

**MINUTES OF MEETING
HAMAL
COMMUNITY DEVELOPMENT DISTRICT**

A Regular Meeting of the Hamal Community Development District's Board of Supervisors was held on **Wednesday, October 26, 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:

Brian Dowling	Chair
Steven Pincus (<i>via telephone</i>)	Vice Chair
Ione Senior	Assistant Secretary
Joseph Petrick	Assistant Secretary

Also present were:

Howard McGaffney	District Manager
Sarah Warren (<i>via telephone</i>)	District Counsel
Leo Giangrande (<i>via telephone</i>)	District Engineer
John McConn	Resident
Benjamin Cunningham	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. McGaffney called the meeting to order at 8:35 a.m., and noted, for the record, that Supervisors Dowling, Senior and Petrick were present, in person. Supervisor Pincus was attending via telephone. One seat remained vacant.

▪ **Approval of September 7, 2016 Public Hearings and Regular Meeting Minutes**

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

Mr. McGaffney presented the September 7, 2016 Public Hearings and Regular Meeting Minutes and asked for any additions, deletions or corrections.

<p>On MOTION by Ms. Senior and seconded by Mr. Petrick, with all in favor, the September 7, 2016 Public Hearings and Regular Meeting Minutes, as presented, were approved.</p>

SECOND ORDER OF BUSINESS

Public Comments

Mr. John McConn, a resident, attended last month's meeting, at which the budget was approved, and questioned the significant balance for "Contingencies" and the negative impact of extending the debt, as he felt that both were "anti-resident". Two years ago, when considering moving to Florida, Mr. McConn contacted the County and inquired about the timing of the ad valorem debt and was provided with incorrect information. The District is responsible for lake maintenance, street lighting and stormwater but has no responsibility for roadways, water lines or sewer and the largest expense is the maintenance of the right-of-way (ROW) on Jog Road, which Mr. McConn viewed as the District's lowest priority. He asked how the distribution of debt, by property type, was derived, which he questioned at the last meeting but received no response. Mr. McGaffney would forward the Assessment Methodology and provide contact information, for further explanation. Mr. McGaffney stated that the road belonged to the County and maintenance was performed on a schedule. The CDD maintained the turn lane, which it helped pay for. The bonds would expire in 2031 and the District was researching the possibility of refinancing, which would not extend the term of the financing but would lower the interest rate on the debt.

Mr. McConn voiced his opinion that the landscaping on Jog Road did not benefit anyone. It looked nice but no one would care if it were only grass. He felt that the CDD cost should be reduced because Jog Road maintenance should be the CDD's lowest priority. The money could be used to maintain the current payment schedule and pay off the bond sooner. Mr. McGaffney explained that the bond could not be paid off earlier due to the bond indenture; however, refinancing would be possible, after the call date.

Mr. McConn asked how the Board was constituted and appointed and/or elected and if there was a position for a Hamilton Bay resident as a representative on the Board. Mr. McGaffney stated that equal representation from the associations that comprise Briar Bay was not mandatory; the seats are general elected. Candidates must qualify with the Supervisor of Elections, be residents of Florida and the District and be registered voters.

Mr. Pincus stated that, over the years, the Board had varying membership. At one point, four of the five Board Members were from Hamilton Bay; it changed, over time, as new Board Members were elected. Mr. Pincus was the only Board Member from Hamilton Bay and there was one vacant seat. Mr. McConn asked how to be considered. Mr. McGaffney requested a resume, for Board consideration.

THIRD ORDER OF BUSINESS

Approval of September 7, 2016 Public Hearings and Regular Meeting Minutes

This item was discussed following the First Order of Business.

FOURTH ORDER OF BUSINESS

Discussion/Consideration of Replacement to Fill Unexpired Term of Office, SEAT 2; Term Expires November, 2018

Mr. McGaffney stated that, the Board may continue to seek a candidate to fill Seat 2 and the item would remain on the agenda. Ms. Warren stated that the item should remain on the agenda, for residents to be aware of the vacancy.

FIFTH ORDER OF BUSINESS

Consideration of Kings Management Services, Inc., Proposal Number 5890 for Coconut Tree Trimming

Mr. Dowling asked where the 35 trees for trimming and pruning were located. Mr. Pincus stated that the trees were probably around the gatehouse. Mr. Dowling stated that the hogweeds and palms were contracted to be trimmed every year and questioned why, recently, only the hogweeds were trimmed. Mr. Pincus stated that the proposal may be from Mr. Bruce King, of Kings Management Services, Inc. (Kings). Mr. Dowling would verify whether the palm trees were included. Mr. Pincus asked why the coconuts were being removed, after season ended, which should have been done July 1. Mr. Dowling would contact Mr. King to identify the trees in question and confirm that Hamal owns them, so they can be maintained.

SIXTH ORDER OF BUSINESS

Ratification of Lighting By Design 2016 Holiday Lighting Proposal and Contract

Mr. McGaffney stated that the holiday lighting was substantially less than budget. Mr. Pincus asked what was different. Mr. Dowling stated it was the same price as last year, which had a separate proposal that included LED lighting. There were two proposals, of which the least expensive one was chosen but the Board approved the budget amount for the more expensive proposal, in the event that, in the future, Option B was chosen. Mr. Pincus asked if there was an issue with the breakers tripping last year and if that was included in the proposal. Mr. Dowling stated last year, there was an issue with the electrical supply at the Hamilton Bay

sign. The District found out that the power supply was Hamilton Bay's and resolved the issue. Last year, an electrician may have diagnosed it, for a very small fee. The contractor would guarantee the dates, once the contract was signed, which was done last week.

