



ITEM REPORT CITY COUNCIL

Agenda Date: 7/16/2024
Agenda Section: Consent Agenda

Department Origination: Public Works

Agenda Item: Approve Stormwater Facilities Maintenance Agreement with Access Rights and Covenants for Project Timber Wolf

Approval Required: Simple Majority Vote

BACKGROUND

Ryan Companies has proposed a development including the construction of a new facility in the industrial park on Timberwood Drive which includes stormwater improvements.

This agreement is the standard stormwater facilities maintenance agreement the City uses with all development. The stormwater facilities maintenance agreement is a requirement of MCM 5 under section 20.3 of the Municipal Separate Storm Sewer System (MS4) Permit. The agreement includes language for joint stormwater maintenance. The stormwater from the east/west road will be treated with stormwater from the development on the developer's property. An easement has been granted over the shared stormwater treatment system with the plat.

The Agreement was initially submitted to the developer at the end of May, attached is the agreement with the Developer's comments staff received after hours on July 11, 2024. City staff is working with the City Attorney to finalize the agreements. The motion includes the contingency of City Engineering and City Attorney's approval.

FINANCIAL IMPLICATIONS

The financial implications associated with the legal fees for the stormwater facilities maintenance agreement will be included in the development agreement fees to be paid by the developer.

STAFF RECOMMENDATIONS

Staff recommend approving the stormwater facilities maintenance agreement for Project Timber Wolf.

COUNCIL ACTION REQUESTED

MOTION to Approve Stormwater Facilities Maintenance Agreement with Access Rights and Covenants for Project Timber Wolf contingent on City Engineering and City Attorney approval.