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3 **ORDINANCE NO. 21-18**  
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5 **AN ORDINANCE AMENDING BUDGET ORDINANCE NO 70-17, 87-17,**  
6 **102-17, 104-17, 08-18 and 10-18, 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.**  
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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  
16 amounts for which monies are to be appropriated by said City for  
17 budget purposes; and  
18

19  
20 *WHEREAS*, the City Commission of the City of New Smyrna  
21 Beach heretofore has adopted the Annual Estimate of Anticipated  
22 Revenues and Expenditures of the City Manager as revised by the  
23 City Commission, which said revised estimate constitutes the  
24 budget and includes the anticipated cost of operating the City  
25 of New Smyrna Beach for the fiscal year beginning on the 1st day  
26 of October, 2017, and ending on the 30th day of September, 2018.  
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29 *NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE*  
30 *CITY OF NEW SMYRNA BEACH, FLORIDA, AS FOLLOWS:*  
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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  
35 to the corporate purposes herein specified for the budget for  
36 the fiscal year beginning October 1, 2017 and ending September  
37 30, 2018.  
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39  
40 A. For the GENERAL FUND requirements, the following sums of  
41 money are hereby appropriated from the following  
42 anticipated sources of revenue, to-wit:  
43  
44

|    |                                    |                  |
|----|------------------------------------|------------------|
| 45 | <u>REVENUES:</u>                   |                  |
| 46 | <u>TAXES:</u>                      |                  |
| 47 | General Property Taxes             | 11,862,268       |
| 48 | Local-Option Gas Tax               | 840,745          |
| 49 | Utility Taxes                      | 3,372,209        |
| 50 | Franchise Taxes                    | <u>682,999</u>   |
| 51 |                                    |                  |
| 52 | TOTAL TAXES                        | 16,758,221       |
| 53 |                                    |                  |
| 54 | <u>LICENSES AND PERMITS:</u>       |                  |
| 55 | Business Tax                       | 228,351          |
| 56 | Permits                            | <u>900</u>       |
| 57 |                                    |                  |
| 58 | TOTAL LICENSES AND PERMITS         | 229,251          |
| 59 |                                    |                  |
| 60 | <u>INTERGOVERNMENTAL REVENUES:</u> |                  |
| 61 | <u>STATE AND FEDERAL GRANTS:</u>   |                  |
| 62 | State/Federal Grants               | 153,394          |
| 63 |                                    |                  |
| 64 | <u>STATE SHARED REVENUES:</u>      |                  |
| 65 | State/County/Local                 | 2,732,638        |
| 66 |                                    |                  |
| 67 | <u>OTHER SHARED REVENUES:</u>      |                  |
| 68 | Utilities Commission 6%            | <u>3,759,103</u> |
| 69 |                                    |                  |
| 70 | TOTAL INTERGOVERNMENTAL            | 6,645,135        |
| 71 |                                    |                  |
| 72 | <u>CHARGES FOR SERVICES:</u>       |                  |
| 73 | Charges for Services               | <u>971,886</u>   |
| 74 |                                    |                  |
| 75 | TOTAL CHARGES FOR SERVICES         | 971,886          |
| 76 | <u>FINES AND FORFEITURES:</u>      |                  |
| 77 | Court Cases/Local Ordinances       | <u>155,000</u>   |
| 78 |                                    |                  |
| 79 | TOTAL FINES AND FORFEITURES        | 155,000          |
| 80 |                                    |                  |
| 81 | <u>MISCELLANEOUS REVENUES:</u>     |                  |
| 82 | Other Income                       | <u>147,590</u>   |
| 83 |                                    |                  |
| 84 | TOTAL MISCELLANEOUS REVENUES       | 147,590          |
| 85 |                                    |                  |
| 86 | <u>OTHER FINANCING SOURCES:</u>    |                  |
| 87 | Transfer from Other Funds          | 736,196          |
| 88 | Appropriated Reserves              | <u>4,335,834</u> |
| 89 |                                    |                  |

90 TOTAL OTHER FINANCING SOURCES 5,072,030  
 91  
 92 TOTAL REVENUES AND OTHER FINANCING SOURCES 29,979,113  
 93  
 94

95 B. That from said GENERAL FUND and for the current expenses or  
 96 use of the several departments or accounts names below, the  
 97 sums set opposite said departments are hereby appropriated,  
 98 to-wit:  
 99

100 EXPENDITURES:  
 101 CITY COMMISSION 226,120  
 102 CITY MANAGER 504,512  
 103 CITY CLERK 354,543  
 104 ECONOMIC DEVELOPMENT 177,204  
 105 CITY ATTORNEY 505,488  
 106 FINANCE 668,983  
 107 INFORMATION TECHNOLOGY 627,558  
 108 HUMAN RESOURCES/PERSONNEL 259,912  
 109 GENERAL GOVERNMENT 3,052,442  
 110 INDIRECT COST ALLOCATION -889,263  
 111 TRANSFERS OUT (Debt Service Payment) 987,304  
 112 TRANSFERS OUT 2,124,936  
 113 LAW ENFORCEMENT 6,365,561  
 114 FIRE 6,222,645  
 115 EMERGENCY MANAGEMENT 18,031  
 116 PLANNING & ENGINEERING 908,322  
 117 PUBLIC WORKS:  
 118 ADMINISTRATION 201,075  
 119 BUILDING MAINTENANCE 620,381  
 120 STREETS 1,803,685  
 121 CIVIC CENTER 325,956  
 122 RECREATION 1,232,855  
 123 PARKS 2,631,555  
 124 SPORTS COMPLEX 1,049,308  
 125 TOTAL APPROPRIATIONS 29,979,113  
 126  
 127

