



Rizzetta & Company

Bella Vida Community Development District

**Board of Supervisors' Meeting
May 12, 2020**

**District Office:
9530 Marketplace Road, Suite 206
Fort Myers, Florida 33912
(239) 936-0913**

www.bellavidacdd.org

BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT

Bella Vida Clubhouse, 3427 Malagrotta Circle, Cape Coral, Florida 33909

Board of Supervisors	Sarona Weyant Erik Sandsmark Mary Ann Sipos Jim Benafel Phyllis Roberts	Chairman Vice Chairman Assistant Secretary Assistant Secretary Board Supervisor
District Manager	Belinda Blandon	Rizzetta & Company, Inc.
District Counsel	Lauren Gentry	Hopping Green & Sams, P.A.
District Engineer	Brent Burford	Johnson Engineering, Inc.

All cellular phones must be placed on mute while in the meeting room.

The Audience Comment portion of the agenda is where individuals may make comments on matters that concern the District. Individuals are limited to a total of three (3) minutes to make comments during this time.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/workshop is asked to advise the District Office at least forty-eight (48) hours before the meeting/hearing/workshop by contacting the District Manager at (239) 936-0913. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) 1-800-955-8770 (Voice), who can aid you in contacting the District Office.

A person who decides to appeal any decision made at the meeting/hearing/workshop with respect to any matter considered at the meeting/hearing/workshop is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.

BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT
DISTRICT OFFICE • 9530 MARKETPLACE ROAD, SUITE 206, FORT MYERS, FL 33912

www.bellavidacdd.org

May 5, 2020

Board of Supervisors
**Bella Vida Community
Development District**

AGENDA

Dear Board Members:

The regular meeting of the Board of Supervisors of Bella Vida Community Development District will be held on **Tuesday, May 12, 2020 at 5:00 p.m.** Please be advised that the Florida Governor's Office has declared a state of emergency due to the Coronavirus (COVID-19). As a result, the meeting is being conducted by means of communications media technology pursuant to Executive Orders 20-52, 20-69 and 20-91 issued by Governor DeSantis on March 9, 2020, March 20, 2020 and April 1, 2020, respectively, and pursuant to Section 120.54(5)(b)2., *Florida Statutes*.

As reported by the Center for Disease Control and World Health Organization, COVID-19 can spread from person-to-person through small droplets from the nose or mouth, including when an individual coughs or sneezes. These droplets may land on objects and surfaces. Other people may contract COVID-19 by touching these objects or surfaces, then touching their eyes, nose or mouth. Therefore, merely cleaning facilities, while extremely important and vital in this crisis, may not be enough to stop the spread of this virus.

While it is necessary to hold a meeting of the District's Board of Supervisors despite the current public health emergency, the District fully encourages public participation in a safe and efficient manner. Toward that end, anyone wishing to listen and participate in the meeting can do so telephonically by attending a scheduled Zoom meeting. The information for accessing the meeting is as follows: Dial +1 253 215 8782 or +1 301 715 8592, Meeting ID: 917 9342 1395, Password: 539654. For assistance using Zoom please contact the District Manager in advance of the meeting at BBlandon@rizzetta.com or by calling 239-936-0913. Additionally, written public comments and questions can be e-mailed to the District Manager in advance of the meeting at BBlandon@rizzetta.com, or mailed to the District Manager at Bella Vida CDD, c/o Rizzetta & Company, Inc., 9530 Marketplace Road, Suite 206, Fort Myers, FL 33912. Comments and questions received by 2:00 p.m. the day prior to the meeting will be read into the record at the meeting and become part of the permanent record of the meeting.

The following is the agenda for this meeting:

- 1. CALL TO ORDER/ROLL CALL**
- 2. AUDIENCE COMMENTS**
- 3. BUSINESS ADMINISTRATION**
 - A. Consideration of the Minutes of the Board of Supervisors' Meeting held on February 11, 2020..... Tab 1
 - B. Consideration of the Operation and Maintenance Expenditures for the Months of January, February, and March 2020..... Tab 2
- 4. BUSINESS ITEMS**
 - A. Review and Acceptance of Audit for Fiscal Year 2019 Tab 3
 - B. Consideration of Resolution 2020-04, Redesignating Authorized Signatories of the District..... Tab 4

- C. Consideration of Resolution 2020-05, Redesignating Secretary of the District Tab 5
- D. Consideration of Pinnacle Landscapes Proposals Tab 6
 - 1. Irrigation Upgrades
 - 2. Garden Street Plant Installation
 - 3. DeNavarra Plant Installation
 - 4. Del Prado Plant Installation
- E. Presentation of the Proposed Budget for Fiscal Year 2020/2021 Tab 7
 - 1. Consideration of Resolution 2020-06, Approving a Proposed Budget for Fiscal Year 2020/2021 Tab 8
- F. Discussion of Policy for Improvements in District Easements
 - 1. Consideration of Resolution 2020-07, Setting a Hearing to Consider Policy for Easement Encroachments..... Tab 9
- G. Consideration District Engineer's Work Authorization for Easement Encroachments Survey (under separate cover)
- 5. STAFF REPORTS**
 - A. District Counsel
 - B. District Engineer
 - C. District Manager
 - 1. Presentation of Registered Voter Count Tab 10
- 6. SUPERVISOR REQUESTS AND COMMENTS**
- 7. ADJOURNMENT**

We look forward to seeing you at the meeting. In the meantime, if you have any questions, please do not hesitate to call us at (239) 936-0913.

Very truly yours,

Belinda Blandon

Belinda Blandon
District Manager

cc: Jere Earlywine, Hopping Green & Sams, P.A.

Tab 1

MINUTES OF MEETING

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

**BELLA VIDA
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Bella Vida Community Development District was held on **Tuesday, February 11, 2020 at 5:00 p.m.** at the Bella Vida Clubhouse, 3427 Malagrotta Circle, Cape Coral, Florida 33909.

Present and constituting a quorum:

Sarona Weyant	Board Supervisor, Chairman
Erick Sandsmark	Board Supervisor, Vice Chairman (joined meeting in progress)
Jim Benafel	Board Supervisor, Assistant Secretary
Mary Ann Sipos	Board Supervisor, Assistant Secretary
Phyllis Roberts	Board Supervisor, Assistant Secretary

Also present were:

Belinda Blandon	District Manager, Rizzetta & Company, Inc.
Lauren Gentry	District Counsel, Hopping Green & Sams, P.A.
Brent Burford	District Engineer, Johnson Engineering, Inc.
Audience	

FIRST ORDER OF BUSINESS

Call to Order

Ms. Blandon called the meeting to order and read roll call.

SECOND ORDER OF BUSINESS

Public Comment

Ms. Blandon opened the floor to public comments. Questions and comments from the audience were entertained.

THIRD ORDER OF BUSINESS

**Consideration of the Minutes of the
Board of Supervisors' Meeting held on
November 12, 2019**

Ms. Blandon presented the Minutes of the Board of Supervisors' Meeting held on November 12, 2019. She asked if there were any questions related to the Minutes. There were none.

On a Motion by Ms. Sipos, seconded by Ms. Roberts, with all in favor, the Board Approved the Minutes of the Board of Supervisors' Meeting held on November 12, 2019, for the Bella Vida Community Development District.

FOURTH ORDER OF BUSINESS

**Consideration of the Operations and
Maintenance Expenditures for the
Months of October, November, and
December 2019**

Ms. Blandon reviewed the expenditures for the period of October 1-31, 2019 which total \$29,859.24, the period of November 1-30, 2019 which total \$13,341.20, and the period of December 1-31, 2019 which total \$11,268.92. She asked if there were any questions regarding any item of expenditure. Ms. Sipos inquired as to engineering fees. Ms. Blandon advised they are billed on the basis of time spent.

On a Motion by Ms. Roberts, seconded by Ms. Weyant, with all in favor, the Board Approved the Operations and Maintenance Expenditures for the Months of October 2019 (\$29,859.24), November 2019 (\$13,341.20), and December 2019 (\$11,268.92), for the Bella Vida Community Development District.

FIFTH ORDER OF BUSINESS

**Public Hearing Regarding Rules of
Procedure**

Ms. Blandon asked for a motion to open the public hearing.

On a Motion by Ms. Weyant, seconded by Ms. Sipos, with all in favor, the Board Opened the Public Hearing Regarding the Rules of Procedure, for the Bella Vida Community Development District.

Ms. Gentry provided background as to the process for the public hearing. She advised that no changes have been made to the rules of procedure since they were introduced to the Board. Ms. Sipos inquired as to the mediation session. Ms. Gentry advised that the mediation rule is related to litigation and one Board member attending the mediation if necessary. Ms. Sipos inquired as to the Secretary and Treasurer being Board members. Ms. Gentry advised those positions are not required to be Board Members and are held by District Staff so that they can assist in administering the CDD. Ms. Sipos inquired as to fees associated with copies of public records. Ms. Gentry advised that there are limits to what fees you can charge, and fees are related to the actual copying as well as administrative and staff fees. Ms. Blandon asked if there were any comments from the audience. There were none.

On a Motion by Ms. Weyant, seconded by Mr. Benafel, with all in favor, the Board Closed the Public Hearing Regarding the Rules of Procedure, for the Bella Vida Community Development District.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2020-02,
Adopting Rules of Procedure**

Ms. Blandon provided an overview of the resolution and asked if there were any questions. There were none.

On a Motion by Ms. Sipos, seconded by Mr. Benafel, with all in favor, the Board Adopted Resolution 2020-02, Adopting Rules of Procedure, for the Bella Vida Community Development District.

SEVENTH ORDER OF BUSINESS

**Consideration of Resolution 2020-03,
Adopting Internal Controls Policies**

Ms. Gentry advised that this is related to legislative changes which require the District to establish internal controls in order to prevent fraud, waste and abuse. She advised that the internal controls that provide additional financial and ethical oversight; she advised that these procedures are already implemented, but this policy shows compliance with statutory requirements. She asked if there were any questions. There were none.

On a Motion by Ms. Weyant, seconded by Ms. Roberts, with all in favor, the Board Adopted Resolution 2020-03, Adopting Internal Controls Policies, for the Bella Vida Community Development District.

EIGHTH ORDER OF BUSINESS

**Consideration of Proposals for
Stormwater Management System
Cleaning**

Mr. Burford provided an overview of the proposal summary provided to compare the proposals received from Extreme Divers, Mettauer Environmental, MRI, and Sewer Viewer for cleaning of the stormwater management system. He recommended awarding the contract to MRI based on a not to exceed of \$2,000.00 for removal of materials. Discussion ensued.

On a Motion by Ms. Weyant, seconded by Ms. Sipos, with all in favor, the Board Approved the Proposal Received from MRI Inspection LLC in the Amount of \$15,500.00, Subject to a Not to Exceed Amount of \$2,000.00 for Debris Removal, Further Subject to Preparation of a Contract by Counsel, for the Bella Vida Community Development District.

NINTH ORDER OF BUSINESS

**Review and Acceptance of December
12, 2019 Public Facilities Report**

Ms. Blandon advised that the report is a requirement of Florida Statute, section 189.08. Mr. Burford provided an overview of the Public Facilities Report; he advised that he will update the report to identify ownership and maintenance responsibility of the street lights.

On a Motion by Mr. Benafel, seconded by Ms. Sipos, with all in favor, the Board Accepted the Public Facilities Report, for the Bella Vida Community Development District.

TENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Ms. Gentry advised that per a request at the last meeting public comment has been added to the end of the agenda in addition to the public comment section at the beginning of the meeting.

Ms. Weyant asked that Mr. Burford provide a map of the District.

B. District Engineer

Mr. Burford addressed the littoral plantings; he reminded the Board that the littorals provide benefit to the lake banks. He addressed encroachments on the lake banks and drainage easements between the homes. Ms. Weyant addressed discussions related to a home on Caslotti regarding encroachments; she advised that the HOA has ruled that the rocks outside of the fence are not allowed. Ms. Weyant inquired as to whether they are allowed on CDD property. Ms. Gentry advised that anything that the Board decides to do should be done evenly; she advised that some Districts opt to send letters demanding removal at the owner's cost. Ms. Weyant advised that the homeowner who was told to move their fence also has not moved the fence. Discussion ensued. Ms. Gentry advised that the Board can allow residents to submit a petition to encroach on CDD property and grant the petition via a written agreement subject to review by the District Engineer. Discussion ensued.

Mr. Sandsmark joined the meeting in progress at 5:09 p.m.

Ms. Gentry was asked to review if the resident can be billed for the District Engineer's work on encroachments. Mr. Benafel inquired as to the CDD removing the items that are encroaching and then billing the resident for the removal. Ms. Bandon advised that the residents will be provided with a timeline for removal prior to the CDD removing the item and billing the homeowner for the work. Further discussion ensued regarding encroachments.

C. District Manager

Ms. Bandon announced that the next meeting of the Board of Supervisors is scheduled for Tuesday, May 12, 2020 at 5:00 p.m.

Ms. Bandon advised that Pinnacle Landscapes started onsite on February 6, 2020 and there is a lot of work to be done. She advised that she will be holding a meeting with Pinnacle to discuss upgrades and replacements.

ELEVENTH ORDER OF BUSINESS

Supervisor Requests and Public Comments

Ms. Bandon asked if there were any Supervisor requests or comments. There were none.

Ms. Bandon opened the floor to Audience comments. Questions and comments from the audience were entertained.

Ms. Blandon reviewed the procedures for public comments.

TWELFTH ORDER OF BUSINESS

Adjournment

Ms. Blandon advised there is no further business to come before the Board and asked for a motion to adjourn.

On a Motion by Ms. Weyant, seconded by Ms. Sipos, with all in favor, the Board adjourned the meeting at 5:54 p.m., for the Bella Vida Community Development District.

Secretary/Assistant Secretary

Chairman/Vice Chairman

Tab 2

BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · 9530 MARKETPLACE ROAD · SUITE 206 · FT. MYERS, FLORIDA 33912

Operation and Maintenance Expenditures January 2020 For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from January 1, 2020 through January 31, 2020. This does not include expenditures previously approved by the Board.

The total items being presented: **\$ 52,021.78**

Approval of Expenditures:

_____ Chairperson

_____ Vice Chairperson

_____ Assistant Secretary

Bella Vida Community Development District

Paid Operation & Maintenance Expenditures

January 1, 2020 Through January 31, 2020

Vendor Name	Check Number	Invoice Number	Invoice Description	Invoice Amount
Bella Vida at Entrada HOA	000545	Dec-19	Lawn Maintenance 12/19	\$ 6,392.40
Bella Vida at Entrada HOA	000552	Jan-2020	Lawn Maintenance 01/2020	\$ 6,392.40
Bella Vida at Entrada HOA	000545	Nov-19	Lawn Maintenance 11/19	\$ 22,479.40
Hopping Green & Sams	000541	111802	General/Monthly Legal Services 11/19	\$ 1,974.65
Innersync	000549	17891	Quarterly Website Service 10/19	\$ 384.38
Innersync	000544	18172	Quarterly Website Service 01/20	\$ 384.38
Johnson Engineering, Inc.	000547	20170285-002 1	Engineering Services Through 12/15/19	\$ 1,975.00
Rizzetta & Company, Inc.	000542	INV0000045840	District Management Services 01/20	\$ 3,256.67
Rizzetta & Company, Inc.	000550	INV0000046397	Dissemination Service FY 19/20	\$ 5,000.00
Rizzetta Technology Services, LLC	000551	INV0000005380	Website & Email Hosting Services 01/2020	\$ 175.00
Solitude Lake Management, LLC	000543	PI-A00333639	Lake Spike Removal 12/19	\$ 2,350.00
Solitude Lake Management, LLC	000554	PI-A00345197	Monthly Lake & Pond Management Services 01/2020	\$ 1,123.00

Bella Vida Community Development District

Paid Operation & Maintenance Expenditures

January 1, 2020 Through January 31, 2020

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
The Breeze Corporation	000548	116065 01/08/2020	Acct # L02239 Legal Advertising 01/08/2020	\$ 49.00
The Breeze Corporation	000553	116066 01/14/2020	Acct # L02239 Legal Advertising 01/14/2020	<u>\$ 85.50</u>
Report Total				<u>\$ 52,021.78</u>

BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · 9530 MARKETPLACE ROAD · SUITE 206 · FT. MYERS, FLORIDA 33912

Operation and Maintenance Expenditures February 2020 For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from February 1, 2020 through February 29, 2020. This does not include expenditures previously approved by the Board.

The total items being presented: **\$ 6,920.74**

Approval of Expenditures:

_____ Chairperson

_____ Vice Chairperson

_____ Assistant Secretary

Bella Vida Community Development District

Paid Operation & Maintenance Expenditures

February 1, 2020 Through February 29, 2020

Vendor Name	Check Number	Invoice Number	Invoice Description	Invoice Amount
Erik Sandsmark	000563	ES021120	Board of Supervisor Meeting 02/11/20	\$ 200.00
Hopping Green & Sams	000555	112432	General/Monthly Legal Services 12/19	\$ 685.27
James R Benafel	000561	JB021120	Board of Supervisor Meeting 02/11/20	\$ 200.00
Johnson Engineering, Inc.	000556	20170285-002 2	Engineering Services Through 01/12/2020	\$ 400.00
Mary Ann Sipos	000564	MS021120	Board of Supervisor Meeting 02/11/20	\$ 200.00
Office Dynamics	000560	00030637	6 Agenda Books Copied/Bound/Shipped 02/20	\$ 228.30
Phyllis J. Roberts	000562	PR021120	Board of Supervisor Meeting 02/11/20	\$ 200.00
Rizzetta & Company, Inc.	000557	INV0000046509	District Management Services 02/2020	\$ 3,256.67
Rizzetta Technology Services, LLC	000558	INV000005482	Website & Email Hosting Services 02/2020	\$ 175.00
Sarona Rahn Weyant	000566	SW021120	Board of Supervisor Meeting 02/11/20	\$ 200.00
Solitude Lake Management, LLC	000565	PI-A00358403	Monthly Lake & Pond Management Services 02/2020	\$ 1,123.00
The Breeze Corporation	000559	116131 01/28/2020	Acct # L02239 Legal Advertising 01/28/2020	\$ 52.50
Report Total				<u>\$ 6,920.74</u>

BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · 9530 MARKETPLACE ROAD · SUITE 206 · FT. MYERS, FLORIDA 33912

Operation and Maintenance Expenditures March 2020 For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from March 1, 2020 through March 31, 2020. This does not include expenditures previously approved by the Board.

The total items being presented: **\$ 34,361.62**

Approval of Expenditures:

_____ Chairperson

_____ Vice Chairperson

_____ Assistant Secretary

Bella Vida Community Development District

Paid Operation & Maintenance Expenditures

March 1, 2020 Through March 31, 2020

Vendor Name	Check Number	Invoice Number	Invoice Description	Invoice Amount
Grau & Associates P.A.	000571	19157	Audit Progress Billing FY 09/30/19	\$ 2,700.00
Hopping Green & Sams	000570	113058	General/Monthly Legal Services Billed Through 01/31/20	\$ 151.00
Hopping Green & Sams	000573	113589	General/Monthly Legal Services Billed Through 02/29/20	\$ 2,758.95
Johnson Engineering, Inc.	000574	20170285-001 20	Engineering Services Through 03/20/20	\$ 875.00
Johnson Engineering, Inc.	000567	20170285-001-19	Engineering Services Through 02/16/20	\$ 660.00
Johnson Engineering, Inc.	000567	20170285-002 3	Engineering Services Through 02/16/20	\$ 125.00
M.R.I. Underwater Specialists, Inc.	000575	1434	Cleaning Stormwater Pipes 03/20	\$ 17,500.00
Pinnacle Landscapes, Inc.	000572	11902	Landscape Maintenance 02/20	\$ 5,875.00
Pinnacle Landscapes, Inc.	000572	11947	Remove And Dispose Of Dead Palm 02/29/20	\$ 285.00
Rizzetta & Company, Inc.	000568	INV0000047364	District Management Services 03/20	\$ 3,256.67
Rizzetta Technology Services, LLC	000569	INV0000005582	Website & Email Hosting Services 03/20	<u>\$ 175.00</u>
Report Total				<u>\$ 34,361.62</u>

Tab 3

**BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT
CITY OF CAPE CORAL, FLORIDA
FINANCIAL REPORT
FOR THE FISCAL YEAR ENDED
SEPTEMBER 30, 2019**

**BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT
CITY OF CAPE CORAL, FLORIDA**

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Grau & Associates

CERTIFIED PUBLIC ACCOUNTANTS

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INDEPENDENT AUDITOR'S REPORT

To the Board of Supervisors
Bella Vida Community Development District
City of Cape Coral, Florida

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities and each major fund of Bella Vida Community Development District, City of Cape Coral, Florida ("District") as of and for the fiscal year ended September 30, 2019, and the related notes to the financial statements, which collectively comprise the District's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the District as of September 30, 2019, and the respective changes in financial position thereof for the fiscal year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated February 27, 2020, on our consideration of the District's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the District's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the District's internal control over financial reporting and compliance.



February 27, 2020

MANAGEMENT'S DISCUSSION AND ANALYSIS

Our discussion and analysis of Bella Vida Community Development District, City of Cape Coral, Florida ("District") provides a narrative overview of the District's financial activities for the fiscal year ended September 30, 2019. Please read it in conjunction with the District's Independent Auditor's Report, basic financial statements, accompanying notes and supplementary information to the basic financial statements.

FINANCIAL HIGHLIGHTS

- The liabilities of the District exceeded its assets at the close of the most recent fiscal year resulting in a net position deficit balance of (\$526,871).
- The change in the District's total net position in comparison with the prior fiscal year was (\$35,117) an increase in the deficit. The key components of the District's net position and change in net position are reflected in the table in the government-wide financial statements analysis section.
- At September 30, 2019, the District's governmental funds reported combined ending fund balance of \$474,298, an increase of \$15,030 in comparison with the prior fiscal year. A portion of the fund balance is non-spendable for prepaid items, restricted for debt service, and the remainder is unassigned fund balance which is available for spending at the District's discretion.

OVERVIEW OF FINANCIAL STATEMENTS

This discussion and analysis is intended to serve as the introduction to the District's basic financial statements. The District's basic financial statements are comprised of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

Government-Wide Financial Statements

The government-wide financial statements are designed to provide readers with a broad overview of the District's finances, in a manner similar to a private-sector business.

The statement of net position presents information on all the District's assets, deferred outflows of resources, liabilities, and deferred inflows of resources with the residual amount being reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the District is improving or deteriorating.

The statement of activities presents information showing how the government's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods.

The government-wide financial statements include all governmental activities that are principally supported by special assessment revenue. The District does not have any business-type activities. The governmental activities of the District include the general government (management) and maintenance functions.

Fund Financial Statements

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The District, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. The District has one fund category: governmental funds.

OVERVIEW OF FINANCIAL STATEMENTS (Continued)

Governmental Funds

Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflow of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating a District's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the District's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

The District maintains two governmental funds for external reporting. Information is presented separately in the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances for the general fund and debt service fund. The general and debt service funds are considered to be major funds.

The District adopts an annual appropriated budget for its general fund. A budgetary comparison schedule has been provided for the general fund to demonstrate compliance with the budget.

Notes to the Financial Statements

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements.

GOVERNMENT-WIDE FINANCIAL ANALYSIS

As noted earlier, net position may serve over time as a useful indicator of an entity's financial position. In the case of the District, liabilities exceeded assets at the close of the most recent fiscal year.

A portion of the District's net position reflects its investment in capital assets (e.g., land, land improvements, and infrastructure) less any related debt used to acquire those assets that is still outstanding. These assets are used to provide services to residents; consequently, these assets are not available for future spending. Although the District's investment in capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

The restricted portion of the District's net position represents resources that are subject to external restrictions on how they may be used. The remaining balance of unrestricted net position may be used to meet the District's other obligations.

GOVERNMENT-WIDE FINANCIAL ANALYSIS (Continued)

Key components of the District's net position are reflected in the following table:

NET POSITION SEPTEMBER 30,		2019	2018
Current and other assets	\$	485,806	\$ 462,290
Capital assets, net		1,892,211	2,042,694
Total assets		2,378,017	2,504,984
Current liabilities		74,888	66,738
Long-term liabilities		2,830,000	2,930,000
Total liabilities		2,904,888	2,996,738
Net position			
Net investment in capital assets		(842,169)	(785,399)
Restricted for debt service		116,672	108,998
Unrestricted		198,626	184,647
Total net position	\$	(526,871)	\$ (491,754)

The District's net position decreased during the most recent fiscal year. The majority of the decrease represents the extent to which the cost of operations and depreciation expense exceeded ongoing program revenues.

Key elements of the change in net position are reflected in the following table:

CHANGES IN NET POSITION FOR THE FISCAL YEAR ENDED SEPTEMBER 30,		2019	2018
Revenues:			
Program revenues			
Charges for services	\$	463,670	\$ 451,337
Operating grants and contributions		6,598	4,035
General revenues			
Unrestricted investment earnings		608	315
Total revenues		470,876	455,687
Expenses:			
General government		91,991	79,721
Maintenance and operations		257,119	281,891
Interest		156,883	158,271
Total expenses		505,993	519,883
Change in net position		(35,117)	(64,196)
Net position - beginning		(491,754)	(427,558)
Net position - ending	\$	(526,871)	\$ (491,754)

As noted above and in the statement of activities, the cost of all governmental activities during the fiscal year ended September 30, 2019 was \$505,993. The costs of the District's activities were funded by program revenues. Program revenues, comprised primarily of assessments, increased during the fiscal year. The increase is the result of an increase in per unit operations and maintenance assessments. In total, expenses decreased from the prior fiscal year. The majority of the decrease was the result of a decrease in landscaping and hurricane related costs from prior year.

GENERAL BUDGETING HIGHLIGHTS

An operating budget was adopted and maintained by the governing board for the District pursuant to the requirements of Florida Statutes. The budget is adopted using the same basis of accounting that is used in preparation of the fund financial statements. The legal level of budgetary control, the level at which expenditures may not exceed budget, is in the aggregate. Any budget amendments that increase the aggregate budgeted appropriations must be approved by the Board of Supervisors. Actual general fund expenditures did not exceed appropriations for the fiscal year ended September 30, 2019.

CAPITAL ASSETS AND DEBT ADMINISTRATION

Capital Assets

At September 30, 2019, the District had \$3,622,765 invested in stormwater management and landscape improvements. In the government-wide financial statements depreciation of \$1,730,554 has been taken, which resulted in a net book value of \$1,892,211. More detailed information about the District's capital assets is presented in the notes to the financial statements.

Capital Debt

At September 30, 2019, the District had \$2,830,000 in Bonds outstanding for its governmental activities. More detailed information about the District's capital debt is presented in the notes to the financial statements.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGET

The District does not anticipate any major projects or significant changes in its infrastructure maintenance program for the subsequent fiscal year. In addition, it is anticipated that the general operations of the District will remain fairly constant.

CONTACTING THE DISTRICT'S FINANCIAL MANAGEMENT

This financial report is designed to provide homeowners, customers, investors and creditors with a general overview of the District's finances and to demonstrate the District's accountability for the financial resources it manages and the stewardship of the facilities it maintains. If you have questions about this report or need additional financial information, contact the Bella Vida Community Development District's Finance Department at 12750 Citrus Park Lane, Suite 115, Tampa, Florida 33625.

FINANCIAL STATEMENTS

**BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT
CITY OF CAPE CORAL, FLORIDA
STATEMENT OF NET POSITION
SEPTEMBER 30, 2019**

	<u>Governmental Activities</u>
ASSETS	
Cash and equivalents	\$ 203,726
Investments	10
Due from Developer	1,270
Assessments receivable	1,063
Prepaid items	5,335
Restricted assets:	
Investments	274,402
Capital assets:	
Depreciable, net	1,892,211
Total assets	<u>2,378,017</u>
 LIABILITIES	
Accounts payable and accrued expenses	11,508
Accrued interest payable	63,380
Non-current liabilities:	
Due within one year	95,000
Due in more than one year	<u>2,735,000</u>
Total liabilities	<u>2,904,888</u>
 NET POSITION	
Net investment in capital assets	(842,169)
Restricted for debt service	116,672
Unrestricted	198,626
Total net position	<u>\$ (526,871)</u>

See notes to the financial statements

**BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT
CITY OF CAPE CORAL, FLORIDA
STATEMENT OF ACTIVITIES
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2019**

Functions/Programs	Expenses	Program Revenues		Net (Expense)
		Charges for Services	Operating Grants and Contributions	Revenue and Changes in Net Position
Primary government:				
Governmental activities:				
General government	\$ 91,991	\$ 91,991	\$ -	\$ -
Maintenance and operations	257,119	120,007	-	(137,112)
Interest on long-term debt	156,883	251,672	6,598	101,387
Total governmental activities	505,993	463,670	6,598	(35,725)
General revenues:				
Unrestricted investment earnings				608
Total general revenues				608
Change in net position				(35,117)
Net position - beginning				(491,754)
Net position - ending				<u>\$ (526,871)</u>

See notes to the financial statements

**BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT
CITY OF CAPE CORAL, FLORIDA
BALANCE SHEET
GOVERNMENTAL FUNDS
SEPTEMBER 30, 2019**

	Major Funds		Total Governmental Funds
	General	Debt Service	
ASSETS			
Cash and equivalents	\$ 203,726	\$ -	\$ 203,726
Investments	10	274,402	274,412
Assessments receivable	1,063	-	1,063
Due from developer	-	1,270	1,270
Prepaid items	5,335	-	5,335
Total assets	<u>\$ 210,134</u>	<u>\$ 275,672</u>	<u>\$ 485,806</u>
LIABILITIES AND FUND BALANCES			
Liabilities:			
Accounts payable and accrued expenses	\$ 11,508	\$ -	\$ 11,508
Total liabilities	<u>11,508</u>	<u>-</u>	<u>11,508</u>
Fund balances:			
Nonspendable:			
Prepaid items	5,335	-	5,335
Restricted for:			
Debt service	-	275,672	275,672
Unassigned	193,291	-	193,291
Total fund balances	<u>198,626</u>	<u>275,672</u>	<u>474,298</u>
Total liabilities and fund balances	<u>\$ 210,134</u>	<u>\$ 275,672</u>	<u>\$ 485,806</u>

See notes to the financial statements

**BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT
CITY OF CAPE CORAL, FLORIDA
RECONCILIATION OF THE BALANCE SHEET –
GOVERNMENTAL FUNDS TO THE STATEMENT OF NET POSITION
SEPTEMBER 30, 2019**

Total fund balances - governmental funds \$ 474,298

Amounts reported for governmental activities in the statement of net position are different because:

Capital assets used in governmental activities are not financial resources; therefore, they are not reported as assets in the governmental funds. The statement of net position includes those capital assets in the assets of the government as a whole.

Cost of capital assets	3,622,765	
Accumulated depreciation	<u>(1,730,554)</u>	1,892,211

Liabilities not due and payable from current available resources are not reported as liabilities in the governmental fund statements. All liabilities, both current and long-term, are reported in the government-wide financial statements.

Accrued interest payable	(63,380)	
Bonds payable	<u>(2,830,000)</u>	<u>(2,893,380)</u>

Net position of governmental activities		<u><u>\$ (526,871)</u></u>
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See notes to the financial statements

**BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT
CITY OF CAPE CORAL, FLORIDA
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES –
GOVERNMENTAL FUNDS
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2019**

	Major Funds		Total Governmental Funds
	General	Debt Service	
REVENUES			
Assessments	\$ 211,998	\$ 251,672	\$ 463,670
Interest	608	6,598	7,206
Total revenues	212,606	258,270	470,876
EXPENDITURES			
Current:			
General government	91,991	-	91,991
Maintenance and operations	106,636	-	106,636
Debt service:			
Principal	-	100,000	100,000
Interest	-	157,219	157,219
Total expenditures	198,627	257,219	455,846
Excess (deficiency) of revenues over (under) expenditures	13,979	1,051	15,030
Fund balances - beginning	184,647	274,621	459,268
Fund balances - ending	\$ 198,626	\$ 275,672	\$ 474,298

See notes to the financial statements

**BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT
CITY OF CAPE CORAL, FLORIDA
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2019**

Amounts reported for governmental activities in the statement of activities
are different because:

Net change in fund balances - total governmental funds	\$ 15,030
Depreciation of capital assets is not recognized in the governmental fund financial statements, but is reported as an expense in the statement of activities.	(150,483)
Repayment of long-term liabilities are reported as expenditures in the governmental fund financial statements, but such repayments reduce liabilities in the statement of net position and are eliminated in the statement of activities.	100,000
The change in accrued interest on long-term liabilities between the current and prior fiscal year is recorded in the statement of activities but not in the fund financial statements.	<u>336</u>
Change in net position of governmental activities	<u>\$ (35,117)</u>

See notes to the financial statements

**BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT
CITY OF CAPE CORAL, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS**

NOTE 1 – NATURE OF ORGANIZATION AND REPORTING ENTITY

Bella Vida Community Development District ("District") was created on April 24, 2006, pursuant to the Uniform Community Development District Act of 1980, otherwise known as Chapter 190, Florida Statutes, by City of Cape Coral Ordinance 48-06. The Act provides, among other things, the power to manage basic services for community development, power to borrow money and issue bonds, and to levy and assess non-ad valorem assessments for the financing and delivery of capital infrastructure.

The District is governed by the Board of Supervisors ("Board"), which is composed of five members. The Board of Supervisors are elected by qualified electors who reside within the District. The Board of Supervisors of the District exercise all powers granted to the District pursuant to Chapter 190, Florida Statutes.

The Board has the final responsibility for, among other things:

1. Allocating and levying assessments.
2. Approving budgets.
3. Exercising control over facilities and properties.
4. Controlling the use of funds generated by the District.
5. Approving the hiring and firing of key personnel.
6. Financing improvements.

The financial statements were prepared in accordance with Governmental Accounting Standards Board ("GASB") Statements. Under the provisions of those standards, the financial reporting entity consists of the primary government, organizations for which the District is considered to be financially accountable, and other organizations for which the nature and significance of their relationship with the District are such that, if excluded, the financial statements of the District would be considered incomplete or misleading. There are no entities considered to be component units of the District; therefore, the financial statements include only the operations of the District.

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Government-Wide and Fund Financial Statements

The basic financial statements include both government-wide and fund financial statements.

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the non-fiduciary activities of the primary government. For the most part, the effect of interfund activity has been removed from these statements.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment is offset by program revenues. *Direct expenses* are those that are clearly identifiable with a specific function or segment. *Program revenues* include 1) charges to customers who purchase, use or directly benefit from goods, services or privileges provided by a given function or segment. Operating-type special assessments for maintenance and debt service are treated as charges for services; and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Other items not included among program revenues are reported instead as *general revenues*.

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Measurement Focus, Basis of Accounting and Financial Statement Presentation

The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Assessments are recognized as revenues in the year for which they are levied. Grants and similar items are to be recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be *available* when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures are recorded only when payment is due.

Assessments

Assessments, including debt service assessments and operations and maintenance assessments, are non-ad valorem assessments imposed on all lands located within the District and benefited by the District's activities. Operations and maintenance assessments are levied by the District prior to the start of the fiscal year which begins on October 1 and ends on September 30. Operations and maintenance special assessments are imposed upon all benefited lands in the District. Debt service special assessments are imposed upon certain lots and lands as described in each resolution imposing the special assessment for each series of Bonds issued by the District.

Assessments and interest associated with the current fiscal period are considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. The portion of assessments receivable due within the current fiscal period is considered to be susceptible to accrual as revenue of the current period.

The District reports the following major governmental funds:

General Fund

The general fund is the general operating fund of the District. It is used to account for all financial resources except those required to be accounted for in another fund.

Debt Service Fund

The debt service fund is used to account for the accumulation of resources for the annual payment of principal and interest on the Bonds.

As a general rule, the effect of interfund activity has been eliminated from the government-wide financial statements.

When both restricted and unrestricted resources are available for use, it is the District's policy to use restricted resources first, then unrestricted resources as they are needed.

Assets, Liabilities and Net Position or Equity

Restricted Assets

These assets represent cash and investments set aside pursuant to Bond covenants or other contractual restrictions.

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Assets, Liabilities and Net Position or Equity (Continued)

Deposits and Investments

The District's cash on hand and demand deposits are considered to be cash and cash equivalents.

The District has elected to proceed under the Alternative Investment Guidelines as set forth in Section 218.415 (17) Florida Statutes. The District may invest any surplus public funds in the following:

- a) The Local Government Surplus Trust Funds, or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperation Act;
- b) Securities and Exchange Commission registered money market funds with the highest credit quality rating from a nationally recognized rating agency;
- c) Interest bearing time deposits or savings accounts in qualified public depositories;
- d) Direct obligations of the U.S. Treasury;

Securities listed in paragraph c and d shall be invested to provide sufficient liquidity to pay obligations as they come due. In addition, surplus funds may be deposited into certificates of deposit which are insured. Any unspent proceeds are required to be held in investments allowed in as specified in the Bond Indenture.

The District records all interest revenue related to investment activities in the respective funds. Investments are measured at amortized cost or reported at fair value as required by generally accepted accounting principles.

Inventories and Prepaid Items

Inventories of governmental funds are recorded as expenditures when consumed rather than when purchased.

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements.

Capital Assets

Capital assets which include property, plant and equipment, and infrastructure assets (e.g., roads, sidewalks and similar items) are reported in the governmental activities columns in the government-wide financial statements. Capital assets are defined by the government as assets with an initial, individual cost of more than \$5,000 (amount not rounded) and an estimated useful life in excess of two years. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized. Major outlays for capital assets and improvements are capitalized as projects are constructed.

Property, plant and equipment of the District are depreciated using the straight-line method over the following estimated useful lives:

<u>Assets</u>	<u>Years</u>
Stormwater management	25
Landscape improvements	15

In the governmental fund financial statements, amounts incurred for the acquisition of capital assets are reported as fund expenditures. Depreciation expense is not reported in the governmental fund financial statements.

Unearned Revenue

Governmental funds report unearned revenue in connection with resources that have been received, but not yet earned.

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Assets, Liabilities and Net Position or Equity (Continued)

Long-Term Obligations

In the government-wide financial statements long-term debt and other long-term obligations are reported as liabilities in the statement of net position. Bond premiums and discounts are deferred and amortized ratably over the life of the Bonds. Bonds payable are reported net of applicable premiums or discounts. Bond issuance costs are expensed when incurred.

In the fund financial statements, governmental fund types recognize premiums and discounts, as well as issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

Deferred Outflows/Inflows of Resources

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time.

Fund Equity/Net Position

In the fund financial statements, governmental funds report non spendable and restricted fund balance for amounts that are not available for appropriation or are legally restricted by outside parties for use for a specific purpose. Assignments of fund balance represent tentative management plans that are subject to change.

The District can establish limitations on the use of fund balance as follows:

Committed fund balance – Amounts that can be used only for the specific purposes determined by a formal action (resolution) of the Board of Supervisors. Commitments may be changed or lifted only by the Board of Supervisors taking the same formal action (resolution) that imposed the constraint originally. Resources accumulated pursuant to stabilization arrangements sometimes are reported in this category.

Assigned fund balance – Includes spendable fund balance amounts established by the Board of Supervisors that are intended to be used for specific purposes that are neither considered restricted nor committed. The Board may also assign fund balance as it does when appropriating fund balance to cover differences in estimated revenue and appropriations in the subsequent year's appropriated budget. Assignments are generally temporary and normally the same formal action need not be taken to remove the assignment.

The District first uses committed fund balance, followed by assigned fund balance and then unassigned fund balance when expenditures are incurred for purposes for which amounts in any of the unrestricted fund balance classifications could be used.

Net position is the difference between assets and deferred outflows of resources less liabilities and deferred inflows of resources. Net position in the government-wide financial statements are categorized as net investment in capital assets, restricted or unrestricted. Net investment in capital assets represents net position related to infrastructure and property, plant and equipment. Restricted net position represents the assets restricted by the District's Bond covenants or other contractual restrictions. Unrestricted net position consists of the net position not meeting the definition of either of the other two components.

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Other Disclosures

Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from those estimates.

NOTE 3 – BUDGETARY INFORMATION

The District is required to establish a budgetary system and an approved annual budget. Annual budgets are adopted on a basis consistent with generally accepted accounting principles for the general fund. All annual appropriations lapse at fiscal year-end.

The District follows these procedures in establishing the budgetary data reflected in the financial statements.

- a) Each year the District Manager submits to the District Board a proposed operating budget for the fiscal year commencing the following October 1.
- b) A public hearing is conducted to obtain comments.
- c) Prior to October 1, the budget is legally adopted by the District Board.
- d) Subject to the terms of the District's annual appropriations resolutions, all budget changes must be approved by the District Board.
- e) The budgets are adopted on a basis consistent with generally accepted accounting principles.
- f) Unused appropriations for annually budgeted funds lapse at the end of the year.

NOTE 4 – DEPOSITS AND INVESTMENTS

Deposits

The District's cash balances as shown below were entirely covered by federal depository insurance or by a collateral pool pledged to the State Treasurer. Florida Statutes Chapter 280, "Florida Security for Public Deposits Act", requires all qualified depositories to deposit with the Treasurer or another banking institution eligible collateral equal to various percentages of the average daily balance for each month of all public deposits in excess of any applicable deposit insurance held. The percentage of eligible collateral (generally, U.S. Governmental and agency securities, state or local government debt, or corporate bonds) to public deposits is dependent upon the depository's financial history and its compliance with Chapter 280. In the event of a failure of a qualified public depository, the remaining public depositories would be responsible for covering any resulting losses.

Investments

The District's investments were held as follows at September 30, 2019:

	Amortized Cost	Credit Risk	Maturities
First American Treasury Obligation Fund - Class Z	\$ 274,402	S&P AAAM	Weighted average of the fund portfolio: 26 days
Florida PRIME	10	S&P AAAM	Weighted average of the fund portfolio: 37 days
Total Investments	<u>\$ 274,412</u>		

Credit risk – For investments, credit risk is generally the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. Investment ratings by investment type are included in the preceding summary of investments.

Concentration risk – The District places no limit on the amount the District may invest in any one issuer.

NOTE 4 – DEPOSITS AND INVESTMENTS (Continued)

Investments (Continued)

Interest rate risk – The District does not have a formal policy that limits investment maturities as a means of managing exposure to fair value losses arising from increasing interest rates.

The Bond indenture limits the type of investments held using unspent Bond proceeds.

Fair Value Measurement – When applicable, the District measures and records its investments using fair value measurement guidelines established in accordance with GASB Statements. The framework for measuring fair value provides a fair value hierarchy that prioritizes the inputs to valuation techniques.

These guidelines recognize a three-tiered fair value hierarchy, in order of highest priority, as follows:

- *Level 1:* Investments whose values are based on unadjusted quoted prices for identical investments in active markets that the District has the ability to access;
- *Level 2:* Investments whose inputs - other than quoted market prices - are observable either directly or indirectly; and,
- *Level 3:* Investments whose inputs are unobservable.

The fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the entire fair value measurement. Valuation techniques used should maximize the use of observable inputs and minimize the use of unobservable inputs.

Money market investments that have a maturity at the time of purchase of one year or less and are held by governments other than external investment pools should be measured at amortized cost. For external investment pools that qualify to be measured at amortized cost, the pool's participants should also measure their investments in that external investment pool at amortized cost for financial reporting purposes. Accordingly, the District's investments have been reported at amortized cost above.

NOTE 5 – CAPITAL ASSETS

Capital asset activity for the fiscal year ended September 30, 2019 was as follows:

	Beginning Balance	Additions	Disposals	Ending Balance
<u>Governmental activities</u>				
Stormwater management	\$ 3,413,801	\$ -	\$ -	\$ 3,413,801
Landscape improvements	208,964	-	-	208,964
Total capital assets, being depreciated	3,622,765	-	-	3,622,765
Less accumulated depreciation for:				
Stormwater management	(1,433,796)	(136,552)	-	(1,570,348)
Landscape improvements	(146,275)	(13,931)	-	(160,206)
Total accumulated depreciation	(1,580,071)	(150,483)	-	(1,730,554)
Governmental activities capital assets, net	\$ 2,042,694	\$ (150,483)	\$ -	\$ 1,892,211

Depreciation expense was charged to the maintenance and operations function/program.

NOTE 6 – LONG-TERM LIABILITIES

On August 14, 2006, the District issued \$4,950,000 of Special Assessment Bonds, Series 2006. The Bonds are due on May 1, 2037 with a fixed interest rate of 5.375%. The Bonds were issued to finance the acquisition and construction of certain improvements for the benefit of the District. Interest is paid semiannually on each May 1 and November 1. Principal is paid serially commencing May 1, 2008 through May 2037.

NOTE 6 – LONG-TERM LIABILITIES (Continued)

The 2006 Bonds may, at the option of the District, be called for redemption as a whole at any time or in part on any interest payment date on or after May 1, 2016 at a redemption price set forth in the Bond Indenture. The Bonds are subject to extraordinary mandatory redemption prior to its selected maturity in the manner determined by the Bond Registrar if certain events occurred as outlined in the Bond Indenture. This occurred during the year as the District collected assessments from lot closings and prepaid \$10,000 of the Series 2006 Bonds.

The Bond Indenture established a debt service reserve requirement as well as other restrictions and requirements relating principally to the use of proceeds to pay for the infrastructure improvements and the procedures to be followed by the District on assessments to property owners. The District agrees to levy special assessments in annual amounts adequate to provide payment of debt service. The District is in compliance with the requirements of the Bond Indenture at September 30, 2019.

Changes in long-term liability activity for the fiscal year ended September 30, 2019 were as follows:

	Beginning Balance	Additions	Reductions	Ending Balance	Due Within One Year
<u>Governmental activities</u>					
Bonds payable:					
Series 2006	\$ 2,930,000	\$ -	\$ 100,000	\$ 2,830,000	\$ 95,000
Total	<u>\$ 2,930,000</u>	<u>\$ -</u>	<u>\$ 100,000</u>	<u>\$ 2,830,000</u>	<u>\$ 95,000</u>

At September 30, 2019, the scheduled debt service requirements on the long - term debt were as follows:

Year ending, September 30:	Governmental Activities		
	Principal	Interest	Total
2020	\$ 95,000	\$ 152,113	\$ 247,113
2021	100,000	147,006	247,006
2022	105,000	141,631	246,631
2023	115,000	135,988	250,988
2024	120,000	129,806	249,806
2025-2029	695,000	546,100	1,241,100
2030-2034	920,000	336,206	1,256,206
2035-2037	680,000	74,444	754,444
Total	<u>\$ 2,830,000</u>	<u>\$ 1,663,294</u>	<u>\$ 4,493,294</u>

NOTE 7 – COST SHARE AGREEMENT

During a prior fiscal year, the Board approved a maintenance agreement between the District and the Homeowner's Association ("HOA"). The agreement is for landscape maintenance of the roadway buffers. The HOA contracted with the vendor and the District reimburses the HOA on a monthly basis. Pursuant to the agreement, the District reimbursed the HOA \$75,491 during the fiscal year ended September 30, 2019.

NOTE 8 – MANAGEMENT COMPANY

The District has contracted with a management company to perform management consulting services, which include financial and accounting consulting services. Certain employees of the management company also serve as officers (Board appointed non-voting positions) of the District. Under the agreement, the District compensates the management company for management, accounting, financial reporting, and other administrative costs.

NOTE 9 – RISK MANAGEMENT

The District is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; and natural disasters. The District has obtained commercial insurance from independent third parties to mitigate the costs of these risks; coverage may not extend to all situations. The District has not filed any claims under this commercial insurance coverage during the last three years.

**BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT
CITY OF CAPE CORAL, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL – GENERAL FUND
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2019**

	Budgeted Amounts <u>Original & Final</u>	Actual Amounts	Variance with Final Budget - Positive (Negative)
REVENUES			
Assessments	\$ 210,838	\$ 211,998	\$ 1,160
Interest	-	608	608
Total revenues	<u>210,838</u>	<u>212,606</u>	<u>1,768</u>
EXPENDITURES			
Current:			
General government	86,567	91,991	(5,424)
Maintenance and operations	<u>124,271</u>	<u>106,636</u>	<u>17,635</u>
Total expenditures	<u>210,838</u>	<u>198,627</u>	<u>12,211</u>
Excess (deficiency) of revenues over (under) expenditures	<u>\$ -</u>	13,979	<u>\$ 13,979</u>
Fund balance - beginning		<u>184,647</u>	
Fund balance - ending		<u>\$ 198,626</u>	

See notes to required supplementary information

**BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT
CITY OF CAPE CORAL, FLORIDA
NOTES TO REQUIRED SUPPLEMENTARY INFORMATION**

The District is required to establish a budgetary system and an approved Annual Budget for the General Fund. The District's budgeting process is based on estimates of cash receipts and cash expenditures which are approved by the Board. The budget approximates a basis consistent with accounting principles generally accepted in the United States of America (generally accepted accounting principles).

The legal level of budgetary control, the level at which expenditures may not exceed budget, is in the aggregate. Any budget amendments that increase the aggregate budgeted appropriations must be approved by the Board of Supervisors. Actual general fund expenditures did not exceed appropriations for the fiscal year ended September 30, 2019.



Grau & Associates

CERTIFIED PUBLIC ACCOUNTANTS

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INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

To the Board of Supervisors
Bella Vida Community Development District
City of Cape Coral, Florida

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities and each major fund of Bella Vida Community Development District, City of Cape Coral, Florida ("District") as of and for the fiscal year ended September 30, 2019, and the related notes to the financial statements, which collectively comprise the District's basic financial statements, and have issued our opinion thereon dated February 27, 2020.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the District's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, we do not express an opinion on the effectiveness of the District's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the District's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

A handwritten signature in blue ink that reads "Brian & Associates".

February 27, 2020



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**INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE WITH THE
REQUIREMENTS OF SECTION 218.415, FLORIDA STATUTES, REQUIRED BY
RULE 10.556(10) OF THE AUDITOR GENERAL OF THE STATE OF FLORIDA**

To the Board of Supervisors
Bella Vida Community Development District
City of Cape Coral, Florida

We have examined Bella Vida Community Development District, City of Cape Coral, Florida's ("District") compliance with the requirements of Section 218.415, Florida Statutes, in accordance with Rule 10.556(10) of the Auditor General of the State of Florida during the fiscal year ended September 30, 2019. Management is responsible for the District's compliance with those requirements. Our responsibility is to express an opinion on the District's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether the District complied, in all material respects, with the specified requirements referenced in Section 218.415, Florida Statutes. An examination involves performing procedures to obtain evidence about whether the District complied with the specified requirements. The nature, timing, and extent of the procedures selected depend on our judgment, including an assessment of the risks of material noncompliance, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion. Our examination does not provide a legal determination on the District's compliance with specified requirements.

In our opinion, the District complied, in all material respects, with the aforementioned requirements for the fiscal year ended September 30, 2019.

This report is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, management, and the Board of Supervisors of Bella Vida Community Development District, City of Cape Coral, Florida and is not intended to be and should not be used by anyone other than these specified parties.

Grau & Associates

February 27, 2020



Grau & Associates

CERTIFIED PUBLIC ACCOUNTANTS

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MANAGEMENT LETTER PURSUANT TO THE RULES OF THE AUDITOR GENERAL OF THE STATE OF FLORIDA

To the Board of Supervisors
Bella Vida Community Development District
City of Cape Coral, Florida

Report on the Financial Statements

We have audited the accompanying basic financial statements of Bella Vida Community Development District ("District") as of and for the fiscal year ended September 30, 2019, and have issued our report thereon dated February 27, 2020.

Auditor's Responsibility

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and Chapter 10.550, Rules of the Auditor General.

Other Reporting Requirements

We have issued our Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of the Financial Statements Performed in Accordance with *Government Auditing Standards*; and Independent Auditor's Report on an examination conducted in accordance with *AICPA Professional Standards*, AT-C Section 315, regarding compliance requirements in accordance with Chapter 10.550, Rules of the Auditor General. Disclosures in those reports, which are dated February 27, 2020, should be considered in conjunction with this management letter.

Purpose of this Letter

The purpose of this letter is to comment on those matters required by Chapter 10.550 of the Rules of the Auditor General of the state of Florida. Accordingly, in connection with our audit of the financial statements of the District, as described in the first paragraph, we report the following:

- I. **Current year findings and recommendations.**
- II. **Status of prior year findings and recommendations.**
- III. **Compliance with the Provisions of the Auditor General of the State of Florida.**

Our management letter is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, Federal and other granting agencies, as applicable, management, and the Board of Supervisors of Bella Vida Community Development District, City of Cape Coral, Florida and is not intended to be and should not be used by anyone other than these specified parties.

We wish to thank Bella Vida Community Development District, City of Cape Coral, Florida and the personnel associated with it, for the opportunity to be of service to them in this endeavor as well as future engagements, and the courtesies extended to us.

Grau & Associates

February 27, 2020

REPORT TO MANAGEMENT

I. CURRENT YEAR FINDINGS AND RECOMMENDATIONS

None

II. PRIOR YEAR FINDINGS AND RECOMMENDATIONS

None

III. COMPLIANCE WITH THE PROVISIONS OF THE AUDITOR GENERAL OF THE STATE OF FLORIDA

Unless otherwise required to be reported in the auditor's report on compliance and internal controls, the management letter shall include, but not be limited to the following:

1. A statement as to whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report.

There were no significant findings and recommendations made in the preceding annual financial audit report for the fiscal year ended September 30, 2018.

2. Any recommendations to improve the local governmental entity's financial management.

There were no such matters discovered by, or that came to the attention of, the auditor, to be reported for the fiscal year ended September 30, 2019.

3. Noncompliance with provisions of contracts or grant agreements, or abuse, that have occurred, or are likely to have occurred, that have an effect on the financial statements that is less than material but which warrants the attention of those charged with governance.

There were no such matters discovered by, or that came to the attention of, the auditor, to be reported, for the fiscal year ended September 30, 2019.

4. The name or official title and legal authority of the District are disclosed in the notes to the financial statements.

5. The District has not met one or more of the financial emergency conditions described in Section 218.503(1), Florida Statutes.

6. We applied financial condition assessment procedures and no deteriorating financial conditions were noted as of September 30, 2019. It is management's responsibility to monitor financial condition, and our financial condition assessment was based in part on representations made by management and the review of financial information provided by same.

Tab 4

RESOLUTION 2020-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT DESIGNATING THE AUTHORIZED SIGNATORIES FOR THE DISTRICT'S OPERATING BANK ACCOUNT(S), AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Bella Vida Community Development District (hereinafter the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated entirely within the City of Cape Coral, Lee County, Florida; and

WHEREAS, the District's Board of Supervisors (hereinafter the "Board") has selected a depository as defined in Section 280.02, Florida Statutes, which meets all the requirements of Chapter 280 and has been designated by the State Treasurer as a qualified public depository; and

WHEREAS, the Board desires now to authorize signatories for the operating bank account(s).

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT:

Section 1. The Chairman, Vice Chairman, Treasurer, and Assistant Treasurer are hereby designated as authorized signatories for the operating bank accounts of the District.

Section 2. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 12th day of May, 2020.

**BELLA VIDA COMMUNITY
DEVELOPMENT DISTRICT**

ATTEST:

Secretary / Asst. Secretary

Chairman / Vice Chairman

Tab 5

RESOLUTION 2020-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT REDESIGNATING THE SECRETARY OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Bella Vida Community Development District (the "District") is a local unit of special-purpose government organized and existing in accordance with Chapter 190, Florida Statutes, and situated entirely within the City of Cape Coral, Lee County, Florida; and

WHEREAS, the Board of Supervisors (hereinafter the "Board") previously designated Eric Dailey as Secretary pursuant to Resolution 2016-13; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT:

Section 1. Bob Schleifer is appointed Secretary

Section 2. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED THIS 12th DAY OF MAY, 2020.

**BELLA VIDA COMMUNITY
DEVELOPMENT DISTRICT**

CHAIRMAN/VICE CHAIRMAN

ATTEST:

ASSISTANT SECRETARY

Tab 6

PO Box 100520
Cape Coral, FL 33910

Date	Estimate #
3/20/2020	2429

Name / Address
Bella Vida CDD c/o Rizzetta and Company 9530 Marketplace Road, Suite 206 Ft. Myers, FL 33912

			Project
Description	Qty	Cost	Total
On Del Prado: There are 19 sections of Sabal palms and we will be using a different type of Copper Leaf to add color and texture. 12 for each section.	228	17.00	3,876.00
Install 3 gallon Mardi Gras Copper Leaf			
Install 3 gallon Wax Jasmine	8	17.00	136.00
Install 3 gallon Simpson Stopper	40	17.00	680.00
Install 3 gallon Coco Plum	55	17.00	935.00
Install 3 gallon Gold Mound	26	17.00	442.00
Install 1 gallon Bromeliad to replace Indian Hawthorn and Juniper on Del Prado between both entrances	45	20.00	900.00
Removal and disposal of Buttonwood		300.00	300.00
Mulch-- 2 pallets of Cocoa Brown mulch	2	300.00	600.00
		Total	\$7,869.00

Customer Signature

Pinnacle Landscapes, Inc.

PO Box 100520
Cape Coral, FL 33910

Estimate

Date	Estimate #
3/20/2020	2428

Name / Address
Bella Vida CDD c/o Rizzetta and Company 9530 Marketplace Road, Suite 206 Ft. Myers, FL 33912

			Project
Description	Qty	Cost	Total
On DeNavarra: There are 19 sections of Sabal palms- 50 in each section. Install 3 gallon Copper Leaf	950	17.00	16,150.00
Removal and disposal of Buttonwood		500.00	500.00
Mulch-- 6 pallets of Cocoa Brown mulch	6	300.00	1,800.00
		Total	\$18,450.00

Customer Signature _____

Pinnacle Landscapes, Inc.

PO Box 100520
Cape Coral, FL 33910

Estimate

Date	Estimate #
3/20/2020	2427

Name / Address
Bella Vida CDD c/o Rizzetta and Company 9530 Marketplace Road, Suite 206 Ft. Myers, FL 33912

			Project
Description	Qty	Cost	Total
On Garden Street: There are 22 sections of Sabal palms - 22 in each section. Install 3 gallon Copper Leaf	484	17.00	8,228.00
Removal and disposal of Buttonwood		300.00	300.00
Mulch- 4 pallets of Cocoa Brown mulch	4	300.00	1,200.00
		Total	\$9,728.00

Customer Signature _____

Pinnacle Landscapes, Inc.

PO Box 100520
Cape Coral, FL 33910

Estimate

Date	Estimate #
3/20/2020	2426

Name / Address
Bella Vida CDD c/o Rizzetta and Company 9530 Marketplace Road, Suite 206 Ft. Myers, FL 33912

			Project
Description	Qty	Cost	Total
Irrigation Upgrades			
Along Garden Blvd.	33	45.00	1,485.00
Irrigation Repairs			
Labor-- 33 Hours @ \$45.00/ Hour			
Irrigation Repairs			
Parts			
Funny Pipe	680	2.10	1,428.00
1/2" Service Tee	44	2.10	92.40
Hunter 12" Pop-up	44	15.00	660.00
Nozzles	44	2.10	92.40
1/2" Barb Elbows	88	2.10	184.80
Along DeNavarra Pkwy	30	45.00	1,350.00
Irrigation Repairs			
Labor-- 30 Hours @ \$45.00/ Hour			
Irrigation Repairs			
Parts			
Funny Pipe	600	2.10	1,260.00
1/2" Service Tee	38	2.10	79.80
Hunter 12" Pop-up	38	15.00	570.00
Nozzles	38	2.10	79.80
1/2" Barb Elbows	76	2.10	159.60
		Total	\$7,441.80

Customer Signature _____

Tab 7



Rizzetta & Company

Bella Vida Community Development District

www.bellavidacdd.org

Proposed Budget for Fiscal Year 2020/2021

Presented by: Rizzetta & Company, Inc.

**9530 Marketplace Road
Suite 206
Fort Myers, Florida 33912
Phone: 239-936-0913**

www.rizzetta.com

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Rizzetta & Company

GENERAL FUND BUDGET

ACCOUNT CATEGORY DESCRIPTION

The General Fund Budget Account Category Descriptions are subject to change at any time depending on its application to the District. Please note, not all General Fund Budget Account Category Descriptions are applicable to the District indicated above. Uses of the descriptions contained herein are intended for general reference.

REVENUES:

Interest Earnings: The District may earn interest on its monies in the various operating accounts.

Tax Roll: The District levies Non-Ad Valorem Special Assessments on all of the assessable property within the District to pay for operating expenditures incurred during the Fiscal Year. The assessments may be collected in two ways. The first is by placing them on the County's Tax Roll, to be collected with the County's Annual Property Tax Billing. This method is only available to land properly platted within the time limits prescribed by the County.

Off Roll: For lands not on the tax roll and that is by way of a direct bill from the District to the appropriate property owner.

EXPENDITURES – ADMINISTRATIVE:

Supervisor Fees: The District may compensate its supervisors within the appropriate statutory limits of \$200.00 maximum per meeting within an annual cap of \$4,800.00 per supervisor.

Administrative Services: The District will incur expenditures for the day to today operation of District matters. These services include support for the District Management function, recording and preparation of meeting minutes, records retention and maintenance in accordance with Chapter 119, Florida Statutes, and the District's adopted Rules of Procedure, preparation and delivery of agenda, overnight deliveries, facsimiles and phone calls.

District Management: The District as required by statute, will contract with a firm to provide for management and administration of the District's day to day needs. These services include the conducting of board meetings, workshops, overall administration of District functions, all required state and local filings, preparation of annual budget, purchasing, risk management, preparing various resolutions and all other secretarial duties requested by the District throughout the year is also reflected in this amount.

District Engineer: The District's engineer provides general engineering services to the District. Among these services are attendance at and preparation for monthly board meetings, review of construction invoices and all other engineering services requested by the district throughout the year.



Rizzetta & Company

Disclosure Report: The District is required to file quarterly and annual disclosure reports, as required in the District's Trust Indenture, with the specified repositories. This is contracted out to a third party in compliance with the Trust Indenture.

Trustee's Fees: The District will incur annual trustee's fees upon the issuance of bonds for the oversight of the various accounts relating to the bond issues.

Assessment Roll: The District will contract with a firm to maintain the assessment roll and annually levy a Non-Ad Valorem assessment for operating and debt service expenses.

Financial & Revenue Collections: Services include all functions necessary for the timely billing and collection and reporting of District assessments in order to ensure adequate funds to meet the District's debt service and operations and maintenance obligations. These services include, but are not limited to, assessment roll preparation and certification, direct billings and funding request processing as well as responding to property owner questions regarding District assessments. This line item also includes the fees incurred for a Collection Agent to collect the funds for the principal and interest payment for its short-term bond issues and any other bond related collection needs. These funds are collected as prescribed in the Trust Indenture. The Collection Agent also provides for the release of liens on property after the full collection of bond debt levied on particular properties.

Accounting Services: Services include the preparation and delivery of the District's financial statements in accordance with Governmental Accounting Standards, accounts payable and accounts receivable functions, asset tracking, investment tracking, capital program administration and requisition processing, filing of annual reports required by the State of Florida and monitoring of trust account activity.

Auditing Services: The District is required annually to conduct an audit of its financial records by an Independent Certified Public Accounting firm, once it reaches certain revenue and expenditure levels, or has issued bonds and incurred debt.

Public Officials Liability Insurance: The District will incur expenditures for public officials' liability insurance for the Board and Staff.

Legal Advertising: The District will incur expenditures related to legal advertising. The items for which the District will advertise include, but are not limited to meeting schedules, special meeting notices, and public hearings, bidding etc. for the District based on statutory guidelines

Dues, Licenses & Fees: The District is required to pay an annual fee to the Department of Economic Opportunity, along with other items which may require licenses or permits, etc.

Website Hosting, Maintenance and Email: The District may incur fees as they relate to the development and ongoing maintenance of its own website along with possible email services if requested.

District Counsel: The District's legal counsel provides general legal services to the District. Among these services are attendance at and preparation for monthly board meetings, review of operating and maintenance contracts and all other legal services requested by the district throughout the year.



EXPENDITURES - FIELD OPERATIONS:

Aquatic Maintenance: Expenses related to the care and maintenance of the lakes and ponds for the control of nuisance plant and algae species.

Mitigation Area Monitoring & Maintenance: The District may be required to provide for certain types of monitoring and maintenance activities for various mitigation areas by other governmental entities.

General Liability Insurance: The District will incur fees to insure items owned by the District for its general liability needs

Property Insurance: The District will incur fees to insure items owned by the District for its property needs

Landscape Maintenance: The District will incur expenditures to maintain the rights-of-way, median strips, recreational facilities including pond banks, entryways, and similar planting areas within the District. These services include but are not limited to monthly landscape maintenance, fertilizer, pesticides, annuals, mulch, and irrigation repairs.



Rizzetta & Company

DEBT SERVICE FUND BUDGET ACCOUNT CATEGORY DESCRIPTION

The Debt Service Fund Budget Account Category Descriptions are subject to change at any time depending on its application to the District. Please note, not all Debt Service Fund Budget Account Category Descriptions are applicable to the District indicated above. Uses of the descriptions contained herein are intended for general reference.

REVENUES:

Special Assessments: The District may levy special assessments to repay the debt incurred by the sale of bonds to raise working capital for certain public improvements. The assessments may be collected in the same fashion as described in the Operations and Maintenance Assessments.

EXPENDITURES – ADMINISTRATIVE:

Bank Fees: The District may incur bank service charges during the year.

Debt Service Obligation: This would be a combination of the principal and interest payment to satisfy the annual repayment of the bond issue debt.



Rizzetta & Company

Proposed Budget
Bella Vida Community Development District
General Fund
Fiscal Year 2020/2021

	Chart of Accounts Classification	Actual YTD through 03/31/20	Projected Annual Totals 2019/2020	Annual Budget for 2019/2020	Projected Budget variance for 2019/2020	Budget for 2020/2021	Budget Increase (Decrease) vs 2019/2020	Comments
1								
2	REVENUES							
3								
4	Interest Earnings							
5	Interest Earnings	\$ 909	\$ 1,818	\$ -	\$ 1,818	\$ -	\$ -	
6	Special Assessments							
7	Tax Roll*	\$ 221,125	\$ 221,125	\$ 220,792	\$ 333	\$ 253,850	\$ 33,058	
8	Off Roll*	\$ 1,118	\$ 1,118	\$ 1,167	\$ (49)	\$ 1,287	\$ 120	
9								
10	TOTAL REVENUES	\$ 223,152	\$ 224,061	\$ 221,959	\$ 2,102	\$ 255,137	\$ 33,178	
11								
12	Balance Forward from Prior Year	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
13								
14	TOTAL REVENUES AND BALANCE FORWARD	\$ 223,152	\$ 224,061	\$ 221,959	\$ 2,102	\$ 255,137	\$ 33,178	
15								
16	<i>*Allocation of assessments between the Tax Roll and Off Roll are estimates only and subject to change prior to certification.</i>							
17								
18	EXPENDITURES - ADMINISTRATIVE							
19								
20	Legislative							
21	Supervisor Fees	\$ 2,000	\$ 4,000	\$ 4,000	\$ -	\$ 4,000	\$ -	\$ 200.00 per meeting per Supervisor for 4 meetings per year.
22	Financial & Administrative							
23	Administrative Services	\$ 2,350	\$ 4,700	\$ 4,700	\$ -	\$ 4,841	\$ 141	
24	District Management	\$ 7,550	\$ 15,100	\$ 15,100	\$ -	\$ 15,553	\$ 453	
25	District Engineer	\$ 6,431	\$ 12,862	\$ 10,000	\$ (2,862)	\$ 15,000	\$ 5,000	Est.
26	Disclosure Report	\$ 5,000	\$ 5,000	\$ 5,000	\$ -	\$ 5,000	\$ -	2006 in compliance with the
27	Trustees Fees	\$ 3,260	\$ 3,260	\$ 3,300	\$ 40	\$ 3,300	\$ -	US Bank Trustee Fees
28	Assessment Roll	\$ 5,000	\$ 5,000	\$ 5,000	\$ -	\$ 5,150	\$ 150	
29	Financial & Revenue Collections	\$ 2,500	\$ 5,000	\$ 5,000	\$ -	\$ 5,150	\$ 150	
30	Printed Agendas	\$ 541	\$ 1,082	\$ 1,200	\$ 118	\$ 1,200	\$ -	Est.
31	Accounting Services	\$ 7,140	\$ 14,280	\$ 14,280	\$ -	\$ 14,708	\$ 428	
32	Auditing Services	\$ 2,723	\$ 2,723	\$ 3,200	\$ 477	\$ 3,300	\$ 100	Contract
33	Miscellaneous Mailings	\$ -	\$ -	\$ 400	\$ 400	\$ 400	\$ -	
34	Public Officials Liability Insurance	\$ 2,086	\$ 2,035	\$ 2,239	\$ 204	\$ 2,295	\$ 56	As per Egis' estimate
35	Legal Advertising	\$ 240	\$ 480	\$ 400	\$ (80)	\$ 400	\$ -	
36	Dues, Licenses & Fees	\$ 175	\$ 350	\$ 275	\$ (75)	\$ 175	\$ (100)	Florida Department of Economic Opportunity Annual Filing Fee
37	Tax Collector /Property Appraiser Fees	\$ 441	\$ 441	\$ 441	\$ -	\$ 441	\$ -	Lee County Tax Collector 1.00 per parcel
38	Website Hosting, Maintenance, Backup (and Email)	\$ 4,144	\$ 8,288	\$ 9,500	\$ 1,212	\$ 3,653	\$ (5,847)	Campus Suites Fees \$ 1552.50 and Rizzetta Fees \$ 175 per month.
39	Legal Counsel							
40	District Counsel	\$ 7,483	\$ 14,966	\$ 10,000	\$ (4,966)	\$ 15,000	\$ 5,000	
41								
42	Administrative Subtotal	\$ 59,064	\$ 99,567	\$ 94,035	\$ (5,532)	\$ 99,566	\$ 5,531	
43								
44	EXPENDITURES - FIELD OPERATIONS							
45								
46	Stormwater Control							
47	Aquatic Maintenance	\$ 14,606	\$ 29,212	\$ 13,476	\$ (15,736)	\$ 18,476	\$ 5,000	Solitude \$ 1, 123.00 per month
48	Mitigation Area Monitoring & Maintenance	\$ 2,750	\$ 5,500	\$ 5,500	\$ -	\$ 5,500	\$ -	Two maintenance events as per Earth Tech agreement \$ 2, 750.00 each
49	Stormwater System Maintenance	\$ 17,500	\$ 17,500	\$ -	\$ (17,500)	\$ 5,000	\$ 5,000	
50	Other Physical Environment							
51	General Liability Insurance	\$ 2,086	\$ 2,035	\$ 2,239	\$ 204	\$ 2,295	\$ 56	As per estimate provided by Egis
52	Landscape Maintenance	\$ 42,712	\$ 85,424	\$ 76,709	\$ (8,715)	\$ 86,300	\$ 9,591	Includes mulch and tree trimming
53	Tree Trimming Services	\$ -	\$ -	\$ 3,000	\$ 3,000	\$ 3,000	\$ -	
54	Landscape Hurricane Recovery	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
55	Landscape Replacements Plants, Shrubs, and Trees	\$ 6,055	\$ 12,110	\$ 27,000	\$ 14,890	\$ 35,000	\$ 8,000	
56								
57	Field Operations Subtotal	\$ 85,709	\$ 151,781	\$ 127,924	\$ (23,857)	\$ 155,571	\$ 27,647	
58								
59	Contingency for County TRIM Notice							
60								
61	TOTAL EXPENDITURES	\$ 144,773	\$ 251,348	\$ 221,959	\$ (29,389)	\$ 255,137	\$ 33,179	
62								
63	EXCESS OF REVENUES OVER EXPENDITURES	\$ 78,379	\$ (27,287)	\$ 0	\$ (27,287)	\$ (1)	\$ (1)	

Budget Template
Bella Vida Community Development District
Debt Service
Fiscal Year 2020/2021

Chart of Accounts Classification	Series 2006	Budget for 2020/2021
REVENUES		
Special Assessments		
Net Special Assessments ⁽¹⁾	\$250,584.00	\$250,584.00
TOTAL REVENUES	\$250,584.00	\$250,584.00
EXPENDITURES		
Administrative		
Financial & Administrative		
Debt Service Obligation	\$250,584.00	\$250,584.00
Administrative Subtotal	\$250,584.00	\$250,584.00
TOTAL EXPENDITURES	\$250,584.00	\$250,584.00
EXCESS OF REVENUES OVER EXPENDITURES	\$0.00	\$0.00

Lee County Early Payment Discounts (4%): 4.0%

Gross assessments \$261,025.00

Notes:

Tax Roll Early Payment Discount for Lee County is 4.0% of Tax Roll. Budgeted net of tax roll assessments. See Assessment Table.

⁽¹⁾ Maximum Annual Debt Service less Prepaid Assessments received.

BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT

FISCAL YEAR 2020/2021 O&M AND DEBT SERVICE ASSESSMENT SCHEDULE

2020/2021 O&M Budget	\$255,137.00
Lee County Early Payment Discounts (4%)	\$10,630.71
(1) Tax Collector Fee (\$1.45 per parcel/line)	\$640.90
2020/2021 Total:	<u><u>\$266,408.61</u></u>

2019/2020 O&M Budget	\$221,959.00
2020/2021 O&M Budget	\$255,137.00
Total Difference:	<u><u>\$33,178.00</u></u>

	PER UNIT ANNUAL ASSESSMENT		Proposed Increase / Decrease	
	2019/2020	2020/2021	\$	%
Debt Service - Townhouse	\$430.08	\$430.08	\$0.00	0.00%
Operations/Maintenance - Townhouse	\$379.12	\$435.64	\$56.52	14.91%
Total	\$809.20	\$865.72	\$56.52	6.98%
<hr/>				
Debt Service - Single Family	\$661.66	\$661.66	\$0.00	0.00%
Operations/Maintenance - Single Family	\$583.27	\$670.21	\$86.94	14.91%
Total	\$1,244.93	\$1,331.87	\$86.94	6.98%
<hr/>				
Debt Service - Clubhouse	\$1,323.32	\$1,323.32	\$0.00	0.00%
Operations/Maintenance - Clubhouse	\$1,166.53	\$1,340.42	\$173.89	14.91%
Total	\$2,489.85	\$2,663.74	\$173.89	6.98%

BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT

FISCAL YEAR 2020/2021 O&M AND DEBT SERVICE ASSESSMENT SCHEDULE

TOTAL O&M BUDGET		\$255,137.00
LEE COUNTY EARLY PAYMENT DISCOUNTS	4.0%	\$10,630.71
⁽¹⁾⁽²⁾ TAX COLLECTOR FEE (\$1.45 PER PARCEL / LINE)		\$640.90
TOTAL O&M ASSESSMENT		<u>\$266,408.61</u>

LOT SIZE	UNITS ASSESSED		ALLOCATION OF O&M ASSESSMENT				TOTAL	PER LOT ANNUAL ASSESSMENT		
	O&M	SERIES 2006	EAU FACTOR	TOTAL	% TOTAL	TOTAL	SERIES 2006	O&M	DEBT	TOTAL ⁽⁴⁾
		DEBT SERVICE ⁽¹⁾⁽²⁾		EAU's	EAU's	O&M BUDGET	DEBT SERVICE ASSESSMENT		SERVICE ⁽³⁾	
Townhouse	130	130	0.65	84.50	21.26%	\$56,632.77	\$55,910.40	\$435.64	\$430.08	\$865.72
Single Family	311	308	1.00	311.00	78.24%	\$208,435.41	\$203,791.28	\$670.21	\$661.66	\$1,331.87
Clubhouse	1	1	2.00	2.00	0.50%	\$1,340.42	\$1,323.32	\$1,340.42	\$1,323.32	\$2,663.74
	<u>442</u>	<u>439</u>		<u>397.50</u>	<u>100.00%</u>	<u>\$266,408.61</u>	<u>\$261,025.00</u>			
LESS: Lee County Collection Costs (\$1.45 per parcel / line) and Early Payment Discounts (4%):						(\$11,271.61)	(\$10,441.00)			
Net Revenue to be Collected						<u>\$255,137.00</u>	<u>\$250,584.00</u>			

⁽¹⁾ Reflects 3 (three) Series 2006 prepayments.

⁽²⁾ Reflects the number of total lots with Series 2006 debt outstanding.

⁽³⁾ Annual debt service assessment per lot adopted in connection with the Series 2006 bond issue. Annual assessment includes principal, interest, and Lee County early payment discounts.

⁽⁴⁾ Annual assessment that will appear on November 2020 Lee County property tax bill. Amount shown includes all applicable Lee County collection costs and early payment discounts (up to 4% if paid early).

Tab 8

RESOLUTION 2020-06

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT APPROVING PROPOSED BUDGETS FOR FISCAL YEAR 2020/2021 AND SETTING A PUBLIC HEARING THEREON PURSUANT TO FLORIDA LAW; ADDRESSING TRANSMITTAL, POSTING AND PUBLICATION REQUIREMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District Manager has heretofore prepared and submitted to the Board of Supervisors (“**Board**”) of the Bella Vida Community Development District (“**District**”) prior to June 15, 2020, proposed budgets (“**Proposed Budgets**”) for the fiscal year beginning October 1, 2020 and ending September 30, 2021 (“**Fiscal Year 2020/2021**”); and

WHEREAS, the Board has considered the Proposed Budgets and desires to set the required public hearing thereon.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT:

1. **PROPOSED BUDGET APPROVED.** The Proposed Budgets prepared by the District Manager for Fiscal Year 2019/2020 attached hereto as **Exhibit A** are hereby approved as the basis for conducting a public hearing to adopt said Proposed Budgets.

2. **SETTING A PUBLIC HEARING.** A public hearing on said approved Proposed Budgets is hereby declared and set for the following date, hour and location:

DATE:	August 11, 2020
HOUR:	5:00 p.m.
LOCATION:	Bella Vida Clubhouse 3427 Malagrotta Circle Cape Coral, Florida 33909

While it is anticipated that the public hearing will be held at the location above, in the event that the COVID-19 public health emergency prevents the hearing from occurring in-person, the hearing may be conducted remotely, via communications media technology and/or by telephone pursuant to Executive Orders 20-52, 20-69, and 20-112 issued by Governor DeSantis on March 9, 2020, March 20, 2020, and April 29, 2020, respectively, as such orders may be extended, and pursuant to Section 120.54(5)(b)2., Florida Statutes. Information regarding participation in any remote hearing may be found at the District’s website, <https://www.bellavidacdd.org/>, or by contacting the District Manager at 239-936-0913.

3. TRANSMITTAL OF PROPOSED BUDGETS TO LOCAL GENERAL PURPOSE GOVERNMENT. The District Manager is hereby directed to submit a copy of the Proposed Budgets to the City of Cape Coral and Lee County at least 60 days prior to the hearing set above.

4. POSTING OF PROPOSED BUDGETS. In accordance with Section 189.016, *Florida Statutes*, the District's Secretary is further directed to post the approved Proposed Budgets on the District's website at least two days before the budget hearing date as set forth in Section 2, and shall remain on the website for at least 45 days.

5. PUBLICATION OF NOTICE. Notice of this public hearing shall be published in the manner prescribed in Florida law.

6. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

7. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 12th DAY OF MAY, 2020.

ATTEST:

**BELLA VIDA COMMUNITY
DEVELOPMENT DISTRICT**

Assistant Secretary

By: _____
Its: Chairman / Vice Chairman

Exhibit A: Fiscal Year 2020/2021 Proposed Budget(s)

Exhibit A
Fiscal Year 2020/2021 Proposed Budget(s)

Tab 9

RESOLUTION 2020-07

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT SETTING A HEARING ON RATES AND POLICIES GOVERNING THE INSTALLATION OF IMPROVEMENTS WITHIN DISTRICT EASEMENTS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Bella Vida Community Development District (“**District**”) is a local unit of special purpose government created and existing pursuant to Chapter 190, Florida Statutes, for the purpose of owning, operating, maintaining, and providing certain infrastructure improvements, including a stormwater management system; and

WHEREAS, on that certain plat of the District, recorded as Instrument Number 2005000056034 of the Official Records of Lee County, Florida, there are expressly reserved drainage easements and lake maintenance easements along certain lot lines, for the express purposes of storm water management, lake maintenance, drainage, and for access to Tracts L-1 through L-12, and said easements have been assigned to the District by that certain Assignment of Drainage Easements, recorded as Instrument Number 2007000324976 of the Official Records of Lee County, Florida (“**District Easements**”); and

WHEREAS, construction of unauthorized improvements within District Easements may interfere with the proper operation and maintenance of the District’s stormwater management system and other maintenance obligations; and

WHEREAS, the Board of Supervisors of the District (“**Board**”) is authorized by Sections 190.011(5) and 190.035, *Florida Statutes*, to adopt rules, orders, rates, fees and charges pursuant to Chapter 120, *Florida Statutes*.

WHEREAS, the Board finds that it is in the best interests of the District and necessary for the efficient operation of the District to set a public hearing to consider policies and fees governing the installation of improvements within District Easements, attached hereto as **Exhibit A** and incorporated herein by this reference (“**Easement Improvements Policy**”).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The above stated recitals are true and correct and are hereby incorporated herein by reference.

SECTION 2. The Board intends to adopt the *Easement Improvements Policy*, attached hereto as **Exhibit A**, which includes a proposed application fee structure. The District will hold a public hearing on such *Easement Improvements Policy* at a meeting of the Board to be held on

_____, 2020 at _____.m. at the Bella Vida Clubhouse, 3427 Malagrotta Circle
Cape Coral, FL 33909.

SECTION 3. The District Secretary is directed to publish notice of the hearing in accordance with Section 120.54, *Florida Statutes*.

SECTION 4. If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 5. This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 12th day of May, 2020.

ATTEST:

**BELLA VIDA COMMUNITY
DEVELOPMENT DISTRICT**

Assistant Secretary

Chairperson, Board of Supervisors

Exhibit A: Policy for Improvements within District Easements

EXHIBIT A

BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT Policy for Improvements within District Easements

Effective: _____, 2020

1. If a resident desires to install improvements within a District Easement, the resident must:
 - a. Pay an easement application fee of \$ _____ to cover the costs of necessary engineering review and other administrative costs, and
 - b. Submit a written variance request to the District Manager or his or her designee prior to commencement of such installation. The request must be made by the owner of the property.
2. The variance request must contain, at a minimum, the following information:
 - a. The contact information of the person making the variance request;
 - b. The lot number or street address of the lot on which the improvement is to be installed;
 - c. A description of the improvement(s) to be installed;
 - d. A diagram showing the proposed location of the improvement(s); and
 - e. The requested commencement date of the installation of said improvement(s).
3. The District Engineer must perform an initial review of the variance request to determine if the proposed improvement(s) would have a negative impact on any District improvements, including the stormwater management system. Such review may include, in the District Engineer's discretion, conducting an in-person site inspection. At the conclusion of the installation of any approved improvements, the District Engineer shall conduct a post-installation review to certify that the improvements do not exceed the scope of the approval.
4. After completing the review, the District Engineer shall recommend one of the following actions to the District and the resident:
 - a. Approve the variance request;
 - b. Approve the variance request with conditions; or
 - c. Deny the variance request.
5. If the District Engineer recommends approving the request, unless other considerations necessitate denying the request, District staff shall coordinate execution of a variance agreement in substantially the form attached hereto as **Attachment A**, with such revisions as may be deemed necessary and approved by District Counsel, in consultation with District staff. Upon execution of the agreement, District staff shall record the agreement in the Official Records of Lee County.
6. If the District Engineer recommends denying the request, District staff shall notify the applicant that the variance request was denied and that the proposed improvements may not be installed within the District Easement(s).
7. There shall be no requirement to bring the variance request before the Board of Supervisors for approval, unless the District Manager determines extraordinary circumstances warrant Board consideration.
8. The District's approval of a variance request constitutes approval from the District only. The resident is responsible for obtaining any other necessary approvals, permits and authorizations, including but not limited to approvals from the HOA, Lee County, the City of Cape Coral, and any other entities having an interest in the property, as applicable.

9. If improvements are constructed within a District Easement without prior approval, including improvements that exceed the scope of any prior approval, the District reserves the right to require the resident to remove, relocate, or modify the improvement(s) at the resident's sole expense. If the resident is unresponsive to the District's requests, the District may remove said improvement(s) on its own and charge the resident the cost of said removal.

Attachment A

After recording, please return to:
Bella Vida Community Development District
c/o District Manager
Rizzetta & Company, Inc.
9530 Marketplace Rd., Suite 206
Ft. Myers, FL 33912

VARIANCE AGREEMENT FOR INSTALLATION OF IMPROVEMENTS WITHIN CDD EASEMENT

This *Variance Agreement for Installation of Improvements within CDD Easement* (“**Agreement**”) is entered into as of this ____ day of _____, 20____, by and among _____ (“**Owner**”) and the Bella Vida Community Development District (“**CDD**”), a local unit of special purpose government created pursuant to Chapter 190, Florida Statutes.

WITNESSETH:

WHEREAS, Owner is the owner of Lot _____, as per the plat (“**Plat**”) of Bella Vida, as Instrument Number 2005000056034, of the Public Records of Lee County, Florida (“**Property**”); and

WHEREAS, Owner desires to erect certain improvements described as _____ (“**Improvements**”) within a CDD easement (“**Easement**”) located on Lot ____ (“**License Area**”), as shown on the Plat; and

WHEREAS, due to the CDD’s legal interests in the Easement, among other reasons, Owner requires the CDD’s consent before constructing improvements within any portion of the Surface Water Management System, including the Easement; and

WHEREAS, the CDD has agreed to consent to the installation of the Improvements within the License Area, subject to the terms and conditions set forth in this Agreement.

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, it is understood and agreed as follows:

1. **Recitals.** The recitals set forth above are acknowledged as true and correct and are incorporated herein by reference.

2. **License for Improvements Installation & Maintenance; Limitation.** Subject to the terms of this Agreement, the CDD hereby grants Owner the right, privilege, and permission to install and maintain removable Improvements on the License Area.

3. **Owner Responsibilities.** The Owner has the following responsibilities:

- a. The Owner shall be fully responsible for the installation and maintenance of the Improvements.
- b. The Owner shall be responsible for ensuring that the installation and maintenance of the Improvements are conducted in compliance with all applicable laws (including but not limited to building codes, set back requirements, etc.).
- c. CDD, by entering into this Agreement, does not represent that CDD has authority to provide all necessary approvals for the installation of the Improvements. Instead, the Owner shall be responsible for obtaining any and all applicable permits and approvals relating to the work (including but not limited to any approvals of the Bella Vida at Entrada Homeowners' Association, Inc. ("**Association**"), as well as any other necessary legal interests and approvals).
- d. The Owner shall ensure that the installation and maintenance of the Improvements does not damage any property of CDD or any third party's property, and, in the event of any such damage, the Owner shall immediately repair the damage or compensate the CDD for such repairs, at the CDD's option.
- e. Owner's exercise of rights hereunder shall not interfere with CDD's rights under the Easement. For example, if the Improvements include a fence, such fence shall be installed within the Easement a few inches higher than ground level, so as not to impede the flow of water, or shall otherwise be constructed so as not to impede the flow of water. Further, the Improvements shall be installed in such a manner as to not interfere with or damage any culvert pipe that may be located within the Easement, or any utilities within the Utility Easement. It shall be Owner's responsibility to locate and identify any such stormwater improvements and/or utilities. Further, the Owner shall pay a licensed and insured professional contractor to mark any existing improvements and/or utilities prior to installation of the Improvements.
- f. Upon completion of the installation, the Improvements will be owned by the Owner. Owner shall be responsible for the maintenance and repair of any such Improvements, and agrees to maintain the Improvements in good condition.
- g. Additionally, the Owner shall keep the License Area free from any materialmen's or mechanic's liens and claims or notices in respect to such liens and claims, which arise by reason of the Owner's exercise of rights under this Agreement, and the Owner shall immediately discharge any such claim or lien.

4. **Removal and/or Replacement of Improvements.** The permission granted herein is given to Owner as an accommodation and is revocable at any time. Owner acknowledges the legal interest of the CDD in the Easement(s) described above and agrees never to deny such interest or to interfere in any way with CDD's use. Owner will exercise the privilege granted herein at Owner's own risk, and agrees that Owner will never claim any damages against CDD for any injuries or damages suffered on account of the exercise of such privilege, regardless of the fault or negligence of the CDD. Owner further acknowledges that, without notice, the CDD may remove all, or any portion or portions, of the Improvements installed upon the License Area at Owner's expense, and that the CDD is not obligated to return or re-install the Improvements to their original location and is not responsible for any damage to the Improvements, or their supporting structure as a result of the removal.

5. **Indemnification.** Owner agrees to indemnify, defend and hold harmless Lee County, the South Florida Water Management District, and the CDD as well as any officers, supervisors, staff, agents and representatives, and successors and assigns, of the foregoing, against all liability for damages and

expenses resulting from, arising out of, or in any way connected with, this Agreement or the exercise of the privileges granted hereunder.

6. **Covenants Run with the Land.** This Agreement, and all rights and obligations contained herein, shall run with the land and shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors and assigns, including, but without limitation, all subsequent owners of any portions of the property described herein and all persons claiming under them. Whenever the word “Owner” is used herein, it shall be deemed to mean the current owner of the Property and its successors and assigns.

7. **Sovereign Immunity.** Nothing in this Agreement shall be deemed as a waiver of immunity or limits of liability of the CDD beyond any statutory limited waiver of immunity or limits of liability which may have been adopted by the Florida Legislature in Section 768.28, *Florida Statutes*, or other statute, and nothing in this Agreement shall inure to the benefit of any third party for the purpose of allowing any claim which would otherwise be barred under the doctrine of sovereign immunity or by operation of law.

8. **Default.** A default by either party under this Agreement – including but not limited to Owner’s failure to meet its obligations under Section 3 above – shall entitle the other to all remedies available at law or in equity, which may include, but not be limited to, the right of damages and/or specific performance.

9. **Attorney’s Fees & Costs.** The prevailing party in any litigation to enforce the terms of this Agreement shall be entitled to reasonable attorney’s fees and costs.

10. **Counterparts.** This Agreement may be executed in counterparts. Any party hereto may join into this Agreement by executing any one counterpart. All counterparts when taken together shall constitute one agreement.

[THIS SPACE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and date first above written.

Witnesses:

Owner

By: _____

By: _____

Print Name

By: _____

Print Name

STATE OF FLORIDA)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____ . He/she [] is personally known to me or [] produced _____ as identification.

NOTARY PUBLIC

(Print, Type or Stamp Commissioned Name of Notary Public)

[signatures continue on following page]

[end of signature pages]

Tab 10

RIZZETTA & COMPANY, INC.

9530 MARKETPLACE RD #206
FORT MYERS FL 33912

Lee County – Community Development Districts
FLORIDA

04/15/2020

NAME OF COMMUNITY DEVELOPMENT DISTRICT	NUMBER OF REGISTERED VOTERS AS OF 04/15/2020
Bella Vida	687

Tammy Lipa – Voice: 239-533-6329
Email: tlipa@lee.vote

Send to: Kari Hardwick Khardwick@Rizzetta.Com Phone: 239-936-0913
Cc: Belinda Blandon: Bblandon@Rizzetta.com