

**HAMAL**

**COMMUNITY DEVELOPMENT**

**DISTRICT**

**April 8, 2024**

**BOARD OF SUPERVISORS**

**REGULAR**

**MEETING AGENDA**

**HAMAL**  
**COMMUNITY DEVELOPMENT DISTRICT**

**AGENDA**  
**LETTER**

**Hamal Community Development District**  
**OFFICE OF THE DISTRICT MANAGER**  
**2300 Glades Road, Suite 410W•Boca Raton, Florida 33431**  
**Phone: (561) 571-0010•Fax: (561) 571-0013•Toll-Free: (877) 276-0889**

April 1, 2024

Board of Supervisors  
Hamal Community Development District

<b>ATTENDEES:</b> Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.
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Dear Board Members:

The Board of Supervisors of the Hamal Community Development District will hold a Regular Meeting on April 8, 2024 at 6:00 p.m., at the Briar Bay Clubhouse, 3400 Celebration Blvd., West Palm Beach, Florida 33411. The agenda is as follows:

1. Call to Order/Roll Call
2. Pledge of Allegiance
3. Public Comments
4. Consider Appointment to Fill Unexpired Term of Seat 5
  - Administration of Oath of Office to Appointed Supervisor *(the following will also be provided in a separate package)*
  - A. Required Ethics Training and Disclosure Filing
    - Sample Form 1 2023/Instructions
  - B. Membership, Obligation and Responsibilities
  - C. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees
  - D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers
5. Consideration of Resolution 2024-01, Appointing and Removing Officers of the District and Providing for an Effective Date
6. Consideration of Resolution 2024-02, Implementing Section 190.006(3), Florida Statutes, and Requesting that the Palm Beach County Supervisor of Elections Conduct the District's General Elections; Providing for Compensation; Setting for the Terms of Office; Authorizing Notice of the Qualifying Period; and Providing for Severability and an Effective Date
7. Discussion: Fiscal Year 2025 Budget

8. Consideration of Kings Management Services, Inc. Proposal Number 5904 [Removal and Disposal of Ficus Hedges Around Lift Station in LB Entrance]
9. Consideration of Allstate Resource Management, Inc. Inspection Report and Stormwater System/Maintenance Proposal
10. Acceptance of Unaudited Financial Statements as of February 29, 2024
11. Approval of Minutes
  - A. November 13, 2023 Regular Meeting
  - B. January 15, 2024 Special Meeting
12. Staff Reports
  - A. District Counsel: *Kutak Rock LLP*
  - B. District Engineer: *Craig A. Smith & Associates*
  - C. Operations Manager: *King's Management Services, Inc.*
  - D. District Manager: *Wrathell, Hunt and Associates, LLC*
    - NEXT MEETING DATE: May 13, 2024 at 6:00 PM

○ QUORUM CHECK

SEAT 1	MARC DEPAUL	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> No
SEAT 2	BENJAMIN CUNINGHAM	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> No
SEAT 3	JOSEPH PETRICK	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> No
SEAT 4	IONE SENIOR	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> No
SEAT 5		<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> No

13. Supervisors' Requests
14. Public Comments
15. Adjournment

Should you have any questions, please do not hesitate to contact me directly at (561) 512-9027.

Sincerely,



Jamie Sanchez  
 District Manager

**FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE**

**CALL-IN NUMBER: 1-888-354-0094**

**PARTICIPANT PASSCODE: 131 733 0895**

**HAMAL**  
**COMMUNITY DEVELOPMENT DISTRICT**

**4A**

## Daphne Gillyard

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**From:** Kutak Rock Development and Improvement Districts Group  
<communications@kutakrock.com>  
**Sent:** Friday, January 5, 2024 4:49 PM  
**To:** Cindy Cerbone  
**Subject:** Ethics Training 2024

You don't often get email from communications@kutakrock.com. [Learn why this is important](#)

# KUTAKROCK

Development and Improvement Districts Practice Group

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## District Managers,

As of January 1, 2024, all Board Supervisors of Florida Community special districts are required to complete four (4) hours of ethics training each year that addresses at a minimum, s. 8, Art. II of the State Constitution, the Code of Ethics for Public Officers and Employees, and the public records and public meetings laws of Florida. The purpose of this email is to notify you of free, on-demand resources available to Board Supervisors to satisfy this requirement. Further information regarding the requisite training is available on the [Florida Commission on Ethics' \("COE"\) website](#).

Please share this information with Board Supervisors or include in the next available agenda package. As always, if you have any questions, please do not hesitate to reach out to your Kutak Rock attorney.

## Free Training Resources

The COE has produced several free, online training tutorials that will satisfy the ethics component of the annual training. The on-demand videos are available at the link below. Further, the website provides additional links to resources that Supervisors can access to complete the training requirements.

### ***Florida Commission on Ethics Training Resources***

Please note that the COE-produced content only provides free training for the ethics component of the annual training. However, the Office of the Attorney General of the State of Florida offers a free, two-hour online audio course that covers the Sunshine Law and Public Records Act components of the requisite training. The on-demand audio course is available at the link below.

### ***Office of the Attorney General Training Resources***

#### **Compliance**

Each year when Supervisors complete the required financial disclosure form (Form 1 Statement of Financial Interests), Supervisors must mark a box confirming that he or she has completed the ethics training requirements. At this time there is no requirement to submit a certificate; however, the COE advises that Supervisors keep a record of all trainings completed (including date and time of completion), in the event Supervisors are ever asked to provide proof of completion. The training is a calendar year requirement and corresponds to the form year. So, Supervisors will not report their 2024 training until they fill out their Form 1 for the 2025 year.

We have received multiple inquiries as to whether Board Supervisors are required to annually file Form 6 in addition to Form 1. Currently, Board Supervisors continue to be exempt from the requirement to file Form 6.

Finally, with respect to the annual filing of Form 1, beginning this year the Commission on Ethics will be requiring electronic submission of Form 1. Filers, including Board Supervisors, should be receiving an email directly from the Commission on Ethics, providing detailed information about the electronic filing process and the upcoming deadline of July 1, 2024. Note the submission of the forms will no longer be handled through county Supervisor of Election's offices.

### ***Kutak Rock's Development and Improvement Districts Practice Group***

## **Kutak Rock's Florida Development and Improvement Districts Practice Group**



**Jonathan Johnson**  
Partner

(850) 264-6882



**Lindsay Whelan**  
Partner

(850) 692-7308



**Joseph Brown**  
Partner

(850) 692-7303



**Katie Buchanan**  
Partner

(850) 294-5184



**Michael Eckert**  
Partner

(850) 567-0558



**Wesley Haber**  
Partner

(850) 566-3413



**Tucker Mackie**  
Partner

(850) 692-7300



**Sarah Sandy**  
Partner

(850) 556-5947



**Alyssa Willson**  
Partner

(850) 661-9973



**Jere Earlywine**  
Of Counsel

(850) 692-7300



**Bennett Davenport**  
Associate

(850) 692-7300



**Ryan Dugan**  
Associate

(850) 692-7333



**Kate John**  
Associate

(850) 692-7330



**Kyle Magee**  
Associate

(850) 692-7300



**Michelle Rigoni**  
Associate

(850) 692-7310



**Ashley Ligas**  
Attorney

(850) 692-7300





**Cheryl Stuart**  
Attorney

(850) 692-7300



**Betty Zachem**  
Attorney

(850) 692-7300



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107 W College Ave, Tallahassee, Florida 32301



# 2023 Form 1 - Statement of Financial Interests

## General Information

Name: DISCLOSURE FILER

Address: SAMPLE ADDRESS

County: SAMPLE COUNTY

PID SAMPLE

## AGENCY INFORMATION

Organization	Suborganization	Title
SAMPLE	SAMPLE	SAMPLE

## Disclosure Period

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR CALENDAR YEAR ENDING DECEMBER 31, 2023 .

## Primary Sources of Income

PRIMARY SOURCE OF INCOME (Over \$2,500) (Major sources of income to the reporting person)  
(If you have nothing to report, write "none" or "n/a")

Name of Source of Income	Source's Address	Description of the Source's Principal Business Activity

**Secondary Sources of Income**

SECONDARY SOURCES OF INCOME (Major customers, clients, and other sources of income to businesses owned by the reporting person) (If you have nothing to report, write "none" or "n/a")

Name of Business Entity	Name of Major Sources of Business' Income	Address of Source	Principal Business Activity of Source

**Real Property**

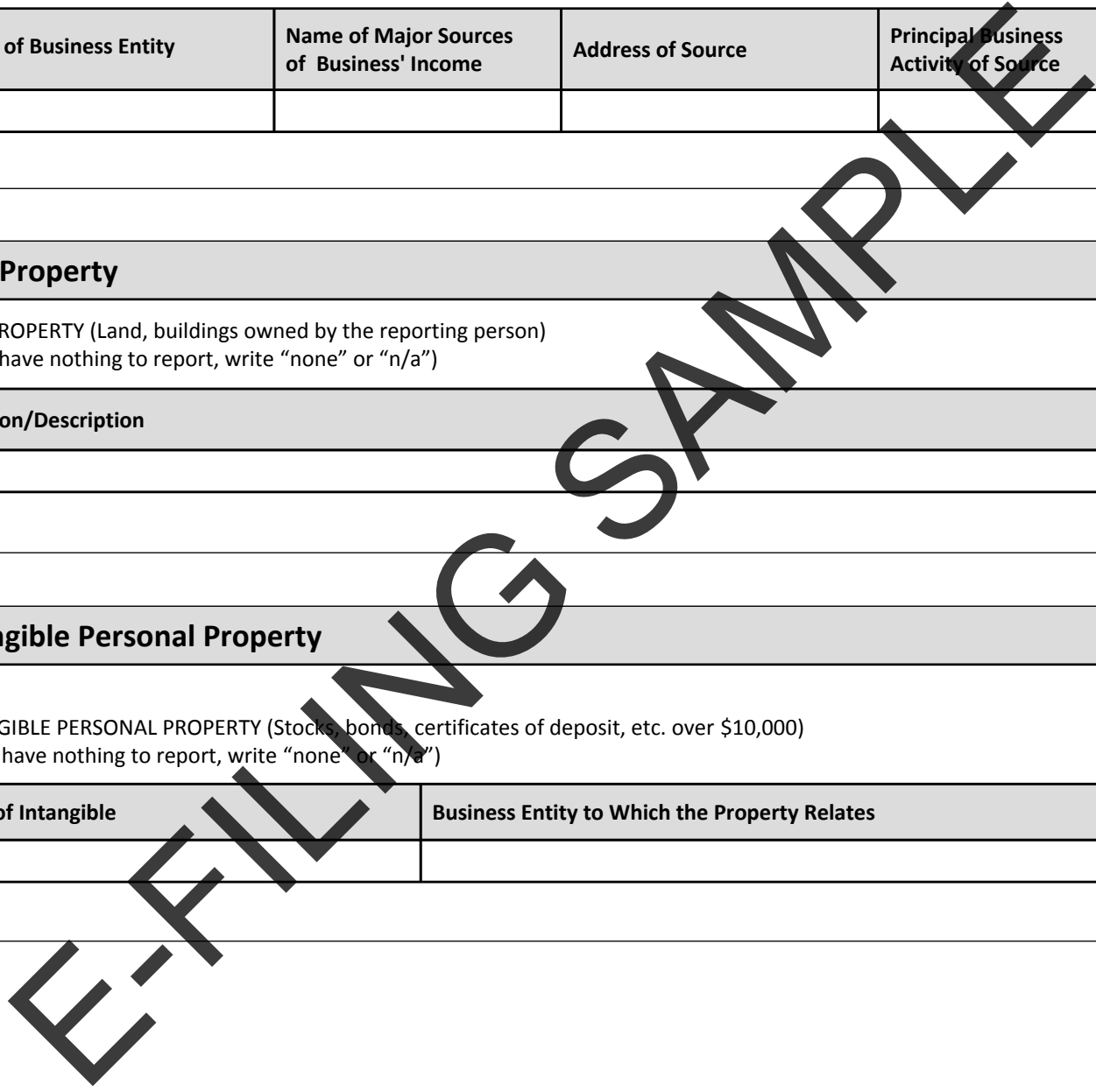
REAL PROPERTY (Land, buildings owned by the reporting person) (If you have nothing to report, write "none" or "n/a")

Location/Description

**Intangible Personal Property**

INTANGIBLE PERSONAL PROPERTY (Stocks, bonds, certificates of deposit, etc. over \$10,000) (If you have nothing to report, write "none" or "n/a")

Type of Intangible	Business Entity to Which the Property Relates



2023 Form 1 - Statement of Financial Interests

**Liabilities**

LIABILITIES (Major debts valued over \$10,000):  
(If you have nothing to report, write "none" or "n/a")

Name of Creditor	Address of Creditor

**Interests in Specified Businesses**

INTERESTS IN SPECIFIED BUSINESSES (Ownership or positions in certain types of businesses)  
(If you have nothing to report, write "none" or "n/a")

Business Entity # 1

**Training**

Based on the office or position you hold, the certification of training required under Section 112.3142, F.S., is not applicable to you for this form year.

E-FILING SAMPLE

**Signature of Filer**

Digitally signed:

**Filed with COE:**

**E-FILING SAMPLE**

# 2023 Form 1 Instructions Statement of Financial Interests

## Notice

The annual Statement of Financial Interest is due July 1, 2024. If the annual form is not submitted via the electronic filing system created and maintained by the Commission September 3, 2024, an automatic fine of \$25 for each day late will be imposed, up to a maximum penalty of \$1,500. Failure to file also can result in removal from public office or employment. [s. 112.3145, F.S.]

In addition, failure to make any required disclosure constitutes grounds for and may be punished by one or more of the following: disqualification from being on the ballot, impeachment, removal or suspension from office or employment, demotion, reduction in salary, reprimand, or a civil penalty not exceeding \$10,000. [s. 112.317, F.S.]

## When To File:

**Initially**, each local officer/employee, state officer, and specified state employee must file **within 30 days** of the date of his or her appointment or of the beginning of employment. Appointees who must be confirmed by the Senate must file prior to confirmation, even if that is less than 30 days from the date of their appointment.

**Candidates** must file at the same time they file their qualifying papers.

**Thereafter**, file by July 1 following each calendar year in which they hold their positions.

**Finally**, file a final disclosure form (Form 1F) within 60 days of leaving office or employment. Filing a CE Form 1F (Final Statement of Financial Interests) does not relieve the filer of filing a CE Form 1 if the filer was in his or her position on December 31, 2023.

## Who Must File Form 1

1. Elected public officials not serving in a political subdivision of the state and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form 6.
2. Appointed members of each board, commission, authority, or council having statewide jurisdiction, excluding those required to file full disclosure on Form 6 as well as members of solely advisory bodies, but including judicial nominating commission members; Directors of Enterprise Florida, Scripps Florida Funding Corporation, and Career Source Florida; and members of the Council on the Social Status of Black Men and Boys; the Executive Director, Governors, and senior managers of Citizens Property Insurance Corporation; Governors and senior managers of Florida Workers' Compensation Joint Underwriting Association; board members of the Northeast Fla. Regional Transportation Commission; board members of Triumph Gulf Coast, Inc; board members of Florida Is For Veterans, Inc.; and members of the Technology Advisory Council within the Agency for State Technology.
3. The Commissioner of Education, members of the State Board of Education, the Board of Governors, the local Boards of Trustees and Presidents of state universities, and the Florida Prepaid College Board.
4. Persons elected to office in any political subdivision (such as municipalities, counties, and special districts) and any person appointed to fill a vacancy in such office, unless required to file Form 6.
5. Appointed members of the following boards, councils, commissions, authorities, or other bodies of county, municipality, school district, independent special district, or other political subdivision: the governing body of the subdivision; community college or junior college district boards of trustees; boards having the power to enforce local code provisions; boards of adjustment; community redevelopment agencies; planning or zoning boards having the power to recommend, create, or modify land planning or zoning within a political subdivision, except for citizen advisory committees, technical coordinating committees, and similar groups who only have the power to make recommendations to planning or zoning boards, and except for representatives of a military installation acting on behalf of all military installations within that jurisdiction; pension or retirement boards empowered to invest pension or retirement funds or determine entitlement to or amount of pensions or other retirement benefits, and the Pinellas County Construction Licensing Board.
6. Any appointed member of a local government board who is required to file a statement of financial interests by the appointing authority or the enabling legislation, ordinance, or resolution creating the board.
7. Persons holding any of these positions in local government: county or city manager; chief administrative employee or finance director of a county, municipality, or other political subdivision; county or municipal attorney; chief county or municipal building inspector; county or municipal water resources coordinator; county or municipal pollution control director; county or municipal environmental control director; county or municipal administrator with power to grant or deny a land development permit; chief of police; fire chief; municipal clerk; appointed district school superintendent; community college president; district medical examiner; purchasing agent (regardless of title) having the authority to make any purchase exceeding \$35,000 for the local governmental unit.

8. Officers and employees of entities serving as chief administrative officer of a political subdivision.
9. Members of governing boards of charter schools operated by a city or other public entity.
10. Employees in the office of the Governor or of a Cabinet member who are exempt from the Career Service System, excluding secretarial, clerical, and similar positions.
11. The following positions in each state department, commission, board, or council: Secretary, Assistant or Deputy Secretary, Executive Director, Assistant or Deputy Executive Director, and anyone having the power normally conferred upon such persons, regardless of title.
12. The following positions in each state department or division: Director, Assistant or Deputy Director, Bureau Chief, and any person having the power normally conferred upon such persons, regardless of title.
13. Assistant State Attorneys, Assistant Public Defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel, Public Counsel, full-time state employees serving as counsel or assistant counsel to a state agency, administrative law judges, and hearing officers.
14. The Superintendent or Director of a state mental health institute established for training and research in the mental health field, or any major state institution or facility established for corrections, training, treatment, or rehabilitation.
15. State agency Business Managers, Finance and Accounting Directors, Personnel Officers, Grant Coordinators, and purchasing agents (regardless of title) with power to make a purchase exceeding \$35,000.
16. The following positions in legislative branch agencies: each employee (other than those employed in maintenance, clerical, secretarial, or similar positions and legislative assistants exempted by the presiding officer of their house); and each employee of the Commission on Ethics.
17. Each member of the governing body of a "large-hub commercial service airport," as defined in Section 112.3144(1)(c), Florida Statutes, except for members required to comply with the financial disclosure requirements of s. 8, Article II of the State Constitution.

**ATTACHMENTS:** A filer may include and submit attachments or other supporting documentation when filing disclosure.

**PUBLIC RECORD:** The disclosure form is a public record and is required by law to be posted to the Commission's website. Your Social Security number, bank account, debit, charge, and credit card numbers, mortgage or brokerage account numbers, personal identification numbers, or taxpayer identification numbers are not required and should not be included. If such information is included in the filing, it may be made available for public inspection and copying unless redaction is required by the filer, without any liability to the Commission. If you are an active or former officer or employee listed in Section 119.071, F.S., whose home address or other information is exempt from disclosure, the Commission will maintain that confidentiality *if you submit a written and notarized request.*

**QUESTIONS** about this form or the ethics laws may be addressed to the Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709; physical address: 325 John Knox Road, Building E, Suite 200, Tallahassee, FL 32303; telephone (850) 488-7864.

## Instructions for Completing Form 1

### Primary Sources of Income

[Required by s. 112.3145(3)(b)1, F.S.]

This section is intended to require the disclosure of your principal sources of income during the disclosure period. You do not have to disclose any public salary or public position(s). The income of your spouse need not be disclosed; however, if there is joint income to you and your spouse from property you own jointly (such as interest or dividends from a bank account or stocks), you should disclose the source of that income if it exceeded the threshold.

Please list in this part of the form the name, address, and principal business activity of each source of your income which exceeded \$2,500 of gross income received by you in your own name or by any other person for your use or benefit.

"Gross income" means the same as it does for income tax purposes, even if the income is not actually taxable, such as interest on tax-free bonds. Examples include: compensation for services, income from business, gains from property dealings, interest, rents, dividends, pensions, IRA distributions, social security, distributive share of partnership gross income, and alimony if considered gross income under federal law, but not child support.

Examples:

- If you were employed by a company that manufactures computers and received more than \$2,500, list the name of the company, its address, and its principal business activity (computer manufacturing).
- If you were a partner in a law firm and your distributive share of partnership gross income exceeded \$2,500, list the name of the firm, its address, and its principal business activity (practice of law).
- If you were the sole proprietor of a retail gift business and your gross income from the business exceeded \$2,500, list the name of the business, its address, and its principal business activity (retail gift sales).
- If you received income from investments in stocks and bonds, list each individual company from which you derived more than \$2,500. Do not aggregate all of your investment income.

- If more than \$2,500 of your gross income was gain from the sale of property (not just the selling price), list as a source of income the purchaser's name, address and principal business activity. If the purchaser's identity is unknown, such as where securities listed on an exchange are sold through a brokerage firm, the source of income should be listed as "sale of (name of company) stock," for example.
- If more than \$2,500 of your gross income was in the form of interest from one particular financial institution (aggregating interest from all CD's, accounts, etc., at that institution), list the name of the institution, its address, and its principal business activity.

## Secondary Sources of Income

[Required by s. 112.3145(3)(b)2, F.S.]

This part is intended to require the disclosure of major customers, clients, and other sources of income to businesses in which you own an interest. It is not for reporting income from second jobs. That kind of income should be reported in "Primary Sources of Income," if it meets the reporting threshold. You will not have anything to report unless, during the disclosure period:

1. You owned (either directly or indirectly in the form of an equitable or beneficial interest) more than 5% of the total assets or capital stock of a business entity (a corporation, partnership, LLC, limited partnership, proprietorship, joint venture, trust, firm, etc., doing business in Florida); **and**,
2. You received more than \$5,000 of your gross income during the disclosure period from that business entity.

If your interests and gross income exceeded these thresholds, then for that business entity you must list every source of income to the business entity which exceeded 10% of the business entity's gross income (computed on the basis of the business entity's most recently completed fiscal year), the source's address, and the source's principal business activity.

Examples:

- You are the sole proprietor of a dry cleaning business, from which you received more than \$5,000. If only one customer, a uniform rental company, provided more than 10% of your dry cleaning business, you must list the name of the uniform rental company, its address, and its principal business activity (uniform rentals).
- You are a 20% partner in a partnership that owns a shopping mall and your partnership income exceeded the above thresholds. List each tenant of the mall that provided more than 10% of the partnership's gross income and the tenant's address and principal business activity.

## Real Property

[Required by s. 112.3145(3)(b)3, F.S.]

In this part, list the location or description of all real property in Florida in which you owned directly or indirectly at any time during the disclosure period in excess of 5% of the property's value. You are not required to list your residences. You should list any vacation homes if you derive income from them.

Indirect ownership includes situations where you are a beneficiary of a trust that owns the property, as well as situations where you own more than 5% of a partnership or corporation that owns the property. The value of the property may be determined by the most recently assessed value for tax purposes, in the absence of a more accurate fair market value.

The location or description of the property should be sufficient to enable anyone who looks at the form to identify the property. A street address should be used, if one exists.

## Intangible Personal Property

[Required by s. 112.3145(3)(b)3, F.S.]

Describe any intangible personal property that, at any time during the disclosure period, was worth more than \$10,000 and state the business entity to which the property related. Intangible personal property includes things such as cash on hand, stocks, bonds, certificates of deposit, vehicle leases, interests in businesses, beneficial interests in trusts, money owed you (including, but not limited to, loans made as a candidate to your own campaign), Deferred Retirement Option Program (DROP) accounts, the Florida Prepaid College Plan, and bank accounts in which you have an ownership interest. Intangible personal property also includes investment products held in IRAs, brokerage accounts, and the Florida College Investment Plan. Note that the product contained in a brokerage account, IRA, or the Florida College Investment Plan is your asset—not the account or plan itself. Things like automobiles and houses you own, jewelry, and paintings are not intangible property. Intangibles relating to the same business entity may be aggregated; for example, CDs and savings accounts with the same bank. Property owned as tenants by the entirety or as joint tenants with right of survivorship, including bank accounts owned in such a manner, should be valued at 100%. The value of a leased vehicle is the vehicle's present value minus the lease residual (a number found on the lease document).

## Liabilities

[Required by s. 112.3145(3)(b)4, F.S.]



List the name and address of each creditor to whom you owed more than \$10,000 at any time during the disclosure period. The amount of the liability of a vehicle lease is the sum of any past-due payments and all unpaid prospective lease payments. You are not required to list the amount of any debt. You do not have to disclose credit card and retail installment accounts, taxes owed (unless reduced to a judgment), indebtedness on a life insurance policy owed to the company of issuance, or contingent liabilities. A "contingent liability" is one that will become an actual liability only when one or more future events occur or fail to occur, such as where you are liable only as a guarantor, surety, or endorser on a promissory note. If you are a "co-maker" and are jointly liable or jointly and severally liable, then it is not a contingent liability.

### **Interests in Specified Businesses**

[Required by s. 112.3145(7), F.S.]

The types of businesses covered in this disclosure include: state and federally chartered banks; state and federal savings and loan associations; cemetery companies; insurance companies; mortgage companies; credit unions; small loan companies; alcoholic beverage licensees; pari-mutuel wagering companies, utility companies, entities controlled by the Public Service Commission; and entities granted a franchise to operate by either a city or a county government.

Disclose in this part the fact that you owned during the disclosure period an interest in, or held any of certain positions with the types of businesses listed above. You must make this disclosure if you own or owned (either directly or indirectly in the form of an equitable or beneficial interest) at any time during the disclosure period more than 5% of the total assets or capital stock of one of the types of business entities listed above. You also must complete this part of the form for each of these types of businesses for which you are, or were at any time during the disclosure period, an officer, director, partner, proprietor, or agent (other than a resident agent solely for service of process).

If you have or held such a position or ownership interest in one of these types of businesses, list the name of the business, its address and principal business activity, and the position held with the business (if any). If you own(ed) more than a 5% interest in the business, indicate that fact and describe the nature of your interest.

### **Training Certification**

[Required by s. 112.3142, F.S.]

If you are a Constitutional or elected municipal officer appointed school superintendent, a commissioner of a community redevelopment agency created under Part III, Chapter 163, or an elected local officers of independent special districts, including any person appointed to fill a vacancy on an elected special district board, whose service began on or before March 31 of the year for which you are filing, you are required to complete four hours of ethics training which addresses Article II, Section 8 of the Florida Constitution, the Code of Ethics for Public Officers and Employees, and the public records and open meetings laws of the state. You are required to certify on this form that you have taken such training.

**HAMAL**  
**COMMUNITY DEVELOPMENT DISTRICT**

**4B**

# **BOARD OF SUPERVISORS**

## **MEMBERSHIP, OBLIGATIONS AND RESPONSIBILITIES**

A Community Development District (“District”) is a special-purpose unit of local government which is established pursuant to and governed by Chapter 190, Florida Statutes.

### **The Board**

The Community Development District (“District”) is governed by a five (5)-member Board of Supervisors (“Board”). Member of the Board “Supervisor(s)” are elected in accordance with Section 190.006, F.S., either upon a one (1)-vote per one (1)-acre basis (“landowner voting”) or through traditional elections (“resident voting”), depending upon the number of registered voters in the District and the length of time which has passed since the establishment of the District.

A CDD Board typically meets once per month, but may meet more often if necessary. Board meetings typically last from one (1) to three (3) hours, depending upon the business to be conducted by the Board. Prior to the meeting, each Supervisor is supplied with an agenda package which will contain the documents pertaining to the business to be considered by the Board at a particular meeting. A Supervisor should be willing to spend time reviewing these packages prior to each meeting, and may consult with District Staff (General Counsel, Management, Engineering, etc.) concerning the business to be addressed.

### **Qualifications of Supervisors**

Each Supervisor must be a resident of the state of Florida and a citizen of the United States. Once a District has transitioned to resident voting, Supervisors must also be residents of the District.

### **Compensation**

By statute, Board Members are entitled to be paid \$200 per meeting for their service, up to an annual cap of \$4,800 per year. To achieve the statutory cap, the District would have to meet twice each month, which is rare.

Sometimes Supervisors who are employees of the primary landowner waive their right to compensation, although this is not always the case.

### **Responsibilities of Supervisors**

The position of Supervisor is that of an elected local public official. It is important to always remember that serving as an elected public official of a District carries with it certain restrictions and obligations. Each Supervisor, upon taking office, must subscribe to an oath of office acknowledging that he/she is a public officer, and as a recipient of public funds, a supporter of the constitutions of the State of Florida and of the United States of America.

Each Supervisor is subject to the same financial disclosure requirements as any other local elected official and must file a Statement of Financial Interests disclosing

sources of income, assets, debts, and other financial data, with the Supervisor of Elections in the County where he/she resides.

A Supervisor must act in accordance with the Code of Ethics for Public Officers and Employees, codified at Part III, Chapter 112, F.S., which addresses acceptance of gifts, conflicts of interest, etc. By law, it is not a conflict of interest for an employee of the developer to serve on a CDD Board of Supervisors.

Since a District is a unit of local government, the Sunshine Law (Chapter 286, F.S.) applies to Districts and to the Supervisors who govern them. In brief, the Sunshine Law states that two(2) or more Supervisors may never meet outside of a publicly noticed meeting of the Board and/to discuss District business.

Florida's Public Records Law (Chapter 119, F.S.) also applies to Districts and Supervisors. All records of the District, and the records of each individual Supervisor relating to the District, are public records. As such, any member of the public may inspect them upon request. Supervisors are therefore urged to keep any District records or documents in a separate file to allow ease of access by the public or press.

### **Conclusion**

The position of Supervisor of a Community Development District is an important one, requiring both the time and the dedication to fulfill the responsibilities of a position of public trust. It should not be undertaken lightly. Each new Supervisor should enter office fully cognizant of the ethical, legal, and time requirements which are incumbent upon those who serve as Supervisors.

**HAMAL**  
**COMMUNITY DEVELOPMENT DISTRICT**

**4C**

# FLORIDA COMMISSION ON ETHICS



GUIDE  
to the  
SUNSHINE AMENDMENT  
and  
CODE of ETHICS  
for Public Officers and Employees

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**2024**

State of Florida  
COMMISSION ON ETHICS

**Ashley Lukis, *Chair***  
Tallahassee

**Michelle Anchors, *Vice Chair***  
Fort Walton Beach

**William P. Cervone**  
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**Luis M. Fusté**  
Coral Gables

**Wengay M. Newton, Sr.**  
St. Petersburg

**Kerrie Stillman**  
*Executive Director*  
P.O. Drawer 15709  
Tallahassee, FL 32317-5709  
[www.ethics.state.fl.us](http://www.ethics.state.fl.us)  
(850) 488-7864\*

\*Please direct all requests for information to this number.

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## **I. HISTORY OF FLORIDA'S ETHICS LAWS**

Florida has been a leader among the states in establishing ethics standards for public officials and recognizing the right of citizens to protect the public trust against abuse. Our state Constitution was revised in 1968 to require a code of ethics, prescribed by law, for all state employees and non-judicial officers prohibiting conflict between public duty and private interests.

Florida's first successful constitutional initiative resulted in the adoption of the Sunshine Amendment in 1976, providing additional constitutional guarantees concerning ethics in government. In the area of enforcement, the Sunshine Amendment requires that there be an independent commission (the Commission on Ethics) to investigate complaints concerning breaches of public trust by public officers and employees other than judges.

The Code of Ethics for Public Officers and Employees is found in Chapter 112 (Part III) of the Florida Statutes. Foremost among the goals of the Code is to promote the public interest and maintain the respect of the people for their government. The Code is also intended to ensure that public officials conduct themselves independently and impartially, not using their offices for private gain other than compensation provided by law. While seeking to protect the integrity of government, the Code also seeks to avoid the creation of unnecessary barriers to public service.

Criminal penalties, which initially applied to violations of the Code, were eliminated in 1974 in favor of administrative enforcement. The Legislature created the Commission on Ethics that year "to serve as guardian of the standards of conduct" for public officials, state and local. Five of the Commission's nine members are appointed by the Governor, and two each are appointed by the President of the Senate and Speaker of the House of Representatives. No more than five Commission members may be members of the same political party, and none may be lobbyists, or hold any public employment during their two-year terms of office. A chair is selected from among the members to serve a one-year term and may not succeed himself or herself.

## **II. ROLE OF THE COMMISSION ON ETHICS**

In addition to its constitutional duties regarding the investigation of complaints, the Commission:

- Renders advisory opinions to public officials;
- Prescribes forms for public disclosure;
- Prepares mailing lists of public officials subject to financial disclosure for use by Supervisors of Elections and the Commission in distributing forms and notifying delinquent filers;
- Makes recommendations to disciplinary officials when appropriate for violations of ethics and disclosure laws, since it does not impose penalties;
- Administers the Executive Branch Lobbyist Registration and Reporting Law;
- Maintains financial disclosure filings of constitutional officers and state officers and employees; and,
- Administers automatic fines for public officers and employees who fail to timely file required annual financial disclosure.

## **III. THE ETHICS LAWS**

The ethics laws generally consist of two types of provisions, those prohibiting certain actions or conduct and those requiring that certain disclosures be made to the public. The following descriptions of these laws have been simplified in an effort to provide notice of their requirements. Therefore, we suggest that you also review the wording of the actual law. Citations to the appropriate laws are in brackets.

The laws summarized below apply generally to all public officers and employees, state and local, including members of advisory bodies. The principal exception to this broad coverage is the exclusion of judges, as they fall within the jurisdiction of the Judicial Qualifications Commission.

Public Service Commission (PSC) members and employees, as well as members of the PSC Nominating Council, are subject to additional ethics standards that are enforced by the Commission on Ethics under Chapter 350, Florida Statutes. Further, members of the governing boards of charter schools are subject to some of the provisions of the Code of Ethics [Sec. 1002.33(26), Fla. Stat.], as are the officers, directors, chief executive officers and some employees of business entities that serve as the chief administrative or executive officer or employee of a political subdivision. [Sec. 112.3136, Fla. Stat.]

**A. PROHIBITED ACTIONS OR CONDUCT**

*1. Solicitation and Acceptance of Gifts*

Public officers, employees, local government attorneys, and candidates are prohibited from soliciting or accepting anything of value, such as a gift, loan, reward, promise of future employment, favor, or service, that is based on an understanding that their vote, official action, or judgment would be influenced by such gift. [Sec. 112.313(2), Fla. Stat.]

Persons required to file financial disclosure FORM 1 or FORM 6 (see Part III F of this brochure), and state procurement employees, are prohibited from **soliciting** any gift from a political committee, lobbyist who has lobbied the official or his or her agency within the past 12 months, or the partner, firm, employer, or principal of such a lobbyist or from a vendor doing business with the official's agency. [Sec. 112.3148, Fla. Stat.]

Persons required to file FORM 1 or FORM 6, and state procurement employees are prohibited from directly or indirectly **accepting** a gift worth more than \$100 from such a lobbyist, from a partner, firm, employer, or principal of the lobbyist, or from a political committee or vendor doing business with their agency. [Sec.112.3148, Fla. Stat.]

**However**, notwithstanding Sec. 112.3148, Fla. Stat., no Executive Branch lobbyist or principal shall make, directly or indirectly, and no Executive Branch agency official who files FORM 1 or FORM 6 shall knowingly accept, directly or indirectly, **any expenditure** made for the purpose of lobbying. [Sec. 112.3215, Fla. Stat.] Typically, this would include gifts valued at less than \$100 that formerly

were permitted under Section 112.3148, Fla. Stat. Similar rules apply to members and employees of the Legislature. However, these laws are not administered by the Commission on Ethics. [Sec. 11.045, Fla. Stat.]

Also, persons required to file Form 1 or Form 6, and state procurement employees and members of their immediate families, are prohibited from accepting any gift from a political committee. [Sec. 112.31485, Fla. Stat.]

2. *Unauthorized Compensation*

Public officers or employees, local government attorneys, and their spouses and minor children are prohibited from accepting any compensation, payment, or thing of value when they know, or with the exercise of reasonable care should know, that it is given to influence a vote or other official action. [Sec. 112.313(4), Fla. Stat.]

3. *Misuse of Public Position*

Public officers and employees, and local government attorneys are prohibited from corruptly using or attempting to use their official positions or the resources thereof to obtain a special privilege or benefit for themselves or others. [Sec. 112.313(6), Fla. Stat.]

4. *Abuse of Public Position*

Public officers and employees are prohibited from abusing their public positions in order to obtain a disproportionate benefit for themselves or certain others. [Article II, Section 8(h), Florida Constitution.]

5. *Disclosure or Use of Certain Information*

Public officers and employees and local government attorneys are prohibited from disclosing or using information not available to the public and obtained by reason of their public position, for the personal benefit of themselves or others. [Sec. 112.313(8), Fla. Stat.]

6. *Solicitation or Acceptance of Honoraria*

Persons required to file financial disclosure FORM 1 or FORM 6 (see Part III F of this brochure), and state procurement employees, are prohibited from **soliciting** honoraria related to their public offices or duties. [Sec. 112.3149, Fla. Stat.]

Persons required to file FORM 1 or FORM 6, and state procurement employees, are prohibited from knowingly **accepting** an honorarium from a political committee, lobbyist who has lobbied the person's agency within the past 12 months, or the partner, firm, employer, or principal of such a lobbyist, or from a vendor doing business with the official's agency. However, they may accept the payment of expenses related to an honorarium event from such individuals or entities, provided that the expenses are disclosed. See Part III F of this brochure. [Sec. 112.3149, Fla. Stat.]

Lobbyists and their partners, firms, employers, and principals, as well as political committees and vendors, are prohibited from **giving** an honorarium to persons required to file FORM 1 or FORM 6 and to state procurement employees. Violations of this law may result in fines of up to \$5,000 and prohibitions against lobbying for up to two years. [Sec. 112.3149, Fla. Stat.]

However, notwithstanding Sec. 112.3149, Fla. Stat., no Executive Branch or legislative lobbyist or principal shall make, directly or indirectly, and no Executive Branch agency official who files FORM 1 or FORM 6 shall knowingly accept, directly or indirectly, **any expenditure** made for the purpose of lobbying. [Sec. 112.3215, Fla. Stat.] This may include honorarium event related expenses that formerly were permitted under Sec. 112.3149, Fla. Stat. Similar rules apply to members and employees of the Legislature. However, these laws are not administered by the Commission on Ethics. [Sec. 11.045, Fla. Stat.]

**B. PROHIBITED EMPLOYMENT AND BUSINESS RELATIONSHIPS**

1. *Doing Business With One's Agency*

- a) A public employee acting as a purchasing agent, or public officer acting in an official capacity, is prohibited from purchasing, renting, or leasing any realty, goods, or

services for his or her agency from a business entity in which the officer or employee or his or her spouse or child owns more than a 5% interest. [Sec. 112.313(3), Fla. Stat.]

- b) A public officer or employee, acting in a private capacity, also is prohibited from renting, leasing, or selling any realty, goods, or services to his or her own agency if the officer or employee is a state officer or employee, or, if he or she is an officer or employee of a political subdivision, to that subdivision or any of its agencies. [Sec. 112.313(3), Fla. Stat.]

2. *Conflicting Employment or Contractual Relationship*

- a) A public officer or employee is prohibited from holding any employment or contract with any business entity or agency regulated by or doing business with his or her public agency. [Sec. 112.313(7), Fla. Stat.]
- b) A public officer or employee also is prohibited from holding any employment or having a contractual relationship which will pose a frequently recurring conflict between the official's private interests and public duties or which will impede the full and faithful discharge of the official's public duties. [Sec. 112.313(7), Fla. Stat.]
- c) Limited exceptions to this prohibition have been created in the law for legislative bodies, certain special tax districts, drainage districts, and persons whose professions or occupations qualify them to hold their public positions. [Sec. 112.313(7)(a) and (b), Fla. Stat.]

3. *Exemptions*—Pursuant to Sec. 112.313(12), Fla. Stat., the prohibitions against doing business with one's agency and having conflicting employment may not apply:

- a) When the business is rotated among all qualified suppliers in a city or county.
- b) When the business is awarded by sealed, competitive bidding and neither the official nor his or her spouse or child have attempted to persuade agency personnel to enter

the contract. NOTE: Disclosure of the interest of the official, spouse, or child and the nature of the business must be filed prior to or at the time of submission of the bid on Commission FORM 3A with the Commission on Ethics or Supervisor of Elections, depending on whether the official serves at the state or local level.

- c) When the purchase or sale is for legal advertising, utilities service, or for passage on a common carrier.
- d) When an emergency purchase must be made to protect the public health, safety, or welfare.
- e) When the business entity is the only source of supply within the political subdivision and there is full disclosure of the official's interest to the governing body on Commission FORM 4A.
- f) When the aggregate of any such transactions does not exceed \$500 in a calendar year.
- g) When the business transacted is the deposit of agency funds in a bank of which a county, city, or district official is an officer, director, or stockholder, so long as agency records show that the governing body has determined that the member did not favor his or her bank over other qualified banks.
- h) When the prohibitions are waived in the case of ADVISORY BOARD MEMBERS by the appointing person or by a two-thirds vote of the appointing body (after disclosure on Commission FORM 4A).
- i) When the public officer or employee purchases in a private capacity goods or services, at a price and upon terms available to similarly situated members of the general public, from a business entity which is doing business with his or her agency.
- j) When the public officer or employee in a private capacity purchases goods or services from a business entity which is subject to the regulation of his or her agency where the price and terms of the transaction are available to similarly situated members of



the general public and the officer or employee makes full disclosure of the relationship to the agency head or governing body prior to the transaction.

4. *Additional Exemptions*

No elected public officer is in violation of the conflicting employment prohibition when employed by a tax exempt organization contracting with his or her agency so long as the officer is not directly or indirectly compensated as a result of the contract, does not participate in any way in the decision to enter into the contract, abstains from voting on any matter involving the employer, and makes certain disclosures. [Sec. 112.313(15), Fla. Stat.]

5. *Legislators Lobbying State Agencies*

A member of the Legislature is prohibited from representing another person or entity for compensation during his or her term of office before any state agency other than judicial tribunals. [Art. II, Sec. 8(e), Fla. Const., and Sec. 112.313(9), Fla. Stat.]

6. *Additional Lobbying Restrictions for Certain Public Officers and Employees*

A statewide elected officer; a member of the legislature; a county commissioner; a county officer pursuant to Article VIII or county charter; a school board member; a superintendent of schools; an elected municipal officer; an elected special district officer in a special district with ad valorem taxing authority; or a person serving as a secretary, an executive director, or other agency head of a department of the executive branch of state government shall not lobby for compensation on issues of policy, appropriations, or procurement before the federal government, the legislature, any state government body or agency, or any political subdivision of this state, during his or her term of office. [Art. II Sec 8(f)(2), Fla. Const. and Sec. 112.3121, Fla. Stat.]

7. *Employees Holding Office*

A public employee is prohibited from being a member of the governing body which serves as his or her employer. [Sec. 112.313(10), Fla. Stat.]

8. *Professional and Occupational Licensing Board Members*

An officer, director, or administrator of a state, county, or regional professional or occupational organization or association, while holding such position, may not serve as a member of a state examining or licensing board for the profession or occupation. [Sec. 112.313(11), Fla. Stat.]

9. *Contractual Services: Prohibited Employment*

A state employee of the executive or judicial branch who participates in the decision-making process involving a purchase request, who influences the content of any specification or procurement standard, or who renders advice, investigation, or auditing, regarding his or her agency's contract for services, is prohibited from being employed with a person holding such a contract with his or her agency. [Sec. 112.3185(2), Fla. Stat.]

10. *Local Government Attorneys*

Local government attorneys, such as the city attorney or county attorney, and their law firms are prohibited from representing private individuals and entities before the unit of local government which they serve. A local government attorney cannot recommend or otherwise refer to his or her firm legal work involving the local government unit unless the attorney's contract authorizes or mandates the use of that firm. [Sec. 112.313(16), Fla. Stat.]

11. *Dual Public Employment*

Candidates and elected officers are prohibited from accepting public employment if they know or should know it is being offered for the purpose of influence. Further, public employment may not be accepted unless the position was already in existence or was created without the anticipation of the official's interest, was publicly advertised, and the officer had to meet the same qualifications and go through the same hiring process as other applicants. For elected public officers already holding public employment, no promotion given for the purpose of influence may be accepted, nor may promotions that are inconsistent with those given other similarly situated employees. [Sec. 112.3125, Fla. Stat.]

**C. RESTRICTIONS ON APPOINTING, EMPLOYING, AND CONTRACTING WITH RELATIVES**

1. *Anti-Nepotism Law*

A public official is prohibited from seeking for a relative any appointment, employment, promotion, or advancement in the agency in which he or she is serving or over which the official exercises jurisdiction or control. No person may be appointed, employed, promoted, or advanced in or to a position in an agency if such action has been advocated by a related public official who is serving in or exercising jurisdiction or control over the agency; this includes relatives of members of collegial government bodies. NOTE: This prohibition does not apply to school districts (except as provided in Sec. 1012.23, Fla. Stat.), community colleges and state universities, or to appointments of boards, other than those with land-planning or zoning responsibilities, in municipalities of fewer than 35,000 residents. Also, the approval of budgets does not constitute “jurisdiction or control” for the purposes of this prohibition. This provision does not apply to volunteer emergency medical, firefighting, or police service providers. [Sec. 112.3135, Fla. Stat.]

2. *Additional Restrictions*

A state employee of the executive or judicial branch or the PSC is prohibited from directly or indirectly procuring contractual services for his or her agency from a business entity of which a relative is an officer, partner, director, or proprietor, or in which the employee, or his or her spouse, or children own more than a 5% interest. [Sec. 112.3185(6), Fla. Stat.]

**D. POST OFFICE HOLDING AND EMPLOYMENT (REVOLVING DOOR) RESTRICTIONS**

1. *Lobbying by Former Legislators, Statewide Elected Officers, and Appointed State Officers*

A member of the Legislature or a statewide elected or appointed state official is prohibited for two years following vacation of office from representing another person or entity for compensation before the government body or agency of which the individual was an officer or member. Former members of the Legislature are also prohibited for two years from lobbying the executive branch. [Art. II, Sec. 8(e), Fla. Const. and Sec. 112.313(9), Fla. Stat.]

## 2. *Lobbying by Former State Employees*

Certain employees of the executive and legislative branches of state government are prohibited from personally representing another person or entity for compensation before the agency with which they were employed for a period of two years after leaving their positions, unless employed by another agency of state government. [Sec. 112.313(9), Fla. Stat.] These employees include the following:

- a) Executive and legislative branch employees serving in the Senior Management Service and Selected Exempt Service, as well as any person employed by the Department of the Lottery having authority over policy or procurement.
- b) serving in the following position classifications: the Auditor General; the director of the Office of Program Policy Analysis and Government Accountability (OPPAGA); the Sergeant at Arms and Secretary of the Senate; the Sergeant at Arms and Clerk of the House of Representatives; the executive director and deputy executive director of the Commission on Ethics; an executive director, staff director, or deputy staff director of each joint committee, standing committee, or select committee of the Legislature; an executive director, staff director, executive assistant, legislative analyst, or attorney serving in the Office of the President of the Senate, the Office of the Speaker of the House of Representatives, the Senate Majority Party Office, the Senate Minority Party Office, the House Majority Party Office, or the House Minority Party Office; the Chancellor and Vice-Chancellors of the State University System; the general counsel to the Board of Regents; the president, vice presidents, and deans of each state university; any person hired on a contractual basis and having the power normally conferred upon such persons, by whatever title; and any person having the power normally conferred upon the above positions.

This prohibition does not apply to a person who was employed by the Legislature or other agency prior to July 1, 1989; who was a defined employee of the State University System or the Public Service Commission who held such employment on December 31, 1994; or who reached normal retirement age and retired by July 1, 1991. It does apply to OPS employees.

PENALTIES: Persons found in violation of this section are subject to the penalties contained in the Code (see PENALTIES, Part V) as well as a civil penalty in an amount equal to the compensation which the person received for the prohibited conduct. [Sec. 112.313(9)(a)5, Fla. Stat.]

3. *6-Year Lobbying Ban*

For a period of six years after vacation of public position occurring on or after December 31, 2022, a statewide elected officer or member of the legislature shall not lobby for compensation on issues of policy, appropriations, or procurement before the legislature or any state government body or agency. [Art. II Sec 8(f)(3)a., Fla. Const. and Sec. 112.3121, Fla. Stat.]

For a period of six years after vacation of public position occurring on or after December 31, 2022, a person serving as a secretary, an executive director, or other agency head of a department of the executive branch of state government shall not lobby for compensation on issues of policy, appropriations, or procurement before the legislature, the governor, the executive office of the governor, members of the cabinet, a department that is headed by a member of the cabinet, or his or her former department. [Art. II Sec 8(f)(3)b., Fla. Const. and Sec. 112.3121, Fla. Stat.]

For a period of six years after vacation of public position occurring on or after December 31, 2022, a county commissioner, a county officer pursuant to Article VIII or county charter, a school board member, a superintendent of schools, an elected municipal officer, or an elected special district officer in a special district with ad valorem taxing authority shall not lobby for compensation on issues of policy, appropriations, or procurement before his or her former agency or governing body. [Art. II Sec 8(f)(3)c., Fla. Const. and Sec. 112.3121, Fla. Stat.]

4. *Additional Restrictions on Former State Employees*

A former executive or judicial branch employee or PSC employee is prohibited from having employment or a contractual relationship, at any time after retirement or termination of employment, with any business entity (other than a public agency) in connection with a contract in which the employee participated personally and substantially by recommendation or decision while a public employee. [Sec. 112.3185(3), Fla. Stat.]

A former executive or judicial branch employee or PSC employee who has retired or terminated employment is prohibited from having any employment or contractual relationship for two years with any business entity (other than a public agency) in connection with a contract for services which was within his or her responsibility while serving as a state employee. [Sec.112.3185(4), Fla. Stat.]

Unless waived by the agency head, a former executive or judicial branch employee or PSC employee may not be paid more for contractual services provided by him or her to the former agency during the first year after leaving the agency than his or her annual salary before leaving. [Sec. 112.3185(5), Fla. Stat.]

These prohibitions do not apply to PSC employees who were so employed on or before Dec. 31, 1994.

5. *Lobbying by Former Local Government Officers and Employees*

A person elected to county, municipal, school district, or special district office is prohibited from representing another person or entity for compensation before the government body or agency of which he or she was an officer for two years after leaving office. Appointed officers and employees of counties, municipalities, school districts, and special districts may be subject to a similar restriction by local ordinance or resolution. [Sec. 112.313(13) and (14), Fla. Stat.]

**E. VOTING CONFLICTS OF INTEREST**

State public officers are prohibited from voting in an official capacity on any measure which they know would inure to their own special private gain or loss. A state public officer who abstains, or who votes on a measure which the officer knows would inure to the special private gain or loss of any principal by whom he or she is retained, of the parent organization or subsidiary or sibling of a corporate principal by which he or she is retained, of a relative, or of a business associate, must make every reasonable effort to file a memorandum of voting conflict with the recording secretary in advance of the vote. If that is not possible, it must be filed within 15 days after the vote occurs. The memorandum must disclose the nature of the officer's interest in the matter.

No county, municipal, or other local public officer shall vote in an official capacity upon any measure which would inure to his or her special private gain or loss, or which the officer knows would inure to the special private gain or loss of any principal by whom he or she is retained, of the parent organization or subsidiary or sibling of a corporate principal by which he or she is retained, of a relative, or of a business associate. The officer must publicly announce the nature of his or her interest before the vote and must file a memorandum of voting conflict on Commission Form 8B with the meeting's recording officer within 15 days after the vote occurs disclosing the nature of his or her interest in the matter. However, members of community redevelopment agencies and district officers elected on a one-acre, one-vote basis are not required to abstain when voting in that capacity.

No appointed state or local officer shall participate in any matter which would inure to the officer's special private gain or loss, the special private gain or loss of any principal by whom he or she is retained, of the parent organization or subsidiary or sibling of a corporate principal by which he or she is retained, of a relative, or of a business associate, without first disclosing the nature of his or her interest in the matter. The memorandum of voting conflict (Commission Form 8A or 8B) must be filed with the meeting's recording officer, be provided to the other members of the agency, and be read publicly at the next meeting.

If the conflict is unknown or not disclosed prior to the meeting, the appointed official must orally disclose the conflict at the meeting when the conflict becomes known. Also, a written memorandum of voting conflict must be filed with the meeting's recording officer within 15 days of the disclosure being made and must be provided to the other members of the agency, with the disclosure being read publicly at the next scheduled meeting. [Sec. 112.3143, Fla. Stat.]

## **F. DISCLOSURES**

Conflicts of interest may occur when public officials are in a position to make decisions that affect their personal financial interests. This is why public officers and employees, as well as candidates who run for public office, are required to publicly disclose their financial interests. The disclosure process serves to remind officials of their obligation to put the public interest above personal considerations. It also helps citizens to monitor the considerations of those who spend their tax dollars and participate in public policy decisions or administration.

All public officials and candidates do not file the same degree of disclosure; nor do they all file at the same time or place. Thus, care must be taken to determine which disclosure forms a particular official or candidate is required to file.

The following forms are described below to set forth the requirements of the various disclosures and the steps for correctly providing the information in a timely manner.

1. *FORM 1 - Limited Financial Disclosure*

Who Must File:

Persons required to file FORM 1 include all state officers, local officers, candidates for local elective office, and specified state employees as defined below (other than those officers who are required by law to file FORM 6).

STATE OFFICERS include:

- 1) Elected public officials not serving in a political subdivision of the state and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form 6.
- 2) Appointed members of each board, commission, authority, or council having statewide jurisdiction, excluding members of solely advisory bodies; but including judicial nominating commission members; directors of Enterprise Florida, Scripps Florida Funding Corporation, and CareerSource Florida, and members of the Council on the Social Status of Black Men and Boys; the Executive Director, governors, and senior managers of Citizens Property Insurance Corporation; governors and senior managers of Florida Workers' Compensation Joint Underwriting Association, board members of the Northeast Florida Regional Transportation Commission, and members of the board of Triumph Gulf Coast, Inc.; members of the board of Florida is



for Veterans, Inc.; and members of the Technology Advisory Council within the Agency for State Technology.

- 3) The Commissioner of Education, members of the State Board of Education, the Board of Governors, local boards of trustees and presidents of state universities, and members of the Florida Prepaid College Board.

LOCAL OFFICERS include:

- 1) Persons elected to office in any political subdivision (such as municipalities, counties, and special districts) and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form 6.
- 2) Appointed members of the following boards, councils, commissions, authorities, or other bodies of any county, municipality, school district, independent special district, or other political subdivision: the governing body of the subdivision; a community college or junior college district board of trustees; a board having the power to enforce local code provisions; a planning or zoning board, board of adjustments or appeals, community redevelopment agency board, or other board having the power to recommend, create, or modify land planning or zoning within the political subdivision, except for citizen advisory committees, technical coordinating committees, and similar groups who only have the power to make recommendations to planning or zoning boards, except for representatives of a military installation acting on behalf of all military installations within that jurisdiction; a pension board or retirement board empowered to invest pension or retirement funds or to determine entitlement to or amount of a pension or other retirement benefit.
- 3) Any other appointed member of a local government board who is required to file a statement of financial interests by the appointing authority or the enabling legislation, ordinance, or resolution creating the board.
- 4) Persons holding any of these positions in local government: county or city manager; chief administrative employee or finance director of a county, municipality, or other

political subdivision; county or municipal attorney; chief county or municipal building inspector; county or municipal water resources coordinator; county or municipal pollution control director; county or municipal environmental control director; county or municipal administrator with power to grant or deny a land development permit; chief of police; fire chief; municipal clerk; appointed district school superintendent; community college president; district medical examiner; purchasing agent (regardless of title) having the authority to make any purchase exceeding \$35,000 for the local governmental unit.

- 5) Members of governing boards of charter schools operated by a city or other public entity.
- 6) The officers, directors, and chief executive officer of a corporation, partnership, or other business entity that is serving as the chief administrative or executive officer or employee of a political subdivision, and any business entity employee who is acting as the chief administrative or executive officer or employee of the political subdivision. [Sec. 112.3136, Fla. Stat.]

SPECIFIED STATE EMPLOYEE includes:

- 1) Employees in the Office of the Governor or of a Cabinet member who are exempt from the Career Service System, excluding secretarial, clerical, and similar positions.
- 2) The following positions in each state department, commission, board, or council: secretary or state surgeon general, assistant or deputy secretary, executive director, assistant or deputy executive director, and anyone having the power normally conferred upon such persons, regardless of title.
- 3) The following positions in each state department or division: director, assistant or deputy director, bureau chief, assistant bureau chief, and any person having the power normally conferred upon such persons, regardless of title.

- 4) Assistant state attorneys, assistant public defenders, criminal conflict and civil regional counsel, assistant criminal conflict and civil regional counsel, public counsel, full-time state employees serving as counsel or assistant counsel to a state agency, judges of compensation claims, administrative law judges, and hearing officers.
- 5) The superintendent or director of a state mental health institute established for training and research in the mental health field, or any major state institution or facility established for corrections, training, treatment, or rehabilitation.
- 6) State agency business managers, finance and accounting directors, personnel officers, grant coordinators, and purchasing agents (regardless of title) with power to make a purchase exceeding \$35,000.
- 7) The following positions in legislative branch agencies: each employee (other than those employed in maintenance, clerical, secretarial, or similar positions and legislative assistants exempted by the presiding officer of their house); and each employee of the Commission on Ethics.

What Must Be Disclosed:

FORM 1 requirements are set forth fully on the form. In general, this includes the reporting person's sources and types of financial interests, such as the names of employers and addresses of real property holdings. NO DOLLAR VALUES ARE REQUIRED TO BE LISTED. In addition, the form requires the disclosure of certain relationships with, and ownership interests in, specified types of businesses such as banks, savings and loans, insurance companies, and utility companies.

When to File:

CANDIDATES who do not currently hold a position requiring the filing of a Form 1 or Form 6 must register and use the electronic filing system to complete the Form 6, then print and file the disclosure with the officer before whom they qualify at the time of qualifying. [Art. II, Sec. 8(a) and (i), Fla. Const., and Sec. 112.3144, Fla. Stat.]

STATE and LOCAL OFFICERS and SPECIFIED STATE EMPLOYEES are required to file disclosure by July 1 of each year. They also must file within thirty days from the date of appointment or the beginning of employment. Those appointees requiring Senate confirmation must file prior to confirmation.

Where to File:

File with the Commission on Ethics. [Sec. 112.3145, Fla. Stat.]

Beginning January 1, 2024, all Form 1 disclosures must be filed electronically through the Commission's electronic filing system. These disclosures will be published and searchable by name or organization on the Commission's website.

2. *FORM 1F - Final Form 1 Limited Financial Disclosure*

FORM 1F is the disclosure form required to be filed within 60 days after a public officer or employee required to file FORM 1 leaves his or her public position. The form covers the disclosure period between January 1 and the last day of office or employment within that year.

3. *FORM 2 - Quarterly Client Disclosure*

The state officers, local officers, and specified state employees listed above, as well as elected constitutional officers, must file a FORM 2 if they or a partner or associate of their professional firm represent a client for compensation before an agency at their level of government.

A FORM 2 disclosure includes the names of clients represented by the reporting person or by any partner or associate of his or her professional firm for a fee or commission before agencies at the reporting person's level of government. Such representations do not include appearances in ministerial matters, appearances before judges of compensation claims, or representations on behalf of one's agency in one's official capacity. Nor does the term include the preparation and filing of forms and applications merely for the purpose of obtaining or transferring a license, so long as the

issuance of the license does not require a variance, special consideration, or a certificate of public convenience and necessity.

#### When to File:

This disclosure should be filed quarterly, by the end of the calendar quarter following the calendar quarter during which a reportable representation was made. FORM 2 need not be filed merely to indicate that no reportable representations occurred during the preceding quarter; it should be filed ONLY when reportable representations were made during the quarter.

#### Where To File:

File with the Commission on Ethics. [Sec. 112.3145(4), Fla. Stat.]

Beginning January 1, 2024, all Form 2 disclosures must be filed electronically through the Commission's electronic filing system. These disclosures will be published and searchable on the Commission's website.

#### 4. *FORM 6 - Full and Public Disclosure*

#### Who Must File:

Persons required by law to file FORM 6 include all elected constitutional officers and candidates for such office; the mayor and members of a city council and candidates for these offices; the Duval County Superintendent of Schools; judges of compensation claims (pursuant to Sec. 440.442, Fla. Stat.); members of the Florida Housing Finance Corporation Board and members of expressway authorities, transportation authorities (except the Jacksonville Transportation Authority), bridge authority, or toll authorities created pursuant to Ch. 348 or 343, or 349, or other general law.

## What Must be Disclosed:

FORM 6 is a detailed disclosure of assets, liabilities, and sources of income over \$1,000 and their values, as well as net worth. Officials may opt to file their most recent income tax return in lieu of listing sources of income but still must disclose their assets, liabilities, and net worth. In addition, the form requires the disclosure of certain relationships with, and ownership interests in, specified types of businesses such as banks, savings and loans, insurance companies, and utility companies.

## When and Where To File:

Officials must file FORM 6 annually by July 1 with the Commission on Ethics.

Beginning January 1, 2023, all Form 6 disclosures must be filed electronically through the Commission's electronic filing system. These disclosures will be published and searchable by name and organization on the Commission's website.

CANDIDATES who do not currently hold a position requiring the filing of a Form 1 or Form 6 must register and use the electronic filing system to complete the Form 6, then print and file the disclosure with the officer before whom they qualify at the time of qualifying. [Art. II, Sec. 8(a) and (i), Fla. Const., and Sec. 112.3144, Fla. Stat.]

### 5. *FORM 6F - Final Form 6 Full and Public Disclosure*

This is the disclosure form required to be filed within 60 days after a public officer or employee required to file FORM 6 leaves his or her public position. The form covers the disclosure period between January 1 and the last day of office or employment within that year.

### 6. *FORM 9 - Quarterly Gift Disclosure*

Each person required to file FORM 1 or FORM 6, and each state procurement employee, must file a FORM 9, Quarterly Gift Disclosure, with the Commission on Ethics on the last day of any calendar quarter following the calendar quarter in which he or she received a gift worth more than \$100, other

than gifts from relatives, gifts prohibited from being accepted, gifts primarily associated with his or her business or employment, and gifts otherwise required to be disclosed. FORM 9 NEED NOT BE FILED if no such gift was received during the calendar quarter.

Information to be disclosed includes a description of the gift and its value, the name and address of the donor, the date of the gift, and a copy of any receipt for the gift provided by the donor. [Sec. 112.3148, Fla. Stat.]

*7. FORM 10 - Annual Disclosure of Gifts from Government Agencies and Direct-Support Organizations and Honorarium Event Related Expenses*

State government entities, airport authorities, counties, municipalities, school boards, water management districts, and the South Florida Regional Transportation Authority, may give a gift worth more than \$100 to a person required to file FORM 1 or FORM 6, and to state procurement employees, if a public purpose can be shown for the gift. Also, a direct-support organization for a governmental entity may give such a gift to a person who is an officer or employee of that entity. These gifts are to be reported on FORM 10, to be filed by July 1.

The governmental entity or direct-support organization giving the gift must provide the officer or employee with a statement about the gift no later than March 1 of the following year. The officer or employee then must disclose this information by filing a statement by July 1 with his or her annual financial disclosure that describes the gift and lists the donor, the date of the gift, and the value of the total gifts provided during the calendar year. State procurement employees file their statements with the Commission on Ethics. [Sec. 112.3148, Fla. Stat.]

In addition, a person required to file FORM 1 or FORM 6, or a state procurement employee, who receives expenses or payment of expenses related to an honorarium event from someone who is prohibited from giving him or her an honorarium, must disclose annually the name, address, and affiliation of the donor, the amount of the expenses, the date of the event, a description of the expenses paid or provided, and the total value of the expenses on FORM 10. The donor paying the expenses must provide the officer or employee with a statement about the expenses within 60 days of the honorarium event.

The disclosure must be filed by July 1, for expenses received during the previous calendar year, with the officer's or employee's FORM 1 or FORM 6. State procurement employees file their statements with the Commission on Ethics. [Sec. 112.3149, Fla. Stat.]

However, notwithstanding Sec. 112.3149, Fla. Stat., no executive branch or legislative lobbyist or principal shall make, directly or indirectly, and no executive branch agency official or employee who files FORM 1 or FORM 6 shall knowingly accept, directly or indirectly, any expenditure made for the purpose of lobbying. This may include gifts or honorarium event related expenses that formerly were permitted under Sections 112.3148 and 112.3149. [Sec. 112.3215, Fla. Stat.] Similar prohibitions apply to legislative officials and employees. However, these laws are not administered by the Commission on Ethics. [Sec. 11.045, Fla. Stat.] In addition, gifts, which include anything not primarily related to political activities authorized under ch. 106, are prohibited from political committees. [Sec. 112.31485 Fla. Stat.]

#### *8. FORM 30 - Donor's Quarterly Gift Disclosure*

As mentioned above, the following persons and entities generally are prohibited from giving a gift worth more than \$100 to a reporting individual (a person required to file FORM 1 or FORM 6) or to a state procurement employee: a political committee; a lobbyist who lobbies the reporting individual's or procurement employee's agency, and the partner, firm, employer, or principal of such a lobbyist; and vendors. If such person or entity makes a gift worth between \$25 and \$100 to a reporting individual or state procurement employee (that is not accepted in behalf of a governmental entity or charitable organization), the gift should be reported on FORM 30. The donor also must notify the recipient at the time the gift is made that it will be reported.

The FORM 30 should be filed by the last day of the calendar quarter following the calendar quarter in which the gift was made. If the gift was made to an individual in the legislative branch, FORM 30 should be filed with the Lobbyist Registrar. [See page 35 for address.] If the gift was to any other reporting individual or state procurement employee, FORM 30 should be filed with the Commission on Ethics.



However, notwithstanding Section 112.3148, Fla. Stat., no executive branch lobbyist or principal shall make, directly or indirectly, and no executive branch agency official or employee who files FORM 1 or FORM 6 shall knowingly accept, directly or indirectly, any expenditure made for the purpose of lobbying. This may include gifts that formerly were permitted under Section 112.3148. [Sec. 112.3215, Fla. Stat.] Similar prohibitions apply to legislative officials and employees. However, these laws are not administered by the Commission on Ethics. [Sec. 11.045, Fla. Stat.] In addition, gifts from political committees are prohibited. [Sec. 112.31485, Fla. Stat.]

9. *FORM 1X AND FORM 6X - Amendments to Form 1 and Form 6*

These forms are provided for officers or employees to amend their previously filed Form 1 or Form 6.

#### **IV. AVAILABILITY OF FORMS**

Beginning January 1, 2024, LOCAL OFFICERS and EMPLOYEES, and OTHER STATE OFFICERS, and SPECIFIED STATE EMPLOYEES who must file FORM 1 annually must file electronically via the Commission's Electronic Financial Disclosure Management System (EFDMS). Paper forms will not be promulgated. Communications regarding the annual filing requirement will be sent via email to filers no later than June 1. Filers must maintain an updated email address in their User Profile in EFDMS.

ELECTED CONSTITUTIONAL OFFICERS and other officials who must file Form 6 annually, including City Commissioners and Mayors, must file electronically via the Commission's Electronic Financial Disclosure Management System (EFDMS). Paper forms will not be promulgated. Communications regarding the annual filing requirement will be sent via email to filers no later than June 1. Filers must maintain an updated email address in their User Profile in EFDMS.

## V. PENALTIES

### A. *Non-criminal Penalties for Violation of the Sunshine Amendment and the Code of Ethics*

There are no criminal penalties for violation of the Sunshine Amendment and the Code of Ethics. Penalties for violation of these laws may include: impeachment, removal from office or employment, suspension, public censure, reprimand, demotion, reduction in salary level, forfeiture of no more than one-third salary per month for no more than twelve months, a civil penalty not to exceed \$10,000\*, and restitution of any pecuniary benefits received, and triple the value of a gift from a political committee.

### B. *Penalties for Candidates*

CANDIDATES for public office who are found in violation of the Sunshine Amendment or the Code of Ethics may be subject to one or more of the following penalties: disqualification from being on the ballot, public censure, reprimand, or a civil penalty not to exceed \$10,000\*, and triple the value of a gift received from a political committee.

### C. *Penalties for Former Officers and Employees*

FORMER PUBLIC OFFICERS or EMPLOYEES who are found in violation of a provision applicable to former officers or employees or whose violation occurred prior to such officer's or employee's leaving public office or employment may be subject to one or more of the following penalties: public censure and reprimand, a civil penalty not to exceed \$10,000\*, and restitution of any pecuniary benefits received, and triple the value of a gift received from a political committee.

\*Conduct occurring after May 11, 2023, will be subject to a recommended civil penalty of up to \$20,000. [Ch. 2023-49, Laws of Florida.]

*D. Penalties for Lobbyists and Others*

An executive branch lobbyist who has failed to comply with the Executive Branch Lobbying Registration law (see Part VIII) may be fined up to \$5,000, reprimanded, censured, or prohibited from lobbying executive branch agencies for up to two years. Lobbyists, their employers, principals, partners, and firms, and political committees and committees of continuous existence who give a prohibited gift or honorarium or fail to comply with the gift reporting requirements for gifts worth between \$25 and \$100, may be penalized by a fine of not more than \$5,000 and a prohibition on lobbying, or employing a lobbyist to lobby, before the agency of the public officer or employee to whom the gift was given for up to two years. Any agent or person acting on behalf of a political committee giving a prohibited gift is personally liable for a civil penalty of up to triple the value of the gift.

Executive Branch lobbying firms that fail to timely file their quarterly compensation reports may be fined \$50 per day per report for each day the report is late, up to a maximum fine of \$5,000 per report.

*E. Felony Convictions: Forfeiture of Retirement Benefits*

Public officers and employees are subject to forfeiture of all rights and benefits under the retirement system to which they belong if convicted of certain offenses. The offenses include embezzlement or theft of public funds; bribery; felonies specified in Chapter 838, Florida Statutes; impeachable offenses; and felonies committed with intent to defraud the public or their public agency. [Sec. 112.3173, Fla. Stat.]

*F. Automatic Penalties for Failure to File Annual Disclosure*

Public officers and employees required to file either Form 1 or Form 6 annual financial disclosure are subject to automatic fines of \$25 for each day late the form is filed after September 1, up to a maximum penalty of \$1,500. [Sec. 112.3144 and 112.3145, Fla. Stat.]

## VI. ADVISORY OPINIONS

Conflicts of interest may be avoided by greater awareness of the ethics laws on the part of public officials and employees through advisory assistance from the Commission on Ethics.

### A. *Who Can Request an Opinion*

Any public officer, candidate for public office, or public employee in Florida who is in doubt about the applicability of the standards of conduct or disclosure laws to himself or herself, or anyone who has the power to hire or terminate another public employee, may seek an advisory opinion from the Commission about himself or herself or that employee.

### B. *How to Request an Opinion*

Opinions may be requested by letter presenting a question based on a real situation and including a detailed description of the situation. Opinions are issued by the Commission and are binding on the conduct of the person who is the subject of the opinion, unless material facts were omitted or misstated in the request for the opinion. Published opinions will not bear the name of the persons involved unless they consent to the use of their names; however, the request and all information pertaining to it is a public record, made available to the Commission and to members of the public in advance of the Commission's consideration of the question.

### C. *How to Obtain Published Opinions*

All of the Commission's opinions are available for viewing or download at its website:  
[www.ethics.state.fl.us](http://www.ethics.state.fl.us).

## VII. COMPLAINTS

### A. *Citizen Involvement*

The Commission on Ethics cannot conduct investigations of alleged violations of the Sunshine Amendment or the Code of Ethics unless a person files a sworn complaint with the Commission alleging such violation has occurred, or a referral is received, as discussed below.

If you have knowledge that a person in government has violated the standards of conduct or disclosure laws described above, you may report these violations to the Commission by filing a sworn complaint on the form prescribed by the Commission and available for download at [www.ethics.state.fl.us](http://www.ethics.state.fl.us). The Commission is unable to take action based on learning of such misdeeds through newspaper reports, telephone calls, or letters.

You can download a complaint form (FORM 50) from the Commission's website: [www.ethics.state.fl.us](http://www.ethics.state.fl.us), or contact the Commission office at the address or phone number shown on the inside front cover of this booklet.

### B. *Referrals*

The Commission may accept referrals from: the Governor, the Florida Department of Law Enforcement, a State Attorney, or a U.S. Attorney. A vote of six of the Commission's nine members is required to proceed on such a referral.

### C. *Confidentiality*

The complaint or referral, as well as all proceedings and records relating thereto, is confidential until the accused requests that such records be made public or until the matter reaches a stage in the Commission's proceedings where it becomes public. This means that unless the Commission receives a written waiver of confidentiality from the accused, the Commission is not free to release any documents or to comment on a complaint or referral to members of the public or press, so long as the complaint or referral remains in a confidential stage.

A COMPLAINT OR REFERRAL MAY NOT BE FILED WITH RESPECT TO A CANDIDATE ON THE DAY OF THE ELECTION, OR WITHIN THE 30 CALENDAR DAYS PRECEDING THE ELECTION DATE, UNLESS IT IS BASED ON PERSONAL INFORMATION OR INFORMATION OTHER THAN HEARSAY.

*D. How the Complaint Process Works*

Complaints which allege a matter within the Commission's jurisdiction are assigned a tracking number and Commission staff forwards a copy of the original sworn complaint to the accused within five working days of its receipt. Any subsequent sworn amendments to the complaint also are transmitted within five working days of their receipt.

Once a complaint is filed, it goes through three procedural stages under the Commission's rules. The first stage is a determination of whether the allegations of the complaint are legally sufficient: that is, whether they indicate a possible violation of any law over which the Commission has jurisdiction. If the complaint is found not to be legally sufficient, the Commission will order that the complaint be dismissed without investigation, and all records relating to the complaint will become public at that time.

In cases of very minor financial disclosure violations, the official will be allowed an opportunity to correct or amend his or her disclosure form. Otherwise, if the complaint is found to be legally sufficient, a preliminary investigation will be undertaken by the investigative staff of the Commission. The second stage of the Commission's proceedings involves this preliminary investigation and a decision by the Commission as to whether there is probable cause to believe that there has been a violation of any of the ethics laws. If the Commission finds no probable cause to believe there has been a violation of the ethics laws, the complaint will be dismissed and will become a matter of public record. If the Commission finds probable cause to believe there has been a violation of the ethics laws, the complaint becomes public and usually enters the third stage of proceedings. This stage requires the Commission to decide whether the law was actually violated and, if so, whether a penalty should be recommended. At this stage, the accused has the right to request a public hearing (trial) at which evidence is presented, or the Commission may order that such a hearing be held. Public hearings usually are held in or near the area where the alleged violation occurred.

When the Commission concludes that a violation has been committed, it issues a public report of its findings and may recommend one or more penalties to the appropriate disciplinary body or official.

When the Commission determines that a person has filed a complaint with knowledge that the complaint contains one or more false allegations or with reckless disregard for whether the complaint contains false allegations, the complainant will be liable for costs plus reasonable attorney's fees incurred by the person complained against. The Department of Legal Affairs may bring a civil action to recover such fees and costs, if they are not paid voluntarily within 30 days.

*E. Dismissal of Complaints At Any Stage of Disposition*

The Commission may, at its discretion, dismiss any complaint at any stage of disposition should it determine that the public interest would not be served by proceeding further, in which case the Commission will issue a public report stating with particularity its reasons for the dismissal. [Sec. 112.324(12), Fla. Stat.]

*F. Statute of Limitations*

All sworn complaints alleging a violation of the Sunshine Amendment or the Code of Ethics must be filed with the Commission within five years of the alleged violation or other breach of the public trust. Time starts to run on the day AFTER the violation or breach of public trust is committed. The statute of limitations is tolled on the day a sworn complaint is filed with the Commission. If a complaint is filed and the statute of limitations has run, the complaint will be dismissed. [Sec. 112.3231, Fla. Stat.]

## **VIII. EXECUTIVE BRANCH LOBBYING**

Any person who, for compensation and on behalf of another, lobbies an agency of the executive branch of state government with respect to a decision in the area of policy or procurement may be required to register as an executive branch lobbyist. Registration is required before lobbying an agency and is renewable annually. In addition, each lobbying firm must file a compensation report

with the Commission for each calendar quarter during any portion of which one or more of the firm's lobbyists were registered to represent a principal. As noted above, no executive branch lobbyist or principal can make, directly or indirectly, and no executive branch agency official or employee who files FORM 1 or FORM 6 can knowingly accept, directly or indirectly, **any expenditure** made for the purpose of lobbying. [Sec. 112.3215, Fla. Stat.]

Paying an executive branch lobbyist a contingency fee based upon the outcome of any specific executive branch action, and receiving such a fee, is prohibited. A violation of this prohibition is a first degree misdemeanor, and the amount received is subject to forfeiture. This does not prohibit sales people from receiving a commission. [Sec. 112.3217, Fla. Stat.]

Executive branch departments, state universities, community colleges, and water management districts are prohibited from using public funds to retain an executive branch (or legislative branch) lobbyist, although these agencies may use full-time employees as lobbyists. [Sec. 11.062, Fla. Stat.]

Online registration and filing is available at [www.floridalobbyist.gov](http://www.floridalobbyist.gov). Additional information about the executive branch lobbyist registration system may be obtained by contacting the Lobbyist Registrar at the following address:

Executive Branch Lobbyist Registration  
Room G-68, Claude Pepper Building  
111 W. Madison Street  
Tallahassee, FL 32399-1425  
Phone: 850/922-4990

## **IX. WHISTLE-BLOWER'S ACT**

In 1986, the Legislature enacted a "Whistle-blower's Act" to protect employees of agencies and government contractors from adverse personnel actions in retaliation for disclosing information in a sworn complaint alleging certain types of improper activities. Since then, the Legislature has revised this law to afford greater protection to these employees.



While this language is contained within the Code of Ethics, the Commission has no jurisdiction or authority to proceed against persons who violate this Act. Therefore, a person who has disclosed information alleging improper conduct governed by this law and who may suffer adverse consequences as a result should contact one or more of the following: the Office of the Chief Inspector General in the Executive Office of the Governor; the Department of Legal Affairs; the Florida Commission on Human Relations; or a private attorney. [Sec. 112.3187 - 112.31895, Fla. Stat.]

## **X. ADDITIONAL INFORMATION**

As mentioned above, we suggest that you review the language used in each law for a more detailed understanding of Florida's ethics laws. The "Sunshine Amendment" is Article II, Section 8, of the Florida Constitution. The Code of Ethics for Public Officers and Employees is contained in Part III of Chapter 112, Florida Statutes.

Additional information about the Commission's functions and interpretations of these laws may be found in Chapter 34 of the Florida Administrative Code, where the Commission's rules are published, and in The Florida Administrative Law Reports, which until 2005 published many of the Commission's final orders. The Commission's rules, orders, and opinions also are available at [www.ethics.state.fl.us](http://www.ethics.state.fl.us).

If you are a public officer or employee concerned about your obligations under these laws, the staff of the Commission will be happy to respond to oral and written inquiries by providing information about the law, the Commission's interpretations of the law, and the Commission's procedures.

## **XI. TRAINING**

Constitutional officers, elected municipal officers, commissioners of community redevelopment agencies (CRAs), and commissioners of community development districts are required to receive a total of four hours training, per calendar year, in the area of ethics, public

records, and open meetings. The Commission on Ethics does not track compliance or certify providers. Officials indicate their compliance with the training requirement when they file their annual Form 1 or Form 6.

Visit the training page on the Commission's website for up-to-date rules, opinions, audio/video training, and opportunities for live training conducted by Commission staff.

**HAMAL**  
**COMMUNITY DEVELOPMENT DISTRICT**

**4D**

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
MAILING ADDRESS	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY <span style="float: right;">COUNTY</span>	<input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED	NAME OF POLITICAL SUBDIVISION:
	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTEE

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a “relative” includes only the officer’s father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A “business associate” means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

\* \* \* \* \*

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

\* \* \* \* \*

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

**IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:**

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, \_\_\_\_\_, hereby disclose that on \_\_\_\_\_, 20 \_\_\_\_ :

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_ ;
- inured to the special gain or loss of my relative, \_\_\_\_\_ ;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

\_\_\_\_\_  
Date Filed

\_\_\_\_\_  
Signature

**NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.**

**HAMAL**  
**COMMUNITY DEVELOPMENT DISTRICT**

**5**

**RESOLUTION 2024-01**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HAMAL COMMUNITY DEVELOPMENT DISTRICT APPOINTING AND REMOVING OFFICERS OF THE DISTRICT AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Hamal Community Development District (the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

**WHEREAS**, the District’s Board of Supervisors desires to appoint and remove Officers of the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF HAMAL COMMUNITY DEVELOPMENT DISTRICT THAT:**

**SECTION 1.** The following is/are appointed as Officer(s) of the District effective April 8, 2024:

\_\_\_\_\_ is appointed Chair

\_\_\_\_\_ is appointed Vice Chair

\_\_\_\_\_ is appointed Assistant Secretary

\_\_\_\_\_ is appointed Assistant Secretary

\_\_\_\_\_ is appointed Assistant Secretary

**SECTION 2.** The following Officer(s) shall be removed as Officer(s) as of April 8, 2024:

Steven Pincus                      Vice Chair

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

**SECTION 3.** The following prior appointments by the Board remain unaffected by this Resolution:

Craig Wrathell is Secretary

Cindy Cerbone is Assistant Secretary

Jamie Sanchez is Assistant Secretary

Craig Wrathell is Treasurer

Jeff Pinder is Assistant Treasurer

**PASSED AND ADOPTED THIS 8TH DAY OF APRIL, 2024.**

ATTEST:

**HAMAL COMMUNITY DEVELOPMENT  
DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors



**HAMAL**  
**COMMUNITY DEVELOPMENT DISTRICT**

**6**

**RESOLUTION 2024-02**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HAMAL COMMUNITY DEVELOPMENT DISTRICT IMPLEMENTING SECTION 190.006(3), *FLORIDA STATUTES*, AND REQUESTING THAT THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS CONDUCT THE DISTRICT'S GENERAL ELECTIONS; PROVIDING FOR COMPENSATION; SETTING FORTH THE TERMS OF OFFICE; AUTHORIZING NOTICE OF THE QUALIFYING PERIOD; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the Hamal Community Development District ("**District**") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within unincorporated City of West Palm Beach, Florida, within Palm Beach County, Florida; and

**WHEREAS**, the Board of Supervisors of the District ("**Board**") seeks to implement Section 190.006(3), *Florida Statutes*, and to instruct the Palm Beach County Supervisor of Elections ("**Supervisor**") to conduct the District's elections by the qualified electors of the District at the general election ("**General Election**").

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HAMAL COMMUNITY DEVELOPMENT DISTRICT:**

1. **GENERAL ELECTION SEATS.** Seat 3, currently held by Joseph Petrick, Seat 4, currently held by Lone Senior, and Seat 5, currently vacant, are scheduled for the General Election in November 2024. The District Manager is hereby authorized to notify the Supervisor of Elections as to what seats are subject to General Election for the current election year, and for each subsequent election year.

2. **QUALIFICATION PROCESS.** For each General Election, all candidates shall qualify for individual seats in accordance with Section 99.061, *Florida Statutes*, and must also be a qualified elector of the District. A qualified elector is any person at least 18 years of age who is a citizen of the United States, a legal resident of the State of Florida and of the District, and who is registered to vote with the Palm Beach County Supervisor of Elections. Campaigns shall be conducted in accordance with Chapter 106, *Florida Statutes*.

3. **COMPENSATION.** Members of the Board receive \$200 per meeting for their attendance and no Board member shall receive more than \$4,800 per year.

4. **TERM OF OFFICE.** The term of office for the individuals to be elected to the Board in the General Election is four years. The newly elected Board members shall assume office on the second Tuesday following the election.

5. **REQUEST TO SUPERVISOR OF ELECTIONS.** The District hereby requests the Supervisor to conduct the District’s General Election in November 2024, and for each subsequent General Election unless otherwise directed by the District’s Manager. The District understands that it will be responsible to pay for its proportionate share of the General Election cost and agrees to pay same within a reasonable time after receipt of an invoice from the Supervisor.

6. **PUBLICATION.** The District Manager is directed to publish a notice of the qualifying period for each General Election, in a form substantially similar to **Exhibit A** attached hereto.

7. **SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

8. **EFFECTIVE DATE.** This Resolution shall become effective upon its passage.

**PASSED AND ADOPTED** this 8<sup>th</sup> day of April, 2024.

**HAMAL COMMUNITY DEVELOPMENT  
DISTRICT**

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CHAIR/VICE CHAIR, BOARD OF SUPERVISORS

ATTEST:

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SECRETARY/ASSISTANT SECRETARY

**EXHIBIT A**

**NOTICE OF QUALIFYING PERIOD FOR CANDIDATES  
FOR THE BOARD OF SUPERVISORS OF THE  
HAMAL COMMUNITY DEVELOPMENT DISTRICT**

Notice is hereby given that the qualifying period for candidates for the office of Supervisor of the Hamal Community Development District (“District”) will commence at noon on June 10, 2024, and close at noon on June 14, 2024. Candidates must qualify for the office of Supervisor with the Palm Beach County Supervisor of Elections located at 240 South Military Trail, West Palm Beach, Florida 33415; Ph: (561) 656-6200. All candidates shall qualify for individual seats in accordance with Section 99.061, *Florida Statutes*, and must also be a “qualified elector” of the District, as defined in Section 190.003, *Florida Statutes*. A “qualified elector” is any person at least 18 years of age who is a citizen of the United States, a legal resident of the State of Florida and of the District, and who is registered to vote with the Palm Beach County Supervisor of Elections. Campaigns shall be conducted in accordance with Chapter 106, *Florida Statutes*.

The Hamal Community Development District has three (3) seats up for election, specifically seats 3, 4, and 5. Each seat carries a four-year term of office. Elections are nonpartisan and will be held at the same time as the general election on November 5, 2024, and in the manner prescribed by law for general elections.

For additional information, please contact the Palm Beach County Supervisor of Elections.

**District Manager  
Hamal Community Development District**

**HAMAL**  
**COMMUNITY DEVELOPMENT DISTRICT**

**7**

**HAMAL  
COMMUNITY DEVELOPMENT DISTRICT  
ADOPTED BUDGET  
FISCAL YEAR 2024**

**HAMAL  
COMMUNITY DEVELOPMENT DISTRICT  
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**HAMAL  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND BUDGET  
FISCAL YEAR 2024**

	Fiscal Year 2023				Adopted Budget FY 2024
	Adopted Budget FY 2023	Actual through 3/31/2023	Projected through 9/30/2023	Total Actual & Projected	
<b>REVENUES</b>					
Assessment levy - gross	\$ 610,938				\$ 643,964
Allowable discounts (4%)	(24,438)				(25,759)
Assessment levy - net	586,500	\$ 558,130	\$ 28,370	\$ 586,500	618,205
Fair-share agreement	46,302	15,200	31,102	46,302	46,302
Interest	1,500	1,358	142	1,500	1,500
Total revenues	634,302	574,688	59,614	634,302	666,007
<b>EXPENDITURES</b>					
<b>Professional &amp; administrative</b>					
Supervisors fee & FICA tax	7,536	-	7,536	7,536	7,536
Management/recording/accounting	44,048	22,024	22,024	44,048	44,048
Trustee	4,350	-	4,350	4,350	4,350
Legal	20,000	415	19,585	20,000	20,000
Engineering	15,000	5,000	10,000	15,000	15,000
Audit	8,484	2,500	5,984	8,484	8,784
Arbitrage rebate calculation	1,250	-	1,250	1,250	1,250
Postage	750	60	690	750	750
Legal advertising	2,500	216	2,284	2,500	2,500
Office supplies	250	-	250	250	250
Other current charges	750	-	750	750	750
Annual special district fee	175	175	-	175	175
Insurance	7,861	7,042	-	7,042	7,746
FASD annual dues	1,500	1,500	-	1,500	1,500
Pump station/equipment insurance	3,916	8,195	-	8,195	10,654
Website	705	-	705	705	705
ADA website compliance	210	210	-	210	210
Dissemination agent	1,000	500	500	1,000	1,000
Total professional & administrative	120,285	47,837	75,908	123,745	127,208



**HAMAL  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND BUDGET  
FISCAL YEAR 2024**

	Fiscal Year 2023				Adopted Budget FY 2024
	Adopted Budget FY 2023	Actual through 3/31/2023	Projected through 9/30/2023	Total Actual & Projected	
<b>Field operations</b>					
Telephone	2,040	1,008	1,032	2,040	2,040
Field operations management	30,000	15,000	15,000	30,000	30,000
Landscape maintenance					
Mowing, edging, pruning & weed control	106,140	53,070	53,070	106,140	109,324
Turf replacement (\$0.90/sq. foot)	15,000	-	15,000	15,000	20,000
Mulch	18,000	11,200	6,800	18,000	29,120
Insect, weed, fertilization	54,962	27,481	27,481	54,962	56,610
Annuals removal, replacement, installation	15,000	-	15,000	15,000	15,450
Tree pruning	26,523	-	26,523	26,523	27,318
Irrigation system maintenance	8,472	4,236	4,236	8,472	8,726
Irrigation repairs	10,000	11,755	-	11,755	12,000
Capital outlay	30,400	-	30,400	30,400	30,400
Landscape replacement	20,000	16,524	3,476	20,000	20,000
Preventative maintenance: pump station	11,100	2,525	8,575	11,100	11,100
Repair/maintenance: pump station	4,000	-	4,000	4,000	4,000
Lake maintenance	24,000	11,736	12,264	24,000	24,000
Fountain maintenance	28,000	20,199	7,801	28,000	28,000
Holiday landscape lighting	7,500	-	7,500	7,500	7,500
Utilities	62,000	32,607	29,393	62,000	62,000
Wall maintenance	15,000	-	15,000	15,000	15,000
Contingency	16,600	-	16,600	16,600	16,600
Total field operations	<u>504,737</u>	<u>207,341</u>	<u>299,151</u>	<u>506,492</u>	<u>529,188</u>

**HAMAL  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND BUDGET  
FISCAL YEAR 2024**

	Fiscal Year 2023				Adopted Budget FY 2024
	Adopted Budget FY 2023	Actual through 3/31/2023	Projected through 9/30/2023	Total Actual & Projected	
<b>Other fees and charges</b>					
Property appraiser	1,141	-	1,141	1,141	1,141
Information system services	2,030	2,030	-	2,030	2,030
Tax collector	6,109	5,571	538	6,109	6,440
Total other fees and charges	<u>9,280</u>	<u>7,601</u>	<u>1,679</u>	<u>9,280</u>	<u>9,611</u>
Total expenditures	<u>634,302</u>	<u>262,779</u>	<u>376,738</u>	<u>639,517</u>	<u>666,007</u>
Excess/(deficiency) of revenues over/(under) expenditures	-	311,909	(317,124)	(5,215)	-
Fund balance - beginning (unaudited)	1,623,543	1,625,183	1,937,092	1,625,183	1,619,968
Fund balance - ending (projected)					
Assigned					
3 months working capital	167,408	167,408	167,408	167,408	180,302
Sound barriers / walls	100,000	100,000	100,000	100,000	100,000
Stormwater pump station	300,000	300,000	300,000	300,000	300,000
Culvert repair/replacement	100,000	100,000	100,000	100,000	100,000
Disaster recovery	500,000	500,000	500,000	500,000	500,000
Unassigned	456,135	769,549	452,560	452,560	439,666
Fund balance - ending (projected)	<u>\$ 1,623,543</u>	<u>\$ 1,937,092</u>	<u>\$ 1,619,968</u>	<u>\$ 1,619,968</u>	<u>\$ 1,619,968</u>

**HAMAL  
COMMUNITY DEVELOPMENT DISTRICT  
DEFINITIONS OF GENERAL FUND EXPENDITURES**

**EXPENDITURES**

**Professional and Administrative Services**

Supervisors fee & FICA tax	\$ 7,536
<p>Statutorily set at \$200 per Supervisor for each meeting of the Board of Supervisors not to exceed \$4,800 for each fiscal year. The District anticipates holding up to seven meetings and all five Board Members receiving fees.</p>	
Management/recording/accounting	44,048
<p><b>Wrathell, Hunt and Associates, LLC</b> specializes in managing community development districts in the State of Florida by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all governmental requirements of the District, develop financing programs, administer the issuance of tax exempt bonds and, operate and maintain the assets of the community. Effective October 1, 2016</p>	
Trustee	4,350
Legal	20,000
<p>Hopping Green &amp; Sams ("HGS"), provides on-going general counsel and legal representation. These lawyers are confronted with issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts. In this capacity, this firm provides services as "local government lawyers" realizing that this type of local government is very limited in its scope – providing infrastructure and services to developments. For matters relating to monthly board meetings and pursuant to the fee agreement Effective October 1, 2016, HGS will charge the District the lesser of its standard hourly rate for the hours performing such work or a fee of \$1,600 per meeting, plus direct out-of-pocket expenses for travel costs, telephone, postage, and photocopying. HGS will also attend at least one meeting each year for which no travel time will be charged.</p>	
Engineering	15,000
<p>Craig A. Smith provides a broad array of engineering, consulting and construction services to the District, which assists in crafting solutions with sustainability for the long-term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.</p>	
Audit	8,784
<p>The District is required to undertake an independent examination of its books, records and accounting procedures each year. This audit is conducted pursuant to Florida State Law and the rules of the Auditor General. Grau and Associates conducts the District audit and an annual 3% CPI increase has been included.</p>	
Arbitrage rebate calculation	1,250
<p>To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability. Grau and Associates conducts the annual arbitrage rebate calculation for the District.</p>	
Postage	750
<p>Mailing of agenda packages, overnight deliveries, correspondence, etc.</p>	
Legal advertising	2,500
<p>The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.</p>	
Office supplies	250
<p>Accounting and administrative supplies.</p>	
Other current charges	750
<p>Miscellaneous charges including automated AP routing.</p>	

**HAMAL  
COMMUNITY DEVELOPMENT DISTRICT  
DEFINITIONS OF GENERAL FUND EXPENDITURES**

**EXPENDITURES (continued)**

Annual special district fee	175
Annual fee paid to the Florida Department of Economic Opportunity.	
Insurance	7,746
The District carries public officials and general liability insurance with policies written by Preferred Governmental Insurance Trust. The limit of liability is set at \$1,000,000 per occurrence for general liability (\$2,000,000 general aggregate) and \$1,000,000 per occurrence for public officials liability (\$1,000,000 general aggregate).	
FASD annual dues	1,500
Pump station/equipment insurance	10,654
Website	705
ADA website compliance	210
Dissemination agent	1,000
<b>Field operations</b>	
Telephone	2,040
Service provided by AT&T for account number 561 681-0720 001 0458, which relates to the stormwater pump station. (cable/internet)	
Field operations management	30,000
Landscape maintenance	
The District contracted with King's Management Services, Inc. for general landscape maintenance services. The agreement may be extended for 12-month periods upon mutual consent of both parties. Should storm damage remediation be required, the work will be performed at the following rates: debris removal at a rate of \$25/man-hour, straighten and re-erect trees at a rate of \$50/tree, and irrigation repairs at a rate of \$55/man-hour.	
Mowing, edging, pruning & weed control	109,324
Turf, shrubbery & palm maintenance including mowing, edging, pruning & weed control	
Turf replacement \$0.90/square foot/replace dead sod due to no irrigation, twice a year.	20,000
Mulch	29,120
Insect, weed, fertilization	
Turf, shrubbery, palm trees, ground cover and flowers	56,610
Annuals removal, replacement and installation (including topsoil)	15,450
4" annuals, 2x/year (there are approximately 900 annuals)	
Tree pruning	27,318
Irrigation system maintenance	8,726
Kings Management provides irrigation repair services to the District at a cost of \$55/man hour. Does not include the cost of materials, which will be billed separately.	
Irrigation repairs	12,000
Capital outlay:	30,400
- Discussed expansion of landscape maintenance program	
- Briar Bay common area: landscape enhancements	
- Jog Road: median landscape enhancements	
- Other items to be determined by the Board	
Landscape replacement	20,000
Landscaping repairs and replacement throughout the District as needed.	

**HAMAL  
COMMUNITY DEVELOPMENT DISTRICT  
DEFINITIONS OF GENERAL FUND EXPENDITURES**

**EXPENDITURES (continued)**

Preventative maintenance: pump station	11,100
<p>The District originally entered into an agreement with South Florida Utilities, Inc. (D.B.A. Lift Station Services) effective October 1, 2016 and includes:</p> <ul style="list-style-type: none"> <li>- monthly generator inspections (\$1500)</li> <li>- quarterly pump, wet well and discharge bay inspections (\$9600)</li> <li>- an annual pipe intake and discharge inspection</li> </ul>	
Repair/maintenance: pump station	4,000
Lake maintenance	24,000
<p>The District entered into an agreement with Allstate Resource Management, Inc. effective October 1, 2016 for maintaining the District lakes. The current level of lake maintenance service is provided at a rate of \$1,800 per month (\$21,600 annually).</p>	
Fountain maintenance	28,000
<p>The District entered into an agreement with Allstate Resource Management, Inc. effective October 1, 2016 for quarterly preventative maintenance services for the 10 District fountains at a rate of \$895/quarter (\$3,580 annually). Pursuant to the agreement, additional repairs and services shall be billed at a rate of \$75, plus the cost of materials. \$150 minimum if a diver is required. An additional \$14,440 is included in the budget for repairs and electrical issues to the individual fountain units.</p>	
Holiday landscape lighting	7,500
<p>This covers the cost of holiday landscape lighting (LED).</p>	
Utilities	62,000
<p>Electricity for common areas of the District is provided by Florida Power &amp; Light. Below are the District's account numbers and service addresses.</p>	
Account Number	Service Address
31009-63366	6261 Hammock Park Rd. #Fountain
38117-48171	3691 Hamilton Key #Fountain
54811-00112	N Jog Rd. #E/O-1MI N/O Okee @ Pleasant Rd.
77982-33065	3696 Hamilton Key # Pump
31921-53512	3901 Hamilton Key Lake #1
34938-11511	3370 Celebration Blvd. Lake #6
52844-10445	3001 Celebration Blvd. #Pump
53794-76400	3301 Bollard Rd. Lake #9
54953-44409	3411 Briar Bay Blvd. Lake #4
56036-75405	3150 Celebration Blvd. Lake #8
74421-67404	3151 Celebration Blvd. Lake #7
75372-38318	3690 Hamilton Key Lake #2
90995-65237	3270 Celebration Blvd. # Pump
02941-07149	3690 North Jog Rd. # Pump 1 Hamal
Wall maintenance	15,000
Contingency	16,600
<p>This category is for unexpected, non-budgeted expenditures that the District may incur</p>	
Property appraiser	1,141
<p>The property appraiser's fees are \$150.00 plus \$.75 per parcel.</p>	
Information system services	2,030
<p>The Palm Beach County ISS fee is based on total amount levied on-roll and for amounts up \$1,450,000 it is \$2,030.</p>	
Tax collector	6,440
<p>The tax collector's fees are 1% of the on-roll assessment.</p>	
Total expenditures	\$ 666,007

**HAMAL  
COMMUNITY DEVELOPMENT DISTRICT  
DEBT SERVICE FUND SERIES 2021 BUDGET (REFUNDED SERIES 2017)  
FISCAL YEAR 2024**

	Fiscal Year 2023				Adopted Budget FY 2024
	Adopted Budget FY 2023	Actual through 3/31/2023	Projected through 9/30/2023	Total Actual & Projected	
<b>REVENUE</b>					
Assessment levy - gross	\$ 740,175				\$ 739,492
Allowable discounts (4%)	(29,607)				(29,580)
Assessment levy - net	710,568	\$ 676,125	\$ 34,443	\$ 710,568	709,912
Prepayments	-	4,818	-	4,818	-
Interest	-	3,165	-	3,165	-
Total revenue	710,568	684,108	34,443	718,551	709,912
<b>EXPENDITURES</b>					
<b>Debt service</b>					
Principal 5/1	600,000	-	600,000	600,000	611,000
Principal prepayment	4,000	-	4,000	4,000	-
Interest 11/1	60,027	-	54,482	54,482	48,872
Interest 5/1	54,482	54,520	-	54,520	48,872
Total debt service	718,509	54,520	658,482	713,002	708,744
<b>Other fees &amp; charges</b>					
Tax collector	7,402	6,749	653	7,402	7,395
Total other fees & charges	7,402	6,749	653	7,402	7,395
Total expenditures	725,911	61,269	659,135	720,404	716,139
Net increase/(decrease) in fund balance	(15,343)	622,839	(624,692)	(1,853)	(6,227)
Beginning fund balance (unaudited)	85,377	92,669	715,508	92,669	90,816
Ending fund balance (projected)	\$ 70,034	\$ 715,508	\$ 90,816	\$ 90,816	84,589
Use of fund balance:					
Interest expense - November 1, 2024					(43,160)
Projected fund balance surplus/(deficit) as of September 30, 2024					\$ 41,429

Special Assessment Refunding Bonds, Series 2021

\$6,420,000

## Debt Service Schedule

<b>Date</b>	<b>Principal</b>	<b>Coupon</b>	<b>Interest</b>	<b>Total P+I</b>
11/01/2023	-	-	48,872.45	48,872.45
05/01/2024	611,000.00	1.870%	48,872.45	659,872.45
11/01/2024	-	-	43,159.60	43,159.60
05/01/2025	623,000.00	1.870%	43,159.60	666,159.60
11/01/2025	-	-	37,334.55	37,334.55
05/01/2026	635,000.00	1.870%	37,334.55	672,334.55
11/01/2026	-	-	31,397.30	31,397.30
05/01/2027	647,000.00	1.870%	31,397.30	678,397.30
11/01/2027	-	-	25,347.85	25,347.85
05/01/2028	659,000.00	1.870%	25,347.85	684,347.85
11/01/2028	-	-	19,186.20	19,186.20
05/01/2029	671,000.00	1.870%	19,186.20	690,186.20
11/01/2029	-	-	12,912.35	12,912.35
05/01/2030	684,000.00	1.870%	12,912.35	696,912.35
11/01/2030	-	-	6,516.95	6,516.95
05/01/2031	697,000.00	1.870%	6,516.95	703,516.95
<b>Total</b>	<b>\$5,227,000.00</b>	<b>-</b>	<b>\$449,454.50</b>	<b>\$5,676,454.50</b>

**HAMAL  
COMMUNITY DEVELOPMENT DISTRICT  
ASSESSMENT COMPARISON  
FISCAL YEAR 2024**

Product	Total Projected Units	Proposed FY 2024			% Change FY 2023' to FY 2024'
		Series 2021	O & M	Total	
		Debt Service Assessment	Assessment	Proposed Assessment	
Condos	288	\$ 401.36	\$ 397.06	\$ 798.42	2.62%
Townhomes	331	441.09	397.06	838.16	2.49%
SF 30' & 40'	309	682.31	567.21	1,249.52	2.38%
SF 50'	229	682.31	567.21	1,249.52	2.38%
SF 70'	164	682.31	567.21	1,249.52	2.38%
	<u>1,321</u>				

Product	Total Projected Units	Adopted FY 2023 - Detail		
		Series 2021	O & M	Total
		Debt Service Assessment	Assessment	Assessment
Condos	288	\$ 401.36	\$ 376.70	\$ 778.06
Townhomes	331	441.09	376.70	817.79
SF 30' & 40'	309	682.31	538.12	1,220.43
SF 50'	229	682.31	538.12	1,220.43
SF 70'	164	682.31	538.12	1,220.43
	<u>1,321</u>			



**HAMAL**  
**COMMUNITY DEVELOPMENT DISTRICT**

**8**

Kings Management Services, Inc.  
 Landscaping Services  
 P.O. Box 32248  
 Palm Beach Gardens, FL 33420

# Proposal

Date                      Number  
 2/12/2024                      5904

Name / Billing Address

Job Location

Hamal CDD  
 c/o Wrathell, Hart, Hunt and Assoc, LLC  
 2300 Glades Road, Suite 410W  
 Boca Raton, FL 33431

Description	Qty	Rate	Amount
removal and disposal of ficus hedges around lift station in LB entrance. Price includes disposal	12	55.00	660.00
7gal Clusia 'Small Leaf' 3'x2'	117	38.00	4,446.00
15gal Clusia 'Small Leaf' 4.5-5'x3'	78	95.00	7,410.00

Acceptance and Approval of Proposal:

Client Signature \_\_\_\_\_ Date \_\_\_\_\_

**Total \$12516.00**



**HAMAL**  
**COMMUNITY DEVELOPMENT DISTRICT**

**9**

Structure #	Comments / Address	Recommendations	Sediment Amount in Inches	Asphalt Repair	Baffle	Mud Repair
OF	0"	OK				
CB C-20			4			
CB C-19			8			
CB C-18			5			
CB C-17			5			
OF	0"	OK				
EXIST YD-P			2			
CB P-16			4			
OF	1"	OK				
CB P-15			5			
YD C-14			2			
CB C-13			6			
YD C-12			1			
CB C-11			5			
CB C-10			4			
YD C-9			2			
CB C-6			6			
YD C-7			0			
CB C-8			5			
OF	1"	OK				
CB P-5			5			
CB P-4			8			
YD C-3			2			
CB P-2			4			
CB P-1			5			
OF	1"	OK				

Inspector: Tim  
 Inspection Date: 09/22/2023

Allstate Resource Management

The Cove at Briar Bay  
 Palm Beach County

<b>Totals:</b>		<b>Maintenance Summary:</b>				
6	number of yard drains	Needs to be Cleaned (>= 4")	15			
15	number of catch basins	Optionally Clean (<3", but not 0")	5			
0	number of manholes	Locate and Expose and Clean	0			
0	number of control structures	Mudwork	0			
5	number of outfalls	Asphalt repair	0			
<b>26</b>	<b>Total Structures</b>	Replace Broken Grate	0			
<b>Site Address:</b>	The Cove at Briar Bay - Section A					

Structure #	Comments / Address	Recommendations	Sediment Am	Asphalt Repair	Baffle	Mud Repair
CB C-1			7			
CB C-2			8			
MH P-3			2			
CB P-4			6			
CB P-6			10			
YD C-5			2			
CB C-7			5			
CB C-8A			8			
CB C-8			5			
MH P-9			2			
CB C-10	not on plans - found in the field		8			
CB C-11	not on plans - found in the field		5			
<b>Totals:</b>		<b>Maintenance Summary:</b>				
1	number of yard drains	Needs to be Cleaned (>= 4")	9			
9	number of catch basins	Optionally Clean (<3", but not 0")	3			
2	number of manholes	Locate and Expose and Clean	0			
0	number of control structures	Mudwork	0			
0	number of outfalls	Asphalt repair	0			
12	<b>Total Structures</b>	Replace Broken Grate	0			
<b>Site Address:</b>	The Cove at Briar Bay - Section II					

Structure #	Comments / Address	Recommendations	Sediment Amount in Inches	Asphalt Repair	Baffle	Mud Repair
cb-1			5			
yd-2			4			
cb-3			4			
cb-4			5			
cb-5			3			
cb-6			3			
of-7	0"	OK				
cb-8			4			
of-9	0"	OK				
cb-10			5			
cb-11			5			
cb-12			7			
cb-13			5			
yd-14			0			
of-15	0"	OK				
yd-16			2			
yd-17			3			
cb-18			8			
cb-19			3			
mh-20			5			
cb-21			6			
of-22	0"	OK				
of-23	0"	OK				
yd-24			3			
cb-25			3			
cb-26			5			
yd-27			2			
cb-28			4			
cb-29			5			



Structure #	Comments / Address	Recommendations	Sediment Amount in Inches	Asphalt Repair	Baffle	Mud Repair
<b>Totals:</b>		<b>Maintenance Summary:</b>				
6	number of yard drains	Needs to be Cleaned (>= 4")	15			
17	number of catch basins	Optionally Clean (<3", but not 0")	2			
1	number of manholes	Locate and Expose and Clean	0			
0	number of control structures	Mudwork	0			
5	number of outfalls	Asphalt repair	0			
<b>29</b>	<b>Total Structures</b>	Locate and Expose and Clean	0			
<b>Site Address:</b>	Vista Lago - 3130 N. Jog Road					

ALLSTATE NUMBERS	Structure # from Plans	Comments / Address	Recommendat	Sediment Amou	Pipe Foot	Asphalt Repair	Baffle	Mud Repair	
CB-1	c-240	sheet 4		3					
CB-2	c-241	sheet 4		2					
OF	c-241 OF	sheet 4	1" - OK						
CB-3	p-241A	sheet 4	0" - OK						
CB-4	p-241A	sheet 4		5					
CB-5	p-242A	sheet 4		4					
CB-6	p-242A	sheet 4	0" - OK						
CB-7	c-203	sheet 4		4					
CB-8	c-204	sheet 4		6					
CB-9	c-205	sheet 4		3					
CB-10	p-206	sheet 4		6					
OF	p-206 OF	sheet 4	0" - OK						
CB-11	c-201	sheet 4		5					
CB-12	c-202	Sheet 4		5					
									7
CB-13	p-215	sheet 5		5					
CB-14	p-216	sheet 5		2					
									1
CB-15	c-217	Sheet 6		5					
CB-16	c-217a	Sheet 6		6					
CB-17	c-218	Sheet 6		3					
CB-18	c-219	Sheet 6		4					
CB-19	c-220	Sheet 6		5					
CB-20	c-221	Sheet 6		3					
CB-21	p-222a	Sheet 6		5					
CB-22	p-222b	Sheet 6		2					
CB-23	p-223	Sheet 6		6					
CB-24	c-224	Sheet 6		5					
CB-25	p-225	Sheet 6		5					
CB-26	p-226	Sheet 6		3					
CB-27	c-227	Sheet 6		3					
CB-28	p-228	Sheet 6		3					

CB-29	p-229	Sheet 6		5					
CB-30	c-234	sheet 6		4					
CB-31	p-236	sheet 6		5					
CB-32	p-237	sheet 6		3					
									11
CB-33	c-168	sheet 7		3					
CB-34	c-169	sheet 7		5					
OF	c-169 OF	sheet 7	0" - OK						
									1
OF	p-177 OF	sheet 8	0" - OK						
CB-35	p-177	sheet 8		7					
CB-36	p-176	sheet 8		8					
CB-37	p-175	sheet 8		7					
OF	p-175 OF	sheet 8	0" - OK						
CB-38	c-170	sheet 8		3					
CB-39	c-171	sheet 8		3					
CB-40	p-172	sheet 8		0					
OF	c-172 OF	sheet 8	0" - OK						
CB-41	c-173	sheet 8		5					
CB-42	p-174	sheet 8		3					
OF	p-174 OF	sheet 8	0" - OK						
									4
CB-43	c-189	sheet 9		3					
CB-44	c-187	sheet 9		4					
CB-45	c-188	sheet 9		5					
CB-46	p-190	sheet 9		3					
CB-47	c-245	sheet 9		8					
CB-48	c-244	sheet 9		5					
CB-49	p-187	sheet 9		3					
CB-50	c-182	sheet 9		3					
CB-51	c-181	sheet 9		3					
CB-52	p-184	sheet 9		5					
CB-53	p-185	sheet 9		5					
CB-54	p-186	sheet 9		8					

OF	p-186OF	sheet 9	0" - OK						
CB-55	c-180	sheet 9			4				
CB-56	c-179	sheet 9			5				
CB-57	c-178	sheet 9			3				
OF	p-190 OF	sheet 9	0" - OK						
									9
CB-56	c-242	sheet 10			4				
CB-57	c-243	sheet 10			5				
OF	c-243 OF	sheet 10	0" - OK						
CB-58	c-193	sheet 10			2				
CB-59	c-194	sheet 10			2				
OF	c-194 OF	sheet 10	0" - OK						
CB-60	p-241a	sheet 10			4				
CB-61	p-242a	sheet 10			5				
CB-62	p-206	sheet 10			0				
CB-63	c-205	sheet 10			3				
									4
CB-60	c-195	sheet 11			6				
CB-61	c-196	sheet 11			8				
OF	p-196 OF	sheet 11	0" - OK						
CB-62	p-200	sheet 11			5				
OF	P-200 OF	sheet 11	0" - OK						
CB-63	p-199	sheet 11			8				
CB-64	c-197	sheet 11			3				
CB-65	c-198	sheet 11			4				
									5
<b>Totals:</b>		<b>Maintenance Summary:</b>							
0	number of yard drains	Needs to be Cleaned (>= 4")		42					42
71	number of catch basins	Optionally Clean (<4", but not 0")		25					
0	number of manholes	Locate and Expose and Clean		0					
0	number of control structures	Mudwork		0					
13	number of outfalls	Asphalt repair		0					
<b>84</b>	<b>Total Structures</b>	Replace Broken Grate		0					

Site Address:									

Sheet #/ Sub Name	Allstate Structure #	Structure # from Plans	Sediment Amou	Asphalt Repair	Baffle	Mudwork
<b>Briar Bay</b>						
Sheet 4 - Sunset Street	CB	c-42	5			
Sheet 4 - Sunset Street	CB	c-43	7			
Sheet 4	OF	Outfall - 2" OK				
Sheet 4 - Celebration Street	CB	c-44	4			
Sheet 4 - Celebration Street	CB	c-45	5			
Sheet 4 - Celebration Street	OF	Outfall - 0" OK				
Sheet 4	CB	p-46	2			
Sheet 4	OF	Outfall - 0" OK				
<b>Sail Harbour</b>						
sheet 9 - Celebration Street	CB	c-41	4			
	OF	Outfall - 0" OK				
sheet 9 - Celebration Street	CB	c-40	5			
Sheet 9	CB	c-76	5			
Sheet 9	CB	c-77	6			
Sheet 9	OF	Outfall - 0" OK				
Sheet 9	CB	c-78	5			
Sheet 9	CB	c-79	5			
Sheet 9	OF	Outfall - 0" OK				
Sheet 9	YD	p-83	2			
Sheet 9	OF	Outfall - 0" OK				
sheet 9 - Eaton Street	CB	p-84	7			
sheet 9 - Eaton Street	CB	p-85	5			
Sheet 9	OF	Outfall - 0" OK				
<b>Sheet 10</b>						
sheet 10 - Greene Street / Eaton	CB	p-90	7			
sheet 10 - Greene Street / Eaton	CB	p-91	5			
	OF	Outfall - 0" OK				
sheet 10 - Whalton Street	CB	p-89	5			
sheet 10 - Whalton Street	CB	p-88	4			
Sheet 10	CB	c-92	2			

sheet 10 - Eaton Street / Osprey	CB	c-93	3		
sheet 10 - Eaton Street / Osprey	CB	c-94	3		
sheet 10 - Eaton Street / Osprey	CB	p-94	2		
sheet 10 - Eaton Street / Osprey	CB	p-96	1		
sheet 10 - Eaton Street / Osprey	OF	Outfall - 0" OK			
sheet 11 - Eaton Street / Osprey	CB	c-98	4		
sheet 11 - Eaton Street / Osprey	CB	p-99	3		
	OF	Outfall - 0" OK			
sheet 11 - Eaton Street / Osprey	CB	c-97	3		
sheet 11 - Walton Street / Sugar Loaf	CB	c-87	5		
sheet 11 - Walton Street / Sugar Loaf	CB	c-86	5		YES
sheet 11 - United Street	CB	c-100	5		
sheet 11 - United Street	CB	c-101	6		
Sheet 11 - Eaton / Reynolds	CB	c-106	4		YES
Sheet 11 - Eaton / Reynolds	CB	p-108	6		
	OF	Outfall - 0" OK			
Sheet 11 - Eaton / Reynolds	CB	c-107	5		
Sheet 11 - Eaton / Reynolds	CB	p-102	2		
Sheet 11 - Eaton / Reynolds	CB	p-103	2		
Sheet 11 - Eaton / Reynolds	CB	p-104	1		
Sheet 12 - Eaton / Reynolds	YD	p-105 - yd	1		YES
	OF	Outfall - 0" OK			
Sheet 12 - Eaton / Waddell	CB	c-109	4		
Sheet 12 - Eaton / Waddell	CB	c-110	5		
	OF	Outfall - 0" OK			
Sheet 12 - Southard	CB	c-111	2		
Sheet 12 - Southard	CB	c-112	2		
Sheet 12	YD	p-112A	2		
sheet 12	OF	Outfall - 0" OK			
sheet 12	CB	p-72	5		
Sheet 12 - not on plans - found in field	CB	p-111A	2		

Inspector: Tim

Sheet 12 - not on plans - found in field	CB	p-111B	2		
Sheet 12 - not on plans - found in field	CB	p-111C	2		
Sheet 12	CB	p-107	4		
Sheet 12	CB	p-108	5		
Sheet 13	CB	c-72	8		
Sheet 13	CB	c-73	5		
Sheet 13	OF	Outfall - 0" OK			
Sheet 13	CB	p-50	4		
		p-51	4		
sheet 13	CB	c-52	4		
sheet 13	CB	p-54	3		
sheet 13	CB	c-53	5		
Sheet 13 - San Margarita Road	CB	c-63	6		
Sheet 13 - San Margarita Road	CB	c-64	8		
Sheet 13 - San Margarita Road	CB	c-65	6		
Sheet 13 - San Margarita Road	CB	p-66	4		YES
Sheet 13 - San Margarita Road	CB	p-67	3		
Sheet 13 - San Margarita Road	CB	p-68	5		
Sheet 13 - San Margarita Road	CB	p-69	5		
Sheet 13 - San Margarita Road	CB	p-69a	4		
	OF	Outfall - 0" OK			
sheet 13 - Eden Ct	CB	p-61	3		
sheet 13 - Eden Ct	CB	p-62	2		
sheet 14 - Paradise Cove	CB	c-58	5		
sheet 14 - Paradise Cove	CB	c-59	4		
sheet 14 - Paradise Cove	CB	c-60	4		
Sheet 14 - Celebration Street	CB	c-28	4		
Sheet 14 - Celebration Street	CB	p-30	5		
Sheet 14 - Celebration Street	CB	c-29	5		
Sheet 14	CB	p-31	10		
Sheet 14	OF	Outfall - 0" OK			
Sheet 14	CB	p-37	6		



Inspector: Tim

Sheet 14	CB	p-38	4		
Sheet 14	CB	p-39	3		
Sheet 14	OF	Outfall - 0" OK			
sheet 14 - Paradise Cove	CB	c-46	5		
sheet 14 - Paradise Cove	CB	c-47	4		
sheet 14 - Paradise Cove	CB	c-48	5		
sheet 14 - Paradise Cove	CB	p-49	4		
Sheet 14 - Celebration Street	CB	c-35	2		
Sheet 14 - Turtle Cove	CB	c-34	5		
Sheet 14 - Turtle Cove	CB	p-36	4		
Sheet 14 - Turtle Cove	CB	p-33	8		
Sheet 14 - Turtle Cove	CB	c-32	7		
sheet 14 - Paradise Cove	CB	c-70	3		
sheet 14 - Paradise Cove	CB	c-71	3		
sheet 14 - Paradise Cove		Outfall - 0" OK			
Sheet 14 - Turtle Cove	CB	c-80	6		
Sheet 14 - Turtle Cove	CB	c-81	8		
Sheet 16 - San Margarita Road	CB	p-50	4		
Sheet 16 - San Margarita Road	CB	p-51	4		
Sheet 16 - San Margarita Road		Outfall - 0" OK			
sheet 16 - Coral Court / Compass Rose	CB	c-127	5		
sheet 16 - Coral Court / Compass Rose	CB	p-128	8		
sheet 16 - Coral Court / Compass Rose	CB	c-126	7		
<b>Liberty Bay</b>					
sheet 16 - Bayview / Bollard	CB	c-129b	6		
sheet 16 - Bayview / Bollard	CB	p-129a	8		
sheet 16 - Bayview / Bollard	YD	p-130 - yd	3		
	OF	Outfall - 0" OK			
sheet 16 - Bayview / Bollard	CB	c-52	4		
sheet 16 - Bayview / Bollard	CB	p-54	5		
sheet 16 - Bayview / Bollard	CB	c-53	3		

