

WILDBLUE

COMMUNITY DEVELOPMENT

DISTRICT

March 2, 2023

BOARD OF SUPERVISORS

REGULAR MEETING

AGENDA

WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT

AGENDA
LETTER

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

February 23, 2023

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 March 2, 2023 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. Acceptance of Resignation of Supervisor Russell Smith [SEAT 5]; *Term Expires November 2024*
4. Consider Appointment to Fill Unexpired Term of Seat 5
 - Administration of Oath of Office to Appointed Supervisor (*the following will 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
5. Consideration of Resolution 2023-04, Designating Certain Officers of the District, and Providing for an Effective Date
6. Update: Retaining Wall and Lake Bank Erosion Repair Activities

7. Acceptance of Unaudited Financial Statements as of January 31, 2023
8. Approval of January 5, 2023 Regular Meeting Minutes
9. Staff Reports
 - A. District Counsel: *Kutak Rock LLP*
 - B. District Engineer: *Barraco and Associates, Inc.*
 - Consideration of Proposals for Stormwater Pond Inspections
 - C. District Manager: *Wrathell, Hunt and Associates, LLC*
 - NEXT MEETING DATE: April 6, 2023 at 10:00 AM


○ QUORUM CHECK

SEAT 1	AARON MILOSEVIC	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 2	CHRISTOPHER HASTY	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 3	BARRY ERNST	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 4	CHRIS JOHNSON	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 5		<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

10. Board Members' Comments/Requests
11. Public Comments
12. 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

PARTICIPANT PASSCODE: 229 774 8903

WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT

3

NOTICE OF TENDER OF RESIGNATION

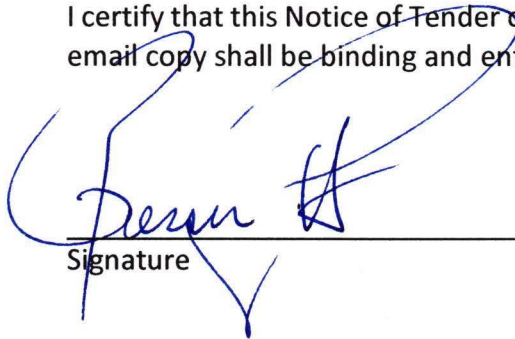
To: Board of Supervisors
WildBlue CDD

From: Russell Smith
Printed Name

Date: 2/7/2023
Date

I hereby tender my resignation as a member of the Board of Supervisors of the WildBlue CDD. My tendered resignation will be deemed to be effective as of the time a quorum of the remaining members of the Board of Supervisors accepts it at a duly noticed meeting of the Board of Supervisors.

I certify that this Notice of Tender of Resignation has been executed by me agree that the email copy shall be binding and enforceable as an original.



Signature

WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT

5

RESOLUTION 2023-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WILDBLUE COMMUNITY DEVELOPMENT DISTRICT DESIGNATING CERTAIN OFFICERS OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the WildBlue Community Development District (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

WHEREAS, the Board of Supervisors of the District desires to designate certain Officers of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE WILDBLUE COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. _____ is appointed Chair.

SECTION 2. _____ is appointed Vice Chair.

_____ is appointed Assistant Secretary.

_____ is appointed Assistant Secretary.

_____ is appointed Assistant Secretary.

Craig Wrathell is appointed Assistant Secretary.

SECTION 3. This Resolution supersedes any prior appointments made by the Board for Chair, Vice Chair and Assistant Secretaries; however, prior appointments by the Board for Secretary, Treasurer and Assistant Treasurer(s) remain unaffected by this Resolution.

SECTION 4. This Resolution shall become effective immediately upon its adoption.

[REMAINDER OF THE PAGE IS INTENTIONALLY LEFT BLANK]

PASSED AND ADOPTED this 2nd day of March, 2023.

ATTEST:

**WILDBLUE COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT

UNAUDITED
FINANCIAL
STATEMENTS

**WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
JANUARY 31, 2023**

**WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
JANUARY 31, 2023**

	General Fund	Debt Service Fund	Capital Projects Fund	Total Governmental Funds
ASSETS				
Cash	\$ 925,231	\$ -	\$ -	\$ 925,231
Investments				
Revenue	-	561,246	-	561,246
Reserve	-	700,981	-	700,981
Construction	-	-	3,458	3,458
Principal	-	1	-	1
Due from general fund	-	417,974	-	417,974
Utility deposit	400	-	-	400
Total assets	<u>\$ 925,631</u>	<u>\$ 1,680,202</u>	<u>\$ 3,458</u>	<u>\$ 2,609,291</u>
LIABILITIES AND FUND BALANCES				
Liabilities:				
Accounts payable	\$ 6,532	\$ -	\$ -	\$ 6,532
Retainage payable	-	-	433,933	433,933
Due to debt service fund	417,974	-	-	417,974
Landowner advance	6,000	-	-	6,000
Total liabilities	<u>430,506</u>	<u>-</u>	<u>433,933</u>	<u>864,439</u>
Fund balances:				
Restricted for:				
Debt service	-	1,680,202	-	1,680,202
Capital projects	-	-	(430,475)	(430,475)
Unassigned	495,125	-	-	495,125
Total fund balances	<u>495,125</u>	<u>1,680,202</u>	<u>(430,475)</u>	<u>1,744,852</u>
Total liabilities and fund balances	<u>\$ 925,631</u>	<u>\$ 1,680,202</u>	<u>\$ 3,458</u>	<u>\$ 2,609,291</u>

**WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED JANUARY 31, 2023**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessment levy: on-roll - net	\$ 187,522	\$ 424,333	\$ 624,611	68%
Interlocal agreement - Vista Blue	-	-	13,000	0%
Total revenues	<u>187,522</u>	<u>424,333</u>	<u>637,611</u>	67%
EXPENDITURES				
Professional & administrative				
Management/accounting/recording	4,000	12,000	48,000	25%
Legal	1,418	3,416	15,000	23%
Engineering	6,270	17,779	4,000	444%
Audit	-	-	5,500	0%
Arbitrage rebate calculation	-	500	750	67%
Dissemination agent	83	250	1,000	25%
Trustee	-	-	3,950	0%
Telephone	17	50	200	25%
Postage	46	79	500	16%
Printing & binding	42	125	500	25%
Legal advertising	246	1,178	1,200	98%
Annual special district fee	-	175	175	100%
Insurance	-	5,988	5,500	109%
Contingencies/bank charges	-	13	1,200	1%
Website				
Hosting	-	705	705	100%
ADA compliance	-	-	210	0%
Total professional & administrative	<u>12,122</u>	<u>42,258</u>	<u>88,390</u>	48%
Field operations				
Field management	833	2,500	10,000	25%
Aquatic maintenance	-	-	83,000	0%
Conservation area maintenance	-	1,850	180,000	1%
Conservation area monitoring & reporting	-	-	69,000	0%
Hurricane Ian clean-up	6,500	21,175	-	N/A
Lake bank erosion repairs	6,896	27,584	109,540	25%
Water level and quality reporting	-	-	26,000	0%
Littoral plant replacements	-	-	20,000	0%
Conservation area fence review/repairs	3,812	57,050	10,000	571%
Aeration operating supplies	452	1,700	5,000	34%
Contingencies	-	-	10,000	0%
Shoreline/seawall repair and replacements	-	-	25,000	0%
Total field operations	<u>18,493</u>	<u>111,859</u>	<u>547,540</u>	20%
Other fees and charges				
Property appraiser	-	673	673	100%
Tax collector	-	976	1,010	97%
Total other fees and charges	<u>-</u>	<u>1,649</u>	<u>1,683</u>	98%
Total expenditures	<u>30,615</u>	<u>155,766</u>	<u>637,613</u>	24%
Excess/(deficiency) of revenues over/(under) expenditures	156,907	268,567	(2)	
Fund balances - beginning	<u>338,218</u>	<u>226,558</u>	<u>193,728</u>	
Fund balances - ending	<u>\$ 495,125</u>	<u>\$ 495,125</u>	<u>\$ 193,726</u>	

**WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2019
FOR THE PERIOD ENDED JANUARY 31, 2023**

	<u>Current Month</u>	<u>Year To Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Special assessment: on-roll	\$ 417,974	\$ 943,635	\$ 1,392,509	68%
Interest	2,984	10,732	-	N/A
Total revenues	<u>420,958</u>	<u>954,367</u>	<u>1,392,509</u>	69%
EXPENDITURES				
Principal	-	-	465,000	0%
Interest	-	466,596	933,194	50%
Total expenditures	<u>-</u>	<u>466,596</u>	<u>1,398,194</u>	33%
Excess/(deficiency) of revenues over/(under) expenditures	420,958	487,771	(5,685)	
OTHER FINANCING SOURCES/(USES)				
Transfers out	-	(3,345)	-	N/A
Total other financing sources	<u>-</u>	<u>(3,345)</u>	<u>-</u>	N/A
Net change in fund balances	420,958	484,426	(5,685)	
Fund balances - beginning	1,259,244	1,195,776	1,188,308	
Fund balances - ending	<u>\$ 1,680,202</u>	<u>\$ 1,680,202</u>	<u>\$ 1,182,623</u>	

**WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
CAPITAL PROJECTS FUND SERIES 2019
FOR THE PERIOD ENDED JANUARY 31, 2023**

	Current Month	Year To Date
REVENUES		
Interest	\$ 10	\$ 21
Total revenues	10	21
EXPENDITURES		
Total expenditures	-	-
Excess/(deficiency) of revenues over/(under) expenditures	10	21
OTHER FINANCING SOURCES/(USES)		
Transfer in	-	3,345
Total other financing sources/(uses)	-	3,345
Fund balances - beginning	(430,485)	(433,841)
Fund balances - ending	\$ (430,475)	\$ (430,475)

WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT

MINUTES

DRAFT
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

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

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

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

55

56 **THIRD ORDER OF BUSINESS**

**Update: Retaining Wall and Lake Bank
Erosion Repair Activities**

57

58

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

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

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

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

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

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

84

FOURTH ORDER OF BUSINESS

Update: Lee County Alico Road Widening

86

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

89 Mr. Haber provided the following update:

90 ➤ The widening project will impact CDD property and stormwater improvements adjacent
 91 to the roadway.

92 ➤ The County is in the preliminary stages of the process but, given the impact it will have
 93 to the CDD, they wanted to make Mr. Barraco and the CDD aware of it, in the hopes that there
 94 will be a cooperative effort between the CDD and the County to accomplish the project.

95 ➤ The County will want an amendment to the permit for the stormwater system in light of
 96 the changes to the improvements.

97 ➤ Mr. Barraco will be able to give more details about the impact to the CDD at the next
 98 meeting.

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

104

FIFTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of November 30, 2022

106

107

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

109 The financials were accepted.

110

111 **SIXTH ORDER OF BUSINESS**

Approval of Minutes

112

113 Mr. Adams presented the following:

114 **A. November 3, 2022 Landowners’ Meeting**

115

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

119

120

121 **B. November 21, 2022 Continued Landowners’ Meeting**

122

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

126

127

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

129

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

132

133

134 **SEVENTH ORDER OF BUSINESS**

Staff Reports

135

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

137 There was no report

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

139 Mr. Tarn reported the following:

140 ➤ Given that the waters are receding, Staff will inspect the stormwater ponds.

141 ➤ Staff will prepare a project manual with a scope of work in order to obtain proposals
142 within the next 30 to 60 days.

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

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

145 ○ **QUORUM CHECK**

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

147

148 **EIGHTH ORDER OF BUSINESS** **Board Members' Comments/Requests**

149

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

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

156

157 **NINTH ORDER OF BUSINESS** **Public Comments**

158

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

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

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

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

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

174

175 **TENTH ORDER OF BUSINESS** **Adjournment**

176

177

178

179

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

180
181
182
183
184
185

Secretary/Assistant Secretary

Chair/Vice Chair

WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT

STAFF
REPORTS

WILDBLUE COMMUNITY DEVELOPMENT DISTRICT

BOARD OF SUPERVISORS FISCAL YEAR 2022/2023 MEETING SCHEDULE

LOCATION

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

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 6, 2022 CANCELED	Regular Meeting	10:00 AM
November 3, 2022	Landowners' Meeting	10:00 AM
November 3, 2022 CANCELED	Regular Meeting	10:00 AM
November 21, 2022	Continued Landowners' Meeting & Regular Meeting	10:00 AM
December 1, 2022 CANCELED	Regular Meeting	10:00 AM
January 5, 2023	Regular Meeting	10:00 AM
February 2, 2023 CANCELED	Regular Meeting	10:00 AM
March 2, 2023	Regular Meeting	10:00 AM
April 6, 2023	Regular Meeting	10:00 AM
May 4, 2023	Regular Meeting	10:00 AM
June 1, 2023	Regular Meeting	10:00 AM
July 6, 2023	Regular Meeting	10:00 AM
August 3, 2023	Regular Meeting	10:00 AM
September 7, 2023	Regular Meeting	10:00 AM