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ORDINANCE NO. 99-12

AN ORDINANCE AMENDING ORDINANCE NO. 98-11, ORDINANCE NO. 118-11, ORDINANCE NO. 119-11, ORDINANCE NO. 32-12, ORDINANCE NO. 47-12, ORDINANCE NO. 49-12, ORDINANCE NO. 64-12 AND ORDINANCE NO. 71-12, CURRENT EXPENSES AND CAPITAL OUTLAY REQUIRED BY THE CITY OF NEW SMYRNA BEACH, FLORIDA, DURING AND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011, AND ENDING SEPTEMBER 30, 2012; 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. 98-11, Ordinance No. 118-11, Ordinance No. 119-11, Ordinance No. 32-12, Ordinance No. 47-12, Ordinance No. 49-12, Ordinance No. 64-12, and Ordinance No. 71-12, Current Expenses and Capital Outlay for the Fiscal Year beginning October 1, 2011, and ending September 30, 2012, 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 2011-2012 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: Amendment. That Ordinance No. 98-11, Ordinance No. 118-11, Ordinance No. 119-11, Ordinance No. 32-12, Ordinance No. 47-12, Ordinance No. 49-12, Ordinance No. 64-12, and Ordinance No. 71-12 be and the same are hereby amended only for the accounts below for the fiscal year beginning October 1, 2011, and ending September 30, 2012, as follows.

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

37	<u>REVENUES:</u>	
38	<u>TAXES:</u>	
39	Insurance Premium Tax	415,542
40	General Property Taxes	7,430,551
41	Local-Option Gas Tax	729,705
42	Utility Taxes	2,853,866
43	Franchise Taxes	<u>580,364</u>
44	TOTAL TAXES	12,010,028
45	<u>LICENSES AND PERMITS:</u>	
46	Occupational Licenses	182,954
47	Permits	<u>800</u>
48	TOTAL LICENSES AND PERMITS	183,754
49	<u>INTERGOVERNMENTAL REVENUES:</u>	
50	STATE AND FEDERAL GRANTS:	
51	State/Federal Grants	2,833,890
52	STATE SHARED REVENUES:	
53	State/County/Local	1,958,539
54	OTHER SHARED REVENUES:	
55	Utilities Commission 6%	<u>3,694,236</u>
56	TOTAL INTERGOVERNMENTAL	8,486,665
57	<u>CHARGES FOR SERVICES:</u>	
58	Charges for Services	<u>464,186</u>
59	TOTAL CHARGES FOR SERVICES	464,186
60	<u>FINES AND FORFEITURES:</u>	
61	Court Cases/Local Ordinances	<u>80,051</u>
62	TOTAL FINES AND FORFEITURES	80,051

63	<u>MISCELLANEOUS REVENUES:</u>	
64	Other Income	<u>354,887</u>
65	TOTAL MISCELLANEOUS REVENUES	354,887
66	<u>OTHER FINANCING SOURCES:</u>	
67	Transfer From Other Funds	30,700
68	Appropriated Reserves	<u>1,266,577</u>
69	TOTAL OTHER FINANCING SOURCES	1,297,277
70	TOTAL REVENUES AND OTHER FINANCING SOURCES	<u>22,876,848</u>
71	B. That from said GENERAL FUND and for the current expenses or	
72	use of the several departments or accounts names below, the	
73	sums set opposite said departments are hereby appropriated,	
74	to-wit:	
75	<u>EXPENDITURES:</u>	
76	CITY COMMISSION	194,013
77	CITY MANAGER	386,089
78	CITY CLERK	208,841
79	CITY ATTORNEY	403,555
80	FINANCE	396,786
81	INFORMATION TECHNOLOGY	338,537
82	HUMAN RESOURCES/PERSONNEL	163,703
83	GENERAL GOVERNMENT	4,471,322
84	INDIRECT COST ALLOCATION	- 878,534
85	DEBT SERVICE	410,212
86	TRANSFERS	612,088
87	GRANTS IN AID	13,600
88	LAW ENFORCEMENT	5,366,466
89	FIRE	5,319,606
90	EMERGENCY MANAGEMENT	23,057
91	PLANNING & ENGINEERING	504,906
92	PUBLIC WORKS:	
93	ADMINISTRATION	47,637
94	BUILDING MAINTENANCE	356,423

