

**MINUTES OF MEETING
HAMAL
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Hamal Community Development District held a Regular Meeting on July 14, 2025 at 6:00 p.m., at the Briar Bay Clubhouse, 3400 Celebration Blvd., West Palm Beach, Florida 33411.

Present:

Joseph Petrick
Benjamin Cuningham
Ione Senior
Bensy Sanon
Marc DePaul

Chair
Vice Chair
Assistant Secretary
Assistant Secretary
Assistant Secretary

Also present:

Jamie Sanchez
Michelle Rigoni
Al Caruso
Dwayne Barrett
Leesa Cuningham
Janice Calcia
Erika Duff

District Manager
District Counsel
District Engineer
Ibero Property Management Corporation
Resident
Resident
Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Petrick called the meeting to order at 6:00 p.m. All Supervisors were present.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

All present recited the Pledge of Allegiance.

THIRD ORDER OF BUSINESS

Public Comments

Resident John Mullin thinks the fountain timers are out of sync and stated the fountains have not worked since he moved in. Mr. Barrett stated fountain repairs were approved and a replacement part for the main fountain is on order. He will provide updates on the progress. This item will be included on the next agenda.

Resident Janice Calcia noted trash and grass clippings in the lake. Mr. Petrick stated Allstate should be picking up the trash. He asked Mr. Barrett to email photos and follow up with the temporary landscaper. This item will be included on the next agenda.

FOURTH ORDER OF BUSINESS**Discussion: 2025 Maintenance Calendar**

Mr. Barrett distributed and presented an updated version of the 2025 Maintenance Calendar. The following items were noted:

- “Catch Basin/Storm Drain” cleaning will be scheduled to begin in August 2025.
- “Landscaping Tuesday” will reflect the correct number of cuts each month.

Mr. Barrett was directed to work with Mr. Caruso and Staff to add and update information; additions and corrections will be sent to Ms. Sanchez. An updated calendar will be presented at the next meeting. This item will be included on the next agenda.

Discussion ensued regarding potential revisions to the agenda.

Ms. Sanchez stated that Mr. Sanon asked for a landscaping discussion item to be added to the agenda; however, an additional item was not added because it was believed to be related to the Landscaping Request for Proposals (RFP).

FIFTH ORDER OF BUSINESS**Discussion: Tree Trimming**

Ms. Sanchez stated that this item should be titled “Tree Pruning”.

Mr. Petrick explained that, while tree trimming refers to removing branches, pruning refers to the removal of stems, berries, etc. In February or March, Kings Landscaping trimmed some trees but failed to adequately prune. The old landscaping contract should require all hedges below 8’ tall to be pruned when the hedges are trimmed. Oak trees and palm trees over 8’ tall will be trimmed in October. In his opinion, they could use some aesthetic pruning now, if the Board agrees.

Discussion ensued regarding the cost and timing of pruning, aesthetics versus safety issues, the past trimming and pruning schedule and whether to authorize additional pruning.

Ms. Sanchez noted that none of the \$28,138 allocated for “Tree pruning” for Fiscal Year 2025 was spent; expenditures in October will be included in the Fiscal Year 2026 budget.

The consensus was to postpone pruning until October, with the understanding that the landscaping company engaged at that time will make pruning a priority.

SIXTH ORDER OF BUSINESS**Consideration of Ibero Property Management Corp Estimate 2140 [Mulch Installation]**

Mr. Barrett presented Ibero Property Management Corp Estimate 2140 for Mulch Installation. It was noted that the mulch should have been refreshed in March or April by Kings Management, and that the proposal includes all the areas currently maintained by the CDD along Jog Road on the median and along the sidewalks.

The Board and Staff discussed the poor aesthetics, whether to install mulch during hurricane season, budgetary considerations, advantages of mulch to reduce weeds, maintaining mulched areas and the need to preserve the aesthetic standards.

Ms. Sanchez stated that \$17,600 remains in the “Mulching” line item.

On MOTION by Mr. Sanon and seconded by Mr. Cuningham, with all in favor, Ibero Property Management Corp Estimate 2140 for Mulch Installation, in the amount of \$12,800, was approved.

SEVENTH ORDER OF BUSINESS**Discussion: Status of RFP for Landscape and Irrigation Maintenance Services**

Ms. Sanchez recalled discussion of the Landscaping RFP at the last meeting, and Ms. Senior was designated to work with Staff in matters relating to the RFP outside of a meeting. Several vendors attended the non-mandatory on-site meeting, and several questions were emailed to District Management to which answers were needed. To ensure that no Sunshine Law violations occurred, she polled the Board Members individually regarding extending the proposal deadline and the bid opening. Board direction is needed as to who Staff will work with regarding vendor questions, etc., outside of a meeting, so that no further delays occur.

Ms. Rigoni stated that every proposer had the opportunity to attend today’s public meeting and listen to the Board’s deliberations, as Mr. Barrett is present today. She discussed RFP processes and the role of the designated Board Member. She will address legal contractual questions, Ms. Sanchez will address administrative questions, and a designated Board Member will address questions about the scope of the project, in order to ensure that responsive proposals are received.

Ms. Rigoni discussed the option for the RFP to allow proposers to submit alternate bids, including a schedule of values based on the table provided by the CDD, based on their understanding of the assignment and the needs of the CDD. Due to some disagreements with other Board Members regarding the role of the designated Board Member in between meetings, it is important for the Board to discuss and consider who is most apt to answer questions related to the scope of the project in order to address proposers' inquiries and ensure that responsive proposals are received.

Discussion ensued regarding the knowledge the designated Board Member needs, exclusion of the Field Operations Manager from discussions, inaccuracies in the scope of the RFP, ensuring fairness for all proposers, ensuring accuracy of information provided to all proposers, and whether to move forward with the RFP or revise the scope further.

Ms. Rigoni asked if the Board would entertain a motion regarding whether to take additional time for Board Members to individually review the RFP before scheduling a special meeting to decide on a new scope of work. Staff would like clear direction from the Board.

Mr. Sanon suggested eliminating a portion of the RFP, rewriting the RFP for Hamal specifically and requesting alternate numbers of cuts.

Ms. Rigoni asked if it would be fair to summarize Mr. Sanon's criticism as "The narrative description of the Scope of Service to be provided does not match the Scope of Service that we are seeking in the Schedule of Values, and to the extent that those two do not agree with each other, the Schedule of Values is what should trump when the proposers are considering what they are going to commit in their numbers. If that is the case, she agrees that an Addendum should clarify that so that everybody understands that what they should bid on is not relying on the narratives but relying on what was provided in the Schedule of Values. An Alternate Bid in the side column can also be provided."

Mr. Sanon suggested including both 38 and 48 cuts as alternate bids.

Discussion ensued regarding Page 18 of the RFP, "Part IV – Pricing", how many cuts per week is optimal, maintaining CDD standards, the Statutory RFP process, clarifying the scope of work, the role of a Board designee and whether the entire RFP should be revised.

Ms. Rigoni stated that, if there is a discrepancy between the merited description of the Scope of Services versus what is on the Schedule, an Addendum will be issued to clarify that what is included on the Schedule should trump. Proposers will be informed that they are

welcome to submit an alternate bid. She typically recommends contracting with the bid received and noted that an Amendment can simultaneously be executed to incorporate necessary changes.

On MOTION by Mr. DePaul and seconded by Mr. Cuningham, with all in favor, authorizing alternate proposals and including clarification that the Schedule of Values trumps the Narrative Scope of Services to be provided, to the extent that the two conflict with each other, was approved.

Ms. Senior nominated Mr. Sanon as the Board Designee. Mr. Sanon accepted.

Mr. Cuningham nominated Mr. Petrick as Board Designee. Mr. Petrick accepted.

It was noted that the proposals are due on July 29, 2025, this allows for proposals to be reviewed at the September meeting, when the budget is presented for adoption.

On MOTION by Ms. Senior and seconded by Mr. DePaul, with Ms. Senior, Mr. DePaul and Mr. Sanon in favor and Mr. Cuningham and Mr. Petrick dissenting, designating Mr. Sanon as Board Designee working with Staff regarding the RFP, was approved. [Motion passed 3-2]

EIGHTH ORDER OF BUSINESS

Presentation of Audited Financial Report for the Fiscal Year Ending September 30, 2024, Prepared by Grau & Associates

Ms. Sanchez presented the Audited Financial Report for the Fiscal Year Ended September 30, 2024 and noted the pertinent information. There were no findings, recommendations, deficiencies on internal control or instances of non-compliance; it was a clean audit.

A. Consideration of Resolution 2025-06, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2024

On MOTION by Mr. Cuningham and seconded by Mr. Sanon, with all in favor, Resolution 2025-06, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2024, was adopted.

NINTH ORDER OF BUSINESS

Ratification of Ibero Property Management Corp Invoice SAJ3313 [Tree Removal and Replacement Services]

Ms. Sanchez presented Ibero Property Management Corp Invoice SAJ3313 for Tree Removal and Replacement Services, which was previously executed by the Chair.

On MOTION by Mr. DePaul and seconded by Mr. Sanon, with all in favor, Ibero Property Management Corp Invoice SAJ3313 for Tree Removal and Replacement Services, in the amount of \$5,875, was ratified.

TENTH ORDER OF BUSINESS

**Acceptance of Unaudited Financial
Statements as of May 31, 2025**

On MOTION by Ms. Senior and seconded by Mr. Cuningham, with all in favor, the Unaudited Financial Statements as of May 31, 2025, were accepted.

ELEVENTH ORDER OF BUSINESS

**Approval of May 12, 2025 Regular Meeting
Minutes**

On MOTION by Mr. Cuningham and seconded by Ms. Senior, with all in favor, the May 12, 2025 Regular Meeting Minutes, as presented, were approved.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

Ms. Rigoni asked for clarification regarding the Board's direction at a previous meeting to send a demand letter to Kings Management regarding insufficient services provided in relation to invoices submitted. She consulted with Mr. Petrick and Ms. Sanchez and asked for clarification of the Board's intent and the scope of the Demand Letter.

Mr. Petrick stated that Mr. King claimed on several occasions that he paid for pesticide fertilization. The Board is asking for copies of those invoices because the CDD paid for those services which, according to the CDD's understanding, were not provided.

Discussion ensued regarding the wording of the letter, requesting remuneration, amount in question, etc.

The Board directed Ms. Rigoni to send the letter and request compensation.

B. District Engineer: Craig A. Smith & Associates

Mr. Caruso distributed CDD maps. Now that a CAD file is established, additional maps can be created to document drainage interconnects, preserve areas, etc.

Mr. Cunningham noted that, when discussing the maintenance schedule, the three separate maintenance items related to the stormwater pump system include the generator, the control system, and the pumps. Mr. Caruso concurred. Mr. Cunningham stated the CDD has vendors who maintain the control system and the diesel generator. Mr. Caruso concurred. Mr. Cunningham asked if it is correct to say that the CDD does not currently have a vendor to maintain the pumps. Mr. Caruso stated he is evaluating vendors and will engage one soon. Mr. Cunningham thinks, regardless of which part on the maintenance schedule applies, those are separate items.

Mr. Caruso stated that the diesel generator contract renewal is coming up; the road test was removed from the contract, as it is only required every three years.

Mr. Sanon asked for the median to be highlighted on the map for the RFP.

Ms. Rigoni stated that Jog Road is outside of the CDD boundaries. By a permit that the CDD negotiated with the County, the CDD is obligated to maintain additional improvements on Jog Road due to additional enhancements beyond the minimum landscaping the County would have installed. Mr. Caruso will indicate the area in a different color on the map.

It was noted that the area will be included in the scope of work for the RFP.

Mr. Petrick asked for the lift stations to be added to the map.

C. Operations Manager: Ibero Property Management

Mr. Sanon distributed and presented a report of his observations and resident feedback regarding Ibero's performance as an interim landscaping company. He discussed the need to ensure accountability and service quality with proper oversight, which he believes is lacking. He discussed concerns with the quality of service, lack of negotiation on pricing, automatic pricing increases and lack of transparency. He questioned the addition of seasonal annual flowers which were never previously done and noted that some residents complained about mowing early on Saturdays, rather than during the week which is typical for HOAs engaging commercial landscapers. He stated that the Agreement provides for weekly service. He provided photos and noted that residents complained that edging and detail maintenance are being neglected. He believes the crew might not know the boundaries or the scope of their responsibilities and

voiced his opinion that oversight, inspections and walkthroughs are lacking. He expressed concern about a conflict of interest and the quality of service.

Mr. Petrick stated that some Board Members are satisfied with the service and all will take this into consideration when considering the bids for landscaping. He noted that the CDD was in a difficult position when ties were cut with the previous landscaping company and the on-site Manager was let go. He suggested the Board take these things in consideration and thanked Mr. Barrett and Ibero for their service to the CDD.

Mr. Barrett stated that, when taking over, his goal was to understand the needs and provide value. Repairs were made to many broken and misadjusted sprinklers and numerous items were addressed of which the Board might not be aware.

Ms. Rigoni suggested the subject of landscaping be avoided, given the ongoing RFP.

Ms. Sanchez stated that, although Mr. Barrett is the Operations Manager, she reviews and approves the Ibero invoices.

Mr. Barrett stated that Board Members can contact him directly regarding landscaping or service issues. He discussed a documented violation affecting a property owner's pool equipment on a CDD easement; both the property manager and the Chair were informed.

Mr. Petrick stated that a property owner engaged a contractor to do backyard work, likely related to a pool. Mounds of dirt and some equipment were being stored on CDD property. Mr. Barrett was asked to contact the Hamilton Bay property manager to see how long it would need to be there and to address the need for a silt fence to prevent drainage issues.

Mr. DePaul stated, from the Hamilton Bay perspective, the homeowner applied for Architectural Review approval to install a pool and patio in August 2024, which was approved. The homeowner then removed a portion of Hamilton Bay hedge and crossed the Hamilton Bay grass, entering Hamal property. Trucks have been driven and equipment and cinder blocks have been stored on CDD property. The consistent driving has now caused turf erosion, tracks and damage to the Hamilton Bay irrigation system, resulting in puddling and mud in and around the sidewalk. Hamilton Bay has concerns about erosion underneath the sidewalk from the excess water, so the Hamilton Bay management company sent the homeowner a violation notice and informed them that they must cure. They were informed that Hamilton Bay's landscape company will be sent to provide a proposal to repair the sod, the dirt, the irrigation and the bushes on Hamilton Bay property, as well as on the property across the street. Another issue

occurred on CDD property in which a forklift moving pavers toppled over; the equipment was dragged and a tractor trailer was on the property for a long time.

On MOTION by Mr. Cuningham and seconded by Mr. Petrick, with all in favor, authorizing District Counsel to work with Mr. DePaul regarding the Cease and Desist and Demand Letter, and seeking compensation within 30 days, was approved.

Mr. Barrett reported on work recently completed or currently underway. He noted that CDD contracts were reviewed, crotons and annuals were installed and Florida Power & Light (FPL) completed tree trimming near wires.

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

- **NEXT MEETING DATE: September 11, 2025 at 6:00 PM [Adoption of FY2026 Budget and Assessments]**
 - **QUORUM CHECK**

THIRTEENTH ORDER OF BUSINESS

Supervisors' Requests

Ms. Senior noted that FPL trimmed trees but left wires on the ground. Mr. Barrett stated that FPL was performing overdue tree trimming maintenance.

Ms. Rigoni was asked to schedule a Sunshine Law training session.

FOURTEENTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

FIFTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Cuningham and seconded by Ms. Senior, with all in favor, the meeting adjourned at 8:38 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair