

TURNBULL CREEK
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Turnbull Creek Community Development District was held Tuesday, April 26, 2016 at 6:00 p.m. at the Murabella Amenity Center, 101 Positano Avenue, St. Augustine, Florida.

Present and constituting a quorum were:

Aage G. Schroder, III	Chairman
Kathleen Venezia	Vice Chairperson
Joseph Quinto	Supervisor
Brian J. Wing	Supervisor
Chuck Labanowski	Supervisor (by telephone)

Also Present were:

David deNagy	District Manager
Mike Eckert	District Counsel
Preston Doub	District Engineer
Clark Gates	Hopping Green & Sams
Mark Insel	Vesta/Amenity Services Group
Jeff Branch	Vesta/Amenity Services Group
Lourens Erasmus	Vesta/Amenity Services Group
Dan Fagen	Vesta/Amenity Services Group
Michael Johnson	Duval Landscape Maintenance

The following is a summary of the actions taken at the April 26, 2016 meeting. A copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

Mr. deNagy called the meeting to order at 6:00 p.m.

SECOND ORDER OF BUSINESS

Audience Comments

Mr. Allen asked is there a handout on the audit?

Mr. deNagy stated it is included in the agenda package, which is online.

THIRD ORDER OF BUSINESS

Staff Reports (Part 1)

A. Engineer

1. Ratification of Requisition No. 39 & Requisition No. 40

On MOTION by Mr. Wing seconded by Mr. Quinto with all in favor requisitions 39 and 40 in the amount of \$42,615.57 were ratified.

2. Consideration of Requisition No. 41 & 42

On MOTION by Ms. Venezia seconded by Mr. Labanowski with all in favor requisitions 41 and 42 in the amount of \$5,964.91 were approved.

Mr. Schroder asked how many more requisitions do we anticipate?

Mr. Doub responded they will have a final invoice that will take them up to retainage and then they will have a retainage invoice. I expect to get those any time.

3. Pond Bank Update

Mr. Doub stated basically the work is complete, they cleaned up the staging area, we have received as-builts and we are looking at those. I'm not aware of any punch list items but I will double check on that. Are there any items that you have?

Mr. Labanowski stated the only thing is Lot 251 you need to make sure that they confirm that the lock pin was put back in place. The only one I saw was out on the ground and laid on the bank and the others were left in place. The only thing that needs to be done out there now is to align the irrigation heads.

Mr. Doub stated we will get with Besch & Smith on that and I expect to bring the final pay request and final signoffs to the next meeting.

Mr. Labanowski stated I was out there the entire time and without the rain it went very fast, it was a great job by Besch & Smith I was very pleased with how they handled it.

Mr. Schroder stated I called the school board this morning and let them know we have completed the work and they can relocate the bus stop to where it was before.

Mr. Wing asked how do we let the residents know that the bus stop is being relocated back to the original location?

Mr. Labanowski stated the school transportation office does that. We can't get involved with that. We can notify the residents that the school board will provide notice to the bus drivers and the school itself.

Mr. Schroder stated we were criticized in the beginning because the school handed the kids letters as they left the bus and I had some feedback that we should have had better communication.

Mr. Eckert stated the district can do a letter saying we have notified the school board that our work is done but we can't tell them the start date for when it goes back to the old bus stop. Is there any way to do an email blast to tell them we are done and have notified the school district?

Mr. deNagy stated I can get with Mark tomorrow and we can send that out.

Mr. Jacobs asked what warranty is there on the work?

Mr. Doub stated a one year warranty from the contractor and they are a good contractor you won't have any problems if there are issues.

Mr. Labanowski stated there were some issues on the small pond where they first started the work and since Besch & Smith was already there they fixed the minor issues so that small pond has been taken care of.

Mr. Doub stated I will make sure that is on our calendar of when that one-year warranty for the first part of the work runs out.

Mr. Labanowski stated there was a concern by Besch & Smith that a number of homeowners are not watering the pond banks. I don't know what we can do but they have to water the banks. I don't know how we are going to handle it if they don't because the grass will die.

Mr. Wing stated that is an HOA issue to enforce that as part of the covenants.

Mr. Schroder stated the contractor is responsible until we accept the work.

Mr. Doub stated I think they get to a point where it is out of their responsibility.

Mr. Labanowski asked is there a way we can put that in the newsletter that Mark sends out periodically?

Mr. Schroder stated I think we probably should.

Ms. Sweeting stated ours was one of the banks taken care of and I'm concerned about the weeds. We are watering constantly but there are a lot of weeds in the Bahia that was put out there.

Mr. Sweeting stated there was probably 20% weeds in the new sod and I sent a picture to Chuck. I don't know what you paid for it but if you paid for the good stuff you didn't get it.

Mr. Doub stated I will look at that.

Mr. Eckert stated we need to have a talk with them about that issue.

B. Landscape Manager

Mr. Johnson gave an overview of the work completed since the last meeting.

Mr. Clabots stated the Magnolias by the walking track in Pescara look like they are on their last leg.

Mr. Branch stated they on their last leg and I recommend we cut them down and stump grind them if we have to because they are in ground that is too wet and they are not going to do well.

Ms. Venezia stated there hasn't been any follow-up on the areas where the homeowners were going to participate on the irrigation. There are still drainage problems by the mail kiosk and torn up sidewalk on Positano. We need a running list of things that still need to be completed that we should be seeing every month.

Mr. Branch stated I can put that together.

FOURTH ORDER OF BUSINESS

Continuation of Public Hearing Related to Series 2006 Bond Refinancing

A. Resolution 2016-06 Supplemental Assessment Resolution for the Series 2016 Bonds

Mr. deNagy stated this is a continuation of our public hearing related to the Series 2006 bond refinancing. We had opened the public hearing at our last meeting and we will reopen that public hearing to consider Resolution 2016-06 the supplemental assessment resolution for the Series 2016A Bonds.

Mr. Eckert stated we prepared the resolution that is in your agenda package. It is very similar to what you adopted when we did the 2005 refunding last year. For folks who live in Pescara and San Marino, the final reduction in the annual assessment is \$142.15 so that was a good result for us by virtue of the private placement with Hancock Bank. Again, the resolution basically is what you are using to levy the assessments that secure the bonds. What will happen is the new bondholder will deposit the money to pay off the old bonds, that money will sit in an

account for 31 days before being distributed. The reduction in the annual assessment will be reflected on the November tax bill. This will be part of your budget process and it is good that we were able to get it done because if it had been in July it would have been another year before it would be reflected on people's tax bills.

It is a continued public hearing and if any members of the public have comments about the assessments and again we are reducing the assessments in Pescara and San Marino \$142.15 but if there are any comments I welcome them. The closing on the bonds if you approve the resolution will happen on Thursday.

Mr. Quinto asked what was the final percentage?

Mr. Eckert stated we started out with the 2006 Bonds were at 5.25%, we got the interest rate reduced to 3.7%.

Mr. Jacobs asked how many years?

Mr. Eckert stated it is the same maturity, the 2006 bonds were scheduled to mature in 2037, the new bonds are also scheduled to mature the same month and same day, 2037. We did not extend the bond term.

On MOTION by Mr. Wing seconded by Mr. Quinto with all in favor Resolution 2016-06 was approved.

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

FIFTH ORDER OF BUSINESS

Acceptance of the Fiscal Year 2015 Audit Report

Mr. deNagy stated a copy of the audit report is in your agenda package. Grau & Associates is the audit firm that conducts the audit. This is a clean audit and on page 2 is the opinion I will read into the record. In our opinion the financial statements referred to above present fairly in all material respects the respective financial position of the governmental activities in each major fund of the district as of September 30, 2015 and the respective changes in financial position thereof for the fiscal year then ended in accordance with accounting principles generally accepted in the United States of America. Page 25 is the report on the internal controls. The auditor states that during our audit we did not identify any deficiencies in internal control that we would consider material weaknesses. Pages 28 and 29 is the

management letter that pursuant to the rules of the auditor general for the State of Florida there are no current year or prior year findings and we are in compliance with the auditor general provisions.

On MOTION by Mr. Quinto seconded by Mr. Labanowski with all in favor the fiscal year 2015 audit report was accepted as amended and staff authorized to transmit the final document to the State of Florida.

SIXTH ORDER OF BUSINESS

Consideration of Proposal for Fireworks

Mr. deNagy stated the proposal for fireworks is in your agenda package. I will note that back in August the board had approved the use of the multi-purpose field for this year's fireworks.

Mr. Wells stated we are here formally requesting funding for the event. This is the sixth annual event and is very well attended so we are set for July 2nd, a Saturday night as outlined in the proposal.

Mr. Wing asked do we have any funds available for special events? There is \$15,000 that the HOA granted to the CDD last year.

Mr. deNagy stated the special events budget this year uses the funds that the HOA contributed for special events. There was a stipulation by the HOA that the funds were not to be used for fireworks.

Ms. Venezia asked what happened to the fundraising? We had given several suggestions.

Mr. Wells stated we do it every year, I go out and get a number of sponsors. Last year we also got contributions but we haven't had any formal fundraising this year.

Mr. Quinto asked what is the amount that you need?

Mr. Wells responded \$5,500 covers the insurance, permitting, all the product and supplies and my services.

Mr. Labanowski stated we have two functions coming up. Has any thought been given to running a raffle during those activities to raise funds for the fireworks?

Mr. Schroder stated I don't know that we can do that.

Mr. Eckert stated you can't play bingo so I would need to research whether a 50/50 raffle is permitted. I will have to let you know. This type of gambling on district property may be a problem.

Mr. Wells asked am I hearing the CDD is willing to support some fundraising effort?

Mr. Schroder stated we are not necessarily supporting it we are saying that can be done independent of the CDD.

Mr. Wells stated I will give the feedback to the community and see where it goes.

Mr. Wing asked could we put in the newsletter or an email blast the fundraising effort so people know that is going on?

Mr. Wells stated we could use that help. Last year 42 people contributed from us putting it on the Murabella web page and community page on Facebook and we could use some help with an email blast.

Mr. Eckert stated I think the district could do that under the guise that the district has made available the facility for the July 2nd fireworks celebration and anyone wanting to make donations should contact whatever that contact information is. Something along those lines would be fine.

Mr. Wells stated we will give you the contact information and we will approach the big sponsors like we have in the past.

The next item taken out of order.

NINTH ORDER OF BUSINESS

Discussion of CDD/HOA Joint Cooperation Protocol

Mr. deNagy stated I received separate emails from Supervisors Wing and Labanowski. There was a recent HOA meeting and there was discussion about joint cooperation between the CDD and the HOA regarding community improvements and protocols for working together to have the HOA look at improvements that the CDD is considering and helping to fund some of those improvements.

Mr. Jacobs stated the HOA has some money they are looking to use for improvements for the homeowners. We don't have a set amount but we are looking at a good chunk of money to set aside for improvements we are willing to fund and we want the CDD to tell us what you are looking to improve, the cost of it and just bring that to us and we will vote on it at the next

meeting. If we clean this ball field up and put in another ball field I think it is going to affect the community. We have one basketball court and I think we could use another basketball court for the youth in this community. We are looking at the playgrounds, everyone talks about how bad they are, they flood and that needs to be taken care of and maybe put up a canopy for shade.

Mr. deNagy stated I don't think the board wants to get into the specific details of what needs to be funded at tonight's meeting we just need to establish a protocol. Perhaps you can direct staff to come back with a procedure when we get together in May and we could discuss that and possible issues for HOA funding. We will be talking about our budget at our May meeting at the same time.

Mr. Eckert stated in the meantime the board members need to be thinking about what projects they would like to see completed because ultimately with this protocol you are going to end up with a list of projects and you are going to go down the list in order of priority.

SEVENTH ORDER OF BUSINESS

Staff Reports (Part 2)

A. Attorney

Mr. Eckert stated we are going to have the bond closing on Thursday, documents have been signed and are in escrow right now pending the conclusion of your meeting tonight.

B. Manager

Mr. deNagy stated as you know we moved the meeting two weeks ago to tonight to accommodate the bond closing. Our next meeting is scheduled for May 10th and I would like to ask the board to move that another week to May 17th at 6:00 p.m. so that I can bring a draft budget for discussion at that meeting.

On MOTION by Mr. Quinto seconded by Ms. Venezia with all in favor the next meeting was moved to May 17, 2016 at 6:00 p.m. in the same location.

C. Operations Manage (ASG)

- 1. Report**
- 2. Pictorial Maintenance Report**
- 3. Consideration of Positano Landscape Proposal**

Mr. Branch highlighted items in the report and stated as requested by Ms. Venezia I put together with Duval Landscape a list of items that she would like to see dealt with. The prices were pretty fair and includes the stump grinding of the oak trees along Positano and replacing them with Live Oak, replacing muhly grasses and the juniper at the circle and we will have minor irrigation repairs.

Mr. Wing asked is the \$3,000 in the budget?

Mr. deNagy responded we have a contingency of \$10,341.

Mr. Schroder asked how are we paying for the palms in the parking lot?

Mr. Branch stated it was \$5,000 for the relocation of the oaks and the palms. The underground utility locating was an additional \$500.

Mr. Wing stated that is \$6,000 of the \$10,000.

On MOTION by Mr. Quinto seconded by Ms. Venezia with all in favor the landscape proposal for Positano in the amount of \$2,990 was approved.

D. Amenity Center Update – Report

Mr. Insel gave an update on the amenity center activities.

EIGHTH ORDER OF BUSINESS

Approval of Consent Agenda

- A. Approval of the Minutes of the March 15, 2016 Meeting and March 28, 2016 Special Meeting**
- B. Balance Sheet as of March 31, 2015 and Statement of Revenues & Expenditures for the Period Ending March 31, 2015**
- C. Month-by-Month Income Statement**
- D. Assessment Receipt Schedule**
- E. Approval of Check Register**

Mr. deNagy stated I had one minor change to the March 28th meeting minutes.

Mr. Eckert stated can we table the March 15th minutes because I had quite a few comments and rather than try to read them into the record I would like to defer them to the next meeting.

Mr. deNagy stated we can defer those.

On MOTION by Mr. Quinto seconded by Mr. Wing with all in favor the March 15, 2016 meeting minutes were tabled until the next meeting and the balance of the consent agenda items were approved.

TENTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

ELEVENTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

Mr. Labanowski stated I would like to include on the next agenda, repair of pond bank at West Positano and Porta Rosa Circle, surface erosion. I had a meeting with a homeowner and D.R. Horton in regards to D.R. Horton running a pipeline down our pond bank, which has caused major erosion. They are going to notify me when they are going to do the work to repair it. They are going to take the pipeline out and put the pond bank back in the proper condition and they wanted me there to make sure that the crew does it properly.

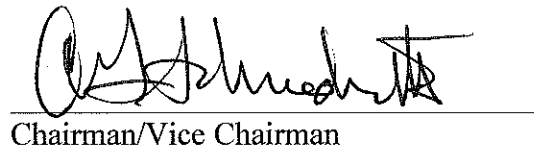
TWELFTH ORDER OF BUSINESS

Next Scheduled Meeting – May 10, 2016 at 6:00 p.m. at the Murabella Amenity Center

Mr. deNagy stated our next meeting will be May 17, 2016 at 6:00 p.m. in the same location.

On MOTION by Mr. Quinto seconded by Ms. Venezia with all in favor the meeting adjourned at 7:10 p.m.


Secretary/Assistant Secretary


Chairman/Vice Chairman