

*Approved: May 3, 2010*

**RESOLUTION #2010-047  
A RESOLUTION MODIFYING THE CITY'S CURRENTLY ADOPTED  
"OUT OF THE DUST" POLICY BY REMOVING THE REQUIREMENT  
FOR A MATCHING PAYMENT**

WHEREAS, in 1988, the Common Council of the City of Rapid City adopted a policy to dedicate a portion of the ½ cent of the City's sales tax dollars to assist adjoining landowners pave otherwise unpaved streets and alleys within the City; and

WHEREAS, this policy is commonly known as the "Out of the Dust" program; and

WHEREAS, the original policy authorized the City to pay up to 40% of the total cost of qualifying projects, including the cost of grading and installing curb and gutter; and

WHEREAS, in 1999 the City revised the policy so that the City participation was raised to 60% of the total project cost; and

WHEREAS, even with these changes, few adjoining landowners have been willing to take advantage of the program and expend 40% of the total project costs to pave gravel streets and alleys adjoining their properties; and

WHEREAS, unpaved streets and alleys are a major source of dust and air pollution and surface water pollution in the City and have a negative impact on the City's overall air quality and storm water quality; and

WHEREAS, the City recognizes the importance of eliminating unpaved streets and alleys in order to improve air and water quality within the City; and

WHEREAS, the City's Public Works staff has recommended to the City Council that the current program be further modified so that the City can pay 100% of the cost to pave otherwise unpaved streets and alleys; and

WHEREAS, the Common Council of Rapid City deems it to be in the City's best interests to decrease air and water pollution by amending the current Out of the Dust program to authorize the City to pay a 100% of the cost of paving streets and alleys within the City.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the City adopts the following policy to promote better air quality by facilitating the paving of unpaved streets and alleys within the City:

1. The City Public Works Staff will annually identify street and alley paving projects within the City. The list of projects will be based on prioritization and availability of funds. The paving projects would be operated in the same manner as other miscellaneous improvement projects currently managed by the City's Engineering Services Division. All other laws, ordinances and policies related to public improvements and the expenditure of public funds are also applicable to these projects.

2. The implementation of this policy is dependent on the City Council appropriating funds for this purpose. If no funds are appropriated by the City Council, the policy will be suspended until such time as funds are appropriated.
3. The previous policy is hereby superseded.

CITY OF RAPID CITY

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Mayor

ATTEST:

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Finance Officer

(SEAL)