



DATE: October 5, 2021
CONSENT

AGENDA ITEM: Approve Release of Warranty Security for Inwood 3rd Addition.

SUBMITTED BY: Jack Griffin, City Engineer

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

ISSUE BEFORE COUNCIL: Should the City Council approve release of warranty security for public improvements including street construction, concrete curb and gutter, storm sewer facilities, sidewalks, trails, materials and landscaping for Inwood 3rd Addition?

PROPOSAL DETAILS/ANALYSIS: Staff has received and processed a request to release the development security in accordance with the development agreement for Inwood 3rd Addition. The public improvements including street construction, concrete curb and gutter, storm sewer facilities, sidewalks, trails, materials and equipment were completed and accepted by the City on December 17, 2019 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 been addressed by the Developer. In addition, the landscape improvements have been accepted and the 2-year warranty period has expired. 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.

With the release of the warranty security for public improvements and landscaping, the overall development security may be released in full. There is no remaining security for this phase of the development.

	<u>Current Security Amount</u>	<u>Proposed Security Amount</u>
1. Inwood 3rd Add.	\$471,498	\$0.00

FISCAL IMPACT: Release of the warranty security brings the public improvements including street construction, concrete curb and gutter, storm sewer facilities, sidewalks, trails, materials and landscaping 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 the public improvements and landscaping in Inwood 3rd Addition, resulting in a full release of security for this phase of the development. 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 security reductions for Inwood 3rd Addition as detailed in the attached 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 3rd Addition.

INWOOD 3RD ADDITION

Time of Performance: October 31, 2016

DEVELOPMENT AGREEMENT AMOUNTS

CATEGORY	CONSTRUCTION	125% REMARKS		#1	#2	#3	#4
Grading	NA	NA	Included in Overall Grading Agreement				
Sanitary Sewer	\$277,278	\$346,597.75		\$259,948	\$86,649		
Watermain	\$315,803	\$394,753.75		\$296,065	\$98,688		
Storm Sewer (w/pond structures)	\$254,543	\$318,178.75		\$159,089		\$79,545	\$79,545
Streets	\$501,150	\$626,437.50		\$313,219		\$156,609	\$156,609
Sidewalks/Trails	\$80,290	\$100,362.50				\$75,272	\$25,091
Surface Water Facilities	NA	NA	included in Grading Agreement				
Street Lighting	\$48,000	\$60,000.00	By Xcel Energy			\$45,000	\$15,000
Street Signs and Traffic Control Signs	\$7,010	\$8,762.50				\$6,572	\$2,191
Private Utilities (electricity, natural gas, telephone, and cable)							
Landscaping	\$151,500	\$189,375.00					\$189,375
Tree Preservation and Restoration	NA	NA	included in Grading Agreement				
Wetland Mitigation and Buffers	NA	NA	LOC Through VBWD				
Monuments	\$6,800	\$8,500.00				\$6,375	\$2,125
Erosion Control	NA	NA	included in Grading Agreement				
Miscellaneous Facilities	NA	NA	None				
Record Drawings	\$5,000	\$6,250.00				\$4,688	\$1,563
TOTALS	\$1,647,374	\$2,059,217.75	RELEASED AMOUNTS:	\$1,028,322	\$185,338	\$374,060	\$471,498
			CUMMULATIVE AMOUNTS:	\$1,028,322	\$1,213,660	\$1,587,720	\$2,059,218
			SECURITY AMOUNT REMAINING:	\$1,030,896	\$845,558	\$471,498	\$0
			DATE:	3/21/2017	5/7/2019	12/17/2019	10/5/2021