



City of North Port

RESOLUTION NO. 2026-R-38

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, INITIATING THE PROCESS FOR NEGOTIATING AN INTERLOCAL SERVICE BOUNDARY AGREEMENT WITH SARASOTA COUNTY, FLORIDA, PURSUANT TO PART II OF CHAPTER 171, FLORIDA STATUTES; PROVIDING FOR FINDINGS; PROVIDING FOR SUBJECTS OF NEGOTIATIONS; IDENTIFYING A MUNICIPAL SERVICE AREA; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Part I of Chapter 171, Florida Statutes, also known as the “Municipal Annexation and Contraction Act,” sets forth the manner and method by which unincorporated real property may be annexed into the boundaries of an incorporated municipality; and

WHEREAS, in the future, real property within unincorporated areas of Sarasota County as identified on the map attached as “Exhibit A” may be annexed into the City of North Port, pursuant to Part I of Chapter 171, Florida Statutes; and

WHEREAS, under Sub-Section 3.3B(1) of the Sarasota County Charter, municipalities do not have the authority to assign future land use designations to land outside the Urban Service Area as it was shown on the Future Land Use Map of Sarasota County dated November 2006; and

WHEREAS, under Sub-Section 3.3B(1) of the Sarasota County Charter, a municipality may petition the Sarasota County Board of County Commissioners to change the future land use designation on land that it has annexed lying outside of the Urban Service Area as it was shown on the Future Land Use Map of Sarasota County dated November 2006; and

WHEREAS, under Sub-Section 3.3B(2) of the Sarasota County Charter, Sub-Section 3.3B(1) of the Sarasota County Charter does not apply if Sarasota County and the municipality enter into an Interlocal Service Boundary Agreement which expressly states that it controls the future land use designations on annexed lands lying outside the Urban Service Area as it was shown on the Future Land Use Map of Sarasota County dated November 2006, then such an agreement shall control with respect to those lands for the duration of the agreement; and

WHEREAS, portions of the areas depicted in Exhibit A lay outside the Urban Service Area as it was shown on the Future Land Use Map of Sarasota County dated November 2006, and therefore, according to the Sarasota County Charter, the City of North Port does not have the authority to assign future land use designations to such property unless the City of North Port and Sarasota County enter into an Interlocal Service Boundary Agreement that expressly states the City of North Port controls the future land use designations of such lands; and

WHEREAS, Part II of Chapter 171, Florida Statutes, also known as the “Interlocal Service Boundary Agreement Act,” is intended to encourage intergovernmental coordination to promote sensible boundaries that reduce the costs of local governments, avoid duplicating local services, and increase political transparency and accountability, while preventing inefficient service delivery and an insufficient tax base to support the delivery of those services; and

WHEREAS, the City of North Port desires to initiate the process for negotiating an Interlocal Service Boundary Agreement with Sarasota County pursuant to Part II of Chapter 171, Florida Statutes; and

WHEREAS, the City of North Port adopts this initiating resolution pursuant to Part II of Chapter 171, Florida Statutes; and

WHEREAS, the City of North Port desires to designate Sarasota County as an invited local government pursuant to Part II of Chapter 171, Florida Statutes; and

WHEREAS, the City of North Port desires that the areas depicted in Exhibit A are to be the subject of the negotiations of the Interlocal Service Boundary Agreement; and

WHEREAS, the City of North Port desires that the issues to be negotiated include, but are not limited to, identifying a municipal service area; identifying the local government responsible for the delivery or funding for public services; transfer of services and infrastructure and fiscal compensation; the authority of the City of North Port to assign future land use designations to real property depicted in Exhibit A if and when a property is annexed into the City of North Port, and other issues identified in Part II of Chapter 171, Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED 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 resolution.

SECTION 2 – SUBJECTS OF NEGOTIATIONS

2.01 The areas depicted in Exhibit A are the areas that are to be the subject of the negotiations.

2.02 The issues to be negotiated are the following:

- (a) Identifying a municipal service area under Section 171.202(11)(a), Florida Statutes; and
- (b) The authority of the City of North Port and procedures to process, review, and approve all land use and development applications, development orders, and development permits, including, but not limited to, comprehensive plan amendments, rezones, and master concept plans, related to properties depicted in Exhibit A, if and when those properties are annexed into the City of North Port;
- (c) The delivery and funding of the following essential municipal services for the properties depicted in Exhibit A: (i) public safety; (ii) fire, emergency rescue, and medical; (iii) water and wastewater; (iv) road ownership, construction, and maintenance; (v) conservation, parks, and recreation; (vi) stormwater management; and (vii) such other municipal services as determined by the City of North Port and Sarasota County; and
- (d) Establishing a process and schedule for annexation of an area within the designated municipal service area consistent with Section 171.205, Florida Statutes.

2.03 All identified exhibits are incorporated in this resolution by reference.

SECTION 3 – TRANSMITTAL

3.01 In accordance with Sections 171.203(1)(c), Florida Statutes, this initiating resolution shall be sent by United States certified mail to the chief administrative officer of Sarasota County (as an invited local government) and each other municipality within Sarasota County.

SECTION 4 – CONFLICTS

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

SECTION 5 – SEVERABILITY

5.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase, or provision of this resolution 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 resolution.

SECTION 6 – EFFECTIVE DATE

6.01 This resolution takes effect immediately upon adoption.

ADOPTED by the City Commission of the City of North Port, Florida in public session on June 9, 2026.

CITY OF NORTH PORT, FLORIDA

PETE EMRICH
MAYOR

ATTEST

HEATHER FAUST, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

MICHAEL FUINO, B.C.S.
CITY ATTORNEY

EXHIBIT "A" – MAP OF AREAS TO BE NEGOTIATED

