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**ORDINANCE NO. 42-14**

**AN ORDINANCE AMENDING ORDINANCE NO. 191-13, ORDINANCE NO. 220-13, ORDINANCE NO. 230-13, ORDINANCE NO. 04-14, ORDINANCE NO. 15-14, ORDINANCE NO. 24-14, AND ORDINANCE NO. 36-14, CURRENT EXPENSES AND CAPITAL OUTLAY REQUIRED BY THE CITY OF NEW SMYRNA BEACH, FLORIDA, DURING AND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013, AND ENDING SEPTEMBER 30, 2014; 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. 191-13, Ordinance No. 220-13, Ordinance No. 230-13, Ordinance No. 04-14, Ordinance No. 15-14, Ordinance No. 24-14, and Ordinance No. 36-14, Current Expenses and Capital Outlay for the Fiscal Year beginning October 1, 2013, and ending September 30, 2014, 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 2013-2014 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. 191-13, Ordinance No. 220-13, Ordinance No. 230-13, Ordinance No. 04-14, Ordinance No. 15-14, Ordinance No. 24-14, and Ordinance No. 36-14, be and the same are hereby amended only for the accounts below for the fiscal year beginning October 1, 2013, and ending September 30, 2014, as follows:

K. That for TRANSPORTATION IMPACT FEE FUND, the following sums of money are hereby appropriated from the following anticipated sources of revenue, to-wit:

<b><u>REVENUES:</u></b>	
Impact Fees	123,830
Appropriated Reserves	<u>1,267,915</u>
<b>TOTAL REVENUES</b>	<b><u>1,391,745</u></b>

40 L. That from TRANSPORTATION IMPACT FEE FUND set forth in  
41 Paragraph K above, the following sums of money are hereby  
42 appropriated, to-wit:

43 EXPENDITURES:

44 Capital Outlay 1,391,745

45 TOTAL APPROPRIATIONS 1,391,745

46 U. That for MUNICIPAL GOLF COURSE FUND, the following sums of  
47 money are hereby appropriated from the following sources of  
48 revenue, to-wit:

49 REVENUES:

50 Charges for Services 1,256,150

51 Miscellaneous Revenue 7,500

52 TOTAL REVENUES 1,263,650

53 V. That from MUNICIPAL GOLF COURSE FUND set forth in Paragraph U  
54 above, the following sums of money are hereby appropriated, to-wit:

55 EXPENDITURES:

56 Culture/Recreation 1,263,650

57 TOTAL APPROPRIATIONS 1,263,650

58 CC. That for GENERAL OBLIGATION BOND CAPITAL PROJECTS FUND, the  
59 following sums of money are hereby appropriated from the following  
60 anticipated sources of revenue, to-wit:

61 REVENUES:

62 Intergovernmental Revenue 11,380

63 Appropriated Reserves 3,167,995

64 TOTAL REVENUES 3,179,375

65 DD. That from GENERAL OBLIGATION BOND CAPITAL PROJECTS FUND set  
66 forth in Paragraph CC above, the following sums of money are hereby

67 appropriated to the expense of principal and interest on the City's  
68 fund indebtedness, to-wit:

69 EXPENDITURES:

70 Capital Projects 3,179,375

71 TOTAL APPROPRIATIONS 3,179,375

72 EE. That for BUILDING INSPECTION FUND, the following sums of money  
73 are hereby appropriated from the following anticipated sources of  
74 revenue, to-wit:

75 REVENUES:

76 Licenses/Permits 802,762

77 Charges for Services 103,500

78 Miscellaneous Revenue 14,526

79 Fines & Forfeitures 15,000

80 Intergovernmental Revenue 30,106

81 TOTAL REVENUES 965,894

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

86 EXPENDITURES:

87 Protective Inspection 965,894

88 TOTAL APPROPRIATIONS 965,894

89 OO. That for 2013 CAPITAL PROJECTS FUND, the following sums of  
90 money are hereby appropriated from the following anticipated  
91 sources of revenue, to wit:

92 REVENUES:

93 Intergovernment Revenue 407,500

94 Loan Proceeds 7,840,329

95 TOTAL REVENUES 8,247,829

96 PP. That from 2013 CAPITAL PROJECTS FUND set forth in Paragraph 00  
97 above, the following sums of money are hereby appropriated to the  
98 expense of principal and interest on the City's fund indebtedness,  
99 to-wit:

100 EXPENSES:

101 Professional Services 35,581  
102 Capital Improvements 8,212,248

103 TOTAL EXPENSES 8,247,829

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

107 a) Increasing total appropriations within a fund from  
108 reserves or based upon an estimated increase in revenues  
109 shall be by ordinance.

110 b) Appropriations for specific expenditures within a fund  
111 may be increased without increasing total fund  
112 expenditures by resolution identifying the increases and  
113 offsetting decreases.

114 c) The City Manager may adjust line item expenditures within  
115 a department which do not increase total departmental  
116 expenditures or cause a change in functions, programs or  
117 capital projects.

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

122 **SECTION 4:** *Public Hearing.* That a public hearing considering  
123 the adoption of this ordinance held June 10, 2014, in the City  
124 Commission Chambers at City Hall, 210 Sams Avenue (south entrance  
125 on Julia Street), New Smyrna Beach, Florida, after notice is found  
126 to comply with §166.041(3)(a), F.S.

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

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

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

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

138   
139 **FRANK B. GUMMEY, III**  
140 **City Attorney**

141 **DATE:** 5/21/14

Ordinance No. 42-14 of the City of New Smyrna Beach, Florida, was introduced before the City Commission at its Regular Meeting May 27, 2014, and read by title only. Motion was made by Commissioner Grasty, to approve the Ordinance on first reading, and seconded by Commissioner Reiker, the vote thereon being as follows:

MAYOR ADAM BARRINGER	Yes
VICE MAYOR JASON MCGUIRK	Yes
COMMISSIONER JUDY REIKER	Yes
COMMISSIONER J. S. GRASTY	Yes
COMMISSIONER KIRK JONES	Yes

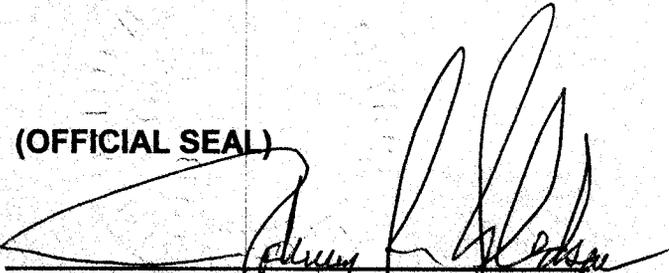
Ordinance No. 42-14 was read by title only at the Regular Meeting held by the City Commission on June 10, 2014, Motion was made by Commissioner Reiker, and seconded by Commissioner Jones, that Ordinance No. 42-14 be adopted on second and final reading, the vote thereon being as follows:

MAYOR ADAM BARRINGER	Yes
VICE MAYOR JASON MCGUIRK	Yes
COMMISSIONER JUDY REIKER	Yes
COMMISSIONER J. S. GRASTY	Yes
COMMISSIONER KIRK JONES	Yes

The City Clerk noted the passage of Ordinance No. 42-14 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. 42-14