

WILDBLUE

**COMMUNITY DEVELOPMENT
DISTRICT**

February 5, 2026

**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
<https://wildbluecdd.net/>

January 28, 2026

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 February 5, 2026 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. Updates
 - A. Lake Bank Erosion Repair Project
 - Downspout Diagram
 - B. Retaining Wall Restoration
 - Schedule
 - C. Fuel Station Site
 - D. Lake Bank Revetment Communication
4. Acceptance of Unaudited Financial Statements as of December 31, 2025
5. Approval of January 15, 2026 Regular Meeting and Attorney-Client Sessions Minutes
6. Staff Reports
 - A. District Counsel: *Kutak Rock LLP*
 - B. District Engineer: *Barraco and Associates, Inc.*
 - C. District Manager: *Wrathell, Hunt and Associates, LLC*
 - Performance Measures/Standards & Annual Reporting Form *(for informational purposes)*

- UPCOMING MEETINGS

- February 19, 2026 at 10:00 AM [Special Meeting and Attorney-Client Session]
- March 5, 2026 at 10:00 AM [Regular Meeting]
- March 19, 2026 at 10:00 AM [Special Meeting and Attorney-Client Session]

- QUORUM CHECK

SEAT 1	HERBERT LANESE	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 2	SIMA BAKER	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 3	DENIS BOURQUE	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 4	JOHN BUCHHOLZ	<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

7. Board Members' Comments/Requests

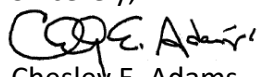
- Discussion/Consideration of Official WildBlue CDD Public Statement Regarding the Retention Wall Project

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

9. Adjournment

Should you have any questions, please do not hesitate to contact me directly at 239-464-7114 or Shane Willis at 239-259-4299.

Sincerely,


 Chesley E. Adams, Jr.
 District Manager

CONFERENCE CALL INFORMATION:

CALL-IN NUMBER: 1-888-354-0094

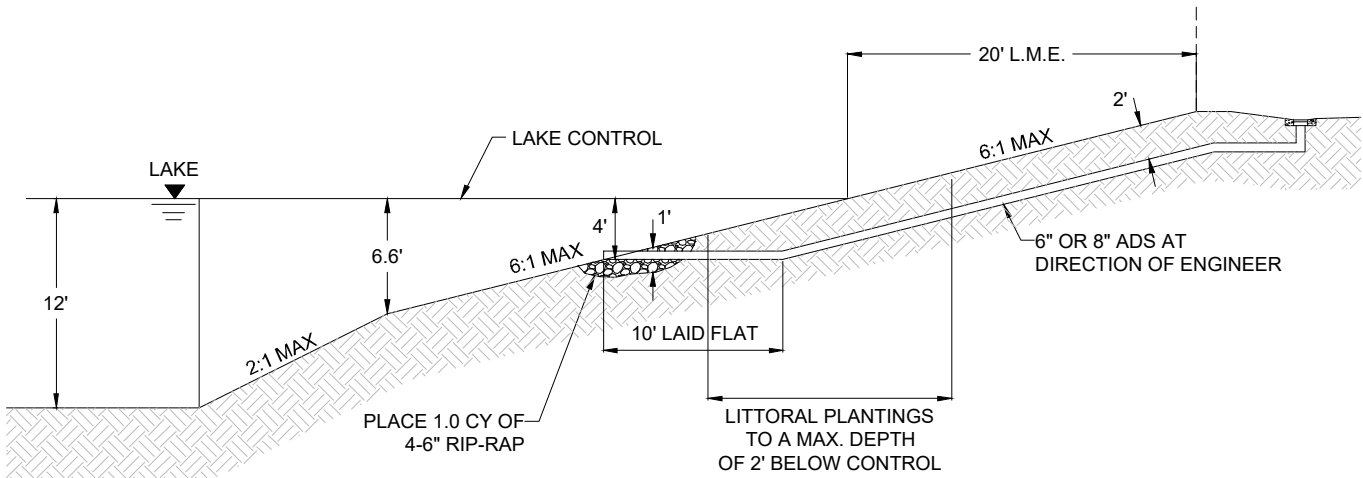
PARTICIPANT PASSCODE: 229 774 8903

WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT

3

WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT

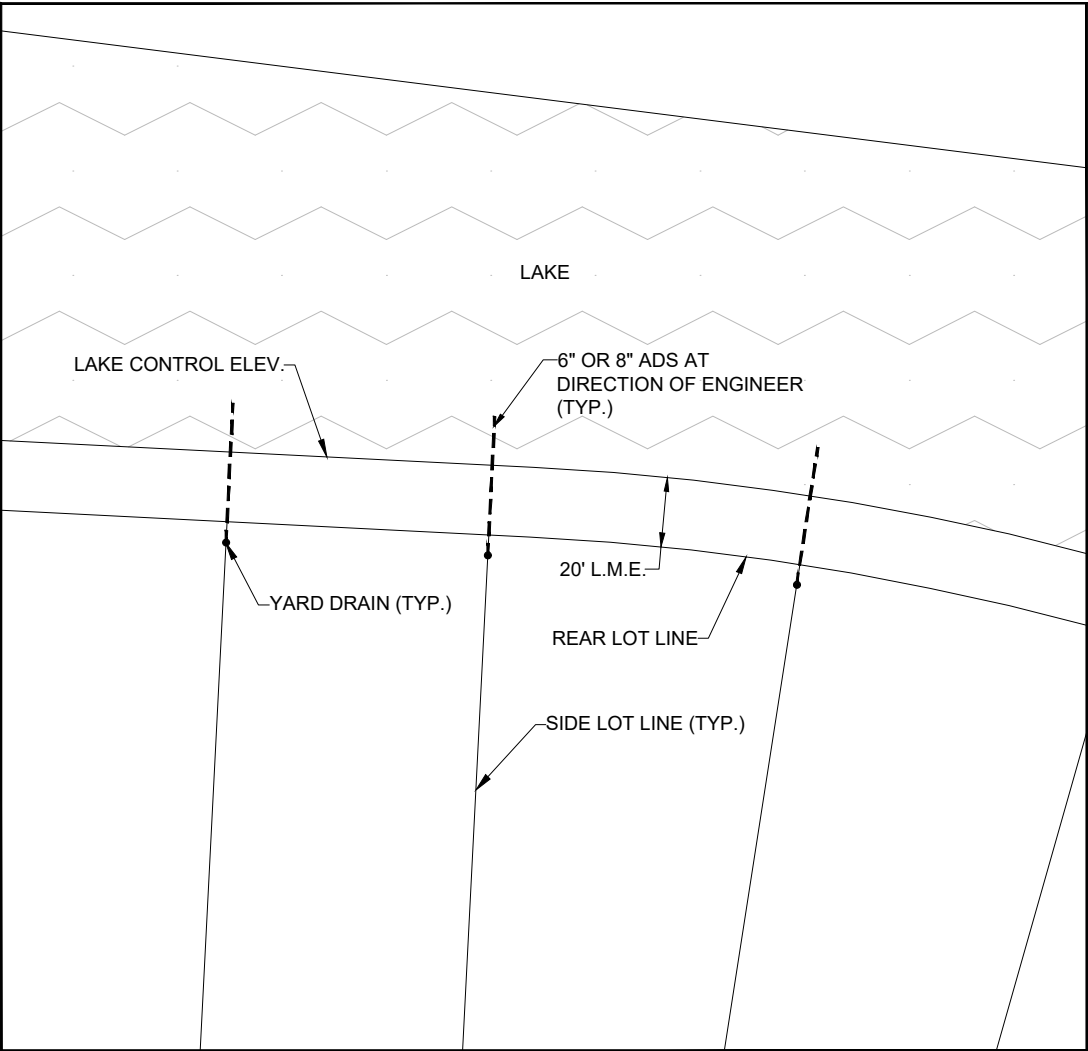
3A



LAKE BANK WITH SECONDARY DRAINAGE

N.T.S.

NOTE: THIS SECTION IS OPTIONAL AND MAY BE IMPLEMENTED AT COMMON LOT LINES BY THE OWNER(S).



LAKE BANK WITH SECONDARY DRAINAGE

N.T.S.

NOTE: THIS SECTION IS OPTIONAL AND MAY BE IMPLEMENTED AT COMMON LOT LINES BY THE OWNER(S).

PREPARED FOR

WILDBLUE
COMMUNITY
DEVELOPMENT
DISTRICT

PROJECT DESCRIPTION

WILDBLUE
CDD

LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND
INTENDED FOR CONCEPTUAL
PLANNING PURPOSES ONLY.

SITE LAYOUT AND LAND USE
INTENSITIES OR DENSITIES MAY
CHANGE SIGNIFICANTLY BASED
UPON SURVEY, ENGINEERING,
ENVIRONMENTAL AND / OR
REGULATORY CONSTRAINTS
AND / OR OPPORTUNITIES.

DRAWING NOT VALID WITHOUT SEAL, SIGNATURE AND DATE
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FILE NAME	J:\23620\DWG\LBR LAKE DETAILS.DWG
LOCATION	J:\23620\DWG\LBR\EXH1
PLOT DATE	THU, 6-29-2023 - 2:34 PM
PLOT BY	CHRIS PAULY

