



**BANYAN CAY
COMMUNITY DEVELOPMENT
DISTRICT**

**PALM BEACH COUNTY
REGULAR BOARD MEETING
& PUBLIC HEARING
AUGUST 20, 2024
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 & PUBLIC HEARING
August 20, 2024
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. June 4, 2024 Special Board Meeting Minutes.....Page 2
- G. Public Hearing
 - 1. Proof of Publication.....Page 6
 - 2. Receive Public Comments on Fiscal Year 2024/2025 Final Budget
 - 3. Consider Resolution No. 2024-02 – Adopting a Fiscal Year 2024/2025 Final Budget.....Page 7
- H. Old Business
- I. New Business
 - 1. Consider Resolution No. 2024-03 – Adopting a Fiscal Year 2024/2025 Meeting Schedule.....Page 14
 - 2. Consider Resolution No. 2024-04 – Adopting Goals and Objectives.....Page 16
 - 3. Accept and Receive 2024 Annual Report.....Page 19
- J. Administrative Matters
- K. Board Members Comments
- L. 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, of 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 2023/2024 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 a newspaper by print in the issues of Palm Beach Daily Business Review f/k/a Palm Beach Review on

10/06/2023

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
6 day of OCTOBER, A.D. 2023

[Signature]

(SEAL)
ANGELINA GARAY personally known to me



BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT FISCAL YEAR 2023/2024 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 17, 2023
- November 21, 2023
- December 19, 2023
- January 16, 2024
- February 20, 2024
- March 19, 2024
- April 16, 2024
- May 21, 2024
- June 18, 2024
- July 16, 2024
- August 20, 2024
- September 17, 2024

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 telephoné 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.banyancayodd.org
10/6 23-02/000686708P

**BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT
SPECIAL BOARD MEETING
JUNE 4, 2024**

A. CALL TO ORDER

The June 4, 2024, Special Board Meeting of the Banyan Cay Community Development District (the “District”) was called to order at 2:19 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 Board Meeting had been published in the *Palm Beach Post* on May 22, 2024, as legally required.

Mr. Pierman noted that Deborah Morton, Jonas Nierman and Peter Vitale were sworn in prior to the start of the meeting to Seats 1, 2 and 4, respectively.

C. CONSIDER RESIGNATIONS AND APPOINTMENTS TO BOARD VACANCIES

A **motion** was made and passed by Ms. Lewis accepting the resignations of Ms. Morton, Mr. Nierman and Mr. Vitale.

Ms. Lewis, as the remaining Board Member, then made and passed a **motion** appointing Ms. Sarah Dosch to vacant Seat 1. Mr. Pierman, Notary Public for the State of Florida, administered the Oath of Office to Ms. Dosch.

Ms. Lewis then made a **motion**, seconded by Ms. Dosch and unanimously passed appointing Mr. Greg Jaffe to vacant Seat 2. Mr. Pierman, Notary Public for the State of Florida, administered the Oath of Office to Mr. Jaffe.

A **motion** was then made by Ms. Lewis, seconded by Ms. Dosch and unanimously passed ratifying the actions taken by the Board prior to a quorum being established.

D. ESTABLISH A QUORUM

A quorum was established with the following Supervisors in attendance:

Supervisor	Alicia Lewis	Present
Supervisor	Sarah Dosch	Present
Supervisor	Greg Jaffe	Present
Vacant		
Vacant		

Also in attendance were:

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

E. ELECTION OF OFFICERS

Mr. Pierman explained that it was now necessary to elect officers.

A **motion** was made by Ms. Lewis, seconded by Ms. Dosch and unanimously passed to elect the following slate of officers:

- CH: Alicia Lewis
- VC: Greg Jaffe
- Sec/Treas: Jason Pierman
- Assist. Sec: Sarah Dosch

F. ADDITIONS OR DELETIONS TO AGENDA

There were no additions or deletions to the agenda.

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

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

H. APPROVAL OF MINUTES

1. November 21, 2023, Regular Board Meeting

The minutes of the November 21, 2023, Regular Board Meeting were presented for consideration.

A **motion** was made by Ms. Dosch, seconded by Mr. Jaffe and passed unanimously approving the minutes of the November 23, 2023, Regular Board Meeting, as presented.

I. OLD BUSINESS

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

J. NEW BUSINESS

1. Consider Resolution No. 2024-01 – Adopting a Fiscal Year 2024/2025 Proposed Budget

Resolution No. 2024-01 was presented, entitled:

RESOLUTION NO. 2024-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2024/2025; AND PROVIDING AN EFFECTIVE DATE.

A **motion** was made by Dosch, seconded by Mr. Jaffe and passed unanimously adopting Resolution No. 2024-01, as presented, setting the Public Hearing for August 20, 2024, at 2:00 p.m.

2. Discussion Regarding HOA Maintenance Agreement

Mr. Pierman explained that the agreement had been previously approved, but not signed. He asked that the Board, having recently changed, reconsider the agreement.

A **motion** was made by Ms. Dosch, seconded by Mr. Jaffe and unanimously passed reapproving the HOA Maintenance Agreement.

3. Discussion Regarding Required Ethics Training

Mr. Pierman noted that SDS had placed links to the free training, as well as a link to file the Form 1, on its company website, and reminded the Board that the training must be completed by the end of the calendar year. He also reminded the Board to complete their Form 1 by the July 1st deadline.

K. ADMINISTRATIVE MATTERS

There were no Administrative Matters to come before the Board.

L. BOARD MEMBER COMMENTS

There were no further 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 Ms. Dosch and passed unanimously adjourning the meeting at 2:54 p.m.

ATTESTED BY:

Secretary/Assistant Secretary

Chairperson/Vice-Chair

BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT
NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE FISCAL YEAR 2024/2025 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 August 20, 2024, at 2:00 p.m., or as soon thereafter as can be heard, in the Conference Room 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 2024/2025 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 (the District Managers 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 Managers 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 Managers 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.

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

District Manager

BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT

www.banyancaycdd.org

7/31, 8/7/24 10418934

RESOLUTION NO. 2024-02

A RESOLUTION OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT ADOPTING A FISCAL YEAR 2024/2025 BUDGET.

WHEREAS, the Banyan Cay Community Development District (“District”) has prepared a Proposed Budget and Final Special Assessment Roll for Fiscal Year 2024/2025 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 2024/2025 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 20th day of August, 2024.

ATTEST:

**BANYAN CAY
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

Banyan Cay
Community Development District

**Final Budget For
Fiscal Year 2024/2025
October 1, 2024 - September 30, 2025**

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- IV ASSESSMENT COMPARISON

FINAL BUDGET
BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2024/2025
OCTOBER 1, 2024 - SEPTEMBER 30, 2025

	FISCAL YEAR 2024/2025 BUDGET
REVENUES	
O&M Assessments	102,492
Developer Contribution	0
Debt Assessments	425,532
Interest Income	360
TOTAL REVENUES	\$ 528,384
EXPENDITURES	
Supervisor Fees	0
Engineering/Inspections	8,000
Management	26,208
Legal	20,000
Assessment Roll	5,000
Audit Fees	4,700
Arbitrage Rebate Fee	650
Insurance	7,250
Legal Advertisements	1,400
Miscellaneous	1,400
Postage	370
Office Supplies	650
Dues & Subscriptions	175
Trustee Fees	4,150
Continuing Disclosure Fee	1,000
Website Management	2,000
Lake Maintenance	13,000
Reserve	750
Miscellaneous Maintenance	0
TOTAL EXPENDITURES	\$ 96,703
REVENUES LESS EXPENDITURES	\$ 431,681
Bond Payments	(400,000)
BALANCE	\$ 31,681
County Appraiser & Tax Collector Fee	(10,560)
Discounts For Early Payments	(21,121)
EXCESS/ (SHORTFALL)	\$ -

DETAILED FINAL BUDGET
BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2024/2025
OCTOBER 1, 2024 - SEPTEMBER 30, 2025

	FISCAL YEAR 2022/2023 ACTUAL	FISCAL YEAR 2023/2024 BUDGET	FISCAL YEAR 2024/2025 BUDGET	COMMENTS
REVENUES				
O&M Assessments	95,330	102,497	102,492	Expenditures Less Interest /.94
Developer Contribution	0	0	0	Developer Contribution
Debt Assessments	437,171	425,532	425,532	Bond Payments/.94
Interest Income	2,094	180	360	Projected At \$30.00 Per Month
TOTAL REVENUES	\$ 534,595	\$ 528,209	\$ 528,384	
EXPENDITURES				
Supervisor Fees	0	0	0	
Engineering/Inspections	6,470	8,000	8,000	No Change From 2023/2024 Budget
Management	24,720	25,452	26,208	CPI Increase (Capped At 3%)
Legal	24,164	20,000	20,000	FY 23/24 Expenditures Through April 2024 Were \$8,938
Assessment Roll	5,000	5,000	5,000	As Per Contract
Audit Fees	4,400	4,600	4,700	\$100 Increase From 2023/2024 Budget
Arbitrage Rebate Fee	650	650	650	No Change From 2023/2024 Budget
Insurance	6,134	6,700	7,250	FY 23/24 Expenditure Was \$6,594
Legal Advertisements	363	1,400	1,400	No Change From 2023/2024 Budget
Miscellaneous	6	1,800	1,400	\$400 Decrease From 2023/2024 Budget
Postage	81	400	370	\$30 Decrease From 2023/2024 Budget
Office Supplies	197	700	650	\$50 Decrease From 2023/2024 Budget
Dues & Subscriptions	175	175	175	No Change From 2023/2024 Budget
Trustee Fees	4,139	4,150	4,150	No Change From 2023/2024 Budget
Continuing Disclosure Fee	1,000	1,000	1,000	No Change From 2023/2024 Budget
Website Management	2,000	2,000	2,000	No Change From 2023/2024 Budget
Lake Maintenance	0	13,000	13,000	Lake Maintenance
Reserve	0	1,500	750	Reserve
Miscellaneous Maintenance	8,300	0	0	FY 2022/2023 Expenditure Was For Vegetation
TOTAL EXPENDITURES	\$ 87,799	\$ 96,527	\$ 96,703	
REVENUES LESS EXPENDITURES	\$ 446,796	\$ 431,682	\$ 431,681	
Bond Payments	(435,307)	(400,000)	(400,000)	2025 Principal & Interest Payments
BALANCE	\$ 11,489	\$ 31,682	\$ 31,681	
County Appraiser & Tax Collector Fee	(1,127)	(10,561)	(10,560)	
Discounts For Early Payments	(1,814)	(21,121)	(21,121)	
EXCESS/ (SHORTFALL)	\$ 8,548	\$ -	\$ -	

DETAILED FINAL DEBT SERVICE FUND BUDGET

BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT

FISCAL YEAR 2024/2025

OCTOBER 1, 2024 - SEPTEMBER 30, 2025

	FISCAL YEAR 2022/2023 ACTUAL	FISCAL YEAR 2023/2024 BUDGET	FISCAL YEAR 2024/2025 BUDGET	COMMENTS
REVENUES				
Interest Income	14,158	100	400	Projected Interest For 2024/2025
NAV Tax Collection	435,307	400,000	400,000	Maximum Debt Service Collection
Total Revenues	\$ 449,465	\$ 400,100	\$ 400,400	
EXPENDITURES				
Principal Payments	130,000	135,000	140,000	Principal Payment Due In 2025
Interest Payments	267,325	261,963	258,250	Interest Payments Due In 2025
Bond Redemption	0	3,137	2,150	Estimated Excess Debt Collections
Total Expenditures	\$ 397,325	\$ 400,100	\$ 400,400	
Excess/ (Shortfall)	\$ 52,140	\$ -	\$ -	

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 1/1/24 =	 \$6,635,000		

**Banyan Cay Community Development District
Assessment Comparison**

	Fiscal Year 2021/2022 Assessment*	Fiscal Year 2022/2023 Assessment*	Fiscal Year 2023/2024 Assessment*	Fiscal Year 2024/2025 Projected Assessment*
O & M For Estate Homes	\$ 370.03	\$ 370.03	\$ 416.66	\$ 416.64
<u>Debt For Estate Homes</u>	\$ 1,789.13	\$ 1,789.13	\$ 1,789.13	\$ 1,789.13
Total For Estate Homes	\$ 2,159.16	\$ 2,159.16	\$ 2,205.79	\$ 2,205.77
O & M For Hotel Room/Units	\$ 370.03	\$ 370.03	\$ 416.66	\$ 416.64
<u>Debt For Hotel Room/Units</u>	\$ 1,789.13	\$ 1,789.13	\$ 1,789.13	\$ 1,789.13
Total For Hotel	\$ 2,159.16	\$ 2,159.16	\$ 2,205.79	\$ 2,205.77
O & M For Resort Villas	\$ 370.03	\$ 370.03	\$ 416.66	\$ 416.64
<u>Debt For Resort Villas</u>	\$ 1,431.30	\$ 1,431.30	\$ 1,431.30	\$ 1,431.30
Total For Resort Villas	\$ 1,801.33	\$ 1,801.33	\$ 1,847.96	\$ 1,847.94
O & M For Clubhouse Component	\$ 8,140.66	\$ 8,140.66	\$ 9,166.52	\$ 9,166.08
<u>Debt For Clubhouse Component</u>	\$ 32,639.00	\$ 32,639.00	\$ 32,639.00	\$ 32,639.00
Total For Clubhouse Component	\$ 40,779.66	\$ 40,779.66	\$ 41,805.52	\$ 41,805.08

