

**F. Consent Agenda - Public Works Department
ITEM 9.**



**AGENDA REPORT
February 26, 2019**

**Resolution and Release of Performance Bond, Re: Reeling Park North and
Seville at Addison Village, Phase 4 Subdivision - The Viera Company
(District 4)**

SUBJECT:

Adopt Resolution and Release Performance Bond: Reeling Park North and Seville at Addison Village, Phase 4

FISCAL IMPACT:

None - FY18/19

DEPT/OFFICE:

Public Works

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 April 10, 2018 for the above referenced project.

SUMMARY EXPLANATION and BACKGROUND:

Reeling Park North and Seville at Addison Village, Phase 4 is located within the Viera DRI, east of Stadium Parkway and south of Spur Drive. The proposed subdivision consists of 86 zero lot line units on 21.3 acres.

The Reeling Park North and Seville at Addison Village, Phase 4 subdivision received preliminary plat and final engineering plans on June 24, 2015, and final plat and contract approval on April 10, 2018. 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 February 15, 2019, the Reeling Park North and Seville at Addison Village, Phase 4 subdivision infrastructure improvements have been completed and we are in receipt of a two year Maintenance bond.

Reference: 14SD-00544, 17SD00027

CLERK TO THE BOARD INSTRUCTIONS:

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

ATTACHMENTS:

Description

- ▢ **Resolution**
- ▢ **Copy of Subdivision Infrastructure Contract and Surety Performance Bond**



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February 27, 2019

M E M O R A N D U M

TO: Corrina Gumm, Interim Public Works Director

RE: Item F.9., Resolution Releasing Performance Bond for Reeling Park North and Seville Addison Village, Phase 4 Subdivision – The Viera Company

The Board of County Commissioners, in regular session on February 26, 2019, adopted Resolution No. 19-023, releasing the Contract and Surety Performance Bond dated April 10, 2018, for Reeling Park North and Seville at Addison Village, Phase 4 Subdivision – The Viera Company. Enclosed are two fully-executed Resolutions.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

Encls. (2)

RESOLUTION 19- 023

WHEREAS, the Board of County Commissioners of Brevard County, Florida and The Viera Company entered into a contract to guarantee the construction of improvements on property commonly known as Reeling Park North at Addison Village, Phase 4.

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

WHEREAS, The Viera Company completed all of the infrastructure improvements and has requested that the executed contract approved on April 10, 2018 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 Reeling Park North at Addison Village, Phase 4.
2. The Board of County Commissioners of Brevard County, Florida hereby releases the contract and performance bond executed on April 10, 2018.
3. This Resolution shall take effect immediately upon adoption.

DONE, ORDERED, AND ADOPTED in Regular Session the 26th day of February 2019.

ATTEST:



Scott Ellis, Clerk

BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

By:



Kristine Isnardi, Chair

As approved by the Board on February 26, 2019