



City of Brookings

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Legislation Text

File #: RES 20-066, **Version:** 1

Action on Resolution 20-066, a Resolution Withdrawing South Dakota Supreme Court Appeal.

Summary:

The City of Brookings filed with the South Dakota Supreme Court an appeal for the Circuit Court ruling on the Brookings County Detention Facility. At question is the City's permitting authority and the 11.1 Historic Review. The litigation proceeding is brought before the City Council for continued determination.

Background:

The City of Brookings received a ruling from the Circuit Court this year on the Brookings County Detention Facility. In July, the City sought to proceed with litigation efforts through the South Dakota Supreme Court.

As part of the detention center development, a 11.1 review was required. The City pursued clarification that it possessed the governmental function required to perform the final determination based on state law. Additionally, the City holds the authority to allow a building permit.

Fiscal Impact:

The Circuit Court litigation cost \$38,000 and Supreme Court cost is estimated to be \$35,000.

Attachments:

Memo

Resolution