



## STAFF REPORT

DATE: July 6, 2021

**CONSENT**

**AGENDA ITEM:** Approve Release of Warranty Security for the Boulder Ponds 2nd Addition and Boulder Ponds 5th Street North Improvements

**SUBMITTED BY:** Jack Griffin, City Engineer

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

---

**ISSUE BEFORE COUNCIL:** Should the City Council approve release of warranty security for public improvements including sanitary sewer, watermain, streets, storm sewer, sidewalks, trails, materials and equipment for the Boulder Ponds 2nd Addition and Boulder Ponds 5th Street North Improvements?

**PROPOSAL DETAILS/ANALYSIS:** Staff has received and processed a request to release the development security in accordance with the development agreement for the Boulder Ponds 2nd Addition and Boulder Ponds 5th Street North Improvements. The public improvements including public streets, storm sewer facilities, sidewalks, trails, materials and equipment were completed and accepted by the City on June 16, 2020 and the 1-year warranty period was initiated. Twenty-five percent (25%) of the original security was retained through the 1-year warranty period. A warranty walk-through has been completed by City staff and all warranty punch list items have since been addressed by the Developer. Additionally the warranty period has expired for the Boulder Ponds 5<sup>th</sup> Street North public sanitary sewer and watermain and all warranty punchlist items have been addressed. With the release of the warranty security for public improvements the overall development security may be reduced as follows:

	<u>Current Security Amount</u>	<u>Proposed Security Amount</u>
• Boulder Ponds 2nd Addition:	\$133,773	\$67,500
• Boulder Ponds 5th Street North	\$213,173	\$32,485

**FISCAL IMPACT:** Release of the warranty security brings the public improvements including public sanitary sewer, public watermain, streets, storm sewer facilities, sidewalks, trails, materials and equipment to a close. The operation and maintenance of these facilities becomes the responsibility of the City going forward.

**RECOMMENDATION:** Staff is recommending that the City Council, *as part of the Consent Agenda*, approve the release of warranty security for public improvements including public sanitary sewer, public watermain, streets, storm sewer facilities, sidewalks, trails, materials and equipment in the Boulder Ponds 2nd Addition and Boulder Ponds 5th Street North Improvements, resulting in a reduction in overall security as detailed in the respective worksheets. If removed from the consent agenda, the recommended motion for the action is as follows:

***“Move to approve the security reduction for the Boulder Ponds 2nd Addition and Boulder Ponds 5th Street North Improvements as detailed in the respective Security Reduction Worksheets.”***

**ATTACHMENTS:**

1. Security Reduction Worksheet – Boulder Ponds 2nd Addition.
2. Security Reduction Worksheet – Boulder Ponds 5th Street North.

**BOULDER PONDS 2ND ADDITION**

**Time of Performance: October 31, 2016**

**DEVELOPMENT AGREEMENT AMOUNTS**

CATEGORY	CONSTRUCTION	125%	REMARKS	REDUCTIONS						
				#1	#2	#3	#4	#5	#6	
Grading	NA	NA	Included in Boulder Ponds 1st Addition							
Sanitary Sewer	\$73,000	\$91,250	100%	\$68,438		\$22,813				
Watermain	\$67,000	\$83,750	100%	\$62,813		\$20,938				
Storm Sewer (w/pond structures)	\$39,500	\$49,375	75%	\$37,031					\$12,344	
Streets	\$84,175	\$105,219	75%	\$78,914					\$26,305	
Sidewalks/Trails	\$19,850	\$24,813	75%				\$18,609		\$6,203	
Surface Water Facilities	\$13,000	\$16,250	75%				\$12,188		\$4,063	
Street Lighting	\$12,000	\$15,000	75%				\$11,250		\$3,750	
Street Signs and Traffic Control Signs	\$1,600	\$2,000	75%				\$1,500		\$500	
Private Utilities (electricity, natural gas, telephone, and cable)										
Landscaping	\$75,000	\$93,750	28%		\$26,250					
Tree Preservation and Restoration	NA	NA								
Wetland Mitigation and Buffers	\$1,000	\$1,250	75%				\$938		\$313	
Monuments	\$1,800	\$2,250	75%				\$1,688		\$563	
Erosion Control	\$36,650	\$45,813	75%				\$34,359		\$11,453	
Miscellaneous Facilities	NA	NA								
Record Drawings	\$2,500	\$3,125	75%				\$2,344		\$781	
<b>TOTALS</b>	<b>\$427,075</b>	<b>\$533,844</b>		RELEASED AMOUNTS:	\$247,195	\$26,250	\$43,750	\$82,875	\$66,273	
				CUMMULATIVE AMOUNTS:	\$247,195	\$273,445	\$317,195	\$400,070	\$466,344	
				SECURITY AMOUNT REMAINING:	\$286,648	\$260,398	\$216,648	\$133,773	\$67,500	
				DATE:	9/5/2017	10/1/2019	6/16/2020	6/16/2020	7/6/2021	

**BOULDER PONDS 5TH STREET NORTH**

**Time of Performance: October 31, 2017**

**DEVELOPMENT AGREEMENT AMOUNTS**

CATEGORY	CONSTRUCTION	125%	REMARKS	REDUCTIONS						
				#1	#2	#3	#4	#5	#6	
Grading	NA	NA	Included in Boulder Ponds 1st Addition							
Sanitary Sewer	\$46,600	\$58,250		\$43,688			\$14,563			
Watermain	\$64,000	\$80,000		\$60,000			\$20,000			
Storm Sewer (w/pond structures)	\$97,300	\$121,625			\$91,219		\$30,406			
Streets	\$287,700	\$359,625			\$269,719		\$89,906			
Sidewalks/Trails	\$71,000	\$88,750				\$66,563	\$22,188			
Surface Water Facilities	NA	NA								
Street Lighting	NA	NA								
Street Signs and Traffic Control Signs	\$11,600	\$14,500				\$10,875	\$3,625			
Private Utilities (electricity, natural gas, telephone, and cable)		NA								
Landscaping	\$100,753	\$125,941				\$93,456				
Tree Preservation and Restoration	NA	NA								
Wetland Mitigation and Buffers	NA	NA								
Monuments	NA	NA								
Erosion Control	NA	NA								
Miscellaneous Facilities	NA	NA								
Record Drawings	NA	NA								

<b>TOTALS</b>	<b>\$678,953</b>	<b>\$848,691</b>	RELEASED AMOUNTS:	\$103,688	\$360,938	\$170,893	\$180,688
		\$212,173	CUMMULATIVE AMOUNTS:	\$103,688	\$464,625	\$635,518	\$816,206
			SECURITY AMOUNT REMAINING:	\$745,004	\$384,066	\$213,173	\$32,485
			DATE:	2/21/2017	9/5/2017	7/17/2018	7/6/2021