



## 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 the Ryan Companies Construction Repair and Maintenance Agreement for Stormwater Utilities, Sanitary Sewer, and Water main for Project Timber Wolf

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**Approval Required:** Simple Majority Vote

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### **BACKGROUND**

Project Timber Wolf includes the construction of a new facility in the industrial park on Timberwood Drive. A full submittal package including the preliminary and final plat, CUP application, Civil drawings, and Architectural drawings.

The privately installed improvements proposed with Project Timber Wolf will be maintained by the City of Baxter with the rest of the City of Baxter's water distribution system and sanitary sewer collection system. The City Attorney has drafted a "Construction Repair and Maintenance Agreement for Stormwater Utilities, Sanitary Sewer, and Water main for Project Timber Wolf" to allow the City of Baxter maintenance staff to maintain the infrastructure. It is important the hydrants are flushed on their private hydrants and the sanitary collection system is maintained to allow the City's system to properly operate.

The Agreement is in draft form and was drafted prior to the developer's submittal, Ryan Companies is reviewing the agreement and will provide comments.

### **FINANCIAL IMPLICATIONS**

The financial implications associated with drafting the agreement will be included in the legal fees in the Development Agreement that will be paid by the developer.

### **STAFF RECOMMENDATIONS**

Staff recommend approving the agreement to allow city staff to maintain the infrastructure while requiring the developer to be responsible for repairs and replacement costs. It is important to the water system for the hydrants and valves to be operated by experienced personnel or damage can be caused to the system resulting in leaks and water loss. The sanitary sewer collection system and the joint stormwater system if not properly maintained can cause issues/damage to the municipal owed improvements.

### **COUNCIL ACTION REQUESTED**

MOTION to approve the Ryan Companies Construction Repair and Maintenance Agreement for Stormwater Utilities, Sanitary Sewer, and Water main for Project Timber Wolf.