

WILDBLUE

COMMUNITY DEVELOPMENT

DISTRICT

December 7, 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

November 30, 2023

ATTENDEES:
Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

Board of Supervisors
WildBlue Community Development District

Dear Board Members:

The Board of Supervisors of the WildBlue Community Development District will hold a Regular Meeting on December 7, 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: *Agenda Items (3 Minutes Per Speaker)*
3. Update: Retaining Wall Cleanup Project
4. Acceptance of Unaudited Financial Statements as of October 31, 2023
5. Approval of November 9, 2023 Regular Meeting Minutes
6. Staff Reports
 - A. District Counsel: *Kutak Rock LLP*
 - B. District Engineer: *Barraco and Associates, Inc.*
 - C. District Manager: *Wrathell, Hunt and Associates, LLC*

- NEXT MEETING DATE: January 4, 2024 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	DAVID MEYERS	<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

7. Board Members' Comments/Requests
8. Public Comments *Non-Agenda Items (3 Minutes Per Speaker)*
9. 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

UNAUDITED
FINANCIAL
STATEMENTS

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

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

	General Fund	Debt Service Fund	Capital Projects Fund	Total Governmental Funds
ASSETS				
Cash	\$ 190,680	\$ -	\$ -	\$ 190,680
Investments				
Revenue	-	527,901	-	527,901
Reserve	-	712,113	-	712,113
Construction	-	-	16,269	16,269
Principal	-	1	-	1
Due from general fund	-	11,081	-	11,081
Utility deposit	400	-	-	400
Total assets	<u>\$ 191,080</u>	<u>\$ 1,251,096</u>	<u>\$ 16,269</u>	<u>\$ 1,458,445</u>
LIABILITIES AND FUND BALANCES				
Liabilities:				
Accounts payable	\$ 14,605	\$ -	\$ -	\$ 14,605
Retainage payable	-	-	433,933	433,933.00
Due to debt service fund	11,081	-	-	11,081
Landowner advance	6,000	-	-	6,000
Total liabilities	<u>31,686</u>	<u>-</u>	<u>433,933</u>	<u>465,619</u>
Fund balances:				
Restricted for:				
Debt service	-	1,251,096	-	1,251,096
Capital projects	-	-	(417,664)	(417,664)
Unassigned	159,394	-	-	159,394
Total fund balances	<u>159,394</u>	<u>1,251,096</u>	<u>(417,664)</u>	<u>992,826</u>
Total liabilities and fund balances	<u>\$ 191,080</u>	<u>\$ 1,251,096</u>	<u>\$ 16,269</u>	<u>\$ 1,458,445</u>

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

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessment levy: on-roll - net	\$ 4,264	\$ 4,264	\$ 622,369	1%
Total revenues	<u>4,264</u>	<u>4,264</u>	<u>622,369</u>	1%
EXPENDITURES				
Professional & administrative				
Management/accounting/recording	4,000	4,000	48,000	8%
Legal	-	-	15,000	0%
Engineering	-	-	15,000	0%
Audit	-	-	5,500	0%
Arbitrage rebate calculation	-	-	750	0%
Dissemination agent	83	83	1,000	8%
Trustee	-	-	3,950	0%
Telephone	17	17	200	9%
Postage	43	43	500	9%
Printing & binding	42	42	500	8%
Legal advertising	-	-	1,200	0%
Annual special district fee	-	-	175	0%
Insurance	6,228	6,228	6,500	96%
Contingencies/bank charges	-	-	1,200	0%
Website				
Hosting	-	-	705	0%
ADA compliance	-	-	210	0%
Total professional & administrative	<u>10,413</u>	<u>10,413</u>	<u>100,390</u>	10%
Field operations				
Field management	833	833	10,000	8%
Aquatic maintenance	6,393	6,393	78,000	8%
Conservation area maintenance	-	-	190,000	0%
Conservation area monitoring & reporting	-	-	69,000	0%
Lake bank erosion repairs	-	-	85,000	0%
Water level and quality reporting	-	-	13,000	0%
Littoral plant replacements	-	-	20,000	0%
Conservation area fence review/repairs	-	-	10,000	0%
Aeration operating supplies	207	207	7,500	3%
Contingencies	-	-	10,000	0%
Shoreline/seawall repair and replacements	-	-	25,000	0%
Total field operations	<u>7,433</u>	<u>7,433</u>	<u>517,500</u>	1%
Other fees and charges				
Property appraiser	-	-	673	0%
Tax collector	1,238	1,238	1,010	123%
Total other fees and charges	<u>1,238</u>	<u>1,238</u>	<u>1,683</u>	74%
Total expenditures	<u>19,084</u>	<u>19,084</u>	<u>619,573</u>	3%
Excess/(deficiency) of revenues over/(under) expenditures	(14,820)	(14,820)	2,796	
Fund balances - beginning	174,214	174,214	178,216	
Fund balances - ending	<u>\$ 159,394</u>	<u>\$ 159,394</u>	<u>\$ 181,012</u>	

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

	<u>Current Month</u>	<u>Year To Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Special assessment: on-roll	\$ 6,769	\$ 6,769	\$ 1,392,509	0%
Interest	5,009	5,009	-	N/A
Total revenues	<u>11,778</u>	<u>11,778</u>	<u>1,392,509</u>	1%
EXPENDITURES				
Principal	-	-	480,000	0%
Interest	-	-	916,919	0%
Total expenditures	<u>-</u>	<u>-</u>	<u>1,396,919</u>	0%
Excess/(deficiency) of revenues over/(under) expenditures	11,778	11,778	(4,410)	
Fund balances - beginning	<u>1,239,318</u>	<u>1,239,318</u>	<u>1,205,966</u>	
Fund balances - ending	<u>\$ 1,251,096</u>	<u>\$ 1,251,096</u>	<u>\$ 1,201,556</u>	

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

	Current Month	Year To Date
REVENUES		
Interest	\$ 66	\$ 66
Total revenues	66	66
EXPENDITURES		
Total expenditures	-	-
Excess/(deficiency) of revenues over/(under) expenditures	66	66
OTHER FINANCING SOURCES/(USES)		
Transfer in	-	-
Total other financing sources/(uses)	-	-
Net change in fund balances	66	66
Fund balances - beginning	(417,730)	(417,730)
Fund balances - ending	\$ (417,664)	\$ (417,664)

*For cost of issuance expenses funded by the Developer in advance of the bond issuance.
Developer subsequently reimbursed via construction fund monies.

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 November 9, 2023 at 4:30 a.m., at the offices of Barraco & Associates, 2271 McGregor Boulevard, Suite 100, Fort Myers, Florida 33901.

Present were:

Christopher Hasty (via telephone)	Chair
Barry Ernst	Vice Chair
Aaron Milosevic	Assistant Secretary
David Myers	Assistant Secretary

Also present, were:

Chuck Adams	District Manager
Wes Haber (via telephone)	District Counsel
Frank Savage	District Engineer
Rosanne Duffy	Resident
Julia Lambert	Resident
Lisa Silvner (via telephone)	Resident
John Bucholtz	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 4:31 p.m. Supervisors Milosevic, Ernst and Meyers were present. Supervisor Hasty attended via telephone. One seat was vacant.

SECOND ORDER OF BUSINESS

Public Comments: Agenda Items (3 Minutes Per Speaker)

Resident Rosanne Duffy thought that notice was advertised in the Naples News. Mr. Adams stated it was published in the News-Press at Fort Myers in Lee County.

THIRD ORDER OF BUSINESS

Consideration of Response(s) to Request for Qualifications (RFQ) for Design Engineering Services

42 **A. Affidavit of Publication**43 **B. RFQ Package**44 **C. Respondent: Cummins Cederberg, Inc.**

45 Mr. Adams noted that Cummins Cederberg, Inc. is the sole respondent to the RFQ for
46 design engineering services related to the retaining wall. From the submittal, they appear to be
47 well qualified. It is the same firm performing a similar scope of work at Vista Blue.

48 **D. Competitive Selection Criteria/Ranking**

49 Mr. Adams advised that, with only one respondent, this step is no longer necessary.
50 Upon review, the Board can deem Cummins Cederberg, Inc., as the most qualified responsive
51 respondent and, in the best interest of the CDD, award the contract to them.

52 **E. Award of Contract**

53 Mr. Haber provided language for the motion below. Mr. Hasty noted that the intent of
54 the RFQ is not to negotiate the total scope to work and pricing; rather, it is to generate pricing.

55

56 **On MOTION by Mr. Hasty and seconded by Mr. Ernst, with all in favor, deeming**
57 **Cummins Cederberg, Inc., as a qualified respondent to the RFQ for Design**
58 **Engineering Services, and authorizing Staff to commence negotiations related**
59 **to the scope of work and price, in the form of Agreement, as outlined by Mr.**
60 **Haber, was approved.**

61

62

63 **FOURTH ORDER OF BUSINESS****Update: Retaining Wall Cleanup Project**

64

65 Mr. Adams provided the following update:

66 ➤ The project manual was finalized last week.

67 ➤ The notice to bidders will be advertised tomorrow.

68 ➤ The project manual was sent to Frank, who will also distribute it to other firms.

69 ➤ The pre-bid meeting is Wednesday, November 15, 2023 at 10:00 a.m., at Barraco &
70 Associates, 2271 McGregor Boulevard, Suite 100, Fort Myers, Florida 33901. Attendance is
71 optional.

72 ➤ December 8, 2023 at 10:00 a.m., is the deadline for the Engineer to answer questions.

73 ➤ The deadline to submit bids and the bid opening are December 15, 2023 at 10:00 a.m.,
74 at Barraco & Associates, 2271 McGregor Boulevard, Suite 100, Fort Myers, Florida 33901.

75 Attendance is optional.

76 ➤ The RFP responses and recommendations will be on the January 2024 agenda.

77

78 **FIFTH ORDER OF BUSINESS** **Acceptance of Unaudited Financial**
79 **Statements as of September 30, 2023**

80

81 Mr. Adams noted that, because certain expenditures exceeded budget, a budget
82 amendment will be presented at the next meeting. This will avoid a finding in the annual audit.

83 The financials were accepted.

84

85 **SIXTH ORDER OF BUSINESS** **Approval of October 5, 2023 Regular**
86 **Meeting Minutes**

87

88 Ms. Duffy asked for confirmation that the CDD will be responsible for recovering costs
89 from the Developer for damages to landscaping, roadwork, etc., caused by construction,
90 vendors and customers of the commercial property. She wants this information in the minutes.

91 Mr. Adams stated that the CDD will be responsible for pursuing the party responsible for
92 damaging CDD property.

93

94 **On MOTION by Mr. Ernst and seconded by Mr. Meyers, with all in favor, the**
95 **October 5, 2023 Regular Meeting Minutes, as presented, were approved.**

96

97

98 **SEVENTH ORDER OF BUSINESS** **Staff Reports**

99

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

101 There was no report.

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

103 Mr. Savage stated that the deferred Lake Bank Erosion Repair project can commence,
104 now that conditions have improved. A preconstruction meeting with the contractor is being
105 scheduled to go over the scope of work, finalize the schedule for Staff to distribute to residents,
106 verify that pricing will be honored and finalize the storage area. The contractor provided pricing
107 for those homeowners interested in installing a secondary drain on their property.

108 Resident John Bucholtz asked if homeowners can negotiate a bulk price to install the
109 secondary drain for their individual property. Mr. Weber did not foresee an issue with this.

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

111 • **NEXT MEETING DATE: December 7, 2023 at 10:00 A.M.**

112 ○ **QUORUM CHECK**

113

114 **EIGHTH ORDER OF BUSINESS**

Board Members' Comments/Requests

115

116 Mr. Hasty thanked Staff and everyone for their efforts rescheduling the meeting and
117 approving the RFQ.

118

119 **NINTH ORDER OF BUSINESS**

**Public Comments Non-Agenda Items (3
Minutes Per Speaker)**

120

121

122 Ms. Duffy asked about researching the status of the conveyances. Mr. Savage noted his
123 preliminary findings were from the Lee County Property Appraiser's website, which indicated
124 the real property appears to be with the various entities, not the CDD. Mr. Adams noted that
125 operating permits differ from property conveyances.

126 Ms. Duffy voiced her opinion that there was an issue with the survey and asked if it will
127 be recirculated. Mr. Savage replied affirmatively. He noted receiving 398 responses to the
128 survey and shared the "raw" results.

129 Discussion ensued regarding concerns that households submitted multiple responses to
130 the survey, the extra cost to ensure there are no duplicate email addresses, issuing a reminder
131 that input can be made during public comments or before the CDD meeting and the purpose of
132 the initial survey.

133 The consensus was to incur the additional not-to-exceed amount of \$500 to ensure the
134 recirculated survey limits it to one email address per household.

135 A resident voiced their belief that Developers are not coming to the CDD to request
136 road changes. Mr. Adams stated that they will. As owners of the improvements, the CDD will
137 be part of the approval process.

138 Ms. Duffy posed follow-up questions to Mr. Adams related to her conversation with the
139 SFWMD. Mr. Adams advised Ms. Duffy to contact the SFWMD, Lee County and the Florida
140 Department of Environmental Protection (FDEP) and to voice her concerns at the hearing.
141 Regarding damage to CDD improvements, Mr. Haber stated that the CDD would become an
142 active party to determine the appropriate steps necessary to address the damage.

143 Ms. Duffy voiced her opinion that the Developer is relying on a loophole in the Statute
144 and asked if the CDD has any recourse once the development period expires in twelve years.
145 Mr. Haber stated this is not a CDD issue; per Florida Statute Chapter 190, the CDD has no
146 enforcement powers for local ordinances or permits of other entities.

147 Mr. Bucholtz advised Mr. Haber of his discussions with the Hex Officer regarding the
148 original code review and zoning changes. Mr. Adams reiterated that these are really good
149 points for residents to make at the hearing. Asked about taxation, Mr. Adams stated that the
150 CDD is authorized to impose non-ad valorem assessments for special and peculiar benefits on
151 property owners who benefit from CDD services.

152 Resident Lisa Silvner noted plans to install another exit on Wildblue Boulevard. She
153 asked who will be responsible for repairing damage, if any, to the CDD entrance caused by big
154 trucks. Mr. Adams stated that the CDD would pursue the party that causes damage and the
155 CDD will ensure that the repairs are adequate. It is in the Developer’s best interest to correctly
156 develop that entry to allow them to utilize their parcel in the manner in which they want to use
157 it. Any change to the approved, permitted improvements will require CDD approval, as the CDD
158 is the owner of those facilities. As of this date the CDD has not been approached.

159 In response to a request for written documentation, Mr. Adams directed residents to
160 obtain the meeting minutes from the CDD website.

161 Mr. Bucholtz stated that the Developer’s response to resident concerns was that the
162 area was built for dump trucks coming in and out of the community. Mr. Adams noted the
163 turning radiuses are much different.

164 Asked if the CDD will approve the changes, Mr. Adams stated the Developer must work
165 with the CDD on any redesign; the District Engineer would review the plans to ensure the CDD’s
166 interests are protected.

167 Mr. Adams again encouraged residents to share their concerns at the hearing.

168

169 **TENTH ORDER OF BUSINESS**

Adjournment

170

171

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**On MOTION by Mr. Meyers and seconded by Mr. Milosevic, with all in favor,
the meeting adjourned at 5:16 p.m.**

174
175
176
177
178

Secretary/Assistant Secretary

Chair/Vice Chair

WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT

STAFF
REPORTS

WILDBLUE COMMUNITY DEVELOPMENT DISTRICT

BOARD OF SUPERVISORS FISCAL YEAR 2023/2024 MEETING SCHEDULE

LOCATION

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

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 5, 2023	Regular Meeting	10:00 AM
November 2, 2023 CANCELED NO QUORUM	Regular Meeting	10:00 AM
November 9, 2023	Regular Meeting	10:00 AM delayed to 4:30 PM**
December 7, 2023	Regular Meeting	10:00 AM
January 4, 2024	Regular Meeting	10:00 AM
February 1, 2024	Regular Meeting	10:00 AM
March 7, 2024	Regular Meeting	10:00 AM
April 4, 2024	Regular Meeting	10:00 AM
May 2, 2024	Regular Meeting	10:00 AM
June 6, 2024	Regular Meeting	10:00 AM
July 4, 2024*	Regular Meeting	10:00 AM
August 1, 2024	Regular Meeting	10:00 AM
September 5, 2024	Regular Meeting	10:00 AM

Exceptions/Notes

*The July meeting date is on the Independence Day holiday

**November 9 Meeting start time delayed to ensure a quorum of the Board.