

**MINUTES OF MEETING
WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the WildBlue Community Development District held a Regular Meeting on April 2, 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

Residents present in person or via Zoom/phone:

Paul Alesi	Paulette Kish	Pat Broesch	Thomas Knight
Elaine Daly	Peter Brown	Chris Gregson	David Goodman
Paul Daly	Cindy Knight	Rosanne Duffy	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. Willis 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)

Mr. Willis provided Resolution 2018-08 Adopting the Rules Governing Public Comments, which was executed on November 29, 2017 to review and potentially place on the next agenda.

Mr. Willis discussed the public comments protocols.

Resident Paul Alesi asked if Kelly Brothers' commercial vessel was on WildBlue Lake taking video of the damaged seawall. Mr. Buchholz replied no; Taylor Engineering, who the CDD engaged as part of the litigation to do drone work, engaged a vessel to do surveying work. The information pertaining to Phase 1 will be provided to Kelly Brothers within a week. The purpose is to document conditions as the project progresses.

Resident Paulette Kish voiced her opinion that, in addition to providing residents with a telephone number to report issues during the retaining wall project, the Board and the Master Association should establish parameters that ensure the properties on Blue Sapphire Drive and the community are protected from damage and noise during the project. Mr. Buchholz stated he was at the Master meeting and addressed Ms. Kish's concerns with Kelly Brothers. He speaks with Kelly Brothers almost daily and there will be another on-site meeting in two weeks. Ms. Kish asked if funds that existing homeowners were assessed will be returned to them if the litigation settlement is successful. Mr. Adams stated a decision will be made once they receive a figure. Another option is to use the funds to reduce the principal amount of the bonds, which will reduce the annual assessment amount.

Resident Pat Broesch stated the Fishing Club donated funds to the Amenities to engage a biologist due to concerns about the water quality and other issues with the recreational lake. He voiced his opinion that the Board has not taken an active role in managing the lake and the water quality. Mr. Buchholz stated that the Amenities is in charge of the water quality program; SOLitude Lake Management produces the Report and provides it to CDD Staff to review and ensure that the CDD is compliant with the CDD's Southwest Florida Water Management District (SWFWMD) permit. Mr. Buchholz asked Mr. Broesch to notify District Staff of specific issues so they can be passed to the District Engineer.

Resident Peter Brown voiced his opinion that the recreational lake's issue is due to fertilizer run-off from the two breaches in the yard drainage system that has been breached since Hurricane Ian, which he reported to the Board and was never addressed. Mr. Barraco asked for

pictures identifying where the breaches are located to be emailed to his office for further review; any pipes discharging into the lake will be repaired now.

Resident Kathleen O'Connor asked residents to be respectful to each other and cognizant of the impact they have when commenting negatively in Board meetings, online forums and social media posts about others whose opinions and ideas do not match their own. She voiced her concerns about WildBlue's reputation, marketability, and home values now and in the future, and asked those individuals posting plans to contact television stations to discuss WildBlue's issues to reconsider it.

Resident Elaine Daly voiced her concerns about approving the meeting minutes behind the Ninth Order of Business, as the draft minutes were not included in the agenda and there were prior instances when statements were attributed to her that she did not make. Mr. Adams stated the full agenda package was posted on the CDD website two days ago. Ms. Daly stated she disagrees with Mr. Adams' earlier interpretation regarding the protocol of yielding time to another individual or allowing a resident's speak on their behalf during public comments. Mr. Willis stated the Resolution Adopting the Rules Governing Public Comments will be posted on the website; it states there is a 3-minute time limit per speaker.

Resident Chris Gregson asked Mr. Haber if he is aware of Florida Statute 720 that mandates residents right to speak and the Board's attempt to cut off communication and questions when challenged by the Roberts Rules of Order by placing online participants on mute. Mr. Haber stated Florida Statute 720 relates to HOAs, not CDDs. The CDD complies with its adopted policies as it relates to public comments and is not subject to following Roberts Rules of Order. The Board has the right, but not the obligation, to allow participation via telephone.

Mr. Buchholz referred to the next Shade Session. Mr. Haber stated, if the representative from Lewis Longman Walker does not join today's meeting, he can provide an update as to Richard's letter later in his report. Mr. Adams stated lead counsel from the firm representing the CDD for the commercial parcel has left the firm. He provided three options to the Board regarding legal representation.

THIRD ORDER OF BUSINESS**Presentation of Supplement #1 to the
Master Engineer's Report**

Mr. Barraco distributed and presented a revised version of Supplement #1 to the Original Master Engineer’s Report. The “First Supplemental Report” addresses recent comments from Mr. Haber and the Litigation Attorney. A sign and sealed original of the revised Report was given to Mr. Adams for recordkeeping. Mr. Barraco noted the following:

- The Report identifies the Capital Improvement Program (CIP), the project scope and specifically, addresses the shoreline restoration activities.
 - He read a portion of the footnote on Page 2, which Litigation Counsel provided.
 - Maps associated with the shoreline were included in the Report.
 - Table 1 describes the 2026 Project for Phase 1 and future Phases 2 and 3.
 - The Order of Magnitude Cost Estimate, which was used for the bonding amounts, will be reviewed under the next agenda item.
 - Table 2 Permitting Matrix: All the permits for Phase 1 were received except one. He is working on responding to the County’s comments on the Limited Development Order (LDO) for the pond plans.
 - One contractor is working on obtaining their permit.
- Mr. Adams stated the purpose of the Report is to identify the project, which identifies the need and the requirements for the actual bond issue and the amount.

FOURTH ORDER OF BUSINESS

Presentation of Supplement #1 to the Master Special Assessment Methodology Report

Mr. Adams presented Supplement #1 to the Master Special Assessment Methodology Report. He discussed the Development Plan, CIP, Financing Program, Types of Bonds Proposed, Assessment Methodology, benefit allocation, assigning debt, lienability tests, special and peculiar benefits to the units, and True-Up Mechanism. He noted the following:

- The Methodology Report presents the CIP outlined in the Engineer’s Report.
- The First Series of Bonds was issued in 2019 in the amount of \$23,470,000.
- The District anticipates issuing long-term bonds in the estimated principal amount of \$19,300,000 to fund an estimated \$16,100,700 for the CIP.
- The District intends to impose non-ad valorem special assessments.

- The repayment schedule on the 2026 bonds will be identical to the repayment schedule for the original bonds.
- 673 single-family detached residential units are assigned an Equivalent Residential Unit (ERU) value, which is based upon the amount of that special and peculiar benefit each property receives. The assessment methodology formula is the same as the one used for the original bonds.
- None of the amenities or governmental properties are part of the assessment program.

Mr. Adams reviewed Tables 1 through 5B, reflecting the Development Plan, CIP Project Costs, Estimated Sources and Uses of Funds, Benefit Allocation and Overall Bond Assessments Apportionment and Assessment Apportionment per Unit. Approving the Engineer’s Report and the Methodology Report sets the basis for sending the Mailed Notices to the property owners for an Assessment Public Hearing to be held May 14, 2026.

Mr. Adams stated setting the maximum assessment lien is for noticing purposes only and both Reports will be updated to reflect the final pricing of the bonds and presented at a future meeting.

On MOTION by Mr. Bennington and seconded by Mr. Bourque, with all in favor, Supplement #1 to the Original Master Engineer’s Report and Supplement #1 to the Master Special Assessment Methodology Report, both in substantial form, were approved.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2026-05, Declaring Special Assessments; Indicating the Location, Nature and Estimated Cost of Those Infrastructure Improvements Whose Cost is To Be Defrayed by the Special Assessments; Providing the Portion of the Estimated Cost of the Improvements To Be Defrayed by the Special Assessments; Providing the Manner in Which Such Special Assessments Shall Be Made; Providing When Such Special Assessments Shall Be Paid; Designating Lands Upon Which the Special Assessments Shall Be Levied; Providing for an Assessment Plat; Adopting a Preliminary Assessment Roll; Providing for Publication of this Resolution

Mr. Haber stated the purpose of Supplement #1 to the Original Master Engineer’s Report and Supplement #1 to the Master Special Assessment Methodology Report is to market the bonds and outline how the bonds will be secured.

Mr. Haber presented Resolution 2026-05, known as the Declaring Resolution, which accomplishes the following:

- Makes the necessary findings with respect to the project being necessary and in the best interest of the CDD and that funding the project through the levy of assessments is in the best interest of the CDD to proceed with the bond at this time.
- Allows for the District to pay the bonds off early, without penalty, to the extent the District has success in the litigation, which could result in a reduction of assessments.
- \$19,300,000 will be inserted into Resolution 2026-05, Section 4, which is the maximum lien amount.

Mr. Adams stated adopting the Resolution requires the District to do a published notice in the newspaper and send mailed notices to all property owners in the community, which is intended to show what the maximum lien assessment amount may be for this bond issue.

On MOTION by Mr. Bennington and seconded by Mr. Bourque, with all in favor, Resolution 2026-05, as amended, Declaring Special Assessments; Indicating the Location, Nature and Estimated Cost of Those Infrastructure Improvements Whose Cost is To Be Defrayed by the Special Assessments; Providing the Portion of the Estimated Cost of the Improvements To Be Defrayed by the Special Assessments; Providing the Manner in Which Such Special Assessments Shall Be Made; Providing When Such Special Assessments Shall Be Paid; Designating Lands Upon Which the Special Assessments Shall Be Levied; Providing for an Assessment Plat; Adopting a Preliminary Assessment Roll; Providing for Publication of this Resolution, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2026-06, Setting a Public Hearing for the Purpose of Hearing Public Comment on Imposing Special Assessments on Certain Property Within the District Generally Described as the WildBlue Community Development District in Accordance with Chapters 170, 190 and 197, Florida Statutes

Mr. Adams presented Resolution 2026-06. The date, time and location for the Public Hearing will be inserted into Resolution 2026-06.

On MOTION by Mr. Buchholz and seconded by Mr. Bourque, with all in favor, Resolution 2026-06, as amended, Setting a Public Hearing for May 14, 2026 at 10:00 a.m., at the Community Center (Card Room), 18721 WildBlue Blvd., Fort Myers, Florida 33913, for the Purpose of Hearing Public Comment on Imposing Special Assessments on Certain Property Within the District Generally Described as the WildBlue Community Development District in Accordance with Chapters 170, 190 and 197, Florida Statutes, was adopted.

SEVENTH ORDER OF BUSINESS

Updates

A. Lake Bank Erosion Repair Project

Mr. Barraco reminded the Board of receiving the bid responses at the last meeting; and, conditions are favorable to commence the project before that start of the rainy season.

Mr. Buchholz suggested holding off on the project, since the rainy season is approaching and funding is underway. If they start the project, he thinks the Board should only approve the breakout repair project.

- **Downspout Diagram**

This diagram is being provided to residents as guidance as to how to enhance their drainage systems and of what should be performed and installed prior to contractors coming on site.

B. Retaining Wall Restoration

- **Schedule**

This item was included for informational purposes.

Mr. Buchholz stated he received the Phase 1A Schedule this week. Kelly Brothers is preparing a proposal and might be the contractor to move the homeowner docks. He is still in contact with J&M. The person who volunteered provided the notice and map to six homeowners on Blue Sapphire Drive and anticipates meeting the remaining homeowners by Friday. He reviewed the Phase 1 project scope and timeline. Mr. Barraco stated that, once construction starts, homeowners will be able to view the Lake Shoreline Repair Schedule on the website; it will be updated weekly.

Resident David Goodman asked about moving private docks during the project. He thinks more than a weeks' notice is needed. Mr. Barraco discussed where the signage will be. He will add the mailboxes to the list. The intent is to provide as much information as possible.

Mr. Haber discussed the status of the Notice to Proceed and the contract. He suggests the District Engineers review Exhibit A and agree that what Kelly Brothers plans on procuring for the first Phase is consistent with their expectations.

A resident asked if they will be provided with telephone numbers. Mr. Barraco stated residents should email their concerns.

Mr. Buchholz stated that surveys were being done this week, a boat is arriving today, and fencing will go up next week; boats, barges and crane will be on site the last week of April and early May.

A resident asked about the land work portion of the project. Mr. Buchholz stated the littoral shelf information will be provided later on.

Someone asked when the back gates need to be left open. Mr. Buchholz stated the schedule is pending.

C. Fuel Station Site

Mr. Buchholz stated they are waiting to receive the Summary Judgment. A mediation meeting with the Developer is scheduled for April 28, 2026.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of February 28, 2026

Mr. Adams presented the Unaudited Financial Statements as of February 28, 2026. He asked Mr. Barraco to prepare documents certifying the Capital Projects Fund Series 2019 work is completed so the remaining funds can be transferred to the revenue account, which will then be applied against the principal with the next payment. The financials were approved.

NINTH ORDER OF BUSINESS

Approval of Minutes

A. February 19, 2026 Special Meeting and Attorney-Client Session

The following change was made:

Line 68: Change "70.8" to "17.8"

On MOTION by Mr. Lanese and seconded by Mr. Bennington, with all in favor, the February 19, 2026 Special Meeting and Attorney-Client Session Minutes, as amended, were approved.

B. March 5, 2026 Regular Meeting

The following changes were made:

Lines 29 and 83: Change “Worth” to “Wirth”

On MOTION by Mr. Bourque and seconded by Mr. Buchholz, with all in favor, the March 5, 2026 Regular Meeting Minutes, as amended, were approved.

TENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

Mr. Haber distributed and presented the Lewis, Longman & Walker letter informing the Board of Mr. Hennesey’s resignation from the firm and explaining the CDD’s rights as a client on continuing to represent the CDD or engage other counsel.

On MOTION by Mr. Bennington and seconded by Mr. Bourque, with all in favor, continuing Lewis, Longman & Walker’s services representing the District, was approved.

B. District Engineer: Barraco and Associates, Inc.

Mr. Barraco stated the Board was provided the official transfers for operation and maintenance (O&M) requirements to the SFWMD and the matter was deferred at the last meeting. As to the litigation Attorneys reviewing the documents, Mr. Adams stated the documents were emailed to Litigation Counsel but he has not heard back.

Homeowner improvements were identified on a portion of the CDD’s lake tract easement.

Mr. Adams stated he will send the homeowner a letter informing them to bring the area into compliance.

Ms. Baker asked if “No Parking” signs can be placed on one side of the road when construction trucks start arriving. Mr. Barraco will speak to the contractors.

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

• **UPCOMING MEETINGS**

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

➤ **May 7, 2026 at 10:00 AM [Special Meeting and Attorney-Client Session]**

The May 7, 2026 meeting date will be changed to May 14, 2026 and a Public Hearing will be added to the Regular Meeting.

On MOTION by Mr. Bourque and seconded by Mr. Bennington, with all in favor, authorizing Staff to change the May 7, 2025 Regular Meeting to a Regular Meeting and Public Hearing Meeting on May 14, 2026, was approved.

➤ **June 4, 2026 at 10:00 AM [Regular Meeting – Presentation of FY2027 Proposed Budget]**

○ **QUORUM CHECK**

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

This item was included for informational purposes.

Mr. Willis stated the SFWMD deemed the willow thicket in the preserve out of balance and required the CDD trim and thin it out, which was completed the last week in March.

ELEVENTH ORDER OF BUSINESS

Board Members’ Comments/Requests

There were no Board Members’ comments or requests.

TWELFTH ORDER OF BUSINESS

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

On behalf of the residents, resident Cindy Knight thanked everyone for their hard work .

A resident recalled Pulte provided funds to repair some of the erosion about two years ago. She asked if the work was completed. Mr. Barraco stated there was an Agreement they would repairs certain areas. She was asked to forward the address so he can confirm the work was completed.

Resident Thomas Knight asked if there are any funds available to allocate to enhancing security. Mr. Adams replied no; security is the Master Association’s responsibility.

A resident noted the bond documents state it excludes Phases 2 and 3 and asked if those phases will have separate bond issuances. Mr. Adams replied affirmatively and noted bond funds will not be used to fund litigation expenses.

Ms. Daly asked questions about several topics, including what the separate financing mechanism will be for Phases 2 and 3, raising the bond ceiling, the next steps if homeowners do not move their docks, and how legal fees on the commercial development is being financed. Mr. Adams stated it could be another series of bonds; the decision will be made at the appropriate time. He anticipates raising the bond ceiling for Phases 2 and 3. Mr. Buchholz stated the CDD will bill the homeowners the cost for Kelly Brothers to move the docks. Mr. Adams stated that financing the legal fees has not occurred yet, his deposition preparation is scheduled for next Tuesday and the deposition is the following week.

Resident Chris Gregson asked the Board Members if they disagree with the statement the District spent over a million dollars on litigation to date. Mr. Adams replied no. Mr. Gregson asked if it is contemplated by the Board, specifically Mr. Buchholz, to not address erosion issues at this time for those homeowners on retention ponds due to the expense of the wall issue. It was noted that the project was delayed due to timing. Mr. Gregson asked if the Board and Counsel agree that the CDD Board has no authority over docks and cannot act on them as the CDD alone. Mr. Adams replied no, as the CDD is responsible for maintaining the shoreline.

Ms. Broesch asked about the process of billing the homeowner the cost for removing their dock. Mr. Adams stated Counsel will send a demand letter to the homeowner. If they do not pay, then a lien will be placed on the property.

Resident Bill Magri asked how much homeowners should expect it to cost to address stormwater erosion on their property. Mr. Barraco stated, if the homeowner intends on installing the downspout, it should be completed prior to the CDD's restoration of the easement. The diagram is behind Item 7A of the agenda.

Mr. Lanese asked to receive a physical agenda package.

On MOTION by Mr. Lanese and seconded by Mr. Bourque, with all in favor, authorizing Management to send physical agenda packages to the Board Members, was approved.

THIRTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Bourque and seconded by Mr. Bennington, with all in favor, the meeting adjourned at 12:13 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair