

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, February 26, 2024 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:

Marilee Giles	District Manager
Mike Eckert	District Counsel
Mike Yuro	District Engineer
Jessica Mazariego	PDT Law 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
Blake Dougherty	Yellowstone
Kyle Sanders	Yellowstone

The following is a summary of the discussions and actions taken at the February 26, 2024 meeting.

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.

February 26, 2024

Durbin Crossing CDD

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 January 22, 2024 Meeting**
- B. Financial Statements**
- C. Assessment Receipts 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

Update on Epic Pool Litigation

Ms. Mazariego stated a trial is set for November 12, 2024 with mediation to take place prior to October 28th. I have a call scheduled with opposing counsel that will take place by early next week. On that call we will schedule depositions of fact witnesses, with expert witness disclosures and report disclosures in the next couple of months.

Mr. Eckert stated we are looking for a motion to authorize your litigation counsel to hire expert witnesses as needed to properly prosecute your case.

There were no comments or questions from the audience.

On MOTION by Mr. Pollicino seconded by Mr. Harrah with all in favor the litigation attorney was authorized to hire expert witnesses as needed.

Ms. Mazariego left the telephone conference at this time.

SIXTH ORDER OF BUSINESS

Discussion of Capital Expenditures

Ms. Alfano gave a PowerPoint presentation of the expected capital expenditures broken down into “need to do” and “like to do”, the approximate cost, reserve study year, the amount of reserves for each item and the variance.

February 26, 2024

Durbin Crossing CDD

After discussion staff was directed to bring back proposals for tennis court resurfacing, basketball court resurfacing, trash cans, park benches, monument stucco repair, stanchion replacements, sand tank for baby pool, repair/replace Harbury entrance landscaping, and gym doors window conversion and repairs to be included in the fiscal year 2025 budget: phase 3 sod conversion, security camera upgrade and new access system and staff to bring back options for pickleball court locations.

SEVENTH ORDER OF BUSINESS

**Consideration of Resolution 2024-02
Instructing the St. Johns County Supervisor
of Elections to Conduct the District's 2024
General Election**

Ms. Giles stated Resolution 2024-02 instructs the supervisor of elections to conduct the district's 2024 general election for seat 2 currently held by Ms. Hall and seat 4 currently held by Mr. Clarke.

On MOTION by Mr. Harrah seconded by Ms. Estes with all in favor Resolution 2024-02 was approved.

EIGHTH ORDER OF BUSINESS

**Consideration of Easement Encroachment
Request – 124 Staplehurst Drive**

Ms. Giles stated this request is from the resident at 124 Staplehurst Drive to install a paver patio, paver walkway within the blanket easement owned by the district.

Mr. Eckert stated these are the easements the District received from the developer by assignment, and which were included in the HOA documents, which is 5-feet on each side and 10-feet in the front and back. It is my understanding that this particular area backs up to a natural area, not a neighbor on the other side.

Mr. Yuro stated I looked at it and didn't see anything from an engineering perspective that caused me any alarm. It is not a drainage easement. I'm not sure what the easement is for; it is not typical to see easements along natural areas.

Mr. Eckert stated typically we have a deposit for the professional fees associated with doing what we have to do simply because it is not fair to the other residents for one resident to improve the value of their property and the community to pay for it. We will prepare an encroachment agreement or release of easement. The encroachment agreement means the easement is still there but the property owner is allowed to be in it but in the event the District needed to get in it, the

February 26, 2024

Durbin Crossing CDD

property owner would have to move all their stuff out of there so the District could use it. The release of an easement is a little bit more expensive in the sense that we have to get a metes and bounds description for the area we are going to release from our easement and that is an alternative the board can look at, but typically I recommend doing an encroachment agreement.

On MOTION by Mr. Pollicino seconded by Mr. Harrah with all in favor the request of an easement encroachment at 124 Staplehurst Drive for a paver patio and walkway in accordance with the district’s policies was approved, subject to approval of District counsel and the property owner paying for the associated costs.

NINTH ORDER OF BUSINESS

Update on Ethics Training and Electronic Filing of the Form 1

Mr. Eckert provided information on ethics training and filing of the Form 1. He also stated you have to report your ethics training when you file your 2025 Form 1.

TENTH ORDER OF BUSINESS

Staff Reports

A. Landscape Maintenance Team - Report

Mr. Dougherty stated regarding the irrigation, there is a line closest to Longleaf and St. Johns that somehow connects to our irrigation system. Thankfully, there is an isolation valve that we closed. We have washed out dirt along their retaining wall that I’m sure Borland Groover will want to replace.

B. District Counsel

Mr. Eckert stated the interlocal water meter agreement was pushed to March 5th and I was told it would be put on the consent agenda for the Board of County Commissioners.

The board authorized the sale of some impact fee credits and the buyer originally wanted to buy road and park impact fee credits and later discovered that they must buy the road impact fee credits from the area where they are developing so they were only interested in buying the park impact fee credits. Daniel did negotiate 70% and that is in process and they are buying \$332,968 worth of park impact fee credits. The district’s recovery on that will be \$233,078. It is less than we originally talked about but that is because they can’t use the road impact fee credits we had. Daniel reached out to builders and developers and put the word out.

February 26, 2024

Durbin Crossing CDD

You had asked staff to look at how much we should reserve in impact fee credits and Mike Yuro had done some work on that and circulated a chart. For park impact fees that need to be paid we have some of those credits in the bank but none of the things I think we would build would require us to pay park impact fees.

Mr. Yuro stated correct, the park impact fees only apply to residential.

Mr. Eckert stated from a road standpoint based on the rough calculations that I looked at if you said we are going to put a million dollars of impact fee credits for roads off to the side based on what we may do in the future that is a pretty conservative estimate to do that but I will defer to your engineer on that. In looking at it I think you will revisit that number if you were to exhaust the rest of them and say, how much do you really need.

C. District Engineer

Mr. Yuro stated I prepared a spreadsheet on the impact fee credits to give you the land use types that I thought might be applicable to this community and then what the impact fees would be and gave you some sample calculations so that you can see the order of magnitude.

You had asked me to look at the border of the CDD boundaries to see if there were any isolated properties or other areas where someone might look for access. The only thing I could see is a dead-end road by the 210 shopping complex.

Ms. Estes stated that is wetlands.

Mr. Yuro stated the previous engineer had done a design on expanding the crosswalk. I don't have an issue with the design the only thing that you might consider is at the cul-de-sac they are not walking over to the sidewalk. You might consider building something there to get them on to the walking path.

Mr. Harrah stated include that in the 2025 package you present to us.

Ms. Alfano stated we will get with Mike Yuro and come back with numbers.

D. District Manager

There being none, the next item followed.

E. General Manager

February 26, 2024

Durbin Crossing CDD

1. Report

Ms. Alfano gave an overview of the general manager’s report, and stated we can have a ribbon cutting for the south pool at which the chair will be in attendance.

On MOTION by Mr. Harrah seconded by Ms. Estes with all in favor staff was authorized to replace the tables and umbrellas at both facilities in an amount not to exceed \$27,000.

2. Proposal for Swimming Pool Refinish

On MOTION by Ms. Hall seconded by Mr. Pollicino with all in favor the proposal from Pinch-A-Penny in the amount of \$23,500 to refinish the coping and marcite at the north pool and the waterline tile in the kiddie pool was approved.

On MOTION by Ms. Estes seconded by Ms. Hall with all in favor the greenspace policy was approved as amended by adding smoking “and vaping” is prohibited.

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.

On MOTION by Mr. Harrah seconded by Ms. Hall with all in favor the proposal from CG Roofing in the amount of \$9,000 was approved to include a five year warranty and as-builts identifying the repaired areas for warranty purposes.

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

February 26, 2024

Durbin Crossing CDD


Ms. Hall stated the marcite for the baby pool, sometimes it can be very rough, you might want to ask if they have a smaller size aggregate and if they have a softer surface that would be best.

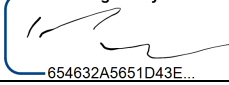
TWELTH ORDER OF BUSINESS

Next Scheduled Meeting – March 25, 2024 @ 6:00 p.m. at the Durbin South Amenity Center

Ms. Giles stated the next meeting is scheduled for March 25, 2024 at 6:00 p.m. in the same location.

On MOTION by Ms. Hall seconded by Mr. Pollicino with all in favor the meeting adjourned at 7:33 p.m.

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Secretary/Assistant Secretary

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Chairman/Vice Chairman