



TO: CVCS Board of Directors

FROM: Peter Kampa, General Manager

DATE: November 16, 2021

SUBJECT: Item 7c) Updated status report of the CVCS / Copper Valley Partners Interim Operating Agreement

RECOMMENDED ACTION

Staff will provide an update of the status of the Interim Operating Agreement and proposed remaining efforts to prepare the final operating agreement and site plan.

BACKGROUND

The term of the Interim Operating Agreement with CV Partners expires soon and the agreement should be extended for another year. The main remaining work to prepare the final agreement and site plan is the final identification of the physical areas of maintenance responsibility for each party. The historical documentation reveals that the district accepted road easements and improvements by resolution for each phase of the development upon completion. Unfortunately there are not graphic representations or lists of the improvements dedicated; only reference to approved plans and legal descriptions.

Based on the documentation reviewed, staff recommends that the final site plan delineate the responsibility areas of CVCS as only the areas and infrastructure within the easements (right of way) dedicated to the district. The site plan will then reference the service and infrastructure responsibilities contained in each public easement. All landscape maintenance work on private property will be the responsibility of the property owner, who may choose to contract with the district for certain maintenance services adjacent to or affecting the right of way. Access to wetland areas for mosquito control and maintenance work will also be contained in a separate agreement.

District Engineer Gritz will be asked to assist in the preparation of the final site plan which should take no more than six months to complete. It is recommended that the interim agreement be placed on the December meeting agenda for a one year extension.