

ORDINANCE No. 2009-26-198

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING AN AMENDMENT TO THE CITY OF MIAMI GARDENS COMPREHENSIVE DEVELOPMENT MASTER PLAN TO PROVIDE FOR THE NECESSARY PROVISIONS FOR WATER SUPPLY CONCURRENCY, A 10-YEAR WATER SUPPLY FACILITIES WORK PLAN; AN AMENDMENT TO THE GOALS, OBJECTIVES AND POLICIES OF THE INFRASTRUCTURE ELEMENT, CONSERVATION ELEMENT, CAPITAL IMPROVEMENTS ELEMENT AND INTERGOVERNMENTAL COORDINATION ELEMENT; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 163, Florida Statutes, the Comprehensive Development Master Plan ("CDMP") for Miami-Dade County was adopted by the Miami-Dade County Board of County Commissioners in November 1988, and

WHEREAS, pursuant to Chapter 163, Florida Statutes, all comprehensive master plan amendments are to be approved by the designated Local Planning Agency, and

WHEREAS, pursuant to Ordinance No. 2003-12, the City Council of the City of Miami Gardens has designated itself as the City's Local Planning Agency, and

WHEREAS, the Local Planning Agency has recommended that the City Council adopt an ordinance that authorizes an amendment to the City of Miami Gardens Comprehensive Development Master Plan to provide for necessary provisions for Water Supply Concurrence, for a 10-Year Water Supply Facilities Work Plan; Providing an amendment to the Goals, Objectives, and policies of the Infrastructure Element, Conservation Element, Capital Improvements Element and Intergovernmental Coordination Element of the Comprehensive Development Master Plan, as specified on

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Attachments "F" and "G" attached hereto, and

WHEREAS, City Staff has submitted a Staff Report, attached hereto as Exhibit "B," recommending adoption of the Ordinance, and

WHEREAS, the applicable public hearings have been had with respect to this matter and the procedures necessary for the adoption of amendments to the Comprehensive Development Master Plan have been followed,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, as follows:

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. AMENDMENT: A 10-year Water Supply Facilities Work Plan amendment; the Goals, Objectives and Policies of the Infrastructure, Conservation, Capital Improvement, and Intergovernmental Coordination elements of the City of Miami Gardens Comprehensive Development Master Plan are hereby amended, as shown on Attachments "F" AND "G" attached hereto.

SECTION 3. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY: If any section, subsection, sentence, clause, phrase or

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portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING ON THE 3rd DAY OF JUNE 2009.

PASSED ON SECOND READING ON THE 7th DAY OF OCTOBER 2009.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, MMC, CITY CLERK

Prepared by SONJA K. KNIGHTON, ESQ.
City Attorney

SPONSORED BY: DANNY O. CREW, CITY MANAGER

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MOVED BY: Councilman Campbell
SECONDED BY: Councilwoman Watson

VOTE: 7-0

Mayor Shirley Gibson	<u> x </u> (Yes)	<u> </u> (No)
Vice Mayor Barbara Watson	<u> x </u> (Yes)	<u> </u> (No)
Councilman Oliver G. Gilbert, III	<u> x </u> (Yes)	<u> </u> (No)
Councilman Melvin L. Bratton	<u> x </u> (Yes)	<u> </u> (No)
Councilman Aaron Campbell Jr.	<u> x </u> (Yes)	<u> </u> (No)
Councilman Andre' Williams	<u> x </u> (Yes)	<u> </u> (No)
Councilwoman Sharon Pritchett	<u> x </u> (Yes)	<u> </u> (No)