

**MINUTES OF MEETING
WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the WildBlue Community Development District held a Regular Meeting on March 5, 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 (via Zoom/phone)	District Manager
Shane Willis	Operations Manager
Wes Haber (via Zoom/phone)	District Counsel
Carl Barraco (via Zoom/phone)	District Engineer
Frank Savage (via Zoom/phone)	Barraco and Associates, Inc.
Amenity President	

Residents present in person or via Zoom/phone:

Bill Magri	Pat Broesch	Rosanne Duffy	Tom MacNamara
Elaine Daly	Mary Lanese	Rosanne Duffy	Doreen Shaheen
Ron Ferraro	Steve Wirth	David Goodman	Dennis Goodman
Terry Kurth	Chris Gregson	Bob Finkelstein	Meryl Finkelstein
Ellen Brown	Gerry O'Malley	Kathleen O'Connor	

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. Willis discussed public comment protocols and addressed public decorum. The public comments sections is not a Question & Answer (Q&A) period. Florida Statutes do not require answering comments; however, the Board may choose to answer questions at the end or after the meeting. The Board may also choose not to respond to questions that have been answered in previous meetings. That information is available through the District's records, via the minutes and its website. Attendees have a 3-minute time limit, per speaker, to make their public comments., Public comments on agenda items are heard at the beginning of the meeting and public comments on non-agenda items are heard at the end of the meeting.

Mr. Buchholz thanked everyone for attending the meeting.

Mr. Willis asked speakers to identify themselves and spell their last name for the transcriptionist.

Resident Pat Broesch stated his email to Mr. Willis regarding Phase 2 was forwarded to the Board. His email supports his and other dock owners' beliefs that it is not necessary to apply Phase 1 construction to Phase 2, nor is it necessary to apply a blanket or remove the docks, pilings, dock ramps, etc., nor should they incur the cost to remove the docks. He thinks the Board should have the Engineers and contractors review the data again. He believes history shows piling rock does work, especially when there are fairly level littoral shelves. Mr. Buchholz thanked Mr. Broesch for the email. He will notify him after the Design Engineer presents his analysis in two weeks.

Resident Steve Wirth asked what consideration was given to dock owners to deal with part of Phase 1, if any. He voiced concern that the Phase 1 scope is going to be a problem with reinstalling the docks. Mr. Adams stated the Board's position is that the docks are private property; therefore, the individual property owners must deal with them. The Board tried to coordinate with the contractors to obtain bulk pricing for the dock owners. Mr. Buchholz stated the contract with Kelly Brothers is being signed this week and maps were provided to J&M, as they were the only contractor that showed interest. They are now in the process of obtaining the dock owners' names. It was noted that Mr. Finkelstein is trying to organize the dock owners. A communique will be sent once the CDD receives the schedules.

Mr. Bourque encouraged residents to obtain information by reviewing the meeting minutes on the website or requesting the audio. Most of today's questions were repeatedly answered over the last year.

Resident Tom Macnamara voiced concerns about the price of the retention wall project and proceeding with Phase 3, when, in his opinion, there is no damage to the wall near his home, and they do not know the status of the lawsuit. Mr. Buchholz stated that the Engineer's Report identified several areas of deficiency, which will determine the project scope in the future. It was noted that the lawsuit is based on defectiveness, not damages; the hurricane damage is on the other end of the lake.

Resident Mary Lanese asked if homeowners who think there is no damage could sign a waiver and repair the wall on their own. Staff responded that is not possible under the current project scope.

Resident Ron Ferraro asked why Mr. Adams believes the Phase 2 and Phase 3 costs will be less than Phase 1. Mr. Adams stated the Engineer provided pricing based on assumptions from the Phase 1 per unit costs. Bids for all three phases were not obtained because the design is not complete.

Resident Bob Finkelstein stated he is getting push back from the Amenities trying to coordinate the mooring of the docks. Mr. Bennington stated Amenities, not the CDD, is responsible for servicing the lake surface. Dock owners have the option of taking the docks out of the lake. The CDD is responsible for maintaining below the service water.

The Amenity President stated they know that they are responsible for telling dock owners where they can move the docks, once the CDD provides more details; it is the CDD's responsibility to tell homeowners they must move their docks.

Resident Rosanne Duffy asked for a CDD and an Amenity representative meet to discuss moving the homeowner docks. It was noted the CDD offered to help coordinate the project.

Residents Bob Finkelstein and David Goodman offered to coordinate dock owners.

Resident Ellen Brown asked when the Phase 1 project will begin. Mr. Buchholz stated staging will begin at the end of the month; the boats will be on the water in April.

Resident Doreen Shaheen asked if any conversation occurred in the lawsuit with Lennar about compensating the homeowners with docks. Mr. Haber stated there was some talk; he

believes CDD Litigation Counsel has not made any request and does not believe the CDD has any standing to make any claims on behalf of private homeowners.

Resident Elaine Daly asked if the CDD issued its settlement payment to Mr. Kurth. Mr. Buchholz stated no. She asked where the CDD is getting the funds needed to finance the litigation costs. Mr. Adams stated it will continue to come from assessments. Regarding a request for copies of invoices, Mr. Haber stated the amounts of the actual invoices from Litigation Counsel can be provided, along with the description of the task; however, the physical invoices are Attorney Client privilege and not available as a public record at this time, while litigation is ongoing. Mr. Adams asked her to submit a public records request if she wishes to review.

Resident Terry Kurth thinks residents should put faith in the decision making of the Board Members they elected. He discussed his costs to initiate his lawsuit.

THIRD ORDER OF BUSINESS

Updates

A. Lake Bank Erosion Repair Project

- **Downspout Diagram**

This diagram is being provided to residents to use as a guidance to enhance their lot drainage system and of what should be performed and installed prior to contractors coming onsite.

B. Retaining Wall Restoration

- **Schedule**

These items were included for informational purposes.

Mr. Savage stated Phase 2 of the Lake Bank Erosion Repair Project is independent to the restorations along the retaining wall and future Phases 2 and 3 and is a parallel project related to the 16 stormwater ponds that receive direct run off and experienced erosion over the years. Phase 1 focused on over 200 localized erosion locations that were completed several dry seasons ago; the majority were repaired by the CDD and/or the Developer entities at that time.

Mr. Savage stated the Phase 2 scope entails repairing all the linear erosion and remaining localized erosion. He distributed and reviewed the Bid Comparison Tabulation Spreadsheet, based on the Evaluation Criteria. He reviewed actions taken in coordination with District Counsel to obtain clarification from EMC Divers (EMC) regarding bid discrepancies that were not in line with specifications, and EMC's pricing and/or bid being based upon this alternative technique.

Mr. Haber stated that, upon obtaining clarification from EMC and avoiding the potential of a bid protest, the CDD’s only option is to deem EMC’s bid as not responsive, as it does not match the bid specifications.

Mr. Barraco recommended not proceeding with using material recovered from the lake.

Mr. Savage reviewed the bid comparison spreadsheet which requires additional clarification from Cross Creek Environmental regarding additional riprap; however, that will not factor into awarding the contract today. The project will be paused from July to November during wet season; therefore, it will likely span multiple dry seasons.

Discussion ensued regarding deferring awarding the contract to the next meeting, while Staff obtains clarifications on bids and on the lot line drain box, which prevents future washouts and should be completed before the rainy season.

C. Fuel Station Site

Mr. Buchholz stated he expects an update from Litigation Counsel before the next meeting.

FOURTH ORDER OF BUSINESS

Consideration of SOLitude Lake Management, LLC Aquatics/Wetlands Annual Services Renewal Agreement

Mr. Willis presented the SOLitude Lake Management, LLC Service Annual Services Renewal Agreement. This is to renew the existing contract for an additional two years at the current price. If approved, the pricing for service will not have changed over the last five years; otherwise, the CDD will need to go out to bid on this. Mr. Willis and Mr. Adams recommended approval. The CDD contract agreement will be executed if the Board approves.

On MOTION by Mr. Bennington and seconded by Mr. Bourque, with all in favor, the SOLitude Lake Management, LLC Aquatics/Wetlands Annual Services Agreement renewing the contract for Fiscal Years 2026 and 2027, in the amount of \$76,716 per year, was approved.

FIFTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of January 31, 2026

Mr. Adams presented the Unaudited Financial Statements as of January 31, 2026. The District Engineer is updating the Engineer’s Report to be used for the upcoming bond issue. The

bond issues will be split into two. One for the Phase 1 recreational and stormwater ponds, the \$5 million recovery of funds already expended by the CDD for gap funding, contingency fees, etc.; and the second will be for Phases 2 and 3. Documents for the first bond issue will likely be presented at the next meeting. Mr. Buchholz asked Mr. Adams to prepare a Phase 1 bond validation schedule. The financials were approved.

SIXTH ORDER OF BUSINESS**Approval of Minutes****A. January 23, 2026 Continued Regular Meeting**

The following changes were made:

Line 54: Change “chose” to “choose”

Line 76: Change “protect” to “protest”

On MOTION by Mr. Bennington and seconded by Mr. Buchholz, with all in favor, the January 23, 2026 Continued Regular Meeting, as amended, were approved.

B. February 5, 2026 Regular Meeting

The following changes were made:

Line 28 and throughout: Change “Mussero” to “Massaro”

Line 44 (based on listening to audio): Change “Resident Paul Daly stated the Engineer he works with believes laying down fabric will sufficiently remediate instead of laying down the mattress.” to “Resident Paul Daly informed the Board that he spoke with David, with the Tensar Corporation, who designs rock mattresses and he believes laying down fabric will sufficiently remediate instead of laying down mattresses.”

Line 46: Change “disparaged” to “disagrees with”

No change to the statement made on Line 54 is necessary; however, Mr. Bennington clarified that “Lennar Board Member’s resigned at the beginning of the meeting and not in response to Litigation Counsel’s recommendation to proceed with litigation.”

Line 126 through 127 (based on listening to audio): Change “Resident Elaine Daly state the Phase 1 project might exceed \$7 million.” to “Resident Elaine Daly stated the Board keeps referencing the \$7 million number.”

Line 227: Change “coal” to “cold” and “sewar” to “sewer”

Line 244: Change “renumerated” to “remunerated”

Line 265 (based on listening to audio): Change “Litigation Counsel and the Engineer think” to He also stated he thinks”

Line 267 (based on listening to audio): Delete “He disagreed with Mr. Daly’s comment that he was stating an opinion when he stated four times as facts.”

On MOTION by Mr. Bennington and seconded by Mr. Buchholz, with all in favor, the February 5, 2026 Regular Meeting, as amended to include changes made during the meeting and changes based on listening to the audio after the meeting, were approved.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

There was no report.

B. District Engineer: Barraco and Associates, Inc.

Mr. Barraco discussed the following:

- Phase 1 of the Retaining Wall Project is designed, was bid, and is ready for construction. The Design Engineer and the Engineer of Record for everything from the retaining wall to the water is Cummins Cederberg, Inc. (CC). Barraco & Associates is the Engineer of Record for the land work portion of the Phase 1 area, which primarily involved identifying what existed before Hurricane Ian so the contractor knows how to restore it.
- Phases 2 and 3 have not been designed yet.
- The level of protection the CDD wants raised the cost.
- As there might be damage in some areas and none in others, it is important to understand that the damage the CDD sustained was specific to locations because of the direction of the wind. It does not mean all the other walls that withstood that could withstand another storm with the direction of the wind.

Mr. Buchholtz stated, when designing a level of protection and a level of service, are being chosen; in this case, it is typical wind speed.

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

• UPCOMING MEETINGS

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

- **April 2, 2026 at 10:00 AM [Regular Meeting]**
- **April 16, 2026 at 10:00 AM [Special Meeting and Attorney-Client Session]**

- **QUORUM CHECK**

- **Performance Measures/Standards & Annual Reporting Form (for informational purposes)**

This item was included for informational purposes.

EIGHTH ORDER OF BUSINESS

Board Members' Comments/Requests

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

Mr. Buchholz reviewed the final draft of the Official Wildblue CDD Public Statement Regarding the Retention Wall Project, which included Board Members' comments. It was reviewed by District Counsel and Special Counsel twice. He asked for approval in substantial form, as Mr. Fiore submitted additional comments today. He asked the Board Members to submit any additional comments to Mr. Adams, as he wants to finalize and post the statement on the CDD website and e-blast it to the homeowners and residents sometime next week. Asked if the document will be updated as decisions and milestones are met, Mr. Buchholz replied affirmatively.

On MOTION by Mr. Bennington and seconded by Ms. Baker, with all in favor, the Official Wildblue CDD Public Statement Regarding the Retention Wall Project, in substantial form, and allowing edits by the Chair, was approved.

NINTH ORDER OF BUSINESS

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

Ms. Sima stated she received a lot of complaints about dead vegetation around the retention ponds and on Blue Sapphire and asked Mr. Willis to discuss it. Mr. Willis stated the HOA also emailed him about this, He noted that the juvenile cypress trees are not dead; rather, they are dormant due to the low water levels and cooler weather. They will be reassessed once water levels rise.

A resident on the HOA Landscape Committee Member asked if the cypress trees by the pickleball and basketball courts are on CDD property. Mr. Adams replied no; it is an HOA Amenity.

Mr. Finkelstein asked the Board to provide dock owners with a communication explaining what they must do. Regarding designated point of contacts, Mr. Barraco stated his firm, the Project Manager, and Mr. Willis will collectively prepare a communique to disseminate. Regarding a suggestion to invite the contractors to the next meeting to provide a schedule, Mr. Buchholz stated they are meeting with the contractors every other week. He will invite them within the next three to four weeks and hopes to obtain more details from the contractor.

Resident Gerry O'Malley asked if erosion at the retention pond is going to be built back up. The answer was yes, the project will be addressing almost every stormwater pond in the CDD. Mr. O'Malley asked for the difference between Phase 1A and Phase 1B. The answer was that the Board has the financing for Phase 1A, and, once the other financing is in place, Phase 1B will commence. Mr. O'Malley asked if the Board needs to vote on the contracts. The answer was no.

Ms. Daly questioned why there was no update on the Fuel Station Site Litigation, given the hearing this week in which the Judge would be making a ruling within the next few weeks. Mr. Willis stated the court hearing is public information; however, the Board is not aware of the details because they have not yet met with Litigation Counsel in a Shade Session.

Resident Chris Gregson thinks residents are relying on Facebook/social media for information about the litigation because, in his opinion, there is a lack of transparency in communicating information to residents. Mr. Haber stated Litigation Counsel advised the Board Members not to talk about or provide opinions on outstanding litigation and the Board Members are complying with that legal guidance.

Ms. Daly asked Mr. Buchholz when he is going to publicly apologize to Mr. Yoakum for his conduct towards him at the last meeting. Mr. Buchholz stated he already met with Mr. Yoakum.

Resident Bill Magri asked if the Board confirmed Ms. Daly's questions at the last meeting and if the amount of bond funds available for Phases 1A and 1B was \$1 million. Mr. Adams stated the original bond validation amount was \$46,760,000, the Series 2019 Bond was for \$23,470,000, leaving a remaining balance of \$23,290,000; it excludes Phases 2 and 3, as they would have exceeded that validation amount.

TENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Bourque and seconded by Mr. Bennington, with all in favor, the meeting adjourned at 12:02 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair