

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION AUTHORIZING ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY RELATING TO THE LINK AT DOUGLAS STATION PROJECT CONSISTING OF THE INSTALLATION OF LANDSCAPED ISLANDS INCLUDING CURBING, IRRIGATION, AND SIDEWALKS AT RUIZ AND ORANGE AVENUES AS WELL AS ONE BUMP-OUT ALONG RUIZ AVENUE CONSISTING OF CURBING, LANDSCAPING, AND IRRIGATION, SUBJECT TO REQUIREMENTS OF THE PUBLIC WORKS DEPARTMENT.

**WHEREAS**, Adler 13th Floor Douglas Station LP (“the Applicant”) has requested permission to encroach into the public right-of-way along Ruiz and Orange Avenues; and

**WHEREAS**, the proposed encroachments consist of the installation of landscaped islands including curbing, irrigation, and sidewalks at Ruiz and Orange Avenues as well as well as one bump-out along Ruiz Avenue consisting of curbing, landscaping, and irrigation.

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

**SECTION 1.** The request for encroachments consisting of the installation of landscaped islands including curbing, irrigation, and sidewalks at Ruiz and Orange Avenues as well as one bump-out along Ruiz Avenue consisting of curbing, landscaping, and irrigation, be approved subject to the following conditions of the Public Works Department:

- a. The proposed improvements have been reviewed by the Public Works Department;
- b. The City of Coral Gables reserves the right to remove, add, maintain, or have the Applicant remove any of the improvements within the right-of-way, at the Applicant’s expense;
- c. The Applicant shall maintain the proposed encroachments in good condition at all times at the Applicant’s expense;
- d. The Applicant shall meet with the City Attorney for the purpose of providing all information necessary for preparation of a maintenance agreement to be executed by the Applicant, which states, in addition to the aforementioned requirements, that the Applicant will provide Public Liability Insurance coverage for the encroachment in the minimum limits required by the City, and naming the City as an additional insured under the policy, and the Applicant will prepare a General Encroachment and Restrictive Covenant Agreement which shall be recorded;;
- e. Copies of the maintenance agreement, when fully executed and filed, together with the required certificate of insurance, shall be provided by the Applicant to the Public Works Department; and permits thereafter shall be obtained from that Department;

- f. The proposed encroachments shall be constructed in accordance with City of Coral Gables Public Works' Standards and all other pertinent Codes;
- g. In the event the Public Works Department must issue a permit for a utility cut in the future within the area in which the encroachments are approved, the Applicant shall replace the proposed encroachments cut by the utility at the Applicant's expense;
- h. The proposed encroachment shall be maintained in accordance with the City Zoning Code, Section 5-1406, requiring that all visual obstructions be kept within a maximum height of thirty inches (30") within the visibility triangle.

**SECTION 2.** This Resolution shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS TWENTY-SIXTH DAY OF MARCH, A.D., 2019.

APPROVED:

RAUL VALDES- FAULI  
MAYOR

ATTEST:

BILLY URQUIA  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

MIRIAM SOLER RAMOS  
CITY ATTORNEY