

LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota

March 1, 2017

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, March 1, 2017, at 12:30 p.m.

A quorum was determined with the following members answering the roll call: John Roberts, Jerry Wright, Lisa Modirck, Steve Laurenti, and Amanda Scott. 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 Scott, second by Wright and carried to adopt the agenda.

GENERAL PUBLIC COMMENT

None.

CONSENT ITEMS

Motion was made by Scott, second by Wright and carried to approve Items 1-8 as they appear on the Consent Items with the exception of Item No. 5, 7 and 8.

- 1) Approve Minutes for February 15, 2017

FIRE DEPARTMENT

- 2) LF030117-01 – Authorize Staff to Apply and Accept if Awarded the FY2016 Department of Homeland Security Hazardous Materials Emergency Preparedness Grant in the Amount of \$8,740.00
- 3) LF030117-04 – Approve Resolution No. 2017-016 a Resolution Supporting the Month of May 2017 as South Dakota Wildfire Awareness Month

FINANCE DEPARTMENT

- 4) Acknowledge the Following Volunteers for Worker's Compensation Purposes: Hailey Vielmette, Dennis Lorenzen, Terry Stone, Joel Reynolds, Bailey Ruff, Ray Burke
- 5) LF030117-05 – Laurenti moved to continue FY2016 Annual Financial Report to the March 29, 2017 Legal and Finance Committee meeting. Second by Scott. Motion carried.

COMMUNITY PLANNING & DEVELOPMENT SERVICES

- 6) 17TP004 - Approve the Rapid City Year End 2016 Population Estimate

CITY ATTORNEY'S OFFICE

- 7) LF030117-02 – Laurenti asked Pauline Sumption to clarify this TID. Sumption stated this is the same developer for both TID 38 and TID 54. She believes both had votes against them. TID 38 was denied by the TID Committee but the Planning Commission approved the project plan. They are just now finalizing their certification. TID 54 was a 2012 one, also had two no votes at TID Committee but it has not been to Planning Commission yet. Laurenti stated part of the consternation is we are reauthorizing these TIFs and we have new professional services fees that they want to include. Some of the TID Committee did not want to support this because the tax payers were already on the hook once for a design of the entire development. He does not believe the tax payers should pay again. Scott asked Sumption for further clarification on this particular

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TID. Sumption stated the project plan has already been amended, this is the developers agreement to be amended to coincide with the new amended project plan. So basically, this just finalizes the reallocation that has been requested and approved through Planning Commission and Council. Scott questioned since it has already been approved by Council, is it still possible to change line items. Landeen stated he would need to look into this further. He believes that since the contract has not been amended you have paved the way for it by amending the TID. The developer would not necessarily be entitled to those funds until the Council approved the amendment to the contract. Modrick asked Sumption if this amendment is for more funding. Sumption stated the total project costs have not changed in total, but where it is allocated on the line items have changed. Scott moved to continue Authorize Mayor and Finance Officer to Sign Second Amended Contract for Construction of Public Improvements Through Private Developer Tax Increment District Number Thirty-Eight Between Heartland Retail Center LLC and City of Rapid City to the March 15, 2017 Legal and Finance Committee meeting. Second by Laurenti. Motion carried.

- 8) LF030117-03 – Modrick asked if we are going to continue this item, are we looking for additional information from staff. Scott stated a continuation is necessary according to the Finance Officer because the reconciliation for project costs are not final so it is best to keep it in committee until it can be reconciled. Laurenti moved to continue Authorize Mayor and Finance Officer to Sign Third Assignment Agreement for Tax Increment District No. 38 Between the City of Rapid City, Heartland Retail Center, LLC, and CorTrust Bank to the March 15, 2017 Legal and Finance Committee meeting. Second by Scott. Motion carried.

END OF CONSENT CALENDAR

NON-CONSENT ITEMS – Items 9 – 11
Public Comment opened – Items 9 – 11
Public Comment closed

ALDERMAN ITEMS AND COMMITTEE REPORTS

- 9) LF021517-14 – Scott stated this an ongoing discussion and will be brought forward again once there have been some decisions made. Scott moved to acknowledge Discussion on Vision Funds (*continued from the February 15, 2017 Legal and Finance Committee Meeting and February 6, 2017 City Council Meeting*) Second by Laurenti. Motion carried.

FINANCE DEPARTMENT

- 10) LF021517-04 – Scott moved to approve Second Reading and Recommendation of Ordinance No. 6156 an Ordinance Repealing Chapter 1.08 of the Rapid City Municipal Code Relating to Wards and Precincts and Adopting a New Revised Chapter 1.08 of the Rapid City Municipal Code. Second by Laurenti. Motion carried.

CITY ATTORNEY’S OFFICE

- 11) LF030117-06 – Wright asked Jason Culberson from the Fire Department to give a brief explanation on this ordinance change. Culberson stated this is for the ambulance service. The original ordinance was designed to give the exclusivity to the ambulance contract, to the private provider which then shifted to the Fire Department for all transporting. This amendment will narrow it down to be very specific to an ambulance. Laurenti moved to approve Introduction and First Reading of Ordinance No. 6167 an Ordinance Narrowing the Municipal Licensing Requirements for Ambulances by Amending Sections 5.16.010 and 5.16.020 of the Rapid City Municipal Code. Second by Scott. Motion carried.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Scott, second by Laurenti and carried to adjourn the meeting at 12:47 p.m.