

TURNBULL CREEK
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Turnbull Creek Community Development District was held Tuesday, August 11, 2020 at 6:30 p.m. via Zoom.

Present and constituting a quorum were:

Wil Simmons	Chairman
Chris DelBene	Vice Chairman
Brian J. Wing	Supervisor
Chuck Labanowski	Supervisor
Diana Jordan-Burks	Supervisor

Also Present were:

Ernesto Torres	District Manager
Jennifer Kilinski	District Counsel
Mike Yuro	District Engineer
Jerry Lambert	Operations Manager
Erick Hutchinson	Amenity Manager
Michael Johnson	Duval Landscape Maintenance

The following is a summary of the actions taken at the August 11, 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. Wing stated I have a comment on the Murabella CDD Facebook page so it is directed at Chuck since he is the administrator. I am a member of the page and about six weeks ago I went to look at it and found that I was no longer a member. I put in a request to join again and it is still pending. I want to know why my request is still pending and at least one other person was approved within a day of her request.

Mr. Labanowski stated I think Elaine needs to talk to her husband, who declared Murabella CDD Facebook page as my personal page.

August 11, 2020

Turnbull Creek CDD

Mr. Simmons asked if it is a CDD page are we responsible for the responsiveness and things that go on that page?

Ms. Kilinski stated as a point of order, the board can entertain back and forth comments during audience comments, but our rules of procedures and public decorum policy that you previously adopted doesn't require it. In other words, a number of districts for efficiency of meetings will take the comments under advisement and get back to folks off the record so you never have to engage in a back and forth.

To your specific question we have been down this road before, we have had this conversation at the board level on this particular Facebook page. It is not an official CDD page, while it may be called Murabellacdd as you know our CDD is Turnbull Creek CDD, it is not administered by district staff, it is a supervisor on the board and I spoke a couple years ago with Supervisor Labanowski about it. If there is public business on that there are public records requirements for the post, however, we don't authorize it, the district board doesn't authorize it, we disclaim any responsibility for it aside from the fact that if there are public records sort of language or information that needs to be checked and sent to the district manager's office and my recollection is that Supervisor Labanowski had been doing that. If we want to have an official CDD page we can do that, I have given you reasons why I don't think that is a great idea, but you could do that in the future. There is no responsibility from the district to provide any sort of admission because we don't operate or own it. I know that may not be a welcome comment but from a legal standpoint that is the answer.

Ms. Venezia stated we had this conversation with an HOA attorney and unfortunately, none of the Murabella Facebook pages are officially a Murabella Facebook page. They are personally owned by the resident who created them.

Mr. Simmons asked Jennifer, do you recommend we have an official CDD Facebook page so we could alleviate this in the future or we need to just stay away from that? I think the insinuation by it being a cdd page that means everybody should have access.

Ms. Kilinski stated when we spoke about this before my recommendation to Supervisor Labanowski was to be very careful about having a page that reflects an official CDD position. Again, the CDD is not called Murabella CDD, some folks may think it is this district, it is Turnbull Creek CDD and I encouraged him to put some disclaimer on that page that it is not the official page of the Turnbull Creek CDD or the Murabella community and that it represents his thoughts,

August 11, 2020

Turnbull Creek CDD

feelings, stories, that sort of thing so that there isn't confusion so we don't have to have this conversation on a recurring basis.

To your question about whether the district should have an official Facebook page it can, the requirement if you do that is a little bit costly, you have to have something called an Audio Eyes or similar software platform that takes snapshots of the records every time something is posted. We also adopted in other districts, policies for how you deal with public comments on the Facebook page, whether you turn comments off or not. If we wanted to explore that they do have the software system in place, we could get proposals for that and bring it back if that is something the board wanted to entertain.

Mr. Simmons asked Supervisor Labanowski, are you willing to put a disclaimer on your page to indicate that it is your personal viewpoint versus rather than that of the board?

Mr. Labanowski stated there is information on the site right now that states that it is for me to help the resident, that's it. There is nothing official tied in with Turnbull Creek CDD whatsoever.

Mr. Turnell stated last year the pool was open from 9 a.m. to 30 minutes before sunset except on Mondays, this year it is 10 a.m. to 7 p.m. I would like to know why and I would like to request that it be set to last year's hours. I know it is late this year but definitely for next year because that is a disservice to the neighbors especially with COVID and there are less options for what people can do. I know we have lifeguards but the two gentlemen who are typically there during the day, I don't know if there are cameras on the pool area but it would be nice to see them have some presence around the pool area, especially when the lifeguards are not there. I and a neighbor have had incidents with some of the kids who are not supervised, doing flips off the bridge, climbing over the fence, going up the slide, climbing up the sliding, smarting off to the parents when you try to address what is going on. I have talked to them on more than one occasion, there is no presence. I don't know what we are paying these people for, but we don't need two people sitting in the office if they are not going to have some presence on the property.

Mr. Torres stated since COVID-19 there have been restrictions and we discussed them in the past few months and the board provided guidance as to the type of hours and staffing levels we are going to have. It is duly noted and I appreciate your comments. As always I encourage any resident to email me and if you are not getting resolution from the staff onsite I need to know about those issues prior to the meetings so we can do something about that.

August 11, 2020

Turnbull Creek CDD

Mr. Turnell asked are there cameras they are able to monitor from the inside that point at the pool?

Mr. Torres stated yes.

Mr. Turnell stated then that is not happening, when it goes on for an hour nonstop then somebody is not monitoring the cameras.

Mr. Torres stated it is helpful to get that information timely. Thank you, I will get with Erick after the meeting.

THIRD ORDER OF BUSINESS

Affidavit of Publication

A copy of the affidavit of publication of the public hearing notice was included in the agenda package.

FOURTH ORDER OF BUSINESS

Staff Reports

A. Landscape Manager (Presenter: Duval Landscape)

Mr. Johnson gave an overview of the landscape maintenance items accomplished since the last meeting.

Mr. DelBene stated I emailed you earlier in the week about certain pond banks and I also sent pictures. I have received complaints from homeowners about grass being shin high and several homeowners have mowed to prevent snakes and weeds coming onto their property. What are you doing to ensure the pond banks get mowed on a timely basis?

Mr. Johnson stated we have spoken the last few years that when the pond banks are wet we do not put a mower on it; we wait until it is dry enough in order to mow. I know Bahia grows very quickly, I would love to be able to mow every week even if they are wet or not and not rut it up in a perfect world. When we do wait as long as we have it makes a lot more work for us. I talked to Ernesto today concerning this and I will do whatever the board wants me to do but we always get complaints this time of year from June to October depending on the rain situation. A few years ago I got my hands slapped hard because of tearing up the pond banks when they were wet, but we haven't had any complaints like that since then.

Mr. DelBene stated I wanted to have this conversation so the residents would understand what all the factors are. I'm fully aware of what is happening and why and when it gets mowed. I appreciate your input.

August 11, 2020

Turnbull Creek CDD

Ms. Slevin stated I have a record of the sheet that this is supposed to be mowed on a weekly basis, that is what you are being paid for and our bank was not mowed for three weeks and I sent pictures to Jerry today and I don't know if he can pull them up. Why are we paying you to do something that is not being performed. It is checked off on your list as being completed.

Mr. Lambert stated I audit these guys weekly. When it is wet like that there is a makeup time they have to meet and now they have to mow the grass and squeeze the ponds in too and it becomes a juggling act and what the priority is at the time. It makes it very difficult when it is wet.

Mr. Torres stated staff will work with Mike on this.

B. Engineer (Presenter: Mike Yuro)

Mr. Yuro stated over the last month or so most of my effort has been centered around working with the county and staff on the intersection with the signal and then also the drainage issues at that intersection. The county went out a few weeks ago and cleaned about a foot and a half of bentonite that was spilled in the inlet. We got a report from a supervisor that in a large storm event after that it appears to be functioning properly. I'm still waiting on Kimley-Horn to provide me with a video of the storm system out there. Last Tuesday late in the day they sent an email that said they were going to do an inspection the next morning, unfortunately, I wasn't in the office to get that email and by the time I got it the next day it was too late to go and observe the inspection, but I requested a copy of the video. From what happened it appears that it has been cleaned out.

Ms. Kilinski stated part of the requirements for the county was to get whatever Mike needed to be able to sign an engineer's certificate to the district to warrant that it had been sufficiently cleared prior to signing a deed and dedicating that property to the county.

Mr. Yuro stated the other element with regard to that intersection and the traffic signal was working with the county to sign off on the small piece of land that is going to be dedicated from the CDD to the county. The sketch they provided was not exactly the same that we had seen prior to the last meeting but the reason for it was to make sure that all the elements the county needs within their limits of property ownership were included. The area was basically the same, it was just shaped slightly different and when they provided that with the topo and the background I told

August 11, 2020

Turnbull Creek CDD

Jennifer and Ernesto that I was satisfied that would be sufficient and wouldn't get in the way of anything the CDD needs. I believe that element is moving forward.

The only other thing I have been working on with staff is what is coming up later in the agenda and that is preparing the engineer's certification of completion of the construction, which was originally the series 2005 bonds, which were refinanced in 2015 and I expect to have that certification to Ernesto this week so they can wrap up the resolution that will be presented a little bit later.

Mr. Wing stated while we are waiting for all the details to be taken care of, can we ask them to turn the lights on?

Ms. Kilinski stated we did give them at least from our perspective the clearance to do that. As far as I know the signalization activation is not being held up at all by the district but something going on with the county. We can reach back out to find out what that is.

Mr. Labanowski stated the contractor was still doing some wiring work last week. I did notify Ernesto that it doesn't look like that drain is 100% functional because about a week ago we had a major downpour and it started backing up, not major but there was a slight backup.

Mr. Yuro stated that is exactly why I want to see the video inspection of the storm drain. While you can look down into the inlet and see the bottom of the inlet, you are not going to be able to see inside the pipe unless they block either end of the pipe to block the water and put a camera down there to video it, which is standard practice. That is why I'm waiting on that before I certify to you that I'm satisfied it is clear.

Mr. Torres stated I think we wanted to get on the record the request for the color of the light that is going to remain the galvanized aluminum color. We didn't receive much objections from the supervisors. I want it on the record that we are moving forward with that as well.

Ms. Kilinski stated we spoke with each of you individually, we can't poll the board members outside of a meeting so we gave the county the authorization to activate the traffic light contingent on the district taking action tonight to waive that requirement that we demanded of them on the color. The county told us is that in order to change the light pole to match the coloration of the entry monumentation would mean dismantling the existing light pole, shipping it off and waiting several weeks if not months to get a new light pole shipped because you can't just paint the galvanized steel. In the interest of time and consistency they also said they would be replacing the rest of the ballast to match that one down the road. We will ultimately match, just

August 11, 2020

Turnbull Creek CDD

not immediately. Unless anyone disagrees with that approach, we will take the silence as acceptance.

FIFTH ORDER OF BUSINESS

Consideration of Proposals from Envera for Security Services

Mr. Torres stated I would like to ask the board if we can take up item five at the end of the meeting so that we can have an executive session with the supervisors and staff only.

This item taken at the end of the meeting.

SIXTH ORDER OF BUSINESS

Discussion to Obtain Proposals for Christmas Lights at Entrances to Murabella (Presenter: Ernesto Torres)

Mr. Torres stated Supervisor DelBene requested this item be on the agenda and I asked staff to check last year's Christmas lights order so they can talk about what we had last year.

Mr. DelBene stated comments are always made about how our community would look if the entranceways were lit up. I would like to see what a quote would look like to lease or own the lights and have a company come in and light up the trees that line the entryway streets. In regard to our Christmas event, although everything is dependent on COVID, I want to make sure that this year we reach out to Reverb Church and make sure that event is put on again here versus Heritage Landing if possible.

Mr. Hutchinson stated I'm okay with it, I just need to make sure I have approval from the board to resume indoor events. They may not even be doing it due to COVID. I can talk to them and see where they are at and if I get approval from the board then we can move forward.

As far as the Christmas lights we did reach out to the people who take care of our lighting and he gave us a couple quotes for a total of four palms, two in front of the amenity center and two by the bridge leading into the amenity center would be about \$1,800 and to do seven palm trees lit up, that is in front of the neighborhood plus the ones by the bridge and in front of the amenity center you are looking at about \$2,100.

Mr. DelBene stated we don't own the lights, that would be them putting them up.

Mr. Hutchinson stated no, we own them and they store them. We don't store anything at Murabella except for the Christmas stuff we purchased and there was some stuff that was purchased before we came to the community by Vesta, such as the Christmas tree and I purchased some wreaths and stuff like that, but anything that goes throughout the community such as the

August 11, 2020

Turnbull Creek CDD

garland and all the other exterior lighting is all stored in their facility and we pay about \$1,500 a year. This won't add to that cost, the cost will be to purchase the additional lights. It would be a one-time purchase of \$1,800 if we want to do four or a little over \$2,100 if we do seven and that is wrapping the palm trees with lights.

Mr. DelBene moved to direct staff to contact Reverb Church about holding the event and authorize staff to contract for the lighting of the seven palm trees.

Mr. Torres stated before we get a second to that motion, I would like to say that the fiscal year 2021 budget does not have a line item for holiday decorations. Last year we overspent on the special events and received additional funds from the HOA. When we discuss the fiscal year 2021 budget we will rename special events line to include holiday decorations and use that line as the bill payer because right now we don't have those funds designated.

Mr. Simmons stated I agree with you, we have to be cautious and financially responsible knowing we are going into the last months of the fiscal year 2020 budget. I want to know what our numbers are going to look like between now and September 30th. I want my fellow supervisors to take into consideration that as of October 1st we are going to be in a different fiscal year so we have more flexibility than we currently have.

Mr. Torres stated regarding the current fiscal year I think you are in a good condition, we were budgeted through June 30th at \$819,000 and we spent \$813,000. We have \$5,648 on the positive side that we underspent. If you will recall last year we received some revenues to make up the Christmas decorations. We can rename the line or if Erick believes it is going to be \$2,100 we can allocate that so that we can spend it from the right line.

Mr. Wing stated I suggest we wait until the end of October to do this to make sure we have the funds, since the lead time is not that long.

Mr. DelBene stated I will withdraw my motion and make a new motion to have Erick contact Reverb to see if they are interested in holding that event here pending COVID.

Mr. Simmons stated I would like to hear from Jennifer in terms of executive orders and social distancing.

Ms. Kilinski stated there hasn't been a lot of change in guidance as of late, I think because they are still looking to have the numbers track down and likely wait until schools go back into

August 11, 2020

Turnbull Creek CDD

session, to make any big changes to Phase 2 or Phase 3. If you want to make it pending COVID if you want to be out in front of Heritage Landing. My partner does Heritage Landing and they meet fairly frequently so getting it on the calendar, everybody is going to say, pending COVID, if we need to modify the event and have it outside or have social distancing in place, that is something you can always consider, but I don't think it hurts to reach out.

Mr. Hutchinson asked Chris, do you want me to follow-up with you once I talk to them or am I just bringing this up at the next meeting?

Mr. DelBene stated I would like to reach out to them and see if they are going to have the event that they consider Murabella for that event.

Mr. Torres stated we don't need a motion on that. Eric has his task and we will follow through with that. Regarding the funding of the Christmas lights I would like to add that line to the budget so we can make that change as well, not increase the budget, but at least allocate funds of \$2,100 when we get to that item.

SEVENTH ORDER OF BUSINESS

Public Hearing to Adopt the Budget for Fiscal Year 2021 (Presenter: Ernesto Torres)

Mr. Torres stated item seven is the public hearing to adopt the fiscal year 2021 budget. We have already talked about some changes we are going to make and that is to add an additional line and fund it. I recommend moving some funds around based on some of the variances we have in some other budget lines. We can make up \$2,100 and not increase the assessments if the board will allow me to make some changes, not to increase the assessment, but create another budget line to capture the cost for Christmas lights.

There is no assessment increase for fiscal year 2021 and we have done well with under executing budget lines in 2020 as well as in 2019. We have a healthy carry forward surplus and that helps keep assessment levels the same as we have for many years.

Mr. DelBene stated we reduced the common area waste collection by moving the garbage cans at the mail kiosks. Are we going to see a commensurate reduction in the bill?

Mr. Torres stated I don't know how many trash cans we removed from the mail kiosks to create a significant decrease in that line. I thought this was for the dog waste stations, not for the mail kiosks. Someone else may have that history.

August 11, 2020

Turnbull Creek CDD

Mr. Wing stated I can't say for certain but although they don't have the trashcans at the mail kiosks, I have noticed staff running around the streets in the gator picking up trash off the streets that I never saw Vesta do.

Mr. Lambert stated we are finding more and more that the mail is ending up in the trashcan down the road at the roundabout. We removed three trashcans, one from each kiosk.

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

Ms. Randolph stated I talked to Jerry about this. The mailman was taking trash out of their mailboxes and I said can you lock the boxes so nobody can stick trash in them and he said not really, but he has picked up trash too. They are sticking trash in some of the big boxes.

On MOTION by Mr. Labanowski seconded by Mr. Simmons with all in favor the public hearing was closed.

A. Consideration of Resolution 2020-08 Relating to the Annual Appropriations and Adopting the Budget for Fiscal Year 2021

Mr. Torres stated I would like the board to approve Resolution 2020-08 in substantial form so we can change and add the one line for holiday decorations.

On MOTION by Mr. Wing seconded by Mr. DelBene with all in favor Resolution 2020-08 was approved in substantial form.

B. Consideration of Resolution 2020-09 Imposing Special Assessments and Certifying an Assessment Roll for fiscal Year 2021

On MOTION by Mr. Wing seconded by Mr. Simmons with all in favor Resolution 2020-09 was approved.

EIGHTH ORDER OF BUSINESS

Consideration of License Agreement with Ancient City Soccer Club, LLC Regarding Use of the District's Soccer Facilities (Presenter: Casey O'Linn)

Mr. O'Linn outlined the proposed changes to the agreement that was in place to make it in line with the soccer season that starts in the fall and ends in the spring and stated the shared revenue

August 11, 2020

Turnbull Creek CDD

has changed a bit, in the spring we paid 10% of our overall revenue to the CDD and before it was a per player basis and our board asked that we make it back to a per player basis of \$15 per player.

Mr. Torres stated I emailed his proposal to the board, received some questions that were answered and Jennifer has added some COVID-19 restrictions to the agreement and also waivers and that has been updated.

Mr. Simmons asked what would the difference be in paying \$15 per player or 10%?

Mr. O'Linn stated it wouldn't be that much different, but it would be in line with what we already do using fields, it might be a little less, but our players are on a sliding scale. If we can budget a certain amount per player for field usage it is much easier than a percentage.

Mr. DelBene asked what was the revenue last year?

Mr. O'Linn responded last year we did \$5 per player and at the last spring meeting it went up to 10% of the total revenue and that came out to about \$1,900. Last spring we had 70 players or so. Now we are entering into a new season.

Mr. DelBene stated under last year's numbers it was about \$27 per player. I understand the difference between 10% versus a per player agreement, but other non-profits that operate in our facilities pay 10% fee and previously we tried to keep it uniform for simplicity purposes.

Mr. Torres stated you have the agreement prepared by Jennifer and we can add the dates of the season and Casey is asking to modify the shared revenue and the length of the season from August to May.

On MOTION by Mr. Simmons seconded by Ms. Burks with three in favor and Mr. Labanowski and Mr. DelBene opposed the license agreement with Ancient City Soccer was approved.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2020-10 Declaring Series 2015A Construction Project Complete (Presenter: Jennifer Kilinski)

Ms. Kilinski stated you had a similar resolution for 2004 project a year or two ago. It is a required process to undergo pursuant to our bond indenture. Once you have reached wiping clean your construction account the indenture requires a resolution declaring the project complete and you make final equalization of assessments. Pursuant to the indenture you are required to have an engineer's certificate, which is why we have been working with your engineer. He gives the district a certification certifying that the project is complete, that the construction proceeds were

August 11, 2020

Turnbull Creek CDD

accurately used and that all the permits and plans and conditions have been met. Mike is working on that, there are a couple questions he had that Ernesto and I are working on answering or have answered for him to be able to execute his engineer's certificate. We will be able to update the amounts, there is \$1.14 left in your construction account so you have done a good job of clearing that account. Interestingly enough we will need to update the resolution because there was a couple thousand dollars left in the cost of issuance account, which I have not seen happen because those are usually exact numbers, but we could potentially move that into construction for an off project or it will go through a bond redemption process where the assessments will be slightly lowered, the homeowner might see a penny or two drop in their annual assessments. This process will equalize the assessments as well.

On MOTION by Mr. Labanowski seconded by Mr. DelBene with all in favor Resolution 2020-10 was approved.
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TENTH ORDER OF BUSINESS**Consideration of Proposals for Engineering Services (Presenter: Jennifer Kilinski)**

Mr. Torres stated we published the RFQ based on guidance from the board and received a response from JMT headquartered out of Jacksonville. We also reached out to four firms, Matthews Design Group, Prosser, ETM, and Dewberry. The board is familiar with Mike Yuro's qualifications and we have a current agreement with him, so I did not reach out to Mike to submit his qualifications since the board is very familiar with his services.

Mr. Simmons stated I am looking for three other bids because I think we need to do our due diligence and do the things we need to do from a fiduciary responsibility. I think we have to look at things every three or four years and Mike Yuro did what he does and he is a good guy, but it is our duty to look at other people. We have to come up with three other options, at least two at a minimum. If we have three options then we need a special meeting to interview these individuals and find out what they are offering the community and we can go from that standpoint. It is going on five years now. After five years you have to take a look at it.

Mr. Torres stated I did reach out to four firms that work in the industry, I'm assuming the reason they declined submitting the RFQ is because of their new construction projects and land development that may be going on. Nevertheless, I will be happy to provide three additional RFQs for you to do your comparison.

August 11, 2020

Turnbull Creek CDD

Ms. Kilinski stated the bigger question that I heard from maybe each of you is the responsiveness to the RFQ. We can certainly go back out. Our rules of procedure provide for a number of options when you only get one response and to remind the board what those options are, when we send out an RFQ we are only getting qualifications back, we are not getting pricing back. We can't ask for pricing in a qualification bid. If we only get one response back you can reject it, go back out for more qualifications. We can reach out to more companies, there are other companies in the Jacksonville area. There are a number of districts that have multiple engineers under a continuing services contract. Keep that in the back of your minds that if there is an interest in having multiple engineers, you don't pay for an engineer except for the work they are doing. If there is a discreet project that you are really after or if Mike is so busy that maybe he can't do a piece of work you can have multiple engineers under contract and you sort of pick and choose how they work on discreet projects.

Mr. Torres stated we have districts in other counties where it is a homeowner board and we have difficulty having district engineer involvement, where Mike Yuro has stepped in for these smaller districts with unresponsive engineer services. The market in this industry is very heavy in new construction type but certainly we will do due diligence and re-engage with other firms if the board chooses to bring additional proposals. Once we receive the RFQs we can bring to the board and schedule a special meeting to engage those firms in further discussion.

Ms. Kilinski stated to meet the procurement requirements under our rules of procedure and the CCNA, we will have to run another publication, we can reach out to folks preemptively, but we will need to run another ad.

Ms. Burks asked when you are going out and looking for these firms what platforms are you using to locate these companies?

Ms. Kilinski stated there are some larger districts that have a lot of procurement going on that actually register with DemandStar and use a governmental procurement website. Here, we advertise in the local newspaper and then we try as staff to reach out to the firms that we are familiar with that are familiar with CDDs. It is not a tried and true scenario but as Ernesto mentioned we had a lot of problems getting engineers to respond given market conditions, particularly if it is not a large sum of work they are expecting.

Ms. Burks stated the reason I ask is because contracting is what I do right now and when we are looking for firms we have the SBA's site, which is open to anyone to check on a dynamic

August 11, 2020

Turnbull Creek CDD

small business because then there are tons of firms. I'm just trying to understand; is it something that we are not checking all those different avenues to ensure that we are getting a broad background of being able to find someone who can do the work and have a variety. I agree with Wil, you should bring in a variety, after five years you want to start looking at some other things to see if we can get more bang for our buck and maybe more flexibility.

Ms. Kilinski stated Ernesto will run the ad, and we will compile a list of folks that we are familiar with because this is a governmental contract that makes it a little bit more unique. If there are avenues for exploration on other companies we are certainly open to them.

Ms. Burks stated that site is individuals who are registered under the federal government and they are vetted, they have to go through a federal government background with all their skill sets. I will send that link to Ernesto.

Mr. Torres stated please do that. We will republish the notice and I will work with Supervisor Burks.

On MOTION by Mr. Labanowski seconded by Ms. Burks with all in favor this item was tabled.

ELEVENTH ORDER OF BUSINESS**Consideration of HOA Funding for Digital Billboard (Presenter: Ernesto Torres)**

Mr. Torres stated staff has been working on this project for a few months and we sent proposals to the HOA that Jerry and Erick have acquired. I'm assuming they discussed it and reached an agreement to fund \$15,000 of HOA funds towards the digital billboard. Based on the discussion I had with the HOA CAM for Murabella I wanted to bring a memorandum of understanding that Jennifer has drafted and is in your agenda package for your review and consideration. The HOA does have an item in the packet, Digital Sign Usage, and as I reviewed them they didn't seem too difficult for the board to adhere to but I will leave that to the board for your discussion and consideration tonight.

We do have two proposals that I provided to you and they do extend beyond the \$15,000 that the HOA board has allowed, meaning that the CDD would be left with the balance.

Ms. Kilinski stated the MOU is meant to encapsulate the request from the HOA on the digital sign usage. There are a couple things that gave me pause, mostly because they require certain usage, but don't cover everything they may use it for. The no commercial advertising is

August 11, 2020

Turnbull Creek CDD

one that you can easily adopt saying it has to be used for certain community events that are specifically designated is limiting so I tried to include in the MOU to capture what I think they were after. If the board does approve that tonight I recommend you approve it in substantial form so if there are a couple small things we need to change we can do that, but hopefully, we will capture the spirit of what the HOA was asking us.

Mr. DeBene stated I agree, so long as we know that this digital sign usage is not a limitation on what we are allowed to use the board, there are going to be certain restrictions we will agree to but I don't want this to be seen as an all-encompassing document.

Ms. Kilinski stated that was my concern as well.

Mr. Labanowski stated on the HOA side the only concern that was out there was pretty much what they published. They were pretty much in line with what it has been used for. There has been no commercial advertising, no homeowner advertising other than when military comes home. It is pretty much in line with what we are doing already.

Ms. Kilinski stated I think we can give staff direction on, birthday announcements, graduation announcements, happy valentine's day and if there is something potentially controversial then certainly we will bring that before the board but for normal use of that sign, we don't want to bind the board, we don't know what is going to happen two or three years from now and if you want to use that sign because there is some major event, a hurricane evacuation, something along those lines you should have the right to do that.

Mr. Torres stated it says, CDD board and I don't want to get in the position where staff is taking advertising orders from the HOA.

Mr. Simmons stated let's not overanalyze this; it is a bulletin board and there are parameters we need to follow and be reasonable.

On MOTION by Mr. Labanowski seconded by Mr. Wing with all in favor the memorandum of understanding between the district and the Murabella Homeowners Association was approved.
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Mr. Torres stated earlier today you received two proposals, one from Taylor Signs & Design in the amount of \$21,457 and the other was from B&S Signs in the amount of \$19,729. Jerry and Erick received these proposals, there is a third proposal from Delco Electric to provide power to the board and installation, where the other two does not included that.

August 11, 2020

Turnbull Creek CDD

Mr. Lambert stated we have a third proposal from Shark Signs in the amount of \$22,127 and that doesn't include the \$2,200 that is on top of those prices. We had B&S out here, they did the display. In my opinion it is an excellent company, they sell a great product, one of the better boards, they have been very supportive in what we wanted and came in at the cheaper price, their warranty is better. Taylor Sign quoted a watchfire board, which is not as good as far as warranty and service but is still a good board.

Mr. DelBene asked where is the monument being built to hold the sign?

Mr. Lambert stated the same spot where the old sign came down by the mail kiosk. We considered other areas, but they weren't going to work out due to cost and installation. It is going to be a post mounted sign. Taylor is the only one that quoted a monument mounted sign, which was \$4,874 more. I'm trying to keep the quotes apples to apples. The price I gave you is for a post mounted sign.

On MOTION by Mr. Simmons seconded by Mr. DelBene with all in favor the proposal from B&S Signs (Daktronics 7 X 3) in the amount of \$19,729 was approved.

TWELFTH ORDER OF BUSINESS

Consideration of Proposal for Dance Classes with Gift of Dance for Fall Season (Presenter: Erick Hutchinson)

On MOTION by Mr. Wing seconded by Ms. Burks with all in favor this item was tabled.

THIRTEENTH ORDER OF BUSINESS

Staff Reports (Part 2)

A. Attorney - (Presenter: Jennifer Kilinski)

There being none, the next item followed.

B. Manager - (Presenter: Ernesto Torres)

1. Discussion of Proposed Meeting Schedule for Fiscal Year 2021

August 11, 2020

Turnbull Creek CDD

On MOTION by Mr. Simmons seconded by Mr. Labanowski with all in favor the fiscal year 2021 meeting schedule reflecting the following dates was approved: November 10, 2020, January 12, 2021, March 8, 2021, May 11, 2021, June 8, 2021, August 10, 2021 and September 14, 2021.

C. Operation Manager – (Presenter: Jerry Lambert)

1. Report

Mr. Lambert reviewed the monthly operations report, copy of which was included in the agenda package.

2. Duval Proposals

Duval proposals 7792 and 7793 for aeration were tabled.

Proposal #8528 in the amount of \$3,411.95 for sod was tabled.

On MOTION by Mr. Labanowski seconded by Ms. Burks with all in favor proposal #8529 from Duval for landscape enhancements for the new light on Positano in the amount of \$502.59 was approved and staff was directed to bill the county for reimbursement.

#8530 in the amount of \$300 removal of an oak tree on pond bank behind a house.

Mr. Labanowski stated the homeowner planted two trees, a weeping willow and an oak tree without getting approval and it was brought before the board in 2014 and no action was taken against the homeowner. The home has since changed hands and a new homeowner is there.

Mr. Lambert stated we took out the weeping willow, this is the oak tree on pond 13.

Mr. Wing stated it is a homeowner's issue.

Mr. Torres asked is this tree located on CDD property?

Mr. Lambert responded yes.

Mr. Wing stated apparently the HOA didn't enforce it.

Mr. DelBene asked did we receive a complaint about the tree? Why are we looking at taking down a healthy tree if there is no complaint?

Mr. Labanowski stated the complaint was about the tree that died and that was taken out.

Mr. Lambert stated there was no complaint against this particular tree.

It was the consensus of the board to leave it alone.

August 11, 2020

Turnbull Creek CDD

3. Pond #2 Aeration Cost Sheet

This item tabled.

Mr. Lambert stated I would like the board to think about making the fountain in the front of the amenity center into a big planter with really nice flowers and stop the fountain part of it.

Mr. Wing stated we have had trouble with that fountain over the years and I'm not opposed to that idea.

Ms. Burks asked is that your thought process why you are suggesting we turn it into something other than the fountain?

Mr. Lambert responded yes. I'm talking about something that would make a statement when you come into the facility; I'm not talking about a few little annuals. I talked to Mike a got a verbal quote of about \$1,200 and it will be a nice addition.

Mr. Labanowski stated it has been a problem for a long time; let's take the water feature out and turn it into a planter.

Mr. Lambert stated that price included lifetime maintenance, it will be a one-time cost and I will bring the numbers to the next meeting.

Mr. Torres stated all the items that were tabled tonight we will bring to the September meeting and I will reevaluate our capital reserves expenditures.

4. Property Activities Sheet

A copy of the property activities sheet was included in the agenda package.

5. Duval Audit Reports

A copy of the Duval audit reports were included in the agenda package.

D. Amenity Center Update (Presenter: Erick Hutchinson)

Mr. Hutchinson asked does the staff at Murabella still have to monitor for COVID-19. I'm asking because we have restructured the hours of the pool and office and other things so staff can monitor for that. If we aren't monitoring anymore then I suggest opening the pool the way it was before, I believe it was 9 a.m. and close 30 minutes before sunset and on Monday to do maintenance, the pool opened at 1:00 p.m. on Monday. Right now I have staff coming in earlier

August 11, 2020

Turnbull Creek CDD

to take care of the pool maintenance and they wouldn't have to do that anymore because we would dedicate that to Mondays. We also restructured the hours of the office, it is open on Mondays and before it wasn't open on Mondays. If we are still monitoring for COVID-19 then I suggest we leave it as it is.

Ms. Kilinski stated there is no change from the last conversation we had on this. The good news is the executive order that we discussed last time doesn't have the same requirements that Phase 1 did. Phase 1 specifically directed units of government and other organizations to ensure social distancing; that is not in Phase 2. Having said that we have some parameters from our insurance carrier about what the insurance carrier is directing folks to do if you want to ensure that you have insurance coverage and that is to provide some basis for making sure we don't have large crowds. Is there a risk if we don't have staff monitoring the situation? Yes. Can we mitigate that risk by having appropriate signage, appropriate community education and the like? Yes, we can, a lot of it is trusting your neighbors. My experience so far is by and large you have some members in the community that are pretty good at notifying staff if something is going awry. If we make sure that folks know what they are supposed to do and if they see something that is not copacetic that they send Erick maybe a picture or note that we could still take action if we need to, but it will allow people to behave like adults, open up earlier, I think we can probably mitigate most of the risks that the insurance carrier is worried about by doing some community engagement and signage. I think you are within your realm to do that. Does it mitigate all risks? Nothing is risk free and having the monitoring onsite is the easiest way to go but I think if you wanted to discuss that we can certainly get there by having other provisions in place.

FOURTEENTH ORDER OF BUSINESS Supervisor's Requests and Audience Comments

Ms. Burks stated one of my concerns goes back to Erick. I'm still uncomfortable because I have children that go to the pool and I'm at high risk and I don't know that I'm comfortable right now with totally scaling back to just signs. I have concerns with that.

Mr. Hutchinson stated any time you come to the amenity center there is always going to be a risk, which is why we did our best to monitor, but at the same time there are other people willing to take that risk. There is a fine balance. I know I'm not going to please everyone no matter what I do, but I take my direction from the board. I will do whatever the board feels is best. If we do move forward there is nothing we are going to do as far as monitoring aside from an eblast saying

August 11, 2020

Turnbull Creek CDD

pool will resume normal hours, swim at your own risk, we are not monitoring for COVID-19 and whatever verbiage Jennifer gives me. There is always going to be a risk. I haven't seen any groupings that made me think we are not ready for this, but there could be days it might get like that.

Mr. Torres stated I spoke to Erick earlier this week because of the St. Johns County school date changing and we have extended the services of the lifeguards. We will work at the board's pleasure when it comes to adjusting hours or staffing levels.

Mr. DelBene stated we don't have a motion to change it right now and I'm comfortable keeping it checked especially through the opening of school. I think it is important that a lot of our kids have been very shielded for the last few months and I would love to have additional hours to get back to normal, but we are not in a normal situation. I'm good with staying like it is right now.

Mr. Labanowski asked for the next meeting I would like to know what is left in the events fund.

Mr. Torres stated I will get that before the meeting and send it to you.

Mr. Simmons stated we have a lot of people in the community who would like a bocce ball court and I have volunteers for this project and I would like to consider this at the next meeting.

Mr. Lambert stated the best area would be parallel to the basketball court on the soccer field area and that would be two courts together, two 10 X 60 foot courts with their eight drainage, gravel, and oyster shell topping, which is really good for bocce ball. I have run some preliminary costs and it was about \$2,800 and these two courts would cost \$30,000 to have them built. I'm confident we could build them professionally.

Ms. Kilinski stated you don't need a lawyer to draft an agreement, but it has to be ADA compliant and we need to make sure that whoever is building it understands what that means.

Mr. Torres stated I will want to run it by the engineer to make sure there are no permit requirements.

Ms. Slevin stated thank you for all the work done by Duval, they have improved a lot. I have other issues I discussed with Jerry and Ernesto. I'm having a hard time understanding the check lists and how they are being accounted for because they are weekly, bi-weekly, some are signed, some are not signed. I'm not sure who is being held accountable for signing off on this. I

August 11, 2020

Turnbull Creek CDD

think Diana created the checklist and it is great but I don't understand who is being held accountable. There were discrepancies and with the weeding, things are not done consistently

Mr. Lambert stated we have had a lot of conversations on this. I do the auditing, I created it with help, I audit it. Mike gives me his input, I go out and verify stuff and actually drive out every day and do the best I can. Do I hit everything? No. Do I see every berm? Absolutely not. I'm not walking the berms every day, but what I do is react to complaints and problems or issues that people have. I call Mike, we have a good working relationship, he usually comes out pretty quickly. There are some things in the past couple of weeks we talked about, the time just hasn't been there. There are some bigger issues he is addressing. As far as the audit sheets go I check them and there is weekly, bi-weekly, monthly. The colored boxes is when they are to be done and they are not always checked. As an example, irrigation is done every two weeks so not every week will that be checked, it is only checked bi-weekly when it is done. I'm getting better at the comment section because I can't penalize on an audit if the banks are mowed and we had a wet week and they didn't get mowed that week, I still check the boxes, he mows what he can mow and in the comment section. This is a learning process for me too, I'm learning a lot as well as everybody else and it is very daunting to do this auditing.

Ms. Selvin stated I'm concerned that things are being checked off as being done and they are not being done.

Mr. Lambert stated in the future I will try to do better in the comment section.

FIFTEENTH ORDER OF BUSINESS

Approval of Consent Agenda (Presenter: Ernesto Torres)

- A. Approval of Minutes of the June 16, 2020 Meeting**
- B. Acceptance of the Minutes of the June 16, 2020 Audit Committee Meeting**
- C. Balance Sheet as of July 31, 2020 and Statement of Revenues & Expenditures for the Period Ending July 31, 2020; Month-to-Month Income Statement; Assessment Receipt Schedule**
- D. Approval of Check Register**
- E. Consideration of Resolution 2020-11 Classifying Surplus Tangible Personal Property for the Tabby Stones**

Mr. Torres stated the board needs to give guidance to staff on the disposal of the surplus property; we can sell them or dispose of them.

August 11, 2020

Turnbull Creek CDD

Ms. Kilinski stated given the discussions the board previously had we presume you would like us to sell it first and then donate if that can't be realized.

It was the consensus of the board to try to sell the surplus property first and if it cannot be sold then donate it.

On MOTION by Mr. Labanowski seconded by Ms. Burks with all in favor the consent agenda items were approved.

FIFTH ORDER OF BUSINESS

Consideration of Proposals from Envera for Security Services

The board held an executive session during which the following action was taken.

On MOTION by Mr. Wing seconded by Ms. Burks with all in favor the proposal from Envera for security services was tabled.

SIXTEENTH ORDER OF BUSINESS

Next Scheduled Meeting – September 8, 2020 at 6:30 p.m.

Mr. Torres stated the next meeting is September 8, 2020.

On MOTION by Mr. Labanowski seconded by Mr. Wing with all in favor the meeting adjourned at 10:02 p.m.

DocuSigned by:
Ernesto Torres
3FE774DC89854A7
Secretary/Assistant Secretary

DocuSigned by:
Chris DeBene
DCDC8C5199784EA
Chairman/Vice Chairman