



## STAFF REPORT

DATE: September 21, 2021

### **CONSENT**

**AGENDA ITEM:** Approve Release of Utility Warranty Security for Inwood 5th Addition

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

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

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**ISSUE BEFORE COUNCIL:** Should the City Council approve release of warranty security for public sanitary sewer and watermain for the Inwood 5th Addition?

**PROPOSAL DETAILS/ANALYSIS:** Staff has received and processed a request to release the development security in accordance with the development agreement for the Inwood 5th Addition. The public improvements including sanitary sewer and watermain were completed and accepted by the City on March 6, 2018 and the 2-year warranty period was initiated. Twenty-five percent (25%) of the original security was retained through the 2-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.

With the release of the 2-year warranty security for public sanitary sewer and watermain improvements the overall development security may be reduced as follows:

	<u>Current Security Amount</u>	<u>Proposed Security Amount</u>
• Inwood 5th Addition:	\$1,631,779	\$1,367,574

**FISCAL IMPACT:** Release of the warranty security brings the public sanitary sewer and watermain improvements 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 sanitary sewer and watermain in the Inwood 5th Addition resulting in a reduction in overall security as detailed in the attached worksheet. The release of security is contingent on the developer being current with all other payments and obligations in accordance with the Development Agreement, including a positive escrow balance as required by the City. If removed from the consent agenda, the recommended motion for the action is as follows:

***“Move to approve the release of the warranty security for public improvements including sanitary sewer and watermain for the Inwood 5th Addition as detailed in the respective Security Reduction Worksheet, contingent on the developer being current with all other payments and obligations in accordance with the Development Agreement, including a positive escrow balance as required by the City.”***

### **ATTACHMENTS:**

1. Security Reduction Worksheet – Inwood 5th Addition.

## INWOOD 5TH ADDITION

Time of Performance: October 31, 2018

## DEVELOPMENT AGREEMENT AMOUNTS

CATEGORY	CONSTRUCTION	125% REMARKS	REDUCTIONS					
			#1	#2	#3	#4	#5	#6
Grading	NA	NA Included in Overall Grading Agreement						
Sanitary Sewer	\$356,976	\$446,220 100%	\$223,110	\$111,555	\$111,555			
Watermain	\$488,479	\$610,599 100%	\$305,299	\$152,650	\$152,650			
Storm Sewer	\$189,979	\$237,474	\$118,737					
Streets and Sidewalks	\$673,595	\$841,994	\$420,997					
Trails	\$10,000	\$12,500						
Surface Water Facilities	\$96,890	\$121,113 included in Grading Agreement						
Street Lighting	\$66,000	\$82,500 By Xcel Energy						
Street Signs and Traffic Control Signs	\$8,850	\$11,063						
Private Utilities (electricity, natural gas, telephone, and cable)								
Landscaping	\$180,000	\$225,000						
Tree Preservation and Restoration	NA	NA						
Wetland Mitigation and Buffers	\$2,250	\$2,813						
Monuments	\$10,100	\$12,625						
Erosion Control	NA	NA included in Grading Agreement						
Turn Lanes	\$283,182	\$353,978						
Record Drawings	\$5,000	\$6,250						
<b>TOTALS</b>	<b>\$2,371,301</b>	<b>\$2,964,127</b>	RELEASED AMOUNTS: \$1,068,143	\$264,205	\$264,205	\$0	\$0	\$0
			CUMMULATIVE AMOUNTS: \$1,068,143	\$1,332,348	\$1,596,553			
			SECURITY AMOUNT REMAINING: \$1,895,983	\$1,631,779	\$1,367,574			
			DATE: 3/6/2018	1/15/2019	9/21/2021			