



City of North Port

ORDINANCE NO. 2020-12

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, AMENDING THE NON-DISTRICT BUDGET FOR FISCAL YEAR 2019-20 BY PROVIDING FOR CHANGES IDENTIFIED IN EXHIBIT A TO TRANSFER \$8,000,000 FROM THE SEWER CAPACITY FEE FUND BALANCE FOR A DEVELOPER REIMBURSEMENT RELATED TO THE CONSTRUCTION OF A WASTEWATER TREATMENT PLANT AND \$82,000 IN THE FORFEITURE FUND FROM CONFISCATED PROPERTY FOR OPERATING SUPPLIES AND A DONATION FOR TEEN COURT; PROVIDING FOR FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 2019-41 approved the Non-District Budget for fiscal year 2019-20; and

WHEREAS, the City Commission desires to amend the Non-District Budget for supplemental appropriations in the amounts identified in Exhibit A; and

WHEREAS, Section 166.241(4)(c) Florida Statutes requires such a budget amendment be adopted in the same manner as the original budget; and

WHEREAS, the North Port Police Department ("NPPD") is a law enforcement agency that serves and protects the community and the City of North Port; and

WHEREAS, pursuant to Section 932.7055 Florida Statutes, the proceeds of property seized by the NPPD are deposited in a special law enforcement trust fund ("forfeiture funds"); and

WHEREAS, Section 932.7055 Florida Statutes allows the use of forfeiture funds for certain purposes, including but not limited to crime prevention, safe neighborhood, drug abuse education and prevention programs, or other certain law enforcement purposes, provided that the City Commission grants authorization for the expenditure; and

WHEREAS, Teen Court of Sarasota, Inc. ("Teen Court"), provides students, ages 8-18, with educational youth development activities that are designed to meet the specific needs of at-risk youth and student volunteers. In an attempt to make the community safer by reducing juvenile delinquency, all Teen Court participants become engaged in activities tailored to confront the many challenges facing youth in Sarasota County; and

WHEREAS, the City, the NPPD, and Teen Court have partnered to hold monthly programs for local Teen Court participants involved in using illegal substances, including "Examine Reality About Your Decisions," also known as Camp X-RAY, a monthly drug prevention program for youth living in the City; and

WHEREAS, the purchase of newly designed outer carriers and undervest shirts will allow NPPD officers to carry gear on their torsos, providing better weight distribution and lightening the weight of duty belts on the hips, improving officer's health and safety, and allowing for a wider range of motion without the body interfering with the items on the belt; and

WHEREAS, the City Commission of the City of North Port, Florida finds that this ordinance serves the public health, safety, and welfare of the citizens of the City of North Port.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:

SECTION 1 – FINDINGS

- 1.01 The recitals outlined above are incorporated by reference as findings of fact as if expressly set forth herein.
- 1.02 The Chief of Police has presented his written certification in Exhibit B, attached hereto and incorporated by reference as if set forth herein, that the use of forfeiture funds pursuant to this ordinance is in compliance with Florida Statutes Section 932.7055(5).
- 1.03 The City Commission for the City of North Port, Florida, finds that the requested use of forfeiture funds by the Chief of Police complies with the requirements of Florida Statutes Section 932.7055(5), in that the funds will not be used to meet normal operating expenses of the NPPD and will instead further crime prevention, safe neighborhood, and drug abuse prevention.

SECTION 2 – ADOPTION

- 2.01 The Non-District Budget for fiscal year 2019-20 is hereby amended by providing for changes identified in Exhibit A, attached hereto and incorporated by reference as if set forth herein.
- 2.02 The City Commission for the City of North Port, Florida, authorizes the expenditure of ten thousand dollars (\$10,000) from the forfeiture fund for the purpose of the North Port Police Department donating funds to assist the Teen Court of Sarasota Camp X-RAY program, and authorizes the expenditure of fifty-one thousand dollars (\$51,000) from the forfeiture fund for the purpose of the North Port Police Department outfitting officers with necessary outer carriers and undervest shirts.

SECTION 3 – CONFLICTS

- 3.01 In the event of any conflict between the provisions of this ordinance and any other ordinance or portions thereof, the provisions of this ordinance shall prevail to the extent of such conflict.

SECTION 4 – SEVERABILITY

- 4.01 If any section, subsection, sentence, clause, phrase, or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5 – EFFECTIVE DATE

5.01 This ordinance shall take effect immediately upon adoption.

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public session the ____ day of March 2020.

PASSED and DULY ADOPTED by the City Commission of the City of North Port, Florida, on the second and final reading in public session this ____ day of March 2020.

CITY OF NORTH PORT, FLORIDA

DEBBIE MCDOWELL
MAYOR

ATTEST

HEATHER TAYLOR, CMC
INTERIM CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

AMBER L. SLAYTON
CITY ATTORNEY