



**BANYAN CAY
COMMUNITY DEVELOPMENT
DISTRICT**

**PALM BEACH COUNTY
PUBLIC HEARING &
REGULAR BOARD MEETING
APRIL 23, 2019
2:00 P.M.**

Special District Services, Inc.
27499 Riverview Center Boulevard, #253
Bonita Springs, FL 33134

www.bluelakecdd.org
561.630.4922 Telephone
877.SDS.4922 Toll Free
561.630.4923 Facsimile

AGENDA
BANYAN CAY
COMMUNITY DEVELOPMENT DISTRICT
Conference Room of Special District Services, Inc.
2501A Burns Road
Palm Beach Gardens, Florida 33410
REGULAR BOARD MEETING & PUBLIC HEARING
April 23, 2019
2:00 P.M.

- A. Call to Order
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- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
 - 1. February 19, 2019 Special Organizational Meeting Minutes.....Page 2
- G. **Public Hearing – Fiscal Year 2018/2019 Budget**
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 - 2. Receive Comments on Adopting a Fiscal Year 2018/2019 Final Budget
 - 3. Consider Resolution No. 2019-21 – Adopting a Fiscal Year 2018/2019 Final Budget.....Page 13
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 - 3. Consider Resolution No. 2019-22 – Adopting the Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non Ad Valorem Assessments.....Page 19
- I. Old Business
- J. New Business
 - 1. Consider Resolution 2019-23 – Adopting a Fiscal Year 2019/2020 Proposed Budget.....Page 26
 - 2. Consider Selection of District Engineer
- K. Administrative Matters
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- M. Adjourn

PALM BEACH DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and
Legal Holidays
West Palm Beach, Palm Beach County, Florida

STATE OF FLORIDA
COUNTY OF PALM BEACH:

Before the undersigned authority personally appeared JOSHUA HENRY, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Palm Beach Daily Business Review f/k/a Palm Beach Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT FISCAL YEAR 2018/2019 REGULAR MEETING SCHEDULE

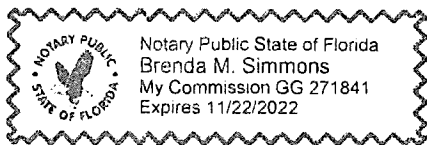
in the XXXX Court,
was published in said newspaper in the issues of

03/15/2019

Affiant further says that the said Palm Beach Daily Business Review is a newspaper published at Palm Beach, in said Palm Beach County, Florida and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in West Palm Beach in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

[Handwritten signature]
Sworn to and subscribed before me this
15 day of MARCH, A.D. 2019
[Handwritten signature]

(SEAL)
JOSHUA HENRY personally known to me



BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT FISCAL YEAR 2018/2019 REGULAR MEETING SCHEDULE

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Banyan Cay Community Development District will hold Regular Board Meetings in the Conference Room of Special District Services, Inc. located 2501A Burns Road, Palm Beach Gardens, Florida 33410 at 2:00 p.m. on the following dates:

- March 26, 2019
- April 23, 2019
- May 21, 2019

- June 18, 2019
- July 16, 2019
- August 20, 2019
- September 17, 2019

The purpose of the meetings is to conduct any business coming before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law. Copies of the Agendas for any of the meetings may be obtained from the District's website or by contacting the District Manager at 561-630-4922 and/or toll free at 1-877-737-4922 five (5) days prior to the date of the particular meeting.

From time to time one or two Supervisors may participate by telephone; therefore, a speaker telephone will be present at the meeting location so that Supervisors may be fully informed of the discussions taking place. Said meeting(s) may be continued as found necessary to a time and place specified on the record.

If any person decides to appeal any decision made with respect to any matter considered at these meetings, such person will need a record of the proceedings and such person may need to insure that a verbatim record of the proceedings is made at his or her own expense and which record includes the testimony and evidence on which the appeal is based.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meetings should contact the District Manager at 561-630-4922 and/or toll free at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

Meetings may be cancelled from time to time without advertised notice.

BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT
www.banyancaycdd.org
3/15 19-01/0000385916P

**BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT
SPECIAL ORGANIZATIONAL BOARD MEETING
FEBRUARY 19, 2019**

A. CALL TO ORDER

The Special Organizational Board Meeting of the Banyan Cay Community Development District was called to order at 2:03 p.m. in the Conference Room of Special District Services, Inc. located at 2501A Burns Road, Palm Beach Gardens, Florida 33410.

B. PROOF OF PUBLICATION

Proof of publication was presented which showed that notice of the Special Organizational Board Meeting had been published in *The Palm Beach Post* on February 9, 2019, as legally required.

C. SEAT NEW BOARD MEMBERS (FROM ORDINANCE)

Mr. Pierman, Notary for the State of Florida, administered the Oath of Office to Alicia Lewis, Charlie Rimpela, and Don Perry.

D. ADMINISTER OATHS OF OFFICE

E. REVIEW BOARD MEMBER RESPONSIBILITIES AND DUTIES

F. ESTABLISH A QUORUM

A quorum was established with the following Supervisors in attendance:

Alicia Lewis, Charlie Rimpela and Don Perry.

Also in attendance were Jason Pierman and Andrew Karmeris of Special District Services, Inc.; Attorney Bill Capko of Lewis, Longman & Walker; Lisa Tropepe & Adam Swaney of Engenuity; Angel Guerzon of Banyan Cay Development; and Robert Hedgecock of US Bank (via telephone).

G. CONSIDER RESOLUTION NO. 2019-01 – APPOINTING OFFICERS

Resolution No. 2019-01 was presented, entitled:

RESOLUTION 2019-01

**A RESOLUTION OF THE BOARD OF SUPERVISORS
DESIGNATING THE OFFICERS OF BANYAN CAY
COMMUNITY DEVELOPMENT DISTRICT AND PROVIDING
FOR AN EFFECTIVE DATE.**

Mr. Pierman explained that officers would be elected as a slate, rather than nominating each individually. A **motion** was made by Ms. Lewis, seconded by Mr. Perry, and unanimously passed to adopt Resolution No. 2019-01, with the following slate of officers:

Chair: Alicia Lewis
Vice Chair: Charlie Rimpela
Secretary/Treasurer: Jason Pierman
Assistant Secretary: Don Perry

H. ADDITIONS OR DELETIONS TO AGENDA

There were no additions or deletions to the agenda.

I. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

Mr. Pierman noted that no members of the public were present.

J. NEW BUSINESS

1. Consider Appointment of District Manager

Mr. Pierman presented a proposed District management agreement with Special District Services, Inc.

A **motion** was made by Mr. Perry, seconded by Ms. Lewis, and unanimously passed to approve the proposed District Management Agreement for Services and appoint Special District Services, Inc. as the District's Manager.

2. Consider Appointment of District General Counsel

Mr. Pierman presented a proposed District General Counsel engagement and fee agreement with Lewis, Longman & Walker, P.A.

A **motion** was made by Mr. Rimpela, seconded by Ms. Lewis, and unanimously passed to approve the engagement and fee agreement and appoint Lewis, Longman & Walker, P.A. as the District's General Counsel.

3. Consider Appointment of Interim District Engineer

Mr. Pierman presented a proposed Interim District Engineer agreement for professional engineering and surveying services with Engenuity Group Inc.

A **motion** was made by Mr. Rimpela, seconded by Mr. Perry, and unanimously passed to approve the agreement for professional engineering and surveying services, and appoint Engenuity Group Inc. as the Interim District Engineer.

4. Authorization to Issue RFQ for Engineering Services

Mr. Pierman presented the proposed Request for Qualifications (RFQ) for Engineering Services and explained the RFQ process.

A **motion** was made by Mr. Rimpela, seconded by Mr. Perry, and unanimously passed authorizing the publication of the RFQ for Engineering Services.

5. Consider Appointment of Investment Banker

Mr. Pierman presented a proposed Investment Banker agreement with FMS Bonds, Inc.

A **motion** was made by Mr. Rimpela, seconded by Ms. Lewis, and passed unanimously to approve the Investment Banker agreement and appoint FMS Bonds, Inc. as the District's Investment Banker.

6. Consider Appointment of Trustee

Mr. Pierman presented proposed Trustee agreements from US Bank and Zions National Bank.

A **motion** was made by Mr. Rimpela, seconded by Mr. Perry, and passed unanimously to appoint US Bank as the District's Trustee.

7. Consider Resolution No. 2019-02 – Designating a Registered Agent and Office

Resolution No. 2019-02 was presented, entitled:

RESOLUTION 2019-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT DESIGNATING A REGISTERED AGENT AND REGISTERED OFFICE OF THE DISTRICT AND PROVIDING FOR AN EFFECTIVE DATE.

A **motion** was made by Mr. Hartman, seconded by Mr. Nelson and passed unanimously to adopt Resolution No. 2016-02, designating Jason Pierman, c/o Special District Services, Inc., 2501A Burns Road, Palm Beach Gardens, Florida 33410 as Registered Agent and Office.

8. Consider Resolution No. 2019-03 – Authorizing Recording of the Notice of Establishment

Resolution No. 2019-03 was presented, entitled:

RESOLUTION 2019-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING THE FILING OF THE NOTICE OF ESTABLISHMENT FOR THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT.

A **motion** was made by Mr. Rimpela, seconded by Mr. Perry and passed unanimously to adopt Resolution No. 2019-03, as presented.

9. Consider Resolution No. 2019-04 – Designating Local Records Office

Resolution No. 2019-04 was presented, entitled:

RESOLUTION 2019-04

A RESOLUTION BY THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT DESIGNATING THE PRIMARY ADMINISTRATIVE OFFICE AND PRINCIPAL HEADQUARTERS OF THE DISTRICT; DESIGNATING THE LOCATION OF THE LOCAL DISTRICT RECORDS OFFICE; AND PROVIDING AN EFFECTIVE DATE.

A **motion** was made by Mr. Rimpela, seconded by Mr. Perry and passed unanimously to adopt Resolution No. 2019-04, designating the offices of the District Manager at 2501A Burns Road, Palm Beach Gardens, Florida 33410 as the District's local records office.

10. Consider Resolution No. 2019-05 – Adopting Records Retention Policy

Resolution No. 2019-05, entitled:

RESOLUTION 2019-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT PROVIDING FOR THE APPOINTMENT OF A RECORDS MANAGEMENT LIAISON OFFICER; PROVIDING THE DUTIES OF THE RECORDS MANAGEMENT LIAISON OFFICER; ADOPTING A RECORDS RETENTION POLICY; AND PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.

A **motion** was made by Mr. Rimpela, seconded by Mr. Perry and passed unanimously to adopt Resolution No. 2019-05, as presented.

11. Consider Resolution No. 2019-06 – Designating a Public Comment Period

Resolution No. 2019-06 was presented, entitled:

RESOLUTION 2019-06

A RESOLUTION OF THE BOARD OF SUPERVISORS OF BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT PROVIDING FOR THE PUBLIC'S OPPORTUNITY TO BE HEARD; DESIGNATING PUBLIC COMMENT PERIODS; DESIGNATING A PROCEDURE TO IDENTIFY INDIVIDUALS SEEKING TO BE HEARD; ADDRESSING PUBLIC DECORUM; ADDRESSING EXCEPTIONS; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

A **motion** was made by Mr. Rimpela, seconded by Mr. Perry and passed unanimously to adopt Resolution No. 2019-06, as presented.

12. Consider Resolution No. 2019-07 – Adopting a Legal Defense Policy

Resolution No. 2019-07 was presented, entitled:

RESOLUTION 2019-07

A RESOLUTION SETTING FORTH THE POLICY OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT BOARD OF SUPERVISORS WITH REGARD TO THE SUPPORT AND LEGAL DEFENSE OF THE BOARD OF SUPERVISORS AND DISTRICT OFFICERS AND PROVIDING FOR AN EFFECTIVE DATE.

A **motion** was made by Mr. Rimpela, seconded by Mr. Perry and passed unanimously to adopt Resolution No. 2019-07, as presented.

13. Consider Authorization to Obtain General Liability and Public Officers' Insurance

A **motion** was made by Mr. Rimpela, seconded by Mr. Perry and passed unanimously authorizing to obtain general liability and public officers' insurance, as presented.

14. Consider Resolution No. 2019-08 – Setting the Fiscal Year 2018/2019 Regular Meeting Schedule and Location

Resolution no. 2019-08 was presented, entitled:

RESOLUTION NO. 2019-08

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2018/2019 AND SETTING THE TIME AND LOCATION OF SAID DISTRICT MEETINGS; AND PROVIDING AN EFFECTIVE DATE.

Following discussion, Mr. Pierman noted that the March meeting would be listed as March 26, 2019.

A **motion** was then made by Mr. Rimpela, seconded by Mr. Perry and passed unanimously to adopt Resolution No. 2019-09, as amended.

15. Consider Resolution No. 2019-09 – Ordering and Calling for Initial Landowners' Meeting and Public Notice Thereof

Mr. Pierman presented Resolution No. 2019-09, entitled:

RESOLUTION NO. 2019-09

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT ORDERING AND CALLING FOR THE INITIAL LANDOWNERS' MEETING AND PUBLIC NOTICE THEREOF FOR THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT'S ELECTION OF MEMBERS TO THE BOARD OF SUPERVISORS

A **motion** was made by Mr. Rimpela, seconded by Mr. Perry and unanimously passed to adopt Resolution No. 2019-09, as presented, setting March 26, 2019, for the Initial Landowners' Meeting.

16. Consider Resolution No. 2019-10 – Approving a Proposed Fiscal Year 2018/2019 Annual Budget and Setting a Public Hearing Date for Final Adoption

Mr. Pierman presented Resolution No. 2019-10, entitled:

RESOLUTION 2019-10

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2018/2019 AND SETTING A PUBLIC HEARING THEREON PURSUANT TO FLORIDA LAW AND PROVIDING FOR AN EFFECTIVE DATE.

A **motion** was made by Mr. Rimpela, seconded by Mr. Perry and passed unanimously to adopt Resolution No. 2019-10, as presented, setting the Public Hearing for April 16, 2019, as presented.

17. Consider Resolution No. 2019-11 – Setting Public Hearing on the Rules of Procedure

Mr. Pierman presented Resolution No. 2019-11, entitled:

RESOLUTION 2019-11

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT TO DESIGNATE DATE, TIME AND PLACE OF PUBLIC HEARING AND AUTHORIZATION TO PUBLISH NOTICE OF SUCH HEARING FOR THE PURPOSE OF ADOPTING RULES OF PROCEDURE; AND PROVIDING AN EFFECTIVE DATE

A motion was made by Mr. Rimpela, seconded by Mr. Perry and passed unanimously to adopt Resolution No. 2019-11, setting the Public Hearing for March 26, 2019.

18. Consider Resolution No. 2019-12 – Setting a Public Hearing on the Notice of Intent to Use the Uniform Method of Collection

Mr. Pierman presented Resolution No. 2019-12, entitled:

RESOLUTION 2019-12

A RESOLUTION OF THE BOARD OF SUPERVISORS OF BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT DESIGNATING A DATE, TIME

AND LOCATION OF A PUBLIC HEARING REGARDING THE DISTRICT'S INTENT TO USE THE UNIFORM METHOD FOR THE LEVY, COLLECTION, AND ENFORCEMENT OF NON-AD VALOREM SPECIAL ASSESSMENTS AS AUTHORIZED BY SECTION 197.3632, FLORIDA STATUTES; AUTHORIZING THE PUBLICATION OF THE NOTICE OF SUCH HEARING; AND PROVIDING AN EFFECTIVE DATE.

A **motion** was Mr. Rimpela, seconded by Mr. Perry and passed unanimously to adopt Resolution No. 2019-12, as presented, setting the Public Hearing for April 16, 2019.

19. Consider Resolution No. 2019-13 –Designating a Qualified Public Depository

Mr. Pierman presented Resolution No. 2019-13, entitled:

RESOLUTION NO. 2019-13

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT, DESIGNATING A QUALIFIED PUBLIC DEPOSITORY; AND PROVIDING AN EFFECTIVE DATE, PURSUANT TO CHAPTER 280, FLORIDA STATUTES.

A **motion** was made by Mr. Rimpela, seconded by Mr. Perry, and unanimously passed to adopt Resolution No. 2019-13, designating CenterState Bank as the public depository for the District.

20. Consider Resolution No. 2019-14 – Establishing a CDD Checking Account and Signers

Mr. Pierman presented Resolution No. 2019-14, entitled:

RESOLUTION NO. 2019-14

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT, AUTHORIZING THE ESTABLISHMENT OF A DISTRICT CHECKING ACCOUNT AND THE SIGNATORIES THEREOF; AND PROVIDING AN EFFECTIVE DATE.

A **motion** was made by Mr. Rimpela, seconded by Mr. Perry, and passed unanimously to adopt Resolution No. 2019-14, designating Alicia Lewis as the additional signer.

21. Consider Resolution No. 2019-15 – Adopting Alternative Investment Guidelines

Mr. Pierman presented Resolution No. 2019-15, entitled:

RESOLUTION NO. 2019-15

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT, ADOPTING THE ALTERNATIVE INVESTMENT GUIDELINES FOR INVESTING PUBLIC FUNDS IN EXCESS OF AMOUNTS NEEDED TO MEET CURRENT OPERATING EXPENSES, IN ACCORDANCE WITH SECTION 218.415(17), FLORIDA STATUTES.

A **motion** was made by Mr. Rimpela, seconded by Mr. Perry and passed unanimously to adopt Resolution No. 2019-15, as presented.

22. Consider Resolution No. 2019-16 – Adopting a Prompt Payment Policy

Mr. Pierman presented Resolution No. 2019-16, entitled:

RESOLUTION 2019-16

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT ADOPTING PROMPT PAYMENT POLICIES AND PROCEDURES PURSUANT TO CHAPTER 218, FLORIDA STATUTES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

A **motion** was made by Mr. Rimpela, seconded by Mr. Perry and passed unanimously to adopt Resolution No. 2019-16, as presented.

23. Consider Resolution No. 2019-17 – Approving Statewide Mutual Aid Agreement

Mr. Pierman presented Resolution No. 2019-17, entitled:

RESOLUTION NO. 2019-17

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT, STATE OF FLORIDA, APPROVING THE FLORIDA STATEWIDE MUTUAL AID AGREEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A **motion** was made by Mr. Rimpela, seconded by Mr. Perry and passed unanimously to adopt Resolution No. 2019-17, as presented.

24. Consider Resolution No. 2019-18 – Appointing Bond Counsel

Mr. Pierman presented Resolution No. 2019-18, entitled:

RESOLUTION 2019-18

RESOLUTION APPOINTING BOND COUNSEL IN CONTEMPLATION OF THE ISSUANCE OF BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT SPECIAL ASSESSMENT BONDS AND PROVIDING FOR AN EFFECTIVE DATE

Mr. Pierman presented a proposal from Greenberg Traurig to serve as District Bond Counsel.

A **motion** was made by Mr. Rimpela, seconded by Mr. Perry, and unanimously passed to adopt Resolution No. 2019-18, appointing Greenberg Traurig to serve as District Bond Counsel.

25. Consider Resolution No. 2019-19 – Adopting Travel Reimbursement Policy

Mr. Pierman presented Resolution No. 2019-19, entitled:

RESOLUTION 2019-19

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT ADOPTING A POLICY FOR REIMBURSEMENT OF DISTRICT TRAVEL EXPENSES; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

A **motion** was made by Mr. Rimpela, seconded by Mr. Perry, and unanimously passed to adopt Resolution No. 2019-19, as presented.

26. Consider Compensation for Board Members

Mr. Pierman explained that, per Florida Statute, Board Members are entitled to receive up to \$200 per meeting, not to exceed \$4,800 per year. It was noted that although the current Board may choose to waive their fee, having an approved compensation policy can limit confusion later, and may assist in attracting future Board Members.

A **motion** was made by Mr. Rimpela, seconded by Mr. Perry, and unanimously passed to approve Board Member compensation of \$200 per meeting, not to exceed \$4,800 per year. The Board consensus was to waive fees for the current Board.

K. ADMINISTRATIVE MATTERS

Mr. Pierman noted that the next meeting would be held on March 26, 2019, at 2:00 p.m.

L. BOARD MEMBER COMMENTS

There were no comments from the Board Members.

M. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Ms. Lewis, seconded by Mr. Rimpela and passed unanimously to adjourn the meeting at 2:46 p.m.

ATTESTED BY:

Secretary/Assistant Secretary

Chairperson/Vice-Chair

Palm Beach Daily Business Review

April 12, 2019

Miscellaneous Notices

BANYAN CAY COMMUNITY

DEVELOPMENT DISTRICT

NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE FISCAL YEAR 2018/2019 BUDGET AND NOTICE OF REGULAR BOARD OF SUPERVISORS' MEETING

The Board of Supervisors of the Banyan Cay Community Development District (the "District") will hold a public hearing on April 23, 2019, at 2:00 p.m. in the Oaks Center located at 2501A Burns Road, Palm Beach Gardens, Florida 33410 for the purpose of hearing comments and objections on the adoption of the budget of the District for Fiscal Year 2018/2019. A regular board meeting of the District will also be held at that time where the Board may consider any other business that may properly come before it. A copy of the agenda and budget may be obtained from the District's website or at the offices of the District Manager, 2501A Burns Road, Palm Beach Gardens, Florida 33410, Telephone: (561) 630-4922 and/or toll free at 1-877-737-4922, during normal business hours.

The public hearing and meeting are open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The public hearing and meeting may be continued to a date, time, and place to be specified on the record at the meeting. There may be occasions when staff or Supervisors may participate by speaker telephone.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (561) 630-4922 at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770, for aid in contacting the District Office.

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearings or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

Meetings may be cancelled from time to time without advertised notice.

BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT

www.banyancaycdd.org

4/5-12 19-03/0000390942P

RESOLUTION NO. 2019-21

A RESOLUTION OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT ADOPTING A FISCAL YEAR 2018/2019 BUDGET.

WHEREAS, the Banyan Cay Community Development District (“District”) has prepared a Proposed Budget and Final Special Assessment Roll for Fiscal Year 2018/2019 and has held a duly advertised Public Hearing to receive public comments on the Proposed Budget and Final Special Assessment Roll; and,

WHEREAS, following the Public Hearing and the adoption of the Proposed Budget and Final Assessment Roll, the District is now authorized to levy non ad-valorem assessments upon the properties within the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT THAT:

Section 1. The Final Budget and Final Special Assessment Roll for Fiscal Year 2018/2019 attached hereto as Exhibit “A” is approved and adopted, and the assessments set forth therein shall be levied.

Section 2. The Secretary of the District is authorized to execute any and all necessary transmittals, certifications or other acknowledgements or writings, as necessary, to comply with the intent of this Resolution.

PASSED, ADOPTED and EFFECTIVE this 23rd day of April, 2019.

ATTEST:

**BANYAN CAY
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

Banyan Cay
Community Development District

**Final Budget For
Fiscal Year 2018/2019
February 19, 2019 - September 30, 2019**

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- II DETAILED FINAL BUDGET

FINAL BUDGET
BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2018/2019
FEBRUARY 19, 2019 - SEPTEMBER 30, 2019

	FISCAL YEAR 2018/2019 BUDGET
REVENUES	
O&M Assessments	0
Developer Contribution	78,350
Debt Assessments	0
Interest Income	0
TOTAL REVENUES	\$ 78,350
EXPENDITURES	
Supervisor Fees	0
Engineering/Inspections	2,000
Engineering Report*	15,000
Management	14,000
Legal	15,000
Assessment Roll	0
Methodology Report*	15,000
Audit Fees	0
Arbitrage Rebate Fee	0
Insurance	6,000
Legal Advertisements	7,500
Miscellaneous	1,000
Postage	300
Office Supplies	1,500
Dues & Subscriptions	175
Trustee Fees	0
Continuing Disclosure Fee	0
Website Management	875
TOTAL EXPENDITURES	\$ 78,350
REVENUES LESS EXPENDITURES	\$ -
Bond Payments	0
BALANCE	\$ -
County Appraiser & Tax Collector Fee	0
Discounts For Early Payments	0
EXCESS/ (SHORTFALL)	\$ -

*These items can either be classified as operating expenditures or as bond closing expenditures.
If they are classified as bond closing expenditures the total budget would be \$48,350.00

DETAILED FINAL BUDGET
BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2018/2019
FEBRUARY 19, 2019 - SEPTEMBER 30, 2019

	FISCAL YEAR 2016/2017 ACTUAL	FISCAL YEAR 2017/2018 BUDGET	FISCAL YEAR 2018/2019 BUDGET	COMMENTS
REVENUES				
O&M Assessments	0	0	0	
Developer Contribution	0	0	78,350	Developer Contribution
Debt Assessments	0	0	0	
Interest Income	0	0	0	
TOTAL REVENUES	\$ -	\$ -	\$ 78,350	
EXPENDITURES				
Supervisor Fees	0	0	0	
Engineering/Inspections	0	0	2,000	
Engineering Report*	0	0	15,000	
Management	0	0	14,000	7 Months X \$2,000
Legal	0	0	15,000	
Assessment Roll	0	0	0	Will Commence In Fiscal Year Following Issuing Of Bond
Methodology Report*	0	0	15,000	
Audit Fees	0	0	0	Will Commence In Fiscal Year Following Issuing Of Bond
Arbitrage Rebate Fee	0	0	0	Will Commence In Fiscal Year Following Issuing Of Bond
Insurance	0	0	6,000	
Legal Advertisements	0	0	7,500	
Miscellaneous	0	0	1,000	
Postage	0	0	300	
Office Supplies	0	0	1,500	
Dues & Subscriptions	0	0	175	Annual Fee Due Department Of Economic Opportunity
Trustee Fees	0	0	0	Will Commence In Fiscal Year Following Issuing Of Bond
Continuing Disclosure Fee	0	0	0	Will Commence In Fiscal Year Following Issuing Of Bond
Website Management	0	0	875	7 Months X \$125
TOTAL EXPENDITURES	\$ -	\$ -	\$ 78,350	
REVENUES LESS EXPENDITURES	\$ -	\$ -	\$ -	
Bond Payments	0	0	0	
BALANCE	\$ -	\$ -	\$ -	
County Appraiser & Tax Collector Fee	0	0	0	
Discounts For Early Payments	0	0	0	
EXCESS/ (SHORTFALL)	\$ -	\$ -	\$ -	

*These items can either be classified as operating expenditures or as bond closing expenditures. If they are classified as bond closing expenditures the total budget would be \$48,350.00

Palm Beach Daily Business Review

April 9, 2019

Miscellaneous Notices

BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT NOTICE OF THE DISTRICT'S INTENT TO USE THE UNIFORM METHOD OF COLLECTION OF NON-AD VALOREM ASSESSMENTS

Notice is hereby given that the Banyan Cay Community Development District (the "District") intends to use the uniform method of collecting non-ad valorem assessments to be levied by the District pursuant to Section 197.3632, Florida Statutes. The Board of Supervisors of the District will conduct a public hearing on April 23, 2019, at 2:00 p.m. at the Oaks Center located at 2501A Burns Road, Palm Beach Gardens, Florida 33410. The purpose of the public hearing is to consider the adoption of a resolution authorizing the District to use the uniform method of collecting non-ad valorem assessments to be levied by the District on properties located on land included in, or to be added to, the District.

The District may levy non-ad valorem assessments for the purpose of financing, acquiring, maintaining and/or operating community development facilities, services and improvements within and without the boundaries of the District, to consist of, among other things, wastewater systems, water supply systems, surface water management facilities, roadways, offsite improvements, sidewalks, landscaping and irrigation, entrance features, fences and gates, and other improvements and any other lawful projects or services of the District.

Owners of the properties to be assessed and other interested parties may appear at the public hearing and be heard regarding the use of the uniform method of collecting such non-ad valorem assessments. This hearing is open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The public hearing may be continued to a date, time and location to be specified on the record at the hearing. There may be occasions when Supervisors or staff may participate by speaker telephone.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the hearing and/or meeting is asked to contact the District Office at (561) 630-4922 and/or toll free at 1-877-737-4922, at least 48 hours before the hearing and/or meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at (800) 955-8770, who can aid you in contacting the District Office.

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the hearing is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

Jason Pierman

District Manager

BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT

www.banyancaycdd.org

3/26 4/2-9-16 19-07/0000388212P

RESOLUTION 2019-22

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT EXPRESSING ITS INTENT TO UTILIZE THE UNIFORM METHOD OF LEVYING, COLLECTING, AND ENFORCING NON AD VALOREM ASSESSMENTS WHICH MAY BE LEVIED BY THE GULFSTREAM POLO COMMUNITY DEVELOPMENT DISTRICT IN ACCORDANCE WITH SECTION 197.3632, FLORIDA STATUTES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Banyan Cay Community Development District (“District”) was established pursuant to the provisions of Chapter 190, Florida Statutes, which authorizes the District to levy certain assessments which include benefit and maintenance assessments and further authorizes the District to levy special assessments pursuant to Chapter 170, Florida Statutes, for the acquisition, construction, or reconstruction of assessable improvements authorized by Chapter 190, Florida Statutes; and

WHEREAS, the above referenced assessments are non-ad valorem in nature and, therefore, may be collected under the provisions of Section 197.3632, Florida Statutes, in which the State of Florida has provided a uniform method for the levying, collecting, and enforcing such non-ad valorem assessments; and

WHEREAS, pursuant to Section 197.3632, Florida Statutes, the District has caused notice of a public hearing to be advertised weekly in a newspaper of general circulation within Palm Beach County for four (4) consecutive weeks prior to such hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The Banyan Cay Community Development District upon conducting its public hearing as required by Section 197.3632, Florida Statutes, hereby expresses its intent to use the uniform method of collecting assessments imposed by the District as provided in Chapters 170 and 190, Florida Statutes, each of which are non-ad valorem assessments which may be collected annually pursuant to the provisions of Chapter 190, Florida Statutes, for the purpose of paying principal and interest on any and all of its indebtedness and for the purpose of paying the cost of operating and maintaining its assessable improvements. The legal description of the boundaries of the real property subject to a levy of assessments is attached and made a part of this Resolution as **Exhibit A**. The non-ad valorem assessments and the District’s use of the uniform method of collecting its non-ad valorem assessment(s) may continue in any given year when the Board of Supervisors determines that use of the uniform method for that year is in the best interests of the District.

SECTION 2. The District’s Secretary is authorized to provide the Property Appraiser and Tax Collector of Palm Beach County and the Department of Revenue of the State of Florida with a copy of this Resolution and enter into any agreements with the Property Appraiser and/or Tax Collector necessary to carry out the provisions of this Resolution.

SECTION 3. If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 4. This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 23rd day of April, 2019.

ATTEST:

**BANYAN CAY COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chairman, Board of Supervisors

Exhibit A: Legal Description

Exhibit A

LEGAL DESCRIPTION OF BANYAN CAY CDD

TRACTS "B", "C", "L-1", "L-2", "L-3", "L-4", "O-1", "O-2", "O-2", AND "O-4", BANYAN CAY RESORT COMMUNITY PLAT 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 124, PAGE 182, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. TOGETHER WITH ALL OF THE PLAT OF BANYAN CAY RESORT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 125, PAGE 114, SAID PUBLIC RECORDS.

ALSO BEING DESCRIBED AS:

BEGIN AT THE NORTHWEST CORNER OF SAID TRACT "O-1", THENCE, SOUTH 01°11'51" WEST, ALONG THE BOUNDARY OF SAID TRACT "O-1", A DISTANCE OF 1999.30 FEET TO A POINT ON THE BOUNDARY OF TRACT "RW" OF SAID BANYAN CAY RESORT COMMUNITY PLAT 1; THENCE, SOUTH 43°48'09" EAST, ALONG SAID BOUNDARY OF TRACT "RW", AND CONTINUING ALONG SAID BOUNDARY OF TRACT "O-1", A DISTANCE OF 16.97 FEET; THENCE, SOUTH 01°11'51" WEST, DEPARTING SAID BOUNDARY OF TRACT "O-1", AND CONTINUING ALONG THE BOUNDARY OF SAID TRACT "RW", A DISTANCE OF 288.74 FEET TO A POINT ON THE BOUNDARY OF TRACT "M" OF SAID BANYAN CAY RESORT COMMUNITY PLAT 1; THENCE, SOUTH 88°48'09" EAST, DEPARTING SAID BOUNDARY OF TRACT "RW", AND ALONG SAID BOUNDARY OF TRACT "M", A DISTANCE OF 13.00 FEET; THENCE, SOUTH 34°33'26" EAST, CONTINUING ALONG SAID BOUNDARY OF TRACT "M" FOR THIS AND THE NEXT TWO COURSES, A DISTANCE OF 431.79 FEET; THENCE, SOUTH 27°38'07" WEST, A DISTANCE OF 49.16 FEET; THENCE, NORTH 88°48'09" WEST, A DISTANCE OF 255.41 FEET TO A POINT ON THE BOUNDARY OF SAID PLAT OF BANYAN CAY RESORT; THENCE, SOUTH 01°11'51" WEST, ALONG SAID PLAT BOUNDARY, A DISTANCE OF 32.00 FEET; THENCE, SOUTH 88°48'09" EAST, CONTINUING ALONG SAID PLAT BOUNDARY FOR THIS AND THE NEXT FORTY-FIVE COURSES A DISTANCE OF 150.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWEST, HAVING A RADIUS OF 180.00 FEET; THENCE, SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 42°37'46", A DISTANCE OF 133.92 FEET TO THE END OF SAID CURVE; THENCE, SOUTH 29°41'51" WEST, A DISTANCE OF 150.70 FEET; THENCE, SOUTH 01°11'51" WEST, A DISTANCE OF 309.61 FEET; THENCE, SOUTH 49°48'09" EAST, A DISTANCE OF 1219.91 FEET; THENCE, SOUTH 10°00'04" WEST, A DISTANCE OF 296.05 FEET; THENCE, SOUTH 80°01'55" EAST, A DISTANCE OF 186.63 FEET; THENCE, NORTH 09°58'05" EAST, A DISTANCE OF 215.46 FEET; THENCE, SOUTH 89°03'38" EAST, A DISTANCE OF 434.43 FEET; THENCE, SOUTH 00°56'22" WEST, A DISTANCE OF 124.00 FEET; THENCE, SOUTH 89°03'38" EAST, A DISTANCE OF 33.11 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWEST, HAVING A RADIUS OF 20.00 FEET; THENCE, SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 101°36'03", A DISTANCE OF 35.47 FEET TO THE POINT OF TANGENCY; THENCE, SOUTH 12°32'25" WEST, A DISTANCE OF 154.87 FEET TO A POINT ON A CURVE CONCAVE SOUTHWEST, HAVING A RADIUS OF 440.00 FEET AND WHOSE RADIUS POINT BEARS SOUTH 21°34'29" WEST; THENCE, SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 38°05'30", A DISTANCE OF 292.52 FEET TO THE END OF SAID CURVE; THENCE, NORTH 58°21'56" EAST, A DISTANCE OF 60.18 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWEST, HAVING A RADIUS OF 80.00 FEET; THENCE, NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 63°42'43", A DISTANCE OF 88.96 FEET TO THE POINT OF TANGENCY; THENCE, NORTH 05°20'47" WEST, A DISTANCE OF 248.00 FEET; THENCE, SOUTH 89°03'38" EAST, A DISTANCE OF 276.74 FEET; THENCE, SOUTH 11°56'22" WEST, A DISTANCE OF 20.20 FEET; THENCE, SOUTH 78°03'38" EAST, A DISTANCE OF 40.00 FEET; THENCE, NORTH 11°56'22" EAST, A DISTANCE OF 59.86 FEET; THENCE, NORTH 48°03'38" WEST, A DISTANCE OF 64.70 FEET; THENCE, NORTH 01°11'51" EAST, A DISTANCE OF 109.65 FEET; THENCE, NORTH 76°19'06" WEST, A DISTANCE OF 19.24 FEET; THENCE, NORTH 27°09'45" EAST, A DISTANCE OF 843.47 FEET; THENCE, NORTH 57°00'00" WEST, A DISTANCE OF 421.36 FEET; THENCE, NORTH 33°00'00" EAST, A DISTANCE OF 200.00 FEET; THENCE, NORTH 57°00'00" WEST, A DISTANCE OF 10.00

FEET; THENCE, SOUTH 33°00'00" WEST, A DISTANCE OF 240.00 FEET; THENCE, NORTH 57°00'00" WEST, A DISTANCE OF 4.00 FEET; THENCE, NORTH 17°00'37" WEST, A DISTANCE OF 49.79 FEET; THENCE, NORTH 42°57'50" WEST, A DISTANCE OF 61.85 FEET; THENCE, NORTH 56°27'52" WEST, A DISTANCE OF 107.15 FEET; THENCE, NORTH 49°33'23" WEST, A DISTANCE OF 108.06 FEET; THENCE, NORTH 51°17'21" WEST, A DISTANCE OF 50.25 FEET; THENCE, NORTH 50°01'01" WEST, A DISTANCE OF 57.58 FEET; THENCE, NORTH 52°11'56" WEST, A DISTANCE OF 107.53 FEET; THENCE, NORTH 53°15'44" WEST, A DISTANCE OF 107.38 FEET; THENCE, NORTH 66°32'10" WEST, A DISTANCE OF 108.65 FEET; THENCE, NORTH 66°00'56" WEST, A DISTANCE OF 108.49 FEET; THENCE, SOUTH 88°00'30" WEST, A DISTANCE OF 48.83 FEET; THENCE, NORTH 69°35'31" WEST, A DISTANCE OF 68.80 FEET; THENCE, NORTH 57°00'00" WEST, A DISTANCE OF 136.16 FEET; THENCE, NORTH 21°03'11" WEST, A DISTANCE OF 105.80 FEET; THENCE, NORTH 47°49'37" WEST, A DISTANCE OF 87.15 FEET TO A POINT ON THE BOUNDARY OF SAID BANYAN CAY RESORT COMMUNITY PLAT 1; THENCE, CONTINUE NORTH 47°49'37" WEST, DEPARTING SAID BOUNDARY OF THE PLAT OF BANYAN CAY RESORT, AND ALONG SAID BOUNDARY OF BANYAN CAY RESORT COMMUNITY PLAT 1, A DISTANCE OF 27.99 FEET; THENCE, NORTH 48°08'56" WEST, CONTINUING ALONG SAID PLAT BOUNDARY FOR THIS AND ALL OF THE REMAINING COURSES, A DISTANCE OF 115.14 FEET; THENCE, NORTH 41°00'37" WEST, A DISTANCE OF 115.24 FEET; THENCE, NORTH 55°40'14" WEST, A DISTANCE OF 123.87 FEET; THENCE, NORTH 55°12'31" WEST, A DISTANCE OF 41.83 FEET; THENCE, NORTH 09°22'53" WEST, A DISTANCE OF 86.00 FEET; THENCE, NORTH 14°27'11" WEST, A DISTANCE OF 119.08 FEET; THENCE, NORTH 17°55'23" WEST, A DISTANCE OF 115.14 FEET; THENCE, NORTH 20°14'46" WEST, A DISTANCE OF 114.74 FEET; THENCE, NORTH 17°04'09" WEST, A DISTANCE OF 115.43 FEET; THENCE, NORTH 07°57'02" WEST, A DISTANCE OF 115.44 FEET; THENCE, NORTH 02°48'06" WEST, A DISTANCE OF 115.33 FEET; THENCE, NORTH 01°38'18" WEST, A DISTANCE OF 111.92 FEET; THENCE, NORTH 01°28'27" WEST, A DISTANCE OF 107.27 FEET; THENCE, NORTH 02°16'01" EAST, A DISTANCE OF 107.17 FEET; THENCE, NORTH 06°32'33" EAST, A DISTANCE OF 109.17 FEET; THENCE, NORTH 12°31'50" EAST, A DISTANCE OF 115.97 FEET; THENCE, NORTH 07°20'45" EAST, A DISTANCE OF 114.45 FEET; THENCE, NORTH 18°20'21" EAST, A DISTANCE OF 114.48 FEET; THENCE, NORTH 13°06'08" EAST, A DISTANCE OF 115.20 FEET; THENCE, NORTH 18°10'30" WEST, A DISTANCE OF 30.62 FEET; THENCE, NORTH 30°22'24" WEST, A DISTANCE OF 51.26 FEET; THENCE, NORTH 38°22'25" WEST, A DISTANCE OF 150.48 FEET; THENCE, NORTH 37°48'17" WEST, A DISTANCE OF 100.40 FEET; THENCE, NORTH 42°56'51" WEST, A DISTANCE OF 100.00 FEET; THENCE, NORTH 46°50'49" WEST, A DISTANCE OF 71.47 FEET; THENCE, NORTH 79°42'44" WEST, A DISTANCE OF 25.32 FEET; THENCE, NORTH 86°30'43" WEST, A DISTANCE OF 100.08 FEET; THENCE, NORTH 78°02'40" WEST, A DISTANCE OF 101.79 FEET; THENCE, SOUTH 87°00'45" WEST, A DISTANCE OF 41.11 FEET; THENCE, SOUTH 39°29'16" WEST, A DISTANCE OF 24.21 FEET; THENCE, NORTH 40°20'04" WEST, A DISTANCE OF 46.76 FEET; THENCE, NORTH 88°48'09" WEST, A DISTANCE OF 212.98 FEET TO THE POINT OF BEGINNING.

LESS THE FOLLOWING DESCRIBED PARCEL OF LAND:

BEGIN AT THE NORTHWEST CORNER OF LOT 1 OF SAID BANYAN CAY RESORT COMMUNITY PLAT 1; THENCE, SOUTH 01°11'51" WEST, ALONG THE BOUNDARY OF SAID TRACT "O-1", A DISTANCE OF 1806.17 FEET; THENCE, SOUTH 43°48'09" EAST, CONTINUING ALONG SAID BOUNDARY OF TRACT "O-1" FOR THIS AND THE NEXT FIVE COURSES, A DISTANCE OF 48.26 FEET; THENCE, SOUTH 88°48'09" EAST, A DISTANCE OF 96.07 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWEST, HAVING A RADIUS OF 23.00 FEET; THENCE, NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 78°47'39", A DISTANCE OF 31.63 FEET TO THE END OF SAID CURVE; THENCE, NORTH 68°15'43" EAST, A DISTANCE OF 24.16 FEET; THENCE, SOUTH 12°24'12" WEST, A DISTANCE OF 13.56 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWEST, HAVING A RADIUS OF 43.00 FEET; THENCE, SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 37°29'18", A DISTANCE OF 28.13 FEET TO A POINT ON THE BOUNDARY OF TRACT "A" OF SAID BANYAN CAY

RESORT COMMUNITY PLAT 1, AND THE END OF SAID CURVE; THENCE, NORTH 49°53'30" EAST, DEPARTING SAID BOUNDARY OF TRACT "O-1", AND ALONG SAID BOUNDARY OF TRACT "A", A DISTANCE OF 26.42 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTH, HAVING A RADIUS OF 116.00 FEET; THENCE, EASTERLY, ALONG SAID CURVE AND CONTINUING ALONG SAID BOUNDARY OF TRACT "A" FOR THIS AND THE NEXT FIVE COURSES, THROUGH A CENTRAL ANGLE OF 55°58'44", A DISTANCE OF 113.34 FEET TO THE POINT OF CUSP OF A CURVE CONCAVE NORTHEAST, HAVING A RADIUS OF 44.00 FEET AND WHOSE RADIUS POINT BEARS NORTH 15°52'14" EAST; THENCE, NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 49°29'31", A DISTANCE OF 38.01 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHWEST, HAVING A RADIUS OF 501.00 FEET; THENCE, NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 15°32'39", A DISTANCE OF 135.92 FEET TO THE END OF SAID CURVE; THENCE, NORTH 43°48'09" WEST, A DISTANCE OF 162.02 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EAST, HAVING A RADIUS OF 90.00 FEET; THENCE, NORTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 45°00'00", A DISTANCE OF 70.69 FEET TO THE POINT OF TANGENCY; THENCE, NORTH 01°11'51" EAST, A DISTANCE OF 64.63 FEET TO A POINT ON THE BOUNDARY OF SAID TRACT "L-2"; THENCE, SOUTH 88°48'09" EAST, DEPARTING SAID BOUNDARY OF TRACT "A", AND ALONG SAID BOUNDARY OF TRACT "L-2", A DISTANCE OF 205.00 FEET; THENCE, SOUTH 00°10'14" EAST, CONTINUING ALONG SAID BOUNDARY OF TRACT "L-2", A DISTANCE OF 29.57 FEET TO A POINT ON A CURVE CONCAVE EAST, HAVING A RADIUS OF 1909.70 FEET AND WHOSE RADIUS POINT BEARS NORTH 79°48'33" EAST; THENCE, SOUTHERLY, ALONG SAID CURVE AND CONTINUING ALONG SAID BOUNDARY OF TRACT "L-2", THROUGH A CENTRAL ANGLE OF 09°00'38", A DISTANCE OF 300.33 FEET TO A POINT ON THE BOUNDARY OF SAID TRACT "O-4"; THENCE, DEPARTING SAID BOUNDARY OF TRACT "L-2" AND ALONG SAID BOUNDARY OF TRACT "O-4", CONTINUE SOUTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 04°12'04", A DISTANCE OF 140.02 FEET TO THE POINT OF TANGENCY; THENCE, SOUTH 23°24'09" EAST, CONTINUING ALONG SAID BOUNDARY OF TRACT "O-4", A DISTANCE OF 121.33 FEET TO A POINT ON THE BOUNDARY OF SAID TRACT "L-4"; THENCE, CONTINUE SOUTH 23°24'09" EAST, DEPARTING SAID BOUNDARY OF TRACT "O-4", AND ALONG SAID BOUNDARY OF TRACT "L-4", A DISTANCE OF 193.67 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEAST, HAVING A RADIUS OF 990.00 FEET; THENCE, SOUTHEASTERLY, ALONG SAID CURVE AND CONTINUING ALONG SAID BOUNDARY OF TRACT "L-4", THROUGH A CENTRAL ANGLE OF 15°18'57", A DISTANCE OF 264.64 FEET TO THE END OF SAID CURVE; THENCE, SOUTH 35°48'09" EAST, CONTINUING ALONG SAID BOUNDARY OF TRACT "L-4", A DISTANCE OF 116.18 FEET TO A POINT ON THE BOUNDARY OF SAID BANYAN CAY RESORT COMMUNITY PLAT 1 AND ON A CURVE CONCAVE NORTHWEST, HAVING A RADIUS OF 500.00 FEET AND WHOSE RADIUS POINT BEARS NORTH 25°20'48" WEST; THENCE, NORTHEASTERLY, DEPARTING SAID BOUNDARY OF TRACT "L-4", AND ALONG SAID PLAT BOUNDARY AND SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°50'05", A DISTANCE OF 50.92 FEET TO THE POINT OF TANGENCY; THENCE, NORTH 58°49'07" EAST, CONTINUING ALONG SAID PLAT BOUNDARY, A DISTANCE OF 320.53 FEET TO A POINT ON THE BOUNDARY OF SAID TRACT "L-1" AND ON A CURVE CONCAVE NORTHEAST, HAVING A RADIUS OF 650.00 FEET AND WHOSE RADIUS POINT BEARS NORTH 36°21'58" EAST; THENCE, NORTHWESTERLY, DEPARTING SAID PLAT BOUNDARY, AND ALONG SAID BOUNDARY OF TRACT "L-1" AND SAID CURVE, THROUGH A CENTRAL ANGLE OF 30°13'53", A DISTANCE OF 342.96 FEET TO THE POINT OF TANGENCY; THENCE, NORTH 23°24'09" WEST, CONTINUING ALONG SAID BOUNDARY OF TRACT "L-1" FOR THIS AND ALL OF THE REMAINING COURSES, A DISTANCE OF 315.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EAST, HAVING A RADIUS OF 1569.70 FEET; THENCE, NORTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 15°55'25", A DISTANCE OF 436.25 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHWEST, HAVING A RADIUS OF 270.00 FEET; THENCE, NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 81°19'25", A DISTANCE OF 383.23 FEET TO THE POINT

OF TANGENCY; THENCE, NORTH 88°48'09" WEST, A DISTANCE OF 259.16 FEET; THENCE, NORTH 01°11'51" EAST, A DISTANCE OF 174.00 FEET; THENCE, SOUTH 88°48'09" EAST, A DISTANCE OF 155.00 FEET; THENCE, SOUTH 75°53'17" EAST, A DISTANCE OF 104.65 FEET TO A POINT ON A CURVE CONCAVE WEST, HAVING A RADIUS OF 200.00 FEET AND WHOSE RADIUS POINT BEARS NORTH 15°58'16" EAST; THENCE, NORTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 210°08'26", A DISTANCE OF 733.53 FEET TO THE END OF SAID CURVE; THENCE, SOUTH 78°19'36" WEST, A DISTANCE OF 102.58 FEET; THENCE, NORTH 88°48'09" WEST, A DISTANCE OF 155.00 FEET; THENCE, NORTH 01°11'51" EAST, A DISTANCE OF 234.00 FEET; THENCE, SOUTH 88°48'09" EAST, A DISTANCE OF 105.00 FEET; THENCE, SOUTH 69°33'43" EAST, A DISTANCE OF 105.92 FEET TO A POINT ON A CURVE CONCAVE WEST, HAVING A RADIUS OF 200.00 FEET AND WHOSE RADIUS POINT BEARS NORTH 30°12'36" EAST; THENCE, NORTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 209°00'45", A DISTANCE OF 729.59 FEET TO THE POINT OF TANGENCY; THENCE, NORTH 88°48'09" WEST, A DISTANCE OF 342.00 FEET TO THE POINT OF BEGINNING.

CONTAINING: 95.24 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.

RESOLUTION 2019-23

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2019/2020 AND SETTING A PUBLIC HEARING THEREON PURSUANT TO FLORIDA LAW AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Banyan Cay Community Development District (“District”) was recently established by Palm Beach County, Florida effective January 28, 2019; and

WHEREAS, the District Manager has prepared and submitted to the Board of Supervisors of the Banyan Cay Community Development District (the “Board”) the proposed operating budget for Fiscal Year 2019/2020; and

WHEREAS, the Board has considered the proposed budget and desires to set the required public hearing thereon.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT:

1. The operating budget proposed by the District Manager for Fiscal Year 2019/2020 attached hereto as **Exhibit A** is hereby approved as the basis for conducting a public hearing to adopt said budget.
2. The public hearing on said approved budget is hereby declared and set for the following date, hour and location:

DATE: _____, 2019

HOUR: _____

LOCATION: Special District Services, Inc.
2501A Burns Road
Palm Beach Gardens, FL 33410.

3. The District Manager is hereby directed to submit a copy of the proposed budget to Palm Beach County at least 60 days prior to the hearing set above.
4. In accordance with Section 189.016, Florida Statutes, the District's Secretary is further directed to post the approved budget on the District's website at least two days before the budget hearing date as set forth in Section 2. If the District does not have its own website, the District's Secretary is directed to transmit the approved budget to the managers or administrators of Palm Beach County for posting on their website.
5. Notice of this public hearing shall be published in the manner prescribed in Florida law.

6. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 23rd day of April, 2019.

ATTEST:

**BANYAN CAY COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chairman

Exhibit A: Fiscal Year 2019/2020 Budget

Banyan Cay
Community Development District

**Proposed Budget For
Fiscal Year 2019/2020
October 1, 2019 - September 30, 2020**

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- I PROPOSED BUDGET
- II DETAILED PROPOSED BUDGET

PROPOSED BUDGET
BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2019/2020
OCTOBER 1, 2019 - SEPTEMBER 30, 2020

	FISCAL YEAR 2019/2020 BUDGET
REVENUES	
O&M Assessments	0
Developer Contribution	85,625
Debt Assessments	0
Interest Income	0
TOTAL REVENUES	\$ 85,625
EXPENDITURES	
Supervisor Fees	0
Engineering/Inspections	8,000
Engineering Report	0
Management	24,000
Legal	20,000
Assessment Roll	5,000
Methodology Report	0
Audit Fees	3,500
Arbitrage Rebate Fee	650
Insurance	6,000
Legal Advertisements	7,500
Miscellaneous	2,000
Postage	300
Office Supplies	1,500
Dues & Subscriptions	175
Trustee Fees	4,000
Continuing Disclosure Fee	1,000
Website Management	2,000
TOTAL EXPENDITURES	\$ 85,625
REVENUES LESS EXPENDITURES	\$ -
Bond Payments	0
BALANCE	\$ -
County Appraiser & Tax Collector Fee	0
Discounts For Early Payments	0
EXCESS/ (SHORTFALL)	\$ -

DETAILED PROPOSED BUDGET
BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2019/2020
OCTOBER 1, 2019 - SEPTEMBER 30, 2020

	FISCAL YEAR 2017/2018 ACTUAL	FISCAL YEAR 2018/2019 BUDGET	FISCAL YEAR 2019/2020 BUDGET	COMMENTS
REVENUES				
O&M Assessments	0	0	0	
Developer Contribution	0	78,350	85,625	Developer Contribution
Debt Assessments	0	0	0	
Interest Income	0	0	0	
TOTAL REVENUES	\$ -	\$ 78,350	\$ 85,625	
EXPENDITURES				
Supervisor Fees	0	0	0	
Engineering/Inspections	0	2,000	8,000	
Engineering Report	0	15,000	0	
Management	0	14,000	24,000	12 Months X \$2,000
Legal	0	15,000	20,000	
Assessment Roll	0	0	5,000	Will Commence In Fiscal Year Following Issuing Of Bond
Methodology Report	0	15,000	0	
Audit Fees	0	0	3,500	Will Commence In Fiscal Year Following Issuing Of Bond
Arbitrage Rebate Fee	0	0	650	Will Commence In Fiscal Year Following Issuing Of Bond
Insurance	0	6,000	6,000	
Legal Advertisements	0	7,500	7,500	
Miscellaneous	0	1,000	2,000	
Postage	0	300	300	
Office Supplies	0	1,500	1,500	
Dues & Subscriptions	0	175	175	Annual Fee Due Department Of Economic Opportunity
Trustee Fees	0	0	4,000	Will Commence In Fiscal Year Following Issuing Of Bond
Continuing Disclosure Fee	0	0	1,000	Will Commence In Fiscal Year Following Issuing Of Bond
Website Management	0	875	2,000	12 Months X \$166.66
TOTAL EXPENDITURES	\$ -	\$ 78,350	\$ 85,625	
REVENUES LESS EXPENDITURES	\$ -	\$ -	\$ -	
Bond Payments	0	0	0	
BALANCE	\$ -	\$ -	\$ -	
County Appraiser & Tax Collector Fee	0	0	0	
Discounts For Early Payments	0	0	0	
EXCESS/ (SHORTFALL)	\$ -	\$ -	\$ -	