



# City of North Port

## RESOLUTION NO. 2023-R-40

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, AS THE GOVERNING BODY OF THE NORTH PORT SOLID WASTE DISTRICT, AMENDING THE NORTH PORT SOLID WASTE DISTRICT BUDGET FOR FISCAL YEAR 2022/2023 FOR OVERTIME AND LANDFILL FEES IN THE AMOUNT OF \$343,676; PROVIDING FOR FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the North Port Solid Waste District is a dependent special district; and

**WHEREAS**, the City Commission of the City of North Port, Florida, serves as the governing body of the district; and

**WHEREAS**, the Board has all the powers granted by the City Charter and the general laws of the state as may be necessary or proper to carry out the intent and purpose of the district; and

**WHEREAS**, Resolution No. 2022-R-56 approved the North Port Solid Waste District Budget for fiscal year 2022/2023; and

**WHEREAS**, the Board desires to amend the North Port Solid Waste District Budget for supplemental appropriations; and

**WHEREAS**, Florida Statutes Section 189.016(3) requires that special districts adopt budgets by resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, SERVING AS THE GOVERNING BODY OF THE NORTH PORT SOLID WASTE DISTRICT:**

### **SECTION 1 – FINDINGS**

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

### **SECTION 2 – ADOPTION**

2.01 The North Port Solid Waste District Budget for fiscal year 2022/2023 is amended and appropriated as follows:

	<b>APPROPRIATED</b>	
	<u>Use</u>	<u>Source</u>
<b><u>Solid Waste District (120)</u></b>		
Additional funding for overtime including FICA and FRS	\$114,581	
Tipping Fees	\$229,095	
Fund Balance		\$343,676
<b>Budget Amendment Total</b>	<b>\$343,676</b>	<b>\$343,676</b>

**SECTION 3 – POSTING OF BUDGET AMENDMENT**

3.01 Within five days of the effective date of this resolution, the City Manager is directed to have the District Director post the budget amendment on the district’s website. Pursuant to Florida Statutes Section 189.016, the budget amendment must remain on the website for at least two years.

**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.

ADOPTED by the City Commission of the City of North Port, Florida, acting in its capacity as the governing body of the North Port Solid Waste District, in public session on May 23, 2023.

THE CITY COMMISSION OF THE CITY OF NORTH PORT,  
FLORIDA, SERVING AS THE GOVERNING BODY OF THE  
NORTH PORT SOLID WASTE DISTRICT

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BARBARA LANGDON  
MAYOR

ATTEST

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HEATHER FAUST, MMC  
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

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