

# **WILDBLUE**

**COMMUNITY DEVELOPMENT  
DISTRICT**

**April 4, 2024**

**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 28, 2024

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 April 4, 2024 at 10:00 a.m., at the Community Center (Card Room), 18721 WildBlue Blvd., Fort Myers, Florida 33913. The agenda is as follows:


1. Call to Order/Roll Call
2. Public Comments: *Agenda Items (3 Minutes Per Speaker)*
3. Updates
  - Lake Bank Erosion Repair Project
  - Retaining Wall Review and Rebuild Options Report
4. Continued Discussion/Update: Construction Litigation Regarding Retaining Wall Repairs
  - Consideration of Scheduling a Shade Session Meeting
5. Acceptance of Unaudited Financial Statements as of February 29, 2024
6. Approval of March 7, 2024 Regular Meeting Minutes
7. 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: May 2, 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

- 8. Board Members' Comments/Requests
- 9. Public Comments *Non-Agenda Items (3 Minutes Per Speaker)*
- 10. 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  
FEBRUARY 29, 2024**

**WILDBLUE  
COMMUNITY DEVELOPMENT DISTRICT  
BALANCE SHEET  
GOVERNMENTAL FUNDS  
FEBRUARY 29, 2024**

	General Fund	Debt Service Fund	Capital Projects Fund	Total Governmental Funds
<b>ASSETS</b>				
Cash	\$ 786,602	\$ -	\$ -	\$ 786,602
Investments				
Revenue	-	1,299,894	-	1,299,894
Reserve	-	707,239	-	707,239
Construction	-	-	33,396	33,396
Principal	-	1	-	1
Due from general fund	-	117,001	-	117,001
Utility deposit	400	-	-	400
Total assets	<u>\$ 787,002</u>	<u>\$ 2,124,135</u>	<u>\$ 33,396</u>	<u>\$ 2,944,533</u>
<b>LIABILITIES AND FUND BALANCES</b>				
Liabilities:				
Accounts payable	\$ 19,083	\$ -	\$ -	\$ 19,083
Retainage payable	-	-	433,933	433,933
Due to debt service fund	117,001	-	-	117,001
Landowner advance	6,000	-	-	6,000
Total liabilities	<u>142,084</u>	<u>-</u>	<u>433,933</u>	<u>576,017</u>
Fund balances:				
Restricted for:				
Debt service	-	2,124,135	-	2,124,135
Capital projects	-	-	(400,537)	(400,537)
Unassigned	644,918	-	-	644,918
Total fund balances	<u>644,918</u>	<u>2,124,135</u>	<u>(400,537)</u>	<u>2,368,516</u>
Total liabilities and fund balances	<u>\$ 787,002</u>	<u>\$ 2,124,135</u>	<u>\$ 33,396</u>	<u>\$ 2,944,533</u>

**WILDBLUE  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
FOR THE PERIOD ENDED FEBRUARY 29, 2024**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy: on-roll - net	\$ 4,545	\$ 596,867	\$ 622,369	96%
Total revenues	<u>4,545</u>	<u>596,867</u>	<u>622,369</u>	96%
<b>EXPENDITURES</b>				
<b>Professional &amp; administrative</b>				
Management/accounting/recording	4,000	20,000	48,000	42%
Legal	586	3,047	15,000	20%
Engineering	-	18,481	15,000	123%
Dissemination agent	83	417	1,000	42%
Telephone	17	83	200	42%
Postage	64	262	500	52%
Printing & binding	44	208	500	42%
Legal advertising	-	1,360	1,200	113%
Annual special district fee	-	175	175	100%
Insurance	-	6,228	6,500	96%
Website				
Hosting	-	705	705	100%
ADA compliance	-	-	210	0%
Total professional & administrative	<u>4,794</u>	<u>50,966</u>	<u>100,390</u>	51%
<b>Field operations</b>				
Field management	833	4,167	10,000	42%
Aquatic maintenance	6,393	31,965	78,000	41%
Conservation area monitoring & reporting	6,660	21,973	69,000	32%
Conservation area fence review/repairs	-	13,800	10,000	138%
Aeration operating supplies	403	2,054	7,500	27%
Total field operations	<u>14,289</u>	<u>73,959</u>	<u>517,500</u>	14%
<b>Other fees and charges</b>				
Tax collector	-	1,238	1,010	123%
Total other fees and charges	-	1,238	1,683	74%
Total expenditures	<u>19,083</u>	<u>126,163</u>	<u>619,573</u>	20%
Excess/(deficiency) of revenues over/(under) expenditures	(14,538)	470,704	2,796	
Fund balances - beginning	659,456	174,214	178,216	
Fund balances - ending	<u>\$644,918</u>	<u>\$ 644,918</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 FEBRUARY 29, 2024**

	Current Month	Year To Date	Budget	% of Budget
<b>REVENUES</b>				
Special assessment: on-roll	\$ 10,168	\$ 1,332,596	\$ 1,392,509	96%
Interest	12,064	27,325	-	N/A
Total revenues	<u>22,232</u>	<u>1,359,921</u>	<u>1,392,509</u>	98%
<b>EXPENDITURES</b>				
<b>Debt service</b>				
Principal	-	-	480,000	0%
Interest	-	458,459	916,919	50%
Total expenditures	<u>-</u>	<u>458,459</u>	<u>1,396,919</u>	33%
Excess/(deficiency) of revenues over/(under) expenditures	22,232	901,462	(4,410)	
<b>OTHER FINANCING SOURCES/(USES)</b>				
Transfers out	-	(16,645)	-	N/A
Total other financing sources	<u>-</u>	<u>(16,645)</u>	<u>-</u>	N/A
Net change in fund balances	22,232	884,817	(4,410)	
Fund balances - beginning	2,101,903	1,239,318	1,205,966	
Fund balances - ending	<u>\$ 2,124,135</u>	<u>\$ 2,124,135</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 FEBRUARY 29, 2024**

	Current Month	Year To Date
<b>REVENUES</b>		
Interest	\$ 279	\$ 548
Total revenues	279	548
<b>EXPENDITURES</b>		
Total expenditures	-	-
Excess/(deficiency) of revenues over/(under) expenditures	279	548
<b>OTHER FINANCING SOURCES/(USES)</b>		
Transfer in	-	16,645
Total other financing sources/(uses)	-	16,645
Net change in fund balances	279	17,193
Fund balances - beginning	(400,816)	(417,730)
Fund balances - ending	\$ (400,537)	\$ (400,537)

**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 7, 2024 at 10:00 a.m., at the Community Center (Card Room), 18721 WildBlue Blvd., Fort Myers, Florida 33913.

**Present were:**

Christopher Hasty	Chair
Barry Ernst	Vice Chair
Aaron Milosevic	Assistant Secretary
David Myers	Assistant Secretary

**Also present:**

Chuck Adams	District Manager
Wes Haber (via telephone)	District Counsel
Carl Barraco	District Engineer
Rob Price	Lee County DOT

**Residents present:**

Terry Kurth	Richard Gurney	Kristi Houston	John "Jack" Dolen	Roseanne Duffy
Bill Magerry	Rick Bennington	John Buckholtz	Robert Finklestein	

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 10:00 a.m.

Supervisors Hasty, Ernst, Milosevic and Myers were present. One seat was vacant.

**SECOND ORDER OF BUSINESS**

**Public Comments: Agenda Items (3 Minutes Per Speaker)**

Resident Christy Houston recalled that, at the previous meeting, the estimated cost for erosion repairs was roughly \$750,000. She asked how much of that amount is a builder responsibility and how the CDD is being reimbursed. Mr. Adams stated the change order was submitted with the additional areas for an additional \$150,000, totaling \$400,000, from the CDD perspective. The initial anticipation was to use surplus funds but, at some point, advanced funding must be facilitated either through a Developer Funding Agreement or with a private entity such as a bank. This item will be discussed later in the meeting. Asked what the builders

41 are paying for, Mr. Adams stated the builders will be pursuing the items that they are  
42 responsible for.

43 Resident Roseanne Duffy stated she has yet to receive a detailed schedule from Karen  
44 about what is going on, as stated in the minutes. Mr. Adams stated Karen received the request  
45 as part of a set of plans posted on the website and Ms. Duffy was included in the email  
46 distribution. Asked if residents can be given a list of addresses instead of a map, Mr. Adams  
47 stated he would ask the District Engineer.

48 Resident John Buckholtz stated the area on the map that is being worked on is Phase 3,  
49 and it is slightly off schedule. Mr. Adams stated the contractor is ahead of schedule, according  
50 to Mr. Crocker. Mr. Buckholtz reported that several residents contacted him about a dump  
51 truck that rolled up on their front lawn yesterday and dropped an entire load of sand between  
52 the houses. Mr. Adams noted a communication earlier in the week from Crocker Development  
53 indicating that they were going to be utilizing drainage easements between certain addresses;  
54 those addresses were forwarded to Karen for her to notify homeowners that they will be  
55 utilizing the easements between the homes. Mr. Adams will confirm Karen's email address and  
56 make sure she is receiving the communications from CDD Staff.

57 Resident Jack Dolen asked if a recap of Agenda Item #3 can be communicated by email  
58 or in writing, so he has an idea of what might exist beyond just an oral discussion.

59 Resident Robert Finklestein stated his neighbor across the street had an erosion  
60 problem and was told that the homeowner is responsible for addressing erosion in their own  
61 backyard. He asked if that is that correct. Mr. Adams explained that, in the summer of 2021, the  
62 CDD identified it had a number of erosion issues along the stormwater ponds, which are the  
63 little ponds and not the large recreational pond. At that time, the CDD was working with the  
64 builders Stark, Pulte and Lennar and the District Engineer to determine the best way to proceed  
65 with the repairs and to remediate it in such a way that it will not re-occur. Pulte and Stark  
66 elected, on a go-forward basis, to install coco-mat at the lot lines as a deterrent to further  
67 erosion. The CDD and Lennar chose a spreader, generally towards the base of the slope heading  
68 towards the pond, to essentially capture that flow that is running across the surface, slow it and  
69 spread it out as it enters the pond, so there is no localized scouring. It was decided that, going  
70 forward, any home that was closed on prior to September 1, 2021, would be a CDD  
71 responsibility and that is starting to get done with Crocker Development. After September 1,  
72 2021, the builders would employ whichever option they chose with the new homes. The CDD is

73 currently proceeding with its project. Asked about repercussions if the builder is not doing  
74 what it is supposed to, Mr. Adams stated there is a standard one-year warranty; Owners who  
75 have been in their homes for less than one year should contact their builder immediately. He  
76 recommended waiting 30 days for the communication to be absorbed and for them to  
77 determine how they are going to proceed.

78

79 **THIRD ORDER OF BUSINESS**

**Discussion with Rob Price – Lee County  
DOT**

80

81

82 This item was deferred until Mr. Price arrives at the meeting.

83

84 **FOURTH ORDER OF BUSINESS**

**Update: Lake Bank Erosion Repair Project**

85

86 Resident John Buckholtz asked for an enlarged printout of the maps. Mr. Adams stated  
87 that he will confer with Karen.

88 Resident Terry Kurth asked for clarification of when residents can ask about the wall and  
89 other items on the agenda. Mr. Adams stated, generally, public comments are taken near the  
90 beginning of meetings and again during discussions on certain agenda items.

91 Resident Richard Gurney recalled that, at a previous meeting, the CDD recommended  
92 that the homeowners with drainage problems install pipes and asked for an explanation. Mr.  
93 Adams stated the Board and Staff highly recommend capturing the water off the lot and, if  
94 there are downspouts from a gutter system, capturing it directly from those downspouts,  
95 running it through a pipe down to the water’s edge into the lake, to remove the volume. Asked  
96 if a drawing of that approach can be sent to residents, Mr. Adams stated the drawing is on the  
97 website.

98 Resident Bill Magerry discussed an erosion issue at his home, his experience with coco-  
99 mats and downspout piping. He asked who is responsible for cleaning the lake banks that have  
100 construction debris, etc. Mr. Adams stated, as the water levels are currently at their lowest, the  
101 CDD will typically engage a lake maintenance contractor to do a thorough clean up. Asked  
102 about the CDD installing plants along the water’s edge, Mr. Adams stated the lakes were  
103 certified and beneficial aquatic plants, called littorals, were planted. The littorals come and go  
104 as the water levels fluctuate with the rainy and the dry seasons and, because of that, there is

105 not a continuous ribbon around the pond like with other projects. Mr. Hasty stated those plants  
106 are primarily for water quality.

107 Mr. Kurth stated it has been almost 18 months since the wall was damaged from  
108 Hurricane Ian and, although the CDD hired a Consultant Engineer, the analysis was not  
109 accurate. He voiced his appreciation for the discussions with the Chair, months ago regarding  
110 the report, setting a timetable for engineering, selection and design options. Per the latest  
111 conversations with Mr. Hasty, the work can commence by June, which is two to three months  
112 behind the original schedule. Mr. Kurth expressed his hope that the CDD, in the interim, has  
113 been having conversations with Lennar, who, in his opinion, should concurrently be having  
114 discussions with its subcontractors, insurance carriers, development partners, Stark, Pulte, WCI,  
115 etc. Ultimately, he thinks all costs should be split. In his opinion, in June, when the agreed upon  
116 fix to the seawall is determined, there should be discussions about who should pay. He thinks  
117 homeowners feel very strongly that they are the victims of poor design and construction and  
118 they should not be assessed for the repairs. He disclosed that, given that the statute of  
119 limitations might put homeowners at risk, the homeowners recently filed a lawsuit against the  
120 CDD, the Developer and the Developer's partners and subcontractors. He stated that, if all the  
121 repairs are made and the question of payment is resolved, then the suit against the CDD would  
122 be dropped and, hopefully, dropped for all parties, if an agreement is made. Mr. Kurth stated  
123 he appreciates the Board Members for taking his calls. He voiced his opinion that sharing in the  
124 costs for the repairs is a non-starter for homeowners.

125 ▪ **Discussion with Rob Price – Lee County DOT**

126 **This item, previously the Third Oder of Business, was presented out of order.**

127 Mr. Barraco introduced Mr. Robert Price, the current Deputy Director of the DOT.

128 • **Potential Ingress/Egress Traffic Flow Requirements for Commercial Parcel at South**  
129 **Entrance**

130 • **Alico and Corkscrew Road Widening Projects Update**

131 Mr. Price provided the following updates:

132 ➤ Regarding the Corkscrew Road project, the current contractor is less than satisfactory  
133 but was engaged because the County is required to hire the lowest responsive bidder.

134 ➤ The project is nearing completion as the contract is due to expire at the end of March,  
135 but, realistically, Mr. Price felt that project completion and the punchlist items will be

136 addressed by the end of April. Final paving is set for March 10<sup>th</sup>, which will allow a return to full  
137 configuration of traffic on Corkscrew Road by March 30<sup>th</sup>.

138 ➤ The second phase of Corkscrew Road commenced in February; the contract was  
139 awarded in December and a notice to proceed was recently issued. The project is in the  
140 mobilization stage, wherein the area is being cleared and grubbed to move the project further  
141 east from Mediterra to Alico. It is a two-year contract, with a completion date of February 2026.

142 ➤ The Alico Road project is 90% designed for the four-lane road from Airport Hall Road  
143 East to Green Meadow. The Section 404 permit from the Department of Environmental  
144 Protection (DEP) is pending because of an ongoing legal issue between the State and the  
145 Federal Government.

146 ➤ Due to the time limits on the Alico Project, the County recently submitted an alternative  
147 application to the U.S. Army Corps of Engineer (USACE), as they ensured that they will prioritize  
148 the County’s infrastructure projects over Mr. Barraco’s development projects. County officials  
149 hope to receive the permit by October, which would facilitate going out to bid to start  
150 construction on Phase 1 of the Alico Connector Project by late 2024 or early 2025.

151 ➤ The County is negotiating with Lennar to acquire right-of-way (ROW) along the frontage  
152 of WildBlue at the intersection. Negotiations are not going well from the County’s perspective.

153 Mr. Price responded to questions regarding phasing of the Alico Road Widening project,  
154 if the County owes the contractor, charging the contractor liquidated damages, the current  
155 retainage on the roadway project, the number of change orders, the approximate price  
156 increase from the original contract amount due to the change orders, if the County has legal  
157 authority to establish a pre-bid qualification process, establishing a list of qualified contractors,  
158 if the County can install a turn arrow at the front gate and if a traffic signal can be installed on  
159 Corkscrew while Lennar is still in control.

160 Regarding payment for the traffic signal, Mr. Price stated the WildBlue CDD needs to  
161 contribute its share towards the traffic signal. He stated, if the CDD works together with its  
162 residents to figure out a way to fund its portion for the signal, the traffic signal could be  
163 installed within the year. The intersection has a full median and, if a safety issue occurs because  
164 of the lack of a traffic signal, the County will close the median. In his opinion, it behooves  
165 everyone to get the traffic signal funded and built. The warrants are based on outbound left-  
166 hand turns.



167           Regarding how trucks can enter and exit the commercial parcel without a traffic signal,  
 168 Mr. Barraco stated it is a bigger issue than he thought and, since the CDD roadway will connect  
 169 Alico and Corkscrew, he can try to facilitate discussions with Mr. John Asher. Typically, a traffic  
 170 signal must satisfy several different warrants and studies, so the signal must be warranted  
 171 before it can be installed.

172           Discussion ensued regarding the Alico Road widening project, a signalization agreement,  
 173 fair-share agreements, conservation easement on Corkscrew, the County’s position on traffic  
 174 signals, ROW acquisition, safety concerns, acceleration and deceleration lanes, turn lanes,  
 175 frontage on Corkscrew Road and a drainage issue on the north side of Corkscrew.

176           A resident asked if the CDD will help with the traffic signal. Mr. Adams stated the CDD  
 177 will be looking to coordinate with the Developer as they have a stake in it.

178

**FIFTH ORDER OF BUSINESS**

<b>Continued</b>	<b>Discussion/Update:</b>
<b>Construction</b>	<b>Litigation</b>
<b>Retaining Wall Repairs</b>	<b>Regarding</b>

182

183           Mr. Adams stated, as was alluded to earlier, the CDD was served with a legal complaint  
 184 regarding the retaining walls and, as such, the Board and Staff are limited as to what can be  
 185 discussed. He asked Mr. Haber to provide an update, from a legal perspective.

186           Mr. Haber reported the following:

187 ➤       The CDD retained Construction/Litigation Counsel David Gurli and his associate Mr. Chris  
 188 Fiori. They have been diligently reviewing CDD documents, minutes, documents on the website  
 189 and documents that they received.

190 ➤       As mentioned at a prior meeting, no lawyer will give an opinion that makes guarantees  
 191 but, based on everything they reviewed, they believe the damage would be a latent defect;  
 192 thus, the deadline and four-year statute of limitations to bring a claim would start on the date  
 193 of the storm.

194 ➤       A lawsuit was filed, and the CDD was advised by Litigation Counsel that there is a year of  
 195 time where additional parties can be added to the lawsuit, if there are any.

196 ➤       Any details regarding the litigation should not be addressed or discussed during a  
 197 regular CDD Board meeting.

198 ➤       The law contemplates a shade session, which is a meeting attended by only the Board,  
 199 the District Manager, District Counsel, any specially-engaged litigation Counsel and a Court

200 Reporter. At a shade session, every word is recorded by the Court Reporter and a verbatim  
201 transcript is produced after the meeting; the document is then kept confidential until the  
202 litigation is resolved and, upon the resolution of the litigation, it becomes a public record.

203 ➤ Procedurally, a shade session needs to take place within a regularly scheduled meeting.  
204 It also requires District Counsel to request that a shade session be scheduled because Litigation  
205 Counsel requests the Board’s input on outstanding litigation.

206 ➤ Mr. Gurli’s office is interested in having a shade session, so this update should reflect,  
207 for purposes of meeting the statutory requirements, Counsel’s request that the Board, at some  
208 point in the future, convene a shade session for the purpose of getting advice related to the  
209 litigation, within the parameters contemplated by law.

210 ➤ At this time, the date of the shade session does not need to be specified but the law  
211 requires the shade session to be noticed, in the same formality as a regular meeting being  
212 scheduled.

213 ➤ In reference to the scheduling of the shade session, Staff must work with the Board to  
214 find availability. It is possible that the shade session could be scheduled for the April meeting. If  
215 the Board would like to hold the shade session sooner than April, a special meeting can be  
216 scheduled.

217 ➤ All shade session attendees must appear in person.

218 Discussion ensued regarding how the shade session would be executed, when to  
219 schedule the shade session, attendee availability and noticing provisions.

220 Mr. Haber will contact Litigation Counsel regarding his availability. Mr. Adams will check  
221 Supervisor availability and coordinate schedules with Mr. Haber.

222

**SIXTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial  
Statements as of January 31, 2024**

224

225

226 Mr. Adams presented the Unaudited Financial Statements as of January 31, 2024.

227 The financials were accepted.

228

**SEVENTH ORDER OF BUSINESS**

**Approval of February 1, 2024 Regular  
Meeting Minutes**

230

231

232 Mr. Adams presented the February 1, 2024 Regular Meeting Minutes.

233 The following change was made:

234 Line 188: Change "roofing" to "site development"

235

236 **On MOTION by Mr. Ernst and seconded by Mr. Meyers, with all in favor, the**  
237 **February 1, 2024 Regular Meeting Minutes, as amended, were approved.**

238

239

240 **EIGHTH ORDER OF BUSINESS**

**Staff Reports**

241

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

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

244 There were no reports from District Counsel or the District Engineer.

245 Mr. Dolen asked if the CDD has legal authority to withhold approval for utilization of the  
246 driveway that is into the commercial property until the commercial property acquires an  
247 adequate ingress and egress, which he believes they can do through negotiating and acquiring  
248 property from Grandiza and paying for a proper deceleration lane to provide access directly off  
249 Corkscrew or they can pay the County for condemnation so that they can acquire the property,  
250 construct a proper entrance into the commercial property and off Corkscrew. In his opinion, the  
251 current situation is unsafe, as traffic enters into a residential development to make turns in and  
252 out of a commercial development into the adjoining public road. Mr. Haber stated he will have  
253 to investigate and provide a response with respect to the extent to which the CDD has rights to  
254 object or prevent that from occurring.

255 Mr. Hasty directed Mr. Barraco to recommend an experienced land use attorney to  
256 District Counsel and directed Mr. Haber to confer with said attorney and provide a legal opinion  
257 of what the CDD has the authority to do.

258 Discussion ensued regarding traffic ingress and egress patterns, a preserve parcel, the  
259 Developer, purchasing off-site property, the homeowner litigation action against the CDD for  
260 the traffic light, property owner rights and safety concerns.

261 Resident Kristi Houston asked if the intention is still to have design clearance next  
262 month. Mr. Barraco stated the contractor was on-site yesterday and the field work is complete.  
263 Mr. Barraco will ask when the options will be available for the CDD and report his findings.

264 A resident asked if the Board reviewed a previously forwarded schedule with seven  
265 questions. This is an effort to help the CDD stay on schedule and get the project into the budget  
266 as, in their opinion, there is an urgency to have the walls analyzed, cast out, decided upon and  
267 ready to bid. Mr. Hasty stated, conceptually speaking, the approach is for the Board to know

268 the exact fix before setting the budget; the budget can be set based on estimates or best-case  
 269 analysis. Mr. Adams stated the project could be financed having a capitalized interest period.  
 270 Mr. Hasty stated the plan is to have the CDD set so that the funds are available to commence  
 271 the work as soon as the funds become available, while concurrently seeking reimbursements  
 272 from any and every available source.

273 Discussion ensued regarding finalizing the budget, meeting the schedule, circulating a  
 274 Request for Proposals (RFP), bid timing, pre-qualification process, evaluation criteria, choosing  
 275 a contractor, designs for the two lakes and cost-sharing between WildBlue and Vista Blue.

276 Asked if there is an advantage for combining two bids, Mr. Adams replied affirmatively.

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

- 278 • **NEXT MEETING DATE: April 4, 2024 at 10:00 AM**
- 279 ○ **QUORUM CHECK**

280

281 **NINTH ORDER OF BUSINESS**

**Board Members' Comments/Requests**

282

283 There were no Board Members' comments or requests.

284

285 **TENTH ORDER OF BUSINESS**

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

286

287

288 Asked about Lennar contributing funds to the CDD, Mr. Hasty stated that was agreed  
 289 upon several months ago. He assured the Developer that the funds would be to acquire ROW  
 290 needed by the County that can be funneled back to the CDD to offset costs for the  
 291 improvements; the Developer is amenable.

292 A resident asked the Board and Staff to identify themselves.

293

294 **ELEVENTH ORDER OF BUSINESS**

**Adjournment**

295

296 **On MOTION by Mr. Ernst and seconded by Mr. Myers, with all in favor, the**  
 297 **meeting adjourned at 12:08 a.m.**

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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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308 \_\_\_\_\_  
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

<sup>1</sup>offices of Barraco and Associates, 2271 McGregor Boulevard, Suite 100, Fort Myers, Florida 33901

<sup>2</sup>Community Center (Card Room), 18721 WildBlue Boulevard, Fort Myers, Florida 33913

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 5, 2023	Regular Meeting	10:00 AM
November 2, 2023 <b>CANCELED</b> <b>NO QUORUM</b>	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 <sup>2</sup>	Regular Meeting	10:00 AM
April 4, 2024 <sup>2</sup>	Regular Meeting	10:00 AM
May 2, 2024 <sup>2</sup>	Regular Meeting	10:00 AM
June 6, 2024 <sup>2</sup>	Regular Meeting	10:00 AM
July 11, 2024 <sup>2</sup>	Regular Meeting	10:00 AM
August 1, 2024 <sup>2</sup>	Regular Meeting	10:00 AM
September 5, 2024 <sup>2</sup>	Regular Meeting	10:00 AM

#### Exceptions/Notes

\*November 9, 2023 Meeting start time delayed to ensure a quorum of the Board.