

**MINUTES OF MEETING
WILDBLUE
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the WildBlue Community Development District held a Regular Meeting on November 5, 2020 at 10:00 a.m., at the offices of Barraco & Associates, 2271 McGregor Boulevard, Suite 100, Fort Myers, Florida 33901.

Present at the meeting, were:

Russell Smith	Chair
Christopher Hasty	Vice Chair
Barry Ernst	Assistant Secretary

Also present, were:

Chuck Adams	District Manager
Cleo Adams	Assistant District Manager
Wes Haber	District Counsel
Carl Barraco	District Engineer
Julie Danielewski	Barraco and Associates, Inc. - Assistant Project Manager
Jay Gaines (via telephone)	Berger, Toombs, Elam, Gaines & Frank
Josh _____	Turrell and Associates, Inc.
Colleen Harris	Barraco and Associates, Inc.

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 10:20 a.m. Supervisors Ernst, Hasty and Smith were present. Supervisors Johnson and Milosevic were not present.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Newly Elected Supervisors [Seats 3, 4 & 5] (*the following to be provided in a separate package*)

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Ernst and Mr. Smith, who were elected at the Landowners’ meeting. The Supervisors were already familiar with the following items:

- A. **Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. **Members, Obligations and Responsibilities**
- C. **Financial Disclosure Forms**
 - I. **Form 1: Statement of Financial Interests**
 - II. **Form 1X: Amendment to Form 1, Statement of Financial Interests**
 - III. **Form 1F: Final Statement of Financial Interests**
- D. **Form 8B – Memorandum of Voting Conflict**

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2021-01, Canvassing and Certifying the Results of the Landowners’ Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date

Mr. Adams presented Resolution 2021-01. The results of the Landowners’ Election were as follows:

Seat 3	Barry Ernst	1,500 votes	2-year Term
Seat 5	Russell Smith	1,887 votes	4-year Term
Seat 4	Chris Johnson	1,887 votes	4-year Term

On MOTION by Mr. Smith and seconded by Mr. Ernst, with all in favor, Resolution 2021-01, Canvassing and Certifying the Results of the Landowners’ Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Discussion/Consideration: Appointment of Candidate to Fill Unexpired Term of Seat 1: *Term Expires November 2022*

- **Administration of Oath of Office to Newly Appointed Supervisor**

Mr. Adams stated that Mr. Aaron Milosevic was appointed to Seat 1 at the last meeting and, as he was not present, the Oath of Office would be administered at the next meeting.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2021-02, Designating a Chair, a Vice Chair, a Secretary, Assistant Secretaries, a Treasurer and an Assistant Treasurer of the WildBlue Community Development District, and Providing for an Effective Date

Mr. Smith nominated the following slate of officers:

- | | |
|--------------------|---------------------|
| Russell Smith | Chair |
| Christopher Hasty | Vice Chair |
| Chuck Adams | Secretary |
| Chris Johnson | Assistant Secretary |
| Barry Ernst | Assistant Secretary |
| Aaron M. Milosevic | Assistant Secretary |
| Craig Wrathell | Assistant Secretary |
| Craig Wrathell | Treasurer |
| Jeff Pinder | Assistant Treasurer |

No other nominations were made.

Mr. Adams presented Resolution 2021-02.

On MOTION by Mr. Smith and seconded by Mr. Ernst, with all in favor, Resolution 2021-02, Designating a Chair, a Vice Chair, a Secretary, Assistant Secretaries, a Treasurer and an Assistant Treasurer of the WildBlue Community Development District, and Providing for an Effective Date, as nominated, was adopted.

SEVENTH ORDER OF BUSINESS

Presentation of Audited Annual Financial Report for the Fiscal Year Ended September 30, 2019, Prepared by Berger, Toombs, Elam, Gaines & Frank

Mr. Gaines presented the Audited Annual Financial Report for Fiscal Year Ending September 30, 2019 and described the information that could be found on each page. Liabilities exceeded assets due to the cost of issuing new bonds and not paying down principal. Reporting a deficiency in fund balance in the General Fund was due to the untimely receipt of funding requests. This was a clean, unqualified audit; there were no findings, deficiencies or instances of noncompliance.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2021-03, Accepting the Audited Annual Financial Report for the Fiscal Year Ended September 30, 2019

Mr. Adams presented Resolution 2021-03.

<p>On MOTION by Mr. Ernst and seconded by Mr. Hasty, with all in favor, Resolution 2021-03, Accepting the Audited Annual Financial Report for the Fiscal Year Ended September 30, 2019, was adopted.</p>

NINTH ORDER OF BUSINESS

Consideration of Bi-Annual Flowway Review and Certification Program/Proposal from District Engineer.

Mr. Barraco reported the following

- The County established a bi-annual flow way program. The first required review is due March 20, 2021 to submit the first Bi-Annual Flow Way Review and Certification Report.
- This would be a requirement every two years.
- The County’s Zoning Resolution encompassed the flow ways in this District and in the Blue Lake District and, although there was only one zoning requirement, both must be satisfied.
- The first year, contingency funds would be used but, going forward, a new line item would be added to the budget.
- The project would commence in the spring dry season.

No Board action was required.

TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of September 30, 2020

Mr. Adams presented the Unaudited Financial Statements as of September 30, 2020. The financials were accepted.

ELEVENTH ORDER OF BUSINESS

Consideration of September 10, 2020 Virtual Public Hearings and Regular Meeting Minutes

Mr. Adams presented the September 10, 2020 Virtual Public Hearings and Regular Meeting Minutes.

On MOTION by Mr. Smith and seconded by Mr. Hasty, with all in favor, the September 10, 2020 Virtual Public Hearings and Regular Meeting Minutes, as presented, were approved.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Hopping, Green & Sams, P.A.*

There being no report, the next item followed.

B. District Engineer: *Barraco and Associates, Inc.*

Mr. Barraco reported the following:

- A tour with the County to review berms would be scheduled, as a few were identified during a tour that were not included in the analysis that Water Science performed. A request to have them removed might be made.

Mr. Barraco would research whether the berms were included in the original model and if they are impeding flows to the flow way. Mr. Smith asked if the U.S. Army Corps of Engineers permit was still active and whether they will contemplate removing berms. Mr. Barraco was uncertain but would know more after the tour.

Mr. Barraco presented the County’s Blanket Letter of No Objection (LONO) and request by Stock Development to address fences protruding from lot lines into the District’s Drainage Tract and reviewed by Mr. Adams and District Counsel. Mr. Adams confirmed that the letter

was consistent with the previous standalone request and covered lakefront Lots 227 through 272.

On MOTION by Mr. Hasty and seconded by Mr. Ernst, with all in favor, the Blanket Letter of No Objection and authorizing the District Manager to execute the final version, was approved.

➤ Governing of Docks: Per Mr. Smith, although the plat shows the recreational lakes were dedicated to the WildBlue CDD, the Developers wanted the Homeowners Association (HOA) to have governing authority and suggested having an Easement Agreement with the HOA to operate the activities that take place on the lake. The District would still govern the operations and maintenance (O&M) of the lakes as a drainage facility.

Mr. Barraco suggested that Mr. Kayne work with the HOAs in preparing the Recreation Easement Agreement and include stipulation requirements that the CDD must have approval powers of the WildBlue Boat Management Plan and, once completed have the lakes deeded to the District. Mr. Adams agreed. Mr. Smith suggested including language that the installation of the docks would not have any adverse impact on the functionality of the drainage system and/or the accessibility for O&M purposes.

Mr. Barraco provided the County’s latest approved Boat Management Plan to Staff and asked Josh to ensure that any modifications made by Lennar or Stock to the County’s Boat Management Plan are submitted to the County for approval.

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

- **Next Meeting Date: December 3, 2020 at 10:00 a.m.**
 - **QUORUM CHECK**

The next meeting will be held on December 3, 2020, unless cancelled.

THIRTEENTH ORDER OF BUSINESS

Board Members’ Comments/Requests

Mr. Hasty suggested authorizing the Chair to approve changes to the Dock Management Plan. Mr. Smith suggested issuing the Easement and not getting involved in the Dock

Management Plan. The Board decided to ensure the Easement included language about adversely impacting the lakes.

On MOTION by Mr. Hasty and seconded by Mr. Ernst, with all in favor, authorizing the Chair to execute the final version of the Blanket Recreation Easement Agreement, was approved.

FOURTEENTH ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

FIFTEENTH ORDER OF BUSINESS


Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Ernst and seconded by Mr. Hasty, with all in favor, the meeting adjourned at 10:56 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair