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ORDINANCE NO. 68-14

AN ORDINANCE ADOPTING A BUDGET BY SETTING FORTH REVENUES AND APPROPRIATIONS FOR CURRENT EXPENSES AND CAPITAL OUTLAY FOR THE FOLLOWING FUNDS: GENERAL FUND, STORMWATER UTILITY FEE FUND, SPECIAL LAW ENFORCEMENT TRUST FUND, LAW ENFORCEMENT IMPACT FEE FUND, FIRE SERVICE IMPACT FEE FUND, RECREATION RECOUPMENT FEE FUND, TRANSPORTATION IMPACT FEE FUND, AIRPORT INDUSTRIAL PARK FUND, MARINA FUND, BUILDING AND INSPECTION FUND, COMMUNITY REDEVELOPMENT AGENCY TRUST FUND, SPECIAL EVENTS FUND, STATE REVOLVING LOAN DEBT SERVICE FUND, GENERAL OBLIGATION REFUNDING NOTE, SERIES 2014, CAPITAL IMPROVEMENT REFUNDING REVENUE NOTE, SERIES 2014, 2013 CAPITAL PROJECTS FUND, 2013 CAPITAL IMPROVEMENT DEBT SERVICE FUND, MUNICIPAL GOLF COURSE FUND, MUNICIPAL SANITATION FUND, AND MUNICIPAL GARAGE FUND AS REQUIRED BY THE CITY OF NEW SMYRNA BEACH, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014, AND ENDING SEPTEMBER 30, 2015; PROVIDING FOR AMENDMENTS AND ADJUSTMENTS; PROVIDING FOR PUBLIC HEARINGS; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

27 **WHEREAS**, Section 2-442, City Code requires the City
28 Commission of the City of New Smyrna Beach each fiscal year to
29 enact by ordinance a budget setting forth the purposes and amounts
30 for which monies are to be appropriated by said City for budget
31 purposes; and

32 **WHEREAS**, the City Commission of the City of New Smyrna Beach
33 heretofore has adopted the Annual Estimate of Anticipated Revenues
34 and Expenditures of the City Manager as revised by the City
35 Commission, which said revised estimate constitutes the budget and
36 includes the anticipated cost of operating the City of New Smyrna
37 Beach for the fiscal year beginning on the 1st day of October,
38 2014, and ending on the 30th day of September, 2015.

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

41 **SECTION 1:** ***Budget.*** That the following sums of money be and the
42 same are hereby appropriated sources of revenue of the City to the
43 corporate purposes herein specified for the budget for the fiscal
44 year beginning October 1, 2014 and ending September 30, 2015.

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

48 REVENUES:

49 TAXES:

50	General Property Taxes	8,656,799
51	Local-Option Gas Tax	752,901
52	Utility Taxes	3,034,391
53	Franchise Taxes	<u>696,547</u>

54 TOTAL TAXES 13,140,638

55 LICENSES AND PERMITS:

56	Business Tax	229,205
57	Permits	<u>915</u>

58 TOTAL LICENSES AND PERMITS 230,120

59 INTERGOVERNMENTAL REVENUES:

60 STATE AND FEDERAL GRANTS:

61	State/Federal Grants	82,224
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62 STATE SHARED REVENUES:

63	State/County/Local	2,243,151
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64 OTHER SHARED REVENUES:

65	Utilities Commission 6%	<u>3,435,885</u>
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66 TOTAL INTERGOVERNMENTAL 5,761,260

67 CHARGES FOR SERVICES:

68	Charges for Services	<u>534,362</u>
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69 TOTAL CHARGES FOR SERVICES 534,362

70	<u>FINES AND FORFEITURES:</u>	
71	Court Cases/Local Ordinances	62,450
72	TOTAL FINES AND FORFEITURES	62,450
73	<u>MISCELLANEOUS REVENUES:</u>	
74	Other Income	203,018
75	TOTAL MISCELLANEOUS REVENUES	203,018
76	<u>OTHER FINANCING SOURCES:</u>	
77	Transfer From Other Funds	545,756
78	Appropriated Reserves	363,000
79	TOTAL OTHER FINANCING SOURCES	908,756
80	TOTAL REVENUES AND OTHER FINANCING SOURCES	<u>20,840,604</u>
81	B. That from said GENERAL FUND and for the current expenses or	
82	use of the several departments or accounts names below, the	
83	sums set opposite said departments are hereby appropriated,	
84	to-wit:	
85	<u>EXPENDITURES:</u>	
86	CITY COMMISSION	254,542
87	CITY MANAGER	432,649
88	CITY CLERK	244,994
89	CITY ATTORNEY	469,838
90	FINANCE	506,813
91	INFORMATION TECHNOLOGY	534,075
92	HUMAN RESOURCES/PERSONNEL	222,275
93	GENERAL GOVERNMENT	1,356,868
94	INDIRECT COST ALLOCATION	-1,037,050
95	TRANSFERS OUT (Debt Service Payment)	983,398
96	LAW ENFORCEMENT	6,060,714
97	FIRE	5,376,609
98	EMERGENCY MANAGEMENT	17,296
99	PLANNING & ENGINEERING	576,309
100	PUBLIC WORKS:	
101	ADMINISTRATION	197,757
102	BUILDING MAINTENANCE	514,254
103	STREETS	1,239,057
104	RECREATION	945,015

105	PARKS	1,036,509
106	SPORTS COMPLEX	<u>908,682</u>
107	TOTAL APPROPRIATIONS	<u><u>20,840,604</u></u>

108 C. That for SPECIAL LAW ENFORCEMENT TRUST FUND, the following
 109 sums of money are hereby appropriated from the following
 110 sources of revenue, to-wit:

111 REVENUES:

112	Appropriated Reserves	<u>30,138</u>
113	TOTAL REVENUES	<u><u>30,138</u></u>

114 D. That from SPECIAL LAW ENFORCEMENT TRUST FUND set forth in
 115 Paragraph C above, the following sums of money are hereby
 116 appropriated, to-wit:

117 EXPENDITURES:

118	Law Enforcement	<u>30,138</u>
119	TOTAL APPROPRIATIONS	<u><u>30,138</u></u>

120 E. That from SPECIAL LAW ENFORCEMENT IMPACT FEE FUND, the
 121 following sums of money are hereby appropriated from the
 122 following anticipated sources of revenue, to-wit:

123 REVENUES:

124	Impact Fees	<u>30,000</u>
125	TOTAL REVENUES	<u><u>30,000</u></u>

126 F. That from SPECIAL LAW ENFORCEMENT IMPACT FEE FUND set forth in
 127 Paragraph E above, the following sums of money are hereby
 128 appropriated, to-wit:

129 EXPENDITURES:

130	Operating Expenses	<u>30,000</u>
131	TOTAL APPROPRIATIONS	<u><u>30,000</u></u>

132 G. That for FIRE SERVICE IMPACT FEE FUND, the following sums of
 133 money are hereby appropriated from the following anticipated
 134 sources of revenue, to-wit:

135	<u>REVENUES:</u>	
136	Impact Fees	30,000
137	Appropriated Reserves	<u>235,000</u>
138	TOTAL REVENUES	<u>265,000</u>
139	H. That from FIRE SERVICE IMPACT FEE FUND set forth in Paragraph	
140	G above, the following sums of money are hereby appropriated,	
141	to-wit:	
142	<u>EXPENDITURES:</u>	
143	Operating Expenses	<u>265,000</u>
144	TOTAL APPROPRIATIONS	<u>265,000</u>
145	I. That for RECREATION RECOUPMENT FEE FUND, the following sums of	
146	money are hereby appropriated from the following anticipated	
147	sources of revenue, to-wit:	
148	<u>REVENUES:</u>	
149	Impact Fees	<u>14,000</u>
150	TOTAL REVENUES	<u>14,000</u>
151	J. That from RECREATION RECOUPMENT FEE FUND set forth in	
152	Paragraph I above, the following sums of money are hereby	
153	appropriated, to-wit:	
154	<u>EXPENDITURES:</u>	
155	Operating Expenses	<u>14,000</u>
156	TOTAL APPROPRIATIONS	<u>14,000</u>
157	K. That for TRANSPORTATION IMPACT FEE FUND, the following sums of	
158	money are hereby appropriated from the following anticipated	
159	sources of revenue, to-wit:	
160	<u>REVENUES:</u>	
161	Impact Fees	61,830
162	TOTAL REVENUES	<u>61,830</u>

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

166 EXPENDITURES:

167	Operating Expenses	<u>61,830</u>
168	TOTAL APPROPRIATIONS	<u>61,830</u>

169 M. That for MUNICIPAL AIRPORT-INDUSTRIAL PARK FUND, the following
170 sums of money are hereby appropriated from the following
171 anticipated sources of revenue, to-wit:

172 REVENUES:

173	Charges for Services	2,320,000
174	Intergovernmental Revenues	1,987,085
175	Rents and Royalties	918,322
176	Miscellaneous	2,000
177	Appropriated Reserves	<u>69,307</u>
178	TOTAL REVENUES	<u>5,296,714</u>

179 N. That from MUNICIPAL AIRPORT-INDUSTRIAL PARK FUND set forth in
180 Paragraph M above, the following sums of money are hereby
181 appropriated, to-wit:

182 EXPENDITURES:

183	Airport/Industrial Park	<u>5,296,714</u>
184	TOTAL APPROPRIATIONS	<u>5,296,714</u>

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

188 REVENUES:

189	Tax Increment Revenues	645,388
190	Intergovernmental Revenues	1,240,553
191	Appropriated Reserves	<u>1,207,439</u>
192	TOTAL REVENUES	<u>3,093,380</u>

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

196 EXPENDITURES:

197 Economic Development 3,093,380

198 TOTAL APPROPRIATIONS 3,093,380

199 Q. That for MUNICIPAL GOLF COURSE FUND, the following sums of
200 money are hereby appropriated from the following sources of
201 revenue, to-wit:

202 REVENUES:

203 Charges for Services 1,258,668

204 Miscellaneous Revenue 11,100

205 TOTAL REVENUES 1,269,768

206 R. That from MUNICIPAL GOLF COURSE FUND set forth in Paragraph Q
207 above, the following sums of money are hereby appropriated,
208 to-wit:

209 EXPENDITURES:

210 Culture/Recreation 1,269,768

211 TOTAL APPROPRIATIONS 1,269,768

212 S. That for MUNICIPAL SANITATION FUND, the following sums of
213 money are hereby appropriated from the following sources of
214 revenue, to-wit:

215 REVENUES:

216 Charges for Services 5,141,574

217 TOTAL REVENUES 5,141,574

218 T. That from MUNICIPAL SANITATION FUND set forth in Paragraph S
219 above, the following sums of money are hereby appropriated,
220 to-wit:

221 EXPENDITURES:

222 Physical Environment 5,141,574

223 TOTAL APPROPRIATIONS 5,141,574

224 U. That for MUNICIPAL GARAGE FUND, the following sums of money
225 are hereby appropriated from the following anticipated sources
226 of revenue, to-wit:

227 REVENUES:

228 Intergovernmental Sales 1,052,551
229 Appropriated Reserves 510,783

230 TOTAL REVENUES 1,563,334

231 V. That from MUNICIPAL GARAGE FUND set forth in Paragraph U
232 above, the following sums of money are hereby appropriated,
233 to-wit:

234 EXPENDITURES:

235 Intergovernmental Services 1,048,278
236 Transfers Out 515,056

237 TOTAL APPROPRIATIONS 1,563,334

238 W. That for STORMWATER UTILITY FEE FUND, the following sums of
239 money are hereby appropriated from the following anticipated
240 sources of revenue, to-wit:

241 REVENUES:

242 Charges for Services 1,799,696
243 Intergovernmental Revenue 3,780,000
244 Appropriated Reserves 1,252,803
245 Transfers In 2,858,772

246 TOTAL REVENUES 9,691,271

247 X. That from STORMWATER UTILITY FEE FUND set forth in Paragraph
248 W above, the following sums of money are hereby appropriated
249 to the expense of principal and interest on the City's fund
250 indebtedness, to-wit:

251	<u>EXPENDITURES:</u>	
252	Stormwater Improvements	9,441,924
253	Transfers Out (Debt Service Payments)	<u>249,347</u>
254	TOTAL APPROPRIATIONS	<u><u>9,691,271</u></u>

255 Y. That for 2005 GENERAL OBLIGATION BONDS CAPITAL PROJECTS FUND,
 256 the following sums of money are hereby appropriated from the
 257 following anticipated sources of revenue, to-wit:

258	<u>REVENUES:</u>	
259	Appropriated Reserves	<u>701,352</u>
260	TOTAL REVENUES	<u><u>701,352</u></u>

261 Z. That from 2005 GENERAL OBLIGATION BONDS CAPITAL PROJECTS FUND
 262 set forth in Paragraph Y above, the following sums of money
 263 are hereby appropriated to the expense of principal and
 264 interest on the City's fund indebtedness, to-wit:

265	<u>EXPENDITURES:</u>	
266	Capital Projects	<u>701,352</u>
267	TOTAL APPROPRIATIONS	<u><u>701,352</u></u>

268 AA. That for BUILDING INSPECTION FUND, the following sums of money
 269 are hereby appropriated from the following anticipated sources
 270 of revenue, to-wit:

271	<u>REVENUES:</u>	
272	Licenses/Permits	784,450
273	Charges for Services	71,000
274	Miscellaneous Revenue	9,900
275	Fines & Forfeitures	20,000
276	Intergovernmental Revenue	<u>25,000</u>
277	TOTAL REVENUES	<u><u>910,350</u></u>

278 BB. That from BUILDING INSPECTION FUND set forth in Paragraph AA
 279 above, the following sums of money are hereby appropriated to

280 the expense of principal and interest on the City's fund
281 indebtedness, to-wit:

282 EXPENDITURES:

283 Protective Inspection 910,350

284 TOTAL APPROPRIATIONS 910,350

285 CC. That for DEBT SERVICE, GENERAL OBLIGATION REFUNDING NOTE,
286 SERIES 2014, the following sums of money are hereby
287 appropriated from the following anticipated sources of
288 revenue, to-wit:

289 REVENUES:

290 Ad Valorem Taxes 1,172,691

291 TOTAL REVENUES 1,172,691

292 DD. That from DEBT SERVICE, GENERAL OBLIGATION REFUNDING NOTE,
293 SERIES 2014 set forth in Paragraph CC above, the following
294 sums of money are hereby appropriated to the expense of
295 principal and interest on the City's fund indebtedness, to-
296 wit:

297 EXPENDITURES:

298 Debt Service Payments 1,172,691

299 TOTAL APPROPRIATIONS 1,172,691

300 EE. That for DEBT SERVICE, STATE REVOLVING LOAN DEBT SERVICE FUND,
301 the following sums of money are hereby appropriated from the
302 following sources of revenue, to-wit:

303 REVENUES:

304 Transfers from Other Funds 249,347

305 TOTAL REVENUES 249,347

306 FF. That from DEBT SERVICE, STATE REVOLVING LOAN DEBT SERVICE FUND
307 set forth in Paragraph EE above, the following sums of money
308 are hereby appropriated, to-wit:

309 EXPENDITURES:

310	Debt Service Payments	<u>249,347</u>
311	TOTAL APPROPRIATIONS	<u>249,347</u>

312 GG. That for CITY MARINA FUND, the following sums of money are
313 hereby appropriated from the following anticipated sources of
314 revenue, to-wit:

315 REVENUES:

316	Leases/Rentals	271,300
317	Miscellaneous Revenue	<u>1,000</u>
318	TOTAL REVENUES	<u>272,300</u>

319 HH. That from CITY MARINA FUND set forth in Paragraph GG above,
320 the following sums of money are hereby appropriated, to-wit:

321 EXPENDITURES:

322	Special Recreation	241,600
323	Transfers Out	<u>30,700</u>
324	TOTAL APPROPRIATIONS	<u>272,300</u>

325 II. That for DEBT SERVICE, CAPITAL IMPROVEMENT REFUNDING REVENUE
326 NOTE, SERIES 2014, the following sums of money are hereby
327 appropriated from the following anticipated sources of
328 revenue, to-wit:

329 REVENUES:

330	Transfers from Other Funds	<u>463,990</u>
331	TOTAL REVENUES	<u>463,990</u>

332 JJ. That from DEBT SERVICE, CAPITAL IMPROVEMENT REFUNDING REVENUE
333 NOTE, SERIES 2014 set forth in Paragraph II above, the
334 following sums of money are hereby appropriated, to-wit:

335 EXPENDITURES:

336	Debt Service Payments	<u>463,990</u>
337	TOTAL APPROPRIATIONS	<u>463,990</u>

338 KK. That for 2013 CAPITAL PROJECTS FUND, the following sums of
339 money are hereby appropriated from the following anticipated
340 sources of revenue, to wit:

341 REVENUES:

342	Intergovernmental Revenue	707,500
343	Appropriated Reserves	<u>7,798,998</u>
344	TOTAL REVENUES	<u>8,506,498</u>

345 LL. That from 2013 CAPITAL PROJECTS FUND set forth in Paragraph KK
346 above, the following sums of money are hereby appropriated to
347 the expense of principal and interest on the City's fund
348 indebtedness, to-wit:

349 EXPENSES:

350	Capital Improvements	<u>8,506,498</u>
351	TOTAL EXPENSES	<u>8,506,498</u>

352 MM. That for 2013 CAPITAL IMPROVEMENT DEBT SERVICE FUND, the
353 following sums of money are hereby appropriated from the
354 following anticipated sources of revenue, to wit:

355 REVENUES:

356	Transfers from Other Funds	<u>519,408</u>
357	TOTAL REVENUES	<u>519,408</u>

358 NN. That from 2013 CAPITAL IMPROVEMENT DEBT SERVICE FUND set forth
359 in Paragraph MM above, the following sums of money are hereby

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

362 EXPENSES:

363 Debt Service Payments 519,408

364 TOTAL EXPENSES 519,408

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

368 a) Increasing total appropriations within a fund from
369 reserves or based upon an estimated increase in revenues
370 shall be by ordinance.

371 b) Appropriations for specific expenditures within a fund
372 may be increased without increasing total fund
373 expenditures by resolution identifying the increases and
374 offsetting decreases.

375 c) The City Manager may adjust line item expenditures within
376 a department which do not increase total departmental
377 expenditures or cause a change in functions, programs or
378 capital projects.

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

383 **SECTION 4: Public Hearings.** That public hearings considering
384 the adoption of this ordinance held September 8, 2014, and
385 September 23, 2014, in the City Commission Chambers at City Hall,
386 210 Sams Avenue (south entrance on Julia Street), New Smyrna Beach,
387 Florida, after notice is found to comply with §166.041(3)(a),
388 §200.065, and §200.069, F.S.

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

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

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

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

400 

401 **FRANK B. GUMMEY, III**
402 **City Attorney**

403 **DATE:** 9/18/14

Ordinance No. 68-14 of the City of New Smyrna Beach, Florida, was introduced before the City Commission at its Special Meeting September 8, 2014, and read by title only. Motion was made by Commissioner Reiker, to approve the Ordinance on first reading, and seconded by Commissioner Jones, 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. 68-14 was read by title only at the Special Meeting held by the City Commission on September 23, 2014, Motion was made by Vice Mayor McGuirk, and seconded by Reiker, that Ordinance No. 68-14 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