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ORDINANCE NO. 49-16

AN ORDINANCE AMENDING BUDGET ORDINANCES NOS. 82-15, 100-15, 112-15, 114-15, 10-16, 17-16, 25-16, 30-16, 34-16, AND 42-16, 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, Ordinance No. 112-15, Ordinance No. 114-15, Ordinance No. 10-16, Ordinance No. 17-16, Ordinance No. 25-16, Ordinance No. 30-16, Ordinance No. 34-16, and Ordinance No. 42-16, 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.

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	9,891,899
Local-Option Gas Tax	764,796
Utility Taxes	3,106,837
Franchise Taxes	<u>696,547</u>
TOTAL TAXES	14,460,079

38	<u>LICENSES AND PERMITS:</u>	
39	Business Tax	227,990
40	Permits	<u>915</u>
41	TOTAL LICENSES AND PERMITS	228,905
42	<u>INTERGOVERNMENTAL REVENUES:</u>	
43	STATE AND FEDERAL GRANTS:	
44	State/Federal Grants	176,821
45	STATE SHARED REVENUES:	
46	State/County/Local	2,000,843
47	OTHER SHARED REVENUES:	
48	Utilities Commission 6%	<u>3,541,809</u>
49	TOTAL INTERGOVERNMENTAL	5,719,473
50	<u>CHARGES FOR SERVICES:</u>	
51	Charges for Services	<u>631,645</u>
52	TOTAL CHARGES FOR SERVICES	631,645
53	<u>FINES AND FORFEITURES:</u>	
54	Court Cases/Local Ordinances	<u>52,450</u>
55	TOTAL FINES AND FORFEITURES	52,450
56	<u>MISCELLANEOUS REVENUES:</u>	
57	Other Income	<u>109,411</u>
58	TOTAL MISCELLANEOUS REVENUES	109,411
59	<u>OTHER FINANCING SOURCES:</u>	
60	Transfer From Other Funds	317,700
61	Appropriated Reserves	<u>2,784,387</u>
62	TOTAL OTHER FINANCING SOURCES	3,102,087

63 TOTAL REVENUES AND OTHER FINANCING SOURCES 24,304,050

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

68 EXPENDITURES:

69	CITY COMMISSION	234,625
70	CITY MANAGER	428,422
71	CITY CLERK	258,634
72	ECONOMIC DEVELOPMENT	246,030
73	CITY ATTORNEY	486,969
74	FINANCE	615,610
75	INFORMATION TECHNOLOGY	478,903
76	HUMAN RESOURCES/PERSONNEL	229,128
77	GENERAL GOVERNMENT	1,859,379
78	INDIRECT COST ALLOCATION	-627,946
79	TRANSFERS OUT (Debt Service Payment)	987,030
80	TRANSFERS OUT	451,931
81	LAW ENFORCEMENT	6,081,176
82	FIRE	5,783,029
83	EMERGENCY MANAGEMENT	75,950
84	PLANNING & ENGINEERING	704,785
85	PUBLIC WORKS:	
86	ADMINISTRATION	197,675
87	BUILDING MAINTENANCE	642,385
88	STREETS	1,521,635
89	RECREATION	1,048,526
90	BRANNON CIVIC CENTER	70,658
91	PARKS	1,616,104
92	SPORTS COMPLEX	<u>913,412</u>
93	TOTAL APPROPRIATIONS	<u>24,304,050</u>

94 Q. That for MUNICIPAL SANITATION FUND, the following sums of
95 money are hereby appropriated from the following sources of
96 revenue, to-wit:

97 REVENUES:

98 Charges for Services 5,465,606

99 TOTAL REVENUES 5,465,606

100 R. That from MUNICIPAL SANITATION FUND set forth in Paragraph Q

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

102 to-wit:

103 EXPENDITURES:

104 Physical Environment 5,465,606

105 TOTAL APPROPRIATIONS 5,465,606

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

107 money are hereby appropriated from the following anticipated

108 sources of revenue, to-wit:

109 REVENUES:

110 Transfers in from UC 360,204

111 Charges for Services 1,929,264

112 Appropriated Reserves 2,363,557

113 TOTAL REVENUES 4,653,025

114 V. That from STORMWATER UTILITY FEE FUND set forth in Paragraph

115 U above, the following sums of money are hereby appropriated

116 to the expense of principal and interest on the City's fund

117 indebtedness, to-wit:

118 EXPENDITURES:

119 Stormwater Improvements 4,403,455

120 Transfers Out (Debt Service Payments) 249,570

121 TOTAL APPROPRIATIONS 4,653,025

122 II. That for 2013 CAPITAL PROJECTS FUND, the following sums of

123 money are hereby appropriated from the following anticipated

124 sources of revenue, to wit:

125	<u>REVENUES:</u>	
126	Appropriated Reserves	5,633,798
127	Intergovernment Funds	700,000
128	Transfers In	<u>23,567</u>
129	TOTAL REVENUES	<u>6,357,365</u>

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

134	<u>EXPENSES:</u>	
135	Capital Improvements	<u>6,357,365</u>
136	TOTAL EXPENSES	<u>6,357,365</u>

137 MM. That from PARKING FUND, the following sums of money are hereby
138 appropriated from the following anticipated sources of
139 revenue, to wit:

140	<u>REVENUES:</u>	
141	Charges for Services	290,231
142	Miscellaneous Revenue	<u>58,046</u>
143	TOTAL REVENUES	<u>348,277</u>

144 NN. That from PARKING FUND set forth in Paragraph MM above, the
145 following sums of money are hereby appropriated, to wit:

146	<u>EXPENSES:</u>	
147	Personnel Services	33,887
148	Operating Expenses	<u>314,390</u>
149	TOTAL EXPENSES	<u>348,277</u>

150 OO. That for the 1985 COMMUNITY REDEVELOPMENT TRUST FUND, the
151 following sums of money are hereby appropriated from the
152 following anticipated sources of revenue, to-wit:

153 REVENUES:

154	Intergovernmental Revenue	500,000
155	Appropriated Reserves	1,202,112
156	Transfers In	<u>28,631</u>
157	TOTAL REVENUES	<u>1,730,743</u>

158 PP. That from the 1985 COMMUNITY REDEVELOPMENT TRUST FUND set
159 forth in Paragraph OO above, the following sums of money are
160 hereby appropriated, to-wit:

161 EXPENSES:

162	Economic Development	<u>1,730,743</u>
163	TOTAL EXPENSES	<u>1,730,743</u>

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

167 a) Increasing total appropriations within a fund from
168 reserves or based upon an estimated increase in revenues
169 shall be by ordinance.

170 b) Appropriations for specific expenditures within a fund
171 may be increased without increasing total fund
172 expenditures by resolution identifying the increases and
173 offsetting decreases.

174 c) The City Manager may adjust line item expenditures within
175 a department which do not increase total departmental
176 expenditures or cause a change in functions, programs or
177 capital projects.

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

182 **SECTION 4:** *Public Hearing.* That a public hearing considering
183 the adoption of this ordinance was held August 23, 2016, in the
184 City Commission Chambers at City Hall, 210 Sams Avenue (south
185 entrance on Julia Street), New Smyrna Beach, Florida, after notice
186 is found to comply with §166.041(3)(a), F.S.

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

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

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

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

198 
199 **FRANK B. GUMMEY, III**
200 **City Attorney**

201 **DATE:** 8/2/16

Ordinance No. 49-16 of the City of New Smyrna Beach, Florida, was introduced before the City Commission at its Regular Meeting August 9, 2016, and read by title only. Motion was made by Commissioner Jones, to approve the Ordinance on first reading, and seconded by Vice Mayor Reiker, 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

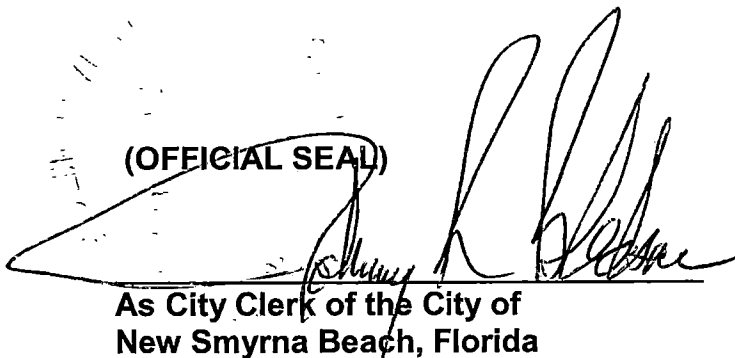
Ordinance No. 49-16 was read by title only at the Regular Meeting held by the City Commission on August 23, 2016, Motion was made by Commissioner Jones, and seconded by Vice Mayor Reiker, that Ordinance No. 49-16 be adopted on second and final reading, the vote thereon being as follows:

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

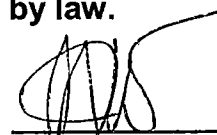
The City Clerk noted the passage of Ordinance No. 49-16 in the minutes of this meeting by its title only and recorded the same in full in the Ordinance Records of the City.

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