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ORDINANCE NO. 119-11

**AN ORDINANCE AMENDING ORDINANCE NO. 98-11 AND
ORDINANCE NO. 118-11, CURRENT EXPENSES AND
CAPITAL OUTLAY REQUIRED BY THE CITY OF NEW
SMYRNA BEACH, FLORIDA, DURING AND FOR THE
FISCAL YEAR BEGINNING OCTOBER 1, 2011, AND
ENDING SEPTEMBER 30, 2012; PROVIDING FOR
REVERSION OF UNENCUMBERED FUNDS; PROVIDING
FOR PUBLIC HEARING; PROVIDING FOR
SEVERABILITY; PROVIDING FOR CONFLICTING
ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Althea Philord, Finance Director, has requested an amendment to Ordinance No. 98-11 and Ordinance No. 118-11, Current Expenses and Capital Outlay for the Fiscal Year beginning October 1, 2011, and ending September 30, 2012, to set forth anticipated sources of revenues and estimated appropriations; and

WHEREAS, the City Commission of the City of New Smyrna Beach, Florida, deems that it is in the best interest of the citizens of the City of New Smyrna Beach to amend the City's 2011-2012 Fiscal Year Budget as more particularly set forth hereinafter.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF NEW SMYRNA BEACH, FLORIDA, AS FOLLOWS:

SECTION 1: Amendment. That Ordinance No. 98-11 and Ordinance No. 118-11, be and the same are hereby amended only for the accounts below for the fiscal year beginning October 1, 2011, and ending September 30, 2012, as follows.

A. For the GENERAL FUND requirements, the following sums of money are hereby appropriated from the following anticipated sources of revenue, to-wit:

REVENUES:

TAXES:

General Property Taxes	7,430,551
Local-Option Gas Tax	729,705
Utility Taxes	2,853,866
Franchise Taxes	<u>580,364</u>
TOTAL TAXES	11,594,486

37	<u>LICENSES AND PERMITS:</u>	
38	Occupational Licenses	182,954
39	Permits	<u>800</u>
40	TOTAL LICENSES AND PERMITS	183,754
41	<u>INTERGOVERNMENTAL REVENUES:</u>	
42	STATE AND FEDERAL GRANTS:	
43	State/Federal Grants	2,768,538
44	STATE SHARED REVENUES:	
45	State/County/Local	1,683,539
46	OTHER SHARED REVENUES:	
47	Utilities Commission 6%	<u>3,694,236</u>
48	TOTAL INTERGOVERNMENTAL	8,146,313
49	<u>CHARGES FOR SERVICES:</u>	
50	Charges for Services	<u>457,029</u>
51	TOTAL CHARGES FOR SERVICES	457,029
52	<u>FINES AND FORFEITURES:</u>	
53	Court Cases/Local Ordinances	<u>80,051</u>
54	TOTAL FINES AND FORFEITURES	80,051
55	<u>MISCELLANEOUS REVENUES:</u>	
56	Other Income	<u>354,887</u>
57	TOTAL MISCELLANEOUS REVENUES	354,887
58	<u>OTHER FINANCING SOURCES:</u>	
59	Transfer From Other Funds	30,700
60	Appropriated Reserves	<u>641,402</u>
61	TOTAL OTHER FINANCING SOURCES	672,102
62	TOTAL REVENUES AND OTHER FINANCING SOURCES	<u><u>21,488,622</u></u>

63 B. That from said GENERAL FUND and for the current expenses or
64 use of the several departments or accounts names below, the
65 sums set opposite said departments are hereby appropriated,
66 to-wit:

67 EXPENDITURES:

68	CITY COMMISSION	194,013
69	CITY MANAGER	386,089
70	CITY CLERK	172,841
71	CITY ATTORNEY	403,555
72	FINANCE	396,786
73	INFORMATION TECHNOLOGY	338,537
74	HUMAN RESOURCES/PERSONNEL	159,603
75	GENERAL GOVERNMENT	3,804,800
76	INDIRECT COST ALLOCATION	- 878,534
77	DEBT SERVICE	410,212
78	TRANSFERS	610,588
79	GRANTS IN AID	27,772
80	LAW ENFORCEMENT	5,570,366
81	FIRE	4,609,393
82	EMERGENCY MANAGEMENT	19,057
83	PLANNING & ENGINEERING	484,081
84	PUBLIC WORKS:	
85	ADMINISTRATION	47,637
86	BUILDING MAINTENANCE	356,423
87	STREETS	1,769,809
88	RECREATION	1,038,666
89	PARKS	976,093
90	SPORTS COMPLEX	590,835
91	TOTAL APPROPRIATIONS	<u>21,488,622</u>

92 I. That for RECREATION RECOUPMENT FEE FUND, the following sums of
93 money are hereby appropriated from the following anticipated
94 sources of revenue, to-wit:

95 REVENUES:

96	Impact Fees	<u>59,106</u>
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97	TOTAL REVENUES	<u>59,106</u>
98	J. That from RECREATION RECOUPMENT FEE FUND set forth in	
99	Paragraph I above, the following sums of money are hereby	
100	appropriated, to-wit:	
101	<u>EXPENDITURES:</u>	
102	Capital Contingency	<u>59,106</u>
103	TOTAL APPROPRIATIONS	<u>59,106</u>
104	M. That for MUNICIPAL AIRPORT-INDUSTRIAL PARK FUND, the following	
105	sums of money are hereby appropriated from the following	
106	anticipated sources of revenue, to-wit:	
107	<u>REVENUES:</u>	
108	Charges for Services	1,508,000
109	Intergovernmental Revenues	2,949,674
110	Rents and Royalties	776,972
111	Miscellaneous	4,462
112	Appropriated Reserves	<u>223,701</u>
113	TOTAL REVENUES	<u>5,462,809</u>
114	N. That from MUNICIPAL AIRPORT-INDUSTRIAL PARK FUND set forth in	
115	Paragraph M above, the following sums of money are hereby	
116	appropriated, to-wit:	
117	<u>EXPENDITURES:</u>	
118	Airport/Industrial Park	<u>5,462,809</u>
119	TOTAL APPROPRIATIONS	<u>5,462,809</u>
120	O. That for COMMUNITY REDEVELOPMENT TRUST FUND, the following	
121	sums of money are hereby appropriated from the following	
122	anticipated sources of revenue, to-wit:	

123	<u>REVENUES:</u>	
124	Tax Increment Revenues	535,126
125	Intergovernmental Revenues	1,703,901
126	Interest Income	22,230
127	Appropriated Reserves	<u>9,613,135</u>
128	TOTAL REVENUES	<u>11,874,392</u>
129	P. That from COMMUNITY REDEVELOPMENT TRUST FUND set forth in	
130	Paragraph C above, the following sums of money are hereby	
131	appropriated, to-wit:	
132	<u>EXPENDITURES:</u>	
133	Economic Development	<u>11,874,392</u>
134	TOTAL APPROPRIATIONS	<u>11,874,392</u>
135	U. That for MUNICIPAL GOLF COURSE FUND, the following sums of	
136	money are hereby appropriated from the following sources of	
137	revenue, to wit:	
138	<u>REVENUES:</u>	
139	Charges for Services	1,255,360
140	Miscellaneous Revenue	<u>7,700</u>
141	TOTAL REVENUES	<u>1,263,060</u>
142	V. That from MUNICIPAL GOLF COURSE FUND set forth in Paragraph U	
143	above, the following sums of money are hereby appropriated,	
144	to-wit:	
145	<u>EXPENDITURES:</u>	
146	Culture/Recreation	<u>1,263,060</u>
147	TOTAL APPROPRIATIONS	<u>1,263,060</u>

148 AA. That for STORMWATER UTILITY FEE FUND, the following sums of
149 money are hereby appropriated from the following anticipated
150 sources of revenue, to-wit:

151 REVENUES:

152	Charges for Services	1,250,000
153	Appropriated Reserves	1,528,626
154	Interest Income	<u>4,830</u>

155	TOTAL REVENUES	<u>2,783,456</u>
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156 BB. That from STORMWATER UTILITY FEE FUND set forth in Paragraph
157 AA above, the following sums of money are hereby appropriated
158 to the expense of principal and interest on the City's fund
159 indebtedness, to-wit:

160 EXPENDITURES:

161	Stormwater Improvements	<u>2,783,456</u>
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162	TOTAL APPROPRIATIONS	<u>2,783,456</u>
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163 CC. That for CAPITAL PROJECTS FUND, the following sums of money
164 are hereby appropriated from the following anticipated sources
165 of revenue, to-wit:

166 REVENUES:

167	Appropriated Reserves	<u>3,812,231</u>
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168	TOTAL REVENUES	<u>3,812,231</u>
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169 DD. That from CAPITAL PROJECTS FUND set forth in Paragraph CC
170 above, the following sums of money are hereby appropriated to
171 the expense of principal and interest on the City's fund
172 indebtedness, to-wit:

173 EXPENDITURES:

174	Capital Projects	<u>3,812,231</u>
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175	TOTAL APPROPRIATIONS	<u>3,812,231</u>
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176 EE. That for BUILDING INSPECTION FUND, the following sums of money
177 are hereby appropriated from the following anticipated sources
178 of revenue, to-wit:

179 REVENUES:

180	Licenses/Permits	505,067
181	Charges for Services	103,470
182	Miscellaneous Revenue	56,359
183	Intergovernmental Revenues	<u>53,481</u>
184	TOTAL REVENUES	<u>718,377</u>

185 FF. That from BUILDING INSPECTION FUND set forth in Paragraph EE
186 above, the following sums of money are hereby appropriated to
187 the expense of principal and interest on the City's fund
188 indebtedness, to-wit:

189 EXPENDITURES:

190	Protective Inspection	<u>718,377</u>
191	TOTAL APPROPRIATIONS	<u>718,377</u>

192 **SECTION 2: Budget Amendments and Adjustments.** That changes in
193 the adopted annual budget shall be made in accordance with state
194 law, City Charter and as follows:

- 195 a) Increasing total appropriations within a fund from
196 reserves or based upon an estimated increase in revenues
197 shall be by ordinance.
- 198 b) Appropriations for specific expenditures within a fund
199 may be increased without increasing total fund
200 expenditures by resolution identifying the increases and
201 offsetting decreases.
- 202 c) The City Manager may adjust line item expenditures within
203 a department which do not increase total departmental
204 expenditures or cause a change in functions, programs or
205 capital projects.

206 **SECTION 3: Reversion of Unencumbered Funds.** That any funds
207 appropriated by this ordinance, not encumbered or contracted for
208 during the period herein set forth, shall revert to the fund from
209 which said funds were to have been paid.

210 **SECTION 4: Public Hearing.** That a public hearing considering the
211 adoption of this ordinance held January 10, 2012, in the City
212 Commission Chambers in City Hall, 210 Sams Avenue (south entrance
213 on Julia Street), New Smyrna Beach, Florida, after notice is found
214 to comply with §166.041(3)(a), F.S.

215 **SECTION 5: Severability.** That if any section, sentence, clause or
216 phrase of this ordinance is held to be invalid or unconstitutional
217 by any court of competent jurisdiction, then said holding shall in
218 no way affect the validity of the remaining portion of this
219 ordinance.

220 **SECTION 6: Conflicting Ordinances.** That all ordinances or parts
221 thereof that are in conflict with this ordinance shall be and the
222 same are hereby rescinded and repealed.

223 **SECTION 7: Effective Date.** That this ordinance shall take effect
224 immediately upon its final adoption.

225 **APPROVED AS TO FORM AND CORRECTNESS:**

226 

227 **FRANK B. GUMMEY, III**
228 **City Attorney**

229 **DATE:** 12/5/11

City of New Smyrna Beach		Budget Amendments and Transfers		12/13/2011		Increases budget		Decreases budget		Commission Action	
Number	Department	Original Budget	Amendments	Revised Budget							
General Fund Revenues											
	FIND Grant	19,513,847	82,800								Design phase of Swoope Site
	Fish & Wildlife Grant		31,050								Design phase of Swoope Site
	FWHA/ FDOT Grant		500,000								Construction of Gateway for SR44 & Canal St Gateway Features
	FWHA/ FDOT Grant		900,000								Construction of Gateway for SR 44 & 95
	CDBG Grant		25,000								Park Safety Ranger grant funding
	Encumbrances		203,474								Prior year carry forwards
	Tree Mitigation Fund		112,000								CEI contract with Tetra Engineering for SR 44 & 95 and SR44 & Canal St Gateway Features
	Uncommitted Reserves		120,451								All items marked with an asterisk * will be funded by uncommitted reserves .
			1,974,775								
General Fund Operating Expenses											
51101	City Commission	194,013									
51201	City Manager	386,089									
51202	City Clerk	172,841									
51301	Finance	366,786									
	Personnel		30,000								(PA) Part-time Grants Specialist - Pending Commission Approval
51302	Information Technology	301,709									
	Prior Year Purchase Orders (Capital)		11,828								Munis Permitting System Upgrade- Code Enforcement-Approved FY2011 by City Commission
	Prior Year Purchase Orders (Capital)		25,000								Munis Permitting System Upgrade- Servers- Approved FY2011 by City Commission
51303	Human Resources	159,603									
51401	City Attorney	403,555									
51501	Planning And Zoning	484,081									
51901	General Govt	1,534,231									
	Operating Expenditures										
	Surveying Fees		25,000								Surveying cost for various properties
	Grants & Aids		2,100								(PA)-Chisholm High School Alumni Association- Grants & Aids request -Pending City Commission Approval at 12/13/2011 meeting

