

**MINUTES OF MEETING  
HAMAL  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Hamal Community Development District held a Regular Meeting on May 10, 2021 at 6:00 P.M., at the Briar Bay Clubhouse, 3400 Celebration Blvd., West Palm Beach, Florida 33411.

**Present were:**

Joseph Petrick	Chair
Steven Pincus	Vice Chair
Ione Senior	Assistant Secretary
Benjamin Cuningham	Assistant Secretary
Marc DePaul	Assistant Secretary

**Also present were:**

Cindy Cerbone	District Manager
Jamie Sanchez	Wrathell, Hunt and Associates, LLC
Sarah Warren (via telephone)	District Counsel
Leo Giangrande (via telephone)	District Engineer
Wesley Finch	Operations Manager, Kings Association Management, Inc. (KAM)
Sara Zare	MBS Capital Markets, LLC
Tabatha McDonald	Resident
Elvis Espinal	Resident
Eduardo Rodriguez	Resident
Danielle Hanson	Resident
Pierre Mackenzy	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Petrick called the meeting to order at 6:05 p.m. Supervisors Cuningham, DePaul, Senior and Petrick were present, in person. Supervisor Pincus was not present at roll call.

**SECOND ORDER OF BUSINESS**

**Public Comments**

Ms. Cerbone stated that those wishing to speak have an opportunity to speak during public comments at the beginning and end of the meeting and noted that the Board and Staff are not required to provide responses during the meeting.

Resident Tabatha McDonald asked if persons were able to speak during a specific agenda item. Ms. Cerbone replied no, only during the public comments sections of the agenda. Ms. McDonald stated she would make her comments at the end of the meeting.

Resident Elvis Espinal asked if expenses would be charged to both the Cove and Briar Bay communities or if this just affects the Master Association. Mr. Petrick clarified that the meeting was not a Homeowner’s Association meeting; rather, it was a Hamal Community Development District meeting and that his question might be answered later in the meeting.

**THIRD ORDER OF BUSINESS**

**Consideration of Replacing Howard McGaffney with Cindy Cerbone as Assistant Secretary**

Ms. Cerbone stated a motion to designate herself as a CDD Assistant Secretary and remove Mr. Howard McGaffney was in order; a Resolution was not necessary as the slate of voting officers would not be changed.

**On MOTION by Mr. Cunningham and seconded by Mr. DePaul, with all in favor, the removal of Howard McGaffney as District Manager and Assistant Secretary and appointment of Cindy Cerbone as District Manager and Assistant Secretary was approved.**

**Mr. Pincus arrived at the meeting at 6:09 p.m.**

- **Consideration of MBS Capital Markets, LLC Agreement for Underwriting Services**  
**This item, previously the Ninth Order of Business, was presented out of order.**

Ms. Zare presented the MBS Capital Markets, LLC (MBS) Agreement and noted the District will not incur fees unless a transaction closes. Ms. Cerbone discussed the events that occurred leading to the addition of this item to the agenda; the initial Bond Underwriter determined that refinancing the Series 2017 bonds could provide savings to the District.

Ms. Zare responded to questions regarding the process and stated that the primary purpose of refunding is to reduce high interest rates to realize savings. She referred to the Disclosure specifying that MBS would serve as the Underwriter and not as a financial advisor. It was noted that Ms. Warren reviewed the Agreement and found that it was fine to proceed.

**On MOTION by Ms. Senior and seconded by Mr. Pincus, with all in favor, the MBS Capital Markets, LLC Agreement for Underwriting Services, was approved.**

#### **FOURTH ORDER OF BUSINESS**

#### **Discussion: Potential Refunding of Series 2017 Bonds**

Ms. Zare distributed information related to the Series 2017 bonds and noted that the funds were used to refund the Series 2006A bonds. The Series 2017 outstanding balance was \$6,560,000, maturing May 1, 2031, and that it carried an interest rate of 3.3% and had a May 2020 call date. She reviewed the Funding Analysis Report, which was comprised of the potential 2% interest rate and cost savings to the District that would result in a net annual debt service assessment reduction of \$63,447 or a reduction of about 8.2% in the net annual debt service assessments, which equates to about \$48 per unit annually. This amount would vary based off the Assessment Methodology Report. The maturity date would remain on May 1, 2031 and it would not have a call date. She responded to questions regarding costs of issuance, call date, and AAA rated banks driving the interest costs savings compared to the bond public offering route and the two-month closing timeline.

Ms. Zare discussed the process, if the Board pursues the refinancing and noted the District is not incurring any costs for MBS to obtain rate information. A draft of the costs of issuance, which would be paid out of the bond proceeds, would be presented at the next meeting.

**On MOTION by Mr. Pincus and seconded by Mr. Cunningham, with all in favor, authorizing MBS Capital Markets, LLC to pursue pertinent information related to refinancing the Series 2017 bonds, was approved.**

**FIFTH ORDER OF BUSINESS**

**Discussion: Jog Road Medium  
Maintenance/Necessity of a Boundary  
Survey**

Mr. Petrick recapped recent events related to deciding whether to enter into an Interlocal Agreement with the County or take ownership of the mediums on Jog Road and asking the County to repair the recent irrigation break.

Mr. Giangrande stated a representative from his office put in a complaint to the County, as the process changed to submit repair requests. He would forward the correspondence to Mr. Petrick. He was not sure if it was directed to the Public Works or the Highway Bridge and Maintenance Department; however, he discussed the matter with both representatives and would follow up with the contact, as they have not received a response.

Ms. Cerbone referred to the email sent to EMG-ActionCenter@PalmBeachCounty.gov.

Mr. Giangrande stated he did not believe a survey was necessary as long as the repairs are made and the problem, which is in the right-of-way (ROW) is resolved.

Ms. Warren noted the last negotiations with the County, were in 2012 and the District decided, at that time, that the terms were not acceptable to proceed with executing the Interlocal Agreement. She stated the District should try not to confuse the two issues, as it would unnecessarily delay the irrigation repairs that are needed now; the Maintenance Agreement could be discussed at another time.

The Board decided not to proceed with a survey and to wait for the County to repair the irrigation line before discussing the topic of repairing the damage in the ROW with the County.

Ms. Warren stated she may have located plats during her research and Ms. Cerbone would research files, as Mr. Pincus recalled seeing documents older than 2006, from the prior management company, related to plats of all boundaries within the District, at the time immediately after turnover from Developer control to private control. Mr. Giangrande stated he would send the plat information, as it included verbiage about restrictions and legal language. A survey to locate the ROW lines would be necessary, as that information was not included in the plats. The item would remain on the agenda.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2021-02, Amending and Restating Resolution 2018-02; Authorizing the Disbursement of Funds of the District Without Prior Approval of the District’s Board of Supervisors; Setting Certain Monetary Thresholds; and Providing for Severability and an Effective Date**

Ms. Cerbone presented Resolution 2021-02. The purpose of the amendment to the Resolution was to separate the Operations Manager into a subparagraph, with an expenditure threshold of \$2,000 for routine maintenance projects outside of District meetings. Discussion ensued regarding scenarios of when this would be used. A Board Member asked Staff to provide redlined versions when presenting changes to a document.

**On MOTION by Mr. Pincus and seconded by Mr. DePaul, with all in favor, Resolution 2021-02, Amending and Restating Resolution 2018-02; Authorizing the Disbursement of Funds of the District Without Prior Approval of the District’s Board of Supervisors; Setting Certain Monetary Thresholds, as Amended, to separate the Operations Manager into a separate subparagraph under Section 2, with an spending threshold of \$2,000; and Providing for Severability and an Effective Date, was adopted.**

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2021-03, Approving a Proposed Budget for Fiscal Year 2021/2022 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date**

Ms. Cerbone reviewed the proposed Fiscal Year 2022 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal Year 2021 budget. In response to a question about the new “wall repair” line item, Mr. Finch stated that most of the repairs are in the mid-section of the wall; the primary damage is where the caps between the sections are being done. The Board discussed the proposed Fiscal Year 2022 budget, painting the wall

instead of pressure washing, other wall repairs, reserve funds, concerns about assessments increasing, using unassigned balance to offset an assessment increase, age of the community, allowing sufficient time to review the budget and not pressure washing the sidewalks until the County issues are resolved.

Ms. Cerbone noted that, if the Board proceeds and the bond refinancing goes through prior to September, the savings could be applied to offset assessments or remove the capital outlay line item. She recommended setting expenditures higher, as they can always be changed; the deadline to finalize assessments would be September 15, 2021.

The following change would be made to the Fiscal Year 2022 proposed budget:

Page 1, "Professional & administrative": Insert "Reserve study" line item for "\$6,000"

Page 2, "Field Operations": Change "Wall repair" to "Wall maintenance"

Accounting would be advised to correct the Unaudited Financial Statements, "Tax collector Projected Through 09/30/2021" (\$4,541) credit line item to zero, which would ultimately affect the "Unassigned" fund portion of the proposed Fiscal Year 2022 budget.

Ms. Cerbone presented Resolution 2021-03.

**On MOTION by Mr. Cuningham and seconded by Ms. Senior, with all in favor, Resolution 2021-03, Approving a Proposed Budget for Fiscal Year 2021/2022, as amended, and Setting a Public Hearing Thereon Pursuant to Florida Law for September 13, 2021 at 6:00 p.m., at the Briar Bay Clubhouse, 3400 Celebration Blvd., West Palm Beach, Florida 33411; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.**

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2021-04, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date**

Ms. Cerbone presented Resolution 2021-04. The following change was made to the Fiscal Year 2022 Meeting Schedule:

DATE: Change "February 14, 2022" to "February 7, 2022"

**On MOTION by Mr. Pincus and seconded by Mr. Cuningham, with all in favor, Resolution 2021-04, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022, as amended, and Providing for an Effective Date, was adopted.**

**NINTH ORDER OF BUSINESS**

**Consideration of MBS Capital Markets, LLC Agreement for Underwriting Services**

This item was presented following the Third Order of Business.

**TENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of March 31, 2021**

Ms. Cerbone presented the Unaudited Financial Statements as of March 31, 2021.

**On MOTION by Mr. Cuningham and seconded by Mr. Pincus, with all in favor, the Unaudited Financial Statements as of March 31, 2021, were accepted.**

**ELEVENTH ORDER OF BUSINESS**

**Approval of February 8, 2021 Regular Meeting Minutes**

Ms. Cerbone presented the February 8, 2021 Regular Meeting Minutes. The following changes were made:

Line 135: Delete sentence

Line 26: Change "Resident" to "Kings Association Management, Inc."

Line 92: Change "Cunningham" to Cuningham"

Line 176: Delete sentence

**On MOTION by Ms. Senior and seconded by Mr. Cuningham, with all in favor, the February 8, 2021 Regular Meeting Minutes, as amended, were approved.**

**TWELFTH ORDER OF BUSINESS****Staff Reports****A. District Counsel: *Hopping Green & Sams, P.A.***

There be nothing to report, the next item followed.

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

Regarding the status of the order for additional “alligator” signs, Mr. Finch stated that the corrected signs were received last week and would be installed tomorrow. Discussion ensued regarding over ordering lake usage signs and posts to install around the retention areas, which resulted in the District having surplus inventory to use as needed.

Ms. Senior stated she informed Mr. Finch that the recently planted “blue” flowers at the Briar Bay side were dead and needed to be replaced. Mr. Finch stated he would meet with Joe and Gary this week to determine why the flowers died. Ms. Senior believed they should be able to get a replacement from the nursery.

**C. District Manager: *Wrathell, Hunt and Associates, LLC*****I. 2,525 Registered Voters in District as of April 15, 2021**

There were 2,525 registered voters residing within the District as of April 15, 2021.

**II. NEXT MEETING DATE: July 19, 2021 at 6:00 P.M.**

- **QUORUM CHECK**

The next meeting would be held on July 19, 2021 at 6:00 p.m.

**THIRTEENTH ORDER OF BUSINESS****Supervisors’ Requests**

There being no Supervisors’ requests, the next item followed.

**FOURTEENTH ORDER OF BUSINESS****Public Comments**

Resident Elvis Espinal asked several questions and requested access to the agenda package in advance of the meetings; he submitted written questions. Mr. Petrick addressed several of the questions, as follows:

- Access to Agenda Packages: Agendas are posted on the CDD website seven days prior to the meeting.

- The Cove Assessments: Assessments for The Cove will be determined at the next meeting.
- Location of the Formula to Calculate the Percentage of the Assessment Increase: Ms. Cerbone referred to Page 9 of the proposed Fiscal Year 2022 budget
- How Assessments for Each Neighborhood are Determined: The Assessment Methodology Report would be emailed to Mr. Espinal.
- Bond Refinancing: Further information would be available at the next meeting.

Resident Tabatha McDonald thanked the Board for their service. She asked the Board to consider using fund balance instead of increasing assessments. She asked them to evaluate the proposed Fiscal Year 2022 budget to determine if there are other ways to save money and to review the cost of refinancing the bonds versus the savings to ensure how much the CDD would actually save.

Ms. McDonald asked when the County would take over maintenance of Jog Road, once the bonds are paid, and what responsibilities the County and City have regarding Jog Road, as traffic has increased since the Roebuck Road extension was completed and is being used a lot more.

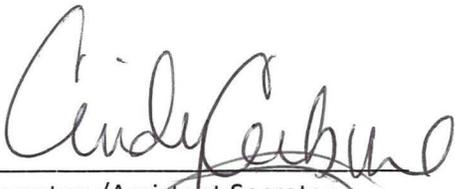
**FIFTEENTH ORDER OF BUSINESS**

**Adjournment**

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

<p><b>On MOTION by Mr. Cuningham and seconded by Ms. Senior, with all in favor, the meeting adjourned at 8:17 p.m.</b></p>
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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair