RESOLUTION NUMBER 6645

WHEREAS, the City of Beatrice ("City") currently has a Lottery Operator Agreement with EHPV Lottery Services LLC, a Nebraska limited liability company doing business as Big Red Keno ("Contractor"), as the operator of a keno-style lottery in Beatrice; and

WHEREAS, the current Lottery Operator Agreement expires on February 28, 2021, unless extended or renewed upon mutual agreement of the Municipality and the Contractor; and

WHEREAS, the City and the Contractor wish to extend the Lottery Operator Agreement, to expire on February 28, 2026.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BEATRICE, NEBRASKA:

SECTION 1. That the Mayor be and is hereby authorized to execute Amendment No. 4 to Lottery Operator Agreement with EHPV Lottery Services LLC, a Nebraska limited liability company doing business as Big Red Keno, to extend the Lottery Operator Agreement to expire on February 28, 2026. A copy of said Amendment No. 4 to Lottery Operator Agreement, marked as Exhibit "A", is attached hereto and incorporated by reference.

SECTION 2. That all resolutions or parts of resolutions in conflict herewith are hereby repealed.

RESOLUTION PASSED AND ADOPTED this 7th day of December, 2020.

Attest:

Erin Saathoff, CMC, City Clerk

Stan Wirth, Mayor

Exhibit "A"

AMENDMENT NO. 4 TO
LOTTERY OPERATOR AGREEMENT

THIS AMENDMENT NO. 4 to Lottery Operator Agreement (this "Amendment") is made and entered into this 7th day of December, 2020, by and between the City of Beatrice, Nebraska, a municipal corporation, hereinafter referred to as "City," and EHPV Lottery Services LLC, a Nebraska limited liability company doing business as Big Red Keno, hereinafter referred to as "Contractor."

RECITALS

WHEREAS, City currently has a Lottery Operator Agreement with Contractor, as the operator of a keno-style lottery in Beatrice; and

WHEREAS, the Lottery Operator Agreement expires on February 28, 2021 unless extended or renewed upon mutual agreement of City and Contractor; and

WHEREAS, the City and Contractor wish to extend the Lottery Operator Agreement, to expire on February 28, 2026.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties do hereby agree as follows:

1. The term of the Lottery Operator Agreement between the parties is hereby extended for an additional five (5) years, and will expire on the 28th Day of February, 2026.
2. All other terms of the Lottery Operator Agreement and previous Amendments remain in full force and effect.

DATED as of the day and year first written above.

ATTEST:

Witness

CONTRACTOR:

EHPV LOTTERY SERVICES LLC
a Nebraska limited liability company
d/b/a Big Red Keno

By: _____

Name: Wm. R. Harvey

Title: General Counsel

ATTEST:

City Clerk

CITY:

BEATRICE, NEBRASKA
a municipal corporation

By: _____

Name: Stan Wirth

Title: Mayor