



## ITEM REPORT UTILITIES COMMISSION

Agenda Date: 6/5/2024  
Agenda Section: Business Item

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**Department Origination:** Public Works

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

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**Approval Required:** Simple Majority Vote

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### **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.

### **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.