

**MINUTES OF MEETING
WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the WildBlue Community Development District held a Special Meeting on November 21, 2024 at 1:00 p.m., at the Community Center (Card Room), 18721 WildBlue Blvd., Fort Myers, Florida 33913.

Present:

Christopher Hasty (via telephone)	Chair
David Meyers	Vice Chair
Fred Aaron Milosevic	Assistant Secretary
John Buchholz	Assistant Secretary
Richard Bennington	Assistant Secretary

Also present:

Chuck Adams	District Manager
Shane Willis	Operations Manager
Tucker Mackie (via telephone)	District Counsel
Frank Savage	District Engineer
Boris Chechelnitsky	Resident
Kristi Houston	Resident
Gary Keitel	Resident
Tom Oliveri (via telephone)	Resident
Roseanne Duffy	Resident
David Harden	Resident
Dennis Sharron	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 1:01 p.m.

Supervisors Meyers, Milosevic, Buchholz and Bennington were present. Supervisor Hasty was not present at roll call; he joined later, via telephone.

Mr. Adams asked for a motion to modify today's agenda to include the Administration of the Oath of Office to Supervisors Buchholz and Bennington and consider a resolution for the slate of officers, after Public Comments.

On MOTION by Mr. Milosevic and seconded by Mr. Meyers, with all in favor, modifying the agenda to include the Administration of the Oath of Office to Supervisors Buchholz and Bennington and to consider the slate of officers Resolution, was approved.

SECOND ORDER OF BUSINESS

Public Comments: Agenda Items (3 Minutes Per Speaker)

No members of the public spoke.

- **Administration of Oath of Office to Newly Elected Supervisor [SEATS 4 & 5]**

This item was an addition to the agenda.

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Buchholz and Mr. Bennington. He provided and briefly described the contents in the new Supervisor packet, including Supervisor pay, ethics training and Sunshine Laws.

- **Consideration of Resolution to Elect and Remove Officers of the District and Providing for an Effective Date**

This item was an addition to the agenda.

Mr. Adams stated following an election, it is necessary to reconsider the slate of officers.

Mr. Meyers nominated the following slate of officers:

Christopher Hasty	Chair
David Meyers	Vice Chair
Aaron Milosevic	Assistant Secretary
John Buchholz	Assistant Secretary
Richard Bennington	Assistant Secretary

No other nominations were made.

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

Chesley (Chuck) E. Adams Jr.	Secretary
Craig Wrathell	Assistant Secretary
Craig Wrathell	Treasurer
Jeff Pinder	Assistant Treasurer

On MOTION by Mr. Meyers and seconded by Mr. Milosevic, with all in favor, Resolution 2025-03, Electing, as nominated, and Removing Officers of the District and Providing for an Effective Date, was adopted.

THIRD ORDER OF BUSINESS

Update: Seawall

Mr. Adams stated Staff received the change order proposal from Cummins Cederberg yesterday and subsequently emailed it to all Board Members.

Referencing a handout, Mr. Savage presented the Cummins Cederberg Proposal for Marine Engineering and Environmental Consulting Services. He stated that Mr. Barraco, who could not attend today's meeting, reviewed the proposal and thinks it is a good start. The addendum was drafted by Cummins Cederberg based on a preliminary scope that Staff prepared, circulated and received feedback on. It appears as if the proposal aligns well with the tasks that were previously discussed.

Mr. Savage reviewed the Task 3 – Engineering Design – Phase 1 portion of the scope and stated the immediate task is the engineering design associated with the breakwater and surveying the current conditions, which Cummins Cederberg left off the scope, but Staff can fast-track that. He asked for permission to mobilize the survey crew as quickly as possible to provide Cummins Cederberg with the information they will need for their design.

Mr. Adams suggested approving Task 3 of the proposal and foregoing the remainder for now, as mobilization must commence as quickly as possible. Mr. Savage will present a survey proposal at the December meeting.

Mr. Adams provided an update on the Bond Anticipation Note (BAN) with Synovus Bank, which would be a five-year loan, requiring a bullet payment in five years. In addition, Staff would also issue a permanent bond in 2026 to cover the BAN and other necessary improvement projects.

Mr. Hasty joined the meeting, via telephone.

Ms. Mackie joined the call.

Asked if he reviewed the proposal, Mr. Hasty stated he had not but that he looks forward to Mr. Savage's comments. He noted that it seems somewhat extensive.

Mr. Adams stated Staff agrees and recommends holding off on the proposal, as a whole, but proceeding with the Task 3, Phase 1 Breakwater design stage to submit for permitting and go out to bid. The cost is \$77,800, excluding survey work by Barraco & Associates. Mr. Savage will obtain estimates for this task and present them at the next meeting.

Ms. Mackie asked if there is an order of magnitude in terms of approving a not to exceed (NTE) for the requisite survey work. Mr. Adams stated it would be best to hold off on an NTE until the District Engineer can report at the next meeting but Staff can at least have the Cummins Cederberg change order executed.

Mr. Buchholz voiced his opinion that the total project costs are astronomical and stated there should be some economies of scale; he thinks the Board should consider how realistic the costs are and negotiate with Cummins Cederberg.

Discussion ensued regarding the proposal costs, preliminary design work, breakwater design, construction plans, survey work, wall design, designs for Blue Lake, whether to change consultants, the original plan, permit history, negotiating a NTE amount for Task 3 with Cummins Cederberg, construction management, level of service and risk mitigation.

Mr. Adams and Mr. Savage responded to questions regarding whether a funding source has been identified for Task 3, the Phase 1 design schedule, project timing, purpose of the survey, what the process of establishing the topography entails and installing riprap instead of breakwater.

On MOTION by Mr. Hasty and seconded by Mr. Meyers, with all in favor, proceeding with Task 3 from the Cummins Cederberg proposal dated November 20, 2024, in a not to exceed amount of \$77,800, and authorizing Mr. Buchholz to work with District Staff to negotiate further and approve the final form of the work authorization, was approved.

A resident asked how a settlement/contribution from the Developer fits into the financing. Mr. Adams stated it does not; Staff must do its own due diligence with regard to determining the overall project scope and costs and how the proposal fits into that.

Mr. Buchholz asked if he can approach any of the CDD Board Members from the sister lakes without conflict. Mr. Adams stated yes, because Mr. Buchholz no longer sits on those other Boards. Ms. Mackie clarified that there is no issue with Mr. Buchholz conferring with Board Members of other CDDs about matters pertaining to design-related discussions associated with the retaining wall.

Discussion ensued regarding how the contribution from the Developer is being handled, the ongoing litigation, scheduling another Shade Session to discuss the business points of the Agreement, Taylor Engineering and the ongoing lake remediation work.

Mr. Adams will email the Agreement to the Board.

Mr. Buchholz stated residents who reside along the lake are asking him when the work will start, where the dirt will be dumped, where the pathways are, etc. He asked for an email of a work schedule to distribute to residents.

Mr. Adams stated the easements, where the CDD has a legal right to access for purposes of managing and repairing its facilities, were identified; those are the specific locations that will be accessed by the contractor. Generally, the work will commence on properties near a catch basin, where an access easement goes from the lake, or from the yards of certain homes, to the stormwater lake that is on the opposite side of the road. The work will be contiguous, temporarily consisting of Bahia turf.

Discussion ensued regarding asking the HOA to alert residents about the remediation work, distributing area maps, project timeline for impacted homes, debris and vegetation removal from the CDD's easement, the CDD having contiguous access and if the CDD is surcharging the retaining wall.

FOURTH ORDER OF BUSINESS**UPCOMING MEETINGS:**

- **December 5, 2024 at 10:00 AM [Regular Meeting]**
- **December 19, 2024 at 1:00 PM [Special Meeting]**

- **QUORUM CHECK**

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

Resident Tom Oliveri asked who is taking before and after pictures of resident properties, who is managing the potential damage to the infrastructure of the homes, who is making decisions and how will the CDD be protected.

Mr. Adams stated the emergency repairs were authorized at a few locations that were presented to the Board at the last meeting; that is where this work is taking place. In the interim, the District Engineer is taking an inventory of the remainder of the lake edge and identifying areas that require emergency or expedited repairs so there is no backflow from the stormwater ponds across the street into the recreational pond, which will create an obvious issue with the permits. Regarding current property conditions, before and after pictures must be taken by the contractor because they will have liability and exposure; homeowners who wish to take additional photographs can do so.

Mr. Adams and Mr. Hasty responded to questions regarding excavators in backyards that are sinking into the ground, why reserve funds are not being used to repair properties with significant damage first, access points, Florida Statutes and a permit violation issued to the CDD.

Mr. Willis will email the work schedule with the scope for the homes on Blue Sapphire to Karen and include the easements.

Mr. Oliveri stated there is no wall or protection behind his home and asked to have a meeting at his house. Mr. Adams stated Task 3, Phase 1 of the project that was approved earlier will address Mr. Oliveri's concerns and provide immediate protection to properties on Blue Sapphire that are particularly exposed.

Mr. Buchholz will obtain the information that will be emailed to Karen and meet with Mr. Oliveri at his residence.

Resident David Harden stated he would like his property inspected because he believes the berm near his home is extremely steep. He asked if the work on the retaining wall will alter

the berm specifications. Mr. Adams stated the localized repair will entail restoring the berm to the original permitted specification. Mr. Savage will inspect the property in question.

Resident Gary Keitel stated contractors left a construction curtain in the lake near his home after the road construction work was completed in April and asked about its removal.

Mr. Willis will ask the lake maintenance contractor to remove the curtain.

SIXTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Milosevic and seconded by Mr. Buchholz, with all in favor, the meeting adjourned at 2:32 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair