

**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, June 17, 2021, at 1:00 P.M. in the conference room of the offices of Woods, Weidenmiller, Michetti, & Rudnick, 9045 Strada Stell Court, Suite 400, Naples, Florida 34109.

Present and constituting a quorum:

Zack Stamp	Chairperson
Ron Miller	Vice Chairperson
Tom Kleck	Assistant Secretary
Martinn Winters	Assistant Secretary
Andrew "Drew" Miller	

Also present were:

James P. Ward	District Manager
Greg Woods	District Counsel
James Messick	District Engineer

Audience:

Dave Boguslawski	HOA
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All resident's 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 Zack 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. He stated there would be a period of public comment at the end of the meeting for non-agenda items.

SECOND ORDER OF BUSINESS

Public Comments for NON-Agenda items

Individuals are permitted to speak on items on the Agenda during that item and will be announced by the Chairperson; comments limited to three minutes

Chairperson Stamp indicated there would be a time for public comments regarding non-agenda items at the end of the meeting; however, he would be happy to recognize speakers for brief comments during regular Agenda Items.

NEW BUSINESS

THIRD ORDER OF BUSINESS**Consideration of Minutes****June 3, 2021, Regular Meeting Minutes**

Chairperson Stamp noted there were a couple of typos in the minutes which needed correction.

Mr. Ward indicated he would make the appropriate changes.

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

On MOTION made by Mr. Tom Kleck, seconded by Mr. Martinn Winters, and with all in favor, the June 3, 2021, Regular Meeting Minutes were approved as amended.

FOURTH ORDER OF BUSINESS**Consideration of Forge Engineering Report****Consideration of Forge Engineering Report on the condition of the District's Assets**

- I. Forge Engineering Report – Report of Water Management System Study**
- II. Discussion of MRI Proposal for the cleaning of the water management system drainage pipes (See Appendix E to Forge Report) – MRI proposal to provide services**

Mr. Martinn Winters: What I failed to do to the last time, Tom Conrecode, was to allow him to introduce himself and give a brief background on his resume. I think I would like to give him a few minutes to present himself.

Mr. Tom Conrecode: I've been with Collier County for 34 years where I served both the public sector and private sector. I was the public works administrator for the County in the late 80s and 90s and went into private development work after that. Private engineering work, where I am today. Forge Engineering was retained to work with both the CDD and with the homeowner's association transition committee to work through some of the transition and turnover issues related to the development of this project. I'm a licensed civil engineer in Florida. I have a Master's from Southern California as well and many other qualifications over 40 years in the industry.

Mr. Winters: The HOA interviewed several engineering firms to do the studies for the physical plant and equipment within Esplanade and as part of that assignment we asked them to include the lakes, ponds, waterways, and drainage systems within Esplanade and that are rightfully included within the CDD properties. We asked Tom to split the proposal so that one part goes to the HOA and the other part goes to the CDD. It has been a little tough at times to figure out where the dividing line in between the two because the lines blur when you get around the lakes and the ponds and who controls what. I think Tom has done an admirable job working through the differences with Jim's help and mine on rare occasion. I consider his report to be very thorough, very complete, and very well documented. It shows that there is roughly \$800,000 dollars worth of remedial work that needs to be done on the lakes and ponds to get them up in the proper condition and then we asked for

them to engage MRI to do a scuba diver search of all the drainage pipes going into the ponds and they concluded that they have probably never been maintained properly. Half of them are clogged up. It is going to cost around \$90,000 dollars to go in and do the maintenance work that Taylor Morrison failed to do. We have got close to \$900,000 dollars' worth of work that's on Taylor Morrison's tab that we are going to try to figure out how to get done and who is going to pay for it. Tom, do you have any clarity?

Mr. Ward: I would like Tom, for the record, to go through and present your report to the Board and then let them discuss it as they deem appropriate.

Mr. Conrecode: Thank you for letting me work with you on this transition. I have to pay a compliment to the HOA and members of the Boards involved in this. They did an incredible job putting together documentation and materials and making our job easier. Generally speaking, you will see in our report this is a large and complex project. A lot of moving parts on it and I think our findings speak to the size and complexity of that. A lot of things we pointed out in our report are going to require the attention of this Board on an ongoing basis. I think you've got a good engineer in place to help you work through that on an ongoing management basis. In our findings, lake bank erosion is a huge problem and that's a big chunk of that large number. We think there is going to be a requirement for heavy equipment to come in and remove sedimentation, sand, erosion of the banks, from the lakes and then rebuild the banks in a large number of the lakes that are out there. That, by the way, is also going to be required for permit compliance which is a separate issue. You saw from the MRI work the degree of sedimentation and system blockages in place that need to be removed. That's not unusual in new construction, and going forward, once that's cleaned out, we recommend that you inspect it annually and properly maintain it, either on an as needed basis, or every five years, so that sedimentation will not continue to rebuild over time. That too will be important to your ongoing operations and permits from Storm Water Management System. The preserves are another very large and complicated part of this project. They are going to require annual and ongoing inspections to make sure you aren't getting invaded by exotics from your neighbors or from wildlife transitions. The next major item is littoral plantings. Those were permitted and planned in the permanent process, and they are to be maintained in perpetuity and provide two functions really: to maintain the water quality in the lake system and to download nutrients from the water column into the plant material. Those littoral planting zones become habitats for exotics if they are allowed to invade, so again, it is an inspection and maintenance operation ongoing. Irrigation is another item we found you will have to keep an eye on, because although you've corrected the operations and maintenance side of the irrigation system. We found no record for monitoring withdrawals, and you do have caps on the amount of water you are allowed to withdraw from your two withdrawal wells. That's a permit condition as well. We found some erosion on the south rock crested weir of the flow way. That is best addressed early because if you let it go, particularly through this wet season, you are probably going to see additional erosion for the edges of that rock crested weir. The north rock crested weir seemed to be in fine shape. In addition to the flow way and stormwater system things we looked at, we were also asked to look at wastewater pump stations and lake 11 revisions/expansions permitted by the developer. What we found with the wastewater pump stations, particularly the problematic one at the south end of the flow of wastewater from the system, there were two issues: maintenance of the media that treats the odor and then secondly was the flow of what was occurring, where surges and flow at the peak time of the day would overwhelm that pump station and emit odor as a result of the flows. We had an excellent reception from Collier County Wastewater Department in terms of being responsive to odor complaints and making sure those two medias are kept current on a quarterly basis or

thereabouts, as needed. On the lake 11 expansion there was an original design and then a revised design we think was linked to the developer's desire to not have to blast the rock. There is cap rock about 5 or 6 feet down which would have affected properties around and would have been expensive. They have instead converted it to a littoral planting zone, a very large one. That littoral zone is actually being surveyed today. I should have results Monday to make sure they complied with permit conditions and will have a subsequent meeting with the County Engineer. We spoke briefly about the additional work we did, primarily on structures, some areas of overlap in the general infrastructure for the HOA. That report I think would be readily available to everybody in this room. We have begun some coordination with your District Engineer and will continue to do that on an on-call basis.

Mr. Tom Kleck: I did read this in its entirety. I want to complement you on your thoroughness. As part of the information, you indicated the limitations of the report, and that actual cost will be much higher than \$800,000 dollars. What is the best guess for a complete bid with a price tag?

Mr. Conrecode: The most difficult way to answer that question is not knowing what the current market conditions are going to give you in terms of the price. Contractors are extremely busy, it has taken me two weeks to get a survey done, and that's a half a days' worth of work. That's going to dictate some of the response of pricing. You are going to have to have a company familiar with bank stabilization and the technology and the materials necessary to do that. We think the number that we put in there, a little over \$700,000 dollars for the bank stabilization, is fairly close. If you plan for plus or minus 10%, I think you will be safe.

Mr. Kleck: You think it will be under \$1 million dollars?

Mr. Conrecode: I think you will be approaching \$1 million dollars if you include the cleanouts that MRI had proposed.

Mr. Kleck: What was the cost of this report to the CDD?

Mr. Conrecode: Without Lake 11 and wastewater system it was \$17,000 dollars.

Mr. Kleck: Is there a way we could get a drawing or a layout showing the specific lakes and their numbers?

Mr. Conrecode: There is a specific exhibit in the final report which identifies every structure and every lake by number. The structure numbers tie into the MRI report.

Mr. Kleck: What plants currently mentioned in the report are not acceptable items and are there a lot of them?

Mr. Conrecode: Melaleuca is the prominent one, but I am not a biologist and cannot give you all the names. You have a report attached to the final report from another outside agency which went through the plant zones and identified the species which were helpful and productive, and those that were not.

Mr. Kleck: What is the floating vegetation and how do we get rid of it?

Mr. Conrecode: Again, I would defer to the biological experts on that, but it's primarily algae and there are a number of things, temperature, oxygen level, that will help you control the algae, but you are not going to prevent it.

Mr. Kleck: The lily pads that float on top of the water, especially on the flow way, is that a species we don't want in the water?

Mr. Conrecode: Again, I would defer to the biologist.

Mr. Kleck: Are the lakes interconnected through the pipes?

Mr. Conrecode: The lakes are designed to be interconnected, but as you will see in the MRI report, many of the interconnects are 100% blocked. The whole system is intended to rise and fall at the same level. The only exception is two lakes where irrigation wells pump into which will rise and fall slightly differently from the other lakes based on the wells.

Mr. Kleck: What are the diameters of the interconnect pipes?

Mr. Conrecode: They range. I would have to look at all the different civil drawings to tell you. They vary anywhere from 16 inch to 24 inch or other sizes.

Mr. Winters: I don't have any more questions other than who is supposed to do the work. It's a lot of work that Taylor Morrison was supposed to do and once again didn't do, and we need to sort that out. We need to talk about taking over maintenance of it and what does that mean versus the mitigation of it. I think that's for a followup discussion.

Mr. Ron Miller: This development started in 2013, so it's a young development. What is your experience in a development like this when it's turnover time? Is what you found here pretty typical? Is what you found surprising?

Mr. Conrecode: There weren't very many surprises. I think the scale and scope of this project is what makes it different from a lot of the projects we do turnover work on. This is 3 square miles of land, thousands of homes and the magnitude was further complicated by the permitting for the 1,800 acres in that there were challenges from the environmental agencies, challenges by the Army Corps of Engineers and Water Management District that made the design of the flow way and interconnected systems very complex.

Mr. Ron Miller: Were you surprised about the amount of deferred maintenance? Is what you found kind of what all developers do, and the communities wind up in the situation we are in?

Mr. Conrecode: I hate to use the term all developers, but it is pretty common for there to be items that don't get done by the developer and in the turnover process are addressed by engineers like us who go in and say hey, they need to look at these items. Then we quantify them with a dollar value for the purposes of homeowner's associations and CDDs to negotiate getting the work done either by the developer or with the developer's cash.

Mr. Ron Miller: I thought I heard you mention regulatory violations? In the experience we have had with Taylor Morrison to date, Taylor Morrison will drag feet and try not to fulfill obligations. They

seem to pay more attention to the situation if there is some regulatory agency involved as is the case recently with Collier County requiring them to do some bank work. Are there some violations that the regulators would be a part of here and be requiring Taylor Morrison to do something before they were to sign off?

Mr. Conrecode: The Water Management District, before they converted this project from a construction permit to an operational permit, should have sent out an inspector. I found no record that ever occurred. They relied on the engineer's written statement that said everything was in order. All of those permits have now been converted to operating permits and turned over to the HOA or the CDD. That should have triggered an inspection by field personnel at the Water Management District. In the case of the County on the lake embankments and such, I have been in contact with the County Engineer on multiple occasions and he has not released any of the permits they are holding, or the bonds associated with those permits and in fact will do a final inspection before the end and those get released. We are waiting on the survey data that is being done today, that I will have on Monday, and I will schedule him to come back out, with one or more of his staff. They will hold a strong position regarding the configuration of the lakes, bank erosion, sedimentation, etc.

Mr. Ron Miller: So, with respect to the \$800,000 dollars or \$900,000 dollars of remedial action that we think we need, do you think there could be some latent involvement by South Florida, or Collier County?

Mr. Conrecode: Definitely by Collier County because they have already agreed not to release the permits until everything complies. The Water Management District has already converted from construction to operation.

Mr. Ron Miller: Does Collier County have any knowledge of what we are talking about here and the need to be involved?

Mr. Conrecode: Yes, I've talked to the County Engineer several times.

Mr. Winters: Does Waldrop Engineering have any liability for signing off on the condition of these lakes and ponds that South Florida Water Management District is accepting their reports? They are the ones who are certifying that the work has been done.

Mr. Drew Miller: Do you know when the washout would have occurred?

Mr. Conrecode: It has been occurring over years.

Mr. Drew Miller: So, it's not necessarily that it happened prior to engineering signing off of it.

Mr. Conrecode: No, it would have happened. They signed off in March 2021.

Mr. Ron Miller: That's interesting. If you had said March of 2019, much of this could have occurred subsequent to the signoff, but in March of 2021, just common sense tells me most of what you found occurred prior to the signoff.

Mr. Conrecode: It has happened all through construction.

Chairperson Stamp: You talked about the caps on the withdrawals. What do we do there?

Mr. Conrecode: If you have your pumps set up to withdraw water for an hour, and it's 1,000 gallons a minute pump, you know you've got 60,000 gallons a day x 365 days in the year. You can do it that way. Or you can provide electronic controls with gauges and whatnot to actually measure the flow.

Chairperson Stamp: How do we remedy the past?

Mr. Conrecode: The past is the past. You can estimate it, but I don't think you can.

Chairperson Stamp: If somebody wanted to go after Taylor Morrison because they had never bothered to try to measure, who would that be?

Mr. Conrecode: I think the Water Management District would have to say we demand to know what you've pumped each year since this has been submitted.

Chairperson Stamp: The bank stabilization, I assume you are talking about not doing that until next dry season?

Mr. Conrecode: I think there is a lot of erosion that could be fixed throughout the year. It doesn't have to wait for the dry season. Some of the bank stabilization as the water rises is going to be more difficult to achieve.

Chairperson Stamp: Okay, so we don't have to wait. I assume Martinn is going to be working with Olson and Gorski to try to put together a priority list? They are not going to everything tomorrow, but I assume you are going to work on what needs to be done in the next 30, 60, 90 days, and these can wait?

Mr. Winters: The first thing is to clean out the pipes, so the system drains properly. It looks like it's never been maintained.

Mr. Conrecode: That's not unusual during construction. When you are doing construction, you have exposed soils and rain events which washes sediment into the system, so it's not unusual, but should be maintained. You'll see in the pictures grates that have filter fabric in them to prevent sedimentation in the system, but it still occurs.

Mr. Winters: So, that would be first on the list and then the erosion immediately thereafter, I guess.

Chairperson Stamp: In my area, I thought they did a good job sloping the ground, but there was no groundcover, so already with the last two rains you can tell with the gullies within the next few weeks it is going to undo most of what they did a few weeks ago.

Mr. Kleck: What are the plans to keep that façade? Gravel? Rip rap?

Mr. Conrecode: Rip rap is an option. Soil fabric is another good option to stabilize banks. Planting it with sod is another way. A lot of the damage that has occurred is because this home was built, a trench was excavated with a 6-inch diameter pipe that lays down the lake and subject to the report,

but then there are others where that pipe goes into an area of rip rap, and it displaces the energy of the water flow before it can erode the bank of the lake. There are examples of good practice and examples of bad practice of that drainage and what happens as a result of the practice. We saw both out here.

Chairperson Stamp: You said South Florida signed off with no inspection. Is there any good way to call that to their attention? Or is it political suicide to go in and say you screwed up on this?

Mr. Conrecode: It is not political suicide. I can contact them. They will send somebody out to confirm.

Chairperson Stamp: You will be doing that? You are nearing the end of your contract.

Mr. Conrecode: With the exception of Lake 11, I think we are at the end of our engagement. We are available to help. We have already committed to transitioning with your District Engineer to help in any way we can.

Mr. Winters: How do we get to a proper design for what to do with the lake banks so that the work is done correctly. If we allow Taylor Morrison to do it, they are going to do their usual shoddy work. I would like to see some kind of design in place so that the banks are stabilized properly, even if it costs a little more to do the job properly. Do you do that work for us? Who can we talk to, to help us come up with an overall design and a planning scheme that will not only meet the County's requirements? God forbid we spend resident money to help Taylor Morrison get their performance bonds released, and so that in the future this erosion doesn't continue and get worse.

Mr. Conrecode: I promise you, erosion will continue, but there are things you can do to fix what has happened so far and stabilize it going forward. Most good civil engineers can come up with that solution. It is going to be a combination of rip rap in some locations, and fabric for the soil in others, and in some it's as simple as sodding and rebuilding. There is an area where several condominiums come together where it's just washed out, not even the lake bank, but the area leading up to it. There are some areas of trail which go all around the community and discharge into the gully and washed out there. I think that's more an HOA issue than it is a CDD issue, but if you walk around the community, you see the washout and the repairs vary by each and every individual situation.

Mr. Winters: But is the process to bring in a contractor to go pond by pond and come up with an individual program for each pond? To bid out the entire thing and then have them come in and evaluate each pond independently? What's the correct methodology to go about fixing this?

Mr. Ward: I will help with that part. We engage either CGA or Forge. It doesn't matter, but we will figure that out internally. To do an evaluation, come up with a set of plans, to repair all of that cost estimates, and we've got to come up with a plan on how we want to do it in terms of number of years to do it, and then put that in place within the context of our operating plans. We will do that over the coming months.

Chairperson Stamp: The weir, the south weir, is that something that is an emergency or is that a couple years?

Mr. Conrecode: The erosion, when the water reaches the crest of the weir it goes around the edges, and in doing that it washes out the soil and the gravel and everything. Those are concrete weirs that are embedded into the bank, some of that is eroded. If you don't repair it, it will continue to erode.

Chairperson Stamp: We need to do it now or a year from now?

Mr. Conrecode: I would suggest that you do it this year. Only because it will be more difficult and more expensive to do it later. The purpose of the weir is to hold water back and as that washes down water is going to flow around it more and more and the water level of the lakes and the whole system is going to drop. It is not that serious, but if you don't attend to it, it will become very serious.

The Board thanked Mr. Tom Conrecode.

FIFTH ORDER OF BUSINESS

Consideration of Agreement

Consideration of Agreement with Master Homeowner's Association

- I. Consideration of Existing Agreement with the Esplanade Golf and Country Club, Inc.**
- II. Consideration of Agreement with Calvin, Giordano, and Associates to provide field management services**

Chairperson Stamp: We talked at the last meeting about getting this canceled as quickly as we could. I have had subsequent conversations with David Boguslawski who may be joining us. They have asked us to hold off. They have had discussions with their counsel and would like to have some joint discussions with our counsel and their counsel to make sure that they know what all is involved. At this point they want us to hold on taking any further action.

Mr. David Boguslawski: I think that's right. We have a lot of moving parts here and I applaud Martinn for working with Forge and coming up with this report and that raised a number of questions. I think we need to sort out things together a little bit more and I don't think we ought to be rushing. I was the one pushing it. I found out the number is less than \$8,000 dollars a month. It's not \$16,000 dollars a month. That helped. I don't want to let it linger too long, but I think we should sort out what the right maintenance agreement plan is going forward including what we do about some of the near-term items identified by Forge should be. I think that's all in a matter of a month or two.

Chairperson Stamp: Certainly, we can do nothing, but having said that, there is the issue with the pump that failed because of lack of maintenance. There was some discussion about the CDD going and picking that up when we thought we were going to be terminating the contract. The question was whether or not under the terms of the contract that was capital or equipment. If the Board decides that we should pay it, we can certainly pay it, even if we could argue whether it is capital or equipment. I would think in the spirit of cooperation with the HOA we should authorize Jim to pay for the repair/replacement of that pump. Discussion?

Discussion ensued regarding the cost of the pump.

Mr. Boguslawski: We authorized Troon to go forward with the procurement of a pump which I recall being 6 or 7, and there was risk of that expanding to other equipment, and if the other equipment was damaged, to go forward with another 10. They haven't come back and said that they need the other

10, so I think the number is in the 6 or 7 range. The reason we did that is, it's a redundant system, but the lead time is more than a three-week lead time, and they think it is going to be measured potentially twice as long as that, to bring this other pump in.

Chairperson Stamp: The question was, under the contract, we were obligated to pay for capital expenses even with the HOA contract in effect. We could argue that it was equipment not capital. If Taylor Morrison were still there, we probably would argue that, but since we are all the same, they have asked us if we can step up and help with the problem.

Mr. Ron Miller: I'm happy to defer to Chairperson Stamp.

Chairperson Stamp called for a motion to pay for the pump.

Mr. Ward: To the extent that they have already ordered it, we would have to work out that particular problem.

Chairperson Stamp: They ordered it, but they put both of our names on the order.

Mr. Ward: Okay, that solves that problem.

On MOTION made by Mr. Ron Miller, seconded by Mr. Tom Kleck, and with all in favor, it was agreed the CDD would pay for the pump.

Chairperson Stamp: The other two items under 5, I don't think we need to consider given that we are deferring the topic.

SIXTH ORDER OF BUSINESS

Staff Items

I. District Attorney – Woods, Weidenmiller, Michetti, & Rudnick

Mr. Woods: With regard to the MRI report on the \$9,000 for the clogged drain, we sent out correspondence to Taylor Morrison relative to them picking up responsibility for that. We gave them until tomorrow to respond so we are waiting to hear if they are going to pick up on that item or not. Sounds like maybe I need to send a second letter with regard to lake repair, so if the Board is interested in pursuing that let me know.

Chairperson Stamp: I would assume that we are.

Mr. Ron Miller: Yes, we are.

Mr. Winters: Yes. I have a question though as to whether we are going to get an evaluation of cost first or just put them on notice we want them to get started on it? What would be your recommendation?

Mr. Woods: You want to put them on notice regardless. You can finesse it. We can leave open whether they want us to undertake repairs, whether they would like to undertake repairs, and finance and all that stuff. I think you can give them the opportunity to propose what they would like

as a remedy in all fairness. I can send a demand letter, put them on notice, and then give them the opportunity to respond.

On MOTION made by Mr. Martinn Winters, seconded by Mr. Tom Kleck, and with all in favor, counsel was given authority to send a demand letter to Taylor Morrison regarding lake bank repair.

Mr. Woods: The Army Corp letter went out, the HOA joined us in that letter. We have asked the court for a potential to meet with the HOA and the CDD relative to the status of this permit by Zoom. Being the government, I would not expect a response any time soon, but hopefully within a couple of weeks or a month. The lawsuit is proceeding on, discovery is going back and forth and back and forth. Tim Hall has filed a motion for summary judgment. They tried to argue that their liability is limited to the contract. They were trying to set their hearing right away. I think I convinced counsel that under Florida Law nonmovement to allow time to do discovery, etc., etc. If they try and proceed forward, we will try and convince the judge to give us time.

Chairperson Stamp: Has Taylor Morrison filed anything additional?

Mr. Woods: Taylor Morrison has filed a motion to dismiss. The discovery with Taylor Morrison is still pending an extension. It will probably be a little while before we get their documents.

II. District Engineer - Calvin, Giordano & Associates

Mr. Messick: I just want to be sure you are aware I am available if Taylor Morrison plans to come in and you would like me to review, I can certainly take a look at them.

III. District Manager – JPWard & Associates, LLC

a. Financial Statements for period ending May 31, 2021 (unaudited)

No report.

OLD BUSINESS

SEVENTH ORDER OF BUSINESS

Discussion of Preserves

Discussion of Future Funding of Preserve Mitigation and Maintenance (Continuing Item until Final Decision)

Chairperson Stamp: Any discussion of this item?

Mr. Winters: I have a question for Counsel. If you succeed in getting this Zoom meeting with the Army Corps, are you going to bring up the fact that we are discussing suspending paying for maintenance of the external preserves?

Mr. Woods: I will mention it as an option.

Chairperson Stamp: I will be on the call, and it will get mentioned.

EIGHTH ORDER OF BUSINESS

Staff Items

I. District Attorney

- a. Complaint regarding Ownership and Maintenance responsibilities for the Main Preserve located within the boundaries of Flow Way CDD**

No report.

II. District Manager

- a. Proposed Fiscal Year 2022 Budget – further questions and comments.**

Mr. Ward: The hearing is next month, I believe, July 15, and you will go to public hearing where you will be asked to adopt a budget and set your assessment rates.

NINTH ORDER OF BUSINESS

Board Items

Chairperson Stamp: Anything anyone wants to discuss?

Mr. Ron Miller: Is there anything that the Board Members wish to discuss about the Budget? I've looked over the Budget and as I see it, I am reasonably happy with it.

FINAL BOARD ITEMS

TENTH ORDER OF BUSINESS

Audience Comments

Chairperson Stamp asked if there were any audience comments; there were no audience comments.

ELEVENTH ORDER OF BUSINESS

Announcement of Next Meeting

July 15, 2021

Chairperson Stamp: The next meeting will be July 15.

TWELFTH ORDER OF BUSINESS

Executive Session

Attorney/Client Executive Session to Discuss Proposed Settlement Related to Case of Flow Way Community Development District v. Taylor Morrison of Florida, Inc., et al. (File Number: 2020-CA-4147.) THIS IS A CLOSED SESSION AND IS NOT OPEN TO THE PUBLIC – At the conclusion of the executive session, the District will re-open the meeting to the public and the Chairman will announce that the executive session is closed.

executive session, the District will re-open the meeting to the public and the Chairman will announce that the executive session is closed.

Chairperson Stamp: Now, we are going to go into a shade session. This will be a first for me. This is a meeting to consider a proposed settlement, and we will move into an executive session, or a shade session, which the only members that will be in attendance will be Martinn, myself, Drew if you choose?

Mr. Drew Miller: No.

Chairperson Stamp: So, Drew will step out. Jim will be in the room, counsel will be in the room, and the court reporter will be in the room. That will be it. We will take a five-minute break here so we can clear the room.

Mr. Kleck: At the last meeting there was discussion about moving our meeting in October to the club house at Esplanade. I spoke with Dave Cupsis (ph), and he indicated he was open to the idea of us using the wine tasting room (like a board room) and I'm going to meet with him tomorrow and check out the facility to make sure it is okay from a sound standpoint. Are there any electronic requirements or physical hookups that you need?

Mr. Ward: Just WiFi service and electrical connections for the computers.

Chairperson Stamp: We have to now shut down the link, so Ron will not be a part of the shade meeting. We will reopen after the shade session.

The meeting was recessed at approximately 1:56 p.m., and executive session began at approximately 1:58 p.m. The meeting reconvened following the executive session.

Chairperson Stamp: Is there anybody in the audience who wants to participate? There were none. Mr. Ron Miller rejoined the meeting.

Mr. Ron Miller: I am back on board but have nothing further.

THIRTEENTH ORDER OF BUSINESS

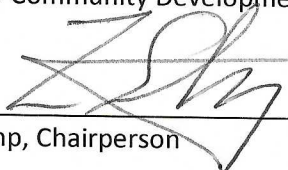
Adjournment

Chairperson Stamp adjourned the meeting at approximately 2:15 p.m.

On MOTION made by Mr. Tom Kleck, seconded by Mr. Martinn Winters, and with all in favor, the Meeting was adjourned.

Flow Way Community Development District


James P. Ward, Secretary


Zack Stamp, Chairperson