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**ORDINANCE NO. 36-17**

**AN ORDINANCE AMENDING BUDGET ORDINANCE NO 59-16, 70-16, 05-17, 15-17, 23-17 and 28-17, CURRENT EXPENSES AND CAPITAL OUTLAY REQUIRED FOR 2016-2017; PROVIDING FOR REVERSION OF UNENCUMBERED FUNDS; PROVIDING FOR PUBLIC HEARING; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.**

*WHEREAS, WHEREAS*, Althea Philord, Finance Director, has requested an amendment to Ordinance No. 59-16, Ordinance 70-16, Ordinance 05-17, Ordinance 15-17, Ordinance 23-17 and 28-17. Current Expenses and Capital Outlay for the Fiscal Year beginning October 1, 2016, and ending September 30, 2017, 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 2016-2017 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, 2016 and ending September 30, 2017.

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	10,663,393
Local-Option Gas Tax	773,937

40	Utility Taxes	3,159,897
41	Franchise Taxes	<u>673,547</u>
42		
43	TOTAL TAXES	15,270,774
44		
45	<u>LICENSES AND PERMITS:</u>	
46	Business Tax	227,370
47	Permits	<u>915</u>
48		
49	TOTAL LICENSES AND PERMITS	228,285
50		
51	<u>INTERGOVERNMENTAL REVENUES:</u>	
52	STATE AND FEDERAL GRANTS:	
53	State/Federal Grants	384,369
54		
55	STATE SHARED REVENUES:	
56	State/County/Local	2,161,334
57		
58	OTHER SHARED REVENUES:	
59	Utilities Commission 6%	<u>3,646,175</u>
60		
61	TOTAL INTERGOVERNMENTAL	6,191,878
62		
63	<u>CHARGES FOR SERVICES:</u>	
64	Charges for Services	<u>1,051,160</u>
65		
66	TOTAL CHARGES FOR SERVICES	1,051,160
67	<u>FINES AND FORFEITURES:</u>	
68	Court Cases/Local Ordinances	<u>88,208</u>
69		
70	TOTAL FINES AND FORFEITURES	88,208
71		
72	<u>MISCELLANEOUS REVENUES:</u>	
73	Other Income	<u>123,741</u>
74		
75	TOTAL MISCELLANEOUS REVENUES	123,741
76		
77	<u>OTHER FINANCING SOURCES:</u>	
78	Transfer From Other Funds	61,100
79	Appropriated Reserves	<u>4,884,682</u>

80		
81	TOTAL OTHER FINANCING SOURCES	4,945,782
82		
83	TOTAL REVENUES AND OTHER FINANCING SOURCES	<u>27,899,828</u>
84		
85	B. That from said GENERAL FUND and for the current expenses or	
86	use of the several departments or accounts names below, the	
87	sums set opposite said departments are hereby appropriated,	
88	to-wit:	
89		
90	<u>EXPENDITURES:</u>	
91	CITY COMMISSION	235,012
92	CITY MANAGER	452,900
93	CITY CLERK	339,940
94	ECONOMIC DEVELOPMENT	277,530
95	CITY ATTORNEY	491,475
96	FINANCE	627,825
97	INFORMATION TECHNOLOGY	484,553
98	HUMAN RESOURCES/PERSONNEL	251,245
99	GENERAL GOVERNMENT	4,613,093
100	INDIRECT COST ALLOCATION	-811,755
101	TRANSFERS OUT (Debt Service Payment)	989,967
102	TRANSFERS OUT	117,361
103	LAW ENFORCEMENT	5,943,550
104	FIRE	6,279,707
105	EMERGENCY MANAGEMENT	74,922
106	PLANNING & ENGINEERING	768,315
107	PUBLIC WORKS:	
108	ADMINISTRATION	182,043
109	BUILDING MAINTENANCE	644,984
110	STREETS	1,584,834
111	CIVIC CENTER	296,682
112	RECREATION	1,127,308
113	PARKS	2,018,127
114	SPORTS COMPLEX	910,210
115	TOTAL APPROPRIATIONS	<u>27,899,828</u>
116		
117		

118 E. That for FIRE SERVICE IMPACT FEE FUND, the following sums of  
119 money are hereby appropriated from the following anticipated  
120 sources of revenue, to-wit:

121  
122 REVENUES:

123	Impact Fees	<u>140,000</u>
124		
125	TOTAL REVENUES	<u>140,000</u>

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

130  
131 EXPENDITURES:

132	Operating Expenses	<u>140,000</u>
133	TOTAL APPROPRIATIONS	<u>140,000</u>

134  
135 O. That for MUNICIPAL GOLF COURSE FUND, the following sums of  
136 money are hereby appropriated from the following sources of  
137 revenue, to-wit:

138  
139 REVENUES:

140	Charges for Services	1,206,903
141	Transfers In	17,000
142	Miscellaneous Revenue	<u>16,377</u>
143	TOTAL REVENUES	<u>1,240,280</u>

144  
145 P. That from MUNICIPAL GOLF COURSE FUND set forth in Paragraph  
146 O above, the following sums of money are hereby appropriated,  
147 to-wit:

148  
149 EXPENDITURES:

150	Culture/Recreation	<u>1,240,280</u>
151		
152	TOTAL APPROPRIATIONS	<u>1,240,280</u>

153  
154 U. That for STORMWATER UTILITY FEE FUND, the following sums of  
155 money are hereby appropriated from the following anticipated  
156 sources of revenue, to-wit:

157

158	<u>REVENUES:</u>	
159	Charges for Services	2,056,045
160	Intergovernmental Revenue	2,449,920
161	Loan Proceeds	5,000,000
162	Transfers In: Utilities Commission	3,521,488
163	Appropriated Fund Balance	<u>1,806,482</u>
164		
165	TOTAL REVENUES	<u>14,833,935</u>

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

172	<u>EXPENDITURES:</u>	
173	Stormwater Improvements	14,584,185
174	Transfers Out (Debt Service Payments)	<u>249,750</u>
175		
176	TOTAL APPROPRIATIONS	<u>14,833,935</u>

177  
178 W. That for 2005 GENERAL OBLIGATION BONDS CAPITAL PROJECTS FUND,  
179 the following sums of money are hereby appropriated from the  
180 following anticipated sources of revenue, to-wit:

182	<u>REVENUES:</u>	
183	Intergovernmental Revenue	146,490
184	Appropriated Reserves	<u>583,468</u>
185		
186	TOTAL REVENUES	<u>729,958</u>

187  
188 X. That from 2005 GENERAL OBLIGATION BONDS CAPITAL PROJECTS FUND  
189 set forth in Paragraph W above, the following sums of money  
190 are hereby appropriated to the expense of principal and  
191 interest on the City's fund indebtedness, to-wit:

193	<u>EXPENDITURES:</u>	
194	Capital Projects	<u>729,958</u>
195		
196	TOTAL APPROPRIATIONS	<u>729,958</u>

197

198 Y. That for BUILDING INSPECTION FUND, the following sums of money  
199 are hereby appropriated from the following anticipated  
200 sources of revenue, to-wit:

201  
202 REVENUES:  
203 Licenses/Permits 1,279,437  
204 Charges for Services 74,107  
205 Miscellaneous Revenue 4,107  
206 Fines & Forfeitures 13,077  
207 Intergovernmental Revenue 17,169  
208  
209 TOTAL REVENUES 1,387,897

210  
211 Z. That from BUILDING INSPECTION FUND set forth in Paragraph Y  
212 above, the following sums of money are hereby appropriated to  
213 the expense of principal and interest on the City's fund  
214 indebtedness, to-wit:

215  
216 EXPENDITURES:  
217 Protective Inspection 1,387,897  
218  
219 TOTAL APPROPRIATIONS 1,387,897

220  
221 II. That for 2013 CAPITAL PROJECTS FUND, the following sums of  
222 money are hereby appropriated from the following anticipated  
223 sources of revenue, to wit:

224  
225 REVENUES:  
226 Intergovernmental Revenues 100,000  
227 Appropriated Reserves 466,141  
228 Transfers In 135,573  
229  
230 TOTAL REVENUES 701,714

231  
232 JJ. That from 2013 CAPITAL PROJECTS FUND set forth in Paragraph  
233 II above, the following sums of money are hereby appropriated  
234 to the expense of principal and interest on the City's fund  
235 indebtedness, to-wit:

236  
237 EXPENSES:

238 Capital Improvements 701,714

239

240 TOTAL EXPENSES 701,714

241

242 OO. That for SPECIAL LAW ENFORCEMENT TRUST FUND, the following  
243 sums of money are hereby appropriated from the following  
244 sources of revenue, to-wit:

245

246 REVENUES:

247 Appropriated Reserves 40,750

248

249 TOTAL REVENUES 40,750

250

251 PP. That from SPECIAL LAW ENFORCEMENT TRUST FUND set forth in  
252 Paragraph OO above, the following sums of money are hereby  
253 appropriated, to-wit:

254

255 EXPENDITURES:

256 Law Enforcement 40,750

257

258 TOTAL APPROPRIATIONS 40,750

259

260

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

264

265 a) Increasing total appropriations within a fund from  
266 reserves or based upon an estimated increase in revenues  
267 shall be by ordinance.

268

269 b) Appropriations for specific expenditures within a fund  
270 may be increased without increasing total fund  
271 expenditures by resolution identifying the increases and  
272 offsetting decreases.

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274 c) The City Manager may adjust line item expenditures  
275 within a department which do not increase total  
276 departmental expenditures or cause a change in  
277 functions, programs or capital projects.

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

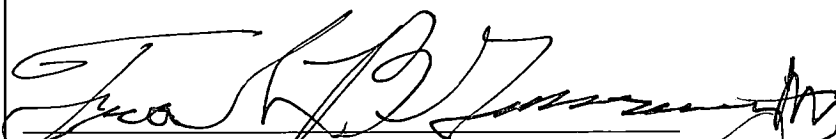
**SECTION 4:**        *Public Hearing.*            That the public hearing considering the adoption of this ordinance held May 23, 2017, in the City Commission Chambers at City Hall, 210 Sams Avenue (south entrance on Julia Street), New Smyrna Beach, Florida, after notice is found to comply with §166.041(3)(a), §200.065, and §200.069, F.S.

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

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

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

**APPROVED AS TO FORM AND CORRECTNESS:**

  
\_\_\_\_\_  
**FRANK B. GUMMEY, III**  
City Attorney  
DATE: 5/1/17



Ordinance No. 36-17 of the City of New Smyrna Beach, Florida, was introduced before the City Commission at its Regular Meeting May 9, 2017, and read by title only. Motion was made by Commissioner Reiker, approve the Ordinance on first reading, and seconded by Commissioner McGuirk, the vote thereon being as follows:

MAYOR JAMES W. HATHAWAY	Yes
VICE MAYOR JACOB D. SACHS	Yes
COMMISSIONER JUDY REIKER	Yes
COMMISSIONER JASON MCGUIRK	Yes
COMMISSIONER RANDY HARTMAN	Yes

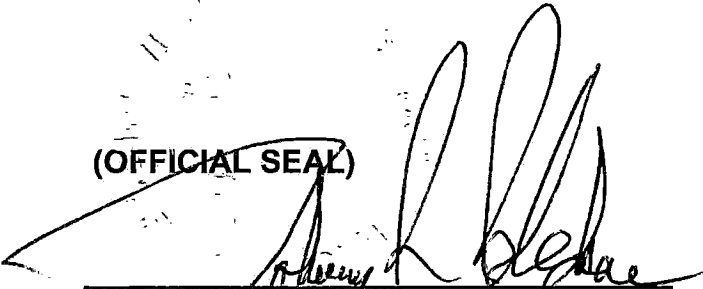
Ordinance No. 36-17 was read by title only at the Regular Meeting held by the City Commission on May 23, 2017, Motion was made by Commissioner Reiker, and seconded by Commissioner Hartman, that Ordinance No. 36-17 be adopted on second and final reading, the vote thereon being as follows:

MAYOR JAMES W. HATHAWAY	Yes
VICE MAYOR JACOB D. SACHS	Yes
COMMISSIONER JUDY REIKER	Yes
COMMISSIONER JASON MCGUIRK	Yes
COMMISSIONER RANDY HARTMAN	Yes

The City Clerk noted the passage of Ordinance No. 36-17 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. 36-17