

**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 **Monday, November 27, 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
Grace Kobitter <i>by Zoom</i>	District Counsel, KVW
Scott Lockwood <i>by Zoom</i>	District Engineer, ETM
Erin Gunia	Director of Amenities, RMS
Paul Stratton	Field Operations Manager, RMS
Jerry Lambert	Riverside Management Services
Mary Marchiano	Duval Landscape

The following is a summary of the discussions and actions taken at the November 27, 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 4:00 p.m. Five Board members were physically present, constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment

A resident stated that most of the meeting attendees are residents from Ovalo Court and are looking for closure on the park discussion.

Mr. Usina stated that the board members all agreed they did not want to mess with Ovalo Court.

Edward Smith asked if there is a plan to paint the mailboxes.

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Mr. Usina stated that he planned to bring the mailboxes up at the meeting.

Edward Smith also stated that he has talked to Duval about a plan for the corner at the entrance of Ovalo Court as it's currently nothing but dirt.

Mr. Usina stated that the Board has discussed implementing a uniform landscape plan for all street corners.

Edward Smith also stated that Ovalo Court's sidewalks were not pressure washed at the same time as the rest of the community and there have been periods where Ovalo Court is not mowed.

Mr. Lisotta stated that there was no direction to pressure wash side streets.

THIRD ORDER OF BUSINESS

Approval of the Consent Agenda

A. Minutes of the October 5, 2023 Meeting and October 19, 2023 Workshop

Copies of the minutes of the October 5, 2023 meeting and October 19, 2023 workshop were included in the agenda package for the Board's review.

B. Financial Statements

Mr. McGaffney stated that the financial statements will be added to the next agenda.

C. Check Register

A copy of the check register will be added to the next agenda package.

D. Macava Change Order No. 2 for Diamond Plates in the Fitness Center

A copy of the change order number two from Macava to install aluminum diamond plates was included in the agenda package for the Board's review.

E. Ratification of Agreements

- 1. Agreement with Envera for Security System Installation and Maintenance**
- 2. Agreement with AL Dirtworks for Onda Park Drainage Swale**
- 3. Agreement with Duval Landscape Maintenance for Irrigation Pipe Rerouting**
- 4. Agreement with Riverside Management Services for Pool Maintenance Services**

Copies of each of the agreements listed above were included in the agenda package for the Board's review. Mr. McGaffney noted the proposals for these agreements were previously approved by the Board.

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On MOTION by Mr. Lisotta, seconded by Mr. Smith, with all in favor, the minutes of the October 5, 2023 meeting and October 19, 2023 workshop were approved 5-0.

On MOTION by Mr. Lisotta, seconded by Mr. Cervelli, with all in favor, the agreements listed under the consent agenda were ratified 5-0.

FOURTH ORDER OF BUSINESS

Staff Reports

A. District Engineer – Ratification of Requisitions 105-109

1. Ratification of Requisitions 105-109

Copies of requisition numbers 105 through 109 were included in the agenda package for the Board’s review.

Mr. Usina asked about the reasoning for the different dollar amounts listed in the backup for the requisition payable to Hoffman Construction.

Mr. McGaffney responded that the backup documents are the releases for the work that was subcontracted by Hoffman under the \$72,000 dollar amount.

On MOTION by Mr. Usina, seconded by Mr. Smith, with all in favor, requisition numbers 105 through 109 were ratified 5-0.

2. Ratification of ETM Work Authorization No. 14

Mr. McGaffney noted that work authorization number 14 for England Thims & Miller is to document ETM’s rates for Fiscal Year 2024, which will cover any work done by Mr. Lockwood from October 1, 2023 through his last day as the District’s engineer.

On MOTION by Mr. Usina, seconded by Mr. Smith, with Mr. Cervelli, Mr. Smith, Mr. Handler and Mr. Usina in favor and Mr. Lisotta opposed, England Thims & Miller’s work authorization number 14 was approved 4-1.

3. Discussion of Resignation of ETM

Mr. Lockwood informed the Board that England Thims & Miller has made the decision to pull out of numerous CDDs throughout the region. He stated that he would speak to ETM’s upper management regarding the transition process.

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Mr. Usina requested that every document that ETM has pertaining to Sweetwater Creek CDD be sent to GMS's office, whether that be on a thumb drive or physical copies.

Ms. Kobitter asked what the last date will be for ETM to serve as the District Engineer.

Mr. Lockwood responded 60 days from the date of this meeting.

B. Landscape Team – Maintenance Report

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

Mr. Usina stated that the irrigation report says that the Onda Park pump is running but will need parts, which will be proposed soon, however he was thinking a well was needed there.

Ms. Marchiano stated that the latest conversation she had was that the board was not pursuing the well at the present time, so this is to get the pump up and running so they can determine if they can get additional water over to the new Bahia grass installed and determine the location of all of the irrigation heads. She also added that the pump is not running at this time, so the park is not being irrigated.

Mr. Usina requested a proposal for replacing sod at Privado Circle.

The Board discussed the desire to improve the landscaping on all of the street corners and Ms. Marchiano pointed out that not every corner has irrigation and in some cases, it would be costly to add it, so those areas may require a different design.

Mr. Usina asked Ms. Marchiano to come up with design options for the corners.

Ms. Marchiano suggested considering closing some of the beds first as they've gotten very large over the years, and consider possibly transplant grasses to areas that make sense, like crosswalk areas and corners.

On MOTION by Mr. Usina, seconded by Mr. Cervelli, with all in favor, appointing Supervisor Lisotta as the landscape liaison was approved 5-0.

C. District Counsel

Mr. Usina asked for an update on the small claims court case.

Ms. Kobitter responded that there is no update to provide at this time.

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E. Field Manager – Report

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

Mr. Stratton informed the Board that he is resigning from RMS effective January. Mr. Lambert noted he would be stepping in during the interim until a replacement can be found.

F. Director of Amenities

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

Mr. Usina asked for an update on the usage of the Zen room.

Ms. Gunia responded that she does not yet have that data. She informed the Board there are currently meditation classes being held in the room twice a week, but she has been getting more requests for reserving the room for various activities, so the use of the room will evolve. She also went over the pickleball court reservation system and equipment rental system noting an account is needed for each user before a court can be reserved. She is still working on creating an equipment rental system.

Mr. Cervelli stated that Marshall Creek sells memberships to non-resident members to play pickleball and tennis at Marshall Creek and noted that does not entitle them to use Sweetwater Creek’s facilities.

Mr. McGaffney added that the only way a non-resident can use the amenities at Sweetwater Creek is to purchase the annual membership pass for the District. A guest of a Marshall Creek resident can use the facilities, however.

Ms. Gunia stated that the usage of the courts can be evaluated after a few months and if the residents are satisfied with their access and a larger capacity can be supported, the District can consider allowing outside memberships.

An item will be added to the next agenda to discuss the user rate fee structure and how those rates are shared with Marshall Creek.

D. District Manager

Mr. McGaffney informed the Board that there is a resident off of Brasilla that has encroached into a conservation easement area. The property owner has been responsive and is

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willing to fund the repairs, which include moving the dirt back onto their property, re-grading the area back to the natural grade, and replacing 20 native plants.

The Board took a brief recess at this time, approximately 5:11 p.m. The meeting reconvened and the following action was taken.

FIFTH ORDER OF BUSINESS

Business Items

A. Consideration of Irrigation Improvement Proposals – Pickleball Construction Areas

Mr. Smith informed the Board that Duval submitted a proposal to install irrigation around the pickleball courts totaling \$12,917.16. Two additional proposals were obtained, the lowest of which totals \$8,180.

Mr. Usina questioned whether using an outside vendor would cause finger pointing once Duval takes over the irrigation system after it is installed. He also questioned whether there is any other irrigation work, such as Onda Park, that could be done at the same time to try to get a more favorable rate.

Mr. Smith recommended approving Duval’s proposal.

On MOTION by Mr. Lisotta, seconded by Mr. Usina, with all in favor, the \$12,917.16 proposal from Duval Landscape was approved 5-0.

B. Consideration of Resolution 2024-01, Ratifying Staff’s Actions in Advertising RFQ for Engineering Services and Confirmation of Evaluation Criteria

Copies of the notice published to advertise a request for qualifications for engineering services, along with the evaluation criteria were included in the agenda package for the Board’s review.

On MOTION by Mr. Smith, seconded by Mr. Handler, with all in favor, Resolution 2024-01, ratifying staff’s actions in advertising a request for qualifications for engineering services and confirmation of evaluation criteria was approved 5-0.

Ms. Kobitter explained the process that will take place once the proposals are received. The Board will score and rank the proposals submitted against the criteria that was attached to the

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resolution just approved. Once a firm is selected, staff will negotiate a contract agreement, and at that time, the Board will see the pricing and if the District and engineering firm is unable to reach an agreement, the Board would move to the firm ranked number two and the negotiations would begin with that firm.

C. Consideration of Proposal Onda Pump Repair

This item was deferred.

D. Discussion of Park Projects

The Board discussed an issue with dirt bikes, ATVs and squatters accessing a path off of Otero Point. Mr. Lisotta stated that he does not believe putting a concrete barrier or fence in is going to solve the problem.

Mr. McGaffney stated that he would report back if Pine Island intends to fix the fence on their side of the path.

The Board members agreed they are not in favor of doing any improvements off Ovalo Court and the fire access road at this time. The areas being considered for an additional dog park are Ensenada Park and Glorietta. Mr. Lambert was asked to get proposals for fencing a dog park and adding potable water and to get pricing for a shade structure and picnic tables for the fitness center / dog park area. The consensus was to leave the current dog park as-is at Onda Park and to not add a parking lot.

A resident stated that she thought the focus was a park where everyone could gather and now there's a document focusing on dog parks and adding playgrounds, however she's heard there is only \$300,000 left so once the dog parks and playgrounds are addressed, there will not be any money left for Onda Park.

Mr. Lisotta explained that in 2019 the District refinanced the bond debt and in the process a lower interest rate was obtained, but more debt was taken out in the amount of \$1.6 million and that money has to be spent on new amenity improvements. Part of that process was coming up with a wish list of items to spend that money on and that's where the list of potential park improvements in comes in. That list has been modified a few times through the appropriate process due to pricing changes and the ability to actually make the improvements.

The resident asked why the pickleball courts were not put in Onda Park as originally planned.

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Mr. Usina responded that the quote to construct pickleball courts in that location was \$1.6 million. Additionally, constructing the pickleball courts in the current location allows for better control of the courts. He also noted just to install the two bathrooms at Onda Park was \$300,000.

The resident stated that she thinks the Board needs to focus on Onda Park and not a dog park.

Mr. Lisotta stated that the Board is getting mixed feedback from the residents near Onda Park.

A resident asked if anybody could come through the gate for the community.

Mr. Usina responded that the roads were built utilizing bond debt, which makes the roads public so anybody can go through the gate, however with the gates you get a record of who was driving the vehicle and a picture of the license plate in case there's an incident.

SIXTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

SEVENTH ORDER OF BUSINESS

Supervisor Requests / Public Comment

There being none, the next item followed.

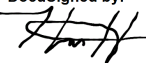
EIGHTH ORDER OF BUSINESS

Next Scheduled Meeting – Thursday, January 4, 2024 at 4:00 p.m. at 625 Palencia Club Drive, St. Augustine, Florida 32095

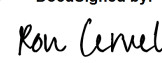
NINTH ORDER OF BUSINESS

Adjournment

The meeting was adjourned at approximately 6:08 p.m.

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Secretary/Assistant Secretary

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Chairman/Vice Chairman