

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, April 25, 2022 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

Also present were:

Marilee Giles	District Manager
Mike Eckert	District Counsel by telephone
George Katsaras	District Engineer by telephone
Dan Fagen	Vesta/Amenity Services Group
Margaret Alfano	Vesta/Amenity Services Group
Zach Davidson	Vesta/Amenity Services Group
David Landshoot	VerdeGo
Billy Genovese	VerdeGo

The following is a summary of the discussions and actions taken at the April 25, 2022 meeting. An audio copy of the proceedings can be obtained by contacting the District Manager.

**FIRST ORDER OF BUSINESS**

**Pledge of Allegiance**

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

**SECOND ORDER OF BUSINESS**

**Roll Call**

Ms. Giles called the roll.

**THIRD ORDER OF BUSINESS**

**Audience Comments**

There being none, the next item followed.

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**FOURTH ORDER OF BUSINESS      Approval of Consent Agenda**

- A.    Approval of Minutes of the March 28, 2022 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.
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**FIFTH ORDER OF BUSINESS                      Discussion of JEA Easement**

Mr. Davidson stated I met with JEA on Friday of last week; their arborist and the gentleman over the crews that does all the mowing for JEA easements. We walked the area behind 208 and I explained the concern the resident has from the mowing. Ever since that area has been developed it has always been a wet area, they have what is called “no bottom” so there is no real solid base underneath just mud and if you pull it up there is no solid ground it is always mud. They come three or four times a year to mow that area so what they are going to do now is when they get to that area, they are not going to mow it unless it is dry. They will walk that area to make sure it is dry enough, so they don’t cause ruts.

As to the concern with the power pole that might have been hit, they replace it in 6-8 years. That is after their inspection; every three years they take a long drill bit and drill into each power pole three times in three different spots and if there are signs of decay or rot, they will replace those poles. That pole that was struck had been checked out in 2019 and there was no need to replace it.

Mr. Harrah stated if you could get that in writing or at least an email that would be better so that when we are asked, we have that.

Mr. Pollicino stated if we can’t get that then maybe an affirmative email from you saying this is to confirm my understanding of our conversation.

Mr. Eckert stated we did the research on that 25-foot vegetative buffer that is supposed to be maintained by JEA that is included in the easement and it is the 25-feet adjacent to residents lots. It is supposed to be a vegetative buffer that is maintained there and if they are mowing it, they understand they are violating their own easement. I will defer to Zach on the practicalities.

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**SIXTH ORDER OF BUSINESS****Discussion of Letter Regarding Termination of Interlocal Agreement with St. Johns County for Sharing of Reclaimed Water**

Mr. Eckert stated we had an interlocal agreement a long time ago where there were water meters and sub-meters that were serving both district property as well as county property and we entered into an interlocal agreement so that we would have a way for the county and the district to pay their fair share. It looks like the county is doing some sort of project over there and wants to terminate that interlocal agreement. I have asked George and Zach to look at it and figure out what kind of retrofit might be necessary for the district as a result of this and that is going to involve some conversations with the county.

Mr. Katsaras stated the only thing I can add is that the intent was that the county would be maintaining their parks and the district would be maintaining the irrigation within the right of way, but it is all one system right now. At some point it would have to be severed and probably a new meter installed for the right of ways. I do not have the irrigation plan. I don't know if Zach has any more information on that. We will have to see what the actual field conditions show for that.

Mr. Brownlee stated I understand St. Johns County is putting in a well and they are going to use well water to irrigate the fields and the only thing we have to maintain would be the area along the road in the rights of ways.

Mr. Davidson stated I met with the oversight guy for the baseball fields. I have been in contact with his boss also and he needed the maps. I sent that to them and told him if he needs additional help to let us know. I'm trying to work as close as I can with them so that it is a clean cut, and everybody is on the same page and it is a smooth project.

Mr. Eckert stated all we are looking for is for staff to start working with the county to make sure that whatever transition has to happen when it happens, happens smoothly so we don't have landscape dying because there is no communication and coordination to make sure our irrigation system doesn't skip a beat.

Mr. Pollicino stated seven or eight years ago when our irrigation bills were going through the roof, we discussed putting in a well so we could independently water our common areas and the county wouldn't allow us to drill a well and now, the county is doing it. Has anything changed in that regard, and we can revisit that?

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Mr. Katsaras stated I think it is written into our Durbin Crossing CDD DRI and PUD that wells are prohibited. We can ask the question.

Mr. Pollicino stated now would be the time to ask the question since the county is doing it.

Mr. Katsaras stated I'm fairly certain that it is written into the DRI and PUD, so even if logistically you could do it to get that condition removed that might be a huge hassle. Mike might be able to speak on that. I can ask but I'm not sure what can be done. The irrigation is being fed with reclaimed water; potable water isn't being used. The water management district standpoint they want you to use reclaimed water and stormwater and well water than potable water. Why they are able to use well water I don't know.

Mr. Pollicino asked can we pull from our pond to water the field?

Mr. Katsaras stated that would be an option, it is more infrastructure because you have to put in pumps to get the water from the pond then if there is a drought, which is when you use the most irrigation the pond water levels are down. I'm not sure the size of the ponds near the park are of sufficient size to do that.

Mr. Pollicino stated come back to the next meeting with a yes or a no on the well.

## **SEVENTH ORDER OF BUSINESS**

### **Discussion of Landscape RFP**

Mr. Eckert stated the version in your agenda package is somewhat of an abbreviated version and the reason is you are only required to approve the evaluation criteria, which are included in your agenda as well as to authorize the advertisement of the RFP. This RFP is structured to start fiscal year 2022-2023, 2023- 2024, and 2024-25. The board needs to give direction to staff. We have already included comments in the RFP that we received from Supervisor Harrah, and I think they are in pretty good shape to be able to do it. It would not start for services until October 1, 2022, however, for budgeting purposes the board needs to make some decisions. Do you want to go out on the street with the RFP now, do you want to wait a couple months? The big thing is making sure that you budget enough for the potential cost increase or anything like that so that at the end of the day your assessments are enough to cover what your contract is. I will turn it over to your operations folks and they can give some comments on the timing but ultimately it is up to the board to direct staff when you want this to hit the street.

I put a little bit more emphasis on the price than you have done in the prior year. It seemed to me when I reviewed it what we did the last time on price was not allocated enough based on

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what I generally see with other community development districts. The only change in the criteria was taking some points away from the category 1, 2, 3 and putting them back into price. Even now only 20 points is awarded for the lowest bid.

On MOTION by Mr. Pollicino seconded by Mr. Harrah with all in favor the evaluation criteria were approved and staff was authorized staff to notice the RFP for landscape services.

Mr. Harrah stated we need to have it out on the street for 30 days at a minimum. Once we receive the bids it has to come before the board for evaluation. Once we evaluate, how much time do you need to write up the contract?

Mr. Brownlee stated and get the budget adjusted.

Mr. Eckert stated I think Daniel's approach was to build into the draft budget some contingency money under contingency, that wasn't really allocated towards landscaping but could be moved there in the event the RFP showed that they had to be. I suggest we get this advertised next week, May 1 and have it on the street until the second week of June and we would get everything back at your June meeting or your July meeting and then you should be able to conclude at that particular meeting, rank and authorize and it takes 5-10 days to get the contract signed but the form of the contract is in the RFP so there is not going to be a lot of negotiation.

Ms. Alfano stated previously we charged a fee to cover the maps and paperwork and things on our end. I don't know if the board wanted to continue with that fee this time.

Mr. Pollicino asked how much was it last time?

Mr. Eckert stated I believe it was a \$100 fee to get all the maps and everything, but I don't know if you are all electronic now or if you are looking at paper submissions. You can make that decision.

Mr. Pollicino stated I would go both ways.

Ms. Alfano stated it goes in the newspaper ad and it will say the paperwork is available between this date and this date and the end date is due, etc.

Ms. Hall asked are we allowed to invite them?

Ms. Giles asked once it is on the street is Zach allowed to send it to known vendors?

Mr. Eckert stated he should contact known vendors that do this type of work and let them know that there is an RFP on the street and if they want the information Zach can give them the

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information on how they can submit a proposal. There is nothing inappropriate about that once it hits the street, that just encourages competition.

Ms. Giles stated the other question is whether it will be electronic packets or whether you want them to pay the fee to pick up a paper copy.

Mr. Harrah sated I would do electronic.

Mr. Pollicino stated I think the \$100 weeds out the non-serous contractors.

Mr. Harrah stated I think we do it all electronic, a nice PDF package, put it in the newspaper. Everybody works electronically and the submit their proposal electronically, eight?

Ms. Alfano stated the response has to be on paper.

Mr. Eckert stated we can send it electronic, and they submit a paper response and that is so that we don't have to make copies for you. We are not going to accept proposals by email because it is so hard to track when submitted, so there is a paper requirement for submission but not for what we provide to them.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-04  
Designating a Registered Agent and  
Registered Office**

On MOTION by Mr. Harrah seconded by Mr. Pollicino with all in favor Resolution 2022-04 was approved.

**NINTH ORDER OF BUSINESS**

**Staff Reports**

**A. Landscape Maintenance Team - Report**

Mr. Landshoot stated we have been working on getting the grass beds cleaned up, working on monuments as well, get through the neighborhood and get the detail work caught up. We still have issues with weeds popping up in the north section. We have a 5-man crew going through the property. Annuals went in last week and I feel we have been taking care of the concerns of the community very well.

Mr. Genovese stated we had our event his weekend for the sod and mulch, and it was a good event. We had a drive through at the north amenity center and we sold 37 bags of cypress golden mulch, 107 bags of the red mulch, 424 bags of brown mulch and we feel that we saved the residents about \$665 for the mulch. Going to the pine bark, we sold 240 bags of mini pine bark, the large pine bark we sold 258 bags another savings of \$682 for the residents. We sold just shy

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of 67- pieces of sod with a total savings of \$990 so overall we saved the residents \$2,377 by hosting that event.

There was some talk about doing an event in the fall with flowers and give the residents an opportunity to purchase some plants and we can talk about that as the summer goes on.

**B. District Counsel – Memorandum Regarding Best Practices for Responding to Public Records Requests**

Mr. Eckert stated I'm sending this memo to all my districts because we have seen an uptick in public records litigation and threatened litigation that has nothing to do with what your manager is doing for your district because they have all these policies in place already. It is a good reminder to the board, so you understand what process your management goes through when they get a public records request. The big takeaway I would like all the board members to remember is if you ever receive a public records request, please don't try to respond to it on your own, just forward it to Daniel or Marilee's office so they can do it and be consistent and collect the fees the district is entitled to and also make sure the resident gets the records they are entitled to.

**C. District Engineer**

There being none, the next item followed.

**D. District Manager**

Ms. Giles stated Daniel wanted me to remind you that we will approve the budget at the next meeting, May 23<sup>rd</sup> and adopt at the August 22<sup>nd</sup> meeting.

**E. General Manager - Report**

Ms. Alfano gave an overview of the general Manager's report, copy of which was included in the agenda package.

**F. Operations Manager - Report**

Mr. Davidson gave an overview of the field operation manager's report and presented a proposal from VerdeGo and the board took the following action.

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On MOTION by Mr. Harrah seconded by Mr. Brownlee with all in favor the proposal from VerdeGo to install a 2-wire clock in the Orchid Way area in the amount of \$5,582.17 was approved.

**G. Amenity Manager – Report**

Ms. Alfano gave an overview of the amenity manager’s report, copy of which was included in the agenda package.

**TENTH ORDER OF BUSINESS**

**Supervisor’s Requests and Audience Comments**

There being none, the next item followed.

**ELEVENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – May 23, 2022 @ 6:00 p.m. at the Durbin South Amenity Center**

Ms. Giles stated the next scheduled meeting will be held May 23, 2022 at 6:00 p.m. in the same location.

On MOTION by Mr. Harrah seconded by Mr. Brownlee with all in favor the meeting adjourned at 7:10 p.m.

DocuSigned by:  
  
B48FC214DC1144D...  
Secretary/Assistant Secretary

DocuSigned by:  
  
DE5EE8AA9DE041B  
Chairman/Vice Chairman