

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, January 25, 2021 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
Jason Harrah	Supervisor
William Clarke	Supervisor

Also present were:

Daniel Laughlin	District Manager
Mike Eckert	District Counsel
Justin Blankenbaker	Vesta/Amenity Services Group
Danelle DeMarco	Vesta/Amenity Services Group
Todd Myhill	Vesta/Amenity Services Group
Jaime Constancio	VerdeGo

The following is a summary of the discussions and actions taken at the January 25, 2021 meeting. An audio copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Pledge of Allegiance

Mr. Laughlin called the meeting to order and led the pledge of allegiance.

SECOND ORDER OF BUSINESS

Roll Call

Mr. Laughlin called the roll.

THIRD ORDER OF BUSINESS

Audience Comments

There being none, the next followed.

FOURTH ORDER OF BUSINESS Organizational Matters

A. Oath of Office for Newly Elected Supervisors

Mr. Laughlin stated Supervisor Clarke has taken the office prior to the meeting.

B. Consideration of Resolution 2021-01 Designating Officers

Mr. Laughlin stated the current officers are: Peter Pollicino chairman, Tim Brownlee vice chairman, Sarah Hall assistant secretary, Jason Harrah assistant secretary, and from my office for document and check signing purposes, James Perry secretary and treasurer, Ariel Lovera assistant secretary, Ernesto Torres assistant treasurer and Daniel Laughlin assistant secretary. Dave deNagy is still listed and I recommend we have him removed and add Jim Oliver from my office.

On MOTION by Mr. Harrah seconded by Mr. Pollicino with all in favor Resolution 2021-01 was approved reflecting the following officers: Peter Pollicino chairman, Tim Brownlee vice chairman, Sarah Hall, Jason Harrah, William Clarke, Ariel Lovera, Daniel Laughlin and Jim Oliver assistant secretaries, James Perry secretary and treasurer, Ernesto Torres assistant treasurer.

Mr. Eckert stated Mr. Clarke, I know I sent you a notebook some time ago that had a lot of information about sunshine law and public records law. I will give you my card afterwards and I can talk to you a little bit more about that.

FIFTH ORDER OF BUSINESS Approval of Consent Agenda

- A. Approval of Minutes of the November 16, 2020 Meeting**
- B. Balance Sheet and Statement of Revenues and Expenses**
- C. Assessment Receipt Schedule**
- D. Check Register**

On MOTION by Mr. Brownlee seconded by Mr. Pollicino with all in favor the consent agenda items were approved.

SIXTH ORDER OF BUSINESS Staff Reports

- A. Landscape Maintenance Team - Report**

Mr. Constancio gave an overview of the landscape maintenance report and Mr. Harrah was authorized to review the areas to be enhanced with Mr. Blankenbaker and to come back at the February meeting with a recommendation of the projects to be done this year and Mr. Laughlin will review the landscape contingency.

The next item taken out of order.

Pond Bank Proposal

Mr. Blankenbaker stated we have tried to come up with a plan to address the issues on Pond 9.

Mr. Crabb stated I have reviewed all the engineer's reports, suggestions, visited the site and viewed the area of concern. There was a prior specification that called for 255 feet of Sox erosion system and we viewed it as a 54-foot problem, and we could come back if it proved to be a bigger problem. The material comes in 100-foot increments and with 200-feet we would center the 54-foot section and go out on each side. 200-feet would encapsulate the situation.

On MOTION by Mr. Harrah seconded by Mr. Brownlee with all in favor option 2 in the proposal from Estate Management Services, Inc. in the amount of \$17,202 was approved subject to district counsel preparing an agreement for these services.

B. District Counsel

Mr. Eckert stated these are the two issues I was working on with staff in relation to the preserve area behind a couple lots. I was informed by Mr. Pavlicek that he restored his area in accordance with his consultation with a local nursery or landscaper. I wouldn't know if he has restored it appropriately or not.

Mr. Harrah asked Justin have you looked at it?

Mr. Blankenbaker responded yes. It looks like everything they put in is pretty healthy. The other one I sent pictures on last week and he said he had ripped out the stack of wood and firepit, but nothing has been done.

Mr. Eckert stated he made that statement within a day of when I got your pictures that he was going to. I talked to him at the board's direction, he provided some information that all the stacked wood back there was wood he bought and brought in, not that he cut down back there but

he knew he had to remove it and the work he had done back there was a dead tree that was on the ground as well as some other dead trees they cut down, but they were not the same type of trees as the firewood and he didn't do anything other than mow and I told him you can provide your side of the story and I will provide that to the board. I provided that to Daniel and you have it. I am not qualified to go out there and try to figure out if the restoration is good enough or not, perhaps it is a question for George or your staff.

Mr. Blankenbaker stated I was there last week to verify he had moved it and he didn't clean it all up.

Mr. Harrah stated reach out to him again and say we are going to come out and look at it before our next board meeting and if it is not fixed we need you to come and discuss with the board when you are going to have it fixed.

C. District Engineer

Mr. Laughlin stated George sent an update on the traffic light. He said the contractor has installed three out of four drill shafts for the traffic signals, they had some conflicts with the existing utilities and they are working with the county to resolve that. Hopefully, they can get the fourth drill shaft installed in a few weeks.

Mr. Harrah stated I know we had the guy come in from the county one time and tell us the asphalt didn't meet the criteria for resurfacing yet. We have to keep track of that asphalt because it is getting pretty bare in some places on North Durbin. I know the county doesn't want to spend the money to repave but keep it in your O&M manual to check it once a year and reach out to the county and ask them when they are going to start resurfacing.

Mr. Blankenbaker stated I will put that on my list.

D. District Manager

Mr. Laughlin stated I received an email from a resident, it is for a home sale and they found out after doing some research that the fence that was already installed doesn't go along with the survey.

Mr. Harrah stated a fence company is required to get a boundary survey of the property and stake off where you are going to put the fence.

Mr. Eckert stated I have no idea if that went through the HOA to get approval. I don't know if it went through the county to get a permit.

Ms. Michele Taylor stated this is a survey from 2013. The house has been built and sold three times and no one caught this except me. I brought it to Daniel's attention and asked how to rectify this. We are under contract and have a closing date for the 26th of February.

Mr. Brownlee stated it is in the preserve and you have to move the fence. The person selling it has to pay to move the fence in accordance with the property boundary before you do the transaction.

Mr. Pollicino stated I think it is a question for George.

Mr. Harrah asked is it conservation area because it says right behind there it calls it UB and UB denotes upland buffer. I don't know if that is a buffer before you hit conservation area. If it is conservation area 100% along that line then we cannot grant that but if it is a buffer before you hit conservation area then there is some wiggle room. George needs to answer that.

Mr. Pollicino stated maybe Justin can call George and it would be a slight cost to the homeowner to have Mike prepare the paperwork, but if it is preserve it needs to be removed.

Mr. Eckert stated if the board is inclined to try to work through this issue, I suggest you approve a license agreement subject to confirmation it is not in a conservation area and approval by the engineer and attorney. In the event your engineer and attorney can't get comfortable with it then we will bring it back to your February meeting. It is a minimum of \$500 of time that is going to be spent on it and probably closer to \$1,000.

Mr. Pollicino stated the simplest solution without incurring any cost would be to have the current homeowner remove the fence.

<p>On MOTION by Mr. Brownlee seconded by Mr. Pollicino with all in favor district counsel was authorized to prepare a license agreement for the existing fence subject to confirmation that it is not in a conservation area, and final approval by the district engineer and district counsel with all costs to be borne by the homeowner.</p>

E. General Manager

1. Report

A copy of the general manager's report was included in the agenda package.

2. Utility Audit

Mr. Myhill stated our company has worked with ICG and it is an option to look for funds that might be reclaimed by the district.

Mr. Eckert stated if you approve that contract you should carve out any deposits because sometimes districts have fairly sizable deposits that were put down by the developer or the district early on and to me that is not recovering something, that is something your staff can reach out to your utilities and ask if there are any deposits on file. If it is a question of billing discrepancies or something like that, that is a different issue.

Mr. Myhill stated I reached out to JEA and all our deposits are under one name and she said we had no deposits on file.

Mr. Pollicino asked what skill set do they have that we couldn't just place a call to JEA and find out ourselves?

Mr. Myhill stated there must be some skill set but I don't know what it is. I was highly skeptical when I received it and reached out to my colleagues and she sent me photocopies of the checks that Vesta paid to ICG in response, a \$40,000 and \$20,000 check.

Mr. Pollicino asked before we sign anything with ICG can you call our account manager at JEA?

Mr. Myhill stated I will do that.

Mr. Rucker stated before I retired, I sat on a board that does all this and the reason the agency was formed was because there were a number of companies doing this. You really have to watch the language in the contract because it used to say net of the improvements. There were so many ways I could walk into this building and say I can lower you bill by 50% by doing X, Y, Z. It is going to cause tremendous changes. You are going to have to rewire things, have aesthetic changes, all sorts of issues, it has to be net of what you have to do. If you are not careful in doing that, they will give you something that will look great and the reality is you wouldn't want to do it. There are all sorts of variables.

Mr. Pollicino stated it is just billing, not improvements. See what it is and come back next month and if it is legitimate, we will have Mike look at the contract and we will give it a go.

Mr. Eckert stated I have another district that approved this last month. I don't know how long it will be for them to get results back, but I will ask the question.

3. St. Johns Middle School Athletic Association

Mr. Myhill stated St. Johns Middle School Athletic Association has been using our tennis courts for the middle school tennis program over the last few years. They originally entered into an agreement with the district in 2016. They came to us and asked to use the courts and Mr. Eckert updated the agreement, which has been provided to the tennis team and they updated Exhibit A of their schedule. Is it okay for them to use the tennis court for various Thursdays, which is not a popular day and in the past has been an issue?

Mr. Clarke asked do they reimburse us as part of that agreement?

Mr. Eckert stated with the school there has never been a fee that the community has charged. It is within your discretion.

Mr. Clarke stated the St. Johns Middle School Association doesn't operate out of the generosity of their hearts. I'm curious to know if they pay a fee to the fields for St. Johns County for football, soccer and using a facility that was paid for by the residents strictly not the county. There are probably existing agreements with other tennis court organizations or neighborhoods.

Mr. Pollicino asked are you saying it is a for profit organization?

Mr. Clarke stated I'm not going to call it not for profit.

Mr. Harrah stated they want to use it Friday afternoons 4 – 5 p.m., the South Durbin Tennis courts. I imagine it is Patriot Oaks or the local teams?

Mr. Myhill stated it is Patriot Oaks.

Mr. Pollicino stated then it is all residents. We try to make a distinction if it is the majority of Durbin Crossing residents then we yield more toward we are good but if it is outside communities or the county, we try to offset that.

Mr. Eckert stated January 27th would be the tryouts then it would go through April 22nd the last match and April 30th is the last practice.

<p>On MOTION by Mr. Harrah seconded by Mr. Pollicino with all in favor the agreement with the St. Johns Middle School Athletic Association for use of the tennis courts for Patriot Oaks was approved.</p>
--

4. Proposed Community Social Meeting and Activities Policy

Mr. Myhill stated the social hall becomes a valuable area for resident use, we have programs in here, events, residents like to rent this area for parties and then we have social groups. Over the years more and more outside groups, boy scouts and girl scouts have asked for free use of the rental areas. We have accommodated in the past some of these groups but it has gotten to the point where we should stick firmly to the policy and not provide the rental area to these national groups, whereas before we had one boy scout group now we have three or four.

Mr. Pollicino stated I think that is consistent with other Vesta properties, we have had this conversation and the answer is no. We stick with Vesta's guidance on this and say we don't do that, it is just too many.

Mr. Myhill stated the swim team has asked if they could have a normal season without any restrictions beginning in the spring.

Mr. Pollicino stated as far as COVID we need to stay in compliance with CDC and everything else.

On MOTION by Mr. Pollicino seconded by Mr. Harrah with all in favor district counsel was authorized to draft a contract for the swim team with similar language to last year to include COVID-19 protocols and follow CDC guidelines.

Mr. Myhill stated I have received a number of complaints from residents about unauthorized use of the JEA easement and wanted to know if there was anything the district could do to stop the trespass on CDD property. We can set up 4 X 4 posts to discourage access and we can post no trespassing signs as a first step to see if that has any impact on reducing the amount of traffic.

Mr. Harrah stated it is not the board, you just call the sheriff and issue a trespass warrant. If there is nothing out there now, then we need to put up some signs

Mr. Pollicino stated start with the signs.

Mr. Myhill stated I'm thinking about access points from city streets through landscaping into the easement, we could block that.

Mr. Eckert requested Mr. Myhill to work with George on whatever you do from a safety standpoint.

F. Operations Manager

1. Report

A copy of the field operation manager's report was included in the agenda package.

2. Landscape Enhancements

This item discussed earlier in the meeting.

3. Pressure Washing Proposal

This item tabled to the next meeting to enable staff to get additional quotes and to also include pressure washing the wall.

4. Pond Bank Repair Proposal

This item taken earlier in the meeting.

5. Two-Lane Roundabout

Mr. Blankenbaker stated we had an issue with trees on the roundabout on North Durbin and those have been replaced and I have been working with the county getting all the signage for the roundabouts brought up to county standards.

G. Amenity Manager – Report

A copy of the amenity manager's report was included in the agenda package.

SEVENTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

Mr. Brownlee stated Justin you said you were expecting sandblasting of the old benches and trashcans. Did we get those?

Mr. Blankenbaker stated the contractor kind of fell off the map, the only one I knew who would come out and do it without taking them back to his shop, so my guys went out and cleaned them. I'm hoping he comes back before summer. I'm getting all these places ready to go for spring break.

Mr. Brownlee stated if one is falling apart, just buy a new one.

Mr. Blankenbaker stated I have removed two benches and thought about trying to refurb them, but I couldn't find anybody that carries replacement parts for those benches, so we removed them and they are now being replaced with new benches.

Mr. Brownlee asked what about the coverings for the shade structures?

Mr. Blankenbaker stated I was informed the week of the 25th they would be starting.

Mr. Brownlee asked when was our last capital reserve study done?

Mr. Laughlin responded it has been a few years, 2018.

Mr. Brownlee stated we might think about getting an update at some point. Costs have changed, structures have deteriorated a little bit.

Mr. Laughlin stated we can try to tie that in with budget season. I can get some bids for that.

Mr. Rogers stated I came to the CDD about a year ago to try to prevent the kids from playing in what turned into a football field, soccer field and they continue to play there.

Mr. Blankenbaker stated I went to that area, it is St. Augustine grass, you can clearly tell it is scratched up pretty good, this time of year it is dead anyway. It may not come back.

Mr. Harrah stated let's look at it when you and I go out.

A resident asked are you going to replace the palm trees that have been taken down?

Mr. Pollicino stated the soil wasn't good for palm trees and we lost them three times so we should probably go with something that is more tolerant.

A resident asked does anyone in the CDD check the streetlights?

Mr. Myhill stated I check them.

A resident stated I have lights out every month.

Mr. Harrah stated if you have the Durbin Crossing app you can report that, and it goes to his email.

EIGHTH ORDER OF BUSINESS

**Next Scheduled Meeting – February 21, 2021
@ 6:00 p.m. at the Durbin South Amenity
Center**

Mr. Laughlin stated our next scheduled meeting is February 21, 2021 at 6:00 p.m. in the same location.

January 25, 2021

Durbin Crossing CDD

On MOTION by Mr. Brownlee seconded by Mr. Pollicino with all in favor the meeting adjourned at 8:10 p.m.



Secretary/Assistant Secretary



Chairman/Vice Chairman