

**MINUTES OF MEETING
HAMAL
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Hamal Community Development District held a Regular Meeting on November 10, 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
Ciara Passmore
BrightView Representative
Erika Duff

District Manager
District Counsel
District Engineer
Ibero Property Management Corporation
Hamilton Bay Property Manager

Resident and HOA President

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Petrick called the meeting to order at 6:01 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

Ms. Sanchez reviewed the public comments protocols and stated that Supervisors may or may not address statements, questions or concerns during the meeting.

Hamilton Bay resident and HOA President Erika Duff discussed trees along the curb entering Hamilton Bay that, in her opinion, need pruning. She stated the trees appear to be on CDD property.

Ms. Sanchez stated this is an agenda item.

Hamilton Bay Property Manager Ciara Passmore shared Ms. Duff's question.

FOURTH ORDER OF BUSINESS

Discussion Items:

- **2025 Maintenance Calendar**

This item was presented following Item 4B.

- **Tree Trimming Obligations**

Mr. DePaul, who also serves on the Hamilton Bay Board, discussed trees in need of trimming at the entrance to Hamilton Bay. Referring to the map in the agenda, he indicated the location of the trees and stated that the Property Appraiser's website seems to indicate that the trees are on CDD property. The Hamilton Bay Board would like to perform tree trimming maintenance in advance of hurricane season and would like to know if an Interlocal Agreement is needed or if the CDD should be asked to trim the trees.

Ms. Rigoni stated in Florida tree trimming obligations are generally a self-help issue. Property owners can trim branches, roots or parts of trees encroaching on their private property. That does not give them the right to enter other people's property to perform trimming. Based on the size and scale of the trimming, she believes Mr. DePaul wanted to discuss generally considering the scheduling of trimming of trees located on CDD property. Hamilton Bay can trim the encroaching roots and branches hanging over the private road.

It was noted that the self-help portion relates to an arbitrary, invisible line from the property line upwards and that the question is pruning trees that are clearly on CDD property.

Mr. Petrick discussed different HOAs planting certain trees on CDD property in the CDD's early years, when one landscaping company maintained the entire CDD, all subdivisions and both Master Associations. He stated that the two HOAs in Briar Bay have historically trimmed and pruned these trees themselves.

Discussion ensued regarding the uncertainty about when the trees were planted, by whom, and the similarity to the Briar Bay ingress and egress.

Ms. Rigoni stated that the trees are clearly on CDD property and have been for many years, so the District can maintain them as it is on District property.

Mr. Petrick does not believe that trimming all trees that have been on CDD property for so long should be an issue.

Discussion ensued regarding the CDD assuming responsibility for maintaining all trees on CDD property, it being maintenance and not topiary work, the inability to determine what was done and by whom, and the work currently underway on the median to improve the CDD's appearance.

Mr. Petrick stated that tree trimming in the CDD has been stopped because the oaks in the CDD were being improperly trimmed; eight or nine oaks were very poorly trimmed. He directed Staff to halt the trimming immediately. He stated that Ibero was asked to stop all trimming and suggested terminating the tree trimming work authorization with Ibero and requesting a proposal from BrightView as the District's new landscaper for trimming and pruning the trees.

Ms. Rigoni believes the termination of the Work Authorization is sufficient. The Agreement will end next week and all work will end and unpaid invoices will be paid.

Discussion ensued regarding terminating the Work Authorization with Ibero.

Mr. Cunningham stated he is not confident in withholding payment as it is not clear which trimming is in question, such as whether it is the Florida Power & Light (FPL) line clearing, which is separate from the work done by Ibero.

Mr. Petrick stated that FPL trimmed six or seven trees in a Y shape. On October 20, 2025, in the early afternoon, he observed two or three trees with all the branches on half of the tree completely removed. He called Ms. Sanchez and asked her to advise Mr. Barrett and ask him to stop the work. Although the call was made, he observed later in the day that more branches were removed. He called Ms. Sanchez again to ask her to call again to stop the work and asked her to get a certified Arborist to provide a report.

Ms. Sanchez stated that Mr. Barrett contacted the Arborist who prepared the Report in the agenda.

Referring to the report, Mr. Petrick stated that the Arborist acknowledged the damage to the trees, recommended short-term and long-term plans to restore the trees' health, and

recommended replacing the trees, which would require submitting a Site Plan Amendment to the City. He believes the best option is to replace the damaged trees or enter into a long-term plan to maintain the trees. He doubts the trees can survive and suggested terminating the contract.

Discussion ensued regarding the Report, whether FPL plans to put power lines underground, the Planned Unit Development (PUD) which required the live oak trees to be planted, the need to request City approval for any new plantings, and the permitting process for removal and replacement of the trees with the same species versus replacing all trees with a different species, which would require a landscape plan modification and would be very costly.

Mr. DePaul wondered if the CDD will replace like trees with like. Mr. Petrick replied affirmatively. Mr. DePaul stated the current issue is that a very tall tree is growing upward and encroaching into the 6' airspace around the power lines and that type of issue will keep happening.

A BrightView representative discussed the proposed solution and asked for a few months to take a GPS tree inventory, work with an Arborist where necessary, speak with the City to see what can be done with a different species of trees, and develop a plan.

Mr. Cunningham expressed support for stopping the previously approved work at this time and stated that, while he has not seen the aforementioned bad pruning, he believes the location and the species are the problem and a better solution is needed.

Discussion ensued regarding the work to be done by BrightView. The consensus was that BrightView's findings and a proposal will be presented at the February 9, 2026 meeting.

Mr. Petrick stated the Board is in agreement that the CDD will maintain the trees on CDD property. Ms. Sanchez and Mr. Petrick will work with BrightView, who will provide more information from the City and will present a proposal at the February meeting.

Ms. Rigoni recommended a Board Member be designated to work with Ms. Sanchez to determine what work was done, verify that work was done in accordance with the contract's scope, and determine what compensation is due so that payment is made within the scope of what was approved, in order to comply with Prompt Payment guidelines.

Mr. Petrick thinks the trees were improperly pruned, as evidenced by the Arborist's report which outlines the cure.

Ms. Sanchez does not believe an additional Arborist's report is needed unless the Board thinks it is absolutely necessary, as BrightView mentioned this area and because the CDD will be invoiced for the report. The Arborist's report, which was not received in time to be included in the agenda, noted the following:

- The trees were improperly pruned for years prior to the report.
- The trees were given a 60% condition rating.
- Some trees are pruned worse than others, but overall, they are in good health condition.
- Only one tree is dead.
- The report describes the recommended plans, preventative maintenance and three-year maintenance and long-term replacement program for the trees.

On MOTION by Mr. Cuningham and seconded by Mr. DePaul, with all in favor, obtainment of the Arborist Report, was ratified.

On MOTION by Mr. DePaul and seconded by Ms. Senior, with all in favor, designating Mr. Cuningham to work with Staff to verify the scope of the completed work and to make the prorated portion payment, and authorizing District Counsel to draft a Mutual Release in connection with same, was approved.

▪ **2025 Maintenance Calendar**

This item, previously Item 4A, was presented out of order.

Ms. Sanchez presented the 2025 Hamal CDD Maintenance Calendar prepared by Mr. Barrett. The Maintenance Calendar also encompasses 2026 and is subject to change.

Ms. Sanchez stated that the landscaping information will change. She will email updated versions to the Board as the document is updated.

This item will not remain on the agenda.

FIFTH ORDER OF BUSINESS

**Consideration of Estate Management
Services Pond/Lakes, Fountain and Catch
Basin Management Proposal**

Ms. Sanchez presented the Estate Management Services proposal for Pond/Lakes, Fountain and Catch Basin Management. The Fifth and Sixth Orders of Business will be discussed

together due to the similar scope of work and to compare the two proposals related to the fountains.

Discussion ensued regarding the proposals and comparisons based on scope of work.

Ms. Sanchez stated that the CDD currently pays \$25,200 for lake management. It is unclear how this scope of work is different and why the total is approximately \$65,000.

Ms. Sanchez stated that the CDD currently pays approximately \$31,000 for Catch Basin Maintenance. Additional information is needed to clarify the scope of work and the total cost to maintain all the CDD's approximately 195 catch basins.

Ms. Sanchez stated that more detail regarding the scope of work is needed in order to consider the Pond/Lake Maintenance and Catch Basin Management proposals.

Ms. Sanchez stated that the CDD currently pays approximately \$30,000 for fountain maintenance. It was noted that most of the work done on fountains is in addition to monthly maintenance costs.

The consensus was to defer consideration of the Pond/Lake Maintenance and Catch Basin Management proposals until further information is received and to limit today's discussion to consideration of the Fountain Maintenance proposals.

The Board and Staff discussed the Fountain Maintenance Proposals and noted the following:

- Allstate Resource Management, Inc. bid \$975 quarterly, for an annual total of \$3,900; or \$425 monthly for an annual total of \$5,100.
- Allstate currently maintains the fountains.
- Estate Management Services bid \$1,485 quarterly, for an annual total of \$5,940.
- The fountains are aging and will require ongoing maintenance and/or replacement.

On MOTION by Mr. DePaul and seconded by Ms. Senior, with all in favor, the Allstate Resource Management, Inc. Fountain Maintenance Proposal, in the monthly amount of \$425, for an annual total of \$5,100, was approved.

SIXTH ORDER OF BUSINESS

Consideration of Allstate Resource Management, Inc. Fountain Maintenance Proposal

- **Consideration of Special Service Agreement/Equipment (Fountain Lights Install)**

Ms. Sanchez presented the Allstate Resource Management, Inc. Special Service Agreement/Equipment proposal for installing new sets of white LED lights on each fountain. The total cost for all fountains is \$56,595.

Mr. Petrick suggested replacing the lights as they go rather than all at once due to the possibility of electrical and pump issues.

Mr. Barrett will request a proposal for a complete fountain replacement for consideration at the next meeting.

This item was deferred.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2026-01, Implementing Section 190.006(3), Florida Statutes, and Requesting that the Palm Beach County Supervisor of Elections Conduct the District's General Elections; Providing for Compensation; Setting for the Terms of Office; Authorizing Notice of the Qualifying Period; and Providing for Severability and an Effective Date

Ms. Sanchez presented Resolution 2026-01 and read the title. Seats 1 and 2, currently held by Marc DePaul and Benjamin Cunningham, respectively, will be up for election at the November 2026 General Election.

Candidates must be a citizen of the United States, at least 18 years of age, a legal resident of Florida, reside within the CDD boundaries and be a registered voter in Palm Beach County. The candidate qualifying period is noon, June 8, 2026 to noon, June 12, 2026.

On MOTION by Mr. Cunningham and seconded by Mr. Sanon, with all in favor, Resolution 2026-01, Implementing Section 190.006(3), Florida Statutes, and Requesting that the Palm Beach County Supervisor of Elections Conduct the District's General Elections; Providing for Compensation; Setting for the Terms of Office; Authorizing Notice of the Qualifying Period; and Providing for Severability and an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Ratification Items

A. Ibero Property Management Corp

I. Agreement for Erosion Repair Services

II. Tree Removal Proposal

On MOTION by Mr. DePaul and seconded by Ms. Senior, with all in favor, the Ibero Property Management Corp Agreement for Erosion Repair Services, in the amount of \$9,850, and the Ibero Property Management Corp Tree Removal Proposal, in the amount of \$7,500, were ratified.

NINTH ORDER OF BUSINESS**Acceptance of Unaudited Financial Statements as of September 30, 2025**

Ms. Sanchez discussed the addition of the “Catch basin maint.” and “Barrier wall painting” line items which reflect N/A under the % of Budget column for coding purposes.

On MOTION by Mr. Cuningham and seconded by Mr. Sanon, with all in favor, the Unaudited Financial Statements as of September 30, 2025, were accepted.

TENTH ORDER OF BUSINESS**Approval of September 11, 2025 Public Hearings and Regular Meeting Minutes**

On MOTION by Mr. Cuningham and seconded by Mr. Sanon, with all in favor, the September 11, 2025 Public Hearings and Regular Meeting Minutes, as presented, were approved.

ELEVENTH 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, since the last meeting, AWC and Florida performed quarterly inspections. AWC did not find any glitch; he suggested the internet provider might be the problem.

C. Operations Manager: Ibero Property Management

There was no report.

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

- **NEXT MEETING DATE: December 8, 2025 at 6:00 PM**

- **QUORUM CHECK**

The next meeting will be held on December 8, 2025, unless canceled.

TWELFTH ORDER OF BUSINESS

Supervisors' Requests

Mr. Petrick asked the Board to consider scheduling a Workshop before the next election to discuss the contracts, how contractors and Staff were engaged, and to review the Board's authority.

The consensus was to schedule a Workshop on February 9, 2026 at 5:00 p.m., before the Regular meeting.

Ms. Rigoni suggested general procurement rules be reviewed. She will forward same and the contract overview to Ms. Sanchez and participate via Zoom, per the Chair's request.

THIRTEENTH ORDER OF BUSINESS

Public Comments

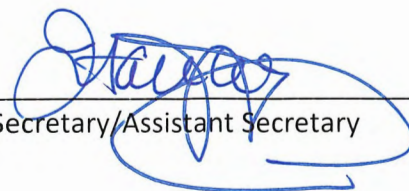
Discussion ensued regarding whether there is a need to remove and replace flowers. A proposal will be presented at the next meeting.

FOURTEENTH ORDER OF BUSINESS

Adjournment

<p>On MOTION by Mr. Petrick and seconded by Mr. DePaul, with all in favor, the meeting adjourned at 7:24 p.m.</p>
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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair