

**MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT
DISTRICT**

**PUBLIC HEARING AND
REGULAR MEETING
AGENDA**

August 21, 2014

Moody River Estates Community Development District

6131 Lyons Road, Suite 100 • Coconut Creek, Florida 33073

Phone (954) 426-2105 • Fax (954) 426-2147 • Toll-free: (877) 276-0889

August 14, 2014

ATTENDEES:

Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

Board of Supervisors
Moody River Estates Community Development District

Dear Board Members:

The Board of Supervisors of the Moody River Estates Community Development District will hold a Public Hearing and Regular Meeting on **Thursday, August 21, 2014** at **1:00 p.m.**, in the **Clubhouse at Moody River Estates, 3050 Moody River Blvd., North Fort Myers, Florida 33903**. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments (*agenda items*)
3. Acceptance of Resignation of Kathy Shea
 - A. Discussion/Consideration of Appointment to Fill Unexpired Term of Office of SEAT 5; *Term Expires November, 2014*
 - Administration of Oath of Office (*the following to be provided in separate package*)
 - ✓ Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees
 - ✓ Membership, Obligations and Responsibilities
 - ✓ Financial Disclosure Forms
 - Form 1: Statement of Financial Interests
 - Form 1X: Amendment to Form 1, Statement of Financial Interests
 - Form 1F: Final Statement of Financial Interests
 - ✓ Form 8B Memorandum of Voting Conflict
 - Consideration of **Resolution 2014-__**, Electing officers of the District
4. **Public Hearing to Hear Comments and Objections on Adoption of Fiscal Year 2014/2015 Budget**
 - A. Affidavit of Publication
 - B. Consideration of **Resolution 2014-8**, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2014, and Ending September 30, 2015

5. Consideration of **Resolution 2014-9**, Making a Determination of Benefit; Imposing Special Assessments; Providing for the Collection and Enforcement of Special Assessments, Including But Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll
6. Consideration of **Resolution 2014-10**, Declaring a Vacancy in Seat 5 of the Board of Supervisors Pursuant to Section 190.006(3)(B), Florida Statutes
7. Discussion/Consideration: LakeMasters Aquatic Weed Control, Inc. Work Order for Debris/Trash Removal
8. Approval of **June 5, 2014** Special Meeting Minutes
9. Other Business
10. Staff Reports
 - A. Attorney
 - B. Engineer
 - C. Manager
 - i. Approval of Unaudited Financial Statements as of June 30, 2014
 - ii. Consideration of Fiscal Year 2015 Proposed Meeting Schedule
11. Public Comments (*non-agenda items*)
12. Supervisors' Requests
13. Adjournment

Should you have any questions and/or concerns, please contact me directly at 239-464-7114.

Sincerely,


Chesley E. Adams, Jr.
District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE:

CALL IN NUMBER: 1-888-354-0094

CONFERENCE ID: 8593810

From: jackkathy83@netscape.net
To: [Daphne Gillyard](#)
Subject: Resignation
Date: Wednesday, August 13, 2014 10:30:30 AM

Good morning,

Please accept this as my letter of resignation from Moody River Estates Community Development District's Board of Supervisors, effectively immediately.

It has been my pleasure to serve on this CDD board for many years. Thank you for your consideration

Kathy Shea
Co-Chairman
Moody River CDD

RESOLUTION 2014-__

**A RESOLUTION ELECTING THE OFFICERS OF THE
MOODY RIVER ESTATES COMMUNITY
DEVELOPMENT DISTRICT, LEE COUNTY, FLORIDA**

WHEREAS, the Board of Supervisors of the Moody River Estates Community Development District desires to elect the below recited person(s) to the offices specified.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD
OF SUPERVISORS OF THE MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT DISTRICT:**

1. The following persons are elected to the offices shown:

Chair	_____
Vice Chair	_____
Secretary	_____ Chuck Adams _____
Treasurer	_____ Craig Wrathell _____
Assistant Secretary	_____
Assistant Secretary	_____
Assistant Secretary	_____
Assistant Secretary	_____ Craig Wrathell _____

PASSED AND ADOPTED this ____ day of _____, 2014.

Chair/Vice Chair

Secretary/Assistant Secretary



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News-Press, The

Aug. 13, 2014

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MOODY RIVER

ESTATES

COMMUNITY

DEVELOPMENT DISTRICT

NOTICE OF PUBLIC HEARING TO

CONSIDER THE ADOPTION OF THE FISCAL YEAR 2014/2015 BUDGET; AND NOTICE OF REGULAR BOARD OF SUPERVISORS' MEETING.

The Board of Supervisors of the Moody River Estates Community Development District will hold a public hearing on Thursday, August 21, 2014 at 1:00 p.m., at the Clubhouse at Moody River Estates, 3050 Moody River Blvd., North Fort Myers, Florida 33903 for the purpose of hearing comments and objections on the adoption of the budgets of the District for Fiscal Year 2014/2015. A regular board meeting of the District will also be held at that time where the Board may consider any other business that may properly come before it.

A copy of the agenda and budgets may be obtained at the offices of the District Manager, 6131 Lyons Road, Suite 100, Coconut Creek, Florida 33073, during normal business hours.

The public hearing and meeting are open to the public and will be conducted in accordance with the provisions of Florida law for Community Development Districts. The public hearing and meeting may be continued to a date, time, and place to be specified on the record at the meeting.

There may be occasions when staff or other individuals may participate by speaker telephone.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (877) 276-0889 at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770, for aid in contacting the District Office.

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearing or meeting is advised that person will need a record of 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 such appeal is to be based.

District Manager

No.1490880

August 6, 13, 2014

News-Press, The

Aug. 6, 2014

Government Publications - Notices of Hearings

MOODY RIVER

ESTATES

COMMUNITY

DEVELOPMENT DISTRICT

NOTICE OF PUBLIC HEARING TO

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[Stuart Weitzman Guipure](#)

[Stuart Weitzman Hoopla](#)

[Stuart Weitzman Waycool](#)

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District Manager

No.1490880

August 6, 13, 2014

Business Observer

Aug. 1, 2014

Foreclosure Sales - Miscellaneous

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Keywords: Lee County legal notices

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Business Observer

July 25, 2014

Foreclosure Sales - Miscellaneous

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RESOLUTION 2014-8

THE ANNUAL APPROPRIATION RESOLUTION OF THE MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT (THE “DISTRICT”) RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014, AND ENDING SEPTEMBER 30, 2015

WHEREAS, the District Manager has, prior to the fifteenth (15th) day in June, 2014, submitted to the Board of Supervisors (the “Board”) a proposed budget for the next ensuing budget year along with an explanatory and complete financial plan for each fund of the Moody River Estates Community Development District, pursuant to the provisions of Section 190.008(2)(a), Florida Statutes; and

WHEREAS, at least sixty (60) days prior to the adoption of the proposed annual budget (the “Proposed Budget”), the District filed a copy of the Proposed Budget with the local governing authorities having jurisdiction over the area included in the District pursuant to the provisions of Section 190.008(2)(b), Florida Statutes; and

WHEREAS, the Board set August 21, 2014, as the date for a public hearing thereon and caused notice of such public hearing to be given by publication pursuant to Section 190.008(2)(a), Florida Statutes; and

WHEREAS, the District Manager posted the Proposed Budget on the District’s website at least two days before the public hearing or transmitted the Proposed Budget to the manager or administrator of Lee County for posting on its website; and

WHEREAS, Section 190.008(2)(a), Florida Statutes, requires that, prior to October 1st of each year, the District Board, by passage of the Annual Appropriation Resolution, shall adopt a budget for the ensuing fiscal year and appropriate such sums of money as the Board deems necessary to defray all expenditures of the District during the ensuing fiscal year; and

WHEREAS, the District Manager has prepared a Proposed Budget, whereby the budget shall project the cash receipts and disbursements anticipated during a given time period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal year.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT:

Section 1. Budget

- a. That the Board of Supervisors has reviewed the District Manager’s Proposed Budget, a copy of which is on file with the office of the District Manager and at the District’s

Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.

- b. That the District Manager's Proposed Budget, attached hereto as Exhibit "A," as amended by the Board, is hereby adopted in accordance with the provisions of Section 190.008(2)(a), Florida Statutes, and incorporated herein by reference; provided, however, that the comparative figures contained in the adopted budget may be subsequently revised as deemed necessary by the District Manager to reflect actual revenues and expenditures for Fiscal Year 2014 and/or revised projections for Fiscal Year 2015.
- c. That the adopted budget, as amended, shall be maintained in the office of the District Manager and at the District's Records Office and identified as "The Budget for the Moody River Estates Community Development District for the Fiscal Year Ending September 30, 2015," as adopted by the Board of Supervisors on August 21, 2014.
- d. The final adopted budget shall be posted by the District Manager on the District's official website within thirty (30) days after adoption or shall be transmitted to the manager or administrator of Lee County for posting on its website.

Section 2. Appropriations

There is hereby appropriated out of the revenues of the Moody River Estates Community Development District, for the fiscal year beginning October 1, 2014, and ending September 30, 2015, the sum of \$ 1,002,091 to be raised by the levy of assessments and otherwise, which sum is deemed by the Board of Supervisors to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated in the following fashion:

TOTAL GENERAL FUND	\$ <u>252,300</u>
DEBT SERVICE FUND, SERIES 2005	\$ <u>749,791</u>
TOTAL ALL FUNDS	\$ <u>1,002,091</u>

Section 3. Supplemental Appropriations

Pursuant to Section 189.418(6), Florida Statutes, the following provisions govern amendments to the budget(s) for any particular fund(s) listed above:

- a. The Board may authorize an increase or decrease in line item appropriations within a fund by motion recorded in the minutes if the total appropriations of the fund do not increase.
- b. The District Manager or Treasurer may authorize an increase or decrease in line item appropriations within a fund if the total appropriations of the fund do not increase and

if the aggregate change in the original appropriation item does not exceed \$10,000 or 10% of the original appropriation.

- c. By resolution, the Board may increase any appropriation item and/or fund to reflect receipt of any additional unbudgeted monies and make the corresponding change to appropriations or the unappropriated balance.
- d. Any other budget amendments shall be adopted by resolution and consistent with Florida law.

The District Manager or Treasurer must establish administrative procedures to ensure that any budget amendments are in compliance with this Section 3 and Section 189.418 of the Florida Statutes, among other applicable laws.

Introduced, considered favorably, and adopted this _____ day of _____, 2014.

ATTEST:

**MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

By: _____

Its: _____

Exhibit "A"

**MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2015
PROPOSED BUDGET
PREPARED AUGUST 14, 2014**

**MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT DISTRICT
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**MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2015**

	Fiscal Year 2014			Total Revenue and Expenditures	Proposed Budget FY 2015
	Adopted Budget FY 2014	Actual through 3/31/14	Projected through 9/30/2014		
REVENUES					
Assessment levy: gross	\$ 250,543				\$ 252,300
Allowable discounts (4%)	(10,022)				(10,092)
Assessment levy: net	240,521	\$ 221,915	\$ 18,606	\$ 240,521	242,208
Interest and miscellaneous	-	77	77	154	-
Total revenues	240,521	221,992	18,683	240,675	242,208
EXPENDITURES					
Professional & admin					
Supervisors	6,459	1,077	5,382	6,459	6,459
Management/recording	44,802	22,401	22,401	44,802	44,802
Legal - general counsel	15,000	4,097	10,903	15,000	15,000
Engineering	5,000	6,700	5,000	11,700	10,000
Audit	6,300	4,000	-	4,000	4,300
Accounting	8,742	4,371	4,371	8,742	8,742
Assessment roll preparation	12,875	6,437	6,438	12,875	12,875
Arbitrage rebate calculation	1,200	-	1,200	1,200	1,200
Dissemination agent	1,000	1,000	-	1,000	1,000
Trustee	3,150	-	3,150	3,150	3,150
Telephone	500	250	250	500	500
Postage	1,250	1,300	300	1,600	1,250
Printing & binding	1,100	550	550	1,100	1,100
Legal advertising	1,500	1,911	750	2,661	1,500
Annual district filing fee	175	175	-	175	175
Insurance	6,038	5,923	-	5,923	6,515
Other current charges	1,000	312	312	624	1,000
Website	-	-	-	-	500
Total professional & admin	116,091	60,504	61,007	121,511	120,068
Water management					
Other contractual	97,500	25,167	72,333	97,500	72,500
Aquascaping	7,500	-	7,500	7,500	7,500
Utilities	40,000	20,406	23,594	44,000	44,000
Total water management	145,000	45,573	103,427	149,000	124,000

**MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2015**

	Fiscal Year 2014			Total Revenue and Expenditures	Proposed Budget FY 2015
	Adopted Budget FY 2014	Actual through 3/31/14	Projected through 9/30/2014		
Other fees and charges					
Property appraiser	856	752	104	856	856
Tax collector	1,284	1,030	254	1,284	1,284
Total other fees and charges	<u>2,140</u>	<u>1,782</u>	<u>358</u>	<u>2,140</u>	<u>2,140</u>
Total expenditures	<u>263,231</u>	<u>107,859</u>	<u>164,792</u>	<u>272,651</u>	<u>246,208</u>
Excess/(deficiency) of revenues over/(under) expenditures	(22,710)	114,133	(146,109)	(31,976)	(4,000)
Fund balance - beginning	101,705	111,244	225,377	111,244	79,268
Fund balance- ending (projected)	<u>\$ 78,995</u>	<u>\$ 225,377</u>	<u>\$ 79,268</u>	<u>\$ 79,268</u>	<u>\$ 75,268</u>

