# BLUE LAKE
# COMMUNITY DEVELOPMENT DISTRICT

## LEE COUNTY

## REGULAR BOARD MEETING
## DECEMBER 9, 2025
## 3:00 P.M.

**Special District Services, Inc.**
**The Oaks Center**
**2501A Burns Road**
**Palm Beach Gardens, FL 33410**

**www.bluelakecdd.org**
**561.630.4922 Telephone**
**877.SDS.4922 Toll Free**
**561.630.4923 Facsimile**

**AGENDA**
**BLUE LAKE**
**COMMUNITY DEVELOPMENT DISTRICT**
WildBlue Social Building
18721 WildBlue Boulevard
Fort Myers, Florida 33913
**REGULAR BOARD MEETING**
**December 9, 2025**
**3:00 P.M.**
**Call- In: (800) 743-4099 Passcode: 7423990 (for residents)**

A. Call to Order
B. Proof of Publication……...Page 1
C. Establish Quorum
D. Additions or Deletions to Agenda
E. Approval of Minutes
    1. November 18, 2025 Special Board Meeting…….……....Page 2
F. Old Business
    1. Update on Lake Bank Repair Project……...Page 8
    2. Update on Liability Document for Dock Holders……Page 9
    3. Discussion on CDD Communitywide Wall Repair Communication……...Page 11
G. New Business
    1. Discussion Regarding Participation by Call-In Attendees
H. Administrative Matters
    1. Engineer's Report
        a. Update on Map of Maintenance Responsibilities/Ownership
    2. Attorney's Report
    3. Manager's Report
        a. Financials……...Page 24
        b. Next Meeting – January 13, 2026 & January 27, 2026
I. Comments from the Public for Items Not on the Agenda
J. Board Member Comments
K. Adjourn

Publication Date
2025-12-01

Subcategory
Miscellaneous Notices

BLUE LAKE COMMUNITY
DEVELOPMENT DISTRICT
NOTICE OF REGULAR BOARD MEETING

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Blue Lake Community Development District will hold a Regular Board Meeting in the WildBlue Social Building located at 18721 WildBlue Boulevard, Fort Myers, Florida 33913 at 3:00 p.m. on December 9, 2025.

The purpose of the meeting is to address any business to properly come before the Board. The meeting is open to the public and will be conducted in accordance with the provisions of Florida law. A copy of the agenda for this meeting may be obtained from the Districts website or by contacting the District Manager at 239-444-5790 and/or toll free at 1-877-737-4922 prior to the date of the meeting.

From time to time one or two Supervisors may participate by telephone; therefore, a speaker telephone will be present at the meeting location so that Supervisors may be fully informed of the discussions taking place. Said meeting may be continued as found necessary to a time and place specified on the record.

If any person decides to appeal any decision made with respect to any matter considered at this meeting, such person will need a record of the proceedings and such person may need to ensure that a verbatim record of the proceedings is made at his or her own expense and which record includes the testimony and evidence on which the appeal is based.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at this meeting should contact the District Manager at 239-444-5790 and/or toll free at 1-877-737-4922 at least seven (7) days prior to the date of the meeting.

Meetings may be cancelled from time to time without advertised notice.

BLUE LAKE COMMUNITY DEVELOPMENT DISTRICT
www.bluelakecdd.org
No.11865609 Dec 1, 2025

**BLUE LAKE COMMUNITY DEVELOPMENT DISTRICT**
**SPECIAL BOARD MEETING**
**NOVEMBER 18, 2025**

## A. CALL TO ORDER

The November 18, 2025, Special Board Meeting of the Blue Lake Community Development District (the "District") was called to order at 10:07 a.m. in the WildBlue Social Building located at 18721 WildBlue Boulevard, Fort Myers, Florida 33966.

## B. PROOF OF PUBLICATION

Proof of publication was presented which showed that notice of the Special Board Meeting had been published in the *Naples Daily News* on November 10, 2025, as legally required.

## C. ESTABLISH A QUORUM

It was determined that the attendance of the following Board Members constituted a quorum:

| | | |
|---|---|---|
| Chairman | Chris Hasty | Present |
| Vice Chairman | David Bello | Present |
| Supervisor | Norbie Larsen (who arrived at 10:16 a.m.) | Present |
| Supervisor | Mark Rapponotti | Present |
| Supervisor | Terry Vette | Present via phone |

Also present were the following Staff Members:

| | | |
|---|---|---|
| District Manager | Kathleen Meneely | Special District Services, Inc. |
| District Counsel | Wes Haber (via phone) | Kutak Rock LLP |
| District Engineer | Frank Savage | Barraco and Associates, Inc. |

Also present were the following:

Jeff Walker – SDS via phone
Chris Fiore – Gurley Fant Litigation Counsel via phone
Residents Linda Jones – HOA Pres
Chris Pezzi, Jeanne Hadginikitas, John Reis, Beth & Mike Parey, Patti & John Boulahanis, Doug Lindberg, Sydell Nusbaum, Brett Knickerbocker, Lena Arnold, L Sutherland, Gina Goodrich, Dale Shinavay, Greg Harris, Hank Mileus, Eugene Rooney, Mark Meslson, Tony & Grau Gilmore, Bob Kudlacik, Dale Brazdis, Hans Tobvacke, Gary & Trudi Bouvic, Steve Kiraly, Bob McCormick, Robin Langsam, Tom St. John, Barbara Bartlelt, Beth & Don Johnson, Scott Morrison, Mike Piccirelli
Others via phone

## D. ADDITIONS OR DELETIONS TO AGENDA

There was a consensus of the Board to hear G1 (Amended Budget) first since Mr. Walker was on the line.

## E. APPROVAL OF MINUTES

### 1. October 14, 2025, Regular Board Meeting

The minutes of the October 14, 2025, Regular Board Meeting were presented for consideration.

A **motion** was made by Mr. Rapponotti, seconded by Mr. Hasty and passed unanimously approving the minutes of the October 14, 2025, Regular Board Meeting, as presented.

## F. OLD BUSINESS

### 1. Update on Lake Bank Repair Project

Mr. Savage gave an update on the various components of the design, permitting, construction and financing, noting that with design he has been working with Cummins Cederberg and is awaiting 100% plans to submit the County. He added that approval should be received soon for the zoning amendment and resubmission of the LDR's will be when final plans have been received. As far as construction, he has been collaborating with Supervisor Larsen and Cummins Cederberg, stating that Mr. Larsen took him on a boat around the shoreline which helped with visible input on the bid documents. He explained that he needed direction on two items – one on value engineering for efficiency of costs with the mattresses, which are very costly, to be bid as an alternative. Mr. Larsen explained that the mattress, where the rock sits on dirt and gravel, will keep that from coming out in areas where needed, noting that the mattresses cost several million dollars more than rock. He further stated that many areas would never erode since the area was once a quarry. Mr. Savage continued that the second item was the notion of Direct Material purchases by the District, since the CDD is tax exempt. Discussion ensued regarding liability and transporting materials. There was a consensus of the Board that the bid documents allow both alternatives with the District reserving the right to buy directly from the supplier and the mattresses to be bid as an alternative. Mr. Larsen stated he would like to have a meeting with all the Board Members on a boat to look at the area together. Mr. Haber stated it would be difficult to hold a public meeting without allowing the public to participate and listen to what Board Members are saying. Discussion ensued about recording, using Zoom cameras, drones and other methods with it being determined that Mr. Haber should work with Mr. Larsen to see if there is a possibility of holding such a meeting within the confines of the Sunshine Laws.

Mr. Savage stated that several staging areas had been identified and Ms. Jones is working with Mr. Haber on the documents for easement use. Mr. Bello asked about the locations owned by Cal Atlantic and Mr. Haber stated that if those areas were needed, he can request an easement from the corporation, noting that maintenance easements were not made for storing rock. He continued that he would contact Cal Atlantic.

Mr. Savage continued that he was working with Mr. Larsen on the priority areas in the north end and noted that the ERP with SFWMD was back in and Lee County had a 30-day review of the updated LDO plans. He opined that he believed the bid documents may be ready to go out prior to the next Board Meeting with Mr. Larsen noting it was important that the bid documents were done correctly. Various questions were posed from the audience with Mr. Fiore concurring with Mr. Haber that litigation strategies would be discussed at the upcoming shade session and should not be discussed during a public meeting. Mr. Savage stated that he anticipated awarding a bid in January. Discussion ensued regarding the past interaction with Lennar as well as the ability for residents to call in and ask questions if they cannot attend. Mr. Reis stated he wished Mr. Hasty could stay on the Board as he appreciated all he did to help. Mr. McCormick asked if there would be a Phase Two and Three with Mr. Larsen replying that

was yet to be determined. Tony Gilmore asked there was still a concern regarding the location for obtaining the volume of rock needed and Mr. Larsen responded that this was no longer a concern as there were sources available.

Mr. Rapponotti advised that the trial had been scheduled for 2027 with discovery ongoing.

Mr. Vette noted that costs were needed for bonding and he was looking at doing the finding in stages so that the District does not need to take out more funding than needed.

Mr. Bello wanted to clarify some miscommunications being circulated around the community. He stated that assessments went up primarily for legal fees to get us through trial prep and mediation with the rest for engineering studies and to cover the prior year deficit.

Mr. Hasty went over bonding, noting that it could be a 15–30-year bond, divorced from the budget cycle and was needed as a funding source so the work can begin. Mr. Rapponoti stated that the goal was to relieve the homeowners of these increases as soon as possible and to force Lennar and the contractors to fix the lake bank. He continued that, hopefully, a settlement can be negotiated which will provide that relief. Ms. Nusbaum asked why WildBlue was able to bond their legal fees rather than raise assessments. Mr. Haber indicated that he had spoken with their staff and WildBlue did not bond legal fees but did a note separate from a bond that will need to be repaid through assessments in subsequent years.

**2. Consider Liability Document for Dock Holders**

Mr. Haber stated that the liability document had been prepared and approved and Ms. Meneely noted that the HOA had just recently provided a list of dock holders. Ms. Meneely further stated that staff would prepare a letter to send out with the document.

**G. NEW BUSINESS**

**1. Consider Resolution No. 2025-06 – Adopting a Fiscal Year 2024/2025 Amended Budget**

Resolution No. 2025-06 was presented, entitled:

**RESOLUTION NO. 2025-06**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BLUE LAKE COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING AND ADOPTING AN AMENDED FINAL FISCAL YEAR 2024/2025 BUDGET ("AMENDED BUDGET"), PURSUANT TO CHAPTER 189, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.**

Mr. Walker went over the amended budget noting that all the extraordinary expenses were from Taylor Engineering and Gurley Fant concerning the lawsuit. He stated that again, the District was in a deficit situation with its expenses. Questions were asked about some of the expenses from Barraco & Associates with Mr. Savage stating that backup was sent with the invoices but was not included in the budget detail. Mr. Walker stated that these were primarily for construction plans, SFWMD modifications and permitting.

A **motion** was made by Mr. Rapponotti, seconded by Mr. Bello and passed unanimously adopting Resolution No. 2025-06, as presented.

**2. Consider Resolution No. 2025-07 – Adopting Goals & Objectives Annual Report**

Resolution No. 2025-07 was presented, entitled:

**RESOLUTION NO. 2025-07**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BLUE LAKE COMMUNITY DEVELOPMENT DISTRICT ADOPTING AN ANNUAL REPORT OF GOALS, OBJECTIVES, AND PERFORMANCE MEASURES AND STANDARDS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

Ms. Meneely explained that this report was necessary as it was a requirement of the State for the goals and objectives previously adopted by the Board.

A motion was made by Mr. Bello, seconded by Mr. Rapponotti and passed unanimously adopting Resolution No. 2025-07, as presented.

**H. ADMINISTRATIVE MATTERS**

**1. Engineer's Report**

**a. Update on Map of Maintenance Responsibilities/Ownership**

Mr. Savage stated that this was an ongoing project that was being worked on.

Mr. Savage advised that a blowout had been identified at 13535 Blue Bay Circle, which is adjacent to the retention area and erosion had caused discharges that are circumventing the system. He recommended proceeding with an immediate repair with a $5,080 proposal from Crocker Land Development. Mr. Bello questioned Bahia grass being put in and requested that the restoration contain a sod match.

A **motion** was made by Mr. Bello, seconded by Mr. Larsen and passed unanimously to proceed with the repair and include the sod match.

Mr. Boulahanis stated that there were issues with erosion and discharge at his property, which is also adjacent to the preserve. Residents mentioned addresses 13551 and 13561 Blue Bay Circle as also having issues. Mr. Savage stated he would take a look at the properties.

Mr. Piccirelli asked about the drain and who cleaned it out at 14662 Blue Bay Circle. Mr. Savage stated that the lakeside properties, the berm routes water away from the lake to the detention area and may hold water for a time. Other residents mentioned that Mr. Piccirelli should take a look to see if the filter fabric had been removed after construction, as that usually fixed the situation.

**2. Attorney's Report**

Mr. Haber stated that there was a fair amount of confusion on the status of the CDD repair project and that he would like to work with the litigation attorneys and a Board Member to put together a document that clarifies the issues in the community. There was a consensus of the Board directing staff to work with Mr. Bello on such a document with the HOA agreeing to put it out to the community.

**3. Manager's Report**

**a. Financials**

Ms. Meneely presented the financials. The Board Members had no questions.

**b. Meeting Schedule**

Ms. Meneely announced that the next meetings were scheduled for December 9, 2025, and January 13, 2025.

## I. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

Mr. Reis advised of a a conversation with Carl Barraco about top coating the roads, noting that if they were paved now, they might be damaged with the repair project. Mr. Rapponotti stated that the heavy rocks in the trucks would damage the roads. Mr. Reis opined that he felt they were a tripping hazard. Mr. Larsen stated that he would be surprised if Lennar would warranty the topcoat work with the possibility of it being damaged, noting that the CDD would not want to take on that liability. He added that the PSI on the rock trucks was rough.

Mr. Nusbaum advised that a bear had knocked down the fence at 14245 and Mr. Lindberg stated he also had issues at 14395 and 13551 where the fence had been repaired with zip ties. Ms. Meneely stated that fence repairs had been put on a back burner since they were not a large enough individual expense for insurance to cover. The District is in a deficit and is concentrating on funding of the lake bank repairs

There was general discussion on berms and streets that were HOA issues as well as dock contractors which are the homeowner's responsibility.

## J. BOARD MEMBER COMMENTS

**1. Discussion on Community Communication – Bello – (previously discussed)**

Mr. Hasty advised of receipt of a long list of questions and document requests from Mr. Hadginikitas, which were provided to each Board Member. He noted that SDS had responded to the records requests but that he did not think staff should be directed to incur the expense to respond. It was consensus of the Board that no staff time be spent on this matter. Mr. Hasty also noted that the community communication being put out may answer many of the questions.

**2. Consider Applicants for Future Board Vacancy**

Mr. Meneely noted that Dr. Hamburger had withdrawn from consideration, leaving Mr. Brazdis and Garry as applicants when a vacancy become available. Mr. Meneely noted that only Mr. Brazdis was in the attendance. He gave a presentation on his background and qualifications. Mr. Bello asked if Mr. Brazdis was available for meetings and how many meetings he had attended in the past. Mr. Brazdis stated he was a full-time resident and had attended the last five months of meetings so he feels well-versed. Mr. Hasty added that when he resigns, they can appoint a replacement, and it was the consensus of the Board to appoint Mr. Brazdis, when such resignation takes place.

**Ms. Meneely then recessed the Special Board Meeting and the Board went into a shade session.**

**Mr. Hasty left the meeting at this time (12:35).**

## K. ATTORNEY-CLIENT SESSION RELATIVE TO LITIGATION

At the conclusion of the Attorney-Client Session, the Special Board Meeting was reconvened at 1:26 p.m.

## L. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Mr. Rapponotti, seconded by Mr. Bello and passed unanimously adjourning the Special Board Meeting at 1:27 p.m.

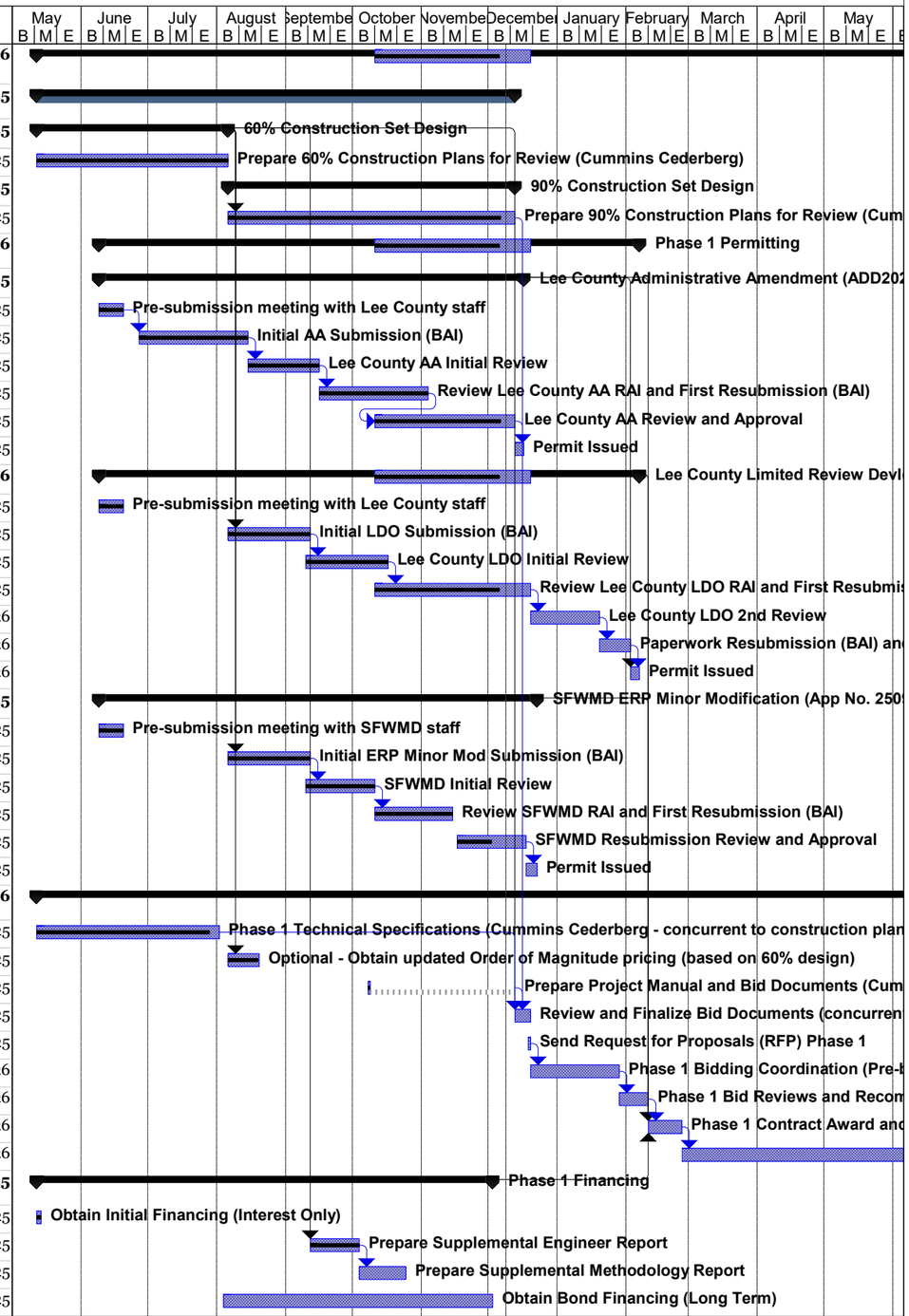
**ATTESTED BY:**

_____ _____

Secretary/Assistant Secretary Chairperson/Vice-Chair

# Blue Lake CDD
# Phase 1 Rec Lake Restoration Schedule

| ID | Task Name | % Complete | Duration | Start | Finish |
|---|---|---|---|---|---|
| 1 | **Phase 1 Restoration Timeline** | **61%** | **465 d** | **Mon 5/12/25** | **Wed 8/19/26** |
| 2 | **Phase 1 Restoration Design** | **97%** | **215 d** | **Mon 5/12/25** | **Fri 12/12/25** |
| 3 | **60% Construction Set Design** | **100%** | **86 d** | **Mon 5/12/25** | **Tue 8/5/25** |
| 4 | Prepare 60% Construction Plans for Review (Cummins Cederberg) | 100% | 86 d | Mon 5/12/25 | Tue 8/5/25 |
| 5 | **90% Construction Set Design** | **95%** | **129 d** | **Wed 8/6/25** | **Fri 12/12/25** |
| 6 | Prepare 90% Construction Plans for Review (Cummins Cederberg) | 95% | 129 d | Wed 8/6/25 | Fri 12/12/25 |
| 7 | **Phase 1 Permitting** | **83%** | **243 d** | **Mon 6/9/25** | **Fri 2/6/26** |
| 8 | **Lee County Administrative Amendment (ADD2025-00173)** | **95%** | **191 d** | **Mon 6/9/25** | **Tue 12/16/25** |
| 9 | Pre-submission meeting with Lee County staff | 100% | 11 d | Mon 6/9/25 | Thu 6/19/25 |
| 10 | Initial AA Submission (BAI) | 100% | 49 d | Fri 6/27/25 | Thu 8/14/25 |
| 11 | Lee County AA Initial Review | 100% | 32 d | Fri 8/15/25 | Mon 9/15/25 |
| 12 | Review Lee County AA RAI and First Resubmission (BAI) | 100% | 49 d | Tue 9/16/25 | Mon 11/3/25 |
| 13 | Lee County AA Review and Approval | 90% | 63 d | Sat 10/11/25 | Fri 12/12/25 |
| 14 | Permit Issued | 0% | 4 d | Sat 12/13/25 | Tue 12/16/25 |
| 15 | **Lee County Limited Review Devlopment Order (LDO2025-00593)** | **69%** | **243 d** | **Mon 6/9/25** | **Fri 2/6/26** |
| 16 | Pre-submission meeting with Lee County staff | 100% | 11 d | Mon 6/9/25 | Thu 6/19/25 |
| 17 | Initial LDO Submission (BAI) | 100% | 37 d | Wed 8/6/25 | Thu 9/11/25 |
| 18 | Lee County LDO Initial Review | 100% | 37 d | Wed 9/10/25 | Thu 10/16/25 |
| 19 | Review Lee County LDO RAI and First Resubmission (BAI) | 80% | 70 d | Sat 10/11/25 | Fri 12/19/25 |
| 20 | Lee County LDO 2nd Review | 0% | 31 d | Sat 12/20/25 | Mon 1/19/26 |
| 21 | Paperwork Resubmission (BAI) and LDO Approval | 0% | 14 d | Tue 1/20/26 | Mon 2/2/26 |
| 22 | Permit Issued | 0% | 4 d | Tue 2/3/26 | Fri 2/6/26 |
| 23 | **SFWMD ERP Minor Modification (App No. 250911-56907)** | **86%** | **197 d** | **Mon 6/9/25** | **Mon 12/22/25** |
| 24 | Pre-submission meeting with SFWMD staff | 100% | 11 d | Mon 6/9/25 | Thu 6/19/25 |
| 25 | Initial ERP Minor Mod Submission (BAI) | 100% | 37 d | Wed 8/6/25 | Thu 9/11/25 |
| 26 | SFWMD Initial Review | 100% | 31 d | Wed 9/10/25 | Fri 10/10/25 |
| 27 | Review SFWMD RAI and First Resubmission (BAI) | 100% | 35 d | Sat 10/11/25 | Fri 11/14/25 |
| 28 | SFWMD Resubmission Review and Approval | 50% | 31 d | Mon 11/17/25 | Wed 12/17/25 |
| 29 | Permit Issued | 0% | 5 d | Thu 12/18/25 | Mon 12/22/25 |
| 30 | **Phase 1 Construction Services** | **26%** | **465 d** | **Mon 5/12/25** | **Wed 8/19/26** |
| 31 | Phase 1 Technical Specifications (Cummins Cederberg - concurrent to construction plan design) | 95% | 82 d | Mon 5/12/25 | Fri 8/1/25 |
| 32 | Optional - Obtain updated Order of Magnitude pricing (based on 60% design) | 95% | 14 d | Wed 8/6/25 | Tue 8/19/25 |
| 33 | Prepare Project Manual and Bid Documents (Cummins Cederberg - based on 90% design) | 90% | 1 d | Wed 10/8/25 | Fri 12/12/25 |
| 34 | Review and Finalize Bid Documents (concurrent to construction plans) | 0% | 7 d | Sat 12/13/25 | Fri 12/19/25 |
| 35 | Send Request for Proposals (RFP) Phase 1 | 0% | 1 d | Fri 12/19/25 | Fri 12/19/25 |
| 36 | Phase 1 Bidding Coordination (Pre-bid, review and respond to questions, etc.) | 0% | 40 d | Sat 12/20/25 | Wed 1/28/26 |
| 37 | Phase 1 Bid Reviews and Recommendations | 0% | 13 d | Thu 1/29/26 | Tue 2/10/26 |
| 38 | Phase 1 Contract Award and Construction Commencement | 0% | 15 d | Wed 2/11/26 | Wed 2/25/26 |
| 39 | Phase 1 Construction Duration | 0% | 175 d | Thu 2/26/26 | Wed 8/19/26 |
| 40 | **Phase 1 Financing** | **14%** | **205 d** | **Mon 5/12/25** | **Tue 12/2/25** |
| 41 | Obtain Initial Financing (Interest Only) | 100% | 2 d | Mon 5/12/25 | Tue 5/13/25 |
| 42 | Prepare Supplemental Engineer Report | 100% | 22 d | Fri 9/12/25 | Fri 10/3/25 |
| 43 | Prepare Supplemental Methodology Report | 0% | 21 d | Sat 10/4/25 | Fri 10/24/25 |
| 44 | Obtain Bond Financing (Long Term) | 0% | 121 d | Mon 8/4/25 | Tue 12/2/25 |



[date]

[delivery method]

[recipient name]
[recipient address]
[email address]

Re: Homeowners Options for Lake Retaining Wall Repairs

Dear _____:

The Blue Lake Community Development District ("District") anticipates undertaking a construction project ("Project") to repair the retaining wall located on various portions of the property identified as Tract L of VistaBlue Phase 3, a subdivision according to the plat thereof as recorded in Official Records Instrument Number 2020000261359, public records of Lee County, Florida. The purpose of the Project is to strengthen and fortify the retaining wall to protect against damage that may be caused by weather events, the recreational use of the lake, or other events outside the District's control.

I am writing to inform you about the upcoming options for repairing the retaining wall located adjacent to your lot and to address an important matter regarding your dock during the construction period. The work contemplated by the plans and specifications for the Project ("Plans") is not able to be completed if your dock is not removed to allow access to the portion of the retaining wall under and around your dock. As a result, in addition to the Plans, the District had alternative plans and specification prepared for locations that have docks ("Alternative Plans"). It is expected that the work contemplated by the Alternative Plans will provide less protection than the Plans. Copies of the Plans and Alternative Plans are available for your review upon request.

To ensure the safety of all parties and to allow for the uninterrupted progress of the Project, you must choose one of the following options:

1. Remove your dock prior to the District commencing the Project. The District does not presently know the commencement date but will make you aware of it as soon as it is available. Removal, storage, and re-installation of your dock shall be at your cost and, should you fail to timely remove your dock, the District will have your dock removed and placed on your lot and hold you responsible for the cost of such removal and placement. Once removed, the District will perform the work contemplated by the Plans on the portion of the retaining wall adjacent to your lot. The District will not re-install your dock.

2. Sign the attached *Release and Waiver of Liability and Assumption of Obligation to Repair Retaining Wall* ("Release"), which contemplates that your dock will not be removed and that the work described in the Alternative Plans will be performed on the portion of the retaining wall adjacent to your lot. The Release includes various terms and conditions, including, but not limited to, obligating you to pay for any future repairs to the retaining wall that may arise. You are encouraged to read the Release in its <u>entirety</u> before deciding to sign it. Once the Release is

fully executed, it will be recorded in the Official Records of Lee County and be an obligation that runs with the ownership of your lot and binding on future owners. Should you choose to sign the Release, please contact my office to make arrangements to complete any blanks and include the appropriate attachments.

The District appreciates your prompt attention and cooperation in this matter, which is essential for the success and safety of the retaining wall project. Thank you for your understanding and support.

Sincerely,

Kathleen Meneely
District Manager

Attachments

# BLUE LAKE CDD UPDATE

December 2025

- The following is a communication from the Blue Lake (Vista) CDD to the residents of Vistablue.  The Vistablue HOA is sending to all residents as a courtesy and does not have any input or opinion on the information provided

# Objective — The purpose of this document is to correct false information currently being dispersed

- Is the CDD open to public input?
- Did the public have the opportunity for budget input?
- Does the CDD plan to raise fees to $9,000 per home or more?
- Why can’t the CDD just restore the retaining wall as it was originally constructed?
- Why isn’t the CDD negotiating with Lennar?
- What is the current plan and why is it the best option?

# The CDD welcomes and encourages public participation

- All CDD meetings to date have been open to the public
  - CDD encourages public attendance and participation at every meeting
  - Meetings are also available via telephone for those who can't attend in person
  - Meetings may be recorded and are available when recorded
- Public comment and participation is on all agendas and encouraged
  - Public input is taken at every agenda item
  - Open comment for non-agenda items is held at every meeting
  - Comments can also be submitted in writing

# CDD provides multiple opportunities for public budget input

- Annual budget was presented at the May 27 CDD meeting (open to public and advertised)
- Direct mail was sent to each household with invite to Public Hearing
- August 12 public hearing was held to get public comments prior to finalizing budget
- Budget timing is dictated by Florida Statutes

# The CDD budget included an increase of approx. $1600 per household

- This is the only increase in your bill from the CDD. Other increases are from Lee County property values and adjustments.
- 74% of the CDD increase is for legal fees to litigate with Lennar, design professionals and contractors to recover funds for proper shoreline protection
- 2026 CDD fees are $4311-4976 with most residents on the lower end; no one is paying over $5000
  - Claims that CDD fees have tripled in 4 years are false
  - CDD fees are up a little more than double in 6 years
- At this time, we do not anticipate any future fee increases for legal costs
- If Lennar, design professionals and contractors agree to fund repairs at a satisfactory level, expenses to residents will be reduced
- It is critical to get Lennar and others to fund the repairs; if the community has to pay the entirety of the cost, it will be very expensive

# Claims that the CDD will raise assessments to $9,000 per year are false

- The CDD has no plans to increase fees as claimed
- The CDD has NOT issued a $20 million dollar outstanding bond, this claim is false
- The CDD does NOT have an outstanding $2.5M loan
- The CDD has drawn $133,400 against a line of credit, only the interest payment of $677 is due this year. ($1.71 per household)
- The CDD does not anticipate further fee increases for legal fees

# The CDD violated no Florida statutes selecting attorneys

- NO ONE ON THE CURRENT CDD WAS INVOLVED WITH ATTORNEY SELECTION
- Attorneys were selected when CDD was composed of 100% Lennar employees
- Attorney selection is not included in Florida 190 as claimed
- There is no required process for selected an attorney
- Attorney fees are included in O&M contrary to claim

# Resident boats did not cause the wall to fail

- 3 marine engineering firms analyzed the wall.  None concluded resident boats caused the failure
- 100% concluded the wall failure was due to insufficient design to withstand normal weather conditions on Blue Lake — the retaining wall would have failed in sub-hurricane conditions
- They also concluded the wall was not constructed to even the inadequate design standards

# Just “putting the wall back as it was” has been determined to not be a viable option

- The wall around the lake is defective and is likely to fail again without proper shoreline protection.
- Multiple engineering firms have evaluated the current design (trex and vinyl) and construction — 100% have concluded Lennar’s wall is defective
  - The wall design is inadequately designed and constructed even in the absence of storm impacts
  - When storm impacts are considered, the wall is extremely susceptible to damage and will likely experience significant degradation in tropical storm conditions, let alone hurricane conditions
- Rebuilding the wall to previous condition is not viable and would likely lead to more expense for residents
  - Ian was not a “once in a lifetime” storm here
  - While a Category 5 storm at the coast, Ian degraded to category 1 storm by the time it got to Blue Lake
  - Historical meteorological data shows storms of this intensity hit Blue Lake once every 7-8 years
- The original Lennar permit application was to construct a rock breakwater, similar to the revetment CDD engineers recommending we do now
  - Lennar initially permitted a rock breakwater
  - Lennar later requested and received 2 deviations to construct the defective wall
  - The county did not investigate Lennar’s claims that the deviations did not impact wall viability. Rather, the county simply accepted Lennar’s claims (county is not staffed with engineers to do independent analysis)

# CDD has made good faith efforts to settle Lennar

- On September 23, 2024, Lennar made an offer of settlement. At the time, the majority of CDD supervisors were Lennar employees
- The offer was for $2.9 million and included a number of conditions that made it impossible to accept
  - HOA required to relinquish all claims, leaving residents to pay for road top coat, dock repairs, etc.
  - Homeowners required to surrenders builder claims, including warranty
  - CDD required to defend Lennar against any future homeowner claims.
  - This amount is less than 15% of the estimated costs to install proper shoreline protection and would leave the HOA with no funds for their claims
- The LENNAR CONTROLLED CDD WITH MAJORITY LENNAR EMPLOYEES did not accept the offer

# CDD has made good faith efforts to settle with Lennar

- Lennar withdrew the offer shortly after WildBlue voted to start legal action against Lennar
- Blue Lake CDD was not part of the WildBlue legal action and preferred a negotiated settlement with Lennar. Lennar did not initially respond to our requests for meetings.
- Finally in August 2025, a CDD representative and Darin McMurray, Lennar met at the request of our CDD
  - Lennar stated they would not negotiate
  - Their offer was “take it or leave it”
  - Lennar suggested that the CDD should sue if they wanted a better deal
- With no other option, Blue Lake CDD voted 4-0 to initiate legal action against Lennar

# CDD is starting repairs now which will help prevent further property damage

- CDD is pursuing engineering recommendation to construct a rock revetment across the northern 1/3 of the lake to protect against normal conditions
- It is possible to wait for legal settlement prior to starting construction, however that risks further property damage
- CDD has elected to begin construction immediately
  - More than $100,000 in emergency repairs have already been completed, more are coming
  - Construction now will help prevent further property damage
- CDD is simultaneously pursuing legal action against Lennar and others to fund proper shoreline protection and save homeowners from bearing the entire repair costs

# Blue Lake
# Community Development District

## Financial Report For
## November 2025

**BLUE LAKE COMMUNITY DEVELOPMENT DISTRICT**
**MONTHLY FINANCIAL REPORT**
**NOVEMBER 2025**

| REVENUES | Annual Budget 10/1/25 - 9/30/26 | Actual Nov-25 | Year To Date Actual 10/1/25 - 11/30/25 |
|---|---|---|---|
| O & M Assessments | 1,260,500 | 234,386 | 234,386 |
| Debt Assessments | 663,697 | 123,081 | 123,081 |
| Other Revenues | 0 | 0 | 0 |
| Interest Income | 960 | 0 | 0 |
| Line of Credit Assessments | 720 | 120 | 120 |
| **Total Revenues** | **$ 1,925,877** | **$ 357,587** | **$ 357,587** |
| | | | |
| **EXPENDITURES** | | | |
| **Administrative Expenditures** | | | |
| Supervisor Fees | 12,000 | 600 | 1,000 |
| Payroll Taxes (Employer) | 960 | 46 | 77 |
| Management | 31,452 | 2,621 | 5,242 |
| Legal | 40,000 | 0 | 16,023 |
| Legal Extraordinary - Retaining Wall, Etc. | 500,000 | 0 | 36,522 |
| Assessment Roll | 4,000 | 0 | 0 |
| Audit Fees | 5,200 | 0 | 0 |
| Arbitrage Rebate Fee | 650 | 0 | 0 |
| Insurance | 14,700 | 0 | 12,231 |
| Legal Advertisements | 6,000 | 0 | 433 |
| Miscellaneous | 3,993 | 155 | 318 |
| Postage | 900 | 23 | 122 |
| Office Supplies | 1,250 | 134 | 210 |
| Dues & Subscriptions | 175 | 0 | 175 |
| Trustee Fee | 4,050 | 0 | 0 |
| Continuing Disclosure Fee | 1,000 | 0 | 0 |
| Deficit Funding | 0 | 0 | 0 |
| Capital Outlay - Lake Bank Expenditure | 0 | 0 | 0 |
| **Total Administrative Expenditures** | **626,330** | **3,579** | **72,353** |
| | | | |
| **Maintenance Expenditures** | | | |
| Engineering/Inspections | 40,000 | 0 | 5,206 |
| Engineering Extraordinary - Retaining Wall | 125,000 | 0 | 0 |
| Mitigation Monitoring | 138,500 | 0 | 0 |
| Lake Maintenance | 60,000 | 5,877 | 8,743 |
| Flow Way Inspection Certification | 5,000 | 0 | 0 |
| Detention Area Maintenance | 36,000 | 0 | 3,011 |
| Miscellaneous Maintenance (Fence Maintenance, Etc.) | 100,000 | 0 | 4,136 |
| Maintenance Reserve | 55,000 | 0 | 0 |
| Lake Bank Repair Project - Interest Payment | 677 | 0 | 0 |
| Capital Outlay - Lake Bank | 0 | 0 | 0 |
| Construction Costs | 0 | 0 | 0 |
| **Total Maintenance Expenditures** | **560,177** | **5,877** | **21,096** |
| | | | |
| **Total Expenditures** | **$ 1,186,507** | **$ 9,456** | **$ 93,449** |
| | | | |
| **REVENUES LESS EXPENDITURES** | **$ 739,370** | **$ 348,131** | **$ 264,138** |
| | | | |
| Bond Payments | (623,875) | (117,693) | (117,693) |
| | | | |
| **BALANCE** | **$ 115,495** | **$ 230,438** | **$ 146,445** |
| | | | |
| County Appraiser & Tax Collector Fee | (38,498) | (1,201) | (1,201) |
| Discounts For Early Payments | (76,997) | (14,453) | (14,453) |
| | | | |
| **EXCESS/ (SHORTFALL)** | **$ -** | **$ 214,784** | **$ 130,791** |
| | | | |
| Carryover From Prior Year | 0 | 0 | 0 |
| | | | |
| **NET EXCESS/ (SHORTFALL)** | **$ -** | **$ 214,784** | **$ 130,791** |

**Note - Draw In 24/25 From Lake Bank Repair Project Line Of Credit: $133,400.**

| | |
|---|---|
| **Bank Balance As Of 11/30/25** | **$ 429,572.74** |
| **Accounts Payable As Of 11/30/25** | **$ 206,084.84** |
| **Line of Credit As Of 11/30/25** | **$ 133,400.00** |
| **Accounts Receivable As Of 11/30/25** | **$ -** |
| **Available Funds As Of 11/30/25** | **$ 90,087.90** |

# BLUE LAKE CDD
# TAX COLLECTIONS
# 2025/2026

| # | ID# | PAYMENT FROM | DATE | FOR | Tax Collect Receipts | Interest Received | Commissions Paid | Discount | Net From Tax Collector | O & M Assessment Income (Before Discounts & Fee) | Debt Assessment Income (Before Discounts & Fee) | O & M Assessment Income (After Discounts & Fee) | Debt Assessment Income (After Discounts & Fee) | Debt Assessments Paid to Trustee |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | **$1,923,166.00** | **$1,261,225.00** | **$ 661,941.00** | **$1,261,225.00** | **$ 661,941.00** | |
| | | | | | | | | | **$1,809,422.00** | **$1,185,547.00** | **$ 623,875.00** | **$1,185,547.00** | **$ 623,875.00** | **$ 623,875.00** |
| 1 | | Paid to Lee County Prop Appraiser | 11/04/25 | Fees | | | $ (423.00) | | $ (423.00) | | | $ (277.00) | $ (146.00) | |
| 2 | 1 | Lee County Tax Collector | 11/12/25 | NAV Taxes | $ 11,948.93 | | $ (778.32) | $ (627.32) | $ 10,543.29 | $ 7,836.08 | $ 4,112.85 | $ 6,914.24 | $ 3,629.05 | $ 3,483.05 |
| 3 | 2 | Lee County Tax Collector | 11/21/25 | NAV Taxes | $ 345,638.12 | | | $ (13,825.45) | $ 331,812.67 | $ 226,669.47 | $ 118,968.65 | $ 217,602.72 | $ 114,209.95 | $ 114,209.95 |
| 4 | | | | | | | | | $ - | | | | | $ - |
| 5 | | | | | | | | | $ - | | | | | $ - |
| 6 | | | | | | | | | $ - | | | | | $ - |
| 7 | | | | | | | | | $ - | | | | | $ - |
| 8 | | | | | | | | | $ - | | | | | $ - |
| 9 | | | | | | | | | $ - | | | | | $ - |
| 10 | | | | | | | | | $ - | | | | | $ - |
| 11 | | | | | | | | | $ - | | | | | $ - |
| 12 | | | | | | | | | $ - | | | | | $ - |
| 13 | Int | Lee County Tax Collector | | Interest | | | | | $ - | | | | | $ - |
| 14 | URE | Lee County Tax Collector | | Unused Revenue Fees | | | | | $ - | | | | | $ - |
| 15 | | | | | | | | | $ - | | | | | $ - |
| | | | | | $ 357,587.05 | $ - | $ (1,201.32) | $ (14,452.77) | $ 341,932.96 | $ 234,505.55 | $ 123,081.50 | $ 224,239.96 | $ 117,693.00 | $ 117,693.00 |



| Assessment Roll | |
|---|---|
| **O&M** | 1,261,225.26 |
| **Debt** | 661,941.00 |
| | 1,923,166.26 |

| Collections |
|---|
| 18.59% |

Note: $1,923,166, $1,261,225 and $661,941 are 2025/2026 Budgeted assessments before discounts and fees.
$1,809,422, $1,185,547 and $623,875 are 2025/2026 Budgeted assessments after discounts and fees.

| | |
|---|---|
| $ 357,587.05 | |
| $ - | $ 341,932.96 |
| $ (234,505.55) | $ (224,239.96) |
| $ (123,081.50) | $ (117,693.00) |
| $ - | $ - |