

**MINUTES OF MEETING**

***Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.***

**TURNBULL CREEK  
COMMUNITY DEVELOPMENT DISTRICT**

The **regular meeting** of the Board of Supervisors of Turnbull Creek Community Development District was held on **March 14, 2023, at 6:30 p.m.** at the Murabella Amenity Center, 101 Positano Avenue, St. Augustine, Florida 32092.

**Present and constituting a quorum:**

Brian Wing	Board Supervisor, Chairman
Jeremy Vencil	Board Supervisor, Vice Chairman
Chris DelBene	Board Supervisor, Assistant Secretary ( <i>speakerphone &amp; later in-person</i> )
Diana Jordan-Baldwin	Board Supervisor, Assistant Secretary
Gianna Krol	Board Supervisor, Assistant Secretary

**Also present were:**

Carol Brown	District Manager, Rizzetta & Co., Inc.
Jennifer Kilinski	District Counsel, Kilinski/Van Wyk ( <i>speakerphone</i> )
Lauren Gentry	District Counsel, Kilinski/Van Wyk
Mike Yuro	District Engineer, Yuro & Associates
Erick Hutchinson	Amenity Manager, RMS
Jim Schieszer	Field Operations Manager, RMS
Todd Murphy	General Manager, Trimac Outdoors

Audience members present.

**FIRST ORDER OF BUSINESS**

**Call to Order / Roll Call**

Mr. Wing called the meeting to order at 6:30 p.m.

**SECOND ORDER OF BUSINESS**

**Audience Comments on  
Agenda Items**

An audience member commented on parking lot expansion concerns.

**THIRD ORDER OF BUSINESS**

**Staff Reports – Part A**

**A. District Engineer**

### **1.) Update on Pond Bank Repairs**

Mr. Yuro reminded the Board that he had been previously requested to inspect the pond bank and provide a report to contractor, Boudreaux Pro Grade. The contractor replied to Mr. Yuro's report and stated the sod would self-correct in growing season.

Mr. Yuro then conducted a walk through with Mr. Vencil and Mr. Murphy. He said his original report noted the restoration had lots of dead sod, and gaps and the sod needed to be corrected. Mr. Murphy had advised that the type of sod installed, Bahia sod, would not self-correct and does not grow like that. Mr. Yuro said there are large areas where this is happening, along with lack of fill. Mr. Yuro referred to his previously presented map with identified repairs and that the contractor should remove slit fencing and restore sod.

Mr. Yuro's report also identified homeowner issues that are causing the pond bank erosion. Ms. Brown noted that the following homeowners have been notified: 2112 S. Sorrento Hills Road, 1851 S. Cappero Drive, 1925 & 1921 Amalfi Court, 1861 & 1869 S. Cappero Drive and the owner of 1861 S. Cappero Drive responded and said it was not their pipe. She also informed the Board that all owners around the pond bank received notice to irrigate up to the pond.

Mr. Vencil noted that issues are being caused to the pond bank by 1929 Amalfi Court.

Ms. Gentry arrived to the meeting.

Mr. Yuro recommended the District request the contractor to complete "as built," to confirm 4 to 1 slope. Discussion ensued.

The Board directed Mr. Yuro to review with Ms. Kilinski and Ms. Brown and send response to Boudreaux's Pro Grade with corrective action to complete pond bank repair.

### **2.) Acceptance of the Yuro & Associates, LLC Annual Master Trust Indenture Report**

Mr. Yuro presented the revised Annual Master Trust Indenture Report reflecting the Board's request to note routine maintenance items, however, he stated these items do not present engineering concerns.

On motion by Mr. Wing, seconded by Ms. Krol, with all in favor, the Board of Supervisors accepted the Yuro & Associates, LLC Annual Master Trust Indenture Report, for Turnbull Creek Community Development District.
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### **3.) Consideration of Parking Lot Expansion Site Plan Proposal**

Mr. Yuro presented the parking lot expansion site plan proposal. Discussion ensued.  
(Exhibit A.)

On motion by Mr. Wing, seconded by Ms. Krol, with 4 in favor, with Mr. Vencil opposed, the Board of Supervisors approved tabling the parking lot expansion indefinitely, for Turnbull Creek Community Development District.

The Board moved to Agenda item 4A.

#### **FOURTH ORDER OF BUSINESS**

#### **Consideration of Homeowner Palm Tree Installation on District Property**

Residents, Guy Chasse and Donna Mullin at 920 E. Terranova Way, requested to plant palm trees on District property and provided photos of the area where they would like to install the trees. The area was described as the San Marino area at East Terranova and South Villagio walking trail. Discussion ensued.

Ms. Gentry advised the District can put a policy in place for this type of request.

On motion by Mr. Wing, seconded by Ms. Jordan-Baldwin, with all in favor, the Board of Supervisors tabled Mr. Chasse's and Mrs. Mullin's palm tree installation request, for Turnbull Creek Community Development District.

The Board directed the landscaper to review the area and for District Counsel to provide a "sample" tree installation policy for the Board to review.

Mr. Yuro asked the Board for clarification for downspouts tying into ponds. The Board confirmed downspouts are to be below the pond water level and all the way into the water.

Mr. Yuro was excused by the Board at 7:07 p.m.

The Board moved to Agenda item 3B.

#### **FIFTH ORDER OF BUSINESS**

#### **Staff Reports – Part A**

##### **B. Landscaper**

##### **1.) Trimac Outdoor Manager Report**

Mr. Murphy updated the Board that they are in the process of cutting back the berms, spraying weeds, installing pine straw and mulch. Discussion ensued.

The Board directed the Staff to present sod replacement proposals.

The Board directed the Staff to circulate mowing maintenance schedule to the community.

**2.) Consideration of Trimac Outdoor Landscaping Proposal(s)**

On motion by Mr. Vencil, seconded by Ms. Krol, with all in favor, the Board of Supervisors approved Trimac Outdoor Landscaping Club House Circle Island proposal, in the amount of \$1,000, for Turnbull Creek Community Development District.

Ms. Brown presented the baseball field proposal. Mr. Schieszer stated the field looked good. No further action was taken by the Board. The Board directed Staff to email Mr. Murphy the District Engineer Report.

Mr. Murphy was excused by the Board at 7:30 p.m.

**SIXTH ORDER OF BUSINESS**

**Consideration of Fighting Turtle  
Swim Team Renewal Proposal**

Mr. Hutchinson presented the Fighting Turtle Swim Team renewal proposal.

On motion by Mr. Wing, seconded by Mr. Vencil, with all in favor, the Board of Supervisors approved the Fighting Turtle Swim Team renewal proposal with a 3-year term, subject to normal 30-day terminations and Staff approval of yearly schedule, with three strike rule as the same as the other sports programs, for Turnbull Creek Community Development District.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Florida Race  
Day Proposal**

On motion by Mr. DelBene, seconded by Ms. Krol, with all in favor, the Board of Supervisors approved the Florida Race Day proposal, for Turnbull Creek Community Development District.

**EIGHTH ORDER OF BUSINESS**

**Consideration of ADP Payroll  
Agreement**

Ms. Brown presented the agreement and reminded the Board that they had previously directed the Staff to process supervisors' pay as employees of the District. Discussion ensued.

On motion by Mr. Wing, seconded by Ms. Krol, with all in favor, the Board of Supervisors authorized Mr. Vencil to approve an acceptable payroll agreement with an annual not to exceed amount of \$1,100, for Turnbull Creek Community Development District.

**NINTH ORDER OF BUSINESS**

**Consideration of First Coast  
Mulch Playground Chips**

Mr. Schieszer presented proposals and it was noted that Trimac Outdoor presented a proposal under separate cover, (Exhibit B).

On motion by Mr. DelBene, seconded by Mr. Vencil, with all in favor, the Board of Supervisors approved First Coast Mulch proposal, in the amount of \$3,970, for Turnbull Creek Community Development District.

**TENTH ORDER OF BUSINESS**

**Consideration of Resolution  
2023-03; Prohibited Holiday  
Events**

On Motion by Mr. Wing, seconded by Mr. Vencil, with all in favor, the Board of Supervisors adopted Resolution 2023-03; Prohibited Holiday Events, for Turnbull Creek Community Development District.

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Resolution  
2024-04; Setting Public Hearing  
on Amended Restated Amenity  
Rules**

The Board directed the Staff to draft revision with administrative reimbursement with a not-to-exceed amount of \$1,000 and to draft modified easement variance application fee to include general improvements or modifications on District property or in easements.

