



Agenda Item Summary

MEETING DATE: February 26, 2024

SUBJECT: **Resolution No. 20-R-2024** – A Resolution of the Town of Mead, Colorado, Granting Conditional Acceptance of the Phases A1 Public Infrastructure Improvements (Red Barn Subdivision – Filing No. 2 Final Plat)

PRESENTED BY: Robyn Brown, Deputy Town Engineer

SUMMARY

Mr. Chuck Hawn, Land Development Project Manager for Century Land Holdings, LLC, a Colorado limited liability company, having a principal office address of 8390 E. Crescent Parkway, Suite 650, Greenwood Village, Colorado 80111 (“Developer”) has requested conditional acceptance of certain public infrastructure improvements in Phase A1, constructed as part of the Red Barn development, specifically the installation of concrete sidewalk, curb and gutter, asphalt paving, sanitary sewer, storm sewer drainage, drainage facilities, and off-site roadway improvements (collectively, the “Phase A1 Public Infrastructure Improvements” or the “Improvements”).

The Phase A1 Public Infrastructure Improvements are identified in the Subdivision Improvement Agreement, dated February 8, 2021, and recorded on May 11, 2021, at Reception No. 4713904 in the Weld County property records and assigned to Developer by that certain Assignment of Subdivision Improvement Agreement dated June 28, 2021 and recorded on July 12, 2021 at Reception No. 4734507 of the Weld County records (together, the “SIA”).

Town staff completed punch list walkthroughs in January and February 2024 and created a final punch list of items for the Developer’s contractor to complete for the Phase A1 Public Infrastructure Improvements. The punch list and related photos are attached and incorporated into the proposed Resolution. All punchlist items shall be completed and/or corrected by March 31, 2024.

Staff recommends granting Conditional Acceptance of the Phase A1 Public Infrastructure Improvements. Resolution No. 20-R-2024 (the “Resolution”) memorializes the Board’s Conditional Acceptance of the Improvements. The two-year warranty period will start on May 1, 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 Phase A1 Public Infrastructure 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 Phase A1 Public Infrastructure Improvements.

A motion to approve the consent agenda for February 26, 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. 20-R-2024, a Resolution of the Town of Mead, Colorado, Granting Conditional Acceptance of the Phase A1 Public Infrastructure Improvements (Red Barn, Filing No. 2 Final Plat).”

ATTACHMENTS

Resolution No. 20-R-2024

Exhibit A to Resolution – Final Punchlist (for Conditional Acceptance – Red Barn Phase A1 Public Infrastructure Improvements) (*7 pages, including applicable photos*)

Exhibit B to Resolution – Additional Conditions