

**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, July 10, 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 |
| Rob Lisotta     | Supervisor    |
| Dan Colin       | Supervisor    |
| Stephen Handler | Supervisor    |

Also present were:

|                                 |                                  |
|---------------------------------|----------------------------------|
| Jim Oliver                      | District Manager, GMS            |
| Mike Silverstein <i>by Zoom</i> | District Engineer, Matthews DCCM |
| Mary Grace Henley               | District Counsel, KVV            |
| Meredith Hammock <i>by Zoom</i> | District Counsel, KVV            |
| Erin Gunia                      | Director of Amenities, RMS       |
| Rich Gray                       | Director of Operations, RMS      |
| Howard McGaffney                | FCS Management Group             |
| Michael Woolridge               | Duval Landscape                  |

*The following is a summary of the discussions and actions taken at the July 10, 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**

There being no comments, the next item followed.

**THIRD ORDER OF BUSINESS**

**Approval of the Consent Agenda**

**A. Minutes**

**1. May 1, 2025 Meeting**

**2. June 5, 2025 Meeting**

Copies of the minutes were included in the agenda package for the Board's review.

Mr. Smith provided two corrections, which will be included in the final version.

**B. Financial Statements**

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

**C. Check Registers**

**1. May**

**2. June**

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

**D. Ratification of Requisition Nos. 161-167**

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

**FOURTH ORDER OF BUSINESS**

**Staff Reports**

**A. Landscape Team – Maintenance Report**

Mr. Woolridge reported that there is an issue with the pump at the back entrance of the neighborhood that he is investigating.

**B. District Engineer**

- 1. Consideration of Proposal for an As-Built Survey of the Rincon Property Line Swales**
- 2. Consideration of Proposal for a Partial Drainage Assessment Regarding Pond Perimeters, Control Structures, and Outfalls**
- 3. Consideration of Proposal for a Full Drainage Assessment and Report for Rincon Drive**

Mr. Silverstein provided an overview of the three proposals. The first proposal is to create a topographic survey of 202 Rincon Drive due to ongoing issues to either prove or disprove that the property is graded properly and whether the modifications to the nearby backyard have caused the drainage issues. Mr. Smith stated he believes the homeowner has incurred this problem and he does not want to spend any more money at this time unless the homeowner wants to get a survey done to prove that he is in compliance with the original swale on the original survey.

The Board's consensus was that all three proposals are unnecessary at this point. This matter was tabled.

**C. District Counsel**

Ms. Henley reported that her office has had individual conversations with each board member regarding a resident's monetary demand and assessment challenge. It was her understanding that each of the supervisors were not interested in accepting that demand and confirmed her office will not respond to or accept the demand

Next, she reported that the District Engineer has advised the PUD modification will be filed with the county this week and the project is still within budget.

**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, the District Manager will verify their numbers.

**2. Financial Update**

Mr. Oliver reported that the capital reserve balance is at \$513,000. There is \$1,112,000 in the unassigned fund, which are the assessments that have been received from the tax collector. A minimum of \$149,000 could be transferred to capital reserves.

**E. Field Manager – Report**

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

**F. Director of Amenities**

**1. Report**

A copy of the amenities report was included in the agenda package for the Board's review. Ms. Gunia also reported that due to the depth of the footers for the shade structures at La Palma, some of the mulch needs to be replaced. Next, Ms. Gunia presented an estimate for lighting at the roundabout totaling \$7,735.

On MOTION by Mr. Lisotta, seconded by Mr. Smith, with all in favor, installing lighting at the roundabout for a total of \$7,735 was approved 5-0.

Lastly, Ms. Gunia informed the Board that an Antolin Way resident has requested access use of a CDD easement to construct a pool. Ms. Henley noted an agreement could be drafted for use of the District's property to complete the project. There were no objections from the Board.

Mr. Lisotta asked the Board to consider approving a quote from Duval Landscape in which the cost of sod would be split between Duval and the District for a total of \$4,350.

On MOTION by Mr. Lisotta, seconded by Mr. Smith, with all in favor, the proposal from Duval Landscape totaling \$4,350 to replace dead sod was approved 5-0.

Estimates for adding turf to the pool area, Ensenada dog park, round-a-bout, and Privado Park were provided to the board. Mr. Lisotta recommending adding turf to Privado Park and the Ensenada dog park using money from the remaining bond funds.

On MOTION by Mr. Lisotta, seconded by Mr. Smith, with all in favor, adding turf to Privado Park to be installed by SportzTurf at an amount not to exceed \$60,000 was approved 5-0.

## **2. Roof Quotes**

No discussion was had on this item.

## **3. Proposal for Golf Cart Parking**

No discussion was had on this item.

## **FIFTH ORDER OF BUSINESS**

### **Ratification of the Engagement Letter with McDermitt Davis for the Fiscal Year 2024 Audit**

A copy of the engagement letter was included in the agenda package for the Board's review. Mr. Oliver noted the audit fee for fiscal year 2024 was \$3,800 as budgeted.

On MOTION by Mr. Cervelli, seconded by Mr. Smith, with all in favor, the engagement letter with McDirmit Davis for fiscal year 2024 audit services was ratified 5-0.

**SIXTH ORDER OF BUSINESS**

**Acceptance of the Fiscal Year 2024 Audit**

Mr. Oliver presented the audit report, noting there were no deficiencies in internal control or material weaknesses to report.

On MOTION by Mr. Smith, seconded by Mr. Cervelli, with all in favor, the fiscal year 2024 audit report was accepted 5-0.

**SEVENTH ORDER OF BUSINESS**

**Discussion of the Fiscal Year 2026 Budget**

Mr. Oliver noted the budget included in the agenda package does not reflect the results of the recent request for proposals for management services. He also stated that the mailed notices to the homeowners were sent on Friday. There being no further changes to the budget requested, the next item followed.

**EIGHTH ORDER OF BUSINESS**

**Discussion and Decision Regarding a District Operational Vehicle / UTV / Trailer / Pressure Washer**

Mr. Cervelli stated that only one vehicle is needed as the janitorial and field staff work different shifts. Ms. Gunia recommended a truck instead of a golf cart.

On MOTION by Mr. Colin, seconded by Mr. Smith, with all in favor, purchasing a Ford F-150 was approved 5-0.

Next, the Board discussed purchasing a pressure washer and trailer for a total of \$9,000.

On MOTION by Mr. Colin, seconded by Mr. Handler, with four in favor and Mr. Lisotta opposed, purchasing a pressure washer and trailer was approved 4-1.

Next, the Board discussed what to use the remaining bond funds for, including a bocce ball court with artificial turf, and adding artificial turf to the Ensenada dog park.

On MOTION by Mr. Lisotta, seconded by Mr. Smith, with all in favor, artificial turf for the Ensenada dog park at amount not to exceed \$50,000 to be installed by SportzTurf was approved 5-0.

On MOTION by Mr. Smith, seconded by Mr. Colin, with all in favor, artificial turf and other elements for the bocce ball court for a total of \$32,000 was approved 5-0.

The board took a brief recess at this time. Upon reconvening, the following discussions and actions were taken.

#### **NINTH ORDER OF BUSINESS**

#### **Discussion of Gate Security and Response; Consideration of Form Letters to Residents and Nonresidents for Property Damage**

Ms. Henley stated that this item came up because there was a discussion about how to handle when people strike the gates specifically, but also when people damage any District property. The letters enclosed in the agenda package are warning letters for first offenses. Repeated offenses would be brought to the Board for any further actions needed. Mr. Colin stated that the form letter as presented is fine for accidental damage, but if for intentional damage, there should be an automatic \$250 fine, plus cost of damages. Ms. Henley stated that CDDs do not have the authority to fine, however the offender can be charged for administrative reimbursement and property damage reimbursement in the amount of any repairs needed. Ms. Hammock added that CDDs are not authorized to issue fines under Chapter 190, *Florida Statutes*.

On MOTION by Mr. Smith, seconded by Mr. Colin, with all in favor, the form letters to residents and nonresidents for property damage were approved in substantial form 5-0.

#### **TENTH ORDER OF BUSINESS**

#### **Consideration of Resolution 2025-05, Classifying Surplus Tangible Property and Authorizing Disposition**

Ms. Henley stated that the purpose of this resolution is to declare the old stair climber as surplus property, as required by Florida Statutes.

On MOTION by Mr. Smith, seconded by Mr. Lisotta, with all in favor, Resolution 2025-05, classifying the old stair climber as

surplus tangible property with a value less than \$5,000 and authorizing its disposal was approved 5-0.

**ELEVENTH ORDER OF BUSINESS****Consideration of Amenity Policy Changes,  
Resolution 2025-06**

The redline policies showing the changes being proposed to the current policies were included in the agenda package for the Board's review.

Mr. Lisotta questioned the prohibition of swim lessons and the requirement to coordinate the lessons with the Director of Amenities as it puts the staff member in a precarious position. He suggested prohibiting swim lessons altogether.

Ms. Henley stated that she would make that change. Mr. Lisotta asked Ms. Gunia to communicate the change in policy to the residents.

On MOTION by Mr. Smith, seconded by Mr. Colin, with all in favor, Resolution 2025-06, amending the amenity policies, was approved as revised 5-0.

**TWELFTH ORDER OF BUSINESS****Discussion of Swim Lessons**

This topic was covered under item XI.

**THIRTEENTH ORDER OF BUSINESS****Consideration of Swim Team License  
Agreement**

Ms. Henley informed the Board that the swim team does not currently have a license agreement in place. The agreement does not change how the swim team is operating, it just memorializes the use of the facility in writing and allows the Board to review and approve the terms on the record. She noted the team pays the District \$150 per non-resident team member and they are not allowed to have more than 25% of the roster be non-residents.

On MOTION by Mr. Colin, seconded by Mr. Handler, with all in favor, the license agreement with the swim team was approved 5-0.

**FOURTEENTH ORDER OF BUSINESS****Consideration of Resolution 2025-07,  
Designating Officers**

Ms. Henley stated that the purpose of this resolution is to re-designate the officers with Supervisor Smith having stepped down as the Vice Chair at the last meeting.

Mr. Smith indicated he was in favor of keeping his position as Vice Chair.

On MOTION by Mr. Colin, seconded by Mr. Handler, with all in favor, Resolution 2025-07, designating officers with the slate to remain the same was approved 5-0.

**FIFTEENTH ORDER OF BUSINESS**

**Consideration of Resolutions Relating to  
Transition of District Management Firm**

**A. Resolution 2025-08, Appointing and Removing Officers as of July 29<sup>th</sup>**

Ms. Henley stated that the purpose of this resolution is to add Vesta and FCS staff as Secretary and Treasurer to allow them to sign resolutions and other documents, and issue payment to vendors.

**B. Resolution 2025-09, Designating Signatories of the Bank Accounts as of July 29<sup>th</sup>**

Ms. Henley stated that the employees being designated as officers, are also being designated as bank account signatories to enable them to issue payments.

**C. Resolution 2025-10, Designating the Primary Administrative Office and Principal Headquarters of the District; Designating the Local District Records Office**

Ms. Henley stated by law, the District has to have all of these things on file. Typically, the administrative office and principal headquarters is the management office and the local records office will be the fitness center.

**D. Resolution 2025-11, Designating the Dissemination Agent**

Ms. Henley stated that the dissemination agent is a requirement of the bond documents.

On MOTION by Mr. Smith, seconded by Mr. Colin, with all in favor, Resolutions 2025-08 through 2025-11 were approved as presented 5-0.

**SIXTEENTH ORDER OF BUSIENSS**

**Discussion of Full-Time vs. Part-Time  
Maintenance Technician / CPO**

Mr. Cervelli stated that the Board needs to determine whether they would like to go from three days per week of maintenance to 40 hours per week of maintenance. He asked if the Board



wanted to change to 32 hours for some weeks if that would be allowable under the contract. Mr. McGaffney stated that the District will only be billed for the hours the staff member works.

On MOTION by Mr. Colin, seconded by Mr. Handler, with all in favor, increasing the maintenance technician / CPO's hours to 40 per week was approved 5-0.

**SEVENTEENTH ORDER OF BUSINESS      Discussion of Scheduling a Workshop in July**

Mr. Cervelli stated that there are still some financial matters that need to be discussed, which would be the purpose of the workshop. If there is a consensus at the workshop, a motion to approve the matters can be taken at the August meeting.

The workshop was scheduled for July 24, 2025 at 4:00 p.m.

**EIGHTEENTH ORDER OF BUSINESS      Acceptance of the Audit Committee's  
Recommendation**

Mr. Oliver reminded the Board that the audit committee met earlier and selected McDirmit Davis as the auditor.

On MOTION by Mr. Lisotta, seconded by Mr. Smith, with all in favor, accepting the audit committee's recommendation to select McDirmit Davis as the audit firm was approved 5-0.

**NINETEENTH ORDER OF BUSINESS      Discussion of AT&T Contract and Conversion  
from Comcast for Palencia**

Mr. Smith informed the Board that he has been working with Marshall Creek to transfer all services currently under contract with Comcast, to AT&T under a three-year contract for \$2,500 per month. Ms. Henley added that currently Marshall Creek will hold the contract with AT&T and Sweetwater will not be a party under the contract. She recommended authorizing District Counsel and Supervisor Smith to work with Marshall Creek's counsel on a cost share agreement or memorandum of understanding, something in writing that will protect the District in the event the AT&T agreement with Marshall Creek is terminated.

On MOTION by Mr. Smith, seconded by Mr. Lisotta, with all in favor, authorizing District Counsel and Supervisor Smith to work

with Marshall Creek's counsel on the transition to AT&T was approved 5-0.

**TWENTIETH ORDER OF BUSINESS****Other Business**

Mr. Lisotta asked what the status is on the PUD modification for Tract K.

Ms. Henley responded that the District Engineer has all of the paperwork prepared to submit to the county and they are planning on doing that this week. She also clarified that in February the District Engineer submitted a proposal for walking the District through the PUD modification process and there was a motion with four in favor to proceed with the proposal.

Mr. Cervelli stated that he will not be making a decision until he has information to look at. He recommended waiting until the county makes their decision before the Board reviews further information and decides how to proceed with the PUD modification.

**TWENTY-FIRST ORDER OF BUSINESS****Supervisor Requests / Public Comment**


There being none, the next item followed.

**TWENTY-SECOND ORDER OF BUSINESS**

**Next Scheduled Meetings – Thursday,  
August 7, 2025 at 4:00 p.m. at the Fitness  
Center, 1865 N. Loop Parkway, St.  
Augustine, Florida 32095**

**TWENTY-THIRD ORDER OF BUSINESS****Adjournment**

The meeting was adjourned at approximately 5:50 p.m.

  
Mac McGaffney (Aug 14, 2025 08:06:51 EDT)  
Secretary/Assistant Secretary  
12/08/25

  
Chairman Cervelli (Aug 12, 2025 19:21:53 EDT)  
Chairman/Vice Chairman  
12/08/25