

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

**ORDINANCE NO. 10-16**

**AN ORDINANCE AMENDING BUDGET ORDINANCE NO. 82-15, ORDINANCE NO. 100-15. ORDINANCE NO. 112-15, AND ORDINANCE NO. 114-15 CURRENT EXPENSES AND CAPITAL OUTLAY REQUIRED FOR 2015-2016; 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. 82-15, Ordinance No. 100-15, Ordinance No. 112-15, and Ordinance No. 114-15, Current Expenses and Capital Outlay for the Fiscal Year beginning October 1, 2015, and ending September 30, 2016, 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 2015-2016 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:** *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, 2015 and ending September 30, 2016.

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	9,891,899
Local-Option Gas Tax	764,796
Utility Taxes	3,106,837
Franchise Taxes	<u>696,547</u>

**TOTAL TAXES** 14,460,079

36	<u>LICENSES AND PERMITS:</u>	
37	Business Tax	227,990
38	Permits	<u>915</u>
39	TOTAL LICENSES AND PERMITS	228,905
40	<u>INTERGOVERNMENTAL REVENUES:</u>	
41	STATE AND FEDERAL GRANTS:	
42	State/Federal Grants	161,715
43	STATE SHARED REVENUES:	
44	State/County/Local	2,000,843
45	OTHER SHARED REVENUES:	
46	Utilities Commission 6%	<u>3,541,809</u>
47	TOTAL INTERGOVERNMENTAL	5,704,367
48	<u>CHARGES FOR SERVICES:</u>	
49	Charges for Services	<u>624,645</u>
50	TOTAL CHARGES FOR SERVICES	624,645
51	<u>FINES AND FORFEITURES:</u>	
52	Court Cases/Local Ordinances	<u>52,450</u>
53	TOTAL FINES AND FORFEITURES	52,450
54	<u>MISCELLANEOUS REVENUES:</u>	
55	Other Income	<u>108,411</u>
56	TOTAL MISCELLANEOUS REVENUES	108,411
57	<u>OTHER FINANCING SOURCES:</u>	
58	Transfer From Other Funds	30,700
59	Appropriated Reserves	<u>1,806,949</u>
60	TOTAL OTHER FINANCING SOURCES	1,837,649

61 TOTAL REVENUES AND OTHER FINANCING SOURCES 23,016,506

62 B. That from said GENERAL FUND and for the current expenses or  
63 use of the several departments or accounts names below, the  
64 sums set opposite said departments are hereby appropriated,  
65 to-wit:

66 EXPENDITURES:

67	CITY COMMISSION	234,625
68	CITY MANAGER	428,422
69	CITY CLERK	258,634
70	ECONOMIC DEVELOPMENT	246,030
71	CITY ATTORNEY	486,969
72	FINANCE	615,610
73	INFORMATION TECHNOLOGY	466,215
74	HUMAN RESOURCES/PERSONNEL	229,128
75	GENERAL GOVERNMENT	1,590,018
76	INDIRECT COST ALLOCATION	-627,946
77	TRANSFERS OUT (Debt Service Payment)	987,030
78	LAW ENFORCEMENT	5,765,176
79	FIRE	5,711,029
80	EMERGENCY MANAGEMENT	75,950
81	PLANNING & ENGINEERING	704,785
82	PUBLIC WORKS:	
83	ADMINISTRATION	197,675
84	BUILDING MAINTENANCE	642,385
85	STREETS	1,521,635
86	RECREATION	1,041,526
87	PARKS	1,528,198
88	SPORTS COMPLEX	<u>913,412</u>
89	TOTAL APPROPRIATIONS	<u>23,016,506</u>

90 E. That for FIRE SERVICE IMPACT FEE FUND, the following sums of  
91 money are hereby appropriated from the following anticipated  
92 sources of revenue, to-wit:

93 REVENUES:

94	Impact Fees	66,000
95	Reserved for Encumbrance	<u>2,100</u>

96	TOTAL REVENUES	<u>68,100</u>
97	F. That from FIRE SERVICE IMPACT FEE FUND set forth in Paragraph	
98	E above, the following sums of money are hereby appropriated,	
99	to-wit:	
100	<u>EXPENDITURES:</u>	
101	Operating Expenses	<u>68,100</u>
102	TOTAL APPROPRIATIONS	<u>68,100</u>
103	K. That for MUNICIPAL AIRPORT-INDUSTRIAL PARK FUND, the following	
104	sums of money are hereby appropriated from the following	
105	anticipated sources of revenue, to-wit:	
106	<u>REVENUES:</u>	
107	Charges for Services	2,320,000
108	Intergovernmental Revenues	2,852,171
109	Rents and Royalties	791,319
110	Miscellaneous	2,000
111	Appropriated Reserves	<u>94,654</u>
112	TOTAL REVENUES	<u>6,060,144</u>
113	L. That from MUNICIPAL AIRPORT-INDUSTRIAL PARK FUND set forth in	
114	Paragraph K above, the following sums of money are hereby	
115	appropriated, to-wit:	
116	<u>EXPENDITURES:</u>	
117	Airport/Industrial Park	<u>6,060,144</u>
118	TOTAL APPROPRIATIONS	<u>6,060,144</u>
119	U. That for STORMWATER UTILITY FEE FUND, the following sums of	
120	money are hereby appropriated from the following anticipated	
121	sources of revenue, to-wit:	
122	<u>REVENUES:</u>	
123	Transfers in from UC	351,551

124	Charges for Services	1,929,264
125	Appropriated Reserves	<u>2,363,557</u>
126	TOTAL REVENUES	<u>4,644,372</u>

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

131 EXPENDITURES:

132	Stormwater Improvements	4,394,802
133	Transfers Out (Debt Service Payments)	<u>249,570</u>
134	TOTAL APPROPRIATIONS	<u>4,644,372</u>

135 W. That for 2005 GENERAL OBLIGATION BONDS CAPITAL PROJECTS FUND,  
 136 the following sums of money are hereby appropriated from the  
 137 following anticipated sources of revenue, to-wit:

138 REVENUES:

139	Appropriated Reserves	<u>594,375</u>
140	TOTAL REVENUES	<u>594,375</u>

141 X. That from CAPITAL PROJECTS FUND set forth in Paragraph W  
 142 above, the following sums of money are hereby appropriated to  
 143 the expense of principal and interest on the City's fund  
 144 indebtedness, to-wit:

145 EXPENDITURES:

146	Capital Projects	<u>594,375</u>
147	TOTAL APPROPRIATIONS	<u>594,375</u>

148 Y. That for BUILDING INSPECTION FUND, the following sums of money  
 149 are hereby appropriated from the following anticipated sources  
 150 of revenue, to-wit:

151	<u>REVENUES:</u>	
152	Licenses/Permits	1,110,408
153	Charges for Services	70,000
154	Miscellaneous Revenue	12,645
155	Fines & Forfeitures	14,760
156	Intergovernmental Revenue	22,049
157	Appropriated Reserves	<u>233,233</u>

158 TOTAL REVENUES 1,463,095

159 Z. That from BUILDING INSPECTION FUND set forth in Paragraph Y  
160 above, the following sums of money are hereby appropriated to  
161 the expense of principal and interest on the City's fund  
162 indebtedness, to-wit:

163	<u>EXPENDITURES:</u>	
164	Protective Inspection	<u>1,463,095</u>

165 TOTAL APPROPRIATIONS 1,463,095

166 II. That for 2013 CAPITAL PROJECTS FUND, the following sums of  
167 money are hereby appropriated from the following anticipated  
168 sources of revenue, to wit:

169	<u>REVENUES:</u>	
170	Appropriated Reserves	5,408,823
171	Intergovernment Funds	<u>241,047</u>

172 TOTAL REVENUES 5,649,870

173 JJ. That from 2013 CAPITAL PROJECTS FUND set forth in Paragraph II  
174 above, the following sums of money are hereby appropriated to  
175 the expense of principal and interest on the City's fund  
176 indebtedness, to-wit:

177	<u>EXPENSES:</u>	
178	Capital Improvements	<u>5,649,870</u>

179 TOTAL EXPENSES 5,649,870

180 OO. That for the 1985 COMMUNITY REDEVELOPMENT TRUST FUND, the  
181 following sums of money are hereby appropriated from the  
182 following anticipated sources of revenue, to-wit:

183 REVENUES:

184	Intergovernmental Revenue	500,000
185	Appropriated Reserves	<u>1,202,112</u>

186	TOTAL REVENUES	<u>1,702,112</u>
-----	----------------	------------------

187 PP. That from the 1985 COMMUNITY REDEVELOPMENT TRUST FUND set  
188 forth in Paragraph OO above, the following sums of money are  
189 hereby appropriated, to-wit:

190 EXPENSES:

191	Economic Development	<u>1,702,112</u>
-----	----------------------	------------------

192	TOTAL EXPENSES	<u>1,702,112</u>
-----	----------------	------------------

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

196 a) Increasing total appropriations within a fund from  
197 reserves or based upon an estimated increase in revenues  
198 shall be by ordinance.

199 b) Appropriations for specific expenditures within a fund  
200 may be increased without increasing total fund  
201 expenditures by resolution identifying the increases and  
202 offsetting decreases.

203 c) The City Manager may adjust line item expenditures within  
204 a department which do not increase total departmental  
205 expenditures or cause a change in functions, programs or  
206 capital projects.

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

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

211 **SECTION 4: Public Hearing.** That a public hearing considering  
212 the adoption of this ordinance was held January 26, 2016, in the  
213 City Commission Chambers at City Hall, 210 Sams Avenue (south  
214 entrance on Julia Street), New Smyrna Beach, Florida, after notice  
215 is found to comply with §166.041(3)(a), F.S.

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

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

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

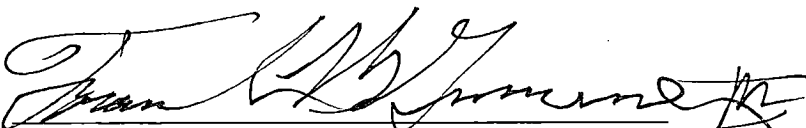
226 **APPROVED AS TO FORM AND CORRECTNESS:**

227

228

229

230



FRANK B. GUMMEY, III  
City Attorney

DATE: 1/19/16



Ordinance No. 10-16 of the City of New Smyrna Beach, Florida, was introduced before the City Commission at its Regular Meeting January 12, 2016, and read by title only. Motion was made by Commissioner McGuirk, to approve the Ordinance on first reading, and seconded by Vice Mayor Reiker, the vote thereon being as follows:

MAYOR JAMES W. HATHAWAY	Yes
VICE MAYOR JUDY REIKER	Yes
COMMISSIONER JACOB D. SACHS	Yes
COMMISSIONER JASON MCGUIRK	Yes
COMMISSIONER KIRK JONES	Yes

Ordinance No. 10-16 was read by title only at the Regular Meeting held by the City Commission on January 26, 2016, Motion was made by Vice Mayor Reiker, and seconded by Commissioner Jones, that Ordinance No. 10-16 be adopted on second and final reading, the vote thereon being as follows:

MAYOR JAMES W. HATHAWAY	Yes
VICE MAYOR JUDY REIKER	Yes
COMMISSIONER JACOB D. SACHS	Yes
COMMISSIONER JASON MCGUIRK	Yes
COMMISSIONER KIRK JONES	Yes

The City Clerk noted the passage of Ordinance No. 10-16 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. 10-16