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ORDINANCE NO. 05-13

AN ORDINANCE AMENDING ORDINANCE NO. 79-12, ORDINANCE NO. 98-12, AND ORDINANCE NO. 104-12, CURRENT EXPENSES AND CAPITAL OUTLAY REQUIRED BY THE CITY OF NEW SMYRNA BEACH, FLORIDA, DURING AND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012, AND ENDING SEPTEMBER 30, 2013; 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. 79-12, Ordinance No. 98-12, and Ordinance No. 104-12, Current Expenses and Capital Outlay for the Fiscal Year beginning October 1, 2012, and ending September 30, 2013, 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 2012-2013 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. 79-12, Ordinance No. 98-12, and Ordinance No. 104-12 be and the same are hereby amended only for the accounts below for the fiscal year beginning October 1, 2012, and ending September 30, 2013, 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:

REVENUES:
TAXES:

General Property Taxes	7,525,531
Local-Option Gas Tax	711,813
Utility Taxes	2,809,048
Franchise Taxes	<u>596,325</u>

37	TOTAL TAXES	11,642,717
38	<u>LICENSES AND PERMITS:</u>	
39	Business Tax	178,541
40	Permits	<u>910</u>
41	TOTAL LICENSES AND PERMITS	179,451
42	<u>INTERGOVERNMENTAL REVENUES:</u>	
43	STATE AND FEDERAL GRANTS:	
44	State/Federal Grants	1,517,632
45	STATE SHARED REVENUES:	
46	State/County/Local	1,633,056
47	OTHER SHARED REVENUES:	
48	Utilities Commission 6%	<u>3,668,566</u>
49	TOTAL INTERGOVERNMENTAL	6,819,254
50	<u>CHARGES FOR SERVICES:</u>	
51	Charges for Services	<u>527,771</u>
52	TOTAL CHARGES FOR SERVICES	527,771
53	<u>FINES AND FORFEITURES:</u>	
54	Court Cases/Local Ordinances	<u>76,238</u>
55	TOTAL FINES AND FORFEITURES	76,238
56	<u>MISCELLANEOUS REVENUES:</u>	
57	Other Income	<u>226,784</u>
58	TOTAL MISCELLANEOUS REVENUES	226,784
59	<u>OTHER FINANCING SOURCES:</u>	
60	Transfer From Other Funds	394,478
61	Appropriated Reserves	<u>1,165,093</u>
62	TOTAL OTHER FINANCING SOURCES	1,559,571

63 TOTAL REVENUES AND OTHER FINANCING SOURCES 21,031,786

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	181,161
70	CITY MANAGER	399,426
71	CITY CLERK	232,858
72	CITY ATTORNEY	425,833
73	FINANCE	451,807
74	INFORMATION TECHNOLOGY	461,268
75	HUMAN RESOURCES/PERSONNEL	215,470
76	GENERAL GOVERNMENT	2,250,009
77	INDIRECT COST ALLOCATION	- 932,562
78	DEBT SERVICE	410,242
79	TRANSFERS	608,791
80	GRANTS IN AID	6,500
81	LAW ENFORCEMENT	5,311,356
82	FIRE	4,914,997
83	EMERGENCY MANAGEMENT	18,772
84	PLANNING & ENGINEERING	531,844
85	PUBLIC WORKS:	
86	ADMINISTRATION	119,416
87	BUILDING MAINTENANCE	431,765
88	STREETS	1,947,027
89	RECREATION	889,643
90	PARKS	928,904
91	SPORTS COMPLEX	<u>1,227,259</u>
92	TOTAL APPROPRIATIONS	<u>21,031,786</u>

93 O. That for COMMUNITY REDEVELOPMENT TRUST FUND, the following
94 sums of money are hereby appropriated from the following
95 anticipated sources of revenue, to-wit:

96 REVENUES:

97	Tax Increment Revenues	538,519
98	Intergovernmental Revenues	1,179,006

99 Transfers In 190,448
100 Appropriated Reserves 6,582,711

101 TOTAL REVENUES 8,490,684

102 P. That from COMMUNITY REDEVELOPMENT TRUST FUND set forth in
103 Paragraph O above, the following sums of money are hereby
104 appropriated, to-wit:

105 EXPENDITURES:

106 Economic Development 8,490,684

107 TOTAL APPROPRIATIONS 8,490,684

108 AA. That for STORMWATER UTILITY FEE FUND, the following sums of
109 money are hereby appropriated from the following anticipated
110 sources of revenue, to-wit:

111 REVENUES:

112 Charges for Services 1,314,657

113 Appropriated Reserves 1,407,535

114 TOTAL REVENUES 2,722,192

115 BB. That from STORMWATER UTILITY FEE FUND set forth in Paragraph
116 AA above, the following sums of money are hereby appropriated
117 to the expense of principal and interest on the City's fund
118 indebtedness, to-wit:

119 EXPENDITURES:

120 Stormwater Improvements 2,537,192

121 Transfers Out 185,000

122 TOTAL APPROPRIATIONS 2,722,192

123 CC. That for CAPITAL PROJECTS FUND, the following sums of money
124 are hereby appropriated from the following anticipated sources
125 of revenue, to-wit:

126	<u>REVENUES:</u>	
127	Appropriated Reserves	<u>3,751,265</u>
128	TOTAL REVENUES	<u>3,751,265</u>

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

133	<u>EXPENDITURES:</u>	
134	Capital Projects	<u>3,751,265</u>
135	TOTAL APPROPRIATIONS	<u>3,751,265</u>

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

- 139 a) Increasing total appropriations within a fund from
140 reserves or based upon an estimated increase in revenues
141 shall be by ordinance.

- 142 b) Appropriations for specific expenditures within a fund
143 may be increased without increasing total fund
144 expenditures by resolution identifying the increases and
145 offsetting decreases.

- 146 c) The City Manager may adjust line item expenditures within
147 a department which do not increase total departmental
148 expenditures or cause a change in functions, programs or
149 capital projects.

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

154 **SECTION 4: Public Hearing.** That a public hearing considering
155 the adoption of this ordinance was held January 22, 2013, in the
156 City Commission Chambers at City Hall, 210 Sams Avenue (south
157 entrance on Julia Street), New Smyrna Beach, Florida, after notice
158 is found to comply with §166.041(3)(a), F.S.

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

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

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


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

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FRANK B. GUMMEY, III
City Attorney

DATE: 12/13/12

City of New Smyrna Beach					
Budget Amendments and Transfers				Increases budget	
1/8/2013				Decreases budget	
05-13					
Number	Department	Original Budget	Amendments	Revised Budget	Commission Action
General Fund Revenues		21,006,710			
	General Fund Reserves		25,076		
			25,076	21,031,786	
General Fund Operating Expenses					
51101	<u>City Commission</u>	181,161		181,161	
51201	<u>City Manager</u>	399,426		399,426	
51202	<u>City Clerk</u> Operating Expenses	230,858	2,000	232,858	Cost for training on the new on-line City Commission Agenda System
51301	<u>Finance</u>	451,807		451,807	
51302	<u>Information Technology</u>	461,268		461,268	
51303	<u>Human Resources</u>	215,470		215,470	
51401	<u>City Attorney</u>	425,833		425,833	
51501	<u>Planning And Zoning</u> Operating Expenses	528,768	3,076	531,844	Funds reserved for proportionate fair share towards the traffic signal at SR44 & Sugarmill Drive to be forwarded to FDOT
51901	<u>General Govt</u> Capital Multi-Use Trail	1,719,189	15,000		Cover costs for additional design, engineering & permitting services not covered under original contract.
				1,734,189	

City of New Smyrna Beach					
Budget Amendments and Transfers				Increases budget	
1/8/2013				Decreases budget	
.05-13					
Number	Department	Original Budget	Amendments	Revised Budget	Commission Action
51902	<u>PW Administration</u>	119,416		119,416	
52101	<u>Police</u>	5,311,356		5,311,356	
52201	<u>Fire</u>	4,914,997		4,914,997	
52501	<u>EOC</u>	18,772		18,772	
54101	<u>Streets</u>	1,947,027		1,947,027	
57201	<u>Recreation</u>	876,871			
	Personnel				
	Park Safety Ranger		12,772		Funded by CDBG grant - remaining grant amount
	Operating Expenses			889,643	
57202	<u>Perks</u>	936,676			
	Personnel				
	Park Safety Ranger		(12,772)		Allocating to correct department
	Operating Expenses				
	Repair & Maintenance		5,000		Repair of damaged bridge
				928,904	
57501	<u>Sports Complex</u>	1,227,259		1,227,259	
58101	<u>Transfers</u>	608,791		608,791	
59101	<u>Building & Maintenance</u>	431,765		431,765	
	Total General Fund	21,006,710	25,076	21,031,786	

City of New Smyrna Beach					
Budget Amendments and Transfers				Increases budget	
1/8/2013				Decreases budget	
.05-13					
Number	Department	Original Budget	Amendments	Revised Budget	Commission Action
General Fund Expense Summary:		Budget	Commission		
		Amendments	Approved		
Personnel		-	-		
Operating		5,076	-		
Capital		20,000	-		
		25,076	-		
101	Stormwater Fund				
	Revenue	3,075,918			
	Appropriated Fund Balance		(353,726)		Budget over stated
				2,722,192	
101	Stormwater Fund				
	Expenditures	3,075,918			
	Capital				
	Central Beach Phase III		(353,726)		Budget over stated
				2,722,192	
120	CRA Fund				
	Revenue	7,783,778			
	TIF Funding		(121,267)		TIF funding to reflect adopted millages for FY2013.
	Appropriated Fund Balance		828,173		Appropriate remaining fund balance as estimated at 09/30/2012
				8,490,684	
120	CRA Fund				
	Expenditures	7,783,778			
	Operating Expenses				
	Grants & Aids		100,000		Allocate additional funding to Grants and Aids per City Commission
	Westside Housing Initiatives Program		200,000		Partnership with NSB Housing Authority on residential rehabilitation
	Capital				
	East Washington/North Causeway Improvements		406,906		Improvement projects set by City Commission during Winter Retreat
				8,490,684	
303	GOB Capital Projects				
	Revenue	3,751,265			
				3,751,265	
303	GOB Capital Projects				
	Expenditures	3,751,265			
	Capital				
	Sidewalks		(108,730)		Allocating funds from Sidewalk budget until grant agreement has been received.
	Sidewalks		39,699		Sidewalk installation on West 7th Street (Myrtle Avenue to B Street)
	Sidewalks		69,031		Sidewalk installation on Michigan Avenue(Schoolway Avenue to Mathews Avenue)
				3,751,265	

Ordinance No. 05-13 of the City of New Smyrna Beach, Florida, was introduced before the City Commission at its Regular Meeting January 8, 2013, and read by title only. Motion was made by Commissioner Reiker, and seconded by Commissioner Jones, 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. 05-13 was read by title only at the Regular Meeting held by the City Commission on January 22, 2013, Motion was made by Vice Mayor Grasty, and seconded by Commissioner Reiker, that Ordinance No. 05-13 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. 05-13 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. 05-13