Inspector: Tim

sheet 16 - Bayview / Bollard	CB	p-55	3		
sheet 16 - Bayview / Bollard	CB	c-56	5		
sheet 16 - Bayview / Bollard	CB	p-57	7		
sheet 16 - Bayview / Bollard	yd	p-57A	2		
sheet 16 - Bayview / Bollard	OF	Outfall - 0" OK			
sheet 17	CB	p-114	2		
sheet 17	CB	c-113	3		
sheet 17	CB	p-115	5		
	OF	Outfall - 0" OK			
sheet 17 - Flagler Cove / Travelor Road	CB	c-116	3		
sheet 17 - Flagler Cove / Travelor Road	CB	c-117	4		
sheet 17 - Flagler Cove / Travelor Road	CB	p-118	3		
	OF	Outfall - 0" OK			
sheet 17 - Bayview / Bollard	CB	c-119	3		
sheet 17 - Bayview / Bollard	CB	p-121	1		
sheet 17 - Bayview / Bollard	CB	c-120	1		
sheet 17 - Hannah Ct	CB	p-122	3		
sheet 17 - Hannah Ct	CB	c-123	5		
sheet 17 - Hannah Ct	CB	p-124	8		
sheet 17 - Hannah Ct	CB	p-125	10		
Sheet 17	CB	c-126	7		
sheet 17	CB	c-127	5		
sheet 17	CB	c-128	8		
sheet 17	CB	c-129b	6		
sheet 17	CB	c-129a	8		
	OF	Outfall - 0" OK			
Replacement Sheets for 18-19-20	CB	c-1	4		
Replacement Sheets for 18-19-20	CB	c-2	3		
Replacement Sheets for 18-19-20	CB	c-3	5		
Replacement Sheets for 18-19-20	CB	p-4	5		
Replacement Sheets for 18-19-20	OF	Outfall - 0" OK			
Replacement Sheets for 18-19-20	CB	c-5	3		

Inspector: Tim

Replacement Sheets for 18-19-20	CB	c-6	3		
Replacement Sheets for 18-19-20	OF	Outfall - 0" OK			
Replacement Sheets for 18-19-20	CB	p-7	5		
Replacement Sheets for 18-19-20	CB	c-8	4		
Replacement Sheets for 18-19-20	OF	Outfall - 0" OK			
Replacement Sheets for 18-19-20	CB	p-9	5		
Replacement Sheets for 18-19-20	CB	p-10	8		
Replacement Sheets for 18-19-20	CB	c-11	5		
Replacement Sheets for 18-19-20	OF	Outfall - 0" OK			
Replacement Sheets for 18-19-20	CB	p-12	9		
Replacement Sheets for 18-19-20	CB	p-13	3		
Replacement Sheets for 18-19-20	CB	c-14	2		
Replacement Sheets for 18-19-20	CB	c-15	3		
Replacement Sheets for 18-19-20	CB	c-16	4		
Replacement Sheets for 18-19-20	CB	c-17	4		
Replacement Sheets for 18-19-20	CB	p-18	5		
Replacement Sheets for 18-19-20	CB	p-19	3		
Replacement Sheets for 18-19-20	CB	p-20	5		
Replacement Sheets for 18-19-20	CB	p-21	8		
Replacement Sheets for 18-19-20	CB	p-22	7		
Replacement Sheets for 18-19-20	OF	Outfall - 0" OK			
Replacement Sheets for 18-19-20	CB	p-23	2		
Replacement Sheets for 18-19-20	CB	p-24	4		
Replacement Sheets for 18-19-20	CB	p-25	3		
Replacement Sheets for 18-19-20	CB	p-26	4		
Replacement Sheets for 18-19-20	CB	p-27	3		
Replacement Sheets for 18-19-20	CB	p-28	3		
Replacement Sheets for 18-19-20	CB	p-29	5		
Replacement Sheets for 18-19-20	OF	Outfall - 0" OK			
Replacement Sheets for 18-19-20	CB	p-30	5		
Replacement Sheets for 18-19-20	CB	p-31	3		
Replacement Sheets for 18-19-20	CB	p-32	1		
Replacement Sheets for 18-19-20	OF	Outfall - 0" OK			

Inspector: Tim

Sheet 15	CB	p-22A	10		
Sheet 15	OF	Outfall - 0" OK			
Sheet 15	CB	p-22B	7		
Sheet 15	OF	Outfall - 0" OK			
Sheet 15	CB	p-23A	8		
Sheet 15	OF	Outfall - 0" OK			
Sheet 15	CB	p-24	5		
Sheet 15	CB	p-23	6		
Sheet 15	CB	p-22	3		
Sheet 15	YD	p-21	2		
Sheet 15	OF	Outfall - 0" OK			
Sheet 15 - Turtle Cove	CB	c-80	4		
Sheet 15 - Turtle Cove	CB	c-81	5		
Sheet 15 - Turtle Cove	CB	c-82	4		
	OF	Outfall - 0" OK			
Sheet 15	CB	c-113	6		
sheet 15	CB	p-114	8		
sheet 15	CB	p-115	3		
sheet 15	CB	c-16	3		
sheet 15	CB	c-17	3		
sheet 15	CB	p-18	5		
sheet 15	CB	p-19	5		
sheet 15	CB	p-20	3		
sheet 20 / sheet 21 - Turtle Cove	CB	c-74	1		
sheet 20 / sheet 21 - Turtle Cove	CB	c-75	5		
sheet 21	OF	Outfall - 0" OK			

Inspection Date: 09/22/2023  
 Inspector: Tim

Allstate Resource Management

Hamal- Briar Bay  
 Palm Beach County

<b>Totals:</b>		Maintenance Summary:				
6	number of yard drains	Needs to be Cleaned ( $\geq 4"$ )	114			
166	number of catch basins	Optionally Clean ( $<3"$ , but not $0"$ )	26			
0	number of manholes	Mudwork	4			
37	number of outfalls	Asphalt repair	0			
<b>209</b>	<b>Total Structures</b>					
<b>Site Address:</b>	Briar Bay					



6900 S.W. 21st Court . Building 9 . Davie, FL 33317  
Toll-Free: 800.270.6558 . Local: 954.382.9766 . Fax: 954.382.9770  
Email: [info@allstatemanagement.com](mailto:info@allstatemanagement.com)

## **STORMWATER SYSTEM / MAINTENANCE PROPOSAL**

Hamal Community Development District  
3400 Celebration Blvd, West Palm Beach  
Palm Beach County, Florida

Prepared for:

Ms. Jamie Sanchez / District Manager  
Wrathell, Hunt and Associates, LLC



6900 S.W. 21st Court . Building 9 . Davie, FL 33317  
Toll-Free: 800.270.6558 . Local: 954.382.9766 . Fax: 954.382.9770  
Email: [info@allstatemanagement.com](mailto:info@allstatemanagement.com)

December 11, 2023

Ms. Jamie Sanchez / District Manager  
Hamal Community Development District  
c/o Wrathell, Hunt and Associates, LLC  
2300 Glades Road, #410W  
Boca Raton, Florida 33431

Dear Ms. Sanchez,

As you requested, attached is an Agreement for Service covering maintenance of the stormwater system at Hamal Community Development District.

Annual cleaning of the catch basins will keep the system in proper running order. The reports generated from this service should be kept in a file of maintenance records. Please call if you have any questions.

Looking forward to working with you on this important project.

Respectfully yours,

ALLSTATE RESOURCE MANAGEMENT, INC.

A handwritten signature in blue ink that reads "Wendy Shaw". The signature is written in a cursive, flowing style.

Wendy Shaw  
Stormwater Division Manager

Enclosures:

## STORMWATER SYSTEM - MAINTENANCE AGREEMENT

This agreement dated December 11, 2023 is made between ALLSTATE RESOURCE MANAGEMENT, INC. (ARMI) and CUSTOMER:

Hamal Community Development District  
c/o Wrathell, Hunt and Associates, LLC (561) 571-0010 x-130  
2300 Glades Road, #410W (561) 571-0013 FAX  
Boca Raton, Florida 33431 [sanchezj@whhassociates.com](mailto:sanchezi@whhassociates.com)

Both Customer and ARMI agree to the following terms and conditions:

1. ARMI will provide the following services on behalf of the customer in accordance with the terms and conditions of this agreement at the following stormwater site:

Maintenance of the stormwater facilities located at Hamal Community Development District in Palm Beach County, Florida

2. Customer agrees to pay ARMI the following amounts during the term of this agreement for these specific stormwater services:

**Vista Lago Apartments**

Jet and clean fifteen (15) storm drains	\$2,640.00
Inspection Fee Credit	<u>\$ 150.00</u>
	\$2,490.00

**Hamilton Bay**

Jet and clean forty-two (42) storm drains	\$7,040.00
Inspection Fee Credit	<u>\$ 420.00</u>
	\$6,620.00

**Briar Bay**

Jet and clean one hundred fourteen (114) storm drains	\$19,900.00
Concrete / Mudwork repairs at four (4) structures	
Inspection Fee Credit	<u>\$ 1,140.00</u>
	\$18,760.00

**The Cove at Briar Bay – Section A**

Jet and clean fifteen (15) storm drains	\$2,640.00
Inspection Fee Credit	<u>\$ 150.00</u>
	\$2,490.00

**The Cove II at Briar Bay – Section B**

Jet and clean nine (9) storm drains	\$1,540.00
Inspection Fee Credit	<u>\$ 90.00</u>
	\$1,450.00



**STORMWATER SYSTEM - MAINTENANCE AGREEMENT**

Page 2

Dump / Disposal Fees	Included
Management Reporting	Included

**Total Investment: \$31,810.00**

3. Schedule of payment: 50% Deposit shall be due and payable upon execution of this agreement. Work will begin approximately three (3) weeks upon receipt of deposit. Balance due and payable upon completion of work.
4. The offer contained in this agreement is valid for thirty (30) days only and must be returned to our offices for acceptance within that period.
5. Addendums:
 

This contract is for maintenance of the stormwater system structures and does not include any additional services or parts. Extra services and parts will be priced based on time and materials, if required and approved by the CUSTOMER.
6. Proof of insurance included.
7. This agreement constitutes the entire agreement of ARMI and the CUSTOMER. No oral or written alterations of the terms contained herein shall be deemed valid unless made in writing and accepted by an authorized agent of both ARMI and CUSTOMER.

ALLSTATE RESOURCE MANAGEMENT, INC.

**CUSTOMER ACCEPTANCE** - The above prices, specifications and conditions are satisfactory and are hereby accepted and the signer acknowledges that they are authorized to execute this document.

\_\_\_\_\_  
 Wendy Shaw

\_\_\_\_\_  
 CUSTOMER (Signature)

\_\_\_\_\_  
 NAME / TITLE (Printed)

\_\_\_\_\_  
 DATE

**HAMAL**  
**COMMUNITY DEVELOPMENT DISTRICT**

**UNAUDITED**  
**FINANCIAL**  
**STATEMENTS**

**HAMAL  
COMMUNITY DEVELOPMENT DISTRICT  
FINANCIAL STATEMENTS  
UNAUDITED  
FEBRUARY 29, 2024**

**HAMAL  
COMMUNITY DEVELOPMENT DISTRICT  
BALANCE SHEET  
GENERAL FUND  
FEBRUARY 29, 2024**

	General Fund	Debt Service Fund 2021	Total Governmental Funds
<b>ASSETS</b>			
Cash	\$ 874,181	\$ -	\$ 874,181
Investments			
Centennial	256,836	-	256,836
FineMark MMA	249,892	-	249,892
FineMark ICS	296,431	-	296,431
Iberia - MMA	25,209	-	25,209
Bank United	453,307	-	453,307
Revenue	-	653,177	653,177
Prepayment	-	20,627	20,627
Optional redemption	-	268	268
COI	-	6,021	6,021
Due from other funds	-	32,775	32,775
Undeposited funds	44,229	-	44,229
Deposits	135	-	135
Total assets	<u>\$2,200,220</u>	<u>\$ 712,868</u>	<u>\$ 2,913,088</u>
<b>LIABILITIES</b>			
<b>Liabilities:</b>			
Accounts payable off-site	\$ 7,507	\$ -	\$ 7,507
Accounts payable on-site	11,886	-	11,886
Debt service (series 2021)	32,775	-	32,775
Taxes payable	122	-	122
Total liabilities	<u>52,290</u>	<u>-</u>	<u>52,290</u>
<b>FUND BALANCES</b>			
Nonspendable			
Prepays and deposits	135	-	135
Restricted			
Debt service	-	712,868	712,868
Assigned			
3 months working capital	180,302	-	180,302
Sound barriers	100,000	-	100,000
Stormwater pump station	300,000	-	300,000
Culvert repair/replacement	100,000	-	100,000
Disaster recovery	500,000	-	500,000
Unassigned	967,493	-	967,493
Total fund balance	<u>2,147,930</u>	<u>712,868</u>	<u>2,860,798</u>
Total liabilities and fund balances	<u>\$2,200,220</u>	<u>\$ 712,868</u>	<u>\$ 2,913,088</u>

**HAMAL  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
GENERAL FUND  
FOR THE PERIOD ENDED FEBRUARY 29, 2024**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy	\$ 23,013	\$ 576,336	\$ 618,205	93%
Fair share agreement	59,979	59,979	46,302	130%
Interest & misc. income	2,128	11,075	1,500	738%
Total revenues	<u>85,120</u>	<u>647,390</u>	<u>666,007</u>	97%
<b>EXPENDITURES</b>				
<b>Administrative</b>				
Supervisors fee & FICA tax	-	1,507	7,536	20%
Management/recording/accounting	3,671	18,353	44,048	42%
Legal	1,061	1,753	20,000	9%
Engineering	6,445	9,750	15,000	65%
Audit	1,000	1,000	8,784	11%
Postage	-	21	750	3%
Legal advertising	-	429	2,500	17%
Office supplies	-	367	250	147%
Annual special district fee	-	175	175	100%
Insurance	-	7,288	7,746	94%
FASD annual dues	-	2,000	1,500	133%
Pump station/equipment insurance	-	11,446	10,654	107%
ADA website compliance	-	210	210	100%
Dissemination agent	83	417	1,000	42%
Total administrative expenses	<u>12,260</u>	<u>54,716</u>	<u>127,208</u>	43%
<b>Maintenance</b>				
Field operations management	-	7,500	30,000	25%
Mowing, edging, pruning & weed control	9,110	45,552	109,324	42%
Mulch	-	14,400	29,120	49%
Insect, weed, fertilization	4,717	23,588	56,610	42%
Irrigation system maintenance	728	3,636	8,726	42%
Preventative maintenance: pump station	126	4,925	11,100	44%
Repair/maintenance: pump station	631	31,495	4,000	787%

**HAMAL  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
GENERAL FUND  
FOR THE PERIOD ENDED FEBRUARY 29, 2024**

	Current Month	Year to Date	Budget	% of Budget
<b>Maintenance (continued)</b>				
Lake maintenance	2,022	10,110	24,000	42%
Fountain maintenance	513	8,501	28,000	30%
Contingency	10	10,210	16,600	62%
Utilities	9,233	33,186	62,000	54%
Total maintenance expenses	<u>27,090</u>	<u>193,103</u>	<u>529,188</u>	36%
<b>Other fees and charges</b>				
Information system services	-	2,030	2,030	100%
Tax collector	230	5,763	6,440	89%
Total other fees and charges	<u>230</u>	<u>7,793</u>	<u>9,611</u>	81%
Total expenditures	<u>39,580</u>	<u>255,612</u>	<u>666,007</u>	38%
Excess (deficiency) of revenues over (under) expenditures	45,540	391,778	-	
Fund balance - beginning	2,102,390	1,756,152	1,619,968	
Fund balance - ending				
Nonspendable				
Prepaid expenditures and deposits	135	135	-	
Assigned				
3 months working capital	180,302	180,302	180,302	
Sound barriers	100,000	100,000	100,000	
Stormwater pump station	300,000	300,000	300,000	
Culvert repair/replacement	100,000	100,000	100,000	
Disaster recovery	500,000	500,000	500,000	
Unassigned	967,493	967,493	439,666	
Total fund balance - ending	<u>\$ 2,147,930</u>	<u>\$ 2,147,930</u>	<u>\$ 1,619,968</u>	

**HAMAL  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE FUND SERIES 2021 (REFUNDED SERIES 2017)  
FOR THE PERIOD ENDED FEBRUARY 29, 2024**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy	\$ 26,424	\$ 661,765	\$ 709,912	93%
Assessment prepayment	-	4,259	-	N/A
Interest	2,750	5,173	-	N/A
Total revenues	<u>29,174</u>	<u>671,197</u>	<u>709,912</u>	95%
<b>EXPENDITURES</b>				
Principal	-	-	611,000	0%
Principal prepayment	-	20,000	-	N/A
Interest 11/1	-	48,900	48,872	100%
Interest 5/1	-	-	48,872	0%
Total expenditures	<u>-</u>	<u>68,900</u>	<u>708,744</u>	10%
<b>Other fees and charges</b>				
Tax collector	264	6,618	7,395	89%
Total other fees and charges	<u>264</u>	<u>6,618</u>	<u>7,395</u>	89%
Total expenditures	<u>264</u>	<u>75,518</u>	<u>716,139</u>	11%
Excess (deficiency) of revenues over (under) expenditures	28,910	595,679	(6,227)	
Fund balances - beginning	683,958	117,189	90,816	
Fund balances - ending	<u>\$ 712,868</u>	<u>\$ 712,868</u>	<u>\$ 84,589</u>	

**HAMAL**  
**COMMUNITY DEVELOPMENT DISTRICT**

**MINUTES A**



**DRAFT**

**MINUTES OF MEETING  
HAMAL  
COMMUNITY DEVELOPMENT DISTRICT**

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The Board of Supervisors of the Hamal Community Development District held a Regular Meeting on November 13, 2023 at 6:00 p.m., at the Briar Bay Clubhouse, 3400 Celebration Blvd., West Palm Beach, Florida 33411.

**Present were:**

Joseph Petrick	Chair
Ione Senior	Assistant Secretary
Marc DePaul	Assistant Secretary

**Also present were:**

Jamie Sanchez	District Manager
Michelle Rigoni (via telephone)	District Counsel
Al Caruso (via telephone)	District Engineer
Amanda Foster	Field Operations
Chris Brodeur	AWC
Loytavian Harrell	Resident
Renee Frost	Resident
Cheryl Model	Resident
Maria Mubano	Resident
Eric McCracken	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Petrick called the meeting to order at 6:04 p.m.

Supervisors Petrick, Senior and DePaul were present. Supervisors Pincus and Cuningham were not present.

**SECOND ORDER OF BUSINESS**

**Pledge of Allegiance**

All present recited the Pledge of Allegiance.

**THIRD ORDER OF BUSINESS**

**Public Comments**

40  
41 Mr. Petrick noted that this is a CDD meeting; it is not an HOA meeting. HOA matters  
42 should be directed to the HOA, which meets in this location on a different date.

43 Resident Loytavian Harrell expressed interest in serving as a CDD Supervisor and briefly  
44 discussed her background and experience.

45 Resident Cheryl Model expressed interest in serving as a CDD Supervisor and briefly  
46 discussed her background and experience.

