



Agenda Item Summary

MEETING DATE: July 8, 2024

SUBJECT: **Resolution No. 56-R-2024** – A Resolution of the Town of Mead, Colorado, Granting Conditional Acceptance of the Public Improvements associated with the Club Carwash Site Plan (Mead Crossings Subdivision, Amendment No. 2, Lot B)

PRESENTED BY: Robyn Brown, Deputy Town Engineer

SUMMARY

Mr. Justin Barnes, Vice President of Development for Club Car Wash Operating, LLC, a Delaware limited liability company, having a principal office address of 1591 E. Prathersville Road, Columbia, Missouri 65202 (“Developer”) has caused the completion of certain public improvements benefitting the Club Carwash Site Plan (“Development”), specifically the installation of concrete sidewalk, curb and gutter, asphalt paving, and storm sewer drainage facilities (collectively, the “Public Improvements”).

The Public Improvements are identified in that certain Site Plan Agreement dated June 3, 2023, and recorded on November 29, 2023, at Reception No. 4932976 in the Weld County property records (the “SPA”).

Town staff completed a punch list walkthrough in May and June 2024 and created a final punch list of items for the Developer’s contractor to complete for the Public Improvements. The punch list is attached and incorporated into the proposed Resolution. All punchlist items have been completed.

Staff recommends granting Conditional Acceptance of the Public Improvements.

Resolution No. 56-R-2024 (the “Resolution”) memorializes the Board’s Conditional Acceptance of the Improvements. The two-year warranty period will start on July 9, 2024.

For a two-year period from the commencement date of the warranty period, the Developer is required, at its own expense, to take all actions necessary to maintain the Improvements and make needed repairs or replacements that, in the reasonable opinion of the Town, become necessary. If within thirty (30) days after the Developer’s receipt of written notice from the Town requesting replacement of or repairs to the Improvements, the Developer has not completed such repairs, the Town may exercise enforcement actions to secure performance, including enforcement of contractual rights and other actions set forth in Article VI of Chapter 16 of the MMC. The Resolution also requires the Developer to post a warranty letter of credit with the Town to secure the Developer’s obligation to make the necessary repairs or replacements.

Town staff will complete a final inspection prior to final acceptance of the Public Improvements at the conclusion of the two-year warranty period.

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with this request.

STAFF RECOMMENDATION/ACTION REQUIRED

Staff recommends the Board of Trustees approve the Resolution granting Conditional Acceptance of the On-Site Public Improvements.

A motion to approve the consent agenda for July 8, 2024, will approve this item. If the resolution is removed from the consent agenda, the suggested motion is:

Suggested Motion:

“I move to adopt Resolution No. 56-R-2024, a Resolution of the Town of Mead, Colorado, Granting Conditional Acceptance of the Public Improvements associated with the Club Carwash Site Plan (Mead Crossings Subdivision, Amendment No. 2, Lot B).”

ATTACHMENTS

Resolution No. 56-R-2024

Exhibit A to Resolution – Final Punchlist (for Conditional Acceptance – Public Improvements **Club Carwash Site Plan** (1 *page*))

Exhibit B to Resolution – Additional Conditions