

# **WILDBLUE**

**COMMUNITY DEVELOPMENT**

**DISTRICT**

**January 7, 2021**

**BOARD OF SUPERVISORS**

**REGULAR MEETING**

**AGENDA**

**WildBlue Community Development District**  
**OFFICE OF THE DISTRICT MANAGER**  
**2300 Glades Road, Suite 410W•Boca Raton, Florida 33431**  
**Phone: (561) 571-0010•Toll-free: (877) 276-0889•Fax: (561) 571-0013**

December 30, 2020

Board of Supervisors  
WildBlue Community Development District

**ATTENDEES:**  
Please identify yourself each  
time you speak to facilitate  
accurate transcription of  
meeting minutes.

Dear Board Members:

The Board of Supervisors of the WildBlue Community Development District will hold a Regular Meeting on January 7, 2021 at 10:00 a.m., at the offices of Barraco & Associates, 2271 McGregor Boulevard, Suite 100, Fort Myers, Florida 33901. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Administration of Oath of Office to Newly Appointed Supervisor, Aaron Milosevic [Seat 1], and Newly Elected Supervisor, Chris Johnson [Seat 4] *(the following to be provided in a separate package)*
  - A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees
  - B. Membership, Obligations and Responsibilities
  - C. Financial Disclosure Forms
    - I. Form 1: Statement of Financial Interests
    - II. Form 1X: Amendment to Form 1, Statement of Financial Interests
    - III. Form 1F: Final Statement of Financial Interests
  - D. Form 8B – Memorandum of Voting Conflict
4. Acceptance of WildBlue Southwest, Alico Offsite Improvements and Phases 1A1 and 1A of the Water Management System
5. Acceptance of Unaudited Financial Statements as of November 30, 2020
6. Consideration of Minutes
  - A. November 3, 2020 Landowners' Meeting
  - B. November 5, 2020 Regular Meeting

7. Staff Reports

- A. District Counsel: *Hopping, Green & Sams, P.A.*
- B. District Engineer: *Barraco and Associates, Inc.*
  - Update: Results of Berm Review with the County
- C. District Manager: *Wrathell, Hunt and Associates, LLC*
  - NEXT MEETING DATE: February 4, 2021 at 10:00 A.M.
    - QUORUM CHECK

Aaron Milosevic	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
Christopher Hasty	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
Barry Ernst	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
Chris Johnson	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
Russell Smith	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

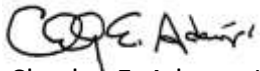
8. Board Members' Comments/Requests

9. Public Comments

10. Adjournment

Should you have any questions, please do not hesitate to contact me directly at 239-464-7114.

Sincerely,



Chesley E. Adams, Jr.  
District Manager

**FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE:**

**CALL-IN NUMBER: 1-888-354-0094**

**CONFERENCE ID: 8593810**

**WILDBLUE**  
**COMMUNITY DEVELOPMENT DISTRICT**

**4**



# SOUTH FLORIDA WATER MANAGEMENT DISTRICT

September 23, 2020

Donald Schrotenboer  
Alico East Fund, LLC  
12800 University Drive  
Suite 275  
Fort Myers, FL 33907

*Delivered via email*

Brian Stock  
SD Wildblue, LLC  
2639 Professional Circle  
Suite 101  
Naples, FL 34119

*Delivered via email*

**Subject: Wildblue  
Construction Completion Certification - Partial Acceptance  
Environmental Resource Permit No. 36-05075-P  
Lee County**

Dear Mr. Stock and Mr. Schrotenboer:

The South Florida Water Management District (District) is in receipt of your partial construction completion certification (CCC) for the above referenced Environmental Resource Permit. As discussed with District staff and Julie Danielewski of Barraco and Associates, Inc. on September 17, 2020 , your partial CCC is accepted and the above referenced permit is hereby converted from the construction phase to the operation and maintenance phase.

Acceptance of this partial CCC, including calculations and sketches for the completed portion of the project consisting of the Alico ROW as shown in the attached Phase Map, is based on the District's review of the "As-built Certification and Request for Conversion to Operation Phase", Form 62-330.310(1), and a determination that construction is in substantial conformance with the plans and specifications approved by the District for the existing, developed portion of the site, in accordance with Section 62-330.310, Florida Administrative Code (FAC).

Staff understands that construction is ongoing and that a final CCC will be filled by your Florida registered professional upon completion of the project to address all outstanding aspects of the referenced permit.

If you have any questions or require additional assistance, please contact Derek Spoerl, E.I. at (239) 338-2929 x7721 or via email at [dspoerl@sfwmd.gov](mailto:dspoerl@sfwmd.gov).

Sincerely,

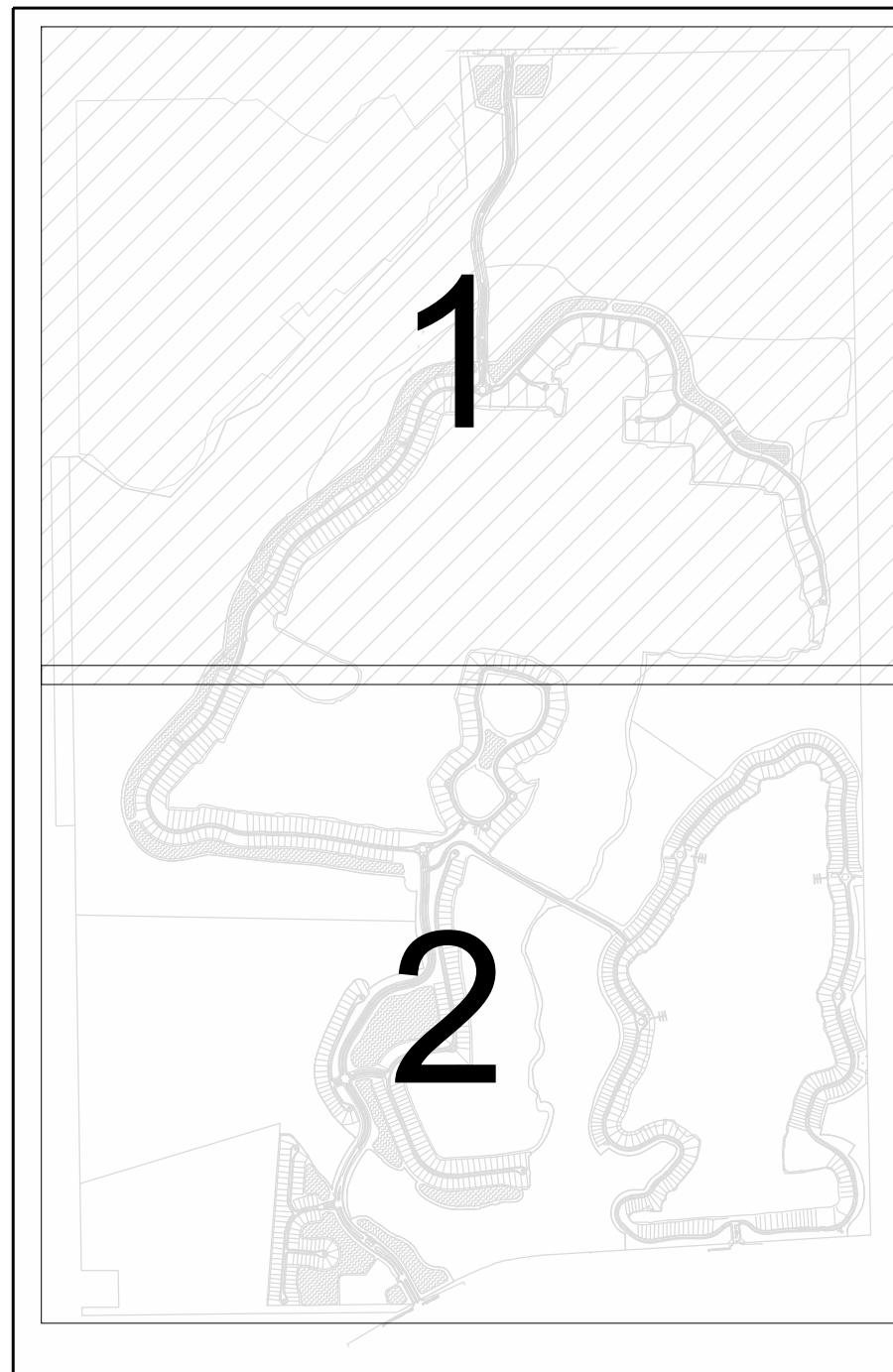
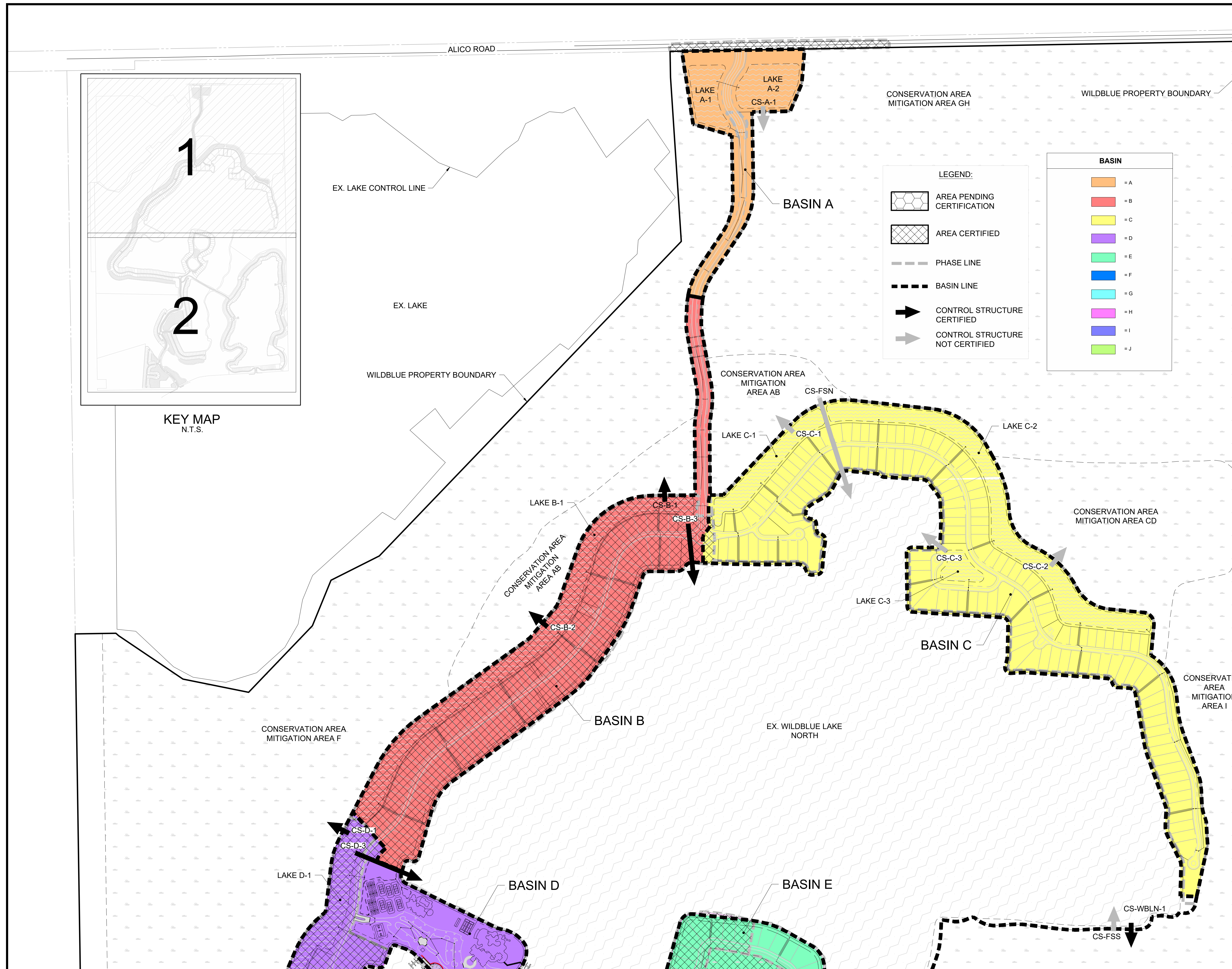
A handwritten signature in black ink that reads "Derek Spoerl". The signature is written in a cursive, flowing style.

Derek Spoerl, E.I.  
Engineering Specialist 3, Environmental Resource bureau

eEnclosures: Location Map ([140516-10.pdf](#))  
Phase Map ([23675 OVERALL BASIN - Alico Offsite](#))  
Form 62-330.310(1) ([Form 62-330.310\(1\)](#))  
Notice of Rights ([Notice of Rights](#))

c: Chris Van Buskirk, Barraco and Associates, Inc. (E-Mail)

*This document is filed in the ePermitting system under Permit Number 36-05075-P via the Application/Permit Section on the Records Search home page*



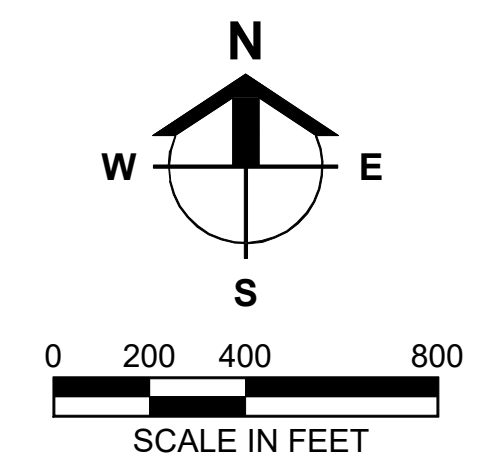
KEY MAP  
N.T.S.

**LEGEND:**

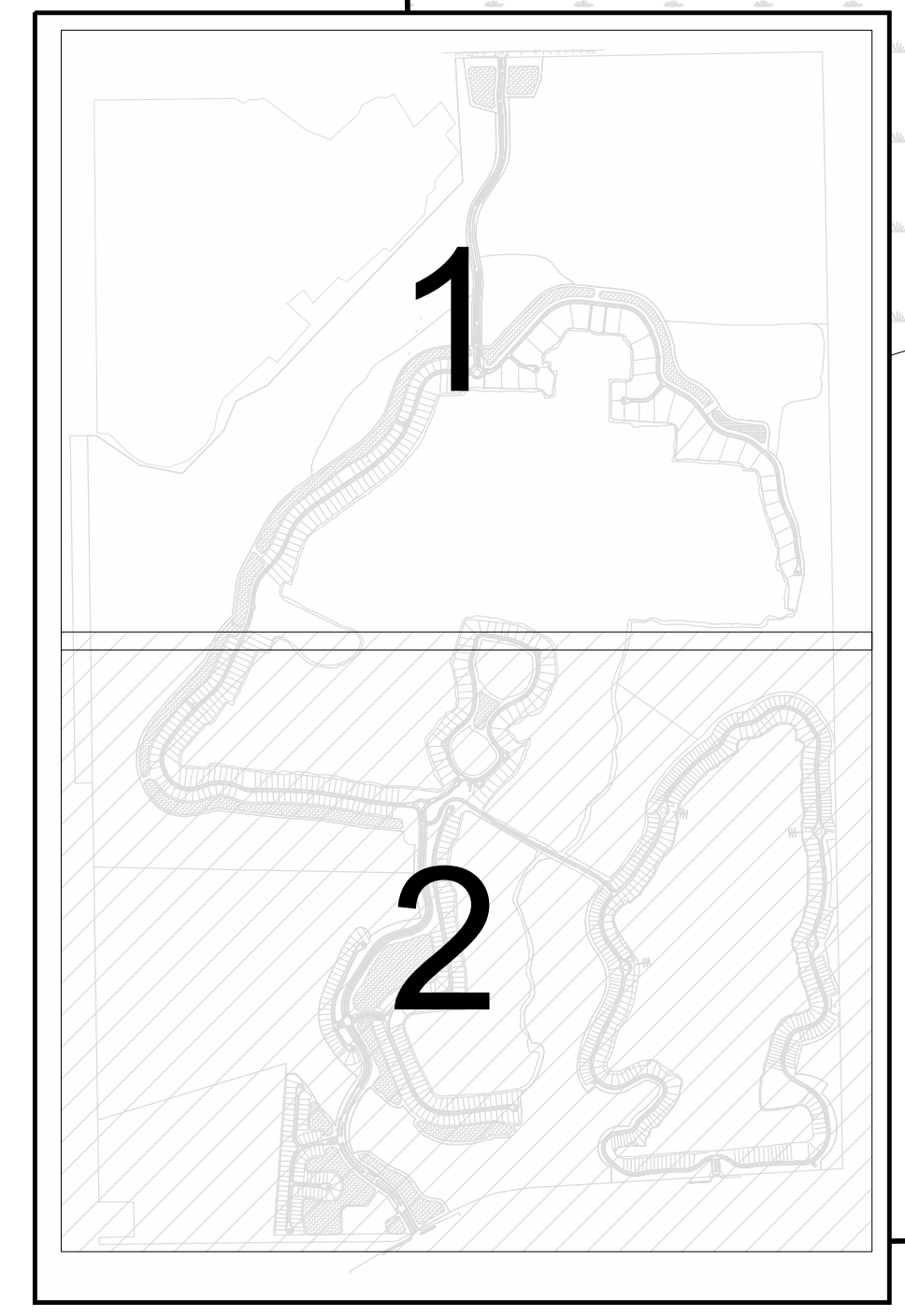
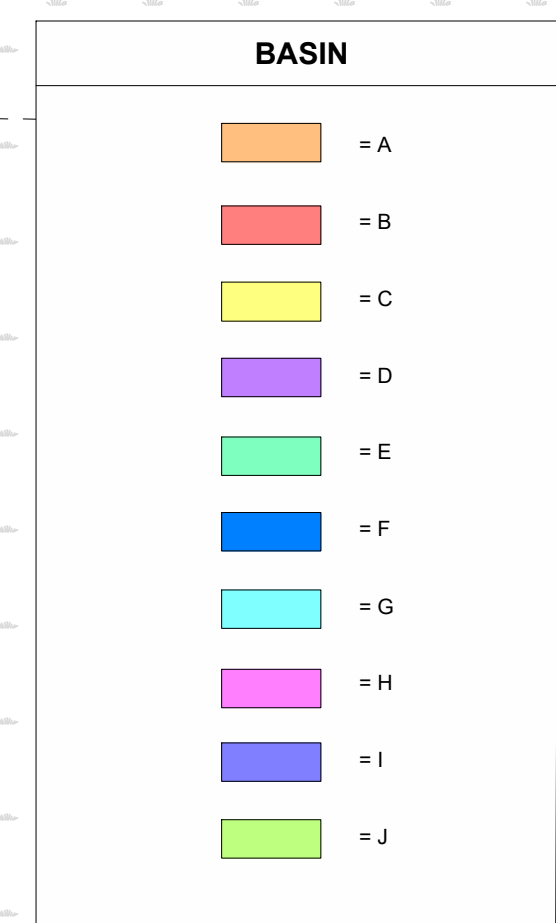
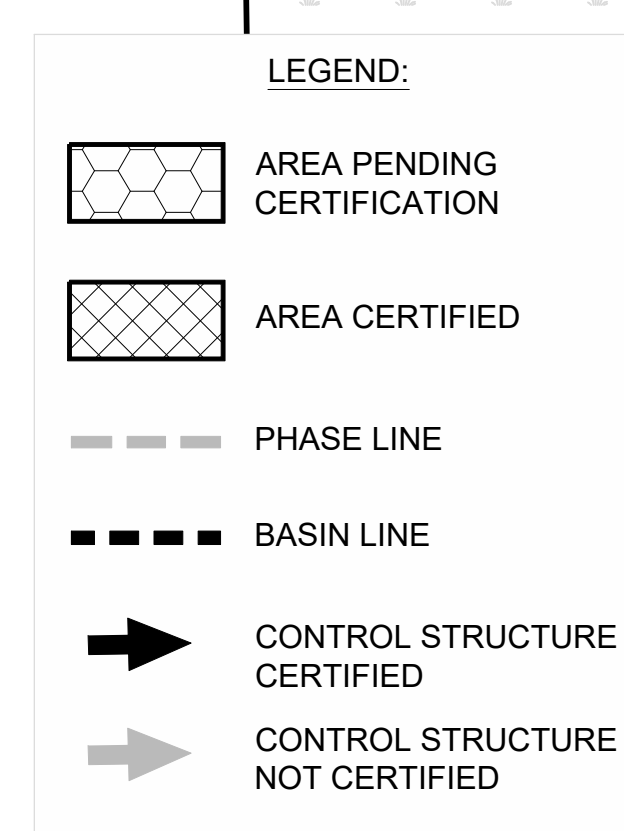
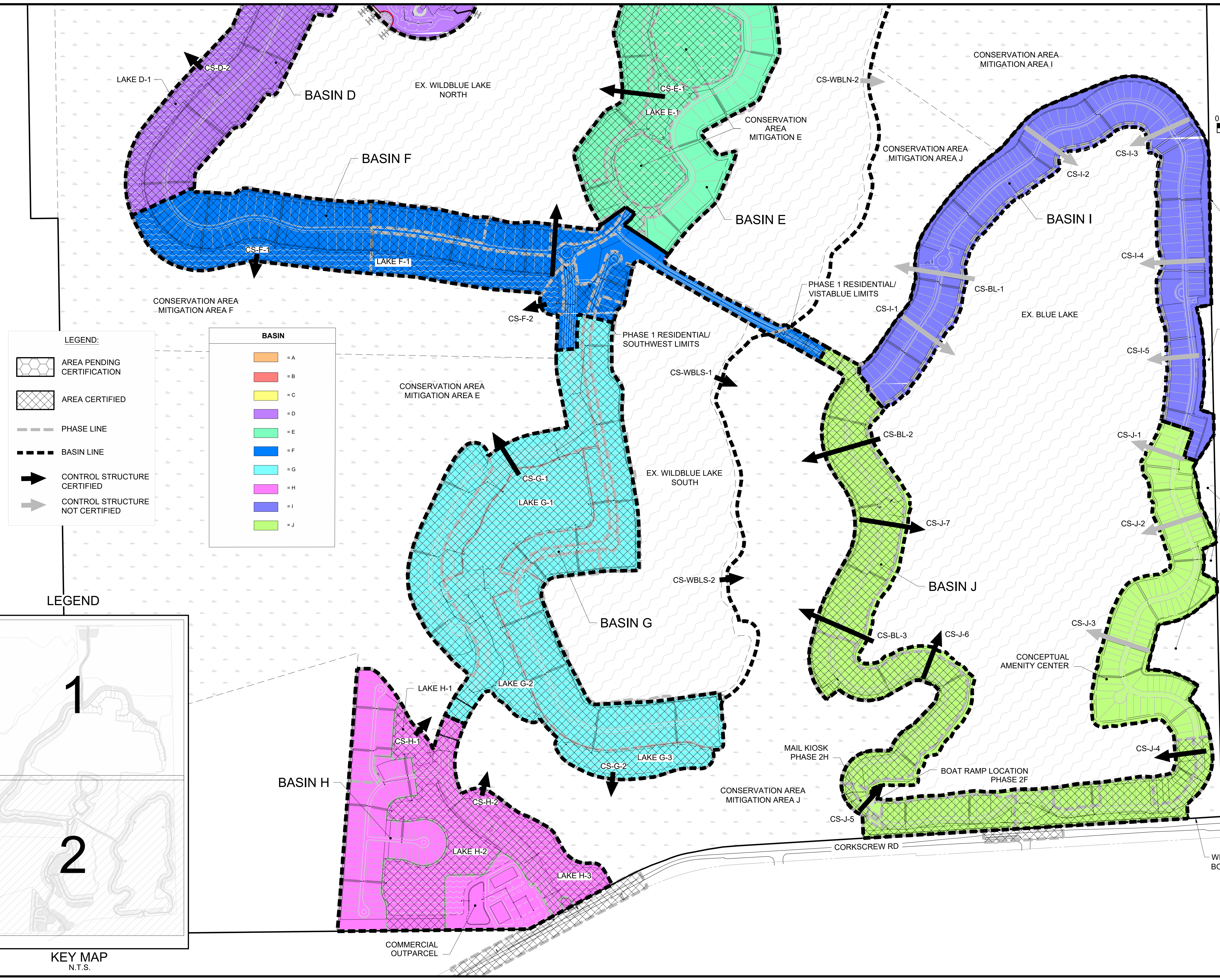
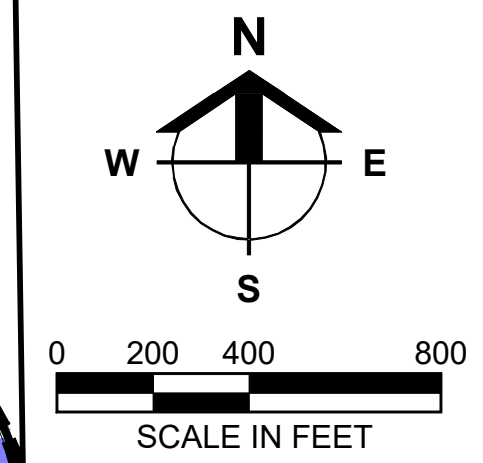
- AREA PENDING CERTIFICATION
- AREA CERTIFIED
- PHASE LINE
- BASIN LINE
- CONTROL STRUCTURE CERTIFIED
- CONTROL STRUCTURE NOT CERTIFIED

**BASIN**

- = A
- = B
- = C
- = D
- = E
- = F
- = G
- = H
- = I
- = J



PLAN REVISIONS	



**KEY MAP**  
N.T.S.



# As-Built Certification And Request for Conversion to Operation Phase

Instructions: Complete and submit this page within 30 days of completion of the entire project, or any independent portion of the project, as required by the permit conditions. The operation phase of the permit is effective when the construction certification for the entire permit/application is approved by the Agency. If the final operation and maintenance entity is not the permittee, the permittee shall operate the project, system, works, or other activities temporarily until such time as the transfer to the operation entity is finalized (use Form 62-330.310(2)).

Permit No: **36-05075-P-05** Application No: **181221-2** Permittee: **Pulte Home Company, LLC**

Project Name: **Wildblue Southwest** Phase or Independent Portion (if applicable): **FINAL**

I HEREBY CERTIFY THAT (please check only one box):

- To the best of my knowledge, information, and belief, construction of the project has been completed in substantial conformance with the plans specifications and conditions permitted by the Agency. Any minor deviations will not prevent the project from functioning in compliance with the requirements of Chapter 62-330, F.A.C. Attached are documents to demonstrate satisfaction of the outstanding permit conditions, other than long term monitoring and inspection requirements.
- Construction of the project was NOT completed in substantial conformance with the plans and specifications permitted by the Agency. Any deviations or independent phasing will not prevent the project from functioning in compliance with the requirements of Chapter 62-330, F.A.C. (Contact the permitting agency to determine whether a modification of the permit will be required in accordance with Rule 62-330.315, F.A.C.) Attached is a description of substantial deviations, a set of as-built drawings, and documents to demonstrate satisfaction of the outstanding permit conditions, other than long term monitoring and inspection requirements.
- Construction of the project was NOT completed in substantial conformance with the plans and specifications permitted by the Agency. There are substantial deviations that prevent the project from functioning in compliance with the requirements of Chapter 62-330, F.A.C. I acknowledge that corrections to the project and/or a modification of the permit will likely be required, and that conversion to the operation phase cannot be approved at this time. As-built or record drawings reflecting the substantial deviations are attached.

**For activities that require certification by a registered professional:**



Timothy B. Gavin  
 2020.04.22  
 15:22:26 -04'00'

Timothy B. Gavin, P.E., FL PE 70675 / FL CA 7995  
 Barraco and Associates, Inc  
 2271 McGregor Blvd., Suite 100, Ft. Myers, FL 33901  
 (239)461-3170  
[TimG@Barraco.net](mailto:TimG@Barraco.net)

April 22, 2020

This item has been electronically signed and sealed by Timothy B. Gavin on the date adjacent to the seal using a SHA authentication code.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

**For activities that do not require certification by a registered professional:**

By: \_\_\_\_\_  
 Signature

(Print Name)

(Company Name)

(Company Address)

(Telephone Number)

(Email Address)

(Date)



## Drawings and Information Checklist

**Following is a list of information that is to be verified and/or submitted by the Registered Professional or Permittee:**

1. All surveyed dimensions and elevations shall be certified by a registered Surveyor or Mapper under Chapter 472, F.S.
2. The registered professional's certification shall be based upon on-site observation of construction (scheduled and conducted by the registered professional of record or by a project representative under direct supervision) and review of as-built drawings, with field measurements and verification as needed, for the purpose of determining if the work was completed in accordance with original permitted construction plans, specifications, and conditions.
3. If submitted, the as-built drawings are to be based on the permitted construction drawings revised to reflect any substantial deviations made during construction. Both the original design and constructed condition must be clearly shown. The plans need to be clearly labeled as "as-built" or "record" drawings that clearly highlight (such as through "red lines" or "clouds") any substantial deviations made during construction. As required by law, all surveyed dimensions and elevations required shall be verified and signed, dated, and sealed by an appropriate registered professional. The following information, at a minimum, shall be verified on the as-built drawings, and supplemental documents if needed:
  - a. Discharge structures - Locations, dimensions and elevations of all, including weirs, orifices, gates, pumps, pipes, and oil and grease skimmers;
  - b. Detention/Retention Area(s) – Identification number, size in acres, side slopes (h:v), dimensions, elevations, contours, or cross-sections of all, sufficient to determine stage-storage relationships of the storage area and the permanent pool depth and volume below the control elevation for normally wet systems,
  - c. Side bank and underdrain filters, or exfiltration trenches - locations, dimensions, and elevations of all, including clean-outs, pipes, connections to control structures, and points of discharge to receiving waters;
  - d. System grading - dimensions, elevations, contours, final grades, or cross-sections to determine contributing drainage areas, flow directions, and conveyance of runoff to the system discharge point(s);
  - e. Conveyance - dimensions, elevations, contours, final grades, or cross-sections of systems utilized to divert off-site runoff around or through the new system;
  - f. Benchmark(s) - location and description (minimum of one per major water control structure);
  - g. Datum- All elevations should be referenced to a vertical datum clearly identified on the plans, preferably the same datum used in the permit plans.
4. Wetland mitigation or restoration areas - Show the plan view of all areas, depicting a spatial distribution of plantings conducted by zone (if plantings are required by permit), with a list showing all species planted in each zone, numbers of each species, sizes, date(s) planted, and identification of source of material; also provide the dimensions, elevations, contours, and representative cross-sections depicting the construction.
5. A map depicting the phase or independent portion of the project being certified, if all components of the project authorized in the permit are not being certified at this time.
6. Any additional information or outstanding submittals required by permit conditions or to document permit compliance, other than long-term monitoring or inspection requirements.



# SOUTH FLORIDA WATER MANAGEMENT DISTRICT

*Delivered via email*

September 23, 2019

Mr. Darin McMurray  
Lennar Homes LLC  
10481 Six Mile Cypress Parkway  
Fort Myers, FL 33966

**Subject: Wildblue  
Construction Completion Certification - Partial Acceptance  
Permit No. 36-05075-P, Application No's. 180713-10 and 181228-2  
Lee County, S17,19/T46S/R26E**

Dear Mr. McMurray:

This letter is to acknowledge receipt of your Florida registered professional's partial construction completion certification (CCC) pertaining to the referenced stormwater management system and to provide notification that the CCC has been accepted and incorporated into the permit file.

This partial CCC, including the attached certification exhibit, was reviewed and found to be sufficient in providing water quality treatment and flood protection for the existing, developed portion of the site. Consequently, District staff considers this portion of the system under the above-referenced application number(s) to be constructed in substantial conformance with the plans and specifications approved by the District.

Staff understands that construction on the remainder of the undeveloped site is pending. An additional, final construction completion certification will be submitted upon completion of the project to address all aspects of the referenced permit and any subsequent modifications.

Upon submittal and the District's acceptance of a professional's CCC for the remaining portion of the stormwater management system, so as to complete the entire project, the permit referenced above will then be converted from the construction phase to the operation phase.

The District now has the capability of receiving certifications, as-built plans and AGI inspection reports, conversion/transfer forms and other documents electronically via the District's ePermitting website at [www.sfwmd.gov/ePermitting](http://www.sfwmd.gov/ePermitting). For first-time users, an account will need to be created. Reports can be submitted through eCompliance/Environmental Resource.

Wildblue  
Permit Number 36-05075-P  
Page 2

If you have any questions or require additional assistance, please contact Derek Spoerl at (239) 338-2929 ext. 7721, or via e-mail at [dspoerl@sfwmd.gov](mailto:dspoerl@sfwmd.gov).

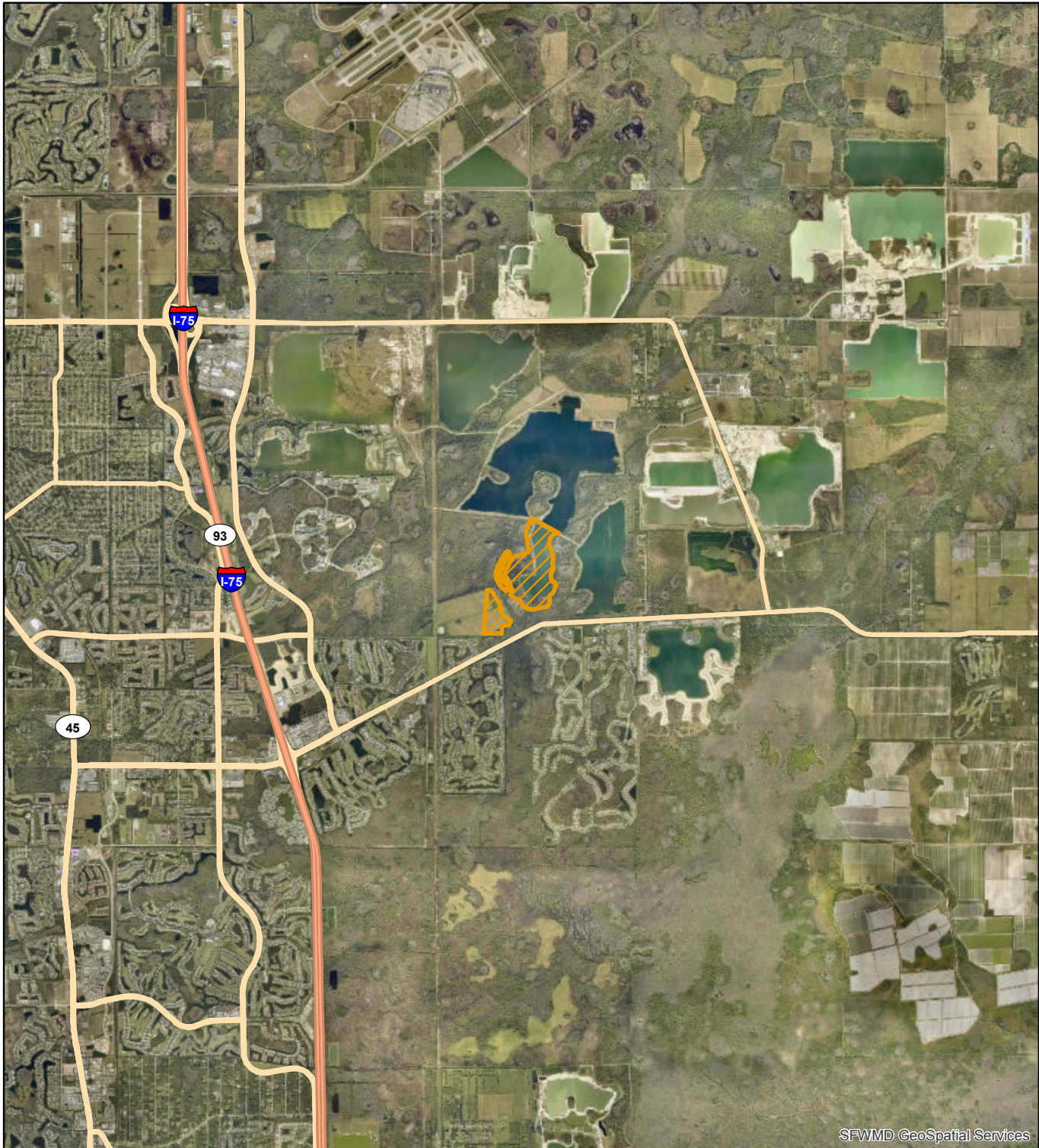
Sincerely,








Derek Spoerl, Engineering Specialist 1  
Environmental Resource Bureau

Enclosure(s): Location Map  
Certification Exhibit  
Notice of Rights

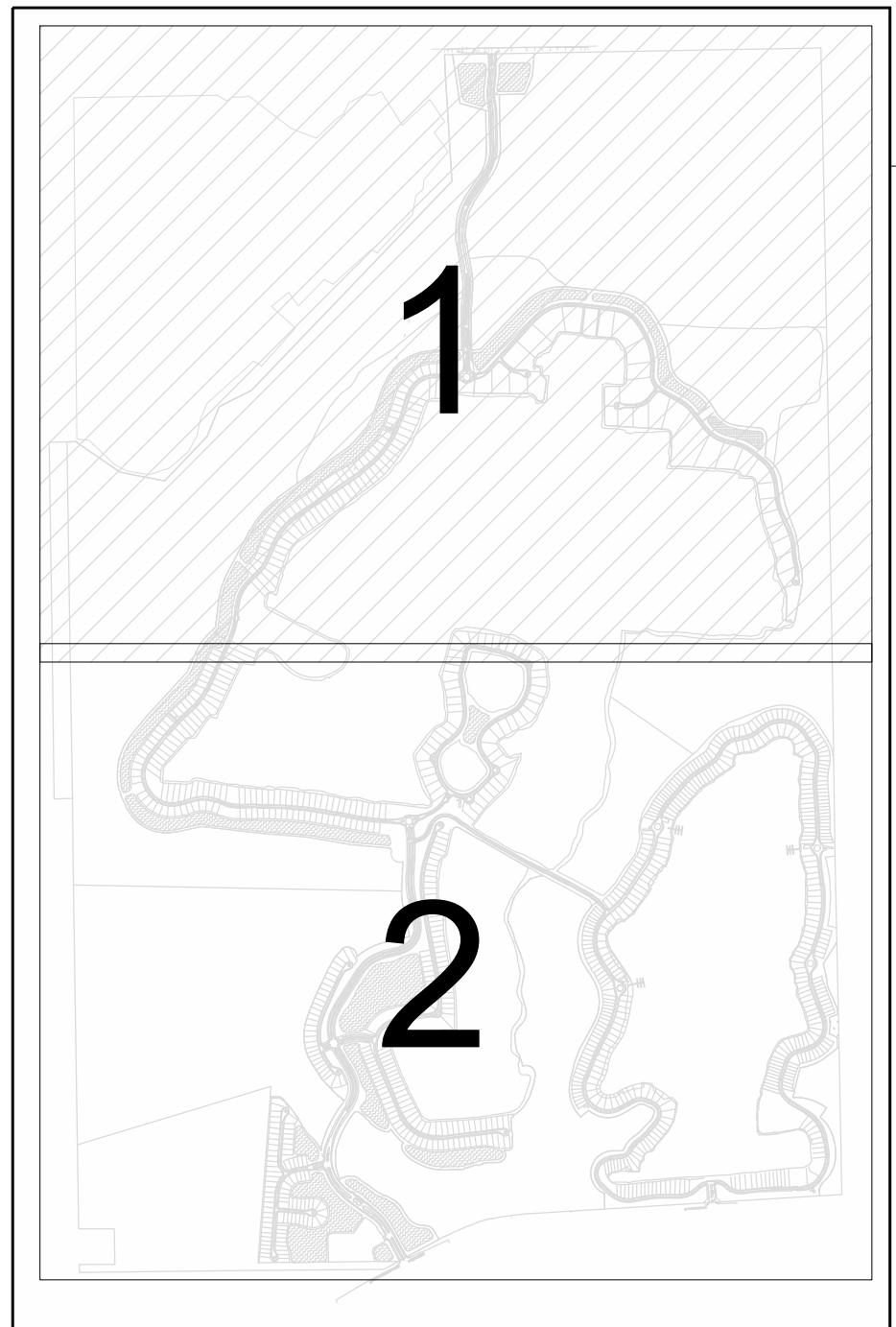
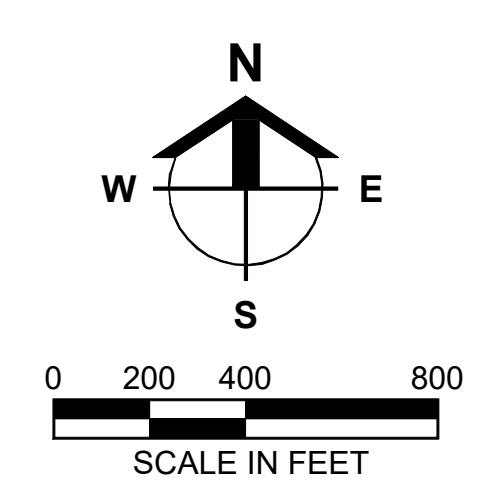
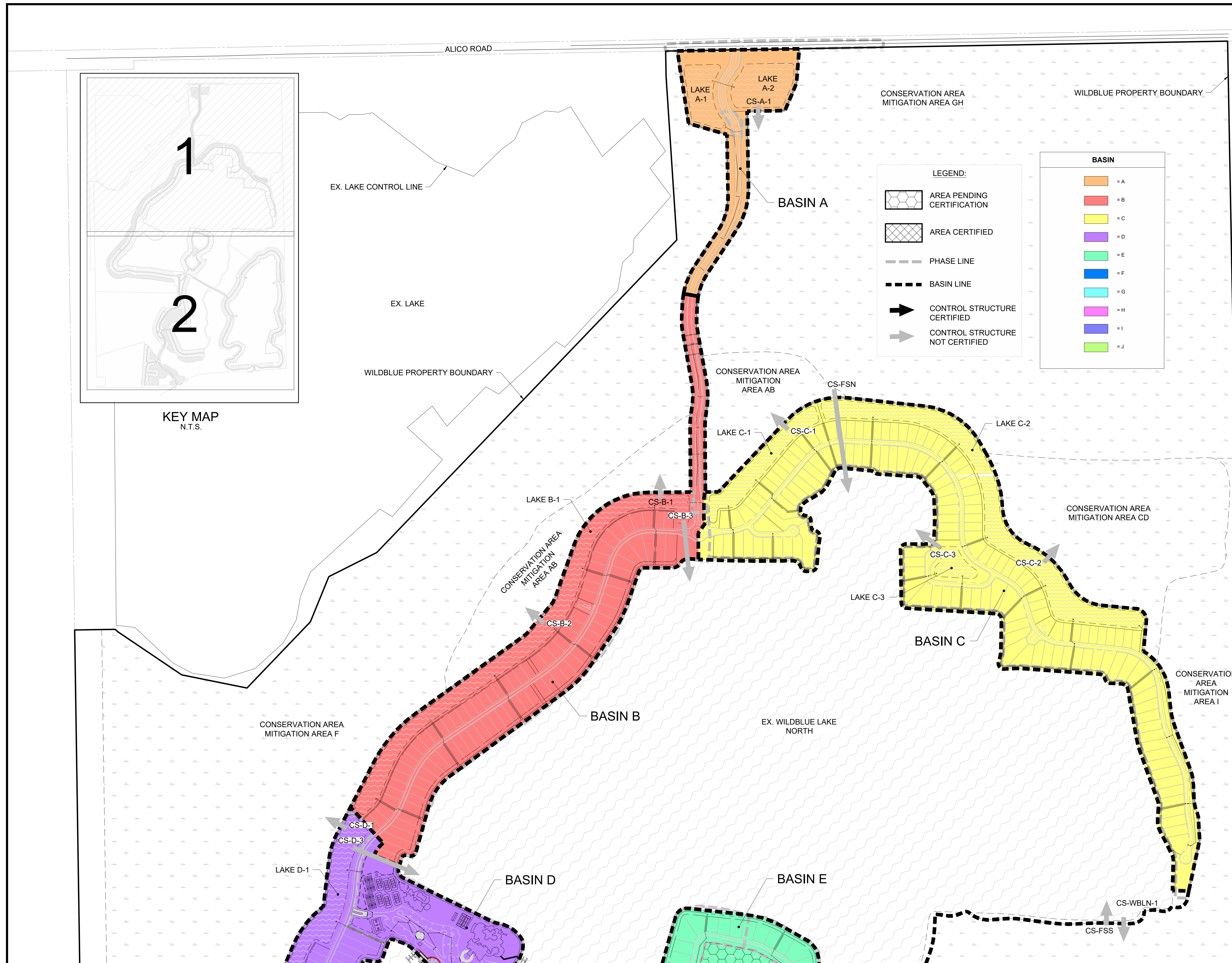
c: Chris Van Buskirk Barraco and Associates, Inc. (via Email)

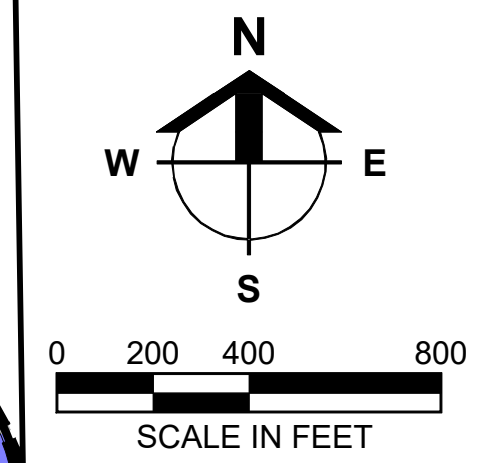


SFWM District GeoSpatial Services

<p><b>Exhibit No: 1</b></p>	<p>Exhibit Created On: 2018-12-28</p>	<p>LEE COUNTY, FL</p>	<p> Application</p>
<p><b>REGULATION DIVISION</b> Project Name: WILDBLUE</p>			<p>Permit No: 36-05075-P</p> <p>Application Number: 181228-2</p>
	<p>0      6,000      12,000   Feet</p>		<p> N</p> <p>  <small>Created by IT GIS Section</small>          South Florida Water Management District</p>







PREPARED FOR  
**LENNAR**

LENNAR HOMES  
10471 BEN C PRATT / 6 MILE  
CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE (239) 278-1177  
FAX (239) 931-4749

PROJECT DESCRIPTION

**WILDBLUE**

LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY.  
SITE LAYOUT AND LAND USE INTENSITIES OR DENSITIES MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY, ENGINEERING, ENVIRONMENTAL AND / OR REGULATORY CONSTRAINTS AND / OR OPPORTUNITIES.

DRAWING NOT VALID WITHOUT SEAL, SIGNATURE AND DATE  
© COPYRIGHT 2019, BARRACO AND ASSOCIATES, INC.  
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

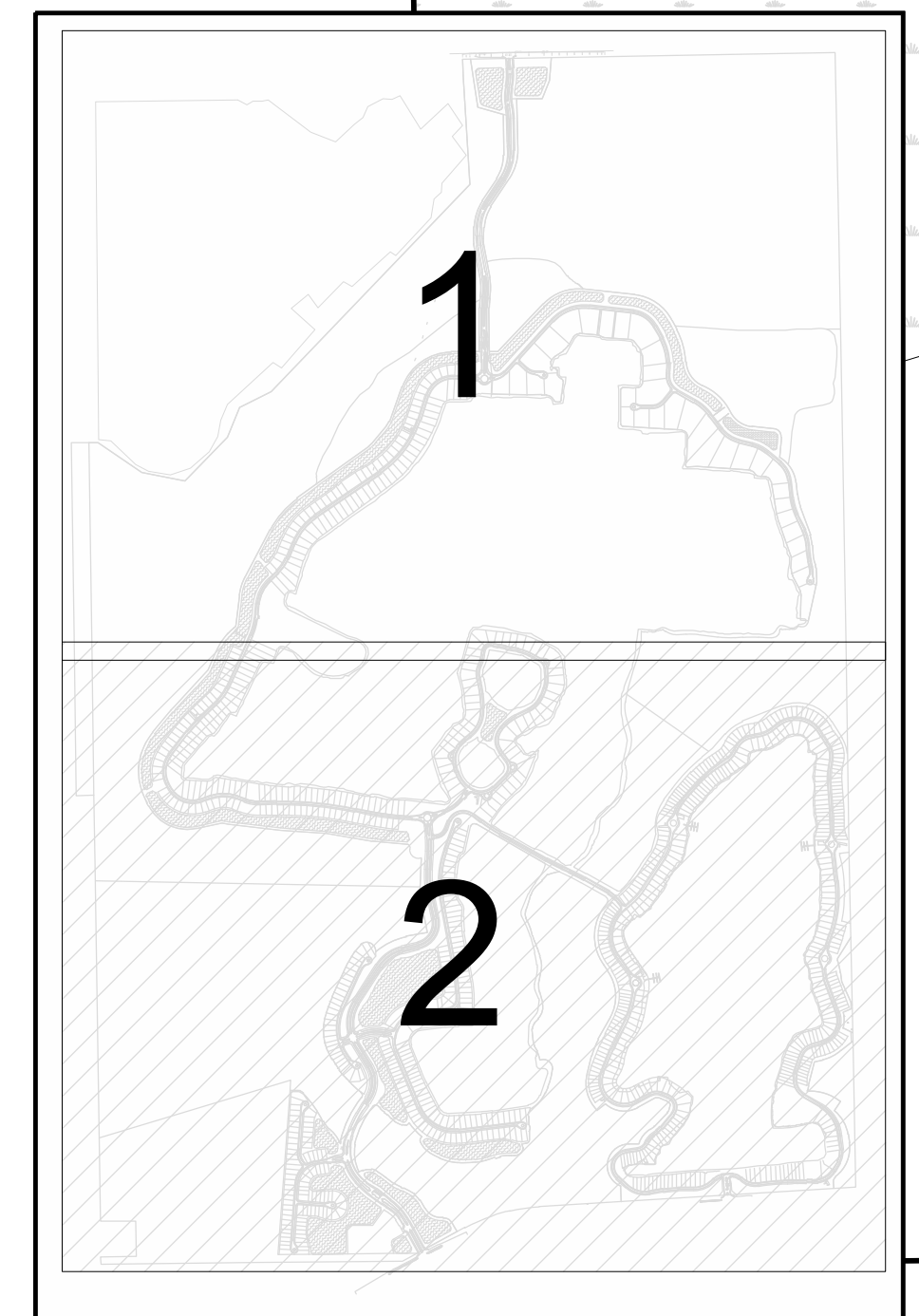
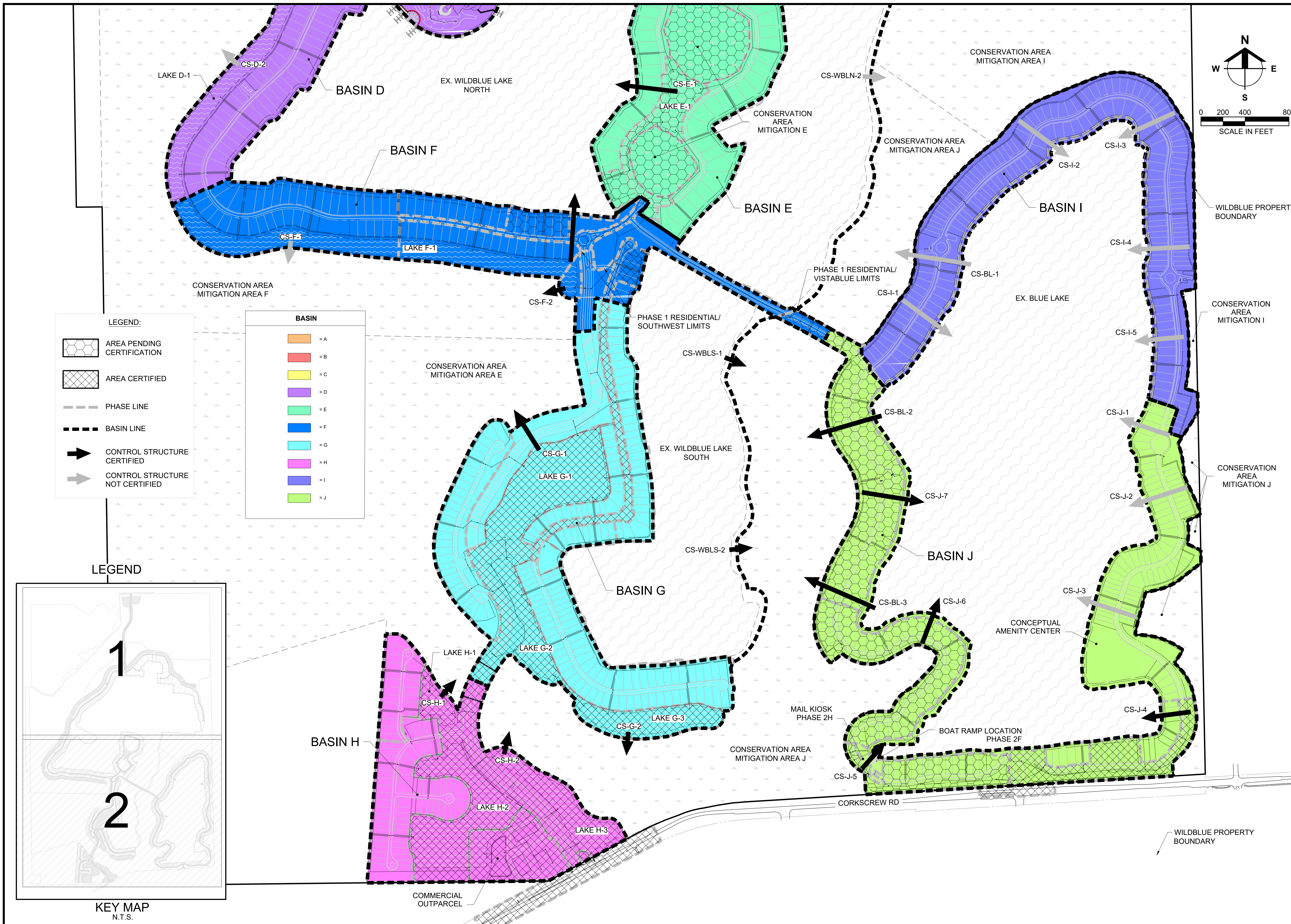
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LOCATION	J:\23372\DWG\EXHIBITS
PLOT DATE	FRI 9-20-2019 - 9:45 AM
PLOT BY	SCOTT WHEELER JR
CROSS REFERENCED DRAWINGS	SURVEY = 23372500.DWG

PLAN REVISIONS	

PLAN STATUS  
EXHIBIT

**WILDBLUE  
CERTIFICATION  
EXHIBIT**

PROJECT / FILE NO.	SHEET NUMBER
-	2



# As-Built Certification And Request for Conversion to Operation Phase

Instructions: Complete and submit this page within 30 days of completion of the entire project, or any independent portion of the project, as required by the permit conditions. The operation phase of the permit is effective when the construction certification for the entire permit/application is approved by the Agency. If the final operation and maintenance entity is not the permittee, the permittee shall operate the project, system, works, or other activities temporarily until such time as the transfer to the operation entity is finalized (use Form 62-330.310(2)).

Permit No: **36-05075-P-05** Application No: **181221-2** Permittee: **Pulte Home Company, LLC**

Project Name: **Wildblue Southwest** Phase or Independent Portion (if applicable): **FINAL**

I HEREBY CERTIFY THAT (please check only one box):

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- Construction of the project was NOT completed in substantial conformance with the plans and specifications permitted by the Agency. Any deviations or independent phasing will not prevent the project from functioning in compliance with the requirements of Chapter 62-330, F.A.C. (Contact the permitting agency to determine whether a modification of the permit will be required in accordance with Rule 62-330.315, F.A.C.) Attached is a description of substantial deviations, a set of as-built drawings, and documents to demonstrate satisfaction of the outstanding permit conditions, other than long term monitoring and inspection requirements.
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**For activities that require certification by a registered professional:**



**Timothy B. Gavin**  
2020.04.22

SEAL: 2020-04-22 15:22:26 -04'00'

Timothy B. Gavin, P.E., FL PE 70675 / FL CA 7995  
Barraco and Associates, Inc  
2271 McGregor Blvd., Suite 100, Ft. Myers, FL 33901  
(239)461-3170  
[TimG@Barraco.net](mailto:TimG@Barraco.net)

This item has been electronically signed and sealed by Timothy B. Gavin on the date adjacent to the seal using a SHA authentication code.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

April 22, 2020

**For activities that do not require certification by a registered professional:**

By: \_\_\_\_\_  
Signature

(Print Name)

(Company Name)

(Company Address)

(Telephone Number)

(Email Address)

(Date)





## Drawings and Information Checklist

**Following is a list of information that is to be verified and/or submitted by the Registered Professional or Permittee:**

1. All surveyed dimensions and elevations shall be certified by a registered Surveyor or Mapper under Chapter 472, F.S.
2. The registered professional's certification shall be based upon on-site observation of construction (scheduled and conducted by the registered professional of record or by a project representative under direct supervision) and review of as-built drawings, with field measurements and verification as needed, for the purpose of determining if the work was completed in accordance with original permitted construction plans, specifications, and conditions.
3. If submitted, the as-built drawings are to be based on the permitted construction drawings revised to reflect any substantial deviations made during construction. Both the original design and constructed condition must be clearly shown. The plans need to be clearly labeled as "as-built" or "record" drawings that clearly highlight (such as through "red lines" or "clouds") any substantial deviations made during construction. As required by law, all surveyed dimensions and elevations required shall be verified and signed, dated, and sealed by an appropriate registered professional. The following information, at a minimum, shall be verified on the as-built drawings, and supplemental documents if needed:
  - a. Discharge structures - Locations, dimensions and elevations of all, including weirs, orifices, gates, pumps, pipes, and oil and grease skimmers;
  - b. Detention/Retention Area(s) – Identification number, size in acres, side slopes (h:v), dimensions, elevations, contours, or cross-sections of all, sufficient to determine stage-storage relationships of the storage area and the permanent pool depth and volume below the control elevation for normally wet systems,
  - c. Side bank and underdrain filters, or exfiltration trenches - locations, dimensions, and elevations of all, including clean-outs, pipes, connections to control structures, and points of discharge to receiving waters;
  - d. System grading - dimensions, elevations, contours, final grades, or cross-sections to determine contributing drainage areas, flow directions, and conveyance of runoff to the system discharge point(s);
  - e. Conveyance - dimensions, elevations, contours, final grades, or cross-sections of systems utilized to divert off-site runoff around or through the new system;
  - f. Benchmark(s) - location and description (minimum of one per major water control structure);
  - g. Datum- All elevations should be referenced to a vertical datum clearly identified on the plans, preferably the same datum used in the permit plans.
4. Wetland mitigation or restoration areas - Show the plan view of all areas, depicting a spatial distribution of plantings conducted by zone (if plantings are required by permit), with a list showing all species planted in each zone, numbers of each species, sizes, date(s) planted, and identification of source of material; also provide the dimensions, elevations, contours, and representative cross-sections depicting the construction.
5. A map depicting the phase or independent portion of the project being certified, if all components of the project authorized in the permit are not being certified at this time.
6. Any additional information or outstanding submittals required by permit conditions or to document permit compliance, other than long-term monitoring or inspection requirements.

## NOTICE OF RIGHTS

As required by Sections 120.569 and 120.60(3), Fla. Stat., the following is notice of the opportunities which may be available for administrative hearing or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Not all of the legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

### **RIGHT TO REQUEST ADMINISTRATIVE HEARING**

A person whose substantial interests are or may be affected by the South Florida Water Management District's (SFWMD or District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Fla. Stat. Persons seeking a hearing on a SFWMD decision which affects or may affect their substantial interests shall file a petition for hearing with the Office of the District Clerk of the SFWMD, in accordance with the filing instructions set forth herein, within 21 days of receipt of written notice of the decision, unless one of the following shorter time periods apply: (1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Fla. Stat.; or (2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Fla. Stat. "Receipt of written notice of agency decision" means receipt of written notice through mail, electronic mail, or posting that the SFWMD has or intends to take final agency action, or publication of notice that the SFWMD has or intends to take final agency action. Any person who receives written notice of a SFWMD decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

If the District takes final agency action which materially differs from the noticed intended agency decision, persons who may be substantially affected shall, unless otherwise provided by law, have an additional Rule 28-106.111, Fla. Admin. Code, point of entry.

Any person to whom an emergency order is directed pursuant to Section 373.119(2), Fla. Stat., shall comply therewith immediately, but on petition to the board shall be afforded a hearing as soon as possible.

A person may file a request for an extension of time for filing a petition. The SFWMD may, for good cause, grant the request. Requests for extension of time must be filed with the SFWMD prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and that the SFWMD and any other parties agree to or oppose the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

### **FILING INSTRUCTIONS**

A petition for administrative hearing must be filed with the Office of the District Clerk of the SFWMD. Filings with the Office of the District Clerk may be made by mail, hand-delivery, or e-mail. Filings by facsimile will not be accepted. A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the Office of the District Clerk at SFWMD headquarters in West Palm Beach, Florida. The District's normal business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Any document received by the Office of the District Clerk after 5:00 p.m. shall be deemed filed as of 8:00 a.m. on the next regular business day. Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33406.

- Filings by hand-delivery must be delivered to the Office of the District Clerk. Delivery of a petition to the SFWMD's security desk does not constitute filing. It will be necessary to request that the SFWMD's security officer contact the Office of the District Clerk. An employee of the SFWMD's Clerk's office will receive and file the petition.
- Filings by e-mail must be transmitted to the Office of the District Clerk at [clerk@sfwmd.gov](mailto:clerk@sfwmd.gov). The filing date for a document transmitted by electronic mail shall be the date the Office of the District Clerk receives the complete document. A party who files a document by e-mail shall (1) represent that the original physically signed document will be retained by that party for the duration of the proceeding and of any subsequent appeal or subsequent proceeding in that cause and that the party shall produce it upon the request of other parties; and (2) be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed.

### **INITIATION OF AN ADMINISTRATIVE HEARING**

Pursuant to Sections 120.54(5)(b)4. and 120.569(2)(c), Fla. Stat., and Rules 28-106.201 and 28-106.301, Fla. Admin. Code, initiation of an administrative hearing shall be made by written petition to the SFWMD in legible form and on 8 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, SFWMD file number or any other SFWMD identification number, if known.
2. The name, address, any email address, any facsimile number, and telephone number of the petitioner and petitioner's representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the SFWMD's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the SFWMD's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the SFWMD's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the SFWMD to take with respect to the SFWMD's proposed action.

### **MEDIATION**

The procedures for pursuing mediation are set forth in Section 120.573, Fla. Stat., and Rules 28-106.111 and 28-106.401–405, Fla. Admin. Code. The SFWMD is not proposing mediation for this agency action under Section 120.573, Fla. Stat., at this time.

### **RIGHT TO SEEK JUDICIAL REVIEW**

Pursuant to Section 120.68, Fla. Stat., and in accordance with Florida Rule of Appellate Procedure 9.110, a party who is adversely affected by final SFWMD action may seek judicial review of the SFWMD's final decision by filing a notice of appeal with the Office of the District Clerk of the SFWMD in accordance with the filing instructions set forth herein within 30 days of rendition of the order to be reviewed, and by filing a copy of the notice with the clerk of the appropriate district court of appeal.



# SOUTH FLORIDA WATER MANAGEMENT DISTRICT

*Delivered via email*

April 3, 2019

Michael Hueniken  
Pulte Home Company, LLC  
24311 Walden Center Dr. Suite 300  
Bonita Springs, FL 34134

**Subject: Wildblue Southwest  
Construction Completion Certification Acceptance  
Permit No. 36-05075-P-05, Application No. 181221-2  
Lee County, S19/T46S/R26E**

Dear Mr. Hueniken:

This letter is to acknowledge receipt of your Florida registered professional's construction completion certification (CCC) pertaining to the stormwater management system referenced above. As discussed with South Florida Water Management District (District) staff and Timothy Gavin, P.E. on April 2, 2019, the submitted information has been accepted and incorporated into the permit file.

This acceptance is based on the District's review of the "As-built Certification and Request for Conversion to Operation Phase", Form 62-330.310(1), and a determination that construction is in substantial conformance with the plans and specifications approved by the District, in accordance with Section 62-330.310, Florida Administrative Code (FAC). The permit file has been updated to reflect this determination.

By accepting the Florida registered professional's certification, District staff considers the stormwater management system permitted under the above-referenced application number(s) to be in compliance with permit conditions pertaining to the CCC and the above-referenced permit is hereby converted from the construction phase to the operation and maintenance phase.

Please be aware that all perpetual operation and maintenance requirements of this permit are the responsibility of the permittee and that the District reserves the right to inspect the project

in the future to ensure continued compliance with the permit. If at any time it is determined that the constructed system is not operating as intended, you may be required to correct any construction deficiencies in the system necessary to meet District rule criteria.

According to District records, a permit transfer to the operating entity is required. In accordance with Rule 62-330.350(1)(e), FAC, "Unless the permit is transferred under Rule 62-330.340, FAC, or transferred to an operating entity under Rule 62-330.310, FAC, the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity." This transfer should be pursued via Form 62-330.310(2), *Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity*, with supporting documentation. The form and submittal instructions are enclosed.

The District now has the capability of receiving certifications, as-built plans and AGI inspection reports, conversion/transfer forms and other documents electronically via the District's ePermitting website at [www.sfwmd.gov/ePermitting](http://www.sfwmd.gov/ePermitting). For first-time users, an account will need to be created. Reports can be submitted through eCompliance/Environmental Resource.

If you have any questions or require additional assistance, please contact me at 239-338-2929 ext. 7792, or via e-mail at [rcasburn@sfwmd.gov](mailto:rcasburn@sfwmd.gov), in the Fort Myers Service Center.

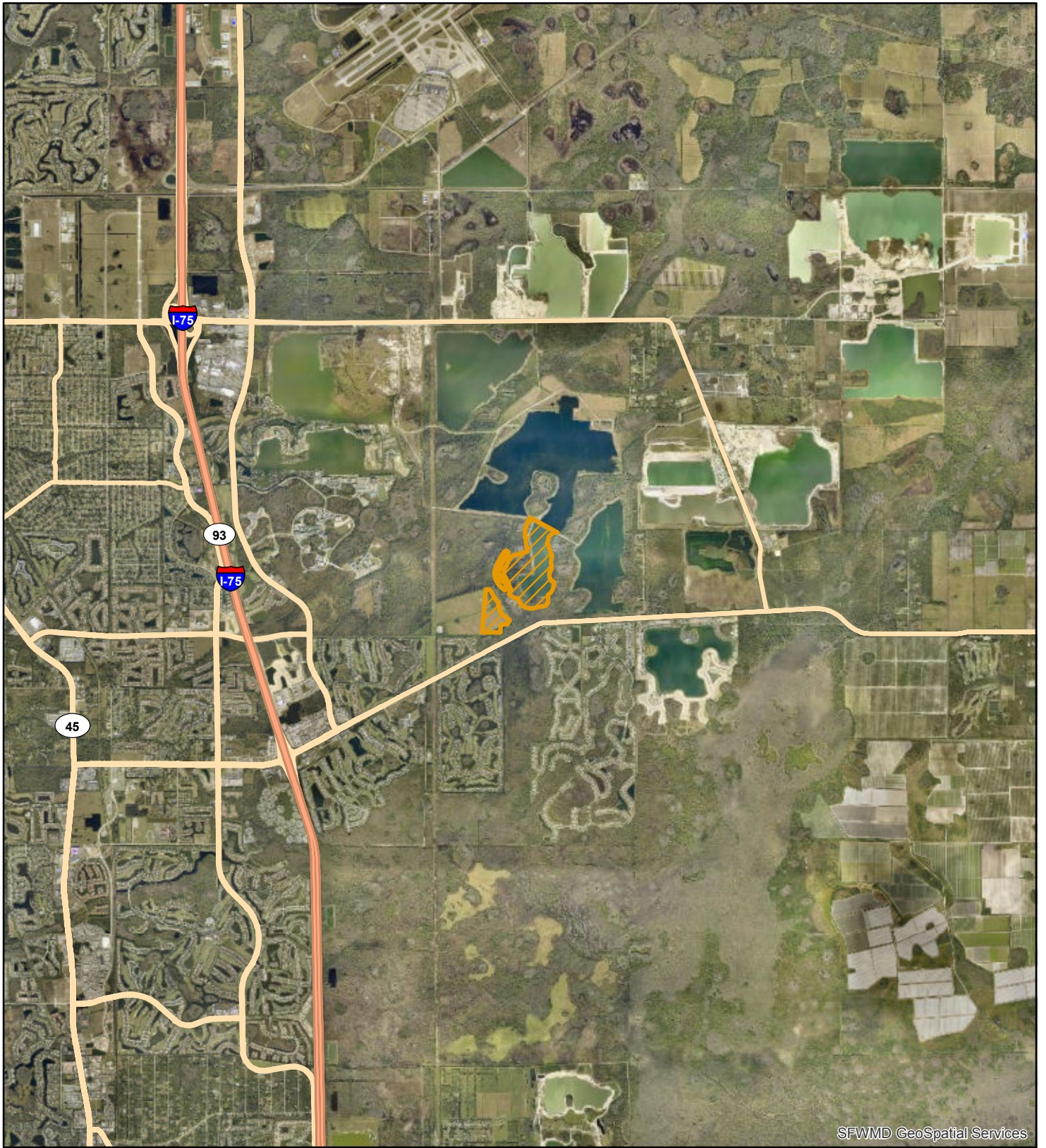
Sincerely,







Randall Casburn, Engineering Specialist II  
Environmental Resource Bureau

Enclosure(s): Location Map  
Notice of Rights  
Operation Transfer Instructions and Form 62-330.310(2)

c: Timothy Gavin, P.E., Barraco and Associates, Inc. (via Email)



SFWMD GeoSpatial Services

<p><b>Exhibit No: 1</b></p>	<p>Exhibit Created On: 2018-12-26</p>	<p>LEE COUNTY, FL</p>	<p> Application</p> <p>Permit No: 36-05075-P-03</p> <p>Application Number: 181221-2</p> 
<p align="center"><b>REGULATION DIVISION</b> Project Name: WILDBLUE SOUTHWEST</p>			
 <p align="center">0      6,000      12,000 Feet</p> 			<p align="center"><a href="http://sfwmd.gov">sfwmd.gov</a> Created by IT GIS Section South Florida Water Management District</p>

## **NOTICE OF RIGHTS**

As required by Sections 120.569 and 120.60(3), Fla. Stat., the following is notice of the opportunities which may be available for administrative hearing or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Not all of the legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

### **RIGHT TO REQUEST ADMINISTRATIVE HEARING**

A person whose substantial interests are or may be affected by the South Florida Water Management District's (SFWMD or District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Fla. Stat. Persons seeking a hearing on a SFWMD decision which affects or may affect their substantial interests shall file a petition for hearing with the Office of the District Clerk of the SFWMD, in accordance with the filing instructions set forth herein, within 21 days of receipt of written notice of the decision, unless one of the following shorter time periods apply: (1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Fla. Stat.; or (2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Fla. Stat. "Receipt of written notice of agency decision" means receipt of written notice through mail, electronic mail, or posting that the SFWMD has or intends to take final agency action, or publication of notice that the SFWMD has or intends to take final agency action. Any person who receives written notice of a SFWMD decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

If the District takes final agency action which materially differs from the noticed intended agency decision, persons who may be substantially affected shall, unless otherwise provided by law, have an additional Rule 28-106.111, Fla. Admin. Code, point of entry.

Any person to whom an emergency order is directed pursuant to Section 373.119(2), Fla. Stat., shall comply therewith immediately, but on petition to the board shall be afforded a hearing as soon as possible.

A person may file a request for an extension of time for filing a petition. The SFWMD may, for good cause, grant the request. Requests for extension of time must be filed with the SFWMD prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and that the SFWMD and any other parties agree to or oppose the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

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6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the SFWMD's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the SFWMD's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
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# **OPERATION TRANSFER SUBMITTAL REQUIREMENTS**

In cases where the perpetual operation entity for a permitted stormwater management system differs from the construction permittee, an Operation Transfer is required in accordance with Chapter 62-330.350(1)(g)2, Florida Administrative Code (FAC). Also, as specified in Rule 40E-1.6107(5) and Section 12.3.2, Applicant's Handbook Volume I, the construction phase permittee remains responsible for operation and maintenance until the operation transfer is issued.

To initiate the operation transfer, **Form 62-330.310(2), Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity** should be submitted through the Agency's [ePermitting/Compliance Reporting](#) website (see attached instructions) along with the applicable supporting documentation for the operation entity categories listed below. There is no fee for this permitting action.

## **Property Owners/Homeowners/Community Association:**

1. Form 62-330.310(2) must be signed by an officer of the association. If an agent or property manager submits the request on behalf of the association, documentation of signature authority such as a letter of authorization or meeting minutes must be provided;
2. the recorded declaration of covenants and restrictions or condominium, with amendments and associated exhibits;
3. the filed articles of incorporation and documentary evidence of active corporate status with the Florida Department of State, Division of Corporations;
4. all recorded plats; and
5. the recorded easements and/or the recorded transfer of title for the common areas on which the stormwater management system is located (unless dedicated by plat).

To expedite the review of your transfer request, it is recommended that you complete and submit an "Association Affidavit" indicating that the association meets the criteria as outlined in Section 12.3.3, Applicant's Handbook Volume I. Should you choose not to execute the affidavit, you may enter the requisite information and submit it as a checklist. If the governing documents do not satisfy Agency criteria, an amendment to the appropriate document will be required.

## **Community Development District (CDD):**

1. Form 62-330.310(2) must be signed by a member of the board of supervisors. If an agent or district manager submits the request on behalf of the CDD, documentation of signature authority such as a letter of authorization or meeting minutes must be provided;
2. all recorded plats; and
3. the recorded easements and/or the recorded transfer of title for the common areas on which the stormwater management system is located (unless dedicated by plat).

## **Multipurpose Special Taxing/Benefit Unit (MSTU/MSBU), County or Municipality:**

1. Form 62-330.310(2) must be signed by an authorized representative of the governmental entity, and documentation of signature authority must be provided;
2. all recorded plats; and
3. the recorded easements and/or the recorded transfer of title for the common areas on which the stormwater management system is located (unless dedicated by plat).

**Should you have questions regarding the content of your operation transfer submittal or submitting through [ePermitting/Compliance Reporting](#), please contact:**

Jennifer Krumlauf, Regulatory Support Bureau  
South Florida Water Management District  
[jkrumla@sfwmd.gov](mailto:jkrumla@sfwmd.gov) or (561) 682-2712

# Request for Transfer of Environmental Resource Permit to the Perpetual Operation and Maintenance Entity

Instructions: Complete this form to transfer to the permit to the operation and maintenance entity. This form can be completed concurrently with, or within 30 days of approval of, the As-Built Certification and Request for Conversion to Operation Phase (Form 62-330.310(1)). Please include all documentation required under Section 12.2.1(b) of Applicant's Handbook Volume I (see checklist below). **Failure to submit the appropriate final documents will result in the permittee remaining liable for operation and maintenance of the permitted activities.**

Permit No.: \_\_\_\_\_ Application No(s): \_\_\_\_\_

Project Name: \_\_\_\_\_ Phase (if applicable): \_\_\_\_\_

A. **Request to Transfer:** The permittee requests that the permit be transferred to the legal entity responsible for operation and maintenance (O&M).

By: \_\_\_\_\_

Signature of Permittee	Name and Title
Company Name	Company Address
Phone/email address	City, State, Zip

B. **Agreement for System Operation and Maintenance Responsibility:** The below-named legal entity agrees to operate and maintain the works or activities in compliance with all permit conditions and provisions of Chapter 62-330, Florida Administrative Code (F.A.C.) and Applicant's Handbook Volumes I and II.

**The operation and maintenance entity does not need to sign this form if it is the same entity that was approved for operation and maintenance in the issued permit.**

Authorization for any proposed modification to the permitted activities shall be applied for and obtained prior to conducting such modification.

By: \_\_\_\_\_

Signature of Representative of O&M Entity	Name of Entity for O&M
Name and Title	Address
Email Address	City, State, Zip
Phone	Date

**Enclosed are the following documents, as applicable:**

- Copy of recorded transfer of title to the operating entity for the common areas on which the stormwater management system is located (unless dedicated by plat)
- Copy of all recorded plats
- Copy of recorded declaration of covenants and restrictions, amendments, and associated exhibits
- Copy of filed articles of incorporation (if filed before 1995)
- A Completed documentation that the operating entity meets the requirements of Section 12.3 of Environmental Resource Permit Applicant's Handbook Volume I. (Note: this is optional, but aids in processing of this request)



# Affidavit

Application No.(s) \_\_\_\_\_

Permit No. \_\_\_\_\_

Project Name \_\_\_\_\_

I, \_\_\_\_\_, on behalf of \_\_\_\_\_  
 in \_\_\_\_\_ capacity, hereby attest to the following pertaining to the above project:

I am submitting this affidavit to provide reasonable assurances that the requirements set forth in Section 12.3 of the Environmental Resources Permit Applicant's Handbook Volume 1 (AH Vol.1) are included in the attached Association documents.

**12.3.3(a), AH Vol. I**

In this affidavit, I attest that the attached Association documents comply with Section 617, Florida Statutes (Corporations Not for Profit); Section 718, Florida Statutes (Condominiums); Section 719, Florida Statutes (Cooperatives); or Section 720, Florida Statutes (Homeowners Associations), as applicable.

**12.3.3(b), AH Vol. I**

I attest the Association Governing Documents include the following powers on the page numbers indicated:

- |  | Page No. |
|--|----------|
| 1. own and convey property;  | _____    |
| 2. operate and perform maintenance of the permitted project on common property as exempted or permitted by the Agency;   | _____    |
| 3. establish rules and regulations governing membership or take any other actions necessary;   | _____    |
| 4. assess members and enforce the collection of assessments for the cost of owning and maintaining the property, including the stormwater management (SWM) system;   | _____    |
| 5. sue and be sued;  | _____    |
| 6. contract for services to provide for operation and maintenance services;  | _____    |
| 7. require all owners of real property or units to be members of the corporation or association; and   | _____    |
| 8. demonstrate that the land on which the system is located is owned or otherwise controlled by the corporation or association to the extent necessary to operate and maintain the system or convey operation and maintenance to another entity. | _____    |

**12.3.3(c), AH Vol. I**

I further attest that the following covenants and restrictions are contained in the Declaration of Restrictive Covenants, Deed Restrictions, Declaration of Condominium, Articles of Incorporation or other recorded document setting forth the Association's rules and regulations (documents) on the page numbers indicated:

	Page No.
1. The Association is responsible for the operation and maintenance of the system described in the permit.	_____
2. The system is owned by the Association or described in the documents as common property.	_____
3. There is a method of assessing and collecting fees for operation and maintenance of the system.	_____
4. Any amendment proposed to these documents which would affect the system, conservation areas or water management portions of the common areas will be submitted to the Agency for a determination of whether the amendment necessitates a modification of the environmental resource permit. If a modification is necessary, the Agency will so advise the permittee. The amendment affecting the system may not be finalized until any necessary permit modification is approved by the Agency or the Association is advised that a modification is not necessary.	_____
5. The governing provisions shall remain in effect for a minimum of twenty (20) years and shall be automatically renewed thereafter.	_____
6. The Association exists in perpetuity. However, should the Association dissolve, the operational documents provide that the system shall be transferred to and maintained by one of the following entities:	_____
a. Local government units, including counties and municipalities, Municipal Service Taxing Units, or special taxing units;	
b. Active water control districts created pursuant to Chapter 298, F.S., drainage districts created by special act, special districts defined in Chapter 189, F.S., Community Development Districts created pursuant to Chapter 190, F.S., Special Assessment Districts created pursuant to Chapter 170, F.S., or water management districts created pursuant to Chapter 373, F.S.,	
c. State or federal agencies;	
d. Duly constituted communication, water, sewer, stormwater, electrical, or other public utilities;	
e. Construction permittees, subject to the restrictions below; or	
f. Non-profit corporations, including homeowners' associations, property owners' associations, condominium owners' or master associations, subject to the restrictions below.	
These entities must have the powers required in section 12.3, AH Vol. 1.*	
7. If wetland mitigation or monitoring is required, and the operational entity will be responsible to carry out this obligation, the rules and regulations of the association state that it shall be the association's responsibility to complete the task successfully, including meeting all (permit) conditions associated with wetland mitigation, maintenance and monitoring.**	_____
8. The Agency has the right to take enforcement action, including a civil action for an injunction and penalties against the Association to compel it to correct any outstanding problems with the system facilities or in mitigation or conservation areas under the responsibility or control of the Association.	_____

\* These requirements of the AH Vol. 1 are also set forth in this Affidavit.

\*\* You may put N/A if this section is not applicable.

**12.3.3(d), AH Vol. I**

If the project is a phased project or has independent associations, I further attest that the following powers and duties are contained in the documents:

Page No.

1. The Association has the ability to accept responsibility for operation and maintenance of the system for future phases of the project, if the operation and maintenance entity is proposed for a project that will be constructed in phases, and subsequent phases will utilize the same system as the initial phase or phases; or \_\_\_\_\_
2. The Association and/or sub-associations/sub-entities, either separately or collectively, have the responsibility and authority to operate and perform maintenance of the system for the entire project area, if the development scheme contemplates independent operation and maintenance entities for different phases, and the system is integrated throughout the project. That authority must include cross easements for surface water management and the ability to enter and maintain the various portions of the system, should any sub-entity fail to maintain a portion of the system within the project area. \_\_\_\_\_

Further Affiant sayeth naught.

\_\_\_\_\_  
Signature

State of Florida

County of \_\_\_\_\_

I HEREBY CERTIFY that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, before me, an officer authorized in the State aforesaid and in the County aforesaid to take acknowledgements by \_\_\_\_\_, who is personally known to me or has produced \_\_\_\_\_ as identification and who did (did not) take an oath.

\_\_\_\_\_  
Notary Public, State of Florida

## ePermitting How to....

### Submit an Operation Transfer Request

If you wish to request conversion of an Environmental Resource/Surface Water Management Permit to the operation phase and transfer to the operating entity, you may submit the request online at [www.sfwmd.gov/ePermitting](http://www.sfwmd.gov/ePermitting)

If you do not have an account, you must first register as a user. In order to establish a new user account, click on the **Create Account** icon. Registered users can simply click on the **Login** icon.

Once you have completed the user registration process, continue to the main ePermitting screen to log into the system. Click on the **Environmental Resource** function under **Compliance Reporting** listed in the menu on the left hand side of the ePermitting Home Page to make your selection.

Select the button to **create a new or update/delete a pending submittal**. Any pending submittals will be listed.

Search for the application or permit number you wish to transfer.

Many operation transfers include more than one application. Choose one and list additional applications in the **Comments** field.

Check the **CONVERSION/TRANSFER** box under **Engineering Deliverables**.

Upload pdf files using the **Attach Files** function. Note: Links to compliance forms are available to complete and attach.

When ready to submit, select *Verify and Submit Compliance Package*. Click the **Continue** button.

Check the box *I agree to the above* and click the **Submit** button.

A confirmation screen displays that provides a **Submittal confirmation number** for your records.

**WILDBLUE**  
**COMMUNITY DEVELOPMENT DISTRICT**

**5**

**WILDBLUE  
COMMUNITY DEVELOPMENT DISTRICT  
FINANCIAL STATEMENTS  
UNAUDITED  
NOVEMBER 30, 2020**



**WILDBLUE  
COMMUNITY DEVELOPMENT DISTRICT  
BALANCE SHEET  
GOVERNMENTAL FUNDS  
NOVEMBER 30, 2020**

	General Fund	Debt Service Fund	Capital Projects Fund	Total Governmental Funds
<b>ASSETS</b>				
Cash	\$ 143,447	\$ -	\$ -	\$ 143,447
Investments				
Revenue	-	445,962	-	445,962
Reserve	-	658,868	-	658,868
Construction	-	-	4,228,808	4,228,808
Cost of issuance	-	219	-	219
Due from Landowner	12,009	46,614	-	58,623
Due from general fund	-	87,168	-	87,168
Total assets	<u>\$ 155,456</u>	<u>\$ 1,238,831</u>	<u>\$ 4,228,808</u>	<u>\$ 5,623,095</u>
<b>LIABILITIES AND FUND BALANCES</b>				
Liabilities:				
Accounts payable	\$ 47,635	\$ -	\$ -	\$ 47,635
Retainage payable	-	-	462,088	462,088
Due to debt service fund	87,168	-	-	87,168
Landowner advance	6,000	-	-	6,000
Total liabilities	<u>140,803</u>	<u>-</u>	<u>462,088</u>	<u>602,891</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>				
Deferred receipts	12,009	46,614	-	58,623
Total deferred inflows of resources	<u>12,009</u>	<u>46,614</u>	<u>-</u>	<u>58,623</u>
Fund balances:				
Restricted for:				
Debt service	-	1,192,217	-	1,192,217
Capital projects	-	-	3,766,720	3,766,720
Unassigned	2,644	-	-	2,644
Total fund balances	<u>2,644</u>	<u>1,192,217</u>	<u>3,766,720</u>	<u>4,961,581</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 155,456</u>	<u>\$ 1,238,831</u>	<u>\$ 4,228,808</u>	<u>\$ 5,623,095</u>

**WILDBLUE  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
FOR THE PERIOD ENDED NOVEMBER 30, 2020**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy: on-roll - net	\$ 40,056	\$ 40,056	\$ 491,841	8%
Assessment levy: off-roll	-	-	134,708	0%
Interlocal agreement - Vista Blue	-	-	13,000	0%
Total revenues	<u>40,056</u>	<u>40,056</u>	<u>639,549</u>	6%
<b>EXPENDITURES</b>				
<b>Professional &amp; administrative</b>				
Management/accounting/recording	4,000	8,000	48,000	17%
Legal	-	-	20,000	0%
Engineering	-	-	4,000	0%
Audit	-	-	5,500	0%
Arbitrage rebate calculation	-	-	750	0%
Dissemination agent	83	167	1,000	17%
Trustee	-	-	6,500	0%
Telephone	17	33	200	17%
Postage	-	-	500	0%
Printing & binding	42	83	500	17%
Legal advertising	687	687	1,200	57%
Annual special district fee	175	175	175	100%
Insurance	-	5,381	5,500	98%
Contingencies/bank charges	15	30	500	6%
Website				
Hosting	705	705	705	100%
ADA compliance	-	-	210	0%
Total professional & administrative	<u>5,724</u>	<u>15,261</u>	<u>95,240</u>	16%
<b>Field operations</b>				
Field management	-	833	10,000	8%
Aquatic maintenance	-	-	65,000	0%
Conservation area maintenance	58,749	58,749	313,000	19%
Conservation area monitoring & reporting	2,496	2,496	69,000	4%
Water level and quality reporting	-	-	26,000	0%
Littoral plant replacements	-	-	10,000	0%
Conservation area fence review/repairs	2,286	2,286	10,000	23%
Aeration operating supplies	-	-	5,000	0%
Contingencies	-	-	10,000	0%
Shoreline/seawall repair and replacements	-	-	25,000	0%
Total field operations	<u>63,531</u>	<u>64,364</u>	<u>543,000</u>	12%
<b>Other fees and charges</b>				
Property appraiser	-	-	528	0%
Tax collector	120	120	792	15%
Total other fees and charges	<u>120</u>	<u>120</u>	<u>1,320</u>	9%
Total expenditures	<u>69,375</u>	<u>79,745</u>	<u>639,560</u>	12%

**WILDBLUE  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
FOR THE PERIOD ENDED NOVEMBER 30, 2020**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
Excess/(deficiency) of revenues over/(under) expenditures	(29,319)	(39,689)	(11)	
Fund balances - beginning	<u>31,963</u>	<u>42,333</u>	<u>111,558</u>	
Fund balances - ending	<u>\$ 2,644</u>	<u>\$ 2,644</u>	<u>\$ 111,547</u>	

**WILDBLUE  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE FUND  
FOR THE PERIOD ENDED NOVEMBER 30, 2020**

	Current Month	Year To Date	Budget	% of Budget
<b>REVENUES</b>				
Special assessment: on-roll	\$ 87,430	\$ 87,430	\$ 1,073,482	8%
Special assessment: off-roll	-	-	319,418	0%
Interest	6	11	-	N/A
Total revenues	<u>87,436</u>	<u>87,441</u>	<u>1,392,900</u>	6%
<b>EXPENDITURES</b>				
<b>Debt service</b>				
Principal	-	-	430,000	0%
Interest	-	-	963,819	0%
Total debt service	<u>-</u>	<u>-</u>	<u>1,393,819</u>	0%
<b>Other fees &amp; charges</b>				
Tax collector	263	262	-	N/A
Total other fees and charges	<u>263</u>	<u>262</u>	<u>-</u>	N/A
Total expenditures	<u>263</u>	<u>262</u>	<u>1,393,819</u>	N/A
Excess/(deficiency) of revenues over/(under) expenditures	87,173	87,179	(919)	
<b>OTHER FINANCING SOURCES/(USES)</b>				
Transfers out	(36,627)	(36,627)	-	N/A
Total other financing sources	<u>(36,627)</u>	<u>(36,627)</u>	<u>-</u>	N/A
Net change in fund balances	50,546	50,552	(919)	
Fund balances - beginning	1,141,671	1,141,665	1,190,929	
Fund balances - ending	<u>\$ 1,192,217</u>	<u>\$ 1,192,217</u>	<u>\$ 1,190,010</u>	

**WILDBLUE  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
CAPITAL PROJECTS FUND  
FOR THE PERIOD ENDED NOVEMBER 30, 2020**

	Current Month	Year To Date
<b>REVENUES</b>		
Interest	\$ 21	\$ 42
Total revenues	21	42
<b>EXPENDITURES</b>		
Total expenditures	-	-
Excess/(deficiency) of revenues over/(under) expenditures	21	42
<b>OTHER FINANCING SOURCES/(USES)</b>		
Transfer in	36,627	36,627
Total other financing sources/(uses)	36,627	36,627
Net change in fund balances	36,648	36,669
Fund balances - beginning	3,730,072	3,730,051
Fund balances - ending	\$ 3,766,720	\$ 3,766,720

**WILDBLUE**  
**COMMUNITY DEVELOPMENT DISTRICT**

**6A**

**DRAFT**

**MINUTES OF MEETING  
WILDBLUE  
COMMUNITY DEVELOPMENT DISTRICT**

The WildBlue Community Development District held a Landowners' Meeting on November 3, 2020 at 10:00 a.m., at the offices of Barraco & Associates, 2271 McGregor Boulevard, Suite 100, Fort Myers, Florida 33901.

**Present at the meeting were:**

Russell Smith	Landowner Representative
Chuck Adams	District Manager

**FIRST ORDER OF BUSINESS** **Call to Order/Roll Call**

Mr. Adams called the meeting to order at 10:06 a.m.

**SECOND ORDER OF BUSINESS** **Affidavit of Publication**

The affidavit of publication was included for informational purposes.

**THIRD ORDER OF BUSINESS** **Election of Chair to Conduct Landowners' Meeting**

Mr. Smith agreed to Mr. Adams serving as Chair to conduct the Landowners' meeting.

**FOURTH ORDER OF BUSINESS** **Election of Supervisors [Seats 3, 4 & 5]**

**A. Nominations**

Mr. Smith, as proxy holder for the Landowner, made the following nominations:

Seat 3	Barry Ernst
Seat 4	Chris Johnson
Seat 5	Russell Smith

No other nominations were made.

**B. Casting of Ballots**

**I. Determine Number of Voting Units Represented**

37 A total of 1,887 voting units were represented.

38 **II. Determine Number of Voting Units Assigned by Proxy**

39 The Landowner assigned 1,887 voting units to Mr. Smith by proxy.

40 Mr. Smith cast the following votes:

41	Seat 3	Barry Ernst	1,500 votes
42	Seat 4	Chris Johnson	1,887 votes
43	Seat 5	Russell Smith	1,887 votes

44 **C. Ballot Tabulation and Results**

45 Mr. Adams reported the following ballot tabulation, results and term lengths:

46	Seat 3	Barry Ernst	1,500 votes	2-year Term
47	Seat 5	Russell Smith	1,887 votes	4-year Term
48	Seat 4	Chris Johnson	1,887 votes	4-year Term

49

50 **FIFTH ORDER OF BUSINESS**

**Landowners' Questions/Comments**

51

52 There being no Landowners' questions or comments, the next item followed.

53

54 **SIXTH ORDER OF BUSINESS**

**Adjournment**

55

56 There being no further business to discuss, the meeting adjourned at 10:08 a.m.

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60 [SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

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Chair/Vice Chair

**WILDBLUE**  
**COMMUNITY DEVELOPMENT DISTRICT**

**6B**

**DRAFT**

**MINUTES OF MEETING  
WILDBLUE  
COMMUNITY DEVELOPMENT DISTRICT**

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The Board of Supervisors of the WildBlue Community Development District held a Regular Meeting on November 5, 2020 at 10:00 a.m., at the offices of Barraco & Associates, 2271 McGregor Boulevard, Suite 100, Fort Myers, Florida 33901.

**Present at the meeting, were:**

Russell Smith	Chair
Christopher Hasty	Vice Chair
Barry Ernst	Assistant Secretary

**Also present, were:**

Chuck Adams	District Manager
Cleo Adams	Assistant District Manager
Wes Haber	District Counsel
Carl Barraco	District Engineer
Julie Danielewski	Barraco and Associates, Inc. - Assistant Project Manager
Jay Gaines (via telephone)	Berger, Toombs, Elam, Gaines & Frank
Josh _____	Turrell and Associates, Inc.
Colleen Harris	Barraco and Associates, Inc.

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 10:20 a.m. Supervisors Ernst, Hasty and Smith were present. Supervisors Johnson and Milosevic were not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**THIRD ORDER OF BUSINESS**

**Administration of Oath of Office to Newly Elected Supervisors [Seats 3, 4 & 5] (the following to be provided in a separate package)**

41 Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath  
42 of Office to Mr. Ernst and Mr. Smith, who were elected at the Landowners’ meeting. The  
43 Supervisors were already familiar with the following items:

- 44 **A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- 45 **B. Members, Obligations and Responsibilities**
- 46 **C. Financial Disclosure Forms**
  - 47 **I. Form 1: Statement of Financial Interests**
  - 48 **II. Form 1X: Amendment to Form 1, Statement of Financial Interests**
  - 49 **III. Form 1F: Final Statement of Financial Interests**
- 50 **D. Form 8B – Memorandum of Voting Conflict**

51

52	<b>FOURTH ORDER OF BUSINESS</b>	<b>Consideration of Resolution 2021-01, 53 Canvassing and Certifying the Results of 54 the Landowners’ Election of Supervisors 55 Held Pursuant to Section 190.006(2), 56 Florida Statutes, and Providing for an 57 Effective Date</b>
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58  
59 Mr. Adams presented Resolution 2021-01. The results of the Landowners’ Election were  
60 as follows:

61	Seat 3	Barry Ernst	1,500 votes	2-year Term
62	Seat 5	Russell Smith	1,887 votes	4-year Term
63	Seat 4	Chris Johnson	1,887 votes	4-year Term

64

65 **On MOTION by Mr. Smith and seconded by Mr. Ernst, with all in favor,**  
66 **Resolution 2021-01, Canvassing and Certifying the Results of the Landowners’**  
67 **Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes,**  
68 **and Providing for an Effective Date, was adopted.**

69

70	<b>FIFTH ORDER OF BUSINESS</b>	<b>Discussion/Consideration: Appointment of 72 Candidate to Fill Unexpired Term of Seat 1: 73 Term Expires November 2022</b>
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- 74
- 75 • **Administration of Oath of Office to Newly Appointed Supervisor**

76 Mr. Adams stated that Mr. Aaron Milosevic was appointed to Seat 1 at the last meeting  
77 and, as he was not present, the Oath of Office would be administered at the next meeting.

78

79 **SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2021-02,  
Designating a Chair, a Vice Chair, a  
Secretary, Assistant Secretaries, a  
Treasurer and an Assistant Treasurer of the  
WildBlue Community Development  
District, and Providing for an Effective Date**

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86 Mr. Smith nominated the following slate of officers:

- 87 Russell Smith Chair
- 88 Christopher Hasty Vice Chair
- 89 Chuck Adams Secretary
- 90 Chris Johnson Assistant Secretary
- 91 Barry Ernst Assistant Secretary
- 92 Aaron M. Milosevic Assistant Secretary
- 93 Craig Wrathell Assistant Secretary
- 94 Craig Wrathell Treasurer
- 95 Jeff Pinder Assistant Treasurer

96 No other nominations were made.

97 Mr. Adams presented Resolution 2021-02.

98

<p>99 <b>On MOTION by Mr. Smith and seconded by Mr. Ernst, with all in favor,</b>  100 <b>Resolution 2021-02, Designating a Chair, a Vice Chair, a Secretary, Assistant</b>  101 <b>Secretaries, a Treasurer and an Assistant Treasurer of the WildBlue Community</b>  102 <b>Development District, and Providing for an Effective Date, as nominated, was</b>  103 <b>adopted.</b></p>
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104  
105

106 **SEVENTH ORDER OF BUSINESS**

**Presentation of Audited Annual Financial  
Report for the Fiscal Year Ended  
September 30, 2019, Prepared by Berger,  
Toombs, Elam, Gaines & Frank**

107  
108  
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110

111 Mr. Gaines presented the Audited Annual Financial Report for Fiscal Year Ending  
 112 September 30, 2019 and described the information that could be found on each page. Liabilities  
 113 exceeded assets due to the cost of issuing new bonds and not paying down principal. Reporting  
 114 a deficiency in fund balance in the General Fund was due to the untimely receipt of funding  
 115 requests. This was a clean, unqualified audit; there were no findings, deficiencies or instances  
 116 of noncompliance.

117

118 **EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2021-03,  
 119 Accepting the Audited Annual Financial  
 120 Report for the Fiscal Year Ended  
 121 September 30, 2019**

122

123 Mr. Adams presented Resolution 2021-03.

124

<p>125 <b>On MOTION by Mr. Ernst and seconded by Mr. Hasty, with all in favor,          126 Resolution 2021-03, Accepting the Audited Annual Financial Report for the          127 Fiscal Year Ended September 30, 2019, was adopted.</b></p>
---

128

129

130 **NINTH ORDER OF BUSINESS**

**Consideration of Bi-Annual Floway Review  
 131 and Certification Program/Proposal from  
 132 District Engineer.**

133

134 Mr. Barraco reported the following

135 ➤ The County established a bi-annual flow way program. The first required review is due  
 136 March 20, 2021 to submit the first Bi-Annual Flow Way Review and Certification Report.

137 ➤ This would be a requirement every two years.

138 ➤ The County’s Zoning Resolution encompassed the flow ways in this District and in the  
 139 Blue Lake District and, although there was only one zoning requirement, both must be satisfied.

140 ➤ The first year, contingency funds would be used but, going forward, a new line item  
 141 would be added to the budget.

142 ➤ The project would commence in the spring dry season.

143 No Board action was required.

144

145 TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of September 30, 2020

146  
147  
148 Mr. Adams presented the Unaudited Financial Statements as of September 30, 2020.  
149 The financials were accepted.

150  
151 ELEVENTH ORDER OF BUSINESS  
152 Consideration of September 10, 2020  
153 Virtual Public Hearings and Regular  
154 Meeting Minutes

155 Mr. Adams presented the September 10, 2020 Virtual Public Hearings and Regular  
156 Meeting Minutes.

157  
158 **On MOTION by Mr. Smith and seconded by Mr. Hasty, with all in favor, the**  
159 **September 10, 2020 Virtual Public Hearings and Regular Meeting Minutes, as**  
160 **presented, were approved.**

161  
162  
163 TWELFTH ORDER OF BUSINESS Staff Reports

164  
165 **A. District Counsel: *Hopping, Green & Sams, P.A.***

166 There being no report, the next item followed.

167 **B. District Engineer: *Barraco and Associates, Inc.***

168 Mr. Barraco reported the following:

169 ➤ A tour with the County to review berms would be scheduled, as a few were identified  
170 during a tour that were not included in the analysis that Water Science performed. A request to  
171 have them removed might be made.

172 Mr. Barraco would research whether the berms were included in the original model and  
173 if they are impeding flows to the flow way. Mr. Smith asked if the U.S. Army Corps of Engineers  
174 permit was still active and whether they will contemplate removing berms. Mr. Barraco was  
175 uncertain but would know more after the tour.

176 Mr. Barraco presented the County’s Blanket Letter of No Objection (LONO) and request  
177 by Stock Development to address fences protruding from lot lines into the District’s Drainage  
178 Tract and reviewed by Mr. Adams and District Counsel. Mr. Adams confirmed that the letter

179 was consistent with the previous standalone request and covered lakefront Lots 227 through  
180 272.

181

**On MOTION by Mr. Hasty and seconded by Mr. Ernst, with all in favor, the Blanket Letter of No Objection and authorizing the District Manager to execute the final version, was approved.**

182

183

184

185

186

187 ➤ Governing of Docks: Per Mr. Smith, although the plat shows the recreational lakes were  
188 dedicated to the WildBlue CDD, the Developers wanted the Homeowners Association (HOA) to  
189 have governing authority and suggested having an Easement Agreement with the HOA to  
190 operate the activities that take place on the lake. The District would still govern the operations  
191 and maintenance (O&M) of the lakes as a drainage facility.

192 Mr. Barraco suggested that Mr. Kayne work with the HOAs in preparing the Recreation  
193 Easement Agreement and include stipulation requirements that the CDD must have approval  
194 powers of the WildBlue Boat Management Plan and, once completed have the lakes deeded to  
195 the District. Mr. Adams agreed. Mr. Smith suggested including language that the installation of  
196 the docks would not have any adverse impact on the functionality of the drainage system  
197 and/or the accessibility for O&M purposes.

198 Mr. Barraco provided the County’s latest approved Boat Management Plan to Staff and  
199 asked Josh to ensure that any modifications made by Lennar or Stock to the County’s Boat  
200 Management Plan are submitted to the County for approval.

201 **C. District Manager: *Wrathell, Hunt and Associates, LLC***

- 202 • **Next Meeting Date: December 3, 2020 at 10:00 a.m.**

- 203 ○ **QUORUM CHECK**

204 The next meeting will be held on December 3, 2020, unless cancelled.

205

206 **THIRTEENTH ORDER OF BUSINESS**

**Board Members’ Comments/Requests**

207

208 Mr. Hasty suggested authorizing the Chair to approve changes to the Dock Management  
209 Plan. Mr. Smith suggested issuing the Easement and not getting involved in the Dock



210 Management Plan. The Board decided to ensure the Easement included language about  
211 adversely impacting the lakes.

212

**On MOTION by Mr. Hasty and seconded by Mr. Ernst, with all in favor,  
authorizing the Chair to execute the final version of the Blanket Recreation  
Easement Agreement, was approved.**

216

217

218 **FOURTEENTH ORDER OF BUSINESS**

**Public Comments**

219

220 There being no public comments, the next item followed.

221

222 **FIFTEENTH ORDER OF BUSINESS**

**Adjournment**

223

224 There being nothing further to discuss, the meeting adjourned.

225

**On MOTION by Mr. Ernst and seconded by Mr. Hasty, with all in favor, the  
meeting adjourned at 10:56 a.m.**

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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

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Chair/Vice Chair

**WILDBLUE**  
**COMMUNITY DEVELOPMENT DISTRICT**

**7C**

## WILDBLUE COMMUNITY DEVELOPMENT DISTRICT

### BOARD OF SUPERVISORS FISCAL YEAR 2020/2021 MEETING SCHEDULE

#### LOCATION

*offices of Barraco and Associates, 2271 McGregor Boulevard, Suite 100, Fort Myers, Florida 33901*

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 1, 2020 <b>CANCELED</b>	Regular Meeting	10:00 AM
November 3, 2020	Landowners' Meeting	10:00 AM
November 5, 2020	Regular Meeting	10:00 AM
December 3, 2020 <b>CANCELED</b>	Regular Meeting	10:00 AM
January 7, 2021	Regular Meeting	10:00 AM
February 4, 2021	Regular Meeting	10:00 AM
March 4, 2021	Regular Meeting	10:00 AM
April 1, 2021	Regular Meeting	10:00 AM
May 6, 2021	Regular Meeting	10:00 AM
June 3, 2021	Regular Meeting	10:00 AM
July 1, 2021	Regular Meeting	10:00 AM
August 5, 2021	Regular Meeting	10:00 AM
September 2, 2021	Public Hearing & Regular Meeting	10:00 AM