

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

The Regular Meeting of the Board of Directors of the Flow Way Community Development District was held on Thursday, March 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
Ron Miller	Vice Chairperson
Bart Bhatla	Assistant Secretary
Tom Kleck	Assistant Secretary

**Absent:**

Mark Scimio	Assistant Secretary
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**Also present were:**

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

**Audience:**

Fritz Riep  
Dave Boguslawski

All residents' names were not included with the minutes. If a resident did not identify themselves or the audio file did not pick up the name, the name was not recorded in these minutes.

**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, with the exception of Supervisor Scimio, 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.**

Chairperson Stamp reviewed public comment protocols.

**THIRD ORDER OF BUSINESS****Consideration of Minutes****February 20, 2025 – Regular Meeting Minutes**

Chairperson Stamp asked if there were any corrections to the Minutes; hearing none, he called for a motion.

**On MOTION made by Ron Miller, seconded by Tom Kleck, and with all in favor, the February 20, 2025 Regular Meeting Minutes were approved.**

**FOURTH 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. Asset Replacement Cost Report**
- b. Engineer's Report**
  - 1) Current Operation**
    - i. Landscaping**
    - ii. Lake Maintenance**
    - iii. Irrigation Pump House**
    - iv. Entrance Maintenance**
    - v. External Preserves Compliance update**
  - 2) Capital Projects**
    - i. Lake Bank Restoration**
  - 3) Future Asset Maintenance Items**
    - i. Corrective Actions**

*Mr. James Messick: The purpose of the Asset Replacement Cost Report is to provide Flow Way CDD with replacement costs necessary to establish a capital reserve program. The process of preparing the report began with onsite inspection with Staff to quantify replacement costs that can be used in the future. We identified with the Staff in the report and described in the various sections: irrigation, stormwater, entry, and landscaping. The preserves fall under the stormwater in the assets listed. I'm going to try to do this every two to three years to keep an updated budget and based on our field investigation and data collection we concluded the total restoration cost of the CDD owned assets are projected at \$20.5 million dollars. Those costs are for, as mentioned, stormwater assets, entry features, and the irrigation pumphouse which totaled \$16.5 million, and then the landscape assets which are \$4 million dollars. Those included a 10 percent contingency just in case there are any fluctuations or uncertainties in the market. This year, a change to what we've done before is adding a column, exhibit A, cost table. It shows how we broke down those quantities in a little more detail. It did bring to light certain amenities for which we made a*

*clarification regarding whether they were CDD owned, or HOA owned. The last column here, current fully funded balance, you will notice is at zero now, and the goal is to put an emphasis on building a reserve fund and setting aside some money for funding these. The purpose of this Report is for Jim to have to use for leverage to make sure we have the reserves.*

*Mr. Bart Bhatla: Do we have anything at all in reserves at the moment?*

*Mr. Ward: No. We are starting from scratch.*

*Mr. Ron Miller: We have \$20 million dollars in assets, but in the big picture it seems like a lot of our assets are in the ground where they are not going to need to be replaced. What portion of the \$20 million dollars do we really need to be focused on?*

*Mr. Messick: We do include "useful life" in the cost table breakdown. It helps us plan for those assets that may need to be fully funded first. That's something that we will analyze and come back with recommendations once we start to have some sort of reserve that we can allocate money toward specific assets. We will use that information in this report to identify which assets are going to have to have the money ready and available first, based on that useful life.*

*Mr. Tom Kleck: Are the landscaping and the beautiful flowers at the entry gate considered part of our asset expenses?*

*Mr. Messick: Yes.*

*Mr. Kleck: Do we sign a contract that spells out for the landscaper exactly how many times a year they plant those beautiful flowers out there?*

*Mr. Messick: Yes.*

*Mr. Kleck: How many times a year do they do that and is it necessary to do it that many times? They ripped out some beautiful flowers prematurely at the beginning of this planting season. They would have lasted at least another month or two.*

*Mr. Bhatla: Those flowers are really in the maintenance cost.*

*Mr. Ward: We rotate flowers three times a year.*

*Chairperson Stamp: I think part of the problem is we have to sign that contract and the vendors schedule it, and sometimes they take them out early and sometimes they take them out late, sometimes they take them out just on time.*

*Mr. Kleck: Okay.*

*Mr. Bhatla: Is the HOA contractor the same contractor who does the flowers and plants? Is there any possibility of saving by volume discount?*

*Mr. Ward: I don't know who the HOA uses as their vendor.*

*Chairperson Stamp: I think we use different vendors.*

*Mr. Kleck: We do. Estate is the vendor who does our front entryway. Estate used to do our home landscaping, but the HOA canned them. From that standpoint we are dealing with a company the HOA used to use.*

*Chairperson Stamp: I think it is legitimate to see if we can – we've talked to the HOA about them eventually taking over so it's all one vendor, all done at one time, and coordinating it, but we are not there yet. I think they probably have a few other issues on their plate right now ahead of this.*

*Fritz Riep: (Indecipherable) I will say the CDD is doing a phenomenal job.*

*Chairperson Stamp: thanked Fritz for his comment.*

*Mr. Miller: I think outside of the gate is very nice. When somebody drives into our area their first impression is extremely good. Thank you for that, Jimmy.*

*Ms. \_\_\_\_: (Indecipherable).*

*Chairperson Stamp: We don't have a specific asset reserve. The budget you will see in April will help to contribute substantially to the reserve hopefully. We have an unallocated \$200,000 dollars right now.*

*Mr. Messick: Moving on to my standard engineer's report. Landscaping, the new annuals up front were installed. Bushes were trimmed, new plantings are scheduled at the security guardhouse, turf fertilization should be complete the last week of March. Date palms are also scheduled to be trimmed starting in April. Lake maintenance, in all lakes, we are keeping on top of them. It's easier during the cool months, but we are trying to get prepared for the hot months. We are still treating for grasses, weeds, algae, aquatic vegetation, etc. My report details which lakes we've addressed. Also, my report includes all the wetland plantings we've installed in lake 11. Those plantings are starting to sprout a little bit, and we are hoping the 4 to 6 inch growth every week for the first two months will make that look less barren. The cane toad program will kick back into full gear next month. We are starting to get ahead of the larvae before they become full toads. This week, the debris is being removed along the shorelines by our aquatic vendor.*

*Ms. \_\_\_\_ 16:26: The board has received several emails from residents who want to know if there is a piece of equipment or someone we can hire now that the water is low and exposing the debris and large rocks, if that can be somehow removed now.*

*Mr. Messick: That's what I was talking about. The aquatic vendor has been hired to go out there and remove any unnatural debris along the shorelines. That could be trash. That could be dead trees and limbs that have fallen into the lake, it also includes PVC piping, glass, that sort of thing that has been noticed. We are trying our best to keep up with that while the water is low.*

*Ms. \_\_\_\_: What about large rocks along the banks?*

*Mr. Messick: Is there a problem with the large rocks? I'm not sure if they were there before and part of the original development and we need to remove them as part of the improvements, or we*

*are maintaining lakes that were turned over with large rocks in them. I'd have to get with my Staff to find out.*

*Chairperson Stamp: I think those are rocks that were there and it's just a question of whether we can bring a bobcat or backhoe in to move them or push them into the bottom of the lake or just live with them. The low water is exposing them.*

*Mr. Miller: I'm not familiar with the large rocks, but if they are numerous and we were to go pick them up, would there be any thought of accumulating them and using them as rip rap or doing something attractive somewhere else? Just a thought.*

Discussion ensued regarding using the rocks for rip rap, whether the county limited the amount of rip rap allowed along lake banks, and erosion along the lake bank near Mr. Riep's home.

*Mr. Messick: Maybe, if we can get an address and email from Mr. Riep, we can look to see what part of the lake he's talking about.*

Mr. Riep continued to discuss the erosion along a portion of the lake bank near his home. He provided Mr. Messick with his address.

*Mr. Miller: We have 19.2 miles of shoreline, and it costs a lot of money to maintain 19.2 miles of shoreline. It's a pretty daunting endeavor.*

*Mr. Messick: Other items in our lake maintenance include lake 11 where we are working with a vendor on pricing to remove the cap rock, so the CDD has some options. There are some other options about doing landscaping. Lake 12, we are intending to regrade and install rip rap to handle some of the harsh lake bank conditions that have worsened over the last couple of years. The contractor proposed replacement of rip rap along the slopes to avoid disturbing the underwater shelf. Entrance maintenance, we are continuing to work with the electrical vendor to ensure that the fountains are working correctly. The pedestrian sidewalk is scheduled to be pressure cleaned at the end of March. Rip rap was added to the bridge to prevent any additional erosion areas and holiday lighting remains up. External preserves compliance with South Florida permit – I pulled the north preserves area monitoring report that was completed last year because it had some discussions and maintenance and success criteria, so you can see where we are at with the previous monitoring reporting done in 2019, 2020 and 2021. Then we skipped a couple of years and got back into it in 2024. The preserves is sectioned into four areas and each preserve area transects with at least three stations within them, and that's what's used by our environmental consultant to confirm and report after the maintenance has been done by the contractor's work. You can see the 2024 success criteria, we did meet it for preserve areas 2, transect 6, 7 and preserve area 1, transect 8, for stations 1 and 2, but station 3 did not meet the success criteria and that will be a point of emphasis this year. They have started working on this in the last couple of weeks. Lastly, area 5 in preserve 1, transect 9, all four areas met the success criteria. The second table that I attached in my report outlines what they do at each transect and how they identify whether or not they meet the success criteria. Let me read from the permit the section titled "Maintenance Goals and Monitoring Methodology – Goals. Coverage of exotic and nuisance plant species shall not exceed 4% of total cover in the internal preserves and 5% of total cover in the external preserves between maintenance activities. In addition, the permittee shall manage the conservation areas such that exotic/nuisance plant species do not dominate any one*

*section of those areas.” If we notice in our transects, when we go back and do monitoring, if we have exotic or nuisance plant species that cover more than 5% in the external preserve, they are noted as not meeting the success criteria. Additionally, I attached a map which identifies those transects in each preserve area for your reference.*

*Chairperson Stamp: In lake 11 there are two PVC pipes that I know have to be there, but can we have Richard, or someone run out there and paint them brown or something, so they blend in a little better with the lake bank? I talked to Richard, and I know they are functional.*

*Mr. Messick: Sure, we can do that.*

*Chairperson Stamp: I'm starting to get some complaints about the signs that we have to put up about the littorals and everything else. Is there something we can do to those to dull them a little bit, so they are not so shiny? The side that faces the residents. In some places the residents are looking at the back side of the sign.*

*Mr. Messick: If there are specific areas – I don't know that we are going to go out and spray paint the back of every single sign if it's not facing the residents, but if there are sign backs facing residents, we can accommodate them, and spray paint the back a dark color, so it blends in a little better. If you have a specific location for residents, make sure they email their address, and I will have staff go out and have a look.*

*Mr. Miller: Aren't we about to start the final year where we will meet the success criteria?*

*Mr. Messick: We are entering the second of three years.*

*Mr. Kleck: Who is responsible for the guardhouse at the front gate? The coach lights on that building are getting rusty and looking bad.*

*Mr. Ward: The HOA is responsible for the guardhouse.*

*Mr. Messick: We've talked about 2025 lake bank restoration projects. We've received a contract proposal for restoring lake 12, and because of the condition we need to prioritize it, so, we are looking at shifting some of the lakes in the program. We've reevaluated some of the lakes and found them to be in an acceptable condition. The remaining lakes will need to be addressed in the order of priority first established with lake 12 coming first. We are looking at addressing lake 12 this year and the remaining lakes, based on priority, after. We will come out with an updated table in our proposed budget for 2026.*

*Chairperson Stamp: Lake 12 is the lake at the golf course near holes 12 and 13.*

*Mr. Messick: There are still corrective actions we are looking at, whether that's wet checks for fertilization of the turf, and monitoring or aeration to make sure the grass stays green. We're looking at the internal preserves, keeping our eye on intake at the pumphouse that we recently installed. We're monitoring well meters. There is a consumptive use permit we are working to have renewed before it expires in May.*

### **III. District Manager – JPWard & Associates, LLC**

- a. Future Series Bonds Issuance Refinancing Dates**
- b. Financial Statements for period ending February 28, 2025 (unaudited)**

*Mr. Ward: With respect to the next series of bonds, we will continue to monitor that. It won't be until later this summer until we tee that up again for you. In addition, you will get your first draft of your fiscal year 2026 budget at your April meeting to kick off your budget process.*

*Chairperson Stamp: The process will be you will show it to us in April, we will discuss it in May and adopt it in June. Is that the schedule?*

*Mr. Ward: Yes sir.*

## **FIFTH ORDER OF BUSINESS**

### **Supervisor's Requests**

Chairperson Stamp asked if there were any Supervisor's requests.

*Mr. Tom Kleck: The entryway is beautiful and it's the first impression. When we are driving down Esplanade Blvd, the right side, the back of the Hatcher properties, we see that unsightly empty lake, or whatever it is right now. I was thinking a nice 4 foot high hedge along the street and sidewalk would prevent people from seeing it from the road. This is not our property though, it's the HOA's. I was wondering if we had some suggestions on how we could get somebody to take care of that.*

*Mr. Miller: I stole your hedge idea and have been bothering both Jim and Jimmy for the last three weeks to pursue that very idea. I would echo your comments. I think the community as a whole would be better off if we could hide that ugly pit. I think it would be worthy of further discussion, and it might be good to ask the opinion of the homes nearby, as well as the HOA. I spoke with one resident who did not wish a hedge to be installed.*

*Ms. \_\_\_\_ 40:30: I think it would go a long way if they cleaned up the other side of that lake where you see the big rocks and mess. I think the whole lake cleanup would go a long way in terms of goodwill.*

*Mr. Kleck: I like the idea of getting an opinion from the people who back up to that mess and see what they think.*

*Mr. Miller: If we were to go down that road, (indecipherable).*

*Mr. Boguslawski: We've kicked this around and the hedge idea is one we keep throwing out there to block the ugliness, especially during the dry season. It's not only the lakebed that they did not dig deeply enough, but it's also the rest of the lake that drops so dramatically going out the back gate. I think we could just work together. I think David Kupstas is considering once a year tackling part of it with some plants that are not affecting traffic safety, but I had not heard that anyone is opposed to it. That surprises me. We have a Green and Grounds Committee who discusses things like this, and it comes up there periodically, and their suggestion has also been to put a hedge of some sort along the edge. That's where the discussion really belongs unless you're talking about the bottom of the dry lakebed which I think might be your responsibility and not ours.*

*Chairperson Stamp: It is ours, yes. On that note, I was at a meeting with one of the homeowners, and Richard was there as well, and he said the plants that he's put in there are going to be better looking and flowery, but he said it's going to take some time. I'm not saying it's going to be pretty, but he's saying it's going to be better than it has been.*

*Mr. Bhatla: It seems to me we probably do not have enough real estate in that area. It would probably be the HOA real estate. I think we can work with the HOA. I don't think we can plant anything on our land.*

*Chairperson Stamp: Yes, we would have to move it up the lake bank which would be onto HOA property.*

*Mr. Miller: It would require putting the hedge on HOA property, but I'm thinking of this as a CDD matter. I think the HOA has enough on its plate at the moment. I'm not asking them to pay for it. We'll just get their permission, and we will take care of it.*

*Mr. Ward: The CDD and HOA is all the same pocket, so it doesn't really matter to me. I don't have a problem putting a hedge at the top of the lake bank even though it's HOA property. The problem is they have to maintain it, so if you guys want us to do that it's fine with me. It's not that big of a deal. We've helped them out in the front entrance area around the guardhouse with flowers. It's not a big issue, but they do have to maintain that, so that's the buy-in for the HOA.*

*Chairperson Stamp: Because we don't have an easement.*

*Mr. Ward: We don't have irrigation. We don't do the maintenance right there. That's them, so if they want to maintain it, I'm happy to get this put in for you guys.*

*Mr. Bhatla: We had better inform everyone in the neighborhood and see if they have any objections.*

*Mr. Ward: I'm not a fan of that, but that's a personal opinion just because you've got a whole community to protect, not just 13 residents on one little street, or whatever the number is. So, for the betterment of the entire community I fully agree with what everybody has said. It looks awful. It's never going to look good. Richard has done a ton of work, trying to put some plants in, cleaning up that lake, but it's still not pretty, and it's never going to be pretty. So, to make it good looking the solution is what everybody has talked about, putting some plant materials in at the top of the lake bank, on HOA property, to make it look good, and maybe wrapping it around. If we all want the CDD to do that, and I think it's really ugly, so we should try to help them. But they do have to maintain that at the end of the day.*

*Mr. Boguslawski: Why don't we do this? I'll talk with David after the meeting. Why don't we have him discuss it with the Green and Grounds Committee and the people who would be maintaining the hedge to come up with what a proposal looks like. I don't know if a 3 foot hedgerow is enough height to cover it. I really don't know. But I know calusias are going to grow to monsters and are very difficult to maintain over time. We have both types of sight blockers throughout the community and it's just a matter of figuring out which one will do the job, look pretty good, and have a low maintenance cost. Then we do have to go through a member input process.*

*Mr. Ward: That's a good idea.*



**SIXTH 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 asked if there were any public comments.

Ms. \_\_\_\_\_ 48:23 (indecipherable).

*Mr. Riep: The only thing that's confusing is when you are talking about lakes with numbers.*

*Chairperson Stamp: That's why I was on my phone while you were talking. Not out of disrespect. I was getting the map up. There is a map on the CDD website that shows you all the lake numbers.*

**SEVENTH ORDER OF BUSINESS**

**Announcement of Next Meeting**

**Announcement of Next Meeting – Regular Meeting on April 17, 2025**

*Chairperson Stamp: The next meeting is April 17, and we will unveil the first draft of the budget at that meeting.*

*Mr. Messick: I know you like options, and we did get the contractor to give us a ballpark figure for digging out that lake, and it came in at \$3 million dollars.*

*Mr. Riep: I understand this was a big controversy when they were doing the Hatcher property, and then Taylor Morrison dug it deeper to make it a nicer lake, and then the County made Taylor Morrison fill it back in.*

*Chairperson Stamp: No.*

*Mr. Kleck: From what I know, and I've been here since 2015, Taylor Morrison had not developed the Hatcher property at all. They tried to get an upgrade with lakefront lots by digging a lake, and they discovered it's full of rock and stone, and they were going to have to use dynamite and spend millions of dollars to dig it out. As a result, they were not able to complete it. They tried putting littorals in there and pretty looking stuff, but it doesn't grow in the water. That's my understanding.*

*Chairperson Stamp: Yes. They changed the permit from a lake to a littoral shelf.*

**EIGHTH ORDER OF BUSINESS**

**Adjournment**

The meeting was adjourned at approximately 1:54 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