95	STREETS	1,800,588
96	RECREATION	1,134,718
97	PARKS	1,012,400
98	SPORTS COMPLEX	<u>590,835</u>
99	TOTAL APPROPRIATIONS	<u>22,876,848</u>

100 M. That for MUNICIPAL AIRPORT-INDUSTRIAL PARK FUND, the following
 101 sums of money are hereby appropriated from the following
 102 anticipated sources of revenue, to-wit:

103 REVENUES:

104	Charges for Services	1,551,822
105	Intergovernmental Revenues	2,949,674
106	Rents and Royalties	776,972
107	Miscellaneous	4,462
108	Appropriated Reserves	<u>286,701</u>
109	TOTAL REVENUES	<u>5,569,631</u>

110 N. That from MUNICIPAL AIRPORT-INDUSTRIAL PARK FUND set forth in
 111 Paragraph M above, the following sums of money are hereby
 112 appropriated, to-wit:

113 EXPENDITURES:

114	Airport/Industrial Park	<u>5,569,631</u>
115	TOTAL APPROPRIATIONS	<u>5,569,631</u>

116 S. That for DEBT SERVICE, FLORIDA MUNICIPAL LOAN COUNCIL SERIES
 117 2000B BOND DEBT SERVICE FUND, the following sums of money are
 118 hereby appropriated from the following anticipated sources of
 119 revenue, to-wit:

120 REVENUES:

121	TRANSFERS	<u>110,244</u>
122	TOTAL REVENUES	<u>110,244</u>

123 T. That from DEBT SERVICE, FLORIDA MUNICIPAL LOAN COUNCIL SERIES
124 2000B BOND DEBT SERVICE FUND set forth in Paragraph S above,
125 the following sums of money are hereby appropriated, to-wit:

126 EXPENDITURES:

127	Debt Service Payments	<u>110,244</u>
128	TOTAL APPROPRIATIONS	<u>110,244</u>

129 W. That for MUNICIPAL SANITATION FUND, the following sums of
130 money are hereby appropriated from the following sources of
131 revenue, to-wit:

132 REVENUES:

133	Charges for Services	4,963,657
134	Interest Income	<u>4,689</u>
135	TOTAL REVENUES	<u>4,968,346</u>

136 X. That from MUNICIPAL SANITATION FUND set forth in Paragraph W
137 above, the following sums of money are hereby appropriated,
138 to-wit:

139 Y. That for MUNICIPAL GARAGE FUND, the following sums of money
140 are hereby appropriated from the following anticipated sources
141 of revenue, to-wit:

142 REVENUES:

143	Intragovernmental Sales	1,029,939
144	Appropriated Reserves	<u>58,066</u>
145	TOTAL REVENUES	<u>1,088,005</u>

146 Z. That from MUNICIPAL GARAGE FUND set forth in Paragraph Y
147 above, the following sums of money are hereby appropriated,
148 to-wit:

149	<u>EXPENSES:</u>	
150	Intragovernmental Services	<u>1,088,005</u>
151	TOTAL APPROPRIATIONS	<u>1,088,005</u>

152	<u>EXPENDITURES:</u>	
153	Physical Environment	<u>4,968,346</u>
154	TOTAL APPROPRIATIONS	<u>4,968,346</u>

155 EE. That for BUILDING INSPECTION FUND, the following sums of money
 156 are hereby appropriated from the following anticipated sources
 157 of revenue, to-wit:

158	<u>REVENUES:</u>	
159	Licenses/Permits	505,067
160	Charges for Services	122,470
161	Miscellaneous Revenue	56,359
162	Intergovernmental Revenues	<u>53,481</u>
163	TOTAL REVENUES	<u>737,377</u>

164 FF. That from BUILDING INSPECTION FUND set forth in Paragraph EE
 165 above, the following sums of money are hereby appropriated to
 166 the expense of principal and interest on the City's fund
 167 indebtedness, to-wit:

168	<u>EXPENDITURES:</u>	
169	Protective Inspection	<u>737,377</u>
170	TOTAL APPROPRIATIONS	<u>737,377</u>

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

- 174 a) Increasing total appropriations within a fund from
- 175 reserves or based upon an estimated increase in revenues
- 176 shall be by ordinance.

177 b) Appropriations for specific expenditures within a fund
178 may be increased without increasing total fund
179 expenditures by resolution identifying the increases and
180 offsetting decreases.

181 c) The City Manager may adjust line item expenditures within
182 a department which do not increase total departmental
183 expenditures or cause a change in functions, programs or
184 capital projects.

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

189 **SECTION 4: Public Hearing.** That a public hearing considering the
190 adoption of this ordinance held November 27, 2012, in the City
191 Commission Chambers in City Hall, 210 Sams Avenue (south entrance
192 on Julia Street), New Smyrna Beach, Florida, after notice is found
193 to comply with §166.041(3)(a), F.S.

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

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

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

204

APPROVED AS TO FORM AND CORRECTNESS:

205



206

FRANK B. GUMMEY, III

207

City Attorney

208

DATE:

11/21/12

City of New Smyrna Beach					
Budget Amendments and Transfers				Increases budget	
9/30/2012				Decreases budget	
99-12					
		Original		Revised	
Number	Department	Budget	Amendments	Budget	Commission Action
General Fund Revenues		22,461,306			
	Fire & Police State Insurance Premiums		415,542		Fire & Police State Insurance Premiums Funding received
			415,542	22,876,848	
General Fund Operating Expenses					
51101	City Commission	194,013		194,013	
51201	City Manager	386,089		386,089	
51202	City Clerk	206,341			
	Operating Expenses		2,500	208,841	Appropriate funding for items over budget
51301	Finance	396,786		396,786	
51302	Information Technology	338,537			
	Expenses				
	Capital Outlay		(4,302)		Reallocating funds between capital accounts
	Capital Outlay		4,302		Reallocating funds between capital accounts
				338,537	
51303	Human Resources	159,603			
			4,100	163,703	Appropriate funding for items over budget
51401	City Attorney	403,555		403,555	
51501	Planning And Zoning	504,906		504,906	
51901	General Govt	4,016,600			
	Expenses				
	Operating Expenditures		(39,000)		Transfer of funds to capital project budget
	Capital Projects				
	Swoope Site Project		39,000		Appropriate funding for additional cost of Swoope Site project due to County of Volusia Manatee Protection Plan (\$39,000)
				4,016,600	

City of New Smyrna Beach					
Budget Amendments and Transfers					
9/30/2012				Increases budget	
99-12				Decreases budget	
Number	Department	Original Budget	Amendments	Revised Budget	Commission Action
51902	<u>PW Administration</u>	47,637		47,637	
52101	<u>Police</u>	5,570,366			
	Operating Expenditures		(215,000)		Transfer funds throughout General Fund Departments which are over budgeted -Savings from Consolidated Dispatch
	Capital Outlay		11,100		Transfer funds to cover cost of server for new Police Station related to consolidated dispatching
				5,366,466	
52201	<u>Fire</u>	4,609,393			
	Personnel Services		145,980		Overtime account over budget due to vacant positions
	Pensions Costs		455,233		Pension Costs includes \$254K state insurance premium dollars included
	Repair & Maintenance		109,000		Repair & Maintenance to Fire Trucks
				5,319,606	
52501	<u>EOC</u>	23,057			
				23,057	
54101	<u>Streets</u>	1,899,459			
	Personnel Services		(98,871)		Transfer funds to cover accounts over budget throughout General Fund Departments- savings due to vacant positions
				1,800,588	
57201	<u>Recreation</u>	1,134,718			
				1,134,718	
57202	<u>Parks</u>	1,012,400			
				1,012,400	
57501	<u>Sports Complex</u>	590,835			
				590,835	
58101	<u>Transfers</u>	610,588			
	Transfer to Debt Service		1,500		Transfer funds to cover charges related to debt service
				612,088	

