

RESOLUTION 2019-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BALLANTRAE COMMUNITY DEVELOPMENT DISTRICT AMENDING ITS BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018, AND ENDING SEPTEMBER 30, 2019 TO REFLECT ADDITIONAL FUNDS ALREADY AVAILABLE TO THE DISTRICT; AND PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors (the “**Board**”) of the Ballantrae Community Development District (the “**District**”) planned for three capital improvement projects during fiscal year 2018/2019: (1) redesign and replacement of plants and landscaping at the main and six village entrances, (2) power washing, repair, and painting of both sides and tops of community walls along Ballantrae and Mentmore Blvds. as well as certain monuments and certain other District infrastructure, and (3) removal of invasive plants and undesirable growths from CDD owned wetland buffers;

WHEREAS, the Board earmarked \$338,133 in funds already available to the District to assist in the payment of the capital improvement projects without the need for any increase in special assessments;

WHEREAS, the Board previously adopted its budget for fiscal year 2018/2019;

WHEREAS, the Board desires to adjust its budget to reflect the additional funds already available to the District;

WHEREAS, the District is empowered by section 189.016, Florida Statutes to adjust the budget to reflect additional funds already available to the District and to designate these funds for capital improvement projects; and

WHEREAS, the Board has proposed an amended budget to reflect the additional funds already available to the District and to designate these funds to its Capital Projects line items for fiscal year 2018/2019 (the “**Amended Budget**”), attached hereto as **Exhibit A** and incorporated as a material part of this Resolution by this reference.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

1. **Recitals.** The foregoing recitals are hereby incorporated as the findings of fact of the Board.
2. **Amended Budget.** The Board hereby finds and determines as follows:
 - a. The Amended Budget is hereby adopted and shall accordingly amend the previously adopted budget for fiscal year 2018/2019.

- b. That the Amended Budget shall be maintained in the office of the District Manager and at the District's Records Office, located at 15310 Amberly Drive, Suite 175, Tampa, FL 33647, and identified as the "Ballantrae Community Development District Fiscal Year 2019 Amended Final Operating Budget".
 - c. The Amended Budget shall be posted by the Board on the District's official website within five (5) days after adoption and remain on the website for at least two (2) years.
3. **Severability.** If any section or part of a section of this Resolution is declared invalid, unconstitutional, or inconsistent with any governmental accounting or auditing standards, the validity, force and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.
4. **Conflicts.** This Resolution is intended to supplement the original resolution adopting the budget for fiscal year 2018/2019 (Resolution 2018-5), which remains in full force and effect. This Resolution and the original resolution shall be construed to the maximum extent possible to give full force and effect to the provisions of each resolution. All District resolutions or parts thereof in actual conflict with this Resolution are, to the extent of such conflict, superseded and repealed.
5. **Effective Date.** This Resolution shall become effective upon its adoption.

Passed and adopted this 7th day of January 2019.

Attest:

**Ballantrae
Community Development District**

Raymond J. Lotito
Secretary

Jim Flateau
Chair of the Board of Supervisors

Exhibit A: 2018/2019 Amended Budget