



Rizzetta & Company

Bella Vida Community Development District

**Board of Supervisors' Meeting
October 14, 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

October 6, 2020

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

AGENDA

Dear Board Members:

The special meeting of the Board of Supervisors of Bella Vida Community Development District will be held on **Wednesday, October 14, 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, 20-112, 20-114, 20-150, 20-179, 20-193, 20-213 and 20-246 issued by Governor DeSantis on March 9, 2020, March 20, 2020, April 29, 2020, May 8, 2020, June 23, 2020, July 29, 2020, August 7, 2020, September 4, 2020 and September 30, 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 +1 312 626 6799 or +1 929 205 6099, Meeting ID: 940 3543 3508, Password: 956671. 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 August 11, 2020 Tab 1
 - B. Consideration of the Operation and Maintenance Expenditures for the Month of August 2020 Tab 2
- 4. BUSINESS ITEMS**
 - A. Discussion Regarding Refunding of Series 2006 Bonds
 - B. Consideration of Addendum to District Services Contract Tab 3

5. STAFF REPORTS

- A. District Counsel
- B. District Engineer
- C. District Manager

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, August 11, 2020 at 5:03 p.m.** by means of Zoom communications media technology pursuant to Executive Orders 20-52, 20-69, 20-112, 20-114, 20-150 and 20-179 issued by Governor DeSantis on March 9, 2020, March 20, 2020, April 29, 2020, May 8, 2020, June 23, 2020, respectively, and pursuant to Section 120.54(5)(b)2., Florida Statutes.

Present and constituting a quorum:

Sarona Weyant	Board Supervisor, Chairman
Erick Sandsmark	Board Supervisor, Vice Chairman
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.
Jeff Moding	Solitude Lake Management
James Daugherty	Solitude Lake Management
Christina Kennedy	Solitude Lake Management
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 called on each virtual attendee for 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
May 12, 2020**

Ms. Blandon presented the Minutes of the Board of Supervisors' Meeting held on May 12, 2020. She asked if there were any questions related to the Minutes. Mr. Benafel

asked that his comment related to the budget be included in the minutes of May 12, 2020.

On a Motion by Ms. Sipos, seconded by Ms. Weyant, with all in favor, the Board Approved the Minutes of the Board of Supervisors' Meeting held on May 12, 2020, for the Bella Vida Community Development District.

FOURTH ORDER OF BUSINESS

Consideration of the Operations and Maintenance Expenditures for the Months of April, May, June and July 2020

Ms. Bandon reviewed the expenditures for the period of April 1-30, 2020 which total \$8,349.15, the period of May 1-31, 2020 which total \$24,139.14, the period of June 1-30, 2020 which total \$5,092.17, and the period of July 1-31, 2020 which total \$29,577.59. She asked if there were any questions regarding any item of expenditure. Ms. Bandon responded to questions from the Board.

On a Motion by Ms. Weyant, seconded by Mr. Benafel, with all in favor, the Board Approved the Operation and Maintenance Expenditures for the Months of April 2020 (\$8,349.15), May 2020 (\$24,139.14), June 2020 (\$5,092.17), and July 2020 (\$29,577.59), for the Bella Vida Community Development District.

FIFTH ORDER OF BUSINESS

Discussion Regarding Water Quality of the Lakes

Ms. Bandon advised that Solitude had joined the meeting in order to assist with the discussion related to the water quality of the lakes. Ms. Bandon advised that midge flies are a concern even after the addition of fish to the ponds. Mr. Daugherty advised that the final midge fly treatment to lakes 4, 5, and 6 was conducted on July 17th and was the second or third treatment. The representatives from Solitude responded to questions from the Board and recommended the installation of aerators to assist with the water quality as well as reduce midge flies.

On a Motion by Ms. Sipos, seconded by Ms. Roberts, with all in favor, the Board Authorized the Chairperson to Approve a Proposal for Water Quality Assessments by Solitude Lake Management, in an Amount Not to Exceed \$5,000.00, Subject to Preparation of an Agreement by Counsel, for the Bella Vida Community Development District.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2020-08, Adopting a Meeting Schedule for Fiscal Year 2020/2021

Ms. Bandon provided an overview of the resolution and asked if there were any questions. Ms. Weyant asked for clarification regarding the location of the meetings. Ms. Bandon advised that as long as the Governor extends the orders to allow for virtual meetings then they will continue as virtual. Discussion ensued regarding the location of the meetings; Ms. Bandon advised that CDD meetings are open to the public and therefore

86 access to the meeting location is needed.
87

On a Motion by Ms. Weyant, seconded by Ms. Roberts, with all in favor, the Board Adopted Resolution 2020-08, Adopting a Meeting Schedule for Fiscal Year 2020/2021, for the Bella Vida Community Development District.

88
89 **SEVENTH ORDER OF BUSINESS**

**Public Hearing Regarding Policy for
Improvements within District
Easements**

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91
92
93 Ms. Bandon provided an overview of the public hearing process and asked for a
94 motion to open the public hearing.
95

On a Motion by Mr. Sandsmark, seconded by Ms. Weyant, with all in favor, the Board Opened the Public Hearing Regarding the Policy for Improvements within District Easements, for the Bella Vida Community Development District.

96
97 **EIGHTH ORDER OF BUSINESS**

**Presentation of Policy for
Improvements within District
Easements**

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100
101 Ms. Gentry provided a detailed overview of the policy contained within the agenda
102 package.
103

104 Ms. Bandon called on each virtual attendee to receive questions and comments
105 related to the Policy for improvements within District easements. Questions and comments
106 from the public attendees were received.
107

108 Ms. Bandon asked if the Board members had any questions related to the policy.
109 Ms. Weyant inquired as to the application fee. Ms. Gentry advised that the Board would
110 need to make a recommendation as to the fee.
111

112 **NINTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-09,
Adopting a Policy for Improvements
within District Easements**

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114
115
116 Ms. Gentry provided an overview of the resolution and asked if there were any
117 questions.
118

On a Motion by Ms. Sipos, seconded by Mr. Benafel, with all in favor, the Board Adopted Resolution 2020-09, Adopting a Policy for Improvements within District Easements, Subject to the Addition of the \$400.00 Application Fee, for the Bella Vida Community Development District.

119
120 Ms. Bandon advised there was no further business to be conducted within the public
121 hearing and asked for a motion to close the public hearing.
122

On a Motion by Ms. Weyant, seconded by Mr. Benafel, with all in favor, the Board Closed the Public Hearing Regarding the Policy for Improvements within District Easements, for the Bella Vida Community Development District.

TENTH ORDER OF BUSINESS

**Public Hearings Related to the Fiscal
Year 2020/2021 Budget and
Assessments**

Ms. Bandon asked for a motion to open the public hearing related to the fiscal year 2020/2021 budget and assessments.

On a Motion by Ms. Weyant, seconded by Mr. Benafel, with all in favor, the Board Opened the Public Hearing Related to the Fiscal Year 2020/2021 Budget and Assessments, for the Bella Vida Community Development District.

ELEVENTH ORDER OF BUSINESS

**Presentation of the Proposed Final
Budget for Fiscal Year 2020/2021**

Ms. Bandon provided an overview of the proposed final budget for fiscal year 2020/2021 advising that no changes have been made since the proposed budget was approved. She advised that the total general fund budget is \$255,137.00 which includes an increase of \$33,179.00. She asked the Board if they had any questions regarding the budget. Mr. Benafel inquired as to the increases to the budget. Ms. Bandon reviewed the increases to the budget from the current year budget. Discussion ensued.

Ms. Bandon called on each virtual attendee to receive questions and comments related to the budget and assessments for fiscal year 2020/2021. Questions and comments from the public were entertained.

TWELFTH ORDER OF BUSINESS

**Consideration of Resolution 2020-10,
Annual Appropriations and Adopting
the Budget for Fiscal Year 2020/2021**

Ms. Bandon provided an overview of the resolution that would formally adopt the Budget for Fiscal Year 2020/2021 advising that section two of the resolution would be completed as follows: total general fund amount of \$255,137.00, and total debt service series 2006 amount of \$250,584.00, for a total budget of \$505,721.00. She asked if there were any questions. There were none.

On a Motion by Ms. Sipos, seconded by Ms. Roberts, with all in favor, the Board Adopted Resolution 2020-10, Annual Appropriations and Adopting the Budget for Fiscal Year 2020/2021, for the Bella Vida Community Development District.

THIRTEENTH ORDER OF BUSINESS

**Consideration of Resolution 2020-11,
Making a Determination of Benefit and
Imposing Special Assessments for**

Fiscal Year 2020/2021

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

On a Motion by Mr. Sandsmark, seconded by Ms. Weyant, with all in favor, the Board Adopted Resolution 2020-11, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2020/2021, for the Bella Vida Community Development District.

Ms. Bandon advised that there was no further business to be conducted during this hearing and asked for a motion to close the public hearing.

On a Motion by Ms. Weyant, seconded by Mr. Benafel, with all in favor, the Board Closed the Public Hearing Related to the Fiscal Year 2020/2021 Budget and Assessments, for the Bella Vida Community Development District.

FOURTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Ms. Gentry advised that her firm continue to monitor the Executive Orders issued by the Governor as it relates to holding virtual meetings. She further advised that she will contact MBS to discuss the possibilities of refinancing the Bonds.

Ms. Weyant inquired as to Counsel's recommendation related to existing easement encroachments. Ms. Gentry advised that research will need to be conducted to determine when the encroachments were installed versus when the easements were effective. She further advised that the District can require removal of the encroachments or allow for the existing encroachments to remain.

B. District Engineer

Mr. Burford reviewed advised that he has been reviewing existing encroachments; including nine fences, one of which is within a conservation easement that must be removed. He advised that there are several landscaping items within easements. Ms. Bandon asked Mr. Burford if any of the fence installation are causing issues with the function of the stormwater drainage. Mr. Burford advised that at this time, there are no obstructions causing issues with the stormwater drainage; he advised that there are a lot of fences that are over the stormwater drainage areas between homes which could cause an issue with access for lake maintenance. Ms. Gentry recommended that a letter be sent to the homeowner who has installed a fence in the conservation easement due to the strict restrictions of things that may be in the conservation easement. She further recommended sending letters to the homeowners of all fences encroaching onto easements advising that the improvement is in an

easement area and the District reserves the right to have you remove it or send a letter that says the improvement was installed without the District's permission and so you are required to remove it or pay the easement improvement application fee. Discussion ensued. Ms. Blandon asked Ms. Gentry for direction on the fence that is on District property where the home has been sold since the initial demand was sent. Ms. Gentry advised that she will draft the necessary letters. Ms. Weyant inquired as to how to handle the encroachments that are landscaping. Ms. Gentry recommended using the same method as those who have fences. Ms. Blandon recommended sending the same correspondence to all residents; she further recommended removal of the landscaping boulders that have been placed in a District easement. The Board directed staff to send a letter advising that the improvement is in an easement and should the need arise, the improvement would need to be removed.

Mr. Burford advised that the inspection and cleaning of the stormwater system conducted this past year was cleaning of the pipes; he advised that there are other drainage pipes that discharge into the lakes that have not been cleaned. He advised that the cost would be less than \$10,000.00 to do the inspection which would then complete inspection and cleaning of the entire system.

C. District Manager

Ms. Blandon announced that the next meeting of the Board of Supervisors is scheduled for Tuesday, November 10, 2020 at 5:00 p.m.

Ms. Blandon advised that regarding the irrigation repairs; she has sent the HOA two letters asking for an update as she was advised that the repairs would be conducted by the end of July and no update has been received to date. She recommended sending a follow up correspondence to inquire as to the status of the repairs. The Board concurred.

FIFTEENTH ORDER OF BUSINESS

Supervisor Requests and Audience Comments

Ms. Blandon asked if there were any Supervisor requests or comments.

Discussion ensued regarding the term for Mr. Benafel. Ms. Blandon thanked Mr. Benafel for his service to the Board.

SIXTEENTH 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 Mr. Benafel, with all in favor, the Board adjourned the meeting at 7:05 p.m., for the Bella Vida Community Development District.

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Secretary/Assistant Secretary

Chairman/Vice Chairman

DRAFT

Tab 2

BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT

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

Operation and Maintenance Expenditures August 2020 For Board Approval

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

The total items being presented: **\$ 12,836.55**

Approval of Expenditures:

_____ Chairperson

_____ Vice Chairperson

_____ Assistant Secretary

Bella Vida Community Development District

Paid Operation & Maintenance Expenditures

August 1, 2020 Through August 31, 2020

Vendor Name	Check Number	Invoice Number	Invoice Description	Invoice Amount
Erik Sandsmark	000621	ES081120	Board of Supervisor Meeting 08/11/20	\$ 200.00
James R Benafel	000618	JB081120	Board of Supervisor Meeting 08/11/20	\$ 200.00
Johnson Engineering, Inc.	000615	20170285-001 24	Engineering Services Through 07/12/20	\$ 395.00
Mary Ann Sipos	000622	MS081120	Board of Supervisor Meeting 08/11/20	\$ 200.00
Phyllis J. Roberts	000620	PR081120	Board of Supervisor Meeting 08/11/20	\$ 200.00
Pinnacle Landscapes, Inc.	000619	12292	Landscape Maintenance 07/20	\$ 5,875.00
Rizzetta & Company, Inc.	000616	INV0000051754	District Management Services 08/20	\$ 3,256.67
Rizzetta Technology Services, LLC	000617	INV0000006087	Website & Email Hosting Services 08/20	\$ 175.00
Sarona Rahn Weyant	000623	SW081120	Board of Supervisor Meeting 08/11/20	\$ 200.00
Solitude Lake Management, LLC	000624	PI-A00457384	Monthly Lake & Pond Management Services 08/20	\$ 1,123.00
The Breeze Corporation	000614	071520-Ad	Acct # L02239 Legal Advertising 07/20	\$ 1,011.88
Report Total				<u>\$ 12,836.55</u>

Tab 3

FIRST ADDENDUM TO THE CONTRACT FOR PROFESSIONAL DISTRICT SERVICES

This First Addendum to the Contract for Professional District Services (this “**Addendum**”), is made and entered into as of the _____, 2020 (the “**Effective Date**”), by and between **Bella Vida Community Development District**, a local unit of special purpose government established pursuant to Chapter 190, Florida Statutes, located in Lee County, Florida (the “**District**”), and **Rizzetta & Company, Inc.**, a Florida corporation (the “**Consultant**”).

RECITALS

WHEREAS, the District and the Consultant entered into the Contract for Professional District Services dated October 1st, 2018 (the “**Contract**”), incorporated by reference herein; and

WHEREAS, the District and the Consultant desire to amend **Exhibit B** - Schedule of Fees of the Fees and Expenses, section of the Contract as further described in this Addendum; and

WHEREAS, the District and the Consultant each has the authority to execute this Addendum and to perform its obligations and duties hereunder, and each party has satisfied all conditions precedent to the execution of this Addendum so that this Addendum constitutes a legal and binding obligation of each party hereto.

NOW, THEREFORE, based upon good and valuable consideration and the mutual covenants of the parties, the receipt of which and sufficiency of which is hereby acknowledged, the District and the Consultant agree to the changes to amend **Exhibit B** - Schedule of Fees attached.

The amended **Exhibit B** - Schedule of Fees are hereby ratified and confirmed. All other terms and conditions of the Contract remain in full force and effect.

IN WITNESS WHEREOF the undersigned have executed this Addendum as of the Effective Date.



Rizzetta & Company

Therefore, the Consultant and the District each intend to enter this Addendum, understand the terms set forth herein, and hereby agree to those terms.

ACCEPTED BY:

RIZZETTA & COMPANY, INC.

BY: _____

PRINTED NAME: William J. Rizzetta

TITLE: President

DATE: _____

WITNESS: _____
Signature

Print Name

BELLA VIDA COMMUNITY DEVELOPMENT DISTRICT

BY: _____

PRINTED NAME: _____

TITLE: Chairman/Vice Chairman

DATE: _____

ATTEST:

Vice Chairman/Assistant Secretary
Board of Supervisors

Print Name



Rizzetta & Company

EXHIBIT B
Schedule of Fees

STANDARD ON-GOING SERVICES:

Standard On-Going Services will be billed in advance monthly pursuant to the following schedule:

ANNUALLY	MONTHLY	
Management:	\$ 1,296.08	\$15,553
Administrative:	\$ 403.32	\$ 4,841
Accounting:	\$ 1,225.70	\$14,708
Financial & Revenue Collections:	\$ 429.17	\$ 5,150
Assessment Roll (1):		\$ 5,150
Total Standard On-Going Services:	\$ 3,354.27	\$45,402

(1) Assessment Roll is paid in one lump-sum payment at the time the roll is completed.



ADDITIONAL SERVICES:

Extended and Continued Meetings	Hourly	\$ 180.25
Special/Additional Meetings	Per Occurrence	Upon Request
Modifications and Certifications to		
Special Assessment Allocation Report	Per Occurrence	Upon Request
True-Up Analysis/Report	Per Occurrence	Upon Request
Re-Financing Analysis	Per Occurrence	Upon Request
Bond Validation Testimony	Per Occurrence	Upon Request
Special Assessment Allocation Report	Per Occurrence	Upon Request
Bond Issue Certifications/Closing Documents	Per Occurrence	Upon Request
Electronic communications/E-blasts	Per Occurrence	Upon Request
Special Information Requests	Hourly	Upon Request
Amendment to District Boundary	Hourly	Upon Request
Grant Applications	Hourly	Upon Request
Escrow Agent	Hourly	Upon Request
Continuing Disclosure/Representative/Agent	Annually	Upon Request
Community Mailings	Per Occurrence	Upon Request
Response to Extensive Public		
Records Requests	Hourly	Upon Request

PUBLIC RECORDS REQUESTS FEES:

Public Records Requests will be billed hourly to the District pursuant to the current hourly rates shown below:

JOB TITLE:	HOURLY RATE:
Senior Manager	\$ 54.00
District Manager	\$ 42.00
Accounting & Finance Staff	\$ 29.00
Administrative Support Staff	\$ 25.00

LITIGATION SUPPORT SERVICES:	Hourly	Upon Request
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ADDITIONAL THIRD-PARTY SERVICES:

Pre-Payment Collections/Estoppel/Lien Releases:

Lot/ Homeowner	Per Occurrence	Upon Request
Bulk Parcel(s)	Per Occurrence	Upon Request



Rizzetta & Company