



CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

City Finance Office

300 Sixth Street
Rapid City, South Dakota 57701
605-394-4143

TO: City Council
FROM: Jim Preston *J*
SUBJECT: Video lottery license
DATE: December 4, 2006

At the November 29, 2006, Legal & Finance Committee, I was asked to find out if the City has ever renewed a malt beverage license with video lottery after it has expired. Neither Jackie Gerry nor Jeri Lynn recall renewing a license after it has expired. To the best of our knowledge no malt beverage license with video lottery has ever been renewed after it has expired.

I am adding additional background information that may be of use in making your decision:

- City records indicate that this license (#RB-3043) was held by Shotgun Willie's Inc. prior to its expiration.
- Applications for renewal of all alcohol license holders of Retail (On-Off Sale) Malt Beverage, and package (Off-Sale) Malt Beverage were received by the City of Rapid City on April 10, 2006. June 16, 2006, was the deadline for submittal of renewal applications to the Dept of Revenue.
- Renewal applications were sent to all license holders on April 17, 2006, indicating a deadline of May 9, 2006.
- A reminder was sent to all who had missed the May 9th deadline during the week following May 9, 2006.
- An attempt was made by Jackie Gerry to contact the holder of this license by telephone without success.
- License expires on June 30th of each year.

I have attached a copy of the resolution for video lottery designation.

For the past several years, the Council has decided not to proceed with issuing additional video lottery licenses despite licenses being available.

Ten licenses were available in July of 2006.



EQUAL HOUSING
OPPORTUNITY

EQUAL OPPORTUNITY EMPLOYER

RESOLUTION FOR VIDEO LOTTERY DESIGNATION

WHEREAS the City of Rapid City has adopted a population limit on the number of video lottery designated alcohol licenses; and

WHEREAS the City of Rapid City needs a fair method for determining eligibility for those additional video lottery designations as the population increases;

NOW, THEREFORE, BE IT RESOLVED by the Common Council for the City of Rapid City that the below set forth rules will be used to determine how the application process for new video lottery designations within the City of Rapid City shall be administered:

843

Application requirements:

- 1) \$250 non-refundable application fee paid at time of application
- 2) Application on forms provided by City Finance Office
- 3) Applicant must be 21 years of age
- 4) Only one (1) application allowed for each potential video lottery location
- 5) Application submittal required before application deadline

Drawing Dates:

Each year hereafter the City Finance Officer will announce at the 2nd Council meeting in July whether the population increases, as compared to the number lottery licenses issued, mandates a drawing on the right to apply for a video lottery designation.

If the population increases compared to number of video lottery licenses issued warrants a drawing, the Finance Officer will announce:

- 1) Number of new video lottery designations available
- 2) Time of Drawing: to be held at the 1st Council meeting in September
- 3) Application location and deadline

Verify eligibility
Real names
drawing

#11

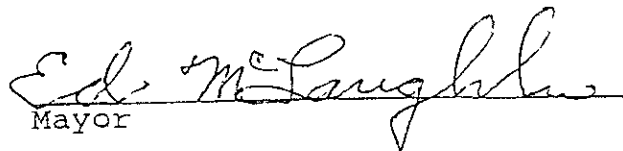
The Finance Officer will also have published at least fifteen (15) days prior to the date of the drawing in the City's legal newspaper a notice of the video lottery designation drawing, including; the number of video lottery designations available at the drawing; the time, date and location of the drawing; the location for obtaining application forms; and, application submittal deadlines.

Video lottery designation use requirements:

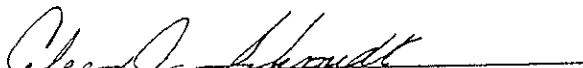
- 1) If applicant is winner of drawing for right to apply for video lottery designation, applicant must obtain the appropriate alcohol license and video lottery license for the location described on the winning application form by June 30th of the following year, or this right to apply for video lottery designation will be forfeited.
- 2) The right to apply for video lottery designation can not be transferred as to person or location.

Adopted this 4th day of December,
1995.

CITY OF RAPID CITY


Mayor

ATTEST:


Finance Officer