

City Council Agenda Item Memo

From: Bonnie Foster, City Clerk

Council Meeting: November 28, 2023

Subject: Resolution 23-106: new Municipality-owned Facility On-Sale License

Presenter: Bonnie Foster, City Clerk

Summary:

Approval of this Resolution will allow the City of Brookings to add an additional 5 on-sale licenses for the following municipality-owned facilities: 1. Brookings Activity Center; 2. Brookings Arts Council (Carnegie Library Building); 3. Dacotah Bank Center, 4. Edgebrook Golf Course; 5. Larson Ice Center. Staff recommends approval.

Background:

Effective July 1, 2023, the state legislature enacted SDCL 35-4-14.1 (attached), which allows for the addition of a new Municipality-Owned Facility On-Sale License. This license will allow for on-site sale and consumption of alcoholic beverage s at certain municipality-owned facilities. State law key notes:

- City owned facility must be an entertainment or park venue pursuant to chapter 9-53
- License must not be used at any facility with primary purpose of only providing food and beverage
- Municipality can contract food and beverage at authorized city facilities
- No fee for a license

SDCL Chapter 42-7A was amended with a new section stating in 2023: No video lottery machines may be placed in a facility with an on-sale license issued pursuant to section 1 of this Act.

Item Details:

Approval of the Resolution will allow the City to issue the New Municipality-Owned Facility On-Sale Licenses to the following staff-identified locations:

1. Brookings Activity Center, 516 4th Street
2. Brookings Arts Council (Carnegie Library Building), 524 4th Street
3. Dacotah Bank Center, 824 32nd Avenue
4. Edgebrook Golf Course, 1415 22nd Avenue South
5. Larson Ice Center, 824 32nd Avenue

The licenses would be issued January 1 - December 31. All state required licensing and renewal processes will be conducted annually. There is no fee to the facility for this license.

These licenses will allow for on-site sale and consumption of alcoholic beverages at municipality-owned facilities. Facilities may contract with any person or entity for purposes of providing food and beverage services during the hours the municipality-owned facility is open for its primary purpose.

Video Lottery is not allowed with this license.

Legal Consideration:

City Attorney Steve Britzman reviewed the Resolution.

Strategic Plan Consideration:

Economic Growth – the addition of these licenses allows for additional flexibility in the use of municipal facilities for various community events.

Financial Consideration:

None.

Options and Recommendation:

The City Council has the following options:

1. Approve as presented
2. Amend
3. Deny
4. Move the item to a Study Session
5. Discuss / take no action / table

Staff recommends approval.

Supporting Documentation:

Resolution

Legal Notice

SDCL 35-4-14.1