

**MINUTES OF MEETING
HAMAL
COMMUNITY DEVELOPMENT DISTRICT**

A Regular Meeting of the Hamal Community Development District's Board of Supervisors was held on **Wednesday, April 27, 2016 at 8:30 a.m.**, at the **Briar Bay Clubhouse, 3400 Celebration Blvd., West Palm Beach, Florida 33411.**

Present and constituting a quorum were:

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| Brian Dowling | Chair |
| Steven Pincus | Vice Chair |
| Ione Senior | Assistant Secretary |
| Joseph Petrick | Assistant Secretary |

Also present were:

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| Howard McGaffney | Wrathell, Hunt and Associates, LLC |
| Sarah Warren (<i>via telephone</i>) | District Counsel |
| Leo Giangrande (<i>via telephone</i>) | 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 all Supervisors 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 February 24, 2016 Regular Meeting Minutes

Mr. McGaffney presented the February 24, 2016 Regular Meeting Minutes and asked for any additions, deletions or corrections.

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| <p>On MOTION by Ms. Senior and seconded by Mr. Pincus, with all in favor, the February 24, 2016 Regular Meeting Minutes, as presented, were approved.</p> |
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FOURTH ORDER OF BUSINESS

Consideration of Resolution 2016-1, Approving the District’s Proposed Budget for Fiscal Year 2017 and Setting a Public Hearing Thereon Pursuant to Florida Law

Mr. McGaffney presented Resolution 2016-1 for the Board’s consideration. The date proposed for the Public Hearing to adopt the final budget was September 7, 2016 at 8:30 a.m. at the Briar Bay Clubhouse.

Mr. McGaffney reviewed the assessment comparison, on on Page 9, comparing the “Adopted FY 2016 – Detail” table with the “Proposed FY 2017” table. The proposed annual increases were \$10.47 for “Condos”, \$10.68 for “Townhomes” and \$15.55 for “SF 30’ & 40’”, “SF 50’” and “SF 70’”. Mr. McGaffney stated that, last year, the Board decided to use fund balance to help absorb the increased assessments. Historically, assessments were neutral or decreased, slightly, by using fund balance or by not increasing line items. There are line item increases in the Fiscal Year 2017 budget, mainly due to Consumer Price Index (CPI) adjustments, insurance or operations. On Page 1, Mr. McGaffney stated the proposed “Assessment levy - net” for Fiscal Year 2017 was 484,183, an increase of \$12,876. Under “Expenditures”, there was a proposed CPI increase for “Management/recording/accounting” of 1½%, from \$40,894 to \$41,507. “Audit” increased from \$6,489 to \$6,684, “Website” increased by \$100, “Insurance” was increased to \$6,400 and “Property insurance” increased from \$2,300 to \$2,900. The total net increase in “Professional and administrative” expenditures was just over \$2,000. On Page 2, “Landscape maintenance” increased from \$87,446 to \$85,731, following contract negotiations with King’s Management Services, Inc., (KMS). LMS showed improvement in the quality of the landscaping since the last meeting. Projected irrigation was higher to prepare for eventualities. “Capital outlay” was not used in the past year; therefore, it was reduced to compensate for other expenditures.

Mr. Petrick asked for the difference between “Capital outlay” and the “Contingency” fund. Mr. McGaffney responded “Capital outlay” is for larger items, the “Contingency” fund is for items generally under \$1,000.

With regard to “Preventative maintenance: pump station”, Mr. McGaffney stated the \$9,600 for quarterly pump inspections and \$1,500 for monthly generator inspections total \$11,000. The amount was \$8,050, in Fiscal Year 2016.

Ms. Senior asked if “Utilities” should be decreased, given the actual and projected costs. Mr. Dowling responded that the charges are higher this time of year, due to fountain and lighting usage, which will be less in the summer.

Mr. McGaffney stated “Landscape replacement” decreased by \$5,000 and “Annuals” was increased \$5,000 to allow for replacement, if necessary. The “Annuals removal, replacement, installation” line item was increased to \$11,000, and “Landscape replacement” was reduced to \$20,000. On Page 3, “Total expenditures” are \$531,985, up by \$3,286. Under, “Fund balance - ending (projected), “3 months working capital” increased slightly, based on raising expenses. “Unassigned” was increased to \$432,959, for a total “Fund balance - ending (projected)” of \$965,955.

On Page 5, Mr. Dowling pointed out that under “Irrigation system maintenance”, F&S Enterprises, Inc., should be changed to King’s Management Services, Inc., and the fees and language must be modified.

On Page 6, under “Lake maintenance”, the following changes were made:

Lines 1 and 2: Change “The District originally entered into an agreement with Allstate Resource Management on July 31, 2003” to “The District entered into an agreement with Allstate Resource Management, Inc., effective October 1, 2016”

Lines 2 and 3: Delete “The agreement was last amended on January 21, 2008.”

Mr. McGaffney stated, on Page 7, under “Debt Service Fund Budget – Series 2006”, there was a slight increase in the Debt assessment, based on the Debt Service Schedule. With regard to the Maintenance Area Plan, on Page 10, Mr. Dowling and Mr. Giangrande may want to adjust or update the maps, as they may have changed, over time. Mr. Giangrande stated the maps would only be updated; no changes to the District’s size would be made.

Mr. Pincus asked to confirm that revenues would be raised by approximately \$2,100 and operating outflow was reduced by \$1,000; therefore, the increase was attributable to the Debt service payment. Mr. McGaffney responded, on Page 1, “Professional & administrative” increased approximately \$2,000. On Page 2, “Total filed operations” goes down \$1,000 and, on Page 3, “Total other fees and charges” increased from \$6,050 to \$8,215. The “Information system services” line item, of \$2,030, was added. Mr. Pincus recalled discussions and asked if Information Systems Service Agreements were statutorily required. Ms. Warren responded there was no in place for Information System Services but this fee and the agreement the District entered into is authorized by Section 192.091(2)(b), Florida Statutes, whereby the Tax Collector

can collect a “commission” to cover their actual costs of collections in addition to the set fee. The fee cannot exceed 2% of the amount of special assessments collected.

Mr. Dowling stated there were some minor verbiage changes to the agreement presented at the last meeting and a new agreement was emailed by Mr. Szymonowicz. The agreement was signed and mailed to the County, for processing.

On MOTION by Mr. Petrick and seconded by Ms. Senior, with all in favor, Resolution 2016-1, Approving the District’s Proposed Budget for Fiscal Year 2017, as amended, and Setting a Public Hearing Thereon Pursuant to Florida Law for September 7, 2016 at 8:30 a.m., at the Briar Bay Clubhouse, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Vendor Services Agreements

A. Wrathell, Hunt and Associates, LLC

Mr. McGaffney noted a 1.5% increase, to \$41,507. Ms. Warren recalled discussing a 30-day termination provision but the contract states 45. Mr. Pincus saw no difference.

Mr. Dowling explained that, in the future, vendor services agreements would be reviewed, annually, in February, to be approved by April. The vendors were advised of this change. The idea is for the Board to keep a closer eye on the contracts and maintain an accurate budget. All contracts would be effective October 1 to September 30 to coincide with the upcoming fiscal year. Mr. McGaffney stated that Ms. Warren created a vendor services matrix, to be updated as changes are made.

Mr. Pincus asked if WHA managed the Hamal CDD website. Mr. McGaffney responded yes. Language would be added, on Page 10, indicating that District Management would host and maintain the District’s website, as required.

On MOTION by Mr. Pincus and seconded by Mr. Petrick, with all in favor, Wrathell, Hunt and Associates, LLC Agreement for Management Services, as amended, was approved.

B. South Florida Utilities, Inc. D/B/A Lift Station Services

Ms. Warren stated there were two proposals that follow the same standard form of agreement used previously and include the termination clause.

On MOTION by Ms. Senior and seconded by Mr. Petrick, with all in favor, South Florida Utilities, Inc. D/B/A Lift Station Services Proposals, for Quarterly Pump, Wet Well and Discharge Bay Inspection and Maintenance, in a not-to-exceed amount of \$9,600, annually, and Monthly Generator Inspection & Maintenance, in a not-to-exceed amount of \$1,500, annually, and for Authorization for District Counsel to prepare a formal agreement, were approved.

C. Hopping, Green & Sams, P.A.

Ms. Warren noted that this Agreement was similar to the previous contract entered into in 2012. Mr. Van Wyk's fee is \$275, per hour, and her fee is \$215, per hour.

On MOTION by Ms. Senior and seconded by Mr. Pincus, with all in favor, the Hopping, Green & Sams, P.A., Proposal and Fee Structure, was approved.

D. Allstate Resource Management, Inc.

Mr. Dowling pointed out the issues with Allstate were resolved. Mr. McGaffney would include all of the Service Reports in the Agenda packages.

Ms. Senior asked about vegetation in the lake and Mr. Dowling explained it is normal and good for the lake.

On MOTION by Mr. Pincus and seconded by Ms. Senior, with all in favor, the Allstate Resource Management, Inc., Proposal for Quarterly Fountain Maintenance, in a not-to-exceed amount of \$895, per quarter, and authorization for District Counsel to prepare a formal agreement, were approved.

On MOTION by Ms. Senior and seconded by Mr. Petrick, with all in favor, the Allstate Resource Management, Inc., Proposal for Monthly Waterway Management, in the amount of \$1,800, per month, and authorization for District Counsel to prepare a formal agreement, were approved.

E. Giangrande Engineering & Planning, LLC

Mr. Giangrande stated that the proposal was the same as the proposal presented less than one year ago, with Ms. Warren’s review and no recommended changes.

▪ **Updated: Drainage Work In The Cove**

****This item, previously Item 10.B.i., was presented out of order.****

Ms. Senior recalled that Mr. Giangrande was to confirm finalization of a permit. Mr. Giangrande stated the City threatened a violation but did not issue one, which is standard. The first task was to obtain documentation to close out the violation however; there was no documentation. The next request was to obtain the final pay application from the contractor who performed the work. The contractor has not completed the work yet, so the final contract will be obtained when the job is concluded. Mr. Giangrande was satisfied with the location and work and the Board is protected, in that the District does not have a site currently in violation and is compliant. This will conclude, once the final pay application is received from the contractor.

On MOTION by Mr. Pincus and seconded by Ms. Senior, with all in favor, the Giangrande Engineering & Planning, LLC, Proposal and Fee Structure, was approved.

F. King’s Management Services, Inc.

Mr. Dowling stated that he and Mr. Bruce King, of KMS, reviewed the contract, as did Ms. Warren, and no changes were necessary. Mr. Pincus stated the 12/02/11 date, in the upper right corner of each page, must be updated. The Agreement must be transferred to the standard form of contract. Ms. Warren will circulate the correct Agreement.

Mr. McGaffney stated that there was already a budget amount but recommended tabling consideration of the Agreement to the June meeting.

On MOTION by Mr. Petrick and seconded by Mr. Pincus, with all in favor, tabling the King’s Management Services, Inc., Proposal to the June meeting, was approved.

SIXTH ORDER OF BUSINESS

Discussion: Are You Concerned About Mosquitoes and the Zika Virus?

Mr. Dowling will obtain a proposal from Allstate Resource Management (ARM) to treat waterways and lakes and take preventative measures against the Zika Virus, for discussion at the June meeting. Those interested in mosquito control should contact ARM.

▪ **Consideration of Allstate Resource Management, Inc., Special Services Agreement/Triploid Grass Carp Stocking**

****This item, previously the Eighth Order of Business, was presented out of order.****

Mr. Dowling stated the Board discussed and approved annual fish stocking at the previous meeting, not-to-exceed 3%. About one year ago, an Agreement was approved for triploid grass carp. A special permit was required from the Florida Fish and Wildlife Conservation Committee, which took nearly one year to receive. Although \$4,975 was approved in the Fiscal Year 2015 budget, by the time the permit was received, the funds were coming out of the Fiscal Year 2016 budget. Ms. Wendy Shaw, of ARM, was asked to put a hold on the Agreement, for approval in the Fiscal Year 2016 budget. Ms. Warren the Permit was received and the Agreement was approved, although, not paid for, so the Board may vote on the new proposal. Mr. Dowling explained that funding would come from the contingency fund, as it was not a budget line item.

On MOTION by Mr. Pincus and seconded by Ms. Senior, with all in favor, the Allstate Resource Management, Inc., Special Services Agreement/Triploid Grass Carp Stocking, in a not-to-exceed amount of \$4,975, was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Roof B Kleen Bid Proposal, Estimate #2740

Mr. Petrick met with Roof B Kleen (RBK) to inspect the walls in the same areas where the sidewalks were cleaned. Some areas of the walls have heavy vegetation behind them and should be cleaned, which was taken into consideration in the proposal. The County requires a hydrant meter, as well as signs and cone rentals, along Jog Road, similar to when the sidewalks were pressure washed. These items were included in the proposal. RBK is confirming with the County whether a permit is required for this project. If approved, work can begin in three to four weeks and will take approximately one week to complete. Mr. McGaffney stated that there was enough money in the contingency fund to pay for the work. In response to a question, Mr. Pincus replied RBK reserves the right to raise the price on the remainder of the work if some of

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the work is removed from the contract. Discussion regarding adding the pump station to the list of locations to clean ensued.

On MOTION by Mr. Pincus and seconded by Ms. Senior, with all in favor, the Roof B Kleen Bid Proposal, Estimate #2740, to include the pump station and Turnpike barrier wall, in a not-to-exceed amount of \$8,000, was approved.

EIGHTH ORDER OF BUSINESS

Consideration of Allstate Resource Management, Inc., Special Services Agreement/Triploid Grass Carp Stocking

This item was addressed following the Sixth Order of Business.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2016-2, Placing Special District Candidates on General Election Ballot

Mr. McGaffney presented Resolution 2016-2 for the Board’s consideration. Seats 3, 4 and 5, currently held by Mr. Petrick, Ms. Senior and Mr. Pincus, respectively, would be up for General Election. Mr. McGaffney explained the pre-qualification and election processes and who can participate. Ms. Warren stated if no one runs for an open seat, the current Board Member would remain in his or her seat and the Board could appoint him or her for the new term.

Mr. Pincus stated if a current Supervisor wants their name on the ballot, they must complete the appropriated forms.

Mr. McGaffney advised that it would be right and reasonable for the Board to consider filling Seat 2, which is vacant, as the Seat’s term is for another 2.5 years. The General Election would be held November 8, 2016, the qualifying period was from Noon, June 20 though Noon, June 24, 2016.

On MOTION by Ms. Senior and seconded by Mr. Petrick, with all in favor, the Resolution 2016-2, Placing Special District Candidates on General Election Ballot, was adopted.

TENTH ORDER OF BUSINESS

Service Reports

This item was discussed during Item 5.D.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

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

B. District Engineer

i. Update: Drainage Work in the Cove

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

C. District Manager

i. Approval of Unaudited Financial Statements as of March 31, 2016

Mr. McGaffney presented the Unaudited Financial Statements as of March 31, 2016. On Page 1, the “General” fund balance was \$1,274,999, which included liabilities, inflows of revenues and cash. The “Debt Service Fund 2006” was \$1,066,191. On Page 2, revenue collections were at 91%. He pointed out that \$2,691, on a budget of \$2,300, was spent on the previously discussed “Pump station/equipment insurance”. That item was over budget but was not considered a concern. On Page 3, the contingency amount of \$16,830 would be coded for pressure washing, as discussed earlier. On Page 4, assessment revenue collections for the Series 2006 bonds were at 91%. A \$225,091 interest payment was made on November 1, 2015 and the next principal and interest payment will be made on May 1, 2016.

On MOTION by Mr. Petrick and seconded by Ms. Senior, with all in favor, the Unaudited Financial Statements as of March 31, 2016, were approved.

ii. 2,010 Registered Voters in District as of April 15, 2016

There were 2,010 registered voters residing within the boundaries of the District as of April 15, 2016.

iii. NEXT MEETING DATE: June 22, 2016 at 8:30 A.M.

Mr. McGaffney reported that the next meeting will be held on June 22, 2016, at this location; however, with few items on the next agenda, and all the work completed in this meeting, possible cancellation was discussed. No decision was made.

TWELFTH ORDER OF BUSINESS

**Supervisors' Requests and Public
Comments**

Mr. Dowling requested Mr. Robert Simeone be removed from District Counsel's distribution list, as he has not been a Board Member for quite some time. Ms. Warren responded affirmatively.

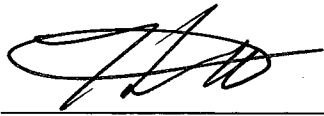
THIRTEENTH ORDER OF BUSINESS

Adjournment

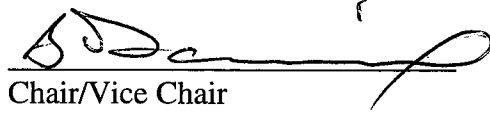
There being no further business to discuss, the meeting adjourned.

**On MOTION by Mr. Pincus and seconded by Ms. Senior, with
all in favor, the meeting adjourned at 10:34 a.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair