



Rizzetta & Company

Catalina at Winkler Preserve Community Development District

Board of Supervisors' Meeting December 2, 2020

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

www.catalinacdd.org

CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT

Rizzetta & Company, Inc., 9530 Marketplace Road, Suite 206, Fort Myers, Florida 33912

Board of Supervisors	Keith Sherman John Kirkbride Butch Johnston Dick Bonito Vacant	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	Carl Barraco	Barraco and Associates, 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.

CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT
DISTRICT OFFICE • 9530 MARKETPLACE ROAD, SUITE 206 • FORT MYERS, FL 33912

www.catalinacdd.org

November 24, 2020

Board of Supervisors
Catalina at Winkler Preserve
Community Development District

AGENDA

Dear Board Members:

The special meeting of the Board of Supervisors of Catalina at Winkler Preserve Community Development District will be held on **Wednesday, December 2, 2020 at 2:30 p.m.** at the office of Rizzetta & Company, Inc., located at 9530 Marketplace Road, Suite 206, Fort Myers, FL 33912. The following is the agenda for this meeting:

- 1. CALL TO ORDER/ROLL CALL**
 - A. Appointment of Board Supervisors to Fill Seats 2, 4, and 5
 - B. Consideration of Resolution 2021-01, Redesignating Officers of the District Tab 1
- 2. PUBLIC COMMENT**
- 3. BUSINESS ADMINISTRATION**
 - A. Consideration of the Minutes of the Board of Supervisors' Meeting held on August 11, 2020 Tab 2
 - B. Consideration of the Operation and Maintenance Expenditures for the Months of July, August, September, and October 2020 Tab 3
- 4. BUSINESS ITEMS**
 - A. Ratification of Addendum to District Services Contract Tab 4
 - B. Consideration of EarthBalance Proposal for Wetland Buffer Plantings Tab 5
- 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: Lauren Gentry, Hopping Green & Sams, PA

Tab 1

RESOLUTION 2021-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT REDESIGNATING OFFICERS OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Catalina at Winkler Preserve 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 Lee County, Florida; and

WHEREAS, the Board of Supervisors of the District desires to redesignate Officers of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT:

Section 1. _____ is appointed Chairman.

Section 2. _____ is appointed Vice Chairman.

Section 3. _____ is appointed Assistant Secretary.

_____ is appointed Assistant Secretary.

_____ is appointed Assistant Secretary.

Belinda Blandon is appointed Assistant Secretary.

Melissa Dobbins is appointed Assistant Secretary.

Section 4. This Resolution supersedes any prior appointments made by the Board for Chairman and Vice-Chairman and Assistant Secretary; however, prior appointments by the Board for Secretary, Treasurer and Assistant Treasurer remain unaffected by this Resolutions.

Section 5. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED THIS 2ND DAY OF DECEMBER, 2020.

**CATALINA AT WINKLER PRESERVE
COMMUNITY DEVELOPMENT DISTRICT**

CHAIRMAN / VICE CHAIRMAN

ATTEST:

SECRETARY / ASSISTANT SECRETARY

Tab 2

MINUTES OF MEETING

CATALINA AT WINKLER PRESERVE
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of Catalina at Winkler Preserve Community Development District was held on **Tuesday, August 11, 2020 at 2:35 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, and July 29, 2020, respectively, and pursuant to Section 120.54(5)(b)2., Florida Statutes.

Present and constituting a quorum:

Keith Sherman	Board Supervisor, Chairman
John Kirkbride	Board Supervisor, Vice Chairman
Dick Bonito	Board Supervisor, Assistant Secretary
Butch Johnston	Board Supervisor, Assistant Secretary

Also present were:

Belinda Blandon	District Manager, Rizzetta & Company, Inc.
Lauren Gentry	District Counsel, Hopping Green & Sams, P.A.
Doug Tarn	District Engineer, Barraco & Associates, Inc.
Audience	

FIRST ORDER OF BUSINESS

Call to Order

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

SECOND ORDER OF BUSINESS

Public Comment

Ms. Blandon called on each virtual attendee for public comment.

Mr. Lai introduced himself and expressed his interest in serving on the Board.

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 and asked if there were any questions, comments, or changes to the minutes as presented. There were none.

On a Motion by Mr. Kirkbride, seconded by Mr. Johnston, with all in favor, the Board Approved the Minutes of the Board of Supervisors' Meeting held on May 12, 2020, for the Catalina at Winkler Preserve Community Development District.

48
49 **FOURTH ORDER OF BUSINESS**

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

50
51
52
53 Ms. Bandon presented the operations and maintenance expenditures for the
54 period of April 1-30, 2020 which totaled \$5,245.09, the period of May 1-31, 2020 which
55 totaled \$10,381.72 and the period of June 1-30, 2020 which totaled \$4,744.76. She
56 asked if there were any questions regarding any item of expenditure. There were none.
57

58 On a Motion by Mr. Sherman, seconded by Mr. Bonito, with all in favor, the Board
59 Approved the Operations and Maintenance Expenditures for the Month of April 2020
60 which totaled \$5,245.09, the Month of May 2020 which totaled \$10,381.72, and the
61 Month of June 2020 which totaled \$4,744.76, for the Catalina at Winkler Preserve
62 Community Development District.

63
64 **FIFTH ORDER OF BUSINESS**

Declaration of Vacancy in Seat 4

65
66 Ms. Bandon advised that she received a resignation from Mr. Sanchez and asked
67 for a motion to accept.
68

69 On a Motion by Mr. Kirkbride, seconded by Mr. Sherman, with all in favor, the Board
70 Accepted the Resignation of Mr. Sanchez, for the Catalina at Winkler Preserve
71 Community Development District.

72
73 Ms. Gentry reviewed the vacancy and explained the requirements for serving on
74 the Board. Mr. Sherman recommended waiting until the next meeting to make any
75 appointments to allow time so that others who may be interested can express their
76 interest. The Board concurred.
77

78 Mr. Lai provided a brief introduction of himself.
79

80 Ms. Gentry advised that should the Board choose; they may ask that interested
81 parties send a brief resume to the District Manager to be considered at the next meeting.
82

83 On a Motion by Mr. Sherman, seconded by Mr. Bonito, with all in favor, the Board
84 Deferred Consideration of Interested Candidates to Fill Seat 4 Until the November
85 Meeting, for the Catalina at Winkler Preserve Community Development District.

86
87 **SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-07,
Adopting a Meeting Schedule for
Fiscal Year 2020/2021**

88
89
90
91 Ms. Bandon provided an overview of the resolution advising that the schedule
92 being presented is consistent with the current year meeting schedule. She further
93 advised that the resolution contains language related to the need for virtual meetings,

94 dependent upon Executive Orders issued by the Governor. She asked if there were any
95 questions. There were none.
96

97 On a Motion by Mr. Kirkbride, seconded by Mr. Bonito, with all in favor, the Board
98 Adopted Resolution 2020-07, Adopting a Meeting Schedule for Fiscal Year 2020/2021,
99 for the Catalina at Winkler Preserve Community Development District.

100
101 **SEVENTH ORDER OF BUSINESS**

**Public Hearing Related to Fiscal Year
2020/2021 Budget**

102
103
104 Ms. Bandon provided an overview of the public hearing process and asked for a
105 motion to open the public hearing.
106

107 On a Motion by Mr. Sherman, seconded by Mr. Johnston, with all in favor, the Board
108 Opened the Public Hearing Related to the Fiscal Year 2020/2021 Budget, for the
109 Catalina at Winkler Preserve Community Development District.

110
111 **EIGHTH ORDER OF BUSINESS**

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

112
113
114 Ms. Bandon provided an overview of the proposed final budget advising that no
115 changes have been made since the Board approved the proposed budget, she advised
116 that the budget does not have an increase to assessments.
117

118 Ms. Bandon asked each virtual attendee if they had any questions or comments
119 related to the fiscal year 2020/2021 budget. There were none.
120

121 **NINTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-08,
Annual Appropriations and Adopting
the Final Budget for Fiscal Year
2020/2021**

122
123
124
125
126 Ms. Bandon provided an overview of the resolution that would formally adopt the
127 Budget for Fiscal Year 2020/2021 advising that section two of the resolution would be
128 completed as follows: total general fund amount of \$169,229.00, total debt service series
129 2017 amount of \$209,035.20, total reserve fund amount of \$28,472.00, for a total budget
130 of \$406,736.20. She asked if there were any questions. There were none.
131

132 On a Motion by Mr. Johnston, seconded by Mr. Kirkbride, with all in favor, the Board
133 Adopted Resolution 2020-08, Annual Appropriations and Adopting the Budget for Fiscal
134 Year 2020/2021, for the Catalina at Winkler Preserve Community Development District.

135
136 **TENTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-09,
Making a Determination of Benefit
and Imposing Special Assessments
for Fiscal Year 2020/2021**

137
138
139

140
141 Ms. Gentry provided an overview of the resolution and asked if there were any
142 questions. There were none.
143

144 On a Motion by Mr. Sherman, seconded by Mr. Bonito, with all in favor, the Board
145 Adopted Resolution 2020-09, Making a Determination of Benefit and Imposing Special
146 Assessments for Fiscal Year 2020/2021, for the Catalina at Winkler Preserve
147 Community Development District.

148
149 Ms. Blandon advised that there was no further business to be conducted during
150 the public hearing and asked for a motion to close the public hearing.
151

152 On a Motion by Mr. Johnston, seconded by Mr. Kirkbride, with all in favor, the Board
153 Closed the Public Hearing Related to the Fiscal Year 2020/2021 Budget, for the Catalina
154 at Winkler Preserve Community Development District.

155
156 **ELEVENTH ORDER OF BUSINESS**

157 **Consideration of Resolution 2020-10,**
158 **Declaring Vacancies for Seat 2 and**
159 **Seat 5**

160 Ms. Gentry provided an overview of the resolution advising that no residents
161 qualified for seat 2 and 5 for the general election and those would be declared vacant
162 as of November 17, 2020.
163

164 Mr. Sherman asked if those two seats could be filled now, utilizing the two
165 gentlemen who are currently in those seats. Ms. Gentry recommended waiting until the
166 November meeting to make any appointments.
167

168 On a Motion by Mr. Sherman, seconded by Mr. Kirkbride, with all in favor, the Board
169 Adopted Resolution 2020-10, Declaring Vacancies for Seat 2 and Seat 5, Effective
170 November 17, 2020, for the Catalina at Winkler Preserve Community Development
171 District.

172
173 **TWELFTH ORDER OF BUSINESS**

Staff Reports

174
175 A. District Counsel

176 Ms. Gentry advised that her firm continues to monitor executive orders that
177 allow for virtual meetings and the current order expires on September 1st.
178

179 B. District Engineer

180 Mr. Tarn advised that the catch basins have been cleaned by Sewer Viewer.
181 Mr. Johnston inquired as to the clean outs for the back portion of the
182 community. Mr. Sherman advised that there are no catch basins in the back
183 area. Discussion ensued.
184
185

- 186 C. District Manager
187 Ms. Bandon announced that the next regular meeting of the Board of
188 Supervisors is scheduled for Tuesday, November 10, 2020 at 2:30 pm.
189

190 Ms. Bandon advised that she will be working with Mr. Sherman and Earth
191 Balance to determine the areas for new plantings; she advised that Earth
192 Balance will also be reviewing the areas where the plantings are not
193 healthy. Mr. Sherman advised that the sage brush has flourished whereas
194 the plants behind them are not doing well. He further advised that Earth
195 Balance is doing a great job with weed control.
196

197 **THIRTEENTH ORDER OF BUSINESS** **Supervisor Requests and Comments**
198

199 Ms. Bandon opened the floor to Supervisor requests and comments.
200

201 Mr. Sherman advised that the safety issue with the weir on the second lake has
202 been remedied and it is now safe. He advised that he cannot see any water movement
203 from the aerators on lake #3. Ms. Bandon advised that she will open a service ticket.
204

205 Mr. Kirkbride thanked Mr. Lai for coming to the meeting today and he asked that
206 Mr. Lai send a resume to Ms. Bandon.
207

208 **FOURTEENTH ORDER OF BUSINESS** **Adjournment**
209

210 Ms. Bandon stated there are no other agenda items to come before the Board and
211 asked for a motion to adjourn the meeting.
212

213
214
215
216

On a Motion by Mr. Johnston, seconded by Mr. Bonito, with all in favor, the Board adjourned the meeting at 3:08 p.m. for the Catalina at Winkler Preserve Community Development District.

Secretary/Assistant Secretary

Chairman/Vice Chairman

Tab 3

CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · 12750 CITRUS PARK LANE · SUITE 115 · TAMPA, FLORIDA 33625

Operation and Maintenance Expenditures July 2020 For Board Approval

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

The total items being presented: **\$11,348.76**

Approval of Expenditures:

_____ Chairperson

_____ Vice Chairperson

_____ Assistant Secretary

Catalina at Winkler Preserve Community Development District

Paid Operation & Maintenance Expenditures

July 1, 2020 Through July 31, 2020

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Barraco and Associates, Inc.	001309	20959	Engineering Services 06/20	\$ 5,445.00
Catalina at Winkler Homeowner's Association, Inc.	001314	July 2020	Reimb HOA for Electric Service Pool 07/20	\$ 140.00
Florida Power and Light Company	001310	09846-68343 06/20	17043 Tremont St #Aerator 05/27/20-06/26/20	\$ 83.49
Florida Power and Light Company	001310	11246-08348 06/20	17213 Wrigley Cir #Aerator 05/27/20-06/26/20	\$ 54.51
Grau & Associates P.A.	001313	U3474108	Audit FYE 09/19	\$ 23.00
Hopping Green & Sams	001306	115474	General/Monthly Legal Services Billed Through 05/31/20	\$ 759.00
Hopping Green & Sams	001315	115978	General/Monthly Legal Services Billed Through 06/30/20	\$ 259.50
Rizzetta & Company, Inc.	001307	INV0000050744	District Management Services 07/20	\$ 3,742.51
Rizzetta Technology Services, LLC	001308	INV0000005987	Website & Email Hosting Services 07/20	\$ 175.00
Solitude Lake Management, LLC	001316	PI-A00438842	Lake & Pond Monthly 07/20	\$ 435.00
Solitude Lake Management, LLC	001316	PI-A00443699	Replace Bulbs In Fountain 07/20	\$ 23.11
The News-Press	001311	33360930	Acct # 159965 Legal Advertising 05/20	\$ 208.64

Catalina at Winkler Preserve Community Development District

Paid Operation & Maintenance Expenditures

July 1, 2020 Through July 31, 2020

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
--------------------	---------------------	-----------------------	----------------------------	-----------------------

Report Total

\$ 11,348.76

CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · 12750 CITRUS PARK LANE · SUITE 115 · TAMPA, FLORIDA 33625

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: **\$14,305.46**

Approval of Expenditures:

_____ Chairperson

_____ Vice Chairperson

_____ Assistant Secretary

Catalina at Winkler Preserve Community Development District

Paid Operation & Maintenance Expenditures

August 1, 2020 Through August 31, 2020

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Barraco and Associates, Inc.	001328	21149	Engineering Services 08/20	\$ 973.00
Catalina at Winkler Homeowner's Association, Inc.	001329	August 2020	Reimbursement HOA for Electric Service Aerator System 08/20	\$ 140.00
EarthBalance Corporation	001321	43412	Quarterly Maintenance-07/20	\$ 2,495.00
Florida Power and Light Company	001322	09846-68343 07/20	17043 Tremont St #Aerator 06/26/20- 07/28/20	\$ 98.19
Florida Power and Light Company	001322	11246-08348 07/20	17213 Wrigley Cir #Aerator 06/26/20- 07/28/20	\$ 62.63
Floyd Johnston	001324	BJ081120	Board of Supervisors Meeting 08/11/20	\$ 200.00
John E. Kirkbride	001325	JK081120	Board of Supervisors Meeting 08/11/20	\$ 200.00
Keith Sherman	001327	KS081120	Board of Supervisors Meeting 08/11/20	\$ 200.00
Louis G. Sanchez	001326	LS081120	Board of Supervisors Meeting 08/11/20	\$ 200.00
Richard Bonito	001323	RB081120	Board of Supervisors Meeting 08/11/20	\$ 200.00
Rizzetta & Company, Inc.	001317	INV0000051755	District Management Services 08/20	\$ 3,742.51
Rizzetta Technology Services, LLC	001318	INV0000006088	Website & Email Hosting Services 08/20	\$ 175.00

Catalina at Winkler Preserve Community Development District

Paid Operation & Maintenance Expenditures

August 1, 2020 Through August 31, 2020

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Sewer Viewer, Inc.	001319	22007068	Storm Drain Cleaning 07/20	\$ 4,625.00
Solitude Lake Management, LLC	001330	PI-A00454811	Fountain Maintenance Service 08/01/20-10/31/20	\$ 129.00
Solitude Lake Management, LLC	001330	PI-A00454812	Aerator Maintenance 08/01/20-10/31/20	\$ 264.00
Solitude Lake Management, LLC	001330	PI-A00457431	Lake & Pond Monthly 08/20	\$ 435.00
The Breeze Corporation	001320	117700 07/22/20	Legal AD ref# 116132 04/20	<u>\$ 166.13</u>
Report Total				<u>\$ 14,305.46</u>

CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · 12750 CITRUS PARK LANE · SUITE 115 · TAMPA, FLORIDA 33625

Operation and Maintenance Expenditures September 2020 For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from September 1, 2020 through September 30, 2020. This does not include expenditures previously approved by the Board.

The total items being presented: **\$11,540.21**

Approval of Expenditures:

_____ Chairperson

_____ Vice Chairperson

_____ Assistant Secretary

Catalina at Winkler Preserve Community Development District

Paid Operation & Maintenance Expenditures

September 1, 2020 Through September 30, 2020

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Catalina at Winkler Homeowner's Association, Inc.	001337	Sept 2020	Reimb HOA for Electric Service Aerator System 09/20	\$ 140.00
Egis Insurance Advisors, LLC	001335	11316	FL Insurance Package 10/01/2020-10/01/2021	\$ 4,989.00
Florida Power and Light Company	001336	09846-68343 08/20	17043 Tremont St #Aerator 07/28/20-08/27/20	\$ 91.79
Florida Power and Light Company	001336	11246-08348 08/20	17213 Wrigley Cir #Aerator 07/28/20-08/27/20	\$ 39.56
Hopping Green & Sams	001331	116593	General/Monthly Legal Services Billed 07/20	\$ 608.00
Rizzetta & Company, Inc.	001332	INV00000552545	District Management Services 09/20	\$ 3,742.51
Rizzetta Technology Services, LLC	001333	INV0000006188	Website & Email Hosting Services 09/20	\$ 175.00
Solitude Lake Management, LLC	001334	PI-A00463508	Fountain Repair 08/20	\$ 226.33
Solitude Lake Management, LLC	001338	PI-A00470648	Lake & Pond Monthly 09/20	\$ 435.00
Solitude Lake Management, LLC	001338	PI-A00474067	Install New Aeration Compressor 09/20	<u>\$ 1,093.02</u>
Report Total				<u>\$ 11,540.21</u>

CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · 12750 CITRUS PARK LANE · SUITE 115 · TAMPA, FLORIDA 33625

Operation and Maintenance Expenditures October 2020 For Board Approval

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

The total items being presented: **\$11,035.52**

Approval of Expenditures:

_____ Chairperson

_____ Vice Chairperson

_____ Assistant Secretary

Catalina at Winkler Preserve Community Development District

Paid Operation & Maintenance Expenditures

October 1, 2020 Through October 31, 2020

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Barraco and Associates, Inc.	001339	21319	Engineering Services 09/20	\$ 416.25
Florida Power and Light Company	001340	09846-68343 09/20	17043 Tremont St #Aerator 08/27/20- 09/28/20	\$ 97.42
Florida Power and Light Company	001340	11246-08348 09/20	17213 Wrigley Cir #Aerator 08/27/20- 09/28/20	\$ 25.57
Hopping Green & Sams	001342	117587	General/Monthly Legal Services Billed 08/20	\$ 645.00
Hopping Green & Sams	001343	117711	General/Monthly Legal Services Billed 09/20	\$ 236.50
Rizzetta & Company, Inc.	001341	INV0000053342	District Management Services 10/20	\$ 3,854.78
Rizzetta & Company, Inc.	001341	INV0000053598	Assessment Roll FY 20/21	\$ 5,150.00
Rizzetta Technology Services, LLC	001344	INV0000006393	Website & Email Hosting Services 10/20	\$ 175.00
Solitude Lake Management, LLC	001345	PI-A00490212	Lake & Pond Monthly 10/20	<u>\$ 435.00</u>
Report Total				<u>\$ 11,035.52</u>

Tab 4



**SECOND ADDENDUM TO THE CONTRACT FOR
PROFESSIONAL DISTRICT SERVICES**

This Second Addendum to the Contract for Professional District Services (this “**Addendum**”), is made and entered into as of the 30th Day of October, 2020 (the “**Effective Date**”), by and between **Catalina at Winkler Preserve 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.

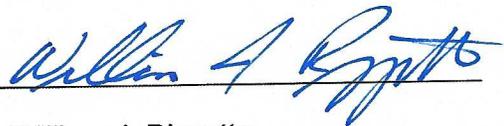


Rizzetta & Company

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

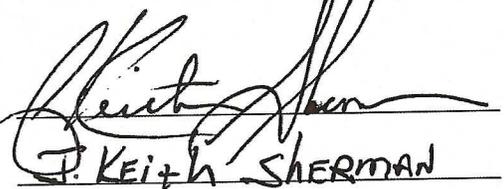
DATE: 10/10/2020

WITNESS: 

Signature

ROBERT SCHUSTER
Print Name

CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT

BY: 

PRINTED NAME: J. KEITH SHERMAN

TITLE: Chairman/Vice Chairman

DATE: 10/30/20

ATTEST: 

Vice Chairman/Assistant Secretary
Board of Supervisors

Belinda Blander
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:	\$ 1,716.67	\$20,600
Administrative:	\$ 463.50	\$ 5,562
Accounting:	\$ 1,245.44	\$14,945
Financial & Revenue Collections:	\$ 429.17	\$ 5,150
Assessment Roll (1):		\$ 5,150
Total Standard On-Going Services:	\$ 3,854.78	\$51,407

(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

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

Tab 5



Price Quote (continued)

PROJECT NAME: Catalina at Winkler Preserve CDD Planting

Material Warranty. All plants provided and installed under the terms of this agreement are guaranteed to be of good quality and free of disease or defects at the time of installation. A warranty is provided for an **80%** survivorship of all plants for **90** days following installation. **EarthBalance®** will perform replanting to meet the **80%** survival rate, at no cost to the client, if survivorship falls below **80%** of the initial plants installed. The plant survivorship warranty does not include the loss or damage of installed plants due to acts of God such as frost, flood, fire, drought, shoreline erosion, or other catastrophic events, nor does it include loss or damage due to theft, vandalism, fish, animal, chemical treatment, or negligence by others including inappropriate engineering or design.

CONDITIONS:

This quote shall remain valid for a period not to exceed thirty (30) days beyond the submittal date of **August 31, 2020**. If not accepted within this period, **EarthBalance®** reserves the right to modify any portion thereof or withdraw the quotation in its entirety. This agreement and the attached terms and conditions shall be effective upon its full execution.

QUOTED BY: Scott Miller
Project Manager
EarthBalance®
2570 Commerce Parkway
North Port, FL 34289
smiller@earthbalance.com

IN WITNESS WHEREOF, this Agreement is executed on the dates hereinafter stated.

EARTHBALANCE®

CLIENT

By: _____

By: _____

Printed: _____

Printed: _____

Title: Vice President

Title: _____

Date: _____, 2020

Date: _____, 2020



Price Quote (continued)

PROJECT NAME: Catalina at Winkler Preserve CDD Planting

PLEASE INDICATE IF THE CLIENT IS ALSO THE OWNER OF THE PROPERTY ON WHICH THE SERVICES/WORK WILL BE PERFORMED:

_____ **OWNER**

_____ **NOT THE OWNER**

IF THE CLIENT IS NOT THE PROPERTY OWNER, PLEASE PRINT THE NAME AND CONTACT INFORMATION FOR THE PROPERTY OWNER:

Name: _____

Address: _____

Phone Number: _____



PRICE QUOTE TERMS AND CONDITIONS

1. **Services.** EarthBalance® hereby agrees to provide all supervision, labor, materials, equipment, and other facilities to complete the Work as described in the attached Price Quote ("Scope of Work" or "Work"). EarthBalance® agrees to use its best efforts in completing the Work. The Work shall be accomplished in a workmanlike and professional manner using the degree of skill and care ordinarily exercised by a reputable member of EarthBalance's® profession practicing in the same or similar locality. No other warranty, express or implied, is made or intended, unless provided in the Scope of Work.

This agreement is limited to tasks identified in the attached Price Quote and does not include additional or repeat Work resulting from changes to the project or the information upon which this agreement is based. Modification to the final work products performed at the request of the Client that is not the result of the Contractor's errors or omissions shall be billed to the Client as additional services.

2. **Time.** This quote shall remain valid for a period not to exceed thirty (30) days beyond the date of submittal. If not accepted within this period, EarthBalance® reserves the right to modify any portion thereof or withdraw the quotation in its entirety. This agreement shall be effective upon its full execution.

3. **Duty to Cooperate.** Client agrees to cooperate with EarthBalance® in all respects in connection with EarthBalance's® efforts to discharge the Scope of Work. Client shall make Client's property available to EarthBalance®, shall timely comply with EarthBalance's® requests for information, and shall execute all documents reasonably required by EarthBalance® in discharging the Scope of Work. Client agrees to inform EarthBalance® of any known job site hazards including, but not limited to, hazardous substances, buried debris, ordnance or explosives, sinkholes, wildlife hazards, etc.

4. **Payment.** Client agrees to pay a fee for the Work performed based upon the information contained in attached Price Quote. As soon as may be practicable at the beginning of each month, EarthBalance® shall invoice Client for all work performed in the prior month and any other sums due EarthBalance®. Client shall pay the invoice amount within thirty (30) days after the invoice date. EarthBalance® may cease performing work under the attached Price Quote if any payment due hereunder is not paid within thirty (30) days of the invoice date. We accept cash, check, credit card, ACH or Wire Transfer as payment. A convenience fee of 5% will be added to all credit card payments.

Client agrees that EarthBalance® may place a lien upon the Property for Work performed under the attached Price Quote and that EarthBalance® may record and enforce the lien for Work performed in accordance with the provisions of Florida's Construction Lien Law. In any litigation arising out of this Agreement, the prevailing party shall be entitled to recover reasonable attorney's fees and costs. In addition, if EarthBalance® places this executed Price Quote in the hands of an attorney for the collection of any sums due hereunder, Client agrees to reimburse EarthBalance® for its reasonable attorney's fees and costs relating thereto.

5. **Termination and Default.** This agreement may be terminated by either party giving the other party thirty (30) days written notice of intent to terminate. In addition, upon default by Client, monetary or otherwise, this agreement may be terminated by EarthBalance® with seven (7) days written notice of intent to terminate if the default remains uncured after such notice period. EarthBalance's® liability to Client or any related party for any claim related to or arising out of (i) this agreement or (ii) EarthBalance's® Work shall be limited to two times the amount of fees paid by Client hereunder.

6. **Force Majeure Event.** EarthBalance® shall not be liable to Client for damages resulting from delay in or termination of EarthBalance's® Work because of fire or casualty, riots, strikes, picketing, boycotts, lockouts, labor disturbances, shortages of materials, war, terrorism or combined action of the workmen or others, governmental delays, or any acts of God including, but not limited to, severe snowstorms, earthquakes, hurricanes, floods, or any other cause or condition beyond its control making it inadvisable in EarthBalance's® determination to proceed with the Work (collectively, a "Force Majeure Event"). EarthBalance® shall have no obligation to resume Work discontinued under this Section. If EarthBalance® elects not to resume the Work, Client's sole and exclusive remedy shall be payment on a pro-rata basis for the percentage of Work that has actually been completed as of the date of its receipt of EarthBalance's® notice of the Force Majeure Event.

7. **Miscellaneous.** The invalidity of any provision of the agreement shall not impair the validity of any other provision. If any provision of this agreement is determined to be unenforceable by a court of competent jurisdiction, such provision shall be deemed severable and the remaining provisions of the agreement shall be enforced.

This agreement shall be construed and interpreted in accordance with, and the validity of this agreement shall be judged by, the laws of the State of Florida.

This agreement sets forth the entire agreement and understanding of the parties hereto. It may only be amended, modified or terminated by the written mutual consent of all the parties hereto and duly executed by the authorized representatives of the parties hereto.