



City of North Port

ORDINANCE NO. 2018-42

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, ADOPTING THE CAPITAL IMPROVEMENTS ELEMENT OF THE CITY OF NORTH PORT COMPREHENSIVE PLAN; PROVIDING FOR FINDINGS; PROVIDING FOR ADOPTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, 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, (the “Act”), the City of North Port, Florida, is authorized and required to adopt a Comprehensive Plan; and

WHEREAS, the City Commission for the City of North Port has adopted the North Port Comprehensive Plan pursuant to Ordinance No. 89-3, as amended; and

WHEREAS, the City Commission has adopted Evaluation and Appraisal Report-based Amendments to the North Port Comprehensive Plan pursuant to Ordinance No. 2016-34; and

WHEREAS, Florida Statutes, Section 163.3177(3)(b), requires the City to conduct an annual review of the capital improvements element of the City’s comprehensive plan; and

WHEREAS, the Sarasota County School District conducted its annual update and adopted a capital improvement schedule that is included and adopted by reference into the City’s capital improvements element of its comprehensive plan; and

WHEREAS, pursuant to Florida Statutes, Section 163.3177(3)(b), modifications to update the City’s capital improvement plan schedule may be accomplished by ordinance and are not deemed to be amendments to the comprehensive plan; and

WHEREAS, the annual review updates Table 10-1, Five-Year Schedule Capital Improvement Components, of the capital improvements element of the City’s comprehensive plan to reflect the 2018-2019 through 2022-2023 five-year capital improvement plan; and

WHEREAS, the annual review updates Objective 5: Public School Facilities, Policy 5.3, of the capital improvement element of the City’s comprehensive plan to identify the date of adoption of the Sarasota School District Five Year Capital Facilities Plan; and

WHEREAS, on December 6, 2018, the City of North Port Planning and Zoning Advisory Board, designated as the Local Planning Agency for the City, held a properly noticed public hearing to receive public comment on the update to the capital improvements element of the City’s comprehensive plan; and

WHEREAS, the City Commission has held properly-noticed public hearings to review the recommendations of the Planning and Zoning Advisory Board and to receive public comments on the update to the capital improvements element of the City’s comprehensive plan; and

WHEREAS, the City Commission has determined that the proposed 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, AS FOLLOWS:

SECTION 1 – FINDINGS:

1.01 The recitals outlined above are incorporated by reference as findings of fact as if expressly set forth herein.

SECTION 2 – ADOPTION:

2.01 The City Commission hereby approves and adopts the annual update to the City’s Capital Improvement Element of the City of North Port Comprehensive Plan as attached hereto and incorporated herein as Exhibit “A.”

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 by the City Commission of the City of North Port, Florida.

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public session this _____ day of _____ 2019.

PASSED AND DULY ADOPTED by the City Commission of City of North Port, Florida, on the second and final reading in public session this _____ day of _____ 2019.

CITY OF NORTH PORT, FLORIDA

CHRISTOPHER HANKS
MAYOR

ATTEST:

KATHRYN PETO
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:

AMBER L. SLAYTON
CITY ATTORNEY

Exhibit A to Ordinance 2018-42

CAPITAL IMPROVEMENTS ELEMENT

The Five-Year Schedule of Capital Improvements is revised annually and adopted by the City Commission, by ordinance. The document addresses the facility types required by the Level of Service provisions of Florida Statutes. The Capital Improvement Projects list is also updated annually to reflect a rolling five-year schedule of capital improvements by incorporating the previous year as part of the prior funding and by replacing the last fiscal year with a future fifth year. As new projects are added to the CIP project list during the annual update, adjustments may be made in the funding or timing of projects already in the project list, thereby permitting continual adjustment to changing conditions and needs.

The most recently adopted Capital Improvement Project list of the CIP is shown in the following Table 10-1, and will be renewed annually. Policy 1.1 (criteria for CIP projects) and Policy 1.2 (regulatory Level of Service (LOS) standards) used by the City to evaluate projects during the annual update.

TABLE 10-1
FIVE-YEAR SCHEDULE CAPITAL IMPROVEMENT COMPONENTS

Projects	Prior Funding (Pre-FY 19)	<u>FY17-18</u> <u>FY 18-19</u>	<u>FY18-19</u> <u>FY 19-20</u>	<u>FY19-20</u> <u>FY 20-21</u>	<u>FY20-21</u> <u>FY 21-22</u>	<u>FY21-22</u> <u>FY 22-23</u>	5-Year Total
Parks and Recreation	11,674,289 21,106,179	13,611,380 1,036,000	917,510 4,513,490	915,000 325,000	375,000 475,000	390,000 1,303,130	16,208,890 7,652,620
Public Works (Roads/Drainage)	56,407,360 22,706,720	17,645,800 53,037,930	32,620,800 16,728,500	11,727,950 19,914,350	11,647,350 50,476,820	12,955,920 14,342,620	86,597,820 154,500,220
Public Works (Solid Waste)		1,312,000	2,319,820	1,146,589	2,966,300	565,580	7,163,700
Utilities (Potable Water)	3,078,832 5,828,355	3,540,310 5,539,760	8,127,000 4,568,000	7,420,000 3,892,300	1,436,000 2,172,300	820,000 3,199,390	21,343,310 19,371,750
Utilities (Wastewater)	6,571,028 2,848,160	4,032,120 50,000	50,000 935,000	375,000 3,329,890	50,000 866,390	2,050,000 550,000	6,557,120 5,731,280
Total Project Cost (1)	77,731,509 52,489,414	40,141,610 59,663,690	44,035,130 26,744,990	20,437,950 27,461,540	16,474,650 53,990,510	16,781,750 19,395,140	137,870,840 187,255,870

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.

The complete adopted Capital Improvement Plan (CIP ~~FY 2018-FY2022~~ FY 2019-FY2023) can be reviewed online by going to the following link: <http://www.cityofnorthport.com/>.

Exhibit A to Ordinance 2018-42

CAPITAL IMPROVEMENTS ELEMENT GOALS, OBJECTIVES, & POLICIES

“ ...

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 School District Five Year Capital Facilities Plan, dated ~~July 19, 2017~~ August 21, 2018, 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 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.

...”