

**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, **March 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>by Zoom</i>	Vice Chairman
Scott McNary	Supervisor
John Williams	Supervisor
Charles Usina	Supervisor

Also present were:

Ernesto Torres	District Manager, GMS
Roy Van Wyk	Hopping Green & Sams
Brian Stephens	RMS
Erin Gunia <i>via Zoom</i>	Marshall Creek CDD

The following is a summary of the discussions and actions taken at the March 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.

SECOND ORDER OF BUSINESS

Public Comments on Agenda

Mr. Torres stated that he had changed the format of the agenda just a little, moving the approval of the meeting minutes up to the top of the action items.

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Mr. Lisotta then opened the floor to public comments on specific agenda items. Resident John Smith commented on agenda item number seven and stated that he wrote an email pertaining to the natural barrier instillation behind the new development. His concern is that down the road it is going to be very unsightly. Mr. Lisotta noted that they will hold off on that and discuss it when they reach that point.

A resident named Denis commented that he believes it was talked about to add air treatment or filter upgrades to the irrigation system and what the status of that is. Ms. Gunia answered that it is scheduled for install on March 29th and should take only one day.

THIRD ORDER OF BUSINESS

Approval of the February 4, 2021 Meeting Minutes

Mr. Torres presented the previous meeting's minutes and asked for any comments or corrections from the Board. There being none, there was a motion to approve.

On MOTION by Mr. Williams, seconded by Mr. Usina, with all in favor, the Minutes of the February 4, 2021 Meeting were approved.

FOURTH ORDER OF BUSINESS

Update on Capital Improvement Projects and Discussion on Survey Results, Proposed Next Steps and Projected Timeline

Mr. Williams reported that the survey has been completed with an approximate 50% response. He presented a list to the Board of what the residents have requested and what their priorities are. He proposes that the next step would be figuring out what more they can fit in the fitness center space wise. Turning the project over to District Manager with a not to exceed amount of \$5,000 to find a space planner or design engineer. The number one requested item was more space at the fitness center. The Board discussed the results and their ideas for an expansion.

Mr. Torres talked to the Board about his previous experience with matters like these. He expanded upon the last fitness center he helped with the expansion on and stated it started very similarly and walked the Board through the steps that were taken in that process. He suggested if the Board could designate Mr. Williams to work with staff, he will arrange a meeting with Mike Lucas from Basham & Lucas to go over the survey results and the budget. If the Board agrees, they will plan on meeting before the next scheduled board meeting to bring back a report for next steps. Mr. Lisotta was concerned with the existing contract they have with the current designer and

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if they would need to terminate the contract. Mr. Van Wyk added that they are able to retain multiple individuals to represent the District for various projects and there is no problem in doing that. If the Board is uncomfortable with that, they could terminate one contract as they bring on the next contract, either is acceptable.

The Board continued to discuss timeline of getting a proposal back and Mr. Torres again explained his timeline for meeting with Basham & Lucas and when the Board can expect to see some movement. The motion would be to have a supervisor work with staff in moving forward with meeting with the design firm.

On MOTION by Mr. McNary, seconded by Mr. Williams, with all in favor, Authorizing Supervisor Williams to Work with Staff and Meet with the Design Firm Basham & Lucas, was approved.

FIFTH ORDER OF BUSINESS

Discussion of Child Watch at Fitness Center

Mr. Lisotta noted there has been a lot of request from residents for child watch to come back in the fitness center. Although an expansion or reconfiguration of the fitness center may overtake that space, it could be utilized for the time leading up to any changes. Mr. Lisotta motioned to discuss the re-open child watch. He has already worked with staff on a rough outline plan for the re-opening. There will only be allowed five kids at a time and they would utilize the signup genius system.

Mr. Lisotta motioned to re-open Child Watch at the Fitness Center. The motion was seconded by Mr. McNary.

Mr. Guina reported to the Board that they would need some notice in order to restaff the child watch. She is currently requiring all staff to wear masks throughout their entire shift, and this will be the same policy for the child watch. The number of children allowed in the watch at one time will be limited. The cleaning of the facility would be done continuously which would be the job of the person hired to work child watch. She would need a couple weeks to get someone on staff and it would cost about \$40,000 a year but with reduced staff it would probably be less.

Mr. Handler has concerns that the cost does not pay for the small percentage of those who need/use the Child Watch. He believes it may be premature to open and believes it should be taken into consideration that the parents utilizing the system help pay for it. Mr. Lisotta noted that the

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option to close the Child Watch all together is not really in question and could be brought up at another time. This has already been budgeted for, as Mr. Torres pointed out, and it is a shared cost with Marshall Creek. The Board voted for a motion.

On voice vote with Three in Favor and Mr. Williams and Mr. Handler Opposed, Re-opening of Child Watch at Fitness Center, was approved 3-2.

Mr. Usina asked Mr. Williams if he would be in favor of the Child Watch if they charged for usage. Mr. Williams opinion is if they do charge for child care it may impact the CDD more than anticipated with regulations and guidelines but this would be a conversation that will be continued at another time.

SIXTH ORDER OF BUSINESS

Update on Status of Outdoor Fitness Project and Beach Volleyball Court

Mr. Lisotta reported that there are some pricing quotes provided by Ms. Guina, but he would like to preface the discussion that there is now a plan in place for the expansion of the fitness center and with unknown costs to that he is hesitant to move on to other projects at the time. Pricing quotes will be provided under separate cover. Discussion continued on opinions of where a court would be along with other outdoor amenities and how feasible any of the projects would be. There is nothing to vote on at this time and there was no action taken.

SEVENTH ORDER OF BUSINESS

Discussion Regarding Removal of Lennar Marketing Sign

Mr. Torres reported that this item came from the last meeting and Mr. Usina added that legal had reported that there is an agreement that can be terminated with a certain amount of notice. He suggested to propose a motion to have counsel draft a notification of termination to reach Lennar and state they have 45 days to remove the signs. Staff will work with counsel on taking the proper steps on having the signs removed. Mr. McNary explained that they have yet to make a decision on notifying Lennar and he motions that consisting with any contract they notify the cancelation of signage. Mr. Van Wyk mentioned that there is a license agreement, and he will pursue the steps to terminate the agreement. They believe it is 30 days.

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On MOTION by Mr. McNary, seconded by Mr. Usina, with all in favor, Termination of Agreement with Lennar for Signage, was approved.

EIGHTH ORDER OF BUSINESS

Ratification of E-Verify Memorandum

This item was duplicated from the previous meeting. No action is required.

NINTH ORDER OF BUSINESS

Consideration of Installing Hedges Along Dosel Lane

Mr. Lisotta stated that a proposal has been provided from Yellowstone through the field manager and the total is \$59,000 which includes 800 yards of field dirt, viburnum, sod, and labor. This does not fall under the line item for the capital improvements list for the current fiscal year. It may be necessary to look at this for future projects. Mr. Handler asked if this could possibly fall under the scope of work Lennar was responsible for in the landscaping. The District Manager will reach out to Lennar to see whose umbrella this falls under. Mr. Lisotta believes this is not something that would fall to the developer. The stand of the Board will be to direct staff to reach out to Lennar as a starting point, but this project will be reevaluated down the road.

TENTH ORDER OF BUSINESS

Consideration of Agreement for Traffic Control on Private Roads

Mr. Van Wyk noted that the traffic statutes give original jurisdiction of traffic to the sheriff's office. The roads within the District are public in the sense that they are open to the public, but they are not publicly owned so the sheriff is not responsible for them unless there is an agreement in place. The agreement will say on paper that the sheriff has the authority to come on and enforce traffic control within the District. There is no obligation to provide more money unless the District decides to request extra patrolling.

Mr. McNary is concerned that the roads will be confused as public and wants to be sure none of the private roads have been transferred to St. John's County and Mr. Van Wyk confirmed that is correct. He also asked if they are private roads, why are they not allowed to turn people away at the gates. Mr. Van Wyk answered that once municipal bonds were issued, the tax laws state that the roads have to be open to the public because they have to have public purpose for the use of bond proceeds. Lastly, Mr. McNary wants to be sure there will be no additional traffic study needed or additional costs attached to that. Mr. Van Wyk will reach out to the sheriff's office to

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be sure the existing study is sufficient but suggests voting subject to confirmation there will be no additional costs.

On MOTION by Mr. McNary, seconded by Mr. Usina, with all in favor, the Agreement for Traffic Control on Private Roads, was approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Van Wyk had nothing further for the Board only to report that Ms. Warren will be returning next month.

B. Engineer

There being none, the next item followed.

C. Field Manager's Report

Mr. Stephens offered an update on the basketball fence that was voted on at the last meeting. Due to the demand of the color green, the fence could not be delivered for another 12-16 weeks. Black is available if the Board wanted to go in that direction. Mr. Lisotta added that outdoor activities will be very popular in the coming months and he thinks if they have to choose black to get it done, they should do so.

On MOTION by Mr. Lisotta, seconded by Mr. McNary, with all in favor, Changing the Color of the Basketball Fence from Green to Black to Expedite the Process, was approved.

Mr. Stephens continued to report the findings of the radar spreadsheets for the month of February. Nothing out of the ordinary to report. Mr. Williams noted that Marshal Creek gets a report every month, can they get one too? Mr. Lisotta stated that they have received one, but he will reach out to Katie again and make sure they are included in the report.

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

- Storm gates have been cleaned throughout the community
- Playground mulch has been raked
- RMS is continuing to touchup the mailbox paint as weather permits

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- District property is being policed weekly for trash
- Additional sod and ornamental grasses are scheduled to be installed in March once the danger of freezing temperatures has passed

D. District Manager's Report

i. Ratification of Requisitions 32 and 33

Mr. Torres noted that Requisition 32 is payment to Yellowstone for \$58,703.67 and will be paid out of the capital project funds. This has been approved and signed off by the engineer. Requisition 33 was for the deposit to Armstrong Fence in the amount of \$2,570.79.

On MOTION by Mr. McNary, seconded by Mr. Usina, with all in favor, Ratification of Requisition 32 and 33, was approved.

ii. Discussion on Rules of Procedure

Mr. Torres noted that the District has approved a rule of procedure which provide detail information on who sets the agenda for the meeting. Mr. Torres would like for Supervisors to request agenda items to Mr. Torres, and he will coordinate with the Chair on creating the agenda for future meetings. The packets are sent to the website one week prior to the meeting so as long as requests are submitted before then, that will be very helpful.

iii. Discussion on the Fiscal Year 2022 Budget

Mr. Torres wanted to give the Board an appropriate timeline for suggestion for things for the future budget. If there will be big changes, they need to be budgeted for. Mr. Williams requested a list of contracts and dates for discussion of renewal or termination of contracts. Mr. Torres would like to bring that to the Board's meeting in April. They continued to discuss the particular contract of Yellowstone. Mr. Usina asked for a list of surrounding landscapers used in other communities in the area and Mr. Torres agreed.

E. Amenity Facilities Manager

Ms. Guina asked what the Board's stand on guests is. Mr. Lisotta believes there should be no reason why they can't allow guests as long as capacity allows. Two guests per resident would be the limitation and they will evaluate after that.

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On MOTION by Mr. Lisotta, seconded by Mr. Williams, with all in favor, Allowing Guests to Use Amenities with Residents with a Two Per Household Limit, was approved.

TWELFTH ORDER OF BUSINESS Financial Statements

Mr. Torres presented the financials and asked for any questions or comments. There were none.

THIRTEENTH ORDER OF BUSINESS Supervisor Requests/Audience Comments

Mr. Lisotta mentioned that they will not be declining Supervisor’s requests, but they are just trying to manage them better.

A resident requested a later meeting time to accommodate the working community’s schedule. He also requested towels be offered in the gym and is in support of childcare and is appreciative of the Board moving forward with that. He suggests if they ever send a survey again, maybe they can add pricing with it because that might help people prioritize their list better. He would like to see bathrooms added to the park. The sign at Ensenada park is falling apart. Mr. Lisotta commented on the meeting time is for the Board to handle business under the Sunshine Law and most likely cannot be changed for that reason.

A resident wanted to make sure that guests have to be present with the resident in order to use facilities and the Board confirmed that is correct.

A resident sent an email regarding the discussion Ernesto will have with Lennar and the pricing of the hedges on Dosel Lane. He believes the quote is too high and has some suggestions that he will email to the Board.

A resident asked if the Board has a plan to plant trees on side streets. Mr. Lisotta answered that there is currently no plan to do that and gave a reason for them not having a plan.

FOURTEENTH ORDER OF BUSINESS Next Scheduled Meeting – Thursday, April 1, 2021 at 4:00 p.m. at the offices of Governmental Management Services, 475 West Town Place, Suite 114, St. Augustine, Florida 32092

Mr. Lisotta stated the next meeting will be April 1, 2021 at the same time and place.

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FIFTEENTH ORDER OF BUSINESS

Adjournment

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

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Secretary/Assistant Secretary

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Chairman/Vice Chairman