

**MINUTES OF MEETING
HAMAL
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Hamal Community Development District held a Regular Meeting on Wednesday, December 19, 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:

Steven Pincus	Vice Chair
Ione Senior	Assistant Secretary
Joe Petrick	Assistant Secretary
Benjamin Cunningham	Assistant Secretary

Also present were:

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

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. McGaffney called the meeting to order at 8:33 a.m. Roll Call occurred following the Fourth Order of Business.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

**Adminster Oath of Office to Newly Elected Supervisor, Benjamin Cuningham [SEAT 2]
*(the following to be distributed in a separate package)***

Mr. McGaffney, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Benjamin Cuningham. Mr. McGaffney provided and he and Ms. Warren briefly explained the following items.

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**

C. Financial Disclosure Forms

- i. **Form 1: Statement of Financial Interests**
- ii. **Form 1X: Amendment to Form 1, Statement of Financial Interests**
- iii. **Form 1F: Final Statement of Financial Interests**

D. Form 8B – Memorandum of Voting Conflict

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2019-02, Declaring a Vacancy in Seat 1 of the Board of Supervisors Pursuant to Section 190.006(3)(b), Florida Statutes; and Providing an Effective Date

Mr. McGaffney presented Resolution 2019-02. This was necessary because no one qualified to run for the Seat.

On MOTION by Mr. Pincus and seconded by Ms. Senior, with all in favor, Resolution 2019-02, Declaring a Vacancy in Seat 1 of the Board of Supervisors Pursuant to Section 190.006(3)(b), Florida Statutes; and Providing an Effective Date, was adopted.

▪ **Roll/Call**

This item, previously part of the First Order of Business, was presented out of order.

Supervisors, Petrick, Senior, Pincus and Cunningham were present, in person. One seat was vacant.

FIFTH ORDER OF BUSINESS

Consider Appointment of Qualified Elector to Fill Vacant Seat

Mr. McGaffney asked Mr. Dowling if he wanted to petition the Board before they considered filling Seat 1. Mr. Dowling had no comments at this time.

In response to the question of why he did not run for Seat 1, Mr. Dowling stated that he chose not to run. In his opinion, no one ever runs for a seat so it would be a waste of money to pay the filing fee. Mr. Dowling made hearsay allegations against the Board Members and stated he would decline any appointment to the Board. Mr. Petrick asked if speaking with Mr. Dowling, outside of a meeting, would be a Sunshine Law violation, since he is no longer a Board

Member. Mr. McGaffney stated that speaking to Mr. Dowling for the purpose of him being a conduit between Board Members would constitute a Sunshine Law violation. Ms. Warren stated that speaking to Mr. Dowling about other matters would not be a violation; however, if Mr. Dowling was considering changing his mind about being appointed to the Board, she would caution against having discussions with him, outside of an advertised Board Meeting.

Mr. Dowling reiterated rumors but acknowledged that they were only hearsay and that he had no personal knowledge of any of his accusations.

Ms. Warren stated she could discuss this situation with each Board Member individually and with Mr. Dowling at a later time.

The Board consensus was to defer appointment of a new Board Member to the next meeting and to post the vacancy on the District website.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2019-03,
Electing the Officers of the Hamal
Community Development District, Palm
Beach County, Florida; and Providing for an
Effective Date**

Mr. McGaffney presented Resolution 2019-03. Mr. Petrick nominated Mr. Pincus for Chair. Ms. Senior nominated Mr. Petrick for Chair. Mr. Petrick declined the nomination for Chair. No other nominations were made for Chair. Mr. Pincus nominated Mr. Petrick for Vice Chair. No other nominations were made for Vice Chair. The following slate of officers was nominated and stated:

- | | |
|---------------------|--------------------|
| Chair | Steven Pincus |
| Vice Chair | Joseph Petrick |
| Secretary | Craig Wrathell |
| Treasurer | Craig Wrathell |
| Assistant Secretary | Ione Senior |
| Assistant Secretary | Benjamin Cuningham |
| Assistant Secretary | Vacant |
| Assistant Secretary | Howard McGaffney |
| Assistant Treasurer | Jeff Pinder |

On MOTION by Mr. Cuningham and seconded by Mr. Petrick, with all in favor, Resolution 2019-03, Electing the Officers of the Hamal Community Development District, Palm Beach County, Florida; and Providing for an Effective Date, as nominated, was adopted.

SEVENTH ORDER OF BUSINESS

Update: Barrier Wall Repair and Insurance Claim

Mr. Giangrande stated he would obtain a proposal from PRECAST Wall Systems, Inc. Few contractors want to bid on a project this small. Discussion ensued regarding the estimated cost for the repair; he would contact the Insurance Adjuster for a list of approved contractors.

EIGHTH ORDER OF BUSINESS

Update: Website’s ADA Compliance

Mr. McGaffney stated this was completed and should be removed from future agendas.

NINTH ORDER OF BUSINESS

Approval of Unaudited Financial Statements as of October 31, 2018

Mr. McGaffney presented the Unaudited Financial Statements as of October 31, 2018.

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

TENTH ORDER OF BUSINESS

Approval of November 7, 2018 Public Hearing and Regular Meeting Minutes

Mr. McGaffney presented the November 7, 2018 Public Hearing and Regular Meeting Minutes.

On MOTION by Ms. Senior and seconded by Mr. Cunningham, with all in favor, the November 7, 2018 Public Hearing and Regular Meeting Minutes, as presented, were approved.

ELEVENTH ORDER OF BUSINESS

Action Items

Mr. McGaffney stated this is a generic item added to the agenda; there were no current Action Items that were not already part of the agenda.

Discussion ensued regarding transitioning field operations matters that Mr. Dowling previously handled. Mr. McGaffney would coordinate the transition.

TWELFTH ORDER OF BUSINESS

Staff Reports

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

Regarding the purchasing resolution previously adopted, Ms. Warren reported the following spending limits that the District Manager or Chair can approve, outside a meeting:

- Routine operation and maintenance (O&M) costs: Up to \$10,000. Those must be subsequently ratified by the Board.
- Emergency repairs or costs: Up to \$25,000.

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

There being nothing additional to report, the next item followed.

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

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

THIRTEENTH ORDER OF BUSINESS

Supervisors' Requests

Ms. Senior stated, for the record, that she had no outside discussions with Mr. Petrick or Mr. Cunningham.

Mr. Petrick stated that fence repairs will occur next week.

FOURTEENTH ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

FIFTEENTH ORDER OF BUSINESS

Adjournment

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

On MOTION by Mr. Petrick and seconded by Ms. Senior, with all in favor, the meeting adjourned at 9:20 a.m.



Secretary/Assistant Secretary



Chair/Vice Chair