

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, July 24, 2023 at 6:00 p.m. at the Bartram Trail High School, 7399 Longleaf Pine Parkway, St. Johns, Florida.

Present and constituting a quorum were:

Peter E. Pollicino	Chairman
Sarah Gabel Hall	Supervisor
Jason Harrah	Supervisor
Shalene B. Estes	Supervisor

Also present were:

Daniel Laughlin	District Manager
Mike Eckert	District Counsel
George Katsaras	District Engineer by telephone
Dan Fagen	Vesta/Amenity Services Group
Margaret Alfano	Vesta/Amenity Services Group
Danelle DeMarco	Vesta/Amenity Services Group
Approximately 85 Residents	

The following is a summary of the discussions and actions taken at the July 24, 2023 meeting.

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.

SECOND ORDER OF BUSINESS

Roll Call

Mr. Laughlin called the roll.

THIRD ORDER OF BUSINESS

Opening Remarks by Board Chair and Supervisors

Mr. Pollicino stated I want to thank everyone for coming out for the meeting. We are not going to move forward with the fence due to the feedback from residents. Our budget isn't

July 24, 2023

Durbin Crossing CDD

finalized until the August meeting. I would say 95% of the feedback we received was presented in a positive, constructive format that was well written and well received from those who supported the fence and those who were opposed to the fence. 5% of the feedback was not positive but accusatory and malicious, uncalled for and unprofessional. Staff will give a presentation and we will table any action on non-resident usage. If it turns out that we have 30% to 40% non-resident usage we will come back to you in the form of a survey with options to curtail the non-resident usage; perhaps additional staff, a security guard, but a long-term solution that is cheapest for everybody.

FOURTH ORDER OF BUSINESS

Staff Presentation to the Community Regarding Issues, Concerns, Alternatives Considered and Associated Costs to Reduce future Unauthorized Usage of and Damage to Amenity Facilities, Courts and Green Spaces

Mr. Harrah gave a PowerPoint presentation that detailed the policies in place for the north and south amenity centers, playground, basketball court, tennis courts, pool area, gym, field space, issues with people coming in from outside the community to use the amenities that is expected to get worse in the future with not enough county facilities to accommodate the growth and options to address non-resident usage being stick with the status quo, additional amenity staff, private security, off duty officer, or fencing.

FIFTH ORDER OF BUSINESS

Audience Comments

Many of the following comments were expressed by more than one resident: Additional signage, comparison of costs, quantitative value data, hire older workers, better and more frequent communication, benefit based on assessment methodology, usage and peak times, number of proposed staff, opposition to fence, security staff in certain seasons and times, not sure a gate or fence would do the job, field access for teams difficult to secure, enough resident participation to cover the amount of non-resident players on the Saturday basketball players, guest policy can be changed, younger staff is always supervised, more signage, online reservation system for the courts, fences kill sense of community, conflict resolution training for young staff, number of guests policy, target solutions in staffing, the presentation that was very helpful, fence would be inconvenient should a ball go over the fence, control people coming in and out, younger children are not responsible enough to have a key card, fence would be a logistics problem, charts need

July 24, 2023

Durbin Crossing CDD

additional information to include additional cost for sidewalks, non-emergency number for sheriff, safety concern in event of emergencies, aesthetics, several speakers opposed to fence and single point entry, invite teams to use fields and charge for access, would not be in favor of an increase in O&M for the fence, facilities are fantastic, clean and maintained, is the board the only one to make a decision, inconvenience the majority for the few incidents, amenities are open at Julington Creek, child could not play on basketball court because it was dark, safety concerns with fence, no breakdown on surveillance, take into consideration the number of additional cards, address existing issues, trespass people who shouldn't be here, trespass is for two years.

SIXTH ORDER OF BUSINESS Board Member Vote on Removing the Amenity Center Fencing Proposal and Related Costs from the Proposed Fiscal Year 2024 Budget

On MOTION by Ms. Estes seconded by Ms. Hall with all in favor the amenity center fencing related costs will be removed from the proposed fiscal year 2024 budget.

SEVENTH ORDER OF BUSINESS Approval of Consent Agenda

- A. Approval of Minutes of the June 26, 2023 Meeting**
- B. Balance Sheet and Statement of Revenues and Expenses**
- C. Assessment Receipt Schedule**
- D. Check Register**

On MOTION by Mr. Harrah seconded by Ms. Estes with all in favor the consent agenda items were approved.

EIGHTH ORDER OF BUSINESS Discussion of Fiscal Year 2024 Budget

Mr. Laughlin stated we have discussed this over the past few months, and we have the adoption at the August meeting. The proposed increase was 19% and included the north amenity center staffing, when we adopt the budget we can lower that amount, we can't increase it. The main drivers and a big part of this is inflation, cost increase due to hourly wage increase, contracts, sod replacement for a multi-phase project, insurance, and increase to the capital reserve contribution.

July 24, 2023

Durbin Crossing CDD

Public comments: give percentage of increases, explanation of revenues, consider other revenue streams.

NINTH ORDER OF BUSINESS Acceptance of the Fiscal Year 2022 Audit

Mr. Laughlin stated in the letter to management there were no prior year or current year findings or recommendations and it is a clean audit.

On MOTION by Mr. Harrah seconded by Ms. Estes with all in favor the fiscal year 2022 audit was accepted.

TENTH ORDER OF BUSINESS Update on Claims Against Epic Pools

Mr. Laughlin stated Matt sent me a memo today and it said “we were able to get Epic’s motion to dismiss set for hearing September 7th. I’m trying to work with their counsel to work out the issues raised in the motion to dismiss so we can avoid the hearing and move on towards discovery, however, it does not appear they are willing to cooperate at this time.”

Mr. Eckert stated that is typical litigation strategy they are dealing with at this point.

ELEVENTH ORDER OF BUSINESS Staff Reports

A. Landscape Maintenance Team - Report

Ms. Alfano gave an overview if the Yellowstone landscape update for July 2023, which was included in the agenda package.

B. District Counsel

Mr. Eckert stated we prepared the pool installation license agreement you approved at the last meeting. The statewide mutual aid agreement we were going to send that to the state, but the state informed us that they are doing a new computer system and respectfully requested that we wait a couple weeks to submit all of them. We do anticipate you will have a safety zone resolution, which is something that our office is suggesting that we present to St. Johns County to designate our amenity center as a safety zone under the county ordinance dealing with sex offenders and sexual predators and that will come to you at your August or September meeting.

C. District Engineer

July 24, 2023

Durbin Crossing CDD

There being none, the next item followed.

D. District Manager

Ms. Estes stated there were a lot of residents who had unique ideas when we do the minutes can we summarize those ideas and talk about it at the next meeting.

Mr. Laughlin stated we can do that.

Mr. Pollicino asked are we having the next meeting at Durbin Crossing?

Mr. Harrah stated we can accommodate 40 at Durbin Crossing.

Mr. Pollicino asked how much does this room cost?

Mr. Laughlin stated \$400 and \$500 if we stay past 9:00 p.m. As far as the August meeting that has already been sent to the paper and that sets the public hearing.

E. General Manager - Report

Ms. Alfano reviewed the general manager's report, copy of which was included in the agenda package.

F. Operations Manager - Report

Ms. Alfano gave an overview of the field operation manager's report, copy of which was included in the agenda package.

G. Amenity Manager – Report

Ms. Alfano reviewed the amenity manager's report, copy of which was included in the agenda package.

TWELFTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

Mr. Pollicino stated thank you for showing up and participating in tonight's meeting.

Ms. Hall stated based on the audience comments today I would like the board to revisit the Patriot Oaks Academy field uses with the football team and other school teams.

Mr. Laughlin stated we actually approved them and they had a practice but it was canceled because the field was wet.

July 24, 2023

Durbin Crossing CDD

Ms. Hall stated I heard otherwise. I want to make sure we have provisions for Patriot Oaks sponsored teams in the future. I would like to get three quotes for tennis court scheduling, field and pavilion reservations, www.yourcourts.com is one that I have used in the past. I believe it can be integrated into the app and it also has the ability to use field and pavilions. I would like to research the possibility of a photo membership card be an app on your phone so if you are on the fields, you can show that you live here and revisit the north staffing for peak usage, which is fall and spring 4 p.m. to 7 p.m. Monday through Friday.

Mr. Laughlin stated if we can figure that out by August that is when we have the budget adoption in August.

Ms. Burden stated I didn't see anything in there for the attorney fees for Epic Pool. I wanted to find out where that is coming from.

Mr. Eckert stated that number is not under the attorney fees. Our contract with Epic has an attorney fee shifting provision in the event the district is successful then the contract provides that the district is reimbursed its attorney's fees. It is not my firm; it is a construction litigation expert firm and we are trying to find extra savings in line items as well as using capital reserves until we got through that litigation. That is why it is not in the operating budget because it wasn't anticipated to be a separate line item in the operating budget.

Ms. Burden asked do you have an estimate of what that is likely to be?

Mr. Eckert stated yes, I think the estimate we were given was \$125,000 if it had to go through trial but we just filed the complaint, they filed a motion to dismiss, which is typical.

A resident stated I suggest you notify the sheriff's office when you have people hanging out or having a party.

THIRTEENTH ORDER OF BUSINESS

**Next Scheduled Meeting – August 28, 2023 @
6:00 p.m. at the Durbin South Amenity Center**

Mr. Laughlin stated the next meeting is scheduled for August 28, 2023 at 6:00 p.m. at the Durbin South Amenity Center.

On MOTION by Ms. Hall seconded by Mr. Pollicino with all in favor the meeting adjourned at 8:54 p.m.

July 24, 2023

Durbin Crossing CDD

DocuSigned by:
Daniel Laughlin
9A989FE97A6A46D...

Secretary/Assistant Secretary

DocuSigned by:
[Signature]
654632A5651D43E...

Chairman/Vice Chairman