On MOTION by Mr. Petrick and seconded by Ms. Senior, with all in favor, the Lighting By Design 2016 Holiday Lighting Proposal and Contract, was ratified.

SEVENTH ORDER OF BUSINESS

Continued Discussion: Florida Association of Special Districts (FASD)

Mr. Petrick stated that there were no updates. The contact information for the Florida Association of Special Districts (FASD) was Mr. Fred Crawford, FASD Executive Director. The information was on the FASD website; however, it would be beneficial to have it in the official packet, for further discussion. Mr. McGaffney stated that there would be a meeting in December. The Association tracks Legislative bills for issues affecting Special Districts. At the local level, the FASD allocates for special districts in different ways. There is an annual fee to join the FASD. There are a few meetings throughout the year. There is an initial fee, discounted for the first year, and a flat fee of approximately \$1,500 to \$1,800, for continued membership, based on the population and the operations budget of the District. The fee includes the entire Board, with an appointed liaison. Ms. Senior asked if each District would pay a different amount. Mr. Dowling stated that the fee would be a percentage of the operating budget. Ms. Senior asked if it was proven that the FASD was able to advocate, for example, when the banks pass laws that are negative to Special Districts. Mr. Petrick stated the FASD has lobbyists, in Tallahassee.

Mr. McGaffney stated the new membership fee was \$750, first year renewal was \$1,125 and full membership was \$1,500, for an operating budget between \$500,000 and less than \$750,000. Mr. Petrick would present more information on the perks, benefits and the changes that were effectuated. At that time, the Board would consider membership. Mr. Dowling stated that this is an annual membership, without a long-term commitment. After the first year, the membership may be discontinued. Ms. Senior asked when the year would begin. Mr. McGaffney stated that the membership begins after the application is completed. Mr. Dowling asked if the membership was for a fiscal year or from the date joined. Mr. McGaffney stated that

the fee is \$750 for new members who join after October 1, 2016; subsequently, it runs with the fiscal year .

This item will be placed on the next agenda.

EIGHTH ORDER OF BUSINESS

Consideration of Allstate Resource Management, Inc., Estimate to Remove and Recondition Set of Floating Fountain Jets

Mr. McGaffney stated that this agenda item is regarding the clean out, removal and reconditioning of the floating jets at Fountain #2. Mr. Dowling stated that the fountains were about eight years old, except for two that were newer. There is a maintenance contract but this estimate is for total removal and reconditioning. The spray from the fountain was not coming out clean and was distorted. The recommendation was for reconditioning and cleaning. Mr. McGaffney presented a proposal from Allstate Resource Management, for \$1,035, to remove and recondition the fountain jets.

On MOTION by Ms. Senior and seconded by Mr. Petrick, with all in favor, for Allstate Resource Management, Inc., Estimate to Remove and Recondition Fountain #2 Jets, was approved.

NINTH ORDER OF BUSINESS

Approval of Unaudited Financial Statements as of September 30, 2016

Mr. McGaffney presented the Unaudited Financial Statements as of September 30, 2016. "Revenues" were \$474,808 and "Total expenditures" were \$398,802, year-to-date.

On MOTION by Mr. Petrick and seconded by Ms. Senior, with all in favor, the Unaudited Financial Statements as of September 30, 2016, were approved.

TENTH ORDER OF BUSINESS

Service Reports

- **Allstate Resource Management, Inc.**

Ms. Senior asked if Allstate used cranes to service the lakes. Mr. Dowling stated that Allstate checks the lakes for wild animals, water temperature, oxygen temperatures, wildlife, fish and, on occasion, alligators.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

With the regard to the refinancing, Ms. Warren indicated that, Ms. Sete Zare, of MBS Capital Markets, who attended the meeting in August, was working on a credit report, which would bring the CDD closer to refinancing. A special meeting, prior to the December or January meetings, may be necessary to facilitate the refinancing.

B. District Engineer

There being no report, the next item followed.

C. District Manager

- **NEXT MEETING DATE: December 21, 2016 at 8:30 A.M.**

Mr. McGaffney stated that the next meeting will be held on December 21, 2016 at 8:30 a.m. There would be proper notification, prior to scheduling a special meeting.

TWELFTH ORDER OF BUSINESS

Supervisors' Requests and Public Comments

Mr. Petrick indicated that a row of six to seven small palms, at back lake in Celebration, between the sidewalk and the lake, needed fertilization. Mr. Dowling stated that King's landscaping contract includes fertilization and the palms should be fertilized two to four times per year; he would check the contract. Mr. Petrick stated the palms that were dying were injected with a special fertilizer, for a deep root injection. Mr. Dowling stated if the palms were fertilized quarterly, and there was disease, deep root fertilization was necessary, which was not included in the contract; it is a specialty for an expert, not King's Landscaping.

******Mr. Pincus left the meeting at 9:28 a.m.******

Mr. Dowling would obtain clarification. Ms. Senior noticed that the maintenance crew cut the coconuts for themselves. Mr. Dowling pointed out coconuts that fall could cause damage, resulting in liability for the District, especially if they fell on a child.

THIRTEENTH ORDER OF BUSINESS

Adjournment

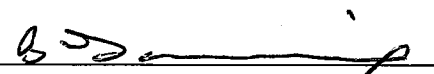
There being no further business to discuss, the meeting adjourned

On MOTION by Mr. Petrick and seconded by Ms. Senior, with all in favor, the meeting adjourned at 9:31 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair