

**RESOLUTION NO. 2 - 17**

**A RESOLUTION APPROVING AND ADOPTING THE UTILITIES COMMISSION'S PROPOSED BUDGET ESTIMATE FOR FISCAL YEAR ENDING SEPTEMBER 30, 2018, PENDING NEW SMYRNA BEACH CITY COMMISSION APPROVAL BY ORDINANCE, AND APPROVING THE UTILITIES COMMISSION'S CAPITAL IMPROVEMENT PLAN (FY2018-2022 AND FY2023-2027), RESCINDING ALL RESOLUTIONS, OR PORTIONS THEREOF, IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Utilities Commission, City of New Smyrna Beach, Florida, was duly created and validly existing under and by virtue of Chapters 67-1754 and 85-503, Laws of Florida, as the governing body of the utility system of the City of New Smyrna Beach, Florida; and

**WHEREAS**, the Utilities Commission enabling legislation, as stated above, requires the preparation and submission of its budget for the ensuing year to the City Commission of the City of New Smyrna Beach on or before June 1 of each year, and as a budget is additionally required by the U.C.'s Governing Resolution No. 28-78, specifically Section 16; and

**WHEREAS**, the Utilities Commission's annual budget for Fiscal Year 2018, beginning October 1, 2017 and continuing through September 30, 2018, sets forth its estimated gross revenues and estimated requirements for operations and maintenance expenses, debt service, and capital funding for all systems to be operated by the Utilities Commission for such period; and

**WHEREAS**, a copy of the budget estimate will be published in a newspaper of general circulation in the city during the month of June and a final budget shall be formally adopted upon approval by ordinance of the New Smyrna Beach City Commission.

**NOW, THEREFORE, BE IT RESOLVED BY THE UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH, FLORIDA, AS FOLLOWS:**

**SECTION 1:** The Utilities Commission does hereby approve and adopt the proposed Budget Estimate for Fiscal Year Ending September 30, 2018, and approve its Capital Improvement Plan (FY2018-2022 and FY2023-2027):

SEE EXHIBIT A, ATTACHED HERETO AND  
BY REFERENCE MADE A PART HEREOF

**SECTION 2:** If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 3:** All Resolutions, or portions thereof, in conflict herewith are hereby rescinded and superseded.

**SECTION 4:** After adoption by the Utilities Commission, this Resolution shall take effect immediately upon passage.

THE ABOVE AND FOREGOING RESOLUTION was introduced at a special meeting of the Utilities Commission, City of New Smyrna Beach, Florida, held on May 24, 2017, by Commissioner Britz-Parker, who moved its adoption, which motion was seconded by Commissioner Davenport, and upon roll call vote of the Commission was as follows:

CHAIRMAN	<u>[Signature]</u>	<u>YES</u>
VICE CHAIRMAN	<u>[Signature]</u>	<u>YES</u>
SECY.-TREAS.	<u>[Signature]</u>	<u>YES</u>
ASST. SECY.-TREAS.	<u>[Signature]</u>	<u>YES</u>
COMMISSIONER	<u>[Signature]</u>	<u>YES</u>

APPROVED:

[Signature]  
CHAIRMAN

ATTEST:

[Signature]  
SECRETARY-TREASURER



APPROVED AS TO FORM AND CORRECTNESS:

[Signature]  
Utilities Commission Attorney