

**AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES FOR THE  
CITY OF RAPID CITY AND THE RUSHMORE PLAZA CIVIC CENTER  
BY AND BETWEEN THE CITY OF RAPID CITY AND THE RAPID CITY  
AREA CHAMBER OF COMMERCE**

WHEREAS, on the 5th day of December, 2007, the City of Rapid City, hereinafter referred to as "City" and "Board", and the Rapid City Area Chamber of Commerce, hereinafter referred to as "Chamber" and "Bureau", signed an agreement whereby the City appointed the Bureau to serve as the City's promotion agency in connection with the promotion of the City of Rapid City as a visitor destination for tourism and conventions; and

WHEREAS, said agreement set forth an amount not to exceed \$771,897 to the Chamber for the services of the Bureau in implementing the above-mentioned promotion in twelve (12) equal monthly payments; and

WHEREAS, the Chamber has requested that the City provide an amount equal to twenty-five percent (25%) of the one percent gross receipt tax collected under Section 3.16.040 of the Rapid City Municipal Code or the sum of \$771,897, whichever is more, as in the previous agreements between the Bureau and the City for the services of the Bureau in implementing the above-mentioned promotion; and

WHEREAS, the Rapid City Common Council finds it in the City's best interests to amend the agreement in accord with the request.

NOW, THEREFORE, be it agreed by the parties that Section Two of the agreement between the parties dated December 5, 2007, is hereby amended as follows:

**SECTION TWO  
PAYMENT**

A. The City hereby agrees to provide an amount equal to twenty-five percent (25%) of the one percent gross receipt tax collected under Section 3.16.040 of Rapid City ordinances, to the Chamber for the services of the Bureau in implementing the above mentioned promotion. In the event revenues collected under Section 3.16.040 are such that twenty-five percent (25%) of said revenues is less than \$771,897, the City will make additional payments so that the total disbursed to the Bureau during calendar year 2008 is not less than \$771,897. However, if revenues collected under Section 3.16.040 are such that twenty-five percent (25%) of said

revenues is greater than \$771,897, the Bureau will be entitled to retain the entire twenty-five percent (25%).

B. The City Finance Office will calculate and remit to the Bureau the payment monthly based upon the tax distribution payment by the South Dakota Department of Revenue.

BE IT FURTHER AGREED by the parties that all other provisions of the agreement dated December 5, 2007, remain in full force and effect.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

Rapid City Area Chamber of Commerce  
(On behalf of the Rapid City  
Convention Visitors Bureau)

City of Rapid City, South Dakota

\_\_\_\_\_  
President

\_\_\_\_\_  
Alan Hanks, Mayor

ATTEST:

\_\_\_\_\_  
Finance Officer

(SEAL)