

# **WILDBLUE**

**COMMUNITY DEVELOPMENT**

**DISTRICT**

**October 30, 2024**

**BOARD OF SUPERVISORS**

**SPECIAL MEETING**

**AND ATTORNEY-CLIENT**

**EXECUTIVE SESSION SHADE**

**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**

October 23, 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 Special Meeting and Attorney-Client Executive Session Shade Meeting on October 30, 2024 at 11:00 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
  - A. Lake Bank Erosion Repair Project
  - B. Retaining Wall Order of Magnitude Pricing for Selected Rebuild Options
  - C. Fuel Station Site
4. OPEN REGULAR MEETING
5. ANNOUNCE ATTORNEY-CLIENT EXECUTIVE SESSION SHADE MEETING/RECESS REGULAR MEETING
6. COMMENCEMENT OF EXECUTIVE SESSION (**Closed to the Public by Law**)
  - Executive Session Regarding: Terry Kurth, derivatively on behalf of WildBlue Master Property Owners Association, Inc. v. Lennar Homes, LLC, Pulte Home Company, LLC, SDWB, LLC, SD WildBlue, LLC, WCI Communities, LLC, Barraco and Associates, Inc., Turrell, Hall & Associates, Inc. and WildBlue Community Development District, pending in the Twentieth Judicial Circuit in and for Lee County Florida, Case No. 001775. Pending Litigation
7. ADJOURN ATTORNEY-CLIENT EXECUTIVE SESSION SHADE MEETING/RECONVENE REGULAR MEETING

8. Consideration of Matters Related to Terry Kurth, derivatively on behalf of WildBlue Master Property Owners Association, Inc. v. Lennar Homes, LLC, Pulte Home Company, LLC, SDWB, LLC, SD WildBlue, LLC, WCI Communities, LLC, Barraco and Associates, Inc., Turrell, Hall & Associates, Inc. and WildBlue Community Development District, pending in the Twentieth Judicial Circuit in and for Lee County Florida, Case No. 001775
9. Acceptance of Unaudited Financial Statements as of August 31, 2024
10. Approval of Minutes
  - A. September 5, 2024 Public Hearing and Regular Meeting
  - B. September 19, 2024 Continued Regular Meeting
11. Staff Reports
  - A. District Counsel: *Kutak Rock LLP*
    - Continued Discussion/Update: Construction Litigation Regarding Retaining Wall Repairs
  - B. District Engineer: *Barraco and Associates, Inc.*
    - Presentation: Potential Landscape Buffer
  - C. District Manager: *Wrathell, Hunt and Associates, LLC*
    - NEXT MEETING DATE: November 7, 2024 at 10:00 AM [Landowners' Meeting & Regular Meeting]
      - 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		<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
12. Discussion: Continue Consideration of Lennar Retaining Wall Settlement Offer
13. Board Members' Comments/Requests
14. Public Comments *Non-Agenda Items (3 Minutes Per Speaker)*
15. Adjournment

Board of Supervisors

WildBlue Community Development District

October 30 2024, Special Meeting and Attorney-Client Executive Session Shade Meeting Agenda

Page 3

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  
AUGUST 31, 2024**

**WILDBLUE  
COMMUNITY DEVELOPMENT DISTRICT  
BALANCE SHEET  
GOVERNMENTAL FUNDS  
AUGUST 31, 2024**

	General Fund	Debt Service Fund	Capital Projects Fund	Total Governmental Funds
<b>ASSETS</b>				
Cash	\$ 411,807	\$ -	\$ -	\$ 411,807
Investments				
Revenue	-	571,488	-	571,488
Reserve	-	707,060	-	707,060
Construction	-	-	51,918	51,918
Principal	-	1	-	1
Utility deposit	400	-	-	400
Total assets	<u>\$ 412,207</u>	<u>\$ 1,278,549</u>	<u>\$ 51,918</u>	<u>\$ 1,742,674</u>
<b>LIABILITIES AND FUND BALANCES</b>				
Liabilities:				
Retainage payable	-	-	433,933	433,933
Due to other	264,520	-	-	264,520
Landowner advance	6,000	-	-	6,000
Total liabilities	<u>270,520</u>	<u>-</u>	<u>433,933</u>	<u>704,453</u>
Fund balances:				
Restricted for:				
Debt service	-	1,278,549	-	1,278,549
Capital projects	-	-	(382,015)	(382,015)
Unassigned	141,687	-	-	141,687
Total fund balances	<u>141,687</u>	<u>1,278,549</u>	<u>(382,015)</u>	<u>1,038,221</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 412,207</u>	<u>\$ 1,278,549</u>	<u>\$ 51,918</u>	<u>\$ 1,742,674</u>
Total liabilities and fund balances	<u>\$ 412,207</u>	<u>\$ 1,278,549</u>	<u>\$ 51,918</u>	<u>\$ 1,742,674</u>



**WILDBLUE  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
FOR THE PERIOD ENDED AUGUST 31, 2024**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy: on-roll - net	\$ -	\$ 625,366	\$ 622,369	100%
Total revenues	<u>-</u>	<u>625,366</u>	<u>622,369</u>	100%
<b>EXPENDITURES</b>				
<b>Professional &amp; administrative</b>				
Management/accounting/recording	4,000	44,000	48,000	92%
Legal	703	8,827	15,000	59%
Special Counsel	2,601	32,805	-	N/A
Engineering	-	51,531	15,000	344%
Audit	-	-	5,500	0%
Arbitrage rebate calculation	-	500	750	67%
Dissemination agent	83	917	1,000	92%
Trustee	-	4,246	3,950	107%
Telephone	17	183	200	92%
Postage	69	698	500	140%
Printing & binding	42	458	500	92%
Legal advertising	207	2,182	1,200	182%
Annual special district fee	-	175	175	100%
Insurance	-	6,228	6,500	96%
Contingencies/bank charges	1,830	1,830	1,200	153%
Website				
Hosting	-	705	705	100%
ADA compliance	210	210	210	100%
Total professional & administrative	<u>9,762</u>	<u>155,495</u>	<u>100,390</u>	155%
<b>Field operations</b>				
Field management	833	9,167	10,000	92%
Aquatic maintenance	6,393	52,251	78,000	67%
Conservation area maintenance	614	1,042	190,000	1%
Conservation area monitoring & reporting	935	38,189	69,000	55%
Lake bank erosion repairs	-	330,587	85,000	389%
Lake and pond services	125	125	-	N/A
Water level and quality reporting	-	-	13,000	0%
Littoral plant replacements	-	-	20,000	0%
Conservation area fence review/repairs	-	110,800	10,000	1108%
Aeration operating supplies	156	3,999	7,500	53%
Contingencies	108	1,173	10,000	12%
Shoreline/seawall repair and replacements	-	-	25,000	0%
Total field operations	<u>9,164</u>	<u>547,333</u>	<u>517,500</u>	106%
<b>Other fees and charges</b>				
Property appraiser	673	673	673	100%
Tax collector	-	1,238	1,010	123%
Total other fees and charges	<u>673</u>	<u>1,911</u>	<u>1,683</u>	114%
Total expenditures	<u>19,599</u>	<u>704,739</u>	<u>619,573</u>	114%
Excess/(deficiency) of revenues over/(under) expenditures	(19,599)	(79,373)	2,796	
Fund balances - beginning	161,287	221,061	178,216	
Fund balances - ending	<u>\$ 141,688</u>	<u>\$ 141,688</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 AUGUST 31, 2024**

	<u>Current Month</u>	<u>Year To Date</u>	<u>Budget</u>	<u>% of Budget</u>
<b>REVENUES</b>				
Special assessment: on-roll	\$ -	\$ 1,396,356	\$ 1,392,509	100%
Interest	5,279	73,937	-	N/A
Total revenues	<u>5,279</u>	<u>1,470,293</u>	<u>1,392,509</u>	106%
<b>EXPENDITURES</b>				
<b>Debt service</b>				
Principal	-	480,000	480,000	100%
Interest	-	916,919	916,919	100%
Total debt service	<u>-</u>	<u>1,396,919</u>	<u>1,396,919</u>	100%
Total expenditures	<u>-</u>	<u>1,396,919</u>	<u>1,396,919</u>	100%
Excess/(deficiency) of revenues over/(under) expenditures	5,279	73,374	(4,410)	
<b>OTHER FINANCING SOURCES/(USES)</b>				
Transfers out	-	(34,143)	-	N/A
Total other financing sources	<u>-</u>	<u>(34,143)</u>	<u>-</u>	N/A
Net change in fund balances	5,279	39,231	(4,410)	
Fund balances - beginning	1,273,270	1,239,318	1,205,966	
Fund balances - ending	<u>\$ 1,278,549</u>	<u>\$ 1,278,549</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 AUGUST 31, 2024**

	Current Month	Year To Date
<b>REVENUES</b>		
Interest	\$ 216	\$ 1,572
Total revenues	216	1,572
<b>EXPENDITURES</b>		
Total expenditures	-	-
Excess/(deficiency) of revenues over/(under) expenditures	216	1,572
<b>OTHER FINANCING SOURCES/(USES)</b>		
Transfer in	-	34,143
Total other financing sources/(uses)	-	34,143
Net change in fund balances	216	35,715
Fund balances - beginning	(382,231)	(417,730)
Fund balances - ending	\$ (382,015)	\$ (382,015)

**WILDBLUE**  
**COMMUNITY DEVELOPMENT DISTRICT**

**MINUTES**

**A**

**DRAFT**

**MINUTES OF MEETING  
WILDBLUE  
COMMUNITY DEVELOPMENT DISTRICT**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40

The Board of Supervisors of the WildBlue Community Development District will hold a Public Hearing and Regular Meeting on September 5, 2024 at 10:00 a.m., at the Community Center (Card Room), 18721 WildBlue Blvd., Fort Myers, Florida 33913.

**Present:**

Christopher Hasty	Chair
David Meyers	Vice Chair
Aaron Milosevic	Assistant Secretary

**Also present:**

Chuck Adams	District Manager
Shane Willis	Operations Manager
Wes Haber (via telephone)	District Counsel
Frank Savage	District Engineer
Carl Barraco	Barraco & Associates
John Buckholtz	Resident & WildBlue Master Assoc. Board
Rick Bennington	Resident & WildBlue Master Assoc. Board

**Residents present:**

Kristi Houston	Roseanne Duffy	Mary Lanese	Veronia Trapina
Lisa Tilson	Other residents		

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 10:02 a.m. Supervisors Milosevic, Hasty and Meyers were present. Two seats were vacant.

**SECOND ORDER OF BUSINESS**

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

Resident Kristi Houston stated that Lee County approved the settlement with Lennar for the Alico property for \$1,360,000, less than Lennar’s original \$3.8 million price. She stated that

41 the reduction in price is allowing the County to be responsible for restoration of the property,  
42 as opposed to Lennar. She asked if landscaping will be restored, in kind. Mr. Hasty will review  
43 the settlement documents and report his findings; he does not know if the approved  
44 settlement is a pre-authorization by the County Board for the County to pay that amount while  
45 continuing negotiations.

46 Resident and WildBlue Master Association Board Member John Buckholtz asked Mr.  
47 Barraco if the County creates the restoration design drawings or if they just do their road and  
48 the CDD or POA does what is needed to restore the ponds, roadways, etc. Mr. Barraco stated  
49 that it is dependent on what was agreed upon in the Settlement Agreement; typically, the  
50 Florida Department of Transportation (FDOT) handles everything that is required.

51 Regarding reducing the pond size, Mr. Savage recalled, from the Engineer's giving the  
52 description of what they were doing as 100% of the pond size and since the actual constructed  
53 size of the ponds exceeded that, they now need to restore the pond back to the size required  
54 by the permit. The County cannot change the permits, as that would put the CDD into a non-  
55 compliance status. Mr. Hasty stated that the County is permitting the right-of-way (ROW) and  
56 will have to modify any other adjacent permits that are impacted. Mr. Barraco stated that he  
57 would need direction from the Board to review the State's plans. He pointed out that CDD  
58 permits that request modifications require notifying the CDD and the level of service for the  
59 roadway, the minimum is a five-year storm; the roads will flood well before the homes, as they  
60 were constructed at or above a 100-year storm event level, which is a State requirement.

61

### 62 **THIRD ORDER OF BUSINESS**

### **Updates**

63

64 Mr. Adams stated Items 3A and 3C go together and will be combined on future agendas.

#### 65 **A. Lake Bank Erosion Repair Project**

66 Mr. Savage distributed updated maps of the lake bank and retaining wall easement  
67 areas. He pointed to the notation on the maps indicating "These are draft exhibits for the  
68 September 5, 2024 meeting and that the information presented today is provided to show the  
69 progress made and for discussion purposes only, it is not intended to be binding in any way, as  
70 it is not ready for mass distribution."

71 Mr. Savage highlighted the following:

72 ➤ The goal of the cover page is to capture all the identified erosion spanning the CDD and  
73 the surface water management lake on a single sheet.

74 ➤ The additional purpose is to identify the intended party responsible for remediating  
75 those conditions, which he is still refining and verifying.

76 ➤ All the subsequent pages of the Exhibit first show the pieces that are identified as being  
77 the builder's obligations for associating with this, per a prior Agreement and the subsequent  
78 pages to that are the CDD's obligations.

79 ➤ All the linear erosion identified on the map is categorized under the CDD's obligation to  
80 remediate, as that occurs from tidal surge, wave action.

81 ➤ All the localized erosion areas identified on the map, such as washouts, are obligations  
82 that will vary based on the Settlement Agreement; most cases are orchestrated on private  
83 property.

84 ➤ Notes 4A and 4B delineate locations where washouts are occurring at the interface  
85 between a CDD obligation and a builder obligation.

86 ➤ Localized erosion was identified, such as washouts occurring over previously existing  
87 linear erosion. Considering the existing lineage erosion that was previously identified and then,  
88 subsequently, there was a localized washout that has been identified. In those cases the  
89 localized washouts are also being identified as the builders responsibility, as they have to  
90 restore those areas and make it suitable and not be exasperated by the additional erosion.

91 ➤ This information is being presented to see the direction of the project and to have a  
92 transparent exhibit that can then lead to action and coordination between both the CDD and  
93 presumably the builders to commence projects during the dry season.

94 Mr. Savage asked for any feedback between meetings to be emailed to Mr. Adams to  
95 forward him.

96 Mr. Savage, Mr. Barraco and Mr. Adams responded to questions regarding each builder  
97 establishing their own remediation plan, the CDD and the District Engineer managing the  
98 process and adding financing for the retaining wall project. It was noted that the delineation  
99 between the CDD and Developer is based upon the date of the Developer Agreement, not when  
100 the home closed, versus how the damage occurred.

101 Mr. Savage stated that he will update the maps to address comments he received about  
102 readability; he expects to distribute the final version prior to the next meeting. Mr. Barraco  
103 pointed out that the CDD is responsible to the State to operate and maintain the easements; it  
104 does not matter who is creating the problem and when everything is built, it is important to  
105 have a Maintenance Plan.

106 Asked about tracking conditions over time, Mr. Savage stated that, once the water  
107 levels drop, additional layers will be added to the map indicating the conditions prior to the  
108 commencement of work.

109 Regarding who conducts an annual inspection, Mr. Barraco stated that it depends on  
110 who the CDD engages. He recommends the CDD conduct inspections at the end of the wet  
111 season and at the beginning.

112 Discussion ensued regarding reconciling discrepancies, clarifying the number of homes  
113 the CDD is responsible for, bond issuance, determining which phase is next, layering phases on  
114 the map, etc.

115 Mr. Adams recommends adding routine inspections to the SOLitude Lake Maintenance  
116 Contract, once the repairs are completed. Mr. Willis stated that it is in SOLitude's contract to  
117 have the structures visually inspected once a year.

118 Asked if the County will retain maintenance responsibilities for the two inlets in Latitude  
119 Lake, Mr. Adams replied affirmatively. Mr. Barraco stated that those inlets drain into the  
120 County's stormwater system.

121 Mr. Savage presented the draft retaining wall map. He highlighted the following:

- 122 ➤ The cover page was designed to capture the entirety of the lake, at a glance, and shows  
123 what the CDD identified as the three phases.
- 124 ➤ The focus initially is on the portions that were identified as being damaged.
- 125 ➤ Phases 1 and 2 are generally the damaged portion of the wall, because there are little  
126 gaps that were not damaged. Regarding the area most severely impacted by the hurricane,  
127 whether to install riprap across the entirety of the north , which was most severely impacted by  
128 the hurricane, or try to isolate it to those areas and avoid those portions that were gaps will  
129 need to be discussed.



130 ➤ Regarding a comment from the last meeting indicating that this project could proceed  
131 without any additional entitlement work, Mr. Savage clarified that there is no active Lee County  
132 Development Order over this work; at a minimum, any work will likely require a new Limited  
133 Development Order (LDO), with the understanding that it is more or less reverting to a  
134 previously approved section. The initial Phase would have the damaged retaining wall  
135 remaining in place. Mr. Barraco stated that the County requires an LDO before asking to do the  
136 maintenance work.

137 ➤ Regarding the southern portion, the minor areas on the southern portion should be  
138 identified and verified to the extent it would require riprap as well, or those pieces could be  
139 revisited separately.

140 ➤ Phase 1 would add protection and may or may not be sufficient; therefore, each of the  
141 subsequent phases are considered optional phases.

142 ➤ The Phase 2 option essentially merges the riprap with the existing Cummins Cederberg  
143 Section Options 5 and 6.

144 ➤ This information is to help obtain pricing and dialog if the Phase 1 scope is not sufficient.

145 ➤ The Cummins Cederberg Report involved putting new retaining walls over the vast  
146 majority. Phase 3 shows a few small areas as damaged and recommends looking at those to  
147 determine what repairs are necessary. Generally, Phase 3 constitutes the southern undamaged  
148 portion and would potentially constitute a retaining wall cap replacement and/or stone  
149 addition over the southern portion.

150 Mr. Savage asked permission to coordinate some details with Cummins Cederberg, such  
151 as the requirements for the height of the breakwater, which connects back to their tidal  
152 analysis, and the size of the stone.

153 Mr. Savage and Mr. Barraco responded to questions regarding the breakwater, potential  
154 impact to the boat dock, the Phase 3 minor enhancements to the undamaged portion of the  
155 wall, etc.

156 Regarding the breakwater, Mr. Barraco stated that the CDD will have to ask Cummins  
157 Cederberg to connect the breakwater to the wall if it is within 5' of the wall, if it is more than  
158 that, then construct it separate from the wall.

159 Asked what can be done now to start protecting property while going through the  
160 permit process, Mr. Barraco stated that there is adequate time to have Cummins Cederberg  
161 install the riprap before the next season; the CDD should consider adding littoral shelves in  
162 some areas. He noted the breakwater should start where the steep slope ends.

163 Mr. Barraco stated that the next steps would be to obtain prices and have Cummins  
164 Cederberg work with Mr. Adams in preparing construction plans, which will consist of phases.  
165 Outstanding questions to confirm with Cummins Cederberg are the size and availability of local  
166 rocks that are adequate for the breakwater, provide a cost analysis and add language in the bid  
167 advising of the breakwater and how contractor plans to access the wall.

168 A concern was voiced about putting the wall back as it was and a request was made to  
169 see how Cummins Cederberg will remediate the Deadman’s situations. Mr. Barraco stated that  
170 the idea is that no one has designed a retaining wall with a breakwater in place.

171 A suggestion was made to complete a baseline and, each year, use budgeted funds for  
172 wall enhancements to improve the structure.

173 Discussion ensued regarding the next steps, asking Cummins Cederberg to prepare the  
174 scope by next week, wanting the riprap breakwater to be under construction as soon as  
175 possible and the funding sources being from a bond issue and a Developer contribution.

176 **B. Retaining Wall Order of Magnitude Pricing for Selected Rebuild Options**

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

178 **C. Updated District Map Regarding CDD Localized Lake Bank Erosion Repairs**  
179 **Responsibility Versus Builders**

180 This item was discussed during Item 3A.

181 **D. Fuel Station Site**

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

183

184 **FOURTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year  
2024/2025 Budget**

185

186

187 **A. Affidavit of Publication**

188 **B. Consideration of Resolution 2024-08, Relating to the Annual Appropriations and**  
189 **Adopting the Budget(s) for the Fiscal Year Beginning October 1, 2024, and Ending**

190 **September 30, 2025; Authorizing Budget Amendments; and Providing an Effective**  
191 **Date**

192 Mr. Adams presented the proposed Fiscal Year 2025 budget. He highlighted any  
193 increases, decreases and adjustments, compared to the Fiscal Year 2024 budget, and explained  
194 the reasons for any changes. He noted that some of the Engineer’s costs related to Cummins  
195 Cederberg, lake bank erosion and the retaining wall will be reimbursable to the CDD. The  
196 proposed Fiscal Year 2025 Operations Maintenance (O&M) assessment will decrease slightly  
197 compared to Fiscal Year 2024.

198 **Mr. Adams opened the Public Hearing.**

199 No affected property owners or members of the public spoke.

200 **Mr. Adams closed the Public Hearing.**

201

202 **On MOTION by Mr. Hasty and seconded by Mr. Milosevic, with all in favor,**  
203 **Resolution 2024-08, Relating to the Annual Appropriations and Adopting the**  
204 **Budget(s) for the Fiscal Year Beginning October 1, 2024, and Ending September**  
205 **30, 2025; Authorizing Budget Amendments; and Providing an Effective Date,**  
206 **was adopted.**

207

208

209 **FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-09,**  
**Providing for Funding for the FY 2025**  
**Adopted Budget(s); Providing for the**  
**Collection and Enforcement of Special**  
**Assessments, Including but Not Limited to**  
**Penalties and Interest Thereon; Certifying**  
**an Assessment Roll; Providing for**  
**Amendments to the Assessment Roll;**  
**Providing a Severability Clause; and**  
**Providing an Effective Date**

219

220 **On MOTION for by Mr. Hasty and seconded by Mr. Milosevic, with all in favor,**  
221 **Resolution 2024-09, Providing for Funding for the FY 2025 Adopted Budget(s);**  
222 **Providing for the Collection and Enforcement of Special Assessments, Including**  
223 **but Not Limited to Penalties and Interest Thereon; Certifying an Assessment**  
224 **Roll; Providing for Amendments to the Assessment Roll; Providing a**  
225 **Severability Clause; and Providing an Effective Date, was adopted.**

226

227

228 **SIXTH ORDER OF BUSINESS** **Acceptance of Unaudited Financial**  
229 **Statements as of July 31, 2024**

230  
231 Asked why the “Conservaton area fence review/repairs” budget line item exceeds  
232 budget, Mr. Adams stated it is because \$95,000 needs to be recoded to the “Conservation area  
233 maintenance” line item and also because additional repairs were needed during the year.

234 Mr. Adams presented the Unaudited Financial Statements as of July 31, 2024. He  
235 pointed out that unassigned funds were used to pay Crocker Land Development for the CDD-  
236 related lake bank erosion repair projects for localized washouts, as the CDD \$300,000 line of  
237 credit to fund this unbudgeted expense is still pending.

238 The financials were accepted.

239 **▪ Retaining Wall Order of Magnitude Pricing for Selected Rebuild Options**

240 **This item, previously Item 3B, was presented out of order.**

241 Mr. Haber stated that Lennar’s Counsel called before the meeting to convey Lennar’s  
242 willingness to make a substantial money offer towards the repair of the wall, which he  
243 conveyed to the CDD’s Litigation Counsel, who advised not to state the specific amount on the  
244 record until the CDD has more details regarding the global settlement; any payment will be in  
245 exchange for some settlement terms.

246 Mr. Haber stated that Lennar’s Counsel asked him to convey to the CDD that Lennar  
247 believes, based on their discussion with their Counsel and experts, that they have a very strong  
248 case with respect to defenses on any claim and that the offer they are making is being made  
249 because they want to be a “good Developer” and do right by their customers and residents  
250 within the CDD and not because they believe there is a valid claim in the pending litigation or by  
251 the CDD or that they are obligated to do so.

252 Mr. Haber requested a Special meeting in two weeks to discuss Lennar’s proposal and  
253 terms; Lennar would like to proceed with any potential payment and settlement relatively  
254 quickly. The CDD’s Litigation Counsel suggested not discussing the settlement amount or taking  
255 public comments at the Special Meeting.

256 Mr. Haber agreed with Mr. Adams’ suggestion to continue this meeting to September  
257 19, 2024 to avoid noticing a Special Meeting, subject to amending the agenda. He asked to post  
258 the revised agenda on the CDD website.

259

260

261

262

263

**On MOTION by Mr. Hasty and seconded by Mr. Milosevic, with all in favor, authorizing Staff to amend the agenda to include “Consideration of Lennar’s Proposed Settlement Offer Regarding the Retaining Wall” and post the updated agenda on the CDD website, was approved.**

264

265

266

- **Fuel Station Site**

267

**This item, previously Item 3D, was presented out of order.**

268

269

270

271

272

273

Mr. Barraco stated that he and Mr. Adams spoke to CDD’s Counsel from Lewis, Longman & Walker P.A. (LLW); they filed a petition to challenge the South Florida Water Management District (SFWMD) permit issued for the commercial parcel and an amended petition for a formal administrative hearing. LLW believes the CDD has a chance. He will provide updates. In response to the question of whether resident input will help the situation, Mr. Adams stated that he will have the amended complaint posted on the CDD website.

274

275

276

277

278

279

Mr. Buckholtz stated that the WildBlue Master Association transitioned from a Landowner Board to a Resident Board and, as it is now in control of the roads and gatehouse, the Master Association is requesting the final roadway plans from the Developer to review at the September 9, 2024 meeting. Mr. Hasty stated that the CDD operates the permit that they modified without consulting the Board and are now tapping into the CDD’s system; therefore, the CDD is looking into whether they can force them to comply with certain things.

280

- **District Engineer: Barraco and Associates, Inc.**

281

**This item, previously Item 8B, was presented out of order.**

282

283

284

Mr. Barraco stated that he was asked to attend a meeting with Lee County FDOT regarding a traffic signal at Corkscrew Road and Wildblue Boulevard. He will provide an update at the next meeting.

285

- **Presentation: Potential Landscape Buffer**

286

287

288

Mr. Barraco stated that the gas station plans for the buffer are not available as they are still under review with Lee County; the plans were requested via a Freedom of Information Act (FOIA) request.

289            Regarding if there are plans for along the top of the lake bank on CDD property, the CDD  
290 only has an easement for drainage and would have to request a landscape easement from Pulte  
291 for landscaping.

292

293 **SEVENTH ORDER OF BUSINESS**

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

294

295

296            Mr. Willis presented the August 1, 2024 Regular Meeting Minutes.

297            A Board Member asked if, above Line 145, there should be a bullet item “Item 3A” citing  
298 “Continuation of Lake Bank Erosion Repair Project” to delineate the two topics. Mr. Willis  
299 stated that he will listen to the audio and make any necessary changes.

300            The following change was made:

301            Line 22: Change “SOLitude” to “resident”

302

303            **On MOTION by Mr. Milosevic and seconded by Mr. Meyers, with all in favor,**  
304            **the August 1, 2024 Regular Meeting Minutes, as amended and including any**  
305            **additional changes after Staff listens to the audio, were approved.**

306

307

308 **EIGHTH ORDER OF BUSINESS**

**Staff Reports**

309

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

- 311            • **Continued Discussion/Update: Construction Litigation Regarding Retaining**
- 312            **Wall Repairs**

313            This item was discussed during Item 3B.

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

- 315            • **Presentation: Potential Landscape Buffer**

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

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

- 318            • **NEXT MEETING DATE: October 3, 2024 at 10:00 AM**

- 319            ○ **QUORUM CHECK**

320 All Supervisors confirmed their attendance at the Continued Meeting to be held on  
 321 September 19, 2024 at 10:00 a.m., at the Community Center (Card Room), 18721 WildBlue  
 322 Blvd., Fort Myers, Florida 33913.

323

324 **NINTH ORDER OF BUSINESS** **Board Members’ Comments/Requests**

325

326 There were no Board Members’ comments or requests.

327

328 **TENTH ORDER OF BUSINESS** **Public Comments Non-Agenda Items (3**  
 329 **Minutes Per Speaker)**

330

331 Resident Lisa Tilson asked if the CDD can send the Master Board a revised  
 332 recommendation before proceeding with the breakwater option, to ensure that the docks they  
 333 will be approving are correct. Mr. Willis stated that he will have Mr. Savage ask if Cummins  
 334 Cederberg is including how adding the breakwater is going to affect future dock installations,  
 335 existing docks and lake views.

336 Resident Veronica Trapina stated that the HOA rolls listed more than 250 boats.

337 A resident suggested the landscape permit include installing a fence on the Corkscrew  
 338 easement. Mr. Barraco commented about obtaining the 20’ lake maintenance easement and  
 339 noted that it will dimmish views and ensure privacy of the residents. Mr. Willis stated that the  
 340 CDD should wait until knowing what the gas station’s Limited Development Order (LDO)  
 341 requires, as it might not be needed.

342 Resident and WildBlue Master Association Board Member Rick Bennington stated that  
 343 now that Pulte conveyed the land to the Master Association, he believes they are better suited  
 344 to handle fencing and landscaping easement matters.

345

346 **ELEVENTH ORDER OF BUSINESS** **Adjournment**

347

348 There being nothing further to discuss the meeting recessed at 12:15 p.m., and was  
 349 continued to September 19, 2024 at 10:00 a.m., at the Community Center (Card Room), 18721  
 350 WildBlue Blvd., Fort Myers, Florida 33913.

351  
352  
353  
354  
355  
356

---

Secretary/Assistant Secretary

---

Chair/Vice Chair



**WILDBLUE**  
**COMMUNITY DEVELOPMENT DISTRICT**

**MINUTES**

**B**

**DRAFT**

**MINUTES OF MEETING  
WILDBLUE  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the WildBlue Community Development District held a Continued Regular Meeting on September 19, 2024 at 10:00 a.m., at the Community Center (Card Room), 18721 WildBlue Blvd., Fort Myers, Florida 33913.

**Present:**

Christopher Hasty	Chair
David Meyers	Vice Chair
Aaron Milosevic	Assistant Secretary

**Also present:**

Chuck Adams	District Manager
Shane Willis	Operations Manager
Wes Haber (via telephone)	District Counsel
Frank Savage (via telephone)	District Engineer
Carl Barraco (via telephone)	Barraco & Associates
John Buckholtz	Resident & WildBlue Master Assoc. Board
Rick Bennington	Resident & WildBlue Master Assoc. Board

**Residents in attendance:**

Kristi Houston	Roseanne Duffy	David Harden	Eva Harden	Steve Riggs
John Gallagher	Other residents			

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 10:01 a.m.

Supervisors Milosevic, Hasty and Meyers were present. Two seats were vacant.

**SECOND ORDER OF BUSINESS**

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

This item was presented following the Third Order of Business.

41 **THIRD ORDER OF BUSINESS****Discussion: Lennar Retaining Wall  
Settlement Offer**42  
43

44 Mr. Haber stated that, subsequent to presenting Lennar’s proposed offer at the last  
45 meeting, which excluded the terms, he received a “Contribution and Release Agreement” from  
46 Lennar’s Counsel and forwarded it to CDD Litigation Counsel. CDD Litigation Counsel reviewed  
47 the Agreement and believes the best approach is to hold a Shade Session to discuss the  
48 Agreement in more detail.

49 Mr. Haber stated that the Agreement is viewed as a confidential settlement  
50 communication and all related discussions about the offer are viewed as Attorney/Client  
51 privilege. He discussed the Florida Statute with regard to the Sunshine Law and Shade Sessions.  
52 CDDs can hold Shade Sessions, which are typically held within a public meeting, but limits the  
53 parties who can attend a Shade Session for the purpose of discussing subject matters confined  
54 to pending litigation the CDD is a party to and strategy sessions related to the litigation and  
55 expenditures. Members of the public cannot attend the shade portion of the meeting; however,  
56 the Court Reporter will transcribe the Shade Session verbatim and the information from that  
57 Shade Session will be made public once the litigation has concluded.

58 Mr. Haber formally requested a Shade Session to obtain advice regarding the outstanding  
59 litigation “Terry Kurth, derivatively on behalf of WildBlue Master Property Association, Inc.,  
60 versus Lennar Homes, Pulte Home Company, LLC, and a number of other parties including the  
61 CDD”.

62 The notice for the Shade Session will include the Board Members, Mr. Adams, Mr. Haber,  
63 CDD Litigation Counsel Chris Fiore and David Gurley and a Court Reporter as the participants.

64 Scheduling the Shade Session on October 3, 2024, was suggested, which is the same date  
65 as the Regular meeting, subject to attendee’s availability and developing the agenda for the  
66 regular meeting.

67 Mr. Haber discussed the advertising requirements for scheduling the Shade Session.

68

69 **On MOTION by Mr. Hasty and seconded by Mr. Meyers, with all in favor,**  
70 **authorizing the District Manager to coordinate with District Counsel, Special**  
71 **Litigation Counsel, the Board, and a Court Reporter and schedule a Shade**

72 Session, preferably during the October 3, 2024 Regular Meeting, subject to the  
 73 availability of all parties, or on another agreed upon date, and posting the Shade  
 74 Session on the CDD website, was approved.

75  
 76  
 77 **Public Comments: Agenda Items (3 Minutes Per Speaker)**

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

79 No members of the public spoke.

80  
 81 **FOURTH ORDER OF BUSINESS**

**District Manager: Wrathell, Hunt and Associates, LLC**

82  
 83  
 84 **• NEXT MEETING DATE: October 3, 2024 at 10:00 AM**

85 **○ QUORUM CHECK**

86 All Supervisors confirmed their attendance at the October 3, 2024 meeting.

87  
 88 **FIFTH ORDER OF BUSINESS**

**Board Members' Comments/Requests**

89 Mr. Haber was asked to email Lennar's Contribution and Release Agreement to the Board,  
 90 which is deemed a privileged and confidential document. Asked how confidentiality works in this  
 91 instance, Mr. Haber stated that individual Board Members can discuss confidential items, like the  
 92 Lennar Agreement, solely with Mr. Haber, Mr. Adams or Litigation Counsel outside of a meeting.  
 93 Board Members were asked to submit their comments about the Agreement to Mr. Haber in  
 94 advance of the Shade Session.  
 95

96  
 97 **SIXTH ORDER OF BUSINESS**

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

98  
 99  
 100 A resident asked if Mr. Barraco was able to obtain the order of magnitude pricing. Mr.  
 101 Savage stated that this is still ongoing, he expects to have them for the upcoming meeting. Mr.  
 102 Barraco stated he was able to find a source for the riprap close to the project.

103 A resident asked if there will be a chance to make public comments after Mr. Haber  
 104 finishes presenting the actual figure. Mr. Adams stated that everything is confidential until, at a  
 105 minimum, following the upcoming Shade Session.

106 Resident David Harden thinks there is an urgency to start the project, as water levels have  
107 risen and wave action is washing in behind the remnants of the retaining wall behind his home.  
108 Mr. Adams stated that Mr. Barraco and Mr. Savage are working on the Project Manual for Phase  
109 1 of the project, which is to stabilize exposed areas first.

110 Resident Eva Harden asked if the Board will decide and negotiate the terms of the Lennar  
111 Agreement in the Shade Session or if homeowners will get to vote on the matter. She hopes the  
112 two new "resident" Board Members will be part of the decision-making process. Mr. Adams  
113 stated that elected Board Members have a fiduciary duty to serve the interest of the  
114 homeowners and will decide this matter in the Shade Session and deliver that information to the  
115 public at the appropriate time. It will not include Board Members-Elect John Buchholz and  
116 Richard Bennington, who ran unopposed, as their terms will not start until the certification period  
117 ends in November, which is at least two weeks following the General Election.

118 Discussion ensued regarding the purpose of Shade Sessions, what occurs and why the  
119 public does not participate in them. It was noted that discussion of negotiation strategy in public  
120 meetings is not in the best interest of the CDD since Lennar's Attorneys could listen to the audio  
121 and read the meeting minutes.

122 Discussion ensued regarding whether the new Board Members can be seated on the  
123 Board early so they can participate in the negotiations and possibly deferring negotiations until  
124 December, to avoid a perception of a conflict of interest since Lennar employees hold seats on  
125 the Board.

126 In response to a question, Mr. Hasty stated that VistaBlue CDD, in terms of the community  
127 and the situation of the storm and the infrastructure, is similar to WildBlue CDD; however,  
128 VistaBlue CDD does not have outstanding litigation or residents who voiced concerns that the  
129 two Board Members who qualified for the election do not have a conflict of interest.

130 Mr. Bennington stated there is not a conflict of interest, as he and Mr. Bucholtz are not  
131 named parties in the litigation. Mr. Hasty stated that he has been advised not to appoint new  
132 Board Members before they are statutorily required to be on the Board.

133 Mr. Buchholtz asked for the negative to allowing the new Board Members attend the  
134 Shade Session and knowing the settlement figure. Mr. Willis stated that, if the settlement amount

135 is leaked to the community before the litigation is finalized, the Developer could decide to  
136 withdraw the offer.

137 Mr. Harden wants the Board to do its best to impress upon Lennar how hard they are as  
138 negotiators on behalf of the CDD.

139 A resident asked how the Board will be able to negotiate Lennar’s offer without knowing  
140 the project cost. She questions why the Board would not be transparent and wait until December  
141 to negotiate with Lennar.

142 Resident John Gallagher agreed with the prior comment and asked how the Board can  
143 negotiate without having a definite plan to complete the repairs or know the costs. Mr. Hasty  
144 recalled proposing several times that the CDD proceed with VistaBlue CDD’s same process of  
145 issuing bonds for the repairs that need to be done and deciding if the CDD would be successful  
146 seeking full reimbursement from any and all sources, as it is an expensive process.

147 A resident asked Mr. Hasty if he knows if Pulte and Stock took a position regarding the  
148 litigation or if there were any offers where they would participate in the expense going forward.  
149 Mr. Hasty replied no, nothing yet; mostly they have been non-responsive.

150 Resident Roseanne Duffy asked if the Litigation Attorney is aware of what the Engineer  
151 discovered and reported on and whether they will suggest settling monetarily or via repairs. Mr.  
152 Hasty replied affirmatively, as construction litigators, they reviewed all the documentation to  
153 determine whether it was a patent or latent defect potential of the claim; the terms at this point  
154 are unknown.

155

156 **SEVENTH ORDER OF BUSINESS**

**Adjournment**

157

158 **On MOTION by Mr. Meyers and seconded by Mr. Milosevic, with all in favor, the**  
159 **meeting adjourned at 10:55 a.m.**

160  
161  
162  
163  
164

---

Secretary/Assistant Secretary

---

Chair/Vice Chair

**WILDBLUE**  
**COMMUNITY DEVELOPMENT DISTRICT**

**STAFF**  
**REPORTS B**



## Brendha Silva

**Subject:** FW: WildBlue CDD - potential landscape buffer

**From:** Frank Savage <[franks@barraco.net](mailto:franks@barraco.net)>

**Sent:** Friday, August 23, 2024 1:09 PM

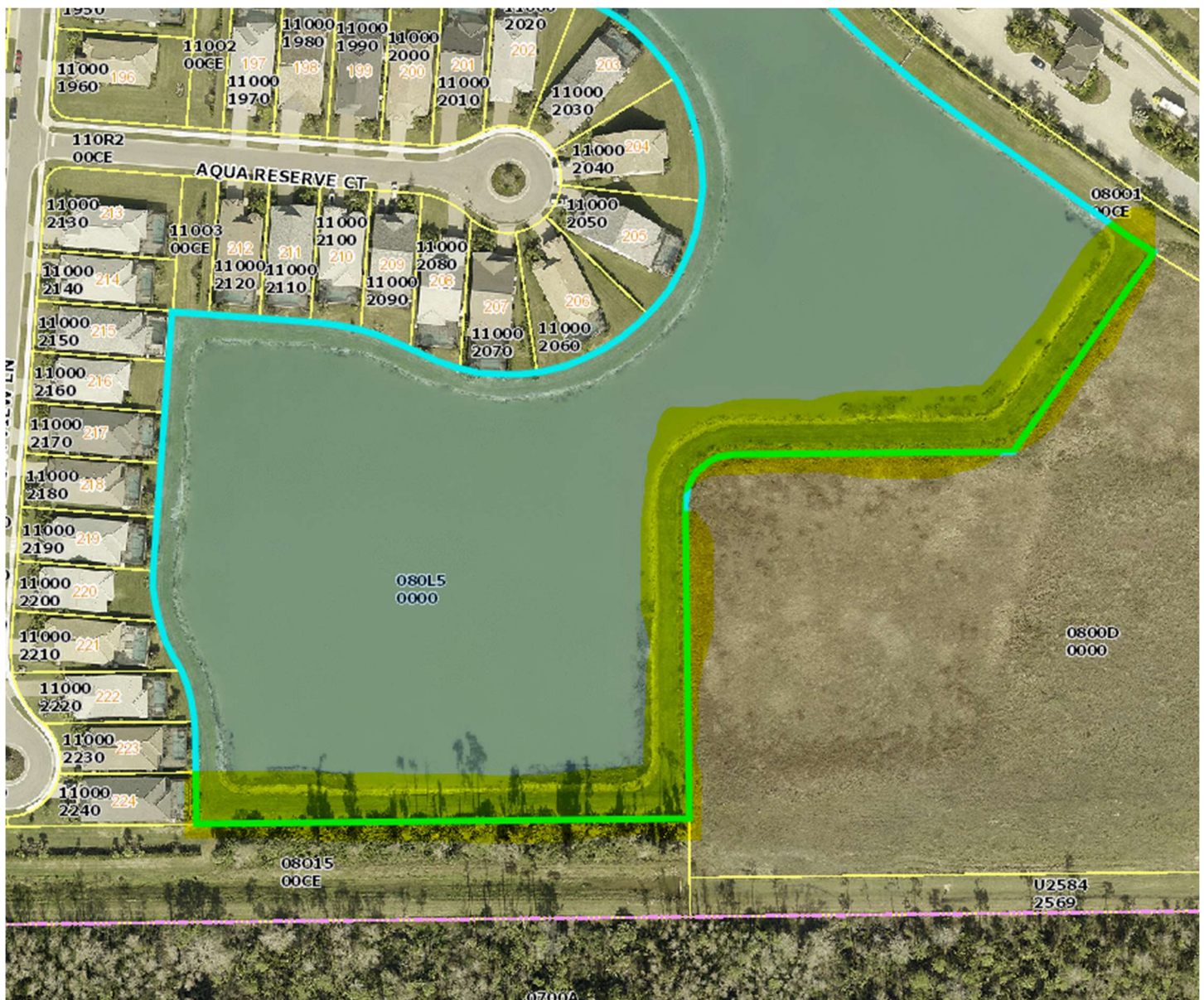
**To:** Chuck Adams <[adamsc@whassociates.com](mailto:adamsc@whassociates.com)>; 'Christopher Michael Hasty ([chrishastycdd@gmail.com](mailto:chrishastycdd@gmail.com))' <[chrishastycdd@gmail.com](mailto:chrishastycdd@gmail.com)>; Haber, Wesley S. <[Wesley.Haber@KutakRock.com](mailto:Wesley.Haber@KutakRock.com)>; shane willis <[williss@whassociates.com](mailto:williss@whassociates.com)>

**Cc:** Carl A. Barraco <[CarlB@barraco.net](mailto:CarlB@barraco.net)>

**Subject:** WildBlue CDD - potential landscape buffer

Good afternoon,

At the last CDD BOS meeting, there was a follow-up request from the previous meeting to investigate the feasibility of installing plantings over the lands shown below (highlighted area).



Per LeePA.org the real property is owned by Pulte and the recorded plat (instrument 2018000070231) has dedication in favor of the CDD over the entire lake tract (tract L-5), which includes the highlighted area (see plat dedication language below).

**DEDICATION**

KNOW ALL MEN BY THESE PRESENTS THAT ALICO EAST FUND LLC, A FLORIDA LIMITED LIABILITY COMPANY, PULTE HOME COMPANY, LLC, A MICHIGAN LIMITED LIABILITY COMPANY AND LENNAR HOMES, LLC, A FLORIDA LIMITED LIABILITY COMPANY, THE OWNERS OF THE LAND HEREIN DESCRIBED HAS CAUSED THIS PLAT OF WILDBLUE SOUTHWEST, A REPLAT OF ALL OF TRACT "F-2", WILDBLUE PHASE 2, RECORDED IN INSTRUMENT No. 2018000070231, LEE COUNTY RECORDS, A SUBDIVISION LYING IN SECTIONS 17, 18, 19 AND 20, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, TO BE MADE, AND DOES HEREBY :

1. RESERVES TO ALICO EAST FUND LLC:

A) TRACT "D" FOR COMMERCIAL DEVELOPMENT PURPOSES.

2. RESERVES TO PULTE HOME COMPANY, LLC:

A) TRACTS "F-1" AND "F-2" FOR FUTURE DEVELOPMENT PURPOSES.

3. DEDICATE TO THE WILDBLUE COMMUNITY DEVELOPMENT DISTRICT, WITH RESPONSIBILITY FOR MAINTENANCE:

- A) TRACTS "L-1", "L-2", "L-3", "L-4", "L-5" AND "L-6" FOR LAKE PURPOSES.
- B) ALL ACCESS EASEMENTS (A.E.), LAKE ACCESS EASEMENTS (L.A.E.), LAKE MAINTENANCE EASEMENTS (L.M.E.) AND ALL DRAINAGE EASEMENTS (D.E.).

4. DEDICATE TO THE WILDBLUE MASTER PROPERTY OWNERS ASSOCIATION, INC, WITH RESPONSIBILITY FOR MAINTENANCE:

- A) TRACTS "O-1", "O-2", "O-3", "O-4", "O-5" AND "O-15" FOR OPEN SPACE.
- B) TRACTS "R-1", "R-2", "R-3" AND "R-4" FOR PRIVATE ROAD RIGHT OF WAY.
- C) ALL IRRIGATION EASEMENTS (I.E.)

7. DEDICATE AND TO A TIME TO I PERFORM OBLIGATI INGRESS

- A) A NON ACRO.
- B) ALL PI

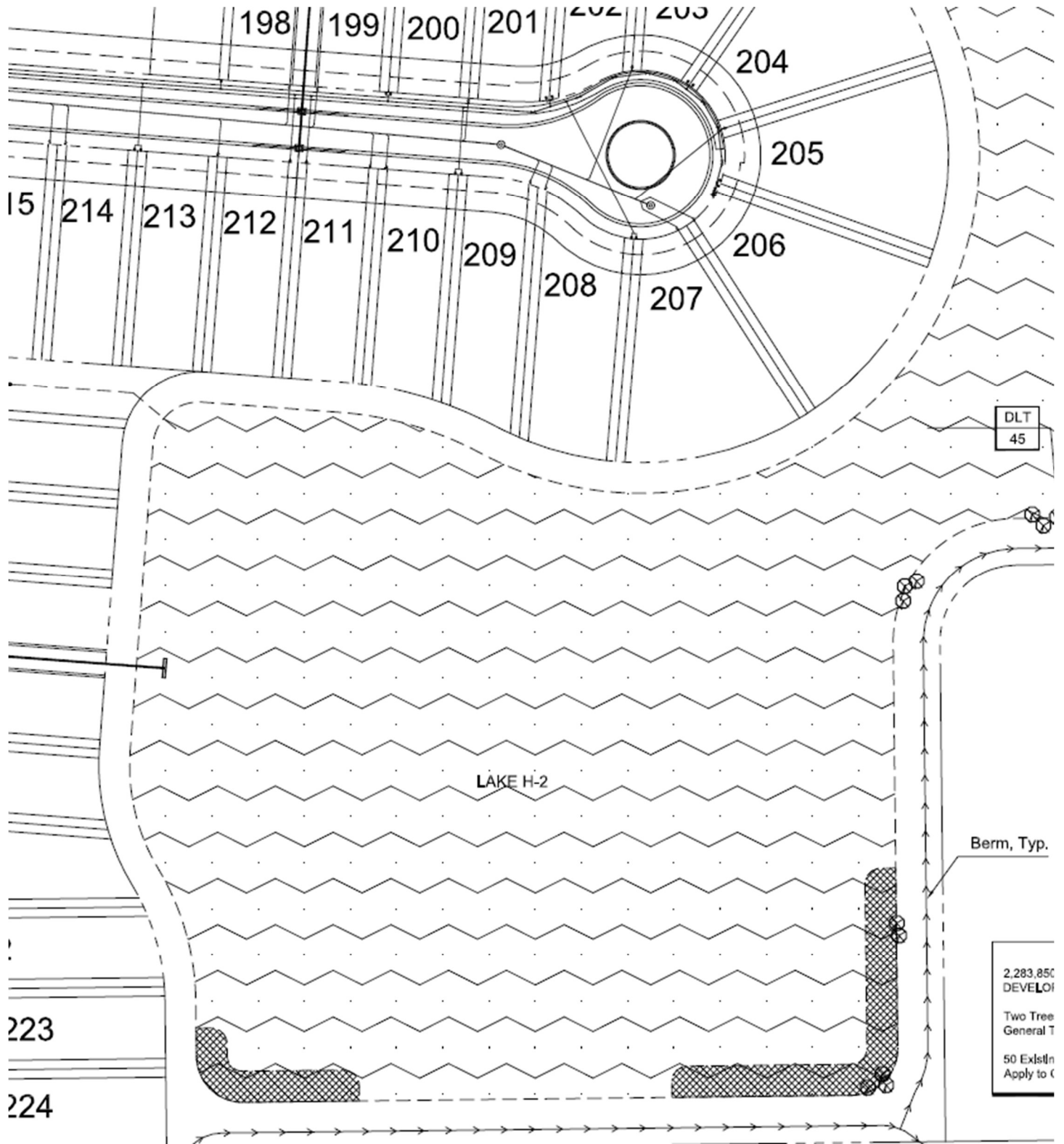
THE PUBL THE CONS TELEVISIK MAINTEN/ SERVICES COMPLY V PUBLIC SI THE FACIL RESPON

8. DEDICATE DISTRICT, ACROSS '

9. DEDICATE COUNTY):

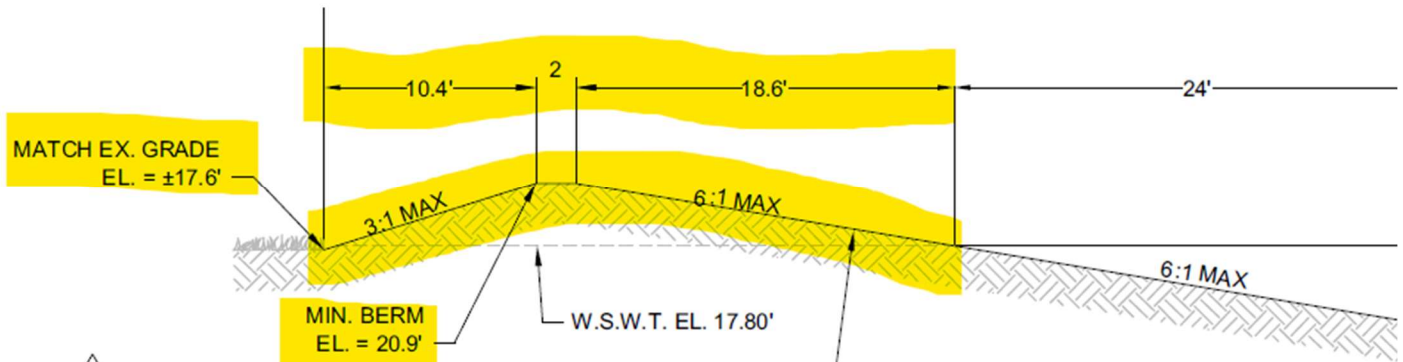
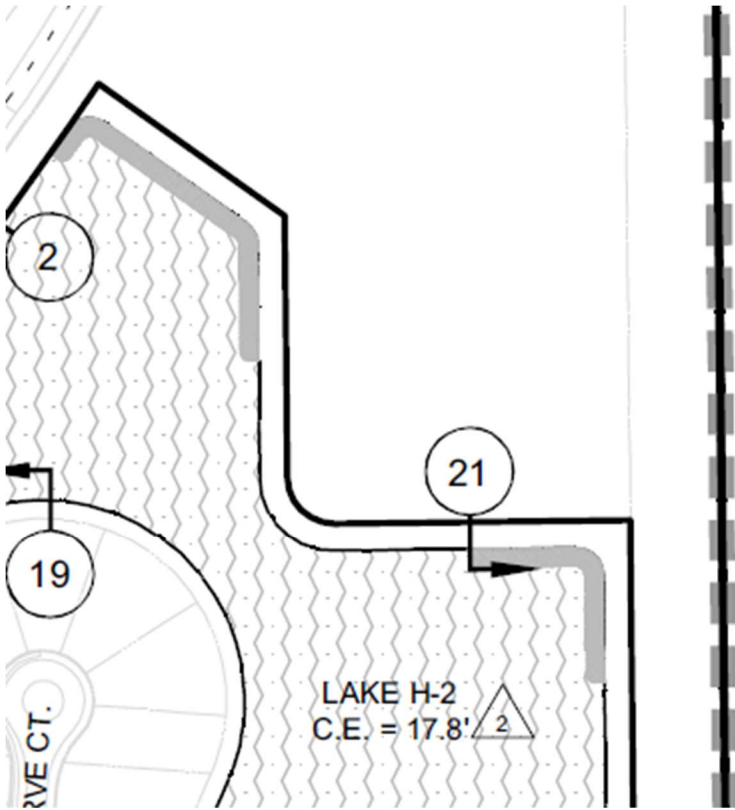
A) THOSE

I have located and identified the approved landscape plans for this area, permitted under DOS2018-00007. There are required deep lake trees scattered throughout the area but no other required plantings (please see below).



The approved typical cross-section for this area shows the property extends roughly 31 feet landward of control elevation to what I assume is the property line (please see below).





2 FOR LAKE BANKS, A MINIMUM OF 95% OF THE MAXIMUM DRY DENSITY (MODIFIED PROCTOR) FOR EMBANKMENTS THAT WILL SUPPORT STRUCTURES, AND 90% OF MAXIMUM DRY DENSITY (MODIFIED PROCTOR) FOR OTHER EMBANKMENTS IN ACCORD WITH ASTM D1557 MUST BE OBTAINED [10-329(D)(4)A.]

21

## BASIN H: EXISTING GROUND TC

N.T.S.

Altogether, it appears the CDD has authorization to access the property and has an ongoing obligation to maintain the property as required for lake purposes. Additionally, the property appears to have sufficient width to accommodate additional landscaping so long as the required banks and berm can be maintained. However, since the CDD does not own the real property, I do not believe the dedication provided via plat would allow for installation of new, non-required plants by the CDD without first getting authorization from the owner of the real

property (Pulte). It would also create an ongoing maintenance obligation that I also do not believe the CDD would have authority to perform from the current dedications provided.

The other element of interest is the buffer required for the commercial D.O. however those plans are not yet approved, therefore we have a records request into Lee County to see what has been submitted to date. I will review that information and share my initial thoughts once received.

Frank Savage  
Senior Project Manager  
Barraco and Associates, Inc.  
Civil Engineers ~ Land Surveyors ~ Planners  
2271 McGregor Boulevard, Suite 100  
Fort Myers, FL 33901  
(239) 461-3170 Phone  
(239) 461-3169 Fax

File: 23620

In order to use electronic files provided by Barraco and Associates, Inc. you must agree to the following:

In accepting and utilizing any drawings or other electronic data provided by Barraco and Associates, Inc., the recipient agrees that all such drawings and data are instruments of service of Barraco and Associates, Inc., who shall be deemed the author of the drawings and data, and shall retain all common law, statutory and other rights, including copyrights. Any inconsistencies the recipient discovers will be reported to Barraco and Associates, Inc. and will be corrected by Barraco and Associates, Inc.

The recipient accepts responsibility for confirming with Barraco and Associates, Inc. that the electronic file is current at the time of use by the recipient. The recipient also agrees to hold Barraco and Associates, Inc. harmless for any cost or damages incurred due to the recipient's use of an outdated electronic file and for any costs associated with updating the recipient's electronic files in the event of future revisions by Barraco and Associates, Inc.

The recipient agrees not to use these drawings and data, in whole or in part, for any purpose or project other than the project which is the subject of this agreement, nor shall the recipient provide that attached data to any other party not indicated as a recipient in the "To" field of this message. The recipient agrees to waive all claims against Barraco and Associates, Inc. resulting in any way from any unauthorized changes or reuse of the drawings and data for any other project by anyone other than Barraco and Associates, Inc.

In addition, the recipient agrees, to the fullest extent permitted by law, to indemnify and hold Barraco and Associates, Inc. harmless from any damage, liability or costs, including reasonable attorney fees and costs of defense, arising from any changes made by anyone other than Barraco and Associates, Inc. or from any reuse of the drawings and data without the prior written consent of Barraco and Associates, Inc.

**WILDBLUE**  
**COMMUNITY DEVELOPMENT DISTRICT**

**STAFF**  
**REPORTS C**

## WILDBLUE COMMUNITY DEVELOPMENT DISTRICT

### BOARD OF SUPERVISORS FISCAL YEAR 2024/2025 MEETING SCHEDULE

#### LOCATION

*Community Center (Card Room), 18721 WildBlue Blvd., Fort Myers, Florida 33913*

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
<b>October 3, 2024</b> <i>Rescheduled to October 8, 2024</i>	Regular Meeting	10:00 AM
<b>October 8, 2024 CANCELED</b> <i>Inclement Weather</i>	Regular Meeting and Attorney-Client Executive Session Shade Meeting	10:00 AM
<b>October 30, 2024</b>	Special Meeting and Attorney-Client Executive Session Shade Meeting	11:00 AM
<b>November 7, 2024</b>	Landowners' Meeting & Regular Meeting	10:00 AM
<b>December 5, 2024</b>	Regular Meeting	10:00 AM
<b>January 9, 2025*</b>	Regular Meeting	10:00 AM
<b>February 6, 2025</b>	Regular Meeting	10:00 AM
<b>March 6, 2025</b>	Regular Meeting	10:00 AM
<b>April 3, 2025</b>	Regular Meeting	10:00 AM
<b>May 1, 2025</b>	Regular Meeting	10:00 AM
<b>June 5, 2025</b>	Regular Meeting	10:00 AM
<b>July 3, 2025</b>	Regular Meeting	10:00 AM
<b>August 7, 2025</b>	Regular Meeting	10:00 AM
<b>September 4, 2025</b>	Regular Meeting	10:00 AM

**Exception**

*\*January meeting date is one (1) week later to accommodate New Year's Day holiday.*