



CITY COUNCIL MEETING

AGENDA ITEM

Prepared By: <i>Joe Zierden, Public Works Director</i> <i>Allie Polsfuss, City Administrator</i>	Meeting Date: <i>7/6/2026</i>	Item Name: <i>Developer's Agreement</i>
---	---	--

BACKGROUND

At its April 30, 2026, meeting, the City Council approved the final plat for the Eagle View Storage re-subdivision. As part of the development, the developer will be installing sanitary sewer infrastructure to serve the property. The City has the opportunity to participate in the project by funding the incremental cost of upsizing the sewer main from the developer's proposed size to an 8-inch public sewer main.

OVERVIEW

The draft developer's agreement (attachment A) formalizes the responsibilities of both the City and developer.

The agreement requires the developer to construct the public sewer improvements to City standards, while the City agrees to reimburse the developer \$64,164 for the additional cost associated with upsizing the sanitary sewer main from the developer's proposed size to an 8-inch public main, which the City requested. The City's reimbursement is contingent upon final inspection, approval, and acceptance of the improvements. Once accepted, the 8-inch sewer main and associated manholes become City-owned infrastructure.

In addition, the agreement requires the developer to:

- Provide financial security guaranteeing completion of the sewer improvements.
- Maintain stormwater infiltration facilities installed as part of the project.
- Reimburse the City for costs incurred if enforcement of the agreement becomes necessary due to developer default

Participation in this agreement provides some long-term benefits including:

- Expands public infrastructure at a reduced public cost.
 - The developer constructs the public sewer improvements, while the City pays only the incremental cost associated with upsizing the sewer main for future public benefit.
- Provides capacity for future development.
 - The larger 8-inch sewer main creates additional capacity to serve future properties in the area, avoiding the need for costly reconstruction when additional development occurs.
- Avoids higher future construction costs.
 - Installing the larger main during this project is significantly more economical than replacing an undersized sewer after development is built.

Joe Langel, the City's legal counsel, has reviewed the proposed agreement.

FISCAL IMPACT

The budget impact for this development is \$64,164, which is proposed to be expended from the sewer capital fund.

STAFF RECOMMENDATION

Approve the Developer's Agreement as presented.