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**ORDINANCE NO. 32-12**

**AN ORDINANCE AMENDING ORDINANCE NO. 98-11, ORDINANCE NO. 118-11, AND ORDINANCE NO. 119-11, 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, Ordinance No. 118-11, and Ordinance No. 119-11, 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, Ordinance No. 118-11, and Ordinance No. 119-11 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

38	<u>LICENSES AND PERMITS:</u>	
39	Occupational Licenses	182,954
40	Permits	<u>800</u>
41	TOTAL LICENSES AND PERMITS	183,754
42	<u>INTERGOVERNMENTAL REVENUES:</u>	
43	STATE AND FEDERAL GRANTS:	
44	State/Federal Grants	2,768,538
45	STATE SHARED REVENUES:	
46	State/County/Local	1,683,539
47	OTHER SHARED REVENUES:	
48	Utilities Commission 6%	<u>3,694,236</u>
49	TOTAL INTERGOVERNMENTAL	8,146,313
50	<u>CHARGES FOR SERVICES:</u>	
51	Charges for Services	<u>457,029</u>
52	TOTAL CHARGES FOR SERVICES	457,029
53	<u>FINES AND FORFEITURES:</u>	
54	Court Cases/Local Ordinances	<u>80,051</u>
55	TOTAL FINES AND FORFEITURES	80,051
56	<u>MISCELLANEOUS REVENUES:</u>	
57	Other Income	<u>354,887</u>
58	TOTAL MISCELLANEOUS REVENUES	354,887
59	<u>OTHER FINANCING SOURCES:</u>	
60	Transfer From Other Funds	30,700
61	Appropriated Reserves	<u>647,402</u>
62	TOTAL OTHER FINANCING SOURCES	678,102

63 TOTAL REVENUES AND OTHER FINANCING SOURCES 21,494,622

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

68 EXPENDITURES:

69	CITY COMMISSION	194,013
70	CITY MANAGER	386,089
71	CITY CLERK	172,841
72	CITY ATTORNEY	403,555
73	FINANCE	396,786
74	INFORMATION TECHNOLOGY	338,537
75	HUMAN RESOURCES/PERSONNEL	159,603
76	GENERAL GOVERNMENT	3,804,800
77	INDIRECT COST ALLOCATION	- 878,534
78	DEBT SERVICE	410,212
79	TRANSFERS	610,588
80	GRANTS IN AID	27,772
81	LAW ENFORCEMENT	5,570,366
82	FIRE	4,609,393
83	EMERGENCY MANAGEMENT	19,057
84	PLANNING & ENGINEERING	490,081
85	PUBLIC WORKS:	
86	ADMINISTRATION	47,637
87	BUILDING MAINTENANCE	356,423
88	STREETS	1,769,809
89	RECREATION	1,038,666
90	PARKS	976,093
91	SPORTS COMPLEX	<u>590,835</u>
92	TOTAL APPROPRIATIONS	<u>21,494,622</u>

93 O. That for COMMUNITY REDEVELOPMENT TRUST FUND, the following  
94 sums of money are hereby appropriated from the following  
95 anticipated sources of revenue, to-wit:

96	<u>REVENUES:</u>	
97	Tax Increment Revenues	535,126
98	Intergovernmental Revenues	1,703,901
99	Interest Income	22,230
100	Appropriated Reserves	9,656,135
101	Transfer In	<u>125,000</u>
102	TOTAL REVENUES	<u>12,042,392</u>

103 P. That from COMMUNITY REDEVELOPMENT TRUST FUND set forth in  
 104 Paragraph O above, the following sums of money are hereby  
 105 appropriated, to-wit:

106	<u>EXPENDITURES:</u>	
107	Economic Development	<u>12,042,392</u>
108	TOTAL APPROPRIATIONS	<u>12,042,392</u>

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

112	<u>REVENUES:</u>	
113	Charges for Services	1,250,000
114	Appropriated Reserves	1,528,626
115	Interest Income	<u>4,830</u>
116	TOTAL REVENUES	<u>2,783,456</u>

117 BB. That from STORMWATER UTILITY FEE FUND set forth in Paragraph  
 118 AA above, the following sums of money are hereby appropriated  
 119 to the expense of principal and interest on the City's fund  
 120 indebtedness, to-wit:

121	<u>EXPENDITURES:</u>	
122	Stormwater Improvements	<u>2,783,456</u>
123	TOTAL APPROPRIATIONS	<u>2,783,456</u>

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

127 a) Increasing total appropriations within a fund from  
128 reserves or based upon an estimated increase in revenues  
129 shall be by ordinance.

130 b) Appropriations for specific expenditures within a fund  
131 may be increased without increasing total fund  
132 expenditures by resolution identifying the increases and  
133 offsetting decreases.

134 c) The City Manager may adjust line item expenditures within  
135 a department which do not increase total departmental  
136 expenditures or cause a change in functions, programs or  
137 capital projects.

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

142 **SECTION 4: Public Hearing.** That a public hearing considering the  
143 adoption of this ordinance held February 28, 2012, in the City  
144 Commission Chambers in City Hall, 210 Sams Avenue (south entrance  
145 on Julia Street), New Smyrna Beach, Florida, after notice is found  
146 to comply with §166.041(3)(a), F.S.

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

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

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

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

158   
159 **FRANK B. GUMMEY, III**

160 **City Attorney**

161 **DATE:** 2/7/12

Ordinance No. 32-12 of the City of New Smyrna Beach, Florida, was introduced before the City Commission at its Regular Meeting February 14, 2012, and read by title only. Motion was made by Commissioner Hathaway, to approve the Ordinance on first reading, and seconded by Commissioner Grasty, the vote thereon being as follows:

<b>MAYOR ADAM BARRINGER</b>	<b>Yes</b>
<b>VICE MAYOR JUDY REIKER</b>	<b>Yes</b>
<b>COMMISSIONER J. S. GRASTY</b>	<b>Yes</b>
<b>COMMISSIONER JAMES W. HATHAWAY</b>	<b>Yes</b>
<b>COMMISSIONER LYNNE PLASKETT</b>	<b>Absent</b>

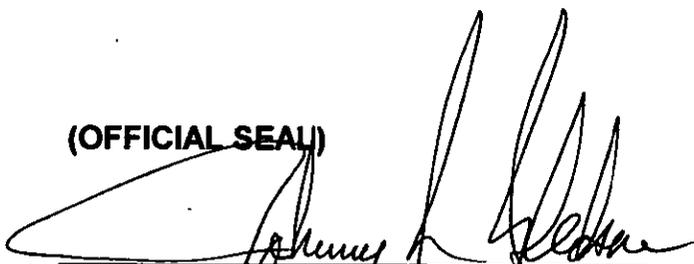
Ordinance No. 32-12 was read by title only at the Regular Meeting held by the City Commission on February 28, 2012, Motion was made by Commissioner Grasty, and seconded by Commissioner Hathaway, that Ordinance No. 32-12 be adopted on second and final reading, the vote thereon being as follows:

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

The City Clerk noted the passage of Ordinance No. 32-12 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.

  
As Mayor of the City of New Smyrna  
Beach, Florida

(OFFICIAL SEAL)  
  
As City Clerk of the City of  
New Smyrna Beach, Florida

ORDINANCE NO. 32-12