128 K. That for MUNICIPAL AIRPORT-INDUSTRIAL PARK FUND, the  
 129 following sums of money are hereby appropriated from the  
 130 following anticipated sources of revenue, to-wit:  
 131

132 REVENUES:  
 133 Charges for Services 2,140,000  
 134 Intergovernmental Revenues 2,240,115

|     |   |                  |
|-----|---|------------------|
| 135 | Rents and Royalties   | 815,548          |
| 136 | Miscellaneous   | 500              |
| 137 | Appropriated Reserves   | <u>481,773</u>   |
| 138 |   |                  |
| 139 | TOTAL REVENUES  | <u>5,677,936</u> |
| 140 |   |                  |
| 141 |   |                  |
| 142 | L. That from MUNICIPAL AIRPORT-INDUSTRIAL PARK FUND set forth |                  |
| 143 | in Paragraph K above, the following sums of money are         |                  |
| 144 | hereby appropriated, to-wit:                                  |                  |
| 145 |   |                  |
| 146 | <u>EXPENDITURES:</u>  |                  |
| 147 | Airport/Industrial Park                                       | <u>5,677,936</u> |
| 148 |   |                  |
| 149 | TOTAL APPROPRIATIONS  | <u>5,677,936</u> |
| 150 |   |                  |
| 151 |   |                  |
| 152 | M. That for COMMUNITY REDEVELOPMENT TRUST FUND, the following |                  |
| 153 | sums of money are hereby appropriated from the following      |                  |
| 154 | anticipated sources of revenue, to-wit:                       |                  |
| 155 |   |                  |
| 156 | <u>REVENUES:</u>  |                  |
| 157 | Tax Increment Revenues  | 156,671          |
| 158 | Intergovernmental Revenues                                    | 148,838          |
| 159 | Appropriated Reserves   | <u>134,000</u>   |
| 160 |   |                  |
| 161 | TOTAL REVENUES  | <u>439,509</u>   |
| 162 |   |                  |
| 163 |   |                  |
| 164 | N. That from COMMUNITY REDEVELOPMENT TRUST FUND set forth in  |                  |
| 165 | Paragraph M above, the following sums of money are hereby     |                  |
| 166 | appropriated, to-wit:   |                  |
| 167 |   |                  |
| 168 | <u>EXPENDITURES:</u>  |                  |
| 169 | Economic Development  | <u>439,509</u>   |
| 170 |   |                  |
| 171 | TOTAL APPROPRIATIONS  | <u>439,509</u>   |
| 172 |   |                  |
| 173 |   |                  |
| 174 | QQ. That for 2005 GENERAL OBLIGATION BONDS CAPITAL PROJECTS   |                  |
| 175 | FUND, the following sums of money are hereby appropriated     |                  |
| 176 | from the following anticipated sources of revenue, to wit:    |                  |
| 177 |   |                  |
| 178 | <u>REVENUES:</u>  |                  |
| 179 | Intergovernmental Revenues                                    | 37,368           |

180 Appropriated Reserves 386,014

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182 TOTAL REVENUES 423,382

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184 RR. That from 2005 GENERAL OBLIGATION BONDS CAPITAL PROJECTS  
185 FUND set forth in Paragraph QQ above, the following sums of  
186 money are hereby appropriated to the expense of principal  
187 and interest on the City's fund indebtedness, to wit:

188

189 EXPENDITURES:

190 Capital Projects 423,382

191

192 TOTAL APPROPRIATIONS 423,382

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

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199 a) Increasing total appropriations within a fund from  
200 reserves or based upon an estimated increase in  
201 revenues shall be by ordinance.

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203 b) Appropriations for specific expenditures within a fund  
204 may be increased without increasing total fund  
205 expenditures by resolution identifying the increases  
206 and offsetting decreases.

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208 c) The City Manager may adjust line item expenditures  
209 within a department which do not increase total  
210 departmental expenditures or cause a change in  
211 functions, programs or capital projects.

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

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218 **SECTION 4: Public Hearings.** That public hearings considering  
219 the adoption of this ordinance held at 6:30 p.m. on March 27,  
220 2018 in the City Commission Chambers at City Hall, 210 Sams  
221 Avenue (south entrance on Julia Street), New Smyrna Beach,  
222 Florida, after notice is found to comply with §166.041(3)(a),  
223 §200.065, and §200.069, F.S.

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**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:**

Carrie Avallone  
**CARRIE AVALLONE**  
City Attorney

**DATE:** 3/5/2018

Ordinance No. 21-18 of the City of New Smyrna Beach, Florida, was introduced before the City Commission at its Regular Meeting March 13, 2018, and read by title only. Motion was made by Commissioner Reiker, to approve the Ordinance on first reading, and seconded by Commissioner Hartman, 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 |

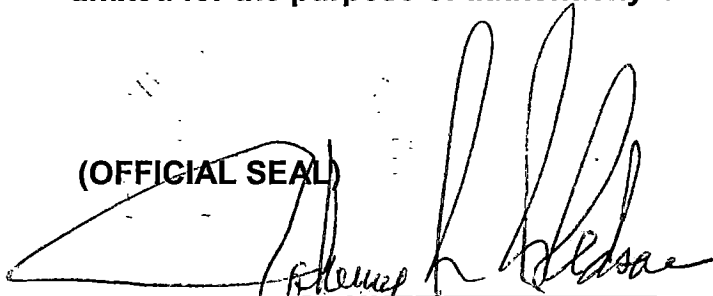
Ordinance No. 21-18 was read by title only at the Regular Meeting held by the City Commission on March 27, 2018, Motion was made by Commissioner Reiker, and seconded by Vice Mayor McGuirk, that Ordinance No. 21-18 be adopted on second and final reading, the vote thereon being as follows:

|                             |     |
|-----------------------------|-----|
| 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. 21-18 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. 21-18