



**BANYAN CAY  
COMMUNITY DEVELOPMENT  
DISTRICT**

**PALM BEACH COUNTY  
REGULAR BOARD MEETING  
& PUBLIC HEARING  
JUNE 22, 2021  
2:00 P.M.**

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

[www.banyancaycdd.org](http://www.banyancaycdd.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**  
June 22, 2021  
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. April 20, 2021 Regular Board Meeting Minutes.....Page 2
- G. Public Hearing
  - 1. Proof of Publication.....Page 6
  - 2. Receive Public Comments on Fiscal Year 2021/2022 Final Budget
  - 3. Consider Resolution No. 2021-04 – Adopting a Fiscal Year 2021/2022 Proposed Budget.....Page 7
- H. Old Business
- I. New Business
  - 2. Consider Resolution No. 2021-05 – Adopting a Fiscal Year 2021/2022 Meeting Schedule.....Page 14
- J. Administrative Matters
- K. Board Members Comments
- L. Adjourn

Publication Date  
2021-06-09

Subcategory  
Miscellaneous Notices

BANYAN CAY COMMUNITY  
DEVELOPMENT DISTRICT  
NOTICE OF PUBLIC HEARING  
TO CONSIDER THE ADOPTION  
OF THE FISCAL YEAR  
2021/2022 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 June 22, 2021, at 2:00 p.m. at the offices of Special District Services, Inc. located at 2501A Burns Road, Palm Beach Gardens, Florida 33410. The Public Hearing is being held for the necessary purpose of considering the Fiscal Year 2021/2022 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.

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 [jpierman@sdsinc.org](mailto:jpierman@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. 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](http://www.banyancaycdd.org)  
6/2-9 21-39/0000532787P

**BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT  
REGULAR BOARD MEETING  
APRIL 20, 2021**

**A. CALL TO ORDER**

The Regular Board Meeting of the Banyan Cay Community Development District (the “District”) was called to order at 2:01 p.m. at the offices 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 Regular Board Meeting had been published in *The Palm Beach Post* on October 13, 2020, as part of the District’s Fiscal Year 2020/2021 Regular Board Meeting, as legally required.

**C. ESTABLISH A QUORUM**

A quorum was established with the following Supervisors in attendance:

Chairperson	Alicia Lewis (via phone)	Present
Vice-Chair	Charlie Rimpela	Present
Supervisor	Matthew Kutner	Present
Supervisor	Camryn Guerzon	Present
Supervisor	Vacant	

Also in virtual attendance were:

District Manager	Jason Pierman	Special District Services, Inc.
District Counsel	Bill Capko (via phone)	Lewis Longman & Walker, P.A.

Also present were Dominic Gatto and Angel Guerzon, both via phone.

**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 20, 2020, Regular Board Meeting**

The minutes of the October 20, 2020, Regular Board Meeting were presented for consideration.

A **motion** was made by Mr. Rimpela, seconded by Mr. Kutner and passed unanimously approving the minutes of the October 20, 2020, 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. 2021-01 – Adopting a Fiscal Year 2021/2022 Proposed Budget**

Resolution No. 2021-01 was presented, entitled:

**RESOLUTION 2021-01**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2021/2022 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 Ms. Guerzon and passed unanimously adopting Resolution No. 2021-01, as presented.

**2. Consider Resolution No. 2021-02 – Ratifying Actions – COVID 19**

Resolution No. 2021-02 was presented, entitled:

**RESOLUTION NO. 2021-02**

**A RESOLUTION BY THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT RATIFYING AND APPROVING ACTIONS TAKEN BY THE BOARD OF SUPERVISORS AT MEETINGS HELD VIA MEDIA COMMUNICATIONS TECHNOLOGY PURSUANT TO EXECUTIVE ORDER NO. 20-69, AS AMENDED AND EXTENDED, AS A RESULT OF THE COVID-19 PANDEMIC**

A **motion** was made by Mr. Rimpela, seconded by Ms. Guerzon and passed unanimously adopting Resolution No. 2021-02, as presented.

**3. Consider Resolution No. 2021-03 – E-Verify Memorandum of Understanding**

Resolution No. 2021-03 was presented, entitled:

**RESOLUTION NO. 2021-03**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT DIRECTING THE DISTRICT MANAGER TO REGISTER THE**

**DISTRICT WITH AND USE THE E-VERIFY SYSTEM PURSUANT TO THE REQUIREMENTS OF SECTION 448.095, FLORIDA STATUTES; AUTHORIZING EXECUTION OF THE E-VERIFY MEMORANDUM OF UNDERSTANDING FOR EMPLOYERS BETWEEN THE DISTRICT AND THE DEPARTMENT OF HOMELAND SECURITY (DHS); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**

A **motion** was made by Mr. Rimpela, seconded by Ms. Guerzon and passed unanimously adopting Resolution No. 2021-03, as presented.

**I. AUDITOR SELECTION COMMITTEE**

**1. Ranking of Proposals/Consider Selection of an Auditor**

Mr. Pierman explained that, at this time, it would be in order for the Board to convene as the Auditor Selection Committee to review the results of the auditor selection criteria from the responding firms.

Mr. Pierman presented the auditor selection criteria results to the Auditor Selection Committee.

A **motion** was made by Mr. Rimpela, seconded by Ms. Guerzon and unanimously passed recommending Grau and Associates as the District Auditor with a three-year renewable contract and to recess the Auditor Selection Committee and resume the Regular Board Meeting.

Sitting as the Board, a **motion** was made by Mr. Rimpela, seconded by Ms. Guerzon and unanimously passed accepting the recommendation of the Auditor Selection Committee and selecting Grau and Associates as the District Auditor.

**J. ADMINISTRATIVE MATTERS**

Mr. Pierman noted that the next meeting was scheduled for June 22, 2021.

**K. BOARD MEMBER COMMENTS**

There were no comments from the Board Members.

**L. 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 2:19 p.m.

**ATTESTED BY:**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chairperson/Vice-Chair

Publication Date  
2021-06-09

Subcategory  
Miscellaneous Notices

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DEVELOPMENT DISTRICT  
NOTICE OF PUBLIC HEARING  
TO CONSIDER THE ADOPTION  
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District Manager  
BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT  
[www.banyancaycdd.org](http://www.banyancaycdd.org)  
6/2-9 21-39/0000532787P



**RESOLUTION NO. 2021-04**

**A RESOLUTION OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT ADOPTING A FISCAL YEAR 2021/2022 BUDGET.**

**WHEREAS**, the Banyan Cay Community Development District (“District”) has prepared a Proposed Budget and Final Special Assessment Roll for Fiscal Year 2021/2022 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 2021/2022 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 22<sup>nd</sup> day of June, 2021.

**ATTEST:**

**BANYAN CAY  
COMMUNITY DEVELOPMENT DISTRICT**

By: \_\_\_\_\_  
Secretary/Assistant Secretary

By: \_\_\_\_\_  
Chairperson/Vice Chairperson

Banyan Cay  
Community Development District

**Final Budget For  
Fiscal Year 2021/2022  
October 1, 2021 - September 30, 2022**

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- IV ASSESSMENT COMPARISON

**FINAL BUDGET**  
**BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT**  
**FISCAL YEAR 2021/2022**  
**OCTOBER 1, 2021 - SEPTEMBER 30, 2022**

	<b>FISCAL YEAR 2021/2022 BUDGET</b>
<b>REVENUES</b>	
O&M Assessments	91,026
Developer Contribution	0
Debt Assessments	425,532
Interest Income	60
<b>TOTAL REVENUES</b>	<b>\$ 516,618</b>
<b>EXPENDITURES</b>	
Supervisor Fees	0
Engineering/Inspections	8,000
Management	24,000
Legal	24,000
Assessment Roll	5,000
Audit Fees	3,300
Arbitrage Rebate Fee	650
Insurance	6,064
Legal Advertisements	1,500
Miscellaneous	2,000
Postage	400
Office Supplies	800
Dues & Subscriptions	175
Trustee Fees	4,150
Continuing Disclosure Fee	1,000
Website Management	2,000
Reserve	2,586
<b>TOTAL EXPENDITURES</b>	<b>\$ 85,625</b>
<b>REVENUES LESS EXPENDITURES</b>	<b>\$ 430,993</b>
Bond Payments	(400,000)
<b>BALANCE</b>	<b>\$ 30,993</b>
County Appraiser & Tax Collector Fee	(10,331)
Discounts For Early Payments	(20,662)
<b>EXCESS/ (SHORTFALL)</b>	<b>\$ -</b>

**DETAILED FINAL BUDGET**  
**BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT**  
**FISCAL YEAR 2021/2022**  
**OCTOBER 1, 2021 - SEPTEMBER 30, 2022**

	FISCAL YEAR 2019/2020 ACTUAL	FISCAL YEAR 2020/2021 BUDGET	FISCAL YEAR 2021/2022 BUDGET	COMMENTS
<b>REVENUES</b>				
O&M Assessments	0	0	91,026	Expenditures Less Interest /.94
Developer Contribution	62,378	85,625	0	Developer Contribution
Debt Assessments	0	0	425,532	Bond Payments/.94
Interest Income	5	0	60	Projected At \$5.00 Per Month
<b>TOTAL REVENUES</b>	<b>\$ 62,383</b>	<b>\$ 85,625</b>	<b>\$ 516,618</b>	
<b>EXPENDITURES</b>				
Supervisor Fees	0	0	0	
Engineering/Inspections	2,712	8,000	8,000	No Change From 2020/2021 Budget
Management	24,000	24,000	24,000	No Change From 2020/2021 Budget
Legal	17,297	20,000	24,000	FY 20/21 Expenditures Through Feb 2021 Were \$37,934
Assessment Roll	0	5,000	5,000	As Per Contract
Audit Fees	3,200	3,500	3,300	Accepted Amount For 2020/2021 Audit
Arbitrage Rebate Fee	0	650	650	No Change From 2020/2021 Budget
Insurance	5,251	6,000	6,064	Insurance Estimate
Legal Advertisements	683	7,500	1,500	\$6,000 Decrease From 2020/2021 Budget
Miscellaneous	19	2,000	2,000	No Change From 2020/2021 Budget
Postage	32	500	400	\$100 Decrease From 2020/2021 Budget
Office Supplies	117	1,300	800	\$500 Decrease From 2020/2021 Budget
Dues & Subscriptions	175	175	175	No Change From 2020/2021 Budget
Trustee Fees	0	4,000	4,150	\$150 Increase From 2020/2021 Budget
Continuing Disclosure Fee	1,000	1,000	1,000	No Change From 2020/2021 Budget
Website Management	2,000	2,000	2,000	No Change From 2020/2021 Budget
Reserve	0	0	2,586	Reserve
<b>TOTAL EXPENDITURES</b>	<b>\$ 56,486</b>	<b>\$ 85,625</b>	<b>\$ 85,625</b>	
<b>REVENUES LESS EXPENDITURES</b>	<b>\$ 5,897</b>	<b>\$ -</b>	<b>\$ 430,993</b>	
Bond Payments	0	0	(400,000)	2022 P & I Payments Less Earned Interest
<b>BALANCE</b>	<b>\$ 5,897</b>	<b>\$ -</b>	<b>\$ 30,993</b>	
County Appraiser & Tax Collector Fee	0	0	(10,331)	
Discounts For Early Payments	0	0	(20,662)	
<b>EXCESS/ (SHORTFALL)</b>	<b>\$ 5,897</b>	<b>\$ -</b>	<b>\$ -</b>	

