

**MINUTES OF MEETING
WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the WildBlue Community Development District held a Special Meeting and Attorney-Client Session on June 19, 2025 at 10:00 a.m., at the Community Center (Card Room), 18721 WildBlue Blvd., Fort Myers, Florida 33913.

Present:

John Buchholz	Chair
Rick Bennington	Vice Chair
Herb Lanese	Assistant Secretary
Denis Bourque	Assistant Secretary

Also present:

Chuck Adams (via zoom)	District Manager
Shane Willis	Operations Manager
Wes Haber (via zoom)	District Counsel
Frank Savage	District Engineer
Chris Fiore (via zoom)	Litigation Counsel
Court Reporter	

Residents present: (in person or via phone)

Patricia Warfield Kathleen O'Connor Roseanne Duffy Tom Oliveri Other Residents

The names of all attendees, residents and/or members of the public are not included in these meeting minutes. If the person did not identify themselves, their name was inaudible or their name did not appear in the meeting notes or on an attendee sign in sheet, the name was not listed.

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Willis called the meeting to order at 10:02 a.m. Supervisors Buchholz, Bennington, Lanese and Bourque were present. Supervisor Hasty was not present.

SECOND ORDER OF BUSINESS

Public Comments: Agenda Items (3 Minutes Per Speaker)

Resident Kathleen O'Connor asked for an estimated time of when the public can return to the meeting, via telephone, once the shade session ends. Mr. Bennington provided his mobile number so he can send a group text to those that text him their mobile numbers.

Resident Patricia Warfield asked if it was possible to re-send an e-blast advising when the Board meeting will reconvene. Mr. Willis stated that has been provided to the HOA for distribution and it is always available on the public website.

THIRD ORDER OF BUSINESS**Update: Shoreline Stabilization**

Mr. Savage stated that, since the last meeting, Staff has been working according to the schedule that was provided. He will provide better updates after a meeting with Lee County and the South Florida Water Management District (SFWMD) on Monday. He expects to have clear direction on the submission packages, which he anticipates will require modifying the existing Limited Development Order (LDO) and potentially a minor modification of the Environmental Resource Permit (ERP) with the various entities. Upon confirmation, he will proceed with preparation and submission of the packages according to the schedule.

Mr. Savage and Mr. Buchholz responded to questions regarding who will attend the upcoming joint CDD meetings and its purpose. Mr. Buchholz discussed the results of a recent meeting he attended with Taylor Engineering and Mr. Cheifet, the Marine Consultant, who will be sharing information with one another.

Mr. Savage will confirm that Mr. Cheifet will present 90% plans at the July 3, 2025 meeting. Mr. Buchholz stated he asked Mr. Adams to provide copies of engineering and litigation invoices and contracts. Mr. Adams reviewed the Professional Services invoice approval process, which is based on the Engagement Letter and Fee Schedule. Going forward, he will provide a separate spreadsheet itemizing costs by vendor.

Regarding the process to request a Shade Session, Mr. Haber agreed with the Board Members' discussion that it would be appropriate to continue holding regular Shade Sessions related to the retaining wall litigation and another Shade Session for the development in front of the community, on the same day as a regular scheduled meeting.

Mr. Buchholz asked if the CDD received a response to its lawsuit against the gas station. Mr. Adams stated he will find out if the complaint was filed.

Ms. O'Connor suggested all Board Members receive the detailed invoices to review.

FOURTH ORDER OF BUSINESS**ANNOUNCE ATTORNEY-CLIENT SESSION
SHADE MEETING /RECESS SPECIAL BOARD
MEETING**

Mr. Haber stated the CDD is implementing the portion of Sunshine Law that allows the Board to meet privately with Counsel, the District Manager when the District faces litigation. This is specifically related to Lee County Case No. 001775, outlined in the Fifth Order of Business. This Executive/Shade was formally requested in a prior meeting and properly noticed. Attendees include Mr. Haber, Litigation Counsel Chris Fiore, Chuck Adams, Shane Willis, and the Court Reporter, who will transcribe the Shade Session.

Mr. Haber recessed the Special Board Meeting and announced commencement of the Attorney-Client Session Shade Meeting at 10:33 a.m., which is expected to last one hour. The phone lines and audio recording were disconnected and Members of the public left the meeting room.

FIFTH ORDER OF BUSINESS**COMMENCEMENT OF ATTORNEY-CLIENT
SESSION SHADE MEETING (Closed to the
Public by Law)**

- **Executive Session Regarding: Terry Kurth, derivatively on behalf of WildBlue Master Property Owners Association, Inc. v. Lennar Homes, LLC, Pulte Home Company, LLC, SDWB, LLC, SD WildBlue, LLC, WCI Communities, LLC, Barraco and Associates, Inc., Turrell, Hall & Associates, Inc. and WildBlue Community Development District, pending in the Twentieth Judicial Circuit in and for Lee County Florida, Case No. 001775. Pending Litigation**

The Executive Session commenced.

Mr. Willis' notes recorded Mr. Adams left the shade session at 11:26 a.m. and rejoined the shade session at 11:41 a.m., via zoom.

SIXTH ORDER OF BUSINESS**ADJOURN ATTORNEY-CLIENT SESSION
SHADE MEETING/RECONVENE SPECIAL
BOARD MEETING**

The Attorney-Client Session Shade Meeting adjourned at 12:26 p.m., and the Special Board Meeting reconvened at 12:31 p.m. The phone lines and audio recording were reconnected and members of the public returned to the meeting in person and via phone.

SEVENTH ORDER OF BUSINESS

Consideration of Matters Related to Terry Kurth, derivatively on behalf of WildBlue Master Property Owners Association, Inc. v. Lennar Homes, LLC, Pulte Home Company, LLC, SDWB, LLC, SD WildBlue, LLC, WCI Communities, LLC, Barraco and Associates, Inc., Turrell, Hall & Associates, Inc. and WildBlue Community Development District, pending in the Twentieth Judicial Circuit in and for Lee County Florida, Case No. 001775

On MOTION by Mr. Buchholz and seconded by Mr. Bennington, with all in favor, authorizing the Chair to work with Mr. Haber's office to identify and obtain a proposal from a third-party lawyer to discuss litigation strategy, was approved.

▪ **Public Comments (3 Minutes Per Speaker)**

This item, previously the Ninth Order of Business, was presented out of order.

Resident Roseanne Duffy asked if the dead tree on Blue Sapphire is being replaced. Mr. Willis stated he told Adan to remove it but it was not going to be replaced. It was damaged due to a maintenance issue.

Mr. Buchholz reported on the condition of sod on resident Tom Oliveri's property. Mr. Willis will email a Report to the Board about various issues he and Mr. Savage identified while inspecting the property today.

Ms. Warfield, Mr. Oliveri's neighbor, stated she observed crews laying new sod but they did not grade the area; they also cut the Comcast cable line.

Mr. Oliveri stated he reported the contractor tearing up the elevation and grossly impacting the grading on his property to Mr. Adams and Mr. Willis. He expressed frustration that this has not been resolved yet. Mr. Willis stated the District Engineer surveyed, re-sloped and re-graded the area. He will speak to M.R.I. about the sod.

Regarding the process for reporting issues and receiving a response, Mr. Willis suggested emailing issues and concerns to info@wildbluecdd.net.

Ms. Warfield asked how she can protect her home if there is a hurricane since the retaining wall has not been repaired. Mr. Buchholz stated the Board took a calculated risk by installing 25' of additional soil to the most vulnerable properties before hurricane season, in the hopes to commence the repairs and replacement of the retaining wall in the middle of hurricane season.

Ms. O'Connor thanked the Board and Mr. Bennington for implementing a process for residents to join the special meeting after the shade session and suggested continuing the process going forward.

Regarding a question about the Master Association possibly implementing a cane toad removal program, Mr. Willis stated he will check with Mr. Adams. If implemented it would first require approval by the CDD and a formal agreement with a third-party vendor.

EIGHTH ORDER OF BUSINESS**UPCOMING MEETINGS**

- **July 3, 2025 at 10:00 AM [Regular Meeting]**

Mr. Lanese and Mr. Buchholz confirmed their in-person attendance at the July 3, 2026 meeting. Mr. Borque will attend via telephone.

Mr. Haber formally requested scheduling and noticing a Shade Session for July 17, 2025 for both outstanding litigation matters, with Mr. Fiore and Mr. Gurley attending.

- **August 7, 2024 at 10:00 AM [Adoption of FY2026 Budget & O&M Assessment Levy]**

- **QUORUM CHECK**

NINTH ORDER OF BUSINESS**Public Comments (3 Minutes Per Speaker)**

This item was presented following the Seventh Order of Business.

TENTH ORDER OF BUSINESS**Adjournment**

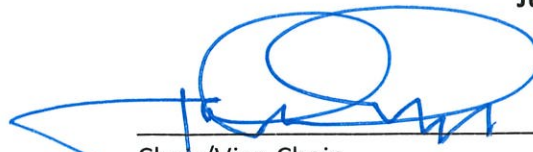
On MOTION by Mr. Buchholz and seconded by Mr. Bennington, with all in favor, the meeting adjourned at 1:02 p.m.
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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

WILDBLUE CDD

June 19, 2025


Secretary/Assistant Secretary


Chair/Vice Chair