

TURNBULL CREEK
COMMUNITY DEVELOPMENT DISTRICT

A special meeting of the Board of Supervisors of the Turnbull Creek Community Development District was held Tuesday, February 12, 2020 at 6:30 p.m. at the Murabella Amenity Center, 101 Positano Avenue, St. Augustine, Florida.

Present and constituting a quorum were:

Wil Simmons	Chairman
Chris DelBene	Vice Chairman
Brian J. Wing	Supervisor
Chuck Labanowski	Supervisor
Lee Clabots	Supervisor

Also Present were:

Ernesto Torres	District Manager
Jennifer Kilinski	District Counsel (by telephone)
Mike Yuro	District Engineer
Jerry Lambert	Operations Manager
Erick Hutchinson	Amenity Manager

The following is a summary of the actions taken at the February 12, 2020 meeting. A copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Torres called the meeting to order at 6:30 p.m. and called the roll.

SECOND ORDER OF BUSINESS

Audience Comments

Ms. Venezia asked when is the University of Florida coming here to evaluate and make suggestions to stabilize the pond banks? Why isn't 742 Porta Rosa Circle on the list for pond bank repairs? They were listed on the second round in 2017, I took pictures today but the sun was shining too much so you can't see the shelving but that pond bank has dropped about two feet and they are not on the list even as a low priority.

THIRD ORDER OF BUSINESS

**Consideration of Arbor Day Proclamation
(Presenter: Brian Wing)**

Mr. Wing stated I apologize for bringing this up tonight, I know we were just doing capital repairs, but I thought time is of the essence. Sometime in the next couple of months we will get Greg Dunn back to talk about other opportunities for communities to get grants for trees and other things but he recommended we do a proclamation that shows there is support in the community for doing these kinds of efforts, Based on others I have looked at for St. Augustine and other areas I drafted this proclamation and ask the board to consider it and it will go on record and we will have something to show when we pursue grants.

On MOTION by Mr. Labanowski seconded by Mr. DelBene with all in favor the Arbor Day Proclamation was approved.

FOURTH ORDER OF BUSINESS

**Update of Capital Reserve Budget (Presenter:
Ernesto Torres)**

Mr. Torres stated item four is an update of capital reserve budget. I made an adjustment right before the meeting to reflect the actual number on the ending balance on the December financials for the capital reserves. These are items approved by the board this year, the chain link, mailboxes and 50% deposit for the shades and we have spent \$8,855.16 so far this year. It may be different than what you see in the financials because the financial only goes for this month. The next column and those are items that I have labeled as committed, meaning the board has approved these items for expenditure but they are in the process of being refined by the contractor, such as the pool deck, we approved \$15,000 but we haven't broken ground yet and Jerry is going to present a different proposal that may save the district some money. The remaining 50% of the shades, gym mirror, meeting room blinds, fence and survey were committed to by the board and is in the process of being paid and that total is \$26,884. The current balance of \$139,881, add pending transfer of FY20 \$215,300 for capital reserves, that gives you a working capital of \$328,297. I wanted to give you an overview before we discuss the projects tonight.

Jerry is going to talk about what he feels is most priority that the board should actually reserve funds for those items and Mike will talk about his recommendations for the ponds and drainage and those issues.

FIFTH ORDER OF BUSINESS

Discussion of Recommended Reserve Study Repairs and Replacement (Presenter: Jerry Lambert)

Mr. Lambert reviewed the capital reserve items as follows:

You have air handler units and air conditioning units on three or four line items at \$4,586 each. We did a \$1,200 repair on one a month ago and these units are fine, they don't have to be replaced. The reserve is in there for these types of repairs that might come up. We are okay on that projection.

You have an outdoor fountain that needs to be replaced and you have \$4,100 budget and I can replace it with the identical unit for \$1,500.

Office carpeting at \$802 that is not a necessity but we are good with that.

The grill \$386 and that grill is fine, we put a new cover on it so you don't have to replace that at this moment.

Fabric shelter at the tennis court, we can power wash it and it will be fine.

Signage allowance on the amenity center \$4,000. They don't need to be replaced but they can be replaced for \$1,000.

Soccer and lacrosse goals and nets for \$2,000.

\$10,000 for irrigation allowance, leave that alone because we will use that.

Lake bank stabilization \$15,000 and \$139,000, Mike Yuro will speak to that

Landscape allowance is \$50,000 – I wouldn't touch that

You talked about grading around the mailbox to help the drainage.

I replaced 5 barbeque grills and you have one in there for \$1,158

Shelter fabric for the walking trail at Pescara, there are two bad ones there and two at San Marino, those are ordered and should be installed by the end of the month. We got all four for \$7,200 and we have paid 50%.

The up-lighting for the landscaping by the town hall entrance and San Giacomo are in the process of being done now. We are replacing every single light on all entrances, up-lighting and structure lighting for under \$1,000. It will be all LED

The laptop in the office \$1,387 has already been replaced, same with the work station in the office for \$3,750

Electronic sound system for the amenity center \$14,534 that is probably replacement cost. Right now, I am not aware of any issues.

\$826 for fitness weight bench that hasn't been replaced

Overall looking at the plan for 2020 we are about halfway through it, I know you have \$297,708 as the total, my best guess is it won't run over \$100,000.

2021 you have new asphalt surface at Pescara and San Marino for the walking trails. I got a quote for Pescara and it was \$52,000 but they said they wanted to go a minimum of 2" thicker to raise it. There are drainage issues on the north side and that will have to have some work done. He said if you raise it 2" and keep the grass away from it that will help most of the problem. San Marino \$54,000.

As far as I know everything is working on the fountains. Up-lighting for landscape for a total of \$12,000.

Water feature \$8,200 I am not aware of any issues with that.

The chlorinator for \$8,200 that definitely has to be looked at next year.

The 6-foot PVC fence on the irrigation pump at Pescara was done, \$1,748. I repaired that for \$200.

Irrigation pump and pump stations at Pescara I don't know if there are any issues with that but you have \$10,000 in there.

Mr. Torres stated the major expense is going to be whatever you decide to do with the pond banks tonight. Following that I recommend when we draft next year's budget that we follow the suggested capital reserve contribution.

SIXTH ORDER OF BUSINESS

Update Pond Bank Priority List (Presenter: Mike Yuro)

Mr. Yuro stated I had a request of what has been done to date and I thought I would walk you through what we have done.

Mr. Yuro distributed a map of the Phase 1 repairs and stated when I got here we were in the process of inspecting those. That was your original bond issue and I think they spent \$1,050,000. There was a little money left over, which has been spent now. The next map is color coded, developed a full set of plans, walked all the ponds at the time in 2017 and we put it out to bid and the bids came back in the range of \$180,000 to \$570,000 but at the time the board only had about \$40,000 to \$45,000 available from the original bond funds so we went with Aquagenix and we got the biggest bang for the buck using their proposal and the current list of priorities. The map has what was completed in May or June of 2018 in the neighborhood of \$45,000. That last

effort was the last pond bank repairs that were done and that wiped out any balance you had in the original bond money. After that was completed I came up with another list of priorities and these are areas that were not addressed with the Aquagenix effort in 2018. The numbers on the spreadsheet are grouped them by the highest priority the cost of those repairs was provided by Aquagenix based on the work they had just done. The highest priority are the really big washouts that you have that we felt we needed to put in underdrain at least for a short section and the other repairs were those we thought we could get away with packing and filling in dirt, resodding and not installing underdrain.

It has been brought up numerous times since then but it has not been up-dated. Erosion is something that happens every day and I suspect some of these areas may have had emergency repairs done by staff as necessary but at the time these were the ones that were the next highest priorities. That is the history and where we are today. They haven't been revisited in about a year and a half.

Mr. Torres stated for clarity, we took whatever remaining funds we had from capital projects and a portion of the capital reserves paid the Aquagenix invoice which was \$186,000.

The model of the capital reserves study that we did a few months ago had us funding about \$70,000 in 2020 and 2021 towards these repairs. We are here tonight to discuss that and see if the board would like to give the district engineer more guidance as to commit to the priority list or fund the low priority or however you choose to do this.

Mr. Clabots stated there is \$238,000 of repairs on your list, the list is over a year old.

Mr. Yuro stated I haven't walked all your ponds since then but I would expect anywhere from a 20% to 40% increase based on the fact that erosion is continually happening and there are likely new spots that weren't so bad back then that didn't make the list.

Mr. Clabots stated \$70,000 in one year, \$70,000 in another year. How does that really address what may be the problems that have worsened?

Mr. Torres stated this board is adamant about the contribution that you make annually to your capital reserves and staff does what they can throughout the month to save the district money, but it is probably not enough.

Mr. Wing stated I did walk around the high priority ponds yesterday, and nearly all the problems occur at a point where two properties meet. Unlike the pond repairs we did where there was shelving and sluffing off, this is clearly erosion between two properties with one exception.

Clearly issues are caused by channel drainage between the homes so is the contour of the home lots the responsibility of the CDD. Can a reasonable argument be made that the bank damage was caused by the manner in which the builder graded the lot and/or homeowner action installing a swimming pool, placing drains, landscaping actions, etc. Most of the problems appear at the top of the bank about halfway down. I still have reservations as to whether this is a CDD issue.

Mr. Yuro discussed pond maintenance and historical information.

Mr. Wing asked is it possible to have shared responsibility because this is not affecting all homes it is affecting less than 20 homes.

Ms. Kilinski stated I suggest the Board allow staff to explore responsibilities and historical information in those areas and we can report back in March what we think the potential options are for exploring the cost share.

Mr. Simmons stated we still seem to be lacking a definitive answer.

Mr. Yuro stated the last time we went through this with Aquagenix they gave a proposal where they would come out periodically and address some of this before it became a bigger issue to see if that would help but that would take a budget line item.

Mr. Simmons stated we need to look at the options we have available to us and what Kathy said as well. We need to explore all the possibilities available to us.

Mr. Clabots stated I want to see a plan with a comprehensive approach for \$238,000 of repairs that takes into account help from the University of Florida to look at how we can stabilize that naturally with vegetation. This board needs a comprehensive plan of how we are going to address the problem.

On MOTION by Mr. DelBene seconded by Mr. Labanowski with all in favor Mr. Yuro was authorized to bring in Aquagenix to adjust their plan based on top and bottom to repair the erosion.

Mr. Yuro stated I think why plantings have not been done before is because people who live on the ponds are used to grass. Grand Haven in Palm Coast has written water retention maintenance rules and they don't allow any grass, it is cordgrass only it has a very dense root system and it stabilizes the banks.

Mr. Simmons stated Ernesto will coordinate with Kathy.

Mr. Yuro stated the repairs we are doing are following the recommendation of the Geotech based on soil samples they took. What we experience is they worked for that spot but not necessarily on the other spots. Perhaps the underdrain isn't worth it and maybe we can get by with vegetation. I will look into the mesh grids that can hold that in place as well.

SEVENTH ORDER OF BUSINESS

Consideration of Garibaldi Way Drain Improvement (Presenter: Mike Yuro)

Mr. Yuro stated the survey showed the elevations don't match the engineering plans. The CDD common area is lower and the lot is also lower. It appears that the best-case scenario to fix that is to put in some kind of drain and get the water out of there. There is also the potential of bringing in dirt. We did get a proposal from Aquagenix and it was for \$68,000 and that was to put in a drain and take the water towards San Giacomo, another drain and tie it into a storm inlet on that road because the water has to go somewhere. That includes re-grading the area behind the home to get it to the low spot and demolish and re-grade the berm. We did get a second proposal from Duval Landscape for \$37,500 to put in a drain, go through the berm on S.R. 16 and discharge into that ditch. The reason I didn't initially propose that is because that is getting the state involved and it is taking the water in a different direction from the original permit and we have to do more permitting with the water management district. There would be cheaper construction, there would be more soft costs involved. From the low spot behind the houses to the center of the ditch is only about a foot and a half difference. There is not going to be a lot of flow to get it in that direction.

You can do a sump pump, but you would have to have a power source, perhaps the homeowner would participate because it only kicks on when it rains. That would be a fairly inexpensive solution.

Ernesto will reach out to the homeowner to hook up to their power for the pump and will talk to Jennifer to prepare an agreement.

EIGHTH ORDER OF BUSINESS

Consideration of Drainage Issues at Positano and San Giacomo Mail Kiosk (Presenter: Mike Yuro)

Mr. Yuro gave an overview of the drainage concerns at both mail kiosks. For the Positano mail kiosk he would need a topo of area, re-grade it and put in a couple drains and 4" plastic pipe into the pond. For the San Giacomo mail kiosk the county may raise the sidewalk and consider installing a drain line near the sidewalk.

NINTH ORDER OF BUSINESS

Consideration of Pool Deck and Retaining Wall Proposal (Presenter: Jerry Lambert)

Mr. Lambert outlined the proposals for pool deck and retaining wall repair and recommended River Stonework for the project.

Mr. Wing stated I don't think anyone gives a warranty over one year but Jerry needs to check on that so we know what we have.

Mr. Lambert stated according to the proposal they have a five year warranty.

On MOTION by Mr. Wing seconded by Mr. Clabots with all in favor the proposal from River Stonework in the amount of \$6,140 to repair the pool deck and bulkhead was approved.

TENTH ORDER OF BUSINESS

Approval of Consent Agenda (Presenter: Ernesto Torres)

- A. Approval of Minutes of the January 14, 2019 Meeting**
- B. Balance Sheet as of December 31, 2019 and Statement of Revenues & Expenditures for the Period Ending December 31, 2019; Month-to-Month Income Statement; Assessment Receipt Schedule**
- C. Approval of Check Register**

On MOTION by Mr. Wing seconded by Mr. Labanowski with all in favor the consent agenda items were approved to include amendments to the minutes.

ELEVENTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

The following issues were raised and discussed: is an asphalt track necessary, money could be better used in landscape improvements; a private lot not properly graded and there is a dip by the driveway; weeds growing from pond bank into private property; supervisors to send to Ernesto comments about RMS performance prior to their meeting with the chair in March and an executive summary to be provided to the board; swim schedule coordination; for replacement of sod on CDD property and private property as a result of installation of streetlights, contact FP&L.

TWELFTH ORDER OF BUSINESS

**Next Scheduled Meeting – March 10, 2020 at
6:30 p.m.**

The meeting adjourned at 8:24 p.m.



Secretary/Assistant Secretary



Chairman/Vice Chairman