

WILDBLUE

COMMUNITY DEVELOPMENT DISTRICT

April 6, 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

March 30, 2023

Board of Supervisors
WildBlue Community Development District

<p><u>ATTENDEES:</u> Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.</p>

Dear Board Members:

The Board of Supervisors of the WildBlue Community Development District will hold a Regular Meeting on April 6, 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 Chris Johnson [SEAT 4]
4. Consider Appointment of Qualified Elector Candidates to Fill Unexpired Terms of Seat 4 and Seat 5; *Terms Expire November 2024*
 - A. George Cingle III
 - B. John A. Buchholz
5. Administration of Oath of Office to Newly Appointed Supervisors (*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
6. Consideration of Resolution 2023-04, Designating Certain Officers of the District, and Providing for an Effective Date

- 7. Presentation of Alico Connector Impacts [Ryan Bell, Johnson Engineering]
- 8. Update: Retaining Wall and Lake Bank Erosion Repair Activities
- 9. Acceptance of Unaudited Financial Statements as of February 28, 2023
- 10. Approval of March 2, 2023 Regular Meeting Minutes
- 11. 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: May 4, 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		<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

- 12. Board Members' Comments/Requests
- 13. Public Comments
- 14. 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 Community Development District
Attn: Chesley E Adams, Jr., District Manager
2300 Glades Road, Suite 410W
Boca Raton, Florida 33431

From: Christopher Johnson
Printed Name

Date: 3/28/23
Date

I hereby tender my resignation as a member of the Board of Supervisors of the *WildBlue Community Development District*. 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 and personally presented at a duly noticed meeting of the Board of Supervisors, scanned and electronically transmitted to gillyardd@whhassociates.com or faxed to 561-571-0013 and agree that the executed original shall be binding and enforceable and the fax or email copy shall be binding and enforceable as an original.



Signature

WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT

4A

GEORGE CINGLE III, PE

19093 WildBlue Blvd, Fort Myers, FL 33913 (239) 316-0598 gciioha@gmail.com

KEY ATTRIBUTES:

- Service to the public (elected Supervisor & Chairman)
- Service to the community (Elected to HOA Board)
- Project management systems and auditing
- Engineering department management
- Capital budgeting and forecasting
- Multi-discipline project management
- Engineering analysis
- Technical product design
- Operations management – P&L
- Maintenance department management
- Health and safety program management
- ISO/QC department management
- Strategic asset management
- Facility redeployment
- International sales – Japan, China, Australia
- Computer systems and networking
- Bargaining unit contract negotiations
- Conflict resolution
- Mentoring and employee development
- Leveraged buy-out and due diligence

EXPERIENCE:

WildBlue Home Owners Association (HOA), WildBlue Community, Fort Myers, FL

Member of the Board of Directors, WildBlue HOA, 03/2022 to Present

Accomplishments:

- Elected to the WildBlue HOA by community residents in March, 2022

Quarry Community Development District (CDD), The Quarry, Naples, FL

Supervisor, Board of Supervisors for the Quarry CDD, 11/2018 to 02/29/2020

Accomplishments:

- Elected to the Board of Supervisors for the Quarry CDD in November, 2018
- After a forced resignation of the other four Board members, was responsible for the reestablishment of the complete Board while maintaining the overall functionality and mission of the CDD
- Voted Chairman of the Board of Supervisors in February, 2019
- Accountable for the overall functioning of the CDD, including ongoing lakeshore repairs, lakes maintenance, preserve maintenance, major maintenance and capital projects, finance, assessments, and regulatory affairs
- Responsible for approving all CDD meeting minutes, invoices, contracts, and agreements
- Led the \$3.5 million lakeshore restoration project for the CDD, and completed the project \$200,000 under budget and on schedule
- Resigned on February, 29, 2020 due to an impending relocation to Estero, Florida

Quarry Community Association (QCA), The Quarry, Naples, FL

Chairman, Governing Documents Committee, 03/2017 to 04/2018

Accomplishments:

- Appointed to lead the effort to rewrite the QCA Articles of Incorporation, Bylaws, and Declaration of Covenants, Conditions, and Restrictions; directly participated in the writing and editing of the same; the completed documents were approved in 2019

United States Steel Corporation, Pittsburgh, PA

Director of Process Engineering - Primary, 05/01/14 to 03/01/16 (retired)

Accomplishments:

- Accountable for leading the group of subject matter experts responsible for all iron ore mining and pelletizing, sintering, blast furnace ironmaking, cokemaking, steelmaking and continuous casting, environmental, and energy project pre-authorization development and technical consulting
- Accountable for managing \$1.5 billion in pre-authorization project development, and supervising expert consulting services that achieved \$62 million in annual operating cost reductions in 2014

Director of Engineering Project Development, Strategic Asset Management, and Facility Redeployment, 10/2010 to 05/01/14

Accomplishments:

- Subject matter expert for project management and program manager for the U. S. Steel Project Delivery System (PDS), and all project quality audits and readiness assessments
- Performed 300 project quality audits and readiness assessments for projects costing up to \$890 million
- Accountable for the \$52 million combined annual budgets for the U. S. Steel international strategic asset management and U. S. facility redeployment programs
- Led the turn-around of the U. S. Steel facility redeployment program through the introduction of innovative project management techniques and computerized project tracking, eliminating contractor claims
- Restructured the U. S. Steel strategic asset management program to improve the overall quality of structural inspections, resulting in an 11% annual program cost reduction

Director of Engineering Project Development, 6/2007 to 10/2010

Accomplishments:

- Developed and managed a new project auditing system and tracking database for the U. S. Steel PDS
- Co-authored and implemented the U. S. Steel PDS Rating Index (PDSRI) in the United States, Canada, and Europe
- Performed 150 project quality audits and readiness assessments for projects costing up to \$600 million
- Created and instituted a project quality metric to analyze Project Manager performance
- Developed and directed training programs for PDS safety and environmental planning, construction site safety planning, and procurement planning in the United States, Canada, and Europe

Berry Metal Company, Harmony, PA

Director of Engineering, Research, and Quality Control, 7/2005 to 5/2007

Accomplishments:

- Product expert and sales contact for HISMelt lance and cooler technology in Australia and China
- Established and staffed a new corporate Rep Office in Shanghai, China
- Achieved \$2.89 million in sales in 2006, with engineering consulting sales up 250%
- Managed the company ISO 9001:2000 quality system certification through three ISO audits

Director of Manufacturing and Engineering, 2/2003 to 6/2005

Accomplishments:

- P&L responsibility for two Plants (Indiana and Pennsylvania); 76 total employees
- Led Production and Engineering during a record-setting year, with net profitability up by 50% in 2004
- Negotiated a new five-year collective bargaining agreement that consolidated job categories by 70%
- Reduced raw materials, WIP, and finished goods inventories by 50%
- Utilized MasterCAM software to reduce machining costs by 20% and introduce new product lines
- Established a cooperative working environment that reduced union grievances by 100%

Director of Engineering, 8/2002 to 2/2003

Accomplishments:

- Authored and implemented a plan to optimize salaried staff that reduced costs by \$160,000 annually
- Developed a program that increased engineering consulting services revenue by 400%

Union Electric Steel Corporation, Carnegie, PA

Assistant Plant Manager – Harmon Creek Plant, 1/2001 to 8/2002

Accomplishments:

- Redefined plant maintenance and established a new management structure that decreased costs by 13%
- Project manager for a \$.5 million heating furnace SCADA system and \$.5 million forging robot
- Established procedures for OSHA confined space and crane inspection regulations

Manager – Corporate Engineering, 1/1998 to 1/2001

Accomplishments:

- Managed the design and installation of a \$5 million induction heating/cryogenic cooling roll production facility
- Upgraded maintenance planning at four plants with PC-based software for ISO certification

INMETCO, Ellwood City, PA

Plant Engineering and Maintenance Manager, 5/1996 to 1/1998

Accomplishments:

- Participated in the sale of INMETCO licenses to companies in Thailand, Japan, and France
- Negotiated a corporate electric utility contract that provided a 3% savings in power costs
- Executive representative on the employee conflict resolution roundtable
- Implemented a major upgrade of maintenance planning software for ISO certification
- Led the management team in an attempted buy-out from INCO, the parent company

Plant Engineering Manager, 4/1995 to 5/1996

Accomplishments:

- Simultaneously managed the design and installation of a \$5 million cadmium recovery plant and \$5 million baghouse
- Accountable for the plant annual capital and maintenance project programs and budgets
- Established and managed an on-site engineering services alliance program with Kvaerner

Allegheny Ludlum Steel Corporation, Brackenridge, PA

Manager, Project Services, Project Engineering Department, 11/1992 to 4/1995

Accomplishments:

- Developed, implemented, and managed the Allegheny Ludlum Project Control System (ALPCS)
- Authored a new Project Manager Responsibilities Manual to redefine corporate project management and accounting
- Managed the 15-employee Drafting Group, during which productivity increased by 21%
- Implemented and managed an on-site engineering services alliance program with Centerline Engineering
- Managed the engineering project audit program to ensure that estimated ROIs were achieved
- Managed the execution and auditing of all corporate utility and process gas supply contracts

2/1987 to 11/1992: Senior Mechanical Engineer, Melt Engineering Department

1/1984 to 2/1987: Mechanical Engineer, Melt Engineering Department

5/1981 to 1/1984: Project Field Construction Engineer, No. 9 Maintenance Department

EDUCATION:

- University of Pittsburgh, Joseph M. Katz Graduate School of Business, Pittsburgh, PA
Executive Master of Business Administration Degree
- Carnegie-Mellon University, Carnegie Institute of Technology, Pittsburgh, PA
Bachelor of Science Degree in Mechanical Engineering

PROFESSIONAL LICENSES:

- Registered Professional Engineer in Florida, Certificate Number 79012

AWARDS:

- Recipient of the Association for Iron and Steel Technology (AIST) 2015 Reliability Achievement Bronze Award for the paper "Life Prediction in Industrial Equipment," published in the AIST Iron and Steel Technology, June, 2015 Issue

PUBLICATIONS:

- "Life Prediction in Industrial Equipment," AIST Iron and Steel Technology, June, 2015
- "The Project Delivery System Rating Index (PDSRI) – An Integrated Scoring Tool for Assessing Project Readiness," AIST Iron and Steel Technology, May, 2010
- "Ladle Cut-Throughs: Resolution by Progressive Analyses," Association of Iron and Steel Engineers (AISE) Industrial Ladle Technology Seminar, November 7, 1990
- "Direct Coal Fired Steam Generation in Lieu of Low Btu Gas," ENERGY CONSERVATION IN COAL CONVERSION - FINAL REPORT, Carnegie-Mellon University, September, 1978

UNITED STATES PATENTS:

- "Apparatus for Injecting Gas into a Vessel," Patent: 8,454,888; Date of Patent: June 4, 2013
- "Apparatus for Injecting Gas into a Vessel," Patent: 8,388,888; Date of Patent: March 5, 2013
- "Inducing Swirl in a Gas Flow," Patent: 8,017,068; Date of Patent: September 13, 2011
- "Apparatus for Injecting Gas into a Vessel," Patent: 8,012,409; Date of Patent: September 6, 2011
- "Apparatus for Injecting Gas into a Vessel," Patent: 7,568,681; Date of Patent: August 4, 2009
- "Metal Making Lance Slag Detection System," Patent: 7,402,274; Date of Patent: July 22, 2008
- "Mechanically Sealed Tuyere Block," Patent: 4,938,459; Date of Patent: July 3, 1990

WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT

4B

John A. Buchholz, AIA, CID, LEED AP

Member American Institute of Architects (A. I. A.)
Member National Council Architectural Registration Boards (NCARB)
Member New Jersey Society of Architects - Newark Suburban Chapter
Member International Code Council (ICC)
USGBC Leadership in Energy and Environmental Design (LEED)
Certified Interior Designer



Member National Trust for Historic Preservation
Member Preservation of New Jersey

Registered and Licensed Architect in the State of New Jersey
Registered and Licensed Architect in the State of New York
Registered and Licensed Architect in the State of Florida



Northgate Condominiums
Board of Directors Vice President
Cory Commons Condominium Corporation
Board of Directors President
Florham Park Planning Board
Voting Member

Being a licensed architect in practice for the last thirty five years has provided me with the experience and the knowledge to design with strict compliance to your budget. I can provide design details and notes which anticipate common problems that typically occur during the construction process.

Having worked in numerous subcontractor disciplines during college summer breaks and working as a construction supervisor for eight years, provides me with the unique insight to detail concise and accurate construction documents. This provides for greater understanding and communication with the construction managers and associated trades.

My Bachelor of Architecture degree from Pratt, can be credited for numerous award winning projects that have brought great pride to our clients. This partial resume provides information for your review and illustrates the strength and diversity of my work.

I look forward to the opportunity to show you my commitment to service and enduring architecture. Decide for yourself how my dedicated staff and I can provide for you, your staff and your piece of mind during the entire design and construction experience.

Thank you for your time and consideration.



John A. Buchholz AIA

WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT

6

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 6th day of April, 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
FEBRUARY 28, 2023**

**WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
FEBRUARY 28, 2023**

	General Fund	Debt Service Fund	Capital Projects Fund	Total Governmental Funds
ASSETS				
Cash	\$1,015,550	\$ -	\$ -	\$ 1,015,550
Investments				
Revenue	-	980,506	-	980,506
Reserve	-	703,247	-	703,247
Construction	-	-	3,469	3,469
Principal	-	1	-	1
Due from general fund	-	389,928	-	389,928
Utility deposit	400	-	-	400
Total assets	<u>\$1,015,950</u>	<u>\$2,073,682</u>	<u>\$ 3,469</u>	<u>\$ 3,093,101</u>
LIABILITIES AND FUND BALANCES				
Liabilities:				
Accounts payable	\$ 351	\$ -	\$ -	\$ 351
Retainage payable	-	-	433,933	433,933
Due to debt service fund	389,928	-	-	389,928
Landowner advance	6,000	-	-	6,000
Total liabilities	<u>396,279</u>	<u>-</u>	<u>433,933</u>	<u>830,212</u>
Fund balances:				
Restricted for:				
Debt service	-	2,073,682	-	2,073,682
Capital projects	-	-	(430,464)	(430,464)
Unassigned	619,671	-	-	619,671
Total fund balances	<u>619,671</u>	<u>2,073,682</u>	<u>(430,464)</u>	<u>2,262,889</u>
Total liabilities and fund balances	<u>\$ 1,015,950</u>	<u>\$2,073,682</u>	<u>\$ 3,469</u>	<u>\$ 3,093,101</u>

**WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED FEBRUARY 28, 2023**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessment levy: on-roll - net	\$ 174,940	\$ 599,273	\$ 624,611	96%
Interlocal agreement - Vista Blue	-	-	13,000	0%
Total revenues	<u>174,940</u>	<u>599,273</u>	<u>637,611</u>	94%
EXPENDITURES				
Professional & administrative				
Management/accounting/recording	8,000	20,000	48,000	42%
Legal	559	3,975	15,000	27%
Engineering	-	17,779	4,000	444%
Audit	-	-	5,500	0%
Arbitrage rebate calculation	-	500	750	67%
Dissemination agent	167	417	1,000	42%
Trustee	-	-	3,950	0%
Telephone	33	83	200	42%
Postage	11	89	500	18%
Printing & binding	83	208	500	42%
Legal advertising	-	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>8,853</u>	<u>51,110</u>	<u>88,390</u>	58%
Field operations				
Field management	1,667	4,167	10,000	42%
Aquatic maintenance	-	-	83,000	0%
Conservation area maintenance	-	1,850	180,000	1%
Conservation area monitoring & reporting	-	57,050	69,000	83%
Hurricane lan clean-up	32,192	53,367	-	N/A
Lake bank erosion repairs	6,896	34,480	109,540	31%
Water level and quality reporting	-	-	26,000	0%
Littoral plant replacements	-	-	20,000	0%
Conservation area fence review/repairs	-	-	10,000	0%
Aeration operating supplies	436	2,136	5,000	43%
Contingencies	-	-	10,000	0%
Shoreline/seawall repair and replacements	-	-	25,000	0%
Total field operations	<u>41,191</u>	<u>153,050</u>	<u>547,540</u>	28%
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>50,044</u>	<u>205,809</u>	<u>637,613</u>	32%
Excess/(deficiency) of revenues over/(under) expenditures	124,896	393,464	(2)	
Fund balances - beginning	494,775	226,207	193,728	
Fund balances - ending	<u>\$ 619,671</u>	<u>\$ 619,671</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 FEBRUARY 28, 2023**

	Current Month	Year To Date	Budget	% of Budget
REVENUES				
Special assessment: on-roll	\$ 389,928	\$ 1,333,563	\$ 1,392,509	96%
Interest	3,552	14,285	-	N/A
Total revenues	<u>393,480</u>	<u>1,347,848</u>	<u>1,392,509</u>	97%
EXPENDITURES				
Principal	-	-	465,000	0%
Interest	-	466,597	933,194	50%
Total expenditures	<u>-</u>	<u>466,597</u>	<u>1,398,194</u>	33%
Excess/(deficiency) of revenues over/(under) expenditures	393,480	881,251	(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	393,480	877,906	(5,685)	
Fund balances - beginning	1,680,202	1,195,776	1,188,308	
Fund balances - ending	<u>\$ 2,073,682</u>	<u>\$ 2,073,682</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 FEBRUARY 28, 2023**

	Current Month	Year To Date
REVENUES		
Interest	\$ 11	\$ 32
Total revenues	11	32
EXPENDITURES		
Total expenditures	-	-
Excess/(deficiency) of revenues over/(under) expenditures	11	32
OTHER FINANCING SOURCES/(USES)		
Transfer in	-	3,345
Total other financing sources/(uses)	-	3,345
Fund balances - beginning	(430,475)	(433,841)
Fund balances - ending	\$ (430,464)	\$ (430,464)

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 March 2, 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
Carl Barraco	District Engineer
George Cingle	Resident
John Buchholz	Resident
Steve Riggs	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. Supervisors Johnson and Smith were not present.

SECOND ORDER OF BUSINESS

Public Comments

Mr. Adams stated public comments related to the retaining wall and lake bank erosion repairs will be taken during the Sixth Order of Business.

Resident George Cingle suggested the Board procure a flag and recite the Pledge of Allegiance at meetings. Mr. Adams stated, unfortunately, the CDD does not have a flag.

THIRD ORDER OF BUSINESS

**Acceptance of Resignation of Supervisor
Russell Smith [SEAT 5]; Term Expires
November 2024**

Mr. Adams presented Mr. Russell Smith's resignation letter.

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On MOTION by Mr. Ernst and seconded by Mr. Milosevic, with all in favor, the resignation of Mr. Russell Smith from Seat 5, was accepted.

FOURTH ORDER OF BUSINESS **Consider Appointment to Fill Unexpired Term of Seat 5**

Mr. Adams stated the Board might appoint someone to fill the unexpired term of Seat 5.

A resident noted that three individuals previously expressed interest in serving on the Board and asked if a resident can be appointed at this time.

Mr. Haber stated it is not uncommon, at this stage, for the CDD Board to be comprised of affiliates of the majority Landowner or Developer but who to appoint is a Board decision; the Board can but is not obligated to appoint a Qualified Elector residing in the CDD.

The previously submitted letters of interest will be included on the next agenda for Board consideration.

- **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**

This item was deferred.

FIFTH ORDER OF BUSINESS **Consideration of Resolution 2023-04, Designating Certain Officers of the District, and Providing for an Effective Date**

This item was deferred.

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

78

79 Mr. Adams reported the following:

80 ➤ The CDD engaged Hans Wilson & Associates (HWA), a Marine Engineer specializing in
81 retaining wall and seawall engineering.

82 ➤ HWA completed all the field work necessary to prepare a Report that examines whether
83 the existing retaining wall was built to the standards that were part of the permitting process
84 and the design.

85 ➤ The Report will address the root cause of the failure and provide options, going forward,
86 such as replacement in like, meaning as it was originally designed, and options for upgrading,
87 along with cost opinions.

88 ➤ There were difficulties determining how the storm progressed and the wind levels at
89 certain locations.

90 ➤ The wind detector at Southwest Florida International Airport (RSW) stopped working
91 when winds reached 100 miles per hour (mph) at noon on the day of the storm; he is
92 attempting to gather additional data.

93 ➤ The Report is estimated to be 80% complete.

94 Asked if the Report can be available to residents in advance of the next meeting, Mr.
95 Adams stated he will circulate the Report to the Board and Staff for initial review, questions and
96 comments; it can then be distributed to the public, at the Chair's direction.

97 Asked if bids will be solicited before the next meeting, Mr. Adams replied no; the Board
98 must make decisions on behalf of the CDD and determine what type of bid is desired, such as
99 whether to replace or upgrade. The retaining wall repair will likely be a multi-year repair. He
100 noted that the retaining wall has been installed over the past three years.

101 Mr. Barraco stated dry season only affects erosion control, not retaining wall
102 construction. Asked if the large lake's retaining wall is the only one being evaluated, Mr.
103 Barraco stated the Report by HWA will examine all retaining walls. Any erosion control
104 independent of the retaining wall will be discussed later in the meeting.

105 Discussion ensued about the types of retaining wall construction on both lakes and that
106 size and direction of the lakes might have affected outcomes. Mr. Adams stated HWA will
107 examine all retaining walls. The Report will discuss the initial installation, whether it was
108 installed according to the specifications, the root cause of the failure, options going forward,
109 whether to replace in kind and the possible cost of repairs and upgrades.

110 Mr. Adams noted that, if deficiencies are identified, it will be a different discussion but
111 that is part of the examination to ensure it was constructed according to the specifications. If it
112 was not installed according to the specifications, there might be something else to address.

113 A resident asked if the contractor had a performance bond and, if not, why. He
114 requested the Professional Engineer's (PE) insurance certificate and asked on whose behalf the
115 contractor was working. He would like to email additional thoughts. Mr. Adams stated they can
116 exchange emails after the meeting.

117 A resident noted that Vista has a separate CDD and asked if they had similar damage,
118 and, if so, who inspected it and how Vista is proceeding. Mr. Barraco believed they are also
119 waiting on a report from HWA.

120 A Board Member stated there are not many well-respected marine engineers in this
121 market. Given the amount of damage along the beach, canals and river, HWA is very busy. Bids
122 cannot be obtained until the CDD knows the scope and timing. HWA's Report will include cost
123 estimates useful for planning purposes.

124 A resident asked if Lennar used the same design on the other lakes and, if so, can it be
125 bid out as one project. A Board Member stated the Lennar Development Team will coordinate
126 for any efficiencies they can gain between the two CDDs.

127 Resident George Cingle indicated that some residents met with a registered PE that
128 specializes in Marine Engineering and it appears the Developer might have changed the original
129 Bayshore design based on cost since the original design was supposedly too high. The original
130 design was based on 60 mph wind speed. It appears there were deficiencies during installation
131 of the seawall around the lake, including a lack of littorals critical to wave speed reduction. The
132 design, as installed, might not have been intended to be a wave protection device. The PE
133 recommended an alternative option based on ready rock concrete stones with a good record
134 for this type of application. He does not want to disclose the identity of the PE.

135 A resident voiced their opinion that replacing the seawall in kind would be a waste.

136 A resident noted that, if the seawall was not installed correctly, it might be sufficient to
137 install it as it was designed.

138 Mr. Adams stated the lake bank erosion project is progressing.

139 Mr. Barraco gave an update on the Project Manual development; all observations are
140 done and data is being compiled. He presented a color-coded diagram depicting areas and
141 criteria for repairs to be done, for use in the bidding process.

142 Mr. Adams discussed lake bank erosion repairs and responded to questions, as follows:

143 ➤ Bids will be requested within the next week. As a 30-day bid process is required, bids
144 will likely be considered at the May meeting.

145 ➤ Some techniques allow for work to be performed while water levels are rising.

146 ➤ Information will be posted on the website, when possible. A separate page was added
147 on the CDD website to accommodate construction plans, permit files and reports.

148 ➤ Not all areas of the shoreline need erosion repairs, particularly in conservation areas.

149 ➤ Focused runoff at property lines will be addressed by a spreader berm near the water's
150 edge to slow the flow and spread it over a wider area to reduce the impact.

151 ➤ The most efficient way to address runoff is to cap off downspouts from gutters and
152 carry the flow underground to discharge into the lake but the CDD cannot make improvements
153 on private property. The CDD encourages and will work with homeowners wanting to make
154 such improvements at their own expense.

155 Discussion ensued about runoff remediation methods and the pros and cons of each.

156 The District Engineer presented options to the builders and Lennar and the CDD
157 selected the spreader berm and Pulte and Stock chose to install coco mat at the water's edge.

158 Mr. Adams stated the problem has persisted for years and, in his opinion, the easiest
159 solution is for the County or permitting municipalities to require downspouts with underground
160 piping but that has not happened. Homes in the CDD with a washout problem will be
161 addressed. The builders agreed to implement their solutions, on a go-forward basis, as new
162 homes close. The consensus was that coco mats are a stopgap solution to the issue.

163 Mr. Adams stated, after erosion repairs are complete, a large number of beneficial
164 littoral plants will be installed to help with runoff from the shore, wave action from the lake and
165 removal of nutrient runoff from lawn fertilizers.

166 Littoral plants and placement, approval processes and homeowner-implemented
167 remediations were discussed.

168 Mr. Adams stated homeowners wishing to install their own pipes can discharge into the
169 pond and, if the remediation is done after the berm is installed, homeowners are encouraged
170 to restore the berm to its original condition.

171 Discussion ensued regarding ruts related to washouts.

172 Mr. Adams stated the purpose of the lake bank erosion repair project is to restore
173 washouts at the water's edge and to install the spreader berm up the bank. The methods will

174 be up to the contractors who bid; the project manual will specify the desired result and the
175 bidders will determine the most efficient means to accomplish the desired results. The Board
176 and Engineers will review the HWA Report and the bids.

177 Mr. Adams stated, from a financial standpoint, the retaining wall replacement and
178 repair and the lake bank erosion repair will likely be funded through a bond issue, as no funds
179 are left in the Construction Fund.

180 Regarding whether homeowners who already repaired their docks must remove them
181 to repair the seawall and who will bear the expense, Mr. Adams stated that will be determined
182 by the contractor and will need to be addressed in the pricing. Asked if residents should wait to
183 make dock repairs, Mr. Adams stated he does not necessarily advise waiting to repair a dock, as
184 this could be a multi-year project. The CDD and its contractor must implement a way to repair
185 the retaining wall in a manner that is not detrimental to homeowners. Protective Barriers was
186 engaged to install orange fencing in hazardous areas. Installation is underway with 2' tall
187 orange fencing being installed as specified on the comprehensive map prepared by Mr. Tarn;
188 6,000 linear feet of fencing will be installed. Projected completion is by the end of March.

189 The consensus was to ask Ms. Murphy to email a notice advising residents about the
190 presence of contractors installing the fence.

191 Asked if the Board will review HWA's Report for design and installation deficiencies and
192 for liability, Mr. Adams replied affirmatively. The HWA Report will be posted on the CDD
193 website. The Report will identify where and how failures occurred, potential improvement
194 methods, design enhancements, and opinion of probable cost.

195 Asked if a workshop can be scheduled, Mr. Adams stated a Special Meeting is more
196 beneficial because it allows for public input and Board actions.

197 Mr. Adams stated the contractor is scheduled to install hazard buoys in no wake zones
198 within the next several weeks.

199 A resident asked if builders were notified that they will be responsible for any
200 acceleration or further erosion to a retaining wall adjacent to their construction zones. Mr.
201 Adams stated he will have notification sent as soon as possible.

202 Asked about the "Interlocal Agreement Vista Blue" revenue line item, Mr. Adams stated
203 the line item will be removed; it was originally anticipated that the CDD would conduct water
204 quality testing and share the cost with Vista Blue; however, the Master Association is
205 performing the water quality testing required by the Lake Management Plan.

206 A resident asked about a silt barrier at Latitude Lake. A Board Member stated the silt
207 barrier was installed as part of the Corkscrew Road widening project. The contractor
208 performing the roadwork installed a headwall to keep the turbidity low for anything that might
209 enter the system from the construction on Corkscrew Road.

210 A resident asked about plans to expand Alico Road. A Board Member stated Alico Road
211 will be expanded to four lanes.

212 ▪ **District Engineer: Barraco and Associates, Inc.**

213 **This item, previously Item 9B, was presented out of order.**

214 Mr. Barraco stated other causes of erosion, such as pool overflows and broken sprinkler
215 heads, will be the homeowners’ responsibility. He discussed having reasonable expectations,
216 with regard to timing, given that the retaining wall and erosion repairs will require permits.
217 Following remediation, some erosion recurrence is anticipated, as the goal is to improve overall
218 stability, over time.

219 Mr. Adams stated some level of erosion is always expected. The goal is to correct a large
220 amount of erosion in a short time.

221 Mr. Barraco noted the State requires a legal operating entity to own, operate and
222 maintain these systems because of the perpetual maintenance necessary. Most issues will be
223 addressed in the first few years but new issues will continue to arise. The consensus was that
224 large ruts and hazardous, 2’ drops must be addressed.

225 Mr. Barraco stated the County plans to widen Alico Road and it will eventually connect
226 to SR-82. The first section is in front of the CDD and will extend east. Meetings were held with
227 the Lee County Department of Transportation (LCDOT); the LCDOT will give a presentation at a
228 future meeting.

229

230 **SEVENTH ORDER OF BUSINESS** **Acceptance of Unaudited Financial**
231 **Statements as of January 31, 2023**
232

233 This item was presented following the Eighth Order of Business.
234

235 **EIGHTH ORDER OF BUSINESS** **Approval of January 5, 2023 Regular**
236 **Meeting Minutes**
237

238 Mr. Adams presented the January 5, 2023 Regular Meeting Minutes.
239

240 **On MOTION by Mr. Ernst and seconded by Mr. Milosevic, with all in favor, the**
241 **January 5, 2023 Regular Meeting Minutes, as presented, were approved.**

242
243
244 **▪ Acceptance of Unaudited Financial Statements as of January 31, 2023**

245 **This item, previously the Seventh Order of Business, was presented out of order.**

246 Mr. Adams presented the Unaudited Financial Statements as of January 31, 2023.
247 Assessment revenue collections were at 68% through the end of January; a large portion of that
248 is Builder/Developer assessments, which are typically paid as late as possible or upon closing of
249 a home.

250 As previously discussed, the Capital Projects Fund shows a deficit due to retainage. The
251 Construction Fund will be closed upon confirmation from the Developer that retainages were
252 paid and receipt of certification of project completion from the District Engineer.

253 The financials were accepted.
254

255 **NINTH ORDER OF BUSINESS**

Staff Reports

256
257 **A. District Counsel: *Kutak Rock LLP***

258 There was no report.

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

260 This item was presented following the Sixth Order of Business.

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

- 262 **• NEXT MEETING DATE: April 6, 2023 at 10:00 A.M.**

- 263 **○ QUORUM CHECK**

264 Mr. Adams hoped the HWA Report will be received well in advance of the meeting.
265 Once approved in final form it will be posted on the CDD website. A presentation regarding the
266 Alico Road expansion is expected.

267 Discussion ensued regarding proposed new commercial development and potential,
268 detrimental effect to lakes and waterways from a 16-pump gas station with one tanker in close
269 proximity to Latitude Lake and two aquifers. Inadequate turning radiuses for fuel and delivery
270 trucks and the planned rebuild of the front entrance and installation of a traffic signal after
271 completion of the road, were discussed.

272 The consensus was to push back on the proposed gas station due to its proximity of the
273 lakes and aquifers.

274 Mr. Adams stated the parcel in question is not within the CDD’s boundaries but use of
 275 the parcel, as proposed, will impact CDD facilities, including the entry from Corkscrew Road to
 276 the gatehouse. To the extent that use of that road will be modified, they must come to the
 277 CDD. As part of the additional intensity of the use of that parcel in a way not originally planned,
 278 expansion of the CDD’s retention pond to receive additional runoff would likely open the
 279 permit for modifications to the original plan, in addition to modifications to medians and
 280 median cuts. The CDD does not have permitting or land use powers but it has input as to what
 281 improvements can be made to the CDD to facilitate development and, while the CDD does not
 282 have the right to say no, homeowners can speak at zoning meetings to the impact, given that
 283 gas stations are an intense use of the property, operate 24-hours per day and it would be
 284 directly across from the lake.

285 Discussion ensued regarding the upcoming meeting, the need for residents to make
 286 their voices heard, the access road, parcel in question and the CDD’s right to purchase the
 287 property for a public purpose, such as a park.

288 Mr. Hasty will discuss the CDD’s options to purchase the property with Mr. Haber.

289

TENTH ORDER OF BUSINESS

Board Members’ Comments/Requests

291

292 There were no Board members’ comments or requests.

293

ELEVENTH ORDER OF BUSINESS

Public Comments

295

296 Mr. Cingle stated that a link on the CDD website is corrupted. Mr. Adams stated the
 297 Corporate Office will have it corrected.

298 Mr. Barraco discussed a letter to be sent to the Developer, additional items that must be
 299 addressed before a permit can be issued and the CDD’s right to challenge the permit.

300

TWELFTH ORDER OF BUSINESS

Adjournment

302

303

304 **On MOTION by Mr. Milosevic and seconded by Mr. Ernst, with all in favor, the**
 305 **meeting adjourned at 11:41 a.m.**

306
307
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311

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