

**MINUTES OF MEETING  
WILDBLUE  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the WildBlue Community Development District held a Special Meeting and Attorney-Client Sessions on July 17, 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
Herbert Lanese	Assistant Secretary
Denis Bourque	Assistant Secretary

**Also present:**

Chuck Adams	District Manager
Shane Willis	Operations Manager
Wes Haber	District Counsel
Frank Savage (via zoom/phone)	District Engineer
Chris Fiore (via zoom/phone)	Gurley Frank, P.A.
David Gurley (via zoom/phone)	Special Counsel
Kevin Hennessy (via zoom/phone)	
Court Reporter	

**Residents present: (in person/via phone/via zoom)**

Sima Baker	Ellen Brown	Steven Vannelli	Tom MacNamara
Bill Magri	Rosanne Duffy	Kathleen O'Connor	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. Adams called the meeting to order at 10:01 a.m.

Supervisors Bennington, Lanese, Bourque and Buchholz were present. Supervisor Hasty was not present.

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

Mr. Buchholz advised attendees not to wait in the lobby during the two upcoming Attorney-Client Sessions, as he expects they will be lengthy.

Resident Kathleen O'Connor asked if attendees will receive a text notifying them when the Special Board Meeting will reconvene so they can return to the meeting. She is concerned about the legal fees being incurred and suggested Counsel submit a monthly summary of services provided.

Mr. Bennington stated he will send a group text to those who provide him with their mobile numbers. Regarding legal fees, Mr. Buchholz stated he reviewed the invoices and will discuss them with both Attorneys; only one Attorney will attend future meetings. It was noted that legal bills and financing have no effect on the construction timeline or construction efficacy.

Sima Baker, speaking on behalf of the Master HOA, hopes to hear updates about the litigation, the commercial developer, etc., so the HOA can post this information in its newsletter.

Mr. Buchholz reviewed the actions taken to file a claim in circuit court, the related cost, and the mediation that followed. After negotiations, the Developer asked the CDD to stop the lawsuit, as the Developer agreed to install a fence surrounding the property; raise the space 1' around the retention basin; move and create a covering for school kids; relocate its sign; install a concrete wall around the back; install plantings on the outside facing the CDD; obtain approval to reduce the retail space and Pet Paradise and add a three-story 110,000 square foot storage facility in its place to help block the noise and reduce traffic; and make sure the CDD does not incur any cost for the traffic light.

Resident Ellen Brown asked if the broken drainage pipes on Lapis Court and Blue Sapphire Drive are active or being repaired. She was asked to email the addresses to Mr. Willis and Mr. Adams so they can inspect and/or address those areas.

Resident Tom MacNamara asked about joining the meeting once the Attorney-Client Session Shade Meeting adjourns.

Mr. Bennington reiterated that he will send a group text to those that provide him with their mobile number.

A resident asked where fishing is allowed.

Mr. Haber stated, once the Developer conveys the Fee Title to the CDD, the CDD will own the lakes parcels for the sole purpose of water management and to ensure compliance with the permit. Recreational use of the lake parcels will be the function of the Amenities HOA. It was noted that the Master HOA Board intent is to allow accessing the shoreline via the common areas to fish.

Resident Steve Vanelli, residing in Blue Sapphire, asked when the fence will be repaired.

Mr. Willis stated the contractor moved the date from July 18, 2025 to July 22, 2025.

Resident Rosanne Duffy stated she obtained a quote to install a downspout drain. She asked for a copy of the diagram.

Mr. Willis will email the diagram and post it on the CDD website.

### **THIRD ORDER OF BUSINESS**

#### **Update: Shoreline Stabilization**

Mr. Savage reported the following:

- He updated and distributed the Gant Chart and is proceeding with the actions discussed at the last meeting.
- Additional survey information is being collected to send to Mr. Cheifet so he can provide 90% design plans needed to design the land work side of the solution; it will be included in the permit submission to Lee County and the South Florida Water Management District (SFWMD).
- The Administrative Amendment will be submitted to Lee County within the next couple of days.
- The Limited Development Order (LDO) and the Environmental Resource Permit (ERP) Modification will be submitted to Lee County and the SFWMD within the next few weeks; both are in line with the schedule.

Mr. Buchholz stated the parties mining the rock to the east of the CDD are considering his suggestion to rent a bulldozer to collect rock for the CDD project.

A resident noted that references to Chapter 12 and Department of Financial Services on the website need to be corrected.

Resident Bill Magri asked if the projects will be paid using bonds or special assessments. Mr. Adams stated they are currently being paid from surplus fund balance.

**FOURTH ORDER OF BUSINESS****ANNOUNCE ATTORNEY-CLIENT SESSION  
SHADE MEETING 1/RECESS SPECIAL  
BOARD MEETING**

Mr. Gurley disconnected from the Special Board Meeting and members of the public left the meeting room.

Discussion ensued regarding how the Developer obtained information about the CDD's legal costs and sent a records request to District Management.

Mr. Haber recessed the Special Board Meeting at 10:45 a.m., and announced commencement of the first and second Attorney-Client Session Shade Meetings, and transitioned the meeting to the Court Reporter for transcription.

**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.

**SIXTH ORDER OF BUSINESS****ADJOURN ATTORNEY-CLIENT SESSION  
SHADE MEETING 1**

This item was addressed during the Fourth Order of Business.

**SEVENTH ORDER OF BUSINESS**

**ANNOUNCE ATTORNEY-CLIENT SESSION  
SHADE MEETING 2**

This item was addressed during the Fourth Order of Business.

**EIGHTH ORDER OF BUSINESS**

**COMMENCEMENT OF ATTORNEY-CLIENT  
SESSION SHADE MEETING 2 (Closed to the  
Public by Law)**

- Executive Session Regarding: WILDBLUE COMMUNITY DEVELOPMENT DISTRICT, Plaintiff, v. FL WILDBLUE, LLC, and 38769 TAMPA FL, LLC, Defendants. Case No. 25-CA-1837, Circuit Court Lee County. Pending Litigation

The Executive Session commenced.

**NINTH ORDER OF BUSINESS**

**ADJOURN ATTORNEY-CLIENT SESSION  
SHADE MEETING 2/RECONVENE SPECIAL  
BOARD MEETING**

This item was addressed during the Fourth Order of Business.

The phone lines and audio recording were reconnected and the meeting room was opened to the public.

**TENTH 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**

There was nothing to report.

**ELEVENTH ORDER OF BUSINESS****Consideration of Matters Related to  
WILDBLUE COMMUNITY DEVELOPMENT  
DISTRICT, Plaintiff, v. FL WILDBLUE, LLC, and  
38769 TAMPA FL, LLC, Defendants. Case  
No. 25-CA-1837, Circuit Court Lee County.**

Mr. Haber asked if there was any issue with Mr. Hennessy's earlier statement that it is appropriate to give Mr. Buchholz authorization to have additional conversations with the gas station site property owner.

In response to a question, Mr. Haber stated the authorization would be for informational purposes only.

**On MOTION by Mr. Bennington and seconded by Mr. Lanese, with all in favor, authorizing the Chair to work with Litigation Counsel to discuss the status of the litigation matter and potential options to resolve the matter, was approved.**

**TWELFTH ORDER OF BUSINESS****UPCOMING MEETINGS**➤ **August 7, 2025 at 10:00 AM [Adoption of FY2026 Budget & O&M Assessment Levy]**

Mr. Lanese, Mr. Borque, Mr. Buchholz and Mr. Bennington confirmed their in-person attendance at the August 7, 2025 meeting.

To help the next meeting to be efficient, Mr. Haber reviewed the protocols for public comments and noted that attendees will have an opportunity to make public comments on the proposed Fiscal Year 2026 budget during that specific agenda item, as well as at the beginning and the end of the meeting.

➤ **August 21, 2025 at 10:00 AM [Special Meeting and Attorney-Client Sessions]**○ **QUORUM CHECK****THIRTEENTH ORDER OF BUSINESS****Public Comments (3 Minutes Per Speaker)**

Resident Kathleen O'Connor voiced appreciation to the Board for managing and reigning in legal fees. She asked if a Facebook comment that the Developer of the commercial property sued the CDD for interference with the Developer's contract with 7-Eleven is true.

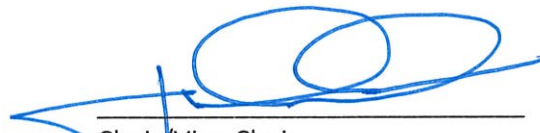
Mr. Haber, although not the attorney for this matter, heard the Developer filed an Answer and Affirmative Defenses pleading to the lawsuit that was filed. He will confirm this with Litigation Counsel.

**FOURTEENTH ORDER OF BUSINESS****Adjournment**

<b>On MOTION by Mr. Bourque and seconded by Mr. Bennington, with all in favor, the meeting adjourned at 1:35 p.m.</b>
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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair