

**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, August 8, 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
Stephen Handler	Supervisor
Rob Lisotta	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
Dan Wright	Operations Manager, RMS
Mary Marchiano	Duval Landscape
Michael Woolridge	Duval Landscape

*The following is a summary of the discussions and actions taken at the August 8, 2024 Sweetwater Creek Community Development District's Regular Board of Supervisors meeting.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

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

**SECOND ORDER OF BUSINESS**

**Public Comment**

Bruce Branberg stated that the lap swimmers would like the Board to consider using the gate at the pool for exiting the pool and installing a new gate when the fence is updated. He has prepared a presentation for the Board.

August 8, 2024

Sweetwater Creek CDD

A resident stated that he is concerned that once you enter one entrance gate, you have access to all of Palencia.

Mr. Smith and Mr. Lisotta stated that the boards of the two CDDs are working together on the gate concerns.

**THIRD ORDER OF BUSINESS**

**Approval of the Consent Agenda**

**A. Minutes of the July 18, 2024 Board of Supervisors Meeting**

A copy of the minutes of the July 18 2024 meeting 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. 135**

A copy of requisition number 135 as included in the agenda package for the Board’s review.

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

**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. Duval is working on completing sod replacements, adding pine straw, adjusting the mowing schedule, and reviewing the irrigation system.

On MOTION by Mr. Usina, seconded by Mr. Smith, with all in favor, authorizing Supervisor Lisotta to be the liaison to work with Duval Landscape was approved 5-0.

August 8, 2024

Sweetwater Creek CDD

**B. District Engineer – Update on Onda Park Project**

Mr. Acree stated that he and Mr. Smith are on working on getting bids from general contractors for the Onda Park project and working on alternate options for the tract.

Mr. Smith stated that there were five tracts with which the deed transfer was not completed from Lennar to the District. If tract K can be sold, it is potentially worth \$750,000 to \$1.5 million and the District could use those funds for capital improvements and street maintenance in the future.

Mr. Acree will reach out to the county to see if it's feasible for the District to sell the tract and what zoning requirements would be necessary to modify tract K to allow for home sites to be developed, rather than it being a park.

Ms. Kilinski asked for direction from the Board on whether they want to move forward with also getting the due diligence cleaned up from Lennar for a fee of \$500 for an ownership and encumbrance report for the conveyances. She noted there would be some engineering fees and legal fees involved as well.

On MOTION by Mr. Handler, seconded by Mr. Lisotta, with all in favor, a fee of \$500 to complete the conveyance of the Lennar parcels was approved 5-0 and Mr. Acree was approved to submit a letter regarding the MPUD to the County.

**C. District Counsel**

Ms. Kilinski reminded the Board members that the required ethics training is due by December 31<sup>st</sup>.

**D. District Manager**

**1. Consideration of Designating a Regular Meeting Schedule for Fiscal Year 2025**

Mr. Oliver presented a proposed meeting schedule for fiscal year 2025 including meetings on the third Thursday of each month, except for January and July, which are scheduled for the second Thursday. He noted the month of October was erroneously left off the schedule, and that meeting will be held October 3, 2024.

August 8, 2024

Sweetwater Creek CDD

On MOTION by Mr. Lisotta, seconded by Mr. Smith, with all in favor, the meeting schedule for fiscal year 2025 was approved as presented 5-0.

**2. Consideration of Adopting Goals and Objectives for Fiscal Year 2025**

Mr. Oliver presented a memorandum from District Counsel outlining the new legislative requirement for special districts to adopt goals and objectives for each year and to report on whether the districts met those goals. A proposed reporting form was included in the agenda package for the Board’s review.

On MOTION by Mr. Lisotta, seconded by Mr. Cervelli, with all in favor, the performance measures / standards and annual reporting form was approved as presented 5-0.

**E. Field Manager - Report**

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

Mr. Cervelli asked if the dead and broken pine trees on Dosel should be replaced with saplings, or more mature trees. Mr. Wright added that the mature trees would cost \$6,500 total, or the saplings would cost \$3,500.

Mr. Lisotta motioned to replace the trees with mature pine trees. The motion died for lack of a second.

The Board’s consensus was to not replace the trees.

Mr. Usina asked for an update on the Rincon drainage issue.

Mr. Wright responded that he communicated with both homeowners, and both have stated they have not had issues recently.

Mr. Cervelli asked if an e-blast should be sent out to the residents regarding what is allowed in the easement areas behind the homes.

Mr. Lisotta stated that people have to be registered to receive the e-blasts so in the past, letters have been mailed to the homeowners.

**F. Director of Amenities**

August 8, 2024

Sweetwater Creek CDD

**1. Report**

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

**2. Estimates for Refinishing Hardwood Floors**

Two quotes for refinishing the hardwood floors in the fitness center totaling \$5,200 and \$5,500 were included in the agenda package for the Board’s review.

On MOTION by Mr. Lisotta, seconded by Mr. Smith, with all in favor, the quote from 210 Handyman Services, LLC totaling \$5,200 to refinish the hardwood floors was approved 5-0.

**3. Estimates for Bocce Ball Pavers and Landscaping**

No action was taken on this item.

**4. Estimates for Fencing**

Ms. Gunia stated that the quotes for fencing total \$15,000 to \$18,000, however the fire marshal has recently indicated the gate is not up to code, so an ADA smash bar will be needed, which will increase the quotes.

Mr. Lisotta asked what is happening to the decorative pillars.

Mr. Usina stated that there was a quote in a previous agenda package that showed the vinyl between the pillars.

This item was tabled to confirm the plan for the pillars.

*The Board took a brief recess at this time. The following items were taken upon reconvening.*

**FIFTH ORDER OF BUSINESS**

**Business Items**

**A. Discussion of Cost Share and Process for Approving Charges**

Mr. Cervelli questioned if a time limit can be put on the requests for cost share reimbursements.

Ms. Kilinski stated if Marshall Creek is agreeable, she does not believe there is anything in the bond indenture or bond covenants that prohibit the addition of a time limit.

August 8, 2024

Sweetwater Creek CDD

Mr. Cervelli then questioned if Sweetwater Creek has to pay the \$50,000 reimbursement request for 2023 expenses. He also stated that he would like to be involved in the process of approving the cost share expense requests.

The Board discussed adjusting the cost share agreement.

Ms. Kilinski stated that she will bring a redline version of the revised cost share agreement to the next meeting for the Board to review.

**B. Public Hearings for the Purpose of Adopting the Fiscal Year 2025 Budget and Imposing Special Assessments**

- 1. Public Hearing to Adopt the FY25 Budget; Consideration of Resolution 2024-04, Relating to Annual Appropriations and Adopting the Budget for Fiscal Year 2025**
- 2. Public Hearing to Impose Special Assessments for FY25; Consideration of Resolution 2024-05, Imposing Special Assessments and Certifying an Assessment Roll for Fiscal Year 2025**

On MOTION by Mr. Lisotta, seconded by Mr. Usina, with all in favor, the public hearing for the purpose of adopting the fiscal year 2025 budget and imposing special assessments for fiscal year 2025 was opened 5-0.

There being no comments from the members of the public, a motion to close the public hearing followed.

On MOTION by Mr. Lisotta, seconded by Mr. Smith, with all in favor, the public hearing for the purpose of adopting the fiscal year 2025 budget and imposing special assessments for fiscal year 2025 was closed 5-0.

On MOTION by Mr. Lisotta, seconded by Mr. Usina, with all in favor, Resolution 2024-04, relating to annual appropriations and adopting the budget for fiscal year 2025 was approved 5-0.

On MOTION by Mr. Lisotta, seconded by Mr. Cervelli, with all in favor, Resolution 2024-05, imposing special assessments and certifying an assessment roll for fiscal year 2025 was approved 5-0.

**C. Discussion of Resident Input on Onda Park Parking**

August 8, 2024

Sweetwater Creek CDD

This item was tabled.

**D. Discussion of Responsibilities for Sidewalks and Areas Between Sidewalks**

Mr. Smith reminded the Board that at the last meeting there was wording presented by the HOA that would need to be added to resolution to cover the District's indemnification for the North Palencia property.

Ms. Kilinski stated that she believes the amenity policies covers the District for any damage caused to District property as the policies and suspension rules currently provide that in the event of any damage of District property, the District has the right to take action by issuing a \$500 administrative fine, as well as prohibiting access to the amenity facilities. She also added that she does not recommend the CDD attempt to change ownership or maintenance responsibility because doing so at this point would result in a very difficult legal process. At the request of the Board, Ms. Kilinski took direction to review the plats and restrictive covenants for ownership and maintenance responsibilities in these areas.

**E. Discussion of Process for Duval Invoice Approval**

Mr. Cervelli stated that it seems like Duval is invoicing based on one major contracted monthly amount, rather than for the individual items that the amount is comprised of, so someone needs to review the bills to ensure the work they are billing for is actually getting done and that it's reasonable.

Mr. Lisotta stated that he would review the invoices since he's already working on landscaping matters with Mr. Wright.

**SIXTH ORDER OF BUSINESS**

**Other Business**

Mr. Lisotta stated that Marshall Creek requested the Sweetwater board come up with two or three items they would like to work on jointly first. The first he came up with is standardizing the gates.

Mr. Usina added pine straw.

Mr. Handler stated that he would volunteer to be the liaison for communicating with someone from the Marshall Creek board on these items.

Mr. Smith stated that he has spoken with Jodi on several topics along with web improvement, joint software for pickleball and tennis and IT infrastructure.

August 8, 2024

Sweetwater Creek CDD

Mr. Cervelli added joint communication.

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

Mr. Usina stated that the gate internet service should be a one-day repair, or they reimburse the District for any days in which service has been down.

Mr. Smith stated that he and Mr. Wright are looking at switching to AT&T fiber.

A resident asked what was decided for the area between the road and the sidewalk because there is a resident asking why the live oak trees aren't being trimmed on Torcido.

Mr. Lisotta asked District Counsel to review the HOA documents for maintenance responsibilities.

Mr. Wright stated that he would get pricing for what it would cost the District to trim the trees.

**EIGHTH ORDER OF BUSINESS**

**Next Scheduled Meeting – Thursday,  
September 5, 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. Lisotta, seconded by Mr. Usina, with all in favor, adjourning the meeting was approved 5-0.

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*Jim Oliver*  
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Secretary/Assistant Secretary

Signed by:  
*Ron Cervelli*  
77008D09A185429  
Chairman/Vice Chairman