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**ORDINANCE NO. 104-17**

**AN ORDINANCE AMENDING BUDGET ORDINANCE NO 70-17, 87-17 and 102-17, CURRENT EXPENSES AND CAPITAL OUTLAY REQUIRED FOR 2017-2018; PROVIDING FOR REVERSION OF UNENCUMBERED FUNDS; PROVIDING FOR PUBLIC HEARING; 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:***

**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, 2017 and ending September 30, 2018.

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	11,862,268
Local-Option Gas Tax	840,745

45	Utility Taxes	3,372,209
46	Franchise Taxes	<u>682,999</u>
47		
48	TOTAL TAXES	16,758,221
49		
50	<u>LICENSES AND PERMITS:</u>	
51	Business Tax	228,351
52	Permits	<u>900</u>
53		
54	TOTAL LICENSES AND PERMITS	229,251
55		
56	<u>INTERGOVERNMENTAL REVENUES:</u>	
57	STATE AND FEDERAL GRANTS:	
58	State/Federal Grants	153,394
59		
60	STATE SHARED REVENUES:	
61	State/County/Local	2,656,812
62		
63	OTHER SHARED REVENUES:	
64	Utilities Commission 6%	<u>3,759,103</u>
65		
66	TOTAL INTERGOVERNMENTAL	6,569,309
67		
68	<u>CHARGES FOR SERVICES:</u>	
69	Charges for Services	<u>971,886</u>
70		
71	TOTAL CHARGES FOR SERVICES	971,886
72	<u>FINES AND FORFEITURES:</u>	
73	Court Cases/Local Ordinances	<u>155,000</u>
74		
75	TOTAL FINES AND FORFEITURES	155,000
76		
77	<u>MISCELLANEOUS REVENUES:</u>	
78	Other Income	<u>147,590</u>
79		
80	TOTAL MISCELLANEOUS REVENUES	147,590
81		
82	<u>OTHER FINANCING SOURCES:</u>	
83	Transfer From Other Funds	730,496
84	Appropriated Reserves	<u>2,214,180</u>
85		
86	TOTAL OTHER FINANCING SOURCES	2,944,676
87		
88	TOTAL REVENUES AND OTHER FINANCING SOURCES	<u>27,775,933</u>
89		

90  
 91 B. That from said GENERAL FUND and for the current expenses or  
 92 use of the several departments or accounts names below, the  
 93 sums set opposite said departments are hereby appropriated,  
 94 to-wit:

95  
 96 EXPENDITURES:

97 CITY COMMISSION	226,120
98 CITY MANAGER	504,512
99 CITY CLERK	354,543
100 ECONOMIC DEVELOPMENT	177,204
101 CITY ATTORNEY	505,488
102 FINANCE	668,983
103 INFORMATION TECHNOLOGY	627,558
104 HUMAN RESOURCES/PERSONNEL	259,912
105 GENERAL GOVERNMENT	1,710,345
106 INDIRECT COST ALLOCATION	-889,263
107 TRANSFERS OUT (Debt Service Payment)	987,304
108 TRANSFERS OUT	1,600,000
109 LAW ENFORCEMENT	6,365,561
110 FIRE	6,205,795
111 EMERGENCY MANAGEMENT	18,031
112 PLANNING & ENGINEERING	908,322
113 PUBLIC WORKS:	
114     ADMINISTRATION	201,075
115     BUILDING MAINTENANCE	620,381
116     STREETS	1,614,543
117 CIVIC CENTER	325,956
118 RECREATION	1,217,605
119 PARKS	2,575,955
120 SPORTS COMPLEX	990,003
121     TOTAL APPROPRIATIONS	<u>27,775,933</u>

122  
 123  
 124 U. That for STORMWATER UTILITY FEE FUND, the following sums of  
 125 money are hereby appropriated from the following  
 126 anticipated sources of revenue, to-wit:

127  
 128 REVENUES:

129     Due from Utilities Commission	58,816
130     Charges for Services	<u>2,149,334</u>
131	
132     TOTAL REVENUES	<u>2,208,150</u>

135 V. That from STORMWATER UTILITY FEE FUND set forth in  
136 Paragraph U above, the following sums of money are hereby  
137 appropriated to the expense of principal and interest on  
138 the City's fund indebtedness, to-wit:  
139

140 EXPENDITURES:

141	Stormwater Improvements	1,393,528
142	Transfers Out (Debt Service Payments)	<u>814,622</u>
143		
144	TOTAL APPROPRIATIONS	<u>2,208,150</u>
145		
146		

147 **SECTION 2:** *Budget Amendments and Adjustments.* That changes  
148 in the adopted annual budget shall be made in accordance with  
149 state law, City Charter and as follows:  
150

- 151 a) Increasing total appropriations within a fund from  
152 reserves or based upon an estimated increase in  
153 revenues shall be by ordinance.  
154
- 155 b) Appropriations for specific expenditures within a fund  
156 may be increased without increasing total fund  
157 expenditures by resolution identifying the increases  
158 and offsetting decreases.  
159
- 160 c) The City Manager may adjust line item expenditures  
161 within a department which do not increase total  
162 departmental expenditures or cause a change in  
163 functions, programs or capital projects.  
164

165 **SECTION 3:** *Reversion of Unencumbered Funds.* That any funds  
166 appropriated by this ordinance, not encumbered or contracted for  
167 during the period herein set forth, shall revert to the fund  
168 from which said funds were to have been paid.  
169

170 **SECTION 4:** *Public Hearings.* That public hearings considering  
171 the adoption of this ordinance held at 6:30 p.m. on January 9,  
172 2018 in the City Commission Chambers at City Hall, 210 Sams  
173 Avenue (south entrance on Julia Street), New Smyrna Beach,  
174 Florida, after notice is found to comply with §166.041(3)(a),  
175 §200.065, and §200.069, F.S  
176

177 **SECTION 5:** *Severability.* That if any section, sentence,  
178 clause or phrase of this ordinance is held to be invalid or

179 unconstitutional by any court of competent jurisdiction, then  
180 said holding shall in no way affect the validity of the  
181 remaining portion of this ordinance.

182

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

186

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

189

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

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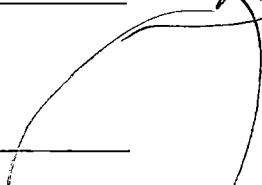
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FRANK B. GUMMEY, III  
City Attorney

DATE: 12/4/17



Ordinance No. 104-17 of the City of New Smyrna Beach, Florida, was introduced before the City Commission at its Regular Meeting December 12, 2017, and read by title only. Motion was made by Commissioner Reiker, approve the Ordinance on first reading, and seconded by Commissioner Hartman, the vote thereon being as follows:

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

Ordinance No. 104-17 was read by title only at the Regular Meeting held by the City Commission on January 9, 2018, Motion was made by Vice Mayor McGuiRK, and seconded by Commissioner Reiker, that Ordinance No. 104-17 be adopted on second and final reading, the vote thereon being as follows:

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

The City Clerk noted the passage of Ordinance No. 104-17 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. 104-17