

# FLOW WAY COMMUNITY DEVELOPMENT DISTRICT

NOTICE OF PUBLIC HEARING ON THE ADOPTION OF THE DISTRICT’S BUDGET AND CONSIDERATION OF ASSESSMENT RATES FOR FISCAL YEAR 2025 WHICH COVERS THE PERIOD OCTOBER 1, 2024, THROUGH SEPTEMBER 30, 2025

THIS IS NOT A BILL – DO NOT PAY

Date of Mailing:	June 13, 2024
Parcel Identification Number:	<<PARCEL_ID>>
Property Owner Name(s) and Mailing Address:	<<OWNER_ADDRESS>>
FY 2025 Assessment Rate per unit Assigned to Parcel:	\$1,845.00
Number of Units Assigned to Parcel:	1
Cap Rate per unit Assigned to Parcel:	\$2,214.00

This NOTICE is to provide you information about Flow Way Community Development District (“District”), its services, and upcoming events. You are receiving this notice because the Collier County Property Appraiser’s records indicate that you are a property owner within the District.

## Upcoming Public Hearing

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The District will hold two public hearings on **Thursday, July 18, 2024, at 1:00 P.M.**, at the **Esplanade Golf and Country Club, 8910 Torre Vista Lane, Naples, Florida 34119**. The purpose of the first public hearing will be to consider the adoption of the District’s budget(s). The purpose of the second public hearing will be to determine and levy non-ad valorem assessments on all property owners in the District.

In order to fund operations, the District imposes and levies non-ad valorem special assessment on your property on an annual basis, the purposes of which are: (i) to fund the District’s general administrative and maintenance budget (“Operation and Maintenance Assessment”), and (ii) to provide the funds necessary to pay debt service on outstanding bonds as reflected in the District’s debt service budget (“Debt Service Assessment”). The Operation & Maintenance Assessment is not a new assessment, but

the District is required by Florida law to notify each owner by mail of an intended increase in the Operation and Maintenance Assessment.

## Fiscal Year 2025 – Proposed Budget

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With the Fiscal Year 2025 Budget, the District is now entering its third (3rd) year of operations and maintenance of the infrastructure within the District, which includes the Stormwater Management System, i.e. Lakes, Littorals, Lake Banks and Stormwater pipes, Main Irrigation Station, the Front Entrance landscaping, Bridge, Roadway, and Berms.

During 2023, and into 2024, the preserve maintenance was deferred, and with the conclusion of litigation with the Developer in 2024, the District has begun the process of bringing the SFWMD permit back into compliance. The District has been successful in obtaining approval from SFWMD to extend the permit timeline to meet success criteria, which the District anticipates meeting this criteria by the summer of 2026. (three years).

Subsequently, the District went through the competitive bid process and awarded a bid for a three (3) year contract. The first-year work will be complete by the middle/late part of June and the District will submit the required reports to SFWMD once prepared.

During Fiscal Year 2024, we have made substantial gains in operations, and are now in year two (2) of the Five (5) year plan to restore the entire lake bank system. The District has also improved the front entrance landscaping, painted the Bridge, Bridge Lighting, replaced the second well pump that went down this year with the backup pump and have purchased another backup up for the system.

The Fiscal Year 2025 Budget plan for operations and capital continue on a steady plan to keep the Community's assets well maintained insuring that the District's operations plans include a forward plan for the future in identifying life expectancy, and evaluating certain assets that are nearing the end of their useful life.

Toward that end, there are two assets that are included in the Fiscal Year 2025 budget for restoration. The first is the front entrance Fountains internal components. The components in the fountains are now going on 12 years old and after an exhaustive evaluation are included in the capital plan to replace the internal working of the two front Fountains. Two of the pumps went down, one of which was rebuilt, and the second was determined not to be rebuilt. These are included in the Fiscal Year 2025 Budget at an estimated cost of \$120,000.00.

The second asset is the Main Irrigation Pump Station, of which the four (4) main pumps will need to be rebuilt this coming year, along with a replacement of the 2nd irrigation filtration assembly in the pumphouse. This is estimated at \$110,000.00. With the completion of the Easement Agreement with the Master HOA, the District will now move the process forward with SFWMD to transfer the Water Use Permit from the name of the Developer to the CDD for operations. Additionally, the District will now be able to explore the addition of a backup well for emergency use only with SFWMD. The regulatory agency is generally not in favor of these wells; however, staff is recommending that the District pursue the addition of the backup well.

The third item that is of substantive financial impact is the cost of Insurance. After numerous hurricanes over the past few years in Florida, the cost of insuring assets for CDD's, in general, and for Flow Way has dramatically increased for two reasons. First, in Fiscal Year 2024 the CDD's Assets were added to the Insurance and, as or more importantly, the sheer destruction Florida has experienced over the past couple of years from Hurricanes, has had a significant adverse impact on rates. The District's premium for Fiscal Year 2024 was \$59,212.00 and based on current trend we are budgeting Fiscal Year 2025 be approximately the same. Towards this end, staff recently asked the insurer to assist with a valuation process for these assets and which will be completed during Fiscal Year 2025.

## Summary

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The complete Budget for Fiscal Year 2025 is on the District's web site at [www.flowwaycdd.org](http://www.flowwaycdd.org) and we encourage all residents to visit the web site for more information. Additionally, the Engineering reports that provide full information on all of the District's assets are on the web site.

## Assessment Rates

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The proposed assessment rate noted on page 1 is \$1,845.00 with a CAP rate of \$2,214.00.

The amount of the Debt Service assessment is not subject to change.

The District collects the Operation and Maintenance Assessment and Debt Service Assessment on the Collier County Tax Bill.

Under the proposed budget, all properties, pay the same operations and maintenance assessment amount, as noted above.

The District expects to collect and arrange to collect no more than \$2,184,480.00 in gross revenue for Fiscal Year 2025 operations and maintenance assessment, including any applicable discounts and applicable fees because of the operations and maintenance assessment. The total revenue the District would expect to collect, in future years, if the assessment cap rate is used, would be not more than \$2,621,376.00 (in gross revenue per year, including any applicable discounts and applicable fees).

All benefited lands within the District pay the Operation and Maintenance Assessment. The unit of measurement for the Operation and Maintenance Assessment is per residential unit. Lands within the District are assigned units of measurement in accordance with their use. Platted residential lots or condominium units are considered to contain one (1) residential unit.

At this public hearing, the Board will also consider adopting an assessment cap for notice purposes in the amount of \$2,621,378.00. The effect of adopting such a cap for notice purposes only simply means that the District will not provide mailed notice to you in the future of the annual Operation and Maintenance Assessment amount provided it is less than or equal to the cap adopted. If in the future the District's proposed Operation and Maintenance Assessments exceed the adopted cap, mailed notice

will be provided to all landowners within the District prior to the public hearing. The purpose of adopting an assessment cap for notices purposes only is to reduce the costs to all landowners associated with providing mailed notice.

## Notices

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By operation of law, the District's assessments each year constitute a lien against your property located within the District just as do each year's property taxes. It is important to pay your assessments since failure to do so will cause a tax certificate to be issued against the property which may result in loss of title.

You have the right to appear at this public hearing and express any objections, suggestions, or comments you may have. You may also file written objections within twenty days of the date of this Notice at the office of the District Manager, 2301 Northeast 37<sup>th</sup> Street, Fort Lauderdale, Florida 33308, Attention: James P. Ward. Additionally, written objections may be filed by e-mail notification to the office of the District Manager, at [JimWard@JPWardAssociates.com](mailto:JimWard@JPWardAssociates.com).

If anyone chooses to appeal any decision of the Board with respect to any matter considered at the public hearing, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which such appeal is based. The public hearing(s) may be continued to a date and time certain that will be announced at the hearing.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations at this hearing because of a disability or physical impairment should contact the District Manager at least five (5) days prior to the date of the hearing.

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Finally, on behalf of the entire Board of Supervisors and professional team, we would like to thank you for your valued contributions during this transition, and we look forward to a successful year.

Yours sincerely,



Zack Stamp  
Chair