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ORDINANCE NO. 36-14

AN ORDINANCE AMENDING ORDINANCE NO. 191-13, ORDINANCE NO. 220-13, ORDINANCE NO. 230-13, ORDINANCE NO. 04-14, ORDINANCE NO. 15-14, AND 24-14, CURRENT EXPENSES AND CAPITAL OUTLAY REQUIRED BY THE CITY OF NEW SMYRNA BEACH, FLORIDA, DURING AND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013, AND ENDING SEPTEMBER 30, 2014; 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. 191-13, Ordinance No. 220-13, Ordinance No. 230-13, Ordinance No. 04-14, Ordinance No. 15-14, and Ordinance No. 24-14, Current Expenses and Capital Outlay for the Fiscal Year beginning October 1, 2013, and ending September 30, 2014, 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 2013-2014 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. 191-13, Ordinance No. 220-13, Ordinance No. 230-13, Ordinance No. 04-14, Ordinance No. 15-14, and Ordinance No. 24-14, be and the same are hereby amended only for the accounts below for the fiscal year beginning October 1, 2013, and ending September 30, 2014, as follows:

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

<u>REVENUES:</u>	
Intergovernmental Revenue	11,380
Appropriated Reserves	<u>3,092,995</u>
TOTAL REVENUES	<u>3,104,375</u>

38 DD. That from GENERAL OBLIGATION BOND CAPITAL PROJECTS FUND set
39 forth in Paragraph CC above, the following sums of money are
40 hereby appropriated to the expense of principal and interest
41 on the City's fund indebtedness, to-wit:

42 EXPENDITURES:

43 Capital Projects 3,104,375

44 TOTAL APPROPRIATIONS 3,104,375

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

48 a) Increasing total appropriations within a fund from
49 reserves or based upon an estimated increase in revenues
50 shall be by ordinance.

51 b) Appropriations for specific expenditures within a fund
52 may be increased without increasing total fund
53 expenditures by resolution identifying the increases and
54 offsetting decreases.

55 c) The City Manager may adjust line item expenditures within
56 a department which do not increase total departmental
57 expenditures or cause a change in functions, programs or
58 capital projects.

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


63 **SECTION 4: Public Hearing.** That a public hearing considering
64 the adoption of this ordinance held May 13, 2014, in the City
65 Commission Chambers at City Hall, 210 Sams Avenue (south entrance
66 on Julia Street), New Smyrna Beach, Florida, after notice is found
67 to comply with §166.041(3)(a), F.S.

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

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

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

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

79 
80 **FRANK B. GUMMEY, III**
81 **City Attorney**

82 **DATE:** 4/11/14

Ordinance No. 36-14 of the City of New Smyrna Beach, Florida, was introduced before the City Commission at its Regular Meeting April 22, 2014, and read by title only. Motion was made by Vice Mayor McGuirk, to approve the Ordinance on first reading, and seconded by Commissioner Grasty, the vote thereon being as follows:

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

Ordinance No. 36-14 was read by title only at the Regular Meeting held by the City Commission on May 13, 2014, Motion was made by Commissioner Jones, and seconded by Commissioner Grasty, that Ordinance No. 36-14 be adopted on second and final reading, the vote thereon being as follows:

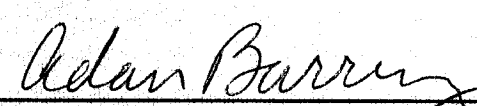
MAYOR ADAM BARRINGER	Yes
VICE MAYOR JASON MCGUIRK	Yes
COMMISSIONER JUDY REIKER	Yes
COMMISSIONER J. S. GRASTY	Yes
COMMISSIONER KIRK JONES	Yes

The City Clerk noted the passage of Ordinance No. 36-14 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. 36-14