

**MINUTES OF MEETING  
HAMAL  
COMMUNITY DEVELOPMENT DISTRICT**

A Regular Meeting of the Hamal Community Development District's Board of Supervisors was held on **Wednesday, February 25, 2015 at 8:30 a.m.**, at the **Briar Bay Clubhouse, 3400 Celebration Blvd., West Palm Beach, Florida 33411.**

**Present and constituting a quorum were:**

|                |                     |
|----------------|---------------------|
| Brian Dowling  | Chair               |
| Joseph Petrick | Assistant Secretary |
| Ione Senior    | Assistant Secretary |

**Also present were:**

|                                       |                                    |
|---------------------------------------|------------------------------------|
| Craig Wrathell                        | Wrathell, Hunt and Associates, LLC |
| Amy Eason ( <i>via telephone</i> )    | District Engineer                  |
| Roy Van Wyk ( <i>via telephone</i> )  | District Counsel                   |
| Sarah Warren ( <i>via telephone</i> ) | Hopping, Green & Sams, P.A.        |

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Wrathell called the meeting to order at 8:31 a.m., and noted, for the record, that Supervisors Dowling, Petrick and Senior were present, in person. Supervisors Pincus and Simeone were not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There being no public comments, the next item followed.

**THIRD ORDER OF BUSINESS**

**Approval of December 17, 2014 Regular Meeting Minutes**

Mr. Wrathell presented the December 17, 2014 Regular Meeting Minutes and asked for any additions, deletions or corrections.

The following changes were made:

Lines 169 and 172: Change "Pincus" to "Dowling"

**On MOTION by Ms. Senior and seconded by Mr. Petrick, with all in favor, the December 17, 2014 Regular Meeting Minutes, as amended, were approved.**

**FOURTH ORDER OF BUSINESS**

**Administration of Oath of Office to Newly Appointed Qualified Elector, Robert Simeone [Seat 2] (*the following to be provided in separate package*)**

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. Financial Disclosure Forms**
  - i. Form 1: Statement of Financial Interests**
  - ii. Form 1X: Amendment to Form 1, Statement of Financial Interests**
  - iii. Form 1F: Final Statement of Financial Interests**
- D. Form 8B – Memorandum of Voting Conflict**

This item was not discussed.

**FIFTH ORDER OF BUSINESS**

**Consideration of Proposal #2641 from RBK Diversified Services, Inc. for Jog Road Sidewalk Pressure Cleaning**

Mr. Petrick reported that, after the last meeting, he spoke with the county right-of-way (ROW) Permit Coordinator regarding the ROW permit process and the county wants a ROW permit for liability purposes. He pointed out the potential for traffic control, which he will coordinate with the contractor. Mr. Petrick indicated that the county agreed to waive the permit fee, even though it was listed on the bid proposal. Mr. Petrick recommended that the contractor pull the permit because the contractor will be able to describe the necessary equipment for the job. He noted that the county does not allow work to be performed during rush hour; the county preferred that work be completed between 9:00 a.m., and 3:00 p.m., during the week and any time on the weekend.

Mr. Petrick reported that Liberty Bay used RBK Diversified Services, Inc. (RBK) for the past year-and-a-half. He recalled that bids from different pressure cleaning companies were obtained in 2013 and RBK's prices are comparable. Mr. Petrick pointed out that Liberty Bay had a positive experience when RBK cleaned their sidewalks and roofs.

Mr. Wrathell asked if Mr. Petrick recommended approval of the proposal. Mr. Petrick replied affirmatively and indicated that Mr. Dave Henderson, of RBK, was helpful in dealing with the county, regarding permitting, and has a good understanding of the process.

Mr. Wrathell inquired if the Board should approve the proposal in the amount of \$5,775 or a not-to-exceed amount. Mr. Petrick suggested that the Board authorize a not-to-exceed amount of \$7,000, in case additional traffic control is required, such as a police officer; however, he was confident that the work would be completed for less than \$7,000.

Ms. Senior asked how Mr. Petrick will contact the police if additional traffic control is necessary. Mr. Petrick indicated that he has contact information for the police department. Mr. Dowling pointed out that the proposal states, *“Should any charges incur due to permitting or the county requiring additional barricades, flagmen and supplies for working in the roadway, there will be additional charges to cover these costs”*. Mr. Dowling noted that flagmen are cheaper than a police officer. Ms. Senior agreed.

**On MOTION by Ms. Senior and seconded by Mr. Petrick, with all in favor, Proposal #2641 from RBK Diversified Services, Inc. for pressure cleaning the Jog Road sidewalk, in an amount not-to-exceed \$7,000, to cover additional contingencies, was approved.**

**SIXTH ORDER OF BUSINESS**

**Update: Fish Stocking Reminder from Allstate Resource Management, Inc.**

Mr. Wrathell reported that a letter from Allstate Resource Management, Inc. (Allstate) was provided to the Board, stating that the ponds will be stocked on April 2, 2015; the District should contact Allstate, if it does not want the fish.

Mr. Dowling pointed out that the lakes are stocked with fish, every year, for the health of the lakes.

**SEVENTH ORDER OF BUSINESS**

**Discussion: Review of Continuing Service Agreements**

Mr. Wrathell reported that in the past, the Board approved Continuing Service Agreements (CSAs). Each year, Mr. Dowling reviews all CSAs for the District’s major contractors, including the District Manager, District Counsel, District Engineer, landscaping

company, South Florida Utilities and Allstate. Mr. Wrathell pointed out that this is a good time for the Board to consider the contracts, especially since Mr. Leo Giangrande's departure as District Engineer.

Mr. Dowling reported that, four years ago, when he was elected Chair, the Board went through a full contract review, changing the management company to Wrathell, Hunt and Associates, LLC (Wrathell), and renegotiating the District Counsel contract. He indicated that King's Management Services, LLC (King's), was hired a year prior to this exercise and, upon review of the contract, the Board voted not to change landscape companies.

Mr. Dowling acknowledged that he requested this agenda item, to provide an opportunity for the new and existing Board Members to review the contracts and determine whether any changes were necessary. He pointed out that Allstate did not have a full contract review but they do a good job maintaining the lakes and the fountain.

**A. District Management: *Wrathell, Hunt and Associates, LLC***

This item was addressed above.

**B. District Counsel: *Hopping Green and Sams, P.A.***

This item was addressed above.

**C. District Engineer: *AECOM Technical Services, Inc.***

Mr. Dowling reported that Mr. Giangrande is no longer with AECOM Technical Services, Inc. (AECOM); however, the Board has an excellent working relationship with AECOM. He noted that Mr. Giangrande's personal knowledge of the District was beneficial and his assistance, two years ago, in getting the pumps running, speaks well about Mr. Giangrande's dedication but, since Mr. Giangrande is no longer with AECOM, Mr. Dowling recommended that the Board reconsider the District Engineer's contract.

In response to Ms. Senior's question, Mr. Dowling indicated that Mr. Giangrande left AECOM three months ago.

Ms. Eason remarked that AECOM has done a great job for the District; she is knowledgeable about the pump stations and assisted Mr. Giangrande with the pump station during the flooding. Ms. Eason pointed out that AECOM has history with the District, with Ms. Karen Brandon serving as District Engineer.

Mr. Dowling advised that the Board was not questioning Ms. Eason's ability, knowledge or involvement with the District and that Mr. Giangrande had nothing negative to say about AECOM's staff. Mr. Dowling indicated that, four years ago, when the Board started reviewing

contracts, the District Engineer's contract was not reviewed. Ms. Eason voiced her understanding, as the original contract was with LBFH, Inc. (LBFH).

Mr. Dowling asked whether Mr. Giangrande was employed by LBFH. Ms. Eason indicated that Mr. Giangrande was hired prior to the purchase of LBFH by Boyle Engineering (Boyle), and agreed that the contract included in the agenda package should be reviewed and re-evaluated because of the nuances. Mr. Dowling reiterated his opinion that contracts should be reviewed and recommended that the Board review the District Engineer's contract and consider all options. Mr. Petrick agreed.

In response to Mr. Dowling's question, Mr. Wrathell indicated that, if the Board is interested in soliciting proposals from engineering firms and entering into a CSA, the Board should authorize Staff to proceed with the Request for Qualifications (RFQ) process. The RFQ process requires an advertisement in the newspaper, requesting interested engineering firms to submit responses. Mr. Wrathell explained that selection is based on the firm's qualifications, not the price, and the Board would rank the firms.

Mr. Dowling pointed out that AECOM's experience with the District and assistance during difficult times, could play a significant role in the ranking. Mr. Wrathell confirmed that the Board has some degree of discretion regarding how it weighs the criteria; typically, experience and personnel are main factors.

Ms. Senior asked if Mr. Giangrande attended meetings. Mr. Dowling indicated that Mr. Giangrande attended a majority of the meetings, if the Board requested his attendance in person; however, it was less expensive for Mr. Giangrande to attend via phone. Mr. Dowling has preference for the District Engineer to attend via phone, if there were no engineering issues on the agenda. Mr. Dowling suggested that "*The engineer will attend meetings by phone and in person, when requested by the Chair*", be included in the District Engineer's contract.

Mr. Petrick questioned the timing of advertising the RFQ. Mr. Wrathell indicated that, unless the Board wants to schedule a special meeting, the advertisement will be timed with the April 22, 2015 meeting, which provides three to four weeks for firms to respond; proposals would be provided to the Board one week in advance of the meeting. Mr. Dowling questioned how many responses could be expected. Mr. Wrathell estimated two to four responses.

Mr. Dowling indicated that, due to the upcoming fiscal year budget adoption, it is a good time to reconsider the District Engineer and lake management contracts, in case of price adjustments, for inclusion in the Fiscal Year 2016 budget. Mr. Petrick agreed. Mr. Dowling

reiterated that going out for RFQ had nothing to do with the service provided, to date, by AECOM.

**On MOTION by Mr. Petrick and seconded by Ms. Senior, with all in favor, authorization for Staff to advertise a Request For Qualifications for District Engineering Services, was approved.**

**D. Landscape Maintenance: *King’s Management Services, LLC***

This item was addressed above.

**E. Stormwater Pump Station Maintenance: *South Florida Utilities, Inc. d/b/a Lift Station Services***

This item was not addressed

**F. Stormwater System Maintenance/Management: *Allstate Resource Management, Inc.***

Mr. Dowling reported that the stormwater system maintenance contract with Allstate was not fully reviewed by the Board.

Ms. Senior asked who is in charge of the fountains. Mr. Dowling indicated that, six to eight months ago, the contractor was changed from Fountain Design Group, Inc., to Allstate. Ms. Senior reported that a fountain is not working. Mr. Dowling explained that there were electrical issues with Fountain 7B, which was repaired last week; a resident informed him about the problem, Allstate was immediately contacted and were onsite the next day. He will email the report to the District Manager for dissemination to the Board.

Mr. Dowling reported that Allstate cleans and services the fountains, every other month but if something happens between that time, the company will be contacted. He explained that this contract was never fully reviewed by the Board, because the ponds were never cleaned, prior to the District’s formation; the cleaning was an ongoing project for one-year and Allstate did an excellent job. They also repaired culverts and re-concreted drains. Because the District was satisfied with Allstate’s work, Mr. Dowling felt that there was no need to review Allstate’s contract. Mr. Petrick agreed.

Ms. Senior questioned what additional responsibilities Allstate is handling. Mr. Dowling indicated that Allstate maintains the lake, once per week, by taking water temperatures, ph levels, oxygen levels and provides a report about the fish, wildlife and vegetation. He advised

out that Mr. Wrathell receives a copy of Allstate’s weekly report every Wednesday. Ms. Senior asked if Allstate provides ongoing maintenance. Mr. Dowling replied affirmatively.

Ms. Senior expressed concern about major repairs. Mr. Dowling stated that, every year, Allstate performs an inspection and runs a camera through the catch basins; if there is excess sediment building up in the drain pipes, Allstate will provide a proposal. He advised that AECOM supervised the Allstate contract for the repair work. In response to Ms. Senior’s question, Mr. Petrick indicated that the District Engineer will continually monitor Allstate, as needed.

Ms. Senior agreed with Mr. Dowling’s recommendation for no further review of Allstate’s contract, as long as the price of the contract and services did not change. Mr. Dowling stated that the Board may examine these contracts over the next 60 days. Those requiring further review will be discussed at a Board Meeting.

**EIGHTH ORDER OF BUSINESS**

**Informational: Palm Tree at Entrance**

Mr. Wrathell reported that a dead palm tree was removed at the front entrance; the stump was removed and a new palm tree was planted.

Mr. Petrick indicated that he contacted the contractor, who submitted a proposal. He asked the contractor to ensure that the bubblers were working because a six month warranty was included for the tree but only if the area was properly irrigated; the bubblers are operational.

Mr. Dowling pointed out that the landscape contractor was instructed to monitor the palm tree, especially for the first six months. He noted that the tree was at the proper height, placement and quality to match the landscaping of the community.

Mr. Dowling thanked Mr. Petrick on doing a great job.

Ms. Senior asked if the palm tree replacement was within budget. Mr. Petrick replied affirmatively.

**NINTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

There being no report, the next item followed.

**B. Engineer**

There being no report, the next item followed.

**C. Manager**

**i. Approval of Unaudited Financial Statements as of January 31, 2015**

Mr. Wrathell presented the Unaudited Financial Statements as of January 31, 2015. He noted that the “Balance sheet”, on Page 1, reflected that the District is building up cash in the “General fund”.

On Page 2, Mr. Wrathell noted that assessment collections were at 88%. which, through the end of January, was good. On Page 3, Mr. Wrathell pointed out that \$200,000 was budgeted for “Disaster recovery”.

Mr. Wrathell highlighted the Debt Service for the Series 2006 bonds, on Page 4, and noted that assessment collections were at 88% and an interest payment of \$232,619 was made on November 1, 2014.

**On MOTION by Mr. Dowling and seconded by Ms. Senior, with all in favor, the Unaudited Financial Statements as of January 31, 2015, were approved.**

**ii. NEXT MEETING: April 22, 2015 at 8:30 A.M.**

Mr. Wrathell reported that the next meeting is scheduled for April 22, 2015 at 8:30 a.m., at this location.

Mr. Wrathell noted that the RFQ responses will be considered and asked if the Board wanted presentations from the engineering firms. He advised that, depending on the number of responses, he could confer to Mr. Dowling.

Mr. Dowling pointed out that the Board heard presentations from the management and landscaping companies. Mr. Petrick stated that it depends on the specificity of the bids.

Mr. Wrathell will schedule the bids to arrive two weeks prior to the April 22, 2015 meeting to allow sufficient time to send invitations to the respondents and confer with Mr. Dowling.

In response to Ms. Senior’s question, Mr. Wrathell indicated that the oath of office will be administered to Mr. Simeone when he attends a meeting.

**▪ Discussion: ROW Permits**

Discussion of the Fifth Order of Business resumed.

Mr. Petrick questioned the best way of obtaining signatures for the ROW permits.



Mr. Wrathell indicated that, if the Board approves the permits and Mr. Petrick was involved, he did not see an issue. He pointed out that a Board Member should not be handling issues without the approval of the Board and acknowledged that the Board felt comfortable with Mr. Petrick.

Mr. Wrathell asked Mr. Van Wyk, if a motion was required to authorize Mr. Petrick to coordinate the ROW permit process. Mr. Van Wyk replied no, as long as the Board is delegating that authority to Mr. Petrick.

**TENTH ORDER OF BUSINESS**

**Supervisors' Requests and Public Comments**

Mr. Dowling reported that the landscaping contract calls for three annual installations of flowers along Jog Road; however, the flowers have not been replaced recently and mulching was placed on hold due to the weather. He recalled that annuals were installed before the holidays, around October or November but the cold weather in December killed them. Mr. Dowling indicated that he was waiting for the cold weather to end and until the pressure cleaning of the sidewalks was completed, before planting new annuals and mulching. He expressed concern about the landscaping company parking vehicles on the sidewalks, along Jog Road, during the flower installation.

Mr. Dowling questioned the timing of the power washing. Mr. Petrick indicated that pressure washing would take a couple of weeks; he will inform RBK today that their bid was accepted so they can proceed with the permitting process. Mr. Petrick anticipated the permitting process taking two to three weeks. Mr. Dowling will inform the landscaping company to proceed with the flower installation and mulching along Jog Road and asked Mr. Petrick to coordinate the power washing with Mr. Wrathell.

Mr. Dowling recalled that, the last time the annuals were installed, the landscaper tried to install larger and fewer plants; however, he preferred the smaller, higher quantity plants. Mr. Dowling stated that, at first, the larger plants looked good but then grew wild. Ms. Senior agreed. Mr. Dowling will advise the landscaper to use smaller, more compact plants.

Mr. Petrick advised that the pressure cleaning permit is valid for six months and, if the plants and mulch are not installed, he will work with RBK on the start date. Mr. Dowling will keep Mr. Wrathell abreast of the situation.

Mr. Petrick reported that, the day after the last meeting, Staff received the final permit from the county for the Hamal CDD's side of the turn lane project and closed out the project. He stated that the final permit for the HOA's side should be finalized in the next several days.

Mr. Wrathell and the Board complimented Mr. Petrick for doing a great job overseeing this project.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting adjourned.


**On MOTION by Ms. Senior and seconded by Mr. Petrick, with all in favor, the meeting adjourned at 9:10 a.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



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Secretary/Assistant Secretary



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Chair/Vice Chair