



City of Coral Gables
CITY COMMISSION MEETING
November 13, 2018

ITEM TITLE:

A Resolution authorizing encroachments into the public right-of-way, consisting of the installation of water service backflow preventer, a Carbon dioxide (Co2) canister, and protective bollards located at the alley behind 5833 Ponce de Leon Boulevard, Coral Gables, Florida.

DEPARTMENT HEAD RECOMMENDATION:

Denial of Co2 canister installation in the right-of-way.

BRIEF HISTORY:

Mr. Thad Winieckie, General Manager of Miami's Best Pizza, has requested permission to encroach into the right-of-way adjacent to 5853 Ponce de Leon Boulevard, Coral Gables, Florida.

The proposed encroachment consists of the installation of water backflow, a Co2 canister and protective bollards located on the rear alley subject to the requirements of the Public Works Department.

The proposed encroachments were reviewed by the City's Public Works and Development Services' Departments under permit number **RV-18-08-3706**.

It is recommended that this request be approved with the exception of the Co2 canister installation, subject to the following requirements of the Public Works Department:

- a. The proposed encroachments shall conform to the Florida Building Code and all pertinent Codes;
- b. The City of Coral Gables reserves the right to remove, add, maintain, or have the Owner remove any of the improvements within the right-of-way, at Owner's expense;
- c. The Owner shall maintain the proposed encroachments in good condition at all times, at Owner's expense;
- d. In the event the Public Works Department must issue a permit for a utility cut in the future, affecting the area in which the encroachments are approved, the Owner shall replace any portion of the approved encroachment, at Owner's expense;
- e. The Owner shall meet with the City Attorney's office for the purpose of providing all the information necessary for the office to prepare a Restrictive Covenant to be executed by the Owner, which runs with the title of the property, and which states, in addition to the above mentioned requirements, that the Owner 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;
- f. The copies of the Restrictive Covenant, when fully executed and filed, together with certification of required insurance, shall be presented to the Development Services and Public Works Departments and permits thereafter be obtained for the work from both of these Departments.

APPROVED BY:

Department Director	City Attorney	Assistant City Manager	City Manager

ATTACHMENT(S):

1. Proposed Resolution
2. Letter of Request
3. Proposed Encroachment Plans