City of New Smyrna Beach					
Budget Amendments and Transfers					Increases budget
9/30/2012					Decreases budget
99-12					
		Original		Revised	
Number	Department	Budget	Amendments	Budget	Commission Action
69101	<u>Building & Maintenance</u>	356,423		356,423	
	Total General Fund	22,461,306	415,542	22,876,848	
		Budget			
	General Fund Expense Summary:	Amendments	Approved		
	Personnel				
	Operating				
	Capital				
104	<u>Airport</u>				
	Revenue	5,506,631			
	Appropriated Fund Balance		63,000	5,569,631	Additional Cost for Apron Expansion project. Change order approved by Commission in FY2012
104	Expense	5,506,631			
	Capital Outlay				
	Consolidated Fuel Farm		63,000	5,569,631	Additional Cost for Apron Expansion project. Change order approved by Commission in FY2012
113	<u>Building & Inspections</u>				
	Revenue	737,377		737,377	
113	<u>Building & Inspections</u>				
	Expense	737,377			
	Operating Expense		(15,000)		Transfer of funds to capital project budget
	Capital Outlay		15,000		Transfer of funds to capital project budget
				737,377	
206	<u>Debt Service</u>				
	Revenue	108,744			
			1,500	110,244	Transfer of funds from General Fund
206	<u>Debt Service</u>				
	Expense	108,744			
			1,500	110,244	Appropriate funding for additional charges related to debt service
405	<u>Sanitation</u>				
	Revenue	4,716,224			
	Solid waste services contract		252,122	4,968,346	Underestimated number of customers - Revenue generated above appropriation

City of New Smyrna Beach					
Budget Amendments and Transfers					
9/30/2012				Increases budget	
99-12				Decreases budget	
Number	Department	Original Budget	Amendments	Revised Budget	Commission Action
405	<u>Sanitation</u>				
	Expense	4,716,224			
	Solid waste services contract		252,122		<i>Underestimated number of customers - Revenue & Expense generated above appropriation</i>
				7,144,356	
501	<u>Garage</u>				
	Revenue	1,058,005			
	Charges for Services		30,000		<i>Charges for services provided exceeds budget projected</i>
				1,088,005	
501	<u>Garage</u>				
	Expense	1,058,005			
	Cost of Goods Sold		30,000		<i>Charges for services provided exceeds budget projected</i>
				1,088,005	

Ordinance No. 99-12 of the City of New Smyrna Beach, Florida, was introduced before the City Commission at its Special Meeting November 13, 2012, and read by title only. Motion was made by Commissioner Reiker, and seconded by Vice Mayor Grasty, the vote thereon being as follows:

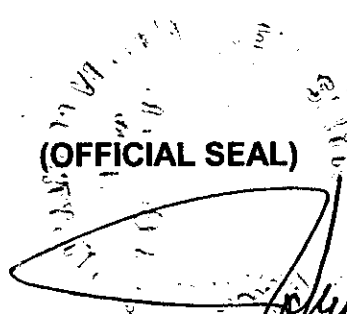
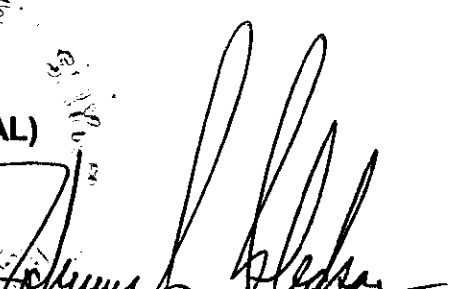
MAYOR ADAM BARRINGER	Yes
VICE MAYOR J. S. GRASTY	Yes
COMMISSIONER JUDY REIKER	Yes
COMMISSIONER JASON MCGUIRK	Yes
COMMISSIONER KIRK JONES	Yes


Ordinance No. 99-12 was read by title only at the Special Meeting held by the City Commission on November 27, 2012, Motion was made by Commissioner Reiker, and seconded by Vice Mayor Grasty, that Ordinance No. 99-12 be adopted on second and final reading, the vote thereon being as follows:

MAYOR ADAM BARRINGER	Yes
VICE MAYOR J. S. GRASTY	Yes
COMMISSIONER JUDY REIKER	Yes
COMMISSIONER JASON MCGUIRK	Yes
COMMISSIONER KIRK JONES	Yes

The City Clerk noted the passage of Ordinance No. 99-12 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