

TO: Public Works Committee
FROM: Dave Kangiser, Water Resources Specialist
DATE: October 19, 2023
SUBJECT: Right-of-Entry & Maintenance Agreement for the Wildrick Property

1) Recommended Action:

Recommend the City Council approve and authorize the Mayor to sign the Right of Entry Agreement for the Wildrick property.

2) Background:

Linwood Avenue near Isabella Bush Park has historically been closed during moderate to severe rain events due to street flooding caused by beaver activity in the roadside stormwater conveyance system. WRS Crews have worked with the neighboring property owner, Linton Wildrick, to mitigate the beaver activity using culvert exclusion devices and a flexible leveler that have shown to reduce the amount of time Linwood Ave. has been closed due to flooding. Routine maintenance is required for these devices and requires maintenance staff to enter Mr. Wildrick's property on occasion. A verbal agreement has been established between the City and Mr. Wildrick to conduct device installation and routine maintenance. This Right of Entry Agreement would formalize the agreement and allow WRS crews to access the site for maintenance purposes. Mr. Wildrick has been advised of our intention to formalize this agreement and has agreed to the terms.

The City and Mr. Wildrick have Hydraulics Projects Approval (HPA) Permits issued through the Department of Fish and Wildlife (DFW) for beaver mitigation work in the conveyance system.

3) Policy Support:

Create and Maintain a Transportation System Safe for All Modes of Travel

4) Alternatives:

- ☐ Continue to close Linwood Ave. when flooded.
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5) Fiscal Notes:

Crews have already installed culvert exclusion devices and the flexible leveler. Cost estimates for the supplies are ~\$500.00. Ongoing maintenance activities are required for about 5 hours per year.

6) Attachments:

- A. Right-of-Entry & Maintenance Agreement for the Wildrick Property