

**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, January 9, 2025** 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
Dan Colin	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
Erin Gunia	Director of Amenities, RMS
Dan Wright	Operations Manager, RMS
Michael Woolridge	Duval Landscape

The following is a summary of the discussions and actions taken at the January 9, 2025 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 – FEMA Research and Report on the Boardwalk (Speaker – Terry Shaw)

Terry Shaw stated that FEMA has asked for documentation of permits that had to do with the Clean Water Act, Coastal Zone Management Act, and Executive Order 11990. The first appeal was answered by the engineer providing proof that the EO 11990 was followed. The other permits should have not been an issue, because according to the National Guard Environmental Protection

January 9, 2025

Sweetwater Creek CDD

Agency Act and Stafford Act, that say based upon some form of major damage, when the rebuild is based on the exact same footprint and in the exact same location, permits are not needed. Marshall Creek’s attorneys and engineers needed to simply send a response letter stating no permit was required, but they did not. A request is going to be sent to the office of the Inspector General asking why it wouldn’t be reviewed again, given that the request for a permit was inappropriate. He asked the District not to pay a penny to FEMA.

An attendee stated that his neighbor has asked for funding to upgrade the basketball goals in Ensenada Park to be able to adjust the height.

Mr. Lisotta stated that the challenge with that is the bigger kids will lower the height to dunk on the hoops, which wears the goals out quickly.

Frank Devlin stated that there has been an issue with young residents hassling other residents to the point where police have been called multiple times.

THIRD ORDER OF BUSINESS

Approval of the Consent Agenda

A. Minutes of the December 5, 2024 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. 144-146

Copies of requisition numbers 144 through 146 were included in the agenda package for the Board’s review.

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

FOURTH ORDER OF BUSINESS

Staff Reports

A. Landscape Team – Maintenance Report

January 9, 2025

Sweetwater Creek CDD

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

B. District Engineer

1. Acceptance of the 2024 Public Facilities Report

This item was tabled.

2. Update Regarding Land Use of Parcel Conveyed to CDD

This item was discussed under Other Business.

3. Update on Progress on the DIM and DRI Closeout with the County.

This item was discussed under Other Business.

C. District Counsel

Dr. Handler asked if there has been a response from Marshall Creek on the proposed changes to the interlocal agreement.

Ms. Kilinski responded that she expects some changes to be requested, however they have not heard back from Marshall Creek yet.

D. District Manager

1. Financial Update

Mr. Oliver updated the Board on the current financial status of the District.

2. Discussion of Preliminary Cost Share True-Up Invoice

Mr. Oliver informed the Board that GMS and Vesta are working together on the cost share items, and GMS has sent a preliminary true-up invoice to Vesta for review. At this time, it is estimated Marshall Creek will owe Sweetwater Creek between \$125,000 and \$144,000.

Next, Mr. Oliver reported the capital reserve study is still being fine-tuned.

E. Field Manager

1. Report

January 9, 2025

Sweetwater Creek CDD

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

2. Proposals for Palm Tree Trimming

Mr. Wright presented three quotes for trimming the palm trees with two totaling \$6,040 and the third totaling \$5,480.

On MOTION by Mr. Lisotta, seconded by Mr. Smith, with all in favor, the quote from Taylor Tree Services totaling \$5,480 was approved 5-0.

F. Director of Amenities

1. Report

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

2. Quote for Shades Structures

Ms. Gunia presented a quote from BYO for shade structures totaling \$65,000 for the Ensenada and La Palma playgrounds.

Mr. Smith recommended proceeding with BYO as he's worked with them in the past and they have great references.

Mr. Cervelli asked that Ms. Gunia get more details on the lifetime warranty for the steel.

On MOTION by Mr. Smith, seconded by Mr. Colin, with all in favor, the quote from BYO for playground equipment and shade structures was approved 5-0.

3. Quote for Miniature Golf Course Turf

Ms. Gunia presented quotes for replacing the turf on the miniature golf course.

On MOTION by Mr. Colin, seconded by Dr. Handler, with all in favor, the quote from JD Goals, Inc. totaling \$12,406 was approved 5-0.

January 9, 2025

Sweetwater Creek CDD

There’s currently no provision in the District’s rules for towing. He asked if the Board wants to develop a parking policy.

Dr. Handler and Mr. Lisotta stated that there have been previous discussions on parking and signage and who will monitor for violations became an issue. Mr. Cervelli stated that he has no interest in towing vehicles.

The Board took no action on this item.

EIGHTH ORDER OF BUSINESS Other Business

Dr. Handler asked for an update on the engineer’s items.

Mr. Smith stated that the engineer will be speaking with the county’s architectural board and will move forward with filing for a major DIM modification to subdivide the three acres of property. The cost for moving forward with the modification is estimated at \$25,000 to \$30,000.

Mr. Lisotta questioned where those funds would come from.

Ms. Kilinski stated that she would consult with bond counsel to confirm whether bond funds could be used.

Mr. Colin stated that IRS rules pertaining to the tax-exempt bonds prevent the District from privatizing the roads and gates. There is the option of turning the bonds into taxable bonds. He suggested reaching out to the underwriter to research what it would cost to reissue the bonds as taxable bonds, and if it sounds reasonable, it could be presented to the Marshall Creek board.

There were no objections from the Board on staff reaching out to the underwriter.

NINTH ORDER OF BUSINESS Supervisor Requests / Public Comment

An attendee asked if the CDD has any jurisdiction over e-bike use.

Mr. Lisotta responded that the CDD does not have any enforcement capability and is tied to the legislature’s hands and can only refer folks to law enforcement.

Ms. Kilinski stated that if there are routine concerns surrounding e-bikes, she can develop a plan and come back to the Board for a recommendation.

**TENTH ORDER OF BUSINESS Next Scheduled Meeting – Thursday,
February 6, 2025 at 4:00 p.m. at the Fitness
Center, 1865 N. Loop Parkway, St. Augustine,
Florida 32095**

January 9, 2025

Sweetwater Creek CDD

ELEVENTH ORDER OF BUSINESS

Adjournment

The meeting was adjourned at approximately 5:24 p.m.

DocuSigned by:

Jim Oliver

D1B45E5E7410418...

Secretary/Assistant Secretary

Signed by:

Ron Cervelli

77008D09A135429...

Chairman/Vice Chairman