

RESOLUTION No. 21-149

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPROVE A HOLD HARMLESS AGREEMENT WITH FLORIDA POWER AND LIGHT FOR ELECTRICAL EQUIPMENT PLACED IN THE RIGHT OF WAY IN THE AREA UNDER PUBLIC WORKS PERMIT 2105-005; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, CM Doral IDF is a developer of the 120 +/- acre parcel of land located in the City of Doral, Florida; and

WHEREAS, pursuant to Section 38-6 (f) of the City of Doral Code of Ordinances, in the event of any future repairs, installation, construction by or for the City of Doral, of any road or Miami-Dade County facility within the public right-of-way the property owner or its affiliates have constructed any utility, or its affiliate shall move or remove such utility at his own expense; and

WHEREAS Florida Power and Light has requested a Hold Harmless Agreement for placing its Primary Feeders in the Public Right of Way for 5250 Phase II tower that is in the beginning phases of construction; and

WHEREAS, as a condition for holding Florida Power and Light harmless the city requires a hold harmless agreement from the developer wherein the developer agrees to assume all future costs including those which could require that the FPL utility to be moved due to roadway work.; and

WHEREAS, a satisfactory Hold Harmless Agreement assuming all costs and indemnifying the city has been executed by the Developer.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. Authorization. The City of Doral hereby authorizes the City Manager to approve a hold harmless for Florida Power and light to not assume financial responsibility to replace any electrical equipment placed in the right of way area.

Section 2. Effective Date. This Resolution shall be effective immediately upon adoption.

The foregoing Resolution was offered by Councilmember Puig-Corve who moved its adoption. The motion was seconded by Councilmember Mariaca and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Pete Cabrera	Yes
Councilwoman Digna Cabral	Yes
Councilwoman Claudia Mariaca	Yes
Councilman Oscar Puig-Corve	Yes

PASSED AND ADOPTED this 11 day of August, 2021.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



LUIS FIGUEREDO, ESQ.
CITY ATTORNEY