

Minutes of Meeting  
Durbin Crossing  
Community Development District

The regular meeting of the Board of Supervisors of the Durbin Crossing Community Development District was held Monday, June 13, 2016 at 6:00 p.m. at the Durbin South Amenity Center, 145 South Durbin Parkway, Jacksonville, Florida.

Present and constituting a quorum were:

Peter E. Pollicino	Chairman
Tim Brownlee	Vice Chairman
Sarah Gabel Hall	Supervisor
Jason Harrah	Supervisor
Leonard Rucker	Supervisor

Also present were:

David deNagy	District Manager
Carl Eldred	District Counsel by telephone
Stephen Howell	Vesta/Amenity Services Group
Dan Fagen	Vesta/Amenity Services Group
Margaret Alfano	Vesta/Amenity Services Group
Patrick Hutcler	Down to Earth

The following is a summary of the discussions and actions taken at the June 13, 2016 meeting. A copy of the proceedings can be obtained by contacting the District Manager.

**FIRST ORDER OF BUSINESS**

**Pledge of Allegiance**

Mr. deNagy called the meeting to order at 6:00 p.m. and led the pledge of allegiance.

**SECOND ORDER OF BUSINESS**

**Roll Call**

Mr. deNagy called the roll.

Mr. Pollicino stated I want to observe a moment of silence in memory of the victims in Orlando, their families and the first responders and the military service that continue everything they do day after day overseas and domestically.

**THIRD ORDER OF BUSINESS**

**Audience Comments**

There being none, the next item followed.

**FOURTH ORDER OF BUSINESS**

**D.R. Horton Playground Discussion**

Mr. deNagy stated at the last meeting we talked about the playground and D.R. Horton had come back with a proposal and the district had a counter proposal. We received word from D.R. Horton after that meeting that they are interested in installing a boardwalk but nothing else, no gates, no playground, etc. I tried negotiating with them on that but have not been successful other than the boardwalk.

Mr. Pollicino stated I had conversations with Dave and it looks like they are not willing to do anything at this point, basically wood over the water, no security, no gates, no lights, no playground. I believe the only action to take place is to acknowledge their email and I don't see any reason to allow them to build a boardwalk without any concessions at all to the CDD.

Mr. Rucker stated I agree.

Mr. Brownlee stated I agree, no security, no boardwalk, no playground.

Mr. Harrah stated I agree, for the monetary value they would gain in the advertising and marketing campaign of having that boardwalk, to ask for a small playground was not much.

Ms. Hall stated I disagree. I would like to have a playground that would be awesome but at the same time I don't want those 300 homes using the 14 space parking lot at Durbin North. I think we should counter offer that they do the boardwalk with the lighting and gates and unfortunately we don't get a playground out of it but it is still in our favor to get parking spots. I can't go to the pool without taking my car and they are not going to be able to either. There are only 14 spots we will have to look at expanding the parking lot, which is pricier than a playground. There are going to be kids moving into those homes and they are going to use the pool and that is a really small parking lot at North.

Mr. Brownlee stated I disagree. First of all it is going to create a situation where more cars will be over here but they are not going to be at North because when they drive over here they will be closer to the South. At some point in the future we may have to address additional parking for the South Amenity Center. If they are not willing to give us any concessions other than a boardwalk I am totally against it. It is a sales issue for them. They could put in their sales

brochures we have a boardwalk with security and if I lived there I would be concerned that there is no security and to expect the CDD to pay for that security, no.

Ms. Hall stated at the same time they are townhomes and there are not a lot of townhomes going in this area and the people are going to buy there regardless and it's a money game to them they just want to sell their homes and make money and the homes are going to sell regardless of whether or not they have a boardwalk. I want to be able to park when I go to North.

Mr. Harrah stated the safety issues we have from people walking through there and there is no guarantee, anybody can park, walk through the boardwalk, loot somebody's house and walk back across the boardwalk. The risks are too much.

Mr. Brownlee stated that was one of my initial concerns.

Mr. Harrah stated I thought we were getting somewhere with security and lighting, etc. but we are back to just a boardwalk and something the CDD is going to have to absorb the responsibility of and safety and security issues. It is all going to come on us.

Ms. Hall stated what I said was they can do the boardwalk if they do the gates and security but we can lose out on the playground if we have to. I wouldn't let them build that boardwalk without gates and security.

Mr. Pollicino stated at this point the response back to them is accept their withdrawal and it seems like they are not willing to negotiate at this point so I am not in favor of chasing them down if they are not going to come back with a reasonable proposal. Unless they are willing to come back with some form of compromise it is a dead issue.

Ms. Hall stated you might be right and they will have a counter offer.

Mr. Harrah asked what is the action on that, are you going to reach back to them?

Mr. deNagy stated I will let them know the board decided to accept withdrawal of their offers.

**FIFTH ORDER OF BUSINESS**

**Approval of Minutes of the May 23, 2016 Meeting**

Mr. Brownlee made an amendment to the minutes, which will be reflected in the final document.

On MOTION by Mr. Harrah seconded by Ms. Hall with all in favor the minutes of the May 23, 2016 meeting were approved as amended on page 13.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2016-06  
Approving the Proposed Budget for Fiscal  
Year 2017 and Setting a Public Hearing Date  
for Adoption**

Mr. deNagy stated item six is consideration of Resolution 2016-06 approving the proposed budget for fiscal year 2017 and setting a public hearing date for adoption. That public hearing will be our August 22<sup>nd</sup> board meeting. You have a copy of the budget in the agenda package; this is the same budget that was provided to you when we last met. There are no changes to the budget.

Mr. Harrah stated I know we have a capital reserve study and as a board is there anything we wanted to consider as an upgrade or addition or anything we are proposing to do out of the capital reserve i.e. we talked about a playground, we talked about shading the playground structures. If we collectively said this is the big-ticket item we want to do for 2017 should we have a line item for that or should we just assume when we get there we pull it out of capital reserve?

Mr. deNagy stated as long as it is in the study I would say you could authorize the expenditure. It may not be set up for 2017 it may be 2018 or 2019.

Mr. Brownlee asked didn't we decide to update the capital reserve in 2017?

Mr. deNagy stated yes, we did defer that from this year to next year.

Mr. Brownlee asked what was the \$46,000 expenditure out of capital outlay on page 18?

Mr. deNagy stated that would be the lights. You will notice we have an increase in assessments of a little over \$40,000, we had a change in our product mix where we have more townhomes being added and the condos and apartments are zero. Because of that increase we are required to send a mailed notice out even though there is no change in assessments. The big changes in the budget are capital reserves are going up about \$43,000, an increase in Vesta's contract of about \$13,000, an adjustment to the landscape line item of about \$4,300 because we changed vendors and a new line item called fuel at \$4,000. We had decreases in irrigation of about \$9,000, refuse \$6,200 and utilities about \$5,700 decrease. All those added together totals about a \$43,000 increase.

Mr. Pollicino stated the big increase is in the capital reserve going from \$127,000 to \$170,000. We actually saved \$40,000 in this budget and we are putting that into the capital reserve.

Mr. deNagy stated you have a copy of the mailed notice in front of you as well as the notice that will be published and this will be sent out at least 20 days prior to our August 22<sup>nd</sup> hearing. In the second paragraph of the mailed notice it is stated clearly that individual O&M assessments are not increasing. They talk a little bit in the first part of the paragraph about why there are additional revenues, which necessitates the mailed notice. The published notice will run in the paper.

Mr. Pollicino asked is there any way you can draft a very plain language cover letter to accompany the letter saying, attached please find the statutory requirements, however, your fees are not increasing.

Mr. deNagy stated Carl, I can send you a draft of a letter with a brief explanation. Do you see a problem with that?

Mr. Eldred stated that is fine. Dave, I know you are sensitive to mailing costs. Will that add anything to the cost?

Mr. deNagy stated I don't think so if we keep it the way you have it front and back we can add a second page and that shouldn't be an issue.

Mr. Rucker asked can we make the second paragraph the first? Put the bottom line for the residents at the top so they know what this is and what's going on.

Mr. Harrah stated the only two areas that we have that are undeveloped are the retail, commercial and office. Is there any potential of those being turned into residential units?

Mr. deNagy stated it could be rezoned.

Mr. Brownlee stated the developer is paying O&M on those parcels.

Mr. deNagy stated right.

Mr. Brownlee stated on Exhibit A to the letter it says, note that the O&M assessments do not include any debt service assessments previously levied by the district. Is there a chance we might be able to put that note in bold letters?

Mr. deNagy stated yes. Back to the FY17 budget: Pages 3 – 13 are definitions for all the line items in the general fund budget. Pages 14 & 15 are the debt service assessments. Pages 16

& 17 are the impact fee bonds that do not impact residents but we show the income and interest payments due on the impact fee bond. Page 18 is the capital reserve budget.

Ms. Alfano stated in regards to Dave's softer letter that is something we can put in the newsletter and website as well to let people know the mailing is coming. We will take care of that part on our end if that is okay with the board.

Mr. Pollicino stated that is a good suggestion.

Ms. Alfano stated the other thing I want to touch base on is the question Jason brought up about if the board had any ideas of adding something. I want to make sure and you probably already know this but the reserve study would be to repair or mend something we already own but if you want to build something this would be the time to set aside moneys.

Ms. Hall stated I don't want to lock into anything but I do think as a supervisor of the board the biggest question I get is when are we going to build another pool. I know we can't just come up with the money to build another pool but we should do our due diligence to find out where we can put it and how much it would cost and that will cost money to have it designed. I don't know if we want to do the legwork to say yes we can and put it in this location or no we can't. I want to pay somebody to come up with plans and pricing and say in the ballpark this is what it would cost to build a new pool. We can't do anything without that information and from my experience in building new facilities a lot of years of planning go into that.

Mr. Harrah asked is that something the capital reserve study looks at, the population growth of the community, this is what we estimate you need to do?

Mr. deNagy stated not really, it is for the existing items and the life of those items and when they need to be replaced. That is something we would plan as a future capital outlay.

Ms. Hall asked would the architect fees come out of contingency?

Mr. deNagy stated right, we would probably defer those costs for capital down the road.

Mr. Rucker stated the board had a discussion about doing surveys. In terms of how to figure out what item we might want to do next year you might want to consider reviving those surveys so we find out from the residents where they would want us to spend the money.

Mr. deNagy stated that is a good idea and in terms of another pool a question you can link to that is, would you be willing to pay higher assessments because there has to be a funding source for that, which we do not currently have.

Ms. Hall stated I think we just need to be armed with the information. I think we are not doing our job as a board unless we have the information on what it would cost for the items to be considered.

Mr. Harrah stated there are companies who do planning studies based on your population and the attendance at the pool and they may say by 2025 you should add 32 parking spaces.

Mr. Pollicino stated Margaret will be a good judge of the attendance at the pool.

Ms. Alfano stated I can do a little research and get a cost to evaluate our current property.

On MOTION by Mr. Brownlee seconded by Ms. Hall with all in favor Resolution 2016-06 approving the proposed fiscal year 2017 budget and setting the public hearing for August 22, 2016 at 6:00 p.m. at the Durbin South Amenity Center, 145 South Durbin Parkway, Jacksonville, Florida was approved.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Mr. Harrah stated I have asked for a map showing the areas we excluded from the landscape maintenance contract. I have talked to the attorney about writing a letter about this is where we stand, we feel we are not responsible for X, Y, Z, these are the areas we are not mowing. I think that letter is best coming from the attorney whenever Mike gets back but I would like to set a timeline we can get that letter drafted and to the board for review and editing and finalize it and send it to the county.

Mr. deNagy stated I have an update from the county. I'm going to be contacted by the county attorney and once I am I will get that information and share it with Hopping Green.

Mr. Harrah stated we need to get something on the record that we are not doing this.

Mr. Pollicino stated when you get calls from residents about that the message to them is it is not CDD property we are not maintaining it and give them a phone number to call.

Mr. Harrah stated the issue came up when we were looking at the existing landscape maintenance contract to see what areas we were paying to maintain and he showed us all the areas he maintained since the community was built and one area being from Racetrack Road all the way to Publix and C.R. 210 and we asked how much is that and how much is Veterans and the other area and it was in the range of \$60,000 to \$80,000 and we were looking to raise the assessments and that is when we stopped it.

Mr. Pollicino stated we had several meetings on this topic.

Mr. Harrah stated I want a letter from the attorney with a color coded map showing those areas sent to the county saying this is our position we are not mowing it anymore.

Mr. Eldred stated I think that is a good suggestion and we talked about it the other day. There are a couple other districts also affected by this and I think we can probably put together a coordinated effort. I can't speak for those boards but I have discussed this with Aberdeen and we may be able to pull together some concerted effort.

Ms. Hall stated I rode the property on my bike yesterday and it looks like the worst is from the Durbin monument to Veterans. The weeds on the road are taller than my son they are not like that on Veterans. The county really thinks from the monument to Veterans is part of our property because they have mowed Veterans more than they have mowed that section. The weeds are encroaching onto the sidewalk either side.

Mr. Harrah stated you can invite him to address the board and explain to us why if he wants to.

**B. Engineer**

There being none, the next item followed.

**C. District Manager**

Mr. deNagy stated you should have a letter in front of you that I received and was asked to present it to the board from Richard and Holly Hyman and I wanted to bring it to your attention, it is all taken care of.

**D. General Manager - Report**

Ms. Alfano reviewed her report, copy of which was included in the agenda package, after which the following action was taken.

On MOTION by Mr. Harrah seconded by Mr. Rucker with all in favor staff was authorized to prepare an agreement with Creekside subject to Creekside agreeing with the Wednesday time change to 7:00 p.m. to 9:00 p.m. and the chairman was authorized to execute the final document.

A request was made by residents to have the lights at the pool turned on to accommodate early morning lap swimming. After discussion the following decision was made: the pool would be made available from 5:00 a.m. to 7:00 a.m. for lap swimming and if someone requests staff to turn on the lights they will do so, they will not be turned on automatically at 5:00 a.m.

**E. Operations Manager – Report**

Mr. Howell gave an overview of his report, copy of which was included in the agenda package.

**EIGHTH ORDER OF BUSINESS                      Other Business**

There being none, the next item followed.

**NINTH ORDER OF BUSINESS                      Supervisor's Requests and Audience Comments**

Mr. Brownlee stated at the last meeting a resident asked if a barrier could be put up between the villages and the commercial area and you were going to talk to Jason Sessions.

Mr. deNagy stated he has been out of town and was going to get back with me this week.

A resident stated the \$40,000 extra you get from the townhomes, how many townhomes are there and did they contribute to this \$40,000?

Mr. Pollicino stated it is not extra it is the overall budget.

Mr. Harrah stated look at the budget, we have a certain dollar amount allocated for apartments, they have to pay whether they are built or not.

Ms. Hall stated all the vacant property has to pay.

Mr. Holmes stated I noticed we have more swim lessons going on. Has that been approved and do we get any money from that?

Ms. Alfano stated there is revenue that comes back to the district for swim lessons and we do not have more than previously.

Mr. Holmes stated last year we had one group of kids one lane, this year we added two more lanes with swim instructors tied to the swim teams.

Ms. Alfano stated there was one day where the swim team did that but that has been taken care of. You will not see the swim team there any longer. There are swim lessons and there are swim teams, two different entities there.

Mr. Holmes asked how many lanes are they allowed to use?

Ms. Alfano responded swim lessons use one lane and if no one is in a lane they will move over. The older kids will go there but swim team is a separate scenario.

Mr. Holmes stated the older kids with the swim instructor are using two lanes, the young kids are using one lane.

Mr. Pollicino asked will you look into it?

Ms. Alfano stated it ended last week. Swim team extended beyond their agreement with us. That has all been taken care of.

A resident stated we were here on a Monday and they were trimming trees by the pool.

Mr. Harrah stated any Monday holiday any work that is needed or any maintenance is needed, defer that to Tuesday. I have heard this from other people as well.

A resident asked have you looked into getting a heater for the pool?

Ms. Hall responded I think we can look into it.

Mr. Pollicino stated we looked into it years ago and the price was outrageous, the pool was not built for heating because it is zero entry and a lot of heat will escape from the left side of the pool.

Ms. Hall stated we are geothermally heating the pool at the club where I work in December so we will have a good idea of how well that works because it is a lot of upfront cost but very little continuous cost.

Mr. Brownlee stated I remember when we looked into it before Julington Creek was spending tens of thousands of dollars every month to heat their pool.

Ms. Hall stated it is about \$40,000 a month if you don't do it geothermally.

A resident asked do you maintain along the power lines?

Mr. Howell stated once it goes past the district boundaries that is not our responsibility.

A resident stated I live next to that and there is a giant vine covering the trees and I'm afraid it is going to suffocate the tree.

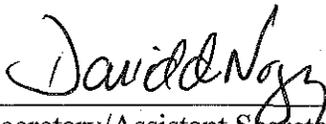
Mr. Howell stated send me an email with your address and I will take a look at it.

**TENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – July 25, 2016 @  
6:00 p.m. at the Durbin South Amenity  
Center**

Mr. deNagy stated the next meeting is scheduled for July 25, 2016 at 6:00 p.m.

On MOTION by Mr. Harrah seconded by Ms. Hall with all in favor  
the meeting adjourned at 7:30 p.m.



Secretary/Assistant Secretary



Chairman/Vice Chairman