

City Council Agenda Item Memo

From: Bonnie Foster, City Clerk

Council Meeting: November 18, 2025

Subject: Public Hearing: On-Off Sale Wine Alcoholic Beverage License renewal for an establishment which has failed an alcohol compliance check within the past 12 months

Presenter(s): Bonnie Foster, City Clerk

Summary and Recommended Action:

This is a public hearing and action for an On-Off Sale Wine License establishment which has failed an alcoholic compliance check within the past 12 months. Staff recommends approval of the alcoholic beverage license renewal.

Item Details:

The following establishment has had an alcohol compliance check violation within the previous 12 months (November 2024 – November 2025):

- Sodexo – McCrory Gardens & Visitors Center (RW-28251)

A public hearing is required as per SDCL 35-2-1.2 for any licensee where one or more of the licensee's employees have been subjected to a criminal penalty for violation of the alcoholic beverage control law within the past 12 months (November 2024 - November 2025). See attached City Code and SDCL statutes in their entirety.

Alcohol compliance checks are conducted by the Brookings Police Department and the SDSU Police Department. The focus of the compliance checks is sales / service of alcoholic beverages to individuals under the age of 21.

All state required processes and fees for the compliance check violations have been completed.

If City Council approval is granted, all applications will be forwarded to the SD Department of Revenue for final action and issuance of the 2026 alcoholic beverage license.

Establishment representatives have been asked to attend the City Council meeting in order to answer any questions the Council may have. Establishments submitted in writing the steps they are taking to prevent additional sales to underage individuals. This information has been provided to the City Council under separate cover.

The City Council needs to determine whether the applicant is still a suitable applicant and whether the location is still a suitable location for an alcohol license.

Legal Consideration:

None.

Strategic Plan Consideration:

This item falls under Fiscal Responsibility in ensuring the City's licensed alcoholic beverage licenses are in compliance with requirements set forth in State Statute.

Financial Consideration:

Wine License Renewal Fee: \$500

Supporting Documentation:

Memo

Hearing Notice

Code & State Statute