



STAFF REPORT

DATE: August 15, 2023

CONSENT

AGENDA ITEM: Approve Release of Warranty Security for Public Improvements for Wildflower 3rd Addition.

SUBMITTED BY: Jack Griffin, City Engineer

REVIEWED BY: Kristina Handt, City Administrator
Sophia Jensen, City Planner
Marty Powers, Public Works Director
Clarissa Hadler, Finance Director
Chad Isakson, Assistant City Engineer

ISSUE BEFORE COUNCIL: Should the City Council approve release of warranty security for public improvements for the Wildflower 3rd Addition?

PROPOSAL DETAILS/ANALYSIS: Staff has received and processed a request to release development security for the Wildflower 3rd Addition. The 1-year warranty period for Wildflower 3rd Addition expired on July 6, 2022. A warranty walk-through has been completed by city staff and all warranty punch list items have since been addressed by the developer.

	<u>Current Security Amount</u>	<u>Proposed Security Amount</u>
1. Wildflower 3rd Addition	\$ 299,014	\$ 12,500

The remaining proposed security would remain in place for landscaping items.

FISCAL IMPACT: Release of the warranty security closes out the public improvements portion of the development. 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 in Wildflower 3rd Addition, all 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 release for the Wildflower 3rd 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 – Wildflower 3rd Addition.

WILDFLOWER AT LAKE ELMO 3RD ADDITION

Time of Performance: October 31, 2018

DEVELOPMENT AGREEMENT AMOUNTS

CATEGORY	CONSTRUCTION	125% REMARKS	REDUCTIONS					
			#1	#2	#3	#4	#5	#6
Sanitary Sewer	\$104,206	\$130,258 100%	\$97,693		\$32,565			
Watermain	\$149,310	\$186,638 100%	\$139,978		\$46,660			
Streets & Sidewalks	\$641,144	\$801,430 100%	\$400,715	\$200,358		\$200,357		
Storm Sewer	\$209,718	\$262,148 100%	\$131,074	\$65,537		\$65,536		
Erosion Control	\$17,100	\$21,375 100%		\$16,031		\$5,344		
Trails	NA	NA						
Street Lighting	\$30,000	\$37,500 100%		\$28,125		\$9,375		
Street Signs and Traffic Control Signs	\$6,388	\$7,985 100%		\$5,989		\$1,996		
Landscaping	\$10,000	\$12,500						
Tree Preservation and Restoration	NA	NA						
Wetland Mitigation and Buffers	NA	NA						
Monuments	\$2,500	\$3,125 100%		\$2,344		\$781		
Private Utilities	NA	NA						
Record Drawings	\$10,000	\$12,500 100%		\$9,375		\$3,125		
TOTALS	\$1,180,366	\$1,475,458	RELEASED AMOUNTS: \$769,460	\$327,758	\$79,225	\$286,514	\$0	\$0
			CUMMULATIVE AMOUNTS: \$769,460	\$1,097,218	\$1,176,443	\$1,462,957		
			SECURITY AMOUNT REMAINING: \$705,998	\$378,239	\$299,014	\$12,500		
			DATE: 11/19/2019	7/6/2021	1/4/2022	8/15/2023		