



**HYPOLUXO/HAVERHILL  
COMMUNITY DEVELOPMENT  
DISTRICT**

**PALM BEACH COUNTY  
REGULAR BOARD MEETING  
NOVEMBER 11, 2020  
8:30 A.M.**

Special District Services, Inc.  
The Oaks Center  
2501A Burns Road  
Palm Beach Gardens, FL 33410

[www.hypoluxohaverhillcdd.org](http://www.hypoluxohaverhillcdd.org)

561.630.4922 Telephone  
877.SDS.4922 Toll Free  
561.630.4923 Facsimile

**AGENDA**  
**HYPOLUXO/HAVERHILL**  
**COMMUNITY DEVELOPMENT DISTRICT**  
Conference Room of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.  
Centurion Tower, 1601 Forum Place, Suite 400  
West Palm Beach, Florida 33401  
**REGULAR BOARD MEETING**  
November 11, 2020  
8:30 a.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
  - 1. August 12, 2020 Regular Board & Public Hearing Meeting.....Page 3
- G. Old Business
- H. New Business
  - 1. Consider Resolution No. 2020-04 – Adopting a Fiscal Year 2019/2020 Amended Budget.....Page 6
  - 2. Consider Resolution No. 2020-05 - Ratifying Actions Taken Pursuant to EO No. 20-69.....Page 11
  - 3. Discussion Regarding Overgrown Trees on the Lake Banks
- I. Administrative Matters
- J. Board Members Comments
- K. Adjourn

## PROOF OF PUBLICATION STATE OF FLORIDA

### PUBLIC NOTICE

Before the undersigned authority, personally appeared Teal Pontarelli, who on oath, says that he/she is a Legal Advertising Representative of The Palm Beach Post, a daily and Sunday newspaper, published in West Palm Beach and distributed in Palm Beach County, Martin County, and St. Lucie County, Florida; that the attached copy of advertising for a Legal - Public Hearing was published in said newspaper on: first date of Publication 10/05/2020 and last date of Publication 10/05/2020. Affiant further says that the said The Palm Beach Post is a newspaper published in West Palm Beach, in said Palm Beach County, Florida and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

HYPOLUXO HAVERHILL COMM DEV  
2501 BURNS RD  
STE A  
PALM BEACH GARDENS, FL 33410-5207

Invoice/Order Number:	0000598486
Ad Cost:	\$271.76
Paid:	\$0.00
Balance Due:	\$271.76

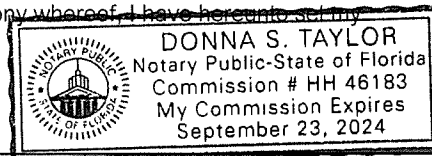
Signed

(Legal Advertising Agent)

Sworn or affirmed to, and subscribed before me, this 6th day of October, 2020 in Testimony whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

Signed

(Notary)



Please see Ad on following page(s).

Invoice/Order Number: 0000598486  
Ad Cost: \$271.76  
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Balance Due: \$271.76

**HYPOLUXO/HAVERHILL  
COMMUNITY DEVELOPMENT DISTRICT  
FISCAL YEAR 2020/2021  
REGULAR MEETING SCHEDULE**

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Hypoluxo/Haverhill Community Development District will hold Regular Meetings in the Conference Room of Billing, Cochran, Lyles, Mauro & Ramsey, P.A. located at Centurion Tower 1601 Forum Place, Suite 400, West Palm Beach, Florida 33401 at 8:30 a.m. on the following dates:

October 14, 2020  
November 11, 2020  
December 9, 2020  
January 13, 2021  
February 10, 2021  
March 10, 2021  
April 14, 2021  
May 12, 2021  
June 9, 2021  
July 14, 2021  
August 11, 2021  
September 8, 2021

The purpose of the meetings is to conduct any business coming before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law. Copies of the Agendas for any of the meetings may be obtained from the District's website or by contacting the District Manager at (561) 630-4922 and/or toll free at 1-877-737-4922 prior to the date of the particular meeting.

From time to time one or more Supervisors may participate by telephone; therefore a speaker telephone will be present at the meeting location so that Supervisors may be fully informed of the discussions taking place. Meetings may be continued as found necessary to a time and place specified on the record.

If any person decides to appeal any decision made with respect to any matter considered at these meetings, such person will need a record of the proceedings and such person may need to insure that a verbatim record of the proceedings is made at his or her own expense and which record includes the testimony and evidence on which the appeal is based.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meeting should contact the District Manager at (561) 630-4922 and/or toll-free at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

Meetings may be cancelled from time to time without advertised notice.

HYPOLUXO/HAVERHILL  
COMMUNITY DEVELOPMENT DISTRICT  
[www.hypoluxohaverhillcdd.org](http://www.hypoluxohaverhillcdd.org)  
10-5/2020

0000598486-01

HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT  
PUBLIC HEARING & REGULAR BOARD MEETING  
AUGUST 12, 2020

**A. CALL TO ORDER**

District Manager Michael McElligott called the August 12, 2020, Regular Board Meeting of the Hypoluxo/Haverhill Community Development District to order at 8:40 a.m. via Zoom at meeting ID # 851 8864 0648.

**B. PROOF OF PUBLICATION**

Mr. McElligott presented proof of publication that notice of the Regular Board Meeting had been published in *The Palm Beach Post* on July 22, 2020 and July 29, 2020, as legally required.

**C. ESTABLISH A QUORUM**

Mr. McElligott determined that the attendance of the following Supervisors constituted a quorum and it was in order to proceed with the meeting: Chairman Tom Messler, Vice Chairman Bernard Gatlin and Supervisors Paul Patton and Brett Osinski.

Staff in attendance were District Manager Michael McElligott of Special District Services, Inc.; and District Counsel Scott Cochran of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

**D. ADDITIONS OR DELETIONS TO THE AGENDA**

There were no additions or deletions to the agenda.

**E. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA**

There were no comments from the public for items not on the agenda.

**F. APPROVAL OF MINUTES**

**1. May 13, 2020, Regular Board Meeting**

Mr. McElligott presented the minutes of the May 13, 2020, Regular Board Meeting and asked if there were any changes. There being no changes, a **motion** was made by Mr. Patton, seconded by Mr. Messler and unanimously passed to approve the minutes of the May 13, 2020, Regular Board Meeting, as presented.

Mr. McElligott then recessed the Regular Board Meeting and opened the Public Hearing at 8:45am.

**G. PUBLIC HEARING**

**1. Proof of Publication**

Mr. McElligott presented proof of publication that notice of the Public Hearing had been published in *The Palm Beach Post* on July 22, 2020, and July 29, 2020, as legally required.

HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT  
PUBLIC HEARING & REGULAR BOARD MEETING  
AUGUST 12, 2020

**2. Receive Public Comment on the Fiscal Year 2020/2021 Final Budget**

Mr. McElligott noted that no members of the public were present.

**3. Consider Resolution No. 2020-02 – Adopting a Fiscal Year 2020/2021 Final Budget**

Mr. McElligott presented Resolution No. 2020-02, entitled:

**RESOLUTION NO. 2020-02**

**A RESOLUTION OF THE HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT ADOPTING A FISCAL YEAR 2020/2021 BUDGET.**

Mr. McElligott gave a brief overview of the final Budget, which has no changes from the previously approved Proposed Budget.

After a brief discussion, a **motion** was made by Mr. Patton, seconded by Mr. Messler to adopt Resolution No. 2020-02, as presented. The **motion** carried on a vote of 4 to 0.

Mr. McElligott then closed the Public Hearing and reconvened the Regular Board Meeting at 8:47pm.

**H. OLD BUSINESS**

There were no Old Business items to come before the Board.

**I. NEW BUSINESS**

**1. Consider Resolution No. 2020-03 – Adopting a Fiscal Year 2020/2021 Meeting Schedule**

Mr. McElligott presented Resolution No. 2020-03, entitled:

**RESOLUTION NO. 2020-03**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2020/2021 AND SETTING THE TIME AND LOCATION OF SAID DISTRICT MEETINGS; AND PROVIDING AN EFFECTIVE DATE.**

A **motion** was made by Mr. Patton, seconded by Mr. Gatlin and passed unanimously to adopt Resolution No. 2020-03, as presented.

HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT  
PUBLIC HEARING & REGULAR BOARD MEETING  
AUGUST 12, 2020

**2. Consider Appointment to Board Vacancy**

Mr. McElligott noted that Seat 2 has been vacant for a while. Mr. Messler nominated Ashkan Dehghani.

