

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

The Regular Meeting of the Board of Supervisors of the Flow Way Community Development District for **Tuesday, March 21, 2017, at 3:00 p.m.**, at the **Offices of Coleman, Yovanovich & Koester, P.A., 4001 Tamiami Trail North, Suite 300, Naples, Florida 34103.**

Present and constituting a quorum were:

David Truxton	Chairman
Skip Adams	Assistant Secretary
Chris Nirenberg	Assistant Secretary

Absent were:

Anthony Burdett	Vice Chairman
Steve Reiter	Assistant Secretary

Also Present were:

James Ward	District Manager
Greg Urbancic	District Counsel
David Willems	District Engineer

1. Call to Order & Roll Call

Mr. Ward called the meeting to order at 3:00 p.m., and roll call determined that all members of the Board were present with the exception of Supervisor Reiter and Vice Chairman Burdett.

2. Consideration of Minutes

i. Regular Meeting – January 17, 2017

Mr. Ward asked if there were any additions, corrections or deletions. A Board member said Mr. Nirenberg's name was spelled incorrectly. Mr. Ward said this would be corrected.

Motion was made by Mr. Adams and seconded by Mr. Truxton to approve the minutes of the January 17, 2017 meeting with corrections described above, and with all in favor, the motion was approved.

- 3. CONSIDERATION OF RESOLUTION 2017-8 OF THE BOARD OF SUPERVISORS OF FLOW WAY COMMUNITY DEVELOPMENT DISTRICT DECLARING SPECIAL ASSESSMENTS; INDICATING THE LOCATION, NATURE AND ESTIMATED COST OF THOSE IMPROVEMENTS WHICH COST IS TO BE DEFRAIDED IN WHOLE OR IN PART BY THE SPECIAL ASSESSMENTS; PROVIDING THE PORTION OF THE ESTIMATED COST OF THE IMPROVEMENTS TO BE DEFRAIDED 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 IMPROVEMENTS; 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 that Items 3 and 4 on the agenda were essentially the same process that had been used over the last four or five years related to levying special assessments on property that was within the District. He said that this particular assessment was for what was commonly referred to as the Dillillo Annexation, which was the property that the Board annexed into the boundaries of the District, which became affective the middle of December of last year. He said \$900,000 had been set aside when they had done the last bond issue to be used for the Dillillo Annexation once it was completed and once the District went through the process and assessed the lands within this annexed property.

He stated there were two resolutions before the Board, 2017-8 and 2017-9. The first resolution indicated that the Board was going to impose special assessments on the property. This would defray the cost of those improvements through the issuance of bonds. He said the resolution provided for the preparation of an assessment role, which was attached to the resolutions, and provided for a notice of public hearing.

Mr. Ward said the notice of public hearing was Resolution 2017-9 and indicated the public hearing was scheduled for April 25, 2017, at 3:00 p.m. at the offices of Coleman, Yovanovich & Koester, 4001 Tamiami Trail North, Suite 300, Naples, Florida 34103. The engineers' report and the methodology used for the Dillillo

Annexation was exactly the same as that used for the issuance of the Series 2016 Bonds. He said it simply segregated out the Dillillo Annexation lands which were 47, 52-foot lots with this assessment process.

Mr. Ward called for questions from the Board, and one member verified that the property was platted and they had the correct assessment roll. Mr. Ward responded that he had requested the assessment roll from the County and had it reviewed and all was well.

Motion was made by Mr. Truxton and seconded by Mr. Niremberg to approve Resolution 2017-8 in its form attached to the agenda, and with all in favor, the motion was approved.

4. **Consideration of Resolution 2017-9 CONSIDERATION OF RESOLUTION 2017-9 OF THE BOARD OF SUPERVISORS OF FLOW WAY COMMUNITY DEVELOPMENT DISTRICT SETTING A PUBLIC HEARING TO BE HELD ON APRIL 25, 2017, 2017 AT 3:00 P.M. AT THE OFFICES OF COLEMAN, YOVANOVICH & KOESTER, P.A., 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 CHAPTERS 170, 190 AND 197, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.**

Motion was made by Mr. Truxton and seconded by Mr. Adams to approve Resolution 2017-9 in its form attached to the agenda, and with all in favor, the motion was approved.

5. **CONSIDERATION OF RESOLUTION 2017-10 OF THE BOARD OF SUPERVISORS OF THE FLOW WAY COMMUNITY DEVELOPMENT DISTRICT AMENDING RESOLUTION 2016-10 WHICH DESIGNATED THE DATES, TIME AND LOCATION FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS OF THE DISTRICT FOR FISCAL YEAR 2017 TO PROVIDE FOR A LOCATION CHANGE BEGINNING WITH THE MAY 16, 2017 MEETING; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.**

Mr. Ward stated that Resolution 2017-10 was a resolution that amended the Resolution 2016-10 which was adopted last year setting Board meeting dates, times and locations. He said at the January Board meeting, the Board had discussed moving the meetings to the Esplanade Golf and Country Club. He explained that this resolution changed the location but not the time or the date for each month. He said this change would occur beginning with the May 17, 2017

meeting. He said the change required re-notification in the newspaper and to the County.

A Board member asked for the reason for this change, and Mr. Ward stated that it was Board initiated. A discussion ensued, and it was decided to postpone this move until 2018.

6. Consideration of Utility and Water Management Facilities for Dillillo Annexation Parcel

Mr. Ward stated that Mr. Urbancic would explain the many items on the list in the agenda. He stated that one motion to approve all of the items would be in order following Mr. Urbancic's presentation.

Mr. Urbancic stated that there were three requisitions that would ultimately be paid with the Dillillo funds, which would be released once the assessment process was complete. The three were Requisitions 6,7,8.

Requisition 6 had to do with the utility facilities for the Dillillo parcel. Mr. Urbancic said that in their packets they had the customary transfer documents. He explained what the documents were and the steps that he would take to execute them.

Mr. Urbancic stated that Requisitions 7 and 8 were for the same items, storm water improvement and surface water management improvements. He said accounting asked that the requisitions be split into two. He explained there was a promissory note for Requisition 7 for \$237,874.52 and Requisition 8 for \$239,348.40. He stated that these requisitions and the ones approved at the last meeting would deplete the Dillillo sum.

Mr. Urbancic added that also included in the packet was a bill of sale and an owner's affidavit, which said there were no liens on the improvements being transferred to the CDD. He said they would need to convey certain easements.

Mr. Ward called for questions, and a Board member wanted clarification on right-of-way tracts, which Mr. Urbancic addressed.

Motion was made by Mr. Truxton and seconded by Mr. Niremberg to approve Requisitions 6, 7, 8 as described above, and with all in favor, the motion was approved.

4. Staff Reports

- a) District Counsel

Mr. Urbancic did not have a report, but Mr. Ward asked him to do completion certificates for the 2015 Phase 3 and 2015 Phase 4 Bonds. He also asked him to check to see if they had done certificates for 2013. Mr. Urbancic said he would have them for next meeting with accompanying resolutions.

- b) District Engineer – No report
- c) District Manager - No report

8. Supervisor's Requests and Audience Comments

- i. Mr. Ward asked for requests from the Board. A Board member asked if there was anything else on the agenda for the hearing in April. Mr. Ward said the two resolutions he just talked about would be on it. Also, it was said they would have some amendments as well.
- ii. Mr. Ward stated that there were no audience members present.

9. Adjournment

Motion was made by Mr. Adams and seconded by Mr. Niremberg to adjourn the meeting, and with all in favor, was approved.

The meeting was adjourned at 3:18 p.m.

Flow Way Community Development District



James P. Ward, Secretary



David Truxton, Chairman