

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

Present and constituting a quorum were:

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

Also present were:

Howard McGaffney	District Manager, GMS
Jennifer Kilinski <i>by Zoom</i>	District Counsel, KVW
Scott Lockwood <i>by Zoom</i>	District Engineer, ETM
Erin Gunia	Director of Amenities
Paul Stratton	Field Operations Manager, RMS
Mary Marchiano	Duval Landscape
Josh Boucher	Duval Landscape

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

FIRST ORDER OF BUSINESS

Roll Call

Mr. McGaffney called the meeting to order at 4:05 p.m. Five Board members were physically present, constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment

Steve Burns, Chris Diesel and Anthony Widener commented that they were not in favor of pickleball courts, or a parking lot being constructed off the Onda cul-de-sac.

Kristen Cohen asked about the bollards at the end of Glorieta that are painted different colors.

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Mr. McGaffney stated that the Board was asked if the bollards could be painted green for aesthetic reasons, however it was later found the County requires them to be yellow.

A resident asked that the Board come up with a five-to-ten-year low maintenance plan for landscaping rather than using annuals.

THIRD ORDER OF BUSINESS

Staff Reports

A. District Engineer

Mr. Lockwood presented a revised topographic survey for the Onda Park drainage swale improvements. He also stated that he looked at the Rincon drainage issue and asked that the inlets be cleaned out. Lastly, he updated the Board on the county main line improvement noting the schedule is not finalized as the County is in the design phase, but it's expected to be installed around the end of November.

1. Ratification of Requisitions 102-104

On MOTION by Mr. Handler, seconded by Mr. Lisotta, with all in favor, requisition numbers 102 through 104 were ratified 5-0.
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2. Update on County Main Line Improvement

Mr. Lockwood covered this item during his report above.

B. Landscape Team – Maintenance Report

Ms. Marchiano provided an overview of the maintenance report, a copy of which was included in the agenda package.

C. District Counsel – Update on the Interlocal Agreement

Ms. Kilinski stated that as of October 8, 2023 there will no longer be an interlocal agreement for purposes of staffing and maintenance services. The cost share and reciprocal use agreements are still in place, however.

Next, she informed the Board that she has a phone message into the FWC to inquire as to why the derelict boat has not yet been removed.

Next, she stated that there has been no substantive movement on the small claims case but noted it will be scheduled for trial likely later this year. The other party has again asked about the

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District's willingness to settle. The Board discussed whether to proceed with the suit or make a settlement offer and followed with the motion below.

On MOTION by Mr. Lisotta, seconded by Mr. Smith, with Mr. Handler and Mr. Usina opposed and Mr. Lisotta, Mr. Smith and Mr. Cervelli in favor, making a settlement offer of \$11,000 was approved 3-2.

Mr. McGaffney noted if the other party does not agree to the settlement offer of \$11,000, Ms. Kilinski's firm will continue to move forward with the suit.

D. District Manager

There being nothing to report, the next item followed.

E. Field Manager – Report

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

F. Director of Amenities

A copy of the amenities report was included in the agenda package for the Board's review.

Ms. Gunia added that staff has been onboarded by RMS, including janitorial staff.

Mr. Usina asked Ms. Gunia to track usage of the Zen room.

FOURTH ORDER OF BUSINESS

Approval of the Consent Agenda

A. Minutes of the September 7, 2023 Meeting

A copy of the minutes of the September 7, 2023 meeting was included in the agenda package.

B. Financial Statements

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

C. Check Register

A copy of the check register totaling \$132,643.22 was included in the agenda package.

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

FIFTH ORDER OF BUSINESS

Business Items

A. Consideration of Workshop to Discuss Parks

Mr. Lisotta stated that he thinks it would be beneficial to have a longer discussion than what takes place at the regular meetings to allow more resident participation. He also stated his preference for a later meeting time.

The Board took a brief recess at this time, approximately 4:58 p.m. The meeting reconvened and the following action was taken.

On MOTION by Mr. Usina, seconded by Mr. Smith, with all in favor, scheduling a workshop to discuss the parks for October 19, 2023 at 6:00 p.m. was approved 5-0.

Mr. Smith requested that the December meeting be moved. He and Mr. McGaffney will discuss possible dates.

B. Ratification of Envera Agreement

Ms. Kilinski stated that her firm received the agreement back from Envera the day before the meeting and she has provided comments on that agreement. The details of the agreement were discussed later in the meeting during a private session.

C. Ratification of Agreement with Riverside Management Services for Amenity and Field Management Services

Ms. Kilinski stated that the form of agreement with RMS has been well vetted and the provisions for the staffing and costs are consistent with what the Board has discussed. She also pointed out the contractor performance evaluation that would be done on at least an annual basis.

On MOTION by Mr. Usina, seconded by Mr. Handler, with all in favor, the agreement with Riverside Management Service for amenity and field management services was ratified 5-0.

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D. Update on Drainage Swale Project and Ratification of Agreement

Mr. McGaffney noted the agreement is not yet ready as there were some last-minute changes to the project so it will be put on the December agenda for ratification.

Mr. Smith added that the total of the dirt work proposal came in at \$19,145 and the proposal for the irrigation repair proposal came in at \$2,400. He also noted there were two options for sod, one totaling \$5,000 and another totaling \$7,700 and he recommends going with the lower cost option, so the total cost of the project would come to approximately \$26,000, which Mr. McGaffney noted is below the not to exceed amount of \$40,000.

Mr. Usina asked if there is an option for a well.

Mr. Smith responded that he is investigating the well separately. He believes a shallow well would be around \$8,000.

E. Ratification of Adding Worker’s Comp Insurance to Policy

Mr. McGaffney informed the Board that when supervisors start taking on tasks such as project management they are excluded under the current coverage, so worker’s comp insurance becomes necessary. The addition of worker’s comp insurance is \$850 for the year.

On MOTION by Mr. Usina, seconded by Mr. Lisotta, with all in favor, adding worker’s comp insurance to the policy was ratified 5-0.

F. Consideration of Proposals for Pool Maintenance Services

Ms. Gunia presented three proposals for pool maintenance services which included options for five days per week. Rick Arsenault’s proposed fee is \$1,595 for service three days per week, Big Z Pool Service’s proposed fee for three days per week is \$2,300, and RMS’s proposed fee is \$1,560 for three days per week or \$2,040 for five days per week. Ms. Gunia added that three days per week could be tested out along with having a full-time janitor that can skim the pool and light cleaning on the days there’s no pool cleaning service provided.

On MOTION by Mr. Lisotta, seconded by Mr. Usina, with all in favor, the proposal from Riverside Management Services was approved 5-0.

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G. Updates on Pickleball Courts

• Discussion of Reservation System

Mr. Smith informed the Board that the electricians are wrapping up and there are two more weeks for curing of the asphalt before paint will be applied. He also presented proposals for access control to the courts, furniture for the courts and change orders for electrical work. The total for all items combined come to \$19,387.

Mr. McGaffney noted some of the presented proposals are not on the agenda and would require amending the agenda and taking public comment.

On MOTION by Mr. Usina, seconded by Mr. Handler, with all in favor, adding the presented proposals from Dowling Douglas, Integrated Access Solutions, CRN Jax and the change order from Hoffman to the agenda was approved 5-0.

There being no comments on these specific items, the following motion was taken.

On MOTION by Mr. Cervelli, seconded by Mr. Handler, with all in favor, the access control, furniture, and electrical expenditures related to the pickleball courts were approved at an amount not to exceed \$19,387 5-0.

H. Discussion of Safety Items

- Traffic Safety Mirrors**
- Pedestrian Crosswalks**

Mr. Usina stated that the pedestrian crosswalks on the corner of Enrede and Las Calinas near the bus stop and near Ensenada Park need a lighted sign that can be activated when pedestrians are crossing the road. He recommended approving a not to exceed amount of \$5,000.

Mr. Lisotta stated that he does not think the community has the amount of pedestrian traffic that would require this change.

Ms. Kilinski stated that she believes the County would need to approve the change in the signs.

There was no public comment on this item.

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On MOTION by Mr. Usina, seconded by Mr. Cervelli, with Mr. Smith, Mr. Usina, Mr. Cervelli and Mr. Handler in favor and Mr. Lisotta opposed, purchasing flashing pedestrian crosswalk signs at an amount not to exceed \$5,500 was approved 4-1 subject to the District Engineer verifying County requirements.

Mr. Smith informed the Board that a resident has requested a traffic mirror be installed near the curve on Las Calinas.

On MOTION by Mr. Handler, seconded by Mr. Smith, with Mr. Smith, Mr. Usina, Mr. Cervelli and Mr. Handler in favor and Mr. Lisotta opposed, purchasing a convex traffic mirror subject to the District Engineer verifying County requirements was approved 4-1.

I. Consideration of Pickleball Court Furniture

This item was taken under the update on pickleball courts.

SIXTH ORDER OF BUSINESS

Other Business

Mr. Lisotta cautioned Mr. Smith in speaking about potential construction projects as he’s received a lot of feedback from Onda residents concerned that the Board would be voting on additional pickleball courts at this meeting.

Mr. Cervelli asked the Board if they’d be okay with himself, Mr. Stratton and Ms. Marchiano taking a strategic look at a long-term landscaping plan for the District. There were no objections from the Board.

SEVENTH ORDER OF BUSINESS

Supervisor Requests / Public Comment

Mr. Usina asked how much money has been paid to Duval Landscaping for any and all expenses.

Mr. McGaffney stated that he would send a detailed report to the Board.

Mr. McGaffney stated that the Board previously asked him to investigate whether the County would take ownership of the portion of roadway from Battersea to Las Calinas. He met with a County Commissioner and Public Works Director and they’ve indicated the County is not looking to take ownership of more roads, but the District is welcome to go through the process for making the request, which entails the engineer inspecting the roads, bore samples, and county approval of the condition of the roads. He will provide more information in December.

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A resident stated that a County Commissioner will be attending the Palenica POA meeting next week.

Ms. Gunia will send an e-blast to inform the residents.

EIGHTH ORDER OF BUSINESS

Next Scheduled Meeting – Thursday, December 7, 2023 at 4:00 p.m. at 625 Palencia Club Drive, St. Augustine, Florida 32095

Mr. McGaffney will work with Supervisor Smith to find a meeting date that may work better for him.

NINTH ORDER OF BUSINESS

Consideration of Proposals for Security System

This portion of the meeting was closed to the public in accordance with Sections 119.071(3)(a) and 281.301, Florida Statutes, as the Board discussed matters related to the security system plan. The closed session began at approximately 5:49 p.m. The public portion of the meeting resumed at approximately 6:03 p.m. and the following action was taken.

On MOTION by Mr. Usina, seconded by Mr. Smith, with all in favor, security camera installation was approved at an amount not to exceed \$15,000 5-0.

On MOTION by Mr. Handler, seconded by Mr. Smith, with all in favor, the Envera contract with an assignment provision was approved 5-0.

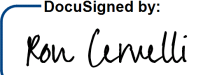
TENTH ORDER OF BUSINESS

Adjournment

The meeting was adjourned at approximately 6:04 p.m.

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Secretary/Assistant Secretary

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