

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2010-91

RESOLUTION AUTHORIZING THE EXECUTION OF A CUSTOMER AGREEMENT BETWEEN THE CITY OF CORAL GABLES AND THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA FOR A SEWER CONNECTION OUTSIDE THE CITY SANITARY SEWER DISTRICT TO SERVE WEST LABORATORY ELEMENTARY SCHOOL LOCATED AT 5300 CARRILLO STREET, CORAL GABLES, FLORIDA, SUBJECT TO THE REQUIREMENTS OF THE PUBLIC WORKS DEPARTMENT AS PROVIDED UNDER CHAPTERS 62 AND 78 OF THE CITY CODE, ORDINANCE NO. 2007-29 AND RESOLUTION NO. 27941; AND PROVIDED THAT THE EXECUTED AGREEMENT BE MADE PART OF THIS RESOLUTION.

WHEREAS, the School Board desires to abandon its on-site septic tank system at West Lab Elementary School and connect its wastewater system to the City's sanitary sewer system; and

WHEREAS, this request was previously heard before the City Commission on April 13, 2010, where concerns were raised regarding possible future expansion of the West Lab School that could reduce the sewer system's reserve capacity intended for use by residential properties; and

WHEREAS, pursuant to this concern, City staff met with representatives of the School Board to agree on addressing sewer system capacity through existing agreements and State mandated plans; and

WHEREAS, on December 21, 2007, the City and School Board entered into an Interlocal Agreement (ILA) which set forth concurrency requirements for supporting infrastructure at schools; and

WHEREAS, said ILA states that if construction improvements at an elementary school result in greater than fifteen percent (15%) increase in student capacity, then the School Board shall collaborate with the City and enter into a letter of agreement to assign responsibility for required infrastructure improvements and ensure compliance with the City's Comprehensive Land Use Plan; and

WHEREAS, West Lab Elementary School currently has a student capacity of 336 full time students;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. The foregoing 'Whereas' clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

SECTION 2. That the Owner executes an agreement approved by the City Attorney, agreeing to comply with the terms outlined in Ordinance No. 2007-29 and Resolution No. 27941.

SECTION 3. That the School Board shall install a new isolation valve on the City's sanitary sewer force main to which the School will connect, which valve is identified as located on the existing 24-inch cast iron pipe at the intersection of Granada Boulevard and Ponce de Leon Boulevard, and also deliver a new second isolation valve for a 20-inch cast iron pipe to the City's Public Works Department at School Board's expense and cost.

SECTION 4. That the School Board shall provide the City with final as-built plans, as prepared by a Professional Surveyor and Mapper or Civil Engineer licensed to practice in the State of Florida, for its records.

SECTION 5. That the School Board shall convey to the City title to the force main line from the School's property to the point of connection to the City's sewer system (excluding the connection from the property line to the street main which shall be considered the School Board lateral) by bill of sale without representation or warranty.

SECTION 6. That the School Board shall provide proof of the School Board's self-insurance program as required by Sec. 768.28, Florida Statutes (2007) in the form of a Certificate acceptable to the City at signing of this Agreement, which will cover damages to public or private property due to a failure in the School Board's connection resulting from failure of the School Board's facilities and that it shall name City as an additional insured and covering any damages to public or private property due to failure in School Board's facilities.

SECTION 7. That the School Board shall provide proof to the City that it has secured all required permits to perform this project.

SECTION 8. That based on the Customer Agreement between the City and the School Board, the City will waive the connection fee.

SECTION 9. That the Customer Agreement shall be made a part of this Resolution and be kept in the office of the City Clerk.

PASSED AND ADOPTED THIS TWENTY-FIFTH DAY OF MAY, A.D., 2010.

(Moved: Cabrera / Seconded: Kerdyk)

(Yea: Cabrera, Kerdyk, Withers, Anderson, Slesnick)

(Unanimous: 5-0 Vote)

(Agenda Item: C-1)

APPROVED:



DONALD D. SLESNICK II
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ
CITY ATTORNEY