



Town of Johnstown

TOWN COUNCIL AGENDA COMMUNICATIONS

AGENDA DATE:	November 1, 2021
SUBJECT:	First Amendment to the Subdivision and Development Improvement Agreement for Johnstown Farms Filing No. 3
ACTION PROPOSED:	Consider Approval of the First Amendment to the Subdivision and Development Improvement Agreement for Johnstown Farms Filing No. 3
ATTACHMENTS:	1. First Amendment to Subdivision and Development Improvement Agreement for Johnstown Farms Filing No. 3
PRESENTED BY:	Matt LeCerf, Town Manager

AGENDA ITEM DESCRIPTION:

Proposed for your review and consideration, is the first amendment to the Subdivision and Development improvement agreement for Johnstown Farms filing number 3. The agreement contemplates three proposed revisions for your consideration. The items are as follows:

- Undergrounding of Utilities – Paragraph six of the original agreement is deleted and replaced with language included in the amended agreement with respect to undergrounding of electric utilities. Improvements to the bridge on 46.5 are not an obligation for Johnstown Farms III, but instead were a cash-in-lieu obligation. Since the improvement to the bridge are delayed based on future traffic, a segment of the electrical undergrounding is also being delayed and these two project scopes will happen concurrently in the future. To accommodate the utility undergrounding, Starwood is providing us with a payment of \$270,208.06. This represents 115% of current costs to underground the utility.
- Regional Sidewalk Connectivity – This section deletes a previous paragraph from the original agreement and places the construction responsibility of the sidewalk crossing over the railroad onto the developer. The developer will complete the sidewalk and they are providing us with payment for the licensing agreement as required in the amendment.

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- Railroad Utility Crossings – As part of the utility crossings, the developer will compensate the Town for a portion of the fees associated with these crossings due to Great Western Railroad.

LEGAL ADVICE:

The Town Attorney in concert with the Town Manager and Developer collaborated on this amendment as presented.

FINANCIAL ADVICE:

There will be financial outlays and responsibilities of the Town as the property develops, the majority of which is being collected as fee-in-lieu of the improvements described above.

RECOMMENDED ACTION: Approve the First Amendment to the Subdivision and Development Improvement Agreement for Johnstown Farms Filing No. 3 as presented.

Reviewed and Approved for Presentation,



Town Manager