

**MINUTES OF MEETING  
HAMAL  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Hamal Community Development District held a Regular Meeting July 8, 2024 at 6:00 p.m., at the Briar Bay Clubhouse, 3400 Celebration Blvd., West Palm Beach, Florida 33411.

**Present were:**

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

**Also present:**

Jamie Sanchez	District Manager
Michelle Rigoni (via telephone)	District Counsel
Al Caruso	District Engineer
Joseph King	Operations Manager/Landscape Supervisor
Ben Steets (via telephone)	Grau & Associates
Pamela Atkinson	Resident
Bensy Sanon	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Petrick called the meeting to order at 6:01 p.m. Supervisors DePaul, Cuningham, Senior and Petrick 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 Resolution 2024-05, Amending Resolution 2024-03 to Re-Set the Date and Time of the Public Hearing on the Proposed Budget for Fiscal Year**

**2024/2025; Providing for Severability; and Providing an Effective Date**

This item was presented following the Sixth Order of Business.

**FIFTH ORDER OF BUSINESS**

**Presentation of Audited Financial Report for the Fiscal Year Ending September 30, 2023, Prepared by Grau & Associates**

Mr. Steets noted the pertinent information in the Audited Annual Financial Report for the Fiscal Year Ending September 30, 2023. It was a clean audit; there were no findings, recommendations, deficiencies on internal control or instances of noncompliance.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-06, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2023**

**On MOTION by Mr. Cuningham and seconded by Ms. Senior, with all in favor, Resolution 2024-06, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2023, was adopted.**

- **Consideration of Resolution 2024-05, Amending Resolution 2024-03 to Re-Set the Date and Time of the Public Hearing on the Proposed Budget for Fiscal Year 2024/2025; Providing for Severability; and Providing an Effective Date**

**This item, previously the Fourth Order of Business, was presented out of order.**

Ms. Sanchez stated that, to comply with County statutes to place assessments on the County tax bill, it is necessary to reset the September 9, 2024 Public Hearing date. Ms. Rigoni discussed the importance of advertising the correct meeting date and time, establishing a quorum and District Management’s ability to meet the September 15, 2024 deadline to submit the tax rolls to the County.

The following change was made to Resolution 2024-05.

1<sup>st</sup> Whereas Clause: Change “September 9, 2024” to “September 12, 2024”

2<sup>nd</sup> Whereas Clause and throughout: Change “September 15, 2024” to “September 12, 2024”

**On MOTION by Mr. DePaul and seconded by Mr. Cuningham, with all in favor, Resolution 2024-05, as amended, Amending Resolution 2024-03 to Re-Set the Date and Time of the Public Hearing to September 12, 2024 at 6:00 p.m., at the Briar Bay Clubhouse, 3400 Celebration Blvd., West Palm Beach, Florida 33411 on the Proposed Budget for Fiscal Year 2024/2025; Providing for Severability; and Providing an Effective Date, was adopted.**

**SEVENTH ORDER OF BUSINESS**

**Discussion: Security Camera**

Mr. DePaul will email Ms. Sanchez the company’s contact information to obtain a proposal for the next meeting.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Lighting by Design 2024 Holiday Lighting Proposal**

Ms. Sanchez presented Lighting by Design Estimate #3824-TT with multi-year term options for the 2024 Holiday Lighting program. Ms. Rigoni reviewed the contract, which includes liquidated damages provisions in the multi-year contract and indemnification of the contractor, and she recommends adding a short form addendum to the contract.

Discussion ensued regarding the vendor correcting the CDD Management Company’s contact information, submitting a 50% deposit with a signed contract and a turn off date range of January 6, 2025 to January 20, 2025.

**On MOTION by Mr. Cuningham and seconded by Ms. Senior, with all in favor, Lighting by Design Estimate #3824-TT for 2024 Holiday Lighting, the Option B 3-Year contract, in the amount of \$5,687 per year, subject to adding Ms. Rigoni’s short form addendum to the contract, was approved.**

**NINTH ORDER OF BUSINESS**

**Consideration of Time Reserve Study Proposal**

Ms. Sanchez recalled the decision to defer this until Mr. DePaul is present and because the project would not start until Fiscal Year 2025. She stated that she has worked with both vendors and does not recommend one over the other. She noted the following:

- A. Dreux Isaac & Associates, Inc.**  
Proposal total is \$19,600.

**B. Reserve Advisors**

Proposal total is \$9,850.

Discussion ensued regarding the option to perform future reserve studies with or without a site visit, similar project scopes, determining why costs varied and having subsequent Reserve Studies performed every five years.

Ms. Sanchez recommended awarding the contract to the lowest bidder.

**On MOTION by Mr. DePaul and seconded by Ms. Senior, with all in favor, the Reserve Advisors Proposal for Time Reserve Study Level 1, in the amount of \$9,850, with Ms. Rigoni drafting a form of Agreement, was approved.**

**TENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of May 31, 2024**

Mr. Cunningham asked if the current month figure in the “Interest 5/1” budget line item on Page 4 is correct, causing it to exceed the budget. Ms. Senior asked why the “Repair/maintenance: pump station” and “lake maintenance” budget line items on Pages 2 and 3 exceeded budget. Ms. Sanchez will check with the Accounting Department and email the answers to the Board.

**On MOTION by Mr. DePaul and seconded by Mr. Cuningham, with all in favor, the Unaudited Financial Statements as of May 31, 2024, were accepted.**

**ELEVENTH ORDER OF BUSINESS**

**Approval of May 13, 2024 Regular Meeting Minutes**

Ms. Rigoni stated Lines 180 and 181 are not clear; she asked approval of the minutes in substantial form and stated that she will provide clarifying language after the meeting.

**On MOTION by Mr. Cuningham and seconded by Ms. Senior, with all in favor, the May 13, 2024 Regular Meeting Minutes, in substantial form to be amended to update Lines 180 and 181, were approved.**

**TWELFTH ORDER OF BUSINESS**

**Discussion: Onsite Property Services Review**

Ms. Sanchez distributed a package containing documents from Mr. King in response to District Counsel's demand letter and District Counsel's email response to Mr. Cunningham asking District Staffs' opinion as to what items are missing or if what Mr. King provided is sufficient, which were also emailed to the Board.

Asked to read District Staff's responses to Mr. Cunningham's email into the record, Ms. Sanchez stated that she did not have a copy of her response with her. In its place, she noted that Mr. Cunningham sent an email to District Staff asking if they believe what Joseph King has provided to the District is sufficient based on what was asked. Ms. Sanchez's response was that there appears to be some items missing based on what was requested and that, ultimately, it is the Board's decision to decide if it would like to accept what Joseph King has provided.

Ms. Sanchez read Ms. Rigoni's email response to Mr. Cunningham's email as follows:

"Ben, In my review, we are still missing the pest control license out of the requested documents. Jamie, I believe pest control pesticide application is part of landscaping scope, please confirm. List of CAM license provided are for Edwin B. King and Rachel Dawn King and, based on my review of the insurance certificate presented, it does not meet the minimal requirements and does not list the District, its Supervisors, Officers and Professional Staff as additional insured per the contract provisions."

Ms. Sanchez confirmed that the pest control pesticide application is part of the landscaping scope.

Ms. Rigoni stated that her review was based on what was provided via email in response to the demand letter; she did not have a copy of what Mr. King presented during the meeting.

Mr. Petrick voiced his opinion that it appears the City and County licenses were obtained after the meeting and they do not appear to be renewals.

Board Members conveyed opposing opinions regarding King's Management, one being happy with King's Management's performance. Another wants to replace King's Management as Operations Manager, due to ongoing license and insurance issues, and suggested obtaining proposals for a licensed CAM Operations Manager. The Board Member recalled prior discussions about bifurcating vendors for Operations Manager and Landscaping services and suggested scheduling a Special Meeting in August to review proposals for Operations Manager.

Mr. Petrick offered to serve as Operations Manager for a few weeks until the CDD engages a new company.

Ms. Sanchez stated that, with the 30-day termination notice, services would end on August 7, 2024. As soon as she receives proposals, she will notify the Board to determine when to schedule a Special Meeting.

Mr. Cuningham was not in favor of terminating King’s Management until Staff obtains proposals.

**On MOTION by Mr. Petrick and seconded by Mr. DePaul, with Mr. Petrick, Mr. DePaul and Ms. Senior in favor and Mr. Cuningham dissenting, authorizing Staff to obtain proposals for on-site property management services, with the intent to replace King’s Management for Field Operations Management within the 30-day Termination Notice, was approved. [Motion passed 3-1]**

**THIRTEENTH ORDER OF BUSINESS**

**Staff Reports**

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

There was no report.

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

Mr. Caruso stated that the pump station software is working and he is very happy with the vendor sorting out the connection issue.

Mr. Cuningham provided the following updates regarding the stormwater pump station:

- On July 17, 2024, AWC will reset the water level floats to mirror what the Water Management Permit allows.
- A new contract with Florida Detroit Diesel necessitates doing several tests on the automatic transfer switch.

Ms. Sanchez stated she received the executed copy of the contract today and will email it to Mr. Cuningham this week.

- Once the South Florida Utilities contract was voided, he contacted the new company but they chose not to honor their contract, so he is looking to other company, possibly NWI.

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

Mr. King asked about going out to bid to replace the fence around the lift station.

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

- **NEXT MEETING DATE: September 15, 2024 at 6:00 PM [Adoption of FY2025 Budget]**

○ **QUORUM CHECK**

Ms. Sanchez stated that Supervisors Petrick and Senior and resident Betsy Sanon are qualified candidates running unopposed in the upcoming November 2024 General Election.

**FOURTEENTH ORDER OF BUSINESS**

**Supervisors' Requests**

Regarding the new Property Management Company, a Board Member suggested discussing having someone clean up the debris around the sound barrier walls along Jog Road.

The Board Members voiced their thoughts and suggestions about engaging a separate contractor, speaking to the Master Association or the Field Operations Manager, or temporarily hiring a labor company to clean up the debris.

The consensus was to temporarily hire a labor company and decide on a long-term solution at a future meeting.

**FIFTEENTH ORDER OF BUSINESS**

**Public Comments**

No members of the public spoke.

**SIXTEENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Ms. Senior and seconded by Mr. Cuningham, with all in favor, the meeting adjourned at 7:28 p.m.**

*Cindy Gibson*  
Secretary/Assistant Secretary

*JR*  
Chair/Vice Chair