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**ORDINANCE NO. 111-15**

**AN ORDINANCE AMENDING BUDGET ORDINANCES 68-14, 82-14, 84-14, 14-15, 21-15, 27-15, 36-15, 37-15, 48-15, 53-15, AND 54-15, 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, Ordinance No. 27-15, Ordinance No. 36-15, Ordinance No. 37-15, Ordinance No. 48-15, Ordinance No. 53-15, and Ordinance No. 54-15, 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	696,547
Insurance Premium Tax	<u>435,687</u>

38	TOTAL TAXES	13,576,325
39	<u>LICENSES AND PERMITS:</u>	
40	Business Tax	229,205
41	Permits	<u>915</u>
42	TOTAL LICENSES AND PERMITS	230,120
43	<u>INTERGOVERNMENTAL REVENUES:</u>	
44	STATE AND FEDERAL GRANTS:	
45	State/Federal Grants	266,857
46	STATE SHARED REVENUES:	
47	State/County/Local	2,243,151
48	OTHER SHARED REVENUES:	
49	Utilities Commission 6%	<u>3,435,885</u>
50	TOTAL INTERGOVERNMENTAL	5,945,893
51	<u>CHARGES FOR SERVICES:</u>	
52	Charges for Services	<u>534,362</u>
53	TOTAL CHARGES FOR SERVICES	534,362
54	<u>FINES AND FORFEITURES:</u>	
55	Court Cases/Local Ordinances	<u>62,450</u>
56	TOTAL FINES AND FORFEITURES	62,450
57	<u>MISCELLANEOUS REVENUES:</u>	
58	Other Income	<u>214,844</u>
59	TOTAL MISCELLANEOUS REVENUES	214,844
60	<u>OTHER FINANCING SOURCES:</u>	
61	Transfer From Other Funds	499,263
62	Appropriated Reserves	<u>2,173,705</u>

63 TOTAL OTHER FINANCING SOURCES 2,672,968

64 TOTAL REVENUES AND OTHER FINANCING SOURCES 23,236,962

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

69 EXPENDITURES:

70	CITY COMMISSION	254,542
71	CITY MANAGER	438,846
72	CITY CLERK	244,994
73	CITY ATTORNEY	469,838
74	FINANCE	522,530
75	INFORMATION TECHNOLOGY	540,075
76	HUMAN RESOURCES/PERSONNEL	252,275
77	GENERAL GOVERNMENT	1,965,383
78	INDIRECT COST ALLOCATION	-1,037,050
79	TRANSFERS OUT	1,727,076
80	LAW ENFORCEMENT	6,367,253
81	FIRE	5,665,999
82	EMERGENCY MANAGEMENT	17,296
83	PLANNING & ENGINEERING	576,309
84	PUBLIC WORKS:	
85	ADMINISTRATION	197,757
86	BUILDING MAINTENANCE	517,554
87	STREETS	1,452,397
88	RECREATION	962,931
89	PARKS	1,192,275
90	SPORTS COMPLEX	<u>908,682</u>
91	TOTAL APPROPRIATIONS	<u>23,236,962</u>

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

95	<u>REVENUES:</u>	
96	Charges for Services	2,320,000
97	Intergovernmental Revenues	3,224,994
98	Rents and Royalties	918,322
99	Miscellaneous	2,000
100	Appropriated Reserves	<u>70,555</u>
101	TOTAL REVENUES	<u>6,535,871</u>

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

105	<u>EXPENDITURES:</u>	
106	Airport/Industrial Park	<u>6,535,871</u>
107	TOTAL APPROPRIATIONS	<u>6,535,871</u>

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

111	<u>REVENUES:</u>	
112	Tax Increment Revenues	652,386
113	Intergovernmental Revenues	1,751,816
114	Miscellaneous Revenue	115,098
115	Appropriated Reserves	<u>2,084,671</u>
116	TOTAL REVENUES	<u>4,603,971</u>

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

120	<u>EXPENDITURES:</u>	
121	Economic Development	<u>4,603,971</u>

122	TOTAL APPROPRIATIONS	<u>4,603,971</u>
123	S. That for MUNICIPAL SANITATION FUND, the following sums of	
124	money are hereby appropriated from the following sources of	
125	revenue, to-wit:	
126	<u>REVENUES:</u>	
127	Charges for Services	5,226,574
128	Transfers Out	500,000
129	Fund Equity	<u>40,000</u>
130	TOTAL REVENUES	<u>5,766,574</u>
131	T. That from MUNICIPAL SANITATION FUND set forth in Paragraph S	
132	above, the following sums of money are hereby appropriated,	
133	to-wit:	
134	<u>EXPENDITURES:</u>	
135	Physical Environment	<u>5,766,574</u>
136	TOTAL APPROPRIATIONS	<u>5,766,574</u>
137	U. That for MUNICIPAL GARAGE FUND, the following sums of money	
138	are hereby appropriated from the following anticipated sources	
139	of revenue, to-wit:	
140	<u>REVENUES:</u>	
141	Intergovernmental Sales	1,057,314
142	Appropriated Reserves	<u>510,783</u>
143	TOTAL REVENUES	<u>1,568,097</u>
144	V. That from MUNICIPAL GARAGE FUND set forth in Paragraph U	
145	above, the following sums of money are hereby appropriated,	
146	to-wit:	
147	<u>EXPENDITURES:</u>	
148	Intergovernmental Services	1,053,041

149 Transfers Out 515,056

150 TOTAL APPROPRIATIONS 1,568,097

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

154 REVENUES:

155 Charges for Services 1,912,183

156 Intergovernmental Revenue 3,780,000

157 Appropriated Reserves 2,906,408

158 Transfers In 2,903,772

159 TOTAL REVENUES 11,502,363

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

164 EXPENDITURES:

165 Stormwater Improvements 11,253,016

166 Transfers Out (Debt Service Payments) 249,347

167 TOTAL APPROPRIATIONS 11,502,363

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

171 REVENUES:

172 Appropriated Reserves 929,848

173 TOTAL REVENUES 929,848

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

178 EXPENDITURES:

179 Capital Projects 929,848

180 TOTAL APPROPRIATIONS 929,848

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

184 REVENUES:

185 Intergovernmental Revenue 907,500

186 Appropriated Reserves 7,535,652

187 Transfers 1,011,000

188 TOTAL REVENUES 9,454,152

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

193 EXPENSES:

194 Capital Improvements 9,454,152

195 TOTAL EXPENSES 9,454,152

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

199 a) Increasing total appropriations within a fund from  
200 reserves or based upon an estimated increase in revenues  
201 shall be by ordinance.

202           b) Appropriations for specific expenditures within a fund  
203           may be increased without increasing total fund  
204           expenditures by resolution identifying the increases and  
205           offsetting decreases.

206           c) The City Manager may adjust line item expenditures within  
207           a department which do not increase total departmental  
208           expenditures or cause a change in functions, programs or  
209           capital projects.

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

214    **SECTION 4:**        *Public Hearing.* That a public hearing considering  
215    the adoption of this ordinance was held November 17, 2015, in the  
216    City Commission Chambers at City Hall, 210 Sams Avenue (south  
217    entrance on Julia Street), New Smyrna Beach, Florida, after notice  
218    is found to comply with §166.041(3)(a), F.S.

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

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

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

229

APPROVED AS TO FORM AND CORRECTNESS:

230



231

FRANK B. GUMMEY, III

232

City Attorney

233

DATE:

10/28/15

Ordinance No. 111-15 of the City of New Smyrna Beach, Florida, was introduced before the City Commission at its Regular Meeting November 10, 2015, and read by title only. Motion was made by Vice Mayor Reiker, 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 JUDY REIKER	Yes
COMMISSIONER JACOB D. SACHS	Yes
COMMISSIONER JASON MCGUIRK	Yes
COMMISSIONER KIRK JONES	Yes

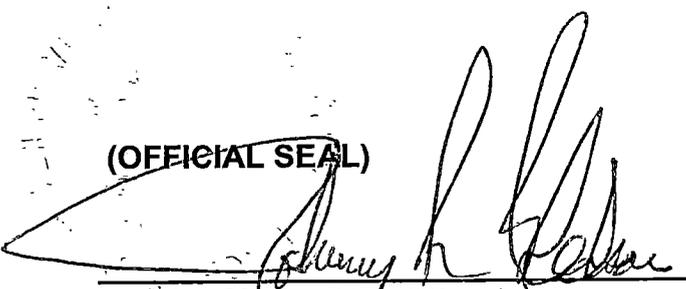
Ordinance No. 111-15 was read by title only at the Regular Meeting held by the City Commission on November 17, 2015, Motion was made by Commissioner Jones, and seconded by Commissioner Sachs, that Ordinance No. 111-15 be adopted on second and final reading, the vote thereon being as follows:

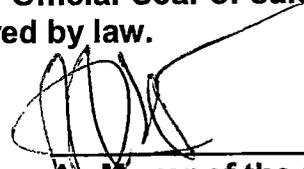
MAYOR JAMES W. HATHAWAY	Yes
VICE MAYOR JUDY REIKER	Absent
COMMISSIONER JACOB D. SACHS	Yes
COMMISSIONER JASON MCGUIRK	Yes
COMMISSIONER KIRK JONES	Yes

The City Clerk noted the passage of Ordinance No. 111-15 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. 111-15