

**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, April 4, 2024** at 4:00 p.m. at the Fitness Center, 1865 N. Loop Parkway, St. Augustine, Florida.

Present and constituting a quorum were:

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

Also present were:

Jim Oliver	District Manager, GMS
Jennifer Kilinski <i>by Zoom</i>	District Counsel, KVW
Alex Acree <i>by Zoom</i>	District Engineer, Matthews DCCM
Erin Gunia	Director of Amenities, RMS
Jerry Lambert	Operations Manager, RMS
Dan Wright	Riverside Management Services
Mary Marchiano	Duval Landscape
Mary Grace Henley <i>by Zoom</i>	Kilinski Van Wyk

The following is a summary of the discussions and actions taken at the April 4, 2024 Sweetwater Creek Community Development District's Regular Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Oliver 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

Patty Scott asked if a fundraiser could be hosted at the swimming pool to support Swim Across America, a charity that benefits cancer research. She provided the Board with a FAQ sheet regarding the event.

Mr. Lisotta asked that the resident work with Ms. Gunia and District Counsel on the event.

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There were no objections from the Board on allowing the event.

A resident asked the Board to revisit the flooding issue on Rincon Drive as it has not been resolved since the flooding became an issue around September of 2022 and it has ruined his backyard.

Mr. Lisotta stated that the engineer inspected the area, and the cost of the repair was estimated to be over \$20,000 so the board opted to not proceed with repairs at the time. The recommendation is that homeowners need to address flooding on their property within the confines of their own property lines.

The resident stated that he has lived in the District since 2016 and the flooding did not become an issue until 2022, so something changed significantly. The drains were supposed to be inspected; however, he did not receive feedback on whether that was done.

Mr. Usina asked Mr. Lambert and Mr. Wright to inspect the area as soon as possible, take pictures, and consult with Mr. Acree.

Mr. Lisotta asked to confirm if the drains have been cleared.

THIRD ORDER OF BUSINESS

Approval of the Consent Agenda

A. Minutes of the March 7, 2024 Board of Supervisors Meeting and March 21, 2024 Workshop

Copies of the minutes of the March 7, 2024 meeting and March 21, 2024 workshop were included in the agenda package for the Board’s review.

B. Financial Statements

Copies of the financial statements were provided to the Board for their review.

C. Check Register

A copy of the check register was included in the agenda package for the Board’s review.

D. Ratification of Requisition Nos. 126-129

Copies of requisition numbers 126 through 129 were included in the agenda package for the Board’s review.

On MOTION by Mr. Lisotta, seconded by Mr. Handler, with all in favor, the consent agenda was approved 5-0.

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FOURTH ORDER OF BUSINESS

Staff Reports

A. Landscape Team – Maintenance Report

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

B. District Engineer

Mr. Acree reported that the landscape architect team has been working on the layout for the Onda Park improvements.

C. District Counsel

Ms. Kilinski stated that her firm spoke to the board members individually regarding the Marshall Creek / FEMA claim. Her recommendations were that the Board direct staff to begin working on possible dates for a joint meeting with Marshall Creek to better understand the processes undertaken as it relates to that FEMA claim, and that the Board appoint a Supervisor to work with Marshall Creek on gathering more information to bring back to the Board to make a clear determination in preparation of the joint meeting.

On MOTION by Mr. Usina, seconded by Mr. Cervelli, with all in favor, authorizing Supervisor Lisotta to work with District staff on the FEMA/Marshall Creek matter was approved 5-0.

Ms. Kilinski informed the Board that her firm is still tracking bills that have been presented to the Governor for signature. The bill that is of interest to the District requires new performance measures be adopted by the District. Her firm has started developing a template that could be used by districts should the bill be signed.

Mr. Cervelli asked if this change in legislature would allow the Board to set up individual goals and performance criteria for RMS staff members working at the district.

Ms. Kilinski responded that can be done now regardless of the change in law. She added that if the Board desires to give bonuses to individual employees, performance standards must be adopted prior to awarding any sort of financial incentive.

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Mr. Smith stated that the Marshall Creek Property Owner’s Association has elected to enter into a contract with Comcast and as part of that contract, they’re giving away ten free internet connections. He has asked to review a copy of the contract, but it has not yet been provided. He does not want any of the Sweetwater’s equipment connected until the contract can be reviewed.

D. District Manager

Mr. Oliver reminded the Board that three of the Board of Supervisors seats will be filled through the general election process this year and noted the qualifying period is from noon on June 10th through noon on June 14th.

E. Field Manager – Report

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

Mr. Handler asked Mr. Lambert to update the Board on the fences surrounding the pool and the problematic pump on Las Calinas.

Mr. Lambert responded that a switch on the pump has been repaired. The repair was covered under warranty.

In regard to the pool fence/gates, Ms. Gunia stated that an estimate for a commercial grade alarm on the door has been approved. She confirmed the facility has never been out of code. The county inspected the facility twice in one month and said the facility exceeds the standards.

Mr. Cervelli stated that it seems the entrance/exit gates are getting hit every day.

Mr. Wright stated that he thinks it’s due to two cars trying to get through the gates at a time.

Mr. Lambert stated that staff could ask if the gate closures could be slowed down.

F. Director of Amenities – Report

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

Ms. Gunia informed the Board there is a new leak in the roof. She has spoken to the project manager of the roofing company and was assured it would be taken care of right away.

FIFTH ORDER OF BUSINESS

Business Items

A. Consideration of Proposal for Capital Reserve Study

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A proposal to update the capital reserve study for a total of \$5,850 was included in the agenda package for the Board's review.

Mr. Usina stated that he would like to have the reserve study updated prior to adopting the Fiscal Year 2025 budget.

On MOTION by Mr. Handler, seconded by Mr. Smith, with all in favor, the proposal from Reserve Advisors to update the capital reserve study was approved 5-0.

B. Update on Onda Park

Mr. Smith stated that the current plan for Onda Park is to add a parking area on Las Calinas off a concrete path that leads to a courtyard area that has a basketball court, playground, swing set and soccer field. Some suggestions are to make the parking area deeper and have a turnaround lane around the fire hydrant, so cars do not have to back out into the street, and to move the playground equipment to the rear of the property. Once the plans are finalized with the engineer, a description and drawing will be sent to prospective bidders to provide estimates for construction.

A resident asked if trees could be installed to block the view.

Mr. Smith responded that will be taken into account.

C. Discussion of Gate Violation Policy

Mr. Cervelli stated that the question is what penalty should be given to residents and/or visitors that hit the entrance/exit gates as it is happening daily now.

Mr. Lisotta asked if there has been any damage to the gates.

Mr. Lambert responded no.

Mr. Lisotta stated that enforcement if the penalty is not paid needs to be considered as well as the ability to penalize someone if there has been no damage.

Mr. Handler stated that the Board needs to look at what the cost of staff time for repairs is.

Mr. Cervelli suggested sending a letter out to the resident and/or visitor that hits the gate to notify them that penalties may be imposed to hopefully deter future issues.

Ms. Kilinski stated that the District's disciplinary rules were modified last year to allow for the imposition of administrative and property damage reimbursements. Until payment is made, the District can suspend access to the facilities.

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Mr. Lambert will contact Envera to adjust the timing of the gate.

D. Consideration of Proposals for Aquatic Maintenance Services

The Board reviewed three proposals for aquatic maintenance services. The proposal from the current provider, Future Horizons, totaled \$25,469.28, Lake Doctors proposal totaled approximately \$35,000, and J&J Aquatics proposal totaled \$20,927.04.

Mr. Lisotta stated his preference for remaining with the current vendor as there are no complaints currently.

On MOTION by Mr. Lisotta, seconded by Mr. Cervelli, with all in favor, maintaining Future Horizons as the aquatic maintenance vendor was approved 5-0.

Mr. Smith asked if an inspection of the stormwater pipes has been considered.

Mr. Usina asked if a quote can be obtained to TV the drains.

SIXTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

SEVENTH ORDER OF BUSINESS

Supervisor Requests / Public Comment

Mr. Usina stated that there have been a couple of requests for trash cans at the bus stops at Enrede and Las Calinas, and Las Calinas and Glorietta.

There were no objections from the Board.

Mr. Handler asked that the request for the CDD to pay for fitness instructors to be added to the next month's agenda.

A resident asked for clarification on the position of the pool gate.

Ms. Gunia responded that the issue is patrons are propping the pool gate open. She noted the gate meets the requirements of the Health Department and Building Code.

Mr. Lisotta asked if the gate is required by the county.

Ms. Gunia responded that it is and the current hardware on the gate should be kept.

Mr. Lambert stated that he would look at the gate to see if a hinge needs to be added or replaced so that the gate will shut on its own.

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EIGHTH ORDER OF BUSINESS

Next Scheduled Meeting – Thursday, May 2, 2024 at 4:00 p.m. at the Fitness Center, 1865 N. Loop Parkway, St. Augustine, Florida 32095

NINTH ORDER OF BUSINESS

Adjournment

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

DocuSigned by:
Jim Oliver
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Secretary/Assistant Secretary

DocuSigned by:
Ron Cerretti
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Chairman/Vice Chairman