

FLOW WAY COMMUNITY DEVELOPMENT DISTRICT



MEETING AGENDA

JANUARY 19, 2023

PREPARED BY:

JPWARD & ASSOCIATES, LLC, 2301 NORTHEAST 37TH STREET, FORT LAUDERDALE, FL 33308

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FLOW WAY COMMUNITY DEVELOPMENT DISTRICT

January 12, 2023

Board of Supervisors
Flow Way Community Development District

Dear Board Members:

The Regular Meeting of the Board of Supervisors of the Flow Way Community Development District (the “**District**”) will be held on **Thursday, January 19, 2023, at 1:00 P.M.** at the **Esplanade Golf and Country Club, 8910 Torre Vista Lane, Naples, FL 34119.**

The following WebEx link and telephone number are provided to join/watch the meeting.
<https://districts.webex.com/districts/j.php?MTID=m41318cefe10d792dd5951e92e7e3c8f0>

Access Code: **2342 267 6655**, Event password: **Jpward**

Phone: **408-418-9388** and enter the access code **2342 267 6655** to join the meeting.

Agenda

1. Call to Order & Roll Call.
2. Public Comments for non-agenda items. These are limited to three (3) minutes and individuals are permitted to speak on items on the agenda and will be announced by the chairperson.
3. Consideration of Minutes:
 - I. December 15, 2022 – Regular Meeting. [Page 6]
4. Consideration of Audited Financial Statements for Fiscal Year 2022, which ended September 30, 2022. [Page 22]

5. **Executive Session of the Board of Supervisor’s (Closed to the Public) – Estimated time for Session is One (1) hour, after which the Board of Supervisor’s will open the Regular Meeting and take up any actions that may be needed from the Executive Session.**

The sole purpose of the executive attorney/client session is to discuss a settlement proposal relative to the Flow Way Community Development District’s lawsuit, File Number: 20-CA-4147, and related appeal.

The executive session is expected to last approximately one (1) hour. At the conclusion of the executive session the Board of Supervisors will go back into Regular Session to conduct the balance of the regular agenda items.

The attending parties shall be the following members of the Board of Supervisors, Zack Stamp, Ron Miller, Tom Kleck, Martinn Winters, Bart Bhatla: District Attorney Greg Woods and Jessica Tolin, District Manager James Ward.

The entire session shall be recorded by a certified court reporter and the transcript shall be filed with the District Attorney and shall remain sealed until the lawsuit has concluded.

At the close of the executive session the Board will reopen the meeting for any additional items to be considered by the Board of Supervisors.

6. Supervisor's Requests.
7. Staff Items.
 - I. Litigation Attorney – Woods, Weidenmiller, Michetti, & Rudnick
 - a. Status Report on City of Bonita Springs application to SFWMD to discharge floodwater into Collier County (including the Preserve).
 - b. Status Report on Litigation.
 - II. District General Counsel – KE Law Group, PLLC.
 - III. District Engineer – Calvin, Giordano & Associates.
 - a. Engineer's Report. [Page 54]
 1. Strategic Operational Plan.
 2. Bonita Springs Floodwater Diversion Plan.
 3. Award of Bid for Lake Bank Restoration – Lakes 12, 20 and 21. [Page 66]
 - IV. District Manager – JPWard & Associates, LLC.
 - a. Financial Statements for period ending December 31, 2022 (unaudited). [Page 103]
 - b. Update on Discussions with HOA regarding ultimate ownership/maintenance responsibilities. (Continuing Item – No additional report for January 2023)
 8. Audience Comments: - Public comment period is for items NOT listed on the Agenda, comments are limited to three (3) minutes per person, assignment of speaking time is not permitted, however the Presiding Officer may extend or reduce the time for the public comment period consistent with Section 286.0114, Florida Statutes.
 9. Announcement of Next Meeting – Regular Meeting on February 16, 2023.

Quorum Call for February 16, 2023.

- Zack Stamp
- Ronald Miller
- Tom Kleck
- Martinn Winters
- Bart Bhatla

10. Adjournment.

Staff Review

The first order of business is to call the meeting to order and to conduct the roll call.

The second order of business is Public Comments for non-agenda items. The Public is provided three opportunities to speak during the meeting. This is the first time for the Public to speak on non-agenda items.

Each member of the Public will also be provided an opportunity to speak on each agenda item, and at the end of the Agenda a final time to speak on any other matter will be provided.

The third order of business is the consideration of the December 15, 2022, Regular Meeting minutes.

The fourth order of business is the consideration of the Audited Financial Statements for Fiscal Year 2022, which ended September 30, 2022. Mr. Tony Grau, the managing partner with Grau & Associates will join the meeting to fully review the audit with the Board. The Board will be asked to approve the Audit for the year ended September 30, 2022.

The fifth order of business is an Executive Session of the Board of Supervisor's, which is closed to the Public. The sole purpose of the Executive Session is to discuss a settlement proposal in case number 20-CA-4147, and related appeal.

The discussion occurring at the private attorney-client session must be confined to settlement negotiations or strategy related to litigation expenditures. At the end of the attorney-client session the Board will re-open the Regular Meeting and consider any actions that may be needed as a result of the discussion at the attorney-client session.


The sixth order of business are any items that the Board of Supervisor's would like to bring up for the Board that are not scheduled agenda items.

The eighth order of business are staff reports, including the District Manager, District Attorney and District Engineer.

The balance of the agenda is standard in nature, and I look forward to seeing you at the meeting, if you have any questions and/or comments before the meeting, please do not hesitate to contact me directly at (954) 658-4900.

Yours sincerely,

Flow Way Community Development District



James P. Ward
District Manager

The Fiscal Year 2023 schedule is as follows:

December 15, 2022	January 19, 2023
February 16, 2023	March 16, 2023
April 20, 2023	May 18, 2023
June 15, 2023	July 20, 2023
August 17, 2023	September 21, 2023

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**MINUTES OF MEETING
FLOW WAY
COMMUNITY DEVELOPMENT DISTRICT**

10 The Regular Meeting of the Board of Directors of the Flow Way Community Development District was
11 held on Thursday, December 15, 2022, at 1:00 P.M. at the Esplanade Golf and Country Club, 8910 Torre
12 Vista Lane, Naples, FL 34119.
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Present and constituting a quorum:

20 Zack Stamp	Chairperson
21 Ron Miller	Vice Chairperson
22 Bart Bhatla	Assistant Secretary
23 Martinn Winters	Assistant Secretary

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Absent:

29 Tom Kleck	Assistant Secretary
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Also present were:

35 James P. Ward	District Manager
36 James Messick	District Engineer
37 Jere Earlywine	District Counsel
38 Greg Woods	District Counsel
39 Chris Donovan	Roetzel Law Firm

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Audience:

45 Dave Boguslawski

46 All resident's names were not included with the minutes. If a resident did not identify
47 themselves or the audio file did not pick up the name, the name was not recorded in these
48 minutes.
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**PORTIONS OF THIS MEETING WERE TRANSCRIBED VERBATIM. ALL VERBATIM PORTIONS WERE
TRANSCRIBED IN *ITALICS*.**

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FIRST ORDER OF BUSINESS

Call to Order/Roll Call

71 Chairperson Zack Stamp called the meeting to order at approximately 1:00 p.m. Roll call was conducted,
72 and all Members of the Board were present, with the exception of Supervisor Kleck, constituting a
73 quorum.
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SECOND ORDER OF BUSINESS

Public Comments

86 **Public Comments for non-agenda items (Limited to three (3) minutes). Individuals are permitted to**
87 **speak on items on the agenda during that item and will be announced by the Chairperson.**
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50 Chairperson Stamp reviewed public comment protocols.

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53 **THIRD ORDER OF BUSINESS Administration of Oath of Office**

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55 **Administration of Oath of Office for Mr. Manmohan Bhatla, Mr. Tom Kleck and Mr. Ronald Miller who**
56 **were elected at the November 8, 2022, General Election**

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58 *Mr. Ward: For the record, you have taken seats 14 days after the date of the election; therefore, there*
59 *are two oaths you will take, one the Secretary of State has sent to you and you should have received that*
60 *within the last week or so, and I will encourage you to fill that out, send them your \$10 dollars. That*
61 *oath is different from the one I am going to give to you today simply because the statute for CDDs has a*
62 *slightly different oath than the form of the Oath that you will get from the Secretary of State's office.*

63

64 Mr. Ward, as a notary public, administered the Oath of Office to Mr. Bhatla and Mr. Ronald Miller.

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67 **FOURTH ORDER OF BUSINESS Consideration of Resolution 2023-4**

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69 **Consideration of Resolution 2023-4, a resolution of the Board of Supervisors of the Flow Way**
70 **Community Development District, electing the Officers of the Board**

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72 The Board decided to keep the current Officers of the Board with Zack Stamp as Chairperson, Ron Miller
73 as Vice Chairperson, and the remaining Board Members as Assistant Secretaries and Jim Ward as
74 Secretary and Treasurer.

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**On MOTION made by Mr. Ron Miller, seconded by Mr. Bart Bhatla,
and with all in favor, Resolution 2023-4 was adopted, and the Chair
was authorized to sign.**

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SIXTH ORDER OF BUSINESS Consideration of Agreement

95 **Consideration of Agreement with Nason, Yeager, Gerson, Harris, & Fumero, P.A. to assist the District**
96 **Litigation Counsel (Woods, Weidenmiller), related to the Corps/SFWMD Permit(s) for the Preserves**
97

98 *Chairperson Stamp: We did come to an arbitration agreement of sorts with Taylor Morrison, but that*
99 *left open any possible potential actions with the Army Corps of Engineers on the transfer of the permits.*
100 *The Flow Way has the ownership, and the maintenance permit is in the HOA, they transferred that at the*
101 *last minute when they still controlled the HOA, just as they transferred the ownership when they still*
102 *controlled the CDD. There will be a couple purposes in engaging the expert. One would be to see what*
103 *our options are going forward and what the approach ought to be to achieving those options. Greg and*
104 *Jessica have had some discussions with her. She was Chief Counsel of South Florida Water Management*
105 *District and has had a lot of experience with dealing with the Corps of Engineers. We all know the Corps*
106 *totally changed their position. At the beginning of this, we had documentation from the Corps that was*
107 *very supportive of what our position was on the transfer and the untimely transfer. Somewhere in the*
108 *process, and one of them may have just been a personnel change, they totally switched sides without*
109 *any explanation and refused to even return Ron's and Bart's phone calls. They have refused to answer*
110 *our request for information to the extent that the first request sent a lot of stuff that had absolutely*
111 *nothing to do with Flow Way. They have a document in their possession, that we also have, saying that*
112 *they transferred the permit to the HOA in response to a letter dated something, but now they claim not*
113 *to even have the letter that they are even responding to. So, something is there. To my knowledge, and*
114 *Dave Boguslawski is on the call, but the last time we talked, Taylor Morrison had not yet provided the*
115 *HOA with their application to transfer the permit. So, we don't know what happened. Part of that will*
116 *be to try to figure out what we can do about that and what we can learn. This is a retainer agreement.*
117 *It is not putting down cash. We will bill by the hour for services rendered and frankly she may have a*
118 *great plan for us, or she may look at all this and say, well, Taylor Morrison has gotten away with it again.*
119 *But it would be good to have a new set of eyes look at that and see what we can do.*

120
121 *Mr. Greg Woods: She does have some expertise in this area. We are going to have her look at it and try*
122 *to set up a dog and pony show with the Corps and see if we can't convince the Corps that Taylor*
123 *Morrison shouldn't be walking away from this without living up to its financial responsibilities. We may*
124 *get in there, we may go to court, and it may all be for naught, but I think she brings an expertise that*
125 *gives us our best shot at trying to pull it out at the Corps level. The Agreement with her firm still needs*
126 *some work. We have to tweak it to alleviate some of Jim's concerns, but we should be able to find an*
127 *agreement that works.*

128
129 *Chairperson Stamp: The HOA is also going to be signing a similar agreement.*

130
131 *Mr. Woods: The HOA will be sharing some of the costs.*

132
133 *Chairperson Stamp: And they have some tweaks that they want to make too. What I'm asking today is*
134 *approval conceptually in engaging this person and this firm, and we will work out the contract provisions*
135 *close to what you are seeing, but with some tweaks to it.*

136
137 *Mr. Ron Miller: Did you say that the HOA has the maintenance responsibility?*

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139 *Chairperson Stamp: They have the maintenance permit and just parenthetically, during the depositions,*
140 *Taylor Morrison was real clear that they ought to be both in the same party. It shouldn't be divided, but*
141 *then they did this, so they are in violation of what they said ought to be.*

142

143 *Mr. Miller: This person you are talking about, is this person a nonlawyer consultant?*

144

145 *Mr. Woods: She is both. She is a lawyer and a consultant.*

146

147 *Chairperson Stamp: She was the Chief Counsel at South Florida Water Management District for a period*
148 *of time.*

149

150 *Mr. Miller: What is bringing this person on board – do we have a big picture plan?*

151

152 *Mr. Woods: Our intent is to get her opinions from her experience with dealing with the Corps on how to*
153 *best impose Taylor Morrison's obligations back upon it. And because she knows the Corps people, if she*
154 *thinks there is a strategy that we can do it, that would be the goal, to get the Corps back on our side.*
155 *There is a basis in the Corps regs for potentially holding Taylor Morrison liable if something happens on*
156 *their watch. She knows the details of the Corps, what they will and won't do, and she knows the people,*
157 *so I think we are going to have a sit down strategy with Zack and the HOA counsel, and talk to her and*
158 *see what her gameplan is and then the goal would be if she thinks we have a good plan, we would then*
159 *take it to the Corps. If she says we are SOL, then we would consider that.*

160

161 *Mr. Martinn Winters: Who is going to be the point person with her?*

162

163 *Mr. Woods: Zack will be at the meeting, and also the HOA, and their counsel will be at the meeting as*
164 *well so we can have a team meeting and hear her thoughts.*

165

166 *Mr. Winters: Will one of the avenues of pursuit be considering putting political pressure on the Army*
167 *Corps of Engineers through either Senator Scott or Senator Rubio?*

168

169 *Mr. Woods: I have not discussed that with them. I don't know if they have connections. I don't know if*
170 *we have connections. Every different avenue you can take is a good thing, but I would see what she has*
171 *to say before I go the political route.*

172

173 *Chairperson Stamp: Realistically, we have a large contractor that employs thousands of people and*
174 *makes lots of contributions versus 1,000 homes here. I'm not against it; obviously, it's more my first*
175 *instinct than anything else, but again, I would look to her.*

176

177 *Mr. Winters: Some politicians take their oversight responsibility seriously, particularly when it comes to*
178 *environmental concerns and water management, and it might be that somebody's attention would be*
179 *grabbed by a situation like this.*

180

181 Discussion ensued regarding discussing ideas with new counsel regarding possible plans of action; the
182 HOA sharing in the costs related to new counsel; the HOA wishing to be involved; the CDD not being
183 able to cover costs for the HOA, but the HOA being able to share the cost with the CDD.

184

185 *Mr. Bhatla: I would like us to pursue a more non-legal strategy with the Corps prior to proceeding with*
186 *the legal basis, because if you have a legal basis, the Corps will completely shut up and bring their*
187 *attorneys and it becomes another ballgame. We need an answer from them regarding what is the status*
188 *and the regulatory framework.*

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190 *Chairperson Stamp: We can file a lawsuit on our own. I'm not trying to avoid going that direction.*

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Mr. Miller: It seems to me that the Corps can do what they please with or without our permission.

Mr. Earlywine: I would just make one comment. These are litigation matters and you all are discussing this on a public record. To an extent, you are discussing strategy and things like that, it's on a public record and the Army Corps and other parties will be able to review that record and use it against you later.

Chairperson Stamp: I think the motion should be to accept this conceptually.

Mr. Ward: The motion should be to accept the Agreement subject to--

Chairperson Stamp: Conceptually and I would sign off on the modifications.

On MOTION made by Mr. Ron Miller, seconded by Mr. Bart Bhatla, and with all in favor, the Agreement with Nason, Yeager, Gerson, Harris, & Fumero, P.A. to assist the District Litigation Counsel (Woods, Weidenmiller), related to the Corps/SFWMD Permit(s) for the Preserves was approved conceptually, and the Chair was given authority to sign off on the modifications.

SEVENTH ORDER OF BUSINESS

Consideration of Agreement

Consideration of Agreement with Roetzel Law Firm, to act as appellate Counsel in the matter Flow Way CDD v. Taylor Morrisison, Case Number 2020-CA-4147

Chairperson Stamp explained this Agreement was to hire appellate counsel which would be less expensive than continuing with Mr. Woods' firm. He noted Greg Woods was on board; this was not a rejection of Mr. Woods' firm. He indicated it was possible the appellate counsel might not be needed.

Mr. Woods: If we had a ten day jury trial, I would say that we should keep the appeal because we know all the testimony and all the evidence and all that, and someone else would have to read ten days' worth of transcripts and that would bring the cost up. In this case, the judge did it on motions. The motion for summary judgement, there is an arbitration award, and then there is a hearing on the motion to approve the arbitration, so you are really just doing it off the appeals, on the paperwork, the motions on the paperwork. So, it would take a new lawyer only the time it took to read the motion to begin working on the appeal and the appellate issues. Chris does appellate work full time. I do appellate work every couple of years. Chris knows judges on the Court of Appeals because he is in front of them all the time. I'm up there every couple of years. He explained Mr. Chris Donovan was very experienced in the appellate court and familiar with the various appellate cases. He noted Mr. Donovan's rate was reasonable. He indicated he could continue with the appeal; however, he felt Mr. Donovan would be less expensive, more efficient, more objective, and Mr. Donovan's experience would benefit the case.

Mr. Miller asked what was being appealed.

237 *Chairperson Stamp: The judge entered the arbitration award, except for one provision, which we don't*
238 *think she can legally do, and that one provision was to award them their attorney's fees for the directors.*

239
240 Discussion ensued regarding the judge's arbitration award and how Taylor Morrison was taking
241 advantage by interpreting the award to mean all attorney's fees would be awarded to Taylor Morrison.
242

243 Mr. Woods indicated Taylor Morrison was trying to take advantage; therefore, there would be a fee
244 hearing and a fee expert would be retained for this purpose. He noted this would be a fight up the road.
245

246 *Chairperson Stamp: That's the issue, does the judge have to enter the arbitration award in total or can*
247 *she go in and amend it? Our position is she cannot amend it. But that's what appellate counsel will tell*
248 *us. That's going to be the summary.*

249
250 Discussion continued regarding the appeal and the arbitration award and the legal issues; the appeal
251 being that the judge could not amend the arbitration award; if the appeal was lost there would be a
252 hearing; the appeal taking up to a year and a half; and the case being complicated.
253

254 Mr. Chris Donovan introduced himself; most of his speech was (indecipherable). He discussed his
255 qualifications and his experience. He discussed a similar case.
256

257 Mr. Miller asked whether Mr. Donovan had ever represented Taylor Morrison.
258

259 Mr. Donovan responded in the negative; he personally had not, however, it was possible someone in his
260 firm had represented Taylor Morrison. He discussed the process of filing an appeal and the timeline
261 associated.
262

263 Mr. Bhatla asked what the CDD's chances were of winning the appeal.
264

265 Mr. Woods indicated Mr. Donovan only had the very basics of the case and could not answer this
266 question accurately at this time.
267

268 **The audio recording cuts out here for approximately 2 minutes.**
269

270 **On MOTION made by Mr. Bart Bhatla, seconded by Mr. Ron Miller,**
271 **and with all in favor, the Agreement with Roetzel Law Firm, to act as**
272 **appellate Counsel in the matter Flow Way CDD v. Taylor Morrison,**
273 **Case Number 2020-CA-4147 was approved.**

274
275 *Chairperson Stamp: Not on the Agenda is engaging the fee expert, and this is again hoping that it gets*
276 *staid until (indecipherable). Audio cuts out here for approximately 4 minutes.*
277

278 *Chairperson Stamp: Are we going to bring this person on to have them ready or start paying them*
279 *money?*
280

281 Mr. Woods indicated the CDD could wait a couple of months.
282

283 *Mr. Bhatla: What is the request for the stay?*

284

285 Mr. Woods stated it was basically, "Judge, why would you waste a day and a half of your time holding
286 this evidentiary hearing on fees when the second district court of appeals might reverse because of all of
287 the procedural complications of this case?" He stated he believed the judge understood this was not a
288 clean case and understood there might be problems.

289

290 *Mr. Bhatla: When are we going to apply for the stay?*

291

292 *Mr. Woods: We will try and get the stay, but she could say no.*

293

294 Discussion continued regarding filing for a stay with the judge.

295

296 Chairperson Stamp asked if there was a consensus to allow Mr. Woods to pursue the fee expert. He
297 noted he had been given the authority to sign off on the retainer contract if needed.

298

299 Mr. Miller asked if this could be done later.

300

301 Mr. Woods noted the judge controlled the timetable.

302

303 Mr. Miller stated (indecipherable).

304

305 Mr. Woods explained this was why the discovery was being done. He indicated he already asked for
306 Taylor Morrison's invoices, checks on payments, engagement letters, conflict waivers, etc. He noted
307 consideration of a fee expert could wait until the January meeting, maybe February. He indicated he
308 just wished to be ready to move forward when the judge set the hearing.

309

310 Mr. Miller stated he did not understand why there was a hurry, and he would prefer to receive input
311 from Mr. Donovan first.

312

313 *Chairperson Stamp: For one, there is merit in locking somebody in if for no other reason than that the*
314 *other side doesn't lock them in, but he is not going to be able to give us anything other than what he*
315 *thinks we can win on appeal a year and a half from now, not what might happen in the judge's mind*
316 *three weeks from now.*

317

318 *Mr. Bhatla: What is the downside of waiting?*

319

320 *Chairperson Stamp: It may slow down Greg's discovery not having the expert to talk to on how to*
321 *evaluate, and then Taylor Morrison could hire this guy.*

322

323 *Mr. Wood: I'm not worried about that. I just want our expert to have plenty of time to read everything*
324 *and be fully prepared so if this thing picks up with the judge, we can be ready. That said, he doesn't need*
325 *to be on board for the next 30 days, but at the next meeting I may say they filed for this or that and we*
326 *need to get on it.*

327

328 *Mr. Miller: Why don't we delay this for a month?*

329

330 *Chairperson Stamp: We will put it on the Agenda for January, and we can always roll it over again.*

331

332 *Mr. Miller: (Indecipherable) get his advice on this matter.*

333

334 *Chairperson Stamp: Keep in mind that if Greg and I have a private conversation with him and he says, "I*
335 *absolutely, 100% assure you we are going to win this in a year and a half" and the judge orders the*
336 *hearing to start in May, the fact that we might win it a year and a half from now doesn't obviate having*
337 *to go through the whole process. So, I don't mind talking to him and seeing what he thinks, but he can't*
338 *give us any answer that influences this decision.*

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340 *Mr. Winters: Is there one person under consideration or more?*

341

342 *Mr. Woods: There are two. I lean towards the local guy who knows the judge as opposed to the guy*
343 *who is more statewide.*

344

345 *Mr. Winters: So, the question is whether or not we give you the authorization to proceed to get someone*
346 *on retainer, or authorize you to pick one of the two and choose that one? Does the Board make the*
347 *decision to choose, or do you make the decision?*

348

349 *Chairperson Stamp: If the Board wants to do that we can defer until January and bring back a specific*
350 *name and we can deal with it then.*

351

352 *Mr. Bhatla: In the meantime, on the arbitration award, where do we stand on that?*

353

354 *Mr. Woods: We need to appeal it. We filed the notice of appeal, so the brief will be due in about 120*
355 *days from the notice of appeal.*

356

357 *Mr. Bhatla: so is this basically in reprieve?*

358

359 *Mr. Woods: The judge changed part of the arbitration. We don't think she could change part of the*
360 *arbitration, so we are appealing that to the court of appeals.*

361

362 *Chairperson Stamp: We won't see any of our money until this is all resolved. I think counsel is going to*
363 *ask for a shade session in January to discuss some of these issues and it may become clearer.*

364

365 *Mr. Woods: More importantly, Taylor Morrison sent me a settlement proposal, so we at least have to*
366 *discuss that along with other issues. The shade session will probably be part of the January meeting.*

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369 **EIGHTH ORDER OF BUSINESS**

Consideration of Engagement Letter

370

371 **Consideration of Engagement Letter to assign the District's construction defect claims against Taylor**
372 **Morrison to the law firm Roetzel & Andress, LPA**

373

374 *Mr. Woods: So, the HOA has about \$7 million dollars in claims against Taylor Morrison. They have done*
375 *their 558 construction defect notice. We have about \$95,000 dollars in construction defect claims. In the*
376 *HOA's case there is going to be a lot of deposition. There are going to be significant attorney's fees*
377 *incurred. The thought I had, and ran by Zack, is that we assign our construction defect claims to the HOA*
378 *for them to run with. This gives them one more claim to add in the numbers and they really are not*
379 *spending any more. Their attorney's fees will be the same, and it saves the CDD Board attorney's fees. If*

380 *there were a resolution, basically you would take out the attorney's fees the HOA paid, and then say the*
381 *settlement was for around 75% of the \$7 million dollars, after taking out the attorney's fees we would*
382 *get 75% of our \$95,000 dollars which is very fair since it saves the CDD from incurring attorney's fees. It*
383 *also helps the HOA by giving the HOA standing in pursuing the lake claims all at the same time. It makes a*
384 *lot of sense from my perspective.*

385
386 *Mr. Miller: I like the concept.*

387
388 *Mr. Earlywine: I was trying to follow the assignment document and understand exactly how the*
389 *proportional recovery would occur, especially in the context of a settlement if we are assigning the claim*
390 *over. I want to understand, if the HOA gets a piece and the CDD gets a piece, how do you determine who*
391 *gets what piece?*

392
393 *Mr. Woods: The HOA claims are set forth in amounts, and ours are set forth in amounts, so it would be*
394 *pro rata. It would be our \$95,000 dollars percentage over \$7 million.*

395
396 *Mr. Earlywine: I realize they are fronting all the cost, I just know sometimes the litigation numbers that*
397 *are requested are sometimes inflated, so I didn't know, is it based on what their initial claim is? Is that*
398 *the proportion? You may just want to add that to the document to add that level of detail, so we are not*
399 *arguing about it later with the HOA.*

400
401 *Chairperson Stamp: You and Greg or Jessica can work on it.*

402
403 *Mr. Woods: If you want to take the language and redline me something that would be fine. I don't think*
404 *it will be a problem.*

405
406 *Mr. Earlywine: That makes sense, thank you for the explanation.*

407
408 *Mr. Bhatla: Do we have any exposure at all? We are just going to do the paperwork with the HOA,*
409 *assign them – we don't have to spend any attorney fees, we don't have to do anything else. In other*
410 *words, we have no exposure. They are going to fight for us. If they get settlement, we get a portion of*
411 *it?*

412
413 *Chairperson Stamp: I assume they might consult with Jessica or Greg on something hear or there, so I*
414 *won't say absolutely no attorney's fees, but they would be very minimal.*

415
416 *Mr. Bhatla: If we won \$50,000 dollars, but it cost \$50,000 dollars it might not be worth it.*

417
418 *Chairperson Stamp: That's one of the reasons I didn't want to file our own 558 claim for the last several*
419 *months. I thought it might eat up everything we were asking for in legal fees. So, this is a way to grab a*
420 *hold.*

421
422 *Mr. Miller: I think this is a good approach.*

423
424 Discussion ensued regarding the CDD's construction defect claim; how much the CDD had spent recently
425 cleaning out the stormwater pipes and pump replacement, etc. Portions of this discussion were
426 (indecipherable).

427

428 *Mr. Bhatla: Won't we be exposed during the deposition part of the process?*

429

430 *Mr. Woods: Theoretically yes, but I think given the size of the claim in relation to the other claims, if they*
431 *did more than one deposition of one representative, I would be shocked.*

432

433

On MOTION made by Mr. Ron Miller, seconded by Mr. Bart Bhatla, and with all in favor, the Engagement Letter to assign the District's construction defect claims against Taylor Morrison to the law firm Roetzel & Andress, LPA, was approved.

434

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439 **NINTH ORDER OF BUSIENSS**

Supervisor's Requests

440

441 Chairperson Stamp indicated no requests were submitted.

442

443 Mr. Miller stated his ad hoc color committee went silent because the bridge was not going to be painted
444 for a couple of years yet. He discussed whether painting the skirts around the bridge before the bridge
445 itself was painted was a good idea.

446

447 Mr. James Messick noted the idea of painting the skirts now as opposed to waiting until the bridge was
448 painted was suggested by the HOA. He stated it was in the budget and the skirts were noticeably less
449 black, and he was just trying to follow what he was requested to do.

450

451 Mr. Bhatla asked how much it would cost to paint the skirts.

452

453 Mr. Ward indicated it would cost less than \$2,000 dollars.

454

455 Mr. Woods indicated he needed to leave and asked if there were any additional questions.

456

457 *Mr. Ward: You are requesting a shade session?*

458

459 *Mr. Woods: We are requesting a shade session because we have received a global settlement proposal*
460 *from Taylor Morrison.*

461

462 *Mr. Ward: And the date of the session will be January 19, 2023. I need a motion for that.*

463

464

On MOTION made by Mr. Bart Bhatla, seconded by Mr. Ron Miller, and with all in favor, a shade session to be held January 19, 2023 was approved.

465

466

467

468 *Chairperson Stamp: Anything else on the bridge? We can wait until summer to do that.*

469

470 *Mr. Miller: Learning the Amount, if its just \$2000 dollars, I don't care if we have to paint it again.*

471

472 *Chairperson Stamp: It's starting to look shabby.*

473

474 *Mr. Ward: And we did get a request.*

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Mr. Miller: *The whole bridge looks shabby.*

Chairperson Stamp: *Well, that's just a couple years down the road.*

Mr. Ward: *That is a real capital improvement.*

Chairperson Stamp asked if there were any additional Supervisor Requests; there were none.

TENTH ORDER OF BUSINESS

Staff Items

I. District Attorney – Woods, Weidenmiller, Michetti, & Rudnick

- a) **Status Report on City of Bonita Springs application to SFWMD to discharge floodwater into Collier County (including the Preserve)**
- b) **Status Report on Litigation**

No additional report.

II. District General Counsel – KE Law Group, PLLC.

Mr. Ward introduced Jere Earlywine.

Mr. Earlywine: I just wanted to thank you all for the opportunity to work with you. I appreciate it and we are excited about it. I think the first assignment that we've gotten from Jim and Zack is to get started on some real property review and turnover items. That's what we will be following up on. Happy to answer any questions and thank you again for the opportunity.

III. District Engineer – Calvin, Giordano & Associates

- a) **Engineer's Report**
 - 1. **Strategic Operational Plan**
 - 2. **Bonita Springs Floodwater Diversion Plan**
 - 3. **Water Quality Report**

Mr. Jimmy Messick: We did get bids back for the lake bank restoration project for Lake 12 and 20-21. We are currently reviewing those bids to make sure they included everything requested, and the cost, and we will be making a recommendation to the Board in January. The bridge we talked about, and certainly we can discuss pushing it back a couple of months to make sure we are in the dry season. I did notice coming in today the water levels in the canal had dropped down low, but we can continue the job. The spraying of the trees and grasses, wetland planting along the lake bank slopes, and the lily pads – we've ramped up our spraying in the last month to address the lily pads and try to get them under control. It is a several month process and we should remain patient as we address those lakes that are hardest hit. We do have to be careful of creating algae blooms if we over spray.

522 *Chairperson Stamp: Why don't you explain how long it takes. I know some people don't know*
523 *whether the lakes have been sprayed for lily pads or not.*

524

525 *Mr. Messick: From my understanding it can take up to several weeks to see results.*

526

527 Discussion ensued regarding the lily pads in the canal, spraying the lily pads, and the risk of an
528 algae bloom with over-spraying.

529

530 Mr. Messick explained you had to go slowly, spraying a little at a time, to get rid of the lily pads
531 without causing an algae bloom; therefore, it could take several months to get rid of the lily
532 pads.

533

534 Chairperson Stamp asked about the lake bank restoration.

535

536 Mr. Messick stated the bids were being reviewed; the plan was to begin restoration in February.
537 He reported he and Mr. Stamp met last Tuesday with the fence contractor to get an overall
538 proposal for the perimeter fence in the preserve area and was waiting for the numbers.

539

540 Chairperson Stamp indicated at the meeting with the fence contractor, he asked about whether
541 the fence should be three strands or five strands.

542

543 Mr. Messick concurred and noted the contractor would check to see what the governmental
544 agencies required.

545

546 Mr. Miller asked why any fencing was needed.

547

548 Chairperson Stamp responded liability.

549

550 *Mr. Ward: You have some sovereign immunity limits, but sovereign immunity is a Florida*
551 *Statute, so you're limited to the sovereign immunity limits as long as we are in State court. If it*
552 *ever gets to be a federal matter, then there is no sovereign immunity for local governments in*
553 *Florida. Since we got the preserves, we don't have a lot of problems with it, but we do have*
554 *problems with animals in there, from time to time I've had issues with hunters in there. And it is*
555 *a good idea to try to do something to try to protect that area on a long term basis and fencing it*
556 *is the best way to do that.*

557

558 *Mr. Miller: Fencing is not going to do anything with respect to hunters or trespassers.*

559

560 *Chairperson Stamp: It gives you a defense if they had to climb over a fence or go through a gate.*

561

562 Mr. Bhatla asked if there would be a reduction in insurance rates with installation of the fence.

563

564 Mr. Ward responded in the negative.

565

566 Mr. Miller indicated he was against spending any money on the preserves.

567

568 Mr. Earlywine stated installing a fence helped with trespass laws. He explained you needed to
569 have no trespass signs posted every so many feet, or have a fence installed. He stated putting a

570 resolution which dealt with trespassing in place would be helpful as well. He indicated he would
571 send Chairperson Stamp the language for the resolution.

572

573 Mr. Messick indicated it could cost approximately \$25,000 dollars, but he was still waiting for
574 the bids.

575

576 Mr. Miller restated he was against spending this money on the preserves and would vote against
577 it.

578

579 Mr. Bhatla asked if the CDD was required to fence the preserves through a regulatory
580 requirement.

581

582 Mr. Ward stated he was unaware of any permit requirement, but the permits were massive and
583 there could be a requirement in the permits somewhere. He noted it was somewhat fenced
584 now, so he felt there must have been a requirement to fence it somewhere.

585

586 Mr. Messick stated he believed fencing the preserves would have been required by Army Corps
587 or South Florida Water Management District.

588

589 Chairperson Stamp noted if Taylor Morrison fenced it, it must have been required, as Taylor
590 Morrison would not have installed the fencing otherwise.

591

592 Mr. Messick stated there was no update regarding the Bonita Springs Floodwater Diversion Plan,
593 although he did have a meeting scheduled tomorrow morning with Collier County and Big
594 Cypress Basin and South Florida Water Management District during which this would be
595 discussed. He noted consideration was being given to Collier County building a connection point
596 for Bonita along (indecipherable) Boulevard which would prevent material from getting into the
597 District's preserves.

598

599 Mr. Miller asked if the CDD could send a bill to the City of Bonita Springs for our expenses for
600 this.

601

602 *Chairperson Stamp: I don't know what the legal theory behind that would be. We've chosen to*
603 *engage; we're not forced to engage.*

604

605 *Mr. Miller: We are protecting our property.*

606

607 *Chairperson Stamp: I understand, but I don't know what the legal theory would be.*

608

609 *Mr. Bhatla: It appears to be, until the event has occurred, everything is in anticipation. If the*
610 *event has occurred, sure.*

611

612 *Mr. Miller: I'm talking about the expenses incurred in preventing this from happening.*

613

614 *Chairperson Stamp: Again, I don't know the legal theory on this. It would be analogous to*
615 *saying, "I thought Joe was going to break into my house, so I bought an alarm system and I'm*
616 *going to send him the bill. I'm just protecting my property."*

617

618 *Mr. Earlywine: What are the expenses for that would be sent to the City?*

619

620 *Chairperson Stamp: That's the question. What expenses could we send to them that there*
621 *would be a legal basis for demanding they pay.*

622

623 *Mr. Miller: I though we paid people to represent us at some of these meetings.*

624

625 *Chairperson Stamp: Greg's been to one meeting. I've been to one meeting. Bart's been.*

626

627 *Mr. Bhatla: I had a great deal of interest from Southwest Florida regulatory agency. They said it*
628 *was a very busy time after the storms, to be patient, but we have opened that avenue in case*
629 *they want to sit down and have a civil discussion because they don't want to go to court. There*
630 *is a great deal of precedent as they have been pumping floodwater into other preserves,*
631 *Corkscrew, and other preserves, so there is a precedent. I think we need to talk to the City and if*
632 *it is facilitated through the regulatory agency and the regulatory agency indicated they issued no*
633 *permit.*

634

635 *Chairperson Stamp: Yeah, we slowed down the permit. There's no question of that.*

636

637 *Mr. Miller: I'm just saying to the extent that we have representation at these meetings to*
638 *protect our personal property, we should send them a bill. Do I expect them to pay it? No, but*
639 *that would get their attention.*

640

641 *Chairperson Stamp: I think you are right they will never pay it, because they have no legal*
642 *obligation to pay it.*

643

644 *Mr. Earlywine: Local governments have a lot of immunity on different fronts depending on*
645 *whether you consider it a legislative, judicial, or quasi-legislative, quasi-judicial act, so I can circle*
646 *up with Jim and try to understand it a little bit better, what the nature of the claim would be and*
647 *the amounts, but generally speaking, unless you have a contract or something like that, it's*
648 *pretty hard to recover money.*

649

650 *Mr. Winters: I think we should invite Burt Saunders to a Town Hall and have them explain to us*
651 *how this isn't a problem. His firm also represents Bonita Springs.*

652

653 Mr. Messick stated the Water Quality Sampling Report taken in October 2022 was taken in five
654 areas at three different times. The Report included a tropic state index level for each location
655 and the only one which was not considered good was the Flow Way Canal which had high
656 concentrations of Chlorophyl A, BOD, and dissolved oxygen, but after speaking with the
657 engineer who took the report, it was noted the sampling was taken two weeks after Hurricane
658 Ian and certainly there was a potential that upstream farmlands were flushed from the
659 floodwater and raised these levels. He noted the levels would be retested in February.

660

661

662 **IV. District Manager – JPWard & Associates, LLC**

663

664 **a) Financial Statements for period ending November 30, 2022 (unaudited)**

665 **b) Update on Discussions with HOA regarding ultimate ownership/maintenance responsibilities**
666 **(Continuing Item – no report for December, 2022)**

667
668 No report.

669
670 Mr. Miller asked if the District had received any assessment payments.

671
672 Mr. Ward responded in the affirmative; approximately \$400,000 dollars at this point, but he
673 expected more payments to come in during December.

674
675 *Chairperson Stamp: We have communicated to the HOA that we are conceptually fine with the*
676 *three items we talked about last time, which includes the entrance of the bridge, the irrigation and*
677 *all the permits which we have counsel now working on.*

678
679

680 **ELEVENTH ORDER OF BUSINESS**

Audience Comments

681

682 **Audience Comments: Public comment period is for items NOT listed on the Agenda, comments are**
683 **limited to three (3) minutes per person, assignment of speaking time is not permitted, however the**
684 **Presiding Officer may extend or reduce the time for the public comment period consistent with**
685 **Section 286.0114, Florida Statutes**

686

687 Chairperson Stamp asked if there were any audience comments.

688

689 An unidentified audience member asked a question which was indecipherable.

690

691 *Mr. Messick: We had a plan in place last year. We were able to budget a little bit more this year to*
692 *ramp up those efforts and we started a couple months ago in the worst lakes, and we have a several*
693 *month plan, starting with each tier where the worst lakes are addressed first. It will take a couple weeks*
694 *for those to die out.*

695

696 *Chairperson Stamp: Two things, one we ran out of money. We had to do short term borrowing and had*
697 *to wait until we started getting money for this fiscal year, and the second, I'm told, there is a way to kill*
698 *the lily pads much quicker, but then they rot on the surface and the smell is horrendous, so it's better to*
699 *take this slow.*

700

701 *Mr. Messick: There are also mechanical ways to address this, but the expenses are quadrupled.*

702

703 *Mr. _____: Part of my comments there, all of the property tax was significant, and just to try to*
704 *minimize people complaining to you, that's the kind of stuff they look at (indecipherable).*

705

706 *Mr. Miller: Just an FYI, these minutes are recorded.*

707

708 *Mr. Boguslawski: In the packet that you put out before the meeting, there is a figure that shows all the*
709 *lakes and everything. And in there, I've never noticed this before, you put a Flow Way CDD boundary and*
710 *a property boundary. There's a difference between them. In the chunks of land between the CDD*
711 *boundary and the property boundary, who owns those and is there any environmental responsibility that*
712 *one of us has?*

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Chairperson Stamp: They are looking at the map, but keep in mind most of the preserves are outside of the CDD boundary. That was part of our dispute, whether the CDD could maintain and own property outside of its own boundary.

Mr. Boguslawski: I just never noticed this on the map before that there are these big differences. All you are doing with that map is tracking the way the ownership goes?

Mr. Ward: The property boundary line is basically the preserves outside the boundary of the CDD. The external preserves, the 1,000 acres, that’s what you see outside our boundary.

Mr. Miller: It's confusing that we own property that’s outside our boundaries. (Indecipherable). Taylor Morrison has forced ownership of this property on us.

TWEFTH ORDER OF BUSINESS **Announcement of Next Meeting**

Announcement of Next Meeting – Regular Meeting on January 19, 2023

Chairperson Stamp: The next meeting will be January 19. We will have the shade session in conjunction with that meeting.

THIRTEENTH ORDER OF BUSINESS **Adjournment/Recess**

The meeting was adjourned at approximately 2:40 p.m.

On MOTION made by Mr. Ron Miller, seconded by Mr. Bart Bhatla, and with all in favor, the Meeting was adjourned.

Flow Way Community Development District

James P. Ward, Secretary

Zack Stamp, Chairperson

**FLOW WAY
COMMUNITY DEVELOPMENT DISTRICT
COLLIER COUNTY, FLORIDA
FINANCIAL REPORT
FOR THE FISCAL YEAR ENDED
SEPTEMBER 30, 2022**

**FLOW WAY COMMUNITY DEVELOPMENT DISTRICT
COLLIER COUNTY, FLORIDA**

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INDEPENDENT AUDITOR'S REPORT

To the Board of Supervisors
Flow Way Community Development District
Collier County, Florida

Report on the Audit of the Financial Statements

Opinions

We have audited the accompanying financial statements of the governmental activities and each major fund, of Flow Way Community Development District, Collier County, Florida ("District") as of and for the fiscal year ended September 30, 2022, and the related notes to the financial statements, which collectively comprise the District's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the District as of September 30, 2022, and the respective changes in financial position thereof for the fiscal year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the District and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

The District's management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America; and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information Included in the Financial Report

Management is responsible for the other information included in the financial report. The other information comprises the information for compliance with FL Statute 218.39 (3) (c) but does not include the financial statements and our auditor's report thereon. Our opinions on the financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon. In connection with our audit of the financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated January 10, 2023, on our consideration of the District's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the District's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the District's internal control over financial reporting and compliance.



January 10, 2023

MANAGEMENT'S DISCUSSION AND ANALYSIS

Our discussion and analysis of Flow Way Community Development District, Collier County, Florida ("District") provides a narrative overview of the District's financial activities for the fiscal year ended September 30, 2022. Please read it in conjunction with the District's Independent Auditor's Report, basic financial statements, accompanying notes and supplementary information to the basic financial statements.

FINANCIAL HIGHLIGHTS

- The liabilities of the District exceeded its assets at the close of the most recent fiscal year resulting in a net position deficit balance of (\$7,594,858) since infrastructure (water, wastewater) has been conveyed to Collier County for long term ownership, operations and maintenance. The deficit is strictly a result of the conveyance of infrastructure to Collier County and is not indicative of any adverse financial standing. The nature of the deficit is common in governmental accounting and is not intended to be funded by any increase in assessments. Further, financial condition assessment procedures have been applied and no deteriorating financial conditions were noted.
- The change in the District's total net position in comparison with the prior fiscal year was (\$212,399), a decrease. The majority of the decrease represents the extent to which the cost of operations and depreciation expense exceeded ongoing program revenues. Depreciation expense represents amortization of capital assets purchased by the District in prior fiscal years. It does not represent cash outflows of current year's program revenues. Since depreciation expense is not a cash outflow, it is not budgeted by the District. The Key components of the District's net position and change in net position are reflected in the table in the government-wide financial analysis section.
- At September 30, 2022, the District's governmental funds reported combined ending fund balances of \$3,257,588, a decrease of (\$310,666) in comparison with the prior fiscal year. The combined ending fund balances separated by funds amounts to (\$65,145), \$3,246,029, and \$76,704 in the general fund, debt service fund, and capital projects fund, respectively. The total fund balance is non-spendable for prepaid items and deposits, restricted for debt service and capital projects, and the remainder is unassigned deficit fund balance.

OVERVIEW OF FINANCIAL STATEMENTS

This discussion and analysis are intended to serve as the introduction to the District's basic financial statements. The District's basic financial statements are comprised of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

Government-Wide Financial Statements

The government-wide financial statements are designed to provide readers with a broad overview of the District's finances, in a manner similar to a private-sector business.

The statement of net position presents information on all the District's assets, deferred outflows of resources, liabilities, and deferred inflows of resources with the residual amount being reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the District is improving or deteriorating.

The statement of activities presents information showing how the government's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods.

The government-wide financial statements include all governmental activities that are principally supported by special assessment revenues. The District does not have any business-type activities. The governmental activities of the District include the general government (management) and maintenance functions.

OVERVIEW OF FINANCIAL STATEMENTS (Continued)

Fund Financial Statements

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The District, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. The District has one fund category: governmental funds.

Governmental Funds

Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating a District's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the District's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balance provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

The District maintains three governmental funds for external reporting. Information is presented separately in the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances for the general fund, debt service fund and capital projects fund, all of which are considered major funds.

The District adopts an annual appropriated budget for its general fund. A budgetary comparison schedule has been provided for the general fund to demonstrate compliance with the budget.

Notes to the Financial Statements

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements.

GOVERNMENT-WIDE FINANCIAL ANALYSIS

As noted earlier, net position may serve over time as a useful indicator of an entity's financial position. In the case of the District, liabilities exceeded assets at the close of the most recent fiscal year.

Key components of the District's net position are reflected in the following table:

	NET POSITION	
	SEPTEMBER 30,	
	2022	2021
Current and other assets	\$ 3,832,916	\$ 3,587,538
Capital assets, net of depreciation	18,434,486	19,411,715
Total assets	<u>22,267,402</u>	<u>22,999,253</u>
Current liabilities	716,476	642,777
Long-term liabilities	29,145,784	29,738,935
Total liabilities	<u>29,862,260</u>	<u>30,381,712</u>
Net Position		
Net investment in capital assets	(10,634,594)	(10,256,892)
Restricted	2,632,461	2,538,675
Unrestricted	407,275	335,758
Total net position	<u>\$ (7,594,858)</u>	<u>\$ (7,382,459)</u>

GOVERNMENT-WIDE FINANCIAL ANALYSIS (Continued)

The District's net position reflects its investment in capital assets (e.g. land, land improvements, and infrastructure) less any related debt used to acquire those assets that is still outstanding. These assets are used to provide services to residents; consequently, these assets are not available for future spending. Although the District's investment in capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

The restricted portion of the District's net position represents resources that are subject to external restrictions on how they may be used. The remaining balance of unrestricted net position may be used to meet the District's other obligations.

The District's net position decreased during the most recent fiscal year.

Key elements of the change in net position are reflected in the following table:

	CHANGES IN NET POSITION	
	FOR THE FISCAL YEAR ENDED SEPTEMBER 30,	
	2022	2021
Revenues:		
Program revenues		
Charges for services	\$ 2,741,105	\$ 2,743,116
Operating grants and contributions	26,784	26,746
Capital grants and contributions	4	30
General revenues	472,420	944
Total revenues	<u>3,240,313</u>	<u>2,770,836</u>
Expenses:		
General government	487,290	360,599
Maintenance and operations*	1,494,159	1,228,806
Interest	1,471,263	1,521,462
Total expenses	<u>3,452,712</u>	<u>3,110,867</u>
Change in net position	<u>(212,399)</u>	<u>(340,031)</u>
Net position - beginning	<u>(7,382,459)</u>	<u>(7,042,428)</u>
Net position - ending	<u>\$ (7,594,858)</u>	<u>\$ (7,382,459)</u>

*Includes depreciation expense of \$977,229 for the current fiscal year and \$977,229 for the prior fiscal year.

As noted above and in the statement of activities, the cost of all governmental activities during the fiscal year ended September 30, 2022 was \$3,452,712. The costs of the District's activities were primarily funded by program revenues. Program revenues, comprised primarily of assessments, increased from the prior fiscal year as a result of an arbitration settlement awarded to the District. In total, expenses, including depreciation, increased from the prior fiscal year, the majority of the increase is associated with professional services incurred during the current year including legal and engineering fees.

GENERAL BUDGETING HIGHLIGHTS

An operating budget was adopted and maintained by the governing board for the District pursuant to the requirements of Florida Statutes. The budget is adopted using the same basis of accounting that is used in preparation of the fund financial statements. The legal level of budgetary control, the level at which expenditures may not exceed budget, is in the aggregate. Any budget amendments that increase the aggregate budgeted appropriations must be approved by the Board of Supervisors. The general fund budget for the fiscal year ended September 30, 2022 was amended to increase appropriations by \$86,785 and increase fund balance carryforward by \$86,785.

CAPITAL ASSETS AND DEBT ADMINISTRATION

Capital Assets

At September 30, 2022, the District had \$23,177,007 invested in capital assets for its governmental activities. In the government-wide financial statements depreciation of \$4,742,521 has been taken, which resulted in a net book value of \$18,434,486. More detailed information about the District's capital assets is presented in the notes of the financial statements.

Capital Debt

At September 30, 2022, the District had \$29,065,000 in Bonds outstanding for its governmental activities. More detailed information about the District's capital debt is presented in the notes of the financial statements.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS AND OTHER EVENTS

Subsequent to fiscal year end the District issued a \$500,000 note in order to finance the general operations of the District. The note shall bear interest at a fixed rate of 4.92% and is due is due October 28, 2023.

CONTACTING THE DISTRICT'S FINANCIAL MANAGEMENT

This financial report is designed to provide our citizens, land owners, customers, investors and creditors with a general overview of the District's finances and to demonstrate the District's accountability for the financial resources it manages and the stewardship of the facilities it maintains. If you have questions about this report or need additional financial information, contact the Flow Way Community Development District at the office of the District Manager, James P. Ward at 2301 Northeast 37th Street, Fort Lauderdale, FL 33308, (954) 658-4900.

**FLOW WAY COMMUNITY DEVELOPMENT DISTRICT
COLLIER COUNTY, FLORIDA
STATEMENT OF NET POSITION
SEPTEMBER 30, 2022**

	Governmental Activities
ASSETS	
Cash and cash equivalents	\$ 39,447
Accounts receivable	472,420
Prepays & deposits	11,226
Restricted assets:	
Investments	3,309,823
Capital assets:	
Depreciable, net	18,434,486
Total assets	22,267,402
 LIABILITIES	
Accounts payable	102,908
Accrued interest payable	613,568
Non-current liabilities:	
Due within one year	615,000
Due in more than one year	28,530,784
Total liabilities	29,862,260
 NET POSITION	
Net investment in capital assets	(10,634,594)
Restricted for debt service	2,632,461
Unrestricted	407,275
Total net position	\$ (7,594,858)

See notes to the financial statements

**FLOW WAY COMMUNITY DEVELOPMENT DISTRICT
COLLIER COUNTY, FLORIDA
STATEMENT OF ACTIVITIES
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2022**

<u>Functions/Programs</u>	<u>Expenses</u>	<u>Program Revenues</u>			<u>Net (Expense) Revenue and Changes in Net Position</u>
		<u>Charges for Services</u>	<u>Operating Grants and Contributions</u>	<u>Capital Grants and Contributions</u>	<u>Governmental Activities</u>
Primary government:					
Governmental activities:					
General government	\$ 487,290	\$ 487,290	\$ -	\$ -	\$ -
Maintenance and operations*	1,494,159	116,027	-	4	(1,378,128)
Interest on long-term debt	1,471,263	2,137,788	26,784	-	693,309
Total governmental activities	3,452,712	2,741,105	26,784	4	(684,819)
General revenues:					
Arbitration awarded					472,420
Total general revenues					472,420
Change in net position					(212,399)
Net position - beginning					(7,382,459)
Net position - ending					\$ (7,594,858)

*Includes depreciation expense of \$977,229 for the current fiscal year.

See notes to the financial statements

**FLOW WAY COMMUNITY DEVELOPMENT DISTRICT
COLLIER COUNTY, FLORIDA
BALANCE SHEET
GOVERNMENTAL FUNDS
SEPTEMBER 30, 2022**

	Major Funds			Total Governmental Funds
	General	Debt Service	Capital Projects	
ASSETS				
Cash and cash equivalents	\$ 39,447	\$ -	\$ -	\$ 39,447
Investments	-	3,233,119	76,704	3,309,823
Accounts receivable	472,420	-	-	472,420
Due from other funds	-	12,910	-	12,910
Prepaid items & deposits	11,226	-	-	11,226
Total assets	<u>\$ 523,093</u>	<u>\$ 3,246,029</u>	<u>\$ 76,704</u>	<u>\$ 3,845,826</u>
LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND FUND BALANCES				
Liabilities:				
Accounts payable	\$ 102,908	\$ -	\$ -	\$ 102,908
Due to other funds	12,910	-	-	12,910
Total liabilities	<u>115,818</u>	<u>-</u>	<u>-</u>	<u>115,818</u>
Deferred inflows of resources:				
Unavailable revenue - arbitration awarded	472,420	-	-	472,420
Total deferred inflows of resources	<u>472,420</u>	<u>-</u>	<u>-</u>	<u>472,420</u>
Fund balances:				
Nonspendable:				
Prepaid items & deposits	11,226	-	-	11,226
Restricted for:				
Debt service	-	3,246,029	-	3,246,029
Capital projects	-	-	76,704	76,704
Unassigned	(76,371)	-	-	(76,371)
Total fund balances	<u>(65,145)</u>	<u>3,246,029</u>	<u>76,704</u>	<u>3,257,588</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 523,093</u>	<u>\$ 3,246,029</u>	<u>\$ 76,704</u>	<u>\$ 3,845,826</u>

See notes to the financial statements

**FLOW WAY COMMUNITY DEVELOPMENT DISTRICT
COLLIER COUNTY, FLORIDA
RECONCILIATION OF THE BALANCE SHEET - GOVERNMENTAL FUNDS
TO THE STATEMENT OF NET POSITION
SEPTEMBER 30, 2022**

Fund balance - governmental funds \$ 3,257,588

Amounts reported for governmental activities in the statement of net position are different because:

Capital assets used in governmental activities are not financial resources and, therefore, are not reported as assets in the governmental funds. The statement of net position includes those capital assets, net of any accumulated depreciation, in the net position of the government as a whole.

Cost of capital assets	23,177,007	
Accumulated depreciation	<u>(4,742,521)</u>	18,434,486

Assets recorded in the governmental fund financial statements that are not available to pay for current-period expenditures are unavailable revenue in the governmental funds.

472,420

Liabilities not due and payable from current available resources are not reported as liabilities in the governmental fund statements. All liabilities, both current and long-term, are reported in the government-wide financial statements.

Accrued interest payable	(613,568)	
Original issue discount	66,949	
Original issue premium	(147,733)	
Bonds payable	<u>(29,065,000)</u>	<u>(29,759,352)</u>

Net position of governmental activities		<u>\$ (7,594,858)</u>
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See notes to the financial statements

**FLOW WAY COMMUNITY DEVELOPMENT DISTRICT
COLLIER COUNTY, FLORIDA
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2022**

	Major Funds			Total Governmental Funds
	General	Debt Service	Capital Projects	
REVENUES				
Special assessments	\$ 603,317	\$ 2,137,788	\$ -	\$ 2,741,105
Interest earnings	-	26,784	4	26,788
Total revenues	<u>603,317</u>	<u>2,164,572</u>	<u>4</u>	<u>2,767,893</u>
EXPENDITURES				
Current:				
General government	487,290	-	-	487,290
Maintenance and operations	516,930	-	-	516,930
Debt service:				
Principal	-	590,000	-	590,000
Interest	-	1,484,339	-	1,484,339
Total expenditures	<u>1,004,220</u>	<u>2,074,339</u>	<u>-</u>	<u>3,078,559</u>
Excess (deficiency) of revenues over (under) expenditures	(400,903)	90,233	4	(310,666)
OTHER FINANCING SOURCES (USES)				
Transfers in / (out)	-	(6,372)	6,372	-
Total other financing sources (uses)	<u>-</u>	<u>(6,372)</u>	<u>6,372</u>	<u>-</u>
Net change in fund balances	(400,903)	83,861	6,376	(310,666)
Fund balances - beginning	<u>335,758</u>	<u>3,162,168</u>	<u>70,328</u>	<u>3,568,254</u>
Fund balances - ending	<u>\$ (65,145)</u>	<u>\$ 3,246,029</u>	<u>\$ 76,704</u>	<u>\$ 3,257,588</u>

See notes to the financial statements

**FLOW WAY COMMUNITY DEVELOPMENT DISTRICT
COLLIER COUNTY, FLORIDA
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2022**

Net change in fund balances - total governmental funds	\$ (310,666)
Amounts reported for governmental activities in the statement of activities are different because:	
Depreciation of capital assets is not recognized in the governmental fund financial statements, but is reported as an expenses in the statement of activities.	(977,229)
Revenues in the statement of activities that do not provide current financial resources are not reported as revenues in the governmental fund financial statements.	472,420
Repayment of long-term liabilities are reported as expenditures in the governmental fund financial statements, but such repayments reduce liabilities in the statement of net position and are eliminated in the statement of activities.	590,000
Amortization of bond discounts/premiums is not recognized in the governmental fund financial statements, but is reported as an expense in the statement of activities.	3,151
The change in accrued interest on long-term liabilities between the current and prior fiscal year is recorded in the statement of activities, but not in the governmental fund financial statements.	<u>9,925</u>
Change in net position of governmental activities	<u>\$ (212,399)</u>

See notes to the financial statements

**FLOW WAY COMMUNITY DEVELOPMENT DISTRICT
COLLIER COUNTY, FLORIDA
NOTES TO FINANCIAL STATEMENTS**

NOTE 1 - NATURE OF ORGANIZATION AND REPORTING ENTITY

Flow Way Community Development District (the "District") was created on March 4, 2002 by Ordinance 02-09 (as amended) of Collier County, Florida, pursuant to the Uniform Community Development District Act of 1980, otherwise known as Chapter 190, Florida Statutes. The Act provides among other things, the power to manage basic services for community development, power to borrow money and issue bonds, and to levy and assess non-ad valorem assessments for the financing and delivery of capital infrastructure.

The District was established for the purposes of financing and managing the acquisition, construction, maintenance and operation of a portion of the infrastructure necessary for community development within the District.

The District is governed by the Board of Supervisors ("Board"), which is composed of five members. The supervisors are elected by property owners within the District or by qualified electors within the District. The Board of Supervisors of the District exercise all powers granted to the District pursuant to Chapter 190, Florida Statutes. The Board of Supervisors of the District exercises all powers granted to the District pursuant to Chapter 190, Florida Statutes.

The Board has the responsibility for:

1. Allocating and levying assessments.
2. Approving budgets.
3. Approving the hiring and firing of key personnel.
4. Financing improvements.

The financial statements were prepared in accordance with Governmental Accounting Standards Board ("GASB") Statements. Under the provisions of those standards, the financial reporting entity consists of the primary government, organizations for which the District is considered to be financially accountable and other organizations for which the nature and significance of their relationship with the District are such that, if excluded, the financial statements of the District would be considered incomplete or misleading. There are no entities considered to be component units of the District; therefore, the financial statements include only the operations of the District.

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Government-Wide and Fund Financial Statements

The basic financial statements include both government-wide and fund financial statements.

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the non-fiduciary activities of the primary government. For the most part, the effect of interfund activity has been removed from these statements.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment is offset by program revenues. *Direct expenses* are those that are clearly identifiable with a specific function or segment. *Program revenues* include 1) charges to customers who purchase, use or directly benefit from goods, services or privileges provided by a given function or segment. Operating-type special assessments for maintenance and debt service are treated as charges for services; and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Other items not included among program revenues are reported instead as *general revenues*.

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Measurement Focus, Basis of Accounting and Financial Statement Presentation

The government-wide financial statements are reported using the *economic resources measurement* focus and the *accrual basis of accounting*. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Assessments are recognized as revenues in the year for which they are levied. Grants and similar items are to be recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be *available* when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures are recorded only when payment is due.

Assessments

The District's Assessments are included on the property tax bill that all landowner's receive. The Florida Statutes provide that special assessments may be collected by using the Uniform Method. Under the Uniform Method, the District's Assessments will be collected together with County and other taxes. These Assessments will appear on a single tax bill issued to each landowner subject to such. The statutes relating to enforcement of County taxes provide that County taxes become due and payable on November 1 of the year when assessed or soon thereafter as the certified tax roll is received by the Tax Collector and constitute a lien upon the land from January 1 of such year until paid or barred by operation of law. Such taxes (together with any assessments, being collected by the Uniform Method) are to be billed, and landowners in the District are required to pay all such taxes and assessments, without preference in payment of any particular increment of the tax bill, such as the increment owing for the District's Assessments. Upon any receipt of moneys by the Tax Collector from the Assessments, such moneys will be delivered to the District.

All city, county, school and special district ad valorem taxes, non-ad valorem special assessments and voter-approved ad valorem taxes levied to pay principal of and interest on bonds, including the District Assessments, that are collected by the Uniform Method are payable at one time. If a taxpayer does not make complete payment of the total amount, he or she cannot designate specific line items on his or her tax bill as deemed paid in full and such partial payment is not to be accepted and is to be returned to the taxpayer, provided, however that a taxpayer may contest a tax assessment pursuant to certain conditions in Florida Statutes and other applicable law.

Under the Uniform Method, if the Assessments are paid during November when due or at any time within thirty (30) days after the mailing of the original tax notice or during the following three months, the taxpayer is granted a variable discount equal to 4% in November and decreasing one percentage point per month to 1% in February. March payments are without discount. Pursuant to Section 197.222, Florida Statutes, taxpayers may elect to pay estimated taxes, which may include non-ad valorem special assessments such as the District's Assessments in quarterly installments with a variable discount equal to 6% on June 30 decreasing to 3% on December 31, with no discount on March 31. All unpaid taxes and assessments become delinquent on April 1 of the year following assessment, and the Tax Collector is required to collect taxes prior to April 1 and after that date to institute statutory procedures upon delinquency to collect assessed taxes. Delay in the mailing of tax notices to taxpayers may result in a delay throughout this process.

Certain taxpayers that are entitled to claim homestead tax exemption under Section 196.031(1), Florida Statutes may defer payment of a portion of the taxes and non-ad valorem assessments and interest accumulated on a tax certificate, which may include non-ad valorem special assessments. Deferred taxes and assessments bear interest at a variable rate not to exceed 7%. The amount that may be deferred varies based on whether the applicant is younger than age 65 or is 65 years old or older; provided that applicants with a household income for the previous calendar year of less than \$10,000 or applicants with less than the designated amount for the additional homestead exemption under Section 196.075, Florida Statutes that are 65 years old or older may defer taxes and assessments in their entirety.

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Measurement Focus, Basis of Accounting and Financial Statement Presentation (Continued)

Assessments (Continued)

Collection of Delinquent Assessments under the Uniform Method is, in essence, based upon the sale by the Tax Collector of "tax certificates" and remittance of the proceeds of such sale to the District for payment of the Assessments due.

The District reports the following major governmental funds:

General Fund

The general fund is the general operating fund of the District. It is used to account for all financial resources except those required to be accounted for in another fund.

Debt Service Fund

The debt service fund is used to account for the accumulation of resources for the annual payment of principal and interest on long-term debt.

Capital Projects Fund

This fund accounts for the financial resources to be used for the acquisition or construction of major infrastructure within the District.

As a general rule, the effect of interfund activity has been eliminated from the government-wide financial statements.

When both restricted and unrestricted resources are available for use, it is the government's policy to use restricted resources first for qualifying expenditures, then unrestricted resources as they are needed.

Assets, Liabilities and Net Position or Equity

Restricted Assets

These assets represent cash and investments set aside pursuant to Bond covenants or other contractual restrictions.

Deposits and Investments

The District's cash and cash equivalents are considered to be cash on hand and demand deposits (interest and non-interest bearing).

The District has elected to proceed under the Alternative Investment Guidelines as set forth in Section 218.415 (17) Florida Statutes. The District may invest any surplus public funds in the following:

- a) The Local Government Surplus Trust Funds, or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperation Act;
- b) Securities and Exchange Commission registered money market funds with the highest credit quality rating from a nationally recognized rating agency;
- c) Interest bearing time deposits or savings accounts in qualified public depositories;
- d) Direct obligations of the U.S. Treasury.

Securities listed in paragraph c and d shall be invested to provide sufficient liquidity to pay obligations as they come due.

The District records all interest revenue related to investment activities in the respective funds. Investments are measured at amortized cost or reported at fair value as required by generally accepted accounting principles.

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Assets, Liabilities and Net Position or Equity (Continued)

Inventories and Prepaid Items

Inventories of governmental funds are recorded as expenditures when consumed rather than when purchased.

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements.

Capital Assets

Capital assets which include property, plant and equipment, and infrastructure assets (e.g., roads, sidewalks and similar items) are reported in the government activities columns in the government-wide financial statements. Capital assets are defined by the government as assets with an initial, individual cost of more than \$5,000 and an estimated useful life in excess of two years. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at acquisition value at the date of donation.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized. Major outlays for capital assets and improvements are capitalized as projects are constructed.

Property, plant and equipment of the District are depreciated using the straight-line method over the following estimated useful lives:

<u>Assets</u>	<u>Years</u>
Infrastructure	15-25

In the governmental fund financial statements, amounts incurred for the acquisition of capital assets are reported as fund expenditures. Depreciation expense is not reported in the governmental fund financial statements.

Unearned Revenue

Governmental funds report unearned revenue in connection with resources that have been received, but not yet earned.

Long-Term Obligations

In the government-wide financial statements long-term debt and other long-term obligations are reported as liabilities in the statement of net position. Bond premiums and discounts are deferred and amortized ratably over the life of the Bonds. Bonds payable are reported net of applicable premiums or discounts. Bond issuance costs are expensed when incurred.

In the fund financial statements, governmental fund types recognize premiums and discounts, as well as issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

Deferred Outflows/Inflows of Resources

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time.

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Assets, Liabilities and Net Position or Equity (Continued)

Fund Equity/Net Position

In the fund financial statements, governmental funds report non spendable and restricted fund balance for amounts that are not available for appropriation or are legally restricted by outside parties for use for a specific purpose. Assignments of fund balance represent tentative management plans that are subject to change.

The District can establish limitations on the use of fund balance as follows:

Committed fund balance – Amounts that can be used only for the specific purposes determined by a formal action (resolution) of the Board of Supervisors. Commitments may be changed or lifted only by the Board of Supervisors taking the same formal action (resolution) that imposed the constraint originally. Resources accumulated pursuant to stabilization arrangements sometimes are reported in this category.

Assigned fund balance – Includes spendable fund balance amounts established by the Board of Supervisors that are intended to be used for specific purposes that are neither considered restricted nor committed. The Board may also assign fund balance as it does when appropriating fund balance to cover differences in estimated revenue and appropriations in the subsequent year's appropriated budget. Assignments are generally temporary and normally the same formal action need not be taken to remove the assignment.

The District first uses committed fund balance, followed by assigned fund balance and then unassigned fund balance when expenditures are incurred for purposes for which amounts in any of the unrestricted fund balance classifications could be used.

Net position is the difference between assets and deferred outflows of resources less liabilities and deferred inflows of resources. Net position in the government-wide financial statements are categorized as net investment in capital assets, restricted or unrestricted. Net investment in capital assets represents net position related to infrastructure and property, plant and equipment. Restricted net position represents the assets restricted by the District's Bond covenants or other contractual restrictions. Unrestricted net position consists of the net position not meeting the definition of either of the other two components.

Other Disclosures

Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from those estimates.

NOTE 3 - BUDGETARY INFORMATION

The District is required to establish a budgetary system and an approved Annual Budget. Annual Budgets are adopted on a basis consistent with generally accepted accounting principles for the general fund. All annual appropriations lapse at fiscal year-end.

The District follows these procedures in establishing the budgetary data reflected in the financial statements.

- a) Each year the District Manager submits to the District Board a proposed operating budget for the fiscal year commencing the following October 1.
- b) A public hearing is conducted to obtain public comments.
- c) Prior to October 1, the budget is legally adopted by the District Board.
- d) All budget changes must be approved by the District Board.
- e) The budgets are adopted on a basis consistent with generally accepted accounting principles.
- f) Unused appropriations for annually budgeted funds lapse at the end of the year.

NOTE 4 - DEPOSITS AND INVESTMENTS

Deposits

The District's cash balances, including the certificates of deposit as shown below were entirely covered by federal depository insurance or by a collateral pool pledged to the State Treasurer. Florida Statutes Chapter 280, "Florida Security for Public Deposits Act", requires all qualified depositories to deposit with the Treasurer or another banking institution eligible collateral equal to various percentages of the average daily balance for each month of all public deposits in excess of any applicable deposit insurance held. The percentage of eligible collateral (generally, U.S. Governmental and agency securities, state or local government debt, or corporate bonds) to public deposits is dependent upon the depository's financial history and its compliance with Chapter 280. In the event of a failure of a qualified public depository, the remaining public depositories would be responsible for covering any resulting losses.

Investments

The District's investments were held as follows at September 30, 2022:

	<u>Amortized cost</u>	<u>Credit Risk</u>	<u>Maturities</u>
US Bank Money Market	\$ 2,193,749	N/A	N/A
US Bank Certificate of Deposit	1,116,074	Moody's Aa1	4/30/2024
	<u>\$ 3,309,823</u>		

Credit risk – For investments, credit risk is generally the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. Investment ratings by investment type are included in the preceding summary of investments.

Concentration risk – The District places no limit on the amount the District may invest in any one issuer.

Interest rate risk – The Bond Indenture determines the allowable investments and maturities, while any surplus funds are covered by the alternative investment guidelines and are generally of a short duration thus limiting the District's exposure to interest rate risk.

The Bond Indenture limits the type of investments held using unspent proceeds. The District's investments listed above meet these requirements under the indenture.

Fair Value Measurement – When applicable, the District measures and records its investments using fair value measurement guidelines established in accordance with GASB Statements. The framework for measuring fair value provides a fair value hierarchy that prioritizes the inputs to valuation techniques.

These guidelines recognize a three-tiered fair value hierarchy, in order of highest priority, as follows:

- *Level 1:* Investments whose values are based on unadjusted quoted prices for identical investments in active markets that the District has the ability to access;
- *Level 2:* Investments whose inputs - other than quoted market prices - are observable either directly or indirectly; and,
- *Level 3:* Investments whose inputs are unobservable.

The fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the entire fair value measurement. Valuation techniques used should maximize the use of observable inputs and minimize the use of unobservable inputs.

Money market investments that have a maturity at the time of purchase of one year or less and are held by governments other than external investment pools should be measured at amortized cost. In addition, non-negotiable, non-transferable certificates of deposits that do not consider market rates are required to be reported at amortized cost. Accordingly, the District's investments have been reported at amortized cost above.

NOTE 5 – INTERFUND RECEIVABLES AND PAYABLES

Interfund receivables and payables at September 30, 2022 were as follows:

Fund	Receivable	Payable
General	\$ -	\$ 12,910
Debt service	12,910	-
Total	\$ 12,910	\$ 12,910

The outstanding balances between funds result primarily from the time lag between the dates that transactions are recorded in the accounting system and payments between funds are made. In the case of the District, the balances between the general fund and the debt service fund relate to assessments collected in the general fund that have not yet been transferred to the debt service fund.

NOTE 6 - CAPITAL ASSETS

Capital asset activity for the fiscal year ended September 30, 2022 was as follows:

	Beginning Balance	Additions	Reductions	Ending Balance
<u>Governmental activities</u>				
Capital assets, being depreciated				
Infrastructure	\$ 23,177,007	\$ -	\$ -	\$ 23,177,007
Total capital assets, being depreciated	23,177,007	-	-	23,177,007
Less accumulated depreciation for:				
Infrastructure	3,765,292	977,229	-	4,742,521
Total accumulated depreciation	3,765,292	977,229	-	4,742,521
Total capital assets, being depreciated, net	19,411,715	(977,229)	-	18,434,486
Governmental activities capital assets, net	\$ 19,411,715	\$ (977,229)	\$ -	\$ 18,434,486

Depreciation was charged to the maintenance and operations function.

NOTE 7 - LONG TERM LIABILITIES

Series 2013

On December 12, 2013, the District issued \$7,050,000 of Series 2014 Special Assessment Bonds consisting of \$1,625,000 Series 2013 Term Bonds due on November 1, 2027 with a fixed interest rate of 6% and \$5,425,000 Series 2013 Term Bonds due on November 1, 2044 with a fixed interest rate of 6.5%. The Bonds were issued to finance the acquisition and construction of certain improvements for the benefit of the District. Interest is paid semiannually on each May 1 and November 1. Principal is paid serially commencing November 1, 2015 through November 1, 2044.

Series 2015

On April 9, 2015, the District issued \$3,950,000 of Series 2015 Special Assessments Bonds. The District issued Series 2015 Term bonds with fixed interest rate ranging from 4.25% to 5.375%. The Bonds were issued to finance the acquisition and construction of certain improvements for the benefit of the District. Interest is paid semiannually on each May 1 and November 1. Principal is paid serially commencing November 1, 2016 through November 1, 2045.

Series 2015 (Phase 4)

On April 9, 2015, the District issued \$3,950,000 of Series 2015 Special Assessments Bonds (phase 4 project). The District issued Series 2015 Term bonds with fixed interest rate ranging from 4.00% to 5.375%. The Bonds were issued to finance the acquisition and construction of certain improvements for the benefit of the District. Interest is paid semiannually on each May 1 and November 1. Principal is paid serially commencing November 1, 2017 through November 1, 2046.

NOTE 7 - LONG TERM LIABILITIES (Continued)

Series 2016 (Phase 5)

On November 29, 2016, the District issued \$5,425,000 of Series 2016 Special Assessments Bonds (phase 5 project). The District issued Series 2016 Term bonds with fixed interest rate ranging from 3.400% to 5.000%. The Bonds were issued to finance the acquisition and construction of certain improvements for the benefit of the District. Interest is paid semiannually on each May 1 and November 1. Principal is paid serially commencing November 1, 2017 through November 1, 2046.

Series 2017 (Phase 6)

On December 5, 2017, the District issued \$3,665,000 of Series 2017 Special Assessments Bonds (phase 6 project). The District issued Series 2017 Term bonds with fixed interest rate ranging from 3.500% to 5.000%. The Bonds were issued to finance the acquisition and construction of certain improvements for the benefit of the District. Interest is paid semiannually on each May 1 and November 1. Principal is paid serially commencing November 1, 2018 through November 1, 2047.

Series 2019 (Phase 7 and Phase 8)

On July 30, 2019, the District issued \$9,685,000 of Series 2019 Special Assessments Bonds. The District issued Series 2019 Term bonds with fixed interest rate ranging from 3.350% to 4.375%. The Bonds were issued to finance the acquisition and construction of certain improvements for the benefit of the District. Interest is paid semiannually on each May 1 and November 1. Principal is paid serially commencing November 1, 2020 through November 1, 2049.

The Series 2013, 2015, 2015 (Phase 4), 2016, 2017, and 2019 Bonds are subject to redemption at the option of the District prior to their maturity. The Bonds are subject to extraordinary mandatory redemption prior to their selected maturity in the manner determined by the Bond Registrar if certain events occurred as outlined in the Bond Indentures.

The Bond Indentures established a debt service reserve requirement as well as other restrictions and requirements relating principally to the use of proceeds to pay for the infrastructure improvements and the procedures to be followed by the District on assessments to property owners. The District agrees to bill special assessments in annual amounts adequate to provide payment of debt service and to meet the reserve requirements. The District was in compliance with the requirements at September 30, 2022.

Long-term Debt Activity

Changes in long-term liability activity for the fiscal year ended September 30, 2022 were as follows:

	Beginning Balance	Additions	Reductions	Ending Balance	Due Within One Year
<u>Governmental activities</u>					
Bonds payable:					
Series 2013	\$ 6,450,000	\$ -	\$ 120,000	\$ 6,330,000	\$ 130,000
Series 2015	3,340,000	-	70,000	3,270,000	75,000
Series 2015 (Phase 4)	2,955,000	-	55,000	2,900,000	60,000
Less: original issue discount	(40,815)	-	(1,689)	(39,126)	-
Series 2016	5,025,000	-	105,000	4,920,000	110,000
Series 2017	3,455,000	-	70,000	3,385,000	70,000
Plus: original issue premium	153,604	-	5,871	147,733	-
Series 2019	8,430,000	-	170,000	8,260,000	170,000
Less: original issue discount	(28,854)	-	(1,031)	(27,823)	-
Total	\$ 29,738,935	\$ -	\$ 593,151	\$ 29,145,784	\$ 615,000

NOTE 7 - LONG TERM LIABILITIES (Continued)

At September 30, 2022, the scheduled debt service requirements on the long-term debt were as follows:

Year ending September 30:	Governmental Activities		
	Principal	Interest	Total
2023	\$ 615,000	\$ 1,459,065	\$ 2,074,065
2024	635,000	1,431,646	2,066,646
2025	660,000	1,402,990	2,062,990
2026	695,000	1,372,375	2,067,375
2027	720,000	1,339,665	2,059,665
2028-2032	4,185,000	6,121,301	10,306,301
2033-2037	5,380,000	4,908,013	10,288,013
2038-2042	6,925,000	3,305,758	10,230,758
2043-2047	7,615,000	1,271,901	8,886,901
2048-2050	1,635,000	99,906	1,734,906
	<u>\$ 29,065,000</u>	<u>\$ 22,712,620</u>	<u>\$ 51,777,620</u>

NOTE 8 – MANAGEMENT COMPANY

The District has contracted with a management company to perform management services, which include financial and accounting services. Certain employees of the management company also serve as officers of the District. Under the agreement, the District compensates the management company for management, accounting, financial reporting, computer and other administrative costs.

NOTE 9 - RISK MANAGEMENT

The District is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; and natural disasters. The District has obtained commercial insurance from independent third parties to mitigate the costs of these risks; coverage may not extend to all situations. There were no settled claims during the past three years.

NOTE 10 – COMMITMENTS AND CONTINGENCIES

During the current year the District has utilized professional engineering services in order to identify anticipated maintenance expenses that will need to be incurred in the future which include approximately \$186,320 in order to repair and replace preserve perimeter fencing and \$794,000 for repairs to the District's water management system.

NOTE 11 – LITIGATION AND CLAIMS

During a prior fiscal year the District has filed a lawsuit against the Developer and its representatives, which consists of claims for declaratory relief and for damages, arising out of an alleged premature and improper transfer of Preserves to the District in violation of applicable permits and related documentation. The case proceeded to a non-binding arbitration, and all Parties' accepted the arbitration award, thereby resulting in a final judgement in the case, which awarded the District approximately \$472,000 in damages. There was also an order entered granting summary judgment in favor of the former Taylor Morrison directors; and, the Court has determined that the former Taylor Morrison directors are entitled to their attorneys' fees incurred in connection with those claims. There are currently post-judgment motions pending to determine entitlement and the amount of the award of fees to the director defendants. The former Taylor Morrison directors are attempting to seek a substantial amount in fees, but there will be an evidentiary hearing on reasonableness and amount of fees. Courts frequently award less than the amount of fees being sought. An appeal of the Court's entry of final judgment and order granting summary judgment in favor of the Taylor Morrison directors is also pending.

In addition, the arbitration does not provide for a change in the ownership of Preserves. Currently, the HOA remains as permittee on the Army Corps Permit applicable to the Preserves. However, there are certain provisions, which arguably place certain maintenance obligations onto the CDD as well. Future maintenance of the Preserves amounts to approximately \$250,000 per year. With respect to the non-wasting escrow fund for the long-term maintenance of the Preserve which was estimated at \$3,111,500 the arbitrator ruled that it would be more appropriate that it be addressed through an administrative proceeding challenging compliance with the original permits.

NOTE 12 – SUBSEQUENT EVENTS

Subsequent to fiscal year end the District issued a \$500,000 note in order to finance the general operations of the District. The note shall bear interest at a fixed rate of 4.92% and is due October 28, 2023.

**FLOW WAY COMMUNITY DEVELOPMENT DISTRICT
COLLIER COUNTY, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL – GENERAL FUND
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2022**

	Budgeted Amounts		Actual Amounts	Variance with Final Budget - Positive (Negative)
	Original	Amended		
REVENUES				
Special assessments	\$ 621,646	\$ 621,646	\$ 603,317	\$ (18,329)
Total revenues	<u>621,646</u>	<u>621,646</u>	<u>603,317</u>	<u>(18,329)</u>
EXPENDITURES				
Current:				
General government	356,191	506,191	487,290	18,901
Maintenance and operations	422,215	359,000	516,930	(157,930)
Total expenditures	<u>778,406</u>	<u>865,191</u>	<u>1,004,220</u>	<u>(139,029)</u>
Excess (deficiency) of revenues over (under) expenditures	(156,760)	(243,545)	(400,903)	(157,358)
OTHER FINANCING SOURCES				
Carry forward	156,760	243,545	-	(243,545)
Total other financing sources	<u>156,760</u>	<u>243,545</u>	<u>-</u>	<u>(243,545)</u>
Net change in fund balances	<u>\$ -</u>	<u>\$ -</u>	(400,903)	<u>\$ (400,903)</u>
Fund balance - beginning			<u>335,758</u>	
Fund balance - ending			<u>\$ (65,145)</u>	

See notes to required supplementary information

**FLOW WAY COMMUNITY DEVELOPMENT DISTRICT
COLLIER COUNTY, FLORIDA
NOTES TO REQUIRED SUPPLEMENTARY INFORMATION**

The District is required to establish a budgetary system and an approved Annual Budget for the general fund. The District's budgeting process is based on estimates of cash receipts and cash expenditures which are approved by the Board. The budget approximates a basis consistent with accounting principles generally accepted in the United States of America (generally accepted accounting principles).

The legal level of budgetary control, the level at which expenditures may not exceed budget, is in the aggregate. Any budget amendments that increase the aggregate budgeted appropriations must be approved by the Board of Supervisors. The general fund budget for the fiscal year ended September 30, 2022 was amended to increase appropriations by \$86,785 and increase fund balance carryforward by \$86,785.

**FLOW WAY COMMUNITY DEVELOPMENT DISTRICT
COLLIER COUNTY, FLORIDA
OTHER INFORMATION – DATA ELEMENTS
REQUIRED BY FL STATUTE 218.39(3)(C)
UNAUDITED**

<u>Element</u>	<u>Comments</u>
Number of district employees compensated at 9/30/2022	0
Number of independent contractors compensated in September 2022	0
Employee compensation for FYE 9/30/2022 (paid/accrued)	0
Independent contractor compensation for FYE 9/30/2022	\$476,648.00
Construction projects to begin on or after October 1; (>\$65K)	None
Budget variance report	See page 23 of annual financial report
Ad Valorem taxes;	Not applicable
Millage rate FYE 9/30/2022	Not applicable
Ad valorem taxes collected FYE 9/30/2022	Not applicable
Non ad valorem special assessments;	
Special assessment rate FYE 9/30/2022	Operations and maintenance - \$525.08 Debt service - \$1,017.51-\$4,673.82
Special assessments collected FYE 9/30/2022	\$2,741,105.00
Outstanding Bonds:	
Series 2013, due November 1, 2044	see Note 7 for details
Series 2015, Phase 3, due November 1, 2045	see Note 7 for details
Series 2015, Phase 4, due November 1, 2046	see Note 7 for details
Series 2016, Phase 5, due November 1, 2046	see Note 7 for details
Series 2017, Phase 6, due November 1, 2047	see Note 7 for details
Series 2019, Phase 7, due November 1, 2049	see Note 7 for details



INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

To the Board of Supervisors
Flow Way Community Development District
Collier County, Florida

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities and each major fund of Flow Way Community Development District, Collier County, Florida ("District") as of and for the fiscal year ended September 30, 2022, and the related notes to the financial statements, which collectively comprise the District's basic financial statements, and have issued our opinion thereon dated January 10, 2023.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the District's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, we do not express an opinion on the effectiveness of the District's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. *A material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented or detected and corrected on a timely basis. *A significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the District's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



January 10, 2023



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**INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE WITH THE
REQUIREMENTS OF SECTION 218.415, FLORIDA STATUTES, REQUIRED BY
RULE 10.556(10) OF THE AUDITOR GENERAL OF THE STATE OF FLORIDA**

To the Board of Supervisors
Flow Way Community Development District
Collier County, Florida

We have examined Flow Way Community Development District, Collier County, Florida's ("District") compliance with the requirements of Section 218.415, Florida Statutes, in accordance with Rule 10.556(10) of the Auditor General of the State of Florida during the fiscal year ended September 30, 2022. Management is responsible for the District's compliance with those requirements. Our responsibility is to express an opinion on the District's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether the District complied, in all material respects, with the specified requirements referenced in Section 218.415, Florida Statutes. An examination involves performing procedures to obtain evidence about whether the District complied with the specified requirements. The nature, timing, and extent of the procedures selected depend on our judgment, including an assessment of the risks of material noncompliance, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion. Our examination does not provide a legal determination on the District's compliance with specified requirements.

In our opinion, the District complied, in all material respects, with the aforementioned requirements for the fiscal year ended September 30, 2022.

This report is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, management, and the Board of Supervisors of Flow Way Community Development District, Collier County, Florida and is not intended to be and should not be used by anyone other than these specified parties.

Grau & Associates

January 10, 2023



**MANAGEMENT LETTER PURSUANT TO THE RULES OF
THE AUDITOR GENERAL FOR THE STATE OF FLORIDA**

To the Board of Supervisors
Flow Way Community Development District
Collier County, Florida

Report on the Financial Statements

We have audited the accompanying basic financial statements of Flow Way Community Development District, Collier County, Florida ("District") as of and for the fiscal year ended September 30, 2022, and have issued our report thereon dated January 10, 2023.

Auditor's Responsibility

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and Chapter 10.550, Rules of the Auditor General.

Other Reporting Requirements

We have issued our Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of the Financial Statements Performed in Accordance with *Government Auditing Standards*; and Independent Auditor's Report on an examination conducted in accordance with *AICPA Professional Standards*, AT-C Section 315, regarding compliance requirements in accordance with Chapter 10.550, Rules of the Auditor General. Disclosures in those reports, which are dated January 10, 2023, should be considered in conjunction with this management letter.

Purpose of this Letter

The purpose of this letter is to comment on those matters required by Chapter 10.550 of the Rules of the Auditor General of the state of Florida. Accordingly, in connection with our audit of the financial statements of the District, as described in the first paragraph, we report the following:

- I. Current year findings and recommendations.**
- II. Status of prior year findings and recommendations.**
- III. Compliance with the Provisions of the Auditor General of the State of Florida.**

Our management letter is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, Federal and other granting agencies, as applicable, management, and the Board of Supervisors of Flow Way Community Development District, Collier County, Florida and is not intended to be and should not be used by anyone other than these specified parties.

We wish to thank Flow Way Community Development District, Collier County, Florida and the personnel associated with it, for the opportunity to be of service to them in this endeavor as well as future engagements, and the courtesies extended to us.

Grau & Associates

January 10, 2023

REPORT TO MANAGEMENT

I. CURRENT YEAR FINDINGS AND RECOMMENDATIONS

None

II. PRIOR YEAR FINDINGS AND RECOMMENDATIONS

None

III. COMPLIANCE WITH THE PROVISIONS OF THE AUDITOR GENERAL OF THE STATE OF FLORIDA

Unless otherwise required to be reported in the auditor's report on compliance and internal controls, the management letter shall include, but not be limited to the following:

1. A statement as to whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report.

There were no significant findings and recommendations made in the preceding annual financial audit report for the fiscal year ended September 30, 2021.

2. Any recommendations to improve the local governmental entity's financial management.

There were no such matters discovered by, or that came to the attention of, the auditor, to be reported for the fiscal year ended September 30, 2022.

3. Noncompliance with provisions of contracts or grant agreements, or abuse, that have occurred, or are likely to have occurred, that have an effect on the financial statements that is less than material but which warrants the attention of those charged with governance.

There were no such matters discovered by, or that came to the attention of, the auditor, to be reported, for the fiscal year ended September 30, 2022.

4. The name or official title and legal authority of the District are disclosed in the notes to the financial statements.

5. The District has not met one or more of the financial emergency conditions described in Section 218.503(1), Florida Statutes.

6. We applied financial condition assessment procedures and no deteriorating financial conditions were noted as of September 30, 2022. It is management's responsibility to monitor financial condition, and our financial condition assessment was based in part on representations made by management and the review of financial information provided by same.

7. Management has provided the specific information required by Section 218.39(3)(c) in the Other Information section of the financial statements on page 25.

FLOW WAY COMMUNITY DEVELOPMENT DISTRICT

**ENGINEER'S REPORT
January 2023**

**Board Meeting
January 19th, 2023**

Prepared For:

Board of Supervisors

Prepared By:



Calvin, Giordano & Associates, Inc.

A SAFEbuilt® COMPANY

CGA Project No. 21-4271
January 19th, 2023

**FLOW WAY
COMMUNITY DEVELOPMENT DISTRICT**

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**FLOW WAY
COMMUNITY DEVELOPMENT DISTRICT**

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APPENDIX B	LEGAL DESCRIPTION
APPENDIX C	LAKE BANK RESTORATION EVALUATION OF BIDDERS PACKAGE (LAKES 12 & 20/21)
APPENDIX D	FLOW WAY CDD LAKES MAP

I. PURPOSE

The purpose of this report is to provide the Board of Supervisors an update of recent engineering related activities. We will continue to provide updated monthly reports on the status of ongoing activities.

II. CURRENT ITEMS

The following items are currently outstanding:

1. Strategic Operational Plan
2. Bonita Springs Floodwater Diversion Plan – Follow-up Coordination

1. Strategic Operational Plan

Current Asset Vendors

- Lake Maintenance
 - Eco-Logic Services (aquatic lake and wetland plant maintenance) – Lilies (focus) / Cordgrass (started), Algae (17&18)
 - GHD Services, Inc. (Water Quality Sampling)
- Landscape Maintenance
 - Estate Landscaping and Lawn Management (perimeter planting) – Semi-annual plantings installed, weeding/trimming along flow-way
 - Everglades Pine straw (mulching 22/23)
- Irrigation Pump Station
 - Metro Pumping Systems (preventative pump maintenance)
 - MRI Underground Services (chemical treatment for irrigation)
- Entrance Features
 - Fast Signs
 - Bentley Electric (electrical contractor)
 - First Class Pools (main entry fountain) – contract terminating on 1/28/23: new vendor Marlin Pool Service

2023 1st Quarter Work

- The Capital Improvement Plan for FY2023 includes Lake 12 and Lake 20/21 for lake bank restoration and replanting of littorals. Project was advertised on 11/11/22 and bid submittals opened on 12/21/22. Three (3) bids were received and evaluated. District Engineer's Evaluation of Bidders letter with the three (3) bids received is attached in Appendix C of this report. Crosscreek Environmental, Inc. was the apparent low bidder with a Base Bid of \$163,660 and is the apparent lowest most responsive and responsible bidder. We anticipate this work to commence in February 2023.

2. Bonita Springs Floodwater Diversion Plan – Follow-up Coordination

Coordination was made with Collier County – Transportation Management Services Department Head, Trinity Scott. She indicated that they would set up a meeting with City of Bonita Springs, Big Cypress Basin, SFWMD, Flow Way CDD Engineer and CDD Council. She would include Collier County’s Stormwater Management Section Capital Project Director, Jeanne Marcella, to join this meeting in hopes they could conclude for the recommended alternate swale design along Logan Boulevard, in leu of discharge to CDD’s preserve. Meeting date and location is still to be determined.

A meeting was held virtually on 12/16/22 with representatives from Collier County, SFWMD, Big Cypress Basin, City of Bonita Springs and Flow Way CDD. Following introductions, and a brief explanation of the Bonita Springs Floodwater Diversion Plan and proposed Logan Boulevard discharge recommendation, the meeting was concluded, and a request was made by Collier County that just the technical experts hold a follow-up meeting to review possible solutions to appease all parties interested. Akin Owosina with SFWMD was tasked to pull together some ideas that the technical group can hash through to try and address our concerns regarding emergency discharge to the Woodlands Slough / preserves. Follow-up meeting date is to be determined.

PERMITTING

We are continuing our ongoing work of identifying permits that have been obtained for the development of the District's infrastructure. The below list is not complete, and will be updated periodically:

Permit Agency / Project Name	Permit Number	Date Received	Date Expires	Permitee-Constructed by	Current Status
Collier County Latest Flow Way CDD County PUD Modification	Ordinance 20-30	10/13/21	Current	Flow Way CDD	Operation Phase
South Florida Water Management District (SFWMD) ERP Permit Modification	11-02031-P	9/13/07	9/13/12	I. M. Collier Joint Venture (Mirasol)	Operation Phase: Active
SFWMD Water Use	11-02032-W	5/13/20	5/15/25	Taylor Morrison Esplanade Naples, LLC	Operation Phase: Active
SFWMD ROW Occupation Permit	11652 (App. No: 12-1113-2M)	6/13/13	6/30/14	Taylor Morrison Esplanade Naples, LLC	Closed
Army Corps of Engineers (ACOE)	SAJ-2000-01926 (IP-HWB)	12/7/12	11/5/17	IM Collier Joint Venture	Operation Phase; Issued (06/08/2016)
Esplanade at Naples Golf & Country Club (G&CC) -- Excavation	PL20120001253	2/20/13	2/20/14	Waldrop Engineering, P.A.	Closed / Final Excavation Acceptance 09/14/21
Esplanade G&CC of Naples, Phase 5 (Parcels: I, J, K1, K2, K3, & K4) -- Plans & Plat	PL20180002201	10/14/14	10/01/2018	Taylor Morrison Esplanade Naples LLC	Under Construction / Application Withdrawn
Esplanade G&CC of Naples - Hatcher Parcel - Plans & Plat	PL20190001680	4/28/20	4/28/23	Taylor Morrison Esplanade Naples LLC	Under Construction/ Site Inspection/ Approved Construction and Maintenance Agreement & Performance Bond

Permit Agency / Project Name	Permit Number	Date Received	Date Expires	Permitee-Constructed by	Current Status
Esplanade G&CC of Naples Ph 1 Amenity Center -- Utility Acceptance	PL20140000736	11/28/17	11/28/18	Taylor Morrison Esplanade Naples LLC	Final Acceptance Scheduled for 7/13/2021; Was submitted originally as a Site Improvement Plan (SIP) under PL20130002186. The Final Utility Conveyance was approved on 7/13/21. Final acceptance letter is not required for SIPs.
Esplanade G&CC of Naples Amenity Center Phase 2B -- Utility Acceptance	PL20160000757	11/02/16	11/02/17	Taylor Morrison Esplanade Naples LLC	Final Acceptance Scheduled for 7/13/2021. The Final Utility Acceptance for PL20160000757 Esplanade Golf & Country Club Amenity Site was approved by the BOCC on 7/13/21 and the Cash Bond in the amount of \$7,061.41 was refunded to Taylor Morrison Esplanade Naples, LLC. Final acceptance letter is not required for SIPs.
Esplanade G&CC of Naples SDP #2 Maintenance Facility -- Utility Acceptance	PL20160000600	04/15/16	04/15/17	Waldrop Engineering, P.A.	Final Acceptance Scheduled for 7/13/2021. The Final Utility Acceptance for PL20160000600 Esplanade Golf & Country Club SDP 2 Golf Course Maintenance Facility was approved by the BOCC on 7/13/21 and the Cash Bond in the amount of \$5,122.27 was refunded to Taylor Morrison Esplanade Naples, LLC. Final acceptance letter is not required for SIPs.
Esplanade Golf and Country Club of Naples - Phase 5 (SDPA)	PL20190002869	12/16/19	03/26/23	TAYLOR MORRISON ESPLANADE NAPLES LLC	Site Inspection – Add Application Type

Permit Agency / Project Name	Permit Number	Date Received	Date Expires	Permitee-Constructed by	Current Status
Esplanade Golf and Country Club of Naples - Amenity Campus (SDPA)	PL20210000129	01/19/21	11/23/26	TAYLOR MORRISON ESPLANADE NAPLES LLC	Site Inspection – Add Application Type
Esplanade Golf & Country Club of Naples - Culinary Center (SDPA)	PL20170002663	07/20/17	07/04/21	TAYLOR MORRISON ESPLANADE NAPLES LLC	Site Inspection – Add Application Type

*Additional Collier County permits completed, available upon request.

III. ENGINEER'S REPORT COMPLETE

By: _____
 By: James Messick, P.E.
 District Engineer

State of Florida Registration No. 70870

APPENDIX A

LOCATION MAP



Calvin, Giordano & Associates, Inc.

EXCEPTIONAL SOLUTIONS™

1800 Eller Drive, Suite 600 · Fort Lauderdale, FL 33316

(phone) 954.921.7781 · (fax) 954.266.6487

Certificate of Authorization #514

APPENDIX B

LEGAL DESCRIPTION

All of ESPLANADE GOLF AND COUNTRY CLUB OF NAPLES PLAT, according to the plat thereof, as recorded in Plat Book 53, Pages 1 through 64, include all subsequent plat revisions and amendments in the Public Records of Collier County, Florida.

APPENDIX C

LAKE BANK RESTORATION EVALUATION OF BIDDERS PACKAGE (Lakes 12 & 20/21)



January 3, 2023

Jim Ward
CDD Manager
Flow Way Community Development District
2301 NE 37th Street
Fort Lauderdale, FL 33308

RE: Lake Bank Restoration (# 12 & 20/21)
Evaluation of Bidders
CGA Project No. 96-1630.152

Dear Mr. Ward,

An Invitation to Bid for the Flow Way CDD Lake Bank Restoration (#12 & 20/21) project was advertised on November 11th, 2022. Three (3) bids were received by the Flow Way Community Development District's Field Manager (CDD) and opened on December 21st, 2022. CDD's Field Manager reviewed the bids for completeness and confirmed the required forms were submitted. Calvin, Giordano & Associates, Inc. (CGA) reviewed the low bidder's submittal for mathematical correctness, license requirements, and qualifications. Additionally, several bidder references were contacted.

Per the solicitation requirements for the project, Crosscreek Environmental, Inc. (CCE) was the apparent low bidder with a Base Bid of \$163,660. The next low bidder was Landshore Enterprises, LLC at \$186,832 and Sea & Shoreline, LLC at \$297,600. CCE is considered the apparent low bidder, meets the minimum qualifications, and their references provided positive feedback on their past work. As required by the bid qualifications, CCE's past projects were both similar in nature and even significantly larger in terms of lake bank restoration length.

Therefore, based on our evaluation of CCE's bid submittal and CCD's solicitation criteria for the subject project, CCE is the apparent lowest most responsive and responsible bidder.

If you have any questions or require additional information, please do not hesitate to contact me at (954) 921-7781 or at jmessick@cgasolutions.com.

Sincerely,

CALVIN, GIORDANO & ASSOCIATES, INC.

James Messick
District Engineer/Sr. Project Manager | Engineering Department

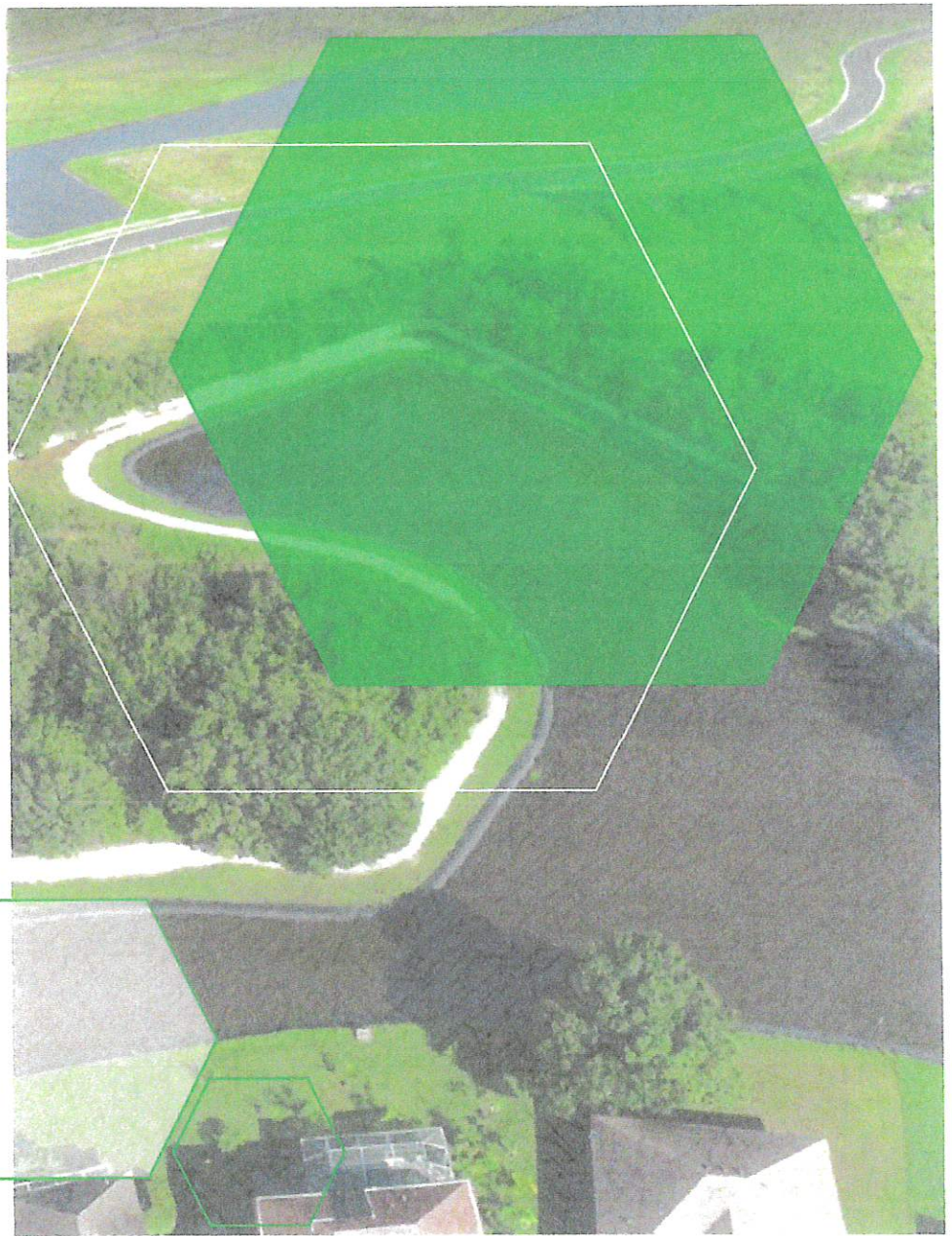
Encl.: Three (3) Bid Packages

- Building Code Services
- Civil Engineering / Roadway & Highway Design
- Coastal Engineering
- Code Enforcement
- Construction Engineering & Inspection (CEI)
- Construction Services
- Data Technologies & Development
- Electrical Engineering
- Engineering
- Environmental Services
- Facilities Management
- Grant Management & Writing
- Geographic Information Systems (GIS)
- Governmental Services
- Indoor Air Quality (IAQ)
- Landscape Architecture
- Planning
- Project Management
- Redevelopment & Urban Design
- Surveying & Mapping
- Transportation & Mobility
- Transportation Planning
- Water / Utilities Engineering
- Website Development

1800 Eller Drive
Suite 600
Fort Lauderdale, FL 33316
Tel: 954.921.7781
Fax: 954.921.8807

www.cgasolutions.com

**CCROSSCREEK
ENVIRONMENTAL
BID SHEETS**



ENVIRONMENTAL

FLOW WAY CDD

NAPLES, FL

Proposal for Shoreline Erosion Repairs

Lake Bank Restoration for CDD



Crosscreek Environmental, Inc
111 Palmview Road
Palmetto, FL 34221
P: 941.479.7811
F: 941.479.7812
www.crosscreekenvironmental.com

Flow Way CDD

Naples, FL

Proposal for Shoreline Erosion Repairs

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QA/QC.....	Page 3
Personnel Qualifications/ Professional Licenses.....	Page 4
Relevant Experience	Page 5
Insurance, W9, & Bid Schedule.....	Page 7



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Palmetto, FL 34221
P: 941.479.7811
F: 941.479.7812
www.crosscreekenvironmental.com

Contractor Qualifications

Crosscreek Environmental, Inc. is a leader in quality lake and wetland management services. We strive to develop environmentally conscious methods of providing aquatic waterway management. Our staff of highly trained and licensed technicians and service managers is ready to provide quality service and complete customer satisfaction. Our offices are conveniently located near Flow Way CDD and will be staffed with adequate equipment and personnel to complete this project. This proposal provides the professional credentials of our staff, as well as examples of relevant experience demonstrating our ability to handle a project of this nature.

Company Profile

Crosscreek Environmental, Inc. is a full-scale restoration company located in Southwest Florida. With over 150 years of combined experience, Crosscreek Environmental provides comprehensive, environmentally friendly, expert solutions for maintaining the beauty and health of Florida's ponds, lakes, wetlands, and shorelines. Our licensed, certified, and highly qualified team provides a full roster of services for stabilization, restoration, management, and maintenance of these valuable waterways. We serve developers, government municipalities, homeowners associations, and management companies, successfully implementing the entire project lifecycle. From engineering and design to permitting, installation, management, and maintenance, we're helping our clients restore, protect, and manage Florida's most valuable resource: water.

Our extensive repeat business testifies to our reliability and expertise, and we're determined to earn new business through rapid response, quick turnaround, generous communications, consistent follow-up, and successful results. Our commitment to excellent customer service is backed by solid scientific knowledge, experience, and one-stop services including:

- Lake bank restoration
- Lake maintenance
- Erosion control
- Wetland mitigation
- Wetland creation
- Wetland management
- Wetland maintenance
- Littoral shelf planting
- Florida native nursery
- Florida native plants
- Shoreline restoration
- Shoreline erosion control



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Equipment & Tools

Crosscreek Environmental has one of the most extensive and diversified group of equipment that has been custom designed for Shoreline Restoration and Pond/Wetland Management. This includes:

- 6 Portable Dredges
- 1 Full size Dredge
- 25 4-wheel drive Pickup Trucks
- 3 Dump Trailers- 10 yd capacity each
- 2 Skid Steers
- 8 Custom Built Spray Mules
- 2 12inch Woodchippers
- 2 Menzi Muck Machines
- 6 Custom Built Spray-Rigged Airboats & John Boats
- Chainsaws, machetes and other applicable tools

Safety and Training

Some divisions of Crosscreek Environmental, Inc work in potentially very hazardous conditions. There is no job so important, no service so urgent, that we cannot take time to perform our jobs safely. Safety will always be a critical and paramount part of our company's culture.

Rigorous safety and training programs are fundamental to our business philosophy. We are an active participant in numerous national and industry-specific safety organizations and have an active Safety Program. Safety is one of the key measures on our staff's annual performance ratings. We at Crosscreek Environmental, Inc. also have a drug-free workplace with a zero-tolerance policy.

A core training program is completed by all staff before project start-up wherein safety is a major component. This training is reinforced throughout the year with formal monthly safety meetings, as well as weekly field training and daily briefings. The training includes classroom and practical sessions to ensure 'book' learning is converted into knowledge that is used in the field.

QA/QC and Customer Service

Our Quality Assurance and Quality Control Programs are second-to-none. Crosscreek Environmental, Inc. is dedicated to continuous improvement in all facets of our operations, evaluating even those that are performing well, to ensure there are no further improvements that can be made. We continually strive to identify better processes, materials and procedures for accomplishing our work. One of our core business philosophies is to continually look to the future and anticipate problems that may arise and be ready with the appropriate solution.



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When the restoration crew is on-site, they will make any additional notes that they feel are relative to ensuring the health of the waterways of Flow Way CDD. If there are any issues which need immediate attention the applicator will notify the general manager and he will assign the proper person to take a firsthand look at the issue or he will look for himself. When issues have been noted and observed by the project or general manager, issues will be immediately brought to the property manager's attention.

Personnel Qualifications/Professional Licenses

All Crosscreek Environmental managers and spray technicians are required to be licensed to apply pesticides within the state they are working and are trained annually in identification and application techniques for aquatic vegetation management. Some personnel credentials available for this project are:

Licenses

- Aquatic, Right-of-Way, Demonstration and Research, and Natural Areas
- Florida Public Health Pest Control • Florida DEP Stormwater Management Inspector

Educational Degrees

- Bachelors in Fisheries Biology and General Biology
- Bachelors in Limnology (Water Chemistry)
- Bachelors in Environmental Horticulture

Project Management

Carlton Campbell/ President/CEO

Mr. Campbell has over Thirty (30) years in the environmental field. He was the co-founder of Aquatic Plants of Florida in 1996 and later founded Crosscreek Environmental. He attended South Florida University where he received a degree in Environmental Science. Carlton is a hands-on President and wants to always make sure his customers are happy, and his employees are taken care of.

Derek Wagner/ General Manager

Mr. Wagner has twenty (20) years' experience with erosion control and aquatic/wetland vegetation and management and is the General Manager of Crosscreek Environmental. He oversees all operations of the company including sales and budgeting of projects and is certified as a Stormwater Management Inspector. His experience and training allow him to act as resident biologist for this project.



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George Bowling/ Sales Manager

Mr. Bowling has been in the industry serving the stormwater community for over twenty-five (25) years. He is fully trained in identifying customers' needs and helping them develop the appropriate plan to manage their needs. He is also fully licensed and trained in aquatic & natural areas herbicide applications. His experience provides a unique opportunity for all customers and their daily stormwater needs.

Matt Jones/ Operations Manager

Mr. Jones has over fifteen (15) years of industry experience with pond maintenance and restoration of shorelines. He oversees all daily operations including scheduling and staffing. Mr. Jones also coordinates all customer interactions from project planning to final walk through and any follow-up work.

Crosscreek Environmental is experienced at managing multiple erosion control/wetland/aquatic projects for several customers across Florida. Our managers will simply incorporate this project into the scheduling with other current projects to allow for completion in a timely fashion. Personnel and equipment can be drawn from other locations to ensure the proper staffing for this project. Crosscreek Environmental provides the resources necessary to complete this project in the required timeframe.

Relevant Experience

Following are relevant specific references which show the diversity of skills Crosscreek Environmental, Inc. will bring to this project.

JOB TITLE:	VENETIAN CDD
WORK PERFORMED:	RESTORATION OF SHORELINE UTILIZING GEOTUBE, RIP RAP, FILL DIRT, GEOWEB
SCOPE OF WORK:	REPAIR AND RESTORATION ON SHORELINE USING 7' GEOTUBE. SLOPE GEOTUBE WITH RIPRAP ALONG THE TOE. FILL IN BANK DEPRESSIONS WITH DIRT AND SOD.
WORK COMPLETED ON:	ON GOING
PROJECT TOTAL:	\$350,000
CONTACT:	RICK SCHAPPACHER, P.E.
PHONE:	941 748 8340

JOB TITLE:	LEXINGTON HOA
WORK PERFORMED:	RESTORATION OF SHORELINE UTILIZING GEOTUBE AND AQUASCAPING
SCOPE OF WORK:	INSTALLATION OF APPROXIMATELY 5,000 LINEAR FEET OF GEOTUBE. MULTIPLE PLANTINGS AND MONTHLY LAKE MAINTENANCE.
WORK COMPLETED ON:	SUMMER 2021
PROJECT TOTAL:	\$300,000+
CONTACT:	DAVID STAPLES
PHONE:	941 812 5287



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JOB TITLE: ISLES OF PALMER RANCH
WORK PERFORMED: RESTORATION OF SHORELINE UTILIZING GEOTUBE
SCOPE OF WORK: INSTALLATION OF APPROXIMATELY 12,000 LINEAR FEET OF GEOTUBE. AQUATIC PLANTS WERE INSTALLED ON FRONT OF GEOTUBE. OUTFALL STRUCTURES WERE REPAIRED, INCLUDING NEW GRATES.
WORK COMPLETED ON: SEPTEMBER 2022
PROJECT TOTAL: \$350,000
CONTACT: JOSH JONES
PHONE: 941 922 1298

JOB TITLE: WATERLEFE
WORK PERFORMED: VARIOUS TYPES OF EROSION CONTROL, INCLUDING: RIP RAP, GEOTUBE, MATTING, FILL & SOD.
SCOPE OF WORK: INSTALLATION OF APPROXIMATELY 4000 LINEAR FEET OF GEOTUBE. DOWNSPOUT DRAINS WERE EXTENDED UNDER THE GEOTUBE INTO THE POND. MULTIPLE PLANTING AND RIP RAP INSTALLATION.
WORK COMPLETED ON: ON GOING
PROJECT TOTAL: \$400,000+
CONTACT: RICK SCHAPPACHER
PHONE: 941 748 8340

JOB TITLE: HARBOUR ISLES
WORK PERFORMED: RESTORATION OF SHORELINE UTILIZING FABRIC & FILL DIRT WITH RIP RAP
SCOPE OF WORK: PREP WORK OF APPROXIMATELY 1000 LINEAR FEET OF LAKE BANK FOR RESTORATION GRADING OF REPAIRED AREA TO MATCH EXISTING SLOPE. INSTALLATION OF BAHIA SOD TO STABILIZE AND REPAIR ANY AREA DISTURBED BY INSTALLATION OF GEOTEXTILE.
WORK COMPLETED ON: SUMMER OF 2020
PROJECT TOTAL: \$75,000
CONTACT: STEPHEN BRLETIC
PHONE: 813 868 6508

JOB TITLE: TURTLE ROCK OF PALMER RANCH
WORK PERFORMED: RESTORATION OF SHORELINE UTILIZING FABRIC & FILL DIRT WITH RIP RAP
SCOPE OF WORK: INSTALLATION OF APPROXIMATELY 4,000 LINEAR FEET OF GEOTUBE. MULTIPLE PLANTINGS AND MONTHLY LAKE MAINTENANCE.
WORK COMPLETED ON: ONGOING
PROJECT TOTAL: \$250,000
CONTACT: DAVID BRYAN
PHONE: 901 786 8680

JOB TITLE: SERENOA LAKES HOA
WORK PERFORMED: RESTORATION OF SHORELINE UTILIZING FABRIC & FILL DIRT WITH RIP RAP
SCOPE OF WORK: INSTALLATION OF APPROXIMATELY 12,000 LINEAR FEET OF GEOTUBE. MULTIPLE PLANTINGS AND MONTHLY LAKE MAINTENANCE.
WORK COMPLETED ON: ONGOING
PROJECT TOTAL: \$350,000
CONTACT: PETER BALINT
PHONE: 401 965 2190

Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

Crosscreek Environmental, Inc.

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

Individual/sole proprietor or single-member LLC C Corporation S Corporation Partnership Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

Other (see instructions) ▶ _____

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

111 61st Street East

6 City, state, and ZIP code

Palmetto, FL 34221

7 List account number(s) here (optional)

Requester's name and address (optional)

Print or type. See Specific Instructions on page 3.

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number								

or

Employer identification number									
2	0	-	8	4	1	4	6	6	3

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here

Signature of U.S. person ▶ *Carlton Campbell*

Date ▶ 12/5/22

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

CERTIFICATE OF LIABILITY INSURANCE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER McGriff Insurance Services 9040 Town Center Pkwy. Ste 200 Lakewood Ranch, FL 34202 941-748-1431	CONTACT NAME: Theresa Cerf
	PHONE (A/C, No, Ext): 941-782-6271
	FAX (A/C, No): 866-242-0807
	E-MAIL ADDRESS: theresa.cerf@mcgriff.com
	INSURER(S) AFFORDING COVERAGE
	INSURER A : Southern Owners Insurance Company
	INSURER B : Auto Owners Insurance Company
	INSURER C : American Interstate Insurance Company
	INSURER D : Markel American Insurance Company
	INSURER E :
	INSURER F :

INSURED: **Crosscreek Environmental Inc.**
 111 61st St. E
 Palmetto, FL 34221

COVERAGES: CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR INSR	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			16461220404005	07/31/2022	07/31/2023	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$300,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY <input checked="" type="checkbox"/> Drive Oth Car			5039834100	07/31/2022	07/31/2023	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			5039834101	07/31/2022	07/31/2023	EACH OCCURRENCE \$1,000,000 AGGREGATE \$1,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE/OFFICER/MEMBER EXCLUDED? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N/A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		X	AVWCFL3099042022	07/15/2022	07/15/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
D	Pollution			MTD00000623952	02/24/2022	02/24/2023	\$25,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
USLH Included. Proprietors/Partners/Executive Officers/Members Excluded: CARLTON CAMPBELL, President

CERTIFICATE HOLDER Crosscreek Environmental, Inc 111 Palm View Rd Palmetto, FL 34221	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE <i>AWAC</i>

Exhibit B

Bid Schedule

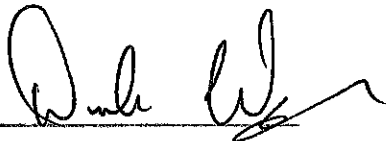
Restoration linear footage for entire CDD capital project will be in excess of ten thousand (10,000) linear feet. Footage portion for this year's project bid is listed below:

<u>Subdivision/ Lake #</u>	<u>Geo-Tube Bag Size</u>	<u>Linear Footage</u>	<u>Price/foot</u>	<u>Price</u>
Lake 12	7 Ft. bottom bag/ 5 Ft. top bag	340 L.F.	\$ <u>52.00</u>	\$ <u>17,680.00</u>
	5 Ft. bottom bag/ 3 Ft. top bag	639 L.F.	\$ <u>45.00</u>	\$ <u>28,755.00</u>
Rip rap removal and relocation to the coves.		Appx. 100 L.F.	\$ <u>22.00</u>	\$ <u>2,200.00</u>
Lake 20/21	7 Ft. bottom bag/ 5 Ft. top bag	920 L.F.	\$ <u>52.00</u>	\$ <u>47,840.00</u>
	5 Ft. bottom bag/ 3 Ft. top bag	1493 L.F.	\$ <u>45.00</u>	\$ <u>67,185.00</u>

Prices will be for all material installed, labor, removal, secured and sodded in place

Project Total \$ 163,660.00

Company Signature



Derek Wagner (print)

Date 12/6/2022



Landshore Enterprises, LLC

*Streambank & Shoreline protection/stabilization/reclamation
Environmental Engineering, Erosion Control, Construction Management
d/b/a Erosion Restoration, LLC*

Proposal Prepared For:

Lake Bank Restoration within CDD Maintained Lakes
Esplanade Golf and Country Club
Flow Way Community Development District

Calvin, Giordano & Associates, Inc.
Brooks Executive Suite, Suite 346
9990 Coconut Drive, Estero, FL 34125

Proposal Prepared By:

Landshore Enterprises, LLC
118 Shamrock Blvd.
Venice, FL 34293

Bid due: December 7, 2022



Landshore Enterprises, LLC

*Streambank & Shoreline protection/stabilization/reclamation
Environmental Engineering, Erosion Control, Construction Management
d/b/a Erosion Restoration, LLC*

December 7, 2022

**James P. Ward, District Manager
Flow Way Community Development District
2301 Northeast 37th Street
Fort Lauderdale, FL 33308**

Re: Lake Bank Restoration within CDD Maintained Lakes at Esplanade Golf and Country Club – Flow Way Community Development District

Mr. Ward,

Enclosed is Landshore Enterprises, LLC (“Landshore®”, “We”, “Our”), response to the request for proposal for the Lake Bank Restoration within CDD Maintained Lakes at Esplanade Golf and Country Club – Flow Way Community Development District.

Landshore®, with offices in Fort Lauderdale, FL, and headquartered in Venice, FL, is a turnkey national design-build environmental company specializing in shoreline erosion control, repair, and restoration challenges. We use non-structural, bioengineering and bio-technical methods to fulfill the demands of our clients. Our main customers are Government Agencies, Homeowner Associations, Golf Courses, and Private Homeowners.

As a shoreline protection contractor, we have vast experience in geo-tubes, dewatering, shaping, grading, cleaning and deepening existing lakes, canals, installation of stormwater conveyance piping, control structures and application of various erosion control methods throughout the USA.

We are member of the BBB since 2006, rated A+, and we have received certification from the South Florida Water Management District and Broward County as a Small Business Enterprise (SBE).

Landshore® is very conscientious about completing projects that reflect professionalism to the highest degree. We take a great deal of pride in each contracted service, no matter how large or small the project is.

Landshore® is committed to and understands the work to be performed.

Sincerely,

André van den Berg
President



Landshore Enterprises, LLC

*Streambank & Shoreline protection/stabilization/reclamation
Environmental Engineering, Erosion Control, Construction Management
d/b/a Erosion Restoration, LLC*

Company Overview

History: Founded in 2002, Landshore® Enterprises, LLC has over 20 years of experience in the Erosion Control Industry.

Certificates and Awards: Certified Florida Stormwater, Erosion and Sedimentation Control Inspectors, Professional Licensed Engineer (FL), South Florida Water Management District Certified, BBB A+, and OSHA-Training.

Customer Reach: Proudly serve Homeowners Associations, Golf Courses, Residential, and Governmental Entities in Florida, Georgia, Illinois, North Carolina, South Carolina, Texas and Virginia.

Services: Engineering

Design, Plans and Cross Sections, GPS and Surveys, Bathymetric Surveys, Topographical Surveys, Soil Testing and Analysis, Stability Analysis, Permit Application, and Construction Management

Construction

Structural and Non-Structural Erosion Control, Shoreline Restoration and Stabilization, Dewatering and Sediment Control, Dredging, Earthwork, Grading, and Restoration

Products: Eco-Filter Tubes®, Erosion Control Panels®, Riprap, GeoWeb, FlexMSE, Filter-Point Fabric, Articulated Concrete Block Mat, Gabion, Retaining Walls, Sheet Piling, Bulkhead, Turf Reinforcement Mats, Drainage Systems, and more.

Applications: Lakes, Ponds, Creeks, Riverfront, Stream Bank, Ditches, Canals, Spillways, Reservoirs, Retention and Detention Ponds.

Locations: Gulf Coast of Florida 118 Shamrock Blvd.
Venice, Florida, 34293
(941) 303-5238

Atlantic Coast of Florida 6555 North Powerline Road, Suite 302
Fort Lauderdale, Florida, 33309
(954) 327-3300

**LAKE BANK SLOPE RETORATION
EXHIBIT B
BID SCHEDULE**

Exhibit B

Bid Schedule

Restoration linear footage for entire CDD capital project will be in excess of ten thousand (10,000) linear feet. Footage portion for this year's project bid is listed below:

<u>Subdivision/ Lake #</u>	<u>Geo-Tube Bag Size</u>	<u>Linear Footage</u>	<u>Price/foot</u>	<u>Price</u>
Lake 12	7 Ft. bottom bag/ 5 Ft. top bag	340 L.F.	\$ <u>56.80</u>	\$ <u>19,312.00</u>
	5 Ft. bottom bag/ 3 Ft. top bag	639 L.F.	\$ <u>52.00</u>	\$ <u>33,228.00</u>
Rip rap removal and relocation to the coves.		Appx. 100 L.F.	\$ <u>44.00</u>	\$ <u>4,400.00</u>
Lake 20/21	7 Ft. bottom bag/ 5 Ft. top bag	920 L.F.	\$ <u>56.80</u>	\$ <u>52,256.00</u>
	5 Ft. bottom bag/ 3 Ft. top bag	1493 L.F.	\$ <u>52.00</u>	\$ <u>77,636.00</u>

Prices will be for all material installed, labor, removal, secured and sodded in place

Project Total \$ 186,832.00

Company Signature 

Date December 7, 2022

Andre van den Berg (print)
President
Landshore Enterprises, LLC

Landshore Enterprises, LLC

From: Richard Freeman <Rfreeman@cgasolutions.com>
Sent: Thursday, December 1, 2022 4:10 PM
To: christopher@seaandshoreline.com; matt@crosscreek.com; Landshore Enterprises, LLC
Cc: Bruce Bernard
Subject: Flow Way Community Development District Lake Bank Restoration Addendum 1

Question 1:

Can you please clarify this statement:

The Bidder shall submit a sealed and clearly marked envelope that includes the **three (5) printed** proposals along with an electronic version of the entire proposal in a PDF format to be marked as follows: "Flow Way Community Development District – Lake Bank Restoration" with detailed instructions as set forth in these bid specifications.

Answer 1:

Five (5) printed.

Richard Freeman

Construction Inspector | Fort Lauderdale Office



Calvin, Giordano & Associates, Inc. | 1800 Eller Drive | Suite 600 | Fort Lauderdale, FL 33316

Office: 954.921.7781 | Direct Line: 954.766.2709 | Fax: 954.266.6498

Fort Lauderdale | Miami-Dade | | West Palm Beach | Clearwater/Tampa | Estero | Port St. Lucie





Landshore Enterprises, LLC

*Streambank & Shoreline protection/stabilization/reclamation
Environmental Engineering, Erosion Control, Construction Management
d/b/a Erosion Restoration, LLC*

References & Projects



Landshore Enterprises, LLC

Streambank & Shoreline protection/stabilization/reclamation
Environmental Engineering, Erosion Control, Construction Management
d/b/a Erosion Restoration, LLC

Projects / References

1. Oakridge Community Development District

5385 North Hob Hill Road, Sunrise, FL 33351

Mr. Juan R. Alvarez, P.E., District Engineer

juan.alvarez@alvarezeng.com

Restoration of Shores for Six Lakes

Installation of geo-textile tubes with imported sand and shoreflex concrete mat to restore shorelines to their original conditions.

\$1,552,778.30

Duration project: November 2020 – August 2022.

2. Lely Community Development District

Hole Montes, Inc.

950 Encore Way, Naples, FL 34110

Mr. W. Terry Cole, P.E., District Engineer

terrycole@hmeng.com

Repair of Lake Erosion Areas

Installation of geo-textile tubes with dredged sand to restored disturbed areas

\$158,500.00

Duration of project: July 2022 – October 2022.

3. Treviso Bay / Wentworth Estates Community Development District

Calvin, Giordano & Associates, Inc.

Brooks Executive Suite, Suite 346, 9990 Coconut Drive, Estero, FL 34125

Mr. Bruce Bernard, Engineer

bbernard@cgasolutions.com

Lake Bank Restoration within CDD Maintained Lakes

Installation of geo-textile tubes with dredged sand to restored disturbed areas

Price per linear feet

Duration of project: Five years (2020, 2021, & 2022 completed. 2023, & 2024 to be completed)

4. Fiddler's Creek Community Development District #1 & #2

Hole Montes, Inc.

950 Encore Way, Naples, FL 34110

Mr. W. Terry Cole, P.E., District Engineer

terrycole@hmeng.com

Repair of Lake Erosion Areas – Phase 4, Phase 5, and Phase 6

Installation of geo-textile tubes with dredged sand to restored disturbed areas

\$451,651.46

Duration of project: Phase 4, 5, & 6 (years 2015, 2016, & 2017)

[More references upon request](#)



Landshore Enterprises, LLC

*Streambank & Shoreline protection/stabilization/reclamation
Environmental Engineering, Erosion Control, Construction Management
d/b/a Erosion Restoration, LLC*

Company Information

State of Florida

Department of State

I certify from the records of this office that LANDSHORE ENTERPRISES, LLC is a limited liability company organized under the laws of the State of Florida, filed on August 5, 2002.

The document number of this limited liability company is L02000019882.

I further certify that said limited liability company has paid all fees due this office through December 31, 2022, that its most recent annual report was filed on January 7, 2022, and that its status is active.

*Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capital, this
the Seventh day of January, 2022*



Randy Be
Secretary of State

Tracking Number: 7878650910CC

To authenticate this certificate, visit the following site, enter this number, and then follow the instructions displayed.

<https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication>

Sarasota County Business Tax Receipt

2022-23

THIS TAX DOES NOT ASSURE QUALITY OF WORK OR CONFIRM THAT REGULATORY OR ZONING REQUIREMENTS HAVE BEEN MET, IT IS THE OWNER'S RESPONSIBILITY TO ENSURE COMPLIANCE.

Account No.
990010119551

Business Type: SERVICE

Business Address: LANDSHORE ENTERPRISES LLC
118 SHAMROCK BLVD
VENICE uninc FL 34293

PAID: 5584377.0001 9/1/2022 \$14.43

VAN DEN BERG ARELIS

118 SHAMROCK BLVD
VENICE FL 34293

All businesses in Sarasota County are responsible for complying with the Sarasota County mandatory recycling ordinance.

Valid until 9/30/2023

Sarasota County Tax Collector
Barbara Ford-Coates
101 S. Washington Blvd., Sarasota, FL 34236
(941) 861-8300, option 3
www.SarasotaTaxCollector.com
Info@SarasotaTaxCollector.com



Landshore Enterprises, LLC

*Streambank & Shoreline protection/stabilization/reclamation
Environmental Engineering, Erosion Control, Construction Management
d/b/a Erosion Restoration, LLC*

Personnel



Landshore Enterprises, LLC

*Streambank & Shoreline protection/stabilization/reclamation
Environmental Engineering, Erosion Control, Construction Management
d/b/a Erosion Restoration*

Personnel:

Landshore Enterprises, LLC employs professional and competent personnel to perform the work. All potential employees go through a thorough interview process and an extended checklist before they are hired. We are also registered in the E-Verify program.

We average 2 to 3 employees per jobsite, depending on the conditions and how large the job is. At all times, we have trained and knowledgeable supervisory personnel at the jobsite to ensure a successful completion of the project and to answer any questions or concerns the CDD may have. We are also available Monday through Friday from 8am to 5pm at our main office to answer any questions.

All our field employees are provided with a color coordinated uniform that have Company's name and logo clearly identified.

Attached is an educational background and professional experience of the key employees.

ANDRE VAN DEN BERG

118 Shamrock Blvd., Venice, FL 34293
andre@landshore.com . (941) 303-5238

Founder and President of Landshore® Enterprises, LLC, dba Erosion Restoration, LLC, a well-established shoreline specialist and erosion control company based in Florida. Twenty years of successful business ownership. Invented and patented an erosion control product.

Education Background:

- Bachelor of Science in Construction Management – Technicon in Pretoria, South Africa
Faculty of Engineering and Management, National Diploma No. 91077469

Certifications and Memberships:

- Qualified Stormwater Management Inspector – Inspector No. 37843
- OSHA Construction Certified
- Member of Florida Lake Management Society

Professional Summary:

- Site planning, engineering design and calculations for erosion and sedimentation control plans.
- Management of industrial, commercial, and residential projects.
- Communication with clients, contract administration and project coordinator.
- Final plans production and review.
- Construction supervision, inspections and close-out.

Key Governmental Clients:

Manatee County, FL; City of Gainesville, FL; City of Tamarac, FL; City of Pembroke Pines, FL; City of Lauderdale Lakes, FL; Oakridge CDD, FL; City of Pompano Beach, FL; City of Miramar, FL; Town of Mount Pleasant, SC; Town of Hilton Head, SC; Myrtle Beach, SC; City of Casselberry, FL; City of Oak Brook, IL; City of Opa-Locka, FL; South Broward Drainage District, FL; Collier County, FL; Fiddler's Creek CDD, FL, Lakewood Ranch CDD, FL; Waterlefe CDD, FL; Village of Pinecrest, FL

Key Private Clients:

The Poplar Grove Golf Club, VA; Oakridge CCD, FL; Wentworth Estates Community Development District, FL; Waterford Master Owners Association, Inc., FL; Sawgrass Homeowners Association, Inc., FL; Waterview Estates Homeowners Association, Inc., FL; Village at Riverwalk Homeowners Association, FL; The Lakes of Oakland Forest HOA, FL; Quail Hollow Golf & Country Club, NC; Atwell-Group (multiple projects); Severn Trent Services, FL; Paradise Island, Bahamas

References and case studies of completed projects available upon request

MICHAL JERABEK

20841 Sugarloaf Ln, Boca Raton, FL 33428 - 954-494-8318 - jerabek.mike88@gmail.com

Highly energetic Project Construction Manager with over 10 years of managerial skills. Hands-on individual with experience in handling different types of construction labor work, using great communication skills and great attention to detail. Highly proficient in earth work and site preparation. Experience in interpreting and executing construction plans. Effectively prioritize tasks and manage time to meet strict deadlines.

EXPERIENCE

2012 – PRESENT – **LANDSHORE ENTERPRISES, LLC**

OPERATIONS MANAGER

Responsible for overseeing all project crew, safety, scheduling, and change orders. Manage site logistics, ordering materials, cost control, quality metrics and timely project completion. Meeting with engineers, material suppliers, inspectors, and residents as a primary resource for identifying, addressing, and resolving construction questions, concerns, and issues.

PROJECT SUPERVISOR / EROSION SPECIALIST TEAM MEMBER

Leader of a team of specialists in the erosion shoreline restoration and erosion control construction development. Familiar with construction industry safety standards and procedures to ensure project security.

Key Clients:

Manatee County; Oakridge CDD; Lely CDD; Wentworth Estates CDD; City of Tamarac; City of Miramar; City of Pompano Beach; City of Pembroke Pines; City of Lauderdale Lakes; City of Coconut Creek; Town of Mount Pleasant, SC; Disney World; Town of Hilton Head, SC; Waterford Master Owners Association, Inc.; Colonial Country Club; Fiddler's Creek CDD; Quail Hollow CC, St. Lucie County, Sheridan Lakes Condominium Association, Inc.

SKILLS

- Managed the construction process for multiple construction projects valued over \$2M, with responsibility for overseeing subcontractors, coordinating schedules, ordering materials, and executing project design specifications.
- Successfully managed first time installation of a new patented erosion control product within a strict deadline and to the full satisfaction of the Client.
- Negotiated materials purchasing and labor resulting in cost savings while completing all project goals and deadlines.
- Managing a yearlong project with multiple erosion control applications within the project deadline and budget, and to the satisfaction of the Owner and Residents.

CERTIFICATIONS/EDUCATION

- Stormwater, Erosion and Sedimentation Inspector Course
- 30-Hour OSHA Construction Safety Class
- Commercial Diver
- Bachelor's Degree in Customer Service, Czech Republic



Landshore Enterprises, LLC

*Streambank & Shoreline protection/stabilization/reclamation
Environmental Engineering, Erosion Control, Construction Management
d/b/a Erosion Restoration, LLC*

Other Information

Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
LANDSHORE ENTERPRISES, LLC

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

Individual/sole proprietor or single-member LLC C Corporation S Corporation Partnership Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ P

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):
 Exempt payee code (if any) _____
 Exemption from FATCA reporting code (if any) _____
(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
118 SHAMROCK BLVD.

6 City, state, and ZIP code
VENICE, FL 34293

7 List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

			-			-				
--	--	--	---	--	--	---	--	--	--	--

or

Employer identification number

0	3	-	0	4	7	9	2	6	8
---	---	---	---	---	---	---	---	---	---

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ▶ Arelis van den Berg Date ▶ 5/2/2022

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
 - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
 - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
 - Form 1099-S (proceeds from real estate transactions)
 - Form 1099-K (merchant card and third party network transactions)
 - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
 - Form 1099-C (canceled debt)
 - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/27/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Bellwether Insurance Group, LLC 225 SE 15th Terrace Deerfield Beach FL 33441	CONTACT NAME: Bellwether Insurance Group PHONE (A/C, No, Ext): (954)800-6400 E-MAIL ADDRESS: certificates@bigriskmanagement.com	FAX (A/C, No): (954)935-7597
	INSURER(S) AFFORDING COVERAGE	
INSURED Landshore Enterprises, LLC, DBA: Erosion Restoration 118 Shamrock Blvd Venice FL 34293	INSURER A: THE CONTINENTAL INSURANCE COMPANY	NAIC # 35289
	INSURER B: Valley Forge Insurance Company	20508
	INSURER C: LLOYDS OF LONDON	
	INSURER D: Market Insurance Company	38970
	INSURER E: Valley Forge Company of the West	27847
	INSURER F:	

Master only

COVERAGES

CERTIFICATE NUMBER: CL27100680 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES DESCRIBED BELOW MAINTAIN THE COVERAGE PROVIDED FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Pollution Liability GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			ML9780215	04/10/2022	04/10/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY			6057228027	04/03/2022	04/03/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Uninsured motorist \$ 1,000,000
D	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			6057228027	02/28/2022	02/28/2203	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000 \$
E	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	Y	N/A	03/14/2022	03/14/2023	<input checked="" type="checkbox"/> PER STATUTE <input checked="" type="checkbox"/> OTH-ER USL&H E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C	Professional Liability			B0621PLAND004622	04/10/2022	04/10/2023	Each claim \$500,000 Aggregate \$100,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate holder is named as additional insured

CERTIFICATE HOLDER**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.

ADDITIONAL COVERAGES

Ref #	Description Contractors Pollution Liability	Coverage Code	Form No.	Edition Date	
Limit 1 1,000,000	Limit 2	Limit 3	Deductible Amount 2,500	Deductible Type	Premium
Ref #	Description PIP-Basic	Coverage Code PIP	Form No.	Edition Date	
Limit 1 10,000	Limit 2	Limit 3	Deductible Amount 0	Deductible Type	Premium
Ref #	Description Uninsured motorist combined single limit	Coverage Code UMCSL	Form No.	Edition Date	
Limit 1 100,000	Limit 2	Limit 3	Deductible Amount	Deductible Type	Premium
Ref #	Description PAID IN FULL	Coverage Code	Form No.	Edition Date	
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type	Premium
Ref #	Description Medical payments	Coverage Code MEDPM	Form No.	Edition Date	
Limit 1 5,000	Limit 2	Limit 3	Deductible Amount	Deductible Type	Premium
Ref #	Description	Coverage Code	Form No.	Edition Date	
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type	Premium
Ref #	Description	Coverage Code	Form No.	Edition Date	
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type	Premium
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Ref #	Description	Coverage Code	Form No.	Edition Date	
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type	Premium

Master only.

Not valid without Certificate

Holder information.



December 7, 2022

James P. Ward
District Manager
Flow Way Community Development District
c/o Calvin, Giordano & Associates
Brooks Executive Suite, Suite 346,
9990 Coconut Drive
Estero, FL 34125

Dear James,

Sea & Shoreline, LLC is pleased to submit a quote for the Flow Way Community Development District Lake Bank Restoration

Sea & Shoreline is an experienced FL-based marine contractor that has completed over 150 environmental restoration projects. Our services include dredging, dewatering, turbidity monitoring, excavation, seagrass restorations, oyster reefs, artificial reefs, shoreline stabilizations, lake bank restorations, living shorelines, wave attenuation devices, and more.

We have been awarded projects in varying sizes up to \$42 million throughout the state of Florida including those at Kings Bay/Crystal River, Homosassa River, Caloosahatchee River, Indian River Lagoon, City of Holmes Beach, City of Fort Walton Beach, St. Andrew Bay, Blue Springs, Florida Power & Light, and more. Our team of experienced and credentialed marine biologists, dredgers, divers, geotextile experts, and other marine construction professionals hold degrees and certifications in their respective fields.

For more information, please visit seaandshoreline.com. Thank you for your consideration.

Sincerely,

Christopher Colli

Director of Projects
christopher@seaandshoreline.com

P: 813.810.2364

P.O. Box 783549, Winter Garden, FL 34778 | seaandshoreline.com | 888-464-6991

Patented Aquatic Restoration Solutions Validated by Science

A) A detailed description of the firm including address, telephone number, number of employees, number of employees assigned to this project, liability insurance certificate, I.D. numbers for IRS, and current availability to handle projected workload.

Sea & Shoreline LLC is an experienced FL-based aquatic restoration contractor that has completed over 150 environmental restoration projects. Our services include bank stabilization, dredging, dewatering, turbidity monitoring, excavation, seagrass restorations, oyster reefs, artificial reefs, bank, living shorelines, wave attenuation devices, and more.

We have been awarded projects in varying sizes up to \$45 million throughout the state of Florida, including those at Kings Bay/Crystal River, Homosassa River, Caloosahatchee River, Indian River Lagoon, City of Holmes Beach, City of Fort Walton Beach, St. Andrew Bay, Blue Springs, Florida Power & Light, and more. Our team of experienced and credentialed biologists, dredgers, divers, geotextile experts, and other marine construction professionals hold degrees and certifications in their respective fields.

Sea & Shoreline currently employs 70 full-time team members, including PhDs, biologists, marine construction operators, project managers, aquaculture specialists, and administrative staff. We are located at P.O. Box 783549, Winter Garden, FL 34778, and can be contacted at (813) 810-2364. Of our 70 employees, up to 5 employees will be assigned to this project, including 1 Project manager, 1 superintendent, and 2-3 crew members. Currently, we are working on 15 projects and have the capacity for several more. Our EIN is 47-1297120. Attached is our liability insurance certificate. For more information about our company, please visit seaandshoreline.com.

B) Briefly describe the educational background and professional experience of the firm owners, supervisors, or key employees assigned to this project.

The Sea & Shoreline team specializes in seagrass restorations and has completed more restorations and vessel grounding projects than any company in the world using scientifically validated processes and patented technologies.

Key employees assigned to the project:

Andy Risi, Ph.D. – VP Project Management oversees all marine construction projects. Andy has a B.S. in Geology and a Ph.D. in Marine Geology and Geophysics.

Ryan Brushwood – Lead Biologist – Ryan implements all aquatic restoration projects managing a team of seven biologists. Ryan and the biologists on his team will assist in developing the Restoration Implementation Plan. He and his team each have a B.S. in Biology and extensive experience in seagrass mapping.

Kevin Perry – Field Manager – Kevin oversees two crews implementing all aquatic and marine construction projects. He and one of his crews will install all the fill and geotextiles within the project footprint. He has a B.S. in Science and is a certified commercial diver.

Heather Herold – Chief Sales & Marketing Officer – Heather will coordinate proposal, contracting, and communication needs. She will also manage project publicity and community education/outreach as allowed by Esplanade Golf and Country Club Flow Way Community Development District. She has a B.A. in Journalism/Marketing and completed post-graduate studies in business administration.

- C) List similar bid awards for lake bank restoration now held by your firm and other similar projects, if any formerly held. List at least one person for each such project who may be contacted by us who is knowledgeable about your work. List telephone numbers for these individuals.

Portofino Shores

- Stabilized and rebuilt the lake bank. Regraded the bank, installed geotubes, adjusted the outfall pipe, and sodded the bank
- Completed June 2022
- \$203,209.47
- Owner: Portofino Shores HOA.
- Owner's representative: Stefan Matthes, Senior Vice President, Culpepper & Terpening- smatthes@ct-eng.com (772) 464-3537 x114

Blue Springs Bank Stabilization

- The work included the reconstruction and stabilization of designated shoreline areas of the Blue Springs Run in the Florida Department of Environmental Protection's (FDEP) Blue Springs State Park, including integrated soil bioengineering and natural rock wall construction, removal and disposal of existing structures, public access controls, manatee avoidance and protection, and temporary erosion and sediment control measures. Sea & Shoreline created an embankment consisting of rip-rap and soil embankment, including geotextile improvements. The project required equipment access by water, with very limited accessibility from land. It also required a combination of underwater and terrestrial construction. The project reinforced eroding and undercut banks to restore slope and remove fallen trees on the north bank within the Blue Springs Run and at the headspring. Native vegetation was also planted.
- \$696,914.55
- Completed 10/31/2021
- Owner: Florida Fish & Wildlife.
- Taylor Kroll, Project Manager- taylor.kroll@myfwc.com (352)339-6736

Sebastian Inlet

- Excavation and rehabilitation of approximately 655 linear feet of continuous stabilization along the northern and southern shorelines of the Sebastian Inlet. The work covered a relic, steel sheet piling with limestone rip rap, then repaired and replaced a rip rap revetment.
- \$1,137,093.00
- October 2022
- Owner: Sebastian Inlet Tax district
- James Gray, Exec. Director, igray@sitd.us (321) 724-5175

- D) The contractor agrees only fully trained personnel will be assigned to this project, except that trainees working under direct and continuous supervision will be acceptable for brief periods not in excess of one month or until certified as completed training.

We agree with the statement above.

- E) The Bid will be awarded only to responsible contractors qualified by experience to do the work specified herein. The Bidder shall submit, with its bid, satisfactory evidence of its experience in like work and that the Bidder is fully prepared with the necessary organization, capital, equipment, and machinery to complete the work to the satisfaction of the District within the time stated in the proposal.

We agree with the statement above.

P.O. Box 783549, Winter Garden, FL 34778 | seaandshoreline.com | 888-464-6991

Exhibit B

Bid Schedule

Restoration linear footage for entire CDD capital project will be in excess of ten thousand (10,000) linear feet. Footage portion for this year's project bid is listed below:

<u>Subdivision/ Lake #</u>	<u>Geo-Tube Bag Size</u>	<u>Linear Footage</u>	<u>Price/foot</u>	<u>Price</u>
Lake 12	7 Ft. bottom bag/ 5 Ft. top bag	340 L.F.	\$ <u>95.00</u>	\$ <u>32,300.00</u>
	5 Ft. bottom bag/ 3 Ft. top bag	639 L.F.	\$ <u>75.00</u>	\$ <u>47,925.00</u>
Rip rap removal and relocation to the coves.		Appx. 100 L.F.	\$ <u>18,000.00</u>	\$ <u>18,000.00</u>
Lake 20/21	7 Ft. bottom bag/ 5 Ft. top bag	920 L.F.	\$ <u>95.00</u>	\$ <u>87,400.00</u>
	5 Ft. bottom bag/ 3 Ft. top bag	1493 L.F.	\$ <u>75.00</u>	\$ <u>111,975.00</u>

Prices will be for all material installed, labor, removal, secured and sodded in place

Project Total \$ \$297,600.00

Company Signature Christopher Colli

Date 12/7/2022

Christopher Colli (print)

P.O. Box 783549

Winter Garden, Florida 34778



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
11/11/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).


PRODUCER Baldwin Krystyn Sherman Partners LLC 4211 W Boy Scout Blvd Suite 800 Tampa FL 33607 License#: L002281 SEA&SHO-01	CONTACT NAME: Rebecca Oberpriller PHONE (A/C No, Ext): 713-463-2120 FAX (A/C No): E-MAIL ADDRESS: Rebecca.Oberpriller@bks-partners.com
	INSURER(S) AFFORDING COVERAGE INSURER A: Mitsui Sumitomo Insurance USA INSURER B: Benchmark Insurance Company INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES CERTIFICATE NUMBER: 1418078038 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

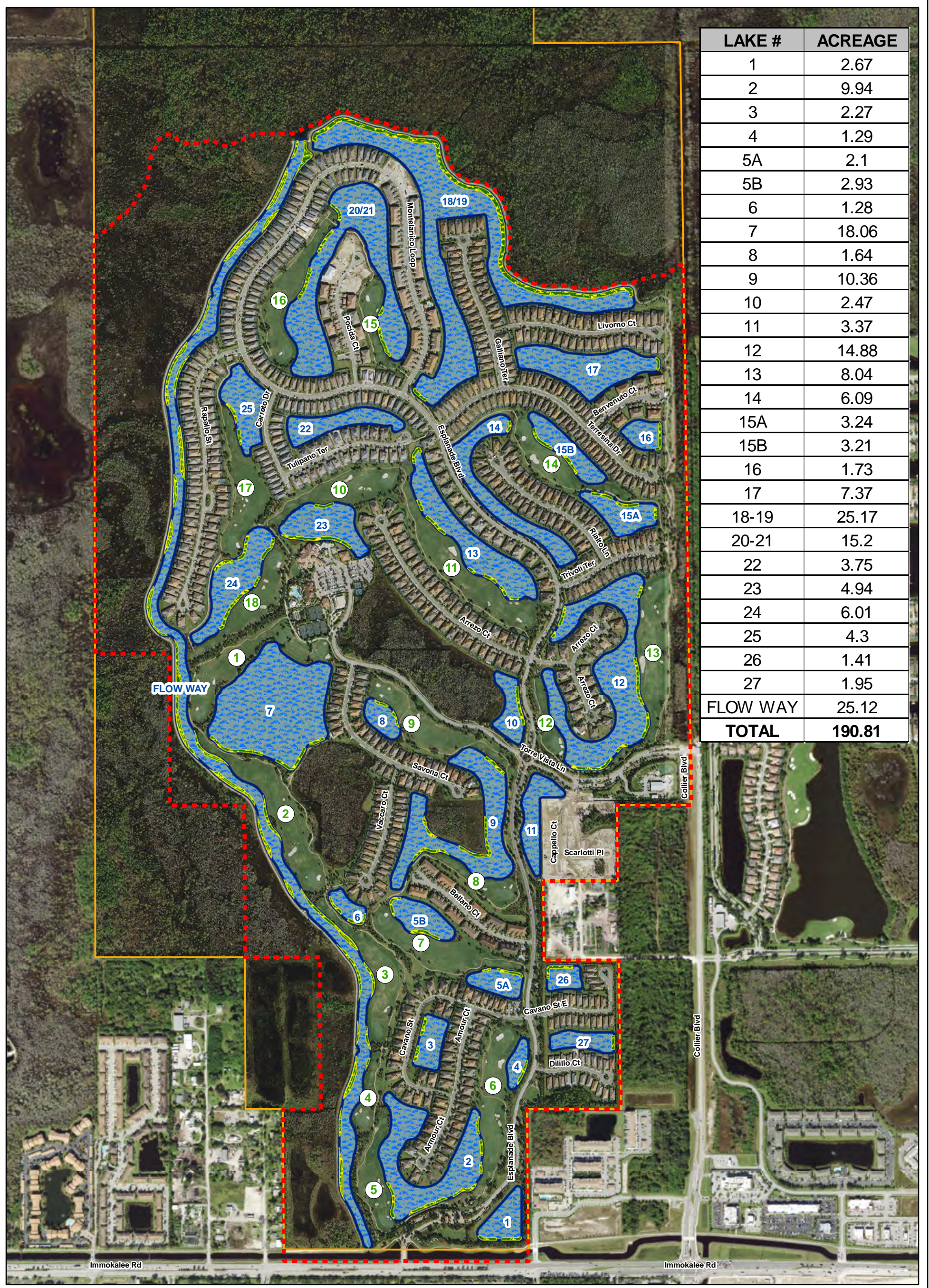
INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:		OHM4510246	11/14/2022	11/14/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000 \$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY		BVR8407371	11/14/2022	11/14/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 25,000		OLM2510489	11/14/2022	11/14/2023	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y/N <input checked="" type="checkbox"/> N/A		MVVC220008500	11/14/2022	11/14/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Maritime Employers Liability Protection & Indemnity		OHM4510246 OHM4510246	11/14/2022 11/14/2022	11/14/2023 11/14/2023	Accident/EE/Disease Each Occurrence 1,000,000 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
The General Liability, Auto, and Excess Liability policies include blanket automatic additional insured and blanket automatic waiver of subrogation endorsements that provides these features to the certificate holder only when there is a written contract between the named insured and the certificate holder that requires such status. General Liability and Excess Liability policies are primary, non-contributory when required by written contract between the named insured and certificate holder. The Workers' Compensation policy includes a blanket waiver automatic waiver of subrogation endorsement that provides this feature only when there is a written contract between the named insured and the certificate holder that requires it. Excess Liability policy is follow form over Marine Commercial Liability, Auto Liability, Maritime Employer's Liability, Protection & Indemnity and Employer's Liability policies.

CERTIFICATE HOLDER Specimen For Information Only	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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APPENDIX D

FLOW WAY CDD LAKES MAP



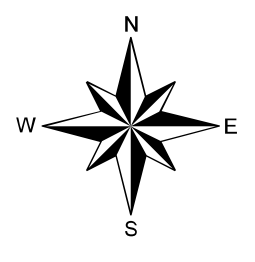
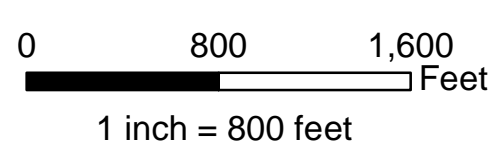
LAKE #	ACREAGE
1	2.67
2	9.94
3	2.27
4	1.29
5A	2.1
5B	2.93
6	1.28
7	18.06
8	1.64
9	10.36
10	2.47
11	3.37
12	14.88
13	8.04
14	6.09
15A	3.24
15B	3.21
16	1.73
17	7.37
18-19	25.17
20-21	15.2
22	3.75
23	4.94
24	6.01
25	4.3
26	1.41
27	1.95
FLOW WAY	25.12
TOTAL	190.81

Flow Way CDD Lakes

Date: 3/23/2022

Calvin, Giordano & Associates, Inc.
EXCEPTIONAL SOLUTIONSSM

- Legend**
- - - CDD Boundary
 - Property Boundary
 - Lakes
 - Permitted Littoral Shelf
 - 3 Hole Numbers
 - 19 Lake Numbers



FLOW WAY COMMUNITY DEVELOPMENT DISTRICT



FINANCIAL STATEMENTS - DECEMBER 2022

FISCAL YEAR 2023

PREPARED BY:

JPWARD & ASSOCIATES, LLC, 2301 NORTHEAST 37TH STREET, FORT LAUDERDALE, FL 33308

T: 954-658-4900 E: JimWard@JPWardAssociates.com

Flow Way Community Development District

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<i>Series 2015 Bonds (Phase 3)</i>	<i>10</i>
<i>Series 2015 Bonds (Phase 4)</i>	<i>11</i>
<i>Series 2016 Bonds (Phase 5)</i>	<i>12</i>
<i>Series 2017 Bonds (Phase 6)</i>	<i>13</i>
<i>Series 2019 Bonds (Phase 7, Phase 8, Hatcher)</i>	<i>14</i>
<i>Capital Project Fund</i>	
<i>Series 2016 Bonds (Phase 5)</i>	<i>15</i>
<i>Series 2017 Bonds (Phase 6)</i>	<i>16</i>
<i>Series 2019 Bonds (Phase 7, Phase 8, Hatcher)</i>	<i>17</i>

JPWard & Associates, LLC

2301 NORTHEAST 37 STREET
FORT LAUDERDALE,
FLORIDA 33308

**Flow Way Community Development District
Balance Sheet
for the Period Ending December 31, 2022**

	Governmental Funds		Debt Service Funds					Capital Projects Funds			Account Groups	Totals
	General Fund	Series 2013	Series 2015 (Phase 3)	Series 2015 (Phase 4)	Series 2016 (Phase 5)	Series 2017 (Phase 6)	Series 2019 (Phase 7 & 8 Hatcher)	Series 2016 (Phase 5)	Series 2017 (Phase 6)	Series 2019 (Phase 7 - 8)	General Long Term Debt	(Memorandum Only)
Assets												
Cash and Investments												
General Fund - Invested Cash	\$ 3,520,489	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,520,489
Debt Service Fund												
Interest Account	-	-	-	-	-	-	-	-	-	-	-	-
Sinking Account	-	-	-	-	-	-	-	-	-	-	-	-
Reserve Account	-	539,000	245,306	160,641	174,534	118,375	256,422	-	-	-	-	1,494,278
Revenue	-	127,212	122,062	38,538	35,997	17,422	53,125	-	-	-	-	394,354
Prepayment Account	-	-	881	272	-	-	5	-	-	-	-	1,158
General Redemption Account	-	-	-	2,471	-	-	-	-	-	-	-	2,471
Construction	-	-	-	-	-	-	-	27,517	18,069	34,299	-	79,885
Cost of Issuance	-	-	-	-	-	-	-	-	-	-	-	-
Retainage Account	-	-	-	-	-	-	-	-	-	-	-	-
Due from Other Funds												
General Fund	-	477,523	226,610	191,470	310,028	210,516	456,504	-	-	-	-	1,872,652
Debt Service Fund(s)	-	-	-	-	-	-	-	-	-	-	-	-
Capital Projects Fund(s)	-	-	-	-	-	-	-	-	-	-	-	-
Market Valuation Adjustments												
Accrued Interest Receivable	-	-	-	-	-	-	-	-	-	-	-	-
Accounts Receivable	472,420	-	-	-	-	-	-	-	-	-	-	472,420
Deposits - FPL	11,226	-	-	-	-	-	-	-	-	-	-	11,226
Amount Available in Debt Service Funds	-	-	-	-	-	-	-	-	-	-	3,418,601	3,418,601
Amount to be Provided by Debt Service Funds	-	-	-	-	-	-	-	-	-	-	(3,443,601)	(3,443,601)
Investment in General Fixed Assets (net of depreciation)	-	-	-	-	-	-	-	-	-	-	-	-
Total Assets	\$ 4,004,134	\$ 1,143,735	\$ 594,859	\$ 393,392	\$ 520,559	\$ 346,313	\$ 766,055	\$ 27,517	\$ 18,069	\$ 34,299	\$ (25,000)	\$ 7,823,933

**Flow Way Community Development District
Balance Sheet
for the Period Ending December 31, 2022**

	Governmental Funds			Debt Service Funds					Capital Projects Funds			Account Groups		Totals (Memorandum Only)
	General Fund	Series 2013	Series 2015 (Phase 3)	Series 2015 (Phase 4)	Series 2016 (Phase 5)	Series 2017 (Phase 6)	Series 2019 (Phase 7 & 8 Hatcher)	Series 2016 (Phase 5)	Series 2017 (Phase 6)	Series 2019 (Phase 7 - 8)	General Long Term Debt			
Liabilities														
Accounts Payable & Payroll Liabilities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Due to Other Funds														
General Fund	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Debt Service Fund(s)	1,872,652	-	-	-	-	-	-	-	-	-	-	-	-	1,872,652
Capital Projects Fund(s)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Unavailable Revenue	\$ 472,420	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 472,420
Bonds Payable														
Current Portion	-	-	-	-	-	-	-	-	-	-	-	-	590,000	590,000
Long Term	-	-	-	-	-	-	-	-	-	-	-	-	(615,000)	(615,000)
Unamortized Prem/Disc on Bds Pybl	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Liabilities	\$ 2,345,071	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (25,000)	\$ 2,320,071
Fund Equity and Other Credits														
Investment in General Fixed Assets	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Fund Balance														
Restricted														
Beginning: October 1, 2021 (Unaudited)	-	997,116	526,139	337,797	442,254	346,313	653,990	25,623	16,785	34,296	-	-	-	3,380,313
Results from Current Operations	-	146,619	68,721	55,594	78,305	-	112,065	1,894	1,284	4	-	-	-	464,485
Unassigned														
Beginning: October 1, 2021 (Unaudited)	(65,145)	-	-	-	-	-	-	-	-	-	-	-	-	(65,145)
Results from Current Operations	1,724,208	-	-	-	-	-	-	-	-	-	-	-	-	1,724,208
Total Fund Equity and Other Credits	\$ 1,659,063	\$ 1,143,735	\$ 594,859	\$ 393,392	\$ 520,559	\$ 346,313	\$ 766,055	\$ 27,517	\$ 18,069	\$ 34,299	\$ -	\$ -	\$ -	\$ 5,503,861
Total Liabilities, Fund Equity and Other Credits	\$ 4,004,134	\$ 1,143,735	\$ 594,859	\$ 393,392	\$ 520,559	\$ 346,313	\$ 766,055	\$ 27,517	\$ 18,069	\$ 34,299	\$ (25,000)	\$ -	\$ (25,000)	\$ 7,823,933

**Flow Way Community Development District
General Fund
Statement of Revenues, Expenditures and Changes in Fund Balance
Through December 31, 2022**

Description	October	November	December	Year to Date	Total Annual Budget	% of Budget
Revenue and Other Sources						
Carryforward	\$ -	\$ -	\$ -	-	\$ (85,253)	0%
Interest						
Interest - General Checking	-	-	-	-	-	N/A
Special Assessment Revenue						
Special Assessments - On-Roll	12,295	407,003	985,271	1,404,569	1,594,494	88%
Special Assessments - Off-Roll	-	-	-	-	-	N/A
Other Financing Sources-Truist Loan Proceeds	500,000	-	-	500,000	500,000	N/A
Contributions Private Sources	-	-	-	-	-	N/A
Intragovernmental Transfer In	-	-	-	-	-	N/A
Total Revenue and Other Sources:	\$ 512,295	\$ 407,003	\$ 985,271	1,904,569	\$ 2,009,241	95%
Expenditures and Other Uses						
Legislative						
Board of Supervisor's Fees	-	2,000	800	2,800	12,000	23%
Executive						
Professional Management	3,333	3,333	3,333	10,000	40,000	25%
Financial and Administrative						
Audit Services	-	-	-	-	5,700	0%
Accounting Services	1,333	1,333	1,333	4,000	16,000	25%
Assessment Roll Services	1,333	1,333	1,333	4,000	16,000	25%
Arbitrage Rebate Services	-	-	500	500	3,000	17%
Other Contractual Services						
Recording and Transcription	-	-	-	-	-	N/A
Legal Advertising	-	277	273	550	3,500	16%
Trustee Services	-	3,950	-	3,950	26,665	15%
Dissemination Agent Services	-	-	-	-	5,500	0%
Property Appraiser Fees	2,750	-	-	2,750	10,000	28%
Bank Services	15	11	-	26	300	9%

**Flow Way Community Development District
General Fund
Statement of Revenues, Expenditures and Changes in Fund Balance
Through December 31, 2022**

Description	October	November	December	Year to Date	Total Annual Budget	% of Budget
Travel and Per Diem	-	-	-	-	-	N/A
Communications & Freight Services						
Postage, Freight & Messenger	-	229	-	229	250	92%
Rentals & Leases						
Meeting Room Rental	-	-	-	-	-	N/A
Computer Services - Website Development	-	-	-	-	2,000	0%
Insurance	-	11,196	-	11,196	15,000	75%
Printing & Binding	-	-	-	-	250	0%
Office Supplies	-	-	-	-	-	N/A
Subscription & Memberships	-	175	-	175	175	100%
Legal Services						
Legal - General Counsel	-	1,967	4,659	6,625	20,000	33%
Boundary Expansion	-	-	-	-	-	N/A
Special Counsel - SFWMD	-	-	-	-	-	N/A
Special Counsel - Litigation	-	35,667	4,005	39,672	175,000	23%
Truist Loan Fees	20,000	-	-	20,000	19,000	105%
Other General Government Services						
Engineering Services - General Fund	-	3,045	2,388	5,433	55,000	10%
Miscellaneous Services	-	-	-	-	-	N/A
Boardwalk & Golf Cart Review	-	-	-	-	-	N/A
Asset Evaluation	-	-	-	-	-	N/A
Stormwater Needs Analysis	-	-	-	-	-	N/A
Strategic Operations Plan	-	-	-	-	-	N/A
Capital Outlay	-	-	-	-	-	N/A
Community Wide Irrigation System						
Professional Services						
Asset Management	-	938	938	1,875	-	N/A
Consumptive Use Permit Monitor	-	-	-	-	-	N/A

**Flow Way Community Development District
General Fund
Statement of Revenues, Expenditures and Changes in Fund Balance
Through December 31, 2022**

Description	October	November	December	Year to Date	Total Annual Budget	% of Budget
Utility Services						
Electric - Pump Station	-	3,014	-	3,014	-	N/A
Electric - Recharge Pumps	-	112	-	112	-	N/A
Repairs and Maintenance						
Pump Station and Wells	410	155	572	1,137	-	N/A
Recharge Pumps	-	-	-	-	-	N/A
Main Line Irrigation System	-	-	-	-	-	N/A
Contingencies	-	-	-	-	-	N/A
Stormwater Management Services						
Preserve Area Maintenance						
Environmental Engineering Consultant						
Task 1 - Bid Documents	-	-	-	-	-	N/A
Task 2 - Monthly site visits	-	-	-	-	13,350	0%
Task 3 - Reporting to Regulatory Agencies	-	-	-	-	8,000	0%
Task 4 - Fish Sampling to US Fish & Wildlife	-	-	-	-	10,350	0%
Task 5 - Attendance at Board Meeting	-	-	-	-	1,000	0%
Clearing Downed Trees/Cleanup	-	-	-	-	1,000	0%
Code Enforcement for Incursion into Preserve	-	-	-	-	-	N/A
Contingencies	-	-	-	-	-	N/A
Repairs and Maintenance						
Wading Bird Foraging Areas	-	-	-	-	1,523	0%
Internal Preserves	-	-	-	-	6,598	0%
Western Preserve	-	-	-	-	3,333	0%
Northern Preserve Area 1	-	-	-	-	3,333	0%
Northern Preserve Area 2	-	-	-	-	3,334	0%
Northern Preserve Areas 1&2	-	-	-	-	-	N/A
Clearing Downed Trees/Cleanup	-	-	-	-	5,000	0%
Code Enforcement for Incursion into Preserve	-	-	-	-	-	N/A

**Flow Way Community Development District
General Fund
Statement of Revenues, Expenditures and Changes in Fund Balance
Through December 31, 2022**

Description	October	November	December	Year to Date	Total Annual Budget	% of Budget
Installation - No Trespassing Signs	-	-	-	-	-	N/A
Capital Outlay						
Internal and External	-	-	-	-	55,000	0%
Lake, Lake Bank and Littortal Shelf Maintenance						
Professional Services						
Asset Management	-	1,800	1,800	3,600	21,600	17%
Repairs & Maintenance						
Aquatic Weed Control	-	5,100	5,100	10,200	104,000	10%
Littortal Shelf-Invasive Plant Control/Monitoring	-	2,800	2,800	5,600	66,000	8%
Lake Bank Maintenance	-	-	-	-	15,000	0%
Water Quality Testing	-	-	-	-	14,500	0%
Littortal Shelf Planting	-	-	-	-	10,000	0%
Aeration System	-	-	-	-	-	N/A
Control Structures, Catch Basins & Outfalls	-	-	-	-	12,000	0%
Contingencies	-	-	-	-	15,505	0%
Capital Outlay						
Fountain Installations	-	-	-	-	-	N/A
Littortal Shelf Planting	-	-	-	-	4,000	0%
Lake Bank Restorations	-	2,740	700	3,440	183,128	2%
Water Control Structures	-	-	-	-	31,000	0%
Contingencies	-	-	-	-	-	N/A
Community Wide Irrigation System						
Professional Services						
Asset Management	-	-	-	-	11,250	0%
Consumptive Use Permit Monitoring	-	-	-	-	16,000	0%
Utility Services						
Electric - Pump Station	-	-	-	-	32,000	0%
Electric - Recharge Pumps	-	-	-	-	8,000	0%
Repairs and Maintenance						

**Flow Way Community Development District
General Fund
Statement of Revenues, Expenditures and Changes in Fund Balance
Through December 31, 2022**

Description	October	November	December	Year to Date	Total Annual Budget	% of Budget
Pump Station and Wells	-	-	-	-	30,000	0%
Recharge Pumps	-	-	-	-	8,500	0%
Main Line Irrigation System	-	-	-	-	6,600	0%
Contingencies	-	-	-	-	5,957	0%
Capital Outlay						
New Meter and Backup Pump/Motor	-	-	-	-	28,000	0%
Landscaping Services						
Professional Services						
Asset Management	-	771	771	1,542	9,250	17%
Utility Services						
Electric - Landscape Lighting	-	-	-	-	19,600	0%
Potable Water - Fountains	-	-	-	-	2,400	0%
Community Entrance (Landscaping)						
Repairs and Maintenance						
Landscaping Maintenance	-	7,930	7,930	15,860	95,000	17%
Tree Trimming	-	-	-	-	8,000	0%
Landscape Replacements	-	-	-	-	10,000	0%
Mulch Installation	-	-	8,686	8,686	12,500	69%
Annuals	-	-	-	-	32,000	N/A
Annual Holiday Decorations	-	5,650	5,650	11,300	18,000	N/A
Landscape Lighting	-	-	-	-	3,600	N/A
Landscape Monuments	-	-	-	-	7,200	N/A
Fountains	-	805	1,285	2,090	18,500	N/A
Bridge & Roadway - Main Entrance	-	-	-	-	13,500	0%
Miscellaneous Repairs	-	-	-	-	3,000	N/A
Contingencies	-	-	-	-	15,491	0%
Debt Service						
Principal	-	-	-	-	500,000	N/A
Interest	-	-	-	-	12,200	N/A

**Flow Way Community Development District
General Fund
Statement of Revenues, Expenditures and Changes in Fund Balance
Through December 31, 2022**

Description	October	November	December	Year to Date	Total Annual Budget	% of Budget
Reserves and Overall Contingencies						
District Asset Restoration	-	-	-	-	-	N/A
Contingencies	-	-	-	-	68,800	N/A
Intragovernmental Transfer Out						
	-	-	-	-	-	N/A
Sub-Total:	29,176	96,329	54,856	180,361	2,009,241	9%
Total Expenditures and Other Uses:	\$ 29,176	\$ 96,329	\$ 54,856	\$ 180,361	\$ 2,009,241	9%
Net Increase/ (Decrease) in Fund Balance	483,119	310,674	930,415	1,724,208	-	
Fund Balance - Beginning	(65,145)	417,974	728,648	(65,145)	-	
Fund Balance - Ending	\$ 417,974	\$ 728,648	\$ 1,659,063	1,659,063	\$ -	

Flow Way Community Development District
Debt Service Fund - Series 2013
Statement of Revenues, Expenditures and Changes in Fund Balance
Through December 31, 2022

Description	October	November	December	Year to Date	Total Annual Budget	% of Budget
Revenue and Other Sources						
Carryforward	\$ -	\$ -	\$ -	-	\$ -	N/A
Interest Income						
Interest Account	-	0	-	0	-	#DIV/0!
Sinking Fund	-	0	-	0	-	N/A
Reserve Account	5,845	0	0	5,846	11,000	53%
Prepayment Account	-	-	-	-	-	N/A
Revenue Account	2	2	1	4	-	N/A
Special Assessment Revenue						
Special Assessments - On-Roll	4,159	137,688	333,314	475,161	539,344	88%
Special Assessments - Off-Roll	-	-	-	-	-	N/A
Intragovernmental Transfer In	-	-	-	-	-	N/A
Total Revenue and Other Sources:	\$ 10,006	\$ 137,690	\$ 333,315	481,012	\$ 550,344	N/A
Expenditures and Other Uses						
Property Appraiser & Tax Collection Fees	930.45	-	-	930	\$ -	N/A
Debt Service						
Principal Debt Service - Mandatory						
Series 2013 Bonds	-	130,000	-	130,000	\$ 130,000	100%
Principal Debt Service - Early Redemptions						
Series 2013 Bonds	-	-	-	-	-	N/A
Interest Expense						
Series 2013 Bonds	-	203,463	-	203,463	410,525	50%
Operating Transfers Out (To Other Funds)	-	-	-	-	-	N/A
Total Expenditures and Other Uses:	\$930	\$333,463	\$0	\$334,393	\$540,525	N/A
Net Increase/ (Decrease) in Fund Balance	9,076	(195,772)	333,315	146,619	9,819	
Fund Balance - Beginning	997,116	1,006,192	810,420	997,116		
Fund Balance - Ending	\$ 1,006,192	\$ 810,420	\$ 1,143,735	1,143,735	\$ 9,819	

Flow Way Community Development District
Debt Service Fund - Series 2015 (Phase 3)
Statement of Revenues, Expenditures and Changes in Fund Balance
Through December 31, 2022

Description	October	November	December	Year to Date	Total Annual Budget	% of Budget
Revenue and Other Sources						
Carryforward	\$ -	\$ -	\$ -	-	\$ -	N/A
Interest Income						
Interest Account	-	0	-	0	-	N/A
Sinking Fund	-	0	-	0	-	N/A
Reserve Account	2,670	0	0	2,670	5,300	50%
Prepayment Account	-	-	-	-	-	N/A
Revenue Account	1	1	1	3	-	N/A
Special Assessment Revenue						
Special Assessments - On-Roll	1,974	65,340	158,175	225,489	255,873	88%
Special Assessments - Off-Roll	-	-	-	-	-	N/A
Special Assessments - Prepayment	-	-	-	-	-	N/A
Intragovernmental Transfers In						
Debt Proceeds	-	-	-	-	-	N/A
Total Revenue and Other Sources:	\$ 4,645	\$ 65,342	\$ 158,176	228,162	\$ 261,173	N/A
Expenditures and Other Uses						
Property Appraiser & Tax Collection Fees	442	-	-	442	\$ -	N/A
Debt Service						
Principal Debt Service - Mandatory						
Series 2015 Bonds (Phase 3)	-	75,000	-	75,000	\$ 75,000	100%
Principal Debt Service - Early Redemptions						
Series 2015 Bonds (Phase 3)	-	-	-	-	-	N/A
Interest Expense						
Series 2015 Bonds (Phase 3)	-	84,000	-	84,000	166,406	50%
Operating Transfers Out (To Other Funds)						
Total Expenditures and Other Uses:	\$442	\$159,000	\$0	\$159,442	\$241,406	N/A
Net Increase/ (Decrease) in Fund Balance	4,203	(93,658)	158,176	68,721	19,767	
Fund Balance - Beginning	526,139	530,342	436,684	526,139	-	
Fund Balance - Ending	\$ 530,342	\$ 436,684	\$ 594,859	594,859	\$ 19,767	

Flow Way Community Development District
Debt Service Fund - Series 2015 (Phase 4)
Statement of Revenues, Expenditures and Changes in Fund Balance
Through December 31, 2022

Description	October	November	December	Year to Date	Total Annual Budget	% of Budget
Revenue and Other Sources						
Carryforward	\$ -	\$ -	\$ -	-	\$ -	N/A
Interest Income						
Interest Account	-	0	-	0	-	N/A
Sinking Fund	-	0	-	0	-	N/A
Reserve Account	1,756	0	0	1,756	3,500	50%
Prepayment Account	-	-	-	-	-	N/A
Revenue Account	1	1	0	2	8	20%
General Redemption Account	0	0	0	0	-	N/A
Special Assessment Revenue						
Special Assessments - On-Roll	1,668	55,208	133,647	190,522	216,342	88%
Special Assessments - Off-Roll	-	-	-	-	-	N/A
Special Assessments - Prepayments	-	-	-	-	-	N/A
Operating Transfers In (To Other Funds)						
Debt Proceeds	-	-	-	-	-	N/A
Total Revenue and Other Sources:	\$ 3,424	\$ 55,209	\$ 133,647	192,280	\$ 219,850	N/A
Expenditures and Other Uses						
Property Appraiser & Tax Collection Fees	373.07	-	-	373	\$ -	N/A
Debt Service						
Principal Debt Service - Mandatory						
Series 2015 Bonds (Phase 4)	-	60,000	-	60,000	\$ 60,000	100%
Principal Debt Service - Early Redemptions						
Series 2015 Bonds (Phase 4)	-	-	-	-	-	N/A
Interest Expense						
Series 2015 Bonds (Phase 4)	-	76,313	-	76,313	151,356	50%
Operating Transfers Out (To Other Funds)						
Total Expenditures and Other Uses:	\$373	\$136,313	\$0	\$136,686	\$211,356	N/A
Net Increase/ (Decrease) in Fund Balance	3,051	(81,104)	133,647	55,594	8,494	
Fund Balance - Beginning	337,797	340,849	259,745	337,797		
Fund Balance - Ending	\$ 340,849	\$ 259,745	\$ 393,392	393,392	\$ 8,494	

Flow Way Community Development District
Debt Service Fund - Series 2016 (Phase 5)
Statement of Revenues, Expenditures and Changes in Fund Balance
Through December 31, 2022

Description	October	November	December	Year to Date	Total Annual Budget	% of Budget
Revenue and Other Sources						
Carryforward	\$ -	\$ -	\$ -	-	\$ -	N/A
Interest Income						
Interest Account	-	0	-	0	-	N/A
Sinking Fund	-	0	-	0	-	N/A
Reserve Account	1,893	0	0	1,894	3,700	51%
Prepayment Account	-	-	-	-	-	N/A
Revenue Account	1	1	0	2	12	20%
Special Assessment Revenue						
Special Assessments - On-Roll	2,700	89,393	216,402	308,495	350,060	88%
Special Assessments - Off-Roll	-	-	-	-	-	N/A
Debt Proceeds						
Operating Transfers In (To Other Funds)	-	-	-	-	-	N/A
Total Revenue and Other Sources:	\$ 4,595	\$ 89,394	\$ 216,402	310,391	\$ 353,772	N/A
Expenditures and Other Uses						
Property Appraiser & Tax Collection Fees	604.09	-	-	604	\$ -	N/A
Debt Service						
Principal Debt Service - Mandatory						
Series 2016 Bonds (Phase 5)	-	110,000	-	110,000	\$ 110,000	100%
Principal Debt Service - Early Redemptions						
Series 2016 Bonds (Phase 5)	-	-	-	-	-	N/A
Interest Expense						
Series 2016 Bonds (Phase 5)	-	119,589	-	119,589	236,785	51%
Operating Transfers Out (To Other Funds)	0	1,893	0	1,894	-	N/A
Total Expenditures and Other Uses:	\$604	\$231,482	\$0	\$232,086	\$346,785	N/A
Net Increase/ (Decrease) in Fund Balance	3,990	(142,088)	216,402	78,305	6,987	
Fund Balance - Beginning	442,254	446,245	304,157	442,254		
Fund Balance - Ending	\$ 446,245	\$ 304,157	\$ 520,559	520,559	\$ 6,987	

Flow Way Community Development District
Debt Service Fund - Series 2017 (Phase 6)
Statement of Revenues, Expenditures and Changes in Fund Balance
Through December 31, 2022

Description	October	November	December	Year to Date	Total Annual Budget	% of Budget
Revenue and Other Sources						
Carryforward	\$ -	\$ -	\$ -	-	\$ -	N/A
Interest Income						
Interest Account	-	0	-	0	-	N/A
Sinking Fund	-	0	-	0	-	N/A
Reserve Account	1,284	0	0	1,284	2,200	58%
Prepayment Account	-	-	-	-	-	N/A
Revenue Account	1	1	0	1	8	18%
Special Assessment Revenue						
Special Assessments - On-Roll	1,834	60,700	146,943	209,476	237,599	88%
Special Assessments - Off-Roll	-	-	-	-	-	N/A
Debt Proceeds						
Operating Transfers In (To Other Funds)	-	-	-	-	-	N/A
Total Revenue and Other Sources:	\$ 3,118	\$ 60,701	\$ 146,943	210,762	\$ 239,807	N/A
Expenditures and Other Uses						
Property Appraiser & Tax Collection Fees	410.19	-	-	410	\$ -	N/A
Debt Service						
Principal Debt Service - Mandatory						
Series 2017 Bonds (Phase 6)	-	70,000	-	70,000	\$ 70,000	100%
Principal Debt Service - Early Redemptions						
Series 2017 Bonds (Phase 6)	-	-	-	-	-	N/A
Interest Expense						
Series 2017 Bonds (Phase 6)	-	81,488	-	81,488	161,750	50%
Debt Service-Other Costs						
Operating Transfers Out (To Other Funds)	0	1,284	0	1,284	-	N/A
Total Expenditures and Other Uses:	\$410	\$152,771	\$0	\$153,182	\$231,750	N/A
Net Increase/ (Decrease) in Fund Balance	2,708	(92,070)	146,943	57,580	8,057	
Fund Balance - Beginning	288,733	291,441	199,370	288,733		
Fund Balance - Ending	\$ 291,441	\$ 199,370	\$ 346,313	346,313	\$ 8,057	

Flow Way Community Development District
Debt Service Fund - Series 2019 (Phase 7, Phase 8 and Hatcher)
Statement of Revenues, Expenditures and Changes in Fund Balance
Through December 31, 2022

Description	October	November	December	Year to Date	Total Annual Budget	% of Budget
Revenue and Other Sources						
Carryforward - Capitalized Interest	\$ -	\$ -	\$ -	-	\$ -	N/A
Interest Income						
Interest Account	-	-	-	-	-	N/A
Sinking Account	-	-	-	-	-	N/A
Reserve Account	1	1	1	3	15	21%
Prepayment Account	-	-	-	-	-	N/A
Revenue Account	2	2	0	4	15	23%
Special Assessment Revenue						
Special Assessments - On-Roll	3,976	131,627	318,643	454,246	515,479	88%
Special Assessments - Off-Roll	-	-	-	-	-	N/A
Debt Proceeds						
Operating Transfers In (To Other Funds)	-	-	-	-	-	N/A
Total Revenue and Other Sources:	\$ 3,979	\$ 131,630	\$ 318,644	454,253	\$ 515,509	N/A
Expenditures and Other Uses						
Property Appraiser & Tax Collection Fees	889.49	-	-	889	\$ -	N/A
Debt Service						
Principal Debt Service - Mandatory						
Series 2019 Bonds (Phase 7,8,Hatcher)	-	170,000	-	170,000	\$ 170,000	100%
Principal Debt Service - Early Redemptions						
Series 2019 Bonds (Phase 7,8,Hatcher)	-	-	-	-	-	N/A
Interest Expense						
Series 2019 Bonds (Phase 7,8,Hatcher)	-	171,295	-	171,295	339,743	50%
Debt Service-Other Costs						
Operating Transfers Out (To Other Funds)	1	1	1	3	-	N/A
Total Expenditures and Other Uses:	\$891	\$341,296	\$1	\$342,188	\$509,743	N/A
Net Increase/ (Decrease) in Fund Balance	3,088	(209,666)	318,643	112,065	5,766	
Fund Balance - Beginning	653,990	657,078	447,412	653,990		
Fund Balance - Ending	\$ 657,078	\$ 447,412	\$ 766,055	766,055	\$ 5,766	

**Flow Way Community Development District
Capital Project Fund - Series 2016 (Phase 5)
Statement of Revenues, Expenditures and Changes in Fund Balance
Through December 31, 2022**

Description	October	November	December	Year to Date	Total Annual Budget
Revenue and Other Sources					
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -
Interest Income					
Construction Account	0	0	0	0	-
Cost of Issuance	-	-	-	-	-
Debt Proceeds					
Operating Transfers In (From Other Funds)	0	1,893	0	1,894	-
Total Revenue and Other Sources:	\$ 0	\$ 1,893	\$ 0	\$ 1,894	\$ -
Expenditures and Other Uses					
Executive					
Professional Management	-	-	-	\$ -	\$ -
Other Contractual Services					
Trustee Services	-	-	-	\$ -	\$ -
Printing & Binding					
	-	-	-	\$ -	\$ -
Legal Services					
Legal - Series 2016 Bonds (Phase 5)	-	-	-	\$ -	\$ -
Other General Government Services					
Stormwater Mgmt-Construction	-	-	-	\$ -	\$ -
Capital Outlay					
Construction in Progress					
	-	-	-	\$ -	\$ -
Cost of Issuance					
Series 2016 Bonds (Phase 5)	-	-	-	-	\$ -
Underwriter's Discount					
	-	-	-	\$ -	\$ -
Operating Transfers Out (To Other Funds)	\$ -	\$ -	\$ -	\$ 0	\$ -
Total Expenditures and Other Uses:	\$ -	\$ -	\$ -	\$ 0	\$ -
Net Increase/ (Decrease) in Fund Balance	0	1,893	\$ 0	\$ 1,894	-
Fund Balance - Beginning	25,623	25,623	\$ 27,517	25,623	-
Fund Balance - Ending	\$ 25,623	\$ 27,517	\$ 27,517	\$ 27,517	\$ -

Prepared by:

JWARD and Associates, LLC

**Flow Way Community Development District
Capital Project Fund - Series 2017 (Phase 6)
Statement of Revenues, Expenditures and Changes in Fund Balance
Through December 31, 2022**

Description	October	November	December	Year to Date	Total Annual Budget
Revenue and Other Sources					
Carryforward	\$ -	\$ -	\$ -	-	\$ -
Interest Income					
Construction Account	0	0	0	0	-
Cost of Issuance	-	-	-	-	-
Debt Proceeds					
Operating Transfers In (From Other Funds)	0	1,284	0	1,284	-
Total Revenue and Other Sources:	\$ 0	\$ 1,284	\$ 0	\$ 1,284	\$ -
Expenditures and Other Uses					
Executive					
Professional Management	-	-	-	\$ -	\$ -
Other Contractual Services					
Trustee Services	-	-	-	\$ -	\$ -
Printing & Binding					
	-	-	-	\$ -	\$ -
Legal Services					
Legal - Series 2016 Bonds (Phase 5)	-	-	-	\$ -	-
Capital Outlay					
Water-Sewer Combination-Construction	-	-	-	\$ -	\$ -
Stormwater Mgmt-Construction	-	-	-	\$ -	\$ -
Off-Site Improvements-CR 951 Extension	-	-	-	\$ -	\$ -
Construction in Progress					
	-	-	-	\$ -	-
Cost of Issuance					
Series 2017 Bonds (Phase 6)	-	-	-	-	\$ -
Underwriter's Discount					
	-	-	-	\$ -	-
Operating Transfers Out (To Other Funds)	\$ -	\$ -	-	\$ -	-
Total Expenditures and Other Uses:	\$ -	\$ -	\$ -	\$ -	\$ -
Net Increase/ (Decrease) in Fund Balance	0	1,284	\$ 0	\$ 1,284	-
Fund Balance - Beginning	16,785	16,785	\$ 18,069	16,785	-
Fund Balance - Ending	\$ 16,785	\$ 18,069	\$ 18,069	\$ 18,069	\$ -

Prepared by:

JPWARD and Associates, LLC

Flow Way Community Development District
Capital Project Fund - Series 2019 (Phase 7, Phase 8 and Hatcher)
Statement of Revenues, Expenditures and Changes in Fund Balance
Through December 31, 2022

Description	October	November	December	Year to Date	Total Annual Budget
Revenue and Other Sources					
Carryforward	\$ -	\$ -	\$ -	-	\$ -
Interest Income					
Construction Account	0	0	0	0	-
Cost of Issuance	-	-	-	-	-
Retainage Account	-	-	-	-	-
Debt Proceeds					
Contributions from Private Sources					
Operating Transfers In (From Other Funds)	1	1	1	3	-
Total Revenue and Other Sources:	\$ 1	\$ 1	\$ 1	\$ 4	\$ -
Expenditures and Other Uses					
Executive					
Professional Management	-	-	-	\$ -	\$ -
Other Contractual Services					
Trustee Services	-	-	-	\$ -	\$ -
Printing & Binding					
Legal Services					
Legal - Series 2019 Bonds (Ph 7, Ph 8 & Hatcher)	-	-	-	\$ -	\$ -
Capital Outlay					
Water-Sewer Combination-Construction	-	-	-	\$ -	\$ -
Stormwater Mgmt-Construction	-	-	-	\$ -	\$ -
Off-Site Improvements-CR 951 Extension	-	-	-	\$ -	\$ -
Construction in Progress					
Cost of Issuance					
Series 2016 Bonds (Phase 5)	-	-	-	-	\$ -
Underwriter's Discount					
Operating Transfers Out (To Other Funds)	\$ -	\$ -	\$ -	\$ -	\$ -
Total Expenditures and Other Uses:	\$ -	\$ -	\$ -	\$ -	\$ -
Net Increase/ (Decrease) in Fund Balance	\$ 1	\$ 1	\$ 1	\$ 4	-
Fund Balance - Beginning	34,296	34,297	34,298	34,296	-
Fund Balance - Ending	\$ 34,297	\$ 34,298	\$ 34,299	\$ 34,299	\$ -

Prepared by:

JPWARD and Associates, LLC