



To: Jorge Acevedo, Public Works Utility Director

From: Cristina M. Suárez, Deputy City Attorney & City Prosecutor

Approved: Miriam Soler Ramos, City Attorney for the City of Coral Gables

MSR

RE: Legal Opinion Regarding UM Ponce Building

Date: March 30, 2018

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The operative clause of Resolution No. 2017-292 provides that “authorization is hereby given for an outside sewer connection outside the City Sanitary sewer district to serve existing buildings subject to the requirements of the Public Works Department, as set forth in Chapter 62, and 78 of the City Code, Ordinance No. 2007-29, and No. 2009-39 and Resolution No. 2008-07.” The WHEREAS clause you reference below, from Resolution No. 2017-292, reflects the anticipated specifications of the sewer extension, at that time. However, I understand that the as-built drawings reflect additional linear feet of extension and a third service. Nonetheless, the Engineer of Record, Ken Groce, has represented to me that the project still only services the two buildings referenced by folio number and as approved in the resolution and that the additional service was added because one of the tenant’s building plans indicated their sewer line was exiting the rear of the tenant space. Significantly, pursuant to our discussions, you explained that from a technical perspective, there is no issue with the project as-built.

Thus, it is the opinion of this office that the project as-built is approved pursuant Resolution No. 2017-292, without further amendment of the resolution. This opinion is issued pursuant to Sec. 2-252(e)(1) and (8) of the City Code.

**From:** [Ramos, Miriam](#)  
**To:** [Paulk, Enga](#)  
**Cc:** [Suarez, Cristina](#)  
**Subject:** FW: UM Ponce Building  
**Date:** Friday, March 30, 2018 5:10:35 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)

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Enga, please publish.

*Miriam Soler Ramos, Esq., B.C.S.*  
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*Board Certified by the Florida Bar in*  
*City, County and Local Government Law*  
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**From:** Suarez, Cristina  
**Sent:** Friday, March 30, 2018 2:49 PM  
**To:** Acevedo, Jorge <JAcevedo2@coralgables.com>  
**Cc:** Santamaria, Eduardo <esantamaria@coralgables.com>; Hickman, Lina <lhickman@coralgables.com>; Ramos, Miriam <mramos@coralgables.com>; Ceballos, Gustavo <gceballos@coralgables.com>  
**Subject:** RE: UM Ponce Building

Jorge:

The operative clause of Resolution No. 2017-292 provides that “authorization is hereby given for an outside sewer connection outside the City Sanitary sewer district to serve existing buildings subject to the requirements of the Public Works Department, as set forth in Chapter 62, and 78 of the City Code, Ordinance No. 2007-29, and No. 2009-39 and Resolution No. 2008-07.” The WHEREAS clause you reference below, from Resolution No. 2017-292, reflects the anticipated specifications of the sewer extension, at that time. However, I understand that the as-built drawings reflect additional linear feet of extension and a third service. Nonetheless, the Engineer of Record, Ken Groce, has represented to me that the project still only services the two buildings referenced by folio number and as approved in the resolution and that the additional service was added because one of the tenant’s building plans indicated their sewer line was exiting the rear of the tenant space. Significantly, pursuant to our discussions, you explained that from a technical perspective, there is no issue with the project as-built.

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**Cristina M. Suárez**

**Deputy City Attorney & City Prosecutor**

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**From:** Acevedo, Jorge

**Sent:** Wednesday, March 28, 2018 12:12 PM

**To:** Suarez, Cristina

**Cc:** Santamaria, Eduardo; Hickman, Lina

**Subject:** UM Ponce Building

Good Morning Cristina:

The referenced project was approved under an outside sewer connection agreement (attached) referenced to the resolution 2017-292 that estates at Whereas “ the request consist of a sewer extension for a private system of approximately 192 linear feet of 8-inch SDR35 PVC gravity main, 3 manholes and 51 linear feet of 6-inch SDR35 line for 2 services.”

They submitted an as-built that indicates 148 linear feet of 8-inch SDR35 PVC gravity main , 3 manholes, 80 linear feet of 6-inch SDR35 line for 2 services and an addition of 60 Linear feet of 4-inch SDR35 PVC for a 3<sup>rd</sup> service.

Is this substantial deviation will require an addendum of the resolution?

Thanks

**Jorge E. Acevedo**, PE, ENV SP, LEED Green Associate

Utilities Director

City of Coral Gables

Department of Public Works

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