

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

The Regular Meeting of the Flow Way Community Development District’s Board of Supervisors was held on Tuesday, January 13, 2015, at 3:00 p.m., at the Offices of Coleman, Yovanovich & Koester, 4001 Tamiami Trail North, Suite 300, Naples, Florida 34103.

Present and constituting a quorum were:

John Asher	Chairman
Keith Berg	Assistant Secretary
Anthony Burdett	Assistant Secretary
Stephen Reiter	Assistant Secretary

Also present were:

James P. Ward	District Manager
Greg Urbancic	District Counsel
Jeremy Arnold	District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Ward called the meeting to order at 2:00 p.m. The record will reflect that all Supervisors are present at roll call with the exception of Supervisor Simonetti.

SECOND ORDER OF BUSINESS

Administration of the oath of office for Anthony Burdett who was elected at the November 11, 2014, meeting.

- **Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employee**
- **Form 1 – Statement of Financial Interests**

Mr. Ward stated, for the record, I’m a notary for the State of Florida and authorized to administer this oath. Mr. Ward administered the Oath of Office to Anthony Burdett. I’ll ask that you sign and print your name in the two appropriate spots in the oath, return it to me, I’ll notarize it and make it a part of the permanent record for you. Attached to the Oath of Office is a Form 1 Statement of Financial Interest. I also emailed you an electronic copy of it. You are required to fill it out and return it to the Supervisor of Elections in the County in which you reside within 30 days of today’s date. I know you are fully aware of all the fines

that may be levied, and fully aware of the laws relative to CDDs, so I won't take the time and go through that. If you have any questions, Greg or I are here to answer them for you.

Mr. Burdett stated thank you very much.

THIRD ORDER OF BUSINESS

Consideration of Minutes

a) November 11, 2014 – Landowners' Meeting

Mr. Ward stated I'll ask that you approve these minutes for purposes of inclusion in the record only. Those are your November 11, 2014, Landowners' Meeting minutes. If you have any additions, corrections or deletions, it would be appropriate at this time to so indicated, otherwise a motion to approve for purposes of inclusion in the record would be in order.

On MOTION made by Mr. Berg and seconded by Mr. Asher, with all in favor, the November 11, 2014, Landowners' Meeting minutes was approved.

b) November 11, 2014 – Regular Meeting

Mr. Ward stated if you have any additions, corrections or deletions, it would be appropriate to so indicate, otherwise a motion for their approval would be in order.

On MOTION made by Mr. Berg and seconded by Mr. Asher, with all in favor, the November 11, 2014, Regular Meeting minutes was approved.

FOURTH ORDER OF BUSINESS

Consideration of Work Order – Walrdrop Engineering to provide engineering report, attending meetings relative to the Series 2015 Capital Improvement Program

Mr. Ward stated this was related to the preparation of your Series 2015 Capital Improvement Revenue Bonds for Phase III of the project. The proposed scope of services and fee structure are identified on page 1 &2. The agreement is consistent with the Master Agreement that we have with Walrdrop Engineering for provision of fee services for the District. If you have any questions, I'd be glad to answer them for you. The funding will

come from the Series 2015 Bonds, if and to the extent we issue bonds, if not, it will come from our General Fund, and then I will probably end up doing a budget amendment to pay for the engineering services if the bonds are not issued at some point.

With that, if you have any questions with respect to it, otherwise a motion to adopt the work order is in order.

Mr. Asher asked are there going to be any legal descriptions that go along with this? Are we going to need surveying work?

Mr. Ward stated I think the answer yes. That's not covered for purposes of this work authorization. But I would say yes.

Mr. Asher stated sure, I'm just letting the Board know that then there may be something else.

Mr. Ward stated there will be a lot more. When we get to the engineering report you'll see that there's \$120,000 or a \$130,000 in professional fees, some of which I assume is Walrdrop Engineering fees related to the acquisition of the infrastructure that we'll be doing within the project itself.

Mr. Asher stated or past consulting fees.

Mr. Ward stated or past consulting fees, yes; one of the two.

On MOTION made by Mr. Asher and seconded by Mr. Berg, with all in favor, the Work Order for Walrdrop Engineering to provide engineering report, attending meetings relative to the Series 2015 Capital Improvement Program was approved.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2015-3, declaring special assessments; indicating the location, nature and estimated cost of those improvements which cost is to be defrayed in whole or in part by the special assessments, providing the portion of the estimated cost of the improvements to be defrayed in whole or in part by the special assessments; providing the manner in which such special assessments shall be made; providing when such special assessments shall be made; designating lands upon which the special assessments shall be levied; providing for

an assessment plat; adopting a preliminary assessment roll; providing for a public hearing to consider the advisability and propriety of said assessments and the related improvement; providing for notice of said public hearing; providing for publication of this resolution; providing for conflicts; providing for severability; and providing an effective date.

Mr. Ward stated item five and six are related items. We'll do them in tandem at this point. The first one is Resolution 2015-3, but essentially what we are doing is setting up the process for the levy of the assessments for the Series 2015 Capital Improvement Revenue Bonds Phase III. We'll do this in four parts. One is I'll ask Jeremy to take a few moments and go through the Engineer's Report with you. I'll briefly go through the methodology with you. At the conclusion of those two presentations, we'll take up Resolutions 2015-3 and 2015-4.

Mr. Arnold stated the Phase III Engineer's Report is basically just a build onto the previous Phase I, Phase II Engineer's Report where we are including additional units to Phase III and the Phase III assessment. The one little difference that you might notice is we added an additional unit type, 90-foot, but the methodology is consistent with the Master Agreement or the Master Report, and the previous Engineer's Report. Nothing has changed other than that.

Mr. Ward stated okay. Did you just want to take a moment and go through the costs of the project, and the types of infrastructure we'll be constructing, and we'll go from there.

Mr. Arnold stated the costs are outlined, starting on page six, Surface water management proportional individual according to our property costs levied on the different unit types based on the number of type and the number of unit for \$2 million in surface water management.

Mr. Asher asked like Table 25, wouldn't that be better.

Mr. Arnold stated yes, I'm looking for that table; actually, that's what I was looking for. Yes, that's where I was pulling that information off that previous table. But that kind of outlines the different categories that are qualified for the CDD bonds: surface water management, potable water, wastewater, irrigation and exterior landscaping. It's all

summarized and totaled at the bottom row of the table. In this assessment, we have 52-foot lots, 76-foot lots, and 90-foot lots, and it's pretty self-explanatory there.

Mr. Ward stated the total estimated cost of the project is roughly \$3.5 million for all of the infrastructure when we add bonding costs on top of that, the total cost is estimated at \$4.8 million. We'll probably issue something lower than that. That number is on the high side for purposes of the levy of the assessment, so that when we issue, we don't go over the maximum assessment allocation that we're permitted, pursuant to law and the levy of the assessments in total. Do you all have any questions on the Engineer's Report?

There were not questions.

With respect to the methodology, again, as Jeremy had indicated to you, my methodology is exactly the same as what we accomplished with respect to this last series of bonds that we did for Phase I and Phase II. The methodology is built on two premises; one is a cost allocation, which is identified in the Engineer's Report. What that does is take the \$3,453,575 and allocate it to all the of the different product types based upon the type of infrastructure that we are constructing within the District itself. That infrastructure includes the surface water management system, potable water, wastewater, and irrigation systems, exterior landscaping, offsite improvements, mitigation, miscellaneous, and also environmental mitigation, along with professional fees and permitting fees.

Once we allocate those costs among the different product types, based upon the engineer's allocation, then we come up with a methodology that basically mirrors that allocation of cost by product types. We add onto that the cost of issuance of the bonds, which includes such items as a reserve account, capitalized interest, and cost of issuance with respect to the bonds. Such that, the total issuance is anticipated to be roughly \$4.8 million. If you turn in my report to page 24, that chart on that page will give you the estimated par debt assessment per lot per product type. Where the Phase III bonds, we only have three product types, a 52-foot lot, a 76-foot lot, and the new category for the larger lots, which are the 90-foot lots.

The allocations range from \$32,363 up to \$71,146, and then the report provides to you an estimated maximum annual debt service based upon an allocation of roughly \$4.8 million. Then the final exhibit, which is on pages 26, 27 and 28 provide to you the assessment per unit for each of the folio numbers that are identified from the tax rolls that

we have in the District, and subject to assessments that include parcels D, parcel E, parcel F, parcel H, for a total of \$4.8 million in assessments. If you have any questions with respect to either the Engineer’s Report or the methodology, I would be glad to answer them for you or Jeremy will.

Mr. Asher stated no, I don’t have any questions.

Mr. Ward stated hearing none, then the next order would be to consider Resolution 2015-3, which declares the special assessments, indicates the location, nature and estimated cost of the improvements to be defrayed in whole or in part by the assessment program, provides the portion of the estimated cost to the improvements to be defrayed in whole or in part by the assessments. It provides the manner in which the special assessments shall be made, it designates the lands on which the special assessments shall be levied, and it provides for an assessment plat and assessment roll. It provides for the public hearing and advisability and necessity related to the special assessments.

A couple of changes to the resolution that we have in your agenda package. One is in the first “Whereas”. The Engineer’s Report has been dated January of 2015, and that date will change. Also, in section four and five, the estimated cost is \$3,453,574.71, and in section five, it will defray \$4,800,000 in bonded indebtedness. With those changes, that resolution is in order and recommended for your consideration, and a motion would be in order.

On MOTION made by Mr. Asher and seconded by Mr. Reiter, with all in favor, Resolution 2015-3 was approved.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2015-4 setting a public hearing to be held on February 17, 2015, at 3:00 p.m. at the offices of Coleman, Yonvanvich & Koester, 4001 Tamiami Trail North, Suite 300, Naples, Florida 34103, for the purpose of hearing public comment on imposing special assessments on certain property within the District generally described as the Flow Way Community Development District in accordance with Chapter 170, 190 and 197 Florida Statutes.

Mr. Ward stated the final resolution that we will consider at today’s hearing is to set the public hearing. That is not your normal board meeting date, and the reason that date has been picked is we need to provide 30 days’ notice to all property owners. That will be sent out to all property owners tomorrow, so we must give them 30 days’ notice by meeting back to that date, time and location. Hopefully you can make it. If you can’t make it, we will need to restart this process, so hopefully your calendars will all be clear on that particular date and time. If you can handle it, then a motion to adopt Resolution 2015-4, setting the public hearing for February 17, 2015, at three o’clock at the Offices of Coleman, Yovanovich and Koester would be in order.

On MOTION made by Mr. Berg and seconded by Mr. Asher, with all in favor, Resolution 2015-4 was approved.

Mr. Reiter asked, Jim, just to keep Sal happy, can you send us a meeting notice?

Mr. Ward stated absolutely.

SEVENTH ORDER OF BUSINESS

Staff Reports

a) **District Attorney**

No report

b) **District Engineer**

No report

c) **District Manager**

No report

EIGHTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

Mr. Ward asked anything from the Board? The record will reflect that there are no members of the audience present.

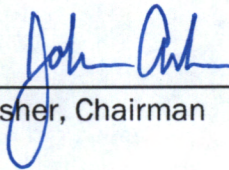
NINTH ORDER OF BUSINESS

Adjournment

Mr. Ward stated a motion to adjourn would be in order.

On MOTION made by Mr. Burdett and seconded by Mr. Reiter,
with all in favor, the meeting was adjourned at 3:22 p.m.


James P. Ward Secretary


John Asher, Chairman

OATH OR AFFIRMATION OF OFFICE

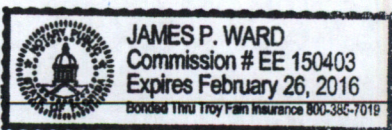
I, ANTHONY BURDITT, a citizen of the State of Florida and of the United States of America, and being an officer of the **Flow Way Community Development District** and a recipient of public funds as such officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida, and will faithfully, honestly and impartially discharge the duties devolving upon me as a member of the Board of Supervisors of the **Flow Way Community Development District**, Collier County, Florida.

Anthony Burditt
Signature
Printed Name: ANTHONY BURDITT

STATE OF FLORIDA
COUNTY OF COLLIER

Sworn to (or affirmed) before me this 13 day of JANUARY, 2015, by ANTHONY BURDITT, whose signature appears hereinabove, who is personally known to me or who produced _____ as identification.

James P. Ward
NOTARY PUBLIC
STATE OF FLORIDA

Print Name:  _____

My Commission Expires: _____