# DETAILED FINAL DEBT SERVICE FUND BUDGET

BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT

FISCAL YEAR 2021/2022

OCTOBER 1, 2021 - SEPTEMBER 30, 2022

	FISCAL YEAR 2019/2020	FISCAL YEAR 2020/2021	FISCAL YEAR 2021/2022	
REVENUES	ACTUAL	BUDGET	BUDGET	COMMENTS
Interest Income	0	0	25	Projected Interest For 2021/2022
NAV Tax Collection	0	0	400,000	Maximum Debt Service Collection
<b>Total Revenues</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 400,025</b>	
<b>EXPENDITURES</b>				
Principal Payments	0	0	130,000	Principal Payment Due In 2022
Interest Payments	0	0	269,113	Interest Payments Due In 2022
Bond Redemption	0	0	912	Estimated Excess Debt Collections
<b>Total Expenditures</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 400,025</b>	
<b>Excess/ (Shortfall)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	

### Series 2020 Bond Information

Original Par Amount =	\$6,895,000	Annual Principal Payments Due =	November 1st
Interest Rate =	2.75% - 4.00%	Annual Interest Payments Due =	May 1st & November 1st
Issue Date =	December 2020		
Maturity Date =	November 2051		
Par Amount As Of 1/1/21 =	\$6,560,000		

**Banyan Cay Community Development District  
Assessment Comparison**

	Original Projected Assessment*	Fiscal Year 2019/2020 Assessment*	Fiscal Year 2020/2021 Assessment*	Fiscal Year 2021/2022 Projected Assessment*
O & M For Estate Homes	\$ -	\$ -	\$ -	\$ 370.03
<u>Debt For Estate Homes</u>	\$ 1,789.00	\$ -	\$ -	\$ 1,789.13
<b>Total For Estate Homes</b>	\$ 1,789.00	\$ -	\$ -	\$ 2,159.16
O & M For Hotel Room/Units	\$ -	\$ -	\$ -	\$ 370.03
<u>Debt For Hotel Room/Units</u>	\$ 1,789.00	\$ -	\$ -	\$ 1,789.13
<b>Total For Estate Homes</b>	\$ 1,789.00	\$ -	\$ -	\$ 2,159.16
O & M For Resort Villas	\$ -	\$ -	\$ -	\$ 370.03
<u>Debt For Resort Villas</u>	\$ 1,431.00	\$ -	\$ -	\$ 1,431.30
<b>Total For Resort Villas</b>	\$ 1,431.00	\$ -	\$ -	\$ 1,801.33
O & M For Clubhouse Component	\$ -	\$ -	\$ -	\$ 8,140.66
<u>Debt For Clubhouse Component</u>	\$ 32,639.00	\$ -	\$ -	\$ 32,639.00
<b>Total For Clubhouse Component</b>	\$ 32,639.00	\$ -	\$ -	\$ 40,779.66

\* Assessments Include the Following :

- 4% Discount for Early Payments
- 1% County Tax Collector Fee
- 1% County Property Appraiser Fee

Community Information - Phase One:

Estate Homes	52
Hotel Units/Room	150
Resort Villas	22
<u>Clubhouse Component</u>	<u>22</u>
Total Units	246

Clubhouse Component Is 18,243 Square Feet

**RESOLUTION NO. 2021-05**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2021/2022 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 2021/2022; and

**WHEREAS**, the Board of Supervisors of the District has set a regular meeting schedule, location and time for District meetings for fiscal year 2021/2022 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 2021/2022 which is attached hereto as Exhibit "A" is hereby adopted and authorized to be published.

**PASSED, ADOPTED and EFFECTIVE** this 22<sup>nd</sup> day of June, 2021.

**ATTEST:**

**BANYAN CAY  
COMMUNITY DEVELOPMENT DISTRICT**

By: \_\_\_\_\_  
Secretary/Assistant Secretary

By: \_\_\_\_\_  
Chairperson/Vice Chairperson



**BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT  
FISCAL YEAR 2021/2022 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 19, 2021  
November 16, 2021  
December 21, 2021  
January 18, 2022  
February 15, 2022  
March 15, 2022  
April 19, 2022  
May 17, 2022  
June 21, 2022  
July 19, 2022  
August 16, 2022  
September 20, 2022**

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](http://www.banyancaycdd.org)**

**PUBLISH: PALM BEACH DAILY BUSINESS REVIEW**