



# 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.**

- 1 **WHEREAS**, the City of North Port, Florida is authorized and required to adopt a Comprehensive Plan  
2 pursuant to Article VIII, Section 2(b) of the Constitution of the State of Florida; the North Port City Charter;  
3 and Florida Statutes Section 163.3161, *et. seq.*, (the Community Planning Act); and  
4
- 5 **WHEREAS**, Florida Statutes Section 163.3177(3)(b) requires the City to conduct an annual review of the  
6 capital improvements schedule of components; and  
7
- 8 **WHEREAS**, pursuant to Florida Statutes Section 163.3177(3)(b), the City may update its capital  
9 improvement schedule via ordinance. The update is not deemed an amendment to the comprehensive  
10 plan; and  
11
- 12 **WHEREAS**, Florida Statutes Section 163.3177(6)(h) requires interlocal government coordination with the  
13 Sarasota County School District to incorporate and adopt by reference the School Board of Sarasota  
14 County 2022-2023 Five Year Capital Improvement Plan; and  
15
- 16 **WHEREAS**, the City of North Port Planning and Zoning Advisory Board, designated as the Local Planning  
17 Agency, held a properly noticed public hearing on December 1, 2022 to receive public comments on the  
18 update to the schedule of capital improvements; and  
19
- 20 **WHEREAS**, the City Commission held properly noticed public hearings at first and second reading of this  
21 ordinance to review the recommendations of the Planning and Zoning Advisory Board and to receive  
22 public comments on the update to the schedule of capital improvements; and  
23
- 24 **WHEREAS**, the City Commission finds that this update serves the public health, safety, and welfare of the  
25 citizens of the City of North Port, Florida.  
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- 27 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:**  
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30 **SECTION 1 – FINDINGS**

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32 1.01 The above recitals are true and correct and are incorporated in this ordinance by reference.

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34 **SECTION 2 – ADOPTION**

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36 2.01 The City Commission approves and adopts the annual update to the City’s FY 2022 – FY 2026 Five-  
 37 Year Schedule of Capital Improvement Components of the Capital Improvement Element (CIE) of  
 38 the City of North Port Comprehensive Plan, and incorporates the CIE Projects as referenced in the  
 39 Fiscal Year 2022 thru 2026 Capital Improvement Program, by amending Table 10-1 to read as  
 40 follows:

41

42 **TABLE 10-1**  
 43 **FIVE-YEAR SCHEDULE CAPITAL IMPROVEMENT COMPONENTS**

44

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

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47 2.02 The City Commission hereby approves and adopts the annual update to the City’s FY 2022-FY 2026  
 48 Five-Year Schedule of Capital Improvements of the Capital Improvement Element of the City of  
 49 North Port Comprehensive Plan, by amending Objective 5: Public School Facilities, Policy 5.3 to  
 50 read as follows:

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52 **“Objective 5: Public School Facilities**  
53 The City shall ensure that future needs are addressed consistent with the adopted level of service  
54 standards for public schools.

55 . . .  
56 **Policy 5.3:** The City hereby incorporates by reference the Sarasota County School District  
57 Five Year Capital Improvement Plan, dated ~~September 15, 2020~~ August 16, 2022, that  
58 includes school capacity sufficient to meet anticipated student demands projected by the  
59 City, Sarasota County, and other Sarasota County municipalities based upon identified  
60 improvements over the short-term and long-term planning periods, in consultation with  
61 the School Board’s projections of student enrollment, based on the adopted level of  
62 service standards for public schools.

63  
64 The School Board, in coordination with the City, shall annually update its Five-Year Capital  
65 Improvement Plan, to ensure maintenance of a financially feasible capital improvements  
66 program and to ensure level of service standards will continue to be achieved and  
67 maintained during the planning period.  
68 . . .”

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70 **SECTION 3 – CONFLICTS**

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72 3.01 In the event of any conflict between the provisions of this ordinance and any other ordinance, in  
73 whole or in part, the provisions of this ordinance will prevail to the extent of the conflict.

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75 **SECTION 4 – SEVERABILITY**

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77 4.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase,  
78 or provision of this ordinance is for any reason invalid or unconstitutional, that provision will be  
79 deemed a separate, distinct, and independent provision and will not affect the validity of the  
80 remaining portions of the ordinance.

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82 **SECTION 5 – EFFECTIVE DATE**

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84 5.01 This ordinance takes effect immediately upon adoption.  
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86  
87 READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public  
88 session on December 13, 2022.

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90 ADOPTED by the City Commission of the City of North Port, Florida, on the second and final reading in  
91 public session on January 10, 2023.  
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CITY OF NORTH PORT, FLORIDA

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BARBARA LANGDON  
MAYOR

ATTEST

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HEATHER TAYLOR, MMC  
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

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