

**MINUTES OF MEETING
HAMAL
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Hamal Community Development District held a Special Meeting on June 30, 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 (via telephone)	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
Alyssa Willson (via telephone)	District Counsel
Leo Giangrande (via telephone)	District Engineer
Wesley Finch	Kings Association Management, Inc.
Sara Zare	MBS Capital Markets, LLC
Misty Taylor (via telephone)	Bond Counsel, Bryant Miller Olive P.A.
Cheryl Model	Resident
Peterson Norvil Arrive	Resident
Lisa Fearon	Resident
Andrea Rosenfeld	Resident
Grethel Bot Martinez	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Petrick called the meeting to order at 6:04 p.m. Supervisors DePaul, Cuningham, Senior and Petrick were present. Supervisor Pincus was attending via telephone.

Ms. Cerbone recognized Ms. Zare, Ms. Taylor and District Staff in attendance. She explained the public comments process and noted that the Board and Staff are not required to respond to any questions or comments during the meeting.

SECOND ORDER OF BUSINESS**Public Comments**

Resident Cheryl Model asked if the CDD uses Roundup® weed killer and, with regard to the CDD budget, she asked where the money is being spent. Mr. Petrick stated that the proposed Fiscal Year 2022 budget was discussed over the course of several meetings and, due to time constraints, he encouraged Ms. Model to attend the Public Hearing in September, when the Fiscal Year 2022 budget would be adopted. Ms. Model was directed to view the CDD website, where the budgets, with descriptions of the expenditures, as well as other District related documents are posted.

In response to Ms. Model's concerns about Roundup®, Mr. Finch would notify Ms. Cerbone about whether the CDD Landscaper uses it, so she can notify Ms. Model.

An unidentified speaker stated she was in attendance to observe the Board and Staff, due to several questionable encounters she had with prior HOA Board Members. Mr. Petrick welcomed her to the meeting and explained that governmental meetings run differently than HOA meetings.

THIRD ORDER OF BUSINESS**Presentation: Refunding Summary**

Ms. Zare discussed the Series 2017 bonds and noted that they are currently callable. She noted that interest rates are low and presented the Refunding Summary, which compared the refinancing terms from the respondent's listed below, in response to her request for credit consideration on behalf of the District.

- **Consideration of Term Sheets for Refunding**
 - **Bank United, N.A.**
 - **Hancock Whitney Bank**
 - **SouthState Bank**

The Board discussed the terms from each respondent, benefit of refinancing now with low interest rates and each bank's credit rating. The debt services assessment would decrease by approximately \$50. Staff was directed to proceed with entering into an agreement with SouthState Bank. Ms. Cerbone asked for confirmation that the par value of the bonds was not increasing. Ms Zare replied affirmatively; the amount was about \$100,000 less because it

generates efficiency because the CDD is not required to have a reserve; it is a benefit to refinance. She asked for the District to structure the timeline around SouthState Bank’s date to hold the interest rate and close on August 16, 2021. It might be necessary to schedule an additional meeting.

Ms. Cerbone noted an error in the Bond Counsel Agreement and stated that she received confirmation from District and Bond Counsel that the Chair can execute the Agreement with a strikethrough correcting the CDD’s name on the signature page.

Ms. Taylor presented the Bond Counsel Agreement. Ms. Willson recommended executing the Agreement. Ms. Taylor clarified verbiage and flat fee and not-to-exceed amounts and noted it is possible but not probable that the fee for services will be less than \$35,000.

On MOTION by Mr. Cuningham and seconded by Ms. Senior, with all in favor, authorizing all parties to proceed with the bond refinancing, with SouthState Bank, and engage Bryant Miller Olive, P.A., for Bond Counsel services, was approved.

Discussion ensued regarding scheduling the pre-closing and an additional meeting prior to the bond closing and establishing a quorum as some Supervisors would attend via telephone.

On MOTION by Mr. Pincus and seconded by Mr. DePaul, with all in favor, scheduling an additional meeting on August 4, 2021 at 6:00 p.m., at the Briar Bay Clubhouse, 3400 Celebration Blvd., West Palm Beach, Florida 33411, was approved.

Management would email the executed Bond Counsel Agreement to Ms. Taylor and the SouthState Bank executed Term Sheet to Ms. Zare tomorrow.

Mr. Pincus arrived at the meeting at 6:27 p.m.

FOURTH ORDER OF BUSINESS

Consideration of No Trespassing Signage

Mr. Petrick noted access points at the pump house, Liberty Bay and The Tides, where vandalism occurred. Mr. Finch noted that residents contacted the police on one occasion and

recommended installing trespassing signs. Sign samples and the West Palm Beach Police Department Trespassing Enforcement Affidavit were included in the agenda package. Discussion ensued regarding installing plantings and signs, whether signage is needed in other areas, ordering 10 signs to have surplus on hand and designating the sign locations.

Ms. Willson confirmed that the Trespassing Enforcement Affidavit is a standard form and recommended authorizing the Operations Manager to act as the point of contact.

On MOTION by Mr. DePaul and seconded by Mr. Cuningham, with all in favor, authorizing Staff to purchase No Trespassing signage and appointing the Operations Manager as the authorized individual to complete and execute the Trespassing Enforcement Affidavits, was approved.

FIFTH ORDER OF BUSINESS

Presentation of Audited Financial Report for the Fiscal Year Ending September 30, 2020, Prepared by Grau & Associates

Ms. Cerbone presented the Audited Financial Report for the Fiscal Year Ending September 30, 2020 and described the information found on each page. The audit was consistent with past audits. This was a clean, unqualified audit; there were no findings, irregularities or instances of noncompliance.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2021-05, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2020

Ms. Cerbone presented Resolution 2021-05.

On MOTION by Ms. Senior and seconded by Mr. DePaul, with all in favor, Resolution 2021-05, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2020, was adopted.

SEVENTH 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***▪ Status of Jog Road Median Maintenance**

This item, previously Item 7CI, was presented out of order.

Mr. Giangrande reported that, in the follow up with the County Representative regarding what entity has responsibility for Jog Road, it was determined that there is a historical agreement with D.R. Horton and the County for the CDD to maintain the irrigation in the right-of-way (ROW); however, neither party could locate the documents or permit. The CDD is responsible for the costs to repair irrigation and, if the repairs proceed, no modifications to the existing permit are required. He suggested Mr. Finch obtain proposals because the project is small so he could not recommend a contractor.

District Counsel was asked to send a public records request to the County for any and all documents between Hamal CDD, the County, D.R. Horton and Sail Harbour, with a specific deadline to respond, and incorporate specific verbiage that Ms. Sanchez would provide to Ms. Willson and Ms. Warren.

Discussion ensued regarding notifying the County that the CDD is not assuming the obligation to repair and maintain the roadway, if the irrigation project proceeds. Mr. Giangrande noted that the Developer installed a District-owned asset into the ROW and the permit allows the CDD to maintain and repair the irrigation, which only requires a maintenance of traffic (MOT) permit. He preferred addressing repairs via trench instead of by directional drilling; however, any repairs should be based on the contractor's suggestion.

The repair project was tabled until receipt of the public records request documents. This matter will be included on the next agenda.

Mr. Giangrande asked about the status of the pump software requested. Ms. Cerbone stated the information was emailed to him.

C. District Manager: *Wrathell, Hunt and Associates, LLC***I. Status of Jog Road Median Maintenance**

This item was presented during Item 7B.

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

• QUORUM CHECK

The July 19, 2021 meeting was cancelled. All Supervisors confirmed their attendance at the August 4, 2021 meeting.

EIGHTH ORDER OF BUSINESS

Supervisors' Requests

A Board Member requested an update in repairing the sporadic or decayed landscaping in areas near Job Road, inside the fence between the lake. Additional work was needed; a proposal from Gary to improve the islands would be obtained.

Ms. Senior asked if the fence repairs were completed. Mr. Finch stated that all chain-link fence repairs were completed, with the exception of Jog Road. Ms. Sanchez would research the status of the contractor deposit.

A Board Member asked if the Board wanted to extend the chain-link fence into the lake to prohibit accessibility. Mr. Finch was asked to obtain a recommendation and the cost to extend the fence.

NINTH ORDER OF BUSINESS

Public Comments

There were no public comments.

TENTH ORDER OF BUSINESS

Adjournment

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

On MOTION by Mr. Cuningham and seconded by Mr. DePaul, with all in favor, the meeting adjourned at 7:32 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair