

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

The Regular Meeting of the Board of Supervisors of the Flow Way Community Development District was held on Thursday, February 20, 2025 at 1:00 p.m. at the Esplanade Golf and Country Club, 8910 Torre Vista Lane, Naples, FL 34119.

Present and constituting a quorum:

Zack Stamp	Chairperson
Ronald Miller	Vice-Chairperson
Bart Bhatla	Assistant Secretary
Tom Kleck	Assistant Secretary
Mark Scimio	Assistant Secretary

Also present were:

Michael Pawelczyk	District Counsel
James P. Ward	District Manager
James Messick	District Engineer

Audience:

Suzanne Sanders
Tom Sanders

PORTIONS OF THIS MEETING WERE TRANSCRIBED VERBATIM. ALL VERBATIM PORTIONS WERE TRANSCRIBED IN *ITALICS*.

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Chairperson Stamp called the meeting to order at approximately 1:00 p.m. Roll call was conducted, and all Members of the Board were present, constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comments

Public Comments for non-agenda items (limited to three [3] minutes). Individuals are permitted to speak on items on the agenda during that item and will be announced by the Chairperson.

No comments.

THIRD ORDER OF BUSINESS

National Association of Landscape Professionals, 2024 Outstanding Landscaping Award

Chairperson Stamp stated the CDD won the Outstanding Landscaping Award for the front entrance by National Association of Landscape Professionals. He noted this award is to promote excellence in the industry, leaders in the field of landscape training, education, research, development management, and

landscaping across the country. He mentioned that they are honored to receive this award and thanked the CDD staff and vendors.

FOURTH ORDER OF BUSINESS

Consideration of Minutes

January 16, 2025 - Regular Meeting

Chairperson Stamp asked if there were any additions or corrections to the Minutes; there were none.

On MOTION made by Bart Bhatla, seconded by Mark Scimio, and with all in favor, the Meeting Minutes were approved.

FIFTH ORDER OF BUSINESS

Staff Items

I. District General Counsel - Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

No report.

II. District Engineer – Calvin, Giordano & Associates

a. Engineer’s Report

1) Current Operations

i. Landscaping

ii. Lake Maintenance

Hatcher Lake 11 - New Plantings

iii. Entrance Maintenance

iv. Irrigation Pump House

v. External Preserve Compliance Update

2) Capital Projects

i. Lake Bank Restoration 2025

3) Future Assets Maintenance Items

i. Corrective Actions

Mr. Messick stated that they have been continuing to spray for weeds. He noted that temperatures dropped, causing frost, and the annual bedding was covered with cloth to prevent them from freezing due to this. He explained rye seeds were spread and typical trimming of brushes and annuals was completed. He noted they finished placing sod along the rear yards of Savona on Lake 7, due to the lake elevations rising during the wet season. He stated there were images in his report to view.

Chairperson Stamp asked if the problem was present at any other lakes than just Lake 7.

Mr. Messick: I think Lake 12 is another lake that we're addressing. We're going to look at addressing this year, which has more of a roash (?) problem than killing the grass problem.

Chairperson Stamp: Is that still under warranty from the --

Mr. Messick: No, it's [indiscernible] That's the original.

Chairperson Stamp: That's the original vendor? Okay.

Mr. Messick stated that they are continuing to treat the CDD for torpedo grass, alligator weed, and cattails and they will continue to do so. He noted that trash would be removed and algae would be treated. He noted that submerged aquatic vegetations were also treated. He explained that, in addition to treating lakes for the invasives, they are looking at the Capital Project for placing signs. He stated Lake 11's entrance has gone down, which has exposed the bare littoral shelf and there are higher than normal water levels, submerging littoral plants. He stated that the back-to-back hurricanes and heavy rainfall events have caused this and the littoral plants are completely submerged. He explained that they are addressing the issue as best as they can by planting 8,000 littoral plants, various trees, and flowering in the bare areas.

Mr. Ron Miller: May I ask a question?

Mr. Messick: Sure.

Mr. Miller: This is the [indiscernible] Boulevard that Taylor & Morrison kind of do at the last [indiscernible]?

Mr. Messick: Right.

Mr. Miller: I recall that the CDD did not provide the funding for that piece of the development. How is it that we got stuck with this? We refused to buy that from Taylor & Morrison.

Chairperson Stamp: We refused to give them the million dollars, but we still got the property.

Mr. Miller: How did we get the property?

Chairperson Stamp: Part of the transfer one day.

Mr. Miller: We accepted the transfer?

Chairperson Stamp: We didn't have any choice, did we?

Mr. Ward: No. This is included in the South Florida Water Management District permit for operations and maintenance. So, the District, even before the funding issue came about, was always a part of that management permit, so we ultimately get the responsibility for operations and maintenance. And we have been doing that for quite some time now.

Mr. Miller: Something -- something's missing there for me, because we had no say in the matter. We just -- we were forced into this? We refused to pay for it.

Chairperson Stamp: Jim, correct me. But I think the CDD accepted it, but Taylor & Morrison still control it, I think. They accepted that when they decided to do the Hatcher property, and we just never paid them for it.

Mr. Miller: Well, Hatcher is different than this. This came along subsequent to the Hatcher property.

Chairperson Stamp: No, the development is part of that. This had to be done as part of the Hatcher. They had to increase the drainage area for the water collection.

Mr. Miller: Something's just missing in this picture for me, because we deliberately said no, and I don't know how we got stuck with "yes." We had a vote and said no.

Chairperson Stamp: We voted not to give them the million dollars from the bond issue; that's why there's no bond payments in Hatcher. Like we got for the water irrigation system and everything else that goes through there is all -- we own it all.

Mr. Miller: Think about that later, because that --

Chairperson Stamp: No, I understand your point.

Chairperson Stamp explained that Taylor & Morrison and the CDD owned it before control was taken by the CDD.

Mr. Kleck: In regards to that lake in front of the Hatcher property, that butts out to [indiscernible] Boulevard. I've heard several people complain about the ugliness of that site, especially this time of year, and I wondered if there couldn't be some kind of a bush or a shrub, like one of these fast-growing bushes we have around the golf course, that we could run across that are parallel with [indiscernible] Boulevard along that frontage.

Chairperson Stamp: We could -- and I'm going to let you speak in a minute. We could, but then that blocks the view of the peoples' lanais if they want to look out across it.

Mr. Kleck: I understand, but they're still going to see the ugly lake in addition to these fast-growing bushes. Now, I don't know what kind of a view that's going to make for them. But I think it would be better than what they've got now. Because right now, they're looking at the highway, [indiscernible] Boulevard.

Mr. Miller: I kind of like that idea. They might be happier, because it would at least take the cars out of the equation.

Mr. Bhatla: Is that our responsibility?

Mr. Kleck: It could be the HOA.

Mr. Bhatla: We are responsible?

Chairperson Stamp: No. [Indiscernible.] That wouldn't be our responsibility there, out of the --

Ms. Sanders: So, we live in one of the homes.

Chairperson Stamp: Just for the record, just identify. I know you signed.

Ms. Sanders: I'm Suzanne Sanders with my husband, Tom Sanders, and we built over there in that Hatcher property back in 2021 with, obviously, Taylor & Morrison. Originally, they told us it was going to be a lake behind our house. It's not the lake that's right there.

Mr. Miller: We understand that. We know that.

Ms. Sanders: Obviously not. So, unfortunately, right now it looks really bad, I get that. It looks really bad. But most of the year, if it just has a little bit of water in it, it's really, really pretty. It looks like a littoral shelf that is meant to be; it looks like something you'd see down in the Carolinas. It's the grasses and the plantings, and it's very attractive. We also bought there because we like seeing [indiscernible] on that boulevard. We like looking out at the big road; we like seeing the cars and the golf carts and the bikers. And we enjoy that. We really -- we like that look. So, we just want it to be maintained so that everybody else in [indiscernible] doesn't feel as though it's ugly or a pit for unattractive. I mean, a lot of it is nature and we can't, I guess, do anything as far as keeping some water in there consistently, as it's gravity-fed, it's Mother Nature. Is that the deal?

Mr. Sanders: So, the water gravity-fed goes into that lake. It's not as simple as raising a pipe a foot to maintain a foot to two feet of water in the littoral shelf. That would hide all that cat, rock, and the ugliness that everybody's been worrying about.

Mr. Messick: The problem with doing that is that you may create flooding issues during the wet season and keep the water from flowing out by raising the pipe to a higher elevation. And the stormwater management system permit was part of the -- the entire system is equalized in equilibrium, so they all balance each other out. And if you try to disassociate yourself from the rest of the system, there's quite a bit of permeating water modeling and potential flooding [indiscernible]. So, while it may help in the dry season to keep water in there, it's also going to be a double-edged sword of having additional water in there during the wet season.

Chairperson Stamp: Mark, what we were told -- and since it was Taylor & Morrison, everything of what we were told may or may not be the truth -- but it seemed to be is that they couldn't (didn't want to) -- "couldn't" I think is the word they used -- dynamite out that hard rock underneath that. And it's either blow it out with blasting or take heavy equipment in there with jackhammers and pound it out of there, which would be -- and so, they got the permit modified to be a littoral shelf. And again, that was done before the residents got control of that and the CDD.

Mr. Kleck stated he remembers when Taylor & Morrison was developing the Hatcher property. He stated there was so much rock and stone that it would be expensive to do, and they decided against it. He noted that he did not know if the water level would ever be different there.

Mr. Miller: Jimmy, is that Lake connected underground to the other lakes? So, that one's under the street?

Mr. Messick: Everything's connected. It's connected through pipes. There's a couple [indiscernible] in the road that connects to the lakes [indiscernible].

Mr. Miller noted that he just wanted to make it clear that all lakes are connected with underground pipes and they are unable to raise the lower one.

Ms. Sanders: So, how do the other littoral shelves look in here? Do we have any other littoral shelves in here?

Mr. Messick: Usually, it's subjected to just the bay and it stops at 20 feet width.

Mrs. Sanders: Okay. I mean, I can say that this past -- we're full-timers; we live here full-time. So, this past summer was an unbelievable amount of rain. It was a ton, like 61 inches or something like that. So, obviously, everything that was in there was killed, was killed off; it drowned, it was flooded. So, it does look the worst it's ever looked right now. It does. If you go over and you check it out with the guys, the team that you send out there, they're doing a great job. They are trying to clean up the [indiscernible], they cut away all the dead grasses and everything, cleaned that up, put in new -- they were trying to put in better plantings that are more conducive to the intense weather. But there is no way -- there's just no way you all grazing or doing something for the season that we're in a drought for that, you're saying there's just nothing you can do from that other lake, that 11?

Mr. Messick: Not the way it is currently.

Mrs. Sanders: But can't permits be modified, reapplied for?

Mr. Messick: We are looking to see what that would take. There's going to be some significant costs on that. He noted there's a problem raising littorals because they don't get wet and they can become dry during the wet season and they don't get submerged during the rainy seasons.

Mrs. Sanders: I think also that -- this time around, with the weather that we had, I don't think that your team was on it in time. I think it's been looking bad for a really long time. So, I don't know if you all need to be more proactive knowing that this is an issue, and it's -- the issue is along the boulevard, going to the beautiful fountain, going to the country club. It needs to be better taken care of. This is not going to change.

Mr. Sanders: So, it seems to me it's been somewhat ignored when the water level got to be zero. The plantings now are costing a fair amount, I would think. So it just seems like new plantings could potentially die again. This is going to be an ongoing maintenance thing.

Mr. Messick: And we'll investigate if there's other options that we can take to prevent that from happening in the long-term, whether that's physical modifications to the drainage system or lake modifications to make it a deeper lake. But those costs, we're not sure what they are.

Mrs. Sanders: Well, I think it would be worth looking into. But back to Tom's point: we are going on four years now, and he goes out there many, many, many times, like he said, with big trashcans picking up all the Taylor & Morrison debris, when they build the pools and everything like that. Then, if he goes out and picks up any clumps of the rock that he can -- it's very heavy -- and sticks and so forth. And your guy, Richard, knows about all this. So, he's been doing that consistently as much as he can.

Mr. Messick: We should be clearing that debris from that littoral zone.

Mrs. Sanders: It's going to be an ongoing problem, the look of it.

Mr. Tom Sanders: Not the debris, the look.

Mr. Messick: Understood. That's the littoral plantings. That's literally the littoral shelf. If you look at any of the lakes, when the water level drops, you see littorals, good/bad. We try to keep them in good condition. This littoral shelf is massive, so it's going to be a bigger eyesore when it's in bad condition versus [indiscernible].

Mrs. Sanders: So, that lake, Lake 11, was that an afterthought, too, or was that always [indiscernible]?

Mr. Miller: That was there before your development.

Mr. Kleck: Out of curiosity, how many months have you been there full-time? How many months [indiscernible]?

Mrs. Sanders: I would say, like, eight months. I really would.

Mrs. Sanders asked if they would be able to do anything.

Mr. Messick: If we start removing, they have to have a certain amount of mucky, organic material to thrive during the wet season, and then they won't have anything [indiscernible] if they remove the organic down to the rock bed.

Mrs. Sanders: And then the other question was, Taylor & Morrison, is [indiscernible] still in litigation?

Chairperson Stamp: Yes.

Mrs. Sanders: Is it regarding the lakes and the littoral, or what is it involving? Other things?

Chairperson Stamp: No, not the lakes. The littoral.

Mrs. Sanders: So, not the lakes. So, the lakes and the littoral, you guys are handling that?

Chairperson Stamp: Yes.

Mr. Kleck: Quick question: on the 8,000 plantings for the littoral plants and [indiscernible], what was the estimated rounded cost for all that work?

Mr. Ward: We spent about 20 grand.

Mrs. Sanders: There has to be a way of helping this one [indiscernible] issue.

Mr. Kleck noted there was a liner put down inside of the lake where he previously lived.

Mr. Bhatla: [Indiscernible.] All of that community is classified as a littoral shelf?

Mr Messick: Yes

Mr Bhatla: then it must be maintained as such.

Mr. Miller: Jimmy, If money were infinite, is there an actual solution to this?

Mr. Messick: I think Taylor & Morrison throwing TNT in there and blowing it up would be the solution. But you may have the houses that also get shaken up and vibrated and have problems later, possibly foundation problems down the line.

Mr. Miller: So, the only true solution is to dig the lake that Taylor & Morrison didn't do?

Mr. Messick: Yes.

Chairperson Stamp: Well, we could go in there with air hammers and knock it out, but you'd have the same vibration problems and the same noise problems.

Mr. Miller: You're talking a couple million bucks.

Chairperson Stamp: Oh, yeah, at least.

Mr. Miller: Would it be a solution if we filled it in, raised the level higher, equal to the road level, and made a park out of it?

Mr. Messick: You'd have to mitigate that volume somewhere else with the lake.

Mr. Messick noted offsetting the lakes would be done by the HOA. He stated that stormwater is still detained, and the rainy seasons cause water levels to be higher and the water would be pulled.

Ms. Sanders: And Taylor & Morrison is not going to help us with anything?

Chairperson Stamp: Yes, the answer is they are not going to help us out.

Mr. Bhatla: Who has the responsibility of improvements? We have the responsibility to basically maintain as it is. Who else has the responsibility of improvement? Is that HOA's?

Mr. Ward: Not to the District's system. So, you have a responsibility for both infrastructure improvements that you want to do and maintenance. They're your facilities and you have full responsibility for those.

Ms. Sanders thanked the Board for answering her questions.

Mr. Messick stated the main entrance fountains were fixed and they have been turned down to a lower level during high winds or if they are flooding. He noted a nozzle was stolen and had to be replaced.

Mr. Messick: I believe the holiday lighting is still up.

Mr. Ward: Nope, it came down yesterday.

Mr. Messick: It came down yesterday? Okay.

Mr. Messick described the riprap on the west side of the bridge helped [indiscernible]. He noted he included pictures in his report of the riprap and everything for the front entrance.

Mr. Scimio: What about the Apple Snails? Is there some kind of maintenance for that or are you just letting Mother Nature take care of it?

Mr. Messick: [Indiscernible]. So, they just snag to the concrete when the water's high. When the water goes back down, it'll dry off and their eggs are just there, either dead or alive.

Mr. Messick explained the irrigation pump house. He noted there was a significant amount of sediments, which was a reason the filter had to be replaced previously. He mentioned they decided to take a different approach, replacing the intake pipe with a new longer pipe and a new intake to help prevent sedimentation from entering the pump house and clogging the pumps and filter system. He stated environmentalists have been contacted for external preserves and should be started this month (March), and removal of the aquatics in preserve areas will need to comply with permit conditions. He stated that capital projects for lake bank restoration has been completed for 2024, and now 2025 will integrate improvements to Lake 12 in addition to the other lakes that are on a Capital Improvement Plan: Lakes 3, 11, 14, 15A, 18, and 19. He described that they will continue to take corrective actions, wet checks and monitoring of turf, checking on lake banks that are within warranty, and make sure those repairs are finished. He explained SFWMD cleaned out the canal at the front entrance weeks ago, and they will continue to do maintenance of the assets scheduled on the budget.

Chairperson Stamp asked if there were any more questions.

Chairperson Stamp: I've got a couple, but I'll let them go first. We have Bart.

Mr. Bhatla: [Indiscernible]?

Chairperson Stamp: That was one of the things I was -- Tom Coffey, yeah.

Mr. Bhatla: Has that issue been addressed?

Chairperson Stamp: Yeah, he sent the email.

Mr. Bhatla: I saw the email. But what is the action?

Chairperson Stamp: That's for him. I don't know if he's had a chance to look at it yet or not.

Mr. Messick: Regarding what asset? [Indiscernible] I probably have responded to the email already, I just don't recall what the email was about.

Mr. Bhatla: He was indicating that the lake in the back [indiscernible], there's a whole bunch of riprap, and it's [indiscernible].

Mr. Messick: Yes, on Lake 12.

Mr. Bhatla: He was just questioning the engineering of [indiscernible]. And I was interested. I think we have an engineer on the Board who had to come up with the plans. Because it appears to be that the

riprap is usually applied if there is a water action in the lake itself. But if you slope it properly, you don't need the riprap. I was interested if we had engaged an engineer to [indiscernible].

Mr. Messick: So, we've had mutual discussions with the contractor for a solution to that on Lake 12.

Mr. Bhatla: So, we should -- you should have a civil engineer on Board and overseeing the plan?

Mr. Messick: Well, I am involved as a double engineer. [Indiscernible.]

Mr. Bhatla: Do you have to sign off on the plan?

Mr. Messick: You don't have to sign off, sign and seal, because it's a maintenance project. If we were modifying the lake and it wasn't a maintenance, it was an improvement to the lake, it's like changing material; it's considered maintenance, and I don't have to sign and seal.

Mr. Bhatla: So, it's in the improvement category or is this in the maintenance?

Mr. Messick: This is a capital improvement category. But from a permitting standpoint, we're not having to permit with the design engineer.

Mr. Bhatla: So, the main thing I was concerned is if we don't take the proper engineering approach, it would be again and again the same problem. So, that is the issue in my mind, that we need to come up with a permanent kind of solution.

Mr. Messick: Which is what we're doing. We're in the midst of doing that. We met with them; we've discussed. We met onsite and we looked at what needs to be improved, and they're preparing [indiscernible].

Mr. Scimio: And this is the north side of Lake 12? Is that what you're saying?

Mr. Messick: Yes, in that pocket.

Mr. Bhatla: In that area, over the last couple of years, I've seen [indiscernible]. Apparently, this is been a problem because it gets again washed [indiscernible].

Mr. Messick: So, there are geo tubes in that area which we installed three years ago. But the erosion's happening underneath the geo tubes, and the placement of the geo tube was either too high or not deep enough. So, we're looking at extending a geo blanket that connects the geo tube further down into the lake to prevent any erosion underneath the geo tube.

Mr. Ward asked if there were any other questions.

Chairperson Stamp: I got from a resident -- I don't expect you to have the answer off the top of your head -- but he said he went by Grey Oaks, which is down south, and their lakes are all full. And I didn't know if they had a -- if they were spring fed, if they had a stream or a creek running into them or why they had just a higher allocation of [indiscernible] or why their lakes are full and ours aren't. I didn't know if you know anything about that situation.

Mr. Messick: I can't speak on Grey Oaks. I do know that it's in a different part of the county, not in the same area. So, the hydraulics are going to be completely different.

Mr. Messick stated that they are pumping max, per the permit, into the lakes and what they are allowed to irrigate.

Mr. Miller: I don't know anything Grey Oaks but I have in the past [indiscernible] further south than Grey Oaks and it's over-developed. But they have a creek. [Indiscernible] has a creek that runs through there, and they were permitted [indiscernible]. Their ponds are perfectly full; they're never [indiscernible]. They're just perfectly full. We don't have that creek, we don't have that --

Chairperson Stamp: I assume in the old days they were a lot more generous on giving people water allocations than they are today.

Mr. Messick mentioned that it may be a lot less per acre if they have to recharge.

Chairperson Stamp: The only other thing -- and Jim will kick me under the table -- I want to raise this, and just for your thoughts on it -- I know Jim's -- the canals are obviously silting in and maybe not in our lifetime that they silt in, so it may not be our problem. But if the HOA, if and when -- whenever they get around to doing the -- moving the golf tees, making the enhancements to the golf course, would it be productive to take -- dredge some of that out of those canals and move -- if they're going to have to haul in some dirt -- I don't know if they are or not -- but it would be just easier, I would think, to bring it from right over the second hole.

Mr. Messick: [Indiscernible] from the bottom of the canals. So, whether it's conducive for what the golf course needs, the material would be too fine. -

Chairperson Stamp: It'd have to be a base thing, I would think. But I don't know, I just -- I'm just throwing that out there.

Mr. Messick stated that the material dredged for the geo tubes had the issue of being too fine, and it would not be suitable.

Chairperson Stamp asked if there were any more questions; there were none.

III. District Manager – JPWard & Associates, LLC

- a) Future Series Bonds Issuance Refinancing Dates**
- b) Financial Statements for period ending January 31, 2025 (unaudited)**

No report.

Chairperson Stamp: I do have a question for you. Cane toads, how are we doing?

Mr. Ward: It's dormant season, so that's a good thing. Right now, they are being monitored on a regular basis by the vendor we use. That will pick up again heavily once we get the summer months, and we'll do the same kind of thing that we've done this year with the joint program with the HOA.

Mr. Scimio: So, what is the worst season for the Cane toads? What months?

Mr. Ward: I don't remember, to be honest with you. Do you know, Jimmy?

Mr. Messick: I have no idea. I don't know. I know that it started last summer.

Mr. Ward noted the Cane toads appear when the weather gets warmer but does not know exactly when it will be.

Chairperson Stamp stated he just wanted to make sure the Cane toads were still being monitored and maintained.

SIXTH ORDER OF BUSINESS

Supervisor's Requests

No requests.

SEVENTH ORDER OF BUSINESS

Public Comments

Public 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.

Chairperson Stamp indicated there was one member of the Public present; there were no questions.

EIGHTH ORDER OF BUSINESS

Announcement of Next Meeting

Announcement of Next Meeting – Regular Meeting March 20, 2025

Chairperson Stamp announced the next meeting date.

NINTH ORDER OF BUSINESS

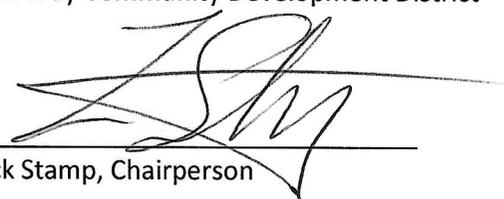
Adjournment

The meeting was adjourned at approximately 1:53 p.m.

On MOTION made by Tom Kleck, seconded by Ron Miller, and with all in favor, the Meeting was adjourned.

Flow Way Community Development District


James P. Ward, Secretary


Zack Stamp, Chairperson