



**BANYAN CAY
COMMUNITY DEVELOPMENT
DISTRICT**

**PALM BEACH COUNTY
REGULAR BOARD MEETING
JULY 18, 2023
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
Conference Room of Special District Services, Inc.
2501A Burns Road
Palm Beach Gardens, Florida 33410
REGULAR BOARD MEETING
July 18, 2023
2:00 P.M.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Seat New Board Members
- D. Administer Oath of Office & Review Board Member Responsibilities and Duties
- E. Establish Quorum
- F. Election of Officers
 - Chairman
 - Vice Chairman
 - Secretary/Treasurer
 - Assistant Secretaries
- G. Additions or Deletions to Agenda
- H. Comments from the Public for Items Not on the Agenda
- I. Approval of Minutes
 - 1. May 16, 2023 Regular Board Meeting Minutes.....Page 2
- J. Old Business
- K. New Business
 - 1. Accept and Receive Annual Public Facilities Report Infrastructure Improvements.....Page 0
- L. Administrative Matters
- M. Board Members Comments
- N. Adjourn

PALM BEACH

STATE OF FLORIDA
COUNTY OF PALM BEACH:

Before the undersigned authority personally appeared ANGELINA GARAY, 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 2022/2023 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, ETC.

in the XXXX Court,
was published in said newspaper by print in the issues of and/or by publication on the newspaper's website, if authorized, on

10/07/2022

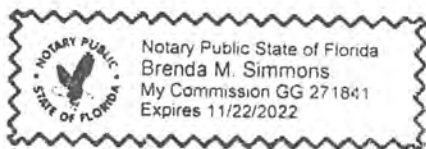
Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Angelina Garay

Sworn to and subscribed before me this
7 day of OCTOBER, A.D. 2022

[Signature]

(SEAL)
ANGELINA GARAY personally known to me



BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT FISCAL YEAR 2022/2023 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 18, 2022
- November 15, 2022
- December 13, 2022
- January 17, 2023
- February 21, 2023
- March 21, 2023
- April 18, 2023
- May 16, 2023
- June 20, 2023
- July 18, 2023
- August 15, 2023
- September 19, 2023

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 ensure 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
10/7 22-02/0000623563P

**BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
MAY 16, 2023**

A. CALL TO ORDER

The May 16, 2023, Regular Board Meeting of the Banyan Cay Community Development District (the “District”) was called to order at 2:05 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 Regular Board Meeting had been published in *The Palm Beach Post* on October 7, 2022, as part of the District’s Fiscal Year 2022/2023 Meeting Schedule, as legally required.

C. ESTABLISH A QUORUM

A quorum was established with the following Supervisors in attendance:

Chairperson	Alicia Lewis	Present
Vice-Chair	Charlie Rimpela	Present
Supervisor	Matthew Kutner	Absent
Supervisor	Sarah Dosch	Present
Supervisor	David Kohlasch	Absent

Also in virtual attendance were:

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

Also in attendance was Michael McElligott from Special District Services, Inc., and Kevin Gomez from Engenuity Group, Inc.

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 18, 2022, Regular Board Meeting

The minutes of the October 18, 2022, Regular Board Meeting were presented for consideration.

A **motion** was made by Mr. Rimpela, seconded by Ms. Dosch, and passed unanimously approving the minutes of the October 18, 2022, 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. 2023-01 – Adopting a Fiscal Year 2023/2024 Proposed Budget

Resolution No. 2023-01 was presented, entitled:

RESOLUTION 2023-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2023/2024 AND SETTING A PUBLIC HEARING THEREON PURSUANT TO FLORIDA LAW AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. McElligott presented the proposed budget. Mr. McElligott noted that there is a change to the Budget presented, that \$1,000.00 would be removed from “Reserve”, dropping it to \$1,500.00, and added to “Lake Maintenance” making it \$13,000.00. Mr. McElligott also noted that the Proposed Budget reflects an increase in O&M assessments of \$46.63, which will require mailed notices to go out before the Final Budget public hearing.

After a brief discussion by the Board, a **motion** was made by Mr. Rimpela, seconded by Ms. Dosch and passed unanimously adopting Resolution No. 2023-01, approving the Proposed Budget as amended, and setting the Public Hearing for August 15, 2023 at 2:00 pm.

I. ADMINISTRATIVE MATTERS

Neither the District Manager or the District Attorney had any further comments. The District Engineer mentioned to the Board that the required annual facility inspection was coming out and she would need to coordinate timing and access for the site visit. Ms. Lewis stated that she would contact Ms. Tropepe to make arrangements.

J. BOARD MEMBER COMMENTS

Ms. Lewis updated the Board on the Bankruptcy proceedings. She stated that they had filed chapter 365 Bankruptcy, which is facilitating an auction style sale of the property. The final bids will be due by June 13, 2023, and the new owner should close on the purchase approximately 30 days later. Ms. Lewis and the District Attorney, Mr. Capko, stated that they have been fielding calls from prospective buyers, which is a very positive sign.

K. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Mr. Rimpela, seconded by Ms. Dosch and passed unanimously to adjourn the meeting at 2:20 p.m.

ATTESTED BY:

Secretary/Assistant Secretary

Chairperson/Vice-Chair

Banyan Cay Community Development District

2023 Annual Public Facilities Report Infrastructure Improvements

Prepared for:



Banyan Cay Community Development District Board of Supervisors

Administered By:
Special District Services, Inc.
2501A Burns Road
Palm Beach Gardens, FL 33410
July 1, 2023

Prepared by:



Engenuity Group, Inc.

1280 North Congress Avenue, Suite 101
West Palm Beach, FL 33409

Project No. 19030.04

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1 Introduction

The Banyan Cay Community Development District (i.e., "District") was formed for the purpose of financing and managing the acquisition, construction, and maintenance of certain infrastructure improvements in accordance with Chapter 190, Florida Statutes. The District covers approximately 95.24 acres of land of which approximately 72 acres of this land was developed and is a part of this Annual Report.

The District is located in Sections 7, 8, 17, and 18, Township 43S, Range 43E. It is located off of Congress Avenue between Palm Beach Lakes Boulevard and 45th Street, adjacent to and north of Presidential Way in the City of West Palm Beach, County of Palm Beach, Florida. Refer to location map in Section 3.

This District is a Planned Development, estimated to include 179 condominiums, 22 resort villas, 52 estate homes, and a 150-room hotel. Listed below are the zoning classifications and land use types for this planned development.

Land Use: **Commercial East (CE)**
Zoning Classification: **Community Planned Development (CPD)**

2 Purpose and Scope

The purpose of this **2023 Annual Public Facilities Report** (i.e., "Annual Report") is to discuss the condition, maintenance, and repair needs of the infrastructure improvements paid by the Special Assessment Bonds for the lands within the District.

In accordance with the December 1, 2020 Master Trust Indenture between the District and the Trustee Section 9.21 Employment of Consulting Engineer, Consulting Engineer's Report, paragraph (b) states:

The Issuer shall cause the Consulting Engineer to make an inspection of any portion of the Projects owned by the Issuer at least once in each Fiscal Year and, on or before the first day of July in each Fiscal Year, to submit to the Board a report setting forth (i) its findings as to whether such portions of Projects owned by the Issuer have been maintained in good repair, working order and condition, and (ii) its recommendations as to the proper maintenance, repair and operation of Projects during the ensuing Fiscal Year and an estimate of the amount of money necessary for such purpose.

Copies of such annual report shall be mailed by the Issuer to any Bondholders who shall have filed their names and addresses with the Board for such purpose.

The District Engineer has considered, and in certain instances, relied upon opinions, information, and documentation prepared or supplied by others, which may have included: public entities, the Developer, engineering professionals, general contractors, surveyors, and the District's Board of Supervisors, staff, and consultants.

Infrastructure improvements included in the Banyan Cay Community Development District include the following:

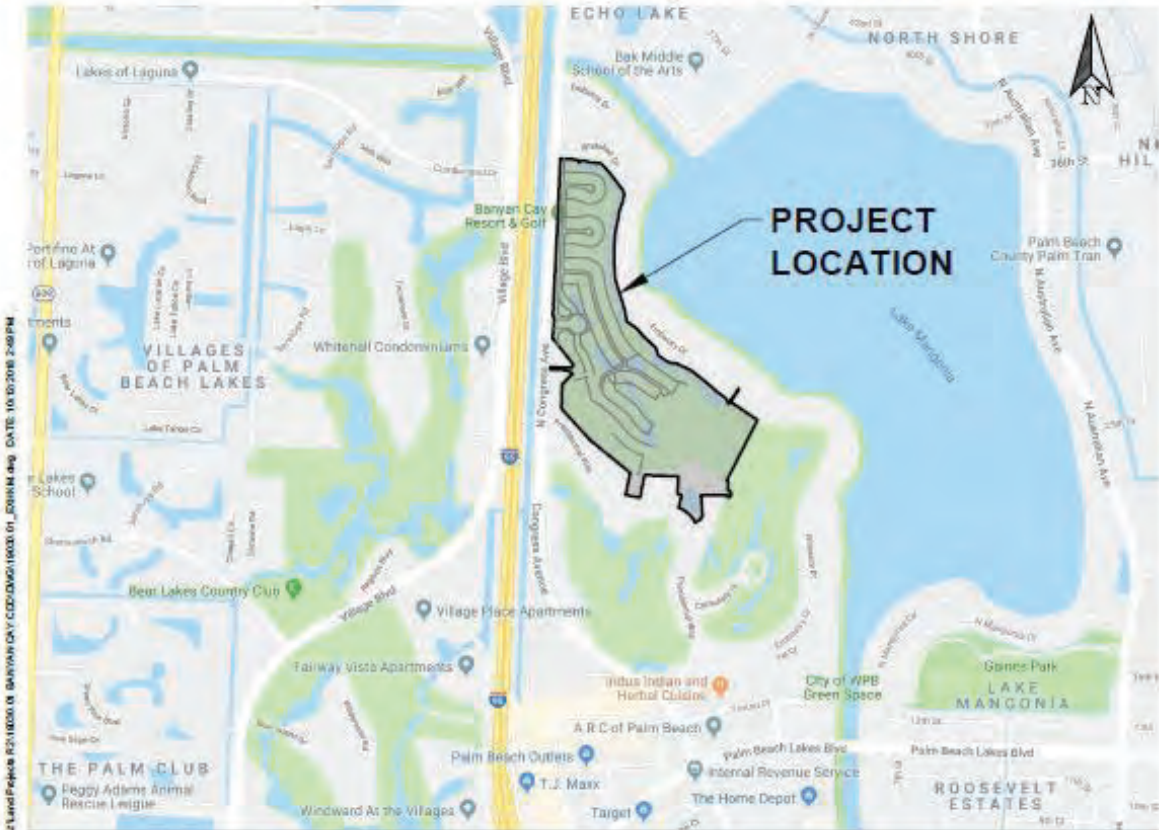
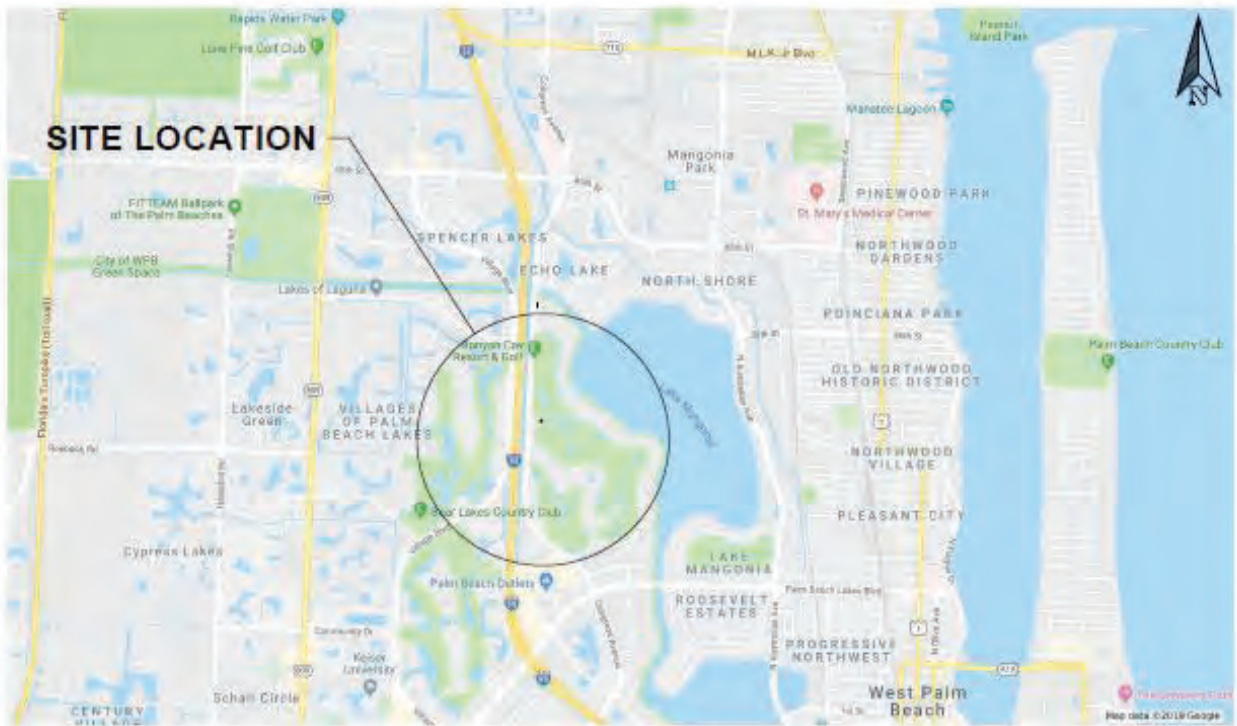
- Drainage/Stormwater Management Systems
- Water Distribution System
- Wastewater Collection
- Roadway System (On-site & Off-site)
- Earthwork (Lake Excavation and Site Preparation)

The scope of this Report is to make an annual notice of any changes within the District. Please note that this Annual Report covers the time period from **July 1st, 2022 to July 1st, 2023**.

Note:

It has been brought to our attention that the property, which includes all the infrastructure improvements stated above, has been potentially purchased by a new company. Observations made in this Report reflects the lack of maintenance over many months. Issues stated in this Report should be addressed as soon as possible. Unsafe conditions, such as lake bank slopes, have been observed. Several recommendations have been repeated from the previous 2022 Annual Report. It does not appear that these recommendations were addressed.

3 Location Map



4 Description and Status of Public Facilities

As of the date hereof, the drainage/stormwater management system, water distribution system, wastewater collection, roadway system, and earthwork (lake excavation and site preparation) are approximately **95% complete**. A majority of the improvements are located on-site within the District boundaries. There are off-site improvements along Congress Avenue which are also a part of this Report. The Congress Avenue improvements include landscape medians and turning lanes. These off-site improvements have been completed.

4.1 Drainage/Stormwater Management System

The Stormwater Management System improvements consist of a system of lakes, inlets, pipes, and control structures that function to meet both stormwater retention and water quality requirements. These improvements have been designed to meet the applicable criteria of the South Florida Water Management District (SFWMD) and the City of West Palm Beach (WPB). The ultimate outfall for this system is the C-17 Canal.

Approximate Percentage Completed: 100%

Anticipated Owner/Responsible Party: *Banyan Cay Master Association (HOA)*

4.2 Water Distribution System

The District lies within the City of West Palm Beach Utility Department service area and is designed to meet their standards. The distribution system consists of 4", 6", 8", 12", and 16" water mains and associated appurtenances. These appurtenances include but are not limited to, services, fire hydrants, backflow preventers, meters, etc. that comprise a complete water distribution system.

Approximate Percentage Completed: 95%

Anticipated Owner/Responsible Party: *City of West Palm Beach*

Per the Engineer of Record, a permit extension will be issued before it expires on 10-8-23.

4.3 Wastewater Collection System

The District lies within the City of West Palm Beach Utility Department service area and is designed to meet their standards. The collection system consists of a series of manholes, gravity mains, force mains, a lift station, and associated appurtenances that comprise a complete wastewater collection system.

Approximate Percentage Completed: 90%

Anticipated Owner/Responsible Party: *City of West Palm Beach*

Per the Engineer of Record, a permit extension will be issued before it expires on 10-8-23.

4.4 Roadway System (On-Site and Off-Site)

The onsite Roadway System lies within the boundary of the District. It is made up of several two-way, two-lane asphalt roadways providing access to the homes and facilities within the District. The following is a list of proposed District roadways that are contemplated in this Report:

- i. Banyan Resort Way
- ii. Banyan Club Road
- iii. Banyan Cay Drive (81% benefit)

Off-site roadway improvements for Congress Avenue are also included. These costs are prorated and account for 81% of the total off-site cost for the District. These improvements include 6-foot-wide landscape medians with type "F" curb, a northbound right turn lane, a southbound left turn lane, drainage improvements, and other applicable appurtenances. These improvements are now completed.

Approximate Percentage Completed: 98%

Anticipated Owner/Responsible Party: Banyan Cay Master Association (HOA)

4.5 Earthwork (Land Excavation and Site Preparation)

Since this project has been developed in an area that was part of an existing golf course, major earthwork was needed to transform the District. Earthwork includes, but is not necessarily limited to, site demucking, pond filling, lake excavating, and site clearing/grubbing. Material from the lake excavation was utilized for fill to prepare the site. There are approximately 11 acres of lake.

Approximate Percentage Completed: 100%

Anticipated Owner/Responsible Party: Banyan Cay Master Association (HOA)

The lake banks are not being maintained, and need attention. See field observation reports attached.

5 Permitting Status

All permits from the various governmental agencies needed to construct the District Improvements have been obtained. Listed below are the permitting agencies, permit numbers, and the permit approval and expiration dates where applicable:

5.1 Drainage/Stormwater Management System

5.1.1 South Florida Water Management District

- i. Appl. No. 140411-5; approval 7-2-14; expires 7-2-19
- ii. Appl. No. 160627-2; approval 8-25-16; expires 8-25-21
- iii. Appl. No. 170420-30; approval 8-18-17; expires 8-18-22

5.1.2 City of West Palm Beach Engineering Department

- i. Permit No. E 18060014; approval 6-18-18
A permit extension was requested on 10-27-20 and was verbally approved on 10-29-20. The new expiration date is yet to be determined.

5.2 Water Distribution System

5.2.1 City of West Palm Beach Utilities Department

- i. Permit No. E 18060014; approval 6-18-18
A permit extension was requested on 10-27-20 and was verbally approved on 10-29-20. The new expiration date is yet to be determined.

5.2.2 Palm Beach County Health Department

- i. No. 138298-701-DSGP; approval 10-9-18; expires 10-8-23
Per the Engineer of Record, a permit extension will be issued before it expires on 10-8-23.

5.2.3 Florida Department of Health – Palm Beach County – 16” Watermain Relocation

- i. Permit No. 138298-661-DSGP; approval 3-8-17; expires 3-7-22

5.3 Wastewater Collection

5.3.1 City of West Palm Beach Utilities Department

- i. Permit No. E 18060014; approval 6-18-18
A permit extension was requested on 10-27-20 and was verbally approved on 10-29-20. The new expiration date is yet to be determined.
- ii. Permit No. E 17050022 (16” Water Main Relocation)
Work under this permit has been completed and certified.

5.3.2 Palm Beach County Health Department

- i. No. 138298-70-Dwc; approval 10-9-18; expires 10-8-23
Per the Engineer of Record, a permit extension will be issued before it expires on 10-8-23.

5.4 Roadway System (On-site and Off-site)

5.4.1 City of West Palm Beach Traffic Engineering

- i. Permit No. E 18060014; approval 6-18-18
The force main utility extension within the Congress Avenue Right of Way has been completed.

5.4.2 Palm Beach County Land Development Permit (Off-Site)

- i. Right-of-way permit number RW32874-1017
Construction is ongoing, as the Congress Avenue median and final overlay of the turning lane remains unfinished. Per Permit Condition No. 1, "Work may proceed beyond the permit expiration date if a start date was established and work started prior to the permit expiration date."

5.5 Earthwork (Lake Excavation and Site Preparation)

5.5.1 South Florida Water Management District

- i. Appl. No. 140411-5; approval 7-2-14; expires 7-2-19
- ii. Appl. No. 160627-2; approval 8-25-16; expires 8-25-21
- iii. Appl. No. 170420-30; approval 8-18-17; expires 8-18-22

5.5.2 City of West Palm Beach Engineering Department

- i. Permit No. E 18060014; approval 6-18-18
A permit extension was requested on 10-27-20 and was verbally approved on 10-29-20. The new expiration date is yet to be determined.

5.6 Miscellaneous

5.6.1 South Florida Water Management District – Water Use Permits

- i. Appl. No. 160818-6; approval 9-15-16; expires 9-15-19
The majority of the underground infrastructure has been completed. The renewal of the Banyan Cay Dewatering Permit was electronically requested on 11-3-20. This permit is for the underground contractor to construct the remainder of the sewer and drainage lines.
- ii. Appl. No. 151209-12; transfer 1-7-16; expires 3-21-31

5.6.2 Florida Department of Health – Palm Beach County – 16" Water Main Relocation

- i. Permit No. 138298-661-DSGP; approval 3-8-17; expires 3-7-22

6 Observation of Facilities and Recommendations

Three site visits and observations were performed on June 23rd, June 28th, and June 30th 2023 for all infrastructure improvements paid by the Special Assessment Bonds for the lands within the District as well as the associated off-site improvements. These were all visual inspections with no other testing equipment or other special devices used.

Refer to the Appendix for the accompanying Field Observation Reports.

6.1 Drainage/Stormwater Management System

The stormwater management system consisting of a system of lakes, inlets, pipes, and control structures appears to be completely installed and in fair condition. Specific recommendations are stated below and in the attached Field Observation Reports.

Recommendations:

- **Adjust, replace, or clean the protective filter fabric for all inlets while construction is ongoing and/or loose sediment is prevalent.**
- **Lake Tract “LK1” – Remove exotic/invasive tree species along west side of lake bank.**
- **Regrade all lake banks to a safe slope per the approved plans.**
- **All sodded areas shall be maintained.**
- **Storm pipe must be flushed out and televised to insure its integrity.**

6.2 Water Distribution System

The water distribution system comprised of 4", 6", 8", 12", and 16" water mains and associated appurtenances (such as: services, fire hydrants, backflow preventers, meters, etc.) appeared to be nearly complete with the service connections marked.

Recommendations:

- **Replace the missing water valve cover/cap.**
- **Complete watermain construction and testing and close out permit per City of West Palm Beach and Health Department standards. Put watermain into service after clearance is granted.**
- **2 concrete collars are missing on water valves, and need to be installed.**

6.3 Wastewater Collection

The wastewater collection system consisting of a series of manholes, gravity mains, force mains, a lift station, and associated appurtenances appears to be complete with all service ends marked. The force main was observed to be completed and connected to the on-site lift station.

Recommendations:

- **Close out permit per City of West Palm Beach and Health Department standards.**

6.4 Roadway System (On-site and Off-site)

The on-site roadway system lies within the boundary of the District and is comprised of Banyan Resort Way, Banyan Club Road, and Banyan Cay Drive (81% benefit). In addition, the off-site roadway system improvements consist of the northbound and southbound turning lanes, landscape medians, and various other components of Congress Avenue (81% benefit). Both the on-site and off-site roadway systems were observed to be complete, with the exception of roadway striping on the internal roadways.

Recommendations:

- **Stripe all roadways per permitted plans according to the specifications provided by the Engineer of Record.**
- **Pavements and markings have been not addressed since previous 2022 Annual Report.**
- **Receive final approval from Palm Beach County Land Development.**
- **Add and maintain vegetation on the median on Congress Avenue.**
- **Roadways and Curbs must be swept and free from debris, silt, and growing vegetation.**

6.5 Earthwork (Lake Excavation and Site Preparation)

The earthwork associated for the preparation of the site includes, but is not limited to, site demucking, pond filling, lake excavating, and site clearing/grubbing. The majority of the required earthwork was observed to be completed, with the exceptions noted in the attached Field Observation Reports and recommendations provided below:

Recommendations:

- **Clear Tract “H2” (Great Park) of all debris: Grade, and sod per permitted plans.**
- **Maintain all lake banks and clear invasive species.**
- **Regrade all lake banks to a safe slope per the approved plans.**
- **All sodded areas shall be maintained.**

7 Available Funds

Banyan Cay Dev., LLC currently funds the maintenance and the balance of the infrastructure needs stated in this Report.

Ultimately, maintenance responsibility will be the duty of the Banyan Cay Master Association in the future.

8 10 Year Projection of Facility Replacement

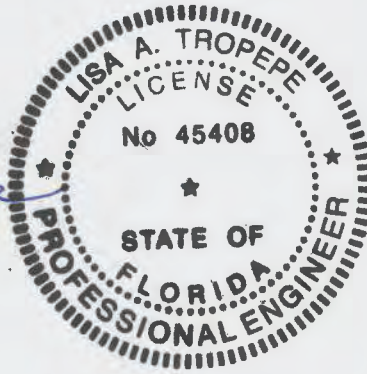
As of this date, the District does not propose to replace any facility identified in Section 2 of this Annual Report in the next ten (10) years, other than the items noted as missing or requiring maintenance.

9 Engineer's Certification

In accordance with the December 1, 2020 Master Trust Indenture between the District and the Trustee Section 9.21 Employment of Consulting Engineer, Consulting Engineer's Report, paragraph (b), I certify that the foregoing is a true reflection of the condition, maintenance, repair needs, and balance of the infrastructure improvements as outlined in this **2023 Annual Public Facilities Report** for the **Banyan Cay Community Development District**.

Lisa A. Tropepe

Lisa A. Tropepe, P.E.
FL. P.E. No. 45408
Engenuity Group, Inc.



July 1st, 2023

10 Appendix

- Field Observation Report #1 – Dated 6-23-2023
- Field Observation Report #2 – Dated 6-28-2023
- Field Observation Report #3 – Dated 6-30-2023



FIELD OBSERVATION REPORT 1

1280 N. Congress Ave., Suite 101
 West Palm Beach, FL 33409
 Tel. 561.655.1151 Fax 561.832.9390
 E-mail: info@engenuitygroup.com
 Website: www.engenuitygroup.com

PROJECT: Banyan Cay CDD – Annual Report	
PROJECT NO: 19030.04	DATE: 06/23/2023
CONTRACTOR: Various	ARRIVAL TIME: 10:00am
TYPE OF OBSERVATION: General Site Review	DEPARTURE TIME: 11:30am

OBSERVATIONS:

Area #1: Eagle Oaks Lane, Terranova Ave, Baneberry Lane, Banyan Resort Way, Banyan Villa Circle, Banyan Club Road, Parking Garage Area, Member Fitness Center, Lake Tract “LK1”, “LK2”, “L-2”, “L-3”, “L-4”, Tract “O-1”, & Congress Ave (Off-Site)

- In general, Banyan Cay appears to be neglected from Baneberry Lane up to the golf course.
- Overgrown grass, garbage piles, and rusted or ruined construction material just laying around.
- Catch basins not properly covered with protective fabric, dirt piles covering the curbs and catch basins.
- Some sidewalks are broken or not finished, and some areas are experiencing erosion which is leaving the underside of the curb exposed.
- Lakes with overgrown banks and algae build up
- Striping missing on most roads and at stop signs
- It would seem that no progress was made from last year’s observation

