

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA AUTHORIZING THE VILLAGE OF PINECREST TO CONSTRUCT A NEW SIDEWALK WITHIN CITY OF CORAL GABLES LIMITS, ON THE WEST-SIDE OF RED ROAD IN THE GABLES-BY-THE-SEA/PINECREST-BY-THE-SEA NEIGHBORHOOD AND REQUIRING THE VILLAGE OF PINECREST TO ASSUME ALL LIABILITY, MAINTENANCE, AND IMPROVEMENT RESPONSIBILITIES FOR THE NEWLY CONSTRUCTED SIDEWALK.

WHEREAS, the Village of Pinecrest wishes to construct a new sidewalk in the Gables-by-the-Sea/Pinecrest-by-the-Sea neighborhood along the west-side of Red Road from Southwest 128th Street to Southwest 132nd Street in response to safety concerns raised by residents, and with the support of the relevant home owners association; and

WHEREAS, approximately 150 feet of the proposed new sidewalk lies within the limits of the City of Coral Gables; and

WHEREAS, the City wishes to allow the Village of Pinecrest to construct the sidewalk provided that the Village assume all liability and proper maintenance of the new sidewalk, that the new sidewalk be constructed after the proper permits are issued, with non-colored concrete, and constructed at the Village of Pinecrest's Cost; and

WHEREAS, on September 25, 2018 the Village Counsel of the Village of Pinecrest, passed a resolution assuming all liability, proper maintenance and improvements of the new sidewalk at the Village's Cost; and

WHEREAS, the Village of Pinecrest's resolution further states that the Village of Pinecrest may assert any available defenses or statutory caps to liability available to the City of Coral Gables of the Village of Pinecrest; and

WHEREAS, the City will issue any necessary permits to allow the Village of Pinecrest to construct the sidewalk described above;

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

SECTION 1. That 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 the adoption hereof.

SECTION 2. The City Commission does hereby authorize the Village of Pinecrest to construct a sidewalk within the limits of the City of Coral Gables as detailed above. The sidewalk is to be constructed at Village of Pinecrest's expense and the Village of Pinecrest will assume all liability, proper maintenance and improvements of the new sidewalk at the Village of

Pinecrest's cost, and the Village of Pinecrest shall assert any available defenses or statutory caps to liability available to the City of Coral Gables or the Village of Pinecrest.

SECTION 3. That this resolution shall become effective upon the date of its passage and adoption herein.

PASSES AND ADOPTED THIS THIRTEENTH DAY OF NOVEMBER A.D., 2018.

RAUL VALDES-FAULI
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

MIRIAM SOLER RAMOS
CITY ATTORNEY