

**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, September 5, 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
Mary Grace Henley <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
Joshua Boucher	Duval Landscape
Michael Woolridge	Duval Landscape

The following is a summary of the discussions and actions taken at the September 5, 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. Five Board members were physically present, constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment

Bruce Branberg asked the Board to remind staff to clean up the curbs on Rio Del Norte as the common areas and berms are cleaned up.

September 5, 2024

Sweetwater Creek CDD

DJ Sperling commended the landscape maintenance on mowing on the pond banks weekly, however the quality is still subpar, and the grass is being scalped. He also commented that the gates at Palencia North and Palencia South are not the same anymore.

THIRD ORDER OF BUSINESS

Approval of the Consent Agenda

A. Minutes of the July 30, 2024 Joint Workshop, August 5, 2024 Workshop, and August 8, 2024 Board of Supervisors Meeting

Copies of the minutes 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

Copies of requisitions 136 through 139 were included in the agenda package for the Board’s review.

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

FOURTH ORDER OF BUSINESS

Staff Reports

A. Landscape Team – Maintenance Report

Mr. Woolridge provided an overview of the items that have been completed and that are still in progress.

Mr. Usina asked for more detail to be included in the irrigation reports.

Mr. Wright stated that the sod that was installed in Phase 2 is in rough condition.

B. District Engineer – Update on Onda Park Project

Mr. Smith stated that three bids have come in so far for the Onda Park construction, with two more expected. So far, it’s looking like a basketball court will not be included as it’s pushing the project over budget. He anticipates presenting his recommendation at the next meeting.

September 5, 2024

Sweetwater Creek CDD

Mr. Usina asked what the status is on the ability to sell the land.

Mr. Smith responded that he is waiting on an answer from the county.

C. District Counsel

Ms. Kilinski stated that at the last meeting the Board had asked her to look into restrictive covenants as it relates to ownership of the sidewalks and street trees. The plats and the property appraiser's records reflect that where the CDD owns the roadway, it owns the entire right-of-way, which extends to the sidewalk. Additionally, she reported the county had disturbed some CDD property and made some impacts to the sidewalk and sod. There was an easement recorded in that area in 2007 between the county and the developer that allowed the developer to put in sidewalks and enhanced landscaping, but as a consideration for the county's utilities being under those areas, would require the developer or its successor to restore those areas at its cost. That does not prevent the CDD from asking for some considerations from the county.

Mr. Wright stated that he has contacted the county and is waiting to hear back on the sidewalk repair.

Mr. Usina asked what needs to be done with the Torcido trees.

Ms. Kilinski responded that the CDD has the right, but not the obligation, to prune the trees that are located on the vegetative rights-of-way between the sidewalk and the roadways. She suggested notifying the HOA if the tree is impacting the ability to safely pass on the sidewalk, or there are roots abutting the sidewalks. Anything between the road and the sidewalk is owned by the District.

Mr. Usina suggested considering adding the Torcido tree maintenance to the budget for next year.

Mr. Smith asked for an update on the five deeds for North Palencia properties from Lennar.

Ms. Kilinski responded that Lennar has been sent the deeds and O&E report and she is expecting them to send the signed deeds back to her. Before the property is taken on by the CDD, to the District Engineer will determine if there is anything that needs to be fixed for the District takes title to it.

D. District Manager

There being nothing to report, the next item followed.

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Sweetwater Creek CDD

E. Field Manager - Report

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

Mr. Wright presented a proposal for pine straw at the fitness center, as well as proposals that Duval believes will help with maintenance.

Mr. Lisotta stated that pine straw at the fitness center was previously discussed, however there was concern that it would end up in the pool. He suggested laying stone instead.

Mr. Wright stated that he would gather quotes for stone. Next, he presented a proposal for pine straw at the Enrede island.

Mr. Lisotta stated that it would impact the budget and asked to hold off.

Next, Mr. Wright presented a proposal to add pine straw on Pantano Vista Way.

Mr. Lisotta asked Mr. Wright to confirm if there is irrigation in that area and bring a quote back for sod if it is irrigated.

The Board reviewed the proposals for irrigation and made the following motion.

On MOTION by Mr. Lisotta, seconded by Mr. Smith, with all in favor, two proposals for irrigation improvements totaling \$13,600 were approved 5-0 with the funds to come out of the fiscal year 2025 budget.
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F. Director of Amenities

1. Report

A copy of the amenities report was included in the agenda package for the Board’s review. She also informed the Board the air conditioner requires a repair to the compressor; however, it will be covered under warranty. She also received an estimate to replace the air conditioner units for a total of \$175,000, and an estimate to replace the roof for a total of \$302,000 for future planning purposes.

Mr. Usina noted the draft capital reserve study will need to be updated to reflect a more accurate estimate for the air conditioner units.

2. Estimates for Fencing

Three quotes for fencing ranging from \$16,761 to \$31,700 were included in the agenda package for the Board’s review.

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Sweetwater Creek CDD

On MOTION by Mr. Handler, seconded by Mr. Smith, with all in favor, using Ergeon to replace the fencing with textured vinyl at an amount not to exceed \$17,000 was approved 5-0.

FIFTH ORDER OF BUSINESS

Discussion of Cost Share Agreement Revisions

Ms. Kilinski stated that based on the Board’s discussion at the last meeting, the proposed changes to the interlocal agreement with Marshall Creek limit the lookback period for reported cost-share items to the prior fiscal year. If the Sweetwater board approves the amendment, it will be sent to the Marshall Creek board for approval and will then need to be recorded with the county.

On MOTION by Mr. Smith, seconded by Mr. Lisotta, with all in favor, the proposed revisions to the interlocal agreement were approved 5-0.

SIXTH ORDER OF BUSINESS

Review of Draft Capital Reserve Study Report

Mr. Oliver presented the draft capital reserve study noting there is more review needed by staff with feedback to be provided to Reserve Advisors. Once a final report is available and approved by the Board in the next few months, some supplemental documents will be prepared by GMS to tie the capital reserve study into the cost share.

SEVENTH ORDER OF BUSINESS

Other Business

Mr. Cervelli presented a draft set of future goals and objectives and asked for the board members to come back to the next meeting with what goals they think should be set for the staff members and the Board can discuss what should be prioritized.

EIGHTH ORDER OF BUSINESS

Supervisor Requests / Public Comment

Mr. Usina asked for a status update on the designation of safety zones in the community.

Ms. Kilinski stated that in 2023 the Board approved having safety zone designations for parks and recreational areas that would prevent sexual offenders and predators from being able to enter those areas. The District sent the county a list of the parks, however St. Johns County asked that the District hold off until the county could update their ordinance regarding this matter. The ordinance has now passed, so the next step would be to submit a list of parks to get them designated as safety zones.

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Mr. Usina motioned to proceed with designating the previously identified areas as safety zones in accordance with the St. Johns County ordinance.

The Board discussed how the safety zone designations would be enforced, what common areas should be designated as safety zones, and coordinating with Marshall Creek for designation of the zones. There being no second, the previous motion failed

Mr. Usina motioned to identify, in conjunction with Marshall Creek, CDD parks within the District and any reasonable area kids could play and to designate them as safety zones in accordance with the St. Johns County ordinance.

There being no second, the motion failed.

Mr. Lisotta motioned to coordinate with Marshall Creek and to designate Ensenada Park as a safety zone

There being no second, the motion failed.

Mr. Cervelli suggested if another board member would like to designate another area as a safety zone, they should define it and bring it to the Board for further discussion.

Mr. Usina asked the Board to accept his resignation at the conclusion of the meeting, and to consider appointing Daniel Colin to the vacant seat at the beginning of the next board meeting.

A resident stated that there has been a dramatic improvement in landscaping.

Daniel Colin commented that more research has to be done regarding the safety zones, however it's a good start.

On MOTION by Mr. Lisotta, seconded by Mr. Smith, with all in favor, Charles Usina's resignation was accepted 5-0.

On MOTION by Mr. Lisotta, seconded by Mr. Cervelli, with all in favor, appointing Daniel Colin to Seat 3 was approved 5-0.

NINTH ORDER OF BUSINESS

Discussion of Security Matters

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Sweetwater Creek CDD

There was no action taken on this item.

TENTH ORDER OF BUSINESS

Board Action Regarding Security Matters

There was no action taken on this item.

ELEVENTH ORDER OF BUSINESS

Next Scheduled Meeting – Thursday, October 3, 2024 at 4:00 p.m. at the Fitness Center, 1865 N. Loop Parkway, St. Augustine, Florida 32095

TWELFTH ORDER OF BUSINESS

Adjournment

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

DocuSigned by:

Jim Oliver

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Secretary/Assistant Secretary

Signed by:

Ron Cervelli

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Chairman/Vice Chairman