

ORDINANCE NO. 1091 – 2017

**AN ORDINANCE OF THE CITY OF MIAMI SPRINGS,
FLORIDA, UPDATING THE CITY'S 10-YEAR WATER
SUPPLY FACILITIES WORK PLAN AND ADOPTING
WATER SUPPLY PLAN RELATED AMENDMENTS TO
THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR
TRANSMITTAL; PROVIDING FOR CONFLICTS;
PROVIDING FOR SEVERABILITY; AND PROVIDING FOR
AN EFFECTIVE DATE**

WHEREAS, Section 163.3167, Florida Statutes, requires each local government to address in its comprehensive plan, the water supply sources necessary to meet and achieve the existing and projected water use demand for an established planning period; and

WHEREAS, the City of Miami Springs (the "City") recognizes the need for integration between land use planning and water supply planning; and

WHEREAS, Section 163.3177(4)(a), Florida Statutes, requires coordination of the local comprehensive plan with the water management district's regional water supply plan; and

WHEREAS, Section 164.3177(6)(c), Florida Statutes, requires that local governments prepare and adopt at least a 10-Year Water Supply Facilities Work Plan; and

WHEREAS, in order to reflect recent updates to state and regional Water Supply Facilities Work Plans, the City desires to amend its Water Supply Facilities Work Plan and related elements within the City's Comprehensive Plan; and

WHEREAS, public notice was provided as required by applicable law; and

WHEREAS, the City Council, upon first reading of this Ordinance, authorized transmittal of the 10-Year Water Supply Facilities Work Plan and amendments to the Comprehensive Plan to the Florida Department of Economic Opportunity and review agencies for the purpose of a review in accordance with sections 163.3184, 163.3187, 163.3189, and 163.3191, Florida Statutes; and

WHEREAS, the City Council, sitting in its capacity as the Local Planning Agency pursuant to section 150-130 of the City Code, has reviewed this Ordinance and recommends approval; and

WHEREAS, after two duly noticed public hearings, the City Council desires to adopt this Ordinance and finds that it is consistent with City's Comprehensive Plan; and

WHEREAS, the City Council adopts the 10-Year Water Supply Facilities Work Plan as supporting data and analysis for the Comprehensive Plan amendments; and

WHEREAS, the City Council finds the proposed 10-Year Water Supply Facilities Work Plan and the amendments to the City's Comprehensive Plan to be in compliance with and consistent with Florida law and its adopted comprehensive plan; and

WHEREAS, the City Council hereby finds that the adoption of this Ordinance is in the best interest and welfare of the residents of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA, THAT: ¹

Section 1. Findings. The foregoing recitals are hereby ratified and incorporated herein as the legislative intent of this Ordinance.

Section 2. Amendment of Water Supply Facilities Work Plan. The City Council hereby amends its 10-Year Water Supply Facilities Work Plan and also incorporates by reference its 10-Year Water Supply Facilities Work Plan into its Comprehensive Plan as supporting data and analysis for the amendments adopted in this Ordinance. A copy of the 10 Year Water Supply Facilities Work Plan is attached hereto and incorporated herein as Exhibit "A."

Section 3. Amendment of the City's Comprehensive Plan. The City's Comprehensive Plan is hereby amended as set forth in Exhibit "B," which is attached hereto and incorporated herein.

Section 4. Transmittal. The City Manager or his/her designee is authorized to transmit this Ordinance to the appropriate local, regional, and state agencies.

Section 5. Severability. If any section, clause, sentence, or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 6. Conflict. All Sections or parts of Sections of the Code of Ordinances, all ordinances or parts of ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

Section 7. Effective Date. This Ordinance shall become effective upon passage and adoption. However, pursuant to Florida Law, the Comprehensive Plan amendment(s) adopted by this Ordinance shall not become effective until 31 days after adoption. If challenged within 30 days after adoption, the Comprehensive Plan amendment(s) shall not become effective until the state land planning agency or the

¹ Coding: ~~Strikethrough words~~ are deletions to the existing words. Underlined words are additions to the existing words. Changes between first and second reading are indicted with **highlight**.

Administration Commission, respectively, issues a final order determining that the adopted Comprehensive Plan amendments are in compliance.

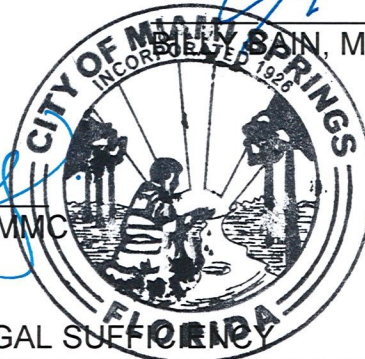
PASSED ON FIRST READING this 12th day of June, 2017, on a motion made by Vice Mayor Best and seconded by Councilman Petralanda.

PASSED AND ADOPTED ON SECOND READING this 14th day of August, 2017, on a motion made by Councilman Petralanda and seconded by Vice Mayor Best.

Vice Mayor Bob Best	<u>YES</u>
Councilwoman Maria Puente Mitchell	<u>YES</u>
Councilwoman Mara Zapata	<u>YES</u>
Councilman Jaime Petralanda	<u>YES</u>
Mayor Billy Bain	<u>YES</u>

ATTEST:


ERIKA GONZALEZ-SANTAMARIA, MMC
CITY CLERK



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


WEISS, SEROTA, HELFMAN, COLE & BIERMANN, P.L.
CITY ATTORNEY