

1
2
3 **ORDINANCE NO. 10-18**
4

5 **AN ORDINANCE AMENDING BUDGET ORDINANCE NO 70-17, 87-17,**
6 **102-17, 104-17 AND 08-18, CURRENT EXPENSES AND CAPITAL**
7 **OUTLAY REQUIRED FOR 2017-2018; PROVIDING FOR REVERSION**
8 **OF UNENCUMBERED FUNDS; PROVIDING FOR PUBLIC HEARING;**
9 **PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR**
10 **SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**
11
12

13 *WHEREAS*, Section 2-442, City Code requires the City
14 Commission of the City of New Smyrna Beach each fiscal year to
15 enact by ordinance a budget setting forth the purposes and amounts
16 for which monies are to be appropriated by said City for budget
17 purposes; and
18
19

20 *WHEREAS*, the City Commission of the City of New Smyrna Beach
21 heretofore has adopted the Annual Estimate of Anticipated Revenues
22 and Expenditures of the City Manager as revised by the City
23 Commission, which said revised estimate constitutes the budget and
24 includes the anticipated cost of operating the City of New Smyrna
25 Beach for the fiscal year beginning on the 1st day of October,
26 2017, and ending on the 30th day of September, 2018.
27
28

29 ***NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY***
30 ***OF NEW SMYRNA BEACH, FLORIDA, AS FOLLOWS:***
31
32

33 **SECTION 1:** *Budget.* That the following sums of money be and
34 the same are hereby appropriated sources of revenue of the City to
35 the corporate purposes herein specified for the budget for the
36 fiscal year beginning October 1, 2017 and ending September 30,
37 2018.
38

39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80

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

REVENUES:

Appropriated Reserves	<u>26,000</u>
TOTAL REVENUES	<u><u>26,000</u></u>

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

EXPENDITURES:

Law Enforcement	<u>26,000</u>
TOTAL APPROPRIATIONS	<u><u>26,000</u></u>

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

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

SECTION 3: *Reversion of Unencumbered Funds.* That any funds appropriated by this ordinance, not encumbered or contracted for

81 during the period herein set forth, shall revert to the fund from
82 which said funds were to have been paid.

83
84

85 **SECTION 4:** *Public Hearings.* That public hearings considering
86 the adoption of this ordinance held at 6:30 p.m. on February 13,
87 2018 in the City Commission Chambers at City Hall, 210 Sams Avenue
88 (south entrance on Julia Street), New Smyrna Beach, Florida, after
89 notice is found to comply with §166.041(3)(a), §200.065, and
90 §200.069, F.S.

91
92

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

98
99

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

103
104

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

107
108

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

110
111

112
113 
114 **CARRIE AVALLONE**
115 **City Attorney**

116
117

DATE: 1/16/2018

Ordinance No. 10-18 of the City of New Smyrna Beach, Florida, was introduced before the City Commission at its Regular Meeting January 23, 2018, and read by title only. Motion was made by Commissioner Hartman, approve the Ordinance on first reading, and seconded by Commissioner Sachs, the vote thereon being as follows:

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

Ordinance No. 10-18 was read by title only at the Regular Meeting held by the City Commission on February 13, 2018, Motion was made by Vice Mayor McGuirk, and seconded by Commissioner Sachs, that Ordinance No. 10-18 be adopted on second and final reading, the vote thereon being as follows:

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

The City Clerk noted the passage of Ordinance No. 10-18 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. 10-18