



**BLUE LAKE  
COMMUNITY DEVELOPMENT  
DISTRICT**

**LEE COUNTY  
REGULAR BOARD MEETING  
APRIL 22, 2025  
3:00 P.M.**

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

[www.bluelakecdd.org](http://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**

**April 22, 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. April 8, 2025 Regular Board Meeting.....Page 2
- F. Old Business
  - 1. Update on Negotiations with Developer
  - 2. Update on Lake Bank Repair Project
- G. New Business
  - 1. Discussion Regarding Estimates to Build Revetment
    - a) Engineering Estimate on Amount of Rock Needed for Both Phase 1 and Phase 2 Repairs
    - b) Engineering Rough Order of Magnitude Estimate on Costs to Install Rock for both Phase 1 & 2
    - c) Estimate on Wall Demo and Removal
    - d) Estimate of Total Costs to Repair the Wall
  - 2. Discussion on Preliminary Schedule for Phase 1 — Designs, Permitting and Start of Bidding
- H. Administrative Matters
  - 1. Manager's Report
    - Next Meeting – May 13, 2025
  - 2. Engineer's Report
    - a) Update on Repairs for 14462 Blue Bay Circle – DiNitto Property
  - 3. Attorney's Report
    - a) Update on Removal of CDD from Deed at County for Lake
- I. Comments from the Public for Items Not on the Agenda
- J. Board Member Comments
- K. Adjourn



Florida

PO Box 631244 Cincinnati, OH 45263-1244

GANNETT

# **AFFIDAVIT OF PUBLICATION**

Laura Archer  
Blue Lake Comm. Development  
2501 Burns RD # A  
Palm Beach Gardens FL 33410-5207

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Naples Daily News, a newspaper published in Collier County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Govt Public Notices, was published on the publicly accessible website of Collier and Lee Counties, Florida, or in a newspaper by print in the issues of, on:

03/31/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 03/31/2025

Legal Clerk

Notary, State of WI, County of Brown

5.15.27

My commission expires

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## **BLUE LAKE COMMUNITY DEVELOPMENT DISTRICT NOTICE OF APRIL 2025 REGU- LAR BOARD MEETINGS**

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Blue Lake Community Development District will hold two (2) Regular Board Meetings in the WildBlue Social Building located at 18721 WildBlue Boulevard, Fort Myers, Florida 33913 at 3:00 p.m. on April 8, 2025, and April 22, 2025.

The purpose of the meetings is to address any business to properly come before the Board. The meetings are open to the public and will be conducted in accordance with the provisions of Florida law. A copy of the agendas for these meetings may be obtained from the District's 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 meetings.

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 meetings 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 these meetings, 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 these meetings 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 dates of the meetings.

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

**BLUE LAKE COMMUNITY  
DEVELOPMENT DISTRICT**  
[www.bluelakecdd.org](http://www.bluelakecdd.org)  
No.11163510

March 31, 2025

NANCY HEYRMAN  
Notary Public  
State of Wisconsin

**BLUE LAKE COMMUNITY DEVELOPMENT DISTRICT  
REGULAR BOARD MEETING  
APRIL 8, 2025**

**A. CALL TO ORDER**

The April 8, 2025, Regular Board Meeting of the Blue Lake Community Development District (the “District”) was called to order at 3:02 p.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 Regular Board Meeting had been published in the *Naples Daily News* on March 31, 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	Vacant	
Supervisor	Norbie Larsen	Present
Supervisor	David Bello	Present
Supervisor	Mark Rapponotti	Present

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 (via phone)	Barraco and Associates, Inc.
District Engineer	Carl Barraco (via phone)	Barraco and Associates, Inc.

Also present were the following: Paul Thell, Terry Vette, Jim Spaulding, Tom Cavanaugh, Brett Knickerbocker, Sean Clouse, Beth & Don Johnson, Bob & Nancy Szymkowski, Doug Henry, Tom Juszczak, Gregory Miholic, Wally & Barb Barholt, Linda Jones (HOA Pres), Greg Gosney, Franc Militello, Hank Milius and others via phone.

**D. ADDITIONS OR DELETIONS TO AGENDA**

There were no additions or deletions to the agenda.

**E. APPROVAL OF MINUTES**

**1. March 11, 2025, Regular Board Meeting**

The minutes of the March 11, 2025, Regular Board Meeting were presented for consideration.

A **motion** was made by Mr. Rapponotti, seconded by Mr. Bello and passed unanimously approving the minutes of the March 11, 2025, Regular Board Meeting, as presented.

## **F. OLD BUSINESS**

### **1. Update on Negotiations with Developer**

Mr. Haber advised that two emails had been sent to the Supervisors from litigation counsel, noting that there was a willingness to mediate. Mr. Bello stated that his understanding was different, and that the mediation was contingent on subs being present and that Wild Blue and Blue Lake would be linked into one mediation. Mr. Rapponotti stated that he had spoken with litigation counsel yesterday and his understanding was that the developer had backtracked the original number and, in his opinion, was looking at a higher amount, which was positive. There was general discussion regarding filing a lawsuit if there were contingencies or no set date for mediation. Mr. Rapponotti stated he would not support a lawsuit if mediation were on the table as it creates bad blood and is extremely costly. He continued that it made sense to have co-defendants in the room for mediation and that the developer could be asked to execute a tolling agreement if timing was an issue. Mr. Bello stated that litigation counsel had looked at the facts and recommended filing as they were aware of all the facts, including a bad design. Mr. Hasty opined that Wild Blue was a different animal as their lawsuit maintained their rights since they were named in another lawsuit, whereby the Blue Lake filing was just for strategy. He continued that he had spoken to the developer and felt that filing would remove their need to go to mediation. Mr. Larsen asked what happened if all parties did not participate. Mr. Hasty responded that the developer relied on experts and they may want them at the mediation table, adding that he never got the message that if someone did not show up mediation would not be held as that seemed irrational. He suggested having Mr. Haber call litigation counsel to confirm the facts. Mr. Bello stated that litigation counsel said that every day there was a delay, the District was losing ground. Mr. Hasty stated that waiting 2-4 weeks does not slow the District down but rather strengthens the District's case. Mr. Bello disagreed stating that litigation counsel had given their advice and they have more experience. Mr. Hasty stated that the entire Board needed to decide on what they felt was the right path. Mr. Larsen stated that he was okay with getting confirmation but at what point is the deadline date; he feels that the developer was in charge of his own subs and that should not be a contingency for mediation. He continued that the attorney should speak with litigation counsel and find out what the true situation was and that he can give them a little time to schedule the mediation. Discussions continued back and forth with resident participation regarding the right course of action. Mr. Larsen stated that he was willing to give the developer until the next meeting for a firm commitment on mediation and if it is not provided, then he would support moving forward with litigation. Mr. Hasty noted that Ms. Meneely was preparing the budget for the May meeting and asked if a line item for \$2 Million for litigation should be added. Discussion ensued on the cost and timing with Mr. Hasty noting that it may take 60-90 days to schedule a mediation date on the books due to the chosen mediator's schedule. Mr. Knickerbocker suggested that the District not negotiate for a dollar amount but rather to have the developer fix and deliver a wall that is at an acceptable level. Mr. Gosney agreed and stated that the wall still belonged to the developer and the District should insist it be repaired and then it will be accepted. After further discussion, it was the consensus of the Board directing Mr. Haber to get, in writing, by the next meeting, a commitment from Lennar to mediate without conditions.

### **2. Update on Financing from Seacoast Bank**

- **Consider Resolution No. 2025-01 – Loan Approval**

Resolution No. 2025-01 was presented, entitled:

#### **RESOLUTION NO. 2025-01**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BLUE LAKE COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING THE ISSUANCE OF ITS TAXABLE NON-REVOLVING LINE OF CREDIT NOTE, SERIES 2025, IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,500,000 TO PROVIDE FUNDS, TOGETHER WITH OTHER FUNDS OF THE DISTRICT, TO FINANCE THE COST OF A RETAINING WALL REPAIR PROJECT WITHIN THE DISTRICT AND RELATED COSTS; PROVIDING THAT SUCH NOTE SHALL BE PAYABLE FROM OPERATION AND MAINTENANCE SPECIAL ASSESSMENTS AND DEBT ASSESSMENTS UPON BENEFITTED PROPERTIES IN THE DISTRICT AS PROVIDED HEREIN; AWARDING THE NOTE TO SEACOAST NATIONAL BANK BY NEGOTIATED SALE; AUTHORIZING THE DISTRICT TO ENTER INTO A LINE OF CREDIT AGREEMENT WITH SEACOAST NATIONAL BANK; PROVIDING FOR THE RIGHTS, SECURITY AND REMEDIES FOR THE OWNER OF SUCH NOTE; PROVIDING FOR THE CREATION OF CERTAIN FUNDS; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.**

Mr. Hasty went over the background noting that the resolution approves the line of credit with Seacoast Bank for \$2.5 Million with the up fronting of costs for designs from Cummins Cederberg before releasing the remainder with levied debt assessments. He further noted that there was no penalty for paying off the debt up front. Mr. Hasty stated that going through the bond process may result in better terms for construction costs. He further went over how annual assessments work and could be brought down if future funding is received.

A **motion** was made by Mr. Bello, seconded by Mr. Hasty and passed unanimously adopting Resolution No.2 025-01, as presented.

### **3. Update on Lake Bank Repair Project (combined with Item G-1)**

Mr. Savage advised that Cummins Cederberg would proceed with the repair design, noting that the survey work was done in January. He reminded the Board that the scope for their design was for Phase 1 only of the damaged areas with a rock revetment. There was general discussion about getting a cost estimate for repairs and Mr. Barraco stated he was not receiving any responses from contractors. He explained that the source, size rock and shipping costs impact the price, with the quarries only selling directly to contractors. With such a tight market and no giant pit, there is no historical data with which to obtain an estimate that could be considered applicable. Mr. Knickerbocker suggested that Lennar may have historical records.

Mr. Hasty **nominated** Mr. Larsen to help find a source and possible cost information since he is in that field. The **nomination** was seconded by Mr. Rapponotti and passed unanimously.

### **4. Reconsideration of Repairs for 14462 Blue Bay Circle – Di Nitto Property**

Ms. Meneely reminded the Board that they had previously approved a not-to-exceed amount of \$5,000 for the repair but the proposal came in at \$10,925. Mr. Bello asked about just filling with dirt and sod and Mr. Larsen responded that without the additional stabilization it would all just erode into the lake.

Mr. Hasty stated that with the upcoming budget, the Board will be looking at debt assessments and should bite the bullet and keep moving forward on this repair.

A **motion** was made by Mr. Bello, seconded by Mr. Rapponotti and passed unanimously directing staff to move forward with the repairs.

**G. NEW BUSINESS**

**1. Discussion Regarding Baracco Estimates to Build Revetment**

This item was previously discussed.

**H. ADMINISTRATIVE MATTERS**

**1. Manager's Report**

Ms. Meneely went over the financials. There were no questions from the Board Members.

Ms. Meneely advised that the next meetings were scheduled for April 22, 2025, and May 13, 2025.

**2. Engineer's Report**

The District Engineer had nothing further.

**3. Attorney's Report**

Mr. Haber had nothing further to report.

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

There were no comments from the public for items not on the agenda.

**J. BOARD MEMBER COMMENTS**

**1. Discussion Regarding Requirements to Remove CDD from Deed at County for Lake and Other Properties - Bello**

Mr. Haber gave the background on this matter noting he had communicated to the developer's attorney that the deed was not accepted and he received no response. He added that he was checking with the real estate attorneys in his firm regarding what document would need to be filed to correct the record. He stated that the other option was to see if Lennar was willing to record a document to update the record. It was the consensus of the Board authorizing the Chairman to execute any document in order to get the record cleared that the Board did not accept the deed.

Mr. Rapponotti apologized to Mr. Larsen as he felt he used a poor choice of words when they were in discussions regarding the lake bank repairs.

**2. Consider Board Vacancy Candidates**

Ms. Meneely indicated that she had receive several resumes from Doug Henry, Sean Clouse, Terry Vette and Scott Morrison, which were included in the agenda packet. Henry, Clouse and Vette were present and each went over their backgrounds, desire to be on the District Board, their residency status and the

number of Board meetings they had attended. Mr. Hasty admired the varied backgrounds as did Mr. Rapponotti who thanked all the applicants and **nominated** Terry Vette for the position. The **nomination** was seconded by Mr. Larsen and passed unanimously.

Ms. Meneely administered the oath of office to Mr. Vette and briefly went over the responsibilities and laws regarding the position. She further noted that she would pass along Mr. Vette's information to Mr. Haber, who had to sign off from the meeting. Mr. Haber will bring Mr. Vette up to speed on the Board's activities.

#### **K. ADJOURNMENT**

There being no further business to come before the Board, a **motion** was made by Mr. Vette, seconded by Mr. Rapponotti and passed unanimously adjourning the Regular Board Meeting at 5:30 p.m.

**ATTESTED BY:**

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Secretary/Assistant Secretary

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Chairperson/Vice-Chair