City of New Smyrna Beach		Budget Amendments and Transfers		12/13/2011		Increases budget Decreases budget	
Number	Department	Original Budget	Amendments	Revised Budget	Commission Action		
	Prior Year Purchase Orders		8,315		Legal Services - Approved in FY2011 by City Commission		
	Prior Year Purchase Orders		9,172		CDBG- Grants & Aids		
	Prior Year Purchase Orders		54,164		Ocean Palms Demolition - Approved in FY2011 by City Commission.		
	Capital						
	Prior Year Purchase Orders (Capital)		53,668		Gateway Signage Project- Approved in FY 2011 by City Commission (PA)-CEI contract with Tetra Engineering for SR 44 & 95 and SR44 & Canal St Gateway Features -Pending City Commission approval at 12/13/2011 meeting		
	Gateway Feature Project -Design Phase		112,000		(PA)-Construction of Gateway for SR 44 & 95 and SR44 & Canal St Gateway Features -100% Grant Funded -Award of Bid to Thadcon Pending City Commission approval at 12/13/2011 meeting		
	Gateway Feature Project -Construction Phase		1,400,000		(PA)-Award Bid to Quentin Hampton for Design of the Swoope Site-Pending City Commission approval at 12/13/2011 meeting/ General fund reserves to fund \$51,750- remaining balance of \$113,850 grant funded		
	Swoope Site		*	165,600			3,364,250
51902	PW Administration	47,637					47,637
52101	Police	5,570,366					5,570,366
52201	Fire	4,609,393					4,609,393
52501	EOC	19,057					19,057
54101	Streets	1,741,181					
	Operating Expenditures						
	Prior Year Purchase Orders		12,107		Street Resurfacing - Approved in FY 2011 by City Commission		
	Prior Year Purchase Orders		4,920		Excavating Services - Approved in FY2011 by City Commission		
	Capital Outlay						
	Equipment		*	11,601	(PA) Appropriate difference in budgeted amount for Grader purchase (\$28,089) - Pending City Commission Approval at 12/13/2011 meeting - Trade of if current equipment		
							1,769,809
57201	Recreation	1,038,666					1,038,666
57202	Parks	926,793					
	Personnel		25,000		Part-time Park Safety Ranger - 100% Grant Funded		
	Capital		24,300		Coronado Floor Replacement - Approved in FY2011 by City Commission		976,093
57501	Sports Complex	590,835					

City of New Smyrna Beach									
Budget Amendments and Transfers									
12/13/2011									
Number	Department	Original Budget	Amendments	Increases budget Decreases budget	Revised Budget	Commission Action			
107	Recreation Impact Fee Fund Revenue Reserves for encumbrances	30,330	28,776		59,106	Prior Year Carry forwards			
	Expense Prior Year Purchase Orders (Capital)	30,330	28,776			Capital Projects Carry forwards - Approved by City Commission in FY2011			
113	Building Inspection Revenue CDBG Grant Funding CDBG Grant Funding	664,896	20,000 33,481		718,377	Code enforcement officer funding Clearing Demolition			
	Expense Personnel Services Operating Expense Prior Year Purchase Orders (Capital) CDBG grant funding expenditures	664,896	20,000 (42,316) 42,316 33,481			(PA)- Part-time Code Enforcement Officer - Pending City Commission Approval at 11/29/2011 Commission Meeting - 100% CDBG Funding Reduce Operating Expenses due to Prior Year Carry forwards- No Fund Balance Available Munis Permitting System Upgrades Carry forwards - Approved by City Commission in FY2011 Appropriate funding for demolition expense - 100% grant funded			
120	CRA Revenue FIND Grant Appropriated Fund Balance	12,475,679	325,000 (926,287)		11,874,392	Riverside Park Seawall Project			
	Expense Prior Year Purchase Orders (Capital) S. Orange Ave Project Mary Ave Project Riverside Park Project Flagler Street Improvements Washington Streetscape Myrtle Project	12,475,679	569,005 (76,213) (266,665) (172,842) (894,000) 312,450 (83,022)			Capital Projects Carry forwards - Approved by City Commission in FY2011 Reduce Budget S. Orange Ave Improvements/ Over budgeted based on bid award Reduce Budget for Mary Ave Improvements/ Over budgeted based on bid award Reduce Budget for Riverside Park Improvements/ Over budgeted based on bid award Reduce Budget for Flagler Street Improvements/ Over budgeted based on bid award Washington Streetscape project- FEC pedestrian crossing- Pending City Commission Approval at 12/13/2011 meeting Reduce Budget for Myrtle Project Improvements/ Over budgeted based on bid award			
303	GOB Capital Projects Revenue Reserves for encumbrances	3,800,000	12,231		11,874,392	Prior Year Carry forwards			
						3,812,231			

City of New Smyrna Beach		Budget Amendments and Transfers		12/13/2011		Increases budget Decreases budget		Commission Action	
Number	Department	Original Budget	Amendments	Revised Budget					
	Expense	3,800,000	12,231						
	Prior Year Purchase Orders (Capital)								Capital Projects Carry forwards - Approved by City Commission in FY2011
				3,812,231					
401	Golf Course								
	Revenue	1,263,060							
				1,263,060					
40157203	Golf Course Administration	361,826							
	Operating Expenses								
	Operating Contingencies		(20,251)						Reduce Operating Expenses- No Fund Equity Available
	Equipment Lease		(1,030)						Transfer funds to cover cost capital cost
	Capital Outlay		1,030						Transfer funds from Operating expenses to cover cost of capital expense
				341,575					
40157204	Golf Course Maintenance	540,884							
	Prior Year Purchase Orders (Capital)		20,251						Capital Projects Carry forwards - Approved by City Commission in FY2011
				561,135					
40157205	Golf Course Pro Shop	360,350							
				360,350					
	Total Golf Course			1,263,060					

Ordinance No. 119-11 of the City of New Smyrna Beach, Florida, was introduced before the City Commission at its Regular Meeting December 13, 2011, and read by title only. Motion was made by Commissioner Plaskett, to approve the Ordinance on first reading, and seconded by Commissioner Hathaway, the vote thereon being as follows:

MAYOR ADAM BARRINGER	Yes
VICE MAYOR JUDY REIKER	Yes
COMMISSIONER J. S. GRASTY	Yes
COMMISSIONER JAMES W. HATHAWAY	Yes
COMMISSIONER LYNNE PLASKETT	Yes

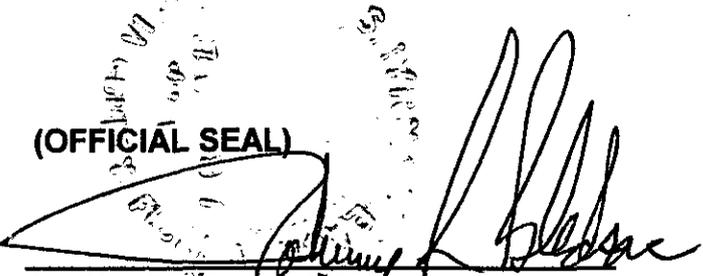
Ordinance No. 119-11 was read by title only at the Regular Meeting held by the City Commission on January 10, 2012, Motion was made by Vice Mayor Reiker, and seconded by Commissioner Grasty, that Ordinance No. 119-11 be adopted on second and final reading, the vote thereon being as follows:

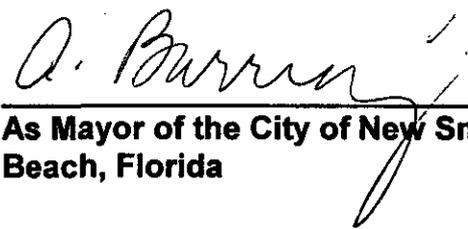
MAYOR ADAM BARRINGER	Yes
VICE MAYOR JUDY REIKER	Yes
COMMISSIONER J. S. GRASTY	Yes
COMMISSIONER JAMES W. HATHAWAY	Yes
COMMISSIONER LYNNE PLASKETT	Yes

The City Clerk noted the passage of Ordinance No. 119-11 in the minutes of this meeting by its title only and recorded the same in full in the Ordinance Records of the City.

The Mayor of the City of New Smyrna Beach has hereunto set his official signature, duly attested by the City Clerk, and has caused the Official Seal of said City to be hereunto affixed for the purpose of authenticity as required by law.

(OFFICIAL SEAL)


As City Clerk of the City of
New Smyrna Beach, Florida


As Mayor of the City of New Smyrna
Beach, Florida

ORDINANCE NO. 119-11