



Agenda Item Summary

MEETING DATE: July 29, 2024

SUBJECT: **Resolution No. 59-R-2024** – A Resolution of the Town of Mead, Colorado, Granting Conditional Acceptance of the Public Improvements associated with the QuikTrip Site Plan (Mead Crossings Amendment No. 1, Lot 1, Block 1)

PRESENTED BY: Erika Rasmussen, Town Engineer/Public Works Director

SUMMARY

QuikTrip Corporation, an Oklahoma corporation, whose address is 4705 S. 129th East Ave, Tulsa, OK 74134 (“Developer”) has caused the completion of certain public improvements benefiting the QuikTrip 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 October 10, 2022, and recorded on January 26, 2023, at Reception No. 4878712 in the Weld County property records and as amended by that certain First Amendment, recorded on August 30, 2023, at Reception No. 4917990 (together, the “SPA”).

Town staff completed a punch list walkthrough on May 3, 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 punch list items have been completed.

Staff recommends granting Conditional Acceptance of the Public Improvements. Resolution No. 60-R-2024 (the “Resolution”) memorializes the Board’s Conditional Acceptance of the Public Improvements. The two-year warranty period for the Public Improvements will start on July 29, 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 Public 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 Public 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 Public Improvements.

A motion to approve the July 29, 2024, consent agenda will approve the Resolution. If this item is pulled off the consent for further discussion or questions, Staff recommends the following motion:

Suggested Motion:

“I move to approve Resolution 59-R-2024, A Resolution of the Town of Mead, Colorado, Granting Conditional Acceptance of the Public Improvements associated with the QuikTrip Site Plan (Mead Crossings Amendment No. 1, Lot 1, Block 1)”

ATTACHMENTS

Resolution No. 59-R-2024

Exhibit A to Resolution – Final Punchlist (for Conditional Acceptance – Public Improvements QuikTrip Site Plan

Exhibit B to Resolution – Additional Conditions