



**BANYAN CAY
COMMUNITY DEVELOPMENT
DISTRICT**

**PALM BEACH COUNTY
REGULAR BOARD MEETING
& PUBLIC HEARING
JULY 21, 2020
2:00 P.M.**

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

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

**AGENDA
BANYAN CAY
COMMUNITY DEVELOPMENT DISTRICT
TO JOIN THE MEETING**
VIDEO ACCESS: <https://us02web.zoom.us/j/88398786175>
PHONE ACCESS: 312-626-6799 Meeting ID: 883 9878 6175
REGULAR BOARD MEETING & PUBLIC HEARING
July 20, 2020
2:00 P.M.

- A. Call to Order
- B. Proof of Publication.....Page 1
- 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. May 19, 2020 Regular Board Meeting Minutes.....Page 2
- G. Public Hearing
 - 1. Proof of Publication.....Page 5
 - 2. Receive Public Comments on Fiscal Year 2020/2021 Final Budget
 - 3. Consider Resolution No. 2020-02 – Adopting a Fiscal Year 2020/2021 Final Budget.....Page 6
- H. Old Business
- I. New Business
 - 1. Consider Resolution No. 2020-03 – Adopting a Fiscal Year 2020/2021 Meeting Schedule....Page 11
- J. Administrative Matters
- K. Board Members Comments
- L. Adjourn

Palm Beach Daily Business Review

July 8, 2020

Miscellaneous Notices

BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT

NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE FISCAL YEAR 2020/2021 BUDGET AND NOTICE OF REGULAR BOARD OF SUPERVISORS' MEETING

NOTICE IS HEREBY GIVEN that the Banyan Cay Community Development District (the "District") will hold a Public Hearing and Regular Board Meeting (the "Meeting") of its Board of Supervisors (the "Board") on July 21, 2020, at 2:00 p.m. to be conducted by telephonic and video conferencing communications media technology pursuant to Executive Orders 20-52, 20-69, and 20-112 issued by Governor DeSantis on March 9, 2020, March 20, 2020, and April 29, 2020, respectively, and pursuant to Section 120.54(5)(b)2., Florida Statutes. The Public Hearing is being held for the necessary purpose of considering the Fiscal Year 2020/2021 Final Budget. The Meeting is being held for the necessary public purpose of considering agenda items related to the District. At such time the Board is so authorized and may consider any business that may properly come before it.

While it is necessary to hold the Meeting utilizing communications media technology due to the current COVID-19 public health emergency, the District fully encourages public participation in a safe and efficient manner. Participants may attend the Meeting by accessing the District's website, www.banyancaycdd.org and clicking on the meeting link you will find on the homepage, or utilizing the following login information:

Join by URL for VIDEO ACCESS at: <https://us02web.zoom.us/j/88398786175>

Meeting ID: 883 9878 6175

Join by PHONE at: 312-626-6799

A copy of the agenda for the Meeting may be obtained at the offices of the District Manager, c/o Special District Services, Inc., at (561) 630-4922 or j.pierman@sdsinc.org (the "District Manager's Office") during normal business hours. The Meeting is open to the public and will be conducted in accordance with the provisions of Florida law for special districts. The Meeting may be continued to a date, time, and place to be specified on the record at the Meeting.

Any person requiring special accommodations in order to access and participate in the Meeting because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior to the Meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Manager's Office. As indicated above, this Meeting will be conducted by media communications technology. Anyone requiring assistance in order to obtain access to the telephonic, video conferencing, or other communications media technology being utilized to conduct this Meeting should contact the District Manager's Office at least forty-eight (48) hours prior to the Meeting. Similarly, any person requiring or that otherwise may need assistance accessing or participating in this Meeting because of a disability or physical impairment is strongly encouraged to contact the District Manager's Office at least forty-eight (48) hours in advance so that arrangements may be made.

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the 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.

District Manager

BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT

www.banyancaycdd.org

7/1-8 20-15/0000475989P

**BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
VIDEO ACCESS: [HTTPS://US02WEB.ZOOM.US/J/88367637083](https://us02web.zoom.us/j/88367637083)
PHONE ACCESS: 312-626-6799 Meeting ID: 883 6763 7083
MAY 19, 2020**

A. CALL TO ORDER

The Regular Board Meeting of the Banyan Cay Community Development District was called to order at 2:17 p.m. by video conference call.

Mr. Pierman explained that the Board was able to meet electronically, due to the Governor’s Emergency Order, which has temporarily suspended the “in person” requirement for quorums.

B. PROOF OF PUBLICATION

Proof of publication was presented which showed that notice of the Regular Board Meeting had been published in *The Palm Beach Post* on May 12, 2020, as legally required.

C. ESTABLISH A QUORUM

A quorum was established with the following Supervisors in virtual attendance:

Chairperson	Alicia Lewis	Present
Vice-Chair	Charlie Rimpela	Present
Supervisor	Matthew Kutner	Absent
Supervisor	Camryn Guerzon	Present
Supervisor	Vacant	

Also in virtual attendance were:

District Manager	Jason Pierman	Special District Services, Inc.
District Counsel	Bill Capko	Lewis Longman & Walker, P.A.
District Engineer	Lisa Tropepe	Engenuity

D. ADDITIONS OR DELETIONS TO AGENDA

There were no additions or deletions to the agenda.

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

There were no comments from the public for items not on the agenda.

F. APPROVAL OF MINUTES

1. October 15, 2019, Regular Board Meeting

The minutes of the October 15, 2019, Regular Board Meeting were presented for consideration.

A **motion** was made by Mr. Rimpela, seconded by Ms. Guerzon and passed unanimously approving the minutes of the October 15, 2019, Regular Board Meeting, as presented.

G. OLD BUSINESS

There were no Old Business items to come before the Board.

H. NEW BUSINESS

1. Consider Resolution No. 2020-01 – Adopting a Fiscal Year 2020/2021 Proposed Budget

Resolution No. 2020-01 was presented, entitled:

RESOLUTION 2020-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2020/2021 AND SETTING A PUBLIC HEARING THEREON PURSUANT TO FLORIDA LAW AND PROVIDING FOR AN EFFECTIVE DATE.

A **motion** was made by Ms. Guerzon, seconded by Mr. Rimpela and passed unanimously to adopt Resolution No. 2020-01, as presented, setting the Public Hearing for July 21, 2020.

2. Consider First Supplemental Special Assessment Methodology Report

Mr. Pierman presented the First Supplemental Special Assessment Methodology Report, explaining that, while similar to the Master Assessment Methodology, this report excludes the condo units. Mr. Pierman recommended that the report be accepted in substantial form. Ms. Lewis noted that they were planning on closing at the end of March, but that has been pushed back to mid-June.

A **motion** was made by Mr. Rimpela, seconded by Ms. Lewis and passed unanimously approving the First Supplemental Special Assessment Methodology Report, in substantial form.

I. ADMINISTRATIVE MATTERS

Mr. Pierman reminded the Board to complete and submit their 2019 Form 1 before the July 1st deadline.

J. BOARD MEMBER COMMENTS

There were no comments from the Board Members.

K. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Mr. Rimpela, seconded by Ms. Guerzon and passed unanimously to adjourn the meeting at 2:35 p.m.

ATTESTED BY:

Secretary/Assistant Secretary

Chairperson/Vice-Chair

Palm Beach Daily Business Review

July 8, 2020

Miscellaneous Notices

BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT

NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE FISCAL YEAR 2020/2021 BUDGET AND NOTICE OF REGULAR BOARD OF SUPERVISORS' MEETING

NOTICE IS HEREBY GIVEN that the Banyan Cay Community Development District (the "District") will hold a Public Hearing and Regular Board Meeting (the "Meeting") of its Board of Supervisors (the "Board") on July 21, 2020, at 2:00 p.m. to be conducted by telephonic and video conferencing communications media technology pursuant to Executive Orders 20-52, 20-69, and 20-112 issued by Governor DeSantis on March 9, 2020, March 20, 2020, and April 29, 2020, respectively, and pursuant to Section 120.54(5)(b)2., Florida Statutes. The Public Hearing is being held for the necessary purpose of considering the Fiscal Year 2020/2021 Final Budget. The Meeting is being held for the necessary public purpose of considering agenda items related to the District. At such time the Board is so authorized and may consider any business that may properly come before it.

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District Manager

BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT

www.banyancaycdd.org

7/1-8 20-15/0000475989P

RESOLUTION NO. 2020-02

A RESOLUTION OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT ADOPTING A FISCAL YEAR 2020/2021 BUDGET.

WHEREAS, the Banyan Cay Community Development District (“District”) has prepared a Proposed Budget and Final Special Assessment Roll for Fiscal Year 2020/2021 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 2020/2021 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 21st day of July, 2020.

ATTEST:

**BANYAN CAY
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

Banyan Cay
Community Development District

**Final Budget For
Fiscal Year 2020/2021
October 1, 2020 - September 30, 2021**

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- I FINAL BUDGET
- II DETAILED FINAL BUDGET

FINAL BUDGET
BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2020/2021
OCTOBER 1, 2020 - SEPTEMBER 30, 2021

	FISCAL YEAR 2020/2021 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
Management	24,000
Legal	20,000
Assessment Roll	5,000
Audit Fees	3,500
Arbitrage Rebate Fee	650
Insurance	6,000
Legal Advertisements	7,500
Miscellaneous	2,000
Postage	500
Office Supplies	1,300
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 FINAL BUDGET
BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2020/2021
OCTOBER 1, 2020 - SEPTEMBER 30, 2021

	FISCAL YEAR 2018/2019 ACTUAL	FISCAL YEAR 2019/2020 BUDGET	FISCAL YEAR 2020/2021 BUDGET	COMMENTS
REVENUES				
O&M Assessments	0	0	0	
Developer Contribution	65,657	85,625	85,625	Developer Contribution
Debt Assessments	0	0	0	
Interest Income	7	0	0	
TOTAL REVENUES	\$ 65,664	\$ 85,625	\$ 85,625	
EXPENDITURES				
Supervisor Fees	0	0	0	
Engineering/Inspections	9,940	8,000	8,000	No Change From 2019/2020 Budget
Management	14,000	24,000	24,000	No Change From 2019/2020 Budget
Legal	34,394	20,000	20,000	FY 19/20 Expenditures Through March 2020 Were \$9,971
Assessment Roll	0	5,000	5,000	Will Commence In Fiscal Year Following Issuing Of Bond
Audit Fees	0	3,500	3,500	Will Commence In Fiscal Year Following Issuing Of Bond
Arbitrage Rebate Fee	0	650	650	Will Commence In Fiscal Year Following Issuing Of Bond
Insurance	2,096	6,000	6,000	Insurance Estimate
Legal Advertisements	3,047	7,500	7,500	No Change From 2019/2020 Budget
Miscellaneous	91	2,000	2,000	No Change From 2019/2020 Budget
Postage	408	300	500	\$200 Increase From 2019/2020 Budget
Office Supplies	688	1,500	1,300	\$200 Decrease From 2019/2020 Budget
Dues & Subscriptions	125	175	175	Annual Fee Due Department Of Economic Opportunity
Trustee Fees	0	4,000	4,000	Will Commence In Fiscal Year Following Issuing Of Bond
Continuing Disclosure Fee	0	1,000	1,000	Will Commence In Fiscal Year Following Issuing Of Bond
Website Management	875	2,000	2,000	No Change From 2019/2020 Budget
TOTAL EXPENDITURES	\$ 65,664	\$ 85,625	\$ 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)	\$ -	\$ -	\$ -	

RESOLUTION NO. 2020-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2020/2021 AND SETTING THE TIME AND LOCATION OF SAID DISTRICT MEETINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is necessary for the Banyan Cay Community Development District ("District") to establish a regular meeting schedule for fiscal year 2020/2021; and

WHEREAS, the Board of Supervisors of the District has set a regular meeting schedule, location and time for District meetings for fiscal year 2020/2021 which is attached hereto and made a part hereof as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are hereby adopted.

Section 2. The regular meeting schedule, time and location for meetings for fiscal year 2020/2021 which is attached hereto as Exhibit "A" is hereby adopted and authorized to be published.

PASSED, ADOPTED and EFFECTIVE this 21st day of July, 2020.

ATTEST:

**BANYAN CAY
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

**BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2020/2021 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:

**October 20, 2020
November 17, 2020
December 15, 2020
January 19, 2021
February 16, 2021
March 16, 2021
April 20, 2021
May 18, 2021
June 15, 2021
July 20, 2021
August 17, 2021
September 21, 2021**

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

PUBLISH: PALM BEACH DAILY BUSINESS REVIEW 00/00/2020