

**MINUTES OF MEETING
HAMAL
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Hamal Community Development District held a Public Hearing and a Regular Meeting on Wednesday, November 7, 2018 at 8:30 a.m., at the Briar Bay Clubhouse, 3400 Celebration Blvd., West Palm Beach, Florida 33411.

Present and constituting a quorum were:

Brian Dowling	Chair
Steven Pincus	Vice Chair
Benjamin Cunningham	Assistant Secretary
Ione Senior	Assistant Secretary

Also present were:

Howard McGaffney	District Manager
Sarah Warren (via telephone)	District Counsel
Leo Giangrande (via telephone)	District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. McGaffney called the meeting to order at 8:33 a.m. Supervisors Dowling, Pincus, Cunningham and Senior were present, in person. Supervisor Petrick was not present.

SECOND ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

Public Hearing to Hear Public Comment and Objections to the Adoption of Rules and Rates Regarding the Installation of Irrigation Lines on District Property

A. Affidavits of Publication

Mr. McGaffney presented the affidavits of publication for today's public hearing.

B. Consideration of Resolution 2019-01, Adopting Rules and Rates Regarding Irrigation Line Installation; Providing a Severability Clause; and Providing an Effective Date

Ms. Warren stated that the Resolution is substantially in the same form as when previously presented, with the few updates discussed at the last meeting. Mr. McGaffney stated that the Board and Mr. Giangrande were instrumental in finalizing the Resolution and called attention to the \$500 licensing fee, on Page 3, Section 4.

On MOTION by Mr. Pincus and seconded by Mr. Cunningham, with all in favor, the Public Hearing was opened at 8:37 a.m.

No members of the public spoke.

Mr. McGaffney closed the Public Hearing at 8:37 a.m.

Mr. McGaffney presented Resolution 2019-01. A Board Member stated his understanding that there were no substantive changes other than the minor changes discussed at the previous meeting.

On MOTION by Mr. Dowling and seconded by Mr. Pincus, with all in favor, Resolution 2019-01, Adopting Rules and Rates Regarding Irrigation Line Installation; Providing a Severability Clause; and Providing an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Consideration of Allstate Resource Management, Inc., Stormwater System – Maintenance Proposal

Mr. McGaffney presented the Allstate Resource Management, Inc., (Allstate) Stormwater System – Maintenance Proposal. Mr. Dowling stated that, because the \$26,475 was initially a shock, he asked Mr. McGaffney to research the files to compare the stormwater maintenance bids from four or five years ago. It was noted that the cost was less, years ago because the District had fewer structures. He conferred with Mr. Giangrande, who agreed that the price was high but, after counting the number of structures, it was determined that the price per structure was very similar to the last time they were cleaned. In response to a Board Member’s question, Mr. Giangrande stated that he approved of the contractor’s approach, as it is very conservative; the scope was not excessive. Mr. Dowling stated, for the record, that the CDD has a Fair Share Agreement with Grassy Waters Elementary, Jeaga Middle School and Alto Lago and they will be billed directly. A Board Member asked about notice requirements for

billing the three entities. Mr. McGaffney stated that, in the past, they were notified. Once the proposal is approved, Management will obtain a date from Allstate and notify the schools. Regarding accessing the schools, Mr. Dowling stated that the school maintenance or facilities departments will give Allstate access to certain areas, if the inspection is on a Saturday; Allstate schedules work at the schools on Saturdays to avoid having heavy equipment on the premises while classes are in session, etc. Regarding the school system’s budgeting process and whether they anticipated being billed this year, Mr. McGaffney stated that, in the Agreements, the schools are responsible for a certain percentage of the cost, which always comes due at year’s end; the schools have never challenged it. In response to Ms. Senior’s question, Mr. Dowling stated that Mallory Square was the Developer and, because it encompasses all the areas that would feed into the stormwater drainage system, it encompasses everything; Bright Bay is referred to as Mallory Square on the proposal. Mr. McGaffney stated that, for Management’s purposes, he is most concerned about the proposal and invoice heading and that the description fits the scope of work. As Mr. Dowling pointed out, because of the Fair Share Agreement, the cost will not be 100 % absorbed by the District; it will be billed, after the fact. The entities will be billed and receive payment 30 to 45 days after the close of Fiscal Year 2018, on September 30, 2018, which will be posted back to the correct fiscal year; there is a 60-day window to accomplish that and, each year, the breakdown is reproduced on a spreadsheet and distributed to the Board by email or at a meeting. Discussion ensued regarding adding a 10% contingency to the \$26,475 proposal, in the event of an issue.

On MOTION by Mr. Cunningham and seconded by Ms. Senior, with all in favor, the Allstate Resource Management, Inc., Stormwater System – Maintenance Proposal, in a not-to-exceed amount of \$30,000, was approved.

FIFTH ORDER OF BUSINESS

Approval of Unaudited Financial Statements as of September 30, 2018

Mr. McGaffney presented the Unaudited Financial Statements as of September 30, 2018. Assessment revenue collections were at 101%.

On MOTION by Mr. Pincus and seconded by Ms. Senior, with all in favor, the Unaudited Financial Statements as of September 30, 2018, were approved.

SIXTH ORDER OF BUSINESS

Approval of September 5, 2018 Public Hearing and Regular Meeting Minutes

Mr. McGaffney presented the September 5, 2018 Public Hearing and Regular Meeting Minutes. The following change was made:

Line 48: Change "Mr. Petrick" to "Mr. Cunningham"

On MOTION by Mr. Cunningham and seconded by Mr. Pincus, with all in favor, the September 5, 2018 Public Hearing and Regular Meeting Minutes, as amended, were approved.

SEVENTH ORDER OF BUSINESS

Action Items

Mr. McGaffney explained the reasoning behind including Action Items, also known as business items, to the agenda and offered examples, such as authorizing the District Manager to circulate a Request for Proposals (RFPs) for landscaping or security, etc.

Mr. McGaffney shared that Supervisor Cunningham ran unopposed and will be sworn in at the next meeting and Seat 1, currently held by Supervisor Dowling, would be declared vacant, as no candidates qualified to run for that seat. He recommended adding a meeting on December 19, to swear in Supervisor Cunningham, declare Seat 1 vacant and potentially appoint a new Board Member to fill Seat 1.

On MOTION by Mr. Cunningham and seconded by Mr. Pincus, with all in favor, scheduling a Regular Meeting for Wednesday, December 19, 2018, at 8:30 a.m., was approved.

EIGHTH ORDER OF BUSINESS

Staff Reports

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

There being no report, the next item followed.

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

Mr. Dowling requested an update on the barrier wall. Mr. Giangrande stated that he contracted a structural engineer but the design work has not commenced yet. He will coordinate with the District Manager to obtain a retainer, so that the contractor can start the work, forward him the base file information on everything and provide an update at the

December meeting. In response to Mr. Dowling’s question, Mr. Giangrande stated that a building contractor has not been hired yet. As to cost, Mr. McGaffney stated that the wall will cost \$5,000; the individual who caused the accident is insured for \$10,000, so there should not be any out-of-pocket costs to the District for the wall repairs. The Board and Staff discussed the need for a structural engineer, plans, permits, footers, codes and liability. In response to Mr. Dowling’s question regarding a time frame, Mr. Giangrande did not have one but would obtain it and provide a written update to Mr. McGaffney for circulation to the Board.

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

i. NEXT MEETING DATE: March 13, 2019 at 8:30 A.M.

The next meeting will be held on December 19, 2018 at 8:30 a.m., and the subsequent meeting will be on March 13, 2019.

NINTH ORDER OF BUSINESS

Supervisors’ Requests

Mr. Dowling asked about the CDD website, in relation to the Americans with Disabilities Act (ADA) compliance matter. Mr. McGaffney stated that Management is still bringing Districts into compliance and, although the CDD’s website is in process, it is not yet 100% completed. Mr. Dowling requested that the website be prioritized, as an Action Item, and be brought into compliance immediately. Mr. McGaffney would provide an update at the next meeting.

TENTH ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

ELEVENTH ORDER OF BUSINESS

Adjournment

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

On MOTION by Mr. Dowling and seconded by Mr. Cunningham, with all in favor, the meeting adjourned at 9:11 a.m.



Secretary/Assistant Secretary



Chair/Vice Chair