

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, September 25, 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 by telephone
Sarah Gabel Hall	Supervisor
Jason Harrah	Supervisor
William Clarke	Supervisor
Shalene B. Estes	Supervisor

Also present were:

Daniel Laughlin	District Manager
Mike Eckert	District Counsel
George Katsaras	District Engineer by telephone
Matt Davis	Special Counsel
Dan Fagen	Vesta/Amenity Services Group
Danelle DeMarco	Vesta/Amenity Services Group
Zach Davidson	Vesta/Amenity Services Group
Cheyne Solesbee	Yellowstone
Kyle Sanders	Yellowstone
Jack Thompson	Yellowstone

The following is a summary of the discussions and actions taken at the September 25, 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.

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THIRD ORDER OF BUSINESS

Audience Comments

There being none, the next item followed.

FOURTH ORDER OF BUSINESS

Approval of Consent Agenda

- A. Approval of Minutes of the August 28, 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. Hall with all in favor the consent agenda items were approved.
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Mr. Pollicino joined the meeting by telephone at this time.

FIFTH ORDER OF BUSINESS

Update on Claims Against Epic Pools

Mr. Davis stated the last time we spoke we mentioned that Epic had filed a motion to dismiss to our complaint and we were able to convince them to withdraw that before the hearing; they withdrew the motion and answered the complaint. We are now ready to set this for trial. Unfortunately based on the current backlog of the courts that could take 12 – 18 months from now. We will be getting our discovery request to them, and they will have 30-days to respond. To that end they did serve a subpoena on Vesta for maintenance information regarding the pool, documents regarding the estimates we got for repairs and any complaints that were received. I worked with Margaret and Zach and we finished our response last week. This afternoon they served a formal document request from the district. I haven't had a chance to review that in-depth my sense is it is going to be pretty much a complete overlap with what we produced from Vesta. We will be getting our documents request out and get those documents back by the end of October. We will then take depositions; Epic's corporate rep, they have asked for the deposition of Ms. Alfano and Zach Davidson. Even though trial will be sometime next fall, there will be a court ordered mediation and most cases settle before trial, that is a great opportunity for us to try to settle the case, eliminate any chance of loss and have it worked out on our own terms. It is required and a great opportunity.

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SIXTH ORDER OF BUSINESS**Staff Reports****A. Landscape Maintenance Team****1. Report**

A copy of the landscape update for September 2023 was included in the agenda package.

Mr. Davidson and Mr. Thompson updated the board on the damage to the irrigation system caused by construction of Borland Groover. The board directed staff to meet with the project engineer and representatives of the county to try to remedy the situation.

2. Proposals for Holly Removal Project

Mr. Davidson outlined the proposals from Yellowstone to remove the diseased hollies and their proposed plant replacement.

On MOTION by Ms. Estes seconded by Mr. Harrah with all in favor the proposal from Yellowstone for holly removal and installation of muhly grass in the amount of \$13,172.37 was approved.
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B. District Counsel

Mr. Eckert stated we drafted a new interlocal agreement and easement for the reclaimed water meter. We don't have the survey to attach to the easement yet where we need our lines to be on country property, but that is in process. I did share the draft interlocal agreement with the county attorney and I will let you know when I hear back from her.

The Board previously adopted a resolution asking the county to designate certain areas as child safety zones. The county commission adopted amendments to their child safety zone ordinance on September 19, 2023. Those were good amendments that will help protect the children in the neighborhood. We anticipate because of the resolution you adopted, that your facilities will be included on the list that they have to give out to certain people.

The other thing we are working on is the use of CDD recreational fields and things that are not designed to be recreational fields that organized sports organizations are using. The board is going to need to consider whether some of these areas should just not be used for organized recreation at all because they weren't designed for it, they don't have the parking for it and these are some of the smaller areas such as pocket park areas, tot lots and things like that.

Ms. Estes asked did you follow-up on the county park project?

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Mr. Laughlin stated Shalene found a pre-app that was submitted to the county to change some park area to add soccer fields.

Ms. Estes stated they are adding four new park areas in the St. Johns Park area but they indicated a demo plan.

Mr. Laughlin stated St. Johns County Park project addition of four mini-pitch soccer fields and bathroom facilities to existing park, clear existing area of pine trees and make room for additional fields. The drainage will tie into the existing park stormwater system and require new water and sewer tie-ins to the proposed bathrooms, fields will be synthetic turf surrounded by chain link fence, include field lighting for nighttime use.

Mr. Harrah stated I'm shocked they didn't notify us.

Mr. Laughlin stated I reached out to the county and was directed to a couple of people and I will get with George if I don't make any progress.

C. District Engineer

Mr. Katsaras stated the sketch & legal descriptions for the easement on county land are in the works. I will get with the surveyor this week and get those over to Mike and he can forward them to the county.

Mr. Laughlin stated in regard to the sidewalk across from Patriot Oaks we had discussed, the stoplight distance you had asked for is approximately 1,300 feet.

Ms. Estes asked what happened to 660 feet?

Mr. Katsaras stated typically for signals that is it.

Mr. Harrah stated they are putting in one at Patriot Oaks turning all the traffic at the intersection where people cut in at Patriot Oaks to go to the baseball fields. All that has been approved by the county, the district didn't have any say in that. All these people coming in and out of Borland Groover is being done without the input of the community. I voiced concerns with the county commissioner that I know, and I encourage the residents if they have concerns that they voice the same concerns via email to the county commissioners.

Mr. Laughlin stated maybe we can extend the concrete to make it a bigger entrance.

Mr. Harrah stated make it an agenda item for October and get an aerial overview from George to show where the concrete would go for board approval of the cost.

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D. District Manager

There being none, the next item followed.

E. General Manager - Report

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

F. Operations Manager – Report

Mr. Davidson reviewed his report, copy of which was included in the agenda package.

G. Amenity Manager – Report

Ms. DeMarco reviewed her report, copy of which was included in the agenda package and highlighted upcoming events and programs.

SEVENTH ORDER OF BUSINESS**Supervisor's Requests and Audience Comments**

Ms. Hall stated we were going over the fencing project with the ages and the rules. It is 16 to be able to use the gym or pool and most kids who are entering high school are 14. I would like the board to entertain looking at the rule of the ages for the kids; if they are old enough to lifeguard, they should be old enough to work out. The 14 or 15 range would be more appropriate than 16. You can lifeguard at 15 but you can't go to the pool by yourself.

Ms. DeMarco stated we talked many times of the difference between the kids who go in the gym to fool around and we see kids 14 and 15 who are serious about baseball, football, soccer and they are serious about working out. We talked about having a team pass to show that one strike and you are out.

Ms. Hall stated I would lean towards going into your freshman year to be able to go to the pool and gym by yourself, but no guests.

A resident stated I am a casual pickleball player but have friends who play and they asked if the board would consider permanently converting a tennis court on south and one on north to pickleball. I have seen people who chalk the lines at north because it is hard to see the faded pickleball lines. With regard to Borland Groover all along Longleaf there is a tree berm and my expectation is that they return that tree berm. You talked about expanding the sidewalk area by

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the school, maybe make it an amenity area with pavers and benches. Putting up signage at the fields is a good idea.

The board discussed the timing of polls, to have no more than four items, method of contact, early notification to the community, set criteria and expectations, controlled access, and the process of gathering information from the community.

A resident stated at 306 Islesbrook there no parking signs. I don't know if those are issued by the county or you and if they are enforceable by law.

Mr. Harrah stated the county put those in.

A resident stated there should be no parking between 302 and 306. They have one of the biggest driveways in the community and should not be parking on the street.

Ms. Estes stated you can go on the county website and put in a private report. These are county roads, and you can send your report to public works and ask them to extend the no parking area.

A resident stated what about parking on the sidewalks?

Mr. Eckert stated usually there is a county code requirement against that. We don't have police power and we don't own the right of ways. The county does have police power and a code and typically you can't block sidewalks. Everything you mentioned so far should be reported to the county by concerned residents and up to the county to enforce. Sometimes HOA declarations have the same requirement that you can't park across the sidewalk and this is something you can talk to the HOA about because they do have the ability to fine. We don't have the ability to deal with that.

EIGHTH ORDER OF BUSINESS

Next Scheduled Meeting – October 23, 2023 @ 6:00 p.m. at the Durbin South Amenity Center

Mr. Laughlin stated the next meeting is scheduled for October 23, 2023 at 6:00 p.m. in the same location.

On MOTION by Ms. Estes seconded by Ms. Hall with all in favor the meeting adjourned at 7:55 p.m.

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DocuSigned by:
Daniel Langhin

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Secretary/Assistant Secretary

Durbin Crossing CDD

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Chairman/Vice Chairman