

## **ORDINANCE NO. 2018-43**

**AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2018 BUDGET BY APPROPRIATING AND ALLOCATING FUNDS AS FOLLOWS: USE OF UNDESIGNATED FUND BALANCE IN THE FOLLOWING FUNDS: GENERAL FUND; LAW ENFORCEMENT TRUST FUND; POLICE IMPACT FEE FUND; FIRE IMPACT FEE FUND; PARKS IMPACT FEE FUND; TRANSPORTATION IMPACT FEE FUND; UTILITY OPERATING FUND; UTILITIES CONNECTION FEE FUND; UTILITIES RENEWAL/REPLACEMENT FUND; MAIN LINE EXTENSION FEE FUND; AND BUILDING FUND; TRANSFER FROM THE UTILITIES OPERATING FUND TO THE UTILITIES RENEWAL/REPLACEMENT FUND FOR ADDITIONAL PROJECT FUNDING FOR STEEL PIPE REPLACEMENT; TRANSFER FROM THE BUILDING FUND TO THE FLEET SERVICES FUND TO COMPLETE VEHICLE PURCHASE; RECOGNIZING THE STATE/FDOT GRANT FOR SAFE ROUTES TO SCHOOL LAP AGREEMENT; RECOGNIZING THE FEMA PUBLIC ASSISTANCE REIMBURSEMENT FUNDING FOR HURRICANE MATTHEW DEBRIS REMOVAL EXPENDITURES; RECOGNIZING THE HONEYWELL ENERGY PERFORMANCE CONTRACT/LEASE PURCHASE AGREEMENT; RECOGNIZING THAT SUCH APPROPRIATIONS MUST BE MADE PURSUANT TO THE CODE OF ORDINANCES OF THE CITY OF PALM BAY, CHAPTER 35; ADOPTING, RATIFYING, CONFIRMING, AND VALIDATING THE ALLOCATIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Palm Bay recognizes that non-budgeted items must be appropriated and that such appropriation must be allocated by Ordinance, and

**WHEREAS**, transfers between funds and departments must be approved by City Council, and

**WHEREAS**, Chapter 35, Finance, Budget, Section 35.035, of the City of Palm Bay, Code of Ordinances provides for the transfer of funds and appropriation of unbudgeted funds.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:**

**SECTION 1.** The City Council, in accordance with the City of Palm Bay, Code of Ordinances, Chapter 35, Finance, Budget, Section 35.035, hereby appropriates the following funds:

	<b>Revenues</b>	<b>Expenditures</b>
<b><u>General Fund</u></b>		
Facilities Position Control #4 Changes - Resolution Date 08/14/2018		(45,600)
Parks Position Control #4 Changes - Resolution Date 08/14/2018		45,600
City Manager's Office-Trnf to Parks (Boardwalk Repairs)		(5,000)
Parks-Trnf from City Manager's Office (Boardwalk Repairs)		5,000
Ranger Construction Attorney Fees & Costs		800,000
Debris Removal/Monitoring Purchase Order Increases		564,119
Honeywell Energy Performance Contract; Lease Purchase Agreement		4,363,350
Capital Leases (Honeywell Energy Performance Contract)	4,363,350	
Reverse Ineligible FY 18/BA #1 Impact Fee Appropriations - Impact Fee Rate Study		64,808
FEMA/Hurricane Matthew Reimbursement (Debris Removal)	1,158,626	
Turkey Creek Sanctuary Boardwalk Repairs		7,000
Undesignated Fund Balance	277,301	
<b>Fund Subtotal</b>	<b>5,799,277</b>	<b>5,799,277</b>
<b><u>Law Enforcement Trust Fund (101)</u></b>		
Purchase of (1) Night Vision Camera System w/ Drone		19,887
Purchase of (3) Police Canines		21,600
Undesignated Fund Balance	41,487	
<b>Fund Subtotal</b>	<b>41,487</b>	<b>41,487</b>
<b><u>Police Impact Fee Fund (152)</u></b>		
Reverse Ineligible FY 18/BA #1 Appropriations; Impact Fee Study		(21,603)
Undesignated Fund Balance	(21,603)	
<b>Fund Subtotal</b>	<b>(21,603)</b>	<b>(21,603)</b>

**Fire Impact Fee Fund (153)**

Reverse Ineligible FY 18/BA #1 Appropriations; Impact Fee Study		(21,603)
Undesignated Fund Balance	(21,603)	
<b>Fund Subtotal</b>	<b>(21,603)</b>	<b>(21,603)</b>

**Parks Impact Fee Fund (154)**

Wake Forest BB Court (18PR04)		50,000
Additional Movie Equipment Purchase		36,000
Reverse Ineligible FY 18/BA #1 Appropriations; Impact Fee Study		(21,602)
Undesignated Fund Balance	64,398	
<b>Fund Subtotal</b>	<b>64,398</b>	<b>64,398</b>

**Transportation Impact Fee Fund (155)**

Acquisition of Right-Of-Way (ROW) on Malabar Road		9,972
Funding for Culver Drive Widening Project		1,961,967
Undesignated Fund Balance	1,971,939	
<b>Fund Subtotal</b>	<b>1,971,939</b>	<b>1,971,939</b>

**Community Investment Fund (301)**

Safe Routes to School LAP Agreement (18PW02)		293,668
State Grants/FDOT Grant	293,668	
Shoreline Restoration Project Close-Out (17PW18)		(1,338)
State Grants/EDTF Grant	(1,338)	
<b>Fund Subtotal</b>	<b>292,330</b>	<b>292,330</b>

**Utilities Operating Fund (421)**

Cancel Substandard Line to WWTP Project (16WS02)		(349,619)
Transfer to Utilities Renewal/Replacement Fund for additional funding for the Replace Large Diameter Steel Pipe project (12WS02)		692,608
Undesignated Fund Balance	342,989	
<b>Fund Subtotal</b>	<b>342,989</b>	<b>342,989</b>

**Utilities Connection Fee Fund (423)**

Close San Filippo Water MLE Project (18WS03)		(30,000)
Undesignated Fund Balance	(30,000)	
<b>Fund Subtotal</b>	<b>(30,000)</b>	<b>(30,000)</b>

**Utilities Renewal/Replacement Fund (424)**

Additional Funding for Replace Large Diameter Steel Pipe project (12WS02)		427,129
Transfer from Utilities Operating Fund for additional funding for the Replace Large Diameter Steel Pipe project (12WS02)	692,608	
Undesignated Fund Balance	(265,479)	
<b>Fund Subtotal</b>	<b>427,129</b>	<b>427,129</b>

**Main Line Extension Fee Fund (425)**

Close Gould Ave SW MLE Project (17WS21)		(7,096)
Close Raleigh MLE project (18WS25)		(4,320)
Undesignated Fund Balance	(11,416)	
<b>Fund Subtotal</b>	<b>(11,416)</b>	<b>(11,416)</b>

**Utility SRF Loan Fund (433)**

Removal of State Revolving Loan Project Funding	(10,371,000)	
Close Palm Vista Water/Force Main project (16WS06)		(4,070,000)
Close I-95/Parkway WM and FM project (17WS02)		(2,525,000)
Close Cogan Drive WM and FM project (17WS03)		(3,776,000)
<b>Fund Subtotal</b>	<b>(10,371,000)</b>	<b>(10,371,000)</b>

**Building Fund (451)**

Position Control #4 Changes - Resolution Date 08/14/2018		12,348
2018 Ford Interceptor Purchase		36,165
2018 Ford Explorer & 2018 Nissan Frontier Purchase		73,776
Undesignated Fund Balance	122,289	
<b>Fund Subtotal</b>	<b>122,289</b>	<b>122,289</b>

**Stormwater Utility Fund (461)**

Purchase (1) Caterpillar skid steer loader & (1) Caterpillar excavator		335,611
Undesignated Fund Balance	335,611	
<b>Fund Subtotal</b>	<b>335,611</b>	<b>335,611</b>

**Fleet Services Fund (521)**

Complete 2018 Ford Interceptor Purchase		36,165
Transfer from Building Fund	36,165	
<b>Fund Subtotal</b>	<b>36,165</b>	<b>36,165</b>

<b>Total</b>	<b>(1,022,008)</b>	<b>(1,022,008)</b>
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**SECTION 2.** The City Council adopts, ratifies, and approves the appropriations as listed above.

**SECTION 3.** The provisions within this Ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting No. 2018-21, held on, September 6, 2018; and read in title only and duly enacted at Meeting No. 2018-25, held on October 4, 2018.

ATTEST:

  
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Terese M. Jones, CITY CLERK

  
\_\_\_\_\_  
William Capote, MAYOR

Reviewed by CAO: PS



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Gregg Lynk, City Manager

**DATE:** September 6, 2018

**RE:** FY 2018 Fourth Budget Amendment

A handwritten signature in blue ink, appearing to read "Gregg Lynk".

Summary of the proposed budget amendment:

### **General Fund (001)**

#### **Revenues – Total \$5,521,976**

- Receipt of proceeds from the Bank of America Lease Purchase Agreement, closed on July 6, 2018, to provide funding for the Honeywell Energy Performance Contract - **\$4,363,350.**
- FEMA Public Assistance Reimbursement funding for Hurricane Matthew Debris Removal - **\$1,158,626.**

#### **Expenditures – Total \$5,799,277**

- Position Control changes processed on the 08/14/2018 Position Control Resolution #4 - **\$0.**
  - Facilities – move three (3) Maintenance Worker II positions to Parks (\$45,600)
  - Parks – move three (3) Maintenance Worker II positions from Facilities \$45,600
- Transfer funds from the City Manager's Office (\$5,000) to the Parks Department \$5,000 to complete the Turkey Creek Sanctuary Boardwalk repairs - **\$0.**
- Attorney fees and costs paid to Vezina Lawrence & Piscitelli, PA. relating to City of Palm Bay v. Ranger Construction Industries, Inc; approved by Council 06/21/2018. - **\$800,000.**
- Additional funding for Hurricane Irma Debris Removal and Monitoring expenditures; increased purchase orders for CERES Environmental and Thompson Consulting; approved by Council 08/14/2018 - **\$564,119.**

- Funding for the Honeywell Energy Performance Contract (project 18FM03); emergency, water and wastewater savings - **\$4,349,263.**
- Funding for the Bond Counsel and Financial Advisor Services expenditures associated with the Honeywell Performance Contract and Bank of American Lease Purchase Agreement - **\$14,087.**
- Reverse FY 2018/Budget Amendment #1 Appropriations for Impact Fee Rate Study; determination of funds usage ineligibility - **\$64,808.**
- Funding to complete the Turkey Creek Sanctuary boardwalk damages/repairs sustained during Hurricane Irma - **\$7,000.**

#### **Law Enforcement Trust Fund (101)**

##### **Expenditures – Total \$41,487**

- Purchase of (1) Night Vision Camera System with Drone; approved by Council 06/07/2018 – **\$19,887.**
- Purchase of (3) Police Canines; approved by Council 06/07/2018 – **\$21,600.**

#### **Police Impact Fee Fund (152)**

##### **Expenditures – Total (\$21,603)**

- Reverse FY 2018/Budget Amendment #1 Appropriations for Impact Fee Rate Study; determination of funds usage ineligibility – **(\$21,603).**

#### **Fire Impact Fee Fund (153)**

##### **Expenditures – Total (\$21,603)**

- Reverse FY 2018/Budget Amendment #1 Appropriations for Impact Fee Rate Study; determination of funds usage ineligibility – **(\$21,603).**

#### **Parks Impact Fee Fund (154)**

##### **Expenditures – Total \$64,398**

- Funding for the construction of Wake Forest Basketball Courts (project 18PR04); approved by Council 06/21/2018 - **\$50,000.**

- Funding for the purchase of additional movie equipment to meet public demand; approved by Council 08/14/2018 - **\$36,000**.
- Reverse FY 2018/Budget Amendment #1 Appropriations for Impact Fee Rate Study; determination of funds usage ineligibility – **(\$21,602)**.

### **Transportation Impact Fee Fund (155)**

#### **Expenditures – Total \$1,971,939**

- Funding for the acquisition of a vacant lot for additional right-of-way (ROW) to accommodate the future expansion of Malabar Road; approved by Council 07/05/2018 - **\$9,972**.
- Funding for the Culver Drive Widening project; approved by Council 06/21/2018 - **\$1,961,967**.

### **Community Investment Fund (301)**

#### **Revenues – Total \$292,330**

- Local Agency Program (LAP) agreement with the Florida Department of Transportation (FDOT) for the Safe Routes to School project (18PW02); approved by Council 04/05/2018 - **\$293,668**.
- Reduce grant revenue for the Palm Bay Shoreline Restoration project (17PW18) for project close-out; all reimbursements have been received and no additional expenditures will be charged to the project – **(\$1,338)**.

#### **Expenditures – Total \$292,330**

- Funding for the Safe Routes to School project (18PW02) involving the design of 5-ft wide sidewalks and other improvements to enhance safety and accessibility for pedestrians walking to school at the following locations: Port Malabar Elementary; Christa McAuliffe Elementary; Columbia Elementary; Discovery Elementary and Jupiter Elementary; approved by Council 06/07/2018 - **\$293,668**.
- Close out the Palm Bay Shoreline Restoration project (17PW18); all reimbursements have been received and no additional expenditures will be charged to the project – **(\$1,338)**.

### **Utilities Operating Fund (421)**

#### **Expenditures - Total \$342,989**

- Cancellation of the Substandard Line to WWTP project (16WS02) – **(\$349,619)**.



