



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Consent

F.17.

9/14/2021

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### Subject:

Adopt Resolution and Release Performance Bond: Bridgewater South at Viera, Section 1 Subdivision - District 4  
Developer: WCI Communities, LLC

### Fiscal Impact:

None

### Dept/Office:

Public Works/Engineering

### Requested Action:

In accordance with Section 62-2844(b), it is requested that the Board of County Commissioners adopt the attached Resolution and authorize the Chair to sign the Resolution releasing the Contract and Surety Performance Bond dated December 8, 2020 for the above referenced project.

### Summary Explanation and Background:

The Bridgewater South at Viera Section 1 subdivision is located within the Viera Development of Regional Impact (DRI), west of Breakers Row Avenue, on Great Belt Circle. The proposed subdivision contains 56 single-family lots on 23.91 acres.

The Bridgewater South at Viera Section 1 subdivision received preliminary plat and final engineering plans on October 7, 2020, and final plat and contract approval on December 8, 2020. The developer posted a Surety Performance Bond for guarantee of the completion of the infrastructure improvements according to the approved plans.

Per Section 62-2809(b)(2), "Construction after final plat recordation: ...the applicant shall provide security required in Section 62-2844 for the performance of such construction..." Section 62-2844(a) states: "An applicant shall be required to secure its performance security of the construction required under this article by a surety bond, letter of credit, savings account, certificate of deposit or execution of a tri-party escrow agreement. Such security shall not be required if a certificate of completion has been issued for all the subdivision improvements prior to final plat recordation." Because the applicant chose to plat the subdivision prior to completion of construction, the applicant entered into Contract with the Board and posted a Surety Performance Bond to guarantee the completion of the infrastructure improvements according to the approved plans.

As of August 12, 2021, the Bridgewater South at Viera Section 1 subdivision infrastructure improvements have been completed.

Reference: 20FM00006, 20SD00007

Contact: Christine Verrett, Special Projects Coordinator III, Extension 58328

**Clerk to the Board Instructions:**

Please forward the Board action to the Public Works Department and provide 2 originals of the Resolution.



September 15, 2021

MEMORANDUM

TO: Marc Bernath, Public Works Director

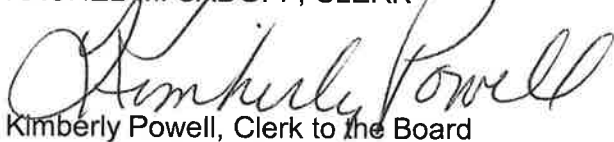
RE: Item F.17., Adopt Resolution and Release Performance Bond: Bridgewater South at Viera  
Section 1 Subdivision – Developer: WCI Communities, LLC

The Board of County Commissioners, in regular session on September 14, 2021, adopted Resolution No. 21-117; and authorized the Chair to sign the Resolution releasing the Contract and Surety Performance Bond dated December 8, 2020, for Bridgewater South at Viera, Section 1 Subdivision – Developer: WCI Communities, LLC. Enclosed are two fully-executed Resolutions.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

  
Kimberly Powell, Clerk to the Board

/sm

Encls. (2)

cc: County Manager  
County Attorney  
Engineering

## RESOLUTION 21- 117

WHEREAS, the Board of County Commissioners of Brevard County, Florida and WCI Communities, LLC entered into a contract to guarantee the construction of improvements on property commonly known as Bridgewater South at Viera, Section 1 subdivision.

WHEREAS, by execution of the Contract, the Board of County Commissioners of Brevard County, Florida agreed to accept said improvements for private use at such time as said improvements were satisfactorily completed; and

WHEREAS, WCI Communities, LLC completed all of the infrastructure improvements and has requested that the executed contract approved on December 8, 2020 be released and release of all undisbursed funds referenced in the Contract hereinabove described.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Brevard County, Florida that:

1. The Board of County Commissioners of Brevard County, Florida hereby acknowledges that there is satisfactory completion of all improvements to that certain real property commonly known as Bridgewater South at Viera, Section 1 subdivision.
2. The Board of County Commissioners of Brevard County, Florida hereby releases the contract and performance bond executed on December 8, 2020.
3. This Resolution shall take effect immediately upon adoption.

DONE, ORDERED, AND ADOPTED in Regular Session the 14<sup>th</sup> day of September 2021.

ATTEST:

  
Rachel Sadoff, Clerk of the Court

BOARD OF COUNTY COMMISSIONERS  
BREVARD COUNTY, FLORIDA

By: 

Rita Pritchett, Chair

As approved by the Board on September 14, 2021