On Motion by Mr. Wing, seconded by Ms. Jordan-Baldwin, with all in favor, the Board of Supervisors adopted Resolution 2023-04; Setting Public Hearing on Amended Restated Amenity Rules, for Turnbull Creek Community Development District.

**TWELFTH ORDER OF BUSINESS**

**Reconsideration of Pest Control  
Proposal(s)**

Ms. Brown reminded the Board that they previously approved the McCalls Pest Control agreement, however, it was not executed, and Turner Pest Control requested the Board review their revised proposal. After discussion with the Chairman, he directed the Staff to add to the agenda for reconsideration.

On Motion by Mr. Vencil, seconded by Mr. DelBene, with all in favor, the Board of Supervisors approved Turner Pest Control proposal, with annual fee of \$2,160, for Turnbull Creek Community Development District.

**THIRTEENTH ORDER OF BUSINESS**

**Consideration of Pool  
Equipment & Chemical  
Proposal(s)**

Mr. Schieszer presented the Board with a comparison of costs breakdown. Ms. Gentry informed the Board that the District was able to add language to the Poolsure agreement to terminate with or without cause.

On Motion by Mr. Vencil, seconded by Ms. Krol, with all in favor, the Board of Supervisors approved the Poolsure agreement, for Turnbull Creek Community Development District.

**FOURTEENTH ORDER OF BUSINESS**

**Consideration of Stair Climber Proposal(s)**

Mr. Hutchinson presented the Life Fitness Stair Climber proposal, however, stated the price may no longer be valid because it was discounted surplus.

On Motion by Mr. Vencil, seconded by Ms. Krol, with all in favor, the Board of Supervisors approved Life Fitness Stair Climber, with a not-to-exceed amount of \$8,500, for Turnbull Creek Community Development District.

The Board moved to Agenda item 5A.

**FIFTEENTH ORDER OF BUSINESS**

**Approval of Consent Agenda**

- 1.) **Consideration of Minutes of the Board of Supervisors' Regular Meeting held January 10, 2023**
- 2.) **Consideration of Minutes of the Board of Supervisors' Workshop held February 26, 2023**
- 3.) **Ratification of the Operation and Maintenance Expenditures for November 2022, December 2022 and January 2023**

On Motion by Ms. Krol, seconded by Mr. DelBene, with all in favor, the Board of Supervisors approved Consent Agenda and ratified the operation and maintenance expenditures for November 2022, in the amount of \$93,884.17, December 2022, in the amount of \$53,988.70, and January 2023, in the amount of \$99,027.73, for Turnbull Creek Community Development District.

The Board directed the Staff to add unaudited financials to future agendas.

**SIXTEENTH ORDER OF BUSINESS**

**Staff Reports – Part B**

**A. District Counsel**

Ms. Gentry informed the Board of the firm's recent name change from KE Law to Kilinski/Van Wyk.

**B. Amenity and Field Operation Managers**

- 1.) **Amenity and Field Manager Report, dated March 14, 2023**

Mr. Schieszer presented the Amenity and Field Manager Report and reviewed his report, which included the mail kiosk replacement.

The Board directed the Staff to improve communication to residents regarding future mailbox replacements.

Mr. Hutchinson advised the Board he has been informed that the HOA will no longer be contributing to District Special Events. Discussion ensued.

Mr. Hutchinson informed the Board that he was reviewing the District's pool policies and posted signs and discovered there was conflicting information. The Board directed the Staff to updated signs to reflect District's policies and obtain proposals.

On Motion by Ms. Jordan-Baldwin, seconded by Ms. Krol, with all in favor, the Board of Supervisors approved the Staff to change section 3 of the policy from "attendant" to "lifeguard," for Turnbull Creek Community Development District.
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The Board directed the Staff to instruct pool monitors to be on the pool deck and not in the office and to reinstitute sign-in policy.

### **C. District Manager**

Ms. Brown informed the Board that their next meeting is scheduled for May 9, 2023, at 6:30 pm and this will be their proposed budget meeting.

She also advised that the new accounting software, Intacct, has become available for the Board's access. The District has one license included and additional licenses can be purchased for annual cost of \$172.00 per license. After the Board discussed, no supervisors were interested in having access to the Intacct Software at this time.

Mr. DelBene inquired about Comcast invoices, music licenses and waste management. Discussion ensued.

### **SEVENTEENTH ORDER OF BUSINESS**

### **Audience Comments and Supervisors' Requests**

#### **Audience:**

Audience members commented on enforcement of pool rules, pool hours and access. speeding concerns, drunk driving, accident on homeowner property. Mr. Vencil requested night swimming be added to the next agenda. A

#### **Supervisors:**

Ms. Krol asked for minutes to be posted on the website.

Mr. DelBene inquired about the Staff's response time when incidents occur and requested pool monitor schedule and job functions.

Mr. Vencil inquired about increasing a zero tolerance and more enforcement of policies.

Mr. Wing asked supervisors to send budget thoughts to Ms. Brown prior to the meeting and expressed thoughts on considering a one-time assessment for special projects.

The Board moved to Agenda item 4K.

Meeting was closed to the public.

**EIGHTEENTH ORDER OF BUSINESS**

**Consideration of Security  
Proposal(s)\***

Tabled by the Board and directed the Staff to provide additional information and clarity in proposals.

The Board directed the Staff to change agenda order with security proposals at the beginning of the meeting with regular portion beginning at 7:00 p.m.

On Motion by Mr. Vencil, seconded by Ms. Jordan-Baldwin, with all in favor, the Board of Supervisors approved repairing the fitness room door with a not to exceed amount of \$1,500.00, for Turnbull Creek Community Development District.
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**NINETEENTH ORDER OF BUSINESS**

**Adjournment**

On a motion by Mr. Vencil, seconded by Mr. DelBene, with all unanimously in favor, the Board adjourned the Board of Supervisors' Meeting at 9:45 p.m., for Turnbull Creek Community Development District.
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Secretary /Assistant Secretary



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Chairman / Vice Chairman

# **Exhibit A**



- Civil Engineering
- Land Surveying & Mapping
- Permitting
- ADA Consulting

Date: March 7, 2023

To: Turnbull Creek Community Development District

Re: **Parking Lot Design - Proposal**

Description:

As requested by the CDD Board, we have prepared a conceptual sketch and the below proposal to design & permit a new parking lot near the existing amenity center. Our effort includes the following:


- Topographic Survey of the project area
- Site Plan Design, including:
  - Site layout to accommodate 40 parking spaces
  - Grading plan
  - Drainage Plan
  - Details (pavement design, pavement markings, etc.)
- Permitting
  - SJRWMD (anticipate a "Letter Modification")
  - St. Johns County

We will complete this effort for a **total Lump Sum cost of \$8,500.00.**

Authorized By:

\_\_\_\_\_  
Turnbull Creek CDD

Date

 3/7/23  
\_\_\_\_\_  
Michael J. Yuro, P.E.  
Yuro & Associates, LLC

Date

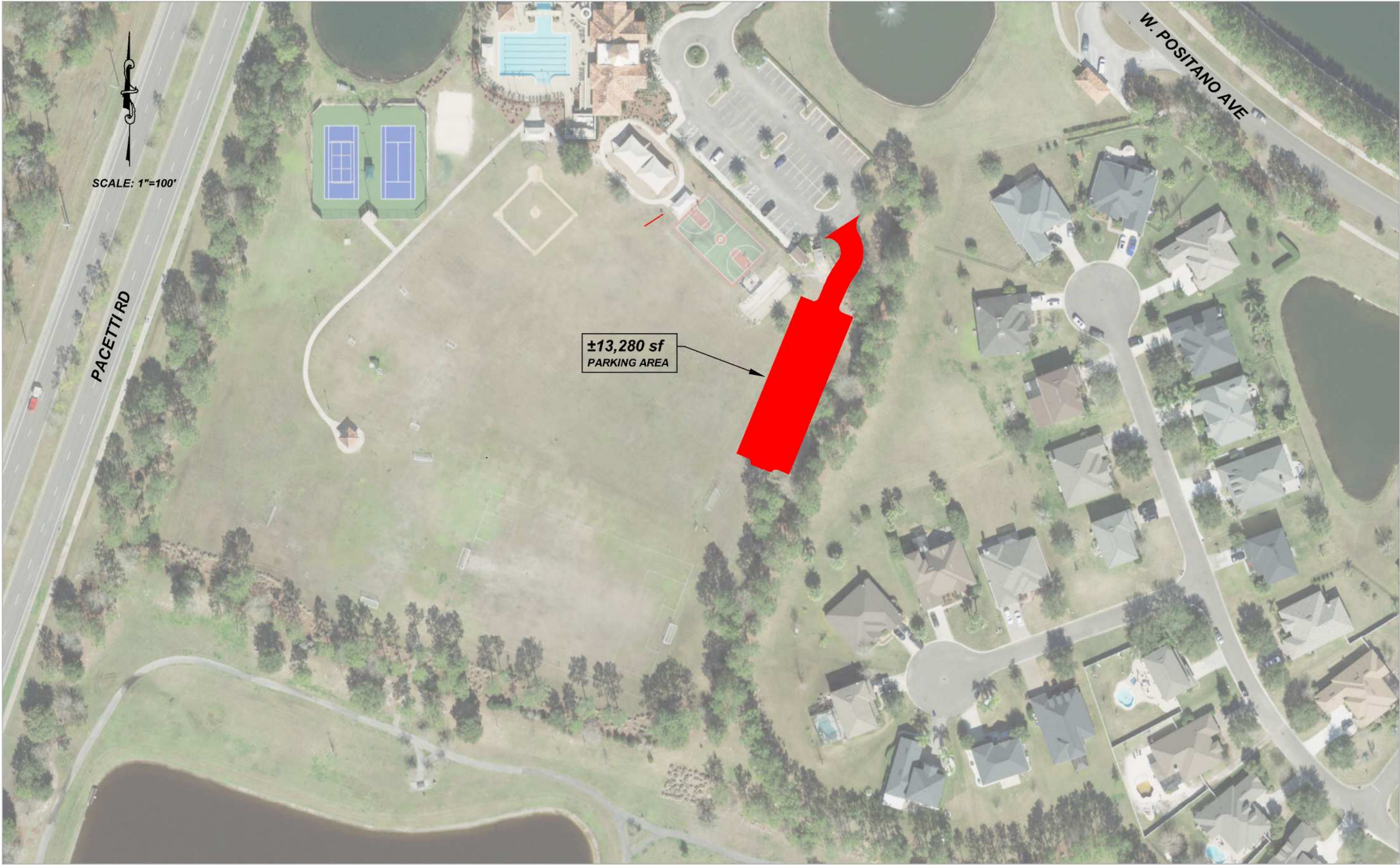
NOTE:

Geotech Effort is NOT included

Permit Fees are NOT included







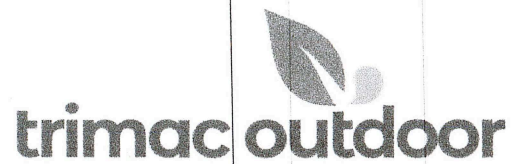
NO.	DATE	REVISIONS	PROJECT NO.	Y22 - 1173		145 Hilden Road, Unit 108 Ponte Vedra, FL 32081 (904) 342-5199	MICHAEL J. YURO, P.E. FLORIDA P.E. LICENSE NO. 65247 REGISTERED PROFESSIONAL	MURABELLA IMPROVEMENTS PREPARED FOR: TURNBULL CREEK-CDD PARKING LOT OVERVIEW	SHEET NO.
			DRAWN BY:	EID					le
			CHECKED BY:	MJY					
			DATE:	1/09/23		CERTIFICATE OF AUTHORIZATION NO. 28658			

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.



# **Exhibit B**

PO BOX 8699  
1880 Eastwest Pkwy  
Fleming Island, FL 32006  
toddm@trimacoutdoor.com  
www.yardnique.com



**ADDRESS**

Carol Brown  
Rizzetta & Company  
101 E Positano Ave  
St Augustine, FL 32092

**SHIP TO**

Murabella-Turnbull Creek  
101 E Positano Ave  
St Augustine, FL 32092

**Estimate 54045**

**DATE 03/13/2023**

**Expires in 30 days**

Materials and labor to install certified Playground mulch to the following areas:

- 101 West Postano Ave: Install 26cy
- 165 Toscano Ln: Install 29cy
- 121 East Franchetta: Install 10cy

ACTIVITY	RATE	AMOUNT
EN - General - Play Ground Mulch	\$5,005.00	\$5,005.00

**TOTAL \$5,005.00**

"CHANGING THE LANDSCAPE OF CUSTOMER SERVICE"