



City of North Port

ORDINANCE NO. 2021-44

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, ADOPTING THE FY 2021 – FY 2025 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 public school schedule of capital improvements dated September 15, 2020; 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 November 18, 2021 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 2021-FY2025 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 2021 thru 2025 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 20) (Pre-FY 21)	FY 19-20 FY 20-21	FY 20-21 FY 21-22	FY 21-22 FY 22-23	FY 22-23 FY 23-24	FY 23-24 FY 24-25	5-Year Total
Public Safety	3,105,710		88,200		3,364,000		3,452,200
Parks and Recreation	21,995,679 21,981,679	6,270,100 1,550,000	15,175,350 9,525,000	8,847,060 837,794	6,528,130 800,000	734,010 350,000	37,554,650 13,062,794
Public Works (Roads/Drainage)	29,208,990 12,481,863	39,359,000 1,269,700	22,140,550 7,591,870	16,724,030 418,450	45,352,040 426,850	14,917,400 5,685,390	138,493,020 15,392,260
Public Works (Solid Waste)		250,000	4,235,000	423,500	4,235,000		4,485,000 4,658,500
Utilities (Potable Water)	8,042,545 15,765,435	6,132,530 3,431,170	6,242,170 688,850	2,082,300 701,650	2,133,000 714,690	2,679,380 714,690	19,269,380 6,251,050
Utilities (Wastewater)	7,915,380	110,000 676,300	230,000 688,850	3,000,000 701,650	50,000 714,690	50,000 714,690	3,440,000 3,496,180
Total Project Cost	68,758,464 61,250,067	67,407,110 6,927,170	50,198,070 18,582,770	40,516,240 3,083,044	64,148,170 10,255,230	54,753,790 7,464,770	277,023,380 46,312,984

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 2021-FY2025 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 Facilities Plan, dated ~~September 10, 2019~~ September 15, 2020, 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 Facilities 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 _____, 202__.

ADOPTED by the City Commission of the City of North Port, Florida, on the second and final reading in public session on _____, 202__.

CITY OF NORTH PORT, FLORIDA

PETER EMRICH
MAYOR

ATTEST

HEATHER TAYLOR, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

AMBER L. SLAYTON
CITY ATTORNEY