

**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, **September 13, 2022** at 4:00 p.m. at 625 Palencia Club Drive, St. Augustine, Florida.

Present and constituting a quorum were:

Rob Lisotta	Chairman
Stephen Handler	Vice Chairman
Charles Usina	Supervisor
Ron Cervelli	Supervisor
John Smith	Supervisor

Also present were:

Jim Oliver	District Manager, GMS
Jennifer Kilinski	KE Law Group
Erin Gunia	Amenity Facilities Manager
Chris Hall	Field Operations Manager
Daniel Todd	Account Manager, Duval Landscape
Scott Lockwood <i>by phone</i>	Engineer
Katie Hollis	Marshall Creek General Manager
Paul Stratton	RMS

*The following is a summary of the minutes and actions taken at the September 13, 2022 Sweetwater Creek Community Development District's Regular Board of Supervisors meeting.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

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

**SECOND ORDER OF BUSINESS**

**Public Comment**

A resident commented on child watch and who was in favor on the Board.

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Another resident commented on the notices sent to the community on trees, and spending practices.

Resident commented on pickle ball courts and presented the names and address of names of people who played on the court.

### **THIRD ORDER OF BUSINESS**

#### **Approval of the Consent Agenda**

##### **A. Minutes of the August 4, 2022 Meeting**

Mr. Lisotta presented the August 4, 2022 meeting minutes and asked for any comments or corrections from the Board.

##### **B. Financial Statements**

The financial statements were provided in the agenda and were for informational purposes.

##### **C. Check Register**

Mr. Lisotta presented the check register. There were questions about fluctuations in amount and timing of invoice processing for the attorney, relating to documents for the check register and the increases. Mr. Oliver replied he would find out the answer and could be a lag in invoices. The Board asked for clarification on how District Counsel billed. The billing was clarified by Ms. Kilinski. There was discussion on potential savings by using AT&T for guard house internet services and the elimination of the landline.

On MOTION by Mr. Handler, seconded by Mr. Smith, with all in favor, the Consent Agenda, was approved.

### **FOURTH ORDER OF BUSINESS**

#### **Consideration of Alternative Recreational Projects (Supervisor Handler and Smith)**

Mr. Lisotta reminded the Board that it was approved to earmark \$1,000,000 in 2019 for the fitness center expansion project. Mr. Lisotta noted the Board had discussed to delay consideration of alternative projects until actual numbers are back from the RFP. Supervisor Handler and Smith reviewed the specifics of the project for pickleball courts and consideration of funding for the expansion project.

Mr. Lisotta reiterated the Board had previously agreed to not conduct any more spending and researching of projects until the RFP was back. He asked each Board member if they had a

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desire to change their opinion of delaying other projects. Mr. Cervelli noted he did not. Mr. Handler, Mr. Smith stated they did. Mr. Usina was a no. It ended in a 3-2 vote; the intent was not to consider other options until the RFP is concluded. Mr. Lisotta clarified this is a decision of the Board on not directing staff to spend additional funds to get quotes, designs, and other items. Further discussion continued back and forth on needing alternatives and not continuing this process. Comments were continued on the alternative options.

**FIFTH ORDER OF BUSINESS****Update on RFP for Construction Services for Fitness Center Expansion Project**

Mr. Lisotta stated there were a couple of addendums to the RFPs and the trees were an issue. He noted the Board could accept proposed construction vendors to move the trees or they could do that themselves through tree services. Mr. Lisotta asked Scott Lockwood how many needed to be removed or replaced. Mr. Lockwood responded the plan referred to the trees between the buildings and would need to retrieve the number for the Board. It was clarified the trees in between were in the way and would need removal. He added the contractor may have a challenge getting into the area and they would have to look at the site and respond. He was noted that 41 trees had white ribbons around them.

Discussion ensued on the specifics of the tree removal and the construction services. The emergency exit location was discussed. Mr. Lockwood explained the process of removal, relocation, replanting, and replacement of the trees. It was clarified that a quote would be for 10-12 trees that are in the way to be replanted and location to be identified at a later time. The deadline for construction proposals to be considered at the October 2, 2022 meeting.

**SIXTH ORDER OF BUSINESS****Consideration of License Agreement with Marshall Creek for Use of Property**

Mr. Lisotta reviewed the next addendum was the proposed entrance to the construction site was discussed for the vendors to use northern most entrance to the maintenance facility and cut across the parking lots to perform construction. Mr. Smith commented on the vendor repair to construction. Concerns were discussed on the large trucks coming through the area and the liability issues. Ms. Kilinski explained the language and cost of liability coverage.

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On MOTION by Mr. Usina, seconded by Mr. Lisotta, with all in favor, the License Agreement with Marshall Creek for Use of Property, was approved.

**SEVENTH ORDER OF BUSINESS****Discussion of Policy Regarding Spending Authority & Limits; Consideration of Resolution 2022-13 (Supervisor Cervelli)**

Mr. Lisotta noted this was the second draft of the policy. He asked Mr. Cervelli if he was satisfied with the document as presented. He stated yes, he was satisfied. Mr. Lisotta asked if there were suggestions for modifications of change. Concerns of staffing spending authority was discussed. Mr. Lisotta suggested moving in 2A to bring the Amenity Manager and the Field Operations Manager to approve an increase for expenditures from routine maintenance operation costs. Discussion continued on the specifics of the increase requests.

On MOTION by Mr. Smith, seconded by Mr. Cervelli, with all in favor, Resolution 2022-13, Policy Regarding Spending Authority & Limits Increase, was approved.

**EIGHTH ORDER OF BUSINESS****Discussion Regarding Policy for Communication to District Staff (Supervisor Handler)**

Ms. Kilinski discussed the policy for communication to Board from District Staff. The concerns noted were that Board members are notified by staff appropriately of significant issues to specifically include landscaping and operations. Discussion ensued on staff sending emails to the Board for notification of significant updates. After discussion Mr. Handler made a motion but the motion failed due to lack of a second.

**NINTH ORDER OF BUSINESS****Discussion Regarding Policy for Direction to District Staff**

Ms. Kilinski reviewed the policy for direction to District staff. She stated this is designed to essentially give staff direction on handling issues between Board meetings when there may be inconsistent direction given to District staff. This provides clarification.

On MOTION by Mr. Lisotta, seconded by Mr. Cervelli, with all in favor, Policy for Direction to District Staff, was approved.

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**TENTH ORDER OF BUSINESS****Discussion Regarding Changes to the Rules of Procedure**

A Supervisor stated this was regarding a recent incident where the Chairman decided to cancel a meeting due to an agenda item. He noted one agenda item should not be a reason to cancel a meeting and a meeting should be held every month. Mr. Lisotta replied this request for cancellation of a meeting was regarding the RFP and other items that were delayed. He added that more than one Board member was in agreement to cancel the meeting. Discussion ensued on the agenda items, the costs, and the need for meetings. Mr. Lisotta noted the changes to the document requires a public hearing, a notice and the earliest will be November. Clarification was made on the draft and red lines that denote the changes. After discussion the Board voted to consider the changes to the Rules of Procedures regarding setting of agenda and cancellation of meetings, setting guidance and proposing all Board members to have input in such decisions. The public hearing will be held November 3<sup>rd</sup>.

On MOTION by Mr. Smith, seconded by Mr. Cervelli, with a 4-1 Vote with Mr. Lisotta opposing, Changes to the Rules of Procedure, was approved.

**ELEVENTH ORDER OF BUSINESS****Discussion on Child Watch**

Mr. Lisotta noted this was a topic for much discussion and the Board decided to delay this topic to the next agenda.

**TWELFTH ORDER OF BUSINESS****Other Business**

Comments were made on issues and how the Board deals with addressing the concerns.

**THIRTEENTH ORDER OF BUSINESS****Staff Reports****A. Landscape Report**

Mr. Lisotta led discussion on status of current landscape vendor contract was discussed. Mr. Lisotta noted he rode with Daniel and Chris on August 17<sup>th</sup> and the noted he made on landscaping complaints. Several project concerns (holes filled, pond bank mowing, irrigation, mailbox areas, dead flowers, dead grass, chemical schedule, weeds, & mulch) were pointed out to

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Duval to make improvements. Quality control inspections were discussed, and Mr. Hall was asked about conducting these. Written reports were also discussed.

**B. District Counsel**

District Counsel had nothing further to report to the Board.

**C. District Engineer – Consideration of Requisition Nos. 47-51**

Mr. Lisotta stated that these requisitions are tied to the District Engineer.

On MOTION by Mr. Lisotta, seconded by Mr. Smith, with all in favor, Requisitions #47-51, were approved.

**D. Field Manager – Report**

A copy of the operations report was included in the agenda package for the Board’s review.

**E. District Manager**

There being nothing to report, the next item followed.

**F. Director of Amenities**

Ms. Gunia updated the Board on the Amenity Report.

**FOURTEENTH ORDER OF BUSINESS      Supervisor Requests/Public Comment**

**Resident Comments:**

Residents commented on landscaping and mulching and the street.

Another resident commented on Marshall Creek and Sweetwater websites for meeting changes.

**Supervisor Comments:**

Supervisor commented on replacement of oak trees with crepe myrtle trees, basketball resurfacing down payment.

**FIFTEENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – Thursday, October 6, 2022 at 4:00 p.m. at 625 Palencia Club Drive, St. Augustine, Florida 32095**


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Mr. Lisotta noted the next Board meeting will be held on Thursday, October 6, 2022 at 4:00 p.m. at 625 Palencia Club Drive, St. Augustine, Florida 32095.

**SIXTEENTH ORDER OF BUSINESS      Adjournment**

On MOTION by Mr. Lisotta, 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