (Wednesday's) Committee meeting at noon in Council Chambers

RAPID CITY, SD—The City of Rapid City will receive $307,390 in Community Development Block Grant (CDBG) funding through the CARES Act.

City officials indicate the purpose of the federal funding is to prevent, prepare for and respond to the Coronavirus pandemic. The City is awaiting official guidance from the US Department of Housing and Urban Development before announcing the timing and distribution of the funds.

In the meantime, City officials are working to define and identify community needs along with funding gaps that may be addressed using the CDBG funds. This week’s Legal and Finance Committee agenda includes a pair of items establishing expedited procedures and provide certifications to amend plans for use of awarded funds and to administer the grant funds.

CDBG CARES Act funding cannot be used when other resources such as FEMA, SBA, or insurance are available.

"This is great news for the City and we plan to use the funds to address impacts from the COVID-19 pandemic," said Ken Young, City Community Development director. "We are reviewing our options for distributing the funds."

CDBG CARES Act funding cannot be used when other resources such as FEMA, SBA, or insurance are available.
“Working with other community leaders in identifying needs as well as available resources will ensure an efficient implementation of CARES Act funding,” added Rapid City CDBG Program Division Manager Michelle Schuelke.

The Coronavirus Aid, Relief, and Economic Security Act - or CARES Act - is stimulus legislation enacted to combat the impacts of coronavirus crisis on individuals, businesses and communities. The act provides $2 trillion in funds for Americans, $377 billion in federal loans to small businesses and established a $500 billion government lending program for struggling companies. The act also sends $100 billion to hospitals across the country battling COVID-19.

-30-

Thank you,

Darrell W. Shoemaker | Communications Coordinator
T: 605.721.6686 | M: 605.939.8551
E: Darrell.Shoemaker@rcgov.org
W: www.rcgov.org

CITY OF RAPID CITY
RAPID CITY, SOUTH DAKOTA 57701-2724
Communications
300 Sixth Street
Rapid City to receive CARES Act funds

More than $307,000 awarded for COVID-19 response

May 12, 2020  NewsCenter1 Staff

RAPID CITY, S.D. — The City of Rapid City will receive $307,390 in Community Development Block Grant (CDBG) funding through the CARES Act.
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In the meantime, City officials are working to define and identify community needs along with funding gaps that may be addressed using the CDBG funds. The upcoming Legal and Finance Committee agenda includes a pair of items establishing expedited procedures and provide certifications to amend plans for use of awarded funds and to administer the grant funds.

"This is great news for the City and we plan to use the funds to address impacts from the COVID-19 pandemic," said Ken Young, City Community Development director. "We are reviewing our options for distributing the funds."

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"Working with other community leaders in identifying needs as well as available resources will ensure an efficient implementation of CARES Act funding," added Rapid City CDBG Program Division Manager Michelle Schuelke.
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, 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 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 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 Halse (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) 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.
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 $60,000.00. 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-424 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-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, SF-424D and Certifications.

9) LF051320-07 – Approve Amendment to Resident Participation Plan (CDBG)

10) 20TI003 – Approve Resolution No. 2020-021 a Resolution to Approve TID No. 70 Project Plan Amendment #1 to Reallocate Project Plan Costs for Property Generally Described as Being Located Catron Boulevard from 5th Street to South US Highway 16, then South Along US Highway 16 to Sammis Trail and East to the Proposed Hyland Crossing Subdivision.

11) 03TI001 – 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 Vale Road.

END OF CONSENT CALENDAR

NON-CONSENT ITEMS – Items 12 – 14

Public Comment opened – Items 12 - 14

Public Comment closed

COMMUNITY DEVELOPMENT

12) 19OA006 – 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 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
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 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, sinking 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 Alderpersons: Becky Drury, 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; and the following were absent: None.

Staff members present included: Finance Officer Pauline Sumption, City Attorney Joel Landeen, Police Chief Karl Jegeris, 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 Anker, 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. No. 20TI004 - 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 Fairmont 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. 39th 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 Tru-Form Construction, Inc. for Disk and Haines Avenue Intersection, Project #16-2347/CIP NO.51121 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 #2456/CIP NO.50705 for an increase of $7,055.72.
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.50445 for an increase of $33.41.
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 Kepp 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 $92,688.00
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 #2020-035
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 (Donation):
Qty 42 Philips Head Start Automated External Defibrillator
Serial #:
B09D-00083
B09D-01335
B09D-01339
B09D-01528
B09D-01827
B09D-01873
B09D-01884
B09D-01887
B09D-01892
B09D-01898
B09D-01900
From: Police (201)
For Deletion (Sell):

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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 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 18th day of May, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer
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. 2020-021 a Resolution to Approve TID No. 70 Project Plan Amendment #1 to Reallocate Project Plan Costs for Property Generally Described as Being Located at Catron Boulevard from 5th Street to South US Highway 16, then South Along US Highway 16 to Sammis Trail and East to the Proposed Hyland Crossing Subdivision
22. No. 03TI001 – 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 11-9-46(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 11-9-45.

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. CC051620-02.1 - Approve award of total bid for Flormann 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 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. 50812.CD opened on May 13, 2020 to the lowest responsible bidder, Mainline Contracting, Inc. in the amount of $480,050.00.

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 26 – 34

Nick Uhre, 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. 20RZ026) 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 Windslow 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. 20RZ027) 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, 4158 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. 20RZ028) 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 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, 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 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
CITY COUNCIL

MAY 18, 2020

until July 31. If the ordinance is allowed to expire on June 6, all restrictions would go away. Drew spoke to both Uhre 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 counsel 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, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; no: none. Motion carried.

Legal & Finance Committee Items
Mayor read in item (LF051320-09) 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 28th 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 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
### Alcoholic Beverage License Applications (56 applications)

31. Approve 2020 Retail (on-off sale) Malt Beverage & SD Farm Wine License Renewals

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<td>LATE HARVEST INC</td>
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<td>M G OIL COMPANY</td>
<td>Jackpot Casino III</td>
<td>685 N Lacrosse St Ste 2-C</td>
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<td>RB-2985</td>
<td>CKKT INC</td>
<td>King Of Hearts Too</td>
<td>2820 West Main Suite A</td>
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<td>RB-2986</td>
<td>M G OIL COMPANY</td>
<td>Jackpot Casino II</td>
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<td>RB-2987</td>
<td>M G OIL COMPANY</td>
<td>Uncle Sam's South Too</td>
<td>2110 Jackson Blvd</td>
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<td>RB-2995</td>
<td>M G OIL COMPANY</td>
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<td>M G OIL COMPANY</td>
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<td>4036 Cheyenne Blvd</td>
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<td>RB-2998</td>
<td>CKKT INC</td>
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<td>M G OIL COMPANY</td>
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<td>M G OIL COMPANY</td>
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<td>CKKT INC</td>
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<td>RB-3027</td>
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<td>1624 E St Patrick St</td>
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<td>RB-3037</td>
<td>MG OIL COMPANY</td>
<td>Chances Casino 3</td>
<td>1565 Haines Ave Ste C-2</td>
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<tr>
<td>RB-3039</td>
<td>MG OIL COMPANY</td>
<td>Sam's #2</td>
<td>2730 W Main St Ste B</td>
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<tr>
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<td>RB-3219</td>
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<td>Toby's Casino North</td>
<td>720 E North St Ste 100</td>
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<td>RB-3538</td>
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<td>714 Cleveland St</td>
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<td>RB-3810</td>
<td>M G OIL COMPANY</td>
<td>Happy Jacks Omaha</td>
<td>1109 West Omaha St #</td>
</tr>
</tbody>
</table>
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 projected data subject to yearend 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, 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 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 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 Jegeris. Chief Jegeris 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 OJP 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 (CC051820-04) - Authorize Mayor and Finance Officer to sign Settlement Agreement with Darren Haar. Motion was made by Drew, second by Lewis to approve. Motion carried 9-0.

**PUBLIC HEARING ITEMS** – Items 35 – 50

**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) Malt 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 in item (No. 20TI003) 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 Catron 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: 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, 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 2018 year end equalized valuation of the District was $80,714,555, 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 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 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
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

Mayor read in item (No. 20RZ001) 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. 20RZ002) 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. 20RZ003) 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. 20RZ004) 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,
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. 20RZ005) 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 Tablerock 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 Meadowwood 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 4084 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. 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 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. 20RZ022) Second 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. 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. 20RZ023) 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. 20RZ024) 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 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, 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. 20RZ025) 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 828 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 8-1 upon its second reading.

Mayor read in item (No. 19OA006) Second Reading of Ordinance No. 6294, an Ordinance Amendment 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

P/ROLL PERIOD END 04/25/20, PD 05/01/20 1,760,488.52
CDEV P/ROLL PERIOD END 04/25/20, PD 05/01/20 3,863.33
PIONEER BANK & TRUST, 04/25/20 P/ROLL TAXES, PD 05/01/20 470,838.93
CDEV PIONEER BANK & TRUST, 04/25/20 P/ROLL TAXES, PD 05/01/20 960.21
WELLMARK INC, HEALTH CLAIMS THROUGH 05/01/20, PD 05/07/20 34,531.50
WELLMARK INC, HEALTH CLAIMS THROUGH 05/08/20, PD 05/14/20 141,309.27
WAGE WORKS, SECTION 125 CLAIMS THROUGH 05/04/20, PD 05/05/20 5,520.25
WAGE WORKS, SECTION 125 CLAIMS THROUGH 05/11/20, PD 05/12/20 6,788.32
SOUTH DAKOTA RETIREMENT SYSTEM, APR20 RETIREMENT, PD 05/11/20 479,223.81
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 7,617.36
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 05/12/20 21,407.67
BLACK HILLS ENERGY, ELECTRICITY, PD 05/12/20 36,380.69
COMPUTER BILL LIST 2,844,324.61
CDEV COMPUTER BILL LIST 51,038.42
SUBTOTAL 5,869,077.01
RSVP, P/ROLL PERIOD END 04/25/20, PD 05/01/20 2,310.00
RSVP, PIONEER BANK & TRUST, 04/25/20 P/ROLL TAXES, PD 05/01/20 497.28
RSVP, COMPUTER BILL LIST 821.15
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. 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, Lehmman, 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 (SEAL)

CITY OF RAPID CITY

Mayor
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 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 there of being on the 29th day of May 2020 that the fees charged for the publication there of are $123.32 dollars and 32 cents.

Sheri Sponder

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

Matthew J. Taugher
Notary Public

My commission expires December 5, 2025.
May 29, 2020

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:

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<thead>
<tr>
<th>Activity</th>
<th>Original Allocation</th>
<th>Proposed Allocation</th>
<th>Net Change</th>
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</thead>
<tbody>
<tr>
<td>Behavior Management Systems</td>
<td>66,200.00</td>
<td>37,600.00</td>
<td>($28,600.00)</td>
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<td>Behavior Management Systems</td>
<td>29,581.00</td>
<td>49,481.00</td>
<td>19,900.00</td>
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</tbody>
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Proposed amendments are available at www.rcgov.org, or by calling (605) 394-4181. 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 6th 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)
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: 11 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 14th day of July 2020

[Signature]
Notary Public in and for Pennington County, South Dakota

Commission expiring March 28, 2023

Published at a rate of $ 165.00
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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 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 _ June 2020 _ that the fees charged for
the publication thereof are _ 73 _ dollars

and _ 32 _ cents.

Sheri Sponder

Subscribed and sworn to before me this _ 30th _

day of _ June _, _ 2020 _.

Matthew J. Tranquilli
Notary public

My commission expires
June 24, 2020

PUBLIC NOTICE

15-Day Public Comment Period for
Rapid City's Community Development Block Grant FY19 Consolidated Annual
Performance and Evaluation Report

The City of Rapid City's Community Development Block Grant (CDBG) Consolidated Annual Per-
formance and Evaluation Report (CAPER) 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 can be submitted in writing to the CDBG Division at 300 Sixth Street, Rapid City, SD
57701; by email to michelle.schuelke@rcgov.org; in person at Legal and Finance meetings on
July 1, 2020 and July 28, 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 https://www.
rcgov.org/departments/community-planning-development/cdbg-program-division.html, the CDBG
Division at 333 Sixth Street, Rapid City, SD, the Rapid City Downtown Public Library, the Pen-
nington County Housing and Redevelopment Commission office at 1805 West Fulton 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 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 accommoda-
tions (including TDD/TTY Dial 711), please notify the Nick Stroot, (605) 394-4136, 24 hours prior
to the meeting so appropriate auxiliary aids 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

Equal Opportunity Employer and Lender

(Equally Available at Published one time at the approximate cost of $000.00)

______________________________

Attorney for
PUBLIC NOTICE
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AFFIDAVIT OF PUBLICATION OF NEWSPAPER
PUBLIC NOTICE

COUNTY OF Pennington

BEFORE ME, the undersigned authority, on this day personally appeared
Jackie Gia, 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, 2020 and that the attached newspaper clipping is
a true and correct copy of said published notice.

Signed: Jackie Gia

SWORN TO AND SUBSCRIBED BEFORE ME, this the 30th day of
June, 2020

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

Published at a rate of $165.00
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, Darla Drew, Chad Lewis, Ritchie Nordstrom, and Lance Lehmann. 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 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) LF070120-03 – Confirm the Appointment of Kelly Arguello to the Planning Commission to Fill the Unexpired Term Vacated by Galen Hoogestraat 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) LF070120-12 – Approve Rapid City Airport Rates and Charges for FY2020 Revision 1

FIRE DEPARTMENT
4) LF070120-01 – Authorize Staff to Apply for and Accept if Awarded the Western States Fire Managers Wildfire Mitigation Grant

5) LF070120-04 – 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/scan/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 HighBear (Parks and Recreation), Ashley Vincent (Parks and Recreation), Lynne Enochson (Parks and Recreation), Vince Barun (Parks and Recreation), Mary Benz (Parks and Recreation), Kris Norlin (Parks and Recreation), Jan Gustin (Parks and Recreation), Don Gustin (Parks and Recreation), 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), Jeanette Hurlor (Parks and Recreation), Priscilla Bade (Parks and Recreation), Larry Beezley (Parks and Recreation), David Holland (Parks and Recreation), Rebecca Holland (Parks and Recreation), Tami Applegarth (RSVP+), Judy Adam (RSVP+), Mieko Bluhm (RSVP+), Thomas
LEGAL AND FINANCE COMMITTEE
July 01, 2020
Bluhm (RSVP+), Patty Golz (RSVP+), Esther Lux (RSVP+), Donna McLoughlin (RSVP+), Mary Mead (RSVP+), Michelle Morin (RSVP+), Donna Page (RSVP+), Jay Pearson (RSVP+), Sian Young (RSVP+)

7) LF070120-02 – Acknowledge May 2020 General Fund Cash Balance Report

8) LF070120-05 – 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) LF070120-06 – Authorize the Mayor and Finance Office 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. 2020-058 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 Office 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 – Items 16 – 19
Public Comment closed

POLICE DEPARTMENT
16) 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 5.12.060 of the Rapid City Municipal Code. Second by Lehmann. Motion carried unanimously.

COMMUNITY DEVELOPMENT
17) 20OA002 – 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 Nordstrom. Motion carried unanimously.
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, assigning 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 three 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 not 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 there to be 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.

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 Overlay by Amending Section 17.50.050 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.
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, Darla Drew, Laura Armstrong, John Roberts, Greg Strommen, Lance Lehmann, Bill Evans, Becky Drury 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 Pauline Sumption, City Attorney Joel Landeen, Interim Police Chief Don Hedrick, Interim Fire Chief Jason Culberson, Public Works Director Dale Tech, Community Development Planning Manager Vicki Fisher, Parks and Recreation Director Jeff Biegler, and Administrative Coordinator Heidi Weaver.

OLD BUSINESS

NON-PUBLIC HEARING ITEMS – Items 1 - 5
Holly Soper, President of RV Ministries, gave her speaking time to Jared Tomac, attorney for The RV Ministry. He indicated that the mayoral veto shouldn’t be on old business. He believes 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 Desmond also gave her speaking time to Jared Tomac. He 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 Andesron, 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

Approve Minutes
Motion was made by Lewis, second 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, second by Armstrong and carried to (LF070120-12) Approve Rapid City Airport Rates and Charges for FY2020 Revision 1.

NON-CONSENT ITEMS – Items 4 and 5

Public Works Committee Items
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 (CC070620-03) 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 woman 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 Uses 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 take 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 6428 was declared duly passed upon its second reading.

Mayor read in item (No. 20RZ030) Second Reading, Ordinance 6422, 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 north of the intersection of East Stumer Road and Shelby Avenue. Motion was made by Lehmann, second by Roberts that the title be read the second time. Upon vote being take 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 6422 was declared duly passed upon its second reading.
No. 20RZ032 – Second Reading, Ordinance 6427, 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, generally described as being located at 726 South Street. Motion was made by Lewis, second by Roberts that the title be read the second time. Upon vote being take 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 Salamun, 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 Salamun, Patrick Jones, John Roberts and Laura Armstrong.

ELECTION OF OFFICERS
Mayor Allender opened the floor for nominations for Council President. Motion was made by Salamun, 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 as 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 (CC070620-04) 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 Catron Blvd. He indicated these lines were built in the 1960’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 Initiate. 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 Hahn 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 Huot, 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 denouncing violence and wants the charges against the protestors 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 Hoogestraat 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, 4091 Sturgis Road

18. City of Rapid City DBA Rushmore Plaza Civic Center, 444 Mt. Rushmore Rd, for a Retail (on-off sale) Malt Beverage & SD Farm Wine license

19. Spiker Management DBA LaVida, 1001 E North Street for a Retail (on-off sale) Wine and Cider license TRANSFER from Fiesta Tequila Mexican Restaurant LLC DBA Fiesta Tequila Mexican Restaurant, 1001 E North Street

**Public Works Committee Consent Items**

20. PW063020-01: Approve change order 4F to R.C.S. Construction, Inc. for Willow Ave, Ivy Ave, Fairlane Dr. Street and Utility Reconstruction, Project #2254/CIP NO.50421.3-1 C for a decrease of $70,302.76.

21. PW063020-02: Approve change order 1 F to Lind-Exco, Inc. for Tower Court Storm Sewer Outfall Stabilization, Project #2455/CIP NO.51203 for a decrease of $106,283.65.

22. PW063020-03: 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 $3,762.81.

23. PW063020-04: Approve change order 1 F to Western Construction for Pavement Rehabilitation Project Fountain Plaza Drive and Rand Rd, Project #2471/CIP NO.50549 for a decrease of $20,843.61.

24. PW063020-05: Approve change order 1 F to Ainsworth Benning for West Main and Jackson Blvd Panel Repair Project, Project #2513/CIP NO.50445 for an increase of $10,184.54.
25. PW063020-06: Approve change order 1 F to BTD Enterprises, LLC. for Clifton Street Sidewalk Improvements, Project #2528/CIP NO.50716.3 for a decrease of $8.00.
26. PW063020-07: 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 no cost change order.
27. PW063020-08: 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 $18,583.54.
28. PW063020-09: Authorize Staff to Advertise Bids for Gill Ave Sewer Reconstruction Project, Project No. 20-2584/CIP No. 51294. Estimated Cost $300,000.00
29. PW063020-10: Authorize staff to Advertise for Bids Project No. 20-2597 / CIP No. 50098 PETT Bldg Roof Replacement
30. PW063020-11: Approve Correction to Award Recommendation for Sheridan Lake Rd. Panel Repair Project, Project No. 19-2556 \ CIP No. 50445, awarded at the May 18, 2020 Council Meeting, to the lowest responsible bidder J.V. Bailey Co. Inc., in the amount of $360,101.80. The funding source originally identified was incorrect.
31. PW063020-12: Authorize Mayor and Finance Office 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 51190 in the amount of $18,097.00.
32. PW063020-13: Authorize Mayor and Finance Office 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 $85,785.00
33. PW063020-14: 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 $26,501.00.
34. PW063020-15: 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. 51296, for an Amount not to Exceed $29,620.00.
35. PW063020-26: Approve Request from William & Jill Blickensderfer (the property owners) for a Variance to Waive the Requirement to Install Sidewalk, per City Ordinance 12.08.060, along Harter Drive which is the east frontage of their property located at 2404 Canyon Lake Drive.
36. PW063020-16: Approve Request to Purchase one (1) Exprolink Madvac for the Solid Waste Division from Sourcewell Contract 122017-EXP for a cost of $18,010.00
37. PW063020-17: Approve request to purchase one (1) Concover Hydroseeder 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. PW063020-18: Authorize Staff to Advertise for Bids for Rapid City Solid Waste - Lake Herman Outfall Improvements, Project No. 20-2589 / CIP No. 51289. Estimated Cost $220,000.00.
39. PW063020-19: 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. 17-2404 / CIP No. 51180. This is a no cost amendment.
40. PW063020-20: Authorize Mayor and Finance Officer to Sign Service Agreement with Midco Diving and Marine Services for reservoir cleaning for seven of seventeen reservoirs. Estimated Cost: $22,093.00
41. PW063020-21: 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. PW063020-22: Approve Change Order No. 2F to Corr Construction for Parks and Recreation Bridge Improvements Project No. PR18-2406 for a decrease of $2,618.50.
43. PW063020-23: Authorize the Mayor and Finance Officer to sign a covenant agreement between the City of Rapid City and JD Muth Investments, LLC allowing connection to the City water system with a non-conforming service line.

44. PW063020-25: 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. 20AN002 – 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, R8E, BHM, Pennington County, South Dakota more fully described as follows: Commencing at the Section ¼ Corner common to Sections 9 and 10, T1N, R8E, BHM, thence, S00°05’57”W, along the section line common to said Sections 9 and 10, a distance of 169.01 feet, thence, S89°54’03”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”E, a distance of 388.65 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: N51°11’21”W, along the northerly edge of said E. Highway 44 right-of-way, a distance of 190.24 feet; Thence, fourth course: N30°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°05’57”E, along the easterly edge of said Jolly Lane right-of-way, a distance of 211.79 feet, to a point the point of beginning.

Dated this 6th day of July, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer
(SEAL)
46. LF070120-07 – 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 2018 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 Sumpston
Finance Officer
(SEAL)

48. LF070120-01 – Authorize Staff to Apply for and Accept if Awarded the Western States Fire Managers Wildfire Mitigation Grant

49. LF070120-04 – 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/scan/fax Machine Maintenance for Fire Stations 1, 2, 3, 4, 5, 6, and 7

50. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Danielle HighBear (Parks and Recreation), Ashley Vincent (Parks and Recreation), Lynne Enochson (Parks and Recreation), Vince Barun (Parks and Recreation), Mary Benz (Parks and Recreation), Kris Norlin (Parks and Recreation), Jan Gustin (Parks and Recreation), Don Gustin (Parks and Recreation),
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), Jeanette Hurfor (Parks and Recreation), Priscilla Bade (Parks and Recreation), Larry Beezley (Parks and Recreation), David Holland (Parks and Recreation), Rebecca Holland (Parks and Recreation), Tami Applegarth (RSVP+), Judy Adam (RSVP+), Mieko Bluhm (RSVP+), Thomas Bluhm (RSVP+), Patty Golz (RSVP+), Esther Lux (RSVP+), Donna McLoughlin (RSVP+), Mary Mead (RSVP+), Michelle Morin (RSVP+), Donna Page (RSVP+), Jay Pearson (RSVP+), Sian Young (RSVP+)

51. LF070120-02 – Acknowledge May 2020 General Fund Cash Balance Report
52. LF070120-05 – 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. 20TP021: Acknowledge the 2021-2024 Transportation Improvement Program - Draft Report
56. 20TP023: Acknowledge the Metropolitan Transportation Plan and Bicycle and Pedestrian Master Plan Update - Draft Report
57. 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
58. LF070120-06 – Authorize the Mayor and Finance Office to Sign the FY19 Community Development Block Grant Amended Contract for Behavior Management Systems, Inc.
59. 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
60. LF070120-08 – Authorize the Mayor and Finance Office 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. LF070120-09 – Approve the Preliminary FY19 Consolidated Annual Performance and Evaluation Report (CAPER)

Bid Award Consent Items
62. CC070620-02.1 – 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. CC070620-02.2 – Approve award of total bid for 5th Street Panel Repair Project, Project No. 19-2533 / CIP No. 50445 opened on June 30, 2020 to the lowest responsible bidder, J.V. Bailey Co. Inc. in the amount of $226,350.50.
64. CC070620-02.3 – Approve award of total bid for Pavement Rehabilitation Project Tower Road, Project No. 20-2587 / CIP No. 50798 opened on June 30, 2020 to the lowest responsible bidder, Tru-Form Construction, Inc. in the amount of $358,997.25.

END OF CONSENT ITEMS

Mayor read in item (LF070120-03) Confirm the Appointment of Kelly Arguello to the Planning Commission to Fill the Unexpired Term Vacated by Galen Hoogestraat 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 (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. 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 the Mayor 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 complexity to this issue. He applauds staff for working on it. Motion carried 9-0.

City of Rapid City Resolution Number 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

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 delineated 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.
CITY COUNCIL

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer
(SEAL)

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 grant 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 few 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 6426, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM 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 Eglin Street. Motion to approve was made by Drew, second by Salamun that Ordinance 6426 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. 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. Motion to approve was made by Nordstrom, second by Nordstrom that Ordinance 6423 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. 6434 an Ordinance Amendment to Revise 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 Drew, second by Lehmann that Ordinance 6434 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 Yasmeen 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 89 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
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 Aarron 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 also 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. 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, 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 report shall address 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 this 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 20RZ023 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 read in item (No. 20PL033) A request by KTM Design Solutions, Inc. for Yasmeen Dream LLC 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 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; 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 68-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 32-foot pavement width is required adjacent to commercial and/or industrial properties. The pavement width shall widen 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 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, an Exception shall be obtained to allow a dead-end main or the plans shall be revised to provide looping 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 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; 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 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 S813; 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 oversize 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 surety shall be submitted for review and approval as required.

Mayor read in item (No. 20PL040) 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 turnarounds 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 ditch/culvert sizing of the private road widening and detention 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 overhead 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 road 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 surety shall be submitted for review and approval as required.

Bid Awards
Mayor read in item (CC070620-02.4) 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. 2452 June 9, 2020 to the lowest responsive bidder, Canfield Business Interiors in the amount of $374,910.71. Motion was made by Drew, second by Evans to approve. In response to a question from Roberts, Sumption stated this bid was part of the $130 million dollar package from the Vision Funds. In
response to a question from Jones, Landeen said Canfield 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)**

**END 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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US BANK, CREDIT CARD CHARGES, PD 07/01/20 11,710.18
BANK WEST, TID47 TOWER RD, PD 06/23/20 57,879.99
BANK WEST, TID54 RAINBOW RIDGE, PD 06/23/20 26,028.56
BANK WEST, TID56 RUSHMORE CROSSING, PD 06/23/20 100,101.48
BANK WEST, TID65 MINNESOTA ST, PD 06/23/20 8,563.61
BANK WEST, TID70 CATRON BLVD, PD 06/23/20 5,213.09
CITY OF RAPID CITY, TID64 CABELA'S, PD 06/23/20 98,298.36
CITY OF RAPID CITY, TID69 NORTH FIRE STATION, PD 06/23/20 2,940.12
FIRST INTERSTATE BANK, TID50 FEDERAL BEEF/FOUNDERS PARK DEV, PD 06/23/20 193,570.54
MARKET SQUARE LLC, TID52 E ST CHARLES ST, PD 06/23/20 12,850.28
BLACK HILLS ELECTRIC COOPERATIVE, ELECTRICITY, PD 06/23/20 986.60
BLACK HILLS ENERGY, ELECTRICITY, PD 06/17/20 35,536.93
BLACK HILLS ENERGY, ELECTRICITY, PD 06/23/20 119,734.31
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 06/17/20 414.53
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RSVP, R/ROLL PERIOD END 06/06/20, PD 06/12/20 2,176.28
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RSVP, COMPUTER BILL LIST 238.26
TOTAL 13,036,226.16

Sumption presented the bill list of $13,036,226.16. Motion was made by Nordstrom, second by Jones and carried to authorize (No. CC070620-01) 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 Salamun and carried to adjourn the meeting at 8:16 p.m.

Dated this 6th day of July, 2020.

ATTEST:

Finance Officer
(SEAL)

CITY OF RAPID CITY

Mayor
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 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 

[Signature]

Sheri Sponder

Subscribed and sworn to before me this 28th day of July, 2020.

[Signature]

Notary Public

My commission expires December 5, 2025.
July 22, 2020

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 Division office at 300 6th Street, Rapid City, SD 57701; by email to Michelle.Schuelke@ro.gov; in person at the Legal and Finance meeting July 29, 2020 or September 2, 2020, at 12:30 p.m. or at the City Council meeting August 3, 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.ro.gov/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.ro.gov 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 Stroot, 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 TDD/TTY, please dial 711.

Equal Opportunity Employer and Lender (Published once at the approximate cost of $123.32)

__________________________
Attorney for

[Stamp]
AFFIDAVIT OF PUBLICATION OF NEWSPAPER
NOTICE OF PUBLIC NOTICE

COUNTY OF Pennington

BEFORE ME, the undersigned authority, on this day personally appeared Jackie Good, 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: 19 Volume 12 20 20 and that the attached newspaper clipping is a true and correct copy of said published notice.

Signed: Jackie Good

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

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 $22.00
with the non-profit as they are only able to utilize one or two seats at a time. (Contact Travis at travisldewes@)

PUBLIC NOTICE
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St. Francis Indian School
Job Announcements
Closing Date: July 24th, 2020 or Until Filled

All Teaching Positions require a current SD Teaching Certificate in the area that applies to their concentration. All Paraprofessionals must be highly qualified by having a paraorofes-
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 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 1-9 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 – 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 Rita Conklin to the Retired Senior Volunteer Program (RSVP) Advisory Council

POLICE DEPARTMENT
3) LF072920-06 – Authorize Staff to Apply for and Accept if Awarded the 2020 JAG Grant for an Amount of $88,762.00 to be Evenly Split Between RCPD and the Pennington County Sheriff’s Office to Replace Aging Radios

FINANCE DEPARTMENT
4) Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Sue Aker (RSVP+), Betty Goddard (RSVP+), Harlene Hill (RSVP+), Bernard Iszler (RSVP+), Laura Iszler (RSVP+), Candace Laursen (RSVP+), Maren McKelvie (RSVP+), Diana Metzger (RSVP+), Cleo Miller (RSVP+), Don Paklin (RSVP+), Mary Pavlicek (RSVP+), Robert Pavlicek (RSVP+), Jerelyn Riemer (RSVP+), Ralph Riemer (RSVP+), Robert Schneider (RSVP+), Kathleen Schneider (RSVP+), Ruth Ann Schwartz (RSVP+), Albert Setera (RSVP+), Laceta Setera (RSVP+), Richard Tinker (RSVP+), Romona Tinker (RSVP+), Sharon Thorman (RSVP+), Rena Boersma (RSVP+), Sandy Prante (RSVP+), Terry Prante (RSVP+), Sharon (Sherry) Scudder (RSVP+), Lori Lois Kunka (RSVP+)
LEGAL AND FINANCE COMMITTEE
July 29, 2020
5) LF072920-01 – Acknowledge Annual TID Report to Council
6) LF072920-02 – Acknowledge June 2020 General Fund Cash Balance Report
7) LF072920-07 – Acknowledge Report on Retail (on-off sale) Malt Beverage Licenses Eligible for Video Lottery

COMMUNITY DEVELOPMENT
8) LF072920-04 – Approve Final FY19 Consolidated Annual Performance and Evaluation Report (CAPER)
9) LF072920-05 – 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


COMMUNITY DEVELOPMENT
12) 20OA005 – Salamun asked for clarification on this ordinance amendment. Assistant City Attorney Kinsley Groote said this amendment removes the front setback restriction for RV’s and trailers that would be parked in that setback because a large number of properties are not in compliance given that people currently keep their RV’s, boat trailers, or other trailers there. City Attorney Joel Landeen 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 ways. 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. Groote reported that with the change, there would be no time requirement as long as it meets the other provisions, such as being on a graveled or hard surface. Landeen 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 for 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 of the time. He believes enforcement would be somewhat difficult because if there were to be a three of 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
street. Groote 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. 6388 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) PW072820-06 – Sarah Hanzel from Long Range Planning provided a brief presentation with an update on the Historic Preservation Commissions 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. Hanzel also shared the number of historic reviews that have been completed with 18 residential applications, 2 commercial applications, and 1 case report in 2019; and 6 residential applications, 2 commercial applications and 0 case reports thus far in 2020. Drew asked Hanzel to explain why the Commission is important to Rapid City and what it brings to the community economically. Hanzel said the commission is important for a lot of reasons especially with 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 Ehlman 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 not a lot of professional buildings downtown that are housing 50 to 100 people that make $60,000.00 to $80,000.00 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 big selling point is having a lot of glass on the western side. They feel with it being dark on both sides, it is difficult to make an inviting environment for a hundred people. City Attorney Joel Landeen 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. Landeen said that any business that is going to devalue their 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 they were not interested in doing that. Landeen 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. Landeen said during staff discussions another option
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. Ehlman told him that $20,000.00 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 they can get back to that because if it is something that is reasonable, Gagne believes they are open to that option. Finance Officer Pauline Sumption commented that unless the conversation happened between only Wade and Matt, there was no conversation during their discussions about the owners paying any money and that Mr. Ehlman was rather adamant that he was not interested in paying for the easement. Gagne said that is different from what Mr. Ehlman had told him and if it is a miscommunication, after talking to Mr. Ehlman 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 $20,000 or $30,000 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 St. Joe 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. Jones 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
second 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 Sixth 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 Alderpersons: Pat Jones, Ritchie Nordstrom, Greg Strommen, Laura Armstrong, Jason Salamun, Lance Lehmann, Darla Drew, and Bill Evans; the following Alderpersons 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 Culberson, Public Works Director Dale Tech, Community Development Director Ken Young, Community Development Block Program Manager Michelle Schuelke; Assistant City Attorney Jessica Rogers and Administrative Secretary Angie Boeve

ADOPTION 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 Veteran’s Day.

GENERAL PUBLIC COMMENT
Kiran 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 Wishon, Joey Doub 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 Herriman 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.
Alcoholic Beverage License Applications Set for Hearing (August 17, 2020)

3. Dolcavita LLC DBA Sabatino’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
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 LaCrosse Street
6. Adelaide Inc. DBA Juniper, 405 Canal Street Suite 1300 for a Retail (on-off sale) Malt Beverage & SD Farm Wine License
7. Lakota 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

8. PW072820-01: Approve Change Order #1-F for Project No. 2494 / CIP 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.
BE IT FURTHER RESOLVED that the owners of the property shown on Exhibit A shall pay $632.43 per acre to connect to the City’s water utility.

BE IT FURTHER RESOLVED that all construction fees collected as 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
s/ Steve Allender
Mayor

ATTEST:

s/ Pauline Sumption
Finance Officer
(SEAL)

10. PW072820-03: Authorize Mayor and Finance Officer 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 Officer to sign agreement between the City of Rapid City and FMG Engineering, Inc. for Professional Services for Final Design, Bidding, and Construction services for Rapid City Solid Waste - Lake Herman Outfall Improvements, Project No. 20-2589 / CIP No. 51289 in the amount of $79,930.00.

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. PW072820-08: 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 Corr Construction for Parks and Recreation Bridge Improvements Project No. PR18-2406 for a decrease of $2,618.50.

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 Rita Conklin 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 $88,762.00 to be Evenly Split Between RCPD and the Pennington County Sheriff’s Office to Replace Aging Radios

18. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Sue Aker (RSVP+), Betty Goddard (RSVP+), Harlene Hill (RSVP+), Bernard Iszler (RSVP+), Laura Iszler (RSVP+), Candace Laursen (RSVP+), Maren McKelvie (RSVP+), Diana Metzger (RSVP+), Cleo Miller (RSVP+), Don Paklin (RSVP+), Mary Pavlick (RSVP+), Robert Pavlick (RSVP+), Jerelyn Riemer (RSVP+), Ralph Riemer (RSVP+), Robert Schneider (RSVP+), Kathleen Schneider (RSVP+), Ruth Ann Schwartz (RSVP+), Albert Setera (RSVP+), Laceta Setera (RSVP+), Richard Tinker (RSVP+), Romona Tinker (RSVP+), Sharon Thorman (RSVP+), Rena Boersma (RSVP+),
Sandy Prante (RSVP+), Terry Prante (RSVP+), Sharon (Sherry) Scudder (RSVP+), Lori Lois 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 Resident Participation Plan

**Bid Award Consent Items**
24. CC080320-02.1 - Approve award of total bid for PETT Bldg Roof Replacement, Project No. 20-2597 / CIP No. 50098 opened on July 28, 2020 to the lowest responsible bidder, The Roofing & Construction Co. in the amount of $136,900.00.
25. CC080320-02.2 - Approve award of total bid for Gill Ave Sewer Reconstruction Project, Project No. 20-2584 / CIP No. 51294 opened on July 28, 2020 to the lowest responsible bidder, Simon Contractors of SD, Inc. in the amount of $317,063.00.

END OF CONSENT ITEMS

Mayor read in item (LF072920-04) 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 deferred to Schuelke who talked about the new housing projects in Rapid City, JB Holdings on E Watertown consists of 14 new, HUD approved mobile homes and a renovated tri-plexes; 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 29 (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, Salamun, 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, Salamun, 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 (20OA005) 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 Salamun, 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 item (PW071420-14) Appeal by Jennifer Boerger 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, second by Lehmann to approve the exception. Motion carried 6-2 with Jones and Drew voting no.

Community Development Items
Mayor read item (No. 20PL046) A request by Fisk Land Surveying & Consulting Engineers, Inc for Caekaert Construction, LLC for a Preliminary Subdivision Plan for proposed Lots 6A and 6B of Block 29 of Gemstone Subdivision, generally described as being located at 507 and 509 Topaz Lane. Motion was made by Armstrong, second 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 item (No. 20PL048) A request by Renner Associates, LLC for Tyler Schad 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 Beckman Drive. Motion was made by Drew, second 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 50-foot wide right-of-way and constructed pursuant to Figure 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 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. 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 16-foot wide paved surface shall submit 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 site(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 Beckman 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 Beckman 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, an engineer’s cost estimate shall be signed and approved; 12. Prior to Development Engineering Plan approval, any necessary off-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 5A 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, surety 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.

Mayor’s Items
Mayor read in the item (CC080320-03) - Presentation - Human Relations Commission Task Force. Task Force Members include Terra Houska, Denise Maher, Karen Mortimer, Tony Rhodes and Amy Sazue. The task force is devising a plan to address complaints and build the community. Mortimer, Rhodes and Sazue each spoke on different aspects of the human relations commission. The topics were the HRC functions; the complain process; HRC Structure; and Public Private Partnerships. They met 17 times to examine the commission and propose new ideas to make it better. Motion was made by Salamun, second by Armstrong to acknowledge. Salamun said there were a great group of people working on this and they have done a great 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 Salamun, Allender said he is going to include the salary for the proposed director in his 2021 budget. Karen Mortimer 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. Drew 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. Nordstrom is glad the MOA 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 read 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 service. 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**

**Alcohol Licenses**
34. Great Western Corral, LLC DBA Golden Corral, 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**

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CITY COUNCIL

AUGUST 3, 2020

TOTAL
8,707,245.61
IMPREST FUND: TIMOTHY ZOLL, PAYROLL LOAN, PD 07/23/20
2,739.00
GRAND TOTAL
8,709,984.61

Sumption presented the bill list of $8,709,984.61. Motion was made by Nordstrom, second by Drew to approve. Drury asked to abstain. Authorize (No. CC080320-01) the Finance Officer to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Those voting aye: Nordstrom, Strommen, Armstrong, Jones, Lehmann, Salamun, 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:

Finance Officer
(SEAL)

CITY OF RAPID CITY

Mayor
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.rcgov.org/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. 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 Nick Stroot 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,

Lucy LaDeaux, Admin. Secretary
CDBG Program Division
300 Sixth Street (Mailing)
333 Sixth Street (Office)
Rapid City, SD 57701
(605) 394-4181 Fax (605) 355-3520

Employment

Equal Opportunity Housing and
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 ___________ one ___________ day
successive

12th day of Aug 2020

of being on the

day of Aug 2020 that the fees charged for

the publication there of are 26 dollars

and 28 cents.

____________________________
Sheri Sponder

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

____________________________
Notary public

Matthew J. Trumppell

My commission expires December 5, 2025.
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
__________, 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: ____________,
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 ____________ day of ____________, 2020

________________________
Notary Public in and for ____________ County, South Dakota

Commission expiring ____________, 2023

________________________

Published at a rate of $ ____________
If a policy he said that will trickle down to every American and we have in common to."
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) LF090220-09 – 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 GPTCHB. 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 Haivala (RSVP+), Nona Muckle (RSVP+), Rapid City Sustainability Committee: Karl Merbach (Parks Department), Lysann Zeller (Parks Department), Ria Harper (Parks Department), Jade Redleaf (Parks Department), Kevin Crosby (Parks Department), Akadia Crosby (Parks Department), Kelli Aarstad (Parks Department), Garth Wadsworth (Parks Department), Jordan Hannon (Parks Department); Boy Scout Troop: Gregg Holland (Parks Department), Isaac Holland (Parks Department), Ian Maharajh (Parks Department), Jinen Maharajh (Parks
LEGAL AND FINANCE COMMITTEE
September 2, 2020
Department), Paitone Palmer (Parks Department), Daniel Dunnigan (Parks Department), John VanderWall (Parks Department), Edward Dunnigan (Parks Department), Dale Hemminger (RSVP+), Dianne Hemminger (RSVP+) Evelyn Weaver (RSVP+), Ivan (Mike) Weaver (RSVP+), Christine Davis (RSVP+), Rodney Garnett (RSVP+), Michele 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, 2019, $62.02; [Total for all Rapid City: $62.02]

7) LF090220-04 – Approve Resolution No. 2020-067 a Resolution Declaring Miscellaneous Personal Property Surplus to be traded

8) LF090220-05 – Approve Resolution No. 2020-068 a Resolution Declaring Miscellaneous Personal Property Surplus to be discarded

COMMUNITY DEVELOPMENT
9) LF090220-08 – 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. 6440 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 Approve 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) 20TP027 – 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 area 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 SD 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 funds go 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 care 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) PW090120-09 – 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 voting 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 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 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, 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, 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 Yuhas 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 Stall Barn Project for Pennington County. Kuhl said they were granted Vision Funds for this project and they came in under budget by $39,000. 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 it’s 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 – 36
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 Geidel (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 – 36, 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 Set for Hearing (September 21, 2020)**
4. 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

**Public Works Committee Consent Items**
5. PW090120-10: Confirm the appointment of Jeremy Altman 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.51236 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. 51302, 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.
9. PW090120-04: 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. 20-2604 / CIP 51260, in the amount of $78,110.00.

10. PW090120-05: 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 $226,350.50. The funding originally awarded was incorrect and should be 101/301 and 604/833. 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 both 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 the accompanying maps, plats, 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 8th day of September, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:

s/ Pauline Sumption
Finance Officer

(SEAL)
17. PW090120-09: Acknowledge Invitation To City Council Members to Tour Solid Waste Facility

Legal & Finance Committee Consent Items
18. LF090220-09 – 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 Haivala (RSVP+), Nona Muckle (RSVP+), Rapid City Sustainability Committee: Karl Merbach (Parks Department), Lysann Zeller (Parks Department), Ria Harper (Parks Department), Jade Redleaf (Parks Department), Kevin Crosby (Parks Department), Akadia Crosby (Parks Department), Kelli Aarstad (Parks Department), Garth Wadsworth (Parks Department), Jordan Hannon (Parks Department); Boy Scout Troop: Gregg Holland (Parks Department), Isaac Holland (Parks Department), Ian Maharajh (Parks Department), Jinen Maharajh (Parks Department), Paitone Palmer (Parks Department), Daniel Dunnigan (Parks Department), John VanderWall (Parks Department), Edward Dunnigan (Parks Department), Dale Hemminger (RSVP+), Dianne Hemminger (RSVP+) Evelyn Weaver (RSVP+), Ivan (Mike) Weaver (RSVP+), Christine Davis (RSVP+), Rodney Garnett (RSVP+), Michele 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 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: **GOLF MAINTENANCE (864)**
For Deletion (Trade):
TORO TEE BOX MOWER (#G21)
VIN#210001326

JACOBSEN TEE BOX MOWER (#G22)
VIN#3540

TORO 5300D FAIRWAY 4WD MOWER
VIN#50850

JACOBSEN MOWER (#G23)
VIN#3541

FAIRWAY MOWER (#G39)
VIN#20246

TORO TEE BO 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. LF090220-05 – 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 ST200X SERIES MICROFILM/MICROFICHE READER (#11117)
SERIAL# 300140

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

5
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. LF090220-08 – Approve the Final FY20 Amendment to Resident Participation Plan
34. LF090220-07 – Acknowledge the Behavior Management Systems CDBG/Mental Health Update with Speaker Teri Corrigan.

Bid Award Consent Items
35. CC090820-02.1 - Approve award of total bid for Northridge Dr. Overlay Project, Project No.19-2554 / CIP No. 50549 opened on September 1, 2020 to the lowest responsible bidder, Simon Contractors of SD, Inc. in the amount of $270,486.25.
36. CC090820-02.2 - Approve award of total bid for Rapid City Solid Waste Lake Herman Outfall Improvements, Project No.20-2589 / CIP No. 51289 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 Lehmann, second by Strommen and carried to approve.

Mayor read in item (PW090120-08): Request from Kimberly and Shane Geidel (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. 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 (20TP030): 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**

Mayor asked if the audit report could be heard now and moved out of order. There were no objections. Mayor read in item (LF090220-10) Approve Audit Report of City of Rapid City – 2019 Financial and Compliance Report. Tracy Hansen from Ketel 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 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 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 6436 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 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. Motion was made by Drew, second by Strommen and carried to approve Ordinance 6437 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. 20RZ035) First 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. Motion was made by Drew, second by Strommen and carried to approve Ordinance 6438 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 6440 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 $319,000.00. 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 Roberts voting no.

Mayor read in item (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. 20PL059) A request by Renner Associates, LLC for Kimberly and Shane Geidel for a Preliminary Subdivision Plan for proposed Lots A and B of Jundt 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. 46103C1250H; 5. Upon submittal of a Final Plat application, surety 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 (CC090820-04.1) 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 Salamun and carried.

Mayor read in item (CC090820-04.2) 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 Wags 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 or 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.

**BILLS**
The following bills have been audited:

**BILL LIST -SEPTEMBER 8, 2020**

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</table>
Davis presented the bill list of $11,615,594.24. Motion was made by Salamun, second by Lehmann to approve. Authorize (No. CC090820-01) to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Those voting aye: Nordstrom, Strommen, Armstrong, Jones, Lehmann, 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 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

ATTEST:

_____________________________________
Mayor

_____________________________________
Finance Officer

(SEAL)
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

$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.rcgov.org/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. 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 Nick Stroet 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.

Equal Opportunity Housing and Employment

Thank you,

Lucy LaDeaux, Admin. Secretary  
CDBG Program Division  
300 Sixth Street (Mailing)  
333 Sixth Street (Office)  
Rapid City, SD 57701  
(605) 394-4181 Fax (605) 355-3520
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 $1.38 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 $107,390 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 $2 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.
Additional CARES Act funding can help people facing eviction

The funds can be used to provide temporary assistance for rental obligations for 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. But now there may be some help on the way.

Rapid City officials learned last week that more than $400,000 in Community Development Block Grant funds 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 funding. Communities were chosen based on factors such as unemployment and Coronavirus spread. Rapid City's CDBG program division manager said this will help people who have no other resources.

"Week over week, we have seen an increase in not only the number of families who have needed assistance but also the amount of assistance," said Michelle Schuelke, Rapid City's CDBG program division manager. "Some of the more moderate- and middle-income families are needing some help, some for the first time ever. These are unprecedented times and so this will really help those who have depleted savings, who really have no other option."
According to HUD, the funds can be used to provide temporary assistance for rental obligations for up to six months. The city is still determining how the funding will be distributed.

Copyright 2020 KOTA. All rights reserved.
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. 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."
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.
Subject: FY21 CDBG Application - Due: Oct. 1, 2020
Date: Wednesday, August 26, 2020 8:43:00 AM
Attachments: FY21 CDBG Application Master 08-19-20.pdf
FY21 CDBG Application Master 08-19-20.docx

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 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 $70,500 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 https://www.rcgov.org/departments/community-planning-development/cdbg-program-division/cdbg-program-division-8389.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 michelle.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 Stroost, (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,

Lucy LaDeaux, Admin. Secretary
CDBG Program Division
500 Sixth Street (Mailin)
333 Sixth Street (Office)
Rapid City, SD 57701
(605) 394-4181 Fax (605) 355-3530

Equal Opportunity Employer and Lender
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 day for one successive day, the first publication there of being on the 26th day of Aug, 2020, that the fees charged for the publication there of are 141 dollars and 15 cents.

Sheri Sponder

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

Matthew J. Frangell

Notary public

My commission expires December 5, 2025.
August 26, 2020

PUBLIC NOTICE

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Affordable Housing
Public Facilities and Improvements
Economic Development
Public Services

Applications are available at https://www.rg.gov/departments/community-planning-development/cdbg-program-division/cdbg-program-division-8389.html. The application deadline is 4:00 p.m. on October 1, 2020.

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Equal Opportunity Employer and Lender (Published one time at the approximate cost of $141.85)
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 17, 2020 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 14th day of September, 2020

[Signature]
Notary Public in and for Pennington County, South Dakota

Commission expiring March 28, 2023

(SEAL)

[Seal]

Published at a rate of $125.00
PUBLIC NOTICE

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Public Facilities and Improvements
Economic
Public Services

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PUBLIC NOTICE

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Public Facilities and Improvements
Economic Development
Public Services

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Equal Opportunity Housing and Employment
REMINDER:

PUBLIC NOTICE
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Thank you,

Lucy LaDeaux, Admin. Secretary
CDBG Program Division
300 Sixth Street (Mailings)
333 Sixth Street (Office)
Rapid City, SD 57701
(605) 394-4181 Fax (605) 355-3520

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
FYI -

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 $499,620. The Community Investment Committee preliminary funding recommendations include Pennington County Health & Human Services ($150,000) and United Way of the Black Hills ($100,000), $57,390 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 go before 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.rcgov.org. Comments should be directed, in writing, to the CDBG Program Division at 300 6th Street; by email to michelle.schuelke@rcgov.org; or by phone at (605) 394-4181.

A conflict of interest exists in that Jamie Toennies, 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. Toennies rescued 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 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

Thank you,

LaDeaux Lucy
CDBG Program Division
300 Sixth Street (Hearing)
333 Sixth Street (Office)
Rapid City, SD 57701
(605) 394-4181 Fax (605) 395-5520
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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 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 there of being on the 7th day of Oct 2020 that the fees charged for the publication there of are $141.65 dollars and cents.

Sheri Sponder

Subscribed and sworn to before me this 14th day of October, 2020.

Matthew J. Franks
Notary Public

My commission expires
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Equal Opportunity Employer and Lender  (Published one time at the approximate cost of $141.05)
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: 20 Volume 12, 2020 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

[Signature]
Notary Public in and for Pennington County, South Dakota
Commission expiring March 28, 2023

(PUBLIC)

Published at a rate of $145.00
PUBLIC NOTICE
20-Day Public Comment Period for
Proposed 2020 CDBG CARES Act (CDBG-CV) Funding Recommendations and
Public Disclosure of Conflict of Interest

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The City received requests totaling $449,620. The Community Investment Committee preliminary funding recommendations include Pennington County Health & Human Services ($150,000) and United Way of the Black Hills ($100,000). $57,390 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.

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For TDD/TTY, please dial 711.

Equal Opportunity Employer and Lender
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 Salamun 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

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 Yale (Library), Carol Coburn (RSVP+), Barry Sullivan (RSVP+), Harold Haivala (RSVP+), Mary Wendt (RSVP+), Marna Bergstrom (RSVP+), Teresa Hill (RSVP+), Myrna Schamber (RSVP+)

4) LF101420-01 – Drew 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) LF101420-05 – Approve Resolution No. 2020-077 a Resolution Levying Assessment for Abatement of Nuisances
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 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. Salamon 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 as an opportunity to split not only the exchange off but our active directory infrastructure as well. Binary Trees 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 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 behind the scenes 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) 20T1004 – 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) LF101420-08 – Salamun moved to approve the Introduction and First Reading of Ordinance No. 6448 an 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 referenced the attached memorandum that was generated in July of 2019 recommending streamlining meetings and agendas. Armstrong 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. Salamun said he is in support 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/media to be able to hear the discussions, so when presented to City Council, the public has had the opportunity to hear everything rather than just hearing a decision at that meeting. He is also not in favor of 6(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 era of social distancing. Salamun 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 really 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 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 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 are and what
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 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 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 130 million dollars out of the vision funds is mostly made up of the contract with Mortensen 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. Baltzer 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 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 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 those 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. 2020-081 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. Second by Lehmann. Motion carried unanimously.

COMMUNITY DEVELOPMENT
14) 20TI005 – Patsy Horton from Long Range Planning provided a presentation regarding the project to extend the road on Homestead Street. 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 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 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 and Non-TIF funded costs for street, water, sanitary sewer, storm sewer, professional fees, contingency fees, financing costs and administrative fee 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 1.7 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 it just comes from a statewide school formula instead of within the localized 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 $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 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 2018 to 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 1:17 p.m.
PROCEEDINGS FOR THE CITY COUNCIL  
City of Rapid City, South Dakota  
6:30 P.M., Monday, October 19, 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, October 19, 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 Salamun, Ritchie Nordstrom, Lance Lehmann, Darla Drew and Bill Evans; the following Alderpersons 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 Hedrick, Fire Chief Jason Culberson, 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 Schuelke, Civic Center Director Craig Baltzer, Communications Coordinator Darrell Shoemaker and Administrative Secretary, Angie Boeve.

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

AWARDS AND RECOGNITIONS
1. Sustainability Committee award presentation to the Black Hills Farmers Market  

PRESENTATION
3. Veteran Banner Project Update / Video – Bill Casper  
5. 2020 Bridge Re-Inspections (20-2576/CIP 50630) – Bruce Wilsey and Spencer Dockter 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 Salamun, Tech explained the Big Grant score 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 (LF101420-05) 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 Clucas, DBA Black Hills Barbershop, 516 Sixth Street, for a new Retail (on-off 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. 2599/ CIP No. 51301, for a total Contract Amount not to Exceed $80,842.40.

20. PW101320-13: Authorize Purchase of Garbage and Recycling Containers From Rehrig Pacific Company through Omnia Partners Cooperative Contract #00254, In The Amount Of $69,543.80

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. LF101420-05 – Approve Resolution No. 2020-077 a Resolution Levying Assessment for Abatement of Nuisances

Motion was made by Jones, second by Armstrong and carried to approve items 6-30, with the exception of items 7, 9, 20, 21, and 25.

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 $11,500.

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 # 16773 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 # 16773 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) Dial-A-Ride Vehicles. Estimated Cost $200,000.

15. PW101320-08: Authorize Mayor and Finance Director To Sign Contract Amendment 4 To TripSpark Software License And Maintenance Agreement. To Add Mapping Capabilities to the Scope of The Agreement, With An Increased Cost of $8,100.

16. PW101320-09: Approve Extending Contract Bid To The Following Contractors For The Parking Lot Contracts For The 2020-2021 Snow Season: G.J. Holsworth 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 Operated Equipment Rental For Street Snow Removal Contract For The 2020-2021 Snow Season: Mainline Contracting, Simon, Lind-Exco, Beka 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 DP70N1Pricing From Sourcewell Contract # 101816-MCF with RAKA In The Amount Of $81,383.60.
19. PW101320-12: Authorize Mayor and Finance Director to sign an agreement between the City of Rapid City and AET for detailed Landfill Gas Analysis services for a total cost of $1,200.

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: Marcia Aiken (RSVP+), Richard Mayforth (RSVP+), Alwyn Thoreson (RSVP+), John McManigal (Police Department), Darlene Swartz (RSVP+), Joyce Yale (Library), Carol Coburn (RSVP+), Barry Sullivan (RSVP+), Harold Haivala (RSVP+), Mary Wendt (RSVP+), Marna Bergstrom (RSVP+), Teresa Hill (RSVP+), Myrna Schamber (RSVP+)

24. LF101420-01 – Authorize Mayor and Finance Director to Sign Engagement Letter with Addendum with Ketel Thorstenson, LLP for the FY2020 Audit.


27. LF101420-02 – Authorize Mayor and Finance Director to Sign Contract 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).

28. LF101420-10 – Approve 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.

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
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. LF101420-04 – Approve the Preliminary Recommendations for the FY20 Community Development Block Grant CV Funding
30. 20TI004 – Authorize the Mayor and Finance Director to Sign Agreement between the City of Rapid City, Rapid Valley Sanitary District and Yasmine 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 Clucas, DBA Black Hills Barbershop, 516 Sixth Street, for a new Retail (on-off sale) Malt Beverage & SD Farm Wine license. In response to questions from Jones, 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 Jones and carried to approve the set for hearing.

Mayor Allender read in item (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. 2599/ CIP No. 51301, for a total Contract Amount not to Exceed $80,842.40. 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 Lehmann and carried to approve.
Mayor Allender read in item (PW101320-13) Authorize Purchase of Garbage and Recycling Containers from Rehrig Pacific Company through Omnia Partners Cooperative Contract #00254, In The Amount Of $69,543.80. Tech responded to questions from Drew. Motion was made to approve by Jones, second by Nordstrom and carried.

Mayor Allender read in item (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. Motion was made by Salamun, second by Jones to approve. Salamun asked if this service includes looking around creeks 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 Allender read in item (LF101420-05) 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 couch 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 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 19th day of October, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)
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**NON-CONSENT ITEMS** – Items 31 – 35

**Ordinances**
Mayor Allender read in item (LF101420-03) Approve First Reading of Ordinance No. 6446 Regarding Supplemental Appropriation 7 for 2020. Motion was made by Armstrong, second by Salamun and carried to approve Ordinance 6446 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 First Reading 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. 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.

Legal & Finance Committee Items
Mayor Allender read in item (LF101420-09) 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. 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 memo. 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 entitles 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 quorums 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 visually, 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 7-1 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 alderman 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 alderman 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 alderman 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 vet 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 on the committee’s agenda 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 ordinance, resolution, 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 this 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 (CC101920-02) 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 meeting will be held on every off Wednesday at 12:30 p.m. Motion carried 8-0.

Community Development Items
Mayor Allender read in item (No. 20PL071) 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, Lot 9 Revised and Lot 10 Revised of Block 12 of Murphy Ranch Estates Subdivision, located in the NW1/4 of the NW1/4 of Section 14, T1N, R8E, 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 NW1/4NW1/4; c) The scale shall be revised to read 1”=100’ instead of 1”=60’; d) “Derringer Road” shall be spelt 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.
CITY COUNCIL

October 19, 2020

labeling since these lots have not previously been platted; h) All bearings and lot dimensions shall be shown; and, i) A Certificate and Acknowledgment of Ownership shall be added for Davis Engineering, Inc.; 4. Upon submittal of a Final Plat application, a signed and approved cost estimate for the required subdivision improvements shall be submitted; 5. 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, 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. Naja Shriners for a SPECIAL EVENT On-Sale Malt Beverage License for an event scheduled for November 7, 2020 at Black Hills Harley Davidson, 2820 Harley Drive
37. Bar K-9 LLC for a SPECIAL EVENT On-Sale Malt Beverage License for an event scheduled for October 23-24, 2020 at Rushmore Mall (Fenced off area), 2200 N Maple Ave
38. J.M. Kingsbury Family Brewing Co DBA Cohort Craft Brewery, 4905 5th Street, Suite 103 for a Retail (on-off sale) Malt Beverage & SD Farm Wine license
39. Press Start, LLC, DBA Press Start, LLC, 504 Mt. Rushmore Road for a Retail (on-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 Allender read in item (20T005) 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. 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 8-0.

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 11-9; 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 11-9-8 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

11
(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 GL4 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 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota

all located in Section 9, T1N, 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
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)

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 desirable growth and redevelopment; and

WHEREAS, there has been established the Homestead Street Extension Tax Increment District Number Eighty-Three; 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 creates a direct, contiguous collector road segment for emergency response services, the Rapid City Area School District and area residents currently using the existing circuitous road alignment from Elk Vale Road east to Valley View Elementary and East Middle School by assisting with funding to design and construct that portion of Homestead Street between Timmons Boulevard and Missoula 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
(SEAL)

BILLS
BILL LIST -OCTOBER 19, 2020

P/ROLL PERIOD END 09/26/20, PD 10/02/20 1,874,579.49
SUPP P/ROLL PERIOD END 09/26/20, PD 10/02/20 680.83
PIONEER BANK & TRUST, 09/26/20 P/ROLL TAXES, PD 10/02/20 481,479.95
PIONEER BANK & TRUST, SUPP 09/26/20 P/ROLL TAXES, PD 10/02/20 52.08
WELLMARK INC, HEALTH CLAIMS THROUGH 10/02/20, PD 10/08/20 292,672.79
WELLMARK INC, HEALTH CLAIMS THROUGH 10/09/20, PD 10/15/20 230,373.21
WAGE WORKS, SECTION 125 CLAIMS THROUGH 10/05/20, PD 10/06/20 1,852.99
WAGE WORKS, SECTION 125 CLAIMS THROUGH 10/13/20, PD 10/14/20 4,002.88
SOUTH DAKOTA RETIREMENT SYSTEM, SEP20 RETIREMENT, PD 10/02/20 491,556.83
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 10/07/20, PD 10/08/20 6,234.96
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 10/14/20, PD 10/15/20 34,966.26
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:

Finance Director

(SEAL)

CITY OF RAPID CITY

Mayor
FYI:

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:

<table>
<thead>
<tr>
<th>Project</th>
<th>Proposed Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Services for Low- and Moderate- Income Households</td>
<td>184,434</td>
</tr>
<tr>
<td>Public Services/Urgent Need</td>
<td>61,478</td>
</tr>
<tr>
<td>CARES Act CDBG Planning and Administration</td>
<td>61,478</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>307,390</strong></td>
</tr>
</tbody>
</table>

The amended FY20 AAP is located at https://www.rcgov.org/departments/community-planning-development/cdbg-program-division/cdbg-program-division-8389.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 6th Street or by email to Michelle Schuelke at michelle.schuelke@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 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

Thank you,
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

__ day for one successive
__ day, the first publication there of being on the
21st day of Oct 2020 that the fees charged for
the publication there of are $141.50 dollars
and __ cents.

Sheri Sponder

Subscribed and sworn to before me this 28th
day of October, 2020.

Matthew J. Trampull
Notary public

My commission expires

December 5, 2025
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 Dickerson, 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: 32 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 26th day of October, 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
**St. Joseph's Indian School celebrates Native American Day**

By Danielle E. Leal

It's shocking, you know. I've never worn the kind of dress that was漂亮 but not 凹凸不平. 20% of the 20% (50) would like to believe that our people would not have such a dress; they had. I can tell my sister, Angel T. Louden, the ONE-NATIVE American living inside Watertown...

The Native American Day is celebrated with ceremonies at St. Joseph's Indian School, South Dakota. The school is hosting a day of celebration to honor the contributions of Native American culture and heritage. The day includes traditional dance performances, storytelling, and educational workshops. The goal is to raise awareness and promote understanding of Native American history and culture.

**CRAZY Horse School**

**PUBLIC NOTICES**

**5-Day Public Comment Period for Notice of Substantial Amendment to PY02-C085 Annual Action Plan**

The City of Rapid City is seeking public comments on a proposed amendment to the PY02-C085 Annual Action Plan (AAP). The amendment will address funding priorities and strategies for rehabilitation and preservation of affordable housing. The amendment will be available for public comment through October 27, 2020.

**OLALLA SIOUX LOKATA NURSING HOME**

The Olalla Sioux Lokata Nursing Home is seeking public comment to improve the quality of life for its residents. The home provides skilled nursing care, rehabilitation services, and support for individuals who require assistance with daily living activities. The home is committed to providing a safe and comfortable environment for all residents.

Public comments can be submitted online through the City of Rapid City's website or by mail to the Olalla Sioux Lokata Nursing Home, 1500 South Main Street, Rapid City, SD 57702.
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 Salamun and Pat Jones. Absent: Lance Lehmann

(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.

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 Traded

HUMAN RESOURCES
5) LF102820-07 – Salamun asked Human Resources Director Nick Stroot to give an overview of the healthcare plan changes. Stroot 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 the fund 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. Stroot 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
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 raise 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 over a 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 all in copay 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 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 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) 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 $664,805.00

CITY ATTORNEY’S OFFICE
LEGAL AND FINANCE COMMITTEE  
October 28, 2020  
11) LF102820-08 – 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 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 Friday. 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.

Bev Warne, a Lakota Elder, spoke in support of item #14 regarding the land swap. She provided a little background of living in Oshkosh 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 grow 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.

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 to 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 deeds. The Minluzahan Okolakicyapi 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, Kibbie Conti 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 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 has been subjective to a lot of different
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 commends. 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) LF101420-03 – Salamun moved to approve the Second Reading and Recommendation of Ordinance No. 6446 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 those parcels do not wish that their parcels revert back to the DOI. Her group has worked fastidiously 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 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 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 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
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. Jones 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 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 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 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. Salamun 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 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 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. 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 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
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 “to be formed” Native organization that would run the Community Center. Their group has purposely not created a 501c3 or formed any entity because it is irrelevant unless it is moved forward with the City. Once this passes, then the group would re-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 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 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 investing 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, separate from this are probably things the council would potentially look at investing in anyway even absent this. If this is approved, then there would be a small group formed to work together to bring an 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 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 most 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 responses. He pointed out a letter that says the use of the Regional Hospital land is consistent with the grant and also 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 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
October 28, 2020

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 Oshkosh 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 Strommen’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. 2020-084 A Resolution to Resolve Three Outstanding Deeds Related to the Rapid City Indian Boarding School Lands to City Council without recommendation. Second by Salamun. Strommen 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 Strommen voting “yes” and Drew, Armstrong, Salamun, Jones voting “no”. Motion failed 1-4. A vote taken on the original motion with Drew, Armstrong, Jones and Salamun voting “yes” and Strommen, voting “no”. Motion carried 4-1.

ADDENDUM NO. 1

CONSENT ITEM

CITY ATTORNEY’S OFFICE

15) LF102820-10 – Landeen requested the committee send this item to council without recommendation do to some corrections 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 Pactola 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 d/b/a Pactola. 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 Authorize 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 Alderpersons: Pat Jones, Greg Strommen, Laura Armstrong, Jason Salamun, Ritchie Nordstrom, Lance Lehmann, Darla Drew, John Roberts 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, 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, 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 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. PW102720-01: 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. 18-2487, CIP No. 51036, in the amount of $5,360.00.

5. PW102720-02: 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 #2533/CIP NO.50445 for an increase in the amount of $44,835.17.

7. PW102720-04: Approve change order 1F to J & J Asphalt for Forest Hills Dr. Clark St. Inlay Project, Project #2555/CIP NO.50549 for a decrease in the amount of $48,448.31.
8. PW102720-05: Approve change order 1F to Dakota Barricade LLC for 2020 Lane Line Painting Project, Project #2578/CIP NO.50594 for an increase in the amount of $7,808.80.
9. PW102720-06: Approve change order 1F to R.C.S. Contraction, Inc. for Dakota Drive Drain Pan, Project #2580/CIP NO.51251 for an increase in the amount of $19,331.19.
10. PW102720-07: Approve change order 1 to Tru-Form Construction, Inc. for Pavement Rehabilitation Project Tower Road, Project #2537/CIP NO.50798 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 $11,500.
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. 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. 20TP035: 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, SF-424, SF-424D and Certifications for FY20
23. 20TP031 – Approve the 2021 Unified Planning Work Program – Final Report
24. 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 $664,805.00

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 25 – 36

Ordinances
Mayor Allender read in item (PW102720-11) Approve First 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. Motion was made by Armstrong, second by Salamun 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 (LF102820-10) Authorize the Mayor and Finance Director to Sign the Assignment Agreement with Midwest Business Solutions, L.L.C. d/b/a Pactola 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 (LF102820-08) 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
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 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, 5. Prior to the City’s acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

Mayor Allender read in item (No. 20PL077) A request by Fisk Land Surveying & Consulting Engineers, Inc for Michael and Marnie Gould, Stuart Rice, Ross and Angela McKie for a Preliminary Subdivision Plan for proposed Lots A through D of Skyline Ranch Subdivision No. 2, generally described as being located at 1850, 2300 and 2221 Skyline Ranch Road. The applicant’s request to continue to the next city council meeting. Motion was made by Lehmann, second by Strommen to continue to the November 16, 2020 City Council Meeting. Motion carried 9-0.

Alcoholic Beverage License Applications Renewals for 2021

35. Approve the following Alcohol License Renewals for (CL) Convention Center (on-sale) Liquor; (PD) Package Delivery; (PL) Package (off-sale) Liquor; and (RL) Retail (on-sale) Liquor.

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<td>HARTMANN</td>
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<td>18 PL-5077 LESTER HOSPITALITY RAPID CITY LLC RUSHMORE PLAZA HOLIDAY INN 505 N 5TH ST</td>
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<td>41 RL-5881 SHEREE D SCHRIVER JAMBONZ DEUX (2) 740 MOUNTAIN VIEW RD</td>
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<td>RED ROCK GOLF CLUB LLC</td>
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<td>BDUBS LLC</td>
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<td>M.G. OIL COMPANY</td>
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<td>RW-19345</td>
<td>LU SHUN LLC</td>
<td>GREAT WALL CHINESE</td>
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<td>RW-19769</td>
<td>PURE BLISS LLC</td>
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<td>MAIN STREET SQUARE INC.</td>
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<td>FUJI JAPANESE STEAK HOUSE INC</td>
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<td>DAKOTAH STEAKHOUSE LLC</td>
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<td>KATHMANDU BISTRO LLC</td>
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<td>C C W LLC</td>
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<td>JYE GROUP INC</td>
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Mayor Allender noted the 82 alcohol renewals on the agenda. In response to a question from Drew, Hedrick said there were no issues with any of the alcohol renewals. Motion was made by Roberts, second by Salamun 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 (LF102820-09) 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 Gerlach, Kathy Gerlach, Aaron Bear, Julie Brown Money and Dick McConnell. Those that spoke in favor of the resolution were: Bev Warne, Dr. Eric Zimmer, Tatewín Means, Rebecca Kidder, Chuck Nichols, Tad Montgomery, Lessa Peters, Cheryl (Jean) Castillo, Mary Bowman, Bre Jackson, Beverly Running Bear, Dr. Art Zimiga, Marilyne Miner, Gene Tyn, Troy Fairbanks, Darrell Red Cloud, Hani Shafai, Dan Tribby, Onna LeBeau, Cheryl Angel, Jean Roach, Karen Mortimer, Father Cody Magnus, Reverend Erik Thone, Cindy Rain, Cante Heart, Grace Dodds, Peyton Swallow, Rylan Barnett, Hannah Churchill, Tom Johnson, Bill May, Donna Gilbert, Bryan Brewer, Jace Decory, and Robin Zepher.

President Armstrong read in item (LF102820-09) 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
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 – Westhills 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 dais. Discussion continued among the council members. Motion was made by Roberts, second by Strommen to continue this item to the November 10, 2020 working session. Motion carried 6-3 with Jones, Drew and Armstrong voting no.

PUBLIC HEARING ITEMS – Item 37
CONSENT PUBLIC HEARING ITEMS – Item 37

Alcohol Licenses
37. Dominique Clucas, DBA Black Hills Barbershop, 516 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 Clucas, 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 10/10/20, PD 10/16/20 1,860,924.61
PIONEER BANK & TRUST, 10/10/20 P/ROLL TAXES, PD 10/16/20 484,880.61
SOUTH DAKOTA DEPARTMENT OF REVENUE, SEP20 SALES TAX PAYABLE, PD 10/26/20 42,607.55
SOUTH DAKOTA DEPARTMENT OF REVENUE, SEP20 EXCISE TAX PAYABLE, PD 10/26/20 488.51
SOUTH DAKOTA DEPT OF REVENUE, SEP20 CCTR SALES TAX PAYABLE, PD 10/26/20 2,778.85
WELLMARK INC, HEALTH CLAIMS THROUGH 10/16/20, PD 10/22/20 180,691.45
WELLMARK INC, HEALTH CLAIMS THROUGH 10/23/20, PD 10/29/20 172,033.92
WAGE WORKS, SECTION 125 CLAIMS THROUGH 10/19/20, PD 10/20/20 2,278.16
WAGE WORKS, SECTION 125 CLAIMS THROUGH 10/26/20, PD 10/27/20 2,960.96
SD DEPT OF LABOR-REEMPLOYMENT ASSISTANCE BENEFIT CHARGES, PD 10/20/20 127,489.91
AR GROUP LLC, TID39 ANAMOSA/AR GROUP, PD 10/22/20 14,720.53
BANK WEST, TID47 TOWER RD, PD 10/22/20 23,485.43
BANK WEST, TID54 RAINBOW RIDGE, PD 10/22/20 6,431.82
BANK WEST, TID56 RUSHMORE CROSSING, PD 10/22/20 8,020.64
BANK WEST, TID65 MINNESOTA ST, PD 10/22/20 17,286.99
BANK WEST, TID70 CATRON BLVD, PD 10/22/20 244,189.87
CITY OF RAPID CITY, TID39 ANAMOSA/AR GROUP, PD 10/22/20 14,720.53
CITY COUNCIL

CITY OF RAPID CITY, TID64 CABELA'S, PD 10/22/20 1,014.66
FIRST INTERSTATE BANK, TID50 FEDERAL BEEF/FOUNDERS PARK DEV, PD 10/22/20 20,164.36
BLACK HILLS ENERGY, ELECTRICITY, PD 10/27/20 105,998.06
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 10/27/20 8,047.78
COMPUTER BILL LIST 10,112,008.78
CDEV COMPUTER BILL LIST SUBTOTAL 15,135.15
RSVP, P/ROLL PERIOD END 10/10/20, PD 10/16/20 TOTAL 13,468,359.13
RSVP, PIONEER BANK & TRUST, 10/10/20 P/ROLL TAXES, PD 10/16/20 2,641.07
RSVP, COMPUTER BILL LIST 576.34
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. Authorize (No. CC110220-01) to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Those voting aye: Nordstrom, Strommen, Armstrong, Jones, Lehmann, 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 this 2nd day of November, 2020.

ATTEST:

________________________________________
Finance Director

(SEAL)

CITY OF RAPID CITY

Mayor
Call to Order by Council President Laura Armstrong at 12:30pm
Council In Attendance: Laura Armstrong, Darla Drew, Ritchie Nordstrom, Greg Strommen, Lance Lehmann, Pat Jones, Jason Salamun, Bill Evans, Absent: John Roberts
City Staff In Attendance: Don Hedricks, Chief of Police; Jason Culberson, Fire Chief; Pauline Sumption, Finance Director; Joel Landeen, City Attorney; Ken Young, Community Development Director; Michelle Schuelke, CDBG Manager; Dale Tech, Public Works Director; Dan Coon, Assistant Public Works Director; Rod Johnson, Operations Management Engineer; Jeff Beigler, Parks and Recreation Director
DISCUSSION ITEMS (Council Non-Consent 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 on 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) 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 Levyings Assessment for Abatement of Nuisances
12) Acknowledge the Following Volunteers for Worker's Compensation Purposes: Linda Grenz (RSVP+), Kathleen (Kay) Ingalls (RSVP+), Maryann Stroschein (RSVP+), Rena Boersma (RSVP+), Ria Harper (Solid Waste)
13) WS111020-16: Authorize Mayor and Finance Director to Sign Agreement with Convergent Technologies in the amount of $71,696.96 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
Tech 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 #2099/CIP NO.50904 for an increase in the amount of $43,113.65

16) WS111020-06: Approve Change Order #1 for Fitzgerald Stadium Renovations 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 Cambell Street Box Culvert Outlet 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 Bids for Abandon Omaha Trunk Sewer – 1st Street to Maple Avenue Project, Project No. 20-2610 / CIP No. 51307. Estimated Cost $80,000.

20) 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 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 $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 $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 12.08.060. 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:
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
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 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 Salamun, Ritchie Nordstrom, Lance Lehmann, Darla 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 Landeen, Police Chief Don Hedrick, Fire Chief Jason Culberson, Public Works Director Dale 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 Weiffenbach. 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 Senftner 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. Senftner 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/CIP 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. 20-2607 / 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.

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 $188,128.

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 Sol in the amount of $707,279.23.

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 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 18-19, at the Rushmore Mall, 2200 N. Maple Ave Suite 2002
5A. Iron PHNX LLC DBA Iron Phnx, 3468 Sturgis 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. Moyle Petroleum Company DBA Common Cents Rushmore Rd, 2660 Mt Rushmore Rd, for a Retail (on-off sale) Wine and Cider license renewal
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 House
11. WS111020-04: Resolution No. 2020-086 – 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:
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 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

ATTEST:

s/ Pauline Sumption
Finance Director

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12. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Linda Grenz (RSVP+), Kathleen (Kay) Ingalls (RSVP+), Maryann Stroschein (RSVP+), Rena Boersma (RSVP+), Ria Harper (Solid Waste)

13. WS111020-16: Authorize Mayor and Finance Director to Sign Agreement with Convergent Technologies in the amount of $71,696.96 for security enhancements at City Hall.

14. WS111020-17: Authorize Mayor & Finance Director to Sign Amended Renewal Ready Subscriber Agreement with Black Hills Power, Inc., dba Black Hills Energy

15. WS111020-05: Approve change order 1 to Heavy Constructors, Inc. for West Omaha Street Utilities, Project #2099/CIP NO.50904 for an increase in the amount of $43,113.65

16. WS111020-06: Approve Change Order #1 for Fitzgerald Stadium Renovations Project No. 19-2508 CIP #51231 with MAC Construction for an increase of $124,557.87.

3
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. 15-2313 / 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 Bids for Abandon Omaha Trunk Sewer – 1st Street to Maple Avenue Project, Project No. 20-2610 / CIP No. 51307. Estimated Cost $80,000.

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 $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 $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 12.08.060.

25. WS111020-15: 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 (WS111020-10) 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, Senftner said the vision fund is funding this project. Motion was made by Salamun, second by Armstrong and carried to approve.

Mayor Allender read in item (CC111620-02.1) Approve award of total bid for Miscellaneous Improvements Projects, Facility Type 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 and Tracy Davis and was satisfied in the city’s process. Motion was made by Lehmann, second 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 $188,128. Motion was made by Jones, second by Salamun and carried to approve.

Mayor Allender read in item (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 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, second by Lehmann and carried to approve.

NON-CONSENT ITEMS – Items 29 - 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 Allender read in item (PW102720-11) Approve 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. 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 Weifenbach NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6447 was declared duly passed upon its second reading.

Mayor Allender read in item (PW102720-12) 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 Weifenbach NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6442 was declared duly passed upon its second reading.

Mayor Allender read in item (PW102720-13) 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 Weifenbach NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6443 was declared duly passed upon its second reading.

Mayor Allender read in item (PW102720-14) 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 Weifenbach NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6444 was declared duly passed upon its second reading.

Mayor Allender 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 Jami 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. 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 Allender 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 Landeen. 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 Allender read in item (No. 20PL077) A request by Fisk Land Surveying & Consulting Engineers, Inc for Michael and Marnie Gould, Stuart Rice, Ross and Angela McKie for a Preliminary Subdivision Plan for proposed Lots A through D of Skyline Ranch Subdivision No. 2, generally described as being
located at 1850, 2300 and 2221 Skyline Ranch Road. This item has been continued to the December 7, 2020 City Council meeting per the applicant's request. Motion was made by Armstrong, second by Strommen 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 Alcohol License Renewals for (CL) Convention Center (on-sale) Liquor; (PL) Package (off-sale) Liquor; (RL) Retail (on-sale) Liquor, (RR) Retail (on-sale) Liquor – Restaurant, and (RW) Retail (on-off sale) Wine and Cider. Armstrong, Lehmann 10-0

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<td>RL-6259</td>
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<td>FIREHOUSE BREWING CO</td>
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<td>LA CROIX INVESTMENTS INC</td>
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<td>SODA K MEX I INC</td>
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Mayor's Items
Mayor Allender read in item (LF102820-09) Approve 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, Tatewin 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 1940s 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 ("DOI-BIA"), 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 DOI-BIA 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

10
(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 three parcels, one which became Canyon Lake Elementary School, one 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, 6 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:

1. **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

2. **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**: Clarkson Health Care–Westhills Village, a private religious nonprofit organization

3. **Parcel B**
   - **Recipient**: Rapid City Area School District (July 8, 1964)
   - **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/Activities Center), a Native Assisted Living Facility (Clarkson Health Care–Westhills 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–Westhills Village, and the Canyon Lake Senior/Activities 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/Activities Center, on March 21, 2005, and the Rapid City Area School District has not engaged to assist the Canyon Lake Senior/Activities Center to help resolve the issues related to the land upon which the Canyon Lake Senior/Activities Center is located, leaving the Canyon Lake Senior/Activities 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 deed violations 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 land exchanges and 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 clear 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
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
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, Weifenbach and Drew; no: None. Motion carried 10-0.
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 8:04 p.m.

Dated this 16th day of November, 2020.

ATTEST:

__________________________________________
Finance Director
(SEAL)

CITY OF RAPID CITY

Mayor
PUBLIC NOTICE
30-Day Public Comment Period for
Proposed 2021 CDBG Funding Recommendations and
Notice of Substantial Amendment

The City of Rapid City is soliciting public comments on proposed FY21 CDBG funding allocations.

The City received requests totaling $494,285. The Community Investment Committee preliminary funding recommendations include Behavior Management Systems ($49,800), Pennington County Health & Human Services ($20,700), Black Hills Works ($72,700), Youth and Family Services ($110,000), and contingency for affordable housing projects ($100,000). $94,000 will be retained for planning and administrative purposes. Comments on the recommendations will be accepted until 4:00 p.m. on December 7, 2020. All comments received will be considered.

Recommendations will go before the Legal & Finance committee on November 10, 2020 and December 2, 2020, and the City Council on November 16, 2020 and December 7, 2020. Copies of the proposed allocations are available at www.rcgov.org. Comments should be directed, in writing, to the CDBG Program Division at 333 6th Street; by email to michelle.schuelke@rcgov.org; or by phone at (605) 394-4181.

The City of Rapid City is soliciting public comments on a proposed activity amendment.

Proposed changes will not create changes to Rapid City’s 2018-2022 CDBG Consolidated Plan.

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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.

Thank you,

Lucy LaDeaux, Admin. Secretary
CDBG Program Division
300 Sixth Street (Mailbox)
333 Sixth Street (Office)
Rapid City, SD 57701
(605) 394-4181 Fax (605) 394-3520

Equal Opportunity Employer and Lender
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 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 4th day of Nov 2020 that the fees charged for the publication thereof are $141.65 dollars and __ cents.

Sheri Sponder

Subscribed and sworn to before me this 15th day of November, 2020.

Matthew J. Franciulli
Notary public

December 5, 2025

My commission expires
PUBLIC NOTICE
30-DAY PUBLIC COMMENT PERIOD FOR PROPOSED 2021 CDBG FUNDING RECOMMENDATIONS AND NOTICE OF SUBSTANTIAL AMENDMENT

The City of Rapid City is soliciting public comments on proposed FY21 CDBG funding allocations.

The City received requests totaling $494,285. The Community Investment Committee preliminary funding recommendations include Behavior Management Systems ($49,800), Pennington County Health & Human Services ($20,700), Black Hills Works ($72,700), Youth and Family Services ($110,000), and contingency for affordable housing projects ($100,000). $94,000 will be retained for planning and administrative purposes. Comments on the recommendations will be accepted until 4:00 p.m. on December 7, 2020. All comments received will be considered. Recommendations will go before the Legal & Finance committee on November 10, 2020 and December 2, 2020, and the City Council on November 16, 2020 and December 7, 2020. Copies of the proposed allocations are available at www.rcgov.org. Comments should be directed, in writing, to the CDBG Program Division at 333 6th Street; by email to michelle.schuelke@rcgov.org; or by phone at (605) 394-4181.

The City of Rapid City is soliciting public comments on a proposed activity amendment.

Proposed changes will not create changes to Rapid City's 2018-2022 CDBG Consolidated Plan.

<table>
<thead>
<tr>
<th>Organization/Activity</th>
<th>Current Allocation</th>
<th>Proposed Allocation</th>
<th>Net Change</th>
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<tbody>
<tr>
<td>Abbott House/Foster Home</td>
<td>$207,293</td>
<td>$307,293</td>
<td>$100,000</td>
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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 Stroch, 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 $141.65)
PUBLIC NOTICE
30-Day Public Comment Period for
Proposed 2021 CDBG Funding Recommendations and
Notice of Substantial Amendment

The City of Rapid City is soliciting public comments on proposed FY21 CDBG funding allocations.

The City received requests totaling $494,285. The Community Investment Committee preliminary funding recommendations include Behavior Management Systems ($49,800), Pennington County Health & Human Services ($20,700), Black Hills Works ($72,700), Youth and Family Services ($110,000), and contingency for affordable housing projects ($100,000). $94,000 will be retained for planning and administrative purposes. Comments on the recommendations will be accepted until 4:00 p.m. on December 7, 2020. All comments received will be considered.

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AFFIDAVIT OF PUBLICATION OF NEWSPAPER
NOTICE OF PUBLIC NOTICE

COUNTY OF Pennington

BEFORE ME, the undersigned authority, on this day personally appeared
Jackie Giago, 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: 34 Volume 12, 2020 and that the attached newspaper clipping is
a true and correct copy of said published notice.

NATIVE SUN NEWS, is a legal newspaper in state of SOUTH DAKOTA.

Signed: Jackie Giago

SWORN TO AND SUBSCRIBED BEFORE ME, this the 5th day of February, 2021

Christy C. Tibbitts
Notary Public in and for Pennington County, South Dakota
Commission expiring March 28, 2025

Published at a rate of $168.00
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

$355,000 in CDBG-CV3 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/cdbg-program-division/cdbg-program-division-8389.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 711), please notify Nick Stroot 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,

Lucy LaDeaux, Admin. Secretary
CDBG Program Division
300 Sixth Street (Hailing)
333 Sixth Street (Office)
Rapid City, SD 57701
(605) 394-4181 Fax (605) 395-3520
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 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 4th day of Nov 2020 that the fees charged for the publication thereof are 123 dollars and 32 cents.

__________________________
Sheri Sponder

Subscribed and sworn to before me this 15th day of November, 2020.

__________________________
Matthew J. Tranquill
Notary public
December 5, 2025
My commission expires
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Equal Opportunity Employer and Lender

(Published one time at the approximate cost of $123.32)
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

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planning-development/cdbg-program-division/cdbg-program-division-8389.html,
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translation of vital documents by calling (605) 394-4181.
AFFIDAVIT OF PUBLICATION OF NEWSPAPER
NOTICE OF PUBLIC NOTICE

COUNTY OF Pennington

BEFORE ME, the undersigned authority, on this day personally appeared
Jackie Giago, 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: 34 Volume 17, 2020 and that the attached newspaper clipping is
a true and correct copy of said published notice.

NATIVE SUN NEWS, is a legal newspaper in state of SOUTH DAKOTA.

Signed: Jackie Giago

SWORN TO AND SUBSCRIBED BEFORE ME, this the 5th day of February, 2021

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

Commission expiring March 28, 2023

Published at a rate of $168.00
FOR IMMEDIATE RELEASE: November 4, 2020

CITY OF RAPID CITY
RAPID CITY, SOUTH DAKOTA
Communications Division
300 Sixth Street

CITY SEeks APPLICANTS
FOR CARES ACT FUNDS
Priorities: Rent/Mortgage, Child Care, Food Security,
Utilities, Transportation, COVID Assistance

RAPID CITY, SD— The City of Rapid City is seeking applicants for a second round of Community Development Block Grant (CDBG) CARES Act funds.

A total of $313,600 is available to qualified recipient organizations to deliver public service programs for Rapid City residents impacted by COVID-19. Targeted programs include short-term emergency rent and mortgage assistance, assistance to child care programs, food security, utility assistance, transportation, COVID-19 testing and other COVID-19-related assistance.

The funding is made available through the $416,000 in additional CDBG CARES Act funding announced by the City in September. Eligible programs must meet a CDBG National Objective and prevent, prepare for, and respond to the Coronavirus pandemic.

The CDBG-CV9 application can be obtained at https://www.rapidcity.org/departments/community-development/cdbg-program-division/cdbg-program-division-cdbg9.html. Applications can be submitted or mailed to the CDBG Program Division Program at 300 Sixth Street and the submission deadline is 4 p.m. December 3.

For more information, contact CDBG Program Division Manager Michelle Schnell at 394-4181.

-30-

---

Thank you,

Darrell W. Shoemaker | Communications Coordinator
T: 605.721.6695 | M: 605.959.6551
E: Darrell.Shoemaker@rapidcity.org
W: www.rapidcity.org

CITY OF RAPID CITY
RAPID CITY, SOUTH DAKOTA
300 Sixth Street
Communications
City seeks applications for $355,000 in CARES Act funds

Siandhara 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 CARES fund manager, said the $355,000 available comes from an initial $416,000 allocated to the city through the nationwide CARES 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
REMAINDER:

PUBLIC NOTICE

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$355,000 in CDBG-CV3 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/cdbg-program-division/cdbg-program-division-8389.html, or by calling (605) 394-4181. Applications must be received by 4:00 p.m. December 3, 2020.

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Thank you,

LaDeaux Lucy
Admin. Secretary
CDBG Program Division
300 Sixth Street (Mailings)
333 Sixth Street (Office)
Rapid City, SD 57701
(605) 394-4181 Fax (605) 355-3520
DEADLINE TOMORROW

REMINDER:
CITY SEEKS APPLICANTS
FOR CARES ACT FUNDS
Priorities: Rent/Mortgage, Child Care, Food Security,
Utilities, Transportation, COVID Assistance

RAPID CITY, SD—Thursday is the deadline for applications to the City for the second round of Community Development Block Grant (CDBG) CARES Act funds.
A total of $555,000 is available to qualified recipient organizations to deliver public service programs for Rapid City residents impacted by COVID-19. Targeted programs include short-term emergency rent and mortgage assistance, assistance to child care programs, food security, utility assistance, transportation, COVID-19 testing and other COVID-19 related assistance.
The funding is made available through the $410,000 in additional CDBG CARES Act funding announced by the City in September. Eligible programs must meet a CDBG National Objective and prevent, prepare for, and respond to the Coronavirus pandemic.
The CDBG-CV1 application can be obtained at https://www.rapidcity.sd.us/communications/community-development/cdbg-program-division/cdbg-program-division-3119.html. Applications can be submitted or mailed to the CDBG Program Division Program at 300 Sixth Street and the submission deadline is 4 p.m. tomorrow (Thursday).

For more information, contact CDBG Program Division Manager Michelle Schmelke at 394-4181.

-JO-

Thank you,

Darrell W. Shoemaker | Communications Coordinator
T: 605.721.8888 | F: 605.398.9551
E: Darrell.Shoemaker@rapidcity.gov
W: RapidCitySD.gov
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 Lehmann, Pat Jones, Jason Salamun, Bill Evans. Absent: John Roberts
City Staff In Attendance: Don Hedricks, Chief of Police; Jason Culberson, Fire Chief; Pauline Sumption, Finance Director; Joel Landeen, City Attorney; Ken Young, Community Development Director; Michelle Schuelke, CDBG Manager; Dale Tech, Public Works Director; Dan Coon, Assistant Public Works Director; Rod Johnson, Operations Management Engineer; Jeff Beigler, Parks and Recreation Director

DISCUSSION ITEMS (Council Non-Consent 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 on 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) 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 Levying Assessment for Abatement of Nuisances
12) Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Linda Grenz (RSVP+), Kathleen (Kay) Ingalls (RSVP+), Maryann Stroschein (RSVP+), Rena Boersma (RSVP+), Ria Harper (Solid Waste)
13) WS111020-16: Authorize Mayor and Finance Director to Sign Agreement with Convergent Technologies in the amount of $71,696.96 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
Tech 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 #2099/CIP NO.50904 for an increase in the amount of $43,113.65.

16) WS111020-06: Approve Change Order #1 for Fitzgerald Stadium Renovations 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 Camell Street Box Culvert Outlet 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 Bids for Abandon Omaha Trunk Sewer – 1st Street to Maple Avenue Project, Project No. 20-2610 / CIP No. 51307. Estimated Cost $80,000.

20) 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 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 $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 $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 12.08.060. 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:
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
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 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 Salamun, Ritchie Nordstrom, Lance Lehmann, Darla 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 Landeen, Police Chief Don Hedrick, Fire Chief Jason Culberson, Public Works Director Dale 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 Weifenbach. 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 Sentfner 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. Sentfner 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/CIP 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. 20-2607 / 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.

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 $188,128.

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 Sol in the amount of $707,279.23.

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 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 18-19, at the Rushmore Mall, 2200 N. Maple Ave Suite 2002
5A. Iron PHNX LLC DBA Iron Phnx, 3468 Sturgis 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. Moyle Petroleum Company DBA Common Cents Rushmore Rd, 2660 Mt Rushmore Rd, for a Retail (on-off sale) Wine and Cider license renewal
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 House
11. WS111020-04: Resolution No. 2020-086 – 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:
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 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

ATTEST:

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>
<th>TOTAL AMOUNT DUE INCLUDES $100.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>SCHRENK, AMY/ VOCU, EDWARD JR</td>
<td>59302</td>
<td>104 SAVOY CIRCLE</td>
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12. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Linda Grenz (RSVP+), Kathleen (Kay) Ingalls (RSVP+), Maryann Stroschein (RSVP+), Rena Boersma (RSVP+), Ria Harper (Solid Waste)

13. WS111020-16: Authorize Mayor and Finance Director to Sign Agreement with Convergent Technologies in the amount of $71,696.96 for security enhancements at City Hall.

14. WS111020-17: Authorize Mayor & Finance Director to Sign Amended Renewal Ready Subscriber Agreement with Black Hills Power, Inc., dba Black Hills Energy

15. WS111020-05: Approve change order 1 to Heavy Constructors, Inc. for West Omaha Street Utilities, Project #2099/CIP NO.50904 for an increase in the amount of $43,113.65

16. WS111020-06: Approve Change Order #1 for Fitzgerald Stadium Renovations Project No. 19-2508 CIP #51231 with MAC Construction for an increase of $124,557.87.
CITY COUNCIL

NOVEMBER 16, 2020

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. 15-2313 / 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 Bids for Abandon Omaha Trunk Sewer – 1st Street to Maple Avenue Project, Project No. 20-2610 / CIP No. 51307. Estimated Cost $80,000.
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 $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 $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 12.08.060.
25. WS111020-15: 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 (WS111020-10) 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, Sentntner said the vision fund is funding this project. Motion was made by Salamun, second by Armstrong and carried to approve.

Mayor Allender read in item (CC111620-02.1) Approve award of total bid for Miscellaneous Improvements Projects, Facility Type 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 and Tracy Davis and was satisfied in the city's process. Motion was made by Lehmann, second 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 $188,128. Motion was made by Jones, second by Salamun and carried to approve.

Mayor Allender read in item (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 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, second by Lehmann and carried to approve.

NON-CONSENT ITEMS – Items 29 - 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 Allender read in item (PW102720-11) Approve 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. 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 Weifenbach NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6447 was declared duly passed upon its second reading.

Mayor Allender read in item (PW102720-12) 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 Weifenbach NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6442 was declared duly passed upon its second reading.

Mayor Allender read in item (PW102720-13) 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 Weifenbach NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6443 was declared duly passed upon its second reading.

Mayor Allender read in item (PW102720-14) 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 Weifenbach NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6444 was declared duly passed upon its second reading.

Mayor Allender 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 Jami 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. 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 Allender 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 Landeen. 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 Allender read in item (No. 20PL077) A request by Fisk Land Surveying & Consulting Engineers, Inc for Michael and Marnie Gould, Stuart Rice, Ross and Angela McKie for a Preliminary Subdivision Plan for proposed Lots A through D of Skyline Ranch Subdivision No. 2, generally described as being
located at 1850, 2300 and 2221 Skyline Ranch Road. This item has been continued to the December 7, 2020 City Council meeting per the applicant’s request. Motion was made by Armstrong, second by Strommen 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 Alcohol License Renewals for (CL) Convention Center (on-sale) Liquor; (PL) Package (off-sale) Liquor; (RL) Retail (on-sale) Liquor, (RR) Retail (on-sale) Liquor – Restaurant, and (RW) Retail (off-sale) Wine and Cider. Armstrong, Lehmann 10-0

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<td>BW GAS &amp; CONVENIENCE RETAIL, LLC</td>
<td>YESWAY # 1187</td>
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<td>4030 CHEYENNE BLVD</td>
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<td>FAMILY DOLLAR STORES OF SD #7251</td>
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<td>907 E NORTH ST</td>
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<td>1025 E SAINT PATRICK ST</td>
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<td>81</td>
<td>RW-26506</td>
<td>AXE IT OUT LLC</td>
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<td>82</td>
<td>RW-26592</td>
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<td>FAMILY DOLLAR STORES OF SOUTH DAKOTA LLC #28320</td>
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<td>1445 HAINES AVE</td>
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<td>83</td>
<td>RW-26631</td>
<td>MOYLE PETROLEUM COMPANY</td>
<td>SHERIDAN LAKE COMMON CENTS</td>
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<td>POUR 54 TAPHOUSE</td>
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<td>86</td>
<td>RW-26875</td>
<td>ADELAIDE INC</td>
<td>JUNIPER</td>
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<td>405 CANAL STREET SUITE 1300</td>
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<td>RW-26899</td>
<td>MAIN STREET MARKET INC</td>
<td>MAIN STREET MARKET INC</td>
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<td>RW-26971</td>
<td>L &amp; B WINE LLC</td>
<td>D'VINE WINE BAR</td>
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<td>FLEET FARM GROUP LLC</td>
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<td>BELLAVITA LLC</td>
<td>SABATINOS ITALIAN RISTORANTE</td>
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<td>RW-6458</td>
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<td>GOLDEN PHOENIX RESTAURANT</td>
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<td>RW-6591</td>
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<td>HAMPTON INN</td>
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<td>RW-6596</td>
<td>MUSEUM ALLIANCE OF RAPID CITY INC</td>
<td>THE JOURNEY MUSEUM</td>
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<td>97</td>
<td>RW-6597</td>
<td>DIAMOND HOSPITALITY LLC</td>
<td>HOWARD JOHNSON INN &amp; SUITES</td>
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<td>950 NORTH ST</td>
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<td>98</td>
<td>RW-6726</td>
<td>WNRRC LLC</td>
<td>BUFFALO WINGS AND RINGS</td>
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<td>5622 SHERIDAN LAKE ROAD #101</td>
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<td>99</td>
<td>RW-7503</td>
<td>BLACK HILLS COFFEE COMPANY</td>
<td>STONEWALLS ESPRESSO CAFE &amp; PIZZA</td>
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<td>5955 S HIGHWAY 16 STE G</td>
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<td>100</td>
<td>RW-7591</td>
<td>SOMEONE'S IN THE KITCHEN INC</td>
<td>SOMEONE'S IN THE KITCHEN</td>
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<td>2210 HAINES AVE</td>
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</tbody>
</table>
Mayor's Items
Mayor Allender read in item (LF102820-09) Approve 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, Tatewin 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 mid1800s 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 1940s 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 (“DOI-BIA”), to dispose of the 1200+ acres in three ways:

(1) Govermemental 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 DOI-BIA 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
(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 three parcels, one which became Canyon Lake Elementary School, one 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, 6 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:

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Recipient</th>
<th>Restriction</th>
<th>Current Occupant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel A1</td>
<td>City of Rapid City (July 15, 1949)</td>
<td>“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.”</td>
<td>Monument Health–Behavioral Health Center, a private nonprofit organization</td>
</tr>
<tr>
<td>Parcel A2</td>
<td>City of Rapid City (July 15, 1949)</td>
<td>“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.”</td>
<td>Clarkson Health Care–Westhills Village, a private religious nonprofit organization</td>
</tr>
<tr>
<td>Parcel B</td>
<td>Rapid City Area School District (July 9, 1964)</td>
<td>“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.”</td>
<td>Canyon Lake Activity Center (“Canyon Lake Senior Center”), a private nonprofit organization (March 21, 2005, the RCAS transferred this property by Quit Claim Deed)</td>
</tr>
</tbody>
</table>

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/Activities Center), a Native Assisted Living Facility (Clarkson Health Care–Westhills 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–Westhills Village, and the Canyon Lake Senior/Activities 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/Activities Center, on March 21, 2005, and the Rapid City Area School District has not engaged to assist the Canyon Lake Senior/Activities Center to help resolve the issues related to the land upon which the Canyon Lake Senior/Activities Center is located, leaving the Canyon Lake Senior/Activities 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 deed violations 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 land exchanges and 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

13
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
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
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

P/ROLL PERIOD END 10/24/20, PD 10/30/20 1,828,809.77
PIONEER BANK & TRUST, 10/24/20 P/ROLL TAXES, PD 10/30/20 257,841.88
WELLMARK INC, HEALTH CLAIMS THROUGH 11/06/20, PD 11/12/20 251,309.81
WAGE WORKS, SECTION 125 PAYMENTS THROUGH 11/02/20, PD 11/03/20 2,074.73
WAGE WORKS, SECTION 125 PAYMENTS THROUGH 11/09/20, PD 11/10/20 6,832.41
SOUTH DAKOTA RETIREMENT SYSTEM, OCT20 RETIREMENT, PD 11/03/20 722,215.78
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 11/04/20, PD 11/05/20 4,831.86
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 11/11/20, PD 11/12/20 10,415.56
US BANK, CREDIT CARD CHARGES, PD 11/03/20 27,816.92
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 11/10/20 22,089.23
BLACK HILLS ENERGY, ELECTRICITY, PD 11/10/20 2,493.00
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 11/03/20 2,024.26
COMPUTER BILL LIST 4,568,618.47
CDEV COMPUTER BILL LIST 212.21
SUBTOTAL 7,707,585.89
RSVP, P/ROLL PERIOD END 10/24/20, PD 10/30/20 2,634.25
RSVP, PIONEER BANK & TRUST, 10/24/20 P/ROLL TAXES, PD 10/30/20 325.15
RSVP, COMPUTER BILL LIST 1,922.48
TOTAL 7,712,467.77

Sumption presented the bill list of $7,712,467.77. Motion was made by Salamun, second by Jones to authorize (No. CC11620-01) 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, Weifenbach and Drew; no: None. Motion carried 10-0.
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 8:04 p.m.

Dated this 16th day of November, 2020.

ATTEST:

________________________________________
Finance Director
(SEAL)

CITY OF RAPID CITY

________________________________________
Mayor
From: LaDeaux Lucy
Cc: Schuelke Michelle
Bcc: "Broadcast 1.6"

Subject: 30-Day Public Comment for Proposed 2021 CDBG Funding Recommendations
Date: Tuesday, November 24, 2020 3:32:00 PM

PUBLIC NOTICE
30-Day Public Comment Period for Proposed 2021 CDBG Funding Recommendations

The City of Rapid City is soliciting public comments on proposed FY21 CDBG funding allocations.

The City received requests totaling $494,285. The Community Investment Committee preliminary funding recommendations include Behavior Management Systems ($49,800), Pennington County Health & Human Services ($20,700), Black Hills Works ($72,700), Youth & Family Services ($110,000), and contingency for affordable housing projects ($100,000). $94,000 will be retained for planning and administrative purposes. Comments on the recommendations will be accepted until 4:00 p.m. on December 7, 2020. All comments received will be considered.

Recommendations will go before the City Council working session on these updated dates December 2, 2020 and December 16, 2020, and the City Council on December 7, 2020 and December 21, 2020. Copies of the proposed allocations are available at www.rcgov.org. Comments should be directed, in writing, to the CDBG Program Division at 333 6th Street; by email to michelle.schuelke@rcgov.org; or by phone at (605) 394-4181.

Thank you,

Lucy LaDeaux, Admin. Secretary
CDBG Program Division
300 Sixth Street (Mailing)
333 Sixth Street (Office)
Rapid City, SD 57701
(605) 394-4181 Fax (605) 355-3520

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 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.
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 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 25th day of Nov. 2020 that the fees charged for the publication thereof are 123 dollars and 32 cents.

Sheri Sponder

Subscribed and sworn to before me this 5th day of December, 2020.

Mathew J. Tranquill
Notary Public
December 5, 2025
My commission expires
November 25, 2020

PUBLIC NOTICE

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Equal Opportunity Employer and Lander

(Published one time at the approximate cost of $123.32)

Attorney for
AFFIDAVIT OF PUBLICATION OF NEWSPAPER
NOTICE OF PUBLIC NOTICE

COUNTY OF Pennington

BEFORE ME, the undersigned authority, on this day personally appeared
Tim Giess, 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: 37 Volume 17, 2020, and that the attached newspaper clipping is
a true and correct copy of said published notice.

Signed: Tim Giess

SWORN TO AND SUBSCRIBED BEFORE ME, this the 1st day of December, 2020

Christy C. Tibbits
Notary Public in and for Pennington County, South Dakota
Commission expiring March 15, 2023

Published at a rate of $168.00
**Crazy Horse Memorial Foundation**

**ACCOUNTING CLERK**

Crazy Horse Memorial Foundation is currently seeking a qualified candidate to fill the position of Accounting Clerk. This Full-Time Regular position will report to the Vice President of Finance and will be a support position within the Finance Department. Job duties will include verifying invoices to Accounts Payable, and as a backup to Accounts Receivable and daily reconciliations, assist with select payroll duties, phone orders for various purchases, support in recording the company check card statement and providing assistance to the Central Office as needed.

This position requires an Associate's degree in Accounting or related field with a Bachelor's degree preferred, a minimum of 3 years of experience in Accounting Payable and/or Receivable experience in dealing with confidential information, a strong working knowledge of Microsoft Office, with an advanced knowledge of Excel. Prior experience with Quickbooks and/or General Ledger software and Accounts Payable with a detailed plus and prior experience in a Non-Profit setting is preferred. Applicants may apply by submitting a cover letter and resume to HR@CrazyHorse.org or apply online at https://crazyhorsememorial.org/job-openings/accounting-clerk or mail a cover letter and resume to:

Herman Resource Manager
Crazy Horse Memorial Foundation
11511 Avenue of the Chief
Crazy Horse, SD 57730-9800

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**Oglala Sioux Tribe**

**CLINICAL LAB**

PO BOX 336, Pine Ridge, SD 57770
Phone: (605) 687-2294
Fax: (605) 687-2294
Email: osltclinical@wnc.net
Director: Warren Cross

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**Kyle Grocery**

**BABY STORE SPECIAL**

Monday – Friday
10 am – 5 pm
900-832-6840

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**Addiction Recovery**

**Freedom Begins at Addiction Recovery Centers of the Black Hills**

**It's the clever way to help loved ones remain living at home.**

Call Dakota at Home to find trusted, local programs and services for older adults and people with disabilities.

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**Oglala Sioux Tribe Clinical Lab**

**WE OFFER:**

- Urinalysis Drug Tests
- Hair Follicle Drug Tests
- D.O.T. Drug Tests
- Breath Alcohol Tests

We are located across from
Ost Property & Supply next to the fire station.

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**Public Notice**

**Proposed 2022 CDBG Funding Recommendations**

The City of Rapid City is soliciting public comments on proposed 2022 CDBG funding allocations. The City received requests totaling $494,386. The Community Investment Committee preliminary funding recommendations include renovations to parks systems ($494,386), Rapid City Health Systems ($324,596), school mills works ($27,705), Youth & Family Services ($231,000), and contingency for affordable housing projects ($328,000). Comments in writing can be submitted in person, by mail, or via email to the City Planning Office and/or phone at (605) 367-4372.

The City of Rapid City does not discriminate on the basis of disability and provide reasonable accommodations to ensure people with disabilities have equal access to City programs, services, and employment opportunities. To request a reasonable accommodation, please contact City Staff, Section 504 and ADA Coordinator, at (605) 367-4372. To request language assistance to participate in City programs and services, including free interpretation or translation of written materials, please call (605) 367-4434, TTY: 711.
WORK SESSION MINUTES
City of Rapid City, South Dakota
12:30PM Wednesday, December 2, 2020

Call to Order by Council President Laura Armstrong at 12:32 p.m.
Council In Attendance: Laura Armstrong, Darla Drew, Ritchie Nordstrom, Greg Strommen, Lance Lehmann, Pat Jones, Jason Salamun, Ron Weifenbach, Bill Evans, Absent: John Roberts
City Staff in Attendance: Pauline Sumpton, Finance Director; Joel Landeen, City Attorney; Ken Young, Community Development Director; Michelle Schuelke, CDBG Manager; Dale Tech, Public Works Director; Dan Coon, Assistant Public Works Director, Jason Culberson, Fire Chief; Patrick Dame, Airport Director; Jeff Biegler, Parks and Recreation Director

DISCUSSION ITEMS (Council Non-Consent Calendar)
Drew requested that Council make recommendations on items with Salamun supporting that recommendation.
Salamun also recommends public comment be moved to the beginning of the agenda.

COMMUNITY DEVELOPMENT
1) 20RD001: Approve Resolution No. 2020-082 a Request by City of Rapid City for a Road Name Change from Soo San Drive to Sioux San Drive for property generally described as Soo San Drive between West Main Street and Canyon Lake Drive
   Vicki Fisher spoke on item 1. Questions were presented by Salamun and Jones. Item moved to Council.

PUBLIC WORKS
2) WS120220-25: Appeal by Janelle Finck of an Exception Request Denial to Allow Pavement Width Less than 20 Feet Wide as Part of a Subdivision
   Staff Recommendation: Deny
3) WS120220-26: Appeal by Janelle Finck of an Exception Request Denial to Waive the Requirement to Install Water Main in HW Gould Memorial Drive as Part of a Subdivision
   Staff Recommendation: Deny
4) WS120220-27: Appeal by Broker Fund Dividend, LLC of an Exception Request Partial Denial to Waive the Requirement to Install Public Improvements in East Anamosa Street
   Staff Recommendation: Deny
   Tech spoke on items 2 and 3. Questions were presented by Weifenbach, Jones, Strommen, Salamun, Nordstrom, and Drew.
   Tech spoke on item 4. Questions were presented by Weifenbach, Nordstrom, Evans, Salamun and Jones. Items 2-4 moved to Council.

REGULAR BUSINESS ITEMS (Council Consent Calendar)

MAYOR’S OFFICE
5) WS120220-05: Second Amended Request Authorizing the City Hall Maintenance Division to Purchase a 2021 Dodge Ram for $28,674 in Accordance with State Bid
6) WS120220-29: Authorize the Mayor to Hire a Full-time HRC/MOA Coordinator at a NU21 Step 20
   Landeen spoke on item 6. Questions were presented by Weifenbach. Item moved to Council.

COMMUNITY DEVELOPMENT
7) WS120220-21: Approve Final Substantial Amendment to Abbott House FY18 and FY19
8) WS120220-22: Approve Preliminary FY2021 Community Development Block Grant (CDBG) Funding Recommendations
9) 20TP007: Authorize Staff to Advertise A Transit Development Plan Request for Proposals

FINANCE
10) WS120220-01: Acknowledge September 2020 Sales Tax Report
12) WS120220-23: Authorize Mayor and Finance Director to sign Life Safety Loan Agreement with Every Child is Special, LLC in an Amount not to Exceed $75,244.00

13) WS120220-24: Approve Resolution No. 2020-091 a Resolution Amending Certain Fees to be Charged in 2021 for Various Licenses, Permits and Applications

14) Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Alyce Harich (RSVP+), Adam Namyst (Library), Sandra Asheim (RSVP+), Delphine Maier (RSVP+), Raymond Maier (RSVP+), Susan Chaplin (RSVP+), Sharon Allard (RSVP+), Karen Buchholz (RSVP+), Roger Buchholz (RSVP+), Lucille Estrada (RSVP+), Everett Foillette (RSVP+), Helen Ann Friedt (RSVP+), Marvin Friedt (RSVP+), Marlene Kotab (RSVP+), William Atyeo (RSVP+), Mark Chaplin (RSVP+), Richard Deaver (RSVP+), Eric Fowler (RSVP+), Ellen Funke (RSVP+), Geanie Gardiner (RSVP+), Robert Grams (RSVP+), Linda Grenz (RSVP+), Mark Hurlburt (RSVP+), Gordon Kotab (RSVP+), Sharon Powers (RSVP+), Robert Quickstand (RSVP+), Larry Schemmel (RSVP+), Anton Werlinger (RSVP+), Vickie Werlinger (RSVP+), Gale Ramberg (RSVP+), Joanna Jones (RSVP+)

PUBLIC WORKS

15) WS120220-06: Approve change Order 7 to Simon Contractors of the Black Hills, Inc. for East Boulevard/East North Street Utility Reconstruction Project No. 14-2170/CIP No. 50866.1 for an Increase of $9,331.20

16) WS120220-07: Approve Change Order 1 to Mainline Contracting, Inc. for Northridge Booster Pump Station and Stoney Creek Booster Pump Station Improvements, Project No. 2178/CIP No. 50812.CD for an Increase of $5,711.49

17) WS120220-08: Approve Change Order 1F to Site Works Specialists, Inc. for St. Cloud Reconstruction, Project No. 2279/CIP No. 50796 for a Decrease of $44,858.75

18) WS120220-09: Approve Change Order 1F to Mainline Contracting, Inc. for Meade Sewer Manhole Relocation Project, Project No. 2378/CIP No. 51162 for an Increase of $1,350.37

19) WS120220-10: Approve Change Order 1F to Simon Contractors of SD, Inc. for Lion Drive Rehabilitation Project, Project No. 2474/CIP No. 50549 for a Decrease in the Amount of $5,562.09

20) WS120220-11: Approve Change Order 1F to Lind-Exco, Inc. for Flormann St Water Main Replacement Project, Mt. Rushmore Rd to Apollo Circle, Project No. 2512/CIP No. 51235 for an Increase of $9,872.28

21) WS120220-12: Approve Change Order 2F to J.V. Bailey, Inc. for Sheridan Lake Rd Panel Repair Project, Project No. 2556/CIP No. 50445 for an Increase of $16,080.56

22) WS120220-13: Approve Change Order 2F to Tru-Form construction, Inc. for Pavement Rehabilitation Project, Tower Rd Project No. 2587/CIP No. 50798 for a Decrease of $4,675.11

23) WS120220-14: Authorize Mayor and Finance Director to Sign an Amendment to the Original Agreement Between the City of Rapid City and Advanced Engineering and Environmental Services, Inc. (AE2S) for Engineering Services for Elk Vale Lift Station Gravity Main & Force Main Upgrades Project No. 18-2480/CIP No. 50729, in the Amount of $28,513.00

24) WS120220-15: Authorize Staff to Seek Proposals for Consultant Services for Fire Station #1 Improvements Project No. 2612 CIP No. 51310

25) WS120220-16: Authorize Youth and Family Services to Make Improvements to a City Building Currently Leased at 410 E Monroe Street

26) WS120220-17: Approve Extension of 2018 Street Light Maintenance Contract with Lighting Maintenance Co. a Division of Solar Sound Corp. Through Calendar Year 2021 at 2018 Unit Prices for Maintenance of City and SDDOT-owned Street Lights

27) WS120220-18: Authorize Staff to Advertise for Bids for One (1) New Current Model Year Tandem Axle Dump Truck with Anti-icing system and Valved for Future Plow in the Amount of $182,000.00

28) WS120220-19: Authorize Staff to Advertise for Bids for One (1) New Current Model Year Single Axle Sander Truck with Pre-Wet System and V-Plow with Estimated Cost of $190,000.00

29) WS120220-20: Approve Request to Grant Permanent Drainage Easement to Discovery Village Apartments LLLP to Benefit Property in the Scotts Addition Subdivision. The Developer Agrees to Pay $1,346.40 to the City in Exchange for Granting this Easement
FIRE DEPARTMENT
30) WS120220-02: Approve Resolution No. 2020-088 a Resolution Writing Off Uncollectable Ambulance Billing Accounts in the Amount of $912,211.15
Culberson spoke on item 30. Questions were presented by Nordstrom and Jones. Item moved to Council.

AIRPORT
31) WS120220-03: Approve Rapid City Regional Airport Rates and Charges for FY2021

PARKS AND RECREATION DEPARTMENT
32) WS120220-28: Authorize Parks and Recreation Department to Harvest 250 Deer for the 2020/2021 Season

Public Comment Speaker Requests:
Janelle Finck, Ross McKie, Tom Rau, and Mike Gould spoke on items 2 and 3.
Kale McNaboe, and Jim Scull spoke on item 4.
MEETING ADJOURNED by Lehmann at 2:28 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, December 7, 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 Salamun, Ritchie Nordstrom, Lance Lehmann, Ron Weifenbach and John Roberts; Darla Drew and Bill Evans participated by phone; 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 Landeen, Police Chief Don Hedrick, Fire Chief Jason Culberson, Public Works Director Dale Tech, Community Development Director Ken Young, Parks and Recreation Director Jeff Biegler, IT Director Jim Gilbert, Communications Coordinator Darrell Shoemaker and Administrative Coordinator Heidi Weaver.

ADOPTION OF AGENDA
Motion was made by Jones, second by Salamun to move item 41 to the first item on the agenda. Roll call vote: AYE: Jones, Lehmann, Salamun, Evans, Nordstrom, Weifenbach, Roberts, Strommen, and Armstrong. No: None; Absent when called: Drew. Motion carried.

GENERAL PUBLIC COMMENT
Jason Johnston spoke regarding the criteria for distances in public places when wearing masks. He said the measurements didn’t calculate correctly.

Janet Mohl, Jasmine Stangle, Carla Schanzenbach, Connie Fenunga, William Riley, Lorretta Jougula, Carly, Marybeth Adams, Tonchi Weaver, Scott McGinley, Peter Vodenka, Kirstin Mitzel, Lorraine Besmer, Sharon Papineau, Sandy Herr, Jodie Frye, Florence Thompson, Sasha Campbell, Glen Gering, Kaleigh Clark, Nick Uhre, Marshall Banister, Jordan Mason, Amy Lawrence, Jenn Harlan, Jesse Ham, Reone Rupert and David Hansen all spoke against the mask mandate. Chuck Henrie spoke for the mandate.

Mayor Allender read in item (No. CC113020-01) Second Reading, Ordinance 6454, AN EMERGENCY ORDINANCE REQUIRING THE WEARING OF FACE COVERING IN INDOOR PUBLIC SPACES TO SLOW THE COMMUNITY SPREAD OF NOVEL CORONAVIRUS (COVID-19). Motion was made by Nordstrom, second by Strommen to approve the second reading. Nordstrom spoke in favor of the mandate. Substitute motion was made by Roberts, second by Salamun to table the item. Roberts, Lehmann, Salamun and Weifenbach voted in favor to table. Strommen, Armstrong, Jones, Evans, and Nordstrom voted against the table vote. Motion failed 4-5. Discussion continued regarding house of worship being taken out of the ordinance, talk of doing the resolution instead, and CDC was discussed. The public brought up a list being posted online regarding businesses in favor and against masks. The majority of council were concerned with this list and said it does not bring unity to the city. Jones asked that the table motion be reconsidered. Motion was made by Weifenbach, second by Jones to table the item; roll call vote was taken. Those voting aye were Lehmann, Roberts, Jones, Salamun, Weifenbach. Those voting no were Drew, Nordstrom, Evans, Strommen and Armstrong. Mayor Allender broke the tie vote by voting aye. Motion carried 6-5 to table the item.

NON-PUBLIC HEARING ITEMS -- Items 1 – 54
CONSENT ITEMS – Items 1 – 40
The following items were removed from the Consent items:

25. WS120220-15: Authorize Staff to Seek Proposals for Consultant Services for Fire Station #1 Improvements Project No. 2612 CIP No. 51310
26. WS120220-16: Authorize Youth and Family Services to Make Improvements to a City Building Currently Leased at 410 E Monroe Street

30. WS120220-20: Approve Request to Grant Permanent Drainage Easement to Discovery Village Apartments LLLLP to Benefit Property in the Scotts Addition Subdivision. The Developer Agrees to Pay $1,346.40 to the City in Exchange for Granting this Easement

31. WS120220-02: Approve Resolution No. 2020-088 a Resolution Writing Off Uncollectable Ambulance Billing Accounts in the Amount of $912,211.15

32. WS120220-03: Approve Rapid City Regional Airport Rates and Charges for FY2021

33. WS120220-28: Authorize Parks and Recreation Department to Harvest 250 Deer for the 2020/2021 Season

Motion was made by Jones, second by Lehmann to approve items 1-40 with the exception of items 25, 26, 30, 31, 32, and 33. Roll call vote was taken: Armstrong, Jones, Lehmann, Salamun, Evans, Strommen, Drew, Nordstrom, and Weifenbach voted aye. No: none. Absent when called: Roberts. Motion carried.

Approve Minutes
1. Approve Minutes for the November 16, 2020 Regular Council meeting.
2. Approve Minutes for the November 19, 2020 Special Council meeting.
3. Approve Minutes for the November 30, 2020 Special Council meeting.

Alcoholic Beverage License Applications Set for Hearing (December 21, 2020)
4. Victoria's Garden LLC DBA Victoria's Garden, 320 7th Street for a retail (on-off sale) Wine and Cider License
5. DNJ LLC DBA Maple Street BBQ, 2200 N Maple Suite 330 for a Retail (on-off sale) Malt Beverage & SD Farm Wine license TRANSFER from DNJ LLC DBA Dickey's BBQ, 2200 N Maple Ave Unit 330

Working Session Consent Items
6. WS120220-05: Second Amended Request Authorizing the City Hall Maintenance Division to Purchase a 2021 Dodge Ram for $28,674 in Accordance with State Bid
7. WS120220-29: Authorize the Mayor to Hire a Full-time HRC/MOA Coordinator at a NU21 Step 20
8. WS120220-21: Approve Final Substantial Amendment to Abbott House FY18 and FY19
9. WS120220-22: Approve Preliminary FY2021 Community Development Block Grant (CDBG) Funding Recommendations
10. 20TP007: Authorize Staff to Advertise A Transit Development Plan Request for Proposals
13. WS120220-23: Authorize Mayor and Finance Director to sign Life Safety Loan Agreement with Every Child is Special, LLC in an Amount not to Exceed $75,244.00
14. WS120220-24: Approve Resolution No. 2020-091 a Resolution Amending Certain Fees to be Charged in 2021 for Various Licenses, Permits and Applications

RESOLUTION NO. 2020-091
A RESOLUTION AMENDING CERTAIN FEES TO BE CHARGED IN 2021 FOR VARIOUS LICENSES, PERMITS AND APPLICATIONS.
WHEREAS, the City charges fees for various licenses, permits and applications to cover its administrative costs; and

WHEREAS, in the past the City has generally adopted fees for licenses, permits and applications by ordinance; and

WHEREAS, on May 18, 2015, the Common Council adopted Resolution No. 2015-50 setting forth a fee schedule intended to replicate and supplement the fees discussed in the ordinances; and

WHEREAS, Resolution No. 2015-50 consolidates the information on fees charged by the City in one location, to make it easier to track and change the fees when they become insufficient to cover the City’s administrative costs; and

WHEREAS, on multiple occasions the Common Council has adopted resolutions to Amend and/or Add Fees to the City Fee Schedules; and

WHEREAS, the City Council finds it to be in the best interests of the City and its citizens to adopt an updated comprehensive fee resolution.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City that the following fees are established and will be effective January 1, 2021:

City Attorney’s Office has no fees

Community Development Department

<table>
<thead>
<tr>
<th>Air Quality Permit Fees</th>
<th>Amount &amp; Unit of Measure</th>
<th>Municipal Code Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fee</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Construction permit 1-5 acres</td>
<td>$150.00 per permit</td>
<td>8.34.100.D</td>
</tr>
<tr>
<td>Construction permit 5+ acres</td>
<td>$200.00 per permit</td>
<td>8.34.100.D</td>
</tr>
<tr>
<td>Construction permit renewal</td>
<td>$25.00 per permit</td>
<td>8.34.100.D</td>
</tr>
<tr>
<td>Construction permit modification</td>
<td>$25.00 per permit</td>
<td>8.34.100.E</td>
</tr>
<tr>
<td>Parking storage area permit</td>
<td>$100.00 per permit</td>
<td>8.34.110.D</td>
</tr>
<tr>
<td>Parking storage area permit - amendment</td>
<td>$25.00 per permit amendment</td>
<td>8.34.110.E</td>
</tr>
<tr>
<td>Compliance</td>
<td>$150.00 per permit</td>
<td>8.34.120.D</td>
</tr>
<tr>
<td>Plan</td>
<td>Amount &amp; Unit of Measure</td>
<td>Municipal Code Section</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>Failure to pay for or obtain a permit</td>
<td>$250.00 per week</td>
<td>8.34.130</td>
</tr>
</tbody>
</table>

### Building Contractor License Fees

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount &amp; Unit of Measure</th>
<th>Municipal Code Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Building Contractor License and House Mover License fees</td>
<td>$200.00 per initial 3 year license/$100.00 per 3 year renewal license for Class A - General Contractor $200.00 per initial 3 year license /$100.00 per 3 year renewal license for Class B - one &amp; two-family residential contractor $200.00 per initial 3 year license /$100.00 per three year renewal license for house mover license</td>
<td>15.04.140 5.44.040</td>
</tr>
<tr>
<td>Trade License fees - initial/renewal</td>
<td>$200.00 per initial 2 year license /$100.00 per 2 year renewal license for Class EB - Class B Electrician * $300 per initial 2 year license /$200.00 per 2 year renewal license for Class EC - Electrical Contractor * $10.00 per initial 3 year license /$10.00 per 3 year renewal license for Class GA - Gas Fitting Apprentice $200.00 per initial 3 year license /$50.00 per 3 year renewal license for Class GC - Gas Fitting Contractor $25.00 per initial 3 year license /$25.00 per 3 year renewal license for Class GF - Gas Fitter $25.00 per initial 3 year license /$25.00 per 3 year renewal license for Class MA - Mechanical Apprentice $205.00 per initial 3 year license /$80.00 per 3 year renewal license for Class MAS - Appliance Specialist $205.00 per initial 3 year license /$80.00 per 3 year renewal license for Class MC - Mechanical Contractor $40.00 per initial 3 year license /$40.00 per 3 year renewal license for Class MI - Mechanical Installer $25.00 per initial 1 year license /$25.00 per annual renewal license for Class P - Plumber $200.00 per initial 1 year license /$50.00 per annual renewal license for Class PW - Water Softening Contractor $200.00 per initial 3 year license /$100.00 per 3 year renewal license for Class R - Roofing Contractor $200.00 per initial 3 year license /$50.00 per 3 year renewal license for Class S – Siding and Sign Contractor/inactive * Fee doubled for performing work without a license.</td>
<td>15.04.140</td>
</tr>
<tr>
<td>Application fee Building Board of Appeals</td>
<td>$150.00 per appeal application concerning a building code and/or building code amendment requirement. No charge per appeal regarding an action taken by the Building Official concerning a contractor’s license.</td>
<td>15.04.130</td>
</tr>
<tr>
<td>License exam fee</td>
<td>None. Testing is through a third party vendor. A list of testing facilities can be obtained from the Building Official.</td>
<td>15.04.140</td>
</tr>
</tbody>
</table>

### Building Permit Fees and Licenses

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount &amp; Unit of Measure</th>
<th>Municipal Code Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>IRC building permit and plan check fees</td>
<td>Table 100-A Residential Permit Fees (listed below)</td>
<td>15.04.330</td>
</tr>
<tr>
<td>IEBC building permit and plan check fees</td>
<td>Table 100-A Residential Permit Fees (listed below)</td>
<td>15.04.330</td>
</tr>
<tr>
<td>IBC building permit and plan check fees</td>
<td>Table 100-C Commercial Permit Fees (listed below)</td>
<td>15.04.330</td>
</tr>
<tr>
<td>IBC prefabricated structure building permit and plan check fees</td>
<td>Table 100-C Commercial Permit Fees (listed below)</td>
<td>15.12.360</td>
</tr>
<tr>
<td>Gas Code permit and plan check fees</td>
<td>Table 100-C Commercial Permit Fees (listed below).</td>
<td>15.04.330</td>
</tr>
<tr>
<td>Plumbing Code</td>
<td>Table 100-C Commercial Permit Fees (listed below)</td>
<td>15.04.330</td>
</tr>
<tr>
<td>Pressure reducing valves</td>
<td>No charge</td>
<td>15.04.330</td>
</tr>
<tr>
<td>Sign permit</td>
<td>Table 100-C Commercial Permit Fees (listed below). Electrical and outline lighting signs per adopted State Wiring Bulletin</td>
<td>15.04.330, 17.50.080.I.2, 17.50.080.K.2.</td>
</tr>
<tr>
<td>Temporary sign permit</td>
<td>Table 100-C Commercial Permit Fees (listed below). Per permit up to twice a year for no longer than 30 days.</td>
<td>17.50.080.S.1.</td>
</tr>
<tr>
<td>IMC permit</td>
<td>Table 100-A Residential Permit Fees and Table 100-C Commercial Permit Fees as applicable (listed below)</td>
<td>15.04.330</td>
</tr>
<tr>
<td>IPMC building permit and plan check fees</td>
<td>Table 100-A Residential Permit Fees and Table 100-C Commercial Permit Fees as applicable (listed below)</td>
<td>15.04.330</td>
</tr>
<tr>
<td>Moving of building permit</td>
<td>$100.00 per permit. Violation of Chapter 15.08, 15.44 or 12.24 with respect to moving of buildings subject to a fine of not less than $25.00 nor more than $100.00, and/or 30 days in jail per violation</td>
<td>15.08.010. A, 15.08.060. A.</td>
</tr>
<tr>
<td>Manufactured home parks operating permit</td>
<td>$50.00 per manufactured home park up to 10 manufactured homes and an additional $2.00 for each manufactured home in excess of 10. Annual permit required to be filed with the Finance Officer by July 30th of each year.</td>
<td>15.48.020</td>
</tr>
<tr>
<td>Travel park permit</td>
<td>$25.00 plus $1.00 for every 10 spaces or fraction thereof over the minimum 100 spaces per permit application</td>
<td>15.52.030. B.</td>
</tr>
<tr>
<td>Travel park operating permit</td>
<td>$35.00 for the first 10 trailer spaces and an additional $0.50 for each trailer space in excess of 10. Annual permit and an additional $0.50 will be charged for any trailer space added during the permit year.</td>
<td>15.52.060</td>
</tr>
</tbody>
</table>
### TABLE 100-A RESIDENTIAL PERMIT FEES

<table>
<thead>
<tr>
<th>TOTAL VALUATION</th>
<th>FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1.00 to $1,600.00</td>
<td>$37.00</td>
</tr>
<tr>
<td>$1,601 to $2,000.00</td>
<td>$37.00 for the first $1,600.00 plus $2.00 for each additional $1,000.00, or fraction thereof, to and including $2,000.00</td>
</tr>
<tr>
<td>$2,001 to $25,000.00</td>
<td>$45.00 for the first $2,000.00 plus $9.00 for each additional $1,000.00, or fraction thereof, to and including $25,000.00</td>
</tr>
<tr>
<td>$25,001.00 to $50,000</td>
<td>$252.00 for the first $25,000.00 plus $6.50 for each additional $1,000.00, or fraction thereof, to and including $50,000.00</td>
</tr>
<tr>
<td>$50,001.00 to $100,000.00</td>
<td>$414.50 for the first $50,000.00 plus $4.50 for each additional $1,000.00, or fraction thereof, to and including $100,000.00</td>
</tr>
<tr>
<td>$100,001.00 to $500,000.00</td>
<td>$639.50 for the first $100,000.00 plus $3.50 for each additional $1,000.00, or fraction thereof, to and including $500,000.00</td>
</tr>
<tr>
<td>$500,000.00 to $1,000,000.00</td>
<td>$2,039.50 for the first $500,000.00 plus $3.00 for each additional $1,000.00, or fraction thereof, to and including $1,000,000.00</td>
</tr>
<tr>
<td>$1,000,001.00 and up</td>
<td>$3,539.50 for the first $1,000,000.00 plus $2.00 for each additional $1,000.00, or fraction thereof</td>
</tr>
</tbody>
</table>

**Other Inspections and Fees:**

1. Inspections outside of normal business hours
   - (minimum charge – two hours) .................................................. $56.00 per hour
2. Re-inspection fees ........................................................................... $56.00 per hour
3. Inspections for which no fee is specifically ..................................... $56.00 per hour
   - (minimum charge – one hour)
4. Additional plan review required by changes, additions, or revisions to plans ........................................ $56.00 per hour
5. For use of outside consultants for plan checking and inspections, or both .......................................................... Actual costs
6. Plan review fees for 1 and 2 family dwellings and accessory structures shall be 10% of the building permit fee.
7. Plan review fees for all occupancies except 1 and 2 family dwellings shall be 50% of the building permit fee.

---

1 Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved.
2 Actual costs include administrative and overhead costs.
### TABLE 100-C COMMERCIAL PERMIT FEES

<table>
<thead>
<tr>
<th>TOTAL VALUATION</th>
<th>FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1.00 to $1,600.00</td>
<td>$37.00</td>
</tr>
<tr>
<td>$1,601 to $2,000.00</td>
<td>$69.25</td>
</tr>
<tr>
<td>$2,001 to $25,000.00</td>
<td>$69.25 for the first $2,000.00 plus $14.00 for each additional $1,000.00, or fraction thereof, to and including $25,000.00</td>
</tr>
<tr>
<td>$25,001.00 to $50,000</td>
<td>$391.25 for the first $25,000.00 plus $10.10 for each additional $1,000.00, or fraction thereof, to and including $50,000</td>
</tr>
<tr>
<td>$50,001.00 to $100,000,000</td>
<td>$643.75 for the first $50,000.00 plus $7.00 for each additional $1,000.00, or fraction thereof, to and including $100,000.00</td>
</tr>
<tr>
<td>$100,001.00 to $500,000.00</td>
<td>$993.75 for the first $100,000.00 plus $5.60 for each additional $1,000.00, or fraction thereof, to and including $500,000.00</td>
</tr>
<tr>
<td>$500,000.00 to $1,000,000.00</td>
<td>$3,233.75 for the first $500,000.00 plus $4.75 for each additional $1,000.00, or fraction thereof, to and including $1,000,000.00</td>
</tr>
<tr>
<td>$1,000,001.00 and up</td>
<td>$5,608.75 for the first $1,000,000.00 plus $3.15 for each additional $1,000.00, or fraction thereof</td>
</tr>
</tbody>
</table>

**Other Inspections and Fees:**

1. Inspections outside of normal business hours .......................................................... $56.00 per hour¹
   - (minimum charge – two hours)
2. Re-inspection fees ........................................................................................................... $56.00 per hour¹
3. Inspections for which no fee is specifically ................................................................. $56.00 per hour¹
   - (minimum charge – one hour)
4. Additional plan review required by changes, additions, or revisions to plans ................. $56.00 per hour¹
   - (minimum charge – one hour)
5. For use of outside consultants for plan checking and inspections, or both ....................... Actual costs²
6. Plan review fees for 1 and 2 family dwellings and accessory structures shall be 10% of the building permit fee.
7. Plan review fees for all occupancies except 1 and 2 family dwellings shall be 50% of the building permit fee.

¹ Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved.

² Actual costs include administrative and overhead costs.

### Code Enforcement Division Fees

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount &amp; Unit of Measure</th>
<th>Municipal Code Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Off-premises sign license</td>
<td>$75.00 per annual sign license for each off premise sign</td>
<td>17.50.080</td>
</tr>
<tr>
<td>Property abatement</td>
<td>First offense in a calendar year - $50.00 per property abatement for administration plus actual cost of property</td>
<td>8.16.030</td>
</tr>
</tbody>
</table>

7
<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount &amp; Unit of Measure</th>
<th>Municipal Code Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duplication and file scanning fees:</td>
<td>Duplication and file scanning fees for sizes A, legal, and B are free for the first 10 sheets. Duplication requests for 11 or more sheets in sizes A legal, and B and all other sizes will be charged according to the following rates:</td>
<td></td>
</tr>
</tbody>
</table>
|                                                | $0.25 per sheet (black & white) $0.50 per sheet (color) at 8.5" by 11" (A)  
$0.50 per sheet (black & white) $0.75 per sheet (color) at 11" by 17" (B)  
$0.75 per sheet (black & white) $1.00 per sheet (color) at 18" by 24" (C)  
$10.00 per sheet (black & white) $15.00 per sheet (color) at 24" by 36" (D)  
$15.00 per sheet (black & white) $20.00 per sheet (color) at 36" by 48" (E)  
$2.00 per disc for CD-ROM or DVD                                                       |                        |
|                                                | For file duplication the City Staff reserves the right to use a third party vendor for duplication and scanning of files. Any request that is to be processed by City Staff through a third party vendor will be charged the greater of the invoiced or receipted amount plus $30.00 administrative cost per file. Any party requesting this service shall be required to pay the invoiced amount and administrative cost prior to the commencement of the duplication or scanning of the files. |                        |

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount &amp; Unit of Measure</th>
<th>Municipal Code Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum electrical permit</td>
<td>Fees are equal to those set by the South Dakota Electrical Commission pursuant to South Dakota law, including but not limited to Administrative Rule of South Dakota Article 20:44.</td>
<td>15.04.330</td>
</tr>
<tr>
<td>Electrical permit for new single and two-family residences</td>
<td>Each dwelling unit inspection fee shall be the greater of: the fee set by the South Dakota Electrical Commission or Table 1 below:</td>
<td>15.04.330</td>
</tr>
</tbody>
</table>
|                                                | TABLE 1  
square footage:                                                                                                                                                                                                  |                        |
<table>
<thead>
<tr>
<th>Title</th>
<th>Description</th>
<th>Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electrical inspection fee for service change, new service installation, circuitry installations or alterations, and electric signs</td>
<td>Fees for residential electrical permits are equal to those set by the South Dakota Electrical Commission pursuant to South Dakota law, including but not limited to Administrative Rule of South Dakota Article 20:44. Fees for commercial electrical permits are calculated based upon Table 100-C Commercial Permit Fees as applicable.</td>
<td>15.04.330</td>
</tr>
<tr>
<td>Electrical fees for electrical installations associated with remodeling, installations in apartment buildings, mobile home service equipment and feeders, recreational vehicle park unit, and swimming pools</td>
<td>Fees for residential electrical permits are equal to those set by the South Dakota Electrical Commission pursuant to South Dakota law, including but not limited to Administrative Rule of South Dakota Article 20:44. Fees for commercial electrical permits are calculated based upon Table 100-C Commercial Permit Fees as applicable.</td>
<td>15.04.330</td>
</tr>
<tr>
<td>Electrical administrative fees</td>
<td>Fees for residential electrical permits are equal to those set by the South Dakota Electrical Commission pursuant to South Dakota law, including but not limited to Administrative Rule of South Dakota Article 20:44. Fees for commercial electrical permits are calculated based upon Table 100-C Commercial Permit Fees as applicable.</td>
<td>15.04.330</td>
</tr>
</tbody>
</table>
| Local inspection system-Affidavit                                    | TABLE 2  
$5.00 per permit                                                                                                                                                                                   | 15.04.330 |
| Electrical inspection violation fee                                  | Fee doubled for work started without a permit. If a subsequent inspection becomes necessary due to noncompliance with any provision of the code, through use of defective material or due to negligence on the part of workmen, an additional fee of $75.00 for residential or $100.00 for commercial shall be charged for each such inspection.  
Failure to obtain a final inspection prior to the expiration of the permit is subject to a fee of $100.00. Re-inspection may be subject to a fee of $75.00 for residential or $100.00 for commercial per occurrence. | 15.04.330 |
| Carnivals/Temporary Uses                                              | Fees for residential electrical permits are equal to those set by the South Dakota Electrical Commission pursuant to South Dakota law, including but not limited to Administrative Rule of South Dakota Article 20:44. Fees for commercial electrical permits are calculated based upon Table 100-C Commercial Permit Fees as applicable. | 15.04.330 |
| Requested electrical inspections or reinspection                      | Fees for residential electrical permits are equal to those set by the South Dakota Electrical Commission pursuant to South Dakota law, including but not limited to Administrative Rule of South Dakota Article 20:44. Fees for commercial electrical permits are calculated based upon Table 100-C Commercial Permit Fees as applicable. | 15.04.330 |
Grading Permit Fees

<table>
<thead>
<tr>
<th>IBC grading permit</th>
<th>Table 100-D Grading Permit Fees (attached to this resolution)</th>
<th>15.12.510 Appendix J</th>
</tr>
</thead>
<tbody>
<tr>
<td>IBC grading plan review</td>
<td>Table 100-E Grading Plan Review Fees (attached to this resolution)</td>
<td>15.12.510 Appendix J</td>
</tr>
</tbody>
</table>

**TABLE 100-D GRADING PERMIT FEES**

<table>
<thead>
<tr>
<th>CUBIC YARDS</th>
<th>FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>50 or less</td>
<td>$23.50</td>
</tr>
<tr>
<td>51 to 100</td>
<td>$37.00</td>
</tr>
<tr>
<td>101 to 1,000</td>
<td>$37.00 for the first 100 cubic yards plus $17.50 for each additional 100 cubic yards or fraction thereof</td>
</tr>
<tr>
<td>1,001 to 10,000</td>
<td>$194.50 for the first 1,000 cubic yards plus $14.50 for each additional 1,000 cubic yards or fraction thereof</td>
</tr>
<tr>
<td>10,001 to 100,000</td>
<td>$325.00 for the first 10,000 cubic yards plus $66.00 for each additional 10,000 cubic yards or fraction thereof</td>
</tr>
<tr>
<td>100,001 cubic yards or more</td>
<td>$919.00 for the first 100,000 cubic yards plus $36.50 for each additional 10,000 cubic yards or fraction thereof</td>
</tr>
</tbody>
</table>

**Other Inspections and Fees:**

1. Inspections outside of normal business hours..........................$50.50 per hour
   (minimum charge – two hours)
2. Re-inspection fees..................................................................$50.50 per hour
3. Inspections for which no fee is specifically indicated..............$50.50 per hour
   (minimum charge – one hour)

1 The fee for a grading permit authorizing additional work to that under a valid permit shall be the difference between the fee paid for the original permit and the fee shown for the entire project.
2 Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.
For excavation and fill on the same site, the fee shall be based on the volume of excavation or fill, whichever is greater.

**TABLE 100-E GRADING PLAN REVIEW FEES**

<table>
<thead>
<tr>
<th>CUBIC YARDS</th>
<th>FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>50 or less</td>
<td>No fee</td>
</tr>
<tr>
<td>51 to 100</td>
<td>$23.50</td>
</tr>
<tr>
<td>101 to 1,000</td>
<td>$37.00</td>
</tr>
<tr>
<td>1,001 to 10,000</td>
<td>$49.25</td>
</tr>
<tr>
<td>10,001 to 100,000</td>
<td>$49.25 for the first 10,000 cubic yards plus $24.50 for each additional 10,000 cubic yards or fraction thereof</td>
</tr>
<tr>
<td>Fee</td>
<td>Amount &amp; Unit of Measure</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>----------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Annexation</td>
<td>$250.00 per application</td>
</tr>
<tr>
<td>Involuntary Annexation</td>
<td>$250.00 per application if property owner requests but cannot meet voluntary application requirements</td>
</tr>
<tr>
<td>Comprehensive Plan Amendment</td>
<td>$250.00 per application</td>
</tr>
<tr>
<td>Layout plan</td>
<td>No fee per application</td>
</tr>
<tr>
<td>Preliminary plan</td>
<td>$250.00 per application</td>
</tr>
<tr>
<td>Final plat</td>
<td>$250.00 per application</td>
</tr>
<tr>
<td>Minor plat</td>
<td>$250.00 plus $20.00 per lot per application</td>
</tr>
<tr>
<td>Development Engineering Plans</td>
<td>$250.00 plus $20.00 per lot per application</td>
</tr>
<tr>
<td>Consolidation and lot-line adjustment plats</td>
<td>$250.00 plus $20.00 per lot per application</td>
</tr>
<tr>
<td>Vacation of easements</td>
<td>$250.00 per application if applicant is responsible</td>
</tr>
<tr>
<td>Vacation of public right-of-way and section line highway</td>
<td>$200.00 per application</td>
</tr>
<tr>
<td>Plat errors and omissions</td>
<td>$50.00 per application</td>
</tr>
<tr>
<td>Planned Development Designation</td>
<td>$50.00 per application</td>
</tr>
<tr>
<td>Initial Planned Development</td>
<td>$250.00 per application</td>
</tr>
<tr>
<td>Final Planned Development</td>
<td>$250.00 per application</td>
</tr>
<tr>
<td>Planned</td>
<td>$250.00 per application</td>
</tr>
</tbody>
</table>

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.
<table>
<thead>
<tr>
<th>Development Major Amendment</th>
<th>No fee per application</th>
<th>17.50.050.G</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planned Development Administrative Amendment</td>
<td>No fee per application</td>
<td>17.50.060.D</td>
</tr>
<tr>
<td>Planned Unit Development Concept Plan</td>
<td>$250.00 per application</td>
<td>17.50.060.E</td>
</tr>
<tr>
<td>Planned Unit Development Zone Document</td>
<td>$250.00 per application</td>
<td>17.50.060.F</td>
</tr>
<tr>
<td>Planned Unit Development Major Amendment</td>
<td>No fee per application</td>
<td>17.50.060.F</td>
</tr>
<tr>
<td>Administrative Exception</td>
<td>No fee per application</td>
<td>17.50.070. D. 1</td>
</tr>
<tr>
<td>Tax Increment District</td>
<td>$2,500.00 per application</td>
<td>3.26.030</td>
</tr>
<tr>
<td>Temporary use permit for trailer parks and campgrounds</td>
<td>$75.00 per permit whenever there is a gathering of more than 15 people for longer than 36 hours.</td>
<td>17.50.230.F.3</td>
</tr>
<tr>
<td>Temporary use permit for a retail business or structure</td>
<td>$50.00 per event permit</td>
<td>17.50.230.H.4</td>
</tr>
<tr>
<td>Temporary use permit for seasonal retail business or structure</td>
<td>$150.00 per permit</td>
<td>17.50.230.I.4</td>
</tr>
<tr>
<td>Permit for a continuous retail business or structure</td>
<td>$250.00 per permit</td>
<td>17.50.230.J.3</td>
</tr>
<tr>
<td>Variance application</td>
<td>$250.00 per application</td>
<td>17.54.020.A</td>
</tr>
<tr>
<td>Conditional use permit application</td>
<td>$250.00 per initial application. $250.00 per application for a major amendment</td>
<td>17.54.030.B</td>
</tr>
<tr>
<td>Zoning and Rezoning</td>
<td>$250.00 per application</td>
<td>17.54.040.G</td>
</tr>
<tr>
<td>Zoning Ordinance</td>
<td>$250.00 per application</td>
<td>17.54.040.G</td>
</tr>
</tbody>
</table>
### Amendment

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount &amp; Unit of Measure</th>
<th>Code Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning ordinance violation</td>
<td>$100.00 per violation plus the cost of the action</td>
<td>17.54.070</td>
</tr>
</tbody>
</table>

### Streets Sidewalks and Public Places Fees

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount &amp; Unit of Measure</th>
<th>Code Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sidewalk café permit application</td>
<td>$250.00 per permit</td>
<td>12.12.030.B .4</td>
</tr>
<tr>
<td>Sidewalk vending cart permit</td>
<td>$250.00 initial and $100.00 annual renewal per permit</td>
<td>12.12.040.C .5</td>
</tr>
</tbody>
</table>

### Finance Department Fees

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount &amp; Unit of Measure</th>
<th>Code Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult oriented businesses</td>
<td>$400.00 per initial and renewal application and investigation</td>
<td>5.70.050</td>
</tr>
<tr>
<td></td>
<td>$200.00 per initial and renewal of business license</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$50.00 per initial and renewal of escort license</td>
<td></td>
</tr>
<tr>
<td>Business licenses</td>
<td>$50.00 per 24 month license for pawnbrokers, secondhand dealers, and gem &amp; precious metal dealers</td>
<td>5.36.040</td>
</tr>
<tr>
<td></td>
<td>$50.00 initial and $50.00 biennial renewal per vehicle for mobile ice cream vendor</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$1,500.00 initial and annual renewal for transportation network company license</td>
<td>5.50.060</td>
</tr>
<tr>
<td></td>
<td>$250.00 initial and $200.00 biennial for taxicabs license</td>
<td>5.60.040</td>
</tr>
<tr>
<td></td>
<td>$75.00 initial and $50.00 renewal every 24 months per driver for taxicab drivers license</td>
<td>5.60.040</td>
</tr>
<tr>
<td></td>
<td>$50.00 annual per machine for video lottery machine license</td>
<td>5.64.010</td>
</tr>
<tr>
<td></td>
<td>$100.00 annual per location for sidewalk vendor license</td>
<td>5.56.050</td>
</tr>
<tr>
<td></td>
<td>$250.00 initial and $200.00 biennial renewal for each merchant security business license</td>
<td>5.52</td>
</tr>
<tr>
<td></td>
<td>$75.00 initial and $50.00 biennial renewal per individual for merchant security and private security license</td>
<td></td>
</tr>
<tr>
<td>Central Station Service</td>
<td>$50.00 initial and $50 annual renewal</td>
<td>5.24.030</td>
</tr>
<tr>
<td>Liquor licenses</td>
<td>$100,000.00 per initial and $1,500.00 per renewal for on-sale dealer</td>
<td>5.12.030. A &amp; 5.12.040</td>
</tr>
<tr>
<td></td>
<td>Market price as set by City Council per initial and $1,500.00 per renewal for on-sale dealer (full service restaurant)</td>
<td>5.12.030. A</td>
</tr>
<tr>
<td></td>
<td>$100,000.00 per initial and $1,500.00 per renewal for convention facility on-sale dealer</td>
<td>5.12.030. A</td>
</tr>
<tr>
<td></td>
<td>$100,000.00 per initial and $1,500.00 per renewal for municipal auditorium On-Sale Dealer</td>
<td>5.12.030. A</td>
</tr>
<tr>
<td></td>
<td>$500.00 or greater amount as determined by sealed bid</td>
<td>5.12.030. A</td>
</tr>
</tbody>
</table>
process for initial and $500.00 per renewal for off-sale dealer
$300.00 per initial and $300.00 per renewal for malt beverage
retailer and wine produced by a farm winery retailer package
dealers and on-sale dealers
$500.00 per initial and $500.00 per renewal for wine and cider
retailer package dealers and on-sale dealers
$150 per initial and $150 per renewal for off-sale delivery
$50.00 per license for a special event on-sale malt beverage
retailer
$50.00 per license for a special event on-sale wine retailer
$150.00 per license for a special event on-sale dealer
$50.00 per license for a special event off-sale package wine
dealer
$50.00 per license for a special event off-sale package malt
beverage dealer
$150 per license for a special event off-sale package dealer

Parking facility rates (includes sales tax)
2020 Rates
$31.00 per month per parking space in lot 4 (Stock growers
surface lot)
$41.00 per month per parking space in lot 5 (St. Joseph from
5th to 6th lot)
$51.00 per month per parking space in lot 6-C parking ramp
covered
$41.00 per month per parking space in lot 6-U parking ramp
uncovered
$41.00 per month per parking space in lot 7 (7th and Main
surface lot)
$41.00 month per parking space in lot 8 (Mt. Rushmore and
Main surface lot)

In future years, all rates will be increased by CPI-U Midwest
Region, rounded up to the nearest dollar unless otherwise
approved

Refuse Collector
$25.00 per vehicle initial; $25.00 annual renewal per vehicle

Administrative charges
$25.00 per check with non-sufficient funds
Stop payment fee shall be assessed in the amount charged by
the financial institution
$0.25 per page for paper copies
$25.00 per digital copy of City Council meeting

Fire Department

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount &amp; Unit of Measure</th>
<th>Municipal Code Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ambulance rates</td>
<td>$2,463.96 per event for specialty care transport</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$1,708.89 per event for base rate transport</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$1,024.32 per event for ALS1 Emergency rate transport</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$926.90 per event for ALS base rate transport</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$655.00 per event for BLS emergency (BLS crew)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$462.22 per event for BLS base rate (BLS crew)</td>
<td></td>
</tr>
</tbody>
</table>
$0 per event for BLS emergency (ALS crew)
$0 per event for BLS base rate (ALS crew)
$14.30 per mile for transport
$40.00 per hour for Event Medic
$75.00 per hour for Team only transports
$109.08 per hour for school and non-profit transports
$125.27 per hour for standby rate
$200.00 per event for stretcher fee/hospice
$205.18 per event for treat and release

Fire Department Permit and Inspection Fees

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount &amp; Unit of Measure</th>
<th>Municipal Code Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Open burn permit</td>
<td>No fee per permit</td>
<td>8.34.170</td>
</tr>
<tr>
<td>Fire protection systems permit and inspection</td>
<td>150% of the basic fee building permit fee for new systems and retrofitted systems</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$128.00 per standpipe installation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$95.55 per permit for plan review of fire pumps</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$382.00 per permit for inspection and testing of fire pumps</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$107.00 per permit for kitchen hood extinguishing system installation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$53.55 per permit for kitchen hood extinguishing system modification</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$0.36 per square foot of covered area per permit for special fire extinguishing systems</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$128.00 plus $2.00 for each initiation and signaling device per permit for fire alarm systems</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$64.00 per permit for plan review and acceptance test of control unit</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$64.00 per hour for additional inspection or testing of control unit with a minimum charge of one hour</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$64.00 per installation plus $2.00 for each initiation and signaling device for existing fire alarm system modification permits.</td>
<td></td>
</tr>
<tr>
<td>Flammable liquid storage tanks permit and inspections</td>
<td>$107.00 per permit for the installation of a flammable liquid storage tank</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$64.00 per permit for the removal of a flammable liquid storage tank</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$107.00 per permit for the modification of a flammable liquid storage tank</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$53.55 per permit for the modification of flammable liquid storage tank piping</td>
<td></td>
</tr>
<tr>
<td>General site plan review and inspections</td>
<td>$64.00 per hour for site plan review and inspections</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$64.00 per hour for additional plan review with a minimum charge of one hour</td>
<td></td>
</tr>
</tbody>
</table>

Hazardous Materials Emergency Assistance – Pennington County Fees

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount &amp; Unit of Measure</th>
<th>Municipal Code Section</th>
</tr>
</thead>
</table>

15
### Engine rates
- $100.00 per hour and $1.75 per mile for Class 1: Engines
- $175.00 per hour and $1.75 per mile for Haz-Mat vehicle
- $125.00 per hour and $1.75 per mile for Class 2: Ladder Truck
- $230.00 per hour and $2.30 per mile for Class 4: Aircraft Fire Rescue
- $230.00 per hour and $2.30 per mile for trucks
- $50.00 per hour and $0.75 per mile for Class 5: Water Tenders
- $40.00 per hour and $0.75 per mile for Class 6: Brush Trucks
- $125.00 per hour and $0.50 per mile for Class 7: Special Service vehicle
- $15.00 per hour and $0.30 per mile for Class 8: Service vehicle

### Hazardous materials Team rates
- $35.00 per hour for labor
- $175.00 per hour and $0.50 per mile for vehicle

### Dive Rescue Team
- $35.00 per hour for labor
- $25.00 per hour and $0.50 per mile for vehicle

### South Dakota Wildland Fire Suppression Fees

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount &amp; Unit of Measure</th>
<th>Municipal Code Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Engine rates</td>
<td>$115.00 per hour and $0.51 per mile for Type 1 (structural)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$110.00 per hour and $0.51 per mile for Type 2 (structural)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$70.00 per hour and $0.51 per mile for Type 3</td>
<td>Contract SDFD2011RCFX</td>
</tr>
<tr>
<td></td>
<td>$70.00 per hour and $0.51 per mile for Type 4</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$65.00 per hour and $0.51 per mile for Type 5</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$65.00 per hour and $0.51 per mile for Type 6</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$30.00 per hour and $0.51 per mile for Type 7</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$15.00 per hour and $0.51 per mile for Type 8</td>
<td></td>
</tr>
<tr>
<td>Tactical tenders</td>
<td>$70.00 per hour and $0.51 per mile for Type 1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$65.00 per hour and $0.51 per mile for Type 2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$20.00 per hour and $0.51 per mile for Type 3</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$8.00 per hour and $0.51 per mile for Type 4</td>
<td></td>
</tr>
<tr>
<td>Support tenders</td>
<td>$107.00 per hour and $0.51 per mile for Type 1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$92.00 per hour and $0.51 per mile for Type 2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$72.00 per hour and $0.51 per mile for Type 3</td>
<td></td>
</tr>
<tr>
<td>ATV and UTV rates</td>
<td>$30.00 per shift or ATV</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$40.00 per shift for UTV</td>
<td></td>
</tr>
<tr>
<td>Power saw rate</td>
<td>$5.00 per hour and $30.00 per shift</td>
<td></td>
</tr>
<tr>
<td>Portable pump rates</td>
<td>$30.00 per 24 hours for 0 to 200 gallon per minute pump</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$40.00 per 24 hours for 200+ gallon per minute pump</td>
<td></td>
</tr>
<tr>
<td>Portable tanks</td>
<td>$20.00 per 24 hours for tank under 1,500 gallons</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$25.00 per 24 hours for tank 1,500+ gallons</td>
<td></td>
</tr>
<tr>
<td>Other vehicle rates</td>
<td>$65.00 per 24 hours plus $0.51 per mile for STEN, DIVS, or</td>
<td></td>
</tr>
<tr>
<td></td>
<td>any vehicle assigned to the line of duty</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$0.51 per mile for crew/chase vehicle</td>
<td></td>
</tr>
</tbody>
</table>

### Parks and Recreation Department

### Aquatics Division Fees

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount &amp; Unit of Measure</th>
<th>Municipal Code Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual pass</td>
<td>$357.00 per pass for adult (age 26 to 61)</td>
<td></td>
</tr>
<tr>
<td><strong>City Council</strong></td>
<td><strong>December 7, 2020</strong></td>
<td></td>
</tr>
<tr>
<td>-----------------</td>
<td>---------------------</td>
<td></td>
</tr>
<tr>
<td>(not including sales tax)</td>
<td>$535.00 per yearly pass for couples*&lt;br&gt;$250.00 per yearly pass for senior (age 62 and above)&lt;br&gt;$378.00 per yearly pass for senior couples (age 62 and above)<em>&lt;br&gt;$272.00 per yearly pass for youth (age 2 to 17)&lt;br&gt;$296.00 per yearly pass for young adult (age 18 to 25)&lt;br&gt;$642.00 per yearly pass for family (up to 4 people)&lt;br&gt;$65.00 per additional family member (over 4 people)&lt;br&gt;</em> Couple defined as married or both customers producing documents with the same mailing address</td>
<td></td>
</tr>
<tr>
<td>Quarterly pass (not including sales tax)</td>
<td>$96.00 per quarterly pass for adult (age 26 to 61)&lt;br&gt;$147.00 per quarterly pass for couples&lt;br&gt;$65.00 per quarterly pass for senior (age 62 and above)&lt;br&gt;$105.00 per quarterly pass for senior couples (age 62 and above)<em>&lt;br&gt;$77.00 per quarterly pass for youth (age 2 to 17)&lt;br&gt;$82.00 per quarterly pass for young adult (age 18 to 25)&lt;br&gt;$210.00 per quarterly pass for family (up to 4 people)&lt;br&gt;$35.00 per additional family member (over four people)&lt;br&gt;</em> Couple defined as married or both customers producing documents with the same mailing address</td>
<td></td>
</tr>
<tr>
<td>Daily rate (includes sales tax)</td>
<td>$6.00 per individual per day&lt;br&gt;$5.00 per senior (age 62 and above) per day&lt;br&gt;$11.00 per family on designated family nights&lt;br&gt;$5.00 per individual for groups of 30 or more&lt;br&gt;$80.00 per twenty day punch pass&lt;br&gt;$61.00 per twenty day punch pass for senior (age 62 and above)&lt;br&gt;$201.00 per twenty day punch pass for family (up to 4 twenty punch passes)&lt;br&gt;$36.00 per additional 20 day punch pass for families (over four people)</td>
<td></td>
</tr>
<tr>
<td>Racquetball court rate (includes sales tax)</td>
<td>$6.00 per hour&lt;br&gt;$38.00 per 10 day punch pass&lt;br&gt;$61.00 per 20-day punch pass&lt;br&gt;$115.00 per quarterly pass&lt;br&gt;$284.00 per yearly pass</td>
<td></td>
</tr>
<tr>
<td>Rapid City Swim Center rental (includes sales tax)</td>
<td>$193.00 per hour for an individual or organization&lt;br&gt;Rental rates include natatorium, racquetball courts, and multi-purpose room</td>
<td></td>
</tr>
<tr>
<td>Natatorium only rental (includes sales tax)</td>
<td>$160.00 per hour for an individual or organization</td>
<td></td>
</tr>
<tr>
<td>Outdoor pools only rental (includes sales tax)</td>
<td>$160.00 per hour for an individual or organization</td>
<td></td>
</tr>
<tr>
<td>50-Meter Pool</td>
<td>$105 per hour for an individual or organization</td>
<td></td>
</tr>
<tr>
<td>(includes sales tax)</td>
<td>Multi-purpose room rental (includes sales tax)</td>
<td>$44.00 per hour for an individual or organization</td>
</tr>
<tr>
<td>---------------------</td>
<td>-------------------------------------------------</td>
<td>---------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>Party room rental (includes sales tax)</td>
<td>$89.00 per 2 ½ hour event (specific times slots available)</td>
</tr>
<tr>
<td></td>
<td>Lap lanes rate (includes sales tax)</td>
<td>$8.00 per hour per lane for an individual or organization</td>
</tr>
</tbody>
</table>

**Cemetery Division Fees**

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount &amp; Unit of Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grave space cost (tax included)</td>
<td>$930.77 per single adult grave</td>
</tr>
<tr>
<td></td>
<td>$1,142.60 per double stack grave</td>
</tr>
<tr>
<td></td>
<td>$3,979.85 per family section (4 graves)</td>
</tr>
<tr>
<td></td>
<td>$251.48 per infant grave</td>
</tr>
<tr>
<td></td>
<td>$885.84 per small child grave</td>
</tr>
<tr>
<td></td>
<td>$462.17 per cremation grave</td>
</tr>
<tr>
<td></td>
<td>$925.30 per County grave (no tax)</td>
</tr>
<tr>
<td></td>
<td>$459.46 per County cremation grave (no tax)</td>
</tr>
<tr>
<td>Opening and closing costs (tax included)</td>
<td>$985.44 per adult grave</td>
</tr>
<tr>
<td></td>
<td>$266.25 per infant grave</td>
</tr>
<tr>
<td></td>
<td>$727.18 per small child grave</td>
</tr>
<tr>
<td></td>
<td>$407.77 per cremation grave</td>
</tr>
<tr>
<td></td>
<td>$925.30 per County grave (no tax)</td>
</tr>
<tr>
<td></td>
<td>$382.88 per County cremation grave (no tax)</td>
</tr>
<tr>
<td></td>
<td>$305.81 per grave additional surcharge for Saturday</td>
</tr>
<tr>
<td></td>
<td>$80.48 per monument setting fee</td>
</tr>
<tr>
<td>Ossuarium Fees (tax included)</td>
<td>$550.00 Ossuary</td>
</tr>
<tr>
<td></td>
<td>$1,400.00 Niches, Rows A &amp; G</td>
</tr>
<tr>
<td></td>
<td>$1,700.00 Niches, Rows B &amp; C</td>
</tr>
<tr>
<td></td>
<td>$2,000.00 Niches Rows D &amp; F</td>
</tr>
<tr>
<td></td>
<td>$3,400.00 Niches, Row E (behind memorial ring)</td>
</tr>
</tbody>
</table>

**Golf Division Fees** (does not include sales tax)

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount &amp; Unit of Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meadowbrook season passes</td>
<td>$820.00 per pass for single adult</td>
</tr>
<tr>
<td></td>
<td>$1,312.00 for two passes for adult couple*</td>
</tr>
<tr>
<td></td>
<td>$738.00 per pass for single senior (age 62 and above)</td>
</tr>
<tr>
<td></td>
<td>$1,180.00 for two passes for senior couple (age 62 and above)*</td>
</tr>
<tr>
<td></td>
<td>$150.00 per pass for youth (age 17 and under)</td>
</tr>
<tr>
<td></td>
<td>$410.00 per pass for young adult (ages 18 to 25)</td>
</tr>
<tr>
<td></td>
<td>$2,788.00 per Corporate pass (4 passes; must pay with corporation check or credit card)</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------------</td>
<td>-----------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Meadowbrook daily rates</strong></td>
<td>$35.00 per round of 9 holes</td>
</tr>
<tr>
<td></td>
<td>$32.00 per round of 9 holes for senior (age 62 and above)</td>
</tr>
<tr>
<td></td>
<td>$32.00 per round of 9 holes for junior (age 17 and under)</td>
</tr>
<tr>
<td></td>
<td>$50.00 per round of 18 holes</td>
</tr>
<tr>
<td></td>
<td>$45.00 per round of 18 holes for senior (age 62 and above)</td>
</tr>
<tr>
<td></td>
<td>$65.00 per locker rental</td>
</tr>
<tr>
<td></td>
<td>$5.00 per bucket of range balls (small)</td>
</tr>
<tr>
<td></td>
<td>$9.00 per bucket of range balls (large)</td>
</tr>
<tr>
<td></td>
<td>$185.00 per 50 punch card for range balls</td>
</tr>
<tr>
<td></td>
<td>$273.00 per punch card for ten 9 hole rounds</td>
</tr>
<tr>
<td></td>
<td>$611.00 per punch card for twenty-five 9 hole rounds</td>
</tr>
</tbody>
</table>

| **Meadowbrook golf cart rates** | $490.00 per cart for electric cart storage                                         |
|                                 | $420.00 per cart for gas cart storage                                              |
|                                 | $256.00 per annual trail fee                                                       |
|                                 | $20.00 per daily trail fee                                                         |
|                                 | $12.00 per ½ cart rental for 9 holes                                               |
|                                 | $18.00 per ½ cart rental for 18 holes                                               |
|                                 | $405.00 per ½ cart annual pass                                                     |
|                                 | $18.00 per single rider 9-hole rounds                                               |
|                                 | $24.00 per single rider 18-hole rounds                                              |
|                                 | $600 per single rider annual pass                                                  |
|                                 | $90.00 per cart rental punch pass for ten 9 hole rounds                             |
|                                 | $200.00 per cart rental punch pass for twenty-five 9 hole rounds                   |
|                                 | $120.00 per single rider punch pass for ten 9 hole rounds                           |
|                                 | $268.00 per single rider punch pass for twenty-five 9 hole rounds                   |

| **Executive season passes** | $324.00 per pass for single adult                                                  |
|                            | $442.00 for two passes for adult couple*                                            |
|                            | $270.00 per pass for single senior (age 62 and above)                               |
|                            | $378.00 for two passes for senior couple (age 62 and above)*                         |
|                            | $60.00 per pass for youth (age 17 and under)                                        |
|                            | $146.00 per pass for young adult (ages 18 to 25)                                    |
|                            | $60.00 additional per pass for Meadowbrook season pass holder                       |
|                            | $20.00 additional per pass for youth (age 17 and under)                            |
|                            | Meadowbrook season pass holder                                                      |
|                            | * Couple defined as married or both customers producing documents with the same mailing address |

| **Executive daily rates** | $10.00 per round of 9 holes                                                        |
|                          | $7.00 per round of 9 holes junior (age 17 and under)                                |
|                          | $18.00 per round of 18 holes                                                       |
|                          | $21.00 per all day play                                                            |
|                          | $80.00 per punch card for ten 9 hole rounds                                        |
|                          | $180.00 per punch card for twenty-five 9 hole rounds                                |

| **Executive cart rental** | $116.00 per annual trail fee                                                       |
|                          | $10.00 per daily trail fee                                                         |
|                          | $16.00 per cart rental for 9 holes                                                 |
|                          | $24.00 per cart rental for 18 holes                                                |
|                          | $8.00 per ½ cart rental for 9 holes                                                |
|                          | $12.00 per ½ cart rental for 18 holes                                              |
| Development fees | $1.00 per 9 hole round at Meadowbrook*  
$2.00 per 18 hole round at Meadowbrook*  
$1.00 per 9 hole round at Executive*  
$2.00 per 18 hole round at Executive*  
$3.00 per All-Day Play at Executive*  
* The development fees are included in the daily rate fees. The development fee is not included in the season pass fee and will be charged to all the season pass holders at tee time.

### Ice Division Fees (does not include sales tax)

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount &amp; Unit of Measure</th>
</tr>
</thead>
</table>
| Season pass                | $142.00 per individual season pass  
$344.00 per family season pass (up to four people)  
$49.00 per additional family member  
$47.00 per 10 session Punch Pass |
| Daily rates                | $6.00 per individual per day  
$5.00 per individual senior (age 62 and over) per day  
$21.00 per family on designated family nights  
$5.00 per individual for groups of 30 or more includes skate rental |
| Ice rink rental rates      | $145.00 per hour for prime time ice rental  
$87.00 per hour for non-prime time ice rental  
$234.00 per hour for prime time ice rental includes skate rental  
$183.00 per hour for non-prime time ice rental includes skate rental |
| Skate rental and sharpening| $4.00 per pair for skate rental  
$8.00 per pair for skate sharpening performed on the same day  
$6.00 per pair for skate sharpening performed for pick up the following day |

### Parks Division Fees (includes sales tax)

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount &amp; Unit of Measure</th>
</tr>
</thead>
</table>
| Park shelter fees (tax included) | $75.00 per permit from 10:00 am to 3:00 pm (5 hours)  
$75.00 per permit from 4:30 pm to 10:00 pm (5½ hours)  
$20.00 per hour for the Canyon Lake gazebo  
$100.00 per day for the Memorial Park bandshell  
$150.00 per day for the Memorial Park bandshell with sound system  
$500.00 deposit for Memorial Park bandshell with sound system  
$10.00 administrative fee charged for cancellations made less than 30 days prior to permitted event |
| Miscellaneous Fees         | $50.00 per event  
$100.00 per unit for Mobile Food Vending Permit  
$45.00 per hour for facility lighting  
$40.00 per hour for Community Center rental |
### Police Department Fees

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount &amp; Unit of Measure</th>
<th>Municipal Code Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Video &amp; photographic services</td>
<td>$30.00 per video tape duplication</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$25.00 per CD with photographs</td>
<td></td>
</tr>
<tr>
<td>Police reports (includes sales tax)</td>
<td>$4.00 per accident report</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$8.00 per arrest report</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$8.00 per case report</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$275.00 per traffic crash reconstruction report</td>
<td></td>
</tr>
<tr>
<td>Blood and drug Analysis</td>
<td>$40.00 per blood alcohol analysis</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$37.00 per drug analysis for marijuana (not toxicological)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$60.00 per drug analysis for controlled substance</td>
<td></td>
</tr>
<tr>
<td>Calls for service/log entry</td>
<td>$1.00 per call for service/log entry</td>
<td></td>
</tr>
<tr>
<td>Expert testimony</td>
<td>Actual cost of travel and accommodations if necessary</td>
<td></td>
</tr>
<tr>
<td>Fingerprinting services</td>
<td>$20.00 per fingerprinting service (includes sales tax)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$30.00 per fingerprint comparison service</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$20.00 per latent fingerprint examination service</td>
<td></td>
</tr>
<tr>
<td>Consultations &amp; interpretations</td>
<td>No charge</td>
<td></td>
</tr>
<tr>
<td>Special lab services</td>
<td>$50.00 per hour for special lab services (weighing etc.)</td>
<td></td>
</tr>
</tbody>
</table>

### Parking Fees by Type (includes tax)

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount &amp; Unit of Measure</th>
<th>Municipal Code Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking meter fees</td>
<td>$1.00 per one hour of parking (Monday through Friday)</td>
<td>10.44.060</td>
</tr>
<tr>
<td></td>
<td>$1.00 per two hours of parking (Saturday)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$0.25 coin per 15 minutes of parking</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$1.00 minimum charge for credit card/app use</td>
<td></td>
</tr>
<tr>
<td>Monthly on-street employee/resident permit</td>
<td>$30.00 per month (non-metered zones only)</td>
<td></td>
</tr>
<tr>
<td>On-street daily permit</td>
<td>$7.00/day (non-metered zones only)</td>
<td></td>
</tr>
<tr>
<td>Federal Juror Permit</td>
<td>$4.00/day (non-metered zones only)</td>
<td></td>
</tr>
<tr>
<td>Daily Construction permit</td>
<td>$10.00/day (all zone and meter locations)</td>
<td></td>
</tr>
</tbody>
</table>

### Parking Violation Fees

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount &amp; Unit of Measure</th>
<th>Municipal Code Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contrary to posted sign</td>
<td>$15.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>-------------------------</td>
<td>------------------------------------------------------------------------------------------</td>
<td>-------------</td>
</tr>
<tr>
<td>No parking zone</td>
<td>$25.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Within intersection</td>
<td>$25.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>On crosswalk</td>
<td>$25.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Within 25’ of an intersection</td>
<td>$15.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Within 20’ of fire station entrance</td>
<td>$50.00 per violation; $20.00 late fee after 7 days; additional $30.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Within 10’ of fire hydrant</td>
<td>$50.00 per violation; $20.00 late fee after 7 days; additional $30.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>In front of private driveway</td>
<td>$25.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>On a sidewalk</td>
<td>$25.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Within 10’ of a residential mailbox</td>
<td>$15.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Obstructing traffic</td>
<td>$25.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Across/over a line</td>
<td>$15.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Yellow curb</td>
<td>$25.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Against traffic</td>
<td>$15.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>More than 12” from a curb</td>
<td>$15.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Closer than 4’ to any other vehicle (parallel)</td>
<td>$15.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Not entirely within designated area</td>
<td>$15.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Alley non-temporary</td>
<td>$15.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Blocking alley</td>
<td>$25.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Alley contrary to sign</td>
<td>$15.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Near entrance to building</td>
<td>$15.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Between 2 a.m. and 6 a.m. in Central</td>
<td>$15.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Business District</td>
<td>Amount &amp; Unit of Measure</td>
<td>Municipal Code Section</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>Within 6' of a railroad track</td>
<td>$15.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Bus &amp; taxi stand</td>
<td>$15.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Handicapped space</td>
<td>$100.00 per violation; $20.00 late fee after 7 days; additional $30.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Commercial vehicles</td>
<td>$50.00 per violation; $20.00 late fee after 7 days; additional $30.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Freight on Main &amp; St. Joseph</td>
<td>$25.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Loading zone violation</td>
<td>$15.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Fire lane violation</td>
<td>$50.00 per violation; $20.00 late fee after 7 days; additional $30.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Sight triangle violation</td>
<td>$25.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>No permit for zone</td>
<td>$25.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Double parking</td>
<td>$15.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Civic center zone violation</td>
<td>$15.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Airport loading zone violation</td>
<td>$25.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Snow removal area</td>
<td>$25.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Improper parking</td>
<td>$15.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Timed zone violation</td>
<td>$15.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Expired Meter</td>
<td>$15.00 per violation; $10.00 late fee after 7 days; additional $25.00 late fee after 30 days</td>
<td>10.40.310.D</td>
</tr>
<tr>
<td>Immobilization, towing, and storage fees</td>
<td>$100.00 per immobilized vehicle plus actual costs for vehicle towing and vehicle storage as applicable; $20.00 late fee after 7 days; additional $30.00 late fee after 30 days</td>
<td>10.44.150.E</td>
</tr>
<tr>
<td>Violation Fee Appeal Application</td>
<td>$10.00 per appeal application to the Parking Advisory Board</td>
<td></td>
</tr>
</tbody>
</table>

**Public Works Department**

**Engineering Division Fees**

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount &amp; Unit of Measure</th>
<th>Municipal Code Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stormwater Drainage Utility</td>
<td>$0.00040/unit financial charge.</td>
<td>13.26.020.B.3</td>
</tr>
<tr>
<td>Fee for Inspection of</td>
<td>City Engineers Estimate: Less than $10,000 - 5.0% of the estimate</td>
<td>12.04.170.C</td>
</tr>
<tr>
<td>Service Description</td>
<td>Fee Details</td>
<td>Code</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>------------</td>
</tr>
</tbody>
</table>
| Subdivision improvements prior to acceptance.                                     | $10,001 to $25,000 - 3.0% of the estimate  
$25,001 to $50,000 - 2.5% of the estimate  
$50,001 to $100,000 - 2.0% of the estimate  
More than $100,000 - 1.5% of the estimate |            |
| Driveway approach construction permit (curb cuts)                                 | $30.00 for each curb cut                                                                                                                  | 13.04.100  |
| Sidewalk or curb/gutter construction permit                                        | $15.00 for first 5 feet of sidewalk or curb and gutter  
$15.00 additional for the next 45 lineal feet of sidewalk or curb and gutter  
$25.00 additional for the next 150 lineal feet of sidewalk or curb and gutter | 13.04.100  |
| Pavement installation permit                                                       | $40.00 each permit                                                                                                                       | 13.04.100  |
| Temporary occupancy in right-of-way permit                                          | $15.00 each                                                                                                                             | 13.04.100  |
| Private utility installation permit                                                 | $25.00 each                                                                                                                             | 13.04.100  |
| Excavation in concrete or asphalt pavement permit                                   | $20.00 - 0 to 70 square feet  
$30.00 - 71 to 350 square feet  
$40.00 - 351 to 1,000 square feet  
$50.00 - 1,001 to 2,000 square feet.  
$1.00 each additional square foot or part thereof | 13.04.100  |
| Excavations in non-paved public right-of-way or easements                           | $15.00 - 0 to 70 square feet  
$20.00 - 71 to 350 square feet  
$30.00 - 351 to 1,000 square feet  
$40.00 - 1,001 to 2,000 square feet.  
$1.00 each additional square foot or part thereof | 13.04.100  |
| Non-compliance additional inspection                                                | $10.00 per inspection                                                                                                                   | 13.04.100  |
| Floodplain development permit                                                       | $100.00 per permit                                                                                                                      | 15.32.120. A|
| Floodplain development permit variance application                                  | $100.00 per permit                                                                                                                      | 15.32.300  |
| Onsite wastewater system (septic) permit                                            | $20.00 per permit for existing systems and renewals every 6 years  
$300.00 per each new system  
$300.00 per each repaired or modified system  
Actual cost for construction fees  
Actual cost for construction fees | 13.20.800  
13.16.350  
13.04.190  |
| Erosion and silt controls permit                                                    | $100.00 per permit for site less than 10,000 square feet                                                                                 | 8.46.020   |
### GIS Division Fees

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount &amp; Unit of Measure</th>
<th>Municipal Code Section</th>
</tr>
</thead>
</table>
| Rapid City area orthophotography                     | $75.00 per tile for latest available photography  
$25.00 per tile for older photography  
Note: photography created using federal funds can only be sold at the cost of processing the data for delivery to the customer. |                        |
| County area orthophotography                         | $20.00 per tile for latest available photography.                                       |                        |
| County area rectified photography                    | $20.00 per tile                                                                             |                        |
| Rapid City area topography and related products       | $25.00 per tile. Note: Photography and related products created using federal funds can only be sold at the cost of processing the data for delivery to the customer. |                        |
| Customized map products or data requests              | $75.00 per hour, minimum ½ hour charge plus materials (if any)                            |                        |
| Standard map products and materials fees              | $0.50 per map or sheet at 8.5 inches by 11 inches (A)  
$1.00 per map or sheet at 11 inches by 17 inches (B)  
$15.00 per map or sheet at 18 inches by 24 inches (C)  
$20.00 per map or sheet at 24 inches by 36 inches (D)  
$25.00 per map or sheet at 36 inches by 48 inches (E)  
$2.00 per disc for CD-ROM or DVD                      |                        |

Note: GIS Division Fees must be approved by both the Rapid City Council and Pennington County Commission.

### Solid Waste Division Fees

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount &amp; Unit of Measure</th>
<th>Municipal Code Section</th>
</tr>
</thead>
</table>
| Residential collection rates                         | $14.99 per month for 35 gallon container  
$16.83 per month for 65 gallon container  
$18.68 per month for 95 gallon container  
$46.84 per month for 300 gallon container  
$11.99 per month for 35 gallon container for senior citizen  
$13.47 per month for 65 gallon container for senior citizen  
$14.94 per month for 95 gallon container for senior citizen |                        |
| Landfill disposal rates for residential customer     | $0.00 up to 1,000 lbs. with use of a City utility bill showing garbage services  
$5.00 per carload  
$20.00 per pickup load  
$5.00 minimum disposal charge |                        |
| Landfill rates for materials                         | $59.00 per ton for mixed waste (garbage)  
$59.00 per ton for construction debris |                        |
for disposal

- $130.00 per ton for non-manifested medical waste
- $87.00 per ton for regulated medical waste with manifest
- $59.00 per ton for grit and screenings from sumps (car wash grit)
- $59.00 per ton for ash
- $100.00 per ton for asbestos-containing material with manifest
  (minimum charge is $150.00/load)
- $10.00 per ton for petroleum contaminated soil
- $240.00 per ton for 6 tires or more
- $3.75 per tire less than 16" with no rim
- $8.95 per tire greater than or equal to 16" or less than 16" on rim
- $100.00 per ton for dead animals (special handling required)
- $10.00 per ton for concrete
- $59.00 per ton for asphalt shingles
- $59.00 per ton for wood shingles
- $20.00 per ton for pallets and clean wood

Landfill rates for recyclables for disposal

- $0.00 for asphalt
- $0.00 for metals (FE, AL, CU, etc.)
- $0.00 for newspaper
- $0.00 for corrugated cardboard
- $0.00 for HDPE and PETE plastics
- $0.00 for glass
- $0.00 for aluminum
- $0.00 for steel (tin) cans
- $0.00 for yard waste (tree limbs, grass clippings etc.)
- $0.00 for manure
- $0.00 for clean fill dirt

Landfill products for sale

- $20.00 per ton for 3/8 inch yard waste compost, less $2.00 per ton for loads greater than 10 yards
- $20.00 per ton 3/8" yard waste compost with biosolids
- $15.00 per ton for 3/4 inch yard waste compost, less $2.00 per ton for loads greater than 10 yards
- $10.00 per ton for wood chips, less $2.00 per ton for loads greater than 10 yards
- $0.00 for MSW Co-compost
- $15.00 per ton 50:50 MSW/yard waste compost
- $15.00 per ton for recycled asphalt

Administrative

- $37.00 per account for set up of garbage only account
- Late fee 6.5% per month
- $15.00 per service call on residential cart

Streets Division Fees

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount &amp; Unit of Measure</th>
<th>Municipal Code Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractor Patching Costs</td>
<td>$5.65 per square foot at 5&quot; depth</td>
<td>13.04.120</td>
</tr>
<tr>
<td></td>
<td>$1.13 per square foot at 1&quot; depth</td>
<td></td>
</tr>
<tr>
<td>Pavement Sawing</td>
<td>$3.50 per lineal foot</td>
<td>13.04.120</td>
</tr>
</tbody>
</table>

Transit Division Fees
<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount &amp; Unit of Measure</th>
<th>Municipal Code Section</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Rapid Ride</strong></td>
<td>$1.50 per fare – adults&lt;br&gt;$13.50 per coupon book containing 10 coupons&lt;br&gt;$0.75 per fare for Honored Citizen (60+, disabled and Medicare card holders)&lt;br&gt;$6.75 per coupon book containing 10 coupons for Honored Citizen (60+, disabled and Medicare card holders)&lt;br&gt;No fee for youth (18 &amp; under)&lt;br&gt;No fee for transfers&lt;br&gt;$30.00 per monthly pass</td>
<td></td>
</tr>
<tr>
<td><strong>Dial-A-Ride</strong></td>
<td>$3.00 per one way trip&lt;br&gt;$27.00 per ten punch coupons&lt;br&gt;$3.50 per Zone 2 fare&lt;br&gt;$31.50 per Zone 2 ten punch coupons&lt;br&gt;$90.00 per monthly unlimited pass</td>
<td></td>
</tr>
<tr>
<td><strong>Trolley</strong></td>
<td>$2.00 per fare for adult&lt;br&gt;$1.00 per fare for children 12 and under&lt;br&gt;$1.00 per fare for Honored Citizen (60+, disabled and Medicare card holders)</td>
<td></td>
</tr>
</tbody>
</table>

**Water Division Fees**

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount &amp; Unit of Measure</th>
<th>Municipal Code Section</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Hydrant administrative (deposit)</strong></td>
<td>$1,500.00 per hydrant</td>
<td>13.08.190</td>
</tr>
<tr>
<td><strong>Pactola conservation surcharge</strong></td>
<td>$1.00 per 100 cubic feet over the amount specified in RCMC&lt;br&gt;13.08.440 C, 1 and 2</td>
<td>13.08.440</td>
</tr>
<tr>
<td><strong>Late fee</strong></td>
<td>6.5% per month</td>
<td>13.08.470</td>
</tr>
<tr>
<td><strong>Sewer and water contractor license</strong></td>
<td>$200.00 initial&lt;br&gt;$100.00 renewal</td>
<td>13.24.040</td>
</tr>
<tr>
<td><strong>Sewer and water installer license</strong></td>
<td>$40.00 initial&lt;br&gt;$20.00 renewal</td>
<td>13.24.040</td>
</tr>
<tr>
<td><strong>Trenching contractor license</strong></td>
<td>$200.00 initial&lt;br&gt;$100.00 renewal</td>
<td>13.24.040</td>
</tr>
<tr>
<td><strong>Trenching contractor (plumbers rider) license</strong></td>
<td>$200.00 initial&lt;br&gt;$100.00 renewal</td>
<td>13.24.040</td>
</tr>
<tr>
<td><strong>Trenching journeyman license</strong></td>
<td>$40.00 initial&lt;br&gt;$20.00 renewal</td>
<td>13.24.040</td>
</tr>
<tr>
<td><strong>Move in</strong></td>
<td>$45.00 per account</td>
<td></td>
</tr>
<tr>
<td>Charge - City Limits</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------------------------------------------------</td>
<td>----------</td>
<td></td>
</tr>
<tr>
<td>Move in Charge - Outside City Limits</td>
<td>$52.00 per account</td>
<td></td>
</tr>
<tr>
<td>Surcharge After Hours</td>
<td>$96.00</td>
<td></td>
</tr>
<tr>
<td>No Access Surcharge - Business Hours</td>
<td>$32.00</td>
<td></td>
</tr>
<tr>
<td>No Access Surcharge - After Hours</td>
<td>$79.00</td>
<td></td>
</tr>
<tr>
<td>Water Tapping (includes inspection)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>$170.00 per 1&quot; tap</td>
<td></td>
<td></td>
</tr>
<tr>
<td>$105 per 1.5&quot; or 2&quot; tap</td>
<td></td>
<td></td>
</tr>
<tr>
<td>$439.00 per 4&quot; or 6&quot; tap</td>
<td></td>
<td></td>
</tr>
<tr>
<td>$527.00 per 8&quot; or larger tap</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water Inspection Only</td>
<td>$95.00</td>
<td></td>
</tr>
<tr>
<td>Re-Inspection</td>
<td>$44.00</td>
<td></td>
</tr>
<tr>
<td>Remote water meter reading device installation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>$30.00 per installation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>$6.00 per month</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water meter testing</td>
<td>$100.00 per test for 5/8&quot;, 3/4&quot; and 1&quot; meters</td>
<td></td>
</tr>
<tr>
<td>Charge from testing facility plus shipping to and from</td>
<td></td>
<td></td>
</tr>
<tr>
<td>for meters larger than 1&quot;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meter Deposit (first month only)</td>
<td>$48.00 per 3/4&quot; or smaller</td>
<td></td>
</tr>
<tr>
<td>$194 per meter larger than 3/4&quot;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Temporary Account (flat rate)</td>
<td>$42.00 per account</td>
<td></td>
</tr>
<tr>
<td>Water Service Call Fee</td>
<td>$49.00 per call</td>
<td></td>
</tr>
<tr>
<td>$81.00 per call after hours</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inactive Account Fee</td>
<td>$5.00 per month during deactivation time</td>
<td></td>
</tr>
<tr>
<td>Hydrant Meter Move Charge</td>
<td>$60.00 per move of hydrant meter to new hydrant</td>
<td></td>
</tr>
<tr>
<td>Hydrant Meter Monthly Charge</td>
<td>$60.00 per month</td>
<td></td>
</tr>
</tbody>
</table>

**Water Reclamation Fees**

28
### Fee

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount &amp; Unit of Measure</th>
<th>Municipal Code Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tap fees</td>
<td>$220.00 per 4 inch tap $293.00 per 6 inch tap</td>
<td>13.16.310</td>
</tr>
<tr>
<td>Minor user industrial waste permit</td>
<td>$250.00 per permit</td>
<td>13.16.320</td>
</tr>
<tr>
<td>Significant industrial users and categorical users - existing</td>
<td>$3,000.00 per permit</td>
<td>13.16.320</td>
</tr>
<tr>
<td>Significant industrial users and categorical users - new</td>
<td>$3,000-per-permit</td>
<td>13.16.320</td>
</tr>
<tr>
<td>Service inspections</td>
<td>$87.00 per inspection $44.00 per re-inspection</td>
<td>13.16.340</td>
</tr>
<tr>
<td>Sewer use charge</td>
<td></td>
<td>13.16.360A.</td>
</tr>
<tr>
<td>All Usage</td>
<td>$3.49 $3.68 $3.87 $4.06 $4.40</td>
<td></td>
</tr>
<tr>
<td>Meter charge residential</td>
<td></td>
<td>13.16.360B.</td>
</tr>
<tr>
<td>Meter Size</td>
<td>2018</td>
<td>2019</td>
</tr>
<tr>
<td>%&quot;</td>
<td>$4.85</td>
<td>$5.10</td>
</tr>
<tr>
<td>%&quot;</td>
<td>$6.18</td>
<td>$6.51</td>
</tr>
<tr>
<td>1&quot;</td>
<td>$8.85</td>
<td>$9.32</td>
</tr>
<tr>
<td>1½&quot;</td>
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<td>$135.38</td>
<td>$142.82</td>
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<tr>
<td>8&quot;</td>
<td>$215.29</td>
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### Meter charge commercial and institutional

| Meter Size                                                      | 2018     | 2019     | 2020     | 2021     | 2022     |
| %"                                                              | $5.00    | $5.26    | $5.51    | $5.77    | $5.77    |
| %"                                                              | $6.54    | $6.88    | $7.22    | $7.56    | $7.56    |
| 1"                                                              | $9.63    | $10.14   | $10.64   | $11.15   | $11.15   |
| 1½"                                                             | $17.32   | $18.26   | $19.17   | $20.11   | $20.11   |
| 2"                                                              | $26.56   | $28.01   | $29.41   | $30.87   | $30.87   |
| 3"                                                              | $48.11   | $50.76   | $53.31   | $55.96   | $55.96   |
| 4"                                                              | $78.90   | $83.26   | $87.45   | $91.80   | $91.80   |
| 6"                                                              | $155.89  | $164.51  | $172.80  | $181.43  | $181.43  |
| 8"                                                              | $248.27  | $262.01  | $275.23  | $288.98  | $288.98  |

### Meter charge industrial

| Meter Size                                                      | 2018     | 2019     | 2020     | 2021     | 2022     |
| %"                                                              | $17.94   | $18.91   | $19.84   | $20.82   | $20.82   |
| %"                                                              | $25.16   | $26.53   | $27.84   | $29.22   | $29.22   |
### CITY COUNCIL

#### DECEMBER 7, 2020

<table>
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<tr>
<th>Strength Charge</th>
<th>Strength Charge</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
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<td>BOD</td>
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<th>Liquid waste haulage permits</th>
<th>Liquid waste haulage owner’s permit $147.00 per initial permit $37.00 per annual renewal permit</th>
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<th>Disposal (domestic septage)</th>
<th>$35.20 for the first 1,000 gallons $11.75 for each 500 gallon increment in excess of 1,000 gallons</th>
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<th>Holding tank wastes</th>
<th>$35.20 for the first 1,000 gallons $11.75 for each 1,000 gallon increment in excess of 1,000 gallons</th>
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<th>Portable toilet wastes</th>
<th>$35.20 for the first 1,000 gallons $11.75 for each 500 gallon increment in excess of 1,000 gallons</th>
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</table>

**Note:** Sales Tax may be required on some of the fees within this resolution.

BE IT FURTHER RESOLVED that these fees shall remain in place until changed by an act of the City Council.

Dated this 7th day of December, 2020.

CITY OF RAPID CITY  

s/ Steve Allender  
Mayor

ATTEST:  
s/ Pauline Sumption  
Finance Director  
(SEAL)

15. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Alyce Harich (RSVP+), Adam Namyst (Library), Sandra Ashim (RSVP+), Delphine Maier (RSVP+), Raymond Maier (RSVP+), Susan Chaplin (RSVP+), Sharon Allard (RSVP+), Karen Buchholz (RSVP+), Roger Buchholz (RSVP+), Lucille Estrada (RSVP+), Everett Foillette (RSVP+), Helen Ann Friedt (RSVP+), Marvin Friedt (RSVP+), Marlene Kotab (RSVP+), William Atyeo (RSVP+), Mark Chaplin (RSVP+), Richard Deaver (RSVP+), Eric Fowler (RSVP+), Ellen Funke (RSVP+), Geanie Gardiner (RSVP+), Robert Grams (RSVP+), Linda Grenz (RSVP+), Mark Hurlburt (RSVP+), Gordon Kotab (RSVP+), Sharon Powers (RSVP+), Robert Quickstaf (RSVP+), Larry Schenmel (RSVP+), Anton Werlinger (RSVP+), Vickie Werlinger (RSVP+), Gale Ramberg (RSVP+), Joanna Jones (RSVP+)

30
16. WS120220-06: Approve change Order 7 to Simon Contractors of the Black Hills, Inc. for East Boulevard /East North Street Utility Reconstruction Project No. 14-2170/CIP No. 50866.1 for an Increase of $9,331.20
17. WS120220-07: Approve Change Order 1 to Mainline Contracting, Inc. for Northridge Booster Pump Station and Stoney Creek Booster Pump Station Improvements, Project No. 2178/CIP No. 50812.CD for an Increase of $5,711.49
18. WS120220-08: Approve Change Order 1F to Site Works Specialists, Inc. for St. Cloud Reconstruction, Project No. 2279/CIP No. 50796 for a Decrease of $44,858.75
19. WS120220-09: Approve Change Order 1F to Mainline Contracting, Inc. for Meade Sewer Manhole Relocation Project, Project No. 2378/CIP No. 51162 for an Increase of $1,350.37
20. WS120220-10: Approve Change Order 1F to Simon contractors of SD, Inc. for Lion Drive Rehabilitation Project, Project No. 2474/CIP No. 50549 for a Decrease in the Amount of $5,562.09
21. WS120220-11: Approve Change Order 1F to Lind-Exco, Inc. for Flormann St Water Main Replacement Project, Mt. Rushmore Rd to Apollo Circle, Project No. 2512/CIP No. 51235 for an Increase of $9,872.28
22. WS120220-12: Approve Change Order 2F to J.V. Bailey, Inc. for Sheridan Lake Rd Panel Repair Project, Project No. 2556/CIP No. 50445 for an Increase of $16,080.56
23. WS120220-13: Approve Change Order 2F to Tru-Form construction, Inc. for Pavement Rehabilitation Project, Tower Rd Project No. 2587/CIP No. 50798 for a Decrease of $4,675.11
24. WS120220-14: Authorize Mayor and Finance Director to Sign an Amendment to the Original Agreement Between the City of Rapid City and Advanced Engineering and Environmental Services, Inc. (AE2S) for Engineering Services for Elk Vale Lift Station Gravity Main & Force Main Upgrades Project No. 18-2480/CIP No. 50729, in the Amount of $28,513.00
27. WS120220-17: Approve Extension of 2018 Street Light Maintenance Contract with Lighting Maintenance Co. a Division of Solar Sound Corp. Through Calendar Year 2021 at 2018 Unit Prices for Maintenance of City and SDDOT-owned Street Lights
28. WS120220-18: Authorize Staff to Advertise for Bids for One (1) New Current Model Year Tandem Axle Dump Truck with Anti-Icing system and Valved for Future Plow in the Amount of $182,000.00
29. WS120220-19: Authorize Staff to Advertise for Bids for One (1) New Current Model Year Single Axle Sander Truck with Pre-Wet System and V-Plow with Estimated Cost of $190,000.00

CIP Committee Consent Items
34. No. CIP112020-00 – Acknowledge Capital Improvement Programs Committee Monthly Updates for November 2020.
35. No. CIP112020-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, Summary)
36. No. CIP112020-04 – Approve Capital Plan for Fire Vehicles
37. No. CIP112020-05 – Approve Capital Plan for Parks & Recreation
38. No. CIP112020-06 – Approve Capital Plan for Information Technology
39. No. CIP112020-01 – Acknowledge Financial Report (Summary, DCA Charges and Debt Service)
40. No. CIP112020-02 – Approve Capital Plan for PW Infrastructure

END OF CONSENT ITEMS

Mayor Allender read in item (WS120220-15) Authorize Staff to Seek Proposals for Consultant Services for Fire Station #1 Improvements Project No. 2612 CIP No. 51310. Motion was made by Salamun, second by Strommen to approve. It was clarified that the project funding was coming from the Vision Fund. Roll call vote: The following voted aye: Drew, Nordstrom, Weifenbach, Roberts, Strommen, Armstrong, Salamun, Lehmann, Jones and Evans. The following voted no: None. Motion carried.
Mayor Allender read in item (WS120220-16) Authorize Youth and Family Services to Make Improvements to a City Building Currently Leased at 410 E Monroe Street. Landeen verified that this project was being funded by YFS. Motion was made by Nordstrom, second by Jones to approve. The following voted aye: Drew, Nordstrom, Weifenbach, Roberts, Strommen, Armstrong, Salamun, Lehmann, Jones and Evans. The following voted no: None. Motion carried.

Mayor Allender read in item (WS120220-20) Approve Request to Grant Permanent Drainage Easement to Discovery Village Apartments LLLP to Benefit Property in the Scotts Addition Subdivision. The Developer Agrees to Pay $1,346.40 to the City in Exchange forGranting this Easement. Roberts stated he needed to abstain. Motion was made by Lehmann, second by Weifenbach to approve. The following voted aye: Drew, Nordstrom, Weifenbach, Strommen, Armstrong, Salamun, Lehmann, Jones and Evans. The following voted no: None. Roberts abstained. Motion carried.

Mayor Allender read in item (WS120220-02) Approve Resolution No. 2020-088 a Resolution Writing Off Uncollectable Ambulance Billing Accounts in the Amount of $912,211.15. Jones stated the city tried to collect for these bills and they weren’t paid. He said it was an extreme amount of money to help those in need. Motion was made by Lehmann, second by Salamun to approve. The following voted aye: Drew, Nordstrom, Weifenbach, Roberts, Strommen, Armstrong, Salamun, Lehmann, Jones and Evans. The following voted no: None. Motion carried.

Resolution No. 2020-088
RESOLUTION WRITING OFF UNCOLLECTABLE
AMBULANCE BILLING ACCOUNTS

WHEREAS, The City Finance Office has determined that certain ambulance billing accounts, shown on Appendix A, attached at the Finance Office, and totaling $912,211.15 are uncollectible; and

WHEREAS, It is necessary to relieve the accounts receivable of the City of Rapid City for these accounts.

NOW, THEREFORE BE IT RESOLVED, by the City of Rapid City, that the City Finance Officer be directed to remove such accounts from the active receivable of the City, said accounts being detailed in the official files of the City Finance Office.

Dated this 7th day of December, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)

Mayor Allender read in item (WS120220-03) Approve Rapid City Regional Airport Rates and Charges for FY2021. Drew asked Dame to explain the rates and charges more specifically. Motion was made by Lehmann, second by Jones to approve. The following voted aye: Drew, Nordstrom, Weifenbach, Roberts, Strommen, Armstrong, Salamun, Lehmann, Jones and Evans. The following voted no: None. Motion carried.

Mayor Allender read in item (WS120220-28) Authorize Parks and Recreation Department to Harvest 250 Deer for the 2020/2021 Season. When asked about the cost to process the deer, Biegler said the Parks Department has budgeted to process 150 deer and Sportsmen Against Hunger donates the funds to
process 100 deer. Motion was made by Nordstrom, second by Weifenbach to approve. Motion was made by Lehmann, second by Jones to approve. The following voted aye: Drew, Nordstrom, Weifenbach, Roberts, Strommen, Armstrong, Salamun, Lehmann, Jones and Evans. The following voted no: None. Motion carried.

NON-CONSENT ITEMS – Items 41 – 54
Janelle Finck addressed the council regarding items 45 and 46. She stated this was an exchange of land between neighbors and a private road went to each. She would like the exceptions to be granted.

Kale McNaboe spoke on items 47 and 51. For item 47, he said 91 lots are planned to be constructed. If the exception isn’t granted, the owner can’t do the project. He was available for questions on item 51. Jim Scull also spoke on item 47. He said it was not cost effective to build this development if the exceptions aren’t granted.

Ordinances
Mayor Allender read in item (No. 20RZ037) Approve First Reading, Ordinance 6450, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Tony Marshall for Table Rock Inc. for a Rezoning request from Low Density Residential District II to Medium Density Residential District for property generally described as being located at 2829, 2833, 2837, 2841 and 2845 Horizon Point. Roberts stated he needed to abstain. Motion was made by Lehmann, second by Strommen and carried to approve Ordinance 6450 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, December 21, 2020. The following voted aye: Drew, Nordstrom, Weifenbach, Strommen, Armstrong, Salamun, Lehmann, Jones and Evans. The following voted no: None. Abstain: Roberts. Motion carried.

Mayor Allender read in item (No. 20RZ038) Approve First Reading, Ordinance 6451, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Ferber Engineering Company for B2 Holdings for a Rezoning request from Planned Unit Development to General Commercial District for property generally described as being located at 2233 and 2341 N. Elk Vale Road. Motion was made by Jones, second by Roberts and carried to approve Ordinance 6451 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, December 21, 2020. The following voted aye: Drew, Nordstrom, Weifenbach, Strommen, Armstrong, Salamun, Roberts, Lehmann, Jones and Evans. The following voted no: None.

Working Session Committee Items
Mayor Allender read in item (20RD001) Approve Resolution No. 2020-082 a Request by City of Rapid City for a Road Name Change from Soo San Drive to Sioux San Drive for property generally described as Soo San Drive between West Main Street and Canyon Lake Drive. Evans stated there wasn’t a good reason to change this. He said he would be voting no. Motion was made by Lehmann, second by Armstrong and carried to approve. The following voted aye: Drew, Nordstrom, Weifenbach, Strommen, Armstrong, Salamun, Lehmann, Jones and Roberts. The following voted no: Evans.

RESOLUTION 2020-082
RENAMING SOO SAN DRIVE TO SIOUX SAN DRIVE

BE IT RESOLVED, by the City of Rapid City, that that portion of Soo San Drive right-of-way between West Main Street and Canyon Lake Drive, located in Section 4, T1N, R7E, Rapid City, Pennington County, South Dakota, Rapid City, Pennington County, South Dakota, be and is hereby renamed to Sioux San Drive.

Dated this 7th day of December, 2020.

CITY OF RAPID CITY

33
Mayor Allender read in item (WS120220-25) Appeal by Janelle Finck of an Exception Request Denial to Allow Pavement Width Less than 20 Feet Wide as Part of a Subdivision. Motion was made by Salamun, second by Roberts to approve the exception. The following voted to approve the exception: Drew, Nordstrom, Weifenbach, Strommen, Armstrong, Salamun, Lehmann, Jones, Evans and Roberts. The following voted no: None

Mayor Allender read in item (WS120220-26) Appeal by Janelle Finck of an Exception Request Denial to Waive the Requirement to Install Water Main in HW Gould Memorial Drive as Part of a Subdivision. Motion was made by Salamun, second by Jones to approve the exception. The following voted to approve the exception: Drew, Nordstrom, Weifenbach, Strommen, Armstrong, Salamun, Lehmann, Jones, Evans and Roberts. The following voted no: None

Mayor Allender read in item (WS120220-27) Appeal by Broker Fund Dividend, LLC of an Exception Request Partial Denial to Waive the Requirement to Install Public Improvements in East Anamosa Street. Motion was made by Nordstrom, second by Armstrong to continue the item to the December 21, 2020 meeting. Discussion continued about postponing the item. Roberts stated he needed to abstain. Substitute motion was made by Salamun, second by Jones to approve the exception, without including sewer and water. The following voted to approve the exception: Drew, Weifenbach, Strommen, Armstrong, Salamun, Lehmann, Jones, and Evans. The following voted no: Nordstrom; Abstain: Roberts.

Community Development Items
Mayor Allender read in item (No. 20PL077) A request by Fisk Land Surveying & Consulting Engineers, Inc for Michael and Marnie Gould, Stuart Rice, Ross and Angela McKie for a Preliminary Subdivision Plan for proposed Lots A through D of Skyline Ranch Subdivision No. 2, generally described as being located at 1850, 2300 and 2221 Skyline Ranch Road. Motion was made by Jones, second by Strommen, to approve with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, all information required pursuant to Title 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, design reports for all required infrastructure elements pursuant to Chapter 1.15 of the Infrastructure Design Criteria Manual shall be submitted for review and approval. Prior to approval of the Development Engineering Plan application, the design reports shall be accepted 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 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 JW Gould Memorial Drive located adjacent to the property shall be submitted for review and approval showing the street constructed with a minimum 16-foot wide paved surface with 2-foot wide gravel shoulders, a turnaround at the north end of the street and a water main, all designed in compliance with the Infrastructure Design Criteria Manual or the Exception as administratively approved by staff shall be appealed to City Council for alternate consideration. In addition, the new water main along JW Gould Memorial Drive shall be located within a Utility Easement for the City of Rapid City. A copy of the recorded Utility Easement shall be submitted with the Final Plat application; 4. Upon submittal of a Development Engineering Plan application, construction plans for Skyline Ranch Road shall be submitted for review and approval showing the street constructed with a minimum 20-foot wide paved surface for all sections located within or adjacent to the property or the Exception administratively
approved by staff shall be appealed to the City Council for alternate consideration; 5. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval. In addition, an approved and signed cost estimate shall be submitted with the Final Plat application; 6. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements; 7. Prior to submittal of a Final Plat application, the plat document shall be revised to show access to an adjacent property legally described as: N1/2NE1/4NW1/4SW1/4NW1/4; N1/2NW1/4NE1/4SW1/4NW1/4; N1/2NE1/4SE1/4NE1/4SW1/4NW1/4; N1/2NE1/4NE1/4SW1/4NW1/4; SE1/4NE1/4NE1/4SW1/4NW1/4; N1/2 SE1/4NW1/4NE1/4SW1/4NW1/4, Section 14, T1N, R7E (Tax ID 45853) or documentation identifying that legal access exists shall be submitted; 8. Prior to submittal of a Final Plat application, the plat heading shall be revised to include Section 15 in the “formerly” after E1/2SE1/4NE1/4; 9. Prior to submittal of a Final Plat application, a note shall be placed on the plat document identifying the proposed access easement as private; 10. Upon submittal of a Final Plat application, documentation shall be submitted securing maintenance of the roadways; 11. 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, 12. Prior to the City’s acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. Roll call vote was taken, the following voted aye: Drew, Nordstrom, Welfenbach, Strommen, Armstrong, Salamun, Roberts, Lehmann, Jones and Evans. The following voted no: None.

Mayor Allender read in item (No. 20PL081) A request by Davis Engineering, Inc for Murphy Brothers Partnership, LLC for a Preliminary Subdivision Plan for proposed Lots 19 thru 31 of Block 11, Lots 12 thru 18 of Block 13 and Lot H of Murphy Ranch Estates Subdivision, generally described as being located east of the current terminus of Blackpowder Road, south of Knuckleduster Road. Motion was made by Jones, second by Roberts to approve with the following stipulations: 1. Prior to submittal of a Development Engineering Plan application, the construction plans and plat document shall show the existing 60-foot wide right-of-way for Knuckleduster Road. If the additional 8 feet of right-of-way along Knuckleduster Road is vacated by Pennington County prior to submittal of a Final Plat application, the recording information vacating the right-of-way shall be shown on the plat document; 2. Prior to submittal of a Development Engineering Plan application, the plat document shall be revised to eliminate proposed Lot 18 and Knuckleduster Road shall be extended to the south boundary of the property in order to provide access to the adjacent property in compliance with the previously approved Master Plan for Murphy Ranch Estates and pursuant to Chapter 16.16.040.A of the Rapid City Municipal Code; 3. Upon submittal of a Development Engineering Plan application, construction plans for Knuckleduster Road and Blackpowder Road, local streets, shall be submitted for review and approval showing the street 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; 4. Upon submittal of a Development Engineering Plan application, construction plans for Sako Court, a lane-place cul-de-sac street, shall be submitted for review and approval showing the street located in a minimum 50-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual with the cul-de-sac bulb being 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; 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, easements shall be provided as needed; 6. Upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Registered Professional Engineer in accordance with 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 revised grading plan addressing the current lot layout and recent grading on the property shall be submitted for review and approval; 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 if subdivision improvements are required; 9. Upon submittal of a Development Engineering Plan application, a cost estimate for any required subdivision improvements shall be submitted for review and approval; 10. 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, 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; 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. Upon submittal of a Final Plat application, a Road Maintenance Agreement shall be submitted for review and approval; 13. Upon submittal of a Final Plat application, all necessary easements shall be shown on the plat document, including an easement to address the drainage from Phase 6; 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. Roll call vote was taken, the following voted aye: Drew, Nordstrom, Weifenbach, Strommen, Armstrong, Salamun, Roberts, Lehmann, Jones and Evans. The following voted no: None.

Mayor Allender read in item (No. 20PL083) A request by Fisk Land Surveying & Consulting Engineers, Inc for James Nelson for a Preliminary Subdivision Plan for proposed Lots 1 and 2JN Subdivision, generally described as being located at 8204 and 8208 Nemo Road. Motion was made by Salamun, second by Lehmann to approve with the following stipulations: 1. Prior to submittal of a Final Plat application, a Variance shall be obtained from the City Council waiving the requirement to provide sidewalk along all right(s)of-way and access easements; 2. Prior to submittal of a Final Plat application, the plat document shall be revised to show the dedication of half of the required 68 feet of right-of-way for Bittersweet Road, a collector street on the City’s Major Street Plan; 3. Prior to submittal of a Final Plat application, the plat document shall be revised to show the proposed 40-foot wide private access and utility easement with a minimum width of 50 feet; 4. Prior to submittal of a Final Plat application, the plat document shall be revised to show the recording information for the previously dedicated H Lot (Lot H-1) located adjacent to Nemo Road; 5. Prior to submittal of a Final Plat application, the plat document shall be revised to show the shared well located on proposed Lot 1 and the service line to proposed Lot 2 within a utility easement; 6. Prior to submittal of a Final Plat application, the applicant shall enter into a Wild Fire Mitigation Plan for the property. In addition, a copy of the approved plan shall be submitted with the Final Plat application; 7. Upon submittal of a Final Plat application, the plat document shall continue to show the proposed dedication of 10 feet of right-of-way along Nemo Road; 8. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing maintenance of the roads within the access easement(s) extending through the property; 9. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing maintenance and ownership of the shared well; and, 10. 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. Roll call vote was taken, the following voted aye: Drew, Nordstrom, Weifenbach, Strommen, Armstrong, Salamun, Roberts, Lehmann, Jones and Evans. The following voted no: None.

Mayor Allender read in item (No. 20PL085) A request by Longbranch Civil Engineering, Inc for Tony Marshall for a Preliminary Subdivision Plan for proposed Lots A thru Q of Brielle Subdivision No. 2,
generally described as being located southwest of the intersection of Tower Road and Tower Court. Motion was made by Jones, second by Weifenbach to approve with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval; 2. Upon submittal of a Development Engineering Plan application, an additional four feet of right-of-way shall be dedicated for Tower Road 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; 3. Upon submittal of a Development Engineering Plan application, construction plans for Tower Place, a local street, shall be submitted for review and approval showing the street located in a minimum 52-foot wide right-of-way and constructed pursuant to Figure 2-1 of the IDCM. In addition, the cul-de-sac bulb shall be located in a minimum 96 diameter right-of-way with a minimum 84-foot diameter paved surface 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; 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. 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 Infrastructure Design Criteria Manual. In addition, easements shall be provided as needed. In addition, the sewer main shall be located in public right-of-way 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; 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 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; 7. Prior to submittal of a Final Plat application; the properties shall be Rezoned from Office Commercial District to Medium Density Residential District. And a Final Planned Development Overlay shall be submitted for review and approval; 8. Prior to submittal of a Final Plat application, the plat document shall be revised to show the vacation of the non-access easement in the location of Tower Place; 9. Prior to approval of the Development Engineering Plan application, submitted engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed if subdivision improvements are required. 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; 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, the plat document shall be revised eliminating the Lot I designation. Instead the lots shall be labeled A through H and J through R or shall be labeled Lots 1 through 17; 12. Prior to submittal of a Final Plat application, a note shall be added to the plat document securing a 6 foot wide maintenance easement along the common lot line for the proposed townhome lots; 13. Prior to submittal of a Final Plat application, a different street name for Tower Place 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 name; 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. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within
easement(s). Roll call vote was taken, the following voted aye: Drew, Nordstrom, Weifenbach, Strommen, Armstrong, Salamun, Roberts, Lehmann, Jones and Evans. The following voted no: None.

**Alcoholic Beverage License Applications**

**2021 Retail (on-off sale) Malt Beverage & SD Farm Wine Renewals**

52. Moyle Petroleum Company DBA Common Cents Rushmore Rd, 2660 Mt Rushmore Rd, for a Retail (on-off sale) Wine and Cider license renewal

53. Black Sheep Group, LLC DBA Harriet Café, 329 Main Street, for a Retail (on-off sale) Wine and Cider license renewal

54. Approve the following six Licenses for 2021 Renewal:

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<th>Owner/Master Name</th>
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<td>KHAN HOTEL SD LLC</td>
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<td>RW-24719</td>
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<td>6</td>
<td>RW-27150</td>
<td>GREAT WESTERN CORRAL LLC</td>
<td>GOLDEN CORRAL #778</td>
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**PUBLIC HEARING ITEMS** – Items 55 – 57

**CONSENT PUBLIC HEARING ITEMS** – Items 55 - 56

**Alcohol Licenses**

55. 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 2002

56. Iron PHNX LLC DBA Iron Phnx, 3468 Sturgis Road, 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 Nordstrom to approve items 55 and 56. Roll call vote was taken, the following voted aye: Drew, Nordstrom, Weifenbach, Strommen, Armstrong, Salamun, Roberts, Lehmann, Jones and Evans. The following voted no: None.

**END OF CONSENT PUBLIC HEARING CALENDAR**

**NON-CONSENT PUBLIC HEARING ITEMS** – Item 57

Mayor Allender read in item (No. 20RZ036) Approve Second 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 Jami 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. Having passed its first reading on November 16, 2020 motion was made by Soloman, second by Jones to approve. The following voted AYE: Jones, Roberts, Nordstrom, Strommen, Armstrong, Weifenbach, Soloman, Lehmann, Evans and Drew. NO: None. Whereupon, the Mayor declared the motion passed and Ordinance 6449 was declared duly passed upon its second reading.
### City Council
#### December 7, 2020

**BILLS**
The following bills have been audited:

**BILL LIST - DECEMBER 7, 2020**

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39
RSVP, PIONEER BANK & TRUST, 11/07/20 P/ROLL TAXES, PD 11/13/20  576.03
RSVP, P/ROLL PERIOD END 11/21/20, PD 11/25/20  2,586.39
RSVP, PIONEER BANK & TRUST, 11/21/20 P/ROLL TAXES, PD 11/25/20  572.00
RSVP, COMPUTER BILL LIST  835.98
TOTAL  16,764,785.98

Sumption presented the bill list of $16,764,785.98. Motion was made by Nordstrom, second by Strommen and carried to authorize (No. CC120720-01) the Finance Officer to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. A roll call vote was taken. Those voting aye: Nordstrom, Strommen, Armstrong, Salamun, Lehmann, Weifenbach, Jones, 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 Salamun, second by Roberts and carried to adjourn the meeting at 9:54 p.m.

Dated this 7th day of December, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)
WORK SESSION AGENDA
City of Rapid City, South Dakota
12:30 P.M. Wednesday, December 16, 2020

CALL TO ORDER AT 12:30PM BY LANCE LEHMAN

Members in attendance: Salamun, Wiefenbach, Jones, Drew, Lehman, Armstrong, Strommen, Evans, Roberts, Nordstrom. Absent: None

City Staff present: Joel Landeen, City Attorney; Dale Tech, Public Works Director; Ken Young, Community Development Director; Pauline Sumption, Finance Director; Jason Culberson, Fire Chief; Jeff Bieglher, Parks and Recreation; Jess Rogers, Assistant City Attorney; Ted Johnson, City Engineer; Michelle Schuelke, CDBG Manager; Kelly Brennan, Long Range Planner; Kip Harrington, Long Range Planner;

PARKS AND RECREATION BIEGLER SPOKE TO ITEM
1) WSO11321-01: Authorize Purchase of two (2) 2021 RAM 2500 Crew Cab, 4X4, 6.4L V8 Trucks from Liberty Superstores 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) WSO11321-12: Approve Purchase of Rosenbauer Aerial Fire Apparatus through Source Well (Former NJPA) in the amount of $999,257.00.

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) WSO11321-02: Resolution No. 2021-003 Establishing 2021 Encumbrances
5) WSO11321-15: Resolution No. 2021-002 – Resolution Levying Assessment for Abatement of Nuisances
6) WSO11321-16: Resolution 2021-004 - Resolution Declaring Miscellaneous Personal Property Surplus to be traded.

PUBLIC WORKS TECH SPOKE TO ITEMS 7-12
7) 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.
8) WSO11321-04: Authorize Staff to Advertise Bids for Pavement Rehabilitation Project – Rand Road, Project No. 20-2618 / CIP No. 50798. Estimated Cost $340,000
9) WSO11321-05: Request Authorization to Seek Proposals for Engineering Services for WRF Aeration Basin Clarifier and Siphon Piping Construction, Project Number 2629 / CIP Number 51129
10) 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 $116,715.50
11) WSO11321-13: Request to purchase 2020 M4HSMD mechanical sweeper through Sourcewell, Global Environmental, Transource Contract #122017-GEP In the amount of $261,606.00
12) WSO11321-14: 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, SALAMUN, JONES, WEIFENBACH ASKED QUESTIONS ON ITEMS 13-15. HARRINGTON SPOKE TO ITEM 16. BRENNAN SPOKE TO ITEM 17. EVANS, WEIFENBACH COMMENTED ON ITEMS 16-17.
13) WS011321-06: Approve the Preliminary Recommendations of FY20 CDBG-CV3 funds
14) WS011321-07: Authorize the Mayor and Finance Director to sign the FY20 CDBG-CV Grant Funding Agreement
15) WS011321-08: 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 Land, Inc. for Digital GIS Base Map Development Services in an amount not to exceed $60,979.19
17) 21TP001: Authorize staff to advertise the Request for Proposals for the Cambell Street Structure Replacement and Multi-modal Routing Study

**MAYOR/COUNCIL ITEMS**

18) WS011321-09: Confirm the reappointment of Michael Calabrese and the new appointment of Roger Heacock to the Parks & Recreation Advisory Board.
19) WS011321-10: Confirm the reappointment of Kyle Blada to the Historic Sign Review Committee.

**REGULAR BUSINESS ITEMS** (Council Non-Consent Calendar)

None Identified

**Public Comment opened**
Rita Dupree, 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., Monday, December 21, 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, December 21, 2020 at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Alderpersons: Greg Strommen, Laura Armstrong, Jason Salamun, Ritchie Nordstrom, and Lance Lehmann; Pat Jones, Ron Weifenbach and Bill Evans participated by phone; the following Alderpersons arrived during the course of the meeting: None; and the following were absent: John Roberts

Staff members present included: Finance Director, Pauline Sumption, City Attorney Joel Landeen, Police Chief Don Hedrick, Fire Chief Jason Culberson, Public Works Director Dale Tech, Community Development Director Ken Young, Parks and Recreation Director Jeff Biegler, IT Director Jim Gilbert, Human Resources Director Nick Stroot, Assistant City Attorney Jess Rogers and Administrative Coordinator Heidi Weaver.

ADOPTION OF AGENDA
Motion was made by Nordstrom, second by Armstrong and carried to approve the agenda. Roll call vote: AYE: Jones, Lehmann, Salamun, Evans, Nordstrom, Weifenbach, Drew, Strommen, and Armstrong. NO: none

AWARDS AND RECOGNITIONS
Presentation was given by Annie Lloyd from the Recovering Communities of SD Coalition. She stated it’s important to look for ways to stay connected without drugs or alcohol. She spoke on addiction, recovery, and helping others.

GENERAL PUBLIC COMMENT
Tonchi Weaver, Bill Clayton, Jasmine Stangle and Lorraine Besmer all spoke against Councilwoman Laura Armstrong. They believe she violated the City Council Code of Conduct and she should be reprimanded.

NON-PUBLIC HEARING ITEMS -- Items 2 – 38
CONSENT ITEMS – Items 2 – 36
The following items were removed from the Consent Items:


8. WS121620-06: Authorize the Mayor and Finance Director to Sign Agreement between the Local 1031, Council 65, American Federation of State, County, and Municipal Employees AFL-CIO and the City of Rapid City for the Period of January 1, 2021 to December 31, 2022.

29. WS121620-26: Approve Request from Black Hills Blends for a Variance to Waive the Requirement to Install Sidewalk per City Ordinance 12.08.060 along E. Saint Francis Street for the property located at 907 E. Saint Patrick Street.

Motion was made by Armstrong, second by Lehmann to approve items 2-36 with the exception of items 7, 8, 9 and 29. Roll call vote was taken: Those voting AYE: Armstrong, Jones, Lehmann, Salamun, Evans, Strommen, Drew, Nordstrom and Weifenbach. No: none.

Approve Minutes
2. Approve Minutes for the December 7, 2020 Regular Council meeting.

Tax Increment District Set for Hearing (January 4, 2021)
3. No. 20TI006 - A request by Dream Design International, Inc. for Yasmeen Dream, LLC for a Resolution to Create TID and Approve a Project Plan for the E Anamosa Street Water Extension for property generally described as being located east of E North Street, north of SD Highway 44, west of Elk Vale and south of Eglin Street.

Working Session Consent Items
4. WS121620-02: Confirm the reappointment of James Emmert and the new appointment of Emily Tupa to the Rapid City Public Library Board of Trustees.
5. WS121620-03: Confirm the reappointments of Stacie Hull and Logan Steffens and the new appointment of Mark Aftanski to the Hotel BID Board.
6. WS121620-04: Confirm the appointments to the newly formed Human Relations Commission in partnership with Mniuzahan Okolakicyapi Ambassadors.
10. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Judith Berry (RSVP+), Rosalee Johnson (RSVP+), Lois Meyer (RSVP+), Curt Sandstrom (RSVP+), Bill Nachatilo (RSVP+).
11. WS121620-08: Approve Request for Property Tax Abatements as Follows: Angel Gerald, 2019, $62.02; [Total for all Rapid City: $62.02]
12. WS121620-09: Approve Resolution No. 2020-093 a Resolution Levying Assessment for Abatement of Nuisances.

RESOLUTION NO. 2020-093
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 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 21st day of December, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)

13. WS121620-10: Approve Resolution No. 2020-094 A Resolution Authorizing and Directing the Issuance and Sale of Wastewater Revenue Bonds, Series 2021, to Pay the Cost of Improvements to the Municipal Wastewater Treatment Utility and Defining the Terms and Manner of Payment of the Bonds and the Security Thereof

RESOLUTION NO. 2020-094

RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE AND SALE OF WASTEWATER REVENUE BONDS, SERIES 2021, TO PAY THE COST OF IMPROVEMENTS TO THE MUNICIPAL WASTEWATER TREATMENT UTILITY AND DEFINING THE TERMS AND MANNER OF PAYMENT OF THE BONDS AND THE SECURITY THEREOF

BE IT RESOLVED by the City Council of the City of Rapid City, South Dakota (the “City”), as follows:

SECTION 1. RECITALS, AUTHORIZATION AND FINDINGS.

1.1. Recitals. The City currently operates a wastewater collection system and wastewater treatment facilities (collectively, the “Utility”), for municipal, industrial and domestic purposes.

1.2. Authorization. Pursuant to South Dakota Codified Laws, Chapter 9-40 (the “Act”), the City is authorized to issue its Wastewater Revenue Bonds, Series 2021 (the “Series 2021 Bonds,” and, together with any additional bonds issued pursuant to Section 5.3 hereof, the “Bonds”), the proceeds of which will be used, together with such other available funds of the Utility as may be required, to defray the costs of acquiring and constructing improvements to the Utility, consisting of the acquisition and construction of the Elk Vale Force Mains and Gravity Mains Upgrades and related improvements (the “Improvements”). The estimated cost of the improvements is not less than $8,200,000. The City is authorized to acquire the Improvements, to issue the Series 2021 Bonds in order to defray the costs thereof, and to make all pledges, covenants and agreements authorized by law for the protection of the owners of the bonds including, without limitation, those covenants set forth in Section 9-40-16 and 9-40-17 of the Act. The utility revenue bonds are payable solely from the revenue or income derived from the operation of the Improvements and shall not constitute an indebtedness of the City within the meaning of any constitutional or statutory provisions or limitations.

1.3. Findings. It is hereby found, determined and declared to be in the best interests of the City to issue the Series 2021 Bonds in accordance with the Act and under the terms and conditions set forth in this resolution (the “Resolution”).
SECTION 2. SALE, BOND PURCHASE AGREEMENT, OFFICIAL STATEMENT AND APPROVAL AND EXECUTION OF DOCUMENTS.

2.1. Sale. The Series 2021 Bonds authorized hereby shall be issued in one or more series, in an aggregate principal amount not to exceed $8,200,000, shall be sold to Colliers Securities (the "Underwriter") at a purchase price (exclusive of original issue discount) of not less than 99.576% of par and at an original issue discount not to exceed 2% of par, shall have a bond yield for arbitrage purposes not greater than 1.95% and shall mature over a period not to exceed 20 years.

The Mayor and Finance Director are further authorized and directed to agree with the Underwriter upon the exact purchase price, principal amount, maturities, redemption provisions and interest rate or rates for the Series 2021 Bonds, within the parameters set forth in this Section 2.1.

2.2. Bond Purchase Agreement. The execution of a Bond Purchase Agreement setting forth such final terms by the Mayor and Finance Director is hereby approved and authorized and such execution shall be conclusive evidence of such agreement and shall be binding upon the City. The provisions of the Bond Purchase Agreement as so executed, including all Exhibits and Appendices thereto, are incorporated herein by reference. The law firm of Dorsey & Whitney LLP, in Minneapolis, Minnesota, is hereby appointed as bond counsel for purposes of the issuance of the Series 2021 Bonds.

2.3. Official Statement. The Series 2021 Bonds will be offered for sale by means of an Official Statement. The Mayor, the City Attorney, and the Finance Director, are authorized, in cooperation with the Underwriter and Bond Counsel, to prepare a Preliminary Official Statement to be distributed to prospective purchasers of the Series 2021 Bonds. The Finance Director is hereby authorized on behalf of the City to deem the Preliminary Official Statement a "final" official statement as of its date, in accordance with Rule 15c2-12(b)(1) promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934. The Mayor and the Finance Director are hereby authorized and directed to approve, and, if requested, to execute the final Official Statement to be prepared substantially in the form of the Preliminary Official Statement, including final pricing terms. Execution of the Official Statement by appropriate officers of the City shall be conclusive as to the approval thereof by this Council. The City hereby consents to the distribution of the Preliminary Official Statement and the Official Statement to prospective purchasers of the Series 2021 Bonds.

2.4. Approval and Execution of Documents. Upon the determination of the terms of the Series 2021 Bonds (within the limits set forth herein), the Bond Purchase Agreement and such other documents and certificates as may be approved by the City Attorney shall be executed in the name and on behalf of the City by the Mayor and the Finance Director in substantially the form on file, but with such changes therein, not inconsistent with this Resolution, the Bond Purchase Agreement or other law, as may be approved by the officers executing the same, which approval shall be conclusively evidenced by the execution thereof.

SECTION 3. TERMS, EXECUTION AND DELIVERY.

3.1. Date, Maturities and Interest Rates. The Series 2021 Bonds shall be issued in the denomination of $5,000 each, or any integral multiple thereof, shall mature on the dates and in the respective years and amounts, and shall bear interest from date of original issue until paid
or duly called for redemption payable on the dates and at the respective annual rates as set forth in the Bond Purchase Agreement.

3.2. Dates and Interest Payment Dates. Each Series 2021 Bond shall bear a date of original issue as of the date on which the Series 2021 Bonds are delivered to the Underwriter. The interest on the Series 2021 Bonds shall be payable on the interest payment dates specified in the Official Statement to the owner of record thereof as the close of business on the fifteenth day of the immediately preceding month, whether or not such day is a business day.

3.3. Redemption. The Series 2021 Bonds shall be subject to redemption prior to maturity, at the option of the City, in the years and at the redemption prices set forth in the Bond Purchase Agreement in such order of maturities as may be designated by the City and, within any maturity, in $5,000 principal amounts selected by the Registrar by lot, assigned in proportion to their principal amounts. The Finance Director shall cause notice of the call for redemption thereof to be published as and if required by law, and, at least thirty days prior to the designated redemption date, shall cause notice of the call thereof for redemption to be mailed, by first class mail (or, if applicable, by the bond depository in accordance with its customary procedures), to the registered owners of any Series 2021 Bonds to be redeemed, but no defect in or failure to give such mailed notice shall affect the validity of proceedings for the redemption of any Series 2021 Bond not affected by such defect or failure. The notice of redemption shall specify the redemption date, redemption price, the numbers, interest rates and CUSIP numbers of the Series 2021 Bonds to be redeemed and the place at which the Series 2021 Bonds are to be surrendered for payment, which is the principal office of the Registrar. Official notice of redemption having been given as aforesaid, the Series 2021 Bonds or portions of Series 2021 Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the City shall default in the payment of the redemption price) such Series 2021 Bonds or portions of Series 2021 Bonds shall cease to bear interest. Upon partial redemption of any Series 2021 Bond, a new Series 2021 Bond or Series 2021 Bonds will be delivered to the registered owner without charge, representing the remaining principal amount outstanding.

3.4. Appointment of Initial Registrar. The City hereby appoints U.S. Bank National Association (the "Registrar") as the initial registrar, transfer agent and paying agent for the Series 2021 Bonds. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, such corporation shall be authorized to act as successor Registrar. The City reserves the right to remove the Registrar upon thirty (30) days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar shall deliver all cash and Series 2021 Bonds in its possession to the successor Registrar and shall deliver the bond register to the successor Registrar.

SECTION 4. WASTEWATER FUND.

4.1. Parity Bonds; Bond Proceeds and Revenues Pledged and Appropriated. A fund designated as the Wastewater Fund (the "Fund") is and shall be maintained as a separate and special bookkeeping account on the official books of the City until all Bonds payable from the Net Revenues of the Improvements, as provided in Section 5 hereof, have been fully paid, or the City’s obligation with reference to the Series 2021 Bonds has been discharged as provided in this Resolution. An account to be designated as the 2021 Improvements Revenue Account (the "Revenue Account") is established within the Fund and shall be maintained as a separate and special bookkeeping account on the official books of the City until all Bonds payable from
the Net Revenues of the Improvements as provided in Section 5 hereof, have been fully paid, or the City's obligation with reference to the Series 2021 Bonds has been discharged as provided in this Resolution. All gross revenues derived from the operation of the Improvements are irrevocably pledged and appropriated and shall be credited to the Revenue Account as received. As described in Section 6.10 hereof, the City shall impose rates and charges for the availability, benefit and use of the Improvements as part of the Utility and shall aggregate the gross revenues derived from such surcharge and the Improvements, together with the expenses of operation and maintenance of the Improvements and shall account for them as provided in this Resolution; except as expressly stated in this Resolution, the pledges, appropriations, covenants and agreements of the City and the subaccounts established within the Revenue Account by the Resolution apply only to the Improvements, its operations, revenues and expenses. The City has found that acquisition and construction of the Improvements will benefit all present and future users of the Utility, therefore the surcharge described in Section 6.10 is being imposed on all current and future users of the Utility. Such gross revenues shall include all gross income and receipts from rates, fees, charges and rentals imposed for the availability, benefit and use of the Improvements as now constituted and of all replacements and improvements thereof and additions thereto, and from penalties and interest thereon, and from any sales of property acquired for the Improvements and all income received from the investment of such gross revenues, but not any taxes levied or amounts borrowed or received as grants for construction of any part of the Improvements. The Revenue Account shall be subdivided into separate subaccounts as designated and described in Sections 4.2 to 4.7, to segregate income and expenses received, paid and accrued for the respective purposes described in those sections. The gross revenues received in the Revenue Account shall be apportioned monthly or as soon as possible after the first day of each month, commencing the first calendar month following the delivery of the Series 2021 Bonds, which apportionment is hereinafter referred to as the "monthly apportionment."

4.2. Construction Subaccount. The Construction Subaccount is established as a subaccount within the Revenue Account. The Construction Subaccount shall be used only to pay as incurred and allowed costs which under generally accepted accounting principles are capital costs of the Improvements, and of such future reconstructions, improvements, betterments or extensions of the Improvements as may be authorized in accordance with law; including but not limited to payments due for work and materials performed and delivered under construction contracts, architectural, engineering, inspection, supervision, fiscal and legal expenses, the cost of lands and easements, interest accruing on Bonds during the first three years following the date of their delivery, if and to the extent that the Debt Service Subaccount is not sufficient for payment of such interest, reimbursement of any advances made from other City funds, and all other expenses incurred in connection with the construction and financing of any such undertaking. To the Construction Subaccount shall be credited as received all proceeds of Bonds, except amounts appropriated to the Debt Service Subaccount and the Reserve Subaccount, all other funds appropriated by the City for the Improvements, and all income received from the investment of the Construction Subaccount. The proceeds of any property insurance claim with respect to the Improvements received pursuant to Section 6.3 hereof shall be deposited in the Construction Subaccount and applied to the repair, replace and restoration of the Improvements.

4.3. Operating Subaccount. The Operating Subaccount is hereby established as a separate subaccount within the Revenue Account. On each monthly apportionment there shall first be set aside and credited to the Operating Subaccount, as a first charge on the gross revenues of the Improvements, such amount as may be required over and above the balance then held in the Operating Subaccount to pay the reasonable and necessary operating
expenses of the Improvements which are then due and payable, or are to be paid prior to the next monthly apportionment. The term "operating expenses" shall mean the current expenses, paid or accrued, of operation, maintenance and current repair of the Improvements, calculated in accordance with generally accepted accounting principles, and shall include, without limitation, administrative expenses of the City relating solely to the Improvements, premiums for insurance on the properties thereof, labor and the cost of materials and supplies used for current operation and for maintenance, and charges for the accumulation of an appropriate reserve (the "Operating Reserve") for current expenses which are not recurrent monthly but may reasonably be expected to be incurred in accordance with generally accepted accounting principles. Such operating expenses shall not include any allowance for depreciation or renewals or replacements of capital assets of the Improvements and shall not include any portion of the salaries or wages paid to any officer or employee of the City, except such portion as shall represent reasonable compensation for the performance of duties necessary to the operation of the Improvements, nor any amount properly payable from any other subaccount of the Revenue Account. Moneys in the Operating Subaccount shall be used solely for the payment of current operation expenses of the Improvements. The Net Revenues of the Improvements, as referred to in this Resolution, are hereby defined to include the entire amount of such gross revenues remaining after each such monthly apportionment, crediting to the Operating Subaccount the amount required hereby, including sums required to maintain the Operating Reserve.

4.4. Debt Service Subaccount. The Debt Service Subaccount is established as a subaccount within the Revenue Account. Upon each monthly apportionment, there shall be transferred to the Debt Service Subaccount out of the Net Revenues of the Improvements, an amount equal to not less than one-twelfth of the total sum of the principal and interest to become due within the then next succeeding twelve months on all Series 2021 Bonds and any Additional Bonds issued on a parity therewith, after giving credit to proceeds of Series 2021 Bonds on deposit therein for the payment of capitalized interest.

If on the 25th day of the month preceding any Interest Payment Date there are not sufficient amounts on deposit in the Debt Service Subaccount to pay the total amount of interest coming due on such Interest Payment Date, the City shall transfer any moneys then on deposit to the credit of the Surplus Subaccount, in an amount equal to such deficiency, for deposit in the Debt Service Subaccount.

If on the 25th date of the month preceding any Principal Payment Date there are not sufficient amounts on deposit in the Debt Service Subaccount to pay the total amount of principal coming due on such Principal Payment Date, the City shall transfer any moneys then on deposit in the Surplus Subaccount, in an amount equal to such deficiency, for deposit in the Debt Service Subaccount.

4.5. Reserve Subaccount. The Reserve Subaccount is established within the Revenue Account. There shall be credited to the Reserve Subaccount from the proceeds of the Bonds, an amount equal to the reserve requirement, if any, calculated with respect to the Bonds. Thereafter, in the event that the amount on deposit in the Reserve Subaccount shall thereafter fall below such reserve requirement, additional deposits shall be made from Net Revenues of the Improvements, after the requirements of the Debt Service Subaccount have been satisfied, to the Reserve Subaccount until the reserve requirement is again reached. Upon the issuance of any Additional Bonds, the reserve requirement may be increased to reflect the issuance thereof. The balance required shall be funded on the delivery date of the Additional Bonds. Moneys on hand in the Reserve Subaccount shall be used only to pay maturing principal and
interest on the Bonds and any Additional Bonds secured thereby when other moneys in the Debt Service Subaccount are insufficient therefor.

4.6. Replacement and Depreciation Subaccount. The Replacement and Depreciation Subaccount is hereby established as a separate subaccount within the Revenue Account. There shall next be set aside and credited, upon each monthly apportionment, to the Replacement and Depreciation Subaccount such portion of the Net Revenues, in excess of the current requirements of the Debt Service Subaccount and the Reserve Subaccount (which portion of the Net Revenues is referred to herein as Surplus Net Revenues), as the City Council shall determine to be required for the accumulation of a reasonable reserve for renewal of worn out, obsolete or damaged properties and equipment of the Improvements. Moneys in this subaccount shall be used only for the purposes above stated or, if so directed by the City Council, to redeem Bonds which are prepayable according to their terms, to pay principal or interest when due thereon as required in Section 4.4 hereof, or to pay the cost of improvements to the Improvements; provided, that in the event that the City shall hereafter issue bonds for the purpose of financing the construction and installation of additional improvements or additions to the Improvements, but which additional bonds cannot, upon the terms and conditions provided in Section 5, be payable from the Debt Service Subaccount, Surplus Net Revenues from time to time received may be segregated and paid into one or more separate and additional subaccounts from the payment of such bonds and interest thereon, in advance of payments required to be made into the Replacement and Depreciation Subaccount.

4.7. Surplus Account. The Surplus Subaccount is hereby established as a separate account within the Revenue Account. Any amount of the Surplus Net Revenues from time to time remaining after the above required applications thereof shall be credited to the Surplus Subaccount, and the moneys from time to time in that account, when not required to restore a current deficiency in the Debt Service Subaccount as provided in Section 4.4 hereof, may be used for any of the following purposes and not otherwise:

(a) To redeem and prepay Bonds when and as such Bonds become prepayable according to their terms;

(b) To purchase Bonds on the open market, whether or not the Bonds so purchased or other such Bonds may then be prepayable according to their terms; and, if the Reserve Subaccount is then funded to the full amount required to be maintained therein, and the balances in the Debt Service Subaccount and the Replacement and Depreciation Subaccount are sufficient to meet all payments required or reasonably anticipated to be made therefrom prior to the end of the current fiscal year, then;

(c) To pay for repairs of or for the construction and installation of improvements or additions to the Utility; and, if the Reserve Subaccount is then funded to the full amount required to be maintained therein, and the balances in the Debt Service Subaccount and the Replacement and Depreciation Subaccount are sufficient to meet all payments required or reasonably anticipated to be made therefrom prior to the end of the then current fiscal year, then;

(d) To be held as a reserve for redemption and prepayment of the Bonds which are not then but will later be prepayable according to their terms; or

(e) To be used for any other authorized municipal purpose designated by the City Council.
No moneys shall at any time be transferred from the Surplus Subaccount or any other account of the Revenue Account to any other fund of the City, nor shall such moneys at any time be loaned to other municipal funds or invested in warrants, special assessment bonds or other obligations payable from other funds, except as provided in this section.

4.8. Deposit and Investment of Funds. The Finance Director shall cause all moneys pertaining to those subaccounts in the Revenue Account which are maintained by the City to be deposited as received with one or more banks which are duly qualified public depositories under the provisions of Chapter 4-6A, SDCL, in a deposit account or accounts, which shall be maintained separate and apart from all other account of the City, so long as any of the Bonds and the interest thereon shall remain unpaid. Any of such moneys not necessary for immediate use may be deposited with such depository banks in savings or time deposits. No moneys shall at any time be withdrawn from such deposit accounts except for the purposes of the Revenue Account as authorized in this Resolution; except that moneys from time to time on hand in the Revenue Account may at any time, in the discretion of this Council, be invested in securities permitted by the provisions of Section 4-5-6, SDCL; provided, that the Replacement and Depreciation Subaccount and the Surplus Subaccount may be invested in such securities maturing not later than ten years from the date of the investment; and provided further, that moneys in the Surplus Subaccount may, in the discretion of this Council, be invested in any securities which are direct, general obligations of the City. Income received from the deposit or investment of moneys shall be credited to the subaccount from whose moneys the deposit was made or the investment was purchased, and handled and accounted for in the same manner as other moneys in that subaccount.

SECTION 5. PRIORITIES AND ADDITIONAL BONDS.

5.1. Priority of Bond Payments. Each and all of the Bonds shall be equally and ratably secured by and payable out of the Net Revenues of the Improvements without preference or priority of any one Bond over any other by reason of serial number or otherwise, provided that if at any time the Net Revenues of the Improvements are insufficient to pay principal and interest then due on all Bonds, any and all moneys then on hand shall be first used to pay the interest accrued on all outstanding Bonds, and the balance shall be applied toward payment of the maturing principal of Bonds in order of their maturities, the earliest maturing Bonds to be paid first, and pro-rata in payment of Bonds maturing on the same date.

5.2. Refunding Revenue Bonds. The City reserves the right and privilege of refunding any or all of the Bonds, but only subject to the following terms and conditions:

(a) Any matured Bonds may be refunded if moneys available for the payment thereof at maturity, within the limitation prescribed in Section 5.1 hereof, should at any time be insufficient to make such payment in full.

(b) Any Bonds may be refunded prior to maturity, as and when they become prepayable according to their terms.

(c) Provision may be made for the payment and refunding of any unmatured Bonds by the deposit with a duly qualified depository bank, as escrow agent, of a sufficient amount of cash, or of Bonds or other general obligations of the United States, or of securities whose principal and interest payments are guaranteed by the United States, to pay the principal amount of such outstanding Bonds with interest to the earliest subsequent date, if any, upon which the same may be called for redemption and
prepayment, and with interest to the maturity of any such Bonds which are not subsequently prepayable.

(d) Any refunding revenue bonds issued for the above purposes may be made payable from the Net Revenues of the Improvements on a parity as to interest with all then outstanding Bonds without meeting the Net Income test for Additional Bonds set forth in Section 5.3, so long as

(i) (1) the maturity of each refunding revenue bond shall be subsequent to the last maturity of any then outstanding Bonds which are not refunded or to be refunded out of moneys on deposit with such escrow agent, and (2) no bondholder shall be required to accept a refunding revenue bond in exchange for any Bond owned by such bondholder; or

(ii) (1) the final maturity of the refunding bonds does not exceed the final maturity of the bonds being refunded, and (2) maximum annual debt service on the refunding bonds is not more than 125% of the maximum annual debt service on the bonds being refunded.

5.3. Other Parity Bonds. The City reserves the right to issue additional bonds payable from the Debt Service Subaccount of the Revenue Account, on a parity as to both principal and interest with the Series 2021 Bonds (the "Additional Bonds"), for the purpose of completing the acquisition and construction of the Improvements if (i) no default has occurred and is continuing under this Resolution, and (ii) the Net Income of the Improvements, as defined herein, for the last complete fiscal year of the City preceding the issuance of such Additional Bonds has equaled at least 125% of the average annual principal and interest payable from the Debt Service Subaccount in any subsequent calendar year during the term of the outstanding Bonds, on all Bonds then outstanding and on the Additional Bonds proposed to be issued. The Net Income of the Improvements is hereby defined to mean, for any fiscal year, the total operating revenues of the Improvements, less the total operating expenses thereof, to which shall be added investment income, depreciation and interest expense, all as determined in accordance with generally accepted accounting principles. For the purpose of the foregoing computation, the Net Income for the fiscal year preceding the issuance of Additional Bonds shall be the Net Income shown by the official books and records of the City, except that if the rates and charges for services provided by the Improvements have been changed since the beginning of such preceding fiscal year, then the rates and charges in effect at the time of issuance of the Additional Bonds shall be applied to the quantities of service actually rendered and made available during such preceding fiscal year to ascertain the gross revenues, from which there shall be deducted to determine the Net Income the actual operation and maintenance cost for the last complete fiscal year as shown by the official books and records of the City plus any additional annual costs of operation and maintenance which the engineer for the City estimates will be incurred because of the improvement or extension of the Improvements to be constructed from the proceeds of the Additional Bonds proposed to be issued. In no event shall any Additional Bonds be issued and made payable from the Debt Service Subaccount if the City is then in default in any payment of principal or interest deficiency in the balances required by this Resolution to be maintained in any of the subaccounts of the Revenue Account. Notwithstanding the provisions of Section 7 hereof requiring consent of the registered owners of all outstanding Bonds, the provisions of this section may, with respect to the issuance of Additional Bonds, be waived or amended with the written consent of the registered owners of not less than three-quarters in principal amount of the outstanding Bonds.
5.4. **Subordinate Lien Bonds.** Notwithstanding the above provisions of this Section 5, nothing contained in this Resolution or in the Bonds shall be construed to preclude the City from issuing bonds when necessary for the enlargement, improvement or extension of the Improvements, provided such bonds, whether constituting a general obligation of the City or payable solely from wastewater revenues, are expressly made a charge on and are payable only from the Surplus Net Revenues of the Improvements as defined in Section 4.7 hereof and are not superior to or on a parity with the Series 2021 Bonds.

**SECTION 6. COVENANTS.**

6.1. **General.** The City covenants and agrees with the registered owners from time to time of all Bonds that the recitals contained in Section 1 are correct; and that, subject to Section 6.5 hereof, until all Bonds are fully discharged as provided in this Resolution, it will continue to hold, maintain and operate the Utility and the Improvements as a part thereof, as a public utility and convenience, free from all liens thereon or on the income therefrom other than the liens herein granted or provided for, will observe prudent utility practices, and will maintain, expend and account for the Revenue Account and the several accounts therein as provided in Section 4, and will issue no Additional Bonds or other obligations constituting a lien or charge on the Net Revenues of the Improvements except upon the conditions and in the manner prescribed in Section 5, and will perform and cause all officers and employees of the City to perform and enforce each and all of the additional covenants and agreements set forth in this section.

6.2. **Competing Service.** The City will not establish or authorize the establishment of any other system for the public supply of service or services in competition with any or all of the services supplied by the facilities of the Utility or the Improvements.

6.3. **Property Insurance.** The City will cause all buildings, properties, fixtures and equipment constituting a part of the Utility or the Improvements to be kept insured with a reputable insurance carrier or carriers, qualified under the laws of South Dakota, or a qualified municipal insurance pool, in such amounts as are ordinarily carried, and against loss or damage by such hazards and risks as are ordinarily insured against by public utilities owning and operating properties of a similar character and size; provided that if at any time the City is unable to obtain insurance, it will obtain insurance in such amounts and against risks as are reasonably obtainable. The proceeds of all such insurance shall be available for the repair, replacement or reconstruction of damaged or destroyed property, and any proceeds attributable to the Improvements shall be deposited in the Construction Account and applied as provided in Section 4.2 hereof, and until paid out in making good such loss or damage, are pledged as security for the outstanding Bonds issued hereunder. All insurance proceeds received with respect to the Improvements in excess of the amount required for restoration of the loss or damage compensated thereby shall be and become part of the revenues appropriated to the Revenue Account. If for any reason insurance proceeds are insufficient for the repair, replacement and reconstruction of the insured property constituting a part of the Improvements, the City shall supply the deficiency from revenues on hand in the Replacement and Depreciation Subaccount and the Surplus Subaccount, and may supply it from any other City funds, but is not obligated to the registered owners so to do unless the deficiency results from breach of the covenant in this section.

6.4. **Liability Insurance and Surety Bonds.** The City will carry insurance against liability of the City and its employees for damage to persons and property resulting from the operation of the Utility, and the Improvements as a part thereof, in amounts the City determines from time to time to be necessary or advisable by reason of the character and extent of such operation. It
will also cause all persons handling money and other assets of the Utility and the Revenue Account to be adequately bonded for the faithful performance of their duties and to account for and pay over such money to the City. All amounts received under such insurance and bonds shall be applied to the payment of the loss or damage covered thereby. The premiums for all insurance and bonds required by this section and by Section 6.3 constitute part of the Operating Expenses of the Improvements, but no insurance liabilities of the City in excess of amounts received under such insurance and bonds shall constitute a lien or charge on revenues or any other assets herein or otherwise pledged to the Debt Service Subaccount. Such insurance may be obtained through a qualified municipal insurance pool.

6.5. Disposition of Property. The City will not mortgage, lease, sell or otherwise dispose of any real or personal properties of the Improvements, unless:

(a) Prior to or simultaneous with such mortgage, lease, sale or other disposition, all of the outstanding Bonds shall be discharged as provided in Section 8; or

(b) The properties to be mortgaged, leased sold or otherwise disposed of are unserviceable, inadequate, obsolete or no longer required for use in connection with the Improvements, and all proceeds of the mortgage, lease, sale or other disposition of such properties are deposited into the Revenue Account.

6.6. Books and Records. The City will cause proper and adequate books of record and account to be kept showing complete and correct entries of all receipts, disbursements and other transactions relating to the Utility, and the Improvements as a part thereof, the gross revenues derived from the operation of the Improvements, and the segregation and application of the gross revenues in accordance with this Resolution, in such reasonable detail as may be determined by the City in accordance with generally accepted accounting practice and principles.

6.7. Cost of Insurance and Accounting. The insurance and fidelity bond premiums and the cost of the bookkeeping and audits herein provided for and of the billings and collection of the wastewater utility rates, charges and rentals, with respect to the Utility, shall be payable from the Operating Subaccount.

6.8. Handling of Funds. The employees of the City, under the direction and control of the Finance Director, shall keep books of accounts, issue statements and collect bills for the rates, charges and rentals for the services and facilities provided by the Utility and the Improvements and for other money currently receivable on account thereof and shall, to the extent required by Section 5.10, provide for the discontinuance of service in case of nonpayment for services or noncompliance with regulations. All money collected with respect to the Utility shall be deposited with the Finance Director.

6.9. Rules and Regulations. The rules and regulations for operation of the Utility and the Improvements and the use of wastewater utility service from the Improvements shall be as provided in the existing ordinances and resolutions of the City, and any ordinances and resolutions subsequently adopted amendatory thereof or supplemental thereto.

6.10. Rates and Charges. The City through the City Council will maintain, revise, charge and collect rates and other charges for service furnished and made available by the Improvements, according to schedules such that the gross revenues derived therefrom will be sufficient, when combined with other available funds, to pay when due all expenses of the
operation and maintenance of the Improvements, and all principal of and interest on Bonds, to provide for the establishment and maintenance of adequate reserves therefor, and to provide an allowance adequate for recurring renewals and replacements of the Improvements, and to fulfill the terms of all other agreements with registered owners of the City’s bonds. Such rates and charges shall at all times be sufficient to produce Net Revenues (as defined in Section 4.3) for each fiscal year at least equal to 125% of the principal of and interest on the Bonds (including any parity lien Bonds hereafter issued) payable from the Debt Service Subaccount coming due in such fiscal year. The rates and charges with respect to the Improvements shall be in the form of a separately stated surcharge on the municipal utilities rate schedule; in calculating the surcharge the City and the Council shall allocate to the Improvements its share of the expenses of operation and maintenance and allowances for renewal and replacement as well as the requirements to pay principal of and interest on the Bonds, to maintain the Reserve Subaccount, and to repay the Utility or any other funds of the City for moneys advanced in accordance with Section 4.4 hereof.

SECTION 7. AMENDMENTS.

7.1. Amendments Without Bondholder Consent. The City may, by administrative resolution adopted prior to the delivery of the Bonds to the Underwriter, amend this Resolution, if such amendment is required by a bond rating agency as a condition to its release of a rating on the Bonds. The City reserves the right to amend this Resolution, from time to time and at any time, for the purpose of (i) curing any ambiguity or of curing, correcting or supplementing any defective provision contained herein, or (ii) making such provisions with regard to matters or questions arising hereunder as the City may deem necessary or desirable and not inconsistent with this Resolution, and which shall not adversely affect the interests or security of the registered owners of outstanding Bonds, or (iii) adding to the covenants and agreements herein contained, or to the gross revenues herein pledged, other covenants and agreements thereafter to be observed and additional gross revenues thereafter appropriated to the Revenue Account, or (iv) surrendering any right or power herein reserved to or conferred upon the City, or (v) authorizing the issuance of Additional Bonds in the manner and subject to the terms and conditions prescribed in Section 5. Any such amendment may be adopted by resolution, without the consent of the registered owners of any of the Bonds.

7.2. Amendments With Bondholder Consent. With the consent of the registered owners of Bonds as provided in Section 7.3, the City may from time to time and at any time amend this Resolution by adding any provisions hereto or changing in any manner or eliminating any of the provisions hereof or of any amending resolution; provided, however, that no amending resolution shall be adopted at any time without the consent of the registered owners of all Bonds which are then outstanding, if it would extend the maturities of any Bonds, would reduce the rate or extend the time of payment of interest thereon, would reduce the amount or extend the time of payment of the principal or redemption premium thereof, would give to any Bond or Bonds any privileges over any other Bond or Bonds, would reduce the sources of gross revenues appropriated to the Revenue Account, would authorize the creation of a pledge of said gross revenues prior to or on a parity with the Bonds (except as is authorized by Section 5), or would reduce the percentage in principal amount of such Bonds required to authorize or consent to any such amendment.

7.3. Notice and Consent. Any amendment adopted pursuant to Section 7.2 shall be made by resolution, mailed to each registered owner of a Bond affected thereby, and shall become effective only upon the filing of written consents with the Finance Director, signed by the registered owners of not less than two-thirds in principal amount of the Bonds which are
then outstanding or, in the case of an amendment not equally affecting all outstanding Bonds, by the registered owners of not less than two-thirds in principal amount of the Bonds adversely affected by such amendment. Any written consent to an amendment may be embodied in and evidenced by one or any number of concurrent written instruments of substantially similar tenor signed by registered owners in person or by agent duly appointed in writing, and shall become effective when delivered to the Finance Director. Any consent by the registered owner of any Bond shall bind him and every future registered owner of the same Bond with respect to any amendment adopted by the City pursuant to such consent; provided that any registered owner may revoke his consent with reference to any Bond by written notice received by the Finance Director before the amendment has become effective. In the event that unrevoked consents of the registered owners of the required amount of Bonds have not been received by the Finance Director within one year after the mailing of notice of the amendment, the amendment and all consents theretofore received shall be of no further force and effect.

7.4. **Proof.** Proof of the execution of any consent, or of a writing appointing any agent to execute the same, or of the ownership by any person of Bonds, shall be sufficient for any purpose of this Resolution and shall be conclusive in favor of the City if made in the manner provided in this section. The fact and date of the execution by any person of any such consent or appointment may be proved by the affidavit of a witness of such execution or by the certification of any notary public or other officer authorized by law to take acknowledgment, certifying that the person signing it acknowledged to him the execution thereof. The amount of Bonds held by any person by or for whom a consent is given, and the distinguishing numbers of such Bonds, and the date of his holding the same, shall be proved by the bond register. The fact and date of execution of any such consent may also be proved in any other manner which the City Council may deem sufficient; but the City Council may nevertheless, in its discretion, require further proof in cases where it deems further proof desirable.

**SECTION 8. DEFEASANCE.**

8.1. **General.** When the liability of the City on all Bonds issued under and secured by this Resolution and all interest thereon has been discharged as provided in this section, all pledges, covenants and other rights granted by this Resolution to the registered owners of such Bonds shall cease.

**SECTION 9. TAX MATTERS.**

9.1. **The Improvements.** The Utility is and will be owned and operated by the City and used by the City to provide wastewater services to members of the general public. No user of the Utility is granted any concession, license or special arrangement. The City shall not enter into any lease, use or other agreement with any non-governmental person relating to the use of the Utility or the Improvements or security for the payment of the Series 2021 Bonds which might cause the Series 2021 Bonds to be considered “private activity bonds” or “private loan bonds” within the meaning of Section 141 of the Code.

9.2. **General Covenant.** The City covenants and agrees with the registered owners from time to time of the Bonds that the City will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest, if the interest were intended to be tax-exempt, on the Series 2021 Bonds to become includable in gross income for federal income tax purposes under the Code and applicable Treasury Regulations (the “Regulations”), and covenants to take any and all actions within its powers to ensure that the basic interest, if the interest were intended to be tax-exempt, on the Series 2021 Bonds will not become
includable in gross income for federal income tax purposes under the Code and the Regulations.

9.3. Certification. The Mayor and the Finance Director, being the officers of the City charged with the responsibility for issuing the Series 2021 Bonds pursuant to this Resolution are hereby authorized and directed to execute and deliver to the Underwriter thereof a certificate in accordance with the provisions of Section 148 of the Code, and Section 1.148-2(b) of the Regulations, stating that on the basis of facts, estimates and circumstances in existence on the date of issue and delivery of the Series 2021 Bonds, it is reasonably expected that the proceeds of the Series 2021 Bonds will be used in a manner that would not cause the Series 2021 Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code and the Regulations.

9.4. Arbitrage Rebate. The City acknowledges that the Series 2021 Bonds are subject to the rebate requirements of Section 148(f) of the Code. The City covenants and agrees to retain such records, make such determinations, file such reports and documents and pay such amounts at such times as are required under said Section 148(f) and applicable Regulations to preserve the exclusion of interest, if the interest were intended to be tax-exempt, on the Series 2021 Bonds from gross income for federal income tax purposes unless the Series 2021 Bonds qualify for an exception from the rebate requirement pursuant to one of the spending exceptions set forth in Section 1.148-7 of the Regulations and no "gross proceeds" of the Series 2021 Bonds (other than amounts constituting a "bona fide debt service fund") arise during or after the expenditure of the original proceeds thereof.

SECTION 10. CONTINUING DISCLOSURE.

The City acknowledges that the Series 2021 Bonds are subject to the continuing disclosure requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (as in effect and interpreted from time to time, the "Rule"). The Rule governs the obligations of certain underwriters to require that issuers of municipal obligations enter into agreements for the benefit of the holders of the obligations to provide continuing disclosure with respect to the obligations. To provide for the public availability of certain information relating to the Bonds and the security therefore and to permit participating underwriters in the primary offering of the Bonds to comply with the Rule, which will enhance the marketability of the Bonds, the Mayor and Finance Director are hereby authorized and directed to execute an Undertaking of Continuing Disclosure (the "Undertaking"), by which the City agrees to provide such information, either directly or through a disclosure agent. The City hereby covenants and agrees to observe and perform the covenants and agreements contained in the Undertaking, unless amended or terminated in accordance with the provisions thereof, for the benefit of the registered owners or beneficial owners from time to time of the outstanding Bonds as provided in the Undertaking.

SECTION 11. REIMBURSEMENT.

The Internal Revenue Service has issued Section 1.150-2 of the Income Tax Regulations (the "Regulations") dealing with the issuance of obligations, all or a portion of the proceeds of which are to be used to reimburse the City for project expenditures made by the City prior to the date of issuance.

The Regulations generally require that the City make a prior declaration of its official intent to reimburse itself for such prior expenditures out of the proceeds of a subsequently issued borrowing no later than 60 days after payment of such expenditure, that the borrowing
occur and the reimbursement allocation be made from the proceeds of such borrowing within eighteen months of the payment of the expenditure or, if longer, within eighteen months of the date the project is placed in service, but in no event more than three years after the date the original expenditure was paid and that the expenditure must either be a capital expenditure, or a cost of issuance of the obligation.

Other than (i) de minimis amounts permitted to be reimbursed pursuant to Section 1.150-2(f)(1) of the Regulations or (ii) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, the City will not seek reimbursement for any original expenditures with respect to the foregoing Improvements paid more than 60 days prior to the date of adoption of this Resolution. All original expenditures for which reimbursement is sought will be capital expenditures or costs of issuance of the reimbursement Bonds.

The City has paid and expects to pay certain expenditures (the "Reimbursement Expenditures") in connection with the Improvements prior to the issuance of the Bonds for purpose of financing costs associated with the Improvements. The City reasonably expects that the Bonds, in an amount expected not to exceed $8,200,000, will be issued and that certain of the proceeds of such Bonds will be used to reimburse the Reimbursement Expenditures. The City hereby declares its official intent to use proceeds of Bonds to reimburse itself for any and all of the Reimbursement Expenditures.

SECTION 12. EFFECTIVE DATE.

12.1. General. This Resolution shall take effect on the 20th day following its publication, unless suspended by a referendum.

Dated this 21st day of December, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumpson
Finance Director
(SEAL)

14. WS121620-11: Approve Resolution No. 2020-095 A Resolution Relating to Rate Schedules for the City's Wastewater Utility to Provide for Surcharge

RESOLUTION 2020-095
A RESOLUTION RELATING TO RATE SCHEDULES FOR THE CITY'S WASTEWATER UTILITY TO PROVIDE FOR SURCHARGE

WHEREAS, the City of Rapid City (the "City") operates a wastewater utility (the "Utility") pursuant to SDCL Chapter 9-48; and

WHEREAS, the City has determined to construct certain improvements to the Utility, including the Elk Vale Force Mains and Gravity Mains Upgrades and related improvements (the "Improvements"); and
WHEREAS, the Improvements are hereby found to be a general benefit to users of the Utility; and

WHEREAS, the City intends to issue bonds pursuant to SDCL Chapter 9-40 to finance all or a portion of the costs of the Improvements and to pledge sufficient income from the revenues generated by the Improvements to pay debt service on the bonds and fund the operation and maintenance of the Improvements; and

WHEREAS, the bonds issued by the City will be solely payable through such segregated revenue.

NOW THEREFORE, BE IT RESOLVED by the City that a surcharge be established to repay bonds issued to construct the Improvements. After the effective date of this Resolution, the wastewater rates established by Chapter 13.16 of the Rapid City Municipal Code will consist of two components, a base rate and a separate surcharge for repayment of bonds issued to construct the Improvements. The City shall account for the revenues generated from the base rate and surcharge separately, but the surcharge will not be required to be shown separately on the wastewater utility bills of the system users. The costs of the Improvements shall be paid solely from the revenues produced by the surcharge, and not from the general revenues of the Utility, provided that the City may from time to time advance moneys from the general revenues of the Utility to pay costs of the Improvements, but any moneys so advanced shall be repaid from surcharge collections within one year of the date of each such advance.

BE IT FURTHER RESOLVED, that the surcharge be established as follows:

**Water Reclamation Fees**

<table>
<thead>
<tr>
<th>SEWER USE CHARGE</th>
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<tbody>
<tr>
<td></td>
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<tr>
<td>2021 Rates</td>
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<table>
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<tr>
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<tr>
<td>Meter Size</td>
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<td>------------</td>
</tr>
<tr>
<td>6&quot;</td>
</tr>
<tr>
<td>8&quot;</td>
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</table>

**METER CHARGE COMMERCIAL AND INSTITUTIONAL**

<table>
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<tr>
<th>Meter Size</th>
<th>2021 Rates</th>
<th>2021 and thereafter Surcharge</th>
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<tbody>
<tr>
<td>¾&quot;</td>
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<td>8&quot;</td>
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**METER CHARGE INDUSTRIAL**

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<tr>
<td>8&quot;</td>
<td>$1,348.49</td>
<td>$701.36</td>
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The additional per unit surcharge applies to all users of the Utility. The surcharges will be segregated and accounted per the terms of the Resolution authorizing the issuance and sale of the revenue bonds issued to finance the Improvements (the "Bond Resolution"). The surcharge may also be modified in accordance with the Resolution.
Dated this 21st day of December, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)

15. WS121620-12: Approve Resolution 2020-096 a Resolution Declaring Miscellaneous Personal Property Surplus to be sold.

Resolution #2020-096
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 (302)
   For Deletion (Auction):
   1978 OshKosh Snow Blast
   Vin# 6D0161201

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

Dated this 21st day of December, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)

17. WS121620-14: Acknowledge November 2020 General Fund Cash Balance Report
18. WS121620-15: Approve change order 2F to Underground Construction, LLC. for Woodlawn and Downing St. Sanitary Sewer Replacement Project, Project #2285/CIP 50623 for an increase of $92,925.61.
WS121620-16: Approve change order 1 to GTI Companies, Inc. for Pavement Rehabilitation Project Summerset Area, Project #2478 for an increase of $3,007.92.

WS121620-17: Approve change order 1F to Tru-Form Construction, Inc. for 2020 MIPS Project, Project #2559 for a decrease of $1,718.70

WS121620-18: Approve change order 1F to Simon Contractors of SD, Inc. for Gill Ave Sewer Reconstruction Project, Project #2584 for a decrease of $35,971.64.

WS121620-19: Authorize Mayor and Finance Director to Sign Resolution No. 2020-097 Construction Fee Resolution for North Valley Park Subdivision Sewer - Frontage Fee, Project No. DEV1399

WS121620-20: Authorize Mayor and Finance Director to Approve License Agreement with the United State of America Department of Energy Western Area Power Administration (License No. UGP-LI-2020-21HU)

WS121620-21: Authorize Mayor and Finance Director to enter into an agreement with Black Hills Power for the relocation of four light poles associated with the 12th Street Reconstruction Project No. 19-2499 / CIP No. 50927, in the amount of $7,813.66

WS121620-22: Authorize Mayor and Finance Director to Sign Professional Services Agreement between the City of Rapid City and Ferber Engineering Company, Inc. for 12th Street Reconstruction – West Main Street to Fulton Street, Project No.19-2499 / CIP No. 50927, for an Amount not to Exceed $364,040.00

WS121620-23: Authorize Staff to Advertise Bids for 12th Street Reconstruction Project – West Main St. to Fulton St., Project No. 20-2499 / CIP No. 50927. Estimated Cost $5,250,000

WS121620-24: Authorize staff to purchase two (2) conference tables from Evergreen Office Solutions on State Contract # 16773 3 IFB 222 in the amount of $3,026.96 to furnish new conference space created during recent renovation of City Hall.

WS121620-25: Authorize the Director of Public Works or his designee to apply for, and if awarded to accept, Local Emergency Planning Committee (LEPC) grant funding for advertising of the upcoming Household Hazardous Waste Event in spring of 2021

WS121620-27: Approve Request from Fisk Engineering for a variance to waive the requirement to install sidewalk along Catron Boulevard along the frontage of 2260 Promise Road in Rapid City, per City Ordinance 12.08.060.

WS121620-28: Approve Request from Joe and Shelby Keeton for a Variance to waive the requirement to install sidewalk along Pine Tree Drive, Rapid City, per City Ordinance 12.08.060

WS121620-29: Approve Request from Tim Giggee for a variance to waive the requirement to install sidewalk along Skyview Drive, Rapid City, per City Ordinance 12.08.060.

WS121620-30: Authorize Mayor and Finance Director to Sign and Accept the Supplemental Project Safe Neighborhood Grant Funding

WS121620-31: Approve Request for Authorization for Staff to Seek Proposals for Professional Services for Dinosaur Park Accessibility Improvements – Project No. PR21-6180

WS121620-32: Approve the Final FY2021 Community Development Block Grant Funding Recommendations

**Bid Award Consent Items**

CC122120-04.1 - Approve award of total bid for Downtown Lighting Phase 2, Project No. 20-2613 / CIP No. 51228 opened on December 15, 2020 to the lowest responsible bidder, Muth Electric, Inc. in the amount of $965,528.00.

END OF CONSENT ITEMS

20
Mayor Allender read in item (WS121620-05) Approve Resolution No. 2020-6455 Authorizing Salary Adjustments for Non-Union Benefitted Employees in 2021. Motion was made by Nordstrom, second by Armstrong to approve. Stroot explained some non-union positions were being moved to union positions. Discussion continued. Roll call vote: Lehmnn, Drew, Nordstrom, Evans, Strommen, Armstrong, Salamun, Weifenbach, and Salamun; No answer: Jones. Motion carried.

RESOLUTION NO. 2020-6455
RESOLUTION TO AUTHORIZE SALARY ADJUSTMENTS FOR NON-UNION BENEFITTED EMPLOYEES IN 2021

WHEREAS, The City of Rapid City will need accurate wage estimates for 2021; and

WHEREAS, a consultant was hired in 2019 to complete a study of non-union and AFSCME salaries, which was used to design new AFSCME salary scales included in the new contract; and

WHEREAS, the study showed underpayment in some non-union positions that require correction; and

WHEREAS, the newly designed non-union scale allows the City more flexibility in preventing overpayment at the end of a career; and

WHEREAS, the City budgeted for 2021 during the early months of the pandemic, anticipating an extended drop in sales tax revenue that did not materialize; and

WHEREAS, due to the strength in our sales tax revenues the City is now in a position to correct any underpayments in the non-union group, and place employees on the new scale; and

WHEREAS, wage adjustments for the City’s non-union benefitted employees have not yet been authorized by the City Council for 2021;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rapid City, that the City’s non-union benefitted employees will receive a 1.7% cost of living increase on January 3, 2021 and placement on the new salary scale on July 4, 2021. Any employees whose salaries were found to be less than 90% of market rate in the 2019 salary study will be placed one step above the step nearest, but not less than, their current salary. All other employees shall be placed on the step nearest, but not less than, their current salary.

Dated this 21st day of December, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)
Mayor Allender read in item (WS121620-06) Authorize the Mayor and Finance Director to Sign Agreement between the Local 1031, Council 65, American Federation of State, County, and Municipal Employees AFL-CIO and the City of Rapid City for the Period of January 1, 2021 to December 31, 2022. Motion was made by Nordstrom, second by Armstrong to approve. Stroot explained the language was 20 years old and needed to be updated. They have been negotiating for almost two years. Rogers said the bargaining laws are tricky and not much can be discussed openly. Landeen does not see a disadvantage of reclassifying from non-union to union. Evans disagreed with reclassifying. Stroot said he would talk to any employee who needs a meeting to understand the reclassification. Roll call vote was taken: Those voting AYE: Jones, Lehmann, Salamun, Nordstrom, Weifenbach, Drew, Strommen, and Armstrong. NO: Evans. Motion carried 8 to 1.

Mayor Allender read in item (WS121620-07) Authorize the Mayor and Finance Director to Sign Agreement between the Fraternal Order of Police, South Dakota Lodge #2A, and the City of Rapid City for the Period of January 1, 2021 to December 31, 2021. Motion was made by Salamun, second by Lehmann to approve. Weifenbach, Nordstrom and Drew spoke in favor of the agreement. Roll call vote: AYE: Jones, Lehmann, Salamun, Evans, Nordstrom, Weifenbach, Drew, Strommen, and Armstrong. NO: none.

Mayor Allender read in item (WS121620-26) Approve Request from Black Hills Blends for a Variance to Waive the Requirement to Install Sidewalk per City Ordinance 12.08.060 along E. Saint Francis Street for the property located at 907 E. Saint Patrick Street. Salamun stated he needed to abstain. Motion was made by Lehmann, second by Armstrong to approve. Roll call vote: AYE: Jones, Lehmann, Evans, Nordstrom, Weifenbach, Drew, Strommen, and Armstrong. Abstain: Salamun; NO: none. Motion carried 8 to 1.

NON-CONSENT ITEMS – Items 37 – 38

Ordinances
Mayor Allender read in item (WS121620-01) Approve First Reading of Ordinance No. 6452 Regarding Supplemental Appropriation #8 for 2020. Motion was made by Drew, second by Lehmann to approve Ordinance 6452 and it be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, December 28, 2020. Roll call vote was taken: Armstrong, Jones, Lehmann, Salamun, Evans, Strommen, Drew, Nordstrom, and Weifenbach voted aye. No: none. Motion carried.

Mayor Allender read in item (20OA006) Approve First Reading of Ordinance 6435 An Ordinance Amendment to Amend Chapter 17.18 of the Rapid City Municipal Code. Motion was made by Jones, second by Nordstrom to approve Ordinance 6435 and it be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, January 4, 2021. Roll call vote was taken: Armstrong, Jones, Lehmann, Salamun, Evans, Strommen, Drew, Nordstrom, and Weifenbach voted aye. No: none. Motion carried.

PUBLIC HEARING ITEMS – Items 39 – 43
CONSENT PUBLIC HEARING ITEMS – Items 39 – 40

Alcohol Licenses
39. Victoria’s Garden LLC DBA Victoria’s Garden, 320 7th Street for a retail (on-off sale) Wine and Cider License
40. DNJ LLC DBA Maple Street BBQ, 2200 N Maple Suite 330 for a Retail (on-off sale) Malt Beverage & SD Farm Wine license TRANSFER from DNJ LLC DBA Dickey's BBQ, 2200 N Maple Ave Unit 330

Mayor Allender read in items 39-40. Motion was made by Lehmann, second by Armstrong to approve items 39-40. Roll call vote was taken: Armstrong, Jones, Lehmann, Salamun, Evans, Strommen, Drew, Nordstrom, and Weifenbach voted aye. No: none. Motion carried.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 41 – 43

Mayor Allender read in item (No. 20RZ037) Approve Second Reading, Ordinance 6450, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Tony Marshall for Table Rock Inc, for a Rezoning request from Low Density Residential District II to Medium Density Residential District for property generally described as being located at 2829, 2833, 2837, 2841 and 2845 Horizon Point. Having passed its first reading on December 7, 2020 motion was made by Salamun, second by Lehmann to approve. Upon roll call vote being taken the following voted AYE: Jones, Lehmann, Salamun, Evans, Drew, Nordstrom, Weifenbach, Strommen and Armstrong. NO: None. Whereupon, the Mayor declared the motion passed and Ordinance 6450 was declared duly passed upon its second reading.

Mayor Allender read in item (No. 20RZ038) Approve Second Reading, Ordinance 6451, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Ferber Engineering Company for B2 Holdings for a Rezoning request from Planned Unit Development to General Commercial District for property generally described as being located at 2233 and 2341 N. Elk Vale Road. Having passed its first reading on December 7, 2020 motion was made by Drew, second by Nordstrom to approve. Upon roll call vote being taken the following voted AYE: Jones, Lehmann, Salamun, Evans, Drew, Nordstrom, Weifenbach, Strommen and Armstrong. NO: None. Whereupon, the Mayor declared the motion passed and Ordinance 6451 was declared duly passed upon its second reading.

Mayor Allender read in item (No. 20VR004) Approve Resolution 2020-087 A request by Fisk 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. Motion was made by Lehmann, second by Armstrong to approve. Roll call vote was taken: Armstrong, Jones, Lehmann, Salamun, Evans, Strommen, Drew, Nordstrom, and Weifenbach voted aye. No: None. Motion carried.

RESOLUTION 2020-087
RESOLUTION OF VACATION OF RIGHT-OF-WAY

WHEREAS, it appears that the right-of-way located the in the north 4th Street right-of-way adjoining Lot RU-10 and vacated south 50 feet of Philadelphia Street: and Tract 22 of Rapid City Greenway Tracts located in Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being the right-of-way at 320 North 4th Street, is not needed for public purposes; and

WHEREAS, the owner(s) of property adjacent to the above-described right-of-way desires said public right-of-way to be vacated and released.
NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the public right-of-way heretofore described, and as shown on Exhibit "A", attached hereto, and incorporated herein, is hereby vacated.

BE IT FURTHER RESOLVED, that the Mayor and Finance Officer are hereby authorized to execute a release of public right-of-way in regard thereto.

Dated this 21st day of December, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)

BILLS
The following bills have been audited:

BILL LIST - DECEMBER 21, 2020

P/ROLL PERIOD END 12/05/20, PD 12/11/20 1,845,911.46
PIONEER BANK & TRUST, 12/05/20 P/ROLL TAXES, PD 12/11/20 485,133.03
WELLMARK INC, HEALTH CLAIMS THROUGH 12/04/20, PD 12/10/20 168,333.87
WELLMARK INC, HEALTH CLAIMS THROUGH 12/11/20, PD 12/17/20 165,166.91
WAGE WORKS, SECTION 125 PAYMENTS THROUGH 12/07/20, PD 12/08/20 5,431.30
WAGE WORKS, 2021 INITIAL FUNDING, PD 12/10/20 13,559.60
WAGE WORKS, SECTION 125 PAYMENTS THROUGH 12/14/20, PD 12/15/20 8,384.98
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 12/09/20, PD 12/10/20 31,243.25
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 12/16/20, PD 12/17/20 4,950.09
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 12/17/20 49,672.13
BLACK HILLS ENERGY, ELECTRICITY, PD 12/17/20 118.96
COMPUTER BILL LIST, 3,363,604.09
CDEV COMPUTER BILL LIST 206,504.35
SUBTOTAL 6,348,014.02
RSVP, P/ROLL PERIOD END 12/05/20, PD 12/11/20 2,395.01
RSVP, PIONEER BANK & TRUST, 12/05/20 P/ROLL TAXES, PD 12/11/20 553.55
RSVP, COMPUTER BILL LIST 1,072.92
TOTAL 6,352,035.50

Sumption presented the bill list of $6,352,035.50. Motion was made by Nordstrom, second by Strommen and carried to authorize (No. CC122120-01) the Finance Officer to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. A roll call vote was taken. Roll call vote was taken and those voting AYE: Nordstrom, Strommen, Armstrong, Salamun, Lehmann, Weifenbach, Jones, Evans, 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 Lehmann and carried to adjourn the meeting at 7:47 p.m.

Dated this 21st day of December, 2020.

CITY OF RAPID CITY

ATTEST:

Mayor

Finance Director
(SEAL)
From: Schuelke Michelle  
Sent: Wednesday, January 13, 2021 3:53 PM  
To: LaDeaux Lucy  
Subject: PUBLIC NOTICE- 20-Day Public Comment Period for Proposed FY20 CDBG-CV3 Funding Recommendations

PUBLIC NOTICE  
20-Day Public Comment Period for Proposed FY20 CDBG-CV3 Funding Recommendations

The City of Rapid City is soliciting public comments on proposed CDBG-CV3 funding allocations.

The City received requests totaling $626,645. The Community Investment Committee preliminary funding recommendations include Minneluzahan Senior Center $25,000; Wellspring dba Welfully $25,000; YMCA $65,000; Youth & Family Services $39,000 and Pennington County Health & Human Services $200,000, with stipulations. $62,515 will be retained for planning and administrative purposes. Comments on the recommendations will be accepted until 4:00 p.m. on January 27, 2021. All comments received will be considered.

Recommendations will go before the City Council Working Session on January 13 and January 27, 2021, and the City Council on January 18, 2021 for preliminary approval and February 1, 2021 for final approval. Copies of the proposed allocations are available at www.rcgov.org. Comments should be directed, in writing, to the CDBG Program Division at 300 6th Street; by email to michelle.schuelke@rcgov.org; 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 Nick Stroot, Section 504 and ADA Coordinator, at (605) 394-4138. 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

Michelle Schuelke  
CDBG Program Division Manager  
(605) 394-4181  
300 6th St. (Mailing)  
333 6th St. (Physical)  
Rapid City, SD 57701
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 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 6th day of Jan 2021 that the fees charged for the publication thereof are $123.32 dollars and cents.

Sheri Sponder

Subscribed and sworn to before me this 11th day of January, 2021.

Matthew J. Trampull
Notary Public
December 5, 2025
My commission expires
IN THE
COUNTY OF PENNINGTON

COURT

PUBLIc NOTICE NO. 3535-
20-Day Public Comment Period For
Proposed FY20 CDBG-CV3 Funding Recommendations

The City of Rapid City is soliciting public comments on proposed CDBG-CV3 funding allocations.

The City received requests totaling $626,645. The Community Investment Committee preliminary funding recommendations include: Mineralization Senior Center - $26,000; Welcoming House - $55,000; YMCA - $65,000; Youth & Family Services - $30,000; Pennington County Health & Human Services - $230,000; and additional, unspecified, $462,515 will be evaluated for planning and administrative expenses. Comments on the recommendations will be accepted until 4:00 p.m. on January 22, 2021.

Comments will be considered at the January 26, 2021 regular meeting of the City Council. A copy of the proposed allocation plan is available at www.rapidcity.gov. Comments should be emailed to the CDBG Program Division at 560 6th Street S, email to cdbg.rapidcity@rapidcity.gov or by phone at (605) 394-4184.

The City of Rapid City does not discriminate based on disability and provides reasonable accommodation for people with disabilities. If reasonable accommodation is needed, please contact the City Clerk at 560 6th Street S, or by phone at (605) 394-4184.

Equal Opportunity Employer and Lender

Attorney for
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 Glass, 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: Volume 12, 2021, and that the attached newspaper clipping is a true and correct copy of said published notice. NATIVE SUN NEWS, is a legal newspaper in the state of SOUTH DAKOTA.

Signed: Jackie Glass

SWORN TO AND SUBSCRIBED BEFORE ME, this the 7th day of January, 2021

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

Commission expiring March 28, 2023

Published at a rate of $ 150.00
PUBLIC NOTICE
20-Day Public Comment Period for
Proposed FY20 CDBG-CV3 Funding Recommendations

The City of Rapid City is soliciting public comments on proposed CDBG-CV3 funding allocations.

The City received requests totaling $626,645. The Community Investment Committee preliminary funding recommendations include Minneluzahan Senior Center $25,000; Wellspring dba Wellfully $25,000; YMCA $65,000; Youth & Family Services $39,000 and Pennington County Health & Human Services $200,000, with stipulations. $62,515 will be retained for planning and administrative purposes. Comments on the recommendations will be accepted until 4:00 p.m. on January 27, 2021. All comments received will be considered.

Recommendations will go before the City Council Working Session on January 13 and January 27, 2021, and the City Council on January 18, 2021 for preliminary approval and February 1, 2021 for final approval. Copies of the proposed allocations are available at www.rcgov.org. Comments should be directed in writing, to the CDBG Program Division at 300 6th Street; by email to michelle.schuetz@rcgov.org or by phone at (605) 394-4181.

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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
(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.)

Members in attendance: Salamun, Wiefenbach, Jones, Drew, Lehman, Armstrong, Strommen, Evans, Roberts, Nordstrom, Absent: None

City Staff present: Joel Landeen, 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; Jess Rogers, Assistant City Attorney; Ted Johnson, City Engineer; Michelle Schuelke, CDBG Manager; Kelly Brennan, Long Range Planner; Kip 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 ITEM
1) WS011321-01: Authorize Purchase of two (2) 2021 RAM 2500 Crew Cab, 4X4, 6.4L V8 Trucks from Liberty Superstores 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) WS011321-12: Approve Purchase of Rosenbauer Aerial Fire Apparatus through Source Well (Former NJPA) in the amount of $999,257.00.

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) WS011321-02: Resolution No. 2021-003 Establishing 2021 Encumbrances
5) WS011321-15: Resolution No. 2021-002 – Resolution Levying Assessment for Abatement of Nuisances
6) WS011321-16: Resolution 2021-004 - Resolution Declaring Miscellaneous Personal Property Surplus to be traded.

PUBLIC WORKS TECH SPOKE TO ITEMS 7-12
7) WS011321-03: 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) WS011321-04: Authorize Staff to Advertise Bids for Pavement Rehabilitation Project – Rand Road, Project No. 20-2618 / CIP No. 50798. Estimated Cost $340,000
9) WS011321-05: Request Authorization to Seek Proposals for Engineering Services for WRF Aeration Basin Clarifloculator and Siphon Piping Construction, Project Number 2629 /CIP Number 51129
10) WS011321-11: 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 $116,715.50
11) WS011321-13: Request to purchase 2020 M4HSD mechanical sweeper through Sourcewell, Global Environmental, Transource Contract #122017-GEP in the amount of $261,606.00
12) WS011321-14: 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, SALAMUN, JONES, WEIFENBACH asked questions on ITEMS 13-15. HARRINGTON spoke to ITEM 16. BRENNAN spoke to ITEM 17. EVANS, WEIFENBACH commented on ITEMS 16-17.

13) WS011321-06: Approve the Preliminary Recommendations of FY20 CDBG-CV3 funds
14) WS011321-07: Authorize the Mayor and Finance Director to sign the FY20 CDBG-CV Grant Funding Agreement
15) WS011321-08: 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 Land, Inc. for Digital GIS Base Map Development Services in an amount not to exceed $60,979.19
17) 21TP001: Authorize staff to advertise the Request for Proposals for the Campbell Street Structure Replacement and Multi-modal Routing Study

MAYOR/COUNCIL ITEMS
18) WS011321-09: Confirm the reappointment of Michael Calabrese and the new appointment of Roger Heacock to the Parks & Recreation Advisory Board.
19) WS011321-10: Confirm the reappointment of Kyle Blada to the Historic Sign Review Committee.

REGULAR BUSINESS ITEMS (Council Non-Consent Calendar)

None Identified

Public Comment opened
Rita Dupree, 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.
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 Salamun, Ritchie Nordstrom, Lance Lehmann; Pat Jones, Darla Drew, Ron Weifenbach 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 Biegler, 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 Uhre and Dwayne Langenfeld feel they are being retaliated against for their complaint filed on Councilwoman Armstrong. Bill Clayton and Jasmine Stangle voiced their complaints against 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 – 29
Chuck Henrie spoke on items 20TI006, 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 $999,257.00.

20. WS011321-06: 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, 635 Creek Drive, Unit C, DBA Last Mile Brewery, for a Retail (on-off sale) Malt Beverage & SD Farm Wine License
5. Nancy Nguyen, 4210 Kateland 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 Superstores with matching State Bid Pricing in the Amount of $31,279.00 each for a total price of $62,558.00.
8. WS011321-09: Confirm the reappointment of Michael Calabrese and the new appointment of Roger Heacock to the Parks & Recreation Advisory Board.
9. WS011321-10: Confirm the reappointment of Kyle Blada to the Historic Sign Review Committee.
10. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: RSVP - Judith Berry, Rosalee Johnson, Jane Moore, Rita Schwartz, Kathryn Tribby
11. WS011321-02: 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 $1,030,525.62, 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 $1,030,525.62.

GENERAL FUND 0101

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GOLF ENTERPRISE FUND 0613
0664 GOLF COURSE MAINTENANCE 1,018.51

EXECUTIVE GOLF COURSE FUND 0614
0605 EXECUTIVE GOLF COURSE (65.40)

SOLID WASTE DISPOSAL FUND 0615
7102 WASTE DISPOSAL 23,959.98
7103 SOLID WASTE MRF/COMPOST FUND 9,840.27
7104 SOLID WASTE CAPITAL PROJECTS 109,564.53 143,364.78

AMBULANCE ENTERPRISE 0618
0890 AMBULANCE ENTERPRISE 16,626.07

AIRPORT QTA FUND 0660
20781 QTA DETAIL 14,171.65
20782 QTA WASH 788.72 14,960.37

AIRPORT CAPITAL FUND 0734
0909 AIRPORT CAPITAL 41,690.11

CIVIC CENTER ENTERPRISE FUND 0775
0913 CIVIC CENTER OPERATIONS 8,219.66
0915 CIVIC CENTER CAPITAL OUTLAY (9,215.87)
0919 CIVIC CENTER CVB 49,000.38 48,004.17

ENERGY PLANT FUND 0777
0914 ENERGY PLANT 1,208.05

RSVP FUND 0785
0928 RSVP 17.42

LIABILITY INSURANCE FUND 0793
0968 LIABILITY INSURANCE 0.92

LIBRARY BOARD FUND 0996
0971 LIBRARY BOARD 622.10

*** GRAND TOTAL ***
1,030,525.62

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 Sumption
Finance Director
(SEAL)
12. WS011321-15: Resolution No. 2021-002 – Resolution Levying Assessment for Abatement of Nuisances

RESOLUTION NO. 2021-002
RESOLUTION LEVYNG 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.

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<th>CUSTOMER NAME</th>
<th>ID#</th>
<th>CLEAN UP ADDRESS</th>
<th>MAILING ADDRESS</th>
<th>LEGAL DESCRIPTION</th>
<th>TOTAL AMOUNT DUE INCLUDES $100.00</th>
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<td>20721</td>
<td>1104 WEST BLVD</td>
<td>CMR 480, PO BOX 1541 APO, AE 09128</td>
<td>ALL OF LOT 15-16, W1/2 OF LOT 14, BLOCK 27; BOULEVARD ADD</td>
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<td>PO BOX 422, MARTIN, SD 57551</td>
<td>LOT 10, BLOCK 5, 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
(SEAL)

13. WS011321-16: Resolution 2021-004 - Resolution Declaring Miscellaneous Personal Property Surplus to be traded.
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(607)
For Deletion (Trade):

KUBOTA BROOM- ATTACHMENT FOR #003
Vin# 21804583

KUBOTA BLADE FOR #003
Vin# 21805024

2004 SMITHCO SWEEPER
Vin# G4-5007

2018 KUBOTA SPORT UTILITY RTV
Vin# 41333

1987 JOHN DEERE TRACTOR
Vin# CD3179D34686 (611779)

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 Sumplion
Finance Director
(SEAL)

14. WS011321-03: 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.
15. WS011321-04: Authorize Staff to Advertise Bids for Pavement Rehabilitation Project – Rand Road, Project No. 20-2618 / CIP No. 50798. Estimated Cost $340,000
16. WS011321-05: Request Authorization to Seek Proposals for Engineering Services for WRF Aeration Basin Clarifier/Scour and Siphon Piping Construction, Project Number 2629 /CIP Number 51129
17. WS011321-11: 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 $116,715.50
18. WS011321-13: Request to purchase 2020 M4HSD mechanical sweeper through Sourcewell, Global Environmental, Transource Contract #122017-GEP in the amount of $261,606.00
19. WS011321-14: 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.

**Community Development Consent Items**

21. WS011321-07: Authorize the Mayor and Finance Director to sign the FY20 CDBG-CV Grant Funding Agreement
22. WS011321-08: 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. 21TP001: Authorize staff to advertise the Request for Proposals for the Cambell Street Structure Replacement and Multi-modal Routing Study

**Bid Award Consent Items**

25. CC011921-04.1 - Approve award of total bid for Abandon Omaha Trunk Sewer — 1st Street to Maple Avenue, Project No. 20-2610 / CIP No. 51307 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-icing system & valved for future plow 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 sander truck with pre-wet system and v-plow for the Street Division to the February 1, 2021 council meeting.

END OF CONSENT ITEMS

Mayor Allender read in item (WS011321-12) Approve Purchase of Rosenbauer Aerial Fire Apparatus through Source Well (Former NJPA) in the amount of $999,257.00. 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 (WS011321-06) Approve the Preliminary Recommendations of FY20 CDBG-CV3 funds. Drew and Evans stated it seems like the same organizations apply and get funding. Schultzke 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**

Mayo Allender read in item (No. 20PL090) A request by Fisk Land Surveying & Consulting Engineers, Inc. for Caekaert Construction, LLC for a Preliminary Subdivision Plan for proposed Lot 18A and Lot 18B of Block 1 of Gemstone Subdivision, generally described as being at located 524 and 526 Topaz Lane. Weifenbach 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 Weifenbach 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
Armstrong to approve with the following stipulations: 1. Upon submittal of a Final Plat application, 50 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 10-0.

PUBLIC HEARING ITEMS – Items 30 – 32
Kyle Trelolar of Dream Design spoke in favor of leaving item (20TI006) as is without adding any stipulations.

CONSENT PUBLIC HEARING ITEMS – Items 30 and 31
Alcohol Licenses
30. Happy Family Co., 908 South St, DBA Bokujo Ramen, 516 Mt. Rushmore Rd, for a Retail (on-off sale) Malt Beverage & SD Farm Wine license and a Retail (on-off sale) Wine and Cider license

Other Items Requiring Public Hearings
31. CC011921-02 - 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 Allender read in item (20TI006) 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 Eglin Street. Horton spoke on the item. She explained an alternate plan that involved surrounding developers. Trelolar 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 with 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 19th day of January, 2021.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:

s/ Pauline Sumption
Finance Director
(SEAL)

BILLS
The following bills have been audited:

BILL LIST - JANUARY 19, 2021

P/ROLL PERIOD END 01/02/21, PD 01/08/21  1,904,480.02
CDEV P/ROLL PERIOD END 01/02/21, PD 01/08/21  2,342.01
CDEV PIONEER BANK & TRUST, 01/02/21 P/ROLL TAXES, PD 01/08/21  550.16
WELLMARK INC, HEALTH CLAIMS THROUGH 01/01/21, PD 01/07/21  3,517.94
WELLMARK INC, HEALTH CLAIMS THROUGH 01/08/21, PD 01/14/21  222,778.45
WAGE WORKS, SECTION 125 PAYMENTS THROUGH 01/04/21, PD 01/05/21  3,738.83
WAGE WORKS, SECTION 125 PAYMENTS THROUGH 01/11/21, PD 01/12/21  18,361.38
SOUTH DAKOTA RETIREMENT SYSTEM, DEC20 RETIREMENT, PD 01/05/21  481,610.52
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 01/06/21, PD 01/07/21  7,670.96
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 01/13/21, PD 01/14/21  7,159.48
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 01/12/21  49,873.19
BLACK HILLS ENERGY, ELECTRICITY, PD 01/12/21  66,056.86
BLACK HILLS ENERGY, ELECTRICITY, PD 01/14/21  28.70
COMPUTER BILL LIST,  3,702,756.11
CDEV COMPUTER BILL LIST  45,265.12
CITY COUNCIL

SUBTOTAL
RSVP, P/ROLL PERIOD END 01/02/21, PD 01/08/21 6,516,189.73
RSVP, PIONEER BANK & TRUST, 01/02/21 P/ROLL TAXES, PD 01/08/21 2,887.13
RSVP, COMPUTER BILL LIST 622.84
TOTAL 569.32

6,520,269.02

Sumption presented the bill list of $6,520,269.02. Motion was made by Salamun, second by Armstrong and carried to authorize (No. CC011921-01) 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
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)

Published at the approximate cost:
CALL TO ORDER at 12:30 P.M. by Laura Armstrong


City Staff present: Joel Landeen, City Attorney; Dale Tech, Public Works Director; Pauline Sumption, Finance Director; Don Hedrick, Chief of Police; Ken Young, Community Development Director; Michelle Schuelke, CDBG; Jeff Biegler, Parks and Recreation;

PRESENTATION ITEMS: Send to Council

1) WS012721-29: 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 Pauli, Property Owner.

DISCUSSION ITEMS (Council Non-Consent Calendar)

None Identified

REGULAR BUSINESS ITEMS (Council Consent Calendar)

PARKS AND RECREATION Biegler 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 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 $42,039.61

3) WS012721-15: Authorize Staff to Purchase a 2021 RAM 3500 Regular Cab, 4X4, 6.4L V8 Truck from Liberty Superstores with Matching State Bid Pricing in the Amount of $29,991.90

4) WS012721-16: Authorize Staff to Purchase a 2021 RAM 5500 Regular Cab, 4X4, 6.4L V8 Truck from Liberty Superstores with Matching State Bid Pricing in the Amount of $39,161.00

5) WS012721-23: Authorize Staff to Purchase a 2022 Ford F750 Diesel Regular Cab Base 212” WB 138” CA with Crysteel “Select” 16’ Dump Body from National Auto Fleet with Sourcewell Pricing for a Total Price of $104,693.00

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 Brost (RSVP+), Johnnie Daum (RSVP+), Loretta Endres (RSVP+), Bonnie Fugate (RSVP+), Donna Juran (RSVP+), Sally Leighboud (RSVP+), Bonnie Manning (RSVP+), Jane Mattson (RSVP+), Robert Ryther (RSVP+), Sue Sisson (RSVP+), Karen Turgeon (RSVP+), Les Turgeon (RSVP+), Lorie Umphrey (RSVP+), Joanne Vigore (RSVP+), Bonnie Witt (RSVP+), Connie Zimbieman (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 traded and/or donated
COUNCIL WORK SESSION

10) WSO12721-17: Approve Resolution No. 2021-007 a Resolution Declaring Miscellaneous Personal Property surplus to be discarded
11) WSO12721-20: 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) WSO12721-22: Authorize Mayor and Chief of Police to Sign the 2021 Federal Equitable Sharing Agreement
13) WSO12721-26: Approve Request for Property Tax Abatements as Follows: City of Rapid City (Tax ID 70020), 2020, $701.94; David Snyder (Tax ID 21873), 2020, $1129.64; 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 28598), 2020, $91.10; City of Rapid City (Tax ID 36523), 2020, $4,586.88; City of Rapid City (Tax ID 39203), 2020, $452.28; City of Rapid City (Tax ID 24964), 2020, $584.24; Donald Back (Tax ID 46473), 2020, $601.48; Prairie Acres (Tax ID 8002299), 2020, $40.58; Prairie Acres (Tax ID 8010607), 2020, $25.20; NW Engineering (Tax ID 8005859), 2020, $47.84. [Total for City of Rapid City: $24,614.22]
14) WSO12721-27: 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) WSO12721-01: Request Authorization to Seek Proposals for Professional Services for Dyess Avenue Reconstruction – Seger Drive to City Limits, Project No. 20-2630 / CIP No. 51282
16) WSO12721-02: Authorize Mayor and Finance Officer to Sign an Agreement Between the City of Rapid City and FMG Engineering, Inc. for Wonderland Drive Area Street and Utilities Reconstruction Phase 1, Project No. 20-2609 – CIP 51070.1
17) WSO12721-03: Authorize Staff to Purchase One (1) New Current Model Year Bucket Truck Through the Versalift Sourcewell Cooperative Contract #012418-TIM with ABM Equipment in the Amount of $97,785.00
18) WSO12721-04: Authorize Mayor and Finance Officer to Sign Agreement Between the City of Rapid City and Frank P. Boyle for Temporary Construction Easements and Permanent Sanitary Sewer Main Easements for Property Located at 3637 Edwards Street for the Elk Vale Lift Station Gravity Main and Force Main Project, Project No. 18-2480 / CIP No. 50729, in the Amount of $40,400.00
19) WSO12721-05: 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) WSO12721-06: Authorize Mayor and Finance Director to Sign a Joint Funding Agreement Between U.S. Department of Interior, U.S. Geological Survey and City of Rapid City for 2021 Water Resource Investigations, CIP No. 51279. The City of Rapid City’s Share of the Program is $138,000.00
21) WSO12721-07: 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) WSO12721-08: Request Authorization for Staff to Seek Proposals for Engineering Services for Race Track Draw Drainage Basin Design Plan (DBDP) Update, Project No. 20-2628, CIP No. 51315
23) WSO12721-13: Authorize Staff to Advertise Bids for St. Cloud Street Reconstruction Project – 5th St. to Highland Crt, Project No. 19-2487 / CIP No. 51036. Estimated Cost $2,640,000.
24) WSO12721-14: Request from KTM Design Solutions, Inc. on behalf of Western Housing Enterprises, LLC for a Variance to Waive the Requirement to Install Sidewalk along 1804 East Highway 44, Rapid City, per City Ordinance 12.08.060
Staff Recommendation: APPROVE
COUNCIL WORK SESSION

25) WS012721-18: Authorize Staff to Advertise for Bids Downtown Lighting Project Phase 3 CIP #51228 Engineers Estimate $400,000

26) WS012721-21: 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 Nordstrom.

27) WS012721-24: Approve Final Recommendation for the FY20 Community Development Block Grant CV3 Funds

MAYOR’S OFFICE

28) WS012721-19: Confirm the Reappointments of Nick Patton and Rick Denherder to the Downtown BID Board

29) WS012721-25: 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) WS012721-28: 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.
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, February 1, 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, Ron Weifenbach 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, Community Develop Director Ken Young, IT Director Jim Gilbert, Parks and Recreation Director Jeff Biegler, Finance Director Pauline Sumption, Planning Manager Vicki Fisher, Planner Fletcher Lacock and Administrative Secretary Angie Boeve

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

Pat Jones called a point of personal privilege. He commended the Public Library Board for their resolution and willingness to work together for a student who cannot wear a mask due to medical reasons.

PRESENTATION
Jennifer Sietsema from the Black Hills Council of Local Government presented an update. Drew requested quarterly updates be provided to the Council.

Mitch Nachitgall of Elevate Rapid City gave the Ascent Innovation Campus Presentation. He explained that the Rapid City Area Chamber, the Economic Development Foundation and their Economic Development Partnership are under the Elevate umbrella. This allows them to reduce duplicate efforts. There is a waiting list for the campus. The most important part of the transition is ensuring the start-ups have a place to move into after their five years is up.

GENERAL PUBLIC COMMENT
Chuck Henrie spoke about the First Amendment and encouraged people to wear masks.

R. Shawn Tornow, Counsel for Businesses of Rapid City, Inc., Nick Uhre, Bill Clayton, Jasmine Stangle, Kirstin Mitzel, Annie Daniel, Roben Hinker, Marcie Hinker; Sheila Schielke, Christine Stephenson, Annie Loyd, Amy Sazue, Deborah Mitchell, Rachel Caesar, Natalie LaFrance-Slack, Julie Jensen and Rod Pettigrew spoke in regards to the Executive Session.

NON-PUBLIC HEARING ITEMS -- Items 3 – 54
CONSENT ITEMS – Items 3 – 43
The following items were removed from the Consent Items:

31. WS012721-21: 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

Motion was made by Roberts, second by Jones and carried to approve items 3 – 43, with the exception of items 13 and 31.

Approve Minutes
3. Approve Minutes for the January 19, 2021 Regular Council meeting.

Alcoholic Beverage License Applications Set for Hearing (February 16, 2021)
4. Bar K-9 for a SPECIAL EVENT on-sale Malt Beverage for an event scheduled for February 26 and 27, 2021, at the Rushmore Mall, Center Court, 2200 N Maple Dr. #508
5. Naja Shrine Temple for a SPECIAL EVENT On-Sale Wine license and On-Sale Malt Beverage License, an event scheduled for March 6, 2021 at the Rapid City Shrine Center, 4091 Sturgis Road
6. Main Street Square Inc. for a SPECIAL EVENT On-Sale Dealer license scheduled for June 19, 2021; for SPECIAL EVENT On-Sale Dealer license scheduled for August 7, 2021; for a SPECIAL EVENT On-Sale Malt Beverage License and On-Sale Wine License scheduled for September, 25, 2021 at Main Street Square & 6th Street (between Main Street and Omaha Street)

Working Session Committee Consent Items
7. 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 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 $42,039.61
8. WS012721-15: Authorize Staff to Purchase a 2021 RAM 3500 Regular Cab, 4X4, 6.4L V8 Truck from Liberty Superstores with Matching State Bid Pricing in the Amount of $29,991.90
9. WS012721-16: Authorize Staff to Purchase a 2021 RAM 5500 Regular Cab, 4X4, 6.4L V8 Truck from Liberty Superstores with Matching State Bid Pricing in the Amount of $39,161.00
10. WS012721-23: Authorize Staff to Purchase a 2022 Ford F750 Diesel Regular Cab Base 212" WB 138" CA with Crysteel “Select” 16' Dump Body from National Auto Fleet with Sourcewell Pricing for a Total Price of $104,693.00
11. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Shirley Brost (RSVP+), Johnnie Daum (RSVP+), Loretta Endres (RSVP+), Bonnie Fugate (RSVP+), Donna Juran (RSVP+), Sally Levengood (RSVP+), Bonnie Manning (RSVP+), Jane Mattson (RSVP+), Robert Ryther (RSVP+), Sue Sisson (RSVP+), Karen Turgeon (RSVP+), Les Turgeon (RSVP+), Lorie Umphrey (RSVP+), Joanne Vigoren (RSVP+), Bonnie Witt (RSVP+), Connie Zimbleman (RSVP+)
14. WS012721-11: Approve Resolution No. 2021-005 a Resolution Declaring Miscellaneous Personal Property Surplus to be traded and/or donated

Resolution #2021-005
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 (607)
For Deletion (Trade):
ATLAS AIR COMPRESSOR
VIN# 4500A0618XH609965

POLICE (201)
For Deletion (Donation):
QTY 20 – TASER X26P
SERIAL #:
X13004XYR
X13003EFO
X13003ENX
X130039T4
X13003EXR
X130037RM
X13004XWD
X13003EEN
X13004XY3
X13004Y3K
X13003ETR
X130038RY
X13005XA3
X13005X2C
X13003EFK
X13004Y3V
X13003F0D
X13003EX4
X13008V06
X13003EyV

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 1st day of February, 2021.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director

15. WS012721-17: Approve Resolution No. 2021-007 a Resolution Declaring Miscellaneous Personal Property surplus to be discarded

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:

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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 1st day of February, 2021.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director

16. 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

RESOLUTION 2021-008

A RESOLUTION AUTHORIZING 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 THE BONDS
BE IT RESOLVED by the City Council (the “Council”) of the City of Rapid City, South Dakota (the “City”), as follows:

SECTION 1. RECITALS, AUTHORIZATION AND SALE.

1.01. Recitals and Authorization. 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 10-52A-2, South Dakota Codified Laws (the “Gross Receipts Tax Act”), to levy an additional “non-ad valorem tax” (as defined by the Gross Receipts Tax Act) of one percent upon the gross receipts of all leases or rentals of hotel, motel, campsites or other lodging accommodations within the City for periods of less than 28 consecutive days, or sales of alcoholic beverages as defined in Section 35-1-1, South Dakota Codified Laws, or establishments where the public is invited to eat, dine or purchase and carry out prepared food for immediate consumption, or ticket sales or admissions to places of amusement, athletic and cultural events, or any combination thereof (the “Gross Receipts Tax”).

(D) The City may issue municipal non-ad valorem tax revenue bonds pursuant to Section 10-52A-14 of the Gross Receipts Tax Act and Chapter 6-8B, South Dakota Codified Laws (the “Bond Act”; together with the Gross Receipts Tax Act, the “Act”), in anticipation of the collection of the Gross Receipts Tax. Such bonds are required to be payable solely from collections of the Gross Receipts Tax, and the City is required to covenant that it will continue to impose and collect the Gross Receipts Tax so long as such bonds are outstanding.

(E) Pursuant to the Act, Section 3.16.040 (the “Original Ordinance”) of the Rapid City Municipal Code (the “Code”) and an Indenture of Trust dated August 1, 2008, between the City and The First National Bank in Sioux Falls, in Sioux Falls, South Dakota, as trustee (the “Trustee”), the City previously issued its Gross Receipts Tax Revenue Bonds, Series 2008, dated, as originally issued, as of August 1, 2008 (the “Series 2008 Bonds”), payable as to principal, premium, if any, and interest from the Gross Receipts Tax, for the purpose of financing improvements to the existing Rushmore Plaza Civic Center. The City further issued, pursuant to the Original Ordinance and the Act, its Gross Receipts Revenue Refunding Bonds, Series 2014, dated, as originally issued, as of March 25, 2014 (the “Series 2014 Bonds”), the proceeds of which refunded the Series 2008 Bonds.

(F) Pursuant to Ordinance No. 6015 adopted October 20, 2014, the City repealed the Original Ordinance and added Chapter 3.18 to the Code (the “Ordinance”), which Ordinance provides for the imposition of the Gross Receipts Tax and the allocation thereof, with 25% allocated to Visit Rapid City and 75% (the “Pledged Gross Receipts Tax”) allocated to the Rushmore Plaza Civic Center Board (the “Board”).

(G) The Board is created and governed by Chapter 2.76 of the Code and South Dakota Codified Laws, Chapter 9-52 (the “Board Governance Provisions”). Section 2.76.100 of the Code provides that funds pertaining to the Civic Center shall be placed in the custody of the Finance Director, and South Dakota Codified Laws, Section 9-52-26 provides that actions of the Board shall at all times be governed
by and subject to all covenants, agreements and limitations contained in the resolutions of the City Council authorizing outstanding revenue bonds.

(H) As authorized by the Ordinance, the Act, the 2014 Resolution and the Board Governance Provisions, the City has determined that it is necessary and desirable to issue additional gross receipts tax revenue bonds, in one or more series, to be designated “City of Rapid City, South Dakota, Gross Receipts Revenue Refunding Bonds, Series 2021” (the “Bonds”), the proceeds of which would be used, together with any additional funds of the City which might be required, (i) to refund in advance of maturity and redeem on June 1, 2021 or such other date as is selected by the Finance Director (the “Redemption Date”), the Series 2014 Bonds (the “Refunded Bonds”), aggregating $2,295,000 in principal amount, and (ii) to pay the costs of issuance of the Bonds (including an original issue discount not to exceed 2% of the par amount of the Bonds and any bond insurance premium as may be required).

1.02. Sale and Bond Purchase Agreement. The Bonds authorized hereby shall be sold to Colliers Securities (the “Purchaser”), in an aggregate principal amount not to exceed the amount necessary to provide for the refunding of the Refunded Bonds and paying costs of issuance of the Bonds, including original issue discount, the underwriter’s discount and any bond insurance premium, the Bonds to bear interest at a rate or rates per annum resulting in an average yield not to exceed 2.00% per annum and to mature over a period not to exceed eight (8) years. Such proposal is hereby approved and the Mayor and Finance Director are hereby authorized and directed to agree with the Purchaser upon the exact purchase price, principal amount, maturities, redemption provisions and interest rate or rates for the Bonds, within the parameters set forth in this Section 1.02. The execution of a Bond Purchase Agreement setting forth such final terms or any similar document (a “Bond Purchase Agreement”) by the Mayor and Finance Director is hereby approved and authorized and such execution shall be conclusive evidence of such agreement and shall be binding upon the City. The provisions of the Bond Purchase Agreement as so executed, including any and all Exhibits and Appendices thereto, are incorporated herein by reference. The law firm of Dorsey & Whitney LLP, in Minneapolis, Minnesota, is hereby appointed as bond counsel and disclosure counsel for purposes of this issue of Bonds.

1.03. City Officers Authorized to Execute Documents. The Mayor, Finance Director and City Attorney are hereby authorized and directed to execute and deliver the Bond Purchase Agreement and the documents required thereunder, the Official Statement, the Bonds and any other documents required to complete the financing contemplated hereby. Execution and delivery of such documents by the Mayor, Finance Director and City Attorney shall constitute evidence that such items are consistent with the terms of this Resolution 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. The Mayor, Finance Director and City Attorney are further authorized to take such other actions as may be required to effectuate the terms and intent of this Resolution. In the event of the absence or disability of the Mayor, Finance Director or City Attorney, the acting Mayor, the acting Finance Director or the acting City Attorney are hereby authorized to act in the place and stead of the Mayor, Finance Director and City Attorney, and to take all actions and execute all documents approved hereby.

1.04. Official Statement. The Mayor, Finance Director and the City Attorney are authorized, in cooperation with the Municipal Advisor, to prepare an Official Statement to be distributed to prospective purchasers of the Bonds. The Mayor and the Finance Director are hereby authorized and directed to approve, and, if requested, to execute the final Official Statement.

SECTION 2. BOND TERMS, EXECUTION AND DELIVERY.

2.01. Execution, Authentication and Delivery. The Bonds shall be prepared under the direction of the Finance Director and shall be executed and authenticated on behalf of the City by the signatures of the Mayor and the Finance Director and countersigned by an attorney resident and licensed to practice in the
State of South Dakota. All signatures may be printed, lithographed, photocopied or engraved facsimiles of the original. In case any officer whose signature or a facsimile of whose signature shall appear on the Bonds shall cease to be such officer before the delivery of any Bond, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. Notwithstanding such execution, no Bond shall be valid or obligatory for any purpose or entitled to any security or benefit under this Resolution unless and until a certificate of authentication on the Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on each Bond shall be conclusive evidence that it has been authenticated and delivered under this Resolution. After the Bonds have been so prepared and executed, the Finance Director shall deliver them to the Registrar for delivery to the Purchaser on receipt of the purchase price heretofore agreed upon, and the Purchaser shall not be required to see to the application thereof.

2.02. Maturities and Interest Rates. The Bonds shall be issued in the denomination of $5,000 each, or any integral multiple thereof, shall mature on the dates and in the respective years and amounts, and shall bear interest from date of original issue until paid or duly called for redemption at the respective annual rates stated opposite such maturity years as shown in the final Official Statement. The Bonds shall be issuable only in fully registered form and may be issued either in book-entry only form or in physical form. The interest thereon and, upon surrender of each Bond, the principal amount thereof, shall be payable by check or draft issued by the Registrar described herein; provided if the Bonds are registered in the name of a securities depository, or a nominee thereof, in accordance with Section 2.08 hereof, principal and interest shall be payable in accordance with the operational arrangements of the securities depository.

2.03. Dates and Interest Payment Dates. Each Bond shall bear a date of original issue as set forth in the Bond. Upon the initial delivery of the Bonds pursuant to Section 2.01 and upon any subsequent transfer or exchange pursuant to Section 2.06, the date of authentication shall be noted on each Bond so delivered, exchanged or transferred. The interest on the Bonds shall be payable on the dates shown in the final Official Statement, to the owner of record thereof as the close of business on the fifteenth day of the immediately preceding month, whether or not such day is a business day. Interest shall be computed on the basis of a 360 day year composed of twelve 30 day months.

2.04. Redemption. The Bonds shall be subject to redemption prior to maturity, at the option of the City, in the years and at the redemption prices set forth in the final Official Statement in such order of maturities as may be designated by the City and, within any maturity, in $5,000 principal amounts selected by the Registrar by lot, assigned in proportion to their principal amounts. The Finance Director shall cause notice of the call for redemption thereof to be published as and if required by law, and, at least thirty days prior to the designated redemption date, shall cause notice of the call thereof for redemption to be mailed, by first class mail (or, if applicable, by the bond depository in accordance with its customary procedures), to the registered owners of any Bonds to be redeemed at their addresses as they appear on the bond register described in Section 2.06 hereof, but no defect in or failure to give such mailed notice shall affect the validity of proceedings for the redemption of any Bond not affected by such defect or failure. The notice of redemption shall specify the redemption date, redemption price, the numbers, interest rates and CUSIP numbers of the Bonds to be redeemed and the place at which the Bonds are to be surrendered for payment, which is the principal office of the Registrar. Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the City shall default in the payment of the redemption price) such Bonds or portions of Bonds shall cease to bear interest. Upon partial redemption of any Bond, a new Bond or Bonds will be delivered to the registered owner without charge, representing the remaining principal amount outstanding.
2.05. Appointment of Initial Registrar. The City hereby appoints U.S. Bank National Association, St. Paul, Minnesota, as bond registrar, transfer agent and paying agent (the "Registrar"). The Mayor and the Finance Director are authorized to execute and deliver, on behalf of the City, a contract with the Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, such corporation shall be authorized to act as successor Registrar. The City agrees to pay the reasonable and customary charges of the Registrar for the services performed. The City reserves the right to remove the Registrar upon thirty (30) days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar shall deliver all cash and Bonds in its possession to the successor Registrar and shall deliver the bond register to the successor Registrar. On or before each principal or interest due date, without further order of the Council, the Finance Director shall transmit to the Registrar, from the accounts described in Section 4, moneys sufficient for the payment of all principal and interest then due.

2.06. Registration. The effect of registration and the rights and duties of the City and the Registrar with respect thereto shall be as follows:

(a) Register. The Registrar shall keep at its principal corporate trust office a bond register in which the Registrar shall provide for the registration of ownership of Bonds and the registration of transfers and exchanges of Bonds entitled to be registered, transferred or exchanged.

(b) Transfer of Bonds. Upon surrender for transfer of any Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar shall authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the fifteenth day of the month preceding each interest payment date and until such interest payment date.

(c) Exchange of Bonds. Whenever any Bonds are surrendered by the registered owner for exchange, the Registrar shall authenticate and deliver one or more new Bonds of a like aggregate principal amount and maturity, as requested by the registered owner or the owner's attorney in writing.

(d) Cancellation. All Bonds surrendered upon any transfer or exchange shall be promptly canceled by the Registrar and thereafter disposed of as directed by the City.

(e) Improper or Unauthorized Transfer. When any Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the same until it is satisfied that the endorsement on such Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar shall incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The City and the Registrar may treat the person in whose name any Bond is at any time registered in the bond register as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on such Bond and for all other purposes, and all such payments so made to any such registered owner or upon the
owner's order shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. For every transfer or exchange of Bonds, the Registrar may impose a charge upon the owner thereof sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to such transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Bonds. In case any Bond shall become mutilated or be destroyed, stolen or lost, the Registrar shall deliver a new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of any such mutilated Bond or in lieu of and in substitution for any such Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that such Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar of an appropriate bond or indemnity in form, substance and amount satisfactory to it, in which both the City and the Registrar shall be named as obligees. All Bonds so surrendered to the Registrar shall be canceled by it and evidence of such cancellation shall be given to the City. If the mutilated, destroyed, stolen or lost Bond has already matured or been called for redemption in accordance with its terms, it shall not be necessary to issue a new Bond prior to payment.

2.07. Bond Form. The Bonds shall be prepared in substantially the form presented to and approved by this Council and on file in the office of the Finance Director.

2.08. Securities Depository.

(a) For purposes of this section the following terms shall have the following meanings:

"Beneficial Owner" shall mean, whenever used with respect to a Bond, the person in whose name such Bond is recorded as the beneficial owner of such Bond by a Participant on the records of such Participant, or such person's subrogee.

"Cede & Co." shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Bonds.

"DTC" shall mean The Depository Trust Company of New York, New York.

"Participant" shall mean any broker-dealer, bank or other financial institution for which DTC holds Bonds as securities depository.

"Representation Letter" shall mean the Representation Letter pursuant to which the sender agrees to comply with DTC's Operational Arrangements.

(b) The Bonds shall be initially issued as separately authenticated fully registered bonds, and one Bond shall be issued in the principal amount of each stated maturity of the Bonds. Upon initial issuance, the ownership of such Bonds shall be registered in the bond register in the name of Cede & Co., as nominee of DTC. The Registrar and the City may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal of or interest on the Bonds, selecting the Bonds or portions thereof to be redeemed, if any, giving any notice permitted or required to be given to registered owners of Bonds under this Resolution, registering the transfer of Bonds, and for all other purposes whatsoever; and neither the Registrar nor the City shall be affected by any notice to the contrary. Neither the Registrar nor the City shall have any responsibility or
obligation to any Participant, any person claiming a beneficial ownership interest in the Bonds under or through DTC or any Participant, or any other person which is not shown on the bond register as being a registered owner of any Bonds, with respect to the accuracy of any records maintained by DTC or any Participant, with respect to the payment by DTC or any Participant of any amount with respect to the principal of or interest on the Bonds, with respect to any notice which is permitted or required to be given to owners of Bonds under this Resolution, with respect to the selection by DTC or any Participant of any person to receive payment in the event of a partial redemption of the Bonds, or with respect to any consent given or other action taken by DTC as registered owner of the Bonds. So long as any Bond is registered in the name of Cede & Co., as nominee of DTC, the Registrar shall pay all principal of and interest on such Bond, and shall give all notices with respect to such Bond, only to Cede & Co. in accordance with DTC’s Operational Arrangements, and all such payments shall be valid and effective to fully satisfy and discharge the City’s obligations with respect to the principal of and interest on the Bonds to the extent of the sum or sums so paid. No person other than DTC shall receive an authenticated Bond for each separate stated maturity evidencing the obligation of the City to make payments of principal and interest. Upon delivery by DTC to the Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the Bonds will be transferable to such new nominee in accordance with paragraph (e) hereof.

(c) In the event the City determines that it is in the best interest of the Beneficial Owners that they be able to obtain Bonds in the form of bond certificates, the City may notify DTC and the Registrar, whereupon DTC shall notify the Participants of the availability through DTC of Bonds in the form of certificates. In such event, the Bonds will be transferable in accordance with paragraph (e) hereof. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the City and the Registrar and discharging its responsibilities with respect thereto under applicable law. In such event the Bonds will be transferable in accordance with paragraph (e) hereof.

(d) The execution and delivery of the Representation Letter to DTC by the Mayor or Finance Director, if not previously filed with DTC, is hereby authorized and directed.

(e) In the event that any transfer or exchange of Bonds is permitted under paragraph (b) or (c) hereof, such transfer or exchange shall be accomplished upon receipt by the Registrar of the Bonds to be transferred or exchanged and appropriate instruments of transfer to the permitted transferee in accordance with the provisions of this Resolution. In the event Bonds in the form of certificates are issued to owners other than Cede & Co., its successor as nominee for DTC as owner of all the Bonds, or another securities depository as owner of all the Bonds, the provisions of this Resolution shall also apply to all matters relating thereto, including, without limitation, the printing of such Bonds in the form of bond certificates and the method of payment of principal of and interest on such Bonds in the form of bond certificates.

SECTION 3. USE OF PROCEEDS; REDEMPTION OF REFUNDED BONDS.

3.01. Use of Proceeds. Proceeds of the Bonds, together with any other funds of the City, shall be deposited in the Bond Account established for the Refunded Bonds to be applied to their payment on the Redemption Date and proceeds of the Bonds shall also be used to pay costs of issuance of the Bonds.

3.02. Redemption of Refunded Bonds. The Finance Director is directed to call the Refunded Bonds for redemption and prepayment on the Redemption Date and to give notice of redemption substantially in the form attached hereto as Exhibit A in accordance with the provisions of the Resolution authorizing the issuance of the Refunded Bonds.

SECTION 4. FUND AND ACCOUNTS.
4.01. Gross Receipts Tax Revenue Fund. There has been established in connection with the Refunded Bonds, and the Finance Director will continue to maintain, a Gross Receipts Tax Revenue Fund (the "Revenue Fund") as a separate and special fund in the financial records of the City until all obligations issued and made payable therefrom, and interest due thereon, have been duly paid or discharged. All collections of the Gross Receipts Tax shall be credited, as received, to the Revenue Fund. Within the Revenue Fund are various separate accounts to be maintained by the City.

4.02. Bond Account. So long as any of the Bonds and Additional Bonds (together, the "Parity Bonds") are outstanding and any principal of or interest thereon unpaid, a separate debt service fund shall be maintained within the Revenue Fund to be known as the Gross Receipts Tax Revenue Bond Account (the "Bond Account") and the principal and interest on the Parity Bonds shall be payable from the Bond Account. The City shall deposit in the Bond Account, from proceeds of the Pledged Gross Receipts Tax, amounts sufficient to pay the principal of, premium, if any, and interest on the Parity Bonds when due (on each Interest Payment Date and at maturity or call for redemption). The moneys on hand in the Bond Account from time to time shall be used solely to pay the principal of and interest on the Parity Bonds. So long as the Bonds shall be outstanding, either as to principal or interest, or both, the Pledged Gross Receipts Tax revenues shall be set aside and deposited:

(A) into a separate subaccount hereby created and to be known as the Interest Account (the "Interest Account"), monthly, commencing on the first day of the first month following the delivery of the Bonds, an amount in equal monthly installments necessary, together with any moneys therein and available therefor, to pay the next maturing installment of interest on Parity Bonds then outstanding and monthly thereafter on the first day of each month commencing on said interest payment date, one-sixth (1/6th) of the amount necessary to pay the next maturing installment of interest on the outstanding Parity Bonds; and

(B) into a separate subaccount hereby created and to be known as the Principal Account (the "Principal Account"), monthly, commencing on the first day of the first month following delivery of the Bonds, an amount in equal monthly installments necessary, together with any moneys therein and available therefor, to pay the next maturing installment of principal on the outstanding Parity Bonds and monthly thereafter on the first day of each month commencing on said principal payment date, one-twelfth (1/12th) of the amount necessary to pay the next maturing installment of principal on the Parity Bonds.

(C) After and subordinate to the payments required by subparagraphs (A) and (B) hereof, any balance of the Pledged Gross Receipts Tax in the Revenue Fund shall be used to pay principal of, interest on and any reserve fund for Subordinate Bonds (provided that such payments may be made at any intervals as may be provided in the ordinance or resolution authorizing such Subordinate Bonds, but in no event more frequently than payments are made pursuant to subparagraphs (A) and (B) hereof) or applied in accordance with the Ordinance and Act.

Nothing herein shall prevent the City, in its discretion, from making any of the foregoing deposits from other legally available funds. If prior to any interest payment date or principal payment date, there has been accumulated in the Bond Account the entire amount necessary to pay the next maturing installment of interest or principal, or both, the payment required in subparagraph (A) or (B) (whichever is applicable) of this Section 4.02, may be appropriately reduced and the required annual or semiannual amounts again shall be so credited to such subaccount commencing on such interest payment date or principal payment date (whichever is applicable). The moneys in the Bond Account are irrevocably and exclusively pledged to the payment of principal of and interest on the Parity Bonds.

4.03. Deposit and Investment of Funds. The Finance Director shall cause all moneys in the Revenue Fund to be deposited as received with one or more banks which are duly qualified public depositories under the provisions of Chapter 4-6A, SDCL, in a deposit account or accounts, which shall
be maintained separate and apart from all other account of the City, so long as any of the Bonds and the interest thereon shall remain unpaid. Any of such moneys not necessary for immediate use may be deposited with such depository banks in savings or time deposits. No moneys shall at any time be withdrawn from such deposit accounts except for the purposes of the respective funds as authorized in this Resolution, except that moneys from time to time on hand in the respective funds may at any time, in the discretion of the City Council, be invested in securities permitted by the provisions of Section 4-5-6, SDCL. Income received from the deposit or investment of moneys shall be credited to the account from whose moneys and deposit was made or the investment was purchased, and handled and accounted for in the same manner as other moneys in that account. The investment of the moneys on deposit in the Bond Account is further restricted by the provisions of Section 8 hereof.

SECTION 5. PRIORITIES AND ADDITIONAL BONDS.

5.01. Priority of Bond Payments. Each and all of the Parity Bonds shall be equally and ratably secured by and payable out of Pledged Gross Receipts Tax revenues without preference or priority of any Parity Bond over any other by reason of serial number or otherwise, provided that if at any time the collections of the Pledged Gross Receipts Tax are insufficient to pay principal and interest then due on all Parity Bonds, any and all moneys then on hand shall be first used to pay the interest accrued on all outstanding Parity Bonds, and the balance shall be applied toward payment of the maturing principal of Parity Bonds in order of their maturities, the earliest maturing Parity Bonds to be paid first, and pro-rata in payment of Parity Bonds maturing on the same date.

5.02. Refunding Revenue Bonds. The City reserves the right and privilege of refunding any or all of the Parity Bonds, but only subject to the following terms and conditions:

(a) Any matured Parity Bonds may be refunded if moneys available for the payment thereof at maturity, within the limitation prescribed in Section 5.01 hereof, should at any time be insufficient to make such payment in full.

(b) Any Parity Bonds may be refunded prior to maturity, as and when they become prepayable according to their terms.

(c) Provision may be made for the payment and refunding of any unmatured Parity Bonds by the deposit with a duly qualified depository bank, as escrow agent, of a sufficient amount of cash, or general obligations of the United States, or of securities whose principal and interest payments are guaranteed by the United States, to pay the principal amount of such outstanding Parity Bonds with interest to the earliest subsequent date, if any, upon which the same may be called for redemption and prepayment, and with interest to the maturity of any such Parity Bonds which are not subsequently prepayable.

(d) Any refunding revenue bonds issued for the above purposes may be made payable from the collections of Pledged Gross Receipts Tax on a parity as to interest with all then outstanding Parity Bonds, provided that (1) no bondholder shall be required to accept a refunding revenue bond in exchange for any Bond owned by such holder and (2) maximum annual debt service on the refunding bonds is not more than 125% of the maximum annual debt service on the Parity Bonds being refunded.

5.03. Other Parity Bonds. In addition to refunding bonds authorized by Section 5.02(d), the City reserves the right to issue Additional Bonds, payable from the Bond Account, on a parity as to both principal and interest with the Parity Bonds, if (i) no default has occurred and is continuing under this Resolution, and (ii) the collections of the Pledged Gross Receipts Tax for each of the two full fiscal years of the City immediately preceding the date of issue of the Additional Bonds were at least 200% of the maximum annual debt service in any future fiscal year, on all then outstanding Parity Bonds and on the Additional Bonds proposed to be issued.
In no event shall any Additional Bonds be issued and made payable from the Bond Account if the City is then in default in any payment of principal or interest deficiency in the balances required by this Resolution to be maintained in any of the funds described in this Resolution.

5.04. Subordinate Lien Bonds; No Senior Bonds. Notwithstanding the above provisions of this Section 5, nothing contained in this Resolution or in the Bonds shall be construed to preclude the City from issuing bonds or other obligations ("Subordinate Bonds") secured by a pledge of Pledged Gross Receipts Tax if (a) their lien on the Pledged Gross Receipts Tax is made expressly subordinate to the pledge thereof to all Parity Bonds, (b) no default has occurred and is continuing under this Resolution and (c) the collections of the Pledged Gross Receipts Tax for each of the two full fiscal years of the City immediately preceding the date of issue of the Subordinate Bonds were at least 200% of the maximum annual debt service in any future fiscal year, on all then outstanding Parity Bonds and on the Subordinate Bonds proposed to be issued. Nothing in this Resolution shall be construed so as to permit the City to issue bonds payable from the Pledged Gross Receipts Tax revenues having a lien thereon prior and superior to the Parity Bonds herein authorized to be issued.

SECTION 6. COVENANTS OF THE CITY.

The City hereby covenants with each and every Owner of the Bonds that so long as any Bonds remain Outstanding and unpaid:

(a) The City will administer, enforce and collect, or cause to be administered, enforced and collected, the Gross Receipts Tax and shall take all reasonable action necessary to collect delinquent payments or to cause delinquent payments to be collected in accordance with law.

(b) The City will keep or cause to be kept books and records showing the proceeds of the Gross Receipts Tax, in which complete entries shall be made in accordance with standard principles of accounting, and any owner of any of the Bonds shall have the right at all reasonable times to inspect such books and records.

(c) The City shall continue to impose and collect the Gross Receipts Tax on the value of goods and services subject to such tax, and the City shall not exempt any item or transaction from the Gross Receipts Tax which is subject to the Gross Receipts Tax on the date of adoption of this amending Resolution.

(d) The City shall, to the extent permitted by law, defend the validity and legality of the Gross Receipts Tax and the Resolution, and all amendments thereto, against all claims, suits and proceedings which would diminish or impair the Gross Receipts Tax as security for the Bonds.

(e) The City, acting by and through its officers, or otherwise, shall faithfully and punctually perform, or cause to be performed, all duties with respect to the Gross Receipts Tax required by the Constitution and laws of the State and the various ordinances, resolutions and contracts of the City, including, without limitation, the proper segregation of the proceeds of the Bonds and the Gross Receipts Tax and their application from time to time to the respective funds and subaccounts provided therefor.

(f) At any and all times the City shall, so far as it may be authorized by law, pass, make, do, execute, acknowledge, deliver and file or record all and every such further instruments, acts, deeds, conveyances, assignments, transfers, other documents and assurances as may be necessary or desirable for the better assuring, conveying, granting, assigning and confirming all and singular the rights, the Gross Receipts Tax and other funds and accounts hereby pledged or assigned, or intended so to be, or which the City may hereafter become bound to pledge or to assign, or as may be reasonable and required to carry out the purposes of this Resolution. The City, acting by and through its officers, or otherwise, shall at all times, to the extent permitted by law, defend, preserve and protect the pledge of
the Pledged Gross Receipts Tax and other funds and accounts pledged hereunder and all the rights and every owner of any of the Bonds against all claims and demands of all persons whomsoever.

(g) The City, its officers, agents and employees, shall not take any action in such manner or to such extent as might prejudice the security for the payment of the Bonds according to the terms thereof. No contract shall be entered into nor any other action taken by which the rights of any Registered Owner of any Bond or other security payable from the Pledged Gross Receipts Tax might be prejudicially and materially impaired or diminished.

SECTION 7. DEFEASANCE.

7.01. General. When the liability of the City on all Bonds issued under and secured by this Resolution and all interest thereon has been discharged as provided in this section, all pledges, covenants and other rights granted by this Resolution to the registered owners of such Bonds shall cease.

7.02. Payment. The City may discharge its liability with reference to any Bonds which are due on any date by depositing with the Registrar for such Bonds on or before the date a sum sufficient for the payment thereof in full; or if any Bond shall not be paid when due, the City may nevertheless discharge its liability with reference thereto by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit.

7.03. Redemption. The City may also discharge its liability with reference to any Bonds which are called for redemption on any date in accordance with their terms, by depositing with the Registrar on or before that date an amount equal to the principal, interest and redemption premium, if any, which are then due thereon, provided that notice of such redemption has been duly given as provided in this Resolution.

7.04. Escrow. The City may also at any time discharge its liability in its entirety with reference to any Bonds, subject to the provisions of law now or hereafter authorizing and regulating such action, by calling such Bonds for redemption on the next date when they may be prepaid in accordance with their terms, by giving the notice required for such redemption or giving irrevocable instructions to the escrow agent described below to give such notice, and by depositing irrevocably in escrow, with a bank qualified by law as an escrow agent for this purpose, cash or securities which are direct non-callable obligations of the United States and are authorized by law to be so deposited, bearing interest payable at such times and at such rates and maturing on such dates as shall be required, without reinvestment, to provide funds sufficient to pay all principal, interest and redemption premiums, if any, to become due on such Bonds on or before said redemption date.

SECTION 8. TAX MATTERS.

8.01. General Covenant. The City covenants and agrees with the registered owners from time to time of the Bonds that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Bonds to become includable in gross income for federal income tax purposes under the Code and applicable Treasury Regulations (the "Regulations"), and covenants to take any and all actions within its powers to ensure that the interest on the Bonds will not become includable in gross income for federal income tax purposes under the Code and the Regulations. The City shall not enter into any lease, management contract, operating agreement, use agreement or any other contract relating to the use or operation of the facilities refinanced with the Bonds, or any portion thereof, or security for the payment of the Bonds which might cause the Bonds to be considered "private activity bonds" or "private loan bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code").
8.02. Certification. The Mayor and the Finance Director, being the officers of the City charged with the responsibility for issuing the Bonds pursuant to this Resolution are hereby authorized and directed to execute and deliver to the Purchaser thereof a certificate in accordance with the provisions of Section 148 of the Code, and Section I. I 48-2(b) of the Regulations, stating that on the basis of facts, estimates and circumstances in existence on the date of issue and delivery of the Bonds, it is reasonably expected that the proceeds of the Bonds will be used in a manner that would not cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code and the Regulations.

8.03. Arbitrage Rebate. The City acknowledges that the Bonds may be subject to the rebate requirements of Section 148(f) of the Code. The City covenants and agrees to retain such records, make such determinations, file such reports and documents and pay such amounts at such times as are required under said Section 148(f) and applicable Regulations unless the Bonds qualify for an exception from the rebate requirement pursuant to one of the spending exceptions set forth in Section 1.148-7 of the Regulations and no "gross proceeds" of the Bonds (other than amounts constituting a "bona fide debt service fund") arise during or after the expenditure of the original proceeds thereof.

8.04. Not Bank Qualified. The Bonds will not be designated as “qualified tax exempt obligations” for purposes of Section 265(b)(3) of the Code.

SECTION 9. EFFECTIVE DATE; REPEALS.

This Resolution shall become effective twenty days following publication and all provisions of ordinances, resolutions and other actions and proceedings of the City which are in any way inconsistent with the terms and provisions of this Resolution are repealed, amended and rescinded to the full extent necessary to give full force and effect to the provisions of this Resolution.

Dated this 1st day of February, 2021.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director

Adopted: February 1, 2021.
Published: February 13, 2021.
Effective: March 5, 2021.

Exhibit A
Notice of Redemption
Gross Receipts Tax Revenue Refunding Bonds
Series 2014
Dated, as originally issued, as of March 25, 2014
City of Rapid City, South Dakota

NOTICE IS HEREBY GIVEN that the City of Rapid City, South Dakota (the “City”), has called for redemption and prepayment on June 1, 2021 (the “Redemption Date”), the outstanding term bond of the above-referenced issue maturing on June 1, 2028 and having the interest rate of 3.100% (the “Bond”).

The Bond will be redeemed at a price of 100% of its principal amount plus accrued interest to the date of redemption. The Holder of the Bond should present it for payment to the City Finance Director
City of Rapid City, South Dakota
Attn: Finance Director
300 Sixth Street
Rapid City, South Dakota 57701

Withholding of 28% of gross redemption proceeds of any payment made within the United States may be required by the Economic Growth and Tax Relief Reconciliation Act of 2001 (the "Act") unless the Paying Agent has the correct taxpayer identification number (social security number) or exemption certificate of the payee. Please furnish a properly completed form W-9 or exemption certificate or equivalent when presenting your Bond.

Dated: February 1, 2021.

BY ORDER OF THE CITY OF RAPID CITY, SOUTH DAKOTA
By: City Finance Director

*Indicates Full Call

17. WS012721-22: Approve Mayor and Chief of Police to Sign the 2021 Federal Equitable Sharing Agreement

18. WS012721-26: Approve Request for Property Tax Abatements as Follows: City of Rapid City (Tax ID 70020), 2020, $701.94; David Snyder (Tax ID 21873), 2020, $1129.64; 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 28598), 2020, $91.10; City of Rapid City (Tax ID 36523), 2020, $4,586.88; City of Rapid City (Tax ID 39203), 2020, $452.28; City of Rapid City (Tax ID 24964), 2020, $584.24; Donald Back (Tax ID 46473), 2020, $601.48; Prairie Acres (Tax ID 8002299), 2020, $40.58; Prairie Acres (Tax ID 8010607), 2020, $25.20; NW Engineering (Tax ID 8005859), 2020, $47.84. [Total for City of Rapid City; $24,614.22]

19. WS012721-27: Approve Resolution No. 2021-009 a Resolution Acknowledging Corrections to the January 4, 2021 Council Minutes

RESOLUTION NO. 2021-009
RESOLUTION ACKNOWLEDGING CORRECTIONS
TO THE JANUARY 4, 2021 COUNCIL MINUTES

WHEREAS, on January 4, 2021 the City Council approved item 20AN003 Approve request by Atlantis LLC for a Petition for De-Annexation for property generally described as being located at 1314 N. Elk Vale Road; and

WHEREAS, the minutes of the January 4, 2021 Council meeting were approved on January 19, 2021; and

WHEREAS, the motion approving the January 4, 2021 De-Annexation 20AN003 reads:

"Lehmann read in item (No. 20AN003) Approve request by Atlantis LLC for a Petition of De-Annexation for, property generally described as being located at 1314 N. Elk Vale Road. Motion was made by Drew, second by Jones to approve. Horton explained the applicant wanted to expand Watiki Waterpark. Part of the property is in Rapid City and part is in Box Elder. Landeen said one of the stipulations is signing an agreement to de-annex regarding sewer and water, but sales tax stays in Rapid City. Landeen stated Rapid City doesn't have the water for the expansion and Box Elder does. The Department of Revenue
determines the point of sale and they won’t move anything. Roll call vote was taken: AYE: Armstrong, Jones, Lehmann, Salamun, Evans, Strommen, Drew, Nordstrom, and Weifenbach; NO: None. Motion carried”; and

WHEREAS, the January 4, 2021 minutes reflect the correct motion but do not record the full text of Resolution 2020-079, as required in SDCL 9-19-8;

WHEREAS, Resolution No. 2020-079 should be included in the January 4, 2021 minutes as follows:

Resolution No. 2020-079
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 1.169, more or less, is hereby removed from the corporate limits of the City and excluded from the City:

Lot B of Lot 1 Revised of Atlantis Subdivision, located in the SW1/4 of Section 27, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota

Dated this 4th day of January, 2021

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director

(seal); and

WHEREAS, Resolution No. 2020-079 was published in its entirety on January 23, 2021, in accordance with SDCL 9-19-8, and it is therefore effective on February 10, 2021, pursuant to SDCL 9-19-13.

NOW, THEREFORE BE IT RESOLVED, by the City Council, that the minutes of the January 4, 2021 Rapid City Common Council meeting shall be amended to include and record the entire text of Resolution 2020-079.

Dated this 1st day of February, 2021.

CITY OF RAPID CITY
s/ Steve Allender

17
20. WS012721-01: Request Authorization to Seek Proposals for Professional Services for Dyess Avenue Reconstruction – Seger Drive to City Limits, Project No. 20-2630 / CIP No. 51282
21. WS012721-02: Authorize Mayor and Finance Officer to Sign an Agreement Between the City of Rapid City and FMG Engineering, Inc. for Wonderland Drive Area Street and Utilities Reconstruction Phase 1, Project No. 20-2609 – CIP 51070.1
22. WS012721-03: Authorize Staff to Purchase One (1) New Current Model Year Bucket Truck Through the Versallit Sourcewell Cooperative Contract #012418-TIM with ABM Equipment in the Amount of $97,785.00
23. WS012721-04: Authorize Mayor and Finance Officer to Sign Agreement Between the City of Rapid City and Frank P. Boyle for Temporary Construction Easements and Permanent Sanitary Sewer Main Easements for Property Located at 3637 Edwards Street for the Elk Vale Lift Station Gravity Main and Force Main Project, Project No. 18-2480 / CIP No. 50729, in the Amount of $40,400.00
24. WS012721-05: Approve 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
25. WS012721-06: Authorize Mayor and Finance Director to Sign a Joint Funding Agreement Between U.S. Department of Interior, U.S. Geological Survey and City of Rapid City for 2021 Water Resource Investigations, CIP No. 51279. The City of Rapid City's Share of the Program is $138,000.00
26. WS012721-07: Approve 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
27. WS012721-08: Request Authorization for Staff to Seek Proposals for Engineering Services for Race Track Draw Drainage Basin Design Plan (DBDP) Update, Project No. 20-2628, CIP No. 51315
29. WS012721-14: Approve Request from KTM Design Solutions, Inc. on behalf of Western Housing Enterprises, LLC for a Variance to Waive the Requirement to Install Sidewalk along 1804 East Highway 44, Rapid City, per City Ordinance 12.08.060
30. WS012721-18: Authorize Staff to Advertise for Bids Downtown Lighting Project Phase 3 CIP #51228 Engineers Estimate $400,000
31. WS012721-28: Approve 2021 Insurance Renewal Amounts for Property, Liability, and Excess Worker's Compensation
32. WS012721-19: Confirm the Reappointments of Nick Patton and Rick Denherder to the Downtown BID Board
33. WS012721-25: Confirm the Appointment of Shawna Retka to the Community Investment Committee

CIP Committee Consent Items
35. No. CIP011521-00 – Acknowledge Capital Improvement Programs Committee Monthly Updates for January 2021.
36. No. CIP011521-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, Summary)
37. No. CIP011521-04 – Approve Capital Plan for Fire Vehicles
38. No. CIP011521-05 – Approve Capital Plan for Parks & Recreation
39. No. CIP011521-06 – Approve Capital Plan for Information Technology
40. No. CIP011521-01 - Acknowledge Financial Report (Summary, DCA Charges and Debt Service)
41. No. CIP011521-02 - Approve Capital Plan for PW Infrastructure

**Community Development Consent Items**
42. WS012721-24: Approve Final Recommendation for the FY20 Community Development Block Grant CV3 Funds

**Bid Award Consent Items**
43. CC020121-04.1 - Approve award of total bid for 12th Street Reconstruction, West Main St. to Fulton St., Project No. 19-2499 / CIP No. 50927 opened on January 26, 2021 to the lowest responsible bidder, Simon Contractors of SD, Inc. in the amount of $6,488,393.40.

END OF CONSENT ITEMS

Mayor Allender read in item (WS012721-10) Acknowledge November 2020 Sales Tax Report. Sumption gave an update at Drew's request. There is a 3.08% sales tax increase for the first 11 months of 2020 over the same 11 months of 2019. Last month they projected up to a 12.5% decrease in sales tax, so the increase was a good surprise. The State does not provide the source of the sales tax, but is a reflection of current construction projects and development. Motion was made by Lehmann, second by Strommen and carried to acknowledge report.

Mayor Allender read in item (WS012721-21) 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. Evans expressed concerns for the equipment being obsolete and should be using smart controlled lighting and Rapid City should move toward a dark skies environment. Drew agreed and said more research should be done for sustainability too. Motion was made by Lehmann, second by Salamun to approve. Roll call vote: AYE: Lehmann, Salamun, Nordstrom, Weifenbach, Armstrong, and Roberts. NO: Jones, Evans, Drew and Strommen. Motion passed 6-4.

**NON-CONSENT ITEMS** – Items 44 - 54

**Open Public Comment**
Alan Glover, Julie Swan, Mark Johnsen, and Mary Jackson spoke in opposition to Item #45 (20RZ041). Annie Loyd. Chuck Henrie and Kyle Trelor from Dream Design spoke in favor of item 45 (20RZ041).

**Ordinances**
Mayor Allender read in item (No. 20RZ039) Approve First Reading, Ordinance 6457, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Dakota Heartland, Inc. for a Rezoning from General Commercial District to Office Commercial District for property generally described as being located at 411 and 425 Neel Street. Motion was made by Jones, second by Strommen and carried to approve Ordinance 6457 be placed upon its first reading and the title was fully and distinctly read and second reading set for Tuesday, February 16, 2021.

Mayor Allender read in item (No. 20RZ041) Approve First Reading, Ordinance 6459, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Yasmeen Dream, LLC for a Rezoning from General Commercial District to Medium Density Residential District for property generally described as being located at 2016 and 2030 Provider Boulevard. Evans spoke against this item and Salamun, Roberts, Nordstrom, and Drew spoke in support of the rezone, some asked questions of Fisher and Trelor. Weifenbach requested a meeting with the residents, the developer and City Planners before the next Council meeting. Armstrong inquired about safety. Chief Hedrick and Chief Culberson said this development is well within their response areas, but
as the City continues to grow, they will need more resources. Jones spoke about the speed and concern of extra traffic on South Valley Drive, and requested this be made part of the motion. Fisher stated that by state law, you cannot approve a rezone with stipulations or conditions, but this is in conjunction with a planned development which you can add a stipulation to and is on the agenda for the next meeting. Motion to approve in conjunction with a planned development was made by Nordstrom, second by Lehmann and carried to approve 9-1, with Evans voting No. Ordinance 6459 be placed upon its first reading and the title was fully and distinctly read and second reading set for Tuesday, February 16, 2021.

Mayor Allender read in item (No. 20RZ043) Approve First Reading, Ordinance 6460, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for BH Capital, LLC for a Rezoning from General Agricultural District to Low Density Residential District II for property generally described as being located south and east of the intersection of North Valley Drive and East Philadelphia Drive. Motion was made by Jones, second by Drew and carried to approve Ordinance 6460 and be placed upon its first reading and the title was fully and distinctly read and second reading set for Tuesday, February 16, 2021.

Mayor Allender read in item (No. 20RZ044) Approve First Reading, Ordinance 6461, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for BH Capital 4, LLC for a Rezoning from General Agricultural District to Light Industrial District for property generally described as being located on North Valley Drive. Motion was made by Drew, second by Nordstrom and carried to approve Ordinance 6461 and be placed upon its first reading and the title was fully and distinctly read and second reading set for Tuesday, February 16, 2021.

Mayor Allender read in item (No. 20RZ045) Approve First Reading, Ordinance 6462, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for ZCO, Inc. for a Rezoning from General Agricultural District to Light Industrial District for property generally described being located southeast of the intersection of Marlin Drive and Creek Drive. Motion was made by Drew, second by Nordstrom and carried to approve Ordinance 6462 and be placed upon its first reading and the title was fully and distinctly read and second reading set for Tuesday, February 16, 2021.

**Working Session Committee Items**

Mayor Allender read in item (WS012721-29): Provide Direction to Staff on Ordinances 13.08.390.A and 13.08.430.02. Motion was made by Lehmann, second by Armstrong to make no changes and return the ordinance to what it was before. Landeen explained that this could not happen overnight, an ordinance amendment would need to be written and approved at two Council meetings. Until that time, Public Works will need to follow the current ordinance. Nordstrom would like more discussion before the ordinance is amended. Drew inquired if landlords were part of the discussions prior to the ordinance being passed, Tech said they were not as they do not know who the landlords are because ownership is not checked when people open accounts. Owner versus tenant is hard to verify unless they provide that information when establishing their account. Drew would like a meeting between City staff and some of the landlords and property management firms to reach a solution. Substitute motion was made by Weißenbach to suspend the current ordinance. Landeen said that would not be a popular idea without further research. Substitute motion failed due to no second. Tech stated that staff is required to follow the ordinance and they will until the ordinance is amended. Tech explained that at the next work session they will present 13.08.390 and 13.08.430.02 with the words “must be in the owner’s name” removed and in the future, when the software issues are addressed, they will bring forward a policy change or new ordinance. Motion carried 10-0 to return the ordinance to what it was before.

**Community Development Items**

Mayor Allender read in item (No. 20PL097) A request by Renner Associates, LLC for a Preliminary Subdivision Plan for proposed Lots 1 thru 8 of Block 6 of Kateland Subdivision, generally described as being located northwest of the intersection of Brooke Street and Country Road. Motion was made by
Drew, second by Lehmann and carried 9-0 with Roberts abstaining, to approve with the following stipulations: 1. Prior to submittal of the a Development Engineering Plan application, the Master Plan shall be revised showing the future location of Country Road as it intersects with the adjacent property (E1/2SE1/4 less Auburn Hills Subdivision and less ROW) in the same location as currently shown on the adopted Major Street Plan or the applicant shall submit written documentation from the adjacent property owner (Doeck LLC) indicating concurrence with the revised street location or a Comprehensive Plan Amendment to the Major Street Plan shall be obtained to relocate the street as proposed; 2. Upon submittal of a Development Engineering Plan application, construction plans for Brooke Street shall be submitted for review and approval showing the street 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. 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 Country Road shall be submitted for review and approval showing the street located in a minimum 68-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. 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, 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. Easements and conveyances shall be secured as needed for the proposed development. In addition, upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any proposed drainage elements. Major Drainage Easements shall also be dedicated for any proposed drainage improvements; 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 all platted development in the area; 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 cost estimate for the required subdivision improvements shall be submitted for review and approval; 8. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements; 9. Prior to approval of the Development Engineering Plan application, engineering design reports (in part to include water, sewer, drainage, and pavement) 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; 10. Prior to submittal of a Final Plat application, the plat document shall show the vacated section line highway located between Sections 13 and 14, T2N, R7E; 11. Prior to submittal of a Final Plat application, the plat document shall be revised to show “Country Road” as “Country Road W.”; 12. 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, 13. Prior to the City’s acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

Mayor Allender read in item (No. 20PL103) A request by Renner Associates, LLC for Bill Freytag for a Preliminary Subdivision Plan for proposed Tract 1 and 2 of Rockinon Ranch Estates, generally described
as being located at 1221 Santana Court. Motion was made by Salamun, second by Lehmans and carried 9-0 with Weifenbach abstaining, to approve with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval showing a permanent turnaround at the western terminus of Santana Court. The turnaround shall be located within right-of-way and shall be constructed pursuant to Section 2.13 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, construction plans for the proposed 49-foot wide access and utility easement shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a lane place 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; 3. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval show a manhole in lieu of a cleanout at the western terminus of Santana Court 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, 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 public improvements; 6. Prior to approval of the Development Engineering Plan application, engineering design reports (in part to include water, sewer, drainage, and pavement) 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; 7. Prior to submittal of a Final Plat application, the plat document shall be revised to show the proposed access and utility easement as a "private" access and utility easement; 8. Prior to submittal of a Final Plat application, the plat document shall be revised to show Tract 1 and Tract 2 abutting a public right-of-way (street) a minimum distance of 25 feet each pursuant to Chapter 17.10.050.E of the Rapid City Municipal Code or a Zoning Exception shall be obtained to reduce the distance to 24.5 feet as currently shown; 9. 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, 10. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

Mayor Allender read in item (No. 20PL104) A request by KTM Design Solutions, Inc. for ZCO, Inc. for a Preliminary Subdivision Plan for proposed Lot 17A of Marlin Industrial Park, generally described as being located southeast of the intersection of Marlin Drive and Creek Drive. Motion was made by Drew, second by Jones and carried to approve with the following stipulations: 1. Upon submittal of a Final Plat application, the plat document shall show the dedication of 4.5 feet of additional right-of-way along Marlin Drive with an additional 5 feet of right-of-way the first 200 feet as the street extends east from Creek Drive or shall meet criteria for obtaining an Exception to waive the requirement. If an Exception is obtained, a copy of the approved document shall be submitted with the Final Plat application.

**Bid Awards**

Mayor Allender read in item (CC011921-04.2) Approve bid award for (1) One New Current Model Year Tandem Axle Dump Truck with Anti-Icing System & Valved for Future Plow to Floyd’s Truck Center with Northern Truck in the amount of $166,700.00 after trade. Motion was made by Armstrong, second by Jones and carried to approve 10-0.

Mayor Allender read in item (CC011921-04.3) Approve bid award for (1) One New Current Model Year Single Axle 4X4 Sander Truck with Pre-wet system and V-plow from Floyd’s Truck Center with Northern
Truck in the amount of $178,311.00 after trade. Motion was made by Armstrong, second by Salamun and carried to approve 10-0

**PUBLIC HEARING ITEMS** – Items 55 – 57

**CONSENT PUBLIC HEARING ITEMS** – Items 55 – 57

**Alcohol Licenses**

55. 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

56. Last Mile Brewery LLC DBA Last Mile Brewery, 635 Creek Drive, Unit C, for a Retail (on-off sale) Malt Beverage & SD Farm Wine License

57. Nancy Nguyen DBA The Nail Bar, 705 Mountain View Suite F, for a Retail (on-off sale) Malt Beverage & SD Farm Wine License

Motion was made by Jones, second by Roberts to approve items 55-57. Motion carried 10-0.

**END OF CONSENT PUBLIC HEARING CALENDAR**

**NON-CONSENT PUBLIC HEARING ITEMS** – *(NONE)*

**EXECUTIVE SESSION**

At 9:24 p.m. a motion was made by Armstrong, second by Drew and carried to go into executive session to discuss the qualifications, competence, performance, character, or fitness of a public officer pursuant to SDCL 1-25-2(1).

**STAFF DIRECTION**

At 10:29 p.m., motion was made by Jones, second by Roberts and carried to come out of executive session. All members were present. Motion was made by Lehmann, second by Evans and carried to dismiss all complaints against Laura Armstrong. Motion carried 10-0.

**BILLS**

The following bills have been audited:

**BILL LIST - FEBRUARY 1, 2021**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tr>
<td>P/ROLL PERIOD END 01/16/21, PD 01/22/21</td>
<td>1,856,431.44</td>
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<td>CDEV P/ROLL PERIOD END 01/16/21, PD 01/22/21</td>
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<td>PIONEER BANK &amp; TRUST, 01/16/21 P/ROLL TAXES, PD 01/22/21</td>
<td>508,869.34</td>
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<td>CDEV PIONEER BANK &amp; TRUST, 01/16/21 P/ROLL TAXES, PD 01/22/21</td>
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<td>SOUTH DAKOTA DEPARTMENT OF REVENUE, DEC20 SALES TAX PAYABLE, PD 01/25/21</td>
<td>45,081.48</td>
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<tr>
<td>SOUTH DAKOTA DEPARTMENT OF REVENUE, DEC20 EXCISE TAX PAYABLE, PD 01/25/21</td>
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<td>SOUTH DAKOTA DEPT OF REVENUE, DEC20 CCTR SALES TAX PAYABLE, PD 01/25/21</td>
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<td>WELLMARK INC, HEALTH CLAIMS THROUGH 01/15/21, PD 01/21/21</td>
<td>215,224.67</td>
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<td>WELLMARK INC, HEALTH CLAIMS THROUGH 01/22/21, PD 01/28/21</td>
<td>331,424.07</td>
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<td>WAGE WORKS, SECTION 125 PAYMENTS THROUGH 01/19/21, PD 01/20/21</td>
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<td>RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 01/20/21, PD 01/21/21</td>
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<td>RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 01/27/21, PD 01/28/21</td>
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<td>BANK WEST, TID54 RAINBOW RIDGE, PD 01/22/21</td>
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<td>BANK WEST, TID56 RUSHMORE CROSSING, PD 01/22/21</td>
<td>15,722.13</td>
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<tr>
<td>BANK WEST, TID65 MINNESOTA ST, PD 01/22/21</td>
<td>6,045.01</td>
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</table>

23
CITY COUNCIL

BANK WEST, TID70 CATRON BLVD, PD 01/22/21 60,820.89
CITY OF RAPID CITY, TID64 CABELA'S, PD 01/22/21 55,797.41
FIRST INTERSTATE BANK, TID50 FEDERAL BEEF/FOUNDERS PARK DEV, 8,739.99
PD 01/22/21
BLACK HILLS ENERGY, ELECTRICITY, PD 01/26/21 108,521.50
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 01/26/21 61,583.23
COMPUTER BILL LIST 8,775,099.70
CDEV COMPUTER BILL LIST 63.95
SUBTOTAL 12,104,332.56
RSVP, P/ROLL PERIOD END 01/16/21, PD 01/22/21 2,655.71
RSVP, PIONEER BANK & TRUST, 01/16/21 P/ROLL TAXES, PD 01/22/21 611.06
RSVP, COMPUTER BILL LIST 1,388.03
TOTAL 12,108,987.36

Sumption stated there were additions to the bill list for 2021 insurance renewals. Black Hills Insurance, Premiums $1,184,898.00; City Liability Insurance $236,753.50; IIARC Workers Compensation $508,604.00; IIARC Airport General Liability $31,482.00; IIARC Worker’s Compensation, CDBG $263.00; Black Hills Insurance, RSVP Premiums $269.00; City Liability Insurance, RSVP $134.50 and IIARC Worker’s Compensation, RSVP $23.00 for a new total of $14,071,414.36. Motion was made by Salamun, second by Strommen and carried to authorize (No. CC020121-01) the Finance Director 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 Jones, second by Lehmann and carried to adjourn the meeting at 10:32 p.m.

Dated this 1st day of February, 2021:

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)

Published at the approximate cost:
October 14, 2020

To: Lucy LaDeaux 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.

Sign x
Sales Manager
Shutting down for 2 weeks

By Staff on August 13, 2020

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

It is our estimate that with the Sturgis Motorcycle Rally and the Trump campaign at Mount Rushmore that the next two weeks will be the most crucial in combating this disease.

There will be no newspapers for August 19 or August 26. The next issue will be published on September 2, 2020. We regret having to make this decision, but the health of the owners and the staff is much more important. We thank you for abiding with our decision.
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 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 foreword 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.”
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.”]