



STAFF REPORT

DATE: December 17, 2019
CONSENT

AGENDA ITEM: Accept Improvements and Approve Security Reduction for Southwind at Lake Elmo.

SUBMITTED BY: Jack Griffin, City Engineer
REVIEWED BY: Kristina Handt, City Administrator
Ken Roberts, Planning Director
Marty Powers, Public Works Director
Chad Isakson, Assistant City Engineer

ISSUE BEFORE COUNCIL: Should the City Council accept the improvements and a approve security reduction for Southwind at Lake Elmo?

PROPOSAL DETAILS/ANALYSIS: Staff has received and processed a request to accept the improvements and to reduce the development security for Southwind at Lake Elmo. This request has been reviewed and the following reduction is being recommended:

	<u>Current Security Amount</u>	<u>Proposed Security Amount</u>
1. Southwind at Lake Elmo	\$581,018	\$432,917

The Southwind at Lake Elmo street and drainage improvements are now in the warranty period per the attached Certificates of Completion. Twenty-five percent (25%) of the original security amount will be retained until the warranty period has expired in December 2020 for street and drainage improvements.

FISCAL IMPACT: It is the City's goal to retain at all times during the subdivision improvements a security amount that is adequate to ensure completion of all elements of the improvements as protection to the City tax payers against the potential of developer default.

RECOMMENDATION: Staff is recommending that the City Council, *as part of the Consent Agenda*, accept the improvements and approve the security reduction for Southwind at Lake Elmo as detailed in the attached worksheet. If removed from the consent agenda, the recommended motion for the action is as follows:

“Move to accept improvements and approve the security reduction for Southwind at Lake Elmo as detailed in the attached Security Reduction Worksheet”.

ATTACHMENTS:

1. Certificate of Completion – Southwind at Lake Elmo.
2. Security Reduction Worksheet – Southwind at Lake Elmo.

CERTIFICATE OF COMPLETION

DATE OF ISSUANCE: DECEMBER 3, 2019

OWNER: CITY OF LAKE ELMO, MN
DEVELOPER: SOUTHWIND OF LAKE ELMO, LLC
SUBDIVISION
NAME: SOUTHWIND OF LAKE ELMO
PROJECT NO.: 2016.128

- ☐ This Certification of Completion applies to all work under the Development Agreement
☒ This Certification of Completion applies to the following specified parts of the Development Agreement

Section 33.A – Public sewer and watermain

Section 33.B – Public improvements including street construction, concrete curb and gutter, storm sewer facilities, sidewalks, trails, materials and equipment.

I do hereby certify that the work to which this Certificate applies has been constructed in accordance with the Development Agreement dated October 17, 2017. The above-mentioned improvement is hereby declared to be complete and acceptance of this work is recommended.

DATE OF COMPLETION: December 3, 2019

Chad Isakson Reg. No. 49028



FOCUS Engineering, inc.

Section 35.A Warranty Period Begins January 16, 2018 and ends January 16, 2020

Section 35.B Warranty Period Begins December 3, 2019 and ends December 3, 2020

SOUTHWIND OF LAKE ELMO

Time of Performance: October 31, 2018

DEVELOPMENT AGREEMENT AMOUNTS				REDUCTIONS				
CATEGORY	CONSTRUCTION	125%	REMARKS	#1	#2	#3	#4	#5
Grading	\$ 187,554	\$234,442	100%		\$234,442			
Sanitary Sewer	\$ 117,757	\$147,196	100%	\$110,397			\$36,799	
Watermain	\$ 126,676	\$158,345	100%	\$118,759			\$39,586	
Storm Sewer (w/pond structures)	\$ 217,173	\$271,466	75% 1-yr warranty ends 12/3/2020	\$135,733	\$67,867			
Streets + Sidewalks	\$ 545,215	\$681,518	75% 1-yr warranty ends 12/3/2020	\$340,759		\$170,380		
Bituminous Trails	\$ 32,525	\$40,656	75% 1-yr warranty ends 12/3/2020					\$30,492
Surface Water Facilities	\$ 35,185	\$43,981	75% 1-yr warranty ends 12/3/2020					\$32,985
Street Lighting	\$ 48,000	\$60,000	75% 1-yr warranty ends 12/3/2020					\$45,000
Street Signs and Traffic Control Signs	\$ 7,400	\$9,250	75% 1-yr warranty ends 12/3/2020					\$6,938
Private Utilities (electricity, natural gas, telephone, and cable)								
Landscaping	\$225,042	\$281,303	48%				\$136,000	
Tree Preservation and Restoration	NA	NA						
Wetland Mitigation and Buffers	NA	NA						
Monuments	\$ 4,600	\$5,750	75% 1-yr warranty ends 12/3/2020					\$4,313
Erosion Control	\$ 25,265	\$31,582	75% 1-yr warranty ends 12/3/2020					\$23,686
5TH Street North	Included	Included						
Record Drawings	\$ 5,000	\$6,250	75% 1-yr warranty ends 12/3/2020					\$4,688
TOTALS	\$1,577,391	\$1,971,740	RELEASED AMOUNTS:	\$705,649	\$302,309	\$170,380	\$212,385	\$148,101
			CUMMULATIVE AMOUNTS:	\$705,649	\$1,007,957	\$1,178,337	\$1,390,722	\$1,538,823
			SECURITY AMOUNT REMAINING:	\$1,266,091	\$963,783	\$793,403	\$581,018	\$432,917
			DATE:	1/16/2018	9/18/2018	1/15/2019	11/5/2019	12/3/2019