

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, November 13, 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

Also present were:

Daniel Laughlin	District Manager
Mike Eckert	District Counsel
Jessica Mazariego	Special Counsel - by telephone
Dan Fagen	Vesta/Amenity Services Group
Margaret Alfano	Vesta/Amenity Services Group
Danelle DeMarco	Vesta/Amenity Services Group
Zach Davidson	Vesta/Amenity Services Group
Cheyne Solesbee	Yellowstone
Kyle Sanders	Yellowstone

The following is a summary of the discussions and actions taken at the November 13, 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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Mr. Yuro stated I provided an engineering proposal and wanted to let you know I was here if you have any questions.

**FOURTH ORDER OF BUSINESS**

**Approval of Minutes of the October 23, 2023 Meeting**

On MOTION by Mr. Harrah seconded by Mr. Pollicino with all in favor the October 23, 2023 meeting minutes were approved as presented.

**FIFTH ORDER OF BUSINESS**

**Update on Claims Against Epic Pools**

Ms. Mazariego stated I work with Matt Davis, we went through discovery, and they have not yet produced the documents that were due Thursday, but it is a process and we have a conference this week or next week to obtain the documents from them. The next step is to schedule depositions in January. We have been set for trial November 12, 2024 and we expect it to be a four-day trial.

Mr. Harrah asked do you expect a mediation before that trial date?

Ms. Mazariego stated I believe the mediation is scheduled prior to May or June.

**SIXTH ORDER OF BUSINESS**

**Consideration of Responses to RFQ for Engineering Services**

This item tabled.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Easements and Interlocal Agreement with St. Johns County for Water Meter**

Mr. Eckert stated the county has been good to work with. I prepared the easement that is in front of you as well as the interlocal agreement. They had fairly nominal comments, it has been approved at the staff level, they are waiting on our approval then they will take it to their board. This allows us to reactivate and connect to the water meter that we used to use for irrigation. The county wants to put a sub-meter on it in case they need to use it some day and we would have it read to make sure they would pay us if they actually need to use it. They are looking at it as a secondary source in the event they couldn't use their well for some reason. These are all the terms we worked out with the county, and I think it gets us where we need to go. We do have some work

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after this, it is our responsibility to go to JEA and work through the transfer of that main meter from JEA and we did have comments from some of the people who we work with at the county that they could help facilitate that. I recommend approval of those documents tonight.

On MOTION by Mr. Harrah seconded by Mr. Pollicino with all in favor the easement and interlocal agreement with St. Johns County for the water meter was approved.

**EIGHTH ORDER OF BUSINESS**

**Discussion of Borland Groover Construction Impact on Landscape & Irrigation**

Mr. Davidson stated we had a meeting on Wednesday to confirm the main line was dead; we also met regarding sleeves that need to be installed in that area. Jack met with us as well and helped establish those areas where the two sleeves need to be put in. On our end after the sleeves are put in, we still need to take the main line we capped off the first turn and push it back further to get it out of their area. Then we will do a 6” bore under the road to the other side of Longleaf to connect back into the median when they do their turn lane. I’m working with Yellowstone to make sure all those numbers are correct before we send our invoice over to them for the work that needed to be done. They changed the site plan a little bit.

**NINTH ORDER OF BUSINESS**

**Discussion of Age Restriction for Amenities**

This item was tabled.

**TENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Landscape Maintenance Team - Report**

A copy of the landscape maintenance team report was included in the agenda package.

Ms. Alfano presented a proposal to replace 59 pallets of sod on Longleaf and proposed to split the cost of \$42,500 with Yellowstone.

On MOTION by Mr. Pollicino seconded by Mr. Harrah with all in favor the proposal for the installation of sod on Longleaf on the east and west end an amount not to exceed \$22,000 for the District’s half was approved.

**B. District Counsel**

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Mr. Eckert stated it is still on our radar to research ways to protect the district-owned property from access issues like you talked about at the last meeting. I will bring back a report in January.

**C. District Engineer**

There being none, the next item followed.

**D. District Manager**

**Encroachment**

Mr. Laughlin stated a couple months ago we were told by the HOA about a fence on district property along the JEA easement and we sent a letter to the resident who was willing to move the fence but wanted to discuss potentially keeping it there with an agreement.

Mr. Eckert stated we have dealt with encroachments before in easements and do an encroachment agreement for that. You shouldn't allow private owners to put their property on your property, which is what we have here. Other neighbors are going to build their fence two-feet out and ask why you are treating me differently than this other person. To my knowledge we have not allowed someone to build private improvements on CDD property.

Mr. Pollicino stated I recommend you reach out to the fence company and tell them based on district counsel's recommendation you have to move the fence back to where it should be.

**Impact Fee Credits**

Mr. Laughlin stated St. Johns County allows the district to sell impact fees to developments outside the district close to the vicinity. I was contacted by a gentleman with D.R. Horton about a development they are doing called Ascension Durbin Park, an apartment complex and they are looking to purchase road and park impact fees from us.

Ms. Hall asked can you explain this?

Mr. Eckert stated I can explain this but first as a preliminary matter, I don't but my firm represents D.R. Horton on other projects, not related to Durbin and before I can give you any advice on that I need to ask the board for a waiver of conflict or the Board should get a new attorney to give you some advice on this matter. We have had this issue come up before.

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On MOTION by Mr. Pollicino seconded by Mr. Harrah with all in favor a waiver of conflict of interest was approved.

Mr. Eckert outlined the impact fee credit process and staff was directed to bring back to the next meeting the exact amount of impact fee credits that the district still has.

**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, 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**

A resident stated on your impact fee credits, you may want to aid and abet, instead of high-density multi-family maybe a 55+ at Greenbriar. Under the property issue, they are going to have to deal with the fence one time or another.

**TWELFTH ORDER OF BUSINESS                      Next Scheduled Meeting – December 18, 2023 @ 6:00 p.m. at the Durbin South Amenity Center**

Mr. Laughlin stated the next meeting will be held December 18, 2023 at 6:00 p.m. in the same location.

On MOTION by Mr. Harrah seconded by Ms. Hall with all in favor the meeting adjourned at 7:25 p.m.

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DocuSigned by:  
*Daniel Laughlin*  
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Secretary/Assistant Secretary

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*[Signature]*  
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Chairman/Vice Chairman