

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE EXECUTION OF ADDENDUM NO. 1 TO THE MAINTENANCE AGREEMENT DATED SEPTEMBER 17, 2007 WITH THE SUNRISE HARBOUR HOMEOWNERS' ASSOCIATION FOR INSTALLATION OF IRRIGATION SYSTEMS AT THREE CUL-DE-SACS IN THE SUNRISE HARBOUR SUBDIVISION; ADDING SAID IRRIGATION SYSTEMS TO THE CITY'S RESPONSIBILITY FOR MAINTENANCE; REAFFIRMING THE SUNRISE HARBOUR HOMEOWNERS ASSOCIATION'S RESPONSIBILITY TO MAINTAIN THE EXISTING AND NEW PLANT MATERIALS AND OTHER ENCROACHMENTS PREVIOUSLY APPROVED; AND FURTHER AUTHORIZING AN APPROPRIATION OF FUNDS.

WHEREAS, on January 23rd, 2007, the Commission of the City of Coral Gables passed and adopted Resolution No. 2007-12 approving encroachments consisting of the installation of pavers and landscaping plant upgrades at several locations within the Sunrise Harbour Subdivision; and

WHEREAS, the Sunrise Harbour Homeowner's Association is requesting approval to upgrade the landscaping, at its expense, within the cul-de-sac areas of Sunrise Terrace, Sunrise Court and Sunrise Place as described in Exhibit "B"; and

WHEREAS, the City of Coral Gables agrees to provide irrigation to the Sunrise Terrace, Sunrise Court and Sunrise Place cul-de-sacs; and

WHEREAS, the Sunrise Harbour Homeowner's Association shall contribute to the City of Coral Gables 50% of the actual cost for the installation of the irrigation systems and water meters.

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. The Sunrise Harbour Homeowners Association is authorized to upgrade the landscape and plant materials located within the cul-de-sac areas of Sunrise Terrace, Sunrise Court and Sunrise Place within the Sunrise Harbour Subdivision, at the Association's expense.

SECTION 3. The City of Coral Gables will install irrigation systems to the Sunrise Terrace, Sunrise Court and Sunrise Place cul-de-sacs located in the Sunrise Harbour Subdivision and the Sunrise Harbour Homeowners Association shall pay 50% of the actual costs of the irrigation system and water meters which are estimated at \$12,600.00.

SECTION 4. The 2010-2011 Annual Budget is hereby amended to include appropriations of funds paid to the City by the Sunrise Harbour Homeowners' Association in the amount of \$6,300 for the purpose of the aforementioned irrigation improvements.

SECTION 5. The proposed irrigation systems will be maintained by the City of Coral Gables.

SECTION 6. The City Commission does hereby authorize the City Manager to execute Addendum No.1 to the maintenance agreement dated September 17, 2007 with the Sunrise Harbour Homeowners' Association.

SECTION 7. The Sunrise Harbour Homeowners' Association will maintain the encroachments and all new plant materials pursuant to the Maintenance Agreement and Addendum No. 1 thereto.

SECTION 8. That all Resolutions or parts of Resolutions inconsistent with, or in conflict herewith, shall be and hereby repealed insofar as there is conflict or inconsistency.

SECTION 9. That this Resolution shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS ELEVENTH DAY OF JANUARY, A.D., 2011.

APPROVED:

DONALD D. SLESNICK II
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

LOURDES ALFONSIN RUIZ
INTERIM CITY ATTORNEY