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ORDINANCE NO. 47-12

AN ORDINANCE AMENDING ORDINANCE NO. 98-11, ORDINANCE NO. 118-11, ORDINANCE NO. 119-11, AND ORDINANCE NO. 32-12, 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, Ordinance No. 119-11, and Ordinance No. 32-12, 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, Ordinance No. 119-11, and Ordinance No. 32-12 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:

<u>REVENUES:</u>	
<u>TAXES:</u>	
General Property Taxes	7,430,551
Local-Option Gas Tax	729,705
Utility Taxes	2,853,866

38	Franchise Taxes	<u>580,364</u>
39	TOTAL TAXES	11,594,486
40	<u>LICENSES AND PERMITS:</u>	
41	Occupational Licenses	182,954
42	Permits	<u>800</u>
43	TOTAL LICENSES AND PERMITS	183,754
44	<u>INTERGOVERNMENTAL REVENUES:</u>	
45	STATE AND FEDERAL GRANTS:	
46	State/Federal Grants	2,802,840
47	STATE SHARED REVENUES:	
48	State/County/Local	1,683,539
49	OTHER SHARED REVENUES:	
50	Utilities Commission 6%	<u>3,694,236</u>
51	TOTAL INTERGOVERNMENTAL	8,180,615
52	<u>CHARGES FOR SERVICES:</u>	
53	Charges for Services	<u>457,029</u>
54	TOTAL CHARGES FOR SERVICES	457,029
55	<u>FINES AND FORFEITURES:</u>	
56	Court Cases/Local Ordinances	<u>80,051</u>
57	TOTAL FINES AND FORFEITURES	80,051
58	<u>MISCELLANEOUS REVENUES:</u>	
59	Other Income	<u>354,887</u>
60	TOTAL MISCELLANEOUS REVENUES	354,887
61	<u>OTHER FINANCING SOURCES:</u>	
62	Transfer From Other Funds	30,700
63	Appropriated Reserves	<u>667,327</u>
64	TOTAL OTHER FINANCING SOURCES	698,027

65 TOTAL REVENUES AND OTHER FINANCING SOURCES 21,548,849

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

70 EXPENDITURES:

71	CITY COMMISSION	194,013
72	CITY MANAGER	386,089
73	CITY CLERK	206,341
74	CITY ATTORNEY	403,555
75	FINANCE	396,786
76	INFORMATION TECHNOLOGY	338,537
77	HUMAN RESOURCES/PERSONNEL	159,603
78	GENERAL GOVERNMENT	3,785,572
79	INDIRECT COST ALLOCATION	- 878,534
80	DEBT SERVICE	410,212
81	TRANSFERS	610,588
82	GRANTS IN AID	13,600
83	LAW ENFORCEMENT	5,570,366
84	FIRE	4,609,393
85	EMERGENCY MANAGEMENT	19,057
86	PLANNING & ENGINEERING	504,906
87	PUBLIC WORKS:	
88	ADMINISTRATION	47,637
89	BUILDING MAINTENANCE	356,423
90	STREETS	1,769,809
91	RECREATION	1,047,661
92	PARKS	1,006,400
93	SPORTS COMPLEX	<u>590,835</u>
94	TOTAL APPROPRIATIONS	<u>21,548,849</u>

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

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

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

108	<u>EXPENDITURES:</u>	
109	Economic Development	<u>12,042,392</u>
110	TOTAL APPROPRIATIONS	<u>12,042,392</u>

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

- 114 a) Increasing total appropriations within a fund from
 115 reserves or based upon an estimated increase in revenues
 116 shall be by ordinance.
- 117 b) Appropriations for specific expenditures within a fund
 118 may be increased without increasing total fund
 119 expenditures by resolution identifying the increases and
 120 offsetting decreases.
- 121 c) The City Manager may adjust line item expenditures within
 122 a department which do not increase total departmental
 123 expenditures or cause a change in functions, programs or
 124 capital projects.

125 **SECTION 3: Reversion of Unencumbered Funds.** That any funds
 126 appropriated by this ordinance, not encumbered or contracted for

127 during the period herein set forth, shall revert to the fund from
128 which said funds were to have been paid.

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

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

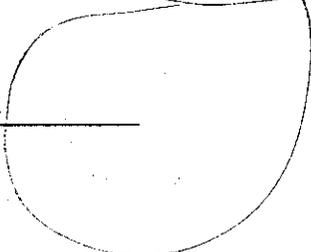
139 **SECTION 6: Conflicting Ordinances.** That all ordinances or parts
140 thereof that are in conflict with this ordinance shall be and the
141 same are hereby rescinded and repealed.

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

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

145 

146 **FRANK B. GUMMEY, III**
147 **City Attorney**

148 **DATE:** 3/19/12 

City of New Smyrna Beach Budget Amendments and Transfers 3/27/2012		Department	Original Budget	Amendments	Increases budget Decreases budget	Commission Action
Number	Department	Original Budget	Amendments	Revised Budget		
General Fund Revenues						
	CDBG Grant Funding	21,494,622	34,302	21,548,849		Appropriate budget - CDBG funding for various operating and capital expenditures
	Uncommitted Reserves		19,925			
			54,227			
General Fund Operating Expenses						
51101	City Commission	194,013		194,013		
51201	City Manager	386,089		386,089		
51202	City Clerk Operating Expenditures Professional Services Publication of Ordinances	172,841	3,500 30,000			Allocate additional funding for misc. items such as: document recording fees and forms Allocate additional funding for public ordinances- year to date expenses at \$29,406.
51301	Finance	396,786		396,786		
51302	Information Technology	338,537		338,537		
51303	Human Resources	159,603		159,603		
51401	City Attorney	403,555		403,555		
51501	Planning And Zoning Personnel Allocation	490,081	14,825			To appropriate funding for Planner - Position status is currently 1/2 time for CRA fund and 1/2 for General Fund-position will be reclassified back to full-time status in the General Fund
51901	General Govt Operating Expenditures Capital Outlay AC Replacement	3,364,250	(37,000) 3,600			Reduce remaining budget from bridge repair Replacement of A/C at SOS building
				504,906	3,330,850	

City of New Smyrna Beach Budget Amendments and Transfers 3/27/2012		Department	Original Budget	Amendments	Increases budget Decreases budget	Commission Action
Number					Revised Budget	
51902	<u>PW Administration</u>		47,637		47,637	
52101	<u>Police</u>		5,570,366		5,570,366	
52201	<u>Fire</u>		4,609,393		4,609,393	
52501	<u>EOC</u>		19,057		19,057	
54101	<u>Streets</u>		1,769,809		1,769,809	
57201	<u>Recreation</u> Capital Outlay Babe James Computers - CDBG Funded		1,038,666	8,995	1,047,661	Appropriate budget - CDBG funding for Babe James Computers
57202	<u>Parks</u> Capital Outlay Pettis Park Improvements		976,093	30,307	1,006,400	Reallocation of CDBG Grant Funds- Approved February 28, 2012
57501	<u>Sports Complex</u>		590,835		590,835	
58101	<u>Transfers</u>		610,588		610,588	
59101	<u>Building & Maintenance</u>		356,423		356,423	
<u>Total General Fund</u>			21,494,622	54,227	21,548,849	
General Fund Expense Summary:			Budget	Commission		
	Personnel		14,825	Approved		
	Operating		33,500			
	Capital		5,902	39,302		
			54,227	39,302		

Ordinance No. 47-12 of the City of New Smyrna Beach, Florida, was introduced before the City Commission at its Regular Meeting March 27, 2012, 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

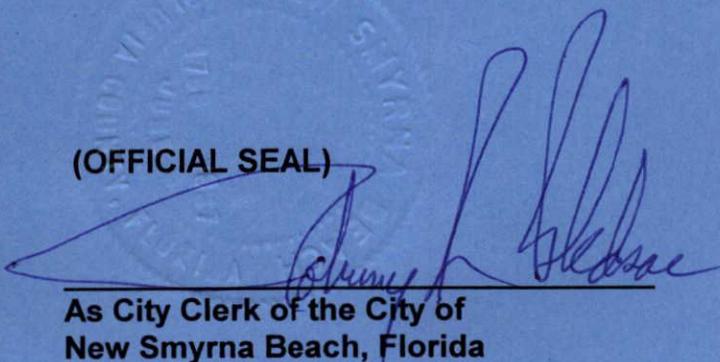
Ordinance No. 47-12 was read by title only at the Regular Meeting held by the City Commission on April 10, 2012, Motion was made by Commissioner Grasty, and seconded by Commissioner Hathaway, that Ordinance No. 47-12 be adopted on second and final reading, the vote thereon being as follows:

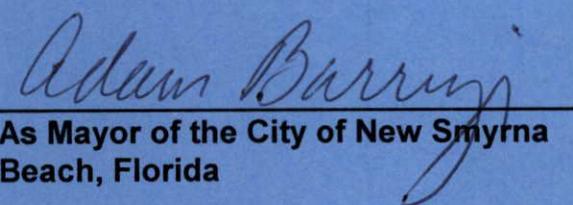
MAYOR ADAM BARRINGER	Yes
VICE MAYOR JUDY REIKER	Absent
COMMISSIONER J. S. GRASTY	Yes
COMMISSIONER JAMES W. HATHAWAY	Yes
COMMISSIONER LYNNE PLASKETT	Yes

The City Clerk noted the passage of Ordinance No. 47-12 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.

(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. 47-12