

**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, **January 5, 2023** at 4:00 p.m. at 625 Palencia Club Drive, St. Augustine, Florida.

Present and constituting a quorum were:

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

Also present were:

Jim Oliver	District Manager, GMS
Jennifer Kilinski	District Counsel, KE Law Group
Erin Gunia	Director of Amenities
Chris Hall	Field Operations Manager, RMS
Daniel Todd	Account Manager, Duval Landscape
Mike Wooldridge	Duval Landscape
Robert Bullock	Duval Landscape
Howard McGaffney	GMS

*The following is a summary of the discussions and actions taken at the January 5, 2023 Sweetwater Creek Community Development District's Regular Board of Supervisors meeting.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

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

**SECOND ORDER OF BUSINESS**

**Public Comment**

A resident asked if anything can be done on speeding in the community. Mr. Lisotta responded that the CDD has investigated speed bumps, however the County will not allow installation of speed bumps in the community. Currently the CDD has speed signs for tracking purposes as well as roving Sheriff's Office deputies. It was noted residents can call the Sheriff's Office to request additional patrols.

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**THIRD ORDER OF BUSINESS**

**Approval of the Consent Agenda**

**A. Minutes of the December 1, 2022 Meeting**

Mr. Handler asked if there were any comments or corrections from the Board. Mr. Oliver noted corrections were provided by Supervisors Usina and Lisotta prior to the meeting.

**B. Financial Statements**

Copies of the financial statements were provided in the agenda package for informational purposes.

**C. Check Register**

Mr. Usina asked for clarification on the check written to the State Board of Administration. Mr. Oliver stated that it is a State of Florida operating account, which is used for public entities to invest funds at a higher rate of interest than what would be received with traditional government checking accounts.

On MOTION by Mr. Lisotta, seconded by Mr. Smith, with all in favor, the Consent Agenda, was approved 5-0.

**TWELFTH ORDER OF BUSINESS**

**Staff Reports**

**A. Landscape Team**

Mr. Todd informed the Board his team has been working on lifting of the oak trees and is now moving over to trimming the ornamental grasses in preparation for Spring. It was noted that repellent has been placed on the annual flowers, however, there has been no improvement. Mr. Lisotta suggested coordinating with Marshall Creek as their flowers do not appear to be affected by the deer.

Mr. Handler asked how the smart irrigation controllers are working out so far. Mr. Todd responded that they're doing exactly what they are intended for.

**B. District Counsel**

Ms. Kilinski updated the Board on the status of a grounded boat in the community, noting her office received a call from St. Johns County Sheriff's Office stating that the boat has been

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signed over from the owner to the State of Florida. The State of Florida has accepted responsibility for removal at its cost.

Ms. Kilinski also informed the Board that there is a process under St. Johns County ordinance for designating parks as “safe places”, which essentially means that sexual offenders and sexual predators are not permitted in areas so designated. Currently St. Johns County has not designated any special district parks as safe places. With the help of Supervisor Usina, counsel has submitted all open spaces owned by the District by either address or parcel ID number to St. Johns County. Feedback from the County regarding the submittal is anticipated to be provided by January 13<sup>th</sup>. Marshall Creek is working on the same process.

Mr. Lisotta stated his concern with the enforceability of the resolution on the agenda for approval as it relates to events such as falls festivals or Christmas tree lightings that are open air events and/or geared toward adults in addition to children. Ms. Kilinski stated the language in the resolution closely mirrors the St. Johns County ordinance and makes it abundantly clear to anybody that may be registered that they are not permitted to attend children centered events. Chairman Handler added it's important that the public realize that the CDD is doing everything it can within its legal means to try to protect children but the Board and staff noted that the CDD is not, and does not have authority to provide, police enforcement and cannot “guarantee” anyone’s safety. It was noted exemptions apply when those that are registered attend events with their children.

### **C. District Engineer**

#### **1. Ratification of Requisitions 60-62**

Mr. Oliver gave an overview of requisition numbers 60 through 62, noting they were signed between meetings to ensure timely processing.

#### **2. Consideration of Requisitions 63-65**

Mr. Oliver gave an overview of requisitions 63 through 65 and informed the Board that the invoice behind number 63 was processed through the capital reserve fund during the holiday period to expedite payment. The requisition will be revised to reimburse the District’s capital reserve account.

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On MOTION by Mr. Lisotta, seconded by Mr. Usina, with all in favor, requisition numbers 60-62 were ratified, and numbers 63-65 were approved 5-0.

**D. Field Manager – Report**

Mr. Hall provided the Board with an overview of the operations report, a copy of which was included in the agenda package.

Mr. Smith mentioned the broken guard gate and asked if there is evidence of who caused the damage. Mr. Hall stated that camera footage can be requested from Envera in order to determine who is responsible for reimbursing the District for any repairs needed.

Mr. Usina suggested seeking quotes for placing a camera at the gate shack facing the exit barrier. Mr. Hall was directed to obtain quotes.

**E. District Manager**

There being nothing to report, the next item followed.

**F. Director of Amenities – Consideration of Estimates for Pool Heaters**

Ms. Gunia informed the Board that during demolition of her office, it was found that there is an electric conduit that cannot be worked around. The estimate to move the conduit ranges from \$4,800 to \$5,200.

On MOTION by Mr. Usina, seconded by Mr. Lisotta, with all in favor, moving the conduit was approved 5-0.

Ms. Gunia also informed the Board that to maintain the aesthetic of the fitness center, replicating the doors would cost around \$4,000 per door, however an alternative option has been found that could be stained after purchasing for \$2,000 to \$2,500. The door would be located in the hallway across from the men’s room.

On MOTION by Mr. Lisotta, seconded by Mr. Usina, with all in favor, purchasing a new door in an amount not to exceed \$2,500 was approved 5-0.

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Ms. Gunia stated that rain glass was proposed to create privacy in the larger archway of the fitness center while still maintaining air flow. She was given an estimate of \$850. There were no objections from the Board members so long as the budget allows for such.

Ms. Gunia presented three estimates for replacing the gas heaters for the pool ranging from \$8,264 to \$12,589.84 and noted she recommends Pinch-a-Penny, as they were the installer of the electric pool heaters which have had no issues thus far.

On MOTION by Mr. Lisotta, seconded by Mr. Usina, with all in favor, the estimate from Pinch-a-Penny to replace the gas pool heaters was approved 5-0.

**FIFTH ORDER OF BUSINESS**

**Discussion of Updated Comcast Proposal**

Mr. Smith informed the Board Comcast has provided additional options that will be presented at the February Board meeting.

**SIXTH ORDER OF BUSINESS**

**Updates on Capital Improvement Projects**

**A. Fitness Center**

Ms. Gunia stated that completion of the fitness center project is estimated for the third week of January. She is looking to schedule a grand opening event upon completion.

**B. Pickleball Courts**

Mr. Smith informed the Board that the survey has not yet been completed for the pickleball court area. He also stated that a resident that lives near the fitness center has requested acoustic panels that can be installed along the fence surrounding the courts to reduce noise.

**C. Parks**

Mr. Usina informed the Board that Mr. Hall has been working on obtaining bids for park equipment and fencing for a dog park. He noted plans may change once feedback is provided by the County on which areas may or may not be designated as safe spaces.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-03 on Prohibited Activities for Sexual Offenders and Predators in Reliance on SJC Ordinance 2009-43**

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Mr. Handler noted this item was discussed earlier in the meeting and asked for a motion for approval.

On MOTION by Mr. Usina, seconded by Mr. Smith, with all in favor, Resolution 2023-03 regarding prohibiting sexual offenders and predators from participating in holiday activities was approved 4-0.

**EIGHTH ORDER OF BUSINESS**

**Other Business**

Mr. Smith brought up a letter sent recently reminding residents that they are prohibited from removing or negatively impacting vegetation in conservation easement areas, and that fines and penalties may be imposed on the District as the owner of those areas, which will ultimately be imposed on the residents through an increase in assessments if necessary. Mr. Oliver noted that shortly before the December meeting staff was informed that there was an allegation of an encroachment into the preserve area by a resident. The water management district investigated and found that those charges were not substantiated. Ms. Kilinski stated that staff plans to send a similar letter annually.

Mr. Usina asked if a section of road that connects to the guard shack is county maintained, or maintained by the Las Calinas HOA, and if so, can it be conveyed to the appropriate owner. Ms. Kilinski stated that it could be determined through requisitions if the roadway was paid for by bond proceeds.

Mr. Lisotta asked if the Board would consider moving the February meeting date as he is unavailable. The Board settled on moving the meeting to February 8, 2023.

On MOTION by Mr. Lisotta, seconded by Mr. Handler, with all in favor, moving the next meeting date to February 8, 2023 was approved 4-0.

**NINTH ORDER OF BUSINESS**

**Supervisor Requests / Public Comment**

**Supervisor Comments:**

Mr. Handler asked that anything that needs to come before the Board be provided in time to be included in the agenda package, rather than requiring handouts at the meeting.

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Mr. Handler also asked what the status is on money owed to the District for the basketball court resurfacing. Mr. Smith responded that he and Mr. Oliver would be contacting the vendor the next day.

Mr. Usina asked that the landscape reports be submitted in a timely manner so that they can be included in the agenda package. Mr. Lisotta suggested giving them a specific deadline, such as the 25<sup>th</sup> of each month. The Board members also mentioned wanting more detailed reports.

Mr. Oliver informed the Board that a change order has been received from Invision Construction. Ms. Gunia noted the change order includes flooring for her office, different lighting, and door hardware, among other things.

**TENTH ORDER OF BUSINESS**

**Next Scheduled Meeting**

The next scheduled meeting was moved to February 8, 2023 and will be held at 4:00 p.m. at 625 Palencia Club Drive, St. Augustine, Florida.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Lisotta, seconded by Mr. Usina, with all in favor, the meeting was adjourned.

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*Jim Oliver*  
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Secretary/Assistant Secretary

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Chairman/Vice Chairman