Assessment Summary

	Units	Proposed		Total Revenue
		FY 2014 Assessment	FY 2015 Assessment	
Single family	787	\$ 308.16	\$ 307.98	\$ 242,380.26
Multi family - east	69	\$ 116.24	\$ 143.85	9,925.65
Total	<u>856</u>			<u>\$ 252,305.91</u>

**MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES

Professional & admin

Supervisors	\$ 6,459
<p>Statutorily set at \$200 (plus applicable taxes) for each meeting of the Board of Supervisors not to exceed \$4,800 for each fiscal year. The District anticipates six (6) meetings during the fiscal year.</p>	
Management/recording	44,802
<p>Wrathell, Hunt and Associates, LLC, specializes in managing Community Development Districts in the State of Florida by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all governmental requirements of the District, develop financing programs, administer the issuance of tax exempt bond financings, and operate and maintain the assets of the community.</p>	
Legal - general counsel	15,000
<p>Hopping Green and Sams provide on-going general counsel and legal representation. These lawyers are confronted with issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts. In this capacity, they provide service as "local government lawyers," realizing that this type of local government is very limited in its scope – providing infrastructure and services to developments.</p>	
Engineering	10,000
<p>The District's engineer provides a broad array of engineering, consulting and construction services to the District. These services assist with the crafting of sustainable solutions for the long term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.</p>	
Audit	4,300
<p>Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures.</p>	
Accounting	8,742
<p>Wrathell, Hunt and Associates, LLC, is responsible for the preparation of all financial work related to the District's governmental funds, including monthly financials and annual budgets.</p>	
Assessment roll preparation	12,875
<p>Wrathell, Hunt and Associates, LLC, is responsible for the preparation and administration of the assessment rolls for all funds of the District.</p>	
Arbitrage rebate calculation	1,200
<p>To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.</p>	
Dissemination agent	1,000
<p>The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities & Exchange Act of 1934. The Dissemination Agent for the District is the District's Underwriter - Prager Sealy and Company, LLC.</p>	
Trustee	3,150
<p>Annual fees paid to U.S. Bank for the services they provide as trustee, paying agent and registrar.</p>	

**MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES (continued)

Telephone		500
Telephone and fax machine.		
Postage		1,250
Mailing of agenda packages, overnight deliveries, correspondence, etc.		
Printing & binding		1,100
Letterhead, envelopes, copies, agendas, etc.		
Legal advertising		1,500
The District advertises for monthly meetings, special meetings, public hearings, bidding, etc.		
Annual district filing fee		175
Annual fee paid to the Department of Economic Opportunity.		
Insurance		6,515
The District carries public officials and general liability insurance with policies written by Preferred Governmental Insurance Trust. The limit of liability is set at \$1,000,000 for general liability (\$2,000,000 general aggregate) and \$1,000,000 for public officials liability limit.		
Other current charges		1,000
Bank charges and other miscellaneous expenses incurred during the year.		
Website		500
Water management		
Other contractual		72,500
The District contracts with Lakemasters Aquatic Weed Control, Inc. for treatment and maintenance of the lakes and wetlands. This program includes aquatic weed control and wetland treatments for state recognized exotic plant materials. It is anticipated that the District will continue it's routine pipe and inlet inspection and cleaning program. It is proposed that this program be implemented on a rotational basis and lake banks on a priority basis.		
Lake and wetlands	\$ 45,000	
Fountain Repairs/Maint	7,500	
Pipes/inlets/lake banks	20,000	
Total	\$ 72,500	
Aquascaping		7,500
To address the periodic needs of supplementing the District's aquatic plan program to ensure compliance with the surface water management permit(s).		
Utilities		44,000
Electrical charges for fountains and aerators.		
Other fees & charges		
Property appraiser		856
Fees are \$1.00 per parcel on which the assessment is levied.		
Tax collector		1,284
Fees are \$1.50 per parcel on which the assessment is levied.		
Total expenditures		\$ 246,208

**MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND BUDGET - SERIES 2005
FISCAL YEAR 2015**

	Fiscal Year 2014			Total Revenue & Expenditures	Proposed Budget FY 2015
	Adopted Budget FY 2014	Actual through 3/31/14	Projected through 9/30/2014		
REVENUES					
Assessment levy: on-roll	\$ 752,399				\$ 749,791
Allowable discount (4%)	(30,096)				(29,992)
Assessment levy - net	722,303	\$ 663,355	\$ 58,948	\$ 722,303	719,799
Assessment prepayments	-	60,376	-	60,376	-
Interest	-	39	-	39	-
Total revenues	722,303	723,770	58,948	782,718	719,799
EXPENDITURES					
Debt service					
Principal	215,000	-	215,000	215,000	225,000
Principal prepayment	-	-	60,000	60,000	-
Interest	506,378	253,055	253,323	506,378	494,875
Total debt service	721,378	253,055	528,323	781,378	719,875
Excess/(deficiency) of revenues over/(under) expenditures	925	470,715	(469,375)	1,340	(76)
Beginning fund balance	1,194,768	1,232,376	1,703,091	1,232,376	1,233,716
Ending fund balance (projected)	<u>\$1,195,693</u>	<u>\$1,703,091</u>	<u>\$1,233,716</u>	<u>\$ 1,233,716</u>	<u>1,233,640</u>
Use of fund balance					
Debt service reserve account balance (required)					(635,056)
Interest expense - November 1, 2015					(241,419)
Projected fund balance surplus/(deficit) as of September 30, 2015					<u>\$ 357,165</u>

Moody River

Community Development District

Series 2005

\$10,710,000

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+
11/01/2012	\$ -	-	\$ 258,672.50	\$ 258,672.50
05/01/2013	205,000.00	5.350%	258,672.50	463,672.50
11/01/2013	-	-	253,188.75	253,188.75
05/01/2014	215,000.00	5.350%	253,188.75	468,188.75
11/01/2014	-	-	247,437.50	247,437.50
05/01/2015	225,000.00	5.350%	247,437.50	472,437.50
11/01/2015	-	-	241,418.75	241,418.75
05/01/2016	240,000.00	5.350%	241,418.75	481,418.75
11/01/2016	-	-	234,998.75	234,998.75
05/01/2017	250,000.00	5.350%	234,998.75	484,998.75
11/01/2017	-	-	228,311.25	228,311.25
05/01/2018	265,000.00	5.350%	228,311.25	493,311.25
11/01/2018	-	-	221,222.50	221,222.50
05/01/2019	280,000.00	5.350%	221,222.50	501,222.50
11/01/2019	-	-	213,732.50	213,732.50
05/01/2020	295,000.00	5.350%	213,732.50	508,732.50
11/01/2020	-	-	205,841.25	205,841.25
05/01/2021	310,000.00	5.350%	205,841.25	515,841.25
11/01/2021	-	-	197,548.75	197,548.75
05/01/2022	330,000.00	5.350%	197,548.75	527,548.75
11/01/2022	-	-	188,721.25	188,721.25
05/01/2023	350,000.00	5.350%	188,721.25	538,721.25
11/01/2023	-	-	179,358.75	179,358.75
05/01/2024	365,000.00	5.350%	179,358.75	544,358.75
11/01/2024	-	-	169,595.00	169,595.00
05/01/2025	385,000.00	5.350%	169,595.00	554,595.00
11/01/2025	-	-	159,296.25	159,296.25
05/01/2026	410,000.00	5.350%	159,296.25	569,296.25
11/01/2026	-	-	148,328.75	148,328.75
05/01/2027	430,000.00	5.350%	148,328.75	578,328.75
11/01/2027	-	-	136,826.25	136,826.25
05/01/2028	455,000.00	5.350%	136,826.25	591,826.25
11/01/2028	-	-	124,655.00	124,655.00
05/01/2029	480,000.00	5.350%	124,655.00	604,655.00
11/01/2029	-	-	111,815.00	111,815.00
05/01/2030	505,000.00	5.350%	111,815.00	616,815.00
11/01/2030	-	-	98,306.25	98,306.25
05/01/2031	535,000.00	5.350%	98,306.25	633,306.25
11/01/2031	-	-	83,995.00	83,995.00

