

**MINUTES OF MEETING  
HAMAL  
COMMUNITY DEVELOPMENT DISTRICT**

A Regular Meeting of the Hamal Community Development District's Board of Supervisors was held on **Wednesday, December 16, 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  
Steven Pincus  
Ione Senior  
Joseph Petrick

Chair  
Vice Chair  
Assistant Secretary  
Assistant Secretary

**Also present were:**

Howard McGaffney  
Sarah Warren (*via telephone*)  
Leo Giangrande

Wrathell, Hunt and Associates, LLC  
District Counsel  
District Engineer

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. McGaffney called the meeting to order at 8:36 a.m., and noted, for the record, that Supervisors Dowling, Petrick, Pincus and Senior were present, in person. One seat remained vacant.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There being no public comments, the next item followed.

**THIRD ORDER OF BUSINESS**

**Approval of September 9, 2015 Public Hearing and Regular Meeting Minutes**

Mr. McGaffney presented the September 9, 2015 Public Hearing and Regular Meeting Minutes and asked for any additions, deletions or corrections.

**On MOTION by Ms. Senior and seconded by Mr. Petrick, with all in favor, the September 9, 2015 Public Hearing and Regular Meeting Minutes, as presented, were approved.**

**FOURTH ORDER OF BUSINESS**

**Discussion: Landscape Plan of Action**

Mr. Dowling noticed landscape deterioration in the community, particularly on Jog Road. The turf, along with annuals planted in mid-October turned into weeds within a few weeks. He and Mr. Bruce King, of Kings Management Services, Inc. (Kings), walked through the area on two occasions. Mr. King claimed that the deterioration was due to excessive rain. Mr. Dowling directed Kings to repair the area and the conditions improved. This was the first major problem with Kings, in five years. The contract renewed October 1, 2015 but has a “30-day no fault cancellation” provision.

Discussion ensued regarding the possibility of bidding out the contract. Mr. Dowling asked Ms. Warren if the District must go through the formal bidding process if the Board wanted to hire another landscaping company. Ms. Warren replied affirmatively, as the contract amount is close to the bid threshold amount. Mr. Dowling noted that the District has the flexibility to contract with other companies for hardwood tree trimming, mulching, spraying for insects and maintaining the annuals. Mr. Giangrande advised that, if the District hires another company, that company must be certified to trim trees.

Mr. McGaffney stated that landscaping is the largest portion of the budget and, if the Board agreed to the bid process, the bids will likely be the same as the current price, or higher, as some work would be considered improvements, due to the various deficiencies that must be rectified. Payment is being withheld until the issues are resolved. Ms. Senior asked if the annuals would be replaced. Mr. Dowling replied affirmatively. Ms. Senior inquired if there is a separate contract for weed control. Mr. Dowling responded it is one contract but believed weed control is subcontracted in certain sites. Mr. McGaffney pointed out that \$44,000 of the landscaping budget was specifically budgeted for “insect, weed and fertilization”. Lake maintenance is contracted to Allstate Resource Management, Inc. (Allstate). Discussion ensued regarding the lake maintenance areas.

This item will be included on the next agenda.

**FIFTH ORDER OF BUSINESS**

**Correspondence to GRS Management Regarding Asphalt Repairs, Seal Coat and Stripe at The Cove 1 & 2 (for informational purposes)**

Mr. Dowling was copied on an e-mail from GRS Management (GRS), which included a bid for improvements within The Cove. The bid included an option to lower and modify the drainage basins within The Cove parking lot. Mr. Dowling contacted Mr. Giangrande for verification of where the District's infrastructure begins and ends, as the District previously repaired catch basins in Hamilton Bay and crushed pipes were replaced where part was CDD property and the other part was Hamilton Bay property. The District also repaired catch basins in the school area. Mr. Dowling wanted to know the District's responsibility, if a third party lowers the catch basin levels, as the catch basins are under a South Florida Water Management District (SFWMD) permit. He believed that no third-party work was performed because Mr. Giangrande sent a letter identifying the District as owners of the storm water system. Ms. Warren informed the third party that the District must be notified and obtain approval, prior to performing any work.

Mr. Giangrande stated that the drainage area is part of The Cove's responsibility to maintain; however, it is the District's responsibility to operate the entire surface water management system. Technically, The Cove owns the catch basins; however, they must comply with the SFWMD permit for which the District is responsible. GSR's proposal did not identify which catch basins were involved, the cost or when work would be performed. Mr. Giangrande asked GSR for the catch basin locations and advised them that everything must be compliant with the SFWMD permit so that the District is well protected because the impacts were beyond the District's immediate area. Neither Mr. Giangrande nor Ms. Warren received responses to their letters. It was noted that the GSR address was not correct; the correct address was provided and both letters were resent.

A Board Member asked what the minimum level of the catch basin is, why it is regulated and how would changes affect the District's surface water management system. Mr. Giangrande stated that there is a life safety factor, as well, involving chemicals being eroded and what is acceptable, according to the SFWMD permit. If things are changed, such as expanding areas or lowering elevations to their ultimate outfall lake, which is the District's outfall, the time it takes for water to enter the lake could be affected. The system is intricate; therefore, it must be spread properly because, if one lake takes a greater weight, it will affect the staging of all of the lakes and make the conditions worse. Mr. Giangrande wanted to be able to tell SFWMD that the District is compliant. Should there be an accident because the elevation was lowered and the road flooded, the District would have a liability issue. The SFWMD permit clearly defines what

is allowed. A Board Member asked if GRS is trying to move the roadway closer to the underlying water system. Mr. Giangrande surmised that there is not sufficient pitch from the high to low elevations; GRS is trying to drop the low elevation so that water moves faster. Mr. Giangrande stressed the importance of managing the stormwater management system, as it is easily impacted, due to the District's perimeter elevation levels. Ms. Senior asked if the project is still in the planning stage. Mr. Giangrande presumed so.

Mr. McGaffney recommended a motion authorizing District Counsel and the District Engineer to coordinate with the Chair, as he believed that oversight of this project constituted additional services for which the District would incur additional costs. Ms. Senior asked who would be responsible for the costs. Ms. Warren stated that the repairs would be The Cove's expense and District Counsel's oversight costs should be minimal. Mr. McGaffney asked if the District should negotiate with The Cove. Mr. Dowling pointed out that seal coating was completed in Cove 1; therefore, the matter should be moot, as construction usually does not occur after seal coating is completed. Mr. Giangrande felt that District Engineering services related to the project would be minimal.

**SIXTH ORDER OF BUSINESS**

**Discussion: Lake Levels**

This item was not discussed.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel**

There being nothing additional to report, the next item followed.

**B. District Engineer**

There being nothing additional to report, the next item followed.

**C. District Manager**

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

Mr. McGaffney presented the Unaudited Financial Statements as of October 31, 2015.

**On MOTION by Mr. Petrick and seconded by Mr. Pincus, with all in favor, the Unaudited Financial Statements as of October 31, 2015, were approved.**

ii. **NEXT MEETING DATE: February 24, 2016 at 8:30 A.M.**

Mr. McGaffney reported that the next meeting will be held on February 24, 2016, at this location.

**EIGHTH ORDER OF BUSINESS**

**Supervisors' Requests and Public Comments**

There being no Supervisors' requests or public comments, the next item followed.

**NINTH ORDER OF BUSINESS**

**Adjournment**

There being no further business to discuss, the meeting adjourned.

**On MOTION by Mr. Dowlings and seconded by Ms. Senior, with all in favor, the meeting adjourned at 9:09 a.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



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Secretary/Assistant Secretary



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Chair/Vice Chair