



City of Coral Gables
CITY COMMISSION MEETING
March 26, 2019

ITEM TITLE:

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.

DEPARTMENT HEAD RECOMMENDATION:

No objections.

BRIEF HISTORY:

Adler 13th Floor Douglas Station LP, Applicant, has requested permission to encroach into, onto, the public right-of-way along Ruiz and Orange Avenues, Coral Gables, Florida.

The proposed encroachments consist 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.

The Public Works Department does not object to the request to encroach into the public right-of-way at the aforementioned locations, 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, 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.

APPROVED BY:

Department Director	City Attorney	City Manager

ATTACHMENT(S):

- 1. Draft Resolution
- 2. Letter of Request
- 3. Exhibit A Proposed Plans
- 4. Exhibit B Sample Encroachment & Restrictive Covenant Agreement