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ORDINANCE NO. 114-15

AN ORDINANCE AMENDING BUDGET ORDINANCE NO. 82-15, ORDINANCE NO. 100-15. AND ORDINANCE NO. 112-15, CURRENT EXPENSES AND CAPITAL OUTLAY REQUIRED FOR 2015-2016; 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. 82-15, Ordinance No. 100-15, and Ordinance No. 112-15, Current Expenses and Capital Outlay for the Fiscal Year beginning October 1, 2015, and ending September 30, 2016, 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 2015-2016 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, 2015 and ending September 30, 2016.

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

<u>REVENUES:</u>	
Charges for Services	1,929,264
Appropriated Reserves	<u>612,235</u>
 TOTAL REVENUES	 <u><u>2,541,499</u></u>

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

37	<u>EXPENDITURES:</u>	
38	Stormwater Improvements	2,291,929
39	Transfers Out (Debt Service Payments)	<u>249,570</u>
40	TOTAL APPROPRIATIONS	<u>2,541,499</u>

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

- 44 a) Increasing total appropriations within a fund from
45 reserves or based upon an estimated increase in revenues
46 shall be by ordinance.
- 47 b) Appropriations for specific expenditures within a fund
48 may be increased without increasing total fund
49 expenditures by resolution identifying the increases and
50 offsetting decreases.
- 51 c) The City Manager may adjust line item expenditures within
52 a department which do not increase total departmental
53 expenditures or cause a change in functions, programs or
54 capital projects.

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

59 **SECTION 4:** *Public Hearing.* That a public hearing considering
60 the adoption of this ordinance was held December 8, 2015, in the
61 City Commission Chambers at City Hall, 210 Sams Avenue (south
62 entrance on Julia Street), New Smyrna Beach, Florida, after notice
63 is found to comply with §166.041(3) (a), F.S.

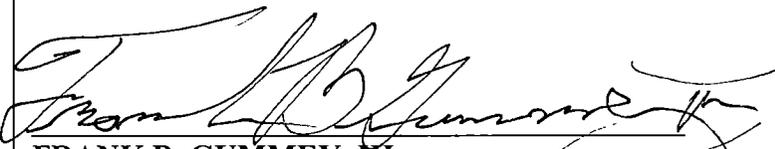
64 **SECTION 5:** *Severability.* That if any section, sentence, clause
65 or phrase of this ordinance is held to be invalid or
66 unconstitutional by any court of competent jurisdiction, then said

67 holding shall in no way affect the validity of the remaining
68 portion of this ordinance.

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

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

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

75 

76 **FRANK B. GUMMEY, III**
77 **City Attorney**

78 **DATE:** 11/10/15

Ordinance No. 114-15 of the City of New Smyrna Beach, Florida, was introduced before the City Commission at its Regular Meeting November 17, 2015, and read by title only. Motion was made by Commissioner 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 JUDY REIKER	Absent
COMMISSIONER JACOB D. SACHS	Yes
COMMISSIONER JASON MCGUIRK	Yes
COMMISSIONER KIRK JONES	Yes

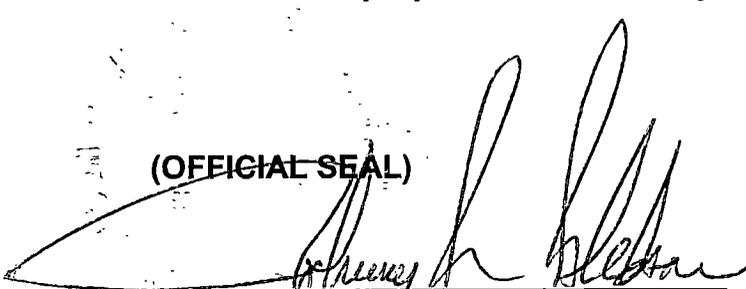
Ordinance No. 114-15 was read by title only at the Regular Meeting held by the City Commission on December 8, 2015, Motion was made by Commissioner Jones, and seconded by Vice Mayor Reiker, that Ordinance No. 114-15 be adopted on second and final reading, the vote thereon being as follows:

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

The City Clerk noted the passage of Ordinance No. 114-15 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. 114-15