- Transfer to the Utilities Renewal/Replacement Fund for additional funding for the Replace Large Diameter Steel Pipe project (12WS02) – **\$692,608**.

#### **Utilities Connection Fee Fund (423)**

##### **Expenditures - Total (\$30,000)**

- Close-out the San Filippo Water Main Line Extension project (18WS03) and return funds to undesignated fund balance – **(\$30,000)**.

#### **Utilities Renewal/Replacement Fund (424)**

##### **Revenues – Total \$692,608**

- Transfer from the Utilities Operating Fund for additional funding for the Replace Large Diameter Steel Pipe project (12WS02) – **\$692,608**.

##### **Expenditures - Total \$427,129**

- Additional funding for the Replace Large Diameter Steel Pipe project (12WS02) – **\$427,129**.

#### **Main Line Extension Fee Fund (425)**

##### **Expenditures - Total (\$11,416)**

- Close-out the Gould Avenue SW Water Main Line Extension project (17WS21) and return funds to undesignated fund balance – **(\$7,096)**.
- Close-out the Raleigh Water Main Line Extension project (18WS25) and return funds to undesignated fund balance – **(\$4,320)**.

#### **Utilities SRF Loan Fund (433)**

##### **Revenues – Total (\$10,371,000)**

- Remove State Revolving Loan Project Funding as designated projects (16WS06, 17WS02 & 17WS03) have not been funded at this time – **(\$10,371,000)**.

##### **Expenditures - Total (\$10,371,000)**

- Close-out the Palm Vista Water/Force Main project (16WS06) – **(\$4,070,000)**.
- Close-out the I-95/Parkway WM and FM project (17WS02) – **(\$2,525,000)**.
- Close-out the Cogan Drive WM and FM project (17WS03) – **(\$3,776,000)**.

**Building Fund (451)**

**Expenditures – Total \$122,289**

- Position Control changes processed on the 08/14/2018 Position Control Resolution #4 - **\$12,348.**

Growth Management – add (1) Data Entry Clerk position \$12,348.

- Transfer funds to the Fleet Services Fund for the purchase of (1) 2018 For Interceptor Utility vehicle; approved by Council 06/07/2018 - **\$36,165.**
- Purchase (1) 2018 Ford Explorer and (1) 2018 Nissan Frontier vehicle; approved by Council 07/05/2018 - **\$73,776.**

**Stormwater Utility Fund (461)**

**Expenditures – Total \$335,611**

- Purchase (1) Caterpillar skid steer loader and (1) Caterpillar excavator; approved by Council 07/19/2018 - **\$335,611.**

**Fleet Services Fund (521)**

**Revenues – Total \$36,165**

- Transfer of funds from the Building Fund for the purchase of (1) 2018 For Interceptor Utility vehicle; approved by Council 06/07/2018 - **\$36,165.**

**Expenditures – Total \$36,165**

- Complete the purchase of (1) 2018 For Interceptor Utility vehicle; approved by Council 06/07/2018 - **\$36,165.**

**REQUESTING DEPARTMENTS:**

Finance Department, Office of the City Attorney, Office of the City Manager, Facilities Department, Fire Department, Growth Management Department, Parks & Recreation Department, Police Department, Public Works Department, and Utilities Department.

**RECOMMENDATION:**

Motion to adopt FY 2018 Fourth Budget Amendment Ordinance.

Attachments: 1) Ordinance  
2) General Fund Appropriations Fund Balance

AC/ab

## Appropriations from September 30, 2017 Fund Balance

### Fund Balance at September 30, 2017

Nonspendable	21,112	
Committed	193,358	
Assigned	128,915	
<b>Unassigned</b>	<b>8,288,602</b>	<b>13.57%</b>
<b>Total GF Fund Balance @ 09/30/17</b>	<b>8,631,987</b>	<b>14.13%</b>

<u>Department</u>	<u>Budget Amend No. 1 - Approved December 21, 2017</u>	<u>Amount</u>	<u>BA Total</u>	<u>Total Approp.</u>
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Total Undesignated Funds Used - Budget Amendment 1			(1,653,021.00)	
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### Budget Amend No. 2 - Approved March 22, 2018

Total Undesignated Funds Used - Budget Amendment 2			(106,629.00)	
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### Budget Amend No. 3 - Approved June 21, 2018

Total Undesignated Funds Used - Budget Amendment 3			37,064.00	
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### Budget Amend No. 4 - Pending September 6, 2018 Enactment

#### Additions/Revenues

Finance/Facilities	Bank of America/Lease Purchase - Honeywell Energy Savings Contract	4,363,350.00
Finance/Public Works	FEMA/Hurricane Matthew Reimbursement (Debris Removal)	<u>1,158,626.00</u>
		<b>5,521,976.00</b>

#### Reductions/Expenditures

Facilities	Facilities Position Transfers to Parks - Position Control #4 08/14/2018	45,600.00
Parks	Parks Position Transfers from Facilities - Position Control #4 08/14/2018	(45,600.00)
City Manager	City Manager's Office-Transfer to Parks for Boardwalk Repairs	5,000.00
Parks	Parks-Transfer from City Manager's Office for Boardwalk Repairs	(5,000.00)
City Attorney	Ranger Construction Attorney Fees & Costs	(800,000.00)
Public Works	Debris Removal/Monitoring Purchase Order Increases	(564,119.00)
Police/Fire/Parks	Ineligibility FY 18/BA #1 Impact Fee Appropriations-Impact Fee Rate Study	(64,808.00)
Facilities	Capital Leases (Honeywell Energy Performance Contract)	(4,363,350.00)
Parks	Turkey Creek Sanctuary Boardwalk Repairs; Hurricane Irma Damages	<u>(7,000.00)</u>
		<b>(5,799,277.00)</b>

Total Undesignated Funds Used - Budget Amendment 4			(277,301.00)	
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Total FY 18 Appropriations Upon Approval of Budget Amendment 4				(1,999,887.00)
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<b>Unassigned 9/30/17 Fund Balance after FY 18 Appropriations</b>	<b>6,288,715.17</b>	<b>10.30%</b>
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Minimum Required Fund Balance based on FY 18 Proposed Budget	6,107,113.00	10.00%
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## Appropriations from September 30, 2017 Fund Balance

### Fund Balance at September 30, 2017

Nonspendable	21,112	
Committed	193,358	
Assigned	128,915	
<b>Unassigned</b>	<b>8,288,602</b>	<b>13.57%</b>
<b>Total GF Fund Balance @ 09/30/17</b>	<b>8,631,987</b>	<b>14.13%</b>

<u>Department</u>	<u>Budget Amend No. 1 - Approved December 21, 2017</u>	<u>Amount</u>	<u>BA Total</u>	<u>Total Approp.</u>
	<b>Total Undesignated Funds Used - Budget Amendment 1</b>		<b>(1,653,021.00)</b>	
	<u>Budget Amend No. 2 - Approved March 22, 2018</u>			
	<b>Total Undesignated Funds Used - Budget Amendment 2</b>		<b>(106,629.00)</b>	
	<u>Budget Amend No. 3 - Approved June 21, 2018</u>			
	<b>Total Undesignated Funds Used - Budget Amendment 3</b>		<b>37,064.00</b>	
	<u>Budget Amend No. 4 - Pending September 6, 2018 Enactment</u>			
	<u>Additions/Revenues</u>			
Finance/Facilities	Bank of America/Lease Purchase - Honeywell Energy Savings Contract	4,363,350.00		
Finance/Public Works	FEMA/Hurricane Matthew Reimbursement (Debris Removal)	<u>1,158,626.00</u>		
		<b>5,521,976.00</b>		
	<u>Reductions/Expenditures</u>			
Facilities	Facilities Position Transfers to Parks - Position Control #4 08/14/2018	45,600.00		
Parks	Parks Position Transfers from Facilities - Position Control #4 08/14/2018	(45,600.00)		
City Manager	City Manager's Office-Transfer to Parks for Boardwalk Repairs	5,000.00		
Parks	Parks-Transfer from City Manager's Office for Boardwalk Repairs	(5,000.00)		
City Attorney	Ranger Construction Attorney Fees & Costs	(800,000.00)		
Public Works	Debris Removal/Monitoring Purchase Order Increases	(564,119.00)		
Police/Fire/Parks	Ineligibility FY 18/BA #1 Impact Fee Appropriations-Impact Fee Rate Study	(64,808.00)		
Facilities	Capital Leases (Honeywell Energy Performance Contract)	(4,363,350.00)		
Parks	Turkey Creek Sanctuary Boardwalk Repairs; Hurricane Irma Damages	<u>(7,000.00)</u>		
		<b>(5,799,277.00)</b>		
	<b>Total Undesignated Funds Used - Budget Amendment 4</b>		<b>(277,301.00)</b>	
	<b>Total FY 18 Appropriations Upon Approval of Budget Amendment 4</b>			<b>(1,999,887.00)</b>
	<b>Unassigned 9/30/17 Fund Balance after FY 18 Appropriations</b>		<b>6,288,715.17</b>	<b>10.30%</b>
	<b>Minimum Required Fund Balance based on FY 18 Proposed Budget</b>		<b>6,107,113.00</b>	<b>10.00%</b>