City of Delray Beach

Legislation Text

File #: 19-591, **Version:** 1

TO: **Mayor and Commissioners**
FROM: **Caryn Gardner-Young, Acting Public Works Director**
THROUGH: **Neal de Jesus, Interim City Manager**
DATE: **June 18, 2019**

ITEM (A) - ACCEPTANCE OF A HOLD HARMLESS AGREEMENT FOR 4771 W. ATLANTIC AVE.

Recommended Action:
Item A
Motion to approve and accept Hold Harmless Agreement located at 4771 W Atlantic Ave.

Background:

Item A
In June 2017, the shopping center owner (The Keith Corp.) of 4771 W Atlantic Ave. submitted Building Permit #17-170323 to improve an existing commercial building. As part of the site improvements, a new 8" Water Main, which will ultimately be owned and maintained by the City, was installed in compliance with engineering and building code requiements. The water main was approved to be placed within a 12' utility easement to provide a loop-feed for the entire shopping center. Although the adjacent buildings are not located in the easement, they are extremely close by. As a result, during the construction process and in an abundance of caution, City staff requested the owner to implement measures to prevent damages to the adjacent buildings in the event of a water main failure. The applicant offered to hold the City harmless from such damages via the attached agreement.

There is no cost to the City now or in the future for this item.

Attachments provided:

1) Item (A) Hold Harmless Agreement 4771 W. Atlantic Ave.

2) Item (A) 4771 W. Atlantic Ave. Civil Drawings

3) Item (A) PAPA Page 4771 W. Atlantic Ave.

4) Item (A) PAPA Map 4771 W. Atlantic Ave.

5) Item (A) Sun Biz Page 4771 W. Atlantic Ave.

City Attorney Review:
Approved as to form and legal sufficiency.

Finance Department Review:

There is no cost to the City now or in the future as a result of this action.

Timing of Request:
The timing of this request is of high importance in order to process the residence Certificate of Occupancy (C/O) when completed.