

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, May 24, 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
Sarah Gabel Hall	Supervisor
Jason Harrah	Supervisor
William Clarke	Supervisor

Also present were:

Daniel Laughlin	District Manager
Mike Eckert	District Counsel
Dan Fagen	Vesta/Amenity Services Group
Margaret Alfano	Vesta/Amenity Services Group
Danelle DeMarco	Vesta/Amenity Services Group
Zach Davidson	Vesta/Amenity Services Group
Charlie Shepard	Community Advisors by telephone
Dreux Isaac	Dreux Isaac & Associates by telephone
Mike Veazy	ICI Homes

The following is a summary of the discussions and actions taken at the May 24, 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 at 6:00 p.m. and led the pledge of allegiance.

Mr. Pollicino called for a moment of silence for those impacted by the recent tragedy that took place in our community on Mother's Day.

SECOND ORDER OF BUSINESS

Roll Call

Mr. Laughlin called the roll.

THIRD ORDER OF BUSINESS

Audience Comments

Mr. Lake stated I am a landscape architect with England Thims & Miller, we did the development plans for Phase 1, 2, and 3 for Durbin Crossing and we work with similar clients to do the embellishment for amenity centers. I'm here with the father of Tristyn Bailey and am with Mike Geiger and Joe Mark, who want to do a memorial for Tristyn and we don't have a location or specifics but I want to speak to you and make sure you are aware of it and I will give you my card and if there is anything you want to discuss offline I would be happy to talk to you about it. We want to honor her wherever that may be in the community.

Mr. Bailey stated it has been incredibly difficult to lose Tristyn in the manner, timing, and circumstances. I appreciate the support coming from the community and is why I wanted to come today. What we have seen is that St. Johns County is extremely special and Durbin Crossing community is absolutely wonderful from the point in time when she was a missing person and the help from the community trying to find her to the outpouring of love that has come since. We greatly appreciate the outpouring of love from everyone.

Mr. Pollicino stated on behalf of the board we express our condolences and anything you need from us, reach out at any time and we will do anything to make this easier for you and your family.

Mr. Laughlin stated I was reached out to by Mike Veasy with ICI Homes. He has a turn lane project on Longleaf. It has been sent to George, he has reviewed it and has no issues as long as the district is protected. We had discussed some sort of agreement once they are done with the work it will be put back the same way it was. He said he doesn't see any issues, however, please note that it appears from reviewing the aerial view that landscape shrubs and irrigation may need to be removed as part of the project. I recommend they work with the district's landscape maintenance crews to ensure all disturbed areas are properly sodded and landscaped post construction and all irrigation will be restored to the district. That is something we will have an agreement drafted for.

Mr. Eckert stated there are two items on the agenda today, one is a request for the turn lane by ICI and there is another one with Mattamy, the request is the same. Our firm is approximately 50 attorneys. I believe that I would need a conflict waiver from the board to represent the District

in these matters. Even though I don't work with them, our firm works with them on other CDD projects. For me to provide you with assistance on these two requests I would need the board to grant a conflict waiver with the understanding that I would still represent the District in this in terms of negotiating an agreement but if that would lead to litigation our firm wouldn't represent either party. I wanted to disclose that conflict before we hear a presentation and certainly you can still hear the presentation even if you don't want to waive the conflict, but I wanted to make sure you were aware that you have to waive that conflict before I can start giving you advice in relation to these two items.

On MOTION by Mr. Pollicino seconded by Mr. Harrah with all in favor the conflict of interest waiver for district counsel with ICI and Mattamy was approved.

Mr. Veasy stated I am with ICI Homes and we are developer of the parcel at the corner of Veterans and Longleaf, the southwest corner is what we are developing now. Part of our offsite improvements are widening of Longleaf Pine and adding turn lanes into Tollerton so that it is four-lane and the turn lane is there. All the improvements we are doing are in the right of way, the turn lane and sidewalk. What goes outside the right of way is because we have the elevation change from the existing road right of way to the tract, there is 5 or 6 feet, the improvements will end right away we don't have enough room to get the slope down without getting into that tract that is outlined in blue. Everything gets shifted over in the right of way, the road, the bike lane, sidewalk gets shifted over with the four-lane, but because of the elevation grade, the slope down to 4 to 1 slope that means we are going into the tract.

Mr. Pollicino asked what if we don't want an impact on our monument and the extra concrete in front of it, what are our options if we say we are not interested?

Mr. Eckert stated I haven't even looked at this or thought it through. There are other construction methods that may be available that they might need to look at. He is really looking for a slope easement and it is not uncommon to have that, but if it is going to disrupt your irrigation and landscaping that is there, the only other thing to look at is the conservation area.

Mr. Pollicino stated it is the aesthetics of the entrance.

Mr. Veasy stated the only thing on your property is the slope down. The sidewalk and turn lane are within the Sr. Johns County right of way. The only reason we are asking for this easement is the elevation change. It is going to be a four-lane all the way to Veterans.

Mr. Eckert stated I suggest if the board wants us to work with them and George to try to figure out what approach to use, we can do that. I don't know what your timing is.

Mr. Veasy stated right now we are getting ready to get started. You can see some stakes in the right of way where the turn lane is. Through the contractor and St. Johns County they asked us not to start until after school is out because of traffic concerns with Creekside in the morning and afternoon. We want to start right after school is out so we can get it done in the summer.

Mr. Pollicino stated whatever we do we want to make sure there is no impact to the residents in Tollerton.

Mr. Clarke asked was this generated by St. Johns or is this your idea to help some of the traffic flow?

Mr. Veasy stated this is part of what the county made us to do get approvals for our project.

Ms. Alfano stated there are so many children that come from Tollerton to school, you were talking about moving the sidewalk and the slope. According to George if we could put in some sort of guardrail, it would be safer for the children. I'm concerned about the safety and the slope.

Mr. Harrah stated I know George took a cursory review of it, but we are putting in a stoplight out here because the traffic counts are high because it is four-laned. We are now adding another area that is four-laned. They need to take a hard look at it and if they are going to make it four-lane we need a stoplight for safety. People leaving Tollerton won't be able to make a left.

Mr. Eckert stated I think that is a conversation between George and the county. What you have here is they are asking you to accommodate that turn lane by giving up a property right, which is a slope easement to allow that to occur. You have the potential conservation issue that I want to look at and make sure there are no issues there and George should look at it from the functionality standpoint that you talked about and then you as a board have to decide if you want to give up that property right. A couple things if you don't, I would think they could construct it in a different way, it is probably more expensive, or the county could come in and take it by eminent domain. You can appoint a board member to work with me and George on it. This is an issue that came up in the last couple of days and we couldn't get it on the agenda.

Ms. Hall stated that road is unique because it slopes down so there is a huge blind spot. I will work with you on that.

Mr. Eckert stated we will work with Sarah and bring something back at the next board meeting.

Mr. Veasy asked when is that?

Mr. Eckert stated the fourth Monday of June.

Mr. Clarke joined the meeting during this item.

FOURTH ORDER OF BUSINESS

Approval of Consent Agenda

- A. Approval of Minutes of the April 26, 2021 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. Harrah with all in favor the consent agenda items were approved.

FIFTH ORDER OF BUSINESS

Consideration of Proposals for an Update of the Reserve Study

- A. Community Advisors**
- B. Dreux Isaac & Associates**
- C. Reserve Advisors**

Mr. Laughlin stated on the phone we have Charlie Shepard of Community Advisors who prepared the current study and for their updated study it is \$1,400. We also have Dreux Isaac on the phone from Dreux Isaac & Associates and they did the study before that one so this would also be an update and that is \$3,600. Reserve Advisors is the third proposal, and it doesn't sound like anyone is on the phone and this one would be a new study in the amount of \$6,600.

Mr. Shepard and Mr. Isaac gave an overview of their respective proposals, after which the board took the following action.

On MOTION by Mr. Pollicino seconded by Mr. Harrah with all in favor the proposal from Dreux Isaac & Associates to update the reserve study was approved.

Mr. Shepard and Mr. Isaac left the telephone conference at this time.

**SIXTH ORDER OF BUSINESS Discussion Regarding Conveyance of Parcel from
Mattamy Homes**

Mr. Eckert stated I didn't look at this yet because I didn't have the conflict waiver signed but it looks like an orphan parcel that needs to be conveyed to the HOA or CDD. Basically, the main thing for me is that George looks at it and is okay with it and I see title work to make sure we are not getting something that has some sort of mortgage on it. Beyond that I don't know what else to recommend you do. You can say no, you don't have to take it.

Mr. Laughlin stated we will get more information and bring that back to the next meeting.

**SEVENTH ORDER OF BUSINESS Consideration of Resolution 2021-02 Approving the
Proposed Budget for Fiscal Year 2022 and Setting a
Public Hearing Date for Adoption**

Mr. Laughlin stated you have the most up to date version of the budget and there is a proposed increase in assessments. We have the new Vesta numbers, which are lower than the initial proposal. There are a few line items that have been trending high or we have been very close or have gone over the last couple of years and I'm suggesting that we increase those lines. The water and sewer and electric line items were the big one and the landscape contingency increase about \$20,000 and miscellaneous about \$10,000. This is also keeping the current \$80,000 transfer to capital reserve.

Today we will approve a budget and will adopt the budget in August. We can approve a higher amount and we can lower that when you adopt the budget, but whatever is approved today is the maximum amount that can be adopted in August. I suggest we keep these proposed increases and notice that amount and we can discuss it over the next couple of months.

Mr. Eckert stated the notices won't go out until after the June meeting and you could make adjustments between now and June. I'm not suggesting you do that, but I don't want to approve something today that really isn't going to be the increase.

Mr. Pollicino stated in the next budget if you will highlight the changes that would be helpful.

The board discussed miscellaneous income sources, insurance, impact of minimum wage increase, grounds maintenance and capital reserve contribution.

On MOTION by Mr. Pollicino seconded by Ms. Hall with all in favor Resolution 2021-02 approving the fiscal year 2022 budget and setting a public hearing for August 23, 2021 was approved.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Landscape Maintenance Team - Report

This item discussed under operations report.

B. District Counsel – Legislative Update

Mr. Eckert stated the legislative session concluded and I will provide you with the post session update. The ethics training did not pass for special district board members so you don't have to worry about that this year. There was a bill that passed that lets us advertise our meetings online, however, there are also requirements that you publish in the newspaper that you are going to be publishing online. We have to go back and see if that is going to be advantageous for us to do so. We will take a look at that. The late penalty for contractors, if the district doesn't pay a contractor when they should it has gone from 1% to 2% per month. There are going to be additional things in your audit that your manager is going to have to report to the auditor and those would be employee salaries, amounts paid to subcontractors, budget variance reports if we don't stay within the budget and things of that nature. These are the main things that passed. We may have to make a couple changes to our rules but if we do we will bring those before you. We monitor that and if it is necessary, we will bring it. If it can wait another year, we will bring it back because there is a cost to advertise it.

C. District Engineer

There being none, the next item followed.

D. District Manager – Report on the Number of Registered Voters 4,777

A copy of the letter from the supervisor of elections indicating that there are 4,777 registered voters residing within the district was included in the agenda package.

E. General Manager - Report

Mr. Fagen stated I want to introduce Zach Davidson who has been training with Justin and has been working in Rivertown and has gotten a great deal of experience there.

Ms. Alfano stated we have asked the preventative maintenance company that we have a contract with to provide us with the last year of repairs because there was some concern as to warranty left and condition. I would like to know if the board wants us to move forward as we are talking about budget, we would like to dial in both gyms. We had the preventative maintenance company currently doing a new layout for our gym to make sure we are compliant as well as take advantage of every inch, but we would like to bring back proposals. I would like to see some new equipment, maybe fitness on demand where we can buy four upright cycles for there and have on demand cycle class.

F. Operations Manager - Report

Ms. Alfano stated I would like to get proposals to enhance the intersection when the streetlight goes live. I have concerns with VerdoGo since I have been on property and our amenity manager noticed the flowers upfront are sparse and we are short 50 plants and we have since corrected the situation. I want to be sure they are invested in the area.

Mr. Harrah stated they haven't completed all the work on the roundabouts, they are not dressing the community as they said. I'm not comfortable asking them for a price for the stoplight stuff. Are you comfortable moving forward with VerteGo in our 2022 budget or are you suggesting we put out an RFP?

Ms. Alfano stated I would like to come back to you. I have been back a month and have been disappointed and they are aware of that. I would like the opportunity for Zach and me to check all the projects to make sure and Justin has left us a very detailed list of where we are.

On MOTION by Mr. Clarke seconded by Mr. Brownlee with all in favor the proposal to clean up the JEA easement area near the ballfields in the amount of \$1,250 was approved.

G. Amenity Manager

Ms. Alfano gave an overview of the amenity center report.

NINTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

A resident stated you talked about the increase in minimum wage and how that affects the lifeguard salaries and the differential of lifeguards who have been here a while. The current lifeguard pay for new hires is substantially higher than minimum wage and if new hires are coming in at minimum wage, if you think you are having trouble hiring lifeguards now you are going to have more problems. When minimum wage is at \$10 per hour the new hires aren't going to be able to be at \$10 per hour, they are going to have to be a click above that. That is at each step of the minimum wage. I have been a lifeguard for 35 – 40 years now and from my very first job minimum wage was \$3.25 per hour, and we were getting paid \$3.50 or \$3.75.

Ms. Hall stated I agree, and lifeguarding isn't a minimum wage job because these kids are in charge of lives, and they are out in the sun.

Ms. Alfano stated I failed to mention that we are having trouble finding swim instructors that can deliver the level of lesson that a resident expects. The amenity manager has been working very hard trying to locate instructors and to make sure the program works as well as for residents. We do not know if we are going to be able to deliver the swim lesson program.

Ms. Hall stated this is very true of the challenge of hiring a swim instructor is harder than a lifeguard. They have to have a 40-hour WSI course, and they hardly offer that course anywhere and then you have to have a candidate who will go through the WSI course. The only other option is to look at some of the other nationally certified programs that have shorter courses. You cannot teach swim lessons if you are not certified through a nationally recognized program.

Mr. Fagen stated we are looking at that elsewhere and if can't do it right we are not going to do it. We do our own WSI certification with WSI trainers and we may very well cancel.

Ms. Hall asked what if you just offer private lessons?

Mr. Fagen stated we are doing that elsewhere as well.

Ms. DeMarco stated we just aren't getting the applicants.

Mr. Harrah stated there are places outside Durbin you can take your kid to teach them to swim.

TENTH ORDER OF BUSINESS

Next Scheduled Meeting – June 28, 2021 @ 6:00 p.m. at the Durbin South Amenity Center

May 24, 2021

Durbin Crossing CDD

Mr. Laughlin stated the next scheduled meeting is June 28, 2021 at 6:00 p.m. in the same location.

On MOTION by Mr. Brownlee seconded by Ms. Hall with all in favor the meeting adjourned at 7:44 p.m.



Secretary/Assistant Secretary



Chairman/Vice Chairman