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**ORDINANCE NO. 36-15**

**AN ORDINANCE AMENDING BUDGET ORDINANCES 68-14, 82-14, 84-14, 14-15, 21-15, AND 27-15 CURRENT EXPENSES AND CAPITAL OUTLAY REQUIRED FOR 2014-2015; 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. 68-14, Ordinance No. 82-14, Ordinance No. 84-14, Ordinance No. 14-15, Ordinance No. 21-15, and Ordinance No. 27-15, Current Expenses and Capital Outlay for the Fiscal Year beginning October 1, 2014, and ending September 30, 2015, 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 2014-2015 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:** *Budget.* That the following sums of money be and the same are hereby appropriated sources of revenue of the City to the corporate purposes herein specified for the budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015.

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	8,656,799
Local-Option Gas Tax	752,901
Utility Taxes	3,034,391
Franchise Taxes	<u>696,547</u>
<b>TOTAL TAXES</b>	<b>13,140,638</b>

36	<u>LICENSES AND PERMITS:</u>	
37	Business Tax	229,205
38	Permits	<u>915</u>
39	TOTAL LICENSES AND PERMITS	230,120
40	<u>INTERGOVERNMENTAL REVENUES:</u>	
41	<u>STATE AND FEDERAL GRANTS:</u>	
42	State/Federal Grants	266,857
43	<u>STATE SHARED REVENUES:</u>	
44	State/County/Local	2,243,151
45	<u>OTHER SHARED REVENUES:</u>	
46	Utilities Commission 6%	<u>3,435,885</u>
47	TOTAL INTERGOVERNMENTAL	5,945,893
48	<u>CHARGES FOR SERVICES:</u>	
49	Charges for Services	<u>534,362</u>
50	TOTAL CHARGES FOR SERVICES	534,362
51	<u>FINES AND FORFEITURES:</u>	
52	Court Cases/Local Ordinances	<u>62,450</u>
53	TOTAL FINES AND FORFEITURES	62,450
54	<u>MISCELLANEOUS REVENUES:</u>	
55	Other Income	<u>203,018</u>
56	TOTAL MISCELLANEOUS REVENUES	203,018
57	<u>OTHER FINANCING SOURCES:</u>	
58	Transfer From Other Funds	545,756
59	Appropriated Reserves	<u>1,666,140</u>
60	TOTAL OTHER FINANCING SOURCES	2,211,896

61 TOTAL REVENUES AND OTHER FINANCING SOURCES 22,328,377

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

66 EXPENDITURES:

67 CITY COMMISSION	254,542
68 CITY MANAGER	432,649
69 CITY CLERK	244,994
70 CITY ATTORNEY	469,838
71 FINANCE	506,813
72 INFORMATION TECHNOLOGY	540,075
73 HUMAN RESOURCES/PERSONNEL	252,275
74 GENERAL GOVERNMENT	1,706,594
75 INDIRECT COST ALLOCATION	-1,037,050
76 TRANSFERS OUT (Debt Service Payment)	1,562,076
77 LAW ENFORCEMENT	6,244,486
78 FIRE	5,376,609
79 EMERGENCY MANAGEMENT	17,296
80 PLANNING & ENGINEERING	576,309
81 PUBLIC WORKS:	
82     ADMINISTRATION	197,757
83     BUILDING MAINTENANCE	517,554
84     STREETS	1,452,397
85 RECREATION	1,006,447
86 PARKS	1,098,034
87 SPORTS COMPLEX	<u>908,682</u>
88     TOTAL APPROPRIATIONS	<u>22,328,377</u>

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

92 REVENUES:

93     Charges for Services	1,799,696
94     Intergovernmental Revenue	3,780,000

95	Appropriated Reserves	1,468,708
96	Transfers In	<u>2,858,772</u>
97	TOTAL REVENUES	<u>9,907,176</u>
98	X. That from STORMWATER UTILITY FEE FUND set forth in Paragraph	
99	W above, the following sums of money are hereby appropriated	
100	to the expense of principal and interest on the City's fund	
101	indebtedness, to-wit:	
102	<u>EXPENDITURES:</u>	
103	Stormwater Improvements	9,657,829
104	Transfers Out (Debt Service Payments)	<u>249,347</u>
105	TOTAL APPROPRIATIONS	<u>9,907,176</u>
106	OO. That for PARKING FUND, the following sums of money are hereby	
107	appropriated from the following anticipated sources of	
108	revenue, to-wit:	
109	<u>REVENUES:</u>	
110	Transfers-In	<u>217,678</u>
111	TOTAL REVENUES	<u>217,678</u>
112	PP. That from PARKING FUND set forth in Paragraph OO above, the	
113	following sums of money are hereby appropriated, to-wit:	
114	<u>EXPENDITURES:</u>	
115	Operating Expenses	94,678
116	Capital	<u>123,000</u>
117	TOTAL APPROPRIATIONS	<u>217,678</u>
118	<u>SECTION 2:</u> <i>Budget Amendments and Adjustments.</i> That changes in	
119	the adopted annual budget shall be made in accordance with state	
120	law, City Charter and as follows:	

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

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

136 **SECTION 4:** *Public Hearing.* That a public hearing considering  
137 the adoption of this ordinance was held April 14, 2015, in the City  
138 Commission Chambers at City Hall, 210 Sams Avenue (south entrance  
139 on Julia Street), New Smyrna Beach, Florida, after notice is found  
140 to comply with §166.041(3) (a), F.S.

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

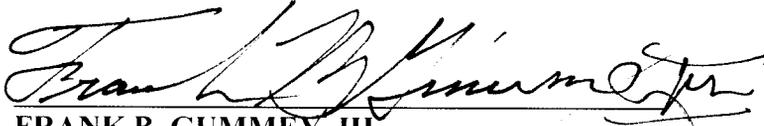
146 **SECTION 6:** *Conflicting Ordinances.* That all ordinances or  
147 parts thereof that are in conflict with this ordinance shall be and  
148 the same are hereby rescinded and repealed.

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

151

APPROVED AS TO FORM AND CORRECTNESS:

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153

FRANK B. GUMMEY, III

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City Attorney

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DATE: 4/1/15

Ordinance No. 36-15 of the City of New Smyrna Beach, Florida, was introduced before the City Commission at its Regular Meeting March 24, 2015, and read by title only. Motion was made by Vice Mayor Jones, to approve the Ordinance on first reading, and seconded by Commissioner McGuirk, the vote thereon being as follows:

MAYOR JAMES W. HATHAWAY	Yes
VICE MAYOR KIRK JONES	Yes
COMMISSIONER JUDY REIKER	Yes
COMMISSIONER JACOB D. SACHS	Yes
COMMISSIONER JASON MCGUIRK	Yes

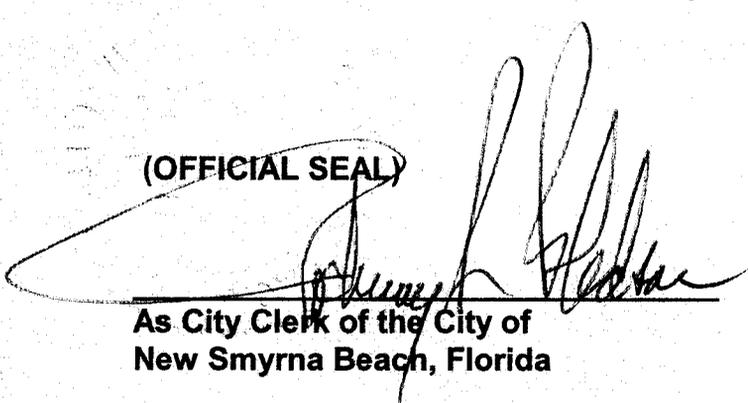
Ordinance No. 36-15 was read by title only at the Regular Meeting held by the City Commission on April 28, 2015, Motion was made by Commissioner McGuirk, and seconded by Commissioner Reiker, that Ordinance No. 36-15 be adopted on second and final reading, the vote thereon being as follows:

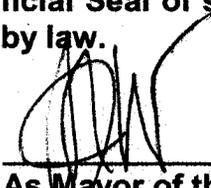
MAYOR JAMES W. HATHAWAY	Yes
VICE MAYOR KIRK JONES	Yes
COMMISSIONER JUDY REIKER	Yes
COMMISSIONER JACOB D. SACHS	Yes
COMMISSIONER JASON MCGUIRK	Yes

The City Clerk noted the passage of Ordinance No. 36-15 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. 36-15