

WILDBLUE

**COMMUNITY DEVELOPMENT
DISTRICT**

March 6, 2025

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

February 27, 2025

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 March 6, 2025 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. Acceptance of Resignation of Fred Aaron Milosevic (Seat 1)
4. Consider Appointment to Fill Unexpired Term of Seat 1; *Term Expires November 2026*
 - Administration of Oath of Office (*the following will be provided in a separate package*)
 - A. Required Ethics Training and Disclosure Filing
 - Sample Form 1 2023/Instructions
 - B. Membership, Obligation and Responsibilities
 - C. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees
5. Acceptance of Resignation of David Meyers (Seat 3)
6. Consideration of Resolution 2025-04, Electing and Removing Officers of the District and Providing for an Effective Date
7. Updates
 - A. Lake Bank Erosion Repair Project
 - B. Retaining Wall Restoration
 - C. Fuel Station Site

- 8. Acceptance of Unaudited Financial Statements as of January 31, 2025
- 9. Approval of Minutes
 - A. January 23, 2025 Special Meeting
 - B. February 6, 2025 Regular Meeting
- 10. Staff Reports
 - A. District Counsel: *Kutak Rock LLP*
 - Continued Discussion/Update: Construction Litigation Regarding Retaining Wall Repairs
 - B. District Engineer: *Barraco and Associates, Inc.*
 - C. District Manager: *Wrathell, Hunt and Associates, LLC*
 - UPCOMING MEETINGS
 - March 20, 2025 at 1:00 PM [Special Meeting]
 - April 3, 2025 at 10:00 AM [Regular Meeting]
 - QUORUM CHECK

SEAT 1		<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	JOHN BUCHOLZ	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 5	RICHARD BENNINGTON	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

- 11. Board Members' Comments/Requests
- 12. Public Comments *Non-Agenda Items (3 Minutes Per Speaker)*
- 13. 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

6

RESOLUTION 2025-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WILDBLUE COMMUNITY DEVELOPMENT DISTRICT ELECTING AND REMOVING OFFICERS OF THE DISTRICT AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the WildBlue Community Development District (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

WHEREAS, the District’s Board of Supervisors of the District desires to elect and remove certain Officers of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE WILDBLUE COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The following is/are elected as Officer(s) of the District effective March 6, 2025:

_____ is appointed Chair

_____ is appointed Vice Chair

_____ is appointed Assistant Secretary

_____ is appointed Assistant Secretary

_____ is appointed Assistant Secretary

SECTION 2. The following Officer(s) shall be removed as Officer(s) as of March 6, 2025:

David Meyers _____ Vice Chair _____

Fred Aaron Milosevic _____ Assistant Secretary _____

SECTION 3. The following prior appointments By the Boar remain unaffected by this Resolution.

Chuck Adams is Secretary

Craig Wrathell is Assistant Secretary

Craig Wrathell is Treasurer

Jeff Pinder is Assistant Treasurer

PASSED AND ADOPTED this 6th day of March, 2025.

ATTEST:

**WILDBLUE COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT

UNAUDITED
FINANCIAL
STATEMENTS

**WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
JANUARY 31, 2025**

**WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
JANUARY 31, 2025**

	General Fund	Debt Service Fund	Capital Projects Fund	Total Governmental Funds
ASSETS				
Cash	\$ 226,127	\$ -	\$ -	\$ 226,127
Investments				
Revenue	-	1,417,929	-	1,417,929
Reserve	-	720,562	-	720,562
Construction	-	-	52,910	52,910
Principal	-	1	-	1
Utility deposit	400	-	-	400
Total assets	<u>\$ 226,527</u>	<u>\$ 2,138,492</u>	<u>\$ 52,910</u>	<u>\$ 2,417,929</u>
LIABILITIES AND FUND BALANCES				
Liabilities:				
Retainage payable	\$ -	\$ -	\$ 433,933	\$ 433,933
Tax Payable	122	-	-	122
Due to other	614	-	-	614
Landowner advance	6,000	-	-	6,000
Total liabilities	<u>6,736</u>	<u>-</u>	<u>433,933</u>	<u>440,669</u>
Fund balances:				
Restricted for:				
Debt service	-	2,138,492	-	2,138,492
Capital projects	-	-	(381,023)	(381,023)
Unassigned	219,791	-	-	219,791
Total fund balances	<u>219,791</u>	<u>2,138,492</u>	<u>(381,023)</u>	<u>1,977,260</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 226,527</u>	<u>\$ 2,138,492</u>	<u>\$ 52,910</u>	<u>\$ 2,417,929</u>
Total liabilities and fund balances	<u>\$ 226,527</u>	<u>\$ 2,138,492</u>	<u>\$ 52,910</u>	<u>\$ 2,417,929</u>

**WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED JANUARY 31, 2025**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessment levy: on-roll - net	\$ 16,038	\$ 578,186	\$ 626,775	92%
Interest and miscellaneous	85	253	-	N/A
Total revenues	<u>16,123</u>	<u>578,439</u>	<u>626,775</u>	92%
EXPENDITURES				
Professional & administrative				
Supervisors	861	1,722	6,000	29%
Management/accounting/recording	4,000	16,000	48,000	33%
Legal	8,982	17,487	15,000	117%
Special Counsel	32,198	32,198	10,000	322%
Engineering	-	13,106	20,000	66%
Audit	-	-	6,500	0%
Arbitrage rebate calculation	-	-	1,500	0%
Dissemination agent	83	333	2,000	17%
Trustee	-	-	8,000	0%
Telephone	17	67	200	34%
Postage	185	504	500	101%
Printing & binding	42	167	500	33%
Legal advertising	-	863	2,000	43%
Annual special district fee	-	175	175	100%
Insurance	-	6,477	6,800	95%
Contingencies/bank charges	-	598	500	120%
Website				
Hosting	-	705	705	100%
ADA compliance	-	-	210	0%
Total professional & administrative	<u>46,368</u>	<u>90,402</u>	<u>128,590</u>	70%
Field operations				
Field management	833	3,333	10,000	33%
Aquatic maintenance	6,393	104,322	76,000	137%
Conservation area maintenance	-	-	315,000	0%
Conservation area monitoring & reporting	7,355	37,339	30,000	124%
Retaining wall recovery	-	25,000	-	N/A
Water level and quality reporting	-	-	13,000	0%
Littoral plant replacements	-	-	10,000	0%
Conservation area fence review/repairs	-	-	15,000	0%
Aeration operating supplies	115	602	7,500	8%
Contingencies	-	-	5,000	0%
Shoreline/seawall repair and replacements	232,436	232,436	15,000	1550%
Total field operations	<u>247,132</u>	<u>403,032</u>	<u>496,500</u>	81%
Other fees and charges				
Property appraiser	-	673	673	100%
Tax collector	-	1,238	1,010	123%
Interest Expense	1,996	7,985	-	N/A
Total other fees and charges	<u>1,996</u>	<u>9,896</u>	<u>1,683</u>	588%
Total expenditures	<u>295,496</u>	<u>503,330</u>	<u>626,773</u>	80%
Excess/(deficiency) of revenues over/(under) expenditures	(279,373)	75,109	3	
Net change in fund balances	(279,373)	75,109	3	
Fund balances - beginning	499,164	144,682	230,519	
Fund balances - ending	<u>\$ 219,791</u>	<u>\$ 219,791</u>	<u>\$ 230,522</u>	

**WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2019
FOR THE PERIOD ENDED JANUARY 31, 2025**

	<u>Current Month</u>	<u>Year To Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Special assessment: on-roll	\$ 35,626	\$ 1,281,652	\$ 1,392,509	92%
Interest	4,861	19,353	-	N/A
Total revenues	<u>40,487</u>	<u>1,301,005</u>	<u>1,392,509</u>	93%
EXPENDITURES				
Debt service				
Principal	-	-	500,000	0%
Interest	-	450,059	900,119	50%
Total debt service	<u>-</u>	<u>450,059</u>	<u>1,400,119</u>	32%
Total expenditures	<u>-</u>	<u>450,059</u>	<u>1,400,119</u>	32%
Excess/(deficiency) of revenues over/(under) expenditures	40,487	850,946	(7,610)	
Net change in fund balances	40,487	850,946	(7,610)	
Fund balances - beginning	2,098,005	1,287,546	1,253,431	
Fund balances - ending	<u>\$ 2,138,492</u>	<u>\$ 2,138,492</u>	<u>\$ 1,245,821</u>	

**WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
CAPITAL PROJECTS FUND SERIES 2019
FOR THE PERIOD ENDED JANUARY 31, 2025**

	Current Month	Year To Date
REVENUES		
Interest	\$ 187	\$ 775
Total revenues	187	775
EXPENDITURES		
Total expenditures	-	-
Excess/(deficiency) of revenues over/(under) expenditures	187	775
Net change in fund balances	187	775
Fund balances - beginning	(381,210)	(381,798)
Fund balances - ending	\$ (381,023)	\$ (381,023)

WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT

MINUTES

A

DRAFT
MINUTES OF MEETING
WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors of the WildBlue Community Development District held a Special Meeting on January 23, 2025 at 1:00 p.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
John Buchholz (via telephone)	Assistant Secretary
Rick Bennington	Assistant Secretary

Also present:

Shane Willis	Operations Manager
Wes Haber (via telephone)	District Counsel
Frank Savage	District Engineer

Residents present:

Terry Kurth	Kristi Huston	Steve Vannelli	Sylvia Bon	Gerry O'Malley
Joe Magri	Sue Lucente	Dave Hartman	___ Arnett	Christopher Gregson

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Willis called the meeting to order at 1:05 p.m. Supervisors Hasty, Meyers, Milosevic and Bennington were present. Supervisor Buchholz was not present at roll call.

SECOND ORDER OF BUSINESS

Public Comments (3 Minutes Per Speaker)

Mr. Willis stated that all comments will be restricted to updates on the shoreline and the retainment wall, unless the Board decides to address any other topics.

No members of the public spoke.

THIRD ORDER OF BUSINESS

Update: Shoreline

Mr. Savage reported the following:

42 ➤ A virtual call with Mr. Savage; Mr. Buchholz; Mr. Adams; Mr. Willis; Mr. Barraco and Mr.
43 Jordan Cheifet, of Cummins Cederberg, Inc. (CC), was held last week to actionize what, if
44 anything, can be done without any permitting. This resulted in the conversation pivoting to
45 restoration and/or enhancement of the damaged areas. Possible enhancements include river
46 concrete pour cap, additional tie backs, resetting pilings deeper with some of the existing sheet
47 pile pieces on the understanding that rock, etc., cannot be authorized without permitting.

48 **Supervisor Buchholz joined the meeting, via telephone, at 1:08 p.m.**

49 ➤ Mr. Cheifet, the Marine Consultant who did the initial alternative analysis, is drafting an
50 addendum on the ultimate design for everything that was discussed on the call. It entails
51 providing sufficient information on the details of what the cap will be, the additional tie backs,
52 etc. Anything necessary to get an initial piece out to bid, as well as the idea of some alternate
53 restoration.

54 ➤ The punch list items from the latest call included the District Engineer finalizing the survey
55 information, which Mr. Savage completed and sent to Mr. Cheifet, and the District Engineer
56 verifying with the municipalities that what is being considered will not require any permitting.
57 Mr. Barraco sent the email to the County; additional follow-up with the Southwest Florida Water
58 Management District (SWFWMD) was not deemed necessary as there are several active permits
59 in various stages; nothing being considered should require any permit modification until there is
60 something considered for water works control.

61 Mr. Savage stated that Mr. Cheifet requested geo-technical information, which his firm
62 does not provide as a service, but could recommend local firms that his office has worked with.
63 He met with the Blue Lake CDD to discuss its ongoing work last week and obtained soil density
64 information, which may or may not be sufficient for the geo-technical information Mr. Cheifet
65 requested.

66 Mr. Buchholz stated they are looking at the solution with the wall with some
67 enhancements, because what they are hoping to do will allow the CDD to move forward on a
68 solution to protect the homes. With that in mind, if the two authorities do not allow the CDD to
69 use the old permit and proceed with enhancing the wall, he would want to reconsider looking at
70 rip rap.

71 Mr. Buchholz stated that Blue Lake CDD is proceeding with rip rap. He asked Mr. Savage
72 if it is true the projections to rebuilding the wall would cost three times that of rip rap. Mr.
73 Savage stated that CC provided the CDD a needs analysis over various recommendations and unit

74 prices. Overall, based on the preliminary figures, CC's initial estimate for rip rap, per linear foot,
75 was 10% of the new retaining wall figure. Subsequent to that, Barraco & Associates was asked to
76 try to prove some of these costs. The order of magnitude for this CDD ranged about \$15 million.

77 Mr. Savage outlined what Barraco & Associates' costs are for the replacement and/or the
78 new CDD wall, \$400 to \$600 and \$800 to \$1,000 per linear feet, respectively, which is lower than
79 CC's \$1,800 to \$2,000 cost per linear foot. He expressed concern that some of the contingency
80 priced for the wall revetement may not be sufficient for the means and methods that have
81 subsequently been discussed, due to unknowns like not knowing how much of the existing wall
82 can be salvaged and an analysis was not done about the loss of land and the amount of earth
83 that will be necessary.

84 Mr. Buchholz stated that the CDD lost only 5' or 6' of its maintenance barrier. Once they
85 find out if the two authorities buyoff on the CDD already having the permit for the wall in hand
86 and if the timeframe for both projects is nine months to a year, he thinks they should re-direct
87 Mr. Cheifet into the revetement, particularly due to costs; as he believes it will not be that much
88 different than Blue Lake CDD's designs.

89 Resident Terry Kurth recalled prior discussions that the base of the wall was supposed to
90 be buried, but was not because of the rock. If they decide to install a wall, they would have to cut
91 in and place it so that the base of the wall is anchored into the rock. Mr. Willis stated that Mr.
92 Cheifet included this in the original schematics for the enhanced wall, toe anchor option. Mr.
93 Cheifet was provided information needed to develop different options for the different locations
94 based on current conditions while seeing what can be done without a permit.

95 An attendee asked if they are looking at the wall option because of cost and it can be
96 done in advance of the upcoming hurricane system due to cost, although it might not be the
97 better option. Mr. Willis stated that to begin construction of a wall in some locations before the
98 hurricane season, is dependent on the State Agencies' stance on whether they can proceed under
99 the existing maintenance permit or have to apply for a new permit. The level of service will be
100 based on Mr. Cheifet's analysis.

101 Mr. Bennington suggested holding CDD meetings every two weeks.

102 **Mr. Willis opened public comments.**

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

104 **Mr. Willis closed public comments.**

105 The second monthly meeting will be held on the fourth Thursday of each month, at 1:00
106 p.m., from February 2025 to June 2025.

107 Mr. Willis stated he will forward the new schedule to the HOA to e-blast to residents.
108

109 **On MOTION by Mr. Hasty and seconded by Mr. Bennington, with all in favor,**
110 **scheduling two meetings per month, from February 2025 to June 2025, and**
111 **authorizing Staff to advertise, was approved.**

112

113

114 A resident asked about the anticipated bidding time for wall repairs and replacement. Mr.
115 Willis stated, as Mr. Hasty discussed at the last meeting, it will be a couple of months to
116 commence work if the project is approved via the maintenance portion of the permit and Mr.
117 Cheifet provides the information to proceed with the sealed bid process. If necessary, the permit
118 process will take an additional three or four months.

119 Discussion ensued regarding the intent to install the wall as it was originally intended,
120 reinforce and improve those areas, continue to enhance those areas and the ability to start both
121 the financing and the procurement processes at the same time so funding is in place in time to
122 award and execute a contract.

123 **▪ Public Comments (3 Minutes Per Speaker)**

124 **This item, previously the Fifth Order of Business was presented, out of order.**

125 Mr. Savage and Mr. Willis responded to questions regarding if there was a variance in the
126 survey, the work that stopped in the middle of 17472 Blue Sapphire Drive being specific to
127 bringing the Environmental Resource Permit into compliance, it having nothing to do with the
128 retaining wall, the hope that it does not touch the docks once shoreline repairs start,
129 homeowners incurring some costs and clarifying where funding is originating from.

130 It was noted that the Board has the obligation to fund and repair CDD improvements and
131 the fiduciary responsibility to pursue any reimbursement that it can get from all available sources
132 and levy assessments in the most economical and advantageous way.

133 Mr. Savage and Mr. Willis responded to questions regarding permitting requirements
134 determining if the wall or riprap project is the fastest to be completed, a suggestion to involve a
135 legislator to pressure County officials, residents contacting County officials directly, lack of
136 retainment wall standards for recreational lakes, determining access points, restoring property
137 damaged during the project, deferring the top-coat project until repairs are completed,

138 delineating lake ownership and maintenance responsibilities, the Master Association stopping
139 the Boat Club from allowing residents to throw Christmas trees into the lake, CDD protocol to
140 execute User Maintenance Agreement to transfer responsibilities and researching the option to
141 pour concrete into the base.

142 Regarding whether the homeowner or CDD is responsible for protecting homes from
143 further erosion while negotiations are underway, Mr. Haber stated that he cannot give a
144 definitive answer, as there are legal arguments to be made for each party as to liability and
145 responsibility.

146 Regarding the inability to share CDD litigation details with residents, Mr. Haber stated
147 that defining what can be shared would fall under the purview of Litigation Counsel. He advised
148 residents to contact Board Members to obtain updates. Mr. Hasty stated that the Developer
149 offered the CDD a Confidential Contribution Agreement, which the Board can only discuss in a
150 Shade Session, so as not to tip the CDD’s hand to the other side, since the CDD meeting minutes
151 are public record. The Board authorized the Litigation Attorney to engage an Engineer to vet the
152 Contribution Agreement and start negotiating the business terms with the Developer and, once
153 that information is obtained, the Litigation Attorney will request another Shade Session.

154 Mr. Willis encouraged residents to email their questions to info@WildblueCDD.net
155

156 **FOURTH ORDER OF BUSINESS**

UPCOMING MEETINGS

- 157
- 158 • **February 6, 2025 at 10:00 AM [Regular Meeting]**
- 159 • **March 6, 2025 at 10:00 AM [Regular Meeting]**
- 160 ○ **QUORUM CHECK**
- 161

162 **FIFTH ORDER OF BUSINESS**

Public Comments (3 Minutes Per Speaker)

163 This item was presenting following the Third Order of Business.
164
165

166 **SIXTH ORDER OF BUSINESS**

Adjournment

167
168 **On MOTION by Mr. Milosevic and seconded by Mr. Bennington, with all in favor,**
169 **the meeting adjourned at 2:52 p.m.**

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173
174

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 Regular Meeting on February 6, 2025 at 10:00 a.m., at the Community Center (Card Room), 18721 WildBlue Blvd., Fort Myers, Florida 33913.

Present:

David Meyers (via telephone)	Vice Chair
Aaron Milosevic	Assistant Secretary
John Buchholz	Assistant Secretary
Rick Bennington	Assistant Secretary

Also present:

Chuck Adams	District Manager
Shane Willis	Operations Manager
Wes Haber (via telephone)	District Counsel
Frank Savage	District Engineer
Carl Barraco (via telephone)	Barraco & Associates

Residents present:

John Myer	Elaine Bissel	Kristi Huston	Summer Bayer	Dominic Sobnic
John Liap	Roger Milan	Adriane Ross	Doreen Shahin	Richard Gurney
Mary Liss	Bill Daggery	Paulette Kish	Boris Mittchell	Lou Fakenhgler
Terry Kurth	Ron Ferraro	Stephen Nelly	Terry Logowski	Joseph Cerbone

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 10:01 a.m. Supervisors Milosevic, Bennington and Buchholz were present. Supervisor Meyers attended via telephone. Supervisor Hasty was absent.

SECOND ORDER OF BUSINESS

Public Comments: Agenda Items (3 Minutes Per Speaker)

Mr. Adams noted the public comments protocols. He stressed the three-minute limit and that the Board is not required to respond to questions or comments, but might choose to do so.

Resident Joseph Cerbone recalled previous discussions about retention wall repair options and asked if the Board decided on a method and which areas will be addressed first. He

43 believes the most crucial areas are the east and north sides of the lake. Mr. Adams stated those
44 details will be addressed in the Third Order of Business.

45 Resident John Myer voiced his understanding that the CDD is responsible for the repair of
46 damaged retention walls. He questioned why the CDD is allowing further erosion to occur and
47 why it is not proceeding with repairing and replacing the wall in a timely manner. He
48 acknowledged the ongoing litigation and that homeowners will ultimately have to pay for the
49 repairs and expressed his opinion that, by not resolving the wall issue, the CDD is festering
50 resentment and holding residents back from being good neighbors.

51 Resident Ron Ferraro voiced his understanding that the Board has three repair estimates
52 for the wall, expressed his opinion that the Board has been vague about the repair decision and
53 has provided no solid numbers. He asked how much it will cost to return the wall to its original
54 state and if Lennar agreed to contribute to any of the costs. Mr. Adams stated information is
55 being gathered and the Board will analyze the information before it makes a decision on the
56 homeowners' behalf. He will email the original assessment data and repair options to Mr. Myer.

57 Mr. Adams and Mr. Bucholz responded to questions regarding order of magnitude costs,
58 a rumored cost of \$51 million for the repairs, what the level of repair entails, when the CDD will
59 provide a realistic range of the cost and when the project will commence.

60 Resident Boris Mitchell stated he resides on the east side of the lake and asked what, if
61 anything, is being done to prevent further erosion.

62

63 **THIRD ORDER OF BUSINESS**

Updates

64

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

66 Mr. Savage stated this is related to the master recreational lake, which has retaining wall
67 damage that will be addressed in Item 3B. A parallel conversion related to Item 3A is the surface
68 water management lakes surrounding the perimeter of the project, which are part of the CDD's
69 responsibility. Staff has been updating the erosion maps for the past 12 months. The first phase
70 was finished in April 2024. Inspecting/verifying the current conditions and helping prepare for
71 the next phase of lake bank erosion, is underway. The lake inspections have not occurred, as the
72 priority is on the recreational lake. The best-case scenario for an update on the lake bank erosion
73 repair project will be in early March.

74 Referencing an area map, Mr. Adams stated the ponds that are being referred to under
75 this update are the stormwater ponds outside of the homes on the loop that goes around the
76 recreational pond. Most of the erosion that Staff will address under this item is taking place there.
77 The drainage system for the homes that circle the recreational pond is designed such that the
78 majority of the runoff collects into a drainage system in the backyards, crosses the street and
79 flows into the stormwater ponds. There is very little direct discharge from the homes surrounding
80 the recreational pond into the recreational pond. The discharge is back into the stormwater
81 ponds, which are designed to retain the runoff for a period of time. Mr. Savage stated all the
82 stormwater ponds are being re-inspected, re-inventoried, updated and distinguished between
83 the entities that would be responsible for any conditions that would part of the remediation.

84 **B. Retaining Wall Restoration**

85 • **Discussion/Consideration of Cummins Cederberg, Inc. Proposal for Marine**
86 **Engineering and Environmental Consulting Services**

87 Mr. Buchholz provided updates about coordinating with Mr. Savage and Mr. Cheifet, the
88 Design Engineer, on the retaining wall repair options. He discussed the strong consideration of
89 the rock revetement option over the enhancement option, which is basically installing a concrete
90 cap wall, tie-backs and pinning the base. He read correspondence from Mr. Cheifet regarding the
91 repair timeline, as follows:

92 “The schedule seems aggressive, I think it is realistic to go into and commence the project
93 before the next hurricane season, the engineering design plans will take months, there are
94 bidding contract negotiations, building department permits necessary to proceed, material
95 procurement and mobilization. I think starting this year is realistic, this assumes no additional
96 reviews or commenting from the community, but state or county permits required.”

97 Mr. Bucholz spoke of his coordination with Mr. Savage and Mr. Barraco to meet with the
98 Southwest Florida Water Management District (SWFWMD) and Lee County officials regarding
99 permitting requirements for the rock revetement project.

100 Mr. Savage stated, since the last meeting, part of the direction was to try to determine if
101 enhancement and restoration of the existing wall could be accomplished faster. He discussed his
102 conversations with Mr. Barraco and Mr. Cheifet about enhancements and the meeting with
103 regulatory officials about permitting. As of yesterday, Engineering has received no response from
104 officials and Mr. Barraco sent a follow up email. Mr. Barraco stated, going forward and in talking
105 to Mr. Cheifet, the rock revetement is more cost-effective and a stronger replacement option.

106 Resident Richard Gurney asked if the rock revetement is a permanent solution. Mr.
107 Buchholz replied affirmatively. It requires a permit which will take two months to obtain.

108 Mr. Meyers stated he would be in favor of the rock revetement but expressed concern
109 about permitting issues from the County and different resident preferences about rock versus
110 the wall enhancement option.

111 Mr. Bennington voiced his belief that there is no help coming for this hurricane season,
112 and, no matter what the Board decides, most, if not all the hurricane season is going to be a mess.
113 He is relieved that the Board has decided to go with the rock revetement, which he believes is
114 the best option and the least costly for homeowners, as cost is a concern.

115 Mr. Haber stated, with respect to declaring a project an emergency, the two items at
116 issue are permitting and the public procurement process. On the permitting side, he thinks it is
117 outside the CDD Board's control, aside from explaining the emergency circumstances and hoping
118 that the permitting agencies are willing to move quickly. On the procurement side, he is unsure
119 that there is a great advantage because the CDD is able to move just the normal procurement
120 process relatively quickly.

121 Mr. Savage presented the Cummins Cederberg, Inc. Proposal for Marine Engineering and
122 Environmental Consulting Services, which includes an option for the enhancement or to forego
123 it and proceed with rock revetement. Mr. Cheifet indicated that it might take months of design
124 work to design the revetement sufficiently in order to submit for permitting. Mr. Barraco stated,
125 after meeting with the County and the SWFWMD, he is confident that Staff can work through it
126 so permitting is not holding up the designs and the other decisions that the Board must make.

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128 **On MOTION by Mr. Buchholz and seconded by Mr. Bennington, with all in favor,**
129 **the Cummins Cederberg, Inc. Proposal for Marine Engineering and**
130 **Environmental Consulting Services and authorizing proceeding with the rock**
131 **revetement design, was approved.**

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134 Discussion ensued regarding when the rock revetement project will commence,
135 permitting, the CDD continuing to perform erosion repairs before hurricane season and an
136 anticipated offer from Lennar.

137 Regarding the ongoing litigation, Mr. Haber stated he is not a litigator and has largely
138 deferred to the advice of Litigation Counsel that the CDD engaged. They are currently
139 investigating if other parties are responsible for contributing to or paying, entirely, for the repair

140 and replacement of the wall. They specifically advised the Board to refrain from sharing the
 141 details of what they learned at a public meeting so as not to disclose any competitive advantage
 142 the CDD might have or lose by virtue of sharing the details. Mr. Haber voiced his belief that the
 143 litigators have no intent to trick, surprise or intentionally withhold information from residents.
 144 The litigators are waiting to hear back from the Engineer that they hired to perform a review
 145 analysis; a response is anticipated in February. This Board cannot make a decision about how to
 146 proceed with respect to the information residents want, such as what the fix will be, how much
 147 it will cost, the financial impact for each homeowner and what the CDD’s plan is for
 148 reimbursement from other responsible parties. Litigation Counsel has not provided enough
 149 information for the Board to make meaningful decisions but, when those decisions are made,
 150 they will be made at a public meeting, like this.

151 Resident Paulette Kish noted that Bill 352 was introduced on January 30, 2025 as a bill to
 152 amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide assistance
 153 for common interest communities, condominiums and housing cooperatives damaged by major
 154 disaster and for other purposes. She asked if that could be investigated to be sure that the CDD
 155 is tapping into any other government payment systems. It was noted that, right after the
 156 hurricane, the CDD spent a month applying for some of the \$50 billion that the State of Florida
 157 received. \$20 million was requested but not received because the CDD was not considered an
 158 area in need compared to areas where the homes were in 10’ of water.

159 Mr. Savage, Mr. Buchholz and Mr. Adams responded to questions regarding the initial
 160 phase of the design, identifying priority repair areas, the rock revetement process, project
 161 timeline, linear foot pricing and contingencies, the permitting process, the ongoing emergency
 162 erosion repairs, if residents are allowed to install riprap on their properties, the Architectural
 163 Review Committee (ARC), the CDD qualifying for a grant and Lennar’s financial contribution.

164 **C. Fuel Station Site**

165 Mr. Adams stated a hearing is being scheduled between April 21 and April 25, 2025 at
 166 9:00 a.m., at the SWFWMD offices. As it gets closer to those dates, the exact date and room
 167 information will be given. Asked if the hearing will be opened to the public, Mr. Barraco replied
 168 affirmatively.

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170 **FOURTH ORDER OF BUSINESS**

**Discussion/Consideration: Lennar Homes,
 LLC Special Warranty Deed - Request to**

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Convey Certain Parcels of Real Property to the CDD

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Mr. Haber stated there are no new updates since the last meeting. He spoke to Lennar’s Counsel and advised them that the Board decided not to accept the deed at this time and requested, to the extent Lennar is going to look to convey the property to a different entity, that they give the CDD an opportunity to revisit it; otherwise, it will continue to go through mediation.

FIFTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of December 31, 2024

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Mr. Adams presented the Unaudited Financial Statements as of December 31, 2024. The financials were accepted.

SIXTH ORDER OF BUSINESS

Approval of January 9, 2025 Regular Meeting Minutes

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- The following changes were made:
- Lines 27 and 87: Change “Houston” to “Huston”
- Lines 50 and 51: Delete “as opposed to a brook”
- Line 112: Change “Sapphire” to “Sapphire”

On MOTION by Mr. Buchholz and seconded by Mr. Milosevic, with all in favor, the January 9, 2025 Regular Meeting Minutes, as amended, were approved.

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SEVENTH ORDER OF BUSINESS

Staff Reports

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- A. District Counsel: Kutak Rock LLP**
 - **Continued Discussion/Update: Construction Litigation Regarding Retaining Wall Repairs**

There was no report.
- B. District Engineer: Barraco and Associates, Inc.**

Mr. Barraco stated it is important to distinguish the Design Engineer from the District Engineer and the record should reflect that the Engineer referenced early in today’s discussions is the Design Engineer.

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

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- **UPCOMING MEETINGS:**
 - **February 20, 2025 at 1:00 PM [Special Meeting]**
 - **March 6, 2025 at 10:00 AM [Regular Meeting]**
 - **March 20, 2025 at 1:00 PM [Special Meeting]**
- **QUORUM CHECK**

EIGHTH ORDER OF BUSINESS

Board Members' Comments/Requests

Mr. Buchholz stated there are several questions in the community for which there are currently no answers. Today's meeting has addressed how the wall was damaged and why the repairs are taking so long. There is a possibility that he and Mr. Bennington can hold a workshop with the community to discuss the retaining wall without violating the Sunshine Laws. Mr. Adams confirmed the workshop and stated that a 10-day notice is required for advertising purposes. He noted that the workshop must be recorded and summary meeting notes must be taken. No decisions can be made at a workshop.

NINTH ORDER OF BUSINESS

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

Mr. Adams, Mr. Willis and Mr. Haber responded to questions regarding the agreement with Lennar, why the CDD cannot divulge the Lennar offer/reimbursement amount, how much Litigation Counsel is charging the CDD, how long it takes to receive bond funds, if it is a conflict of interest that three of the five Board Members are Lennar employees, the emergency erosion repairs, if the CDD intends to take any and all necessary legal actions against any and all responsible parties, the priority repairs, how the revetement project will impact resident homeowners that have docks, how homeowners will be assessed for the repairs, if the wall should be insured once repaired and if there is a time limit for lawsuits.

TENTH ORDER OF BUSINESS

Adjournment

<p>On MOTION by Mr. Bennington and seconded by Mr. Buchholz, with all in favor, the meeting adjourned at 12:07 p.m.</p>
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Secretary/Assistant Secretary

Chair/Vice Chair

WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT

STAFF
REPORTS

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
October 3, 2024 <i>Rescheduled to October 8, 2024</i>	Regular Meeting	10:00 AM
October 8, 2024 CANCELED <i>Inclement Weather</i>	Regular Meeting and Attorney-Client Executive Session Shade Meeting	10:00 AM
October 30, 2024	Special Meeting and Attorney-Client Executive Session Shade Meeting	11:00 AM
November 7, 2024	Landowners' Meeting & Regular Meeting	11:00 AM
November 21, 2024	Special Meeting <i>Shoreline Update</i>	1:00 PM
December 5, 2024	Regular Meeting	10:00 AM
December 19, 2024 CANCELED	Special Meeting <i>Shoreline Update</i>	1:00 PM
January 9, 2025*	Regular Meeting	10:00 AM
January 23, 2025	Special Meeting <i>Shoreline Update</i>	1:00 PM
February 6, 2025	Regular Meeting	10:00 AM
February 20, 2025	Special Meeting <i>Shoreline Update</i>	1:00 PM
February 27, 2025	Continued Board Meeting and Attorney- Client Session	3:00 PM
March 6, 2025	Regular Meeting	10:00 AM

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
March 20, 2025	Special Meeting <i>Shoreline Update</i>	1:00 PM
April 3, 2025	Regular Meeting	10:00 AM
April 17, 2025	Special Meeting <i>Shoreline Update</i>	1:00 PM
May 1, 2025	Regular Meeting	10:00 AM
May 15, 2025	Special Meeting <i>Shoreline Update</i>	1:00 PM
June 5, 2025	Regular Meeting	10:00 AM
July 3, 2025	Regular Meeting	10:00 AM
August 7, 2025	Regular Meeting	10:00 AM
September 4, 2025	Regular Meeting	10:00 AM

Exception

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