

City Council Agenda Item Memo

From: Steve Britzman, City Attorney

Council Meeting: March 11, 2025

Subject: Restriction Agreement

Presenter: Steve Britzman, City Attorney

Summary and Recommended Action:

Staff recommends approval of the proposed Restriction Agreement, authorizing the City Manager to sign a Restriction Agreement with Ryan Companies US Inc. for the Brookings Marketplace parcel.

Item Details:

The Restriction Agreement provides reasonable restrictions as to the use of the City's remaining parcel (Lot 4) located within the Brookings Marketplace Property. The Restriction protects ALDI from land uses which would be detrimental to ALDI's business operations. The City Attorney has reviewed and approved the land use restrictions, which will allow the City a wide range of reasonable uses of the remaining Lot 4 of the Brookings Marketplace property. Further, the City Attorney has approved the Restriction Agreement, and recommends approval.

Legal Consideration:

The City Attorney has reviewed the Restriction Agreement.

Strategic Plan Consideration:

- Fiscal Responsibility – The City of Brookings will responsibly manage resources through transparency, efficiency, equity, and exceptional customer service.
- Safe, Inclusive, Connected Community – The City of Brookings will create an environment for inclusive programs, gathering places, and events where the community can safely live, work and come together to participate in opportunities for learning, recreation and enjoyment.
- Economic Growth – The City of Brookings will support effective diversified community investment and equitable opportunities for prosperity.

Financial Consideration:

None.

Supporting Documentation:

Memo

Restriction Agreement

Exhibit B-2

Exhibit B-3