

BILL NO. BL2018-1382 (O'CONNELL & BEDNE) – This ordinance would authorize Fountains Germantown Holdings, LLC to install, construct, and maintain underground encroachments in the right-of-way located at 1401 3rd Avenue North. These would consist of a portion of a planter wall and steps encroaching the right-of-way.

Fountains Germantown Holdings, LLC has agreed to indemnify and hold the Metropolitan Government harmless from any and all claims in connection with the installation and maintenance of the encroachments, and would be required to provide a \$2 million certificate of public liability insurance with the Metropolitan Clerk naming the Metropolitan Government as an insured party.

Pursuant to the ordinance, the Metropolitan Government would retain its right to regulate use of the street and to order the relocation of facilities at Fountains Germantown Holdings, LLC's expense if necessary. Plans for the encroachments must be submitted to the Director of Public Works for approval before work is begun; and all work and materials must be approved by the Director. Construction must be carefully guarded and completed promptly so as to cause the least public inconvenience.

This proposal has been approved by the Planning Commission.