

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2016-48

A RESOLUTION OF THE CITY OF CORAL GABLES TO ASSUME ALL LIABILITY, MAINTENANCE AND IMPROVEMENTS, OF THE EXISTING TRAFFIC CIRCLE, LOCATED AT THE INTERSECTION OF LUGO ROAD AND RED ROAD, AT THE CITY'S COST.

WHEREAS, the City of Coral Gables constructed the traffic circle located at the intersection of Lugo Road and Red Road in September, 2014; and

WHEREAS, three quarters of the circle lie within the limits of The City and one quarter within the limits of The Village of Pinecrest (Village); and

WHEREAS, this project was constructed in response to safety concerns by residents in the area and the intent was to reduce speeding along intersecting roadways; and

WHEREAS, the community was balloted and returned a 2/3 favorable response by affected residents and approval from the four adjacent properties as required by Miami-Dade County; and

WHEREAS, the Village of Pinecrest has requested the City of Coral Gables assume all liability and proper maintenance of the existing traffic circle and improvements, at the City's cost; and

WHEREAS, the City of Coral Gables may assert any available defenses or statutory caps to liability available to the City of Coral Gables or the Village of Pinecrest;

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 City Commission does hereby assume all liability, proper maintenance and improvements of the existing traffic circle at the City's cost.

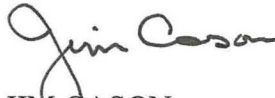
SECTION 3. This resolution and assumption of liability does not constitute a waiver of any sovereign immunity that remains applicable to the Village of Pinecrest or City of Coral Gables pursuant to Section 768.28 of the Florida Statutes, including the statutory regulations and caps on liability.

SECTION 4. That this resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS NINTH DAY OF FEBRUARY, A.D.,
2016.

(Moved: Keon / Seconded: Lago)
(Yeas: Quesada, Slesnick, Keon, Lago, Cason)
(Unanimous: 5-0 Vote)
(Agenda Item: H-2)

APPROVED:



JIM CASON
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



CRAIG E. LEEN
CITY ATTORNEY