

**MINUTES OF MEETING  
WILDBLUE  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the WildBlue Community Development District held a Regular Meeting on January 5, 2023 at 10:00 a.m., at the offices of Barraco & Associates, 2271 McGregor Boulevard, Suite 100, Fort Myers, Florida 33901.

**Present were:**

Chris Hasty	Chair
Barry Ernst	Vice Chair
Aaron Milosevic	Assistant Secretary

**Also present, were:**

Chuck Adams	District Manager
Wes Haber (via telephone)	District Counsel
Doug Tarn	BAI
George Cingle	Resident
Kristi Houston	Resident
John Revas	Resident
Other residents	

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 10:00 a.m. Supervisors Hasty, Ernst and Milosevic were present, in person. Supervisors Johnson and Smith were not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

**AUDIO WAS NOT AVAILABLE AT THE START OF THE MEETING  
AUDIO COMMENCED DURING PUBLIC COMMENTS**

Resident George Cingle commented on the CDD obtaining short-term financing, contractors and the broken link on the audited financials on the CDD website. He asked if the CDD budget included the \$200 per meeting Board Member compensation and asked about the District Engineer's evaluation relating to emergency repairs. Mr. Adams stated the Board Members are Developer Representatives who all waived compensation.

Mr. Tarn stated the 4' steep drops were nonexistent before Hurricane Ian, which adversely impacted the shoreline and should have a barrier and/or warning to deter people

from accessing the area. He noted one public area at the north end of the lake is especially dangerous and, if a resident falls and files a lawsuit, the CDD might lose and be found negligent.

Discussion ensued regarding safety measures, such as cordoning off the area in question, the top and backside of the berm, mirroring the retaining wall damage, the seawall and the top of the swale.

Mr. Adams stated funds to make the necessary repairs are already built into the budget. He will contact a few contractors who are capable of staking and taping the shoreline. Mr. Tarn will give Mr. Adams an exhibit that shows the limits. Mr. Adams will have the link on the CDD website re-established. Mr. Haber stated, in instances where a stormwater structure damaged by a storm must be repaired, the CDD is authorized to make those repairs without going through the formal Request for Proposals (RFP), sealed bidding process; however, it is recommended that the CDD obtain competitive proposals and try to engage the most qualified contractor at the best value.

**THIRD ORDER OF BUSINESS****Update: Retaining Wall and Lake Bank Erosion Repair Activities**

Mr. Adams stated water levels are starting to recede, which is important for visualizing the areas that need to be repaired, restored and replaced. District Staff will prepare and circulate a project manual to area contractors within the next 60 days and hopefully start the work in late spring.

Resident Kristi Houston asked if there has been an analysis of the exact locations. Mr. Adams stated every lot line along the stormwater ponds must be repaired.

Discussion ensued regarding replacing 12,000 linear feet of retaining wall, stopgap measures, having Marine Engineer Hans Wilson evaluate the areas where the wall has not completely failed, establishing a wake zone and the HOA.

Resident John Revas asked if the seawall failure had any impact on lakeside home closings and if there is a potential for additional damage to the seawall due to pool installation equipment. Mr. Hasty stated Lennar is building on the lake and the pools will be installed on homesites that are 135' to 140' deep. Staff can contact the Developer's construction team to make sure they exercise caution in and around the lake banks. Mr. Adams will draft and transmit a letter to Lennar conveying the CDD's concerns about lake bank stability and that Lennar will be liable for any further damage.

A resident asked what consideration was made in the original design process to control water levels. Mr. Adams stated that the Marine Engineer, as part of his review, will compare what was actually constructed versus the as-built drawings and make a determination as to what caused the majority of the damage and if there were actual changes in construction that could have raised the level of standard and what the costs might be.

A resident recalled a free-floating orange structure behind one of the homes and asked about its removal. Mr. Adams stated it might be something that broke away during the storm. Staff will have a lake maintenance company re-install the hazard buoys within the next 30 days and ask them to pull the item out of the area.

**FOURTH ORDER OF BUSINESS**

**Update: Lee County Alico Road Widening**

Mr. Tarn recalled discussion at the last meeting about the Corkscrew Road widening. Mr. Adams stated this agenda item title is incorrect; Alico Road should be Corkscrew Road.

Mr. Haber provided the following update:

- The widening project will impact CDD property and stormwater improvements adjacent to the roadway.
- The County is in the preliminary stages of the process but, given the impact it will have to the CDD, they wanted to make Mr. Barraco and the CDD aware of it, in the hopes that there will be a cooperative effort between the CDD and the County to accomplish the project.
- The County will want an amendment to the permit for the stormwater system in light of the changes to the improvements.
- Mr. Barraco will be able to give more details about the impact to the CDD at the next meeting.

Asked if the County approached the CDD regarding permission to discharge into the stormwater system, Mr. Adams stated the County has not. The County claims it already has the rights and is making changes to the site over what was originally planned. Since there will be a public hearing, residents who oppose the project should make their voices heard regarding adverse impacts to quality of life and property values due to the project.

**FIFTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of November 30, 2022**

Mr. Adams presented the Unaudited Financial Statements as of November 30, 2022.

The financials were accepted.

**SIXTH ORDER OF BUSINESS**

**Approval of Minutes**

Mr. Adams presented the following:

**A. November 3, 2022 Landowners' Meeting**

**On MOTION by Mr. Ernst and seconded by Mr. Milosevic, with all in favor, the November 3, 2022 Landowners' Meeting Minutes, as presented, were approved.**

**B. November 21, 2022 Continued Landowners' Meeting**

**On MOTION by Mr. Ernst and seconded by Mr. Milosevic, with all in favor, the November 21, 2022 Continued Landowners' Meeting Minutes, as presented, were approved.**

**C. November 21, 2022 Regular Meeting**

**On MOTION by Mr. Hasty and seconded by Mr. Ernst, with all in favor, the November 21, 2022 Regular Meeting Minutes, as presented, were approved.**

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: *Kutak Rock LLP***

There was no report

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

Mr. Tarn reported the following:

- Given that the waters are receding, Staff will inspect the stormwater ponds.
- Staff will prepare a project manual with a scope of work in order to obtain proposals within the next 30 to 60 days.

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

- **NEXT MEETING DATE: February 2, 2023 at 10:00 A.M.**

○ **QUORUM CHECK**

The next meeting will be held on February 2, 2023.

**EIGHTH ORDER OF BUSINESS**

**Board Members' Comments/Requests**

A Board Member asked if the docks that broke free from the wall and ended up in the lake were retrieved. Mr. Adams stated the Association has been doing that and identifying and alerting the owners.

Discussion ensued regarding the boats and jet skis retrieved from the lake, a staging area on the amenity parcel and the HOA or CDD sending demand letters to residents who refuse to reconstruct their docks.

**NINTH ORDER OF BUSINESS**

**Public Comments**

In response to a resident's question regarding dead trees and fencing, Mr. Adams stated a contract was executed; the delays are due to scheduling and issues obtaining materials.

A resident reported accumulated trash in an undeveloped, CDD-owned area near his home. Mr. Adams stated Staff will make sure to have the area tidied.

Mr. Cingle asked about the requirements for CDDs regarding publicizing meetings in local newspapers. Mr. Haber stated the one change is that CDDs are now able to advertise meetings on the County's website, as opposed to newspapers being the only option. The newspaper can still be used but the County's website is another alternative. It is entirely up to the CDD to use that alternative and up to the County to facilitate it and decide whether to charge a fee.

Asked if the Lee County ordinance established in the law for the CDD is considered a charter, Mr. Haber stated the County Ordinance establishing the CDD is often referred to as the Establishment Ordinance and Chapter 190 is often referred to as the Charter.

A resident asked when Mr. Wilson will conduct his evaluation of the damage, etc., Mr. Adams estimated 45 to 60 days; mid to late-February.

**TENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Milosevic and seconded by Mr. Ernst, with all in favor, the meeting adjourned at 10:50 a.m.

  
Secretary/Assistant Secretary

  
Chair/Vice Chair