

## **RESOLUTION NO 25-32**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, APPROVING AND ACCEPTING THE CONTRACTOR'S REQUEST TO RELEASE THE REMAINDER PAVING AND DRAINAGE SUBDIVIDER COMPLETION BOND SUBJECT TO THE SUBSEQUENT RELEASE BY THE CENTRAL BROWARD WATER CONTROL DISTRICT, ASSOCIATED WITH MARIN RANCHES HOMES DEVELOPMENT PROJECT GENERALLY LOCATED AT 5300 SW 106<sup>TH</sup> AVENUE, ¼ MILE NORTH OF STIRLING ROAD COOPER CITY, FLORIDA, 33328; AUTHORIZING AND DIRECTING THE APPROPRIATE CITY OFFICIALS TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, at their regular meeting, the City Commission gave site plan approval to Kennedy Homes, LLC (the “Developer”) the development plans for the project known as Marin Ranches (“Project”), generally located at 5300 SW 106th Avenue, ¼ mile North of Stirling Road Cooper City, Florida, 33328;

**WHEREAS**, the project included construction of a drainage flow easement and related appurtenances with the condition that upon successful completion of construction and acceptance by the City and the Central Broward Water Control District, the Developer will request release of the Subdivider Completion Bond; and

**WHEREAS**, pursuant to Section 22 of the Water and Sewer Developers Agreement, a developer is required to furnish a Performance Improvement Bond in the amount of 110% of the certified construction cost prepared by a professional registered engineer in the State of Florida, and after one year, request release of the Bond upon successful completion of the project and its acceptance by resolution of the City Commission; and

**WHEREAS**, on or about March 7, 2016, International Fidelity Insurance Company issued the Developer a Subdivider Completion Bond in the form of a “Surety” in the amount of \$1,314,933.30; and

**WHEREAS**, the “Surety” in the amount of \$1,314,933.30 attached hereto as Exhibit “A”, was issued to the City of Cooper City and the Central Broward Water Control District as co-obliges for paving work and drainage improvements work; and

**WHEREAS**, on or about December 12, 2018, the bond was reduced to \$567,000 by the City of Cooper City and the Central Broward Water Control District as co-obligors for the paving and drainage improvements work attached hereto as part of this Resolution; and

**WHEREAS**, a complete package consisting of the developer's bond release request letter and the engineer of record project certification letter; and

**WHEREAS**, the City Engineer Department and staff are recommending approval to release the Subdivider Completion Bond in full, contingent upon approval by the Central Broward Water Control District; and

**WHEREAS**, the City Commission finds that approval and release of the Subdivider bond are in the best interest of the citizens and residents of the City of Cooper City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA:**

**Section 1: Recitals Adopted,** that each of the above-stated recitals is hereby adopted and confirmed. All exhibits attached hereto and incorporated herein and made a part hereof.

**Section 2:** That the City Commission hereby approves the release of the Subdivider Completion Bond in full for the Marin Ranches Development and contingent upon the Central Broward Water District's approval.

**Section 3:** That the Subdivider Bond in the form of a "Surety" issued by International Fidelity Insurance Company in the amount of \$567,000 shall hereby be released in full upon approval by the Central Broward Water District.

**Section 4:** That the appropriate City officials are hereby authorized and directed to record the appropriate documentation and take any and all actions necessary to effectuate the intent of this Resolution.

**Section 5: Conflicts.** All resolutions inconsistent or in conflict herewith shall be and are hereby repealed insofar as there is conflict or inconsistency.

**Section 6: Severability.** If any section, sentence, clause, or phrase of this Resolution is held to be invalid or unconstitutional by any court or competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this resolution.

**Section 7: Effective Date.** This Resolution shall become effective upon its passage and adoption by the City Commission.

**THE REST OF THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.**

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

\_\_\_\_\_  
JAMES CURRAN  
Mayor

**ATTEST:**

\_\_\_\_\_  
TEDRA ALLEN, MMC  
City Clerk

**APPROVED AS TO LEGAL FORM**

By: \_\_\_\_\_  
JACOB HOROWITZ  
City Attorney

**ROLL CALL**

Mayor Curran \_\_\_\_\_  
Commissioner Shrouder \_\_\_\_\_

Commissioner Katzman \_\_\_\_\_  
Commissioner Mallozzi \_\_\_\_\_  
Commissioner Smith \_\_\_\_\_