

**MINUTES OF MEETING
SWEETWATER CREEK
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Sweetwater Creek Community Development District was held on Thursday, **February 4, 2021** at 4:00 p.m. at the offices of Governmental Management Services-North Florida, World Golf Village, 475 West Town Place, Suite 114, St. Augustine, Florida.

Present and constituting a quorum were:

Rob Lisotta	Chairman
Stephen Handler <i>via Zoom</i>	Vice Chairman
Scott McNary	Supervisor
John Williams	Supervisor
Charles Usina	Supervisor

Also present were:

Jill Burns	District Manager
Sarah Warren <i>via Zoom</i>	Hopping Green & Sams
Brian Stephens	RMS
Erin Gunia <i>via Zoom</i>	Marshall Creek CDD
Ernesto Torres	GMS

The following is a summary of the discussions and actions taken at the February 4, 2021 meeting. An audio copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Lisotta called the meeting to order at 4:00 p.m. Four Board members were present at the meeting constituting a quorum.

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SECOND ORDER OF BUSINESS

Public Comments on Agenda

Mr. Lisotta had a public comment that had been written in from a resident, Jim, who had several comments including thinking the survey was a good idea, the skate park is a bad idea, he's in favor of removing the dog park, and he complimented the Board on the radar signs.

Ms. Burns had a comment from a resident named Nori Flowers. She strongly urged the Board to consider a skate park for the teens stating that there are playgrounds for younger children and even play areas for dogs, but she feels like they have totally left out areas for teenagers. She also made a suggestion for the Board members to announce themselves while talking to cut back on confusion in meeting minutes. Mr. Lisotta addressed Ms. Flowers via email.

Resident Jim Rispoli had comments against the skate park being located right outside the fitness center. He's not against a different location, he just believes that right outside the fitness center would be too noisy.

THIRD ORDER OF BUSINESS

Approval of Minutes of the January 7, 2021 Board of Supervisors Meeting

Mr. Lisotta asked if there were any questions or issues with the meeting minutes, and hearing none, he asked if there was a motion to approve.

On MOTION by Mr. Williams, seconded by Mr. McNary, with all in favor, the Minutes of the January 7, 2021 Board of Supervisors Meeting, were approved.

FOURTH ORDER OF BUSINESS

Discussion and Q&A Regarding District Budget with District Accountant

Ms. Burns stated that every year a preliminary budget is prepared and presented to the Board to set the budget process. Once the Board approves that they will set a public hearing date that is at least 60 days from that date in which the final budget will be adopted. The Board requested an earlier meeting to go over the budget process and that is what this action item is a place holder for.

Ms. Burns went over the process on how they put together the preliminary budget. The preliminary budget consists of actuals, current contracts, and Board member requests. Mr. Williams asked the District accountant if that is the way other Districts compose their budgets and she answered yes. Mr. Williams also had a concern that they do not control over 60-70% of their

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budget because it is shared. Ms. Burns noted that they do actually have complete control over every single line item in the Sweetwater Creek budget, but the Marshall Creek budget is not included. A lengthy conversation followed discussing Sweetwater Creek and Marshall Creek and the shared costs that incur during which Ms. Burns explained to the Board how the funds and true-up works.

The discussion centered around how staff and the District accountant will come to the conclusion of the line item numbers where the Board members had some disagreement on how they would come to the conclusion of the numbers. Mr. Williams wants to be informed of a budget change due to a variance and would like to see justification of the change before moving forward, which the staff would do. There were more conversations on what was considered a shared cost and what was not. The remainder of the conversation had to do with the reserve study where the Board had several questions and Ms. Burns and the District accountant went into further detail to answer their questions. There was no action required.

FIFTH ORDER OF BUSINESS**Update on Capital Projects**

Mr. Williams requested an update on the capital projects. The fitness center specific survey is still ongoing and will be completed on the 8th of February. The information will be compiled and ready for presentation by the March meeting. Mr. Williams reported that there have been nearly 900 responses received. No action was required.

SIXTH ORDER OF BUSINESS**Discussion Regarding Maintenance of the Dog Park**

Mr. Williams reported that they have received complaints from residents about the status of the dog park and condition of the grounds. Ms. Burns updated the Board that because it is at the fitness center, that is an area that Marshall Creek CDD maintains as part of the landscaping agreement. They believe it might be the same dog making the hole over and over and they are going to try to fill in the hole and add slats that will hopefully prevent the digging from happening again. They will also reseed the dog park when the season changes to get more grass. Lastly, they will add a sign telling residents not to allow their dogs to dig. No action was required.

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SEVENTH ORDER OF BUSINESS**Discussion Regarding Removal of Lennar Marketing Signs**

Ms. Burns noted that they have 12 to 15 lots left to sell and they anticipate that all the signage will be removed in the next 6 weeks. There is an existing agreement with Lennar for signage that the Board can vote to terminate if they feel the need. There may be termination provisions that they have to follow. Ms. Burns will bring back the termination provisions to the next meeting and they will discuss again then. It will be added to the next month's agenda and no further action was required.

EIGHTH ORDER OF BUSINESS**Update Regarding the Status of Quotes for Outside Fitness Area and Skate Park**

Ms. Gunia reported that she reached out to a second vendor to get another bid for outside fitness areas and received no response back. She still has a quote from Kompan with an estimate of \$50,000 to \$60,000. The next step would be to move forward with permitting with the county or she can try to get another quote from a different company. Mr. Williams asked if Ms. Gunia thought that Kompan offered the best price, and she believes that they do. She also believes that the vendor is very eager to work with the CDD and has been consistent for over a year. This will be brought up again in the next meeting. A discussion arose about whether it is a separate project from the fitness center expansion or if it should be roped in with that. The location they had looked at in the past would not interfere with an expansion because of the AC handler. Mr. Lisotta wants to table this item until they have a better idea of what direction they are moving in with the fitness center and other amenities being voted on from the survey provided to the residents. Mr. Usina is in favor of making this a separate entity from the thoughts of expanding the fitness center. Ms. Gunia will be prepared for the next meeting with quotes and an estimation of timeline for buildout so the Board can better make a decision. Ms. Burns will add it to the next month's agenda. No further action was taken.

NINTH ORDER OF BUSINESS**Consideration of Letter Regarding Fee Increase for District Counsel Services from Hopping, Green & Sams**

Ms. Warren started by thanking the Board for their continued trust and support of the firm. They have served as counsel for the District for approximately 15 years. To that end, as she has been transitioning into a new role, it came to her attention that they had not increased fees since

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their original agreement in 2006. They are respectfully requesting an increase of hourly rates to the current hourly rates they have established firm wide for existing clients. The increase should not disrupt the Districts line item in the operating budget for counsel services. Ms. Burns added that the increase is standard to what they charge other Districts. Ms. Warrens hourly rate is billed at \$300 while her sharing counsel, Mr. Van Wyk is billed at \$365, and they will use paralegals at every effort to cut down on the hourly costs.

On MOTION by Mr. Lisotta, seconded by Mr. McNary, with all in favor, the Letter Regarding Fee Increase for District Counsel Services from Hopping, Green & Sams, was approved.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2021-03 Electing an Assistant Secretary

Ms. Burns reported this was an administrative matter adding Ernesto Torres as an Assistant Secretary to the District allowing him to sign documents.

On MOTION by Mr. Lisotta, seconded by Mr. Usina, with all in favor, Resolution 2021-03 Electing Ernesto Torres as an Assistant Secretary, was approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Warren stated that they are continuing to monitor everything Covid related and will report back to the Board if any new information or ordinances come up. They are also gearing up for the start of Florida’s legislative session and will be monitoring any proposed legislation that may impact the District’s operations.

B. Engineer

There being none, the next item followed.

C. Field Manager’s Report

Mr. Stephens presented the Field Manager’s Report and items included:

- mulch installation under swing sets
- installation of soccer, lacrosse, and frisbee golf goals

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- pressure washing of the area between the roundabout and the guard shack is complete
- picnic table anchoring
- control motor removal at the Las Calinas guard station

i. Consideration of Fence Proposal for Ensenada Park Basketball Court

Mr. Stephens stated that he was asked to get a proposal for a chain-link fence at the last Board meeting. He received one bid and the total cost is \$5,141.57 for 8' tall chainlink in green or black coating. The Board voted to use the green color and it will be paid with bond funds.

On MOTION by Mr. Lisotta, seconded by Mr. Usina, with all in favor, Consideration of Fence Proposal for Las Calinas Basketball Court, was approved.

A radar spread sheet was shared. There were speeders, but no patterns or certain time frames seem to be the single culprit. The data did show that there is a lot of speeding happening. They will relay the data to the patrol cars, that way they know where to park for speeding traps. Mr. Stephens is doing everything he can do to ensure that speeding is lessened and that the police officers know of the problem.

Mr. Usina asked about the roundabout streetlights that have been turned over to FPL. Mr. Stephens reported that the last date he was given for that is sometime in March and he does not have an exact date. When they put the lights on the new poles, they will put the light on the pole that Supervisor Usina is referring to.

D. District Manager's Report

i. Approval of Check Register

Ms. Burns presented the check register for the month December with a total amount of \$476,339.18.

On MOTION by Mr. Williams, seconded by Mr. Usina, with all in favor, the Check Register for \$476,339.18, was approved.

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ii. Balance Sheet and Income Statement

Ms. Burns presented the balance sheet and income statement for the month and they are included in the agenda package. She offered to answered any questions for the Board, otherwise there was no action needed.

iii. Summary of Requisitions and Approved Projects

There being none, the next item followed.

TWELTH ORDER OF BUSINESS

Other Business

Ms. Burns stated that after this meeting Ernesto will be transitioned in full time and this will be the last meeting she will be attending in person.

THIRTEENTH ORDER OF BUSINESS

Supervisor Requests

More discussion arose about a skate park and monitoring the outdoor amenity areas. The Supervisors discussed a camera system. Mr. Williams asked if they could get a quote to see what the cost of a skate park pad would be to get a rough estimate.

FOURTEENTH ORDER OF BUSINESS

Public Comments

Resident Bob Denman commented that they built the pickleball courts in Marshall Creek. There is a huge parcel of land off of Ensenada drive. He believes it would be a good area for a number of outdoor amenities. He wanted to bring it to the Boards attention in case they had not considered that area before.

FIFTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Usina, seconded by Mr. Williams, with all in favor, the Meeting was adjourned.

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Ernesto Torres
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Secretary/Assistant Secretary

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Chairman/Vice Chairman