CROSS REFERENCED DRAWINGS

PLAN REVISIONS

PLAN STATUS

EXHIBIT

REAR LOT TO LAKE
DRAINAGE
EXHIBIT

PROJECT / FILE NO.	SHEET NUMBER
23620	EXH

WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT

3B

WildBlue CDD Phase 1 Rec Lake Restoration Schedule																				
ID	Task Name	Duration	Start	Finish	May B M E	June B M E	July B M E	August B M E	September B M E	October B M E	November B M E	December B M E	January B M E	February B M E	March B M E	April B M E	May B M E	June B M E	July B M E	August B M E
1	Phase 1 Restoration Timeline	586 d	Mon 5/12/25	Fri 12/18/26																
2	Phase 1 Restoration Design	51 d	Mon 5/12/25	Tue 7/1/25																
3	60% Construction Set Design	23 d	Mon 5/12/25	Tue 6/3/25																
4	Prepare 60% Construction Plans for Review (Cummins Cederberg)	23 d	Mon 5/12/25	Tue 6/3/25																
5	90% Construction Set Design	58 d	Wed 6/4/25	Thu 7/31/25																
6	Prepare 90% Construction Plans for Review (Cummins Cederberg)	59 d	Wed 6/4/25	Fri 8/1/25																
7	Phase 1 Permitting	142 d	Thu 6/12/25	Fri 10/31/25																
8	Lee County Administrative Amendment (AA) - if needed (Zoning)*	114 d	Thu 6/12/25	Fri 10/3/25																
9	Pre-submission meeting with Lee County staff	9 d	Thu 6/12/25	Fri 6/20/25																
10	Initial AA Submission (BAI)	19 d	Mon 6/30/25	Fri 7/18/25																
11	Lee County AA Initial Review	31 d	Sat 7/19/25	Mon 8/18/25																
12	Review Lee County AA RAI and First Resubmission (BAI)	14 d	Tue 8/19/25	Mon 9/1/25																
13	Lee County AA Review and Approval	30 d	Tue 9/2/25	Wed 10/1/25																
14	Permit Issued	2 d	Thu 10/2/25	Fri 10/3/25																
15	Lee County Limited Review Development Order (LDO)	142 d	Thu 6/12/25	Fri 10/31/25																
16	Pre-submission meeting with Lee County staff	9 d	Thu 6/12/25	Fri 6/20/25																
17	Initial LDO Submission (BAI)	33 d	Mon 6/30/25	Fri 8/1/25																
18	Lee County LDO Initial Review	31 d	Sat 8/2/25	Mon 9/1/25																
19	Review Lee County LDO RAI and First Resubmission (BAI)	14 d	Tue 9/2/25	Mon 9/15/25																
20	Lee County LDO 2nd Review	30 d	Tue 9/16/25	Wed 10/15/25																
21	Paperwork Resubmission (BAI) and LDO Approval	14 d	Thu 10/16/25	Wed 10/29/25																
22	Permit Issued	2 d	Thu 10/30/25	Fri 10/31/25																
23	SFWMD ERP Minor Modification - if needed	128 d	Thu 6/12/25	Fri 10/17/25																
24	Pre-submission meeting with SFWMD staff	9 d	Thu 6/12/25	Fri 6/20/25																
25	Initial ERP Minor Mod Submission (BAI)	33 d	Mon 6/30/25	Fri 8/1/25																
26	SFWMD Initial Review	31 d	Sat 8/2/25	Mon 9/1/25																
27	Review SFWMD RAI and First Resubmission (BAI)	14 d	Tue 9/2/25	Mon 9/15/25																
28	SFWMD Resubmission Review and Approval	30 d	Tue 9/16/25	Wed 10/15/25																
29	Permit Issued	2 d	Thu 10/16/25	Fri 10/17/25																
30	Phase 1 Construction Services	586 d	Mon 5/12/25	Fri 12/18/26																
31	Phase 1 Technical Specifications (Cummins Cederberg - concurrent to construction plan design)	51 d	Mon 5/12/25	Tue 7/1/25																
32	Optional - Obtain updated Order of Magnitude pricing (Cummins Cederberg - based on 60% design)	28 d	Wed 6/4/25	Tue 7/1/25																
33	Prepare Project Manual and Bid Documents (Cummins Cederberg - based on 90% design)	14 d	Fri 8/1/25	Thu 8/14/25																
34	Review and Finalize Bid Documents (concurrent to construction plans)	20 d	Fri 8/15/25	Wed 9/3/25																
35	Send Request for Proposals (RFP) Phase 1	1 d	Thu 9/4/25	Thu 9/4/25																
36	Phase 1 Bidding Coordination (Pre-bid, review and respond to questions, etc.)	32 d	Fri 9/5/25	Mon 10/6/25																
37	Phase 1 Bid Reviews and Recommendations	10 d	Tue 10/7/25	Thu 10/16/25																
38	Phase 1 Contract Award and Construction Commencement	21 d	Sat 11/1/25	Fri 11/21/25																
39	Phase 1 Construction Duration	392 d	Sat 11/22/25	Fri 12/18/26																
40	Phase 1 Financing	121 d	Mon 5/12/25	Tue 9/9/25																
41	Obtain Initial Financing (Interest Only)	2 d	Mon 5/12/25	Tue 5/13/25																
42	Prepare Supplemental Engineer Report	22 d	Wed 6/4/25	Wed 6/25/25																
43	Prepare Supplemental Methodology Report	21 d	Thu 6/26/25	Wed 7/16/25																
44	Obtain Bond Financing (Long Term)	121 d	Mon 5/12/25	Tue 9/9/25																

* Assumes no public hearing is required.

WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT

UNAUDITED
FINANCIAL
STATEMENTS

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

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

	General Fund	General Fund-SRF	Debt Service Fund	Capital Projects Fund	Total Governmental Funds
ASSETS					
Cash	\$ 1,925,467	\$ -	\$ -	\$ -	\$ 1,925,467
Synovus Note	482,762	3,548,480	-	-	4,031,242
Investments					
Synovus Reserve	-	55,129	-	-	55,129
Revenue	-	-	180,644	-	180,644
Reserve	-	-	701,964	-	701,964
Prepayment	-	-	28,051	-	28,051
Construction	-	-	-	99,447	99,447
Due from general fund	-	-	1,199,520	-	1,199,520
Utility deposit	400	-	-	-	400
Prepaid expense	850	-	-	-	850
Total assets	<u>\$ 2,409,479</u>	<u>\$ 3,603,609</u>	<u>\$ 2,110,179</u>	<u>\$ 99,447</u>	<u>\$ 8,222,714</u>
LIABILITIES AND FUND BALANCES					
Liabilities:					
Accounts payable	129,696	1,000	-	-	130,696
Tax Payable	796	-	-	-	796
Due to debt service fund	1,199,520	-	-	-	1,199,520
Accrued wages payable	2,800	-	-	-	2,800
Landowner advance	6,000	-	-	-	6,000
Total liabilities	<u>1,338,812</u>	<u>1,000</u>	<u>-</u>	<u>-</u>	<u>1,339,812</u>
Fund balances:					
Restricted for:					
Debt service	-	-	2,110,179	-	2,110,179
Capital projects	-	-	-	99,447	99,447
Unassigned	1,070,667	3,602,609	-	-	4,673,276
Total fund balances	<u>1,070,667</u>	<u>3,602,609</u>	<u>2,110,179</u>	<u>99,447</u>	<u>6,882,902</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 2,409,479</u>	<u>\$ 3,603,609</u>	<u>\$ 2,110,179</u>	<u>\$ 99,447</u>	<u>\$ 8,222,714</u>
Total liabilities and fund balances	<u>\$ 2,409,479</u>	<u>\$ 3,603,609</u>	<u>\$ 2,110,179</u>	<u>\$ 99,447</u>	<u>\$ 8,222,714</u>

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

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessment levy: on-roll - net	\$ 493,387	\$ 675,435	\$ 767,995	88%
Total revenues	<u>493,387</u>	<u>675,435</u>	<u>767,995</u>	88%
EXPENDITURES				
Professional & administrative				
Supervisors	4,091	7,105	6,000	118%
Management/accounting/recording	4,000	12,000	48,000	25%
Legal	34,003	41,584	20,000	208%
Special counsel	9,446	39,177	50,000	78%
Engineering	-	2,215	100,000	2%
Audit	-	-	6,500	0%
Arbitrage rebate calculation	-	-	1,500	0%
Dissemination agent	167	500	2,000	25%
Trustee	-	-	8,000	0%
Telephone	16	50	200	25%
Postage	70	153	500	31%
Printing & binding	41	125	500	25%
Legal advertising	390	591	2,000	30%
Annual special district fee	-	175	175	100%
Insurance	-	6,866	7,790	88%
Contingencies/bank charges	-	233	500	47%
Website				
Hosting	-	-	705	0%
ADA compliance	-	-	210	0%
Total professional & administrative	<u>52,224</u>	<u>110,774</u>	<u>254,580</u>	44%
Field operations				
Field management	833	2,500	10,000	25%
Aquatic maintenance	85,368	98,154	80,000	123%
Conservation area maintenance	-	-	320,000	0%
Conservation area monitoring & reporting	-	-	45,000	0%
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	387	1,201	7,500	16%
Contingencies	-	-	5,000	0%
Principal - 2024 Note	-	-	103,000	0%
Interest - 2024 Note	-	-	103,000	0%
Shoreline/seawall repair and replacements	-	-	2,500,000	0%
Total field operations	<u>86,588</u>	<u>101,855</u>	<u>3,211,500</u>	3%

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

	Current Month	Year to Date	Budget	% of Budget
Other fees and charges				
Property appraiser	-	673	673	100%
Tax collector	-	1,238	1,238	100%
Transfer in	(482,500)	(482,500)	3,000,000	-16%
Cost of issuance	-	17,500	-	N/A
Total other fees and charges	<u>(482,500)</u>	<u>(463,089)</u>	<u>3,001,911</u>	-15%
Total expenditures	<u>(343,688)</u>	<u>(250,460)</u>	<u>6,467,991</u>	-4%
Excess/(deficiency) of revenues over/(under) expenditures	837,075	925,895	(5,699,995)	
OTHER FINANCING SOURCES				
Note/LOC Proceeds	-	500,000	-	
Total other financing sources	<u>-</u>	<u>500,000</u>	<u>-</u>	
Net change in fund balances	837,075	1,425,895	(5,699,995)	
Fund balances - beginning	233,592	(355,228)	476,814	
Fund balances - ending	<u>\$ 1,070,667</u>	<u>\$ 1,070,667</u>	<u>\$ (5,223,181)</u>	

**WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
SPECIAL REVENUE FUND NOTE 2025
FOR THE PERIOD ENDED DECEMBER 31, 2025**

	Current Month	Year To Date
REVENUES		
Interest	\$ 6,352	\$ 19,399
Total revenues	<u>6,352</u>	<u>19,399</u>
EXPENDITURES		
Debt service		
Interest	-	96,444
Engineering	12,177	25,359
Contingencies	-	1,000
Total debt service	<u>12,177</u>	<u>122,803</u>
Excess/(deficiency) of revenues over/(under) expenditures	(5,825)	(103,404)
OTHER FINANCING SOURCES/(USES)		
Transfers out	(482,500)	(482,500)
Total other financing sources	<u>(482,500)</u>	<u>(482,500)</u>
Fund balances - beginning	4,090,934	4,188,513
Fund balances - ending	<u><u>\$ 3,602,609</u></u>	<u><u>\$ 3,602,609</u></u>

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

	Current Month	Year To Date	Budget	% of Budget
REVENUES				
Special assessment: on-roll	\$ 877,826	\$ 1,199,520	\$ 1,392,509	86%
Interest	3,964	12,463	-	N/A
Total revenues	<u>881,790</u>	<u>1,211,983</u>	<u>1,392,509</u>	87%
EXPENDITURES				
Debt service				
Principal	-	-	515,000	0%
Interest	440,684	440,684	881,369	50%
Total expenditures	<u>440,684</u>	<u>440,684</u>	<u>1,396,369</u>	32%
Excess/(deficiency) of revenues over/(under) expenditures	441,106	771,299	(3,860)	
Fund balances - beginning	<u>1,669,073</u>	<u>1,338,880</u>	<u>1,312,535</u>	
Fund balances - ending	<u><u>\$ 2,110,179</u></u>	<u><u>\$ 2,110,179</u></u>	<u><u>\$ 1,308,675</u></u>	

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

	Current Month	Year To Date
REVENUES		
Interest	\$ 292	\$ 901
Total revenues	<u>292</u>	<u>901</u>
EXPENDITURES		
Total expenditures	<u>-</u>	<u>-</u>
Excess/(deficiency) of revenues over/(under) expenditures	292	901
Fund balances - beginning	99,155	98,546
Fund balances - ending	<u>\$ 99,447</u>	<u>\$ 99,447</u>

WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT

MINUTES

DRAFT
MINUTES OF MEETING
WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors of the WildBlue Community Development District held a Regular Meeting and Attorney-Client Session on January 15, 2026 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
Carl Barraco	District Engineer
Chrisopher Fiore (via Zoom/phone)	Special Counsel
Court Reporter (via Zoom/phone)	

Residents present in person or via Zoom/phone:

Chris Brexton	David Goodman	Richard Gurney	Doreen Shaheen	Elaine Bailey
Peter Brown	Chris Gregson	Mark Sorensen	Kathleen O'Connor	Brian Grillo
Ann & Joe Faro	Jerry O'Malley	Scott Herbman	Steve Humphrey	Terry Kurth
Kristi Huston	Julia Lambert	Joseph Cerbone	Greg Christiansen	Caitlin Galligan

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 10:00 a.m. All Supervisors were present.

SECOND ORDER OF BUSINESS

Public Comments: Agenda Items (3 Minutes Per Speaker)

Mr. Buchholz welcomed the attendees and discussed public comment protocols.

Resident Richard Gurney asked for a summary of events leading up to the current status of the wall project.

It was noted that, in coordination with Mr. Buchholz, a document was prepared for the Board to review and, subject to final approval, it will be disseminated to the residents within the next couple of weeks and will be posted on the website.

It was noted that settlement negotiations and strategy discussed in the Attorney-Client Session Shade Meetings are deemed private under the Sunshine Law and will not be disclosed until certain statutes are met. Residents are urged to attend meetings instead of obtaining information from their neighbors.

Resident Peter Brown asked for maps outlining Phases 1 and 2 and asked for them to be included in the communique to the residents. He asked if there are plans for the existing wall where it is okay. Mr. Buchholz stated that is being designed. The thought process is to take care of the areas that were obliterated, the District Engineer will review and provide recommendations for the second half of Phase 2, which is the south side. In general, the project scope will be for similar reinforcement to the level the North is getting but, because the wall will remain in place in many areas, it will provide enforcement. The CDD will do what is necessary.

Resident Doreen Shaheen asked if Legal Counsel can provide details of what occurred in mediation. Litigation Counsel Christopher Fiore stated that no settlement was reached in mediation, which is all he can share due to mediation privilege. Residents can go to the 20th Judicial Circuit Court website to review all the public litigation filings. The litigation is currently in the discovery process, where the parties exchange information that gives each party a better understanding of the position of each side of the evidence that supports the arguments; it then transitions into depositions. Mediation is an ongoing process, which may take several months.

Discussion ensued regarding the efforts of the resident Board versus prior Boards, and residents wanting ongoing updates instead of having to attend the CDD meetings.

Resident David Goodman asked about dock removal and storage and if it will be done on a case-by-case basis. Mr. Buchholz stated he will meet with J&M and the General Contractor Forman with Kelly Brothers once they are officially engaged to determine where the project is starting and provide a flow schedule of where they can store and anchor the docks. The first phase will involve removing debris, the Engineers inspecting the piping and establishing where

75 the walls used to be and establishing the heights; he expects this to take three or four months to
76 complete before moving any docks. Homeowners are responsible for engaging J&M or another
77 contractor to remove their docks at their expense.

78 Resident Caitlin Galligan voiced concern about the utilities being shutdown properly to
79 avoid being electrocuted. It was noted that the construction company will provide all the
80 requirements and those will be disseminated to residents. The docks are on Ground Fault
81 Interrupters (GFI) breakers; individual homeowners or a group are not prevented from suing
82 Lennar in small claims court for having to remove their docks.

83 Resident Steve Humprey discussed his experience and damages from a prior hurricane
84 and read a statement about hurricane dangers. He believes the Board received bad advice about
85 proceeding with litigation and thinks the remediation solution is unethical. He suggests stopping
86 all litigation before the CDD is in financial ruin. He suggested the Board listen to the homeowners
87 they represent and do what he thinks is the right thing and reach a compromise, or risk being
88 voted off the Board. Mr. Buchholz stated the wall was inadequately built, in that it did not hold
89 up in a simple storm. He suggested inspecting the wall at the marina, which was built correctly.

90 Discussion ensued regarding the Board's decision to proceed with the project to save
91 homes during the next hurricane. It was noted that the Lennar CDD Board engaged litigation
92 counsel and then resigned when Counsel's recommendation was to proceed with litigation; any
93 settlement has nothing to do with remediation.

94 Resident Scott Herbman asked why the project is proceeding without a settlement.

95 Resident Ann Faro asked who approved the original retention wall and if the CDD can sue
96 the people who approved the wall. She suggested researching the Quarry, which won its lawsuit
97 about the wall. Mr. Buchholz believes the South Florida Water Management District (SFWMD)
98 probably approved the wall based on the Engineer's Seal but did not review the plans.

99 Resident Joseph Cerbone discussed his loss of property and community access prior to
100 closing on the home and explained the initial repairs for a temporary berm conducted because
101 of water violations. He encouraged residents to attend CDD meetings.

102 Resident Elaine Bailey asked how the CDD is financing Legal and Special Counsel litigation
103 costs, which she expects will exceed the \$70,000 budgeted in Fiscal Year 2026. Mr. Adams stated
104 the proceeds will come from the \$500,000 gap funding Note obtained to fund the anticipated
105 operating expense, plus \$700,000+ in levied assessments. Regarding the commercial lawsuit, Mr.
106 Adams stated the goal is to spend what it takes to ensure that those property owners adjacent

to the commercial site are not impacted by the quantity and quality from the runoff coming from the commercial site.

Discussion ensued regarding the formula used to calculate the \$50 million in estimated remediation costs, the site plans posted on the website, and the spreadsheet outlining the financial impact in Fiscal Years 2027 and 2028, if the CDD does not recover the costs.

Resident Chris Gregson acknowledged there is a difference of opinion on how and when to proceed. In his opinion, there is no immediate need to do anything so the CDD should wait until the it wins or loses the lawsuit. He read a statement "Directing the CDD Board to immediately stop all the following items; commercial property acquisition, and all legal proceedings on the commercial property topic; all Phase 1, 2 and 3 progress until the Board can present a plan that convinces homeowners the plans are solid and shows the residents it can trust this plan, by needing to pass a vote of the majority of the total membership of the CDD buyer, every door, et. al." It was noted that remediation is to protect the assets of the CDD. Mr. Buchholz thanked Mr. Gregson for his comments.

Mr. Bennington will continue the process of texting attendees when the Regular Board Meeting reconvenes so they can return to the meeting.

Resident Brian Grillo asked why the Shade Session is held in the middle of the CDD meeting. Mr. Willis stated this is a Florida Statute requirement.

Resident Kathleen O'Connor, thanked the Board for their performance over the last 13 months. She does not see any reasons to delay the project. She and Mr. Cerbone have not had a wall on their property since a year before their closing and their properties continue to erode. She encouraged residents to attend the CDD meetings.

THIRD ORDER OF BUSINESS

ANNOUNCE ATTORNEY-CLIENT SESSION SHADE MEETING/RECESS REGULAR BOARD MEETING

Mr. Haber announced the Attorney-Client Session Shade Meeting.

Mr. Haber stated the Shade Meeting acknowledges implementation of a portion of Sunshine Law allowing the Board to meet privately with Counsel and the District Manager when the District is subject to litigation. This is specifically related to Lee County Case No. 1775 outlined in the Fourth Order of Business. The Shade Session was formally requested at a prior meeting and properly noticed. Shade Session attendees include CDD Board Members, Mr. Haber,

Litigation Counsel Chris Fiore, District Management representatives Chuck Adams and Shane Willis, and the Court Reporter. The Attorney-Client Session Shade Meeting must be confined to settlement negotiations or strategy related to litigation and not disclosed to third parties.

The Regular Meeting recessed at 11:03 a.m. In-person members of the public left the room, and Mr. Willis disconnected the phone lines and recording.

The meeting transitioned to the Court Reporter.

FOURTH ORDER OF BUSINESS

COMMENCEMENT OF ATTORNEY-CLIENT SESSION SHADE MEETING (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

The Attorney-Client Session Shade Meeting Executive Session commenced.

FIFTH ORDER OF BUSINESS

ADJOURN ATTORNEY-CLIENT SESSION SHADE MEETING/RECONVENE REGULAR BOARD MEETING

The Attorney-Client Session Shade Meeting adjourned at 11:45 a.m.

Mr. Adams reconvened the Regular Board Meeting at 11:56 a.m. The phone lines and audio recording were reconnected and the meeting room was opened to the public. The same Board Members present at roll call were still present.

SIXTH ORDER OF BUSINESS

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

There were no matters to consider.

SEVENTH ORDER OF BUSINESS**Updates****A. Lake Bank Erosion Repair Project**

- **Downspout Diagram**

This item was discussed during Item 7B.

B. Retaining Wall Restoration

- **Schedule**

These items were included for informational purposes.

Mr. Barraco discussed the following:

➤ The bid package to remediate erosion on the non-recreational lakes is underway. The contract will be awarded soon and the project will commence during the dry season, when conditions are favorable.

➤ The downspout diagram is posted on the website. Homeowners should provide the diagram to their contractors. The Engineer's recommendation is to install the pipe deep into the lake to avoid potential exposure during the dry season.

➤ A contractor has been selected.

➤ District Staff, the District Engineer and the Marine Engineer will coordinate items such as docks, access, storage areas, schedules, etc., before construction starts. A way to submit any concerns or questions during construction will be implemented.

C. Fuel Station Site

There was no update.

Mr. Buchholz asked Mr. Adams to reschedule his deposition to the following week.

It was noted that Mr. Gregson's prior statement about the CDD planning to acquire the Fuel Station Site is untrue.

EIGHTH ORDER OF BUSINESS**Discussion/Consideration/Ratification:
Performance Measures/Standard & Annual
Reporting Form**

Mr. Adams stated that the 2025 Goals and Objectives Reporting was completed.

A. October 1, 2024 – September 30, 2025 [Posted]

On MOTION by Mr. Lanese and seconded by Mr. Bennington, with all in favor, the Fiscal Year 2025 Goals and Objectives Annual Reporting, was ratified.

B. October 1, 2025 – September 30, 2026

Mr. Adams stated that the Goals and Objectives Fiscal Year 2026 Performance Measures and Standards are the same as for Fiscal Year 2025.

On MOTION by Mr. Bourque and seconded by Mr. Lanese, with all in favor, the Goals and Objectives Reporting Fiscal Year 2026 Performance Measures and Standards, were approved.

NINTH ORDER OF BUSINESS**Acceptance of Unaudited Financial Statements as of November 30, 2025**

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

The financials were accepted.

TENTH ORDER OF BUSINESS**Approval of Minutes****A. November 20, 2025 Special Meeting and Attorney-Client Sessions**

On MOTION by Mr. Buchholz and seconded by Mr. Bourque, with all in favor, the November 20, 2025 Special Meeting and Attorney-Client Sessions Minutes, as presented, were approved.

B. December 4, 2025 Regular Meeting and Attorney-Client Session

The following changes were made, which included edits from Ms. O'Connor and others:

Line 26 and throughout: Change "Phil Magery" to "Bill Magri"

Line 50: Insert "pre-mediation" after "Lennar's"

Line 60 and throughout: Change "Magery" and "Magery's" to "Magri"

Line 148: Change "City" to "County"

Line 152: Change "Counter Claim" to "counterclaim"

Line 297: Change "linier" to "linear"

Line 308: Change "Bailey" to "Daily"

Line 313: Change "to the point of" to "to this point in"

On MOTION by Mr. Buchholz and seconded by Mr. Lanese, with all in favor, the December 4, 2025 Regular Meeting and Attorney-Client Session Minutes, as amended, were approved.

C. December 18, 2025 Special Meeting and Attorney-Client Session

The following changes submitted by Ms. O'Connor were made:

Line 27 and throughout: Change "Wirley" to "Worley"

Line 28 and throughout: Change "Merrill" to "Meryl"

Lines 55 to 58: Delete

Lines 60 and 61: Delete

Line 69: Change "after submitting the Report" to "after the litigation attorney submitted their report"

Lines 137, 153, 160, 176: Change "Projects" to "Project"

Line 156: Change "bond performance to "performance bond"

Line 171: Insert "be" after "will"

Lines 172 and 175: Change "Phases 2 and 3" to "Phase 2"

Mr. Adams noted the Phase 2 contract addressing stormwater runoff/washout deficiencies is currently out to bid.

Line 175: Change "Phases 2 and 3 projects" to "Phase 2 project"

Line 191: Insert "for" after "filing"

Line 198: Change "Feinstein" to "Finkelstein"

Line 199: Insert "sought" after "amount"

Line 208: Change "it will" to "Phase 1 will"

Line 209: Insert "for Phase 2" after "estimate"

Line 227: Insert "he" after "yesterday,"

On MOTION by Mr. Bennington and seconded by Mr. Bourque, with all in favor, the December 18, 2025 Special Meeting and Attorney-Client Session Minutes, as amended, were approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

Mr. Haber requested amending the agenda to add consideration of a bid protest filed in response to the award of contract related to the Request for Proposals (RFP) for Lake Bank and Wall Remediation Projects.

On MOTION by Mr. Bourque and seconded by Mr. Buchholz, with all in favor, amending the agenda to add Discussion and Decision Regarding the Bid Protest to the Request for Proposals for Lake Bank and Wall Remediation Projects, was approved.

▪ **Discussion and Decision Regarding the Bid Protest to the Request for Proposals for Lake Bank and Wall Remediation Projects**

This item was an addition to the agenda.

Mr. Haber recommended rejecting B&Z Construction's protest and deny any action with respect to the request which are based either on procedural and substantive reasonings, such as failure to make factual or legal arguments as to why the CDD should provide B&Z Construction, any relief to cure and submit a bond, or to timely post a protest bond, respectively, which are outlined in his memorandum to the Board.

Mr. Haber described the bid protest status and suggested sending a formal notice to B&Z Construction that their protest has been rejected based on items the Board reviewed and their decision to award the contract to Kelly Brothers, Inc. Since the contract with Kelly Brothers, Inc. cannot be executed until the protest is resolved, he suggests scheduling an informal meeting with B&Z Construction coming before the Board to make an argument as to why they think they should be entitled to the contract, at which the Board can then decide whether or not to engage further on this matter. The decision was made to continue this meeting to January 23, 2026 at 10:00 a.m. to avoid further delays.

Mr. Haber suggested designating a Board Member to contact B&Z Construction prior to the January 23, 2026 meeting to discuss the Board's decision regarding the protest and, if B&Z Construction decides to withdraw its protest, having them provide that in writing.

Mr. Buchholz was designated spokesperson on behalf of the Board.

On MOTION by Mr. Bourque and seconded by Mr. Bennington, with all in favor, rejecting the B&Z Construction Protest for the reasons Mr. Haber stated and directing Staff to send a formal notice of the rejection to B&Z Construction and advising that an informal proceeding has been scheduled for January 23, 2026 at 10:00 a.m., at the Community Center (Card Room), 18721 WildBlue Blvd., Fort Myers, Florida 33913, was approved.

B. District Engineer: Barraco and Associates, Inc.

There was no report.

C. District Manager: Wrathell, Hunt and Associates, LLC**• UPCOMING MEETINGS**

➤ February 5, 2026 at 10:00 AM [Regular Meeting]

➤ February 19, 2026 at 10:00 AM [Special Meeting and Attorney-Client Session]

➤ March 5, 2026 at 10:00 AM [Regular Meeting]

○ QUORUM CHECK

The January 23, 2025 Continued Meeting might be cancelled, subject to B&Z Construction submitting a letter withdrawing its protest prior to the meeting date.

TWELFTH ORDER OF BUSINESS**Board Members' Comments/Requests****• Discussion/Consideration of Official Wildblue CDD Public Statement Regarding the Retention Wall Project**

Board Members were asked to submit their comments to Mr. Adams. This item will be on the next agenda.

THIRTEENTH ORDER OF BUSINESS**Public Comments (3 Minutes Per Speaker)**

Resident Doreen Shaheen asked if the lakes will be shut down during the project. Mr. Buchholz stated there is potential for a partial shutdown but that will not be decided until they receive input from the contractor. Mr. Barraco suggested posting weekly work schedules on the website.

Resident Krisi Huston asked if the bid is good for 120 days. Mr. Willis replied affirmatively.

Resident Jerry O'Malley listed reasons he believes the District needs to proceed with the repairs and the Lennar litigation. He suggested the Engineers for Phases 2 and 3 review the maps and locate where the Lennar contractors installed the wall and back filled with rock.

Resident Julia Lambert asked if individuals can modify personal property, such as building up the wall at their own expense, once the project is completed. Mr. Willis replied no; since the SFWMD and the County will not approve individual permit modifications on a lot-by-lot basis.

Residents can only modify on the landward side of the wall, up the lake bank towards the wall, any of which will require approval from the Architectural Review Committee (ARC).

Resident Terry Kurth expressed frustration with unfavorable Facebook posts. He discussed his out-of-pocket litigation expenses exceeding the settlement amount and expressed support for the District's litigation against Lennar.

Mr. Bennington left the meeting at 1:02 p.m.

Regarding the map of the erosion restoration project, resident Mark Sorensen asked for clarification of the differences between builder responsibility versus CDD responsibility. It was noted that the map is posted on the wildbluecdd.net website. Regarding Retention Pond G1 identified on the map as builder responsibility only, Mr. Adams confirmed that the CDD included Pond G1 on the map and in the bid sheet.

A resident offered to provide a video supporting wave action over the shoreline on a good day.

Resident Kathleen O'Connor recommended the communication to residents include bullet points, a thorough explanation of the project progress, a segment on the differences between the CDD and HOA and provide the Board Members' contact information.

Discussion ensued about the Board's ongoing efforts to communicate information to residents, who in turn pose questions that are outlined in prior communiques or just complain about nonfactual information, the CDD setting up a Facebook account to offset negative posts, and a resident suggestion to consider installing flood control walls in certain areas.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Bourque and seconded by Mr. Lanese, with all in favor, the meeting recessed at 1:19 p.m. and was continued to January 23, 2026 at 10:00 a.m., at the Community Center (Card Room), 18721 WildBlue Blvd., Fort Myers, Florida 33913.

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Secretary/Assistant Secretary

Chair/Vice Chair

WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT

STAFF
REPORTS

WILDBLUE COMMUNITY DEVELOPMENT DISTRICT
Performance Measures/Standards & Annual Reporting Form
October 1, 2025 – September 30, 2026

1. COMMUNITY COMMUNICATION AND ENGAGEMENT

Goal 1.1 Public Meetings Compliance

Objective: Hold at least two (2) regular Board of Supervisor meetings per year to conduct CDD related business and discuss community needs.

Measurement: Number of public board meetings held annually as evidenced by meeting minutes and legal advertisements.

Standard: A minimum of two (2) regular board meetings was held during the fiscal year.

Achieved: Yes ☐ No ☐

Goal 1.2 Notice of Meetings Compliance

Objective: Provide public notice of each meeting at least seven days in advance, as specified in Section 190.007(1), using at least two communication methods.

Measurement: Timeliness and method of meeting notices as evidenced by posting to CDD website, publishing in local newspaper and via electronic communication.

Standard: 100% of meetings were advertised with 7 days' notice per statute on at least two mediums (i.e., newspaper, CDD website, electronic communications).

Achieved: Yes ☐ No ☐

Goal 1.3 Access to Records Compliance

Objective: Ensure that meeting minutes and other public records are readily available and easily accessible to the public by completing monthly CDD website checks.

Measurement: Monthly website reviews will be completed to ensure meeting minutes and other public records are up to date as evidenced by District Management's records.

Standard: 100% of monthly website checks were completed by District Management.

Achieved: Yes ☐ No ☐

2. **INFRASTRUCTURE AND FACILITIES MAINTENANCE**

Goal 2.1 District Infrastructure and Facilities Inspections

Objective: District Engineer will conduct an annual inspection of the District's infrastructure and related systems.

Measurement: A minimum of one (1) inspection completed per year as evidenced by district engineer's report related to district's infrastructure and related systems.

Standard: Minimum of one (1) inspection was completed in the Fiscal Year by the district's engineer.

Achieved: Yes ☐ No ☐

3. **FINANCIAL TRANSPARENCY AND ACCOUNTABILITY**

Goal 3.1 Annual Budget Preparation

Objective: Prepare and approve the annual proposed budget by June 15 and final budget was adopted by September 30 each year.

Measurement: Proposed budget was approved by the Board before June 15 and final budget was adopted by September 30 as evidenced by meeting minutes and budget documents listed on CDD website and/or within district records.

Standard: 100% of budget approval and adoption were completed by the statutory deadlines and posted to the CDD website.

Achieved: Yes ☐ No ☐

Goal 3.2 Financial Reports

Objective: Publish to the CDD website the most recent versions of the following documents: current fiscal year budget with any amendments, most recent financials within the latest agenda package; and annual audit via link to Florida Auditor General website.

Measurement: Previous years' budgets, financials and annual audit, are accessible to the public as evidenced by corresponding documents and link on the CDD's website.

Standard: CDD website contains 100% of the following information: most recent link to annual audit, most recently adopted/amended fiscal year budget, and most recent agenda package with updated financials.

Achieved: Yes ☐ No ☐

Goal 3.3 Annual Financial Audit

Objective: Conduct an annual independent financial audit per statutory requirements, transmit to the State of Florida and publish corresponding link to Florida Auditor General Website on the CDD website for public inspection.

Measurement: Timeliness of audit completion and publication as evidenced by meeting minutes showing board approval and annual audit is transmitted to the State of Florida and available on the Florida Auditor General Website, for which a corresponding link is published on the CDD website.

Standard: Audit was completed by an independent auditing firm per statutory requirements and results were transmitted to the State of Florida and corresponding link to Florida Auditor General Website is published on CDD website.

Achieved: Yes ☐ No ☐

COP SA
District Manager

Chuck Adams
Print Name

1/15/26
Date

[Signature]
Chair/Vice Chair, Board of Supervisors

John Buchholz
Print Name

1/15/26
Date

WILDBLUE COMMUNITY DEVELOPMENT DISTRICT		
BOARD OF SUPERVISORS FISCAL YEAR 2025/2026 MEETING SCHEDULE		
LOCATION		
<i>Community Center (Card Room), 18721 WildBlue Blvd., Fort Myers, Florida 33913</i>		
DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 2, 2025	Regular Meeting	10:00 AM
October 16, 2025	Special Meeting and Attorney-Client Sessions	10:00 AM
November 6, 2025	Regular Meeting	10:00 AM
November 20, 2025	Special Meeting and Attorney-Client Sessions	10:00 AM
December 4, 2025	Regular Meeting and Attorney-Client Session	10:00 AM
December 18, 2025	Special Meeting and Attorney-Client Session	10:00 AM
January 15, 2026	Regular Meeting and Attorney-Client Session	10:00 AM
January 23, 2026	Continued Regular Meeting	10:00 AM
February 5, 2026	Regular Meeting	10:00 AM
February 19, 2026	Special Meeting and Attorney-Client Session	10:00 AM
March 5, 2026	Regular Meeting	10:00 AM
March 19, 2026	Special Meeting and Attorney-Client Session	10:00 AM
April 2, 2026	Regular Meeting	10:00 AM
April 16, 2026	Special Meeting and Attorney-Client Session	10:00 AM
May 7, 2026	Regular Meeting	10:00 AM
May 21, 2026	Special Meeting and Attorney-Client Session	10:00 AM
June 4, 2026	Regular Meeting	10:00 AM

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
June 18, 2026	Special Meeting and Attorney-Client Session	10:00 AM
July 2, 2026	Regular Meeting	10:00 AM
July 16, 2026	Special Meeting and Attorney-Client Session	10:00 AM
August 6, 2026	Regular Meeting	10:00 AM
August 20, 2026	Special Meeting and Attorney-Client Session	10:00 AM
September 3, 2026	Regular Meeting	10:00 AM
September 17, 2026	Special Meeting and Attorney-Client Session	10:00 AM