

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, August 28, 2023 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
Sarah Gabel Hall	Supervisor
Jason Harrah	Supervisor
Shalene B. Estes	Supervisor

Also present were:

Daniel Laughlin	District Manager
Mike Eckert	District Counsel
Margaret Alfano	Vesta/Amenity Services Group
Danelle DeMarco	Vesta/Amenity Services Group
Zach Davidson	Vesta/Amenity Services Group
Blake Dougherty	Yellowstone
Cheyne Solesbee	Yellowstone
Kyle Sanders	Yellowstone
Jack Thompson	Yellowstone
Several Residents	

The following is a summary of the discussions and actions taken at the August 28, 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

Audience Comments

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There being none, the next item followed.

FOURTH ORDER OF BUSINESS

Approval of Consent Agenda

- A. Approval of Minutes of the July 24, 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 Mr. Pollicino with all in favor the consent agenda items were approved.

FIFTH ORDER OF BUSINESS

Public Hearings for the Purpose of Adopting the Fiscal Year 2024 Budget, considering the Imposition of Special Assessment, Considering the Adoption of an Assessment Roll, and Providing for the Levy, Collection and Enforcement of Assessments

On MOTION by Mr. Harrah seconded by Mr. Pollicino with all in favor the public hearing on the budget was opened.

A resident stated I'm new here and would like to know the budget process.

Mr. Laughlin stated it is a two-step process, we approved the budget in May and today is the public hearing to adopt it. The majority of the increase is the sod replacement project at \$180,000, increase to the capital reserve from \$54,000 to \$100,000, which is basically a savings account for large capital repairs, and the increase in insurance. We are looking at just under a 15% increase across the board. It has been six or seven years since the last increase.

A resident stated I came in late but were there any changes since the approved budget?

Mr. Laughlin stated there was an approved budget and an amount set aside for the north staffing and that was removed from this budget. It was \$144,000 that was taken out. It was originally a 18% proposed increase and now it is just under a 15% increase.

Mr. Pollicino stated the fence was never in the budget; it was the staffing at north.

A resident asked if you have a dual lot do you pay double? I have a couple neighbors who have that.

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Mr. Eckert stated I would have to look at that and see if they are paying double assessments or not. Typically, you have to go through a replat process to do that.

On MOTION by Mr. Pollicino seconded by Ms. Estes with all in favor the public hearing was closed.

A. Consideration of Resolution 2023-07 Relating to Annual Appropriations and Adopting the Budget for Fiscal Year 2024

Ms. Hall asked what did we decide on north staffing?

Mr. Laughlin stated nothing.

Ms. Hall asked are we going to address it later?

Mr. Laughlin stated the vote was to remove it at this time and reassess it at a future date.

On MOTION by Mr. Harrah seconded by Ms. Estes with all in favor Resolution 2023-07 was approved.

B. Consideration of Resolution 2023-08 Imposing Special Assessments and Certifying an Assessment Roll for Fiscal Year 2024

On MOTION by Ms. Estes seconded by Mr. Harrah with all in favor the public hearing on special assessments was opened.

Mr. Eckert stated we adopt the budget then we allocate the costs of funding that budget to the different lots within the district and different commercial uses that are within the community. We have an assessment methodology that was adopted when we issued our bonds and basically this resolution allocates the costs among the benefited properties and most importantly, we are going to certify it to the St. Johns County Tax Collector. We want to collect the assessments on your annual tax bill. That is what this resolution accomplishes.

There being no comments or questions from the residents, the board took the following action.

On MOTION by Mr. Harrah seconded by Ms. Estes with all in favor the public hearing was closed.

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On MOTION by Mr. Harrah seconded by Ms. Estes with all in favor Resolution 2023-08 was approved.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2023-09 Designating Safety Zones

Mr. Eckert stated St. Johns County a few years back adopted a child safety zone ordinance and in that ordinance, there is a list of places where certain people are not allowed to be. That list is supposed to be provided to those people and they are supposed to know not to go there. However, when we went back and looked at that list, that list was only county properties and there are some exceptions, but no community development district property, even though we are a public entity and have parks and pools and things like that. All this resolution does is identifies the places that we believe should be designated by the county as child safety zones and ask them to do that. There is no cost for you to administer this, staff has been and will be given guidance that if they see any violation of the county ordinance, we call the sheriff's office and have the sheriff deal with it. I believe we are already covered but we are not on the list. It formally requests the county to designate this because we don't have police power.

On MOTION by Mr. Harrah seconded by Ms. Estes with all in favor Resolution 2023-09 was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Request for Easement Release at 204 W. Berkswell Drive

Mr. Laughlin stated next is a request for an easement release, but it probably needs to be an encroachment agreement at 204 W. Berkswell Drive. They are looking to have a pool installed and they will have pavers, which will go into the 10-foot easement. In speaking with the residents, they have a fence there already that was put in by the homebuilder when the home was built. This would stay within the fence that already exists, but that fence is in the district easement. I sent it to George, and he saw no issues with it. Zach has seen it onsite. The one thing to note is that they have the comment in here about the 12" retaining wall, the resident said that was put in there in case they needed it, which they don't. We will want to have something in the agreement stating that we are not approving any type of retaining wall.

Mr. Eckert stated the way we handled these things before is there is a policy you have in place with criteria such as whether the area covers the easement, whether it will interfere with any

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restrictions on the use of the easement area and would the encroachment adversely affect the health, safety, welfare, security. George looked at it and didn't think it would affect our ability to use our drainage easement for its intended purpose. I recommend that consistent with your policy to require an encroachment agreement that would state that there is no retaining wall allowed to be built there and that the encroachment would address the removal of the pavers as well as removing the fence in the event the district needed to use its easement.

Mr. Harrah asked do you have a survey from a licensed surveyor that doesn't show an encroachment in the easement?

Mr. Guckavan stated correct. Also, on the county plat map it doesn't show either so we were unaware that there as an easement.

Mr. Eckert stated remember your policy provides that the resident has to pay the cost for preparing and recording that document, so the rest of the residents aren't paying for improving one person's property.

On MOTION by Mr. Pollicino seconded by Mr. Harrah with all in favor district counsel was authorized to prepare an encroachment agreement for 204 W. Berkswell Drive as outlined with no retaining wall and costs of preparing and recording the encroachment agreement to be paid for the owners, Mr. & Mrs. Guckaven.

EIGHTH ORER OF BUSINESS

Consideration of Proposal for Water Quality Monitoring

Mr. Laughlin stated this should be the last year we have to do this, and at George's request I contacted them after they sent the proposal and advised them that this is their last year, and they can start finalizing that. The Board directed staff to make sure the permitting agency(ies) was signed off on this being the last year in writing.

On MOTION by Mr. Harrah seconded by Mr. Pollicino with all in favor the proposal from Terracon for fiscal year 2024 water quality monitoring in the amount of \$2,300 was approved.

NINTH ORDER OF BUSINESS

Update on Claims Against Epic Pools

Mr. Eckert stated staff can ask Matt to update the board by email on status of the Epic Pools claim.

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TENTH ORDER OF BUSINESS**Staff Reports****A. Landscape & Irrigation Maintenance Team - Report**

Mr. Solesbee reviewed the landscape update for August 2023, copy of which was included in the agenda package.

B. District Counsel

Mr. Eckert stated an issue was brought to our attention that there was a fence installed on district property and I provided advice to staff to talk to the resident first to see if he would move his fence and if not, then your protocol would be to get a survey to show where it is and get a cost to remove it.

Mr. Davidson stated I have emailed that resident and have not heard back. I will follow-up.

Mr. Eckert stated in another week if you don't hear back then let me know and I will write a letter.

We did have a meeting with the county and thanks to Margaret, Zach and Daniel for setting that up about the reclaimed water irrigation meter at the park. It was a productive meeting, I owe them two documents, an easement for us to be able to run our water off that meter and an agreement, which would basically transfer the payment responsibility from the county to the CDD for that meter. The county still wants to keep their access to that meter available in case their wells go down and have said they will pay for their water usage in the event they needed to tap that. There will be a separate meter. It was a long time coming but I will give credit to county staff when we got there, they were quickly in problem solving mode and I think we have a good path forward. We are looking to save around \$50,000 to \$60,000 for a capacity fee, that is what we are trying to avoid. We are looking at whether we can reduce the size of the meter and it still work for the county and for us, which would drop our monthly fee by a few hundred dollars.

C. District Engineer

Mr. Harrah stated the Borland Groover area, typically when they have ingress/egress on a muddy field they should have some kind of gravel put on Longleaf Parkway and they don't. Every time it rains the mud goes in all the storm drains.

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Mr. Laughlin stated I reached out to the county and spoke with a couple departments over the last couple of weeks and most of them are saying this is a private project, commercial construction and they would forward me to another person. I did get a call back and I will call them back tomorrow.

Mr. Harrah stated you need to send an email to the county engineer. I can't remember the distance for stoplights, but it is going to get busy in front of Patriot Oaks and Lady Bird Academy.

Ms. Estes stated they were out there this week.

Mr. Harrah stated I would like George to reach out to them to make sure they understand our concern.

D. District Manager – Consideration of Designating a Regular Meeting Schedule for Fiscal Year 2024

On MOTION by Ms. Hall seconded by Mr. Harrah with all in favor the fiscal year 2024 meeting schedule reflecting meetings on the fourth Monday of the month was approved as amended with the November meeting date changed to November 13, 2023.

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

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

G. Amenity Manager – Report

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

ELEVENTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

Ms. Estes stated every week I'm being told another kid got hurt here. I don't know if we can lay more sod or what we can do.

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Mr. Pollicino stated when that was installed it boggled all our minds because of the angle and I think they did it because you had to slow down the bikes at the intersection.

Ms. Alfano stated we have talked to George about this and he is working on it and Zach has been working with Yellowstone as well to enhance that area. The way the sidewalk goes there has to be a turn so it doesn't go directly onto the road. If you go back to the cul-de-sac there is a path they have worn. Zach suggested coquina that will meet that sidewalk, then we are going to add a row of the grasses and replace the sod as you approach this area. We have been spending a lot of time out there.

Ms. Hall asked can you draft a letter a week late until the meter thing is solved and also can you get the distance of how far the crosswalk was moved?

Ms. Philips asked where are we in the process of figuring out if we want fencing around certain areas, the common areas, do we want more security? Has anyone done anything more towards that?

Mr. Pollicino stated you were at the last meeting. It was tabled and we are not doing anything in that regard at this time. We are waiting to get more information and may come back to the residents in a year or so when we have an accurate count of non-resident usage.

TWELFTH ORDER OF BUSINESS

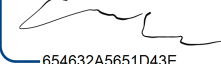
**Next Scheduled Meeting – September 25, 2023
@ 6:00 p.m. at the Durbin South Amenity
Center**

Mr. Laughlin stated the next meeting will be held September 25, 2023 at 6:00 p.m. in the same location.

On MOTION by Ms. Estes seconded by Mr. Pollicino with all in favor the meeting adjourned at 7:23 p.m.

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Secretary/Assistant Secretary

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Chairman/Vice Chairman