Moody River

Community Development District

Series 2005

\$10,710,000

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I
05/01/2032	565,000.00	5.350%	83,995.00	648,995.00
11/01/2032	-	-	68,881.25	68,881.25
05/01/2033	595,000.00	5.350%	68,881.25	663,881.25
11/01/2033	-	-	52,965.00	52,965.00
05/01/2034	625,000.00	5.350%	52,965.00	677,965.00
11/01/2034	-	-	36,246.25	36,246.25
05/01/2035	660,000.00	5.350%	36,246.25	696,246.25
11/01/2035	-	-	18,591.25	18,591.25
05/01/2036	695,000.00	5.350%	18,591.25	713,591.25
Total	\$9,670,000.00	-	\$7,759,907.50	\$17,429,907.50

**MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT DISTRICT
PROJECTED ASSESSMENTS
GENERAL FUND AND DEBT SERVICE FUND**

Number of Units	Unit Type	Projected Fiscal Year 2015			FY 14 Assessment
		GF	DSF	GF & DSF	
114	Carriage-Center	\$ 307.98	\$ 439.00	\$ 746.98	\$ 747.16
182	Coach-Center	\$ 307.98	\$ 583.00	\$ 890.98	\$ 891.16
123	Signature 50X135-Center	\$ 307.98	\$ 728.00	\$1,035.98	\$ 1,036.16
95	Estate 71.25X135-Center	\$ 307.98	\$ 920.00	\$1,227.98	\$ 1,228.16
140	Estate 71.25X135-South	\$ 307.98	\$ 1,553.00	\$1,860.98	\$ 1,861.16
56	Signature 50X135-North	\$ 307.98	\$ 1,261.00	\$1,568.98	\$ 1,569.16
77	Estate 71.25X135-North	\$ 307.98	\$ 1,553.00	\$1,860.98	\$ 1,861.16
55	Multifamily-East	\$ 143.85	* \$ 186.26	** \$ 330.11	\$ 302.50
14	Single Family-East	\$ 143.85	* \$ -	** \$ 143.85	\$ 302.50
<u>856</u>					

Note: All units except for those located east of Moody Road ("East Units") pay for all expenditure categories contained in the District's General Fund Budget, including Professional & Administrative, Other Fees and Charges, and Water Management expenditures. All units in the District, except for the East Units, benefit on an equal residential unit basis from the administrative and general governmental functions of the District and the flood protection provided by the proper maintenance of the Water Management system. The proper maintenance and operation of the Water Management system assists in the prevention of damage to property caused by floods, lowers insurance premiums for property constructed on individual lots, and allows for orderly drainage so that property owners can maximize the use and enjoyment of their properties and common areas. The District has determined that the East Units do not receive similar benefits as other units in the District from the existing Water Management system. Therefore, the East Units only pay for the Professional & Administrative and Other Fees and Charges expenditures, and they do so at the same rate as the other units in the District.

* Assessments for GF expenditures for unplatted lands located east of Moody Road are based on 55 multifamily and 14 single family units as contemplated in the District's agreement with the current landowner.

** Assessments for DSF expenditures levied on unplatted lands located east of Moody Road are based on the benefit received by such lands. The "per unit" allocation is an illustration based on a mathematical division of the total annual amount by the 55 multi family and 14 single family units as contemplated in the District's agreement with the current landowner, subject to the adjustment for the prepayment of the entire assessment principal on the parcel with 14 single family units. See assessment roll for total amounts levied against each unplatted parcel.

RESOLUTION 2014-9

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT MAKING A DETERMINATION OF BENEFIT; IMPOSING SPECIAL ASSESSMENTS; PROVIDING FOR THE COLLECTION AND ENFORCEMENT OF SPECIAL ASSESSMENTS, INCLUDING BUT NOT LIMITED TO PENALTIES AND INTEREST THEREON; CERTIFYING AN ASSESSMENT ROLL; PROVIDING FOR AMENDMENTS TO THE ASSESSMENT ROLL; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Moody River Estates Community Development District (the “District”) is a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes for the purpose of providing, operating and maintaining infrastructure improvements, facilities and services to the lands within the District; and

WHEREAS, the District is located in Lee County, Florida (the “County”); and

WHEREAS, the District has constructed or acquired various infrastructure improvements and provides certain services in accordance with the District’s adopted capital improvement plan and Chapter 190, Florida Statutes; and

WHEREAS, the Board of Supervisors of the District (“Board”) hereby determines to undertake various operations and maintenance activities described in the District’s budgets for Fiscal Year 2014-2015 (“Budget”), attached hereto as Exhibit “A” and incorporated by reference herein; and

WHEREAS, the District must obtain sufficient funds to provide for the operation and maintenance of the services and facilities provided by the District as described in the District’s Budget; and

WHEREAS, the provision of such services, facilities, and operations is a benefit to lands within the District; and

WHEREAS, Chapter 190, Florida Statutes, provides that the District may impose special assessments on benefitted lands within the District; and

WHEREAS, Chapter 197, Florida Statutes, provides a mechanism pursuant to which such special assessments may be placed on the tax roll and collected by the local tax collector (“Uniform Method”); and

WHEREAS, the District has previously evidenced its intention to utilize this Uniform Method; and

WHEREAS, the District has approved an Agreement with the Property Appraiser and Tax Collector of the County to provide for the collection of the special assessments under the Uniform Method; and

WHEREAS, the District has previously levied an assessment for debt service, which the District desires to collect on the tax roll pursuant to the Uniform Method and which is also indicated on Exhibit “A”; and

WHEREAS, it is in the best interests of the District to proceed with the imposition of the special assessments for operations and maintenance in the amount set forth in the Budget; and

WHEREAS, it is in the best interests of the District to adopt the Assessment Roll of the Moody River Estates Community Development District (the “Assessment Roll”) attached to this Resolution as Exhibit “B” and incorporated as a material part of this Resolution by this reference, and to certify the Assessment Roll to the County Tax Collector pursuant to the Uniform Method; and

WHEREAS, it is in the best interests of the District to permit the District Manager to amend the Assessment Roll, certified to the County Tax Collector by this Resolution, as the Property Appraiser updates the property roll for the County, for such time as authorized by Florida law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. BENEFIT. The provision of the services, facilities, and operations as described in Exhibit “A” confers a special and peculiar benefit to the lands within the District, which benefit exceeds or equals the costs of the assessments. The allocation of the costs to the specially benefitted lands is shown in Exhibits “A” and “B” and is hereby found to be fair and reasonable.

SECTION 2. ASSESSMENT IMPOSITION. Pursuant to Chapter 190 of the Florida Statutes, and using the procedures authorized by Florida law for the levy and collection of special assessments, a special assessment for operation and maintenance is hereby imposed and levied on benefitted lands within the District, and in accordance with Exhibits “A” and “B.” The lien of the special assessments for operations and maintenance imposed and levied by this Resolution shall be effective upon passage of this Resolution.

SECTION 3. COLLECTION. The collection of the operation and maintenance special assessments shall be at the same time and in the same manner as County taxes in accordance with the Uniform Method. The District shall also collect its previously levied debt service assessments pursuant to the Uniform Method, as indicated on Exhibits “A” and “B.” The decision to collect special assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect special assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any

given year, regardless of past practices.

SECTION 4. ASSESSMENT ROLL. The District's Assessment Roll, attached to this Resolution as Exhibit "B," is hereby certified to the County Tax Collector and shall be collected by the County Tax Collector in the same manner and time as County taxes. The proceeds therefrom shall be paid to the Moody River Estates Community Development District.

SECTION 5. ASSESSMENT ROLL AMENDMENT. The District Manager shall keep apprised of all updates made to the County property roll by the Property Appraiser after the date of this Resolution, and shall amend the District's Assessment Roll in accordance with any such updates, for such time as authorized by Florida law, to the County property roll. After any amendment of the Assessment Roll, the District Manager shall file the updates in the District records.

SECTION 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.

SECTION 7. EFFECTIVE DATE. This Resolution shall take effect upon the passage and adoption of this Resolution by the Board of Supervisors of the Moody River Estates Community Development District.

PASSED AND ADOPTED this ____ day of _____, 2014.

ATTEST:

**MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT
DISTRICT**

Secretary / Assistant Secretary

By:_____

Its:_____

- Exhibit A:** Budget
- Exhibit B:** Assessment Roll

RESOLUTION 2014-10

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT DECLARING A VACANCY IN SEAT 5 OF THE BOARD OF SUPERVISORS PURSUANT TO SECTION 190.006(3)(b), FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Moody River Estates Community Development District (the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

WHEREAS, on November 4, 2014, two (2) members of the Board of Supervisors (the “Board”) are to be elected by the Qualified Electors of the District, as that term is defined in Section 190.003, Florida Statutes; and

WHEREAS, the District published a notice of qualifying period set by the Supervisor of Elections at least two (2) weeks prior to the start of said qualifying period; and

WHEREAS, at the close of the qualifying period only one (1) Qualified Elector qualified to run for the two (2) seats available for election by the Qualified Electors of the District; and

WHEREAS, pursuant to Section 190.006(3)(b), Florida Statutes, the Board shall declare the remaining seat vacant, effective the second Tuesday following the general election; and

WHEREAS, a Qualified Elector is to be appointed to the vacant seat within 90 days thereafter; and

WHEREAS, the Board finds that it is in the best interests of the District to adopt this Resolution declaring the seat available for election as vacant.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The following seat is hereby declared vacant effective as of November 18, 2014:

Seat #5 (currently held by Kathy Shea)

SECTION 2. Until such time as the District Board nominates a Qualified Elector to fill the vacancy declared in Section 1 above, the incumbent Board member of that respective seat shall remain in office.

SECTION 3. This Resolution shall become effective upon its passage.

PASSED AND ADOPTED this _____ day of _____, 2014.

ATTEST:

**MOODY RIVER ESTATES COMMUNITY
DEVELOPMENT DISTRICT**

Print Name:_____

Chairperson

LAKEMASTERS
AQUATIC WEED CONTROL, INC

P.O. BOX 2300 Palm City, Florida 34991
Office: 877-745-5729 // Fax 239-466-0400

WORK ORDER

Date: 6/25/14

Requested by: Cleo Crismond

Terms: Net 30 Days

Property: Moody River CDD
C/O Wrathell, Hart, Hunt & Associates
9220 Bonita Beach Road Suite 214
Bonita Springs, FL 34135

Re: Debris/Trash Removal


<u>Item#</u>	<u>Qty.</u>	<u>Description</u>	<u>unit price</u>	<u>total price</u>
1	1	Remove and dispose of construction debris/trash in the wetlands south of Skyline.	\$500.00	\$500.00

Subtotal \$500.00
Sales Tax EXEMPT
Shipping \$0
Total Due \$500.00

Instructions:

Please sign below to authorize the above work to be done. Please direct any inquiries to Dustin Hormann, Wetlands & Uplands Manager 239-229-5742

Customer: _____ **Date:** _____

LAKEMASTERS:  **Date:** 6/25/14

1 **MINUTES OF MEETING**
2 **MOODY RIVER ESTATES**
3 **COMMUNITY DEVELOPMENT DISTRICT**
4

5 A Special Meeting of the Moody River Estates Community Development District's
6 Board of Supervisors was held on **Thursday, June 5, 2014**, at **1:00 p.m.** in the **Clubhouse at**
7 **Moody River Estates, 3050 Moody River Blvd., North Fort Myers, Florida 33903.**
8

9 **Present and constituting a quorum were:**

10		
11	Ilse Mayer	Chair
12	Jeff Berry	Assistant Secretary
13	Terry Pye	Assistant Secretary
14	Frank Reynolds	Assistant Secretary
15		
16		

17 **Also present were:**

18		
19	Chuck Adams	District Manager
20	Cleo Crismond	Assistant Regional Manager
21	Chuck Bowen	District Counsel
22	Carl Barraco	District Engineer
23	Wes Kayne	Barraco & Associates
24	John Teckorius	Resident
25		
26		

27 **FIRST ORDER OF BUSINESS**

Call to Order/Roll Call

28
29 Mr. Adams called the meeting to order at 1:00 p.m., and noted, for the record, that
30 Supervisors Mayer, Berry, Pye and Reynolds were present, in person. Supervisor Shea was not
31 present.
32

33 **SECOND ORDER OF BUSINESS**

Public Comments (*agenda items*)

34
35 There being no public comments on agenda items, the next item followed.
36

37 **THIRD ORDER OF BUSINESS**

**Consideration of Resolution 2014-7,
Approving Proposed Budgets for Fiscal
Year 2014/2015 and Setting a Public
Hearing Thereon Pursuant to Florida
Law**
38
39
40
41

42 Mr. Adams presented Resolution 2013-9 for the Board’s consideration. He explained
43 that, as a governmental entity and in accordance with Florida Statutes, the District is required to
44 approve a draft budget, each year, prior to June 15, for the purpose of setting the public hearing
45 and distribution to local municipalities. Mr. Adams advised that the public hearing for the final
46 adoption of the budget cannot occur earlier than 60 days from the date the proposed budget is
47 approved. He anticipated that the public hearing will be held on August 21, 2014 at 1:00 p.m., at
48 this location.

49 Mr. Adams noted that, generally, the proposed budget does not anticipate any significant
50 changes, year over year; however, there are a few exceptions. He advised that the “Audit” line
51 item was reduced from \$6,300 to \$4,300 and the “Other contractual” expenditure was reduced
52 from \$97,500 to \$72,500. Mr. Adams noted that catch basin and inlet cleaning was performed
53 the last several years and are functioning well; therefore, the expenditure can be reduced.

54 Mr. Adams referred to the “Excess/(deficiency) of revenues over/(under) expenditures”,
55 on Page 2, and noted that \$22,710 of fund balance was utilized to avoid the need for an
56 assessment increase in Fiscal Year 2014. He stated that, in the right-hand column, “Proposed FY
57 2015”, the amount was reduced to \$0.00, as the District will not offset the expenditures this
58 fiscal year. Under “Assessment Summary”, Mr. Adams pointed out a \$2 decrease in
59 assessments, from the current fiscal year.

60 Mr. Adams pointed out the “Definitions of General Fund Expenditures”, provided on
61 Pages 3 and 4, and the “Debt Service Schedule”, provided on Pages 6 and 7. He indicated that
62 the debt will retire in May, 2036. Mr. Adams stated that the “Projected Assessments” are
63 summarized, on Page 8, and provides a year-over-year comparison. He reiterated that
64 assessments will decrease by \$2 in Fiscal Year 2015.

65 Mr. Adams advised that the budget will continue to carry the note explaining that the
66 Mood Development property is only assessed for administrative costs, as they are not located
67 within the developed boundaries of the District or connected to the District’s facilities, including
68 the stormwater management system.

69 Mr. Adams recalled that the District made a commitment, several years ago, to join the
70 National Pollution Discharge Elimination System (NPDES), as a co-permittee, to provide the
71 necessary coverage as an owner of a municipal separate storm sewer system (MS4). He stated
72 that the budget must be modified to include the program. Mr. Adams explained that the District

73 will complete an application and be included as a co-permittee during the next five-year
74 permitting cycle. He conveyed that approximately \$5,000 in fees will be incurred to prepare the
75 application and inventory maps; a portion of the fund balance may be used to offset the
76 unexpected expenditure. Mr. Adams recommended that the Board authorize Staff to utilize fund
77 balance to offset a portion of the NPDES related expenditure to maintain assessments at or
78 slightly below the current year assessment levels.

79 Mr. Adams advised that the fund balance is currently approximately \$80,000 against an
80 annual budget of \$240,000. He recalled his recommendation that the District maintain a fund
81 balance of at least 20% to 25% of the annual budget to address the gap funding needs in October,
82 November and December expenses.

83

On MOTION by Mr. Pye and seconded by Ms. Mayer, with all in favor, Resolution 2014-7, Approving Proposed Budgets for Fiscal Year 2014/2015, as amended, and Setting a Public Hearing Thereon Pursuant to Florida Law for August 21, 2014 at 1:00 p.m., and authorizing utilization of fund balance to fund the NPDES expenditures and maintain the proposed assessment level, was adopted.

84

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FOURTH ORDER OF BUSINESS

Approval of April 24, 2014 Regular Meeting Minutes

94

95

96

Mr. Adams presented the April 24, 2014 Regular Meeting Minutes and asked for any additions, deletions or corrections.

97

98

The following changes were made:

99

Line 21: Change “Cane” to “Kayne”

100

Line 320: Change “Mr. _____” to “Mr. Teckorius”

101

Line 322: Change “Mr. _____” to “Mr. Adams”

102

Line 323: Change Mr. “_____” to “Mr. Bowen”

103

104

On MOTION by Ms. Mayer and seconded by Mr. Berry, with all in favor, the April 24, 2014 Regular Meeting Minutes, as amended, were approved.

105

106

107

108

109 **FIFTH ORDER OF BUSINESS** **Other Business**

110

111 There being no other business, the next item followed.

112

113 **SIXTH ORDER OF BUSINESS** **Staff Reports**

114

115 **A. Attorney**

116 Mr. Bowen reported that the legislature just wrapped concluded its most recent session
117 and several bills impacting CDDs were passed. He indicated that his office is analyzing the bills
118 and he will provide additional information at a later date.

119 Mr. Bowen highlighted that legislation mandated that each District have a website in
120 place, by October 1, 2015. The Board confirmed that the District already has a website. In
121 response to Mr. Bowen's question, Mr. Adams confirmed that the website is specific to Moody
122 River Estates CDD. Mr. Bowen indicated that certain items must be displayed on the website,
123 such as who serves on the Board, the most recent audit, the establishment documents, etc.; he
124 noted that he will verify that the District's website is in compliance.

125 Mr. Bowen stated that the legislature passed a reform bill that will require every elected
126 official to attend an ethics education class. Mr. Bowen indicated that he is awaiting additional
127 information on this and will communicate his findings to the Board.

128 Mr. Bowen conveyed that the legislature increased the power and enforcement remedies
129 of the joint legislative audit committee, which is the committee that receives the District's annual
130 audits. The committee will be able to enforce the rules on districts that do not comply with the
131 submission of the annual audit.

132 Discussion ensued regarding the ethics education class.

133 **B. Engineer**134 **i. MS4 Permitting and Regulation**

135 ****This item, previously Item 6.A.i. was presented out of order.****

136 Mr. Barraco indicated the MS4 is a requirement of the NPDES permit.

137 Mr. Barraco introduced Mr. Wes Kayne, who handles the MS4 permitting process at
138 Barraco & Associates.

139 Mr. Bowen indicated that his office prepared a memorandum regarding the MS4 and
140 CDDs, which serves as an introduction to the MS4 process. Mr. Bowen expressed his opinion
141 that Moody River Estates CDD is ahead of the curve, as all the groundwork has been performed.

142 Mr. Bowen referred to the Hopping Green & Sams, P.A. memorandum, located behind
143 Tab 6. He indicated that it was prepared and disseminated to all the districts that the firm
144 represents, in response to questions received regarding MS4 permitting and requirements.

145 Mr. Bowen explained the acronym and clarified that it refers to the stormwater systems.
146 The Environmental Protective Agency (EPA), at the federal level, adopted rules that require
147 MS4 to be regulated. He noted that the FDEP is implementing the rules but not regulating.

148 Mr. Bowen indicated that the MS4 systems are divided into “Type I”, “Type II” and
149 “unregulated” depending on the size of the system, the number of residents it serves and the
150 body of water into which the system discharges. He noted that a series of technical engineering
151 requirements or designations determines the type of MS4 system. Mr. Bowen clarified that
152 Types I and II are required to be permitted under the EPA’s regulations.

153 Mr. Kayne explained that a CDD can seek its own MS4 permit or “piggyback”, as a co-
154 permittee through the county’s permit. He noted that, typically, CDDs file as a co-permittee.
155 Mr. Kayne advised that, several years ago, his predecessor was working on the permitting;
156 however, due to deadlines, it was decided that the District should forego the application until the
157 next seven-year cycle. Mr. Bowen voiced his understanding that a discussion was held with the
158 county and the county concurred that the District should wait until the next cycle. Mr. Kayne
159 concurred.

160 Mr. Kayne indicated that he was advised by a Lee County representative that new
161 applicants can begin to submit applications during the fourth year. He expressed his
162 understanding that the District will not have to comply with the requirements until the next cycle
163 begins. Mr. Kayne advised that Staff will lead the inspection of the structural integrity, which
164 include the lakes, swales and dry retention areas (DRAs) and noted that there is a total maximum
165 daily load (TMDL) for nitrogen levels. Mr. Kayne indicated that inventory maps and exhibits
166 will be created and affixed to the application, subsequent to inspection of those items.

167 Mr. Barraco summarized that, although the District did not meet the prior deadline, it is
168 now appropriate to submit the application and continue the process.

169 Ms. Mayer asked if it is a mandatory process. Mr. Barraco advised that his firm is
170 involved with approximately ten districts and the majority have filed as co-permittees. Mr.
171 Barraco stated that, whether permitting is mandatory is a gray area; however, it is a “good way”
172 for the District to monitor and maintain its stormwater system. He clarified that 20% of the
173 District’s system must be inspected every year; therefore, the entire system is inspected during
174 the five-year cycle.

175 Ms. Mayer asked for an explanation of the advantages. Mr. Barraco reiterated that the
176 District’s system will be maintained and pointed out that the prior rainy season was heavy and
177 many districts experienced flooding. Mr. Barraco stated that, in his opinion, the flooding was
178 related directly to the lack of maintenance of their stormwater system; maintenance is important.
179 Mr. Barraco indicated that reporting to the county will provide the District with documented
180 proof that the system is operating the way it was designed.

181 Mr. Reynolds indicated that two different dates were provided for the application
182 process; he requested clarification. Mr. Kayne clarified that the District can apply during the
183 fourth year of the cycle; currently, it is the third year of the seven-year cycle. Mr. Reynolds
184 questioned whether the inspections will be performed too early and will expire by the time the
185 application is submitted. Mr. Kayne advised that his firm will begin compiling the application
186 documents. Mr. Barraco stressed that the maps will not change; they might be updated but they
187 will not change.

188 Mr. Reynolds noted that Mr. Barraco indicated that the MS4 permitting process will
189 ensure that the stormwater system is properly maintained and questioned whether the District has
190 a process currently in place. Mr. Adams confirmed procedures are currently in place to ensure
191 that the system is properly maintained. Mr. Barraco indicated that the NPDES program will
192 ensure that the entire system is maintained.

193 Mr. Adams clarified that a system is not in place, from a water quality perspective;
194 however, the aquatic vegetation is maintained through the current contractor. The catch basins
195 have been inspected and cleaned during the last several years. This program will assist the
196 District in creating a “benchmark”, in terms of the District’s water quality, and that the system is
197 performing as designed to improve water quality before it is discharged into the canal system.

198 Mr. Adams indicated that, as a co-permittee, the District will enjoy many financial
199 benefits. Lee County will handle all of the educational requirements and will pick up hazardous
200 materials.

201 Ms. Mayer asked if this process will increase assessments. Mr. Adams indicated that the
202 NPDES Report is approximately \$15,000 and noted that the District will be notified by the
203 county if additional testing must be performed before it becomes a bigger issue. Mr. Reynolds
204 asked if another line item will be reduced, as a result of including the MS4 Permitting and
205 NPDES Report. Mr. Adams stated that the District is currently running a “tight shop” and the
206 NPDES program will generate a \$10 per door front assessment increase, moving forward. Mr.
207 Adams advised that the permitting process and report would be far more expensive if the District
208 undertakes the process on its own rather than as a co-permittee.

209 **C. Manager**

210 **i. Approval of Unaudited Financial Statements as of April 30, 2014**

211 Mr. Adams presented the Unaudited Financial Statements as of April 30, 2014. He
212 pointed out that assessment levy collections were at 94%, as of April 30, 2014.

213 Mr. Adams advised that the Mood parcel underwent a successful tax certificate sale and
214 sold for approximately \$14,000; therefore, the District is 100% collected, at this point.

215 **ii. 533 Registered Voters in District as of April 15, 2014**

216 There were 533 registered voters residing within the boundaries of the District as of April
217 15, 2014.

218 **▪ Mood Development Status Update**

219 *****This item was an addition to the agenda.*****

220 Mr. Adams recalled that the District is to receive approximately \$126,000 in reimbursed
221 legal fees as part of the settlement with Mood Development; however, all attempts to deliver the
222 invoice package, with a proof of receipt signature, have failed. Mr. Adams advised that Staff
223 will continue to attempt delivery at their address of record, on the property appraiser’s website
224 and to the address on the settlement agreement, which are the same. If all attempts fail, other
225 methods of delivery will be investigated.

226 **iii. NEXT MEETING DATES:**

- 227 **• June 19, 2014 at 1:00 P.M.**
228 **• August 21, 2014 at 1:00 P.M.**

229 The Board agreed to cancel the June 19, 2014 meeting; therefore, the next meeting will
230 be held on August 21, 2014 at 1:00 p.m., at this location.

231

232 **SEVENTH ORDER OF BUSINESS** **Public Comments (*non-agenda items*)**

233

234 Mr. John Teckorius, a resident, questioned whether the number of units, on Page 8 of the
235 proposed budget, is accurate. Mr. Adams explained that the number of units will be adjusted,
236 when the replat is approved. Mr. Adams noted that the replat is in the process of being
237 approved; the dedications will be finalized today.

238

239 Mr. Teckorius asked if the fees that are incurred to properly transmit the invoices to
240 Mood Development can be supplemented to the \$126,000. Mr. Adams indicated that
241 Management is not paid on an hourly rate. Mr. Teckorius pointed out that the attempts can add
242 up to many hours. Mr. Bowen advised that he will bring the matter up for discussion, during a
243 Board Meeting, if the cost of pursuing that funding becomes a large expense. Mr. Adams noted
244 that, if it is a couple of hours, it will not be worth pursuing; however, if the District must file a
245 separate lawsuit to enforce the settlement, the additional fees will be added at that time.

246

247 Mr. Reynolds indicated that he was under the impression that Mood East had 190 multi-
248 family units and the settlement agreement reflects 55 multi-family and 14 single-family homes.
249 Mr. Adams clarified that Mood Development changed their plans and the settlement agreement
250 recognizes the change. Mr. Adams indicated that a declaration was filed to reflect the change.

251

252 In response to a question regarding the bird perches, Mr. Adams reported that Mr. Tom
253 Ward decided not to pursue this item at this time.

254

255 **EIGHTH ORDER OF BUSINESS** **Supervisors' Requests**

256

257 There being no Supervisors' requests, the next item followed

258

259 **NINTH ORDER OF BUSINESS** **Adjournment**

260

261 There being nothing further to discuss, the meeting adjourned.

262

**On MOTION by Ms. Mayer and seconded by Mr. Berry, with
all in favor, the meeting adjourned at 1:38 p.m.**

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Secretary/Assistant Secretary

Chair/Vice Chair

**MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
JUNE 30, 2014**

**MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
JUNE 30, 2014**

	Major Funds			Total Governmental Funds
	General	Debt Service	Capital Projects	
ASSETS				
Cash - SunTrust	\$ 297,429	\$ -	\$ -	\$ 297,429
Investments				
Revenue	-	448,651	-	448,651
Reserve	-	635,078	-	635,078
Prepayment	-	378	-	378
Deferred cost	-	80,281	-	80,281
Due from other funds				
General	-	138,250	-	138,250
Total assets	<u>\$ 297,429</u>	<u>\$ 1,302,638</u>	<u>\$ -</u>	<u>\$ 1,600,067</u>
LIABILITIES AND FUND BALANCES				
Liabilities:				
Accounts payable	\$ 5,200	\$ -	\$ -	\$ 5,200
Due to other funds				
Debt service	138,250	-	-	138,250
Total liabilities	<u>143,450</u>	<u>-</u>	<u>-</u>	<u>143,450</u>
Fund Balances:				
Reserved for:				
Debt service	-	1,302,638	-	1,302,638
Unreserved, reported in:				
Unreserved, undesignated	153,979	-	-	153,979
Total fund balances	<u>153,979</u>	<u>1,302,638</u>	<u>-</u>	<u>1,456,617</u>
Total liabilities and fund balances	<u>\$ 297,429</u>	<u>\$ 1,302,638</u>	<u>\$ -</u>	<u>\$ 1,600,067</u>

**MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUND
FOR THE PERIOD ENDED JUNE 30, 2014**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Assessment levy	\$ 4,376	\$ 242,870	\$ 240,521	101%
Interest and miscellaneous	14	117	-	N/A
Total revenues	<u>4,390</u>	<u>242,987</u>	<u>240,521</u>	101%
EXPENDITURES				
Professional & admin				
Supervisor	645	2,368	6,459	37%
Management	3,734	33,602	44,802	75%
Accounting services	729	6,557	8,742	75%
Audit	-	4,000	6,300	63%
Assessment roll services	1,072	9,656	12,875	75%
Arbitrage rebate calculations	-	-	1,200	0%
Dissemination agent	-	1,000	1,000	100%
Trustee	-	-	3,150	0%
Legal - general counsel	2,368	12,108	15,000	81%
Engineering	1,705	10,485	5,000	210%
Postage	295	1,982	1,250	159%
Telephone	41	375	500	75%
Insurance	-	5,923	6,038	98%
Printing & binding	92	825	1,100	75%
Legal advertising	426	2,795	1,500	186%
Other current charges	46	458	1,000	46%
Annual district filing fee	-	175	175	100%
Total professional & admin	<u>11,153</u>	<u>92,309</u>	<u>116,091</u>	80%
Water management				
Other contractual	3,477	72,898	97,500	75%
Utilities	4,259	33,263	40,000	83%
Aquascaping	-	-	7,500	0%
Total water management	<u>7,736</u>	<u>106,161</u>	<u>145,000</u>	73%
Other fees and charges				
Property appraiser	-	752	856	88%
Tax collector	-	1,030	1,284	80%
Total other fees and charges	<u>-</u>	<u>1,782</u>	<u>2,140</u>	83%
Total expenditures	<u>18,889</u>	<u>200,252</u>	<u>263,231</u>	76%
Excess/(deficiency) of revenues over/(under) expenditures	(14,499)	42,735	(22,710)	
Fund balance - beginning	168,478	111,244	101,705	
Fund balance - ending	<u>\$ 153,979</u>	<u>\$ 153,979</u>	<u>\$ 78,995</u>	

**MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2005
FOR THE PERIOD ENDED JUNE 30, 2014**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessment levy	\$ 13,142	\$ 726,287	\$ 722,303	101%
Assessment prepayments	64,648	125,023	-	N/A
Interest	6	62	-	N/A
Total revenues	<u>77,796</u>	<u>851,372</u>	<u>722,303</u>	118%
EXPENDITURES				
Principal	-	215,000	215,000	100%
Principal prepayment	-	60,000	-	N/A
Interest	-	506,110	506,378	100%
Total expenditures	<u>-</u>	<u>781,110</u>	<u>721,378</u>	108%
Excess/(deficiency) of revenues over/(under) expenditures	77,796	70,262	925	
Fund balance - beginning	<u>1,224,842</u>	<u>1,232,376</u>	<u>1,194,768</u>	
Fund balance - ending	<u><u>\$ 1,302,638</u></u>	<u><u>\$ 1,302,638</u></u>	<u><u>\$ 1,195,693</u></u>	

**MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
CAPITAL PROJECTS FUND SERIES 2005
FOR THE PERIOD ENDED JUNE 30, 2014**

	Current Month	Year to Date
REVENUES	\$ -	\$ -
Total revenues	-	-
 EXPENDITURES		
Capital outlay	-	291
Total expenditures	-	291
 Excess/(deficiency) of revenues over/(under) expenditures	-	(291)
 Fund balance - beginning	-	291
Fund balance - ending	\$ -	\$ -

MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT

FISCAL YEAR 2015 PROPOSED MEETING SCHEDULE

	Date	Time	Potential Discussion Focus
1	Thursday, October 16, 2014	1:00 PM	Regular Meeting
2	Thursday, January 15, 2015	1:00 PM	Regular Meeting
3	Thursday, March 19, 2015	1:00 PM	Regular Meeting
4	Thursday, May 21, 2015	1:00 PM	Approve Fiscal Year 2016 Proposed Budget
5	Thursday, June 18, 2015	1:00 PM	Regular Meeting
6	Thursday, August 20, 2015	1:00 PM	Adopt Fiscal Year 2016 Final Budget

Meeting Location: **Clubhouse at Moody River Estates, 3050 Moody River Blvd., North Fort Myers, FL 33903**