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**RESOLUTION NO. 2012-74**

**A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACTING IN ITS CAPACITY AS THE LOCAL PLANNING AGENCY, RELATING TO AN UPDATE OF THE CAPITAL IMPROVEMENTS ELEMENT (CIE) AND PROJECTS OF THE VILLAGE'S COMPREHENSIVE PLAN; PROVIDING FOR TRANSMITTAL OF THE CIE PLAN AMENDMENTS TO OTHER UNITS OF LOCAL GOVERNMENT AND TO OTHER REVIEW AGENCIES AS REQUIRED BY LAW; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Village Council has been designated as the Local Planning Agency for the Village pursuant to section 163.3174, Florida Statutes; and,

**WHEREAS**, the Comprehensive Plan for the Village of Palmetto Bay was adopted on August 1<sup>st</sup>, 2005; and amended in December 2010, to ensure that the development patterns for future land uses within the Village match the community vision and quality-of-life expectations of its residents; and,

**WHEREAS**, pursuant to Chapter 163, of the Florida Statutes the Village is to annually update its Capital Improvements Element (CIE) concurrent with the development of the Capital Improvements Program and Annual Budget; and,

**WHEREAS**, on March 7, 2011, the Village passed Ordinance No. 2011-01, which updated the CIE through the FY 2010-11 budget year, and provided for future updates to the CIE be approved by resolutions concurrent with the annual Village Budget process; and,

**WHEREAS**, on November 7, 2011, the Village updated the CIE through the FY 2011-12 budget year; and,

**WHEREAS**, the Five-Year Schedule of Capital Improvements must include capital projects necessary to achieve and maintain Level of Service (LOS) standards, reduce existing deficiencies, provide for necessary replacements, and meet future demand during the time period covered by the Schedule; and,

**WHEREAS**, the Village Council acting in its capacity as the Local Planning Agency has acted in accordance with state law, and in specific compliance with Florida Statutes and has reviewed and recommends approval of the FY 2012-13 update to the CIE of the Village's Comprehensive Plan to the Village Council and transmittal to other units of local government and to other review agencies as required by law.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACTING IN ITS**

1 **CAPACITY AS THE LOCAL PLANNING AGENCY OF THE VILLAGE OF**  
2 **PALMETTO BAY, FLORIDA, AS FOLLOWS:**

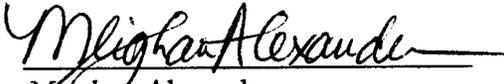
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4 **Section 1.** Recitals. The above referenced whereas clauses are true and correct and are  
5 incorporated into this ordinance by reference.

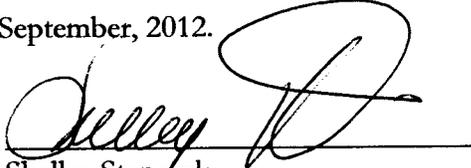
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7 **Section 2.** Authorization. The Village Council, acting in its capacity as the Local  
8 Planning Agency, approves the amendment to the Comprehensive Plan CIE, which amendments are  
9 attached to this resolution.

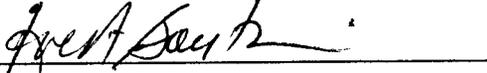
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11 **Section 3.** Transmittal. The Village Council, acting in its capacity as the Local Planning  
12 Agency, further recommends to the Village Council that it authorizes the Village Clerk to transmit  
13 the attached amendments to the Comprehensive Plan all other governmental bodies, agencies, or  
14 private individuals as required by State law.

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16 **Section 4.** Effective date. This resolution shall take effect immediately upon adoption.

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19 **PASSED AND ADOPTED** this 24<sup>th</sup> day of September, 2012.

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22 Attest:   
23 Meighan Alexander  
24 Village Clerk

  
Shelley Stanczyk  
Mayor

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26 APPROVED AS TO FORM:  
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28  
29 Eve Boutsis  
30 Village Attorney

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32 FINAL VOTE AT ADOPTION:  
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34 Council Member Patrick Fiore YES  
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36 Council Member Howard Tendrich YES  
37  
38 Council Member Joan Lindsay YES  
39  
40 Vice Mayor Brian Pariser YES  
41  
42 Mayor Shelley Stanczyk YES  
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