

August 29, 2023

Darby Community Development District

Minutes of Meeting
Darby
Community Development District

The regular meeting of the Board of Supervisors of the Darby Community Development District was held Tuesday, August 29, 2023 at 10:08 a.m. at the offices of Corner Lot Development, 1819 Goodwin Street, Jacksonville, Florida

Present and constituting a quorum were:

George Leone	Vice Chairman
Rick Egger	Supervisor
William English	Supervisor

Also present were:

Daniel Laughlin	District Manger
Jim Oliver	GMS
Wes Haber	District Counsel by telephone

Following is a summary of the actions taken at the August 29, 2023 meeting.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Laughlin called the meeting to order at 10:08 a.m. and called the roll.

SECOND ORDER OF BUSINESS

Audience Comments

There being none, the next item followed.

THIRD ORDER OF BUSINESS

Organizational Matters

A. Oath of Office for Newly Elected Supervisors

Mr. Laughlin being a notary public of the State of Florida administered the oath of office to the newly elected board members.

B. Consideration of Resolution 2023-32 Canvassing and Certifying the Results of the Landowners Election

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On MOTION by Mr. Leone seconded by Mr. English with all in favor Resolution 2023-32 was approved.

C. Consideration of Resolution 2023-33 Electing and Designating Officers of the District

On MOTION by Mr. Leone seconded by Mr. English with all in favor Resolution 2023-33 was approved reflecting the following: Andy Allen chairman, George Leon vice chairman, Daniel Laughlin secretary and treasurer, William English, Rick Egger, Jim Oliver, Darrin Mossing, Marilee Giles and Howard McGaffney assistant secretaries and Jim Oliver, Darrin Mossing, Marilee Giles and Howard McGaffney assistant treasurers.

FOURTH ORDER OF BUSINESS

Consideration of Minutes of the July 26, 2023 Organizational Meeting

On MOTION by Mr. Leone seconded by Mr. English with all in favor the minutes of the July 26, 2023 organizational meeting were approved as presented.

FIFTH ORDER OF BUSINESS

Public Hearing Imposing and Levying Master Special Assessments, Resolution 2023-34

On MOTION by Mr. Leone seconded by Mr. English with all in favor the public hearing was opened.

Mr. Laughlin stated I will note for the record there are no members of the public present.

Mr. Haber stated at your prior meeting you considered a resolution that approved both an engineer’s report an assessment methodology. The engineer’s report a copy of which is also attached to this resolution provides a detailed description of all the public improvements that may be funded, constructed, ultimately owned, operated and maintained by the CDD or another public entity that may be funded with the proceeds of bonds issued by the CDD. That report is unchanged from the version that you reviewed at your last meeting. Also attached to the resolution is an assessment methodology, that is the document that describes how the assessments will be allocated to the benefiting property within the boundaries of the CDD. The purpose of this document is to set a maximum amount of assessments that the district will have the ability to levy against each

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lot without having to go back through a public hearing process. In this instance if you look at table 4 of the assessment methodology on the 40-foot lots there is a maximum assessment of approximately \$5,800, the 50-foot lots it is approximately \$7,200 and the 80-foot lots it is approximately \$11,600. That does not mean that the district will necessarily levy an assessment at this maximum and rarely does a CDD levy assessments at the rate that is done at the initial assessment hearing; it is just to afford the flexibility to do so. We are going through this process because ultimately your prior resolutions as well as this resolution will be included when we validate the bonds, and these assessments will also be validated. The assessment resolution, the engineer’s report and the assessment methodology all will be included in the documents that are submitted to the court as part of the record and approved by virtue of a judgment that will be issued by the court. At the time we issue bonds we will come back before this board with a supplemental assessment methodology that will show the actual assessment levels based on the actual amount of bonds that are being issued. The resolution itself is the mechanism for levying and imposing the assessments. By virtue of your adoption of this resolution the board is making findings that this engineer’s report and the improvement plan described in the report is in the best interests and is necessary to develop the property and that the property will benefit from the installation of these improvements and that the benefit that the property experiences is equal to or exceeds the debt that these assessments allocated to the property. The assessment methodology also provides for a true-up mechanism. The rest of the resolution is form in nature, provides for the various findings that need to be made in order to have a valid assessment under law and also how the assessments will be collected, either directly or by using the Duval County tax bill.

<p>On MOTION by Mr. Leone seconded by Mr. English with all in favor the public hearing was closed.</p>
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<p>On MOTION by Mr. Leone seconded by Mr. Egger with all in favor Resolution 2023-34 was approved.</p>
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SIXTH ORDER OF BUSINESS

Acceptance of Audit Committee’s Recommendation, Approval of Audit Criteria and Authorization for Staff to Publish an RFP for Auditing Services

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On MOTION by Mr. Leone seconded by Mr. English with all in favor the audit committee’s recommendation of the RFP for audit services and the audit criteria was approved and staff was authorized to issue the RFP for audit services.

**SEVENTH ORDER OF BUSINESS Discussion of Fiscal Year 2023 & 2024
Approved Budgets**

There being no discussion or questions, the next item followed.

EIGHTH ORDER OF BUSINESS Staff Reports

A. Attorney

Mr. Haber stated we have our validation hearing set for September 11, 2023 at 2:00 p.m. The hearing will be conducted via Zoom. I will attend, someone on behalf of the assistant state attorney will attend and I would like to have some representatives there from the district in case there are any questions, someone from GMS, the engineer and someone from the developer and board.

B. Engineer

There being none, the next item followed.

C. Manager

There being none, the next item followed.

NINTH ORDER OF BUSINESS Supervisors Requests

There being none, the next item followed.

TENTH ORDER OF BUSINESS Audience Comments

There being none, the next item followed.

ELEVENTH ORDER OF BUSINESS Consideration of Funding Request No. 2

On MOTION by Mr. Leone seconded by Mr. English with all in favor funding request no. 2 in the amount of \$4,471 was approved.

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TWELFTH ORDER OF BUSINESS

**Next Scheduled Meeting – September 29, 2023
at 10:00 a.m. at the Offices of Corner Lot
Development**

Mr. Laughlin stated the next meeting is scheduled for September 29, 2022 at 10:00 a.m. in the same location.

On MOTION by Mr. Leone seconded by Mr. Egger with all in favor the meeting adjourned at 10:25 a.m.

DocuSigned by:
Daniel Laughlin
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Secretary/Assistant Secretary

DocuSigned by:
George Leone
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Chairman/Vice Chairman