



City of North Port

ORDINANCE NO. 2023-01

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, ADOPTING THE FY 2022 – FY 2026 FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS OF THE CAPITAL IMPROVEMENTS ELEMENT OF THE NORTH PORT COMPREHENSIVE PLAN; PROVIDING FOR FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of North Port, Florida is authorized and required to adopt a Comprehensive Plan pursuant to Article VIII, Section 2(b) of the Constitution of the State of Florida; the North Port City Charter; and Florida Statutes Section 163.3161, *et. seq.*, (the Community Planning Act); and

WHEREAS, Florida Statutes Section 163.3177(3)(b) requires the City to conduct an annual review of the capital improvements schedule of components; and

WHEREAS, pursuant to Florida Statutes Section 163.3177(3)(b), the City may update its capital improvement schedule via ordinance. The update is not deemed an amendment to the comprehensive plan; and

WHEREAS, Florida Statutes Section 163.3177(6)(h) requires interlocal government coordination with the Sarasota County School District to incorporate and adopt by reference the School Board of Sarasota County 2022-2023 Five Year Capital Improvement Plan; and

WHEREAS, the City of North Port Planning and Zoning Advisory Board, designated as the Local Planning Agency, held a properly noticed public hearing on December 1, 2022 to receive public comments on the update to the schedule of capital improvements; and

WHEREAS, the City Commission held properly noticed public hearings at first and second reading of this ordinance to review the recommendations of the Planning and Zoning Advisory Board and to receive public comments on the update to the schedule of capital improvements; and

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

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

SECTION 1 – FINDINGS

1.01 The above recitals are true and correct and are incorporated in this ordinance by reference.

SECTION 2 – ADOPTION

2.01 The City Commission approves and adopts the annual update to the City’s FY 2022 – FY 2026 Five-Year Schedule of Capital Improvement Components of the Capital Improvement Element (CIE) of the City of North Port Comprehensive Plan, and incorporates the CIE Projects as referenced in the Fiscal Year 2022 thru 2026 Capital Improvement Program, by amending Table 10-1 to read as follows:

TABLE 10-1
FIVE-YEAR SCHEDULE CAPITAL IMPROVEMENT COMPONENTS

Projects	Prior Funding (Pre-FY 21) (Pre-FY 22)	FY 20-21 <u>FY 21-22</u>	FY 21-22 <u>FY 22-23</u>	FY 22-23 <u>FY 23-24</u>	FY 23-24 <u>FY 24-25</u>	FY 24-25 <u>FY 25-26</u>	5-Year Total
Public Safety	3,105,710 <u>1,930,710</u>	 <u>88,200</u>	88,200 <u></u>	 <u>3,364,000</u>	3,364,000 <u></u>		3,452,200
Parks and Recreation	2,198,1679 <u>6,675,489</u>	1,550,000 <u>3,258,350</u>	9,525,000 <u>475,000</u>	837,794 <u>50,000</u>	800,000 <u>1,175,000</u>	350,000 <u>850,000</u>	13,062,794 <u>5,808,350</u>
Public Works (Roads/Drainage)	12,481,863 <u>9,697,159</u>	1,269,700 <u>2,407,900</u>	7,591,870 <u>9,490,150</u>	418,450 <u>401,500</u>	426,850 <u></u>	5,685,390 <u></u>	15,392,260 <u>11,898,050</u>
Public Works (Solid Waste)		 <u>500,000</u>	 <u>393,600</u>	423,500 <u></u>	4,235,000 <u>604,040</u>	 <u>2,116,120</u>	4,658,500 <u>4,015,260</u>
Utilities (Potable Water)	15,765,435 <u>17,475,034</u>	3,431,170 <u>2,795,690</u>	688,850 <u>3,201,650</u>	701,650 <u>714,700</u>	714,690 <u>728,000</u>	714,690 <u>2,111,600</u>	6,251,050 <u>9,551,640</u>
Utilities (Wastewater)	7,915,380 <u>8,628,251</u>	676,300 <u>2,895,690</u>	688,850 <u>701,650</u>	701,650 <u>701,650</u>	714,690 <u>728,000</u>	714,690 <u>741,600</u>	3,496,180 <u>5,781,640</u>
Total Project Cost	61,250,067 <u>44,406,643</u>	6,927,170 <u>11,945,830</u>	18,582,770 <u>14,262,050</u>	3,083,044 <u>5,231,850</u>	10,255,230 <u>3,235,040</u>	7,464,770 <u>5,819,320</u>	46,312,984 <u>40,507,140</u>

Note:

- (1) This table is a table of appropriation. Actual expenditures for each project may not coincide with the appropriation. Please refer to individual project sheet for the anticipated expenditure schedules for capital projects.
- (2) All capital projects are consistent with and support adopted Level of Service with their facility types.

2.02 The City Commission hereby approves and adopts the annual update to the City’s FY 2022-FY 2026 Five-Year Schedule of Capital Improvements of the Capital Improvement Element of the City of North Port Comprehensive Plan, by amending Objective 5: Public School Facilities, Policy 5.3 to read as follows:

“Objective 5: Public School Facilities

The City shall ensure that future needs are addressed consistent with the adopted level of service standards for public schools.

...

Policy 5.3: The City hereby incorporates by reference the Sarasota County School District Five Year Capital Improvement Plan, dated ~~September 15, 2020~~ August 16, 2022, that includes school capacity sufficient to meet anticipated student demands projected by the City, Sarasota County, and other Sarasota County municipalities based upon identified improvements over the short-term and long-term planning periods, in consultation with the School Board’s projections of student enrollment, based on the adopted level of service standards for public schools.

The School Board, in coordination with the City, shall annually update its Five-Year Capital Improvement Plan, to ensure maintenance of a financially feasible capital improvements program and to ensure level of service standards will continue to be achieved and maintained during the planning period.

...”

SECTION 3 – CONFLICTS

3.01 In the event of any conflict between the provisions of this ordinance and any other ordinance, in whole or in part, the provisions of this ordinance will prevail to the extent of the conflict.

SECTION 4 – SEVERABILITY

4.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase, or provision of this ordinance is for any reason invalid or unconstitutional, that provision will be deemed a separate, distinct, and independent provision and will not affect the validity of the remaining portions of the ordinance.

SECTION 5 – EFFECTIVE DATE

5.01 This ordinance takes 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 on December 13, 2022.

ADOPTED by the City Commission of the City of North Port, Florida, on the second and final reading in public session on January 24, 2023.

CITY OF NORTH PORT, FLORIDA

BARBARA LANGDON
MAYOR

ATTEST

HEATHER FAUST, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

AMBER L. SLAYTON, B.C.S.
CITY ATTORNEY