47

48 **FOURTH ORDER OF BUSINESS** **Acceptance of Resignation of Supervisor**  
49 **Steven Pincus [Seat 5]; Term Expires**  
50 **November 2024**  
51

52 Ms. Sanchez stated that a written resignation was not received from Supervisor Pincus  
53 but he resigned verbally at the May 8, 2023 meeting. At that meeting, the Board had a motion  
54 and a second and voted to accept the resignation, which is also reflected in the May 8, 2023  
55 Meeting Minutes.

56 District Counsel confirmed that this item can be removed from the agenda.

57

58 **FIFTH ORDER OF BUSINESS** **Consider Appointment of Qualified Elector**  
59 **to Fill Unexpired Term of Seat 5**  
60

61 Ms. Sanchez stated two candidates, Ms. Cheryl Model and Mr. Bruce Frost, expressed  
62 their interest in appointment to the Board and submitted their qualifications in advance of the  
63 meeting. Ms. Loytavian Harrell also expressed interest in appointment to the Board earlier in  
64 the meeting.

65 The Board and Staff discussed whether to appoint a Supervisor today, procedures for  
66 selection of officers, absence of Mr. Cuningham and the Board’s preference to review resumes  
67 and submissions in advance of the meeting.

68 Mr. Petrick thanked the interested candidates for attending today and asked them to  
69 submit any information they would like the Board to consider to Ms. Sanchez one week prior to  
70 December 4, 2023.

- 71 • Administration of Oath of Office to Appointed Supervisor (the following will be
- 72 provided in a separate package)
- 73 A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and
- 74 Employees
- 75 B. Membership, Obligations and Responsibilities
- 76 C. Financial Disclosure Forms
- 77 I. Form 1: Statement of Financial Interests
- 78 II. Form 1X: Amendment to Form 1, Statement of Financial Interests
- 79 III. Form 1F: Final Statement of Financial Interests
- 80 D. Form 8B: Memorandum of Voting Conflict

81 These items were deferred.

82

83	<b>SIXTH ORDER OF BUSINESS</b>	<b>Consideration of Resolution 2024-01,</b>
84		<b>Appointing and Removing Officers of the</b>
85		<b>District and Providing for an Effective Date</b>

86  
87 This item was deferred.

88

89	<b>SEVENTH ORDER OF BUSINESS</b>	<b>Consideration of AWC Quote #2675912 for</b>
90		<b>Briar Bay Panel Upgrades</b>

91 Ms. Sanchez presented AWC Quote #2675912 for the Briar Bay Panel Upgrades.

92 Mr. Caruso discussed the proposal for hardware and software upgrades, noting that the  
93 Briar Bay stormwater pump station software was last upgraded 20 years ago.

94 Mr. Chris Brodeur discussed the condition of the pump station control unit when AWC  
95 was called. He noted the repairs performed, the need for hardware and software upgrades to  
96 enable diagnosis and his recommendations for future repairs.

97 Discussion ensued regarding the system and the items covered in the proposal. Ms.  
98 Sanchez stated Mr. Cuningham and AWC worked with Staff to develop the proposal.

100

<p>101 <b>On MOTION by Mr. DePaul and seconded by Ms. Senior, AWC Quote #2675912</b></p> <p>102 <b>for the Briar Bay Panel Upgrades, in the amount of \$29,750, was approved.</b></p>
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**EIGHTH ORDER OF BUSINESS**

**Ratification of Pump Station Maintenance Services, LLC Agreement for Wastewater Pumping Station Monitoring and Maintenance Services**

Ms. Sanchez presented the Pump Station Maintenance Services, LLC Agreement for Wastewater Pumping Station Monitoring and Maintenance Services, which was previously executed by the Chair.

**On MOTION by Ms. Senior and seconded by Mr. DePaul, with all in favor, the Pump Station Maintenance Services, LLC Agreement for Wastewater Pumping Station Monitoring and Maintenance Services, was ratified.**

**NINTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of September 30, 2023**

Ms. Sanchez presented the Unaudited Financial Statements as of September 30, 2023. She noted that District Management contacted Palm Beach County Schools regarding the \$42,684 outstanding invoice. Updates will be provided.

**On MOTION by Ms. Senior and seconded by Mr. DePaul, with all in favor, the Unaudited Financial Statements as of September 30, 2023, were accepted.**

**TENTH ORDER OF BUSINESS**

**Approval of September 7, 2023 Public Hearings and Regular Meeting Minutes**

**On MOTION by Mr. DePaul and seconded by Ms. Senior, with all in favor, the September 7, 2023 Public Hearings and Regular Meeting Minutes, as presented, were approved.**

**ELEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: Kutak Rock LLP**

142 Ms. Rigoni will prepare a standard form of Agreement for the AWC proposal.

143 **B. District Engineer: Craig A. Smith & Associates**

144 There was no report.

145 **C. Operations Manager: King's Management Services, Inc.**

146 Ms. Amanda Foster introduced herself as the new Operations Manager. She stated she  
147 will provide weekly reports, in a timely manner. The Board Members were appreciative.

148 **D. District Manager: Wrathell, Hunt and Associates, LLC**

149 • **NEXT MEETING DATE: December 11, 2023 at 6:00 PM**

150 ○ **QUORUM CHECK**

151 The next meeting will be on December 11, 2023.

152 Ms. Sanchez will email the resumes and cover letters of the interested CDD Board  
153 candidates, as well as any additional submissions received before the deadline, to the Board  
154 Members.

155

156 **TWELFTH ORDER OF BUSINESS**

**Supervisors' Requests**

157

158 Ms. Senior asked for the landscapers to remove the dry palm tree fronds throughout the  
159 CDD. She asked if power washing will be deferred, as previously discussed.

160 Mr. Petrick agreed with Ms. Senior's comments about these issues. He noted that RBK  
161 Diversified does the pressure cleaning and recalled discussing having the sidewalks on Jog Road  
162 and the sound barrier walls cleaned after the holiday lights are removed from the walls and  
163 common areas.

164 Ms. Foster will check with Dave regarding his availability before the next meeting.

165 Ms. Senior stated she would have preferred to have them cleaned before the holidays  
166 but concurred with waiting until after the holidays, when the pressure washer is not so busy,  
167 given that the prior year she complained about his performance but he was unable to return.

168 Discussion ensued regarding scheduling light removal and pressure cleaning.

169 Mr. DePaul suggested the Board decide when the pressure cleaning should be done on a  
170 recurring basis.

171 Mr. Petrick stated the Board will consider changing the month of the pressure cleaning  
172 to October, before the holiday lights are installed.

173 This item will be discussed at a future meeting.

174 Mr. Petrick voiced his opinion that the hedge line needs to be trimmed. He suggested  
175 Mr. Joe King, the Landscape Supervisor, be invited to attend the next meeting.

176 Mr. DePaul stated he also serves on the Hamilton Bay HOA Board. The HOA recently  
177 engaged Kings Landscaping to service Hamilton Bay and the quality of their grass cutting and  
178 trimming has been exceptional, since the transition.

179 The consensus was that Kings Landscaping is doing a commendable job.

180

181 **THIRTEENTH ORDER OF BUSINESS**

**Public Comments**

182

183 A resident of Hamilton Bay expressed dissatisfaction with her landscaping. Mr. DePaul  
184 stated that complaint is an HOA matter; he will meet with her after the meeting to advise her of  
185 the date of the next HOA meeting.

186 Ms. Harrell asked about the funds due to the CDD from the School District. Ms. Sanchez  
187 will email the Fair Share Agreement between the CDD and Palm Beach County School District.

188 Ms. Harrell asked if the difference between the Seventh and Eighth Orders of Business is  
189 that one pertains to replacing the pump system and the other is to maintain it over time. Ms.  
190 Sanchez stated that is correct; the Seventh Order of Business is for the panel upgrades, which  
191 the Board approved today. The Eighth Order of Business is for routine maintenance services.  
192 Mr. Caruso discussed the Addendum which includes the new rates for routine maintenance.

193

194 **FOURTEENTH ORDER OF BUSINESS**

**Adjournment**

195

196

197 **On MOTION by Ms. Senior and seconded by Mr. DePaul, with all in favor, the**  
198 **meeting adjourned at 6:51 p.m.**

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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

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Chair/Vice Chair

**HAMAL**  
**COMMUNITY DEVELOPMENT DISTRICT**

**MINUTES B**



**DRAFT**

**MINUTES OF MEETING  
HAMAL  
COMMUNITY DEVELOPMENT DISTRICT**

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The Board of Supervisors of the Hamal Community Development District held a Special Meeting on January 15, 2024 at 6:00 p.m., at the Briar Bay Clubhouse, 3400 Celebration Blvd., West Palm Beach, Florida 33411.

**Present were:**

Joseph Petrick	Chair
Ione Senior	Assistant Secretary
Marc DePaul	Assistant Secretary
Benjamin Cuningham	Assistant Secretary

**Also present were:**

Jamie Sanchez	District Manager
Michelle Rigoni (via telephone)	District Counsel
Amanda Foster	Ibero Property Management
Joseph King	Landscape Supervisor
Bensy Sanon	Resident
Cheryl Model	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Petrick called the meeting to order at 6:00 p.m.  
Supervisors Petrick, Senior, Cuningham and DePaul were present. One seat was vacant.

**SECOND ORDER OF BUSINESS**

**Pledge of Allegiance**

All present recited the Pledge of Allegiance.

**THIRD ORDER OF BUSINESS**

**Public Comments**

No members of the public spoke.

**FOURTH ORDER OF BUSINESS**

**Consideration of Ibero Property  
Management Corporation Field  
Maintenance Management Agreement**

Mr. Petrick stated this Special Meeting was scheduled due to the recent passing of Mr. Bruce King, the CDD's longtime Field Operations Manager. He discussed Ms. Foster's tenure

43 with the CDD under the leadership of Mr. Bruce King and opined that Ms. Foster has done a  
44 very nice job in the past six months. Due to some uncertainty following Mr. Bruce King's  
45 passing, Ms. Foster accepted a position with Ibero Property Management (Ibero), effective  
46 January 9, 2024. He noted that Ibero Property Management (Ibero) is willing to match Kings  
47 Management's contract price and suggested the Board consider engaging Ibero, given Ms.  
48 Foster's familiarity with the CDD.

49 Ms. Sanchez stated that Ms. Foster has been very responsive since the unfortunate  
50 passing of Mr. King and added that it has been a pleasure working with her.

51 Mr. Petrick stated the contract was forwarded to District Counsel.

52 Ms. Sanchez stated that the version of the Agreement in the agenda is not the recent  
53 version. She distributed a redline version of the Agreement containing Ms. Rigoni's edits.

54 Ms. Rigoni stated the updated version of the Agreement includes all the CDD's standard  
55 contract provisions.

56 Ms. Senior asked if the contract is below the threshold requiring the Request for  
57 Proposals (RFP) process. Ms. Sanchez replied affirmatively; the contract amount is below the  
58 threshold amount of \$195,000 that would require the CDD to go through the RFP process.

59 Ms. Senior stated her belief that the owner of Ibero resides in the community CDD so  
60 she would expect the owner to attend the meeting. Ms. Sanchez stated she has not had contact  
61 with the owner of Ibero; however, District Counsel advised that the situation does not present  
62 a conflict of interest. She did not invite the owner of the company to attend the meeting.

63 Mr. Cunningham stated he does not feel the need to make a change as, in his opinion,  
64 King's Management has been making adjustments to the change in ownership and, so far, Kings  
65 Management has been able to hire the individuals necessary to take on their various accounts.  
66 He thinks a close eye should be kept on field operations in the coming months but, to him, it is  
67 too soon to determine that a change in ownership will adversely affect the CDD.

68 Mr. Petrick stated he spoke with Mr. King in November 2022 when he realized that he  
69 was not doing well and, despite numerous requests, it did not seem as if there was a plan for  
70 transition. He expressed his opinion that the CDD has a capable Field Operations Manager who  
71 is familiar with the CDD and, while this CDD is not large, it needs someone who knows the  
72 codes, boundaries, pumphouse location and operations. He noted the challenge over the past  
73 year or so with some of the CDD landscaping, for example, tree trimming, which was started in

74 June and just finished today. He thinks the challenges with the landscaping company should  
75 probably have been raised at past CDD meetings but he was trying to work it out with the  
76 landscaping company and through the District Manager and the Field Operations Manager. He  
77 stated the Board has not been advised of a replacement and pointed out that a lot goes into  
78 the CDD as far as boundaries, lock codes, pumphouse operations and contractors. In his  
79 opinion, the CDD currently has a proven person who can handle these things and noted that  
80 the burden often falls on the Chair to work with the District Manager and the Operations  
81 Manager to take care of the daily operations. He asked the Board to retain an individual whom  
82 they know is able to handle the responsibility.

83 Mr. DePaul suggested asking Mr. Joseph King to respond.

84 Mr. Joseph King stated he did not contact the Board Members because he did not take  
85 ownership of the Association Management Corporation until December 22, 2023. He discussed  
86 his experience and work in the CDD over the years, including the pumphouse, lakes, fountains,  
87 electrical issues, etc., and expressed his commitment to work things out going forward.

88 Ms. Senior noted that Board Members cannot speak to one another outside of meetings  
89 and stated she was not aware of a problem until she saw the matter on the agenda.

90 Ms. Sanchez stated, if not for the Field Operations Manager moving to a different  
91 company, more bids might have been obtained. A Special Meeting was scheduled because Ms.  
92 Foster's last day with King's Management was January 8, 2024, so the CDD has had no point of  
93 contact for over a week and no one from Kings Management contacted the District Manager.  
94 Since Ms. Foster moved to another local company and due to the sense of urgency, this Special  
95 Meeting was scheduled to allow the Board to discuss the matter together and take action  
96 today, if necessary. She asked if Mr. Joseph King has a point person she can contact, beginning  
97 tomorrow. Mr. Joseph King stated he will serve as the point person, beginning tomorrow.

98 Ms. Senior noted that Mr. Bruce King passed away in November and asked why there is  
99 a sense of urgency now. Ms. Sanchez stated it was important to have a Special Meeting based  
100 on what happened so that the Board can discuss the situation; however, a decision does not  
101 need to be made today but it does need to be discussed.

102 Mr. Cunningham noted that the Chair typically works closely with the District Manager  
103 and Field Operations Manager. He agrees that Ms. Foster did a wonderful job and, while he  
104 does not want to lose her and is happy that her new company is a good fit for her, he does not

105 hold that against her or Kings Management. He thinks that, while Mr. Joseph King could have  
106 contacted the Chair or District Manager, contrarily, they could have contacted Mr. Joseph King.

107 Mr. Petrick stated he has served on the Board for a very long time and, in his opinion,  
108 Mr. Bruce King did a very nice job and knew more about it than everybody else put together. He  
109 shared that Mr. Bruce King tried to retire several years ago and, when operations were left to  
110 those in his employ at that time, it went horribly for the Community Association. He stated he  
111 does not want that to repeat itself and opined that this is not a large CDD so there will likely not  
112 be many good property managers coming forward on a part time basis. He expressed concern  
113 about possibly losing a proven property manager that he knows can do the job.

114 Mr. DePaul noted that this contract only applies to the Operations Management role; it  
115 would have no effect on the landscaping.

116 Mr. Petrick stated he will let the Board know about challenges at future meetings or  
117 through the District Manager.

118 The Board and Staff reviewed the redlined version of the contract.

119 Ms. Sanchez stated that Ibero agreed to match the price on the Kings Management  
120 contract, at a rate of \$1,175 per month, not to exceed the annual total of \$14,100.

121 Mr. Petrick noted that the contract provides for 30 days' cancellation, should the Board  
122 wish to explore other options.

123 Mr. DePaul stated he also serves on the Hamilton Bay HOA Board. The HOA recently  
124 engaged Kings Landscaping to service Hamilton Bay and, in his opinion, the service level never  
125 changed during Mr. Bruce King's decline. The HOA was impressed with the quality of service. He  
126 stated his understanding that that is the company he was running.

127 Resident Cheryl Model expressed support for Kings Management, given their proven  
128 track record and willingness to step up and do a good job. She thinks Ibero does not have a  
129 proven track record and, in her opinion, the CEO should be in attendance if Ibero wants the job.

130 Ms. Sanchez noted that whenever information is requested it is provided, since it is a  
131 public record.

132 Discussion ensued regarding the Agreement.

133 Mr. DePaul suggested asking the opinion of the District Manager. Ms. Sanchez stated, in  
134 her experience in several CDDs, any time there is a change in personnel, it is more challenging  
135 due to the need to assist and familiarize the individual with the community. While it does make

136 things easier to work with the same personnel, she is here to assist the Board and her  
137 preference is to support the Board’s decision.

138 Mr. Petrick cautioned the Board Members to be mindful of the Sunshine Law and not to  
139 speak to each other outside of a CDD meeting. He urged them to contact Mr. Dwayne Barrett,  
140 of Ibero, and Mr. Joseph King before the next meeting, if they want more information.

141 Mr. Petrick motioned to defer this item to the next meeting. Ms. Rigoni stated it is not  
142 necessary to make a motion to defer an item. Mr. Petrick withdrew the motion.

143 This item was deferred to the next meeting.

144 Ms. Sanchez will invite Mr. Barrett, from Ibero, to attend the next meeting, in person.

145 Ms. Sanchez stated she will contact Mr. King as the point of contact effective tomorrow.

146

147 **FIFTH ORDER OF BUSINESS**

**NEXT MEETING DATE: February 12, 2024 at  
6:00 PM**

148

149

150 Ms. Sanchez stated the next meeting will be held on February 12, 2024.

151

152 **SIXTH ORDER OF BUSINESS**

**Supervisors’ Requests**

153

154 Mr. Cuningham asked Ms. Sanchez to have AWC contact him. Ms. Sanchez stated she  
155 will have Chris contact him; she believes AWC is waiting on materials.

156 Mr. Petrick stated he observed some green algae, mildew and mold on the wall on Jog  
157 Road; RBK Diversified normally cleans that for the CDD. Mr. King will follow up in this regard.

158 Mr. Petrick requested a proposal to fill the significant gaps in the small 3’ hedge line  
159 along Jog Road, on the Hamilton Bay side and on the Briar Bay side.

160 Ms. Sanchez stated she will inform District Management to send Accounts Payable (A/P)  
161 approvals to Mr. Joseph King, effective immediately.

162

163 **SEVENTH ORDER OF BUSINESS**

**Public Comments**

164

165 No members of the public spoke.

166

167 **EIGHTH ORDER OF BUSINESS**

**Adjournment**

168

169 **On MOTION by Mr. Cuningham and seconded by Ms. Senior, with all in favor,**  
170 **the meeting adjourned at 6:41 p.m.**

171  
172  
173  
174  
175  
176

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Secretary/Assistant Secretary

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Chair/Vice Chair

**HAMAL  
COMMUNITY DEVELOPMENT DISTRICT**

**STAFF  
REPORTS**

**HAMAL COMMUNITY DEVELOPMENT DISTRICT**

**BOARD OF SUPERVISORS FISCAL YEAR 2023/2024 MEETING SCHEDULE**

**LOCATION**

*Briar Bay Clubhouse, 3400 Celebration Blvd., West Palm Beach, Florida 33411*

<b>DATE</b>	<b>POTENTIAL DISCUSSION/FOCUS</b>	<b>TIME</b>
<b>November 13, 2023</b>	<b>Regular Meeting</b>	<b>6:00 PM</b>
<b>December 11, 2023 CANCELED</b>	<b>Regular Meeting</b>	<b>6:00 PM</b>
<b>January 15, 2024</b>	<b>Special Meeting</b>	<b>6:00 PM</b>
<b>February 12, 2024 CANCELED</b>	<b>Regular Meeting</b>	<b>6:00 PM</b>
<b>March 11, 2024 CANCELED</b>	<b>Regular Meeting</b>	<b>6:00 PM</b>
<b>April 8, 2024</b>	<b>Regular Meeting</b>	<b>6:00 PM</b>
<b>May 13, 2024</b>	<b>Regular Meeting</b>	<b>6:00 PM</b>
<b>July 8, 2024</b>	<b>Regular Meeting</b>	<b>6:00 PM</b>
<b>September 9, 2024</b>	<b>Public Hearing and Regular Meeting</b>	<b>6:00 PM</b>