

**MINUTES OF MEETING
WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the WildBlue Community Development District held a Regular Meeting on November 6, 2025 at 10:00 a.m., at the Community Center (Card Room), 18721 WildBlue Blvd., Fort Myers, Florida 33913.

Present:

John Buchholz	Chair
Rick Bennington	Vice Chair
Herbert Lanese	Assistant Secretary
Denis Bourque	Assistant Secretary
Sima Baker	Assistant Secretary

Also present:

Chuck Adams	District Manager
Shane Willis	Operations Manager
Wes Haber (via zoom/phone)	District Counsel
Frank Savage	District Engineer
Carl Barraco (via zoom/phone)	Barraco and Associates, Inc.
Maritza Stonebreaker (via zoom/phone)	Auditor
Kathleen O'Connor (via zoom/phone)	Resident
Victor Schnur	Resident
Jim Petro (via zoom/phone)	Resident
Chris Gregson (via zoom/phone)	Resident
Richard Gurney (via zoom/phone)	Resident
Other residents	

The names of all attendees, residents and/or members of the public might not appear in the meeting minutes. If the person did not identify themselves, their name was inaudible or their name did not appear in the meeting notes or on a sign in sheet, the name was not listed.

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 10:01 a.m. All Supervisors were present.

SECOND ORDER OF BUSINESS

Public Comments: Agenda Items (3 Minutes Per Speaker)

Resident Kathleen O'Connor stated she has comments regarding the meeting minutes when the time comes.

Resident Victor Schnur stated, despite several prior discussions about individuals insulting and threatening Board Members on social media, nothing has been done, which he feels is completely unacceptable. He suggested posting a warning on Facebook and possibly imposing a fee.

Mr. Buchholz stated, unfortunately, social media banter is the nature of today's reality. Typically, residents who spread rumors on Facebook do not attend meetings. While the Board does not appreciate it, he is unsure of how it can be stopped. He discussed the status of the wall project, provided a brief update on the mediation proceedings and proposed having a community meeting in December solely to discuss the wall replacement project and costs.

Discussion ensued regarding the importance of the Board not responding to the criticism on Facebook.

Mr. Willis pointed out that the Board takes questions and allows public comments at every meeting, wherein almost every question posed is answered and they are not required to do so, per Statute.

Asked if the Board will elaborate on the countersuit with the gas station during this meeting, Mr. Buchholz stated the matter was dismissed and an update was provided at the previous meeting.

Discussion ensued regarding the possibility of off-site water being discharged into CDD waterways, negotiations with the Developer, the South Florida Water Management District (SFWMD) standards and on-site storage.

Resident Jim Petro asked the Board and Staff to introduce themselves and their affiliation.

Resident Chris Gregson questioned a prior statement that Board Members are volunteers and asked about Board Member compensation. Mr. Adams stated Board Members are paid \$200 per meeting.

THIRD ORDER OF BUSINESS

Presentation of Audited Annual Financial Report for the Fiscal Year Ended September

30, 2024, Prepared by Berger, Toombs, Elam, Gaines & Frank

Ms. Stonebreaker presented the Audited Financial Report for the Fiscal Year Ended September 30, 2024 and noted the pertinent information. There were no findings, recommendations, deficiencies on internal control or instances of non-compliance; it was a clean audit.

A. Consideration of Resolution 2026-01, Hereby Accepting the Audited Annual Financial Report for the Fiscal Year Ended September 30, 2024

On MOTION by Mr. Buchholz and seconded by Mr. Bennington with all in favor, Resolution 2026-01, Hereby Accepting the Audited Annual Financial Report for Fiscal Year Ended September 30, 2024, was adopted.

Ms. Stonebreaker left the call.

Regarding a question received via email about the special assessment, Mr. Willis explained that the District's assessment is called a special assessment; although, there is nothing "special" about it. It is the language required by Florida Statute. Whereas, with HOAs, there can be an assessment and a special assessment.

FOURTH ORDER OF BUSINESS

Updates

A. Lake Bank Erosion Repair Project

Mr. Savage and Mr. Barraco presented and discussed the following:

- The bid due date was pushed back a week but Staff needs two additional weeks.
- Staff is in the midst of the process and issued a first addendum on October 28, 2025.
- Staff received 33 additional questions from contractors, which were subsequently compiled. Draft responses to those questions were generated and circulated internally for verification so that a second addendum can be issued.
- Staff is working with District Counsel who is coordinating with Special Litigation Counsel on preparing the content data and supplemental conditions which were received in final form yesterday. They have not been reviewed by the bidders yet.
- The critical path still remains the same.

B. Retaining Wall Restoration

- **Schedule**

- Bids were originally due on November 11, 2025 but Staff is requesting two additional weeks to respond to contractor questions and prepare a third addendum to be issued on November 14, 2025.

A Board Member voiced their opinion that one week is more reasonable than two weeks and that nothing is done the week of Thanksgiving.

The Board and Staff discussed the upcoming meeting schedule, the public bid opening, leveling out the bids, finalizing the addendums, the ranking form, contract award date, financing, bonds, notice to proceed, when construction funds will be available, potential staging area and a demo permit.

Mr. Barraco reported the following:

- Once the bid is approved, there are three approvals that must be obtained before construction commences. The first approval is administrative deviation of the land development code. Staff is working with the County, responded to the County's feedback and anticipates County approval a few weeks prior to construction.
- The next approval is a review of the construction plans. Staff submitted the plans to the County and responded to the County's feedback. The process is progressing smoothly and is not anticipated to delay construction.
- The third approval is a modification of the Environmental Resource Permit (ERP) with the SFWMD. This was submitted and subsequently reviewed. Mr. Barraco met with the Bureau Chief and conveyed the time-sensitive nature of the project. He does not anticipate any issues.

- **Downspout Diagram**

Mr. Savage stated, as the Board is aware, there is a parallel project for the non-recreational lake and any erosion conditions that are there require remediation. Based on the water levels, a schedule is being drafted for this bid and that contract should be awarded in January. The bid package will be circulated on November 18, 2025 and issued on November 25, 2025. This project will not delay the work on the retaining wall.

Per Mr. Buchholz, Mr. Barraco to prepare and provide a map of Phase 2 of the retaining wall repair project, with linear footage, by December 3, 2025.

C. Fuel Station Site

There was no update.

FIFTH ORDER OF BUSINESS**Consideration of Operating Loan Term Sheet from Synovus Bank (to be provided under separate cover)**

Mr. Adams presented the Operating Loan Term Sheet from Synovus Bank, in a not to exceed amount of \$500,000. The reason for the loan is to finance costs associated with legal expenses. It is an interest-only, two-year term from the date of closing and there will be semi-annual payments in May and November, starting on May 1, 2026. The interest rate will be fixed three days prior to closing.

On MOTION by Mr. Lanese and seconded by Mr. Bennington, with all in favor, the Operating Loan Term Sheet from Synovus Bank, dated November 5, 2025, was approved.

SIXTH ORDER OF BUSINESS**Acceptance of Unaudited Financial Statements as of September 30, 2025**

Mr. Adams presented the Unaudited Financial Statements as of September 30, 2025.

The financials were accepted.

SEVENTH ORDER OF BUSINESS**Approval of Minutes****A. September 18, 2025 Special Board Meeting and Attorney-Client Sessions**

The following changes were made:

Line 189: Change “on” to “of”

On MOTION by Mr. Buchholz and seconded by Mr. Bennington, with all in favor, the September 18, 2025 Special Board Meeting and Attorney-Client Sessions Minutes, as amended, were approved.

B. October 2, 2025 Regular Meeting

The following changes were made:

Line 24: Change “Rosemary” to “Roseanne”

Lines 191: Delete “discussing”

Line 192: Delete “with Special Litigation Counsel,”

Line 198: Change “and if they will need to reduce costs” to “at a reduced cost”

On MOTION by Mr. Buchholz and seconded by Mr. Lanese, with all in favor, the October 2, 2025 Regular Meeting Minutes, as amended, were approved.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

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

B. District Engineer: Barraco and Associates, Inc.

There were no District Counsel or District Engineer reports.

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

- **UPCOMING MEETINGS:**

- **November 20, 2025 at 10:00 AM [Special Meeting and Attorney-Client Sessions]**
- **December 4, 2025 at 10:00 AM [Regular Meeting]**
- **QUORUM CHECK**

NINTH ORDER OF BUSINESS

Board Members' Comments/Requests

Mr. Buchholz stated he would like to reduce the legal expenses and suggested removing the Commercial Attorney from the November 20, 2025 Shade Session. He recently received and circulated information to the Board regarding Indigo Lake, which is Phase 3 of the wall project.

Ms. Baker asked for a synopsis of the project timelines since the Board transitioned to a resident-controlled Board. Mr. Bennington stated, based on the Litigation Attorney's advice, the Board voted to file a lawsuit at a February 2025 meeting. The Board then sped up the timeline by holding two meetings per month. It has been seven months from when the resident-controlled Board took over to the bids going out for the wall restoration project.

Mr. Buchholz discussed the Lennar Board, asking the Developer to make changes, lawsuits and Engineering report timelines.

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

Mr. Lanese stated minutes of each meeting are available online and audio files of every meeting are also available upon request.

Resident Carol Halese commended the Board and Staff for their hard work on the wall restoration project.

Mr. Willis, Mr. Adams and Mr. Buchholz responded to questions regarding a performance bond, if the CDD will require a road bond, notice of commencement, logistics, the CDD's tax-exempt status with regard to purchasing materials, the leveling of bids, a construction manager, Esplanade embankments, road expansion timeline and contributions from Lennar to complete the road project.

Ms. O'Connor thanked the Board and Staff for their efforts and reiterated a previous comment that the Board is not required to answer questions or allow residents/homeowners/members of the public to participate in meetings via telephone, yet this Board allows it. She voiced her understanding that settlement negotiations are confidential and asked if there has been some authorization by Lennar or Special Counsel allowing the Board to reveal a number to the community.

Mr. Haber stated the initial Lennar offer before the CDD filed litigation, has nothing to do with the mediation; it was made over a year ago and kept confidential until recently.

Mr. Haber responded to questions regarding whether Lennar is obligated to participate in the December 3, 2025 meeting, litigation costs and when and how the results of the mediation will be announced.

ELEVENTH ORDER OF BUSINESS**Adjournment**

On MOTION by Mr. Lanese and seconded by Mr. Bennington, with all in favor, the meeting adjourned at 11:42 a.m.

WILDBLUE CDD



A handwritten signature in black ink, appearing to be a stylized 'J' or 'L' shape, followed by the text 'Secretary/Assistant Secretary' in a smaller, printed font.

November 6, 2025



A handwritten signature in blue ink, consisting of two large, overlapping loops, followed by the text 'Chair/Vice Chair' in a smaller, printed font.