

**MINUTES OF MEETING
HAMAL
COMMUNITY DEVELOPMENT DISTRICT**

A Regular Meeting of the Hamal Community Development District's Board of Supervisors was held on Wednesday, March 14, 2018 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	Vice Chair
Benjamin Cuningham	Assistant Secretary
Joseph Petrick	Assistant Secretary
Ione Senior	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 8:48 a.m. All Supervisors were present, in person.

SECOND ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

**Annual Review of
Staff/Contractor/Service Provider
Agreements**

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

Mr. McGaffney stated that Management's fees would not increase.

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

Mr. Van Wyk stated that his hourly rate would increase slightly, from \$285 to \$295 per hour. While on sabbatical for the next six months, Ms. Sarah Warren, an Associate, will represent the District. A supervisor would oversee her work and provide assistance, if necessary.

Mr. Dowling asked if the current District Management Contract, executed in April 2016, was valid or if a new Contract must be executed. Mr. Van Wyk stated that, generally, the Contract is renewed annually, once the budget is adopted and funds are appropriated for the management fee. Mr. McGaffney stated that Section 3 reflected that the term ran through September 2017 and “will automatically renew for two additional one-year terms, unless written notice is provided by either party”; hence, the Contract will be revisited in 2019. Mr. Petrick called attention to Page 11 and voiced his opinion that, since Florida Statute 119 outlines that the Manager must “satisfy public records requests in a timely, professional and efficient manner,” “in accordance with Florida State Statute 119 requirements.” should be added. Mr. McGaffney stated that the verbiage would be added the next time a contract is prepared. Mr. Van Wyk stated that the District Manager was appointed as the Records Custodian and, under Statute 119, the Records Custodian has certain statutory responsibilities.

C. District Engineer: *Giangrande Engineering and Planning, LLC*

Mr. Giangrande stated that there would be no fee increase or changes to the existing contract for Fiscal Year 2019.

D. Landscape and Irrigation Maintenance: *Kings Management Services, Inc.*

Mr. McGaffney recalled discussions regarding whether the District must go out for bid because the Agreement with Kings Management Services, Inc., (Kings) is on an automatic renewal extension. Mr. Van Wyk stated that the current Contract is below the bid threshold requirement; the Contract could be renewed or proposals from other vendors could be solicited. Mr. Dowling recalled that the Board previously agreed to limit contracts to one year, with a two-year maximum, and polled the Board about going out to bid. Discussion ensued regarding landscaping issues, adjacent communities, deficiencies and responsiveness. Ms. Senior asked if the current contractor sought an increase. Mr. Dowling replied no. She asked who was responsible for maintaining the Hamilton Bay entrance, as it required maintenance. Mr. Dowling replied the landscapers, unless the sidewalks needed power washing, which Mr. Dowling would investigate and follow up with Mr. Giangrande. The Board’s consensus was to retain the current landscaper, draft the same contract and update it with the appropriate years. Mr. McGaffney and District Counsel would draft a new Agreement for consideration at the next meeting.

E. Waterway Management: *Allstate Resource Management, Inc.*

Mr. Dowling stated that there were no lake maintenance issues. Discussion ensued regarding the Waterway Management Agreement, fish stocking, mosquito spraying and midge flies. Mr. McGaffney was directed to contact Allstate Resource Management Inc., (Allstate), on April 1, to verify that the lakes were stocked on March 29. The Agreement was not changed.

F. Fountain Maintenance: *Allstate Resource Management, Inc.*

Mr. McGaffney stated that there were no changes to the Agreement.

G. Stormwater Pump Station Maintenance: *South Florida Utilities, Inc., D/B/A Lift Station Services*

Mr. McGaffney stated that the Stormwater Agreement will expire on September 30, 2019. Mr. Dowling noted an issue with the generator during the last hurricane and he planned to meet with the contractor, prior to the start of hurricane season, to ensure that it is working. Discussion ensued regarding the Agreement, hurricane season, homeowner complaints and lowering the lakes. Mr. Dowling suggested notifying homeowners that the CDD is responsible for the lakes, has a pumping permit and is allowed to manually activate the pumps for pre-storm conditions. The Agreement was not changed.

FOURTH ORDER OF BUSINESS

Discussion: Fair Share Contribution Agreement

Mr. McGaffney presented the Fair Share Contribution Agreement for Calendar Year 2017. The School Board and Vista Lago have a combined payment of \$51,259.63 and the budget was \$46,302. Management retrieves the expenditures and inputs them in the following year; there is always a one year gap. Letters were sent to homeowners and the financials would be updated. It was anticipated that some of the revenues would be collected by then.

FIFTH ORDER OF BUSINESS

Notice of General Election: November 6, 2018

- **Official Candidate Qualifying Period: Noon, June 18, 2018 – Noon, June 22, 2018**
 - **Candidates May Pre-Qualify Beginning June 4, 2018 at 10:00 A.M.**

Mr. McGaffney announced the official candidate qualifying and pre-qualifying periods for the upcoming November 6, 2018 General Election.

- **Consideration of Resolution 2018-01, Implementing Section 190.006(3)(A)(2)(C), Florida statutes, and Instructing the Palm Beach County Supervisor of Elections to Conduct the District’s General election [Seats 1 & 2]**

Mr. Van Wyk stated that the notice must be published prior to June 4, in order to meet the statutory requirement. Mr. McGaffney presented Resolution 2018-01. Seats 1 and 2, held by Mr. Dowling and Mr. Cuningham, respectively would be up for election.

On MOTION by Mr. Pincus and seconded by Ms. Senior, with all in favor, Resolution 2018-01, Implementing Section 190.006(3)(A)(2)(C), Florida statutes, and Instructing the Palm Beach County Supervisor of Elections to Conduct the District’s General election, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2018-02, Approving a Spending Threshold; Authorizing the District Manager and the Chairman of the Board of Supervisors to Approve Expenditures; Providing a Severability Clause; and Providing an Effective Date

Mr. McGaffney presented Resolution 2018-02. The Resolution would provide Staff with spending authority if a natural disaster occurred between meetings. He read Section 2a, “Routine Operation and Maintenance (O&M) Costs” into the record:

“The Board hereby authorizes and approves the District Manager or the District Chairman to approve proper and reasonable District expenditures for routine maintenance and operation cost for any budgeted line item without prior Board approval in the amount of \$10,000 or less. All such expenditures shall be recorded in the normal course of business and included in the financials and check register of the District for subsequent Board approval or ratification.”

Mr. Dowling thought that Management already had spending authority for routine O&M. Mr. Van Wyk stated that Staff had spending authority, in a not-to-exceed amount of \$10,000; however, this Resolution would ensure that funds are expended on items within each of the budget line items; this request was very common. Mr. Dowling asked if the Resolution must be adopted annually. Mr. McGaffney replied no. Discussion ensued regarding emergency repairs

and costs and emergency Board meetings. A Board Member asked if \$25,000 was sufficient, if an emergency event occurred and Management needed to act quickly. Mr. Giangrande stated it was more than adequate. Mr. McGaffney stated that Section 2b, "Emergency Repair Costs," should be amended to remove "water management system, including pump station repairs". The sentence following should be reworded to:

"For any emergency repairs or recovery of the District's assets, for any budgeted line item without prior Board approval."

On MOTION by Mr. Cuningham and seconded by Mr. Pincus, with all in favor, Resolution 2018-02, Approving a Spending Threshold; Authorizing the District Manager and the Chairman of the Board of Supervisors to Approve Expenditures, as amended; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Kings Management Services, Inc., Proposal for Royal Palm Replacement on Jog Road

Mr. Dowling noted a dead palm tree in the center of the median on Jog Road and presented the Kings proposal for in the amount of \$3,928.

On MOTION by Mr. Pincus and seconded by Mr. Petrick, with all in favor, the Kings Management Services, Inc., Proposal for Royal Palm Replacement on Jog Road, in the amount of \$3,928.00, was approved.

EIGHTH ORDER OF BUSINESS

Approval of Unaudited Financial Statements as of January 31, 2018

Mr. McGaffney presented the Unaudited Financial Statements as of January 31, 2018. Assessment revenue collections were at 89%.

On MOTION by Mr. Petrick and seconded by Ms. Senior, with all in favor, the Unaudited Financial Statements as of January 31, 2018, were approved.

NINTH ORDER OF BUSINESS

Approval of September 27, 2017 Rescheduled Public Hearing and Special Meeting Minutes

Mr. McGaffney presented the September 27, 2017 Rescheduled Public Hearing and Special Meeting Minutes and asked for any additions, deletions or corrections.

On MOTION by Mr. Cuningham and seconded by Mr. Pincus, with all in favor, the September 27, 2017 Rescheduled Public Hearing and Special Meeting Minutes, were approved.

TENTH ORDER OF BUSINESS

Service Reports: Allstate Resource Management, Inc.

Mr. McGaffney presented the Allstate’s February 19 and 20, 2018 Service Reports.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Hopping Green & Sams, P.A.*

Mr. McGaffney asked Mr. Van Wyk to forward a revised Procurement Policy to Ms. Gillyard.

▪ Supervisors’ Requests and Public Comments

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

Ms. Senior stated that the walls/monuments, along Jog Road, were dirty and needed to be power washed. Mr. Dowling suggested cleaning the sidewalks as well and noted the permit process involved. Discussion ensued regarding the project, pricing, scheduling and permitting. Mr. Dowling asked if it was plausible to approve the project, at the previous year’s not-to-exceed amount. Mr. Van Wyk replied affirmatively, plus 5% or 10%.

On MOTION by Ms. Senior and seconded by Mr. Pincus, with all in favor, authorizing the Chair to solicit proposals for the power washing project, in a not-to-exceed amount of the previous year’s amount plus 10%, was approved.

B. District Engineer: *Giangrande Engineering and Planning, LLC*

Mr. Dowling stated that requests were received from Hamilton Bay homeowners asking if they were allowed to tap into the lakes for irrigation water. Mr. Giangrande stated that residential irrigation is allowed, under the South Florida Water Use Permits, and he encouraged it because it provides a slight draw down and increases the water quality and circulation of the lakes. Discussion ensued regarding ensuring that irrigation is properly installed so pipes and irrigation do not interfere with the lake banks, levels, etc. Mr. Dowling asked if residents should acquire a permit from the District. Mr. Giangrande stated that residents should obtain a license, granting permission to go on the District’s property but absolving the District of any responsibility for installation and allows the District to remove the pipes if needed. Regarding inspection, Mr. Giangrande stated residents were free to install pipe systems but must seek approval first. A document could be drafted to authorize the District to inspect within 30 days of installation. Mr. McGaffney stated that all the background work required for the residential irrigation process, along with District Staff’s estimated fees related to approving a permit, should be included on the May agenda. He would confer with the Chair and District Staff to define the process and develop a License Agreement.

C. District Manager: *Wrathell, Hunt and Associates, LLC*

Mr. McGaffney summarized that the next agenda will include the proposed Fiscal Year 2019 budget, the License Agreement and the Kings Management Agreement.

i. NEXT MEETING DATE: May 16, 2018 at 8:30 A.M.

The next meeting will be held on May 16, 2018 at 8:30 a.m. at this location.

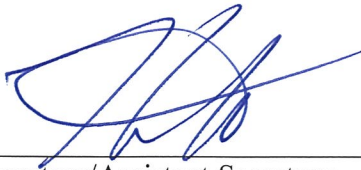
TWELFTH ORDER OF BUSINESS Supervisors’ Requests and Public Comments

Mr. Cuningham recalled that a remote access device for the pump station was previously approved and asked for an update. Mr. Dowling replied that the device was operational but there were internet issues; repairs were pending.

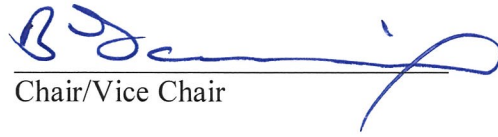
THIRTEENTH ORDER OF BUSINESS Adjournment

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

On MOTION by Mr. Dowling and seconded by Ms. Senior, with all in favor, the meeting adjourned at 10:45 a.m.



Secretary/Assistant Secretary



Chair/Vice Chair