



# CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

## Risk Management


300 Sixth Street

605-394-6620

### MEMORANDUM

DATE: February 27, 2013

TO: Legal and Finance Committee  
City Council

FROM: Keith L'Esperance 

SUBJECT: Bleacher Rental Agreement Revision

Attached is the bleacher rental agreement within which there have been some revisions. The deleted language is in red strike-through and the proposed language is in blue. The proposed language changes have been reviewed and approved by the City Attorney's Office.

Including some minor language maintenance of the contract, the major changes are as follows:

- 100-Mile Limit – under the current contract, every lease that goes out of the city limits requires the approval of the City Council, whether as close as Hart Ranch or as far as the City of Dickinson, ND. The 100-mile boundary is an arbitrary number and within which most of the unit leases outside the city limits occur. This language relieves the City Council of the responsibility and time to approve out-of-city limit leases unless outside the 100-mile boundary.
- From prior discussions, the City Council expressed interest in building some funding for wear and tear, such as tire and wheel bearing replacement. While replacing the tires would be around \$175-200 per tire (4 tires per unit), the tires do last a long time with the limited amount of time these units are moved around, especially at highway speeds. After discussion with Civic Center Trades, the proposed 35 cents per mile per unit is a guesstimate to begin building those funds into the Civic Center and Parks budgets for tire and bearing replacement. This mileage charge applies to those who are approved to transport the units themselves, for example, Philip Chamber of Commerce/Philip Rodeo Association.



EQUAL OPPORTUNITY EMPLOYER

- The current contract referenced an additional fee for lease outside city limits but didn't specify what those fees were or to what the fees applied. The proposed language provides for a per-hour employee fee and mileage expense when City of Rapid City employees transport the units beyond city limits. The proposed \$25 per hour includes an average of the current hourly employee salary/benefit expense and a per mile vehicle fuel and maintenance expense (\$24 per-employee hour and \$1 per mile vehicle expense).
- Minimum towing equipment – the current contract does not specify the minimum equipment required for an outside entity to tow the units, especially on the highway. The owner's manual for the bleacher units recommends a one-ton or larger for towing but staff informs that not less than a heavy-duty ¾ ton vehicle to tow the units is acceptable, especially for the typically short distances these units travel on the highway.

I am recommending approval of these revisions to the bleachers contract and will be attending the Legal and Finance Committee meeting at which this item will be on the agenda to answer questions you may have.

**Attachment**