



**City of Coral Gables
CITY COMMISSION MEETING
SEPTEMBER 8, 2009**

ITEM TITLE:

Resolution authorizing the execution of an amendment to the agreement between American Traffic Solutions and the City of Coral Gables setting forth conditions for encroachments upon the right-of-way and/or the easement area, consisting of poles, foundations, camera systems and related infrastructure at several locations throughout the City of Coral Gables, Florida.

CITY MANAGER'S RECOMMENDATION:

Approval.

BRIEF HISTORY:

On November 13, 2007 the City Commission passed and adopted Ordinance No. 2007-35 amending Chapter 74 of the City Code entitled "Traffic and Vehicles", by creating Article VIII entitled "Dangerous Intersections Safety", providing for recorded image monitoring and enforcement of red light infractions at several locations throughout the City.

Subsequent to the adoption of the Ordinance, the City issued an RFI (Request for Information "piggy back" solicitation from Government) to solicit vendors to place cameras for digital photo red light enforcement infrastructure throughout the City. American Traffic Solutions was awarded the solicitation and an agreement was signed on August 7, 2008.

The Public Works Department requests an amendment to the agreement to incorporate standard conditions of encroachments. In the event ATS' construction is located within private property, ATS shall obtain a grant of easement from the land owner(s), a copy of which shall accompany ATS' permit application to the City. All stated conditions for encroachments in the public right-of-way shall apply to encroachments on private property. The following criteria set forth conditions for approval:

- a) That American Traffic Solutions be listed as the contact agency with Sunshine One for proper underground locations in the area of the encroachments.
- b) That the use of the encroachment areas shall be private and American Traffic Solutions will not provide access or occupancy to any customer or third party without prior written approval from the City.
- c) That the City of Coral Gables reserves the right to remove, add, maintain, or have the American Traffic Solutions remove any of the encroachments within the right-of-way, at American Traffic Solutions' sole expense.
- d) That American Traffic Solutions maintain the proposed encroachments in good condition at all times, and at American Traffic Solutions' expense.
- e) That American Traffic Solutions shall replace, at American Traffic Solutions' sole expense, any portion of the encroachments affected, in the event the City of Coral Gables issues a permit for a utility company to excavate or construct in the proposed areas of encroachment.
- f) That the proposed encroachments be constructed in accordance with all applicable Codes.

g) That the right-of-way shall be restored to its original condition in the event that the encroachments are removed.

LEGISLATIVE ACTION:

Date:	Resolution/Ordinance No.	Comments
November 13, 2007	Ordinance No. 2007-35	Passed

APPROVED BY:

Department Director	City Attorney (If Applicable)	City Manager
		

ATTACHMENT(S):

1. Draft Resolution
2. Amendment to Agreement
3. Copy of Agreement dated August 7, 2008
4. Ordinance No. 2007-35