

**MINUTES OF MEETING  
HAMAL  
COMMUNITY DEVELOPMENT DISTRICT**

A Rescheduled Public Hearing and Special Meeting of the Hamal Community Development District's Board of Supervisors was held on **Wednesday, September 27, 2017 at 6:30 p.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	Vice Chair
Benjamin Cuningham	Assistant Secretary
Joseph Petrick	Assistant Secretary

**Also present were:**

Howard McGaffney	District Manager
Roy Van Wyk ( <i>via telephone</i> )	District Counsel
Leo Giangrande ( <i>via telephone</i> )	District Engineer
Dwinette Johnson	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. McGaffney called the meeting to order at 6:34 p.m. Supervisors Dowling, Pincus, Cuningham and Petrick were present, in person. Supervisor Senior was not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There being no public comments, the next item followed.

**THIRD ORDER OF BUSINESS**

**Approval of April 26, 2017 Regular Meeting Minutes**

Mr. McGaffney presented the April 26, 2017 Regular Meeting Minutes and asked for any additions, deletions or corrections.

**On MOTION by Mr. Pincus and seconded by Mr. Cuningham, with all in favor, the April 26, 2017 Regular Meeting Minutes, as presented, were approved.**

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2017-11, Resetting Public Hearing Pursuant to the Department of Revenue’s Amended Emergency Order, dated September 8, 2017, Implementing Governor Rick Scott’s Executive Order Number 17-235, Dated September 4, 2017**

Mr. McGaffney presented Resolution 2017-11. Mr. Van Wyk stated that the Resolution enabled the District to reschedule the Public Hearing originally set for September 13, 2017, which was cancelled due to Hurricane Irma and the declared State of Emergency in Florida. The District was allowed to publish the rescheduled Public Hearing with only five days notice, instead of the normally required 30 days advance notice. The rescheduled Public Hearing and Special Meeting were properly advertised and posted.

**On MOTION by Mr. Petrick and seconded by Mr. Pincus, with all in favor, Resolution 2017-11, Resetting Public Hearing Pursuant to the Department of Revenue’s Amended Emergency Order, dated September 8, 2017, Implementing Governor Rick Scott’s Executive Order Number 17-235, Dated September 4, 2017, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Rescheduled Public Hearing to Hear Comments and Objections on Adoption of Fiscal Year 2017/2018 Budget**

**A. Rescheduled Notice(s)**

The Rescheduled Notices were included for informational purposes.

**B. Consideration of Resolution 2017-12, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2017 and Ending September 30, 2018**

Mr. McGaffney presented Resolution 2017-12. The bonds were recently refinanced resulting in a net reduction in the overall assessments and a decrease in the Fiscal Year 2018 assessments over Fiscal Year 2017. Expenditures increased slightly, with a 1.5% Consumer

Price Index (CPI) adjustment in Management’s fees. Additionally, renewal of annual dues in Florida Association of Special Districts (FASD) was added to the Fiscal Year budget, in the amount of \$1,125.

**\*\*\*Mr. McGaffney opened the Public Hearing.\*\*\***

No members of the public spoke.

**\*\*\*Mr. McGaffney closed the Public Hearing.\*\*\***

**On MOTION by Mr. Pincus and seconded by Mr. Cuningham, with all in favor, Resolution 2017-12, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2017 and Ending September 30, 2018, was adopted.**

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2017-13, Making a Determination of Benefit; Imposing Special Assessments; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll**

Mr. McGaffney presented Resolution 2017-13.

**On MOTION by Mr. Cuningham and seconded by Mr. Petrick, with all in favor, Resolution 2017-13, Making a Determination of Benefit; Imposing Special Assessments Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll, was adopted.**

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2017-14, Adopting the Annual Meeting Schedule for Fiscal Year 2017/2018**

Mr. McGaffney presented Resolution 2017-14.

**On MOTION by Mr. Cuningham and seconded by Mr. Pincus, with all in favor, Resolution 2017-14, Adopting the Annual Meeting Schedule for Fiscal Year 2017/2018, was adopted.**

**EIGHTH ORDER OF BUSINESS****Consideration of Approval of FASD Membership Renewal**

Mr. McGaffney presented the Florida Association of Special Districts (FASD) Membership Renewal. The renewal cost was \$750. Supervisors Pincus and Cuningham should be added to the FASD email distribution list.

**On MOTION by Mr. Petrick and seconded by Mr. Pincus, with all in favor, Approval of Florida Association of Special Districts (FASD) Membership Renewal, was approved.**

**NINTH ORDER OF BUSINESS****Approval of Unaudited Financial Statements as of July 31, 2017**

Mr. McGaffney presented the Unaudited Financial Statements as of July 31, 2017. Assessment revenue collections were at 102% and expenditures were at 54%.

**On MOTION by Mr. Dowling and seconded by Mr. Pincus, with all in favor, Approval of the Audited Financial Statements as of July 31, 2017, was approved.**

**TENTH ORDER OF BUSINESS****Service Reports: Allstate Resource Management, Inc.**

Mr. McGaffney was in contact with the Chair and Allstate Resource Management, Inc. (Allstate). There were reports of palm fronds in the lake that need to be removed. The landscaper is responsible for removal and Mr. Joe King, of Kings Landscaping would be contacted to ensure removal of debris in the lake. Mr. Dowling suggested reminding homeowners that the lake is controlled by the South Florida Water Management District (SFWMD) and the District is not able to lower lake levels at will. When a pre-storm draw down is permitted by SFWMD, it is done immediately. Discussion ensued. Mr. Pincus inquired if the monitoring issue was resolved. Mr. Dowling replied affirmatively; however, he could not login because the system was not compatible with his Apple computer. Mr. McGaffney suggested that the District should consider purchasing a compatible device, such as a tablet. Mr. Giangrande felt that it would be worth it to invest in an electronic device that could be used for monitoring. Discussion ensued regarding compatibility issues. Mr. McGaffney stated that there was a

contingency of \$16,830 and voiced his opinion that a tablet or laptop should be purchased, in a not-to-exceed amount of \$1,000.

**On MOTION by Mr. Petrick and seconded by Mr. Cuningham, with all in favor, authorizing the purchase of a compatible device to monitor the Pump Station systems, in not-to-exceed amount of \$1,000, was approved.**

## **ELEVENTH ORDER OF BUSINESS**

### **Staff Reports**

#### **A. District Counsel**

There being no report, the next item followed.

#### **B. District Engineer**

Mr. Giangrande stated that, similar to the State of Emergency and Ordinance due to Hurricane Irma, expedited permitting for some emergency work was possible; however, the District probably would not need this.

#### **C. District Manager**

There being no report, the next item followed.

Mr. Dowling stated that the City of West Palm Beach was backed up on debris collection. On an emergency basis, the District's landscapers were instructed to remove any trees that were down or hazards. There was minor damage to a chain-link fence along the Celebration Boulevard property line. A CDD tree in Water's Edge fell on a homeowner's fence and the homeowner wanted to know when it would be repaired. Mr. Van Wyk stated that, generally, the District would not be responsible for a tree that fell on private property; however, there would probably be no issue if the District repaired the damaged fence. Mr. McGaffney stated that, if it was part of the emergency cleanup, it would likely be a maintenance item and within the Operations Manager's scope. Mr. Van Wyk stated that, although the District was not obligated to pay for those repairs, it could be part of the emergency cleanup, if the costs were minimal. Mr. McGaffney suggested that, since the tree is on private property, the Chair should contact the resident and District Counsel should draft a Hold-Harmless Agreement, if the homeowner wanted the District to remove the tree and repair the fence. If the homeowner was seeking reimbursement, the Agreement might not be necessary. Mr. Dowling stated that there were two homes affected.

**On MOTION by Mr. Dowling and seconded by Mr. Pincus, with all in favor, authorizing the Chair to have the tree removed and the fence repaired, with the amount to be ratified at next meeting, was approved.**

**TWELFTH ORDER OF BUSINESS**

**Supervisors' Requests and Public Comments**

Discussion ensued regarding the Public Comments Order of Business, at the end of the agenda. Mr. Van Wyk stated that the Public Comments at the beginning of the agenda were intended to be about agenda items and the Public Comments at the end were intended to be for comments on any topic. This item should not be removed from future agendas.

**THIRTEENTH ORDER OF BUSINESS**

**Adjournment**

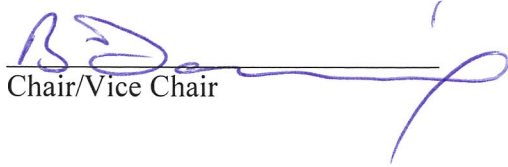
There being no further business to discuss, the meeting was adjourned

**On MOTION by Mr. Cuningham and seconded by Mr. Petrick, with all in favor, the meeting adjourned at 7:09 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair