

**MINUTES OF MEETING
WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the WildBlue Community Development District held a Regular Meeting on November 7, 2024 at 11:00 a.m., at the Community Center (Card Room), 18721 WildBlue Blvd., Fort Myers, Florida 33913.

Present:

Christopher Hasty
Aaron Milosevic
David Meyers

Chair
Assistant Secretary
Supervisor-Elect

Also present:

Chuck Adams
Shane Willis
Wes Haber (via telephone)
Frank Savage
Carl Barraco
John Buckholtz
Rick Bennington
Kristi Houston
Terry Kurth
Jim Schwartz
Roseanne Duffy
Jerry O'Malley

District Manager
Operations Manager
District Counsel
District Engineer
Barraco & Associates
Resident & WildBlue Master Assoc. Board
Resident & Supervisor-Elect
Resident
Resident
Resident
Resident
Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 11:06 a.m.

Supervisors Milosevic, Hasty and Supervisor-Elect David Meyers were present. Two seats were vacant.

SECOND ORDER OF BUSINESS

Public Comments: Agenda Items (3 Minutes Per Speaker)

No members of the public spoke.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Newly Elected Supervisor (SEAT 3] (the following to be provided in a separate package)

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. David Meyers. Mr. Meyers is familiar with the following:

- A. Updates and Reminders: Ethics Training for Special District Supervisors and Form 1**
- B. Membership, Obligation and Responsibilities**
- C. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers**

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2025-01, Canvassing and Certifying the Results of the Landowners’ Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date

Mr. Adams presented Resolution 2025-01. He recapped the results of the Landowners’ Election as follows and stated:

Seat 3	David Meyers	1,804 Votes	4-Year Term
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The results will be inserted into Sections 1 and 2 of Resolution 2025-01.

On MOTION by Mr. Milosevic and seconded by Mr. Hasty, with all in favor, Resolution 2025-01, Canvassing and Certifying the Results of the Landowners’ Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2025-02, Electing and Removing Officers of the District and Providing for an Effective Date

Mr. Adams presented Resolution 2025-02. Mr. Meyers nominated the following slate:

Chris Hasty	Chair
David Meyers	Vice Chair
Fred Aaron Milosevic	Assistant Secretary

No other nominations were made.

The following prior appointments by the Board remain unaffected by this Resolution:

Chuck Adams	Secretary
Craig Wrathell	Assistant Secretary
Craig Wrathell	Treasurer
Jeffrey Pinder	Assistant Treasurer

On MOTION by Mr. Meyers and seconded by Mr. Milosevic, with all in favor, Resolution 2025-02, Electing, as nominated, and Removing Officers of the District and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Updates

A. Lake Bank Erosion Repair Project

Mr. Adams stated that the contractor will commence work on repairing 215’ and over 300’ of linear erosion tomorrow, weather permitting. Inspection of the remainder of the lake banks looking for similar situations is still underway.

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

Recalling this matter was discussed in detail at the last meeting, Mr. Adams stated that Jordan, of Cummins Cederberg, reviewed the project scope Mr. Savage prepared and Jordan is on board with the scope. He expects to receive a proposal, which will be a change order to the existing contract, within the next few weeks.

Mr. Adams stated there is a conference call tomorrow with Synovus Bank Representatives to discuss financing terms and the plan to use the proceeds from the bond anticipation note (BAN) to repay the note, as the interest rate is expected to be lower than the note. He anticipates presenting the Synovus Bank Term Sheet at the December meeting.

Mr. Barraco stated that, after the conversation with Jordan, he thinks Jordan understood the project. Mr. Savage stated he will start coordinating meetings with Lee County and the South Florida Water Management District (SFWMD). Mr. Hasty asked Mr. Barraco to check with Jordan next week to confirm he has everything he needs, so this can be discussed at the November 21, 2024 meeting. Mr. Barraco stated he hopes to complete inspections within the next week or so and noted Jordan agreed, in the plans, to allow the Engineer of Record to adjust the limits of the breakwater based upon what is there when they actually get there.

C. Fuel Station Site

Mr. Barraco stated it was determined that the case has merit and met the criteria to proceed. As such, it will go to an Administrative Law Judge. The Attorneys are scheduling meetings to discuss the case, which he thinks this is good news.

SEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of September 30, 2024

Mr. Adams presented the Unaudited Financial Statements as of September 30, 2024. There were no questions. The financials were accepted.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

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

This matter was discussed during the Ninth Order of Business

B. District Engineer: Barraco and Associates, Inc.

There was nothing further to report.

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

- **UPCOMING MEETINGS:**
 - **November 21, 2024 at 1:00 PM**
 - **December 5, 2024 at 10:00 AM**
 - **QUORUM CHECK**

NINTH ORDER OF BUSINESS

Discussion: Continue Consideration of Lennar Retaining Wall Settlement Offer

Mr. Adams stated there were no new updates since the last meeting.

Mr. Hasty asked Mr. Haber if Mr. Gurley is talking to the Developer or if they just focused on dealing with Taylor Engineering. Mr. Haber stated he knows the discussions with Taylor Engineering are progressing; he will follow up regarding status of the discussions with Lennar's Counsel and report his findings to Mr. Adams to forward to the Board.

Mr. Adams stated that Management received the Taylor Engineering Agreement and is processing the retainer fee today.

TENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or request.

ELEVENTH ORDER OF BUSINESS

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

Resident Kristi Houston asked about the status of the property transaction. Mr. Hasty stated he will provide an update at the next meeting.

Resident and Supervisor-Elect Rick Bennington stated that a homeowner voiced concern about water quality due to the Fishing Group building artificial reefs in the lakes using old Christmas trees, which are spayed with fire retardants. Mr. Adams stated the CDD approved this along the conservation side of the lakes a while ago to improve fish health. He had not heard of it being done again. He will speak to the Fishing Group about it.

Resident Terry Kurth stated that he observed someone catching a bass that went into the live well. He suggests the Master Board get the Florida Fisheries involved in monitoring and providing recommendations. Mr. Adams agreed.

Resident and WildBlue Master Association Board Member John Buckholtz asked if a workshop to analyze the Phase 2 options is necessary. Mr. Hasty stated that the CDD is

proceeding with Phase 1; the Board will discuss Phases 2 and 3 and a continuing improvement plan over the next 10 years and budget for routine maintenance going forward from that point.

Regarding a settlement offer, Mr. Hasty stated that this is still a confidential matter. He noted that the Developer agreed to contribute money with some conditions and the CDD needs to determine what it wants the long term solution to be. The CDD decided to fix breakwater now. As soon as he is appointed to the Board, he will participate in the Agreement with the Developer.

Mr. Barraco reviewed the tasks assigned to Cummins Cederberg; they will provide the level of service they expect out of each design, which will give the CDD a better idea of costs.

Mr. Kurth questioned how the CDD can negotiate with the Developer until it knows the ultimate end game based upon engineering, recommendations, costs and who pays for it.

Discussion ensued regarding the Phase 1 project scope, the Request for Proposals (RFP) process, project timeline and funding.

Resident Jim Schwartz asked where breakwater is located. Mr. Savage stated it is on the northern part of the lake, 30' offshore, just before the drop off. Mr. Barraco stated that survey crews will prepare a profile for Cummins Cederberg to follow.

Mr. Buchholtz asked if the riprap rock will be larger than the ones at Corkscrew Shores that the storm blew away. Mr. Barraco stated that Cummins Cederberg is using large rocks. He is not aware of the materials Corkscrew Shores installed.

Resident Roseanne Duffy asked if the meeting for the proposed fuel station is a public hearing. Mr. Barraco replied affirmatively; he will provide updates and a meeting date at the next meeting. He noted that this is a lengthy process.

Ms. Houston asked if the staging area will be announced in the bid package. Mr. Barraco stated that Cummins Cederberg will include it in the bid package. He recalled that suggested areas were provided to them at the last meeting.

Resident Jerry O'Malley asked for clarification regarding the Phase 1 and Phase 2 project scopes. Mr. Adams stated that Phase 1 is the breakwater; the project is estimated to take nine to 12 months to complete. The retaining wall is a separate phase, for which the estimated timeline is yet to be determined. Contractors will use light equipment to transport soil from the street to the back tomorrow to restore lake banks and make yard drainage repairs in three

isolated areas. He thinks it is beneficial to work from the land side rather than from the water side.

Mr. Barraco reminded everyone that the contractors will use the CDD's 20' maintenance easement behind the homes for staging. Phase 1 will start once the funds are in place and the design is ready to be bid.

A resident asked if the repair specifications will be presented to the residents for approval. Mr. Adams replied no and stated that the Board makes the final decision. Residents can attend CDD meetings, comment on it and review the agenda that is posted on the CDD website.

TWELFTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Hasty and seconded by Mr. Meyers, with all in favor, the meeting adjourned at 11:59 a.m.


Secretary/Assistant Secretary


Chair/Vice Chair