

**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, May 1, 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

Also present were:

Matt Biagetti	District Manager, GMS
Mike Silverstein <i>by Zoom</i>	District Engineer, Matthews DCCM
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

The following is a summary of the discussions and actions taken at the May 1, 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. Three Board members were physically present, constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment

James Crossfield stated that he bought a lot on Rio Del Norte in 2015 and at that time he specifically asked what he could expect in terms of CDD fees and whether it was based on lot size. He received an email back from the CDD stating that all the lots on Rio Del Norte were treated equally as far as the CDD fee was concerned. That was not the case, and he found that his CDD fee was considerably higher than he anticipated and higher than not only everyone else on the street, but higher than everyone else in the District.

Bruce Brandenburg provided a check to Mr. Wright for construction of some irrigation.

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Michael Barber stated that he thinks the survey regarding the modification of Tract K as it is constructed now is lacking information for the rest of the community. In his opinion, it is very one-sided and only speaks to one single benefit with regards to providing funds for the capital reserves. The objections that have been raised over multiple months are not included. If the rest of the community's input is going to be requested, they need to know what is going on.

THIRD ORDER OF BUSINESS**Approval of the Consent Agenda****A. Minutes**

- 1. April 3, 2025 Audit Committee Meeting**
- 2. April 3, 2025 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 Registers

- 1. March**
- 2. April**

Copies of the check registers was included in the agenda package for the Board's review.

Mr. Cervelli stated that he saw a finance charge was paid to LocaliQ and there was an invoice showing as past due by 60 days. He asked if there is an issue with LocaliQ or if there is something holding up payments.

Mr. Oliver responded that GMS has already coordinated a credit from LocaliQ for the finance charge. There is always a lag in LocaliQ's invoices, so it is a system problem that they have that affects multiple districts.

D. Ratification of Requisition Nos. 155 and 156

On MOTION by Dr. Handler, seconded by Mr. Smith, with all in favor, the consent agenda was approved 3-0.

FOURTH ORDER OF BUSINESS**Staff Reports****A. Landscape Team – Maintenance Report**

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Mr. Woolridge provided an overview of the items that have been completed and that are still in progress. He noted Supervisor Lisotta has asked to push the mowing schedule a bit to let the fertilizer flush out more, so the community may notice the grass being a bit longer than it has been. He will ask if that should continue for the next week. The winter rye at the roundabout is dying off, so he will have a conversation with Mr. Wright and Supervisor Lisotta regarding what the next steps are. Privado Park was top dressed and seeded. Flowers have been ordered for the front entrance as it was missed previously.

Mr. Wright provided an overview of proposals for installation of a new irrigation well and/or pump. East Coast Wells proposed \$19,180 for just the well, or \$22,080 for the well and pump. Duval proposed \$57,185. He clarified that the main difference in the two quotes is that Duval will be digging 500-feet to install the well, whereas East Coast will be digging 320-feet.

Mr. [REDACTED] stated that there is a well on Las Calinas near the lift station that East Coast installed that was redone last year and is already sitting on a sand separator because it was only dug to 320-feet.

Mr. Smith stated that the second water table is at 300-feet, so 320-feet is a very common drilling area for water. He's not sure why it would be necessary to pay for another 200-feet of drilling. He suggested asking East Coast to drill another 30-to-40-feet.

Mr. Wright will bring a revised quote back to the Board from East Coast Wells.

B. District Engineer

Mr. Silverstein stated his firm was called out for multiple concerns, one being a safety concern with the inlets at the island at Dosel Lane. He has provided his suggestions to Mr. Wright to satisfy that concern that are relatively low cost and should be able to be handled by the maintenance staff.

Mr. Wright stated that it has already been taken care of.

Next, Mr. Silverstein stated that there were concerns about the drainage system functionality. He has reached out to St. Johns County and obtained the as built plans for the entire community. Next, he informed the Board that 202 Rincon Drive expressed some concerns with flooding along their property line. It appears that the downspouts and gutters the homeowner has on the house discharging on the rear lot line is causing water to get trapped along the fence. The design plans show that the lots are supposed to grade from the back to the front down the swale

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line and it looks as if the lot breaks towards the back property line from the back of the home, so the water coming off the roof has no place to go. He offered to do a quick as built survey of the lot lines to see if it can be corrected with some grading work, however ultimately it would be a homeowner issue, and the correction would be to redirect the down spouts at least in front of the PVC fence so it catches the swale along the property lines and runs toward Rincon. Lastly, Mr. Silverstein stated that his firm can provide a proposal to do a drainage assessment report if the Board has concerns with the District's drainage system.

Mr. Cervelli indicated he'd like a proposal put together for the drainage assessment.

C. District Counsel

1. Hourly Rates for Fiscal Year 2026

Ms. Kilinski presented a letter outlining her firm's rate increases for the next two years.

Mr. Lisotta reminded the Board that GMS's rate increase was deferred for this year.

On MOTION by Dr. Handler, seconded by Mr. Cervelli, with three in favor and Mr. Lisotta opposed, the rate increases were approved as proposed 3-1.

2. Mark Kaprellian

Ms. Kilinski stated that at the last meeting there were some questions about the history of assessment imposition, particularly for the home located at 717 Rio Del Norte. From their research, their conclusion is the District appropriately mailed and published notices of every assessment increase that has been done since 2017 and that is as far back as they went. There were some changes in the assessment structure, but all of those were also noticed as required by law. She did not see any irregularities for the Board to be concerned about.

Dr. Handler stated that Mark Kaprellian has requested to meet over Zoom to go over the information District Counsel has found.

Mark Kaprellian stated that 2015 is when the McCann lots were changed from 64 to 84-feet, which resulted in an increase in the O&M rate from \$1,500 to \$3,500.

Ms. Kilinski explained that the analysis for assessments that secure the District's annual budget is on a year-to-year basis, so if the District is going to change the amounts upwards, or the way the district applies the benefit, such as in 2017 when the ERU change happened that split the

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marsh lots out, it has to do a mailed and published notice, which it did. Under the law, the assessment allocation could be changed every year as long as the requirements to do so are met, the findings are not arbitrary, and it's being based on a benefit allocation. There is no way to bind the District to a commitment from 15 to 20 years ago on a maximum assessment level. The builder could have made a statement, but that does not bind the District.

Mr. Cervelli offered to speak further with Mr. Kaprellian after the meeting.

D. District Manager

1. Update on Cost Share True-Up

Mr. Oliver stated Marshall Creek is awaiting their fiscal year 2024 audit so that they can verify certain numbers related to the cost share. Once GMS receives the feedback from Marshall Creek, they will verify their numbers.

2. Financial Update

Mr. Oliver reported that the capital reserve balance is at \$411,00 and another \$100,000 will be added to that balance later this year. There is \$1,444,000 in the unassigned fund, which are the assessments that has been received from the tax collector. The assessments are currently 99.4% collected. Tax certificate sales will be completed after May 31st, and at that point the assessments will be fully collected. Mr. Oliver also gave an overview of the capital reserve study, noting it does not include resurfacing of the roads. The 2025 capital reserve study recommends putting aside \$315,000 this year for the capital reserve fund. The capital project fund balance is currently at \$221,536. Lastly, Mr. Oliver reminded the Board there is a workshop to discuss the fiscal year 2026 budget scheduled for May 14th. The budget is scheduled to be approved at the June 5th meeting and adopted at the August meeting.

3. Report on the Number of Registered Voters (1,595)

A letter from the St. Johns County elections office stating that were 1,595 registered voters residing within the District as of April 15th was included in the agenda package for the Board's review. No action was needed on this item.

E. Field Manager

1. Report

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A copy of the field operations report was included in the agenda package for the Board's review. Mr. Wright asked the Board about their desired approach to trip hazards with the sidewalks. Marshall Creek's policy is anything under a quarter inch is grinded and anything over a half inch would be replaced.

Mr. Cervelli suggested following the same policy as Marshall Creek.

Mr. Smith stated that he and Mr. Wright have been discussing the Envera video system, which extremely security sensitive. There have been several gate crashes recently, so Mr. Smith suggested setting a policy for how the District will respond to the incidents. He suggested mailing warning letters to homeowners, and if there is second incident, there needs to be some sort of enforcement.

Mr. Cervelli asked that an e-blast be drafted to inform residents of the implementation of a policy regarding gate damage and be brought to the Board at the next meeting for approval.

2. Consideration of Proposals for a Deep Well

This item was discussed under the landscape report.

F. Director of Amenities – Report

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

Ms. Gunia reported that the mini golf repair should be completed next week. She requested estimates for turf for the dog park and area next to the fitness center. One estimate has come back so far at \$37,000. The estimate for turf in the area in which bocce ball has been proposed came in at almost \$28,000. She is awaiting a few more quotes for turf. Additionally, Best Fence's estimate to expand the fence was over \$1,000. She's awaiting a quote for the small dog portion to keep dogs from sliding through. She may be submitting additional ideas to use the funds still available from the refinance.

The Board took a five-minute recess at this time. Upon reconvening, the following discussions and actions were taken.

FIFTH ORDER OF BUSINESS

Consideration of Survey for the PUD Modification

There being no comments or revisions from the Board, the survey will be sent out to the Sweetwater Creek residents by email as it was presented.

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SIXTH ORDER OF BUSINESS**Consideration of Issuing an RFP for Amenity & Operations Management Services and/or District Management Services and/or Financial Compliance and Accounting Support Services**

Mr. Lisotta stated that the Board previously discussed giving RMS a period of time to correct any issues. He asked if they are still being given that opportunity.

Mr. Cervelli responded that RMS should continue to make any changes they see fit in operations and/or policy, but that should not stop the board from getting informal quotes.

On MOTION by Dr. Handler, seconded by Mr. Smith, with three in favor and Mr. Lisotta opposed, issuing a request for proposals with the documents as presented was approved 3-1.

SEVENTH ORDER OF BUSINESS**Consideration of Revisions to Amenity Policies**

This item was discussed under the amenity director's report.

EIGHTH ORDER OF BUSINESS**Update Regarding Capital Reserve Study**

Mr. Oliver presented the Board with the capital reserve study prepared by Reserve Advisors that is based on a 30-year outlook. The idea is to provide an estimate for how much money should be put aside each year for expenditures anticipated over the next 30-years.

NINTH ORDER OF BUSINESS**Discussion of the Fiscal Year 2026 Budget**

This item was covered under the District Manager's Report.

TENTH ORDER OF BUSINESS**Other Business**

There being none, the next item followed.

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

Barney Holmes commented on a written warning he received for not using his access card, stating that in the ten years he's been a resident there have been many variations of what is and isn't acceptable. At one stage he had a card on file and that was acceptable. There is no mention in the policies as to backup procedures and over the last ten years it's never been an issue to walk up to the front desk and have someone look up your profile. On this particular day, he was asked why he doesn't have his access card. He provided his opinion, and his opinion was not appreciated

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and the conversation escalated. In reviewing the policies, he sees they state you must have your access card, but they do not reference alternative means. He also commented that if the policy is going to be enforced, it needs to be enforced equally from all residents, which is not the case. He asked for the written warning to be rescinded.

Bruce Brandenburg commented on the need to check for broken sprinklers.

Darlene Ewing questioned why all the residents have to pay for the dog parks and asked if there can be an amendment for owners who need and want the dog parks.

Mr. Lisotta responded that the bond debt funds that are being used to purchase it all must be used for amenity improvements. The Board tries to use surveys to guide its decisions, but it should not expect that every resident agree.

Michael Barber asked for confirmation if the survey presented earlier in the meeting will be sent out as presented.

Mr. Cervelli responded yes.

Michael Barber stated that the board has been preaching how important it is to get all of the information. He asked why that same level of information is not being provided with regards to the survey for the modification of Tract K. Only one benefit is being listed for the project and the objections are not being taken into account.

Dr. Handler stated that the board has had good results from the surveys historically.

Michael Barber stated that his issue is with the first paragraph or two prior to the questions and what information is being provided to the community, because for a lot of people this is going to be the first time they're hearing about this project.

Mr. Cervelli stated that a lot of this was posted on the Palencia neighborhood page, however that was not providing a complete picture of what was going on.

Michael Barber asked Supervisor Smith to resign.

Mr. Cervelli stated that the decision to make a change or not make a change to Tract K will be based on all of the information the Board receives, and the survey will be a piece of it.

TWELFTH ORDER OF BUSINESS

Next Scheduled Meetings – Budget Workshop on Thursday, May 14, 2025 at 4:00 p.m.; Next Regular Board Meeting Scheduled for Thursday, June 5, 2025 at 4:00 p.m. at the


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**Fitness Center, 1865 N. Loop Parkway, St.
Augustine, Florida 32095**

THIRTEENTH ORDER OF BUSINESS Adjournment

The meeting was adjourned at approximately 5:45 p.m.

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Secretary/Assistant Secretary

Signed by:

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Chairman/Vice Chairman