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

10 The Regular Meeting of the Board of Directors of the Flow Way Community Development District was
11 held on Thursday, November 21, 2024, at 1:00 P.M. at the Esplanade Golf and Country Club, 8910 Torre
12 Vista Lane, Naples, FL 34119.
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Present and constituting a quorum:

20 Zack Stamp	Chairperson
21 Ron Miller	Vice Chairperson
22 Bart Bhatla	Assistant Secretary
23 Tom Kleck	Assistant Secretary

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Absent:

29 Martinn Winters	Assistant Secretary
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Also present were:

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

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Audience:

43 Fritz Riep
44 Bob Vetrano
45 Lynn Hydek
46 Mark Scimio

47 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.
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**PORTIONS OF THIS MEETING WERE TRANSCRIBED VERBATIM. ALL VERBATIM PORTIONS WERE
TRANSCRIBED IN *ITALICS*.**

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FIRST ORDER OF BUSINESS

Call to Order/Roll Call

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

SECOND ORDER OF BUSINESS

Public Comments

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

50

51 Chairperson Stamp reviewed public comment protocols.

52

53

54 **THIRD ORDER OF BUSINESS**

Consideration of Resolution 2025-1

55

56 **Consideration of Resolution 2025-1, a Resolution Re-Designating the Officers of the Flow Way**
57 **Community Development District; providing for severability and invalid provisions; providing for**
58 **conflict and providing for an effective date**

59

60 Chairperson Stamp indicated the redesignation of the officers of the CDD could be done with one
61 motion. He asked how the Board would like to redesignate the officers.

62

63 The Board chose to keep the officers of the Board as they were.

64

65

**On MOTION made by Ron Miller, seconded by Bart Bhatla, and with all
66 in favor, Resolution 2025-1 was adopted, and the Chair was authorized
67 to sign.**

68

69 Chairperson Stamp thanked the Board for his reelection to the office of Chairperson. He indicated he
70 had several comments: *One, we will begin working on the fiscal 2026 budget shortly and will adopt it in*
71 *June. As part of that process, I think we should raise our reserves substantially. We currently have a*
72 *reserve of \$199,000 dollars, but we are advised a district our size should have about \$1 million dollars.*
73 *This would give us the flexibility to carry higher deductibles on insurance and respond to emergencies if*
74 *they arise. I would like to see us add \$200,000 dollars to our reserve next year and agree on a plan to*
75 *get us to \$1 million dollars within 4 years. The increased capital this year, mainly the front fountains and*
76 *the pumps, will not be recurring annual expenses; therefore, I think it is a realistic goal to achieve this*
77 *with no increase in the assessment. Two, we are in the third year of our 5 year capital improvement*
78 *plan. We need to adopt a new 5 year plan incorporating the last few years of the current plan. Three,*
79 *having repaired or replaced nearly everything; we now need to develop a long term asset evaluation and*
80 *restoration plan going forward. Four, we need to continue to work with the HOA to straighten out the*
81 *tangled responsibilities between the CDD and the HOA left to us by Taylor Morrison. There are still issues*
82 *to be worked out. Five, we should continue working on refinancing the bonds as they become due.*
83 *These goals are all open to discussion and modification as the Board sees fit.*

84

85 *Mr. Ron Miller: (Indecipherable). When I was going through the information today, I thought we were*
86 *going to wind up at the end of the year with half a million dollars extra.*

87

88 *Chairperson Stamp: Part of that is we need to have a reserve to get us through the three months at the*
89 *end of the year, starting October 1st, until we get our payments in, so I'm not counting that as reserves.*

90

91 *Mr. Ward: That's essentially correct. We ended the year with \$495,000 dollars. \$210,000 dollars is*
92 *whatever, and the rest is reserves for current operations.*

93

94 *Mr. Bart Bhatla: How much is in the contingency?*

95

96 *Mr. Ward: \$76,000 dollars in the current year.*

97

98 *Mr. Miller: We start receiving payments in December, so it's maybe a two month cash flow.*

99

100 *Chairperson Stamp: Yeah, but, (indecipherable).*

101

102

103 **FOURTH ORDER OF BUSINESS**

Discussion

104

105 **Discussion of vacancy in Seat 3 which no qualified elector qualified to run for election, which term**
106 **runs through November 2028 and will be filled by appointment no later than February 18 ,2025, by**
107 **the Board of Supervisors**

108

109 Chairperson Stamp suggested skipping the December meeting and filling the Board vacancy in January.
110 He noted there were two or three people present who were interested in the position.

111

112 Mr. Fritz Riep asked who would be vacating.

113

114 Chairperson Stamp responded Martinn Winters was vacating his seat. He stated he asked Mr. Ward to
115 provide information regarding the process of being appointed, and the requirements of sitting on the
116 Board.

117

118 Mr. Miller suggested everyone interested in serving on the Board put together a personal profile for the
119 Board Members to review prior to the next meeting including involvement in the neighborhood, number
120 of years each had lived in the community, and general background information.

121

122 Chairperson Stamp asked if there were any other thoughts or comments; there were none. He stated
123 the plan was then to appoint an individual to the Board in January.

124

125 Mr. Ward stated there was an information sheet for any interested parties including Board Member
126 requirements with respect to ethics training, Form 1 filing, etc.

127

128

129 **FIFTH ORDER OF BUSINESS**

Consideration of Minutes

130

131 **September 19, 2024 – Regular Meeting Minutes**

132

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

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136

**On MOTION made by Tom Kleck, seconded by Ron Miller, and with all
in favor, the September 19, 2024, Regular Meeting Minutes were
approved.**

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SIXTH ORDER OF BUSINESS

Staff Items

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

Mr. Michael Pawelczyk: The only thing I have to report is, finally, we were able to secure and record the two easements we were working on. One was over a drainage flow easement over the P1 Hatcher Parcel that the HOA has granted the District. The second one was the amendment to the big drainage easement we did last year and that was to add the irrigation pump station location to the easement.

Mr. Messick: With that easement recorded we were able to attach to our resubmittal to South Florida for a permit check. We got the consumptive use water permit back to South Florida.

Mr. Ward: Fingers crossed.

Mr. Pawelczyk: I have nothing else to report, just make sure you complete your ethics training before the end of the year.

Chairperson Stamp: I think everyone has completed the ethics training.

Mr. Bhatla: We have to do the training every year?

Mr. Pawelczyk: Yes. Every calendar year.

Discussion ensued regarding ethics training requirements.

Mr. Ward: The legislature this year, as a part of the statute that relates to – we have to sign a certificate that we don't traffic human beings in our business.

Mr. Pawelczyk: All of our vendors have to sign it. The big joke is, if you are a human trafficker, would you really care whether you add perjury to your record?

Discussion ensued regarding the anti-human-trafficking certificate and the definition of human trafficking which was broad and included slave labor.

II. District Engineer – Calvin, Giordano & Associates

a. Engineer's Report

1) Operational Projects

i. Lake 7 Modification by the Master HOA

ii. How the water management system for the Big Cypress Basin flows and its effect on Flow Way's water management system

iii. Landscaping

iv. Lake Maintenance

v. Irrigation Pump House

vi. Entrance Maintenance

vii. External Preserves Compliance update

2) Capital Projects

i. Lake Bank Restoration

3) Future Operations

190
191 *Mr. James Messick: (Indecipherable) The landscaping, turf, and aeration installs at the front*
192 *entrance continues to be replaced and I've gotten good feedback that that's been working great.*
193 *We also replaced, at the front entrance, pine straw. There was a washout at the crossing bridge*
194 *that we are working on getting repaired. I have a picture of that washout. It's not a problem, it's*
195 *just something we are keeping an eye on. There are some plantings on lake 7's lake bank. We*
196 *have some pictures showing this. We are happy with the progress of the landscaping. The next*
197 *asset is a lake maintenance asset, the big one being the cane toad. Starting in October we began*
198 *skimming tadpoles. We brought up the cane toad issue before and we are addressing that. We*
199 *started doing the skimming, 410,000 tadpoles were removed. These all fit in a 5 gallon bucket. 19*
200 *hours of time skimming the lakes should put a dent in the cane toad problem. A couple weeks later*
201 *we removed 600,000 to 700,000 golf ball size baby toads and 350 adult size toads. We have*
202 *problematic lakes we have noted and will keep an eye on. The vendor is confident that over the*
203 *next couple of weeks the population will reduce and in the next couple of months, as the lake*
204 *temperature decreases, spawning will drastically decrease. They will continue to monitor the*
205 *lakes, and we will have updates.*

206
207 *Chairperson Stamp: We have had a lot of good feedback on Facebook regarding the joint CDD and*
208 *HOA effort.*

209
210 *Mr. Messick: Good. In addition to the cane toads there are ongoing weeds, vegetation, floating*
211 *weeds, etc., those things are minimal, and we will continue to treat them as needed. Over the next*
212 *couple of visits a lot of the things we have noted should be addressed. There are a couple of*
213 *shoreline yard drains that through the hurricanes have popped up and raised to the surface and*
214 *once the water lowers, we will anchor those back to the bottom of the lakes. We are replacing the*
215 *motor, pumps, and jets at the front entrance fountain. We are also replacing the damage in the*
216 *basin of the fountain to help with the structural integrity. The pavers at the front entrance were*
217 *repaired. That's everything for the current ongoing maintenance of assets. The only other thing*
218 *worth mentioning is the external preserves compliance is going to be starting up again for fiscal*
219 *year 2025 in February with the same areas, same vendor, same costs. We felt like the first year*
220 *was a success. The report was submitted this summer to South Florida. Next year we will go*
221 *through the same process expecting better results and better percentages as we go.*

222
223 *Mr. Bhatla: Do we have any feedback from the agency?*

224
225 *Mr. Messick: There is no feedback per se; they just acknowledged the acceptance of the report*
226 *submitted.*

227
228 *Mr. Miller: Do we expect completion in 2025?*

229
230 *Mr. Messick: At the end of 2026.*

231
232 *Mr. Tom Kleck: Jimmy, does your crew have any rule of thumb as to how close to the shore to kill*
233 *the weeds?*

234
235 *Mr. Messick: Yes. I think I've heard 20 feet is the ideal width around the lake, from the low*
236 *waterline to the shelf and then you have some littorals that grow a little further out, but it all*
237 *depends on the depth of the water. Things can't really grow when it gets too deep.*

238

239 *Mr. Miller: The CDD is responsible for the landscaping outside of the gate and also for the*
240 *Christmas lights. You have done a fantastic job. The residents appreciate it.*

241

242 *Mr. Messick: Thank you.*

243

244 *Chairperson Stamp: Again, on Facebook there have been good comments about it.*

245

246 *Discussion ensued regarding the Christmas lights.*

247

248 *Mr. Bhatla: Is any of the information going to the Army Corps of Engineers? The monitoring*
249 *reports?*

250

251 *Mr. Messick: Just South Florida Water Management District. They are the only agency responsible*
252 *for monitoring. Additionally, capital projects slated for next year include lake bank restoration in*
253 *lakes 3, 11, 14, 15a and 18/19. I do have a lake map if you want to check out those lakes. We*
254 *have a meeting with the vendor in the next couple of weeks and we are going to decide which*
255 *lakes to tackle first, and we will update this map accordingly.*

256

257 *Chairperson Stamp: Will this be a continuous process where when we get done, we will start all*
258 *over again on the lakes?*

259

260 *Mr. Messick: We hope not for five years. We have addressed all the noted lake banks that have*
261 *been eroded. We will certainly go back and inspect them and keep them to the permit required*
262 *slopes, and there may be a select few, but not the amount and probably not the frequency.*

263

264 *Chairperson Stamp: And we won't have to do the Geotubing and stuff like that again probably.*

265

266 *Mr. Messick: We may. I can't say that we won't, but the Geotubing is supposed to last 20 to 30*
267 *years. It's supposed to be a long term solution, so every five years we will go inspect. We may*
268 *have small portions we address, but not large capital projects, just ongoing maintenance.*

269

270 *Mr. Miller: That sounds like another potential opportunity to keep the assessment rate flat while*
271 *increasing the reserves.*

272

273 *Chairperson Stamp: Yes, and after the third year of our preserves that \$125,000 dollars will also be*
274 *available, so I think getting to \$1 million dollars is very reasonable.*

275

276 *Mr. Kleck: Jimmy, what is the status on the two marquis sign fountains by the front gate? Are they*
277 *completely finished?*

278

279 *Mr. Messick: They are under construction right now. One is not operational. I think the other is*
280 *operational. I will get back to you with a date of completion. I don't think it will take longer than a*
281 *week.*

282

283 *Mr. Ward: It is going to be a few more weeks.*

284

285 *Mr. Messick: Oh, okay.*

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Mr. Bhatla: What is the status of the ground water pump? The ground water wells are supposed to be continuously pumping.

Mr. Messick: They are recharging the lakes when needed, but with the high water levels they are not running continuously like they do in the dry season.

Mr. Bhatla: Maybe they should just pump at a lower rate, so they don't get silt in them.

Mr. Messick: Like periodically run them?

Mr. Bhatla: Yes. Like run them for a few hours.

Mr. Messick: I will see if that's something we can do. The irrigation system pumps are still pumping.

Mr. Bhatla: Yes, but the groundwater pump is in the permit, how much we pump a year, and the intention is to keep the water quality okay. But I am more concerned about silting.

Mr. Messick: I will check with my asset manager, but I think the more we turn the pump on and off, the more the silt migrates.

Mr. Bhatla: Who is in charge of that?

Mr. Messick: It's on a system, it's automatic and it's based on the lake; there is a whole system set up with controls.

Mr. Bhatla: I think we should keep an eye on it and turn them on periodically even for a short period of time.

Mr. Messick: I will make a note and talk to my asset manager.

Chairperson Stamp: We still have money in the budget for next year for a third well, but we don't know if we will get permission to do it.

Mr. Messick: The next item was the Esplanade Golf and Country Club Driving Range. We received plans from the Club's Driving Range project to the CDD for review on October 28th. The proposed lake modifications include lake filling for driving range amenities along the north bank of lake 7. To offset the lake filling, there is also lake dredging of an equivalent size on the south bank of lake 7. I brought the plans including a snapshot of driving range proposed improvements. I've provided a review of the engineering plan and provided a request for additional information dated November 5th and requested a resubmittal. I did receive a resubmittal this week and have done a cursory review. There are still some items I'm going to address and some things to work through before we provide a formal approval.

Mr. Miller: I understand the big picture, but are we being asked to file the permits?

333 *Mr. Messick: The HOA is filing the permits; they are the applicants. We are just providing a review*
334 *as an authorized agency overseeing maintenance of the drainage system. Because they are*
335 *making impacts to the drainage system that's our responsibility, we are providing a review and*
336 *approval to make sure we can continue to maintain that lake per the original permit.*

337
338 *Mr. Miller: Has the HOA actually filed for a permit?*

339
340 *Mr. Miller: No. They are getting our approval first. The last thing was Chairperson Stamp's*
341 *request.*

342
343 *Chairperson Stamp: I was getting calls and emails saying why is the water so high, where is it*
344 *coming from, why aren't we pumping it down, and I wanted to get information to post on the*
345 *website in this regard.*

346
347 *Mr. Messick: (displayed a map) This is Collier County and Collier County is huge compared to Lee*
348 *County. Lee County stops here. Collier County goes all the way behind Lee County and the*
349 *drainage basins are different colors within the County. Ours lead into Big Cypress and the*
350 *Cocohatchee River Canal Basin, the sub basin we are taking water in from is all the way behind Lee*
351 *County and comes south and all these arrows show the flow pattern. This is our CDD here and we*
352 *bisect from north to south the entire sub basin, so all this water that lands here makes its way past*
353 *our preserves and on to the Cocohatchee Canal. These areas here represent our internal system*
354 *before we discharge to the passthrough canal. We are affected by this arrow, and these arrows,*
355 *and all these different sub basin areas that may or may not receive water. Sometimes there are*
356 *rains that happen more along the coast and sometimes more out here, but we still feel the effects*
357 *of the water coming through our system. The preserve area is heavily impacted by the sub basin*
358 *area from eastern Collier County. This is attached to my report.*

359
360 *Chairperson Stamp: I am going to ask Jim to put it on the website so we can refer people to it if*
361 *they have questions.*

362
363 *Discussion ensued regarding what areas drained into Flow Way and how it affected the lakes.*

364
365 *Mr. Fritz Riep: What was the outcome of Bonita wanting to pump into Flow Way? Is there a final*
366 *decision?*

367
368 *Chairperson Stamp: The permit has not been granted. Last, it was on hold. We, the CDD and the*
369 *HOA both, went to the Big Cypress Board Meetings and spoke against it. Jimmy spoke against it.*
370 *Our attorneys spoke against it. And we got them to put it on hold. It is currently on hold. They are*
371 *not pumping out of Bonita Springs, but the natural water flow is going to come down there*
372 *without the permit because that's the way it is designed.*

373
374 **III. District Manager – JPWard & Associates, LLC**

- 375 **a. Future Series Bonds Issuance Refinancing Dates**
376 **b. Financial Statements for period ending September 30, 2024 (unaudited)**
377 **c. Financial Statements for period ending October 31, 2024 (unaudited)**

378
379 *Mr. Ward: The next series of bonds up for refinancing are the 2015 phase 3 bonds. The first*
380 *opportunity to complete the refinancing is November of next year. We will start the process on*

381 *this refinancing in the early summer of 2025. This is one of the smaller bond issues we have. Only*
382 *90 homes will be affected. There is \$2.3 million dollars in par debt outstanding on these lots. We*
383 *will go through and do it. I think these bonds are at roughly 5%, so we will see what we get when*
384 *we go to the refinancing next year.*

385
386 *Mr. Miller: What happened to Phase 2?*

387
388 *Mr. Ward: Phase 1 was for Phase 1 and Phase 2.*

389
390 *Mr. Bhatla: So, in the refinancing, any benefit is targeted to those homes?*

391
392 *Mr. Ward: Correct.*

393
394 *Mr. Mark Scimio: I think I looked at the last presentation and there was a spreadsheet on the*
395 *rates, and you just did 4.4% on the last one. Is that next bond lower than 4.4%? Are you expecting*
396 *something lower?*

397
398 *Mr. Ward: The next bond series, the coupons are between 4.25 and 5.375, so we will see what*
399 *kind of savings we get when we go into the market next year on this one.*

400
401 *Chairperson Stamp: We could get to a place where they are not worth refinancing.*

402
403 *Mr. Ward: Right.*

404
405 *Mr. Miller: If it is not worth refinancing at ten years and interest rates were to go down in the*
406 *future, would we still have the ability to call them?*

407
408 *Mr. Ward: Absolutely.*

409
410 *Mr. Miller: So, it's not a one time shot at ten years.*

411
412 *Discussion ensued regarding the bond issues, interest rates, and refinancing when interest rates*
413 *were low.*

414
415 *Chairperson Stamp: The cane toads and the front entrance, we are getting a good reaction from*
416 *the community about both of those, so thank you.*

417
418

SEVENTH ORDER OF BUSINESS

Supervisor's Requests

420
421 Chairperson Stamp asked if there were any Supervisor's requests; there were none.

422
423

EIGHTH ORDER OF BUSINESS

Public Comments

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425
426 **Public Comments: Public comment period is for items NOT listed on the Agenda, comments are**
427 **limited to three (3) minutes per person, assignment of speaking time is not permitted, however the**

428 **Presiding Officer may extend or reduce the time for the public comment period consistent with**
429 **Section 286.0114, Florida Statutes**

430
431 Chairperson Stamp asked if there were any public comments.

432
433 *Mr. _____ 44:00: I want to concur with the kudos. The front entrance and landscape look really good,*
434 *and the lake control seems to be pretty good considering.*

435
436 *Mr. _____ 44:44: (Indecipherable).*

437
438 *Chairperson Stamp: I think they are both over by the 12th hole.*

439
440 *Mr. _____ 45:04: Then when you say you have it in the budget, in case we ever need it, what's the lead*
441 *time in getting that permitted and put in if we do have a problem?*

442
443 *Mr. Messick: We have a backup pump that we can drop into place in a well, but if we have a well*
444 *collapse and we have to develop a new well, that would probably be an emergency condition in which we*
445 *could permit retroactively if we really need to, but the permit process to get a new well is months. But if*
446 *there is an emergency we can act.*

447
448 *Chairperson Stamp: It won't increase the number of gallons we can pump, it's just to have a backup.*

449
450
451 **NINTH ORDER OF BUSINESS** **Announcement of Next Meeting**

452
453 **Announcement of Next Meeting – Regular Meeting December 19, 2024**

454
455 *Chairperson Stamp: The next meeting is scheduled for December 19th, but unless something pops up, we*
456 *will cancel it. I would expect the next meeting to be in January, and we will deal with filling the vacancy*
457 *at that point.*

458
459
460 **TENTH ORDER OF BUSINESS** **Adjournment**

461
462 The meeting was adjourned at approximately 1:50 p.m.

463
464 **On MOTION made by Tom Kleck, seconded by Ron Miller, and with all**
465 **in favor, the Meeting was adjourned.**

466
467
468 Flow Way Community Development District

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470
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472 _____
473 James P. Ward, Secretary

472 _____
473 Zack Stamp, Chairperson