

**AN ORDINANCE TO DELEGATE TO THE RUSHMORE PLAZA CIVIC CENTER BOARD THE POWER TO DECLARE CERTAIN PROPERTY AS SURPLUS BY AMENDING SECTION 2.76.080 OF THE RAPID CITY MUNICIPAL CODE**

WHEREAS, Chapter 2.76 of the Rapid City Municipal Code provides for the creation of the Rushmore Plaza Civic Center Board (“Board”) to operate and manage the Rushmore Plaza Civic Center; and

WHEREAS, Chapter 2.76 further defines the powers and duties of the Board in managing the Civic Center; and

WHEREAS, the Board has the power to purchase supplies, equipment, and other property within its budget; and

WHEREAS, the Board does not possess the power to sell, trade, or otherwise dispose of non-consumable property without approval of the Common Council; and

WHEREAS, the Common Council desires to delegate to the Board the power to sell, trade or otherwise dispose of property acquired by the Board as provided by law.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 2.76.080 of the Rapid City Municipal Code be and hereby is amended to read in its entirety as follows:

**2.76.080 Powers–Use of proceedings records in legal actions.**

A. The Board shall have power to contract for supplies and services, including promotion, necessary to the operation and maintenance of the Civic Center, and for the rental of the same or any part thereof; to fix and collect rentals and charges for admission; to schedule and determine priorities among activities proposed to be conducted in the Civic Center, to allow claims for supplies and services necessary to the operation and maintenance of the Civic Center, and to do all other things necessary and proper to assure the maximum use of the civic center for the general welfare of the municipality and its inhabitants and industries and the sufficiency of the revenues thereof for the payment of all proper charges thereon. The Board shall have the specific power to incur expenses for promotion of the Civic Center both within the state and without the state.

B. The Board shall have the power to sell, trade, loan, destroy, or otherwise dispose of any vehicles, equipment, or other personal property which the Board has, by appropriate motion, determined is no longer necessary, useful, or suitable for the purpose for which it was acquired. The Board shall follow all applicable state law, city ordinance, and city policy for disposal of surplus property. Upon passage of a resolution declaring any property surplus, the Board shall promptly notify the Finance Officer of such action.

C. Copies of proceedings of the Board, certified by its appointed secretary, shall be competent as evidence in any legal action or proceedings, as authorized by SDCL § 9-52-23.

CITY OF RAPID CITY

---

Mayor

ATTEST

---

Finance Officer

(seal)