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ORDINANCE NO. 70 - 17

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, PARKING FUND, COMMUNITY REDEVELOPMENT AGENCY TRUST FUND, SPECIAL EVENTS FUND, STATE REVOLVING LOAN DEBT SERVICE FUND, 2005 CAPITAL IMPROVEMENT REFUNDING REVENUE BONDS DEBT SERVICE FUND, 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, 2017, AND ENDING SEPTEMBER 30, 2018; PROVIDING FOR AMENDMENTS AND ADJUSTMENTS; PROVIDING FOR PUBLIC HEARINGS; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City Commission of the City of New Smyrna Beach heretofore has adopted the Annual Estimate of Anticipated Revenues and Expenditures of the City Manager as revised by the City Commission, which said revised estimate constitutes the budget and includes the anticipated cost of operating the City of New Smyrna Beach for the fiscal year beginning on the 1st day of October, 2017, and ending on the 30th day of September, 2018.

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

43 **SECTION 1:** **Budget.** That the following sums of money be and
 44 the same are hereby appropriated sources of revenue of the City
 45 to the corporate purposes herein specified for the budget for
 46 the fiscal year beginning October 1, 2017 and ending September
 47 30, 2018.

48
 49

50 A. For the GENERAL FUND requirements, the following sums of
 51 money are hereby appropriated from the following
 52 anticipated sources of revenue, to-wit:

53
 54

55 REVENUES:

56 TAXES:

57	General Property Taxes	11,862,268
58	Local-Option Gas Tax	840,745
59	Utility Taxes	3,372,209
60	Franchise Taxes	<u>682,999</u>
61		
62	TOTAL TAXES	16,758,221

63
 64

64 LICENSES AND PERMITS:

65	Business Tax	228,351
66	Permits	<u>900</u>
67		
68	TOTAL LICENSES AND PERMITS	229,251

69
 70

70 INTERGOVERNMENTAL REVENUES:

71 STATE AND FEDERAL GRANTS:

72	State/Federal Grants	153,394
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73
 74

74 STATE SHARED REVENUES:

75	State/County/Local	2,289,158
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76
 77

77 OTHER SHARED REVENUES:

78	Utilities Commission 6%	<u>3,759,103</u>
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79
 80

80	TOTAL INTERGOVERNMENTAL	6,201,655
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81
 82

82 CHARGES FOR SERVICES:

83	Charges for Services	<u>971,886</u>
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84
 85

85	TOTAL CHARGES FOR SERVICES	971,886
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86	<u>FINES AND FORFEITURES:</u>	
87	Court Cases/Local Ordinances	<u>155,000</u>
88		
89	TOTAL FINES AND FORFEITURES	155,000
90		
91	<u>MISCELLANEOUS REVENUES:</u>	
92	Other Income	<u>147,590</u>
93		
94	TOTAL MISCELLANEOUS REVENUES	147,590
95		
96	<u>OTHER FINANCING SOURCES:</u>	
97	Transfer From Other Funds	30,700
98	Appropriated Reserves	<u>0</u>
99		
100	TOTAL OTHER FINANCING SOURCES	30,700
101		
102	TOTAL REVENUES AND OTHER FINANCING SOURCES	<u>24,494,303</u>
103		
104		

105 B. That from said GENERAL FUND and for the current expenses or
106 use of the several departments or accounts names below, the
107 sums set opposite said departments are hereby appropriated,
108 to-wit:

109	<u>EXPENDITURES:</u>	
111	CITY COMMISSION	226,120
112	CITY MANAGER	504,512
113	CITY CLERK	354,543
114	ECONOMIC DEVELOPMENT	177,204
115	CITY ATTORNEY	505,488
116	FINANCE	668,983
117	INFORMATION TECHNOLOGY	627,558
118	HUMAN RESOURCES/PERSONNEL	259,912
119	GENERAL GOVERNMENT	962,895
120	INDIRECT COST ALLOCATION	-889,263
121	TRANSFERS OUT (Debt Service Payment)	987,304
122	LAW ENFORCEMENT	6,365,561
123	FIRE	6,205,795
124	EMERGENCY MANAGEMENT	18,031
125	PLANNING & ENGINEERING	908,322
126	PUBLIC WORKS:	
127	ADMINISTRATION	201,075
128	BUILDING MAINTENANCE	620,381
129	STREETS	1,540,793

130	CIVIC CENTER	325,956
131	RECREATION	1,217,605
132	PARKS	1,715,525
133	SPORTS COMPLEX	<u>990,003</u>
134	TOTAL APPROPRIATIONS	<u>24,494,303</u>

135
136

137 C. That from SPECIAL LAW ENFORCEMENT IMPACT FEE FUND, the
138 following sums of money are hereby appropriated from the
139 following anticipated sources of revenue, to-wit:

140

141 REVENUES:

142	Impact Fees	<u>388,000</u>
143		
144	TOTAL REVENUES	<u>388,000</u>

145
146

147 D. That from SPECIAL LAW ENFORCEMENT IMPACT FEE FUND set forth
148 in Paragraph C above, the following sums of money are
149 hereby appropriated, to-wit:

150

151 EXPENDITURES:

152	Operating Expenses	<u>388,000</u>
153		
154	TOTAL APPROPRIATIONS	<u>388,000</u>

155
156

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

160

161 REVENUES:

162	Impact Fees	<u>155,000</u>
163		
164	TOTAL REVENUES	<u>155,000</u>

165
166

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

170

171 EXPENDITURES:

172	Operating Expenses	<u>155,000</u>
173	TOTAL APPROPRIATIONS	<u>155,000</u>

174
175 G. That for RECREATION RECOUPMENT FEE FUND, the following sums
176 of money are hereby appropriated from the following
177 anticipated sources of revenue, to-wit:
178

179 REVENUES:
180 Impact Fees 40,000
181
182 TOTAL REVENUES 40,000
183

184
185 H. That from RECREATION RECOUPMENT FEE FUND set forth in
186 Paragraph G above, the following sums of money are hereby
187 appropriated, to-wit:
188

189 EXPENDITURES:
190 Operating Expenses 40,000
191
192 TOTAL APPROPRIATIONS 40,000
193

194
195 I. That for TRANSPORTATION IMPACT FEE FUND, the following sums
196 of money are hereby appropriated from the following
197 anticipated sources of revenue, to-wit:
198

199 REVENUES:
200 Impact Fees 525,000
201
202 TOTAL REVENUES 525,000
203

204
205 J. That from TRANSPORTATION IMPACT FEE FUND set forth in
206 Paragraph I above, the following sums of money are hereby
207 appropriated, to-wit:
208

209 EXPENDITURES:
210 Operating Expenses 525,000
211
212 TOTAL APPROPRIATIONS 525,000
213

214
215 K. That for MUNICIPAL AIRPORT-INDUSTRIAL PARK FUND, the
216 following sums of money are hereby appropriated from the
217 following anticipated sources of revenue, to-wit:

218		
219	<u>REVENUES:</u>	
220	Charges for Services	2,140,000
221	Intergovernmental Revenues	1,309,250
222	Rents and Royalties	815,548
223	Miscellaneous	500
224	Appropriated Reserves	<u>231,357</u>
225		
226	TOTAL REVENUES	<u>4,496,655</u>
227		
228		

229 L. That from MUNICIPAL AIRPORT-INDUSTRIAL PARK FUND set forth
 230 in Paragraph K above, the following sums of money are
 231 hereby appropriated, to-wit:

232		
233	<u>EXPENDITURES:</u>	
234	Airport/Industrial Park	<u>4,496,655</u>
235		
236	TOTAL APPROPRIATIONS	<u>4,496,655</u>
237		
238		

239 M. That for COMMUNITY REDEVELOPMENT TRUST FUND, the following
 240 sums of money are hereby appropriated from the following
 241 anticipated sources of revenue, to-wit:

242		
243	<u>REVENUES:</u>	
244	Tax Increment Revenues	156,671
245	Intergovernmental Revenues	<u>148,838</u>
246		
247	TOTAL REVENUES	<u>305,509</u>
248		
249		

250 N. That from COMMUNITY REDEVELOPMENT TRUST FUND set forth in
 251 Paragraph M above, the following sums of money are hereby
 252 appropriated, to-wit:

253		
254	<u>EXPENDITURES:</u>	
255	Economic Development	<u>305,509</u>
256		
257	TOTAL APPROPRIATIONS	<u>305,509</u>
258		
259		

260 O. That for MUNICIPAL GOLF COURSE FUND, the following sums of
261 money are hereby appropriated from the following sources of
262 revenue, to-wit:

263

264	<u>REVENUES:</u>	
265	Charges for Services	1,278,041
266	Miscellaneous Revenue	<u>9,600</u>
267		
268	TOTAL REVENUES	<u>1,287,641</u>

269

270

271 P. That from MUNICIPAL GOLF COURSE FUND set forth in Paragraph
272 O above, the following sums of money are hereby
273 appropriated, to-wit:

274

275	<u>EXPENDITURES:</u>	
276	Culture/Recreation	<u>1,287,641</u>
277		
278	TOTAL APPROPRIATIONS	<u>1,287,641</u>

279

280

281 Q. That for MUNICIPAL SANITATION FUND, the following sums of
282 money are hereby appropriated from the following sources of
283 revenue, to-wit:

284

285	<u>REVENUES:</u>	
286	Charges for Services	<u>6,271,575</u>
287		
288	TOTAL REVENUES	<u>6,271,575</u>

289

290

291 R. That from MUNICIPAL SANITATION FUND set forth in Paragraph
292 Q above, the following sums of money are hereby
293 appropriated, to-wit:

294

295	<u>EXPENDITURES:</u>	
296	Physical Environment	<u>6,271,575</u>
297		
298	TOTAL APPROPRIATIONS	<u>6,271,575</u>

299

300

301 S. That for MUNICIPAL GARAGE FUND, the following sums of money
302 are hereby appropriated from the following anticipated
303 sources of revenue, to-wit:

304		
305	<u>REVENUES:</u>	
306	Intragovernmental Sales	984,134
307	Appropriated Reserves	<u>23,338</u>
308		
309	TOTAL REVENUES	<u>1,007,472</u>

310

311

312 T. That from MUNICIPAL GARAGE FUND set forth in Paragraph S

313 above, the following sums of money are hereby appropriated,

314 to-wit:

315		
316	<u>EXPENDITURES:</u>	
317	Intragovernmental Services	<u>1,007,472</u>
318		
319	TOTAL APPROPRIATIONS	<u>1,007,472</u>

320

321

322 U. That for STORMWATER UTILITY FEE FUND, the following sums of

323 money are hereby appropriated from the following

324 anticipated sources of revenue, to-wit:

325		
326	<u>REVENUES:</u>	
327	Charges for Services	<u>2,149,334</u>
328		
329	TOTAL REVENUES	<u>2,149,334</u>

330

331

332 V. That from STORMWATER UTILITY FEE FUND set forth in

333 Paragraph U above, the following sums of money are hereby

334 appropriated to the expense of principal and interest on

335 the City's fund indebtedness, to-wit:

336		
337	<u>EXPENDITURES:</u>	
338	Stormwater Improvements	1,334,712
339	Transfers Out (Debt Service Payments)	<u>814,622</u>
340		
341	TOTAL APPROPRIATIONS	<u>2,149,334</u>

342

343 W. That for BUILDING INSPECTION FUND, the following sums of

344 money are hereby appropriated from the following

345 anticipated sources of revenue, to-wit:

346

347 REVENUES:

348	Licenses/Permits	2,173,860
349	Charges for Services	6,655
350	Miscellaneous Revenue	4,155
351	Fines & Forfeitures	13,077
352	Intergovernmental Revenue	<u>21,000</u>
353		
354	TOTAL REVENUES	<u>2,218,747</u>

355
356
357 X. That from BUILDING INSPECTION FUND set forth in Paragraph W
358 above, the following sums of money are hereby appropriated
359 to the expense of principal and interest on the City's fund
360 indebtedness, to-wit:

361		
362	<u>EXPENDITURES:</u>	
363	Protective Inspection	<u>2,218,747</u>
364		
365	TOTAL APPROPRIATIONS	<u>2,218,747</u>

366
367
368 Y. That for DEBT SERVICE, SERIES 2005 GENERAL OBLIGATION BOND
369 DEBT SERVICE FUND, the following sums of money are hereby
370 appropriated from the following anticipated sources of
371 revenue, to-wit:

372		
373	<u>REVENUES:</u>	
374	Ad Valorem Taxes	<u>1,224,390</u>
375		
376	TOTAL REVENUES	<u>1,224,390</u>

377
378
379 Z. That from DEBT SERVICE, SERIES 2005 GENERAL OBLIGATION BOND
380 DEBT SERVICE FUND set forth in Paragraph Y above, the
381 following sums of money are hereby appropriated to the
382 expense of principal and interest on the City's fund
383 indebtedness, to-wit:

384	<u>EXPENDITURES:</u>	
385	Debt Service Payments	<u>1,224,390</u>
386		
387	TOTAL APPROPRIATIONS	<u>1,224,390</u>

388
389 AA. That for DEBT SERVICE, STATE REVOLVING LOAN DEBT SERVICE
390 FUND, the following sums of money are hereby appropriated
391 from the following sources of revenue, to-wit:
392

393 REVENUES:

394 Transfers from Other Funds 252,750
395
396 TOTAL REVENUES 252,750
397

398 BB. That from DEBT SERVICE, STATE REVOLVING LOAN DEBT SERVICE
399 FUND set forth in Paragraph AA above, the following sums of
400 money are hereby appropriated, to-wit:
401

402 EXPENDITURES:

403 Debt Service Payments 252,750
404
405 TOTAL APPROPRIATIONS 252,750
406

407 CC. That for CITY MARINA FUND, the following sums of money are
408 hereby appropriated from the following anticipated sources
409 of revenue, to-wit:
410

411 REVENUES:

412 Leases/Rentals 290,600
413 Miscellaneous Revenue 1,000
414
415 TOTAL REVENUES 291,600
416

417 DD. That from CITY MARINA FUND set forth in Paragraph CC above,
418 the following sums of money are hereby appropriated, to-
419 wit:
420

421 EXPENDITURES:

422 Special Recreation 260,900
423 Transfers Out 30,700
424 TOTAL APPROPRIATIONS 291,600
425

426 EE. That for DEBT SERVICE, 2005 CAPITAL IMPROVEMENT REFUNDING
427 REVENUE BOND DEBT SERVICE FUND, the following sums of money

428 are hereby appropriated from the following anticipated
429 sources of revenue, to-wit:

430

431	<u>REVENUES:</u>	
432	Transfers from Other Funds	<u>467,904</u>
433		
434	TOTAL REVENUES	<u><u>467,904</u></u>
435		

436 FF. That from DEBT SERVICE, 2005 CAPITAL IMPROVEMENT REFUNDING
437 REVENUE BOND DEBT SERVICE FUND set forth in Paragraph EE
438 above, the following sums of money are hereby appropriated,
439 to-wit:

440

441	<u>EXPENDITURES:</u>	
442	Debt Service Payments	<u>467,904</u>
443		
444	TOTAL APPROPRIATIONS	<u><u>467,904</u></u>
445		

446 GG. That for 2013 CAPITAL PROJECTS FUND, the following sums of
447 money are hereby appropriated from the following
448 anticipated sources of revenue, to wit:

449

450	<u>REVENUES:</u>	
451	Appropriated Reserves	<u>24,192</u>
452		
453	TOTAL REVENUES	<u><u>24,192</u></u>
454		

455 HH. That from 2013 CAPITAL PROJECTS FUND set forth in Paragraph
456 GG above, the following sums of money are hereby
457 appropriated to the expense of principal and interest on
458 the City's fund indebtedness, to-wit:

459

460	<u>EXPENSES:</u>	
461	Capital Improvements	<u>24,192</u>
462		
463	TOTAL EXPENSES	<u><u>24,192</u></u>

464 II. That for 2013 CAPITAL IMPROVEMENT DEBT SERVICE FUND, the
465 following sums of money are hereby appropriated from the
466 following anticipated sources of revenue, to wit:

467

508 NN. That from SPECIAL LAW ENFORCEMENT TRUST FUND set forth in
509 Paragraph MM above, the following sums of money are hereby
510 appropriated, to-wit:

511
512 EXPENDITURES:
513 Law Enforcement 15,000
514
515 TOTAL APPROPRIATIONS 15,000
516

517
518 OO. That for DEBT SERVICE, STORMWATER LOAN DEBT SERVICE FUND,
519 the following sums of money are hereby appropriated from
520 the following sources of revenue, to-wit:

521
522 REVENUES:
523 Transfers from Other Funds 561,872
524
525 TOTAL REVENUES 561,872
526

527 PP. That from DEBT SERVICE, STORMWATER LOAN DEBT DEBT SERVICE
528 FUND set forth in Paragraph OO above, the following sums of
529 money are hereby appropriated, to-wit:

530
531 EXPENDITURES:
532 Debt Service Payments 561,872
533
534 TOTAL APPROPRIATIONS 561,872
535

536
537 SECTION 2: *Budget Amendments and Adjustments.* That changes
538 in the adopted annual budget shall be made in accordance with
539 state law, City Charter and as follows:

- 540
541 a) Increasing total appropriations within a fund from
542 reserves or based upon an estimated increase in
543 revenues shall be by ordinance.
544
545 b) Appropriations for specific expenditures within a fund
546 may be increased without increasing total fund
547 expenditures by resolution identifying the increases
548 and offsetting decreases.
549

550 c) The City Manager may adjust line item expenditures
551 within a department which do not increase total
552 departmental expenditures or cause a change in
553 functions, programs or capital projects.
554

555 **SECTION 3: Reversion of Unencumbered Funds.** That any funds
556 appropriated by this ordinance, not encumbered or contracted for
557 during the period herein set forth, shall revert to the fund
558 from which said funds were to have been paid.
559

560 **SECTION 4: Public Hearings.** That public hearings
561 considering the adoption of this ordinance held at 5:30 p.m. on
562 September 13, 2017, and September 26, 2017, in the City
563 Commission Chambers at City Hall, 210 Sams Avenue (south
564 entrance on Julia Street), New Smyrna Beach, Florida, after
565 notice is found to comply with §166.041(3)(a), §200.065, and
566 §200.069, F.S.
567

568 **SECTION 5: Severability.** That if any section, sentence,
569 clause or phrase of this ordinance is held to be invalid or
570 unconstitutional by any court of competent jurisdiction, then
571 said holding shall in no way affect the validity of the
572 remaining portion of this ordinance.
573

574 **SECTION 6: Conflicting Ordinances.** That all ordinances or
575 parts thereof that are in conflict with this ordinance shall be
576 and the same are hereby rescinded and repealed.
577

578 **SECTION 7: Effective Date.** That this ordinance shall take
579 effect immediately upon its final adoption.
580
581

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

583
584
585 

586 **FRANK B. GUMMEY, III**
587 **City Attorney**

588
589 **DATE:** 9/6/17
590

Ordinance No. 70-17 of the City of New Smyrna Beach, Florida, was introduced before the City Commission at its Special Meeting September 13, 2017, and read by title only. Motion was made by Commissioner Reiker, approve the Ordinance on first reading, and seconded by Vice Mayor Sachs, the vote thereon being as follows:

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

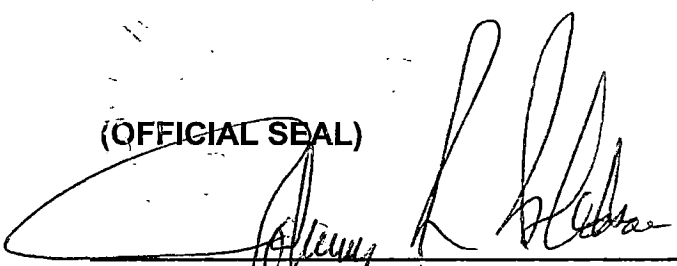
Ordinance No. 70-17 was read by title only at the Special Meeting held by the City Commission on September 26, 2017, Motion was made by Commissioner McGuirk, and seconded by Commissioner Reiker, that Ordinance No. 70-17 be adopted on second and final reading, the vote thereon being as follows:

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

The City Clerk noted the passage of Ordinance No. 70-17 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. 70-17