After a brief discussion among the Board, a **motion** was made by Mr. Osinski, seconded by Mr. Messler to appoint Mr. Dehghani to vacant seat # 2. That **motion** passed unanimously

**J. ADMINISTRATIVE MATTERS**

Mr. McElligott informed the Board that their next meeting is most likely going to be November 11.

**K. BOARD MEMBER COMMENTS**

There were no Board Member comments.

**L. ADJOURNMENT**

There being no further business to come before the Board, a **motion** was made by Mr. Gatlin, seconded by Mr. Messler and unanimously passed to adjourn the Regular Board Meeting at 8:50 a.m.

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Secretary/Assistant Secretary

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Chair/Vice-Chair

**RESOLUTION NO. 2020-04**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING AND ADOPTING AN AMENDED FINAL FISCAL YEAR 2019/2020 BUDGET (“AMENDED BUDGET”), PURSUANT TO CHAPTER 189, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Board of Supervisors of the Hypoluxo/Haverhill Community Development District (“District”) is empowered to provide a funding source and to impose special assessments upon the properties within the District; and,

**WHEREAS**, the District has prepared for consideration and approval an Amended Budget.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT, THAT:**

**Section 1.** The Amended Budget for Fiscal Year 2019/2020 attached hereto as Exhibit “A” is hereby approved and adopted.

**Section 2.** The Secretary/Assistant Secretary of the District is authorized to execute any and all necessary transmittals, certifications or other acknowledgements or writings, as necessary, to comply with the intent of this Resolution.

**PASSED, ADOPTED and EFFECTIVE** this 11<sup>th</sup> day of November, 2020.

**ATTEST:**

**HYPOLUXO/HAVERHILL  
COMMUNITY DEVELOPMENT DISTRICT**

By: \_\_\_\_\_  
Secretary/Assistant Secretary

By: \_\_\_\_\_  
Chairperson/Vice Chairperson



Hypoluxo/Haverhill  
Community Development District

**Amended Final Budget For  
Fiscal Year 2019/2020  
October 1, 2019 - September 30, 2020**

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- II     **AMENDED FINAL DEBT SERVICE FUND BUDGET**

**AMENDED FINAL BUDGET**  
**HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT**  
**OPERATING FUND**  
**FISCAL YEAR 2019/2020**  
**OCTOBER 1, 2019 - SEPTEMBER 30, 2020**

	<b>FISCAL YEAR 2019/2020 BUDGET 10/1/19 - 9/30/20</b>	<b>AMENDED FINAL BUDGET 10/1/19 - 9/30/20</b>	<b>YEAR TO DATE ACTUAL 10/1/19 - 9/29/20</b>
<b>REVENUES</b>			
O & M Assessments	69,053	<b>69,127</b>	69,127
Debt Assessments	99,827	<b>99,881</b>	99,881
Other Revenues	0	<b>0</b>	0
Interest Income	120	<b>165</b>	165
<b>TOTAL REVENUES</b>	<b>\$ 169,000</b>	<b>\$ 169,173</b>	<b>\$ 169,173</b>
<b>EXPENDITURES</b>			
Supervisor Fees	5,000	<b>3,200</b>	3,200
Payroll Taxes - Employer	400	<b>245</b>	245
Engineering/Inspections	1,500	<b>1,500</b>	675
Management	25,224	<b>25,224</b>	25,224
Secretarial	4,200	<b>4,200</b>	4,200
Legal	7,000	<b>6,269</b>	6,269
Assessment Roll	5,000	<b>5,000</b>	5,000
Audit Fees	3,600	<b>3,300</b>	3,300
Insurance	6,356	<b>5,251</b>	5,251
Legal Advertisements	1,100	<b>1,700</b>	1,373
Miscellaneous	775	<b>775</b>	306
Postage	225	<b>120</b>	112
Office Supplies	375	<b>240</b>	220
Dues & Subscriptions	175	<b>175</b>	175
Trustee Fee	3,700	<b>3,180</b>	3,180
Lake Maintenance	0	<b>500</b>	98
Website Management	2,000	<b>2,000</b>	2,000
<b>TOTAL EXPENDITURES</b>	<b>\$ 66,630</b>	<b>\$ 62,879</b>	<b>\$ 60,828</b>
<b>REVENUES LESS EXPENDITURES</b>	<b>\$ 102,370</b>	<b>\$ 106,294</b>	<b>\$ 108,345</b>
Bond Payments	(93,837)	<b>(95,197)</b>	(95,197)
<b>BALANCE</b>	<b>\$ 8,533</b>	<b>\$ 11,097</b>	<b>\$ 13,148</b>
County Appraiser & Tax Collector Fee	(3,378)	<b>(2,171)</b>	(2,171)
Discounts For Early Payments	(6,755)	<b>(6,325)</b>	(6,325)
<b>EXCESS/ (SHORTFALL)</b>	<b>\$ (1,600)</b>	<b>\$ 2,601</b>	<b>\$ 4,652</b>
Carryover From Prior Year	1,600	<b>0</b>	0
<b>NET EXCESS/ (SHORTFALL)</b>	<b>\$ -</b>	<b>\$ 2,601</b>	<b>\$ 4,652</b>

FUND BALANCE AS OF 9/30/19	
FY 2019/2020 ACTIVITY	
FUND BALANCE AS OF 9/30/20	

\$46,624
\$2,601
\$49,225

**Notes**

Carryover From Prior Year Of \$1,600 was used to reduce Fiscal Year 2019/2020 Assessments.  
\$8,400 Of Fund Balance To Be Used To Reduce 2020/2021 Assessments.

## AMENDED FINAL BUDGET

HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT  
DEBT SERVICE FUND  
FISCAL YEAR 2019/2020  
OCTOBER 1, 2019 - SEPTEMBER 30, 2020

	FISCAL YEAR 2019/2020 BUDGET 10/1/19 - 9/30/20	AMENDED FINAL BUDGET 10/1/19 - 9/30/20	YEAR TO DATE ACTUAL 10/1/19 - 9/29/20
<b>REVENUES</b>			
Interest Income	0	44	44
NAV Tax Collection	93,837	95,197	95,197
<b>Total Revenues</b>	<b>\$ 93,837</b>	<b>\$ 95,241</b>	<b>\$ 95,241</b>
<b>EXPENDITURES</b>			
Principal Payments (2017)	65,000	65,000	65,000
Interest Payments (2017)	24,381	25,200	25,200
Bond Redemption	4,456	0	0
<b>Total Expenditures</b>	<b>\$ 93,837</b>	<b>\$ 90,200</b>	<b>\$ 90,200</b>
<b>Excess/ (Shortfall)</b>	<b>\$ -</b>	<b>\$ 5,041</b>	<b>\$ 5,041</b>

FUND BALANCE AS OF 9/30/19	\$55,298
FY 2019/2020 ACTIVITY	\$5,041
FUND BALANCE AS OF 9/30/20	\$60,339

Notes

Reserve Fund Balance = \$10,000\*. Revenue Fund Balance = \$50,339\*.

Revenue Fund Balance To Be Used To Make 11/1/2020 Interest Payment Of \$11,781.

\* Approximate Amounts

**Series 2017 Bond Refunding Information**

Original Par Amount =	\$1,195,000	Annual Principal Payments Due =
Interest Rate =	2.52% - 6.75%	May 1st
Issue Date =	January 2017	Annual Interest Payments Due =
Maturity Date =	May 2033	May 1st & November 1st
Par Amount As Of 9/30/20 =	\$935,000	

**RESOLUTION 2020-05**

**A RESOLUTION BY THE BOARD OF SUPERVISORS OF THE HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT RATIFYING AND APPROVING ACTIONS TAKEN BY THE BOARD OF SUPERVISORS AT MEETINGS HELD VIA MEDIA COMMUNICATIONS TECHNOLOGY PURSUANT TO EXECUTIVE ORDER NO. 20-69, AS AMENDED AND EXTENDED, AS A RESULT OF THE COVID-19 PANDEMIC**

**WHEREAS**, the COVID-19 pandemic has significantly impacted the Hypoluxo/Haverhill Community Development District (the “District”) and those residing and owning property within the boundaries of the District; and

**WHEREAS**, on March 1, 2020, Governor Ron DeSantis (the “Governor”) issued Executive Order No. 20-51, directing the Florida Department of Health to issue a Public Health Emergency; and

**WHEREAS**, on March 1, 2020, the State Surgeon General and State Health Officer declared a Public Health Emergency exists in the State of Florida as a result of COVID-19; and

**WHEREAS**, on March 9, 2020, the Governor issued Executive Order No. 20-52, declaring a state of emergency for the entire State of Florida as a result of COVID-19; and

**WHEREAS**, in a series of actions in March 2020, President Donald Trump, the Centers for Disease Control and Prevention (the “CDC”), and the White House Coronavirus Task Force issued guidance advising individuals to adopt far-reaching social distancing measures, recommending restrictions on mass gatherings and congregations, including public meetings; and

**WHEREAS**, on March 20, 2020, the Governor issued Executive Order No. 20-69 temporarily suspending the statutory requirement that a quorum be present in person at a specific

public place, authorizing the use of media communications technology, such as telephonic and video conferencing, as provided in Section 120.54(5)(b)2, Florida Statutes; and

**WHEREAS**, Executive Order No. 20-69 was amended and extended by subsequent Executive Orders of Governor Ron DeSantis, including Executive Order No. 20-246, which extended the temporary suspension of the statutory requirement that a quorum be present at a specific place and authorizing the use of media communications technology, until November 1, 2020 at 12:01 AM; and

**WHEREAS**, on March 24, 2020, the Governor issued Executive Order No. 20-83, directing the State of Florida Surgeon General and State Health Officer to issue a public health advisory urging the public to avoid all social and recreational gatherings of ten or more people and urging those can work remotely to do so; and

**WHEREAS**, the Governor, on April 3, 2020, issued Executive Order No. 20-91 (later amended by Executive Order 20-92), directing that all persons in Florida shall limit their movements and personal interactions outside their home to those necessary to obtain or provide essential services or to conduct essential activities; and

**WHEREAS**, on May 13, 2020, and on August 12, 2020, the District Board of Supervisors (the “Board”) met, pursuant to and under the authority of Executive Order No. 20-69, as amended and extended, utilizing media communications technology; and

**WHEREAS**, the District Board intends to ratify and approve those actions taken by the District Board at its meetings held via media communications technology on May 13, 2020, and on August 12, 2020; and

**WHEREAS**, due to the COVID-19 pandemic and the health concerns associated with securing signatures on certain instruments necessary for the District to conduct business, including,

but not limited to, agreements, proposals, resolutions, and approved meeting minutes, in accordance with the authority granted in Chapter 668, Florida Statutes, the District may have utilized DocuSign or other acceptable electronic signature software to secure signatures the proper District officials; and

**WHEREAS**, the District Board hereby finds and determines that the use of DocuSign or other acceptable electronic signature software pursuant to Chapter 668, Florida Statutes, if any, between March 1, 2020 and October 30, 2020, was necessary to properly conduct the business of the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT, THAT:**

**Section 1.** The above recitals are true and correct and incorporated herein as if set forth in full herein. The Executive Orders referenced herein are incorporated herein by reference.

**Section 2.** Those actions taken by the District Board at its meetings held pursuant to the authority of the Governor's Executive Order No. 20-69, as amended and extended, via media communications technology on May 13, 2020, and on August 12, 2020, are hereby ratified and approved.

**Section 3.** Any use by the District between March 1, 2020 and October 30, 2020 of DocuSign or other acceptable electronic signature software pursuant to Chapter 668, Florida Statutes, in order to secure the signature(s) of the proper District officials on those instruments necessary for the District to conduct business, including, but not limited to, agreements, proposals, resolutions, and approved meeting minutes, is hereby ratified and approved.

**Section 4.** All sections, or parts thereof, which conflict herewith, are, to the extent of such conflict, superseded and repealed. In the event that any portion of this Resolution is found to

be unconstitutional or improper, it shall be severed herein and shall not affect the validity of the remaining portions of this Resolution.

**Section 5.** This Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED** this 11<sup>th</sup> day of November, 2020, by the Board of Supervisors of the Hypoluxo/Haverhill Community Development District.

**HYPOLUXO/HAVERHILL  
COMMUNITY DEVELOPMENT  
DISTRICT**

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Chair/Vice Chair