* 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. 2024-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2024/2025 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 2024/2025; and

WHEREAS, the Board of Supervisors of the District has set a regular meeting schedule, location and time for District meetings for fiscal year 2024/2025 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 2024/2025 which is attached hereto as Exhibit "A" is hereby adopted and authorized to be published.

PASSED, ADOPTED and EFFECTIVE this 20th day of August, 2024.

ATTEST:

**BANYAN CAY
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

**BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2024/2025 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 15, 2024
November 19, 2024
December 17, 2024
January 21, 2025
February 18, 2025
March 18, 2025
April 15, 2025
May 20, 2025
June 17, 2025
July 15, 2025
August 19, 2025
September 16, 2025

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

PUBLISH: PALM BEACH DAILY BUSINESS REVIEW

RESOLUTION 2024-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BANYAN CAY COMMUNITY DEVELOPMENT DISTRICT ADOPTING GOALS, OBJECTIVES, AND PERFORMANCE MEASURES AND STANDARDS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Banyan Cay Community Development District (the “District”) is a local unit of special-purpose government organized and existing under and pursuant to Chapters 189 and 190, Florida Statutes, as amended; and

WHEREAS, effective July 1, 2024, the Florida Legislature adopted House Bill 7013, codified as Chapter 2024-136, Laws of Florida (“HB 7013”) and creating Section 189.0694, Florida Statutes; and

WHEREAS, pursuant to HB 7013 and Section 189.0694, Florida Statutes, beginning October 1, 2024, the District shall establish goals and objectives for the District and create performance measures and standards to evaluate the District’s achievement of those goals and objectives; and

WHEREAS, the District Manager has prepared the attached goals, objectives, and performance measures and standards and presented them to the Board of the District; and

WHEREAS, the District’s Board of Supervisors (“Board”) finds that it is in the best interests of the District to adopt by resolution the attached goals, objectives and performance measures and standards.

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

SECTION 1. The recitals so stated are true and correct and by this reference are incorporated into and form a material part of this Resolution.

SECTION 2. The District Board of Supervisors hereby adopts the goals, objectives and performance measures and standards as provided in **Exhibit A**. The District Manager shall take all actions to comply with Section 189.0694, Florida Statutes, and shall prepare an annual report regarding the District’s success or failure in achieving the adopted goals and objectives for consideration by the Board of the District.

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 20th day of August, 2024.

ATTEST:

**BANYAN CAY COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chairman, Board of Supervisors

Exhibit A: Performance Measures/Standards and Annual Reporting

Exhibit A

Program/Activity: District Administration

Goal: Remain compliant with Florida Law for all district meetings

Objectives:

- Notice all District regular, special, and public hearing meetings
- Conduct all post-meeting activities
- District records retained in compliance with Florida Sunshine Laws

Performance Measures:

- All Meetings publicly noticed as required (yes/no)
- Meeting minutes and post-meeting action completed (yes/no)
- District records retained as required by law (yes/no)

Program/Activity: District Finance

Goal: Remain Compliant with Florida Law for all district financing activities

Objectives:

- District adopted fiscal year budget
- District amended budget at end of fiscal year
- Process all District finance accounts receivable and payable
- Support District annual financial audit activities

Performance Measures:

- District adopted fiscal year budget (yes/no)
- District amended budget at end of fiscal year (yes/no)
- District accounts receivable/payable processed for the year (yes/no)
- “No findings” for annual financial audit (yes/no)
 - If “yes” explain

Program/Activity: District Operations

Goal: Insure, Operate and Maintain District owned Infrastructure & assets

Objectives:

- Annual renewal of District insurance policy(s)
- Contracted Services for District operations in effect
- Compliance with all required permits

Performance Measures:

- District insurance renewed and in force (yes/no)
- Contracted Services in force for all District operations (yes/no)
- Permits in compliance (yes/no)

ACCEPT AND RECEIVE 2024 ANNUAL REPORT

**TO BE DISTRIBUTED
UNDER SEPARATE COVER**