



Legislation Details (With Text)

**File #:** Res. 2019-006      **Version:** 1      **Name:**

**Type:** Resolution      **Status:** Passed

**File created:** 12/6/2018      **In control:** City Council

**On agenda:** 1/22/2019      **Final action:**

**Title:** Consider Resolution approving Amendment to Development Agreement for Hills of Spring Creek 8th Addition.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1 - Res- Dev Agree- Hills of Spring Crk 8th Add, 2. 2 - Development Agreement\_Hills 8th, 3. 3 - Steve Schmidt Hills 8th Extension Request, 4. 4 - First Amendment to Development Agreement

Date	Ver.	Action By	Action	Result
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**City Council Meeting Date:** January 22, 2019

**To:** Mayor and City Council  
City Administrator

**From:** David Bennett, Public Works Director/City Engineer  
Sean Simonson, Engineering Manager

Consider Resolution approving Amendment to Development Agreement for Hills of Spring Creek 8th Addition.

**Action Requested:**

The Northfield City Council considers approving the attached Resolution Approving an Amendment to Development Agreement for Hills of Spring Creek 8<sup>th</sup> Addition.

**Summary Report:**

On July 11, 2017, City Council approved Resolution 2017-056 approving the Development and Escrow Agreements (Attachment 2) between the City of Northfield and Schmidt Endeavors, Inc. related to the Hills of Spring Creek 8<sup>th</sup> Addition Final Plat. In that agreement, Paragraph 12, Time of Performance reads:

***12. TIME OF PERFORMANCE.** The Developer shall install all required public improvements and other work required by this Agreement by November 2017, with the exception of the final wear course of asphalt on streets. The final wear course on streets shall be installed between May 15th and October 1st the first summer after the base layer of asphalt has been in place one freeze thaw cycle. Any deficiencies in the base, asphalt, curb or other improvements in the judgment of the City Engineer must be repaired by the Developer at its own cost prior to final paving. The Developer may, however, request an extension of time from the City. If an extension is granted, it shall be conditioned upon updating the security posted by the Developer to reflect cost increases and the extended completion date. Final wear course placement outside of this time frame must have the written approval*

*of the City Engineer.*

Due to rainy weather conditions endured during the summer months of 2018, which prevented the Developer from timely completion of the required improvements within the timeframe detailed in the Development Agreement, the Developer has requested an extension (Attachment 3) to October 2019 to complete the remaining work left on the Development. Work remaining includes sidewalk installation and the final lift of bituminous.

City Staff recommends the approval of this Resolution.

**Alternative Options:**

Staff does not recommend any alternatives at this time.

**Financial Impacts:**

There are no direct financial impacts to the City associated with Development Agreement Amendment.

**Tentative Timelines:**

Project construction will continue in the summer of 2019 once weather allows.