REPORT BY: Brock Chase, David Begic

**COPIES TO: Adam Swaney, P.E.
 Lisa Tropepe, P.E.**



Baneberry Ln & Terranova Avenue – Tract O-1



Cleanout missing cover/cap



Baneberry Ln - Hanging Valves



Baneberry Ln – Valley gutter curb filled with dirt



Storage area between Baneberry Ln & Banyan Villa Circle



Banyan Villa Circle



Banyan Villa Circle – Dirt leaking on the road due to lack of maintenance



Area East of Terranova Ave and West of Baneberry Ln



Banyan Villa Circle – Inaccessible FH



Banyan Resort Way – Unfinished sidewalk



Banyan Club Rd – Overgrown side curb



Banyan Resort Way – Overgrown Catch Basin



Banyan Villa Circle – Damaged sidewalk



Banyan Villa Circle – Overgrown valley gutter curb



Banyan Resort Way – Overgrown sidewalk



West Embankment of L-1 – Material storage area



Unused material stored on the NE side of the hotel



Uncovered electric box



Valley gutter curb damaged due to erosion



Overgrown valley gutter curb



Banyan Villa Circle – Unused material storage



Unused material stored East of the Banyan Villa Circle



Banyan Villa Circle – Overgrown roundabout



Ruined bags of cement



West side bank of LK1



L-2 N Embankment



L-3 SE Embankment



L-4 SE Embankment



Parking Garage Entrance



Unfinished Sidewalk on the SW side of the Banyan Club Rd



Catch Basin on the side of Banyan Club Rd



FIELD OBSERVATION REPORT 2

1280 N. Congress Ave., Suite 101
 West Palm Beach, FL 33409
 Tel. 561.655.1151 Fax 561.832.9390
 E-mail: info@engenuitygroup.com
 Website: www.engenuitygroup.com

PROJECT: Banyan Cay CDD – Annual Report	
PROJECT NO: 19030.04	DATE: 06/28/2023
CONTRACTOR: Various	ARRIVAL TIME: 9:00am
TYPE OF OBSERVATION: Site Conducting Review	DEPARTURE TIME: 11:30am

OBSERVATIONS:

Area #2: Eagle Oaks Lane, Terranova Ave, Baneberry Lane, Banyan Resort Way, Banyan Villa Circle & Surrounding Areas (Includes: Lake Tract “LK2”, “L-2”, “L-3”, “L-4” & Member Fitness Center)

Baneberry Lane:

- The overall condition of Baneberry Lane has remained the same since our last visit, with visible additional deficiencies caused by a yearlong of neglect.
- Valley gutter curb filled with dirt at spots and damaged by erosion
- Multiple standing pipes with sharp edges sticking out of the ground.
- Stormwater inlets, which were lacking proper filter fabric cover at the time of our last visit, are now filled with dirt and overgrown vegetation, while any cover that was there last year is now ruptured
- Work equipment is yet to be removed from the North East end of the road.
- Sidewalk running next to Baneberry Lane has not been finished yet.

Terranova Ave:

- Valley gutter filled with dirt at spots and damaged by erosion
- Stormwater inlets, which were lacking proper filter fabric cover at the time of our last visit, are now filled with dirt and overgrown vegetation, while any cover that was there last year is now ruptured
- Multiple standing pipes with sharp edges sticking out of the ground.
- SE end of Terranova Ave has not been finished yet.

Banyan Resort Way:

- Sidewalk on the NE end of the road has not been finished yet.
- Two catch basins on NW end of the road do not have any filter fabric cover.
- The rest of the stormwater inlets are covered but filled with dirt and overgrown vegetation
- Multiple standing pipes with sharp edges sticking out of the ground.
- Valley gutter curb retains water at spots, and is also damaged at spots due to erosion and growing vegetation.

Eagle Oaks Ln:

- Stormwater inlets, which were lacking proper filter fabric cover at the time of our last visit, are now filled with dirt and overgrown vegetation, while any cover that was there last year is now ruptured
- Valley gutter curb is, at spots, filled with dirt and damaged due to erosion
- Some installed water meters have suffered erosion caused damage
- Some cleanouts are missing a required cap
- Multiple standing pipes with sharp edges sticking out of the ground.
- Unstable backflow preventer at the SE end of the road seen at the time of the last inspection is still there and in worse condition

Banyan Villa Circle:

- Land on the NE side of the Banyan Villa Circle is used to store unused material and an assortment of debris.
- Multiple uncovered cleanouts present on each side of the road.
- Multiple standing pipes with sharp edges sticking out of the ground.
- Stormwater inlets on this road are in the worst condition out of any road on the site, as vegetation has grown enough to completely cover multiple of them.
- Valley gutter curb retains water and debris at spots; some so bad that curb cannot be noticed due to accumulated dirt.

Member Fitness Center:

- Parking lot in front of the fitness center has been finished and marked
- Unused material left outside the front door of the center.
- Fitness center appears to be used as a storage as it is filled with boxes and material
- On the N side of the building there is an opened electrical box.
- Multiple holes in the ground with visible pipes within them are present behind the building on the W side.

L-2:

- L-2 lake bank appears to be receiving routine maintenance.
- Vegetation growth higher than expected on the SE end.

L-3:

- L-3 lake bank does not appear to be receiving routine maintenance.
- Vegetation growth higher than expected, especially on the W side bank.
- SW side bank still contains material noticed during the last inspection.

L-4:

- L-4 lake bank, even though in better condition than lakes L-3 and LK2, does not appear to be receiving routine maintenance.
- The west embankment of L-4 has a collapsed turbidity barrier that needs to be replaced.

LK2:

- LK2 lake bank does not appear to be receiving routine maintenance.
- Vegetation growth higher than expected, especially on the N side bank where a dense area of tall grass was spotted.
- All above mentioned streets appear to be nearly completed, with the exception of some crosswalk markings and stop bars.
- Sanitary system is complete with service ends marked.

Other Notes:

1. Site conditions are generally speaking the same they were during our last visit. No additional work has been done since June of 2022, nor has the equipment or debris been removed from the site. The only difference are deficiencies due to a yearlong neglect.
2. The areas of unstable ground adjacent to the road, particularly on the west side of Eagle Oaks Lane and the east side of Terranova Ave, which is allowing sediment to fill the valley curbs and eventually enter the drainage system are now in worse condition than they were a year ago. Majority of inlets do not have protective fabric properly in place.
3. No pavement markings & signs have been added since the last inspection in June of 2022. Areas with installed stop signs without their associated stop bar on the paved asphalt; as well as areas missing crosswalks and ADA detectable warning pads remained the same since the time of last report.

REPORT BY: David Begic, Brock Chase

**COPIES TO: Adam Swaney, P.E.
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Equipment left on the NE side of Baneberry Ln



Sharpe edged standing pipes on the side of Baneberry Ln



Cleanout with no cover/cap (typical)



Unfinished sidewalk on Baneberry Ln



Valley gutter curb filled with dirt



Stormwater inlet clogged by debris



Terranova Ave



Catch Basin clogged by debris; filter fabric cover has been ruptured and is now opened (typical)



SE end of Terranova Ave



Sharp edged standing pipe on a side of Terranova Ave



Unfinished sidewalk on Banyan Resort Way



Eagle Oaks Ln



Valley Gutter Curb damaged due to erosion



Water Meter damaged due to erosion



Proposed house lots on the SW side of Eagle Oaks Ln



Eagle Oaks Ln SE end: Unstable Backflow Preventer



Member Fitness Center entrance with material left outside the front door



Fitness Center Parking Lot



Opened electrical box on the N side of the Fitness Center



East side bank of LK2



L-2 N Embankment



L-4 SE Embankment



L-3 SE Embankment



Tube on SE end of L-3 Embankment



PVC and debris storage on SW corner of L-3



FIELD OBSERVATION REPORT 3

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PROJECT: Banyan Cay CDD – Annual Report	
PROJECT NO: 19030.04	DATE: 06/30/2023
CONTRACTOR: Various	ARRIVAL TIME: 9:00am
TYPE OF OBSERVATION: Site Conducting Review	DEPARTURE TIME: 10:30am

OBSERVATIONS:

Area #3: Banyan Club Road, Parking Garage Area, Lake Tract “LK1”, Tract “O-1”, Congress Ave (Off-Site)

Banyan Club Road:

- NE end of the Banyan Club Road is adequately connected to the Banyan Resort Way and Eagle Oaks Ln
- Lift Station on the W side of the Banyan Club Rd and S of Banyan Resort Way is completed, but is missing proper screening
- Stormwater inlets protecting filter fabric has been damaged since the last inspection and is dissatisfactory
- Sidewalk running on the SW side of the road has not been completed
- SE end of the Banyan Club Rd has not been completed

Parking Garage Area

- No further work appears to be done on the parking garage area since the last inspection was done
- Asphalt and concrete used for access road and garage floor are damaged due to a yearlong neglect and vegetation growth
- Concrete walls surrounding the garage area started to crack at spots and will need repair
- Signs to be used upon the completion of the area are laying on the ground on the NE side of the garage
- Area NE of the parking garage entrance does not appear to be maintained since June of 2022, and still includes an unstable backflow preventer seen during the last inspection

Lake Tract “LK1”

- West bank of LK1 does not appear to receiving sufficient maintenance and there is a significant growth of exotic/invasive tree species (e.g. Australian Pine, Acacia etc.)
- All drainage outfalls (4) are installed.
- SE side of the West bank is still used to store unused material and an assortment of debris.

Congress Ave (Off-Site)

- Off-site work on Congress Ave is fully completed, with finished north and southbound turning lanes, visible striping, manhole that is now flush with the roadway, and ADA curb ramps in accordance to engineering plans

Other Notes:

1. Several areas of unstable ground exist along both sides of the Banyan Club Rd which is allowing sediment to migrate into curbs and eventually entering storm drain system in several areas. The protective inlet fabric is either deteriorated or missing.

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NE end of the Banyan Club Rd



Unfinished Sidewalk on the SW side of the Banyan Club Rd



Banyan Club Rd – SE End



Catch Basin on the side of Banyan Club Rd (typical)



Curb damaged due to erosion – Banyan Club Rd



Parking Garage Entrance



Damaged asphalt in the proposed parking garage



Damaged concrete wall in the proposed parking garage (typical)



Unstable backflow preventer NE of the garage entrance



West side bank of LK1



Lift Station West of the Banyan Club Rd



Unused materials and assortment of debris stored on the SE side of the west bank of LK1



Unused materials and assortment of debris stored on the SE side of the west bank of LK1



ADA curb ramp on Congress Ave



Tract O-1