



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.4.

22-015

2/22/2022

Subject:

Adopt Resolution to Accept Maintenance of Future Road and Infrastructure Improvements for Tkacs Street:
Waelti Drive Warehouses - District 4
Developer: KMM-FL LLC

Fiscal Impact:

None

Dept/Office:

Public Works/Engineering

Requested Action:

In accordance with Section 62-2955 and 62-2966(a)(1-2), it is requested that the Board of County Commissioners adopt the attached Resolution and authorize the Chair to sign the Resolution acknowledging that the County will own and maintain all future roadway and associated infrastructure improvements for the above referenced project upon satisfactory completion and acceptance.

Summary Explanation and Background:

In regular session on September 14, 2021, the Board approved action to vacate a portion of right-of-way as well as approved and accepted an access easement and warranty deed in order for the County and developer to proceed with the site plan review.

The access easement allowed for a portion of a required turnaround to be constructed on the site for the proposed roadway and a 50-foot-wide by 200-foot-long vacation provided for a stormwater retention pond for the proposed roadway. The owner also deeded his portion of the right-of-way over to the County for the construction of the pond.

The site plan which was approved on November 30, 2021, consists of the construction of 6 warehouses and associated site infrastructure improvements as well as the construction of the roadway and its associated infrastructure improvements for Tkacs Street. The property is located at 7255 Waelti Drive, Melbourne.

The developer will post a Surety Performance Bond for guarantee of the completion of the roadway and infrastructure improvements according to the approved plans prior to the start of construction of the project and will be issued a Right-of-way/Easement permit. Upon successful completion and acceptance, the developer will provide a 2-year maintenance bond and Staff will release the performance bond as authorized by the Board.

Reference: 14SP-01159, 19SP00021

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.



February 23, 2022

MEMORANDUM

TO: Marc Bernarth, Public Works Director Attn: Christine Verrett

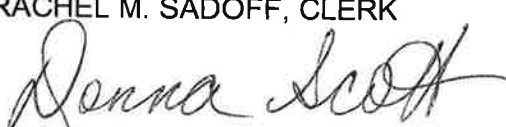
RE: Item F.4., Adopt Resolution to Accept Maintenance of Future Road and Infrastructure Improvements for Tkacs Street: Waelti Drive Warehouses Developer: KMM-FL, LLC

The Board of County Commissioners, in regular session on February 22, 2022, adopted Resolution No. 22-015, accepting maintenance of future road and infrastructure improvements for Tkacs Street: Waelti Drive Warehouses, Developer: KMM-FL, LLC; and authorized the Chair to sign the Resolution acknowledging that the County will own and maintain all future roadway and associated infrastructure improvements for Tkacs Street: Waelti Drive Warehouses project upon satisfactory completion and acceptance. Enclosed are two fully-executed Resolutions.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

for:  Kimberly Powell, Clerk to the Board

/pp

Encls. (2)

cc. County Attorney
Engineering

RESOLUTION 22- 015

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY FLORIDA
ACKNOWLEDGING THAT THE COUNTY WILL OWN AND MAINTAIN ALL ROAD AND ASSOCIATED
INFRASTRUCTURE IMPROVEMENTS TO THAT CERTAIN RIGHT-OF-WAY KNOWN AS TKACS STREET.

WHEREAS, the public right-of-way was created via the plat named "Plan of Town of Pineda" and recorded in Plat Book, 1, Page 41 on November 9th, 1894; however, the unnamed right-of-way along with a roadway and associated infrastructure improvements were not constructed at that time; and

WHEREAS, the property owner north of the unnamed right-of-way, located at 7255 Waelti Drive, desires to construct a roadway and associated infrastructure improvements within this right-of-way to utilize as an additional access to the site; and

WHEREAS, the County has approved the proposed construction of the roadway and associated infrastructure improvements under site plan number 19SP00021 (approved plan), attached hereto as Exhibit "A"; and

WHEREAS, prior to construction and upon receipt of a performance bond to guarantee the construction of the roadway and associated infrastructure improvements, the County will issue a Right-of-Way/Easement Permit; and

WHEREAS, the right-of-way has been named Tkacs Street via Resolution No. 2021-A008 as indicated on the approved plan; and

WHEREAS, the roadway and associated infrastructure improvements are proposed to be publicly owned and maintained by the County upon acceptance of the construction and after receipt of a 2-year maintenance bond.

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

1. RECITALS. The above recitals are true and correct and incorporated herein by this reference.
2. The Board of County Commissioners of Brevard County, Florida hereby acknowledges that the County will own and maintain all road and associated infrastructure improvements to that certain right-of-way now known as Tkacs Street upon satisfactory completion and acceptance by the County. The area to be owned and maintained by the County is identified in Exhibit "B", which is attached hereto and incorporated herein by this reference.
3. This Resolution shall take effect immediately upon adoption.

DONE, ORDERED, AND ADOPTED in Regular Session the 22 day of February
2022.

ATTEST:



Rachel Sadoff, Clerk of the Court

BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

By: 

Kristine Zonka, Chair

As approved by the Board on 2/22/2022

DONE, ORDERED, AND ADOPTED in Regular Session the 22 day of February
2022.

ATTEST:



Rachel Sadoff, Clerk of the Court

BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

By: 

Kristine Zonka, Chair

As approved by the Board on 2/22/2022

LOCATION MAP

Section 12, Township 26 South, Range 36 East - District: 4

PROPERTY LOCATION: The north side of North Wickham Road on the east side of Waelti Drive in Melbourne

OWNERS NAME(S): KMM-FL, LLC

