

McCarty's Choice
Community Development District

Meeting Agenda

September 16, 2026

AGENDA

McCarty's Choice

Community Development District

219 E. Livingston St., Orlando, Florida 32801

Phone: 407-841-5524 – Fax: 407-839-1526

September 9, 2026

Board of Supervisors Meeting McCarty's Choice Community Development District

Dear Board Members:

A meeting of the Board of Supervisors of the **McCarty's Choice Community Development District** will be held on **Wednesday, September 16, 2026 at 11:00 AM** at the **Port St. Lucie Community Center (Meeting Room E), 2195 SE Airoso Blvd., Port Saint Lucie, FL 34984.**

Zoom Video Link: <https://us06web.zoom.us/j/86476803833>

Call-In Information: 1-646-876-9923

Meeting ID: 864 7680 3833

Following is the advance agenda for the meeting:

Board of Supervisors Meeting

1. Roll Call
2. Public Comment Period (Public Comments will be limited to three (3) minutes each)
3. Approval of Minutes of the July 10, 2026 Organizational Meeting and Landowners' Meeting
4. Public Hearings
 - A. Public Hearing on the Imposition of Special Assessments
 - i. Presentation of Engineer's Report
 - ii. Presentation of Master Assessment Methodology
 - iii. Consideration of Resolution 2026-33 Levying Special Assessments
 - iv. Consideration of Master Notice of Special Assessments
 - B. Public Hearing on the District's Use of the Uniform Method of Levying, Collection, and Enforcement of Non-Ad Valorem Assessments
 - i. Consideration of Resolution 2026-34 Expressing the District's Intent to Utilize the Uniform Method of Collection
 - C. Public Hearing on the Adoption of the Fiscal Year 2025/2026 Budget & the Fiscal Year 2026/2027 Budget
 - i. Consideration of Resolution 2026-35 Adopting the District's Fiscal Year 2025/2026 Budget & Fiscal Year 2026/2027 Budget and Appropriating Funds
 - D. Public Hearing on the Adoption of Rules of Procedure and Amenity Rates & Disciplinary Rules for the District

- i. Consideration of Resolution 2026-36 Adopting Rules of Procedure and Amenity Rates & Disciplinary Rules for the District
5. Consideration of Resolution 2026-37 Designation of Regular Monthly Meeting Date, Time, and Location for Fiscal Year 2027 Meetings
6. Review and Ranking of Proposals for District Engineering Services and Selection of a District Engineer
7. Staff Reports
 - A. Attorney
 - B. Engineer
 - C. District Manager's Report
 - i. Balance Sheet & Income
 - ii. Approval of Funding Request No. 2
8. Other Business
9. Supervisors Requests and Audience Comments
10. Adjournment

MINUTES

**MINUTES OF MEETING
MCCARTY'S CHOICE
COMMUNITY DEVELOPMENT DISTRICT**

The Landowners meeting of the Board of Supervisors of the McCarty's Choice Community Development District was held **Friday, July 10, 2026**, at 10:09 a.m. at the Port St. Lucie Community Center, Meeting Room E, 2195 SE Airoso Blvd., Port Saint Lucie, Florida.

Present for the meeting were:

Jack Berry III
Jack Berry, Jr.
Jessica Kowalski
Justin Frye
Charleigh Berry
Jill Burns
Mitchell Zwang
Kinan Husainy *by Zoom*

FIRST ORDER OF BUSINESS

**Determination of Number of Voting Units
Represented**

Ms. Burns stated Jack Berry, Jr. is authorized to cast votes on behalf of McCarty Town Development, LLC.

SECOND ORDER OF BUSINESS

Call to Order

Ms. Burns called the meeting to order.

THIRD ORDER OF BUSINESS

**Election of Chairman for the Purpose of
Conducting the Landowners' Meeting**

Ms. Burns noted that she will act as Chair for the purpose of conducting the meeting.

FOURTH ORDER OF BUSINESS

Nominations for the Position of Supervisor

Mr. Berry nominated Jack Berry III, Jessica Kowalski, Charleigh Berry, Justin Frye, and Jack Berry, Jr.

FIFTH ORDER OF BUSINESS

Casting of Ballots

Mr. Berry cast 70 votes for Jack Berry III, 70 votes for Jessica Kowalski, 60 votes for Charleigh Berry, 60 votes for Justin Frye, and 60 votes Jack Berry, Jr.

SIXTH ORDER OF BUSINESS

Ballot Tabulation

Ms. Burns stated that Jack Berry III and Jessica Kowalski will serve 4-year terms. Charleigh Berry, Justin Frye, and Jack Berry, Jr. will serve 2-year terms.

SEVENTH ORDER OF BUSINESS

Landowner's Questions and Comments

There being no comments or questions, the next item followed.

EIGHTH ORDER OF BUSINESS

Adjournment

Ms. Burns adjourned the meeting.

Secretary/Assistant Secretary

Chairman/Vice Chairman

**MINUTES OF MEETING
MCCARTY’S CHOICE
COMMUNITY DEVELOPMENT DISTRICT**

The Organizational meeting of the Board of Supervisors of the McCarty’s Choice Community Development District was held **Friday, July 10, 2026**, at 10:09 a.m. at the Port St. Lucie Community Center, Meeting Room E, 2195 SE Airosa Blvd., Port Saint Lucie, Florida.

Present and constituting a quorum:

Jack Berry III	Appointed as Chairman
Jessica Kowalski	Appointed as Vice Chair
Justin Frye	Appointed as Assistant Secretary
Charleigh Berry	Appointed as Assistant Secretary

Also present were:

Jill Burns	District Manager, GMS
Mitchell Zwang	District Counsel, KVV
Kinan Husainy <i>by Zoom</i>	District Engineer, Kimley-Horn

FIRST ORDER OF BUSINESS

Introduction

A. Call to Order

Ms. Burns called the meeting to order at 10:09 p.m. and called roll. Four Board members were in attendance in-person constituting a quorum.

B. Public Comment Period

Ms. Burns stated there were no members of the public present nor were any members of the public attending by Zoom.

C. Oath of Office

Ms. Burns administered the oath of office to Jack Berry III, Jessica Kowalski, Justin Frye, and Charleigh Berry.

SECOND ORDER OF BUSINESS

Organizational Matters

A. Confirmation of Notice of Meeting

Ms. Burns confirmed the notice for this meeting has run in the paper.

B. Information on Community Development Districts and Public Official Responsibilities and Florida Statutes Chapter 190

Mr. Zwang and Ms. Burns briefed the Board members on Community Development Districts and public official responsibilities and reviewed the provisions of Florida Statutes Chapter 190.

C. Election of Officers

1. Consideration of Resolution 2026-01 Electing Officers

Ms. Burns stated Jack Berry III is Chairman, Jessica Kowalski is Vice Chair, Charleigh Berry, Justin Frye and Jack Berry, Jr. are Assistant Secretaries along with herself as Secretary and George Flint from GMS as Assistant Secretary.

On MOTION by Mr. Berry III, seconded by Ms. Kowalski, with all in favor, Resolution 2026-01 Electing Officers as slated above, was approved.

2. Consideration of Resolution 2026-02 Appointing Treasurer and Assistant Treasurer

Ms. Burns noted this would appoint George Flint, Katie Costa, and Darrin Mossing as those officers that are outlined which authorize them to sign checks for regular District business.

On MOTION by Mr. Berry III, seconded by Ms. Kowalski, with all in favor, Resolution 2026-02 Appointing Officers Treasurer and Assistant Treasurer, was approved.

3. Consideration of Resolution 2026-03 Canvassing and Certifying the Results of the Landowners' Election

Ms. Burns noted the results from the Landowners election will be filled into this resolution as read out at the Landowners election.

On MOTION by Mr. Berry III, seconded by Ms. Kowalski, with all in favor, Resolution 2026-03 Canvassing and Certifying the Results of the Landowners' Election, was approved.

THIRD ORDER OF BUSINESS

Consent Agenda

A. Consideration of Contract for District Management Services

- 1. Consideration of Resolution 2026-04 Appointing District Manager**
- B. Consideration of Contract for District Counsel Services**
 - 1. Consideration of Resolution 2026-05 Appointing District Counsel**
- C. Consideration of Resolution 2026-06 Selection of Registered Agent and Office**
- D. Consideration of Resolution 2026-07 Appointing Interim District Engineer**
- E. Consideration of Interim District Engineering Agreement**
- F. Request Authorization to Issue RFQ for Engineering Services**
- G. Consideration of Resolution 2026-08 Designating a Qualified Public Depository**
- H. Consideration of Resolution 2026-09 Authorization of Bank Account Signatories**
- I. Consideration of Resolution 2026-10 Relating to Defense of Board Members**
- J. Consideration of Resolution 2026-11 Spending Authorization Resolution**
- K. Consideration of Resolution 2026-12 Adopting Investment Guidelines**
- L. Consideration of Resolution 2026-13 Authorizing Execution of Public Depositor Report**
- M. Consideration of Resolution 2026-14 Designating a Policy for Public Comment**
- N. Consideration of Resolution 2026-15 Adopting Prompt Payment Policy**
- O. Consideration of Resolution 2026-16 Adopting a Records Retention Policy**
- P. Consideration of Compensation to Board Members**
- Q. Consideration of Resolution 2026-17 Selecting District Records Office Within St. Lucie County**
- R. Consideration of Resolution 2026-18 Designating the Primary Administrative Office and Principal Headquarters of the District**
- S. Consideration of Website Services Agreement**
- T. Authorization to Prepare Public Facilities Report in Accordance with Chapter 189.08 Florida Statutes to Coincide with Special District Filing Date for St. Lucie County**
- U. Consideration of Resolution 2026-19 Authorizing District Counsel to Record in the Property Records of St. Lucie County the "Notice of Establishment" in Accordance with Chapter 190.0485, Florida Statutes**
 - 1. Notice of Establishment**
- V. Consideration of Resolution 2026-20 Granting the Chairperson and Vice Chairperson the Authority to Execute Plats and Documents Related to the Development of the District's Improvements**
- W. Consideration of Resolution 2026-21 Direct Purchase Resolution**
- X. Consideration of Resolution 2026-22 Authorizing the Use of Electronic Documents and Signatures**
- Y. Consideration of Resolution 2026-23 Adopting an Internal Controls Policy**
- Z. Consideration of Resolution 2026-24 Public Facilities Resolution**
- AA. Adopting Goals and Objectives for the District for Fiscal Year 2026 & Fiscal Year 2027**

Ms. Burns reviewed all items, A through P and S through AA, under the consent agenda for Board consideration. Items Q and R were tabled.

On MOTION by Mr. Berry III, seconded by Ms. Kowalski, with all in favor, the Consent Agenda Items A through P and S through AA, were approved.

FOURTH ORDER OF BUSINESS

New Business

A. Consideration of Resolution 2026-25 Ratifying Staff's Actions in Noticing the Initial Landowners' Meeting

Ms. Burns stated this resolution is ratifying that the Board set the Landowners' election.

On MOTION by Mr. Berry III, seconded by Ms. Kowalski, with all in favor, Resolution 2026-25 Ratifying Staff's Actions in Noticing the Initial Landowners' Meeting, was approved.

B. Designation of Date of Public Hearing to Adopt Rules of Procedure and Amenity Rates & Disciplinary Rules in accordance with Section 120.54 and Chapter 190, Florida Statutes

1. Consideration of Resolution 2026-26 Setting the Public Hearing to Consider the Adoption of Proposed Rules and Amenity Rates & Disciplinary Rules of the District

a. Rules of Procedure

b. Amenity Rates & Disciplinary Rules

Ms. Burns stated several public hearings will be set today with a suggested date of September 16, 2026, which would allow all notices to be sent in time for that hearing. It would be September 16 at 11:00 a.m. at this location.

On MOTION by Mr. Berry III, seconded by Ms. Kowalski, with all in favor, Resolution 2026-26 Setting a Public Hearing to Consider the Adoption of Proposed Rules of Procedure and Amenity Rates & Disciplinary Rules on September 16, 2026 at 11:00 a.m., was approved.

C. Designation of Date of Public Hearing on the Budgets for Fiscal Year 2025/2026 and Fiscal Year 2026/2027

1. Consideration of Resolution 2026-27 Setting the Public Hearing and Approving the Proposed Fiscal Year 2025/2026 and Fiscal Year 2026/2027 Budgets

Ms. Burns presented this resolution for the Board to consider relating to the Fiscal Year 2026 and Fiscal Year 2027. She explained that the fiscal year runs October 1 through September 30. She explained that the proposed budgets are the same, except one is prorated. She pointed out for 2027 they put a field contingency in. She explained that it's developer funded and will only be billed as incurred. She explained this resolution is just setting the public hearing for September 16, 2026.

On MOTION by Mr. Berry III, seconded by Ms. Kowalski, with all in favor, Resolution 2026-27 Setting the Public Hearing and Approving the Proposed Fiscal Year 2025/2026 and Fiscal Year 2026/2027 Budgets, was approved.

2. Approval of the Fiscal Year 2025/2026 and Fiscal Year 2026/2027 Developer Funding Agreement

Ms. Burns stated under this agreement the entity listed will agree to fund the operations and maintenance of the District based on the budget that the Board will adopt at the September 16, 2026 hearing.

On MOTION by Mr. Berry III, seconded by Ms. Kowalski, with all in favor, the Fiscal Year 2025/2026 and Fiscal Year 2026/2027 Developer Funding Agreement, was approved.

D. Consideration of Resolution 2026-28 Setting Date of Public Hearing Expressing the District's Intent to Utilize the Uniform Method of Levying, Collecting and Enforcing Non-Ad-Valorem Assessments in accordance with Section 197.3632, Florida Statutes

Ms. Burns stated this is the public hearing they will set that will allow them to use the property appraiser and tax collector office to collect their assessments when they are ready to do so.

On MOTION by Mr. Berry III, seconded by Ms. Kowalski, with all in favor, Resolution 2026-08 Setting Date of Public Hearing Expressing the District's Intent to Utilize the Uniform Method of Levying, Collecting and Enforcing Non-Ad-Valorem Assessments in accordance with Section 197.3632, Florida Statutes, was approved.

FIFTH ORDER OF BUSINESS

Capital Improvements

A. Appointment of Financing Team

1. Consideration of Resolution 2026-29 Appointing Bond Counsel

Ms. Burns stated this is appointing bond counsel. There is a proposal from Greenberg Traurig that George Smith has sent in for the District.

On MOTION by Mr. Berry III, seconded by Ms. Kowalski, with all in favor, Resolution 2026-29 Appointing Greenberg Traurig as Bond Counsel, was approved.

2. Consideration of Resolution 2026-30 Appointing Investment Banker

Ms. Burns stated this is with FMS bonds and that proposal is in the agenda package for review. She offered to take questions otherwise she was seeking a motion to approve.

On MOTION by Mr. Berry III, seconded by Ms. Kowalski, with all in favor, Resolution 2026-30 Appointing FMS Bonds as Investment Banker, was approved.

3. Assessment Administrator

Ms. Burns stated this is already covered in the management agreement that was previously approved by the Board and staff was looking for a motion to appoint GMS.

On MOTION by Mr. Berry III, seconded by Ms. Kowalski, with all in favor, GMS as Assessment Administrator, was approved.

4. Trustee

Ms. Burns stated there is a proposal from US Bank included in the agenda package for review. She offered to take any questions on this proposal otherwise a motion to approve.

On MOTION by Mr. Berry III, seconded by Ms. Kowalski, with all in favor, US Bank as Trustee, was approved.

B. Approval of Financing Team Agreement

Ms. Burns stated this is with McCarty Town Development, LLC.

On MOTION by Mr. Berry III, seconded by Ms. Kowalski, with all in favor, Approval of Financing Team Agreement, was approved.

SIXTH ORDER OF BUSINESS

Financing Matters

A. Consideration of the Engineer's Report

Mr. Husainy reviewed the Engineer's Report for the Board.

On MOTION by Mr. Berry III, seconded by Ms. Kowalski, with all in favor, the Engineer's Report, was approved.

B. Consideration of Master Assessment Methodology

Ms. Burns reviewed the Master Assessment Methodology for Board consideration.

On MOTION by Mr. Berry III, seconded by Ms. Kowalski, with all in favor, the Master Assessment Methodology, was approved.

C. Consideration of Resolution 2026-31 Authorizing the Issuance of Bonds and Authorizing the Commencement of Validation Proceedings

Mr. Zwang reviewed Resolution 2026-31 for Board consideration.

On MOTION by Mr. Berry III, seconded by Ms. Kowalski, with all in favor, Resolution 2026-31 Authorizing the Issuance of Bonds and Authorizing the Commencement of Validation Proceedings, was approved.

D. Consideration of Resolution 2026-32 Declaring Special Assessments and Setting a Public Hearing on Special Assessments

Ms. Burns reviewed Resolution 2026-32 for Board consideration. She stated they will advertise for the public hearing and send a notice to the landowner to inform them of the public hearing. She proposed that they set the public hearing for September 16, 2026 at 11:00 a.m. at their current location.

On MOTION by Mr. Berry III, seconded by Ms. Kowalski, with all in favor, Resolution 2026-32 Declaring Special Assessments and Setting a Public Hearing on Special Assessments, was approved.

SEVENTH ORDER OF BUSINESS

Other Business

A. Presentation of Funding Request No. 1

Ms. Burns noted this is the initial funding request to set up all the accounts, for advertising to be placed for all of the hearings set today, to get the District insurance, and get a bank account open.

On MOTION by Mr. Berry III, seconded by Ms. Kowalski, with all in favor, Funding Request No. 1, was approved.

B. Staff Reports

i. Attorney

a) E-Verify Memorandum

Mr. Zwang reviewed a memo in the agenda package regarding E-Verify in the state of Florida for Special Districts.

On MOTION by Mr. Berry III, seconded by Ms. Kowalski, with all in favor, E-Verify Memorandum, was approved.

ii. Manager

Ms. Burns had nothing further to report.

C. Supervisors Requests

There being no comments, the next item followed.

EIGHTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Berry III, seconded by Ms. Kowalski, with all in favor, the meeting was adjourned.

Secretary/Assistant Secretary

Chairman/Vice Chairman

SECTION IV

SECTION A

SECTION 1

MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT DRAFT

MASTER ENGINEER'S REPORT

July 10, 2026

PREPARED FOR:

**BOARD OF SUPERVISORS
MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT**

PREPARED BY:

KIMLEY-HORN AND ASSOCIATES, INC.

**MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT
MASTER ENGINEER'S REPORT**

1. INTRODUCTION

The purpose of this report is to provide a description of the capital improvement plan (“**CIP**”), and estimated costs of the CIP, for the McCarty’s Choice Community Development District (the “**District**” or “**CDD**”). The District plans to design, permit, finance, acquire, and/or construct, operate, and maintain all or part of certain infrastructure necessary for community development within the District.

The District was established pursuant to Ordinance No. 26-57 adopted by the City Council of the City of Port St. Lucie, Florida (“**City**”), effective as of July 2, 2026. The developer is McCarty Town Development, LLC (the “**Developer**”), while McCarty Road LLC is the sole owner of all lands within the District.

2. GENERAL SITE DESCRIPTION

The District is located entirely within the City, and covers approximately 72.024 acres of land, more or less. The District is generally located south of West Midway Road, east of McCarty Road, north of the East/West-5 Roadway, and west of the North St. Lucie River Water Control District (NSLRWCD) C-91 Canal. A Location Map is included as **Exhibit B**. The project areas and land use are depicted in **Exhibit C**. The projects future land use can be found in **Exhibit A**.

3. PROPOSED CAPITAL IMPROVEMENT PLAN

The CIP is intended to provide public infrastructure improvements for the lands within the District, which are planned for 321 residential units. The following tables show the planned product types and land uses for the District:

PRODUCT TYPES

Product Type	Total Units
30' X 110'	67
40' X 110'	164
50' X 110'	90
TOTAL	321

LAND USE

Land Use	Acreage
Lot Development	33.13
Onsite ROW	9.96
Offsite ROW	6.62
Common Areas	0.19
Stormwater Ponds	11.74
Open Space	7.86
Existing Lake	2.52
TOTAL	+/- 72.02

The CIP infrastructure includes the following:

Roadway Improvements

The CIP includes subdivision roads within the District and off-site roadway improvements. Generally, all roads will be two-lane undivided roads. Such roads include the roadway asphalt, base, and subgrade, roadway curb and gutter, striping, signage, and sidewalks within rights-of-way abutting non-lot lands. Sidewalks abutting lots will be constructed by the homebuilders and will be owned and maintained by the substantial HOA. All roads will be designed in accordance with City of Port St. Lucie, St. Lucie County and FDOT standards, and all roadway improvements financed by the District shall be available for use by the general public. The internal roadways are anticipated to be owned, operated, and maintained by the District; McCarty Road by St. Lucie County; and the East/West-5 Roadway by the City of Port St. Lucie.

Stormwater Management System

The stormwater collection and outfall system are a combination of roadway curbs, curb inlets, pipe, a control structure, and open ponds designed to treat and attenuate stormwater runoff from District lands. The stormwater collection system within the District discharges to on-site retention ponds. The District drainage system outfalls into the NSLRWCD C-91 Canal. The stormwater system will be designed consistent with the criteria established by the South Florida Water Management District ("SFWMD") and the City of Port St. Lucie for stormwater/floodplain management systems. The District will finance, own, operate and maintain the stormwater system, including inlets and storm sewer systems throughout the District.

Water and Wastewater Utilities

As part of the CIP, the District intends to construct and/or acquire water and wastewater infrastructure. In particular, the on-site water supply improvements include water mains that will be located within rights-of-way and used for potable water service and fire protection and connection to the existing off-site water main. Wastewater improvements for the CIP will include installation of sewer mains within the District and connection to the existing off-site sewer main. In addition, a 12" force main offsite improvement on McCarty Road will be proposed (reference offsite improvements). The water and wastewater collection systems for all phases will be completed by the District and dedicated to the City of Port St. Lucie for operation and maintenance.

Watermain connection points for the Project:

- 8" Water main connection to existing Water main at the E/W-5 entrance
- 16" Water main connection in the southwest corner of the site to existing E/W-5 Water main
- 8" Water main connection to existing Water main at the McCarty Road entrance
- 8" Water main connection to existing LTC Ranch Pod 1 Water main in the northeast corner of the site

Hardscape, Landscape, and Irrigation

The District will construct and/or install landscaping and hardscaping within District common areas and rights-of-way. The hardscaping will consist of entry features, signage, and landscaping. All such landscaping and hardscaping will be owned, maintained, and funded by the District. Additionally, the District intends to construct an irrigation system for the development that will provide a lower-cost alternative to potable water for District landowners from onsite surface water irrigation. The system will also provide water for the common areas, pond side slopes, etc. Installation, operation, and maintenance of any irrigation system will be the responsibility of the District.

Undergrounding of Conduit

The CIP includes the incremental cost of undergrounding electrical and other utility conduit within rights-of-way and utility easements within the District. The electrical lines and transformers installed in such conduit will be owned, operated, and maintained by the FPL provider, and the District's funding obligation is limited to the installation of conduit only.

Recreational Amenities

The Developer may also choose to privately construct and finance amenity facilities. Any such improvements privately constructed and financed by the Developer will be considered common elements for the exclusive benefit of the District landowners; provided, however, that the District shall have no obligation to maintain, repair, or replace any such improvements unless expressly accepted by the District's Board of Supervisors.

Off-Site Improvements

Off-site improvements will consist of roadway and utility extensions to serve the District. The following off-site improvements are proposed for construction by the District:

- Construction of "EW 5" from project entrance +/- 2200 LF East to LTC Ranch Pod 9 entrance
- Construction of a chip seal layer over the existing from the Northwest project driveway to North of Williams Road
- Proposed 12" Force main from existing E/W-5 Force main past the west project entrance
- Proposed 16" Water main along E/W-5 connecting to existing Water main

Environmental Conservation/Mitigation

The District will be responsible for the Environmental permitting and mitigation of impacted onsite wetlands.

Professional Services

The CIP includes various professional services. These include: (i) engineering, surveying, Geotech, architectural, land planning, and legal fees associated with the CIP, and (ii) permitting and plan review costs that are required for the design, permitting, construction, and maintenance of the public improvements and community facilities.

As noted, the CIP functions as a system of improvements benefitting all lands within the District.

4. PERMITTING

All necessary permits for the construction of the CIP are expected to be obtained prior to the commencement of construction and include the following:

- **Roads | Drainage | Earthwork**
 - Pending South Florida Water Management District Environmental Resource Permit
 - Pending Florida Department of Environmental Protection NPDES Permit
 - Pending City of Port St Lucie Construction Permit
 - Pending City of Port St Lucie Preliminary Plat with Construction plans approval
 - North St. Lucie River Water Control District Approval #025-005-91 4/22/2026
- **Water Distribution**
 - Pending Florida Department of Environmental Protection Construction of Water Main Extensions for PWS's Permit
 - Pending City of Port St Lucie Permit to Construct a Water Main / Distribution System
 - Pending City of Port St Lucie Utility plan approval
- **Wastewater Collection and Transmission System**
 - Pending Florida Department of Environmental Protection Construction of a Domestic Wastewater Collection / Transmission System PWS's Permit
 - Pending City of Port St Lucie Permit to Construct a Domestic Wastewater Collection / Transmission System
 - Pending City of Port St Lucie Utility plan approval
- **Water Use - Irrigation and Construction Dewatering**
 - Pending South Florida Water Management District/St Lucie County Dewatering Permit
 - Pending South Florida Water Management District Water Use Permit

5. OPINION OF PROBABLE CONSTRUCTION COSTS

The table below presents, among other things, the cost estimate for the CIP. It is our professional opinion that the costs set forth in Table A are reasonable and consistent with market pricing.

Table A**Cost Estimate for District Facilities**

<u>Infrastructure</u>	<u>Estimated Costs</u>
Stormwater Management	\$8,500,000
Utilities (Water/Sewer/Reclaim)	\$9,500,000
Roadways	\$6,000,000
Hardscape/Landscape/Irrigation/Trails	\$8,500,000
Undergrounding of Conduit	\$2,500,000
Environmental Conservation/Mitigation	\$750,000
Recreational Improvements	\$1,500,000
Contingency (15% of construction costs)	\$5,948,179
Professional Services	\$4,051,600
Total	\$47,249,779

Kimley-Horn and Associates, Inc. has no control over the cost of labor, materials, equipment, or services furnished by others, or over methods of determining price, or over competitive bidding or market conditions. Any and all professional opinions as to costs reflected herein, including but not limited to professional opinions as to the costs of construction materials, are made on the basis of professional experience and available data. Kimley-Horn and Associates, Inc. cannot and does not guarantee or warrant that actual costs will not vary from the professional opinions of costs shown herein.

A 15% contingency has also been included. *

Table B shows which parties will finance, own, and operate the various improvements of the CIP:

Table B
District Proposed Facilities and Services

<u>District Infrastructure</u>	<u>Finance</u>	<u>Ownership</u>	<u>O&M</u>
Internal Roadways	CDD	CDD	CDD
McCarty Road	CDD	County	County
East/West-5 Roadway	CDD	City	City
Stormwater Management	CDD	CDD	CDD
Utilities (Water/Sewer)	CDD	City	City
Hardscape/Landscape/Irrigation	CDD	CDD	CDD
Undergrounding of Conduit	CDD	FPL	FPL
Environmental/Mitigation	CDD	CDD	CDD
Professional Services	CDD	CDD	CDD
Recreational Improvements	CDD	CDD	CDD

6. CONCLUSION

The CIP will be designed in accordance with current governmental regulations and requirements. The CIP will serve its intended function so long as the construction is in substantial compliance with the design.

It is further our opinion that:

- the estimated cost to the CIP as set forth herein is based on prices currently being experienced in the jurisdiction in which the District is located and is not greater than the lesser of the actual cost of construction or the fair market value of such infrastructure;
- all of the improvements comprising the CIP are necessitated by and reasonably required to serve the development within the District as contemplated by applicable development approvals and local government comprehensive plans;
- the CIP is feasible to construct, there are no technical reasons existing at this time that would prevent the implementation of the CIP, and it is reasonable to assume that all necessary regulatory approvals will be obtained in due course; and
- the assessable property within the District will receive a special benefit from the CIP that is at least equal to the costs of the CIP.

As described above, this report identifies the benefits from the CIP to the lands within the District. The general public, property owners, and property outside the District will benefit from the provisions of the District's CIP; however, these are incidental to the District's CIP, which is designed solely to provide special benefits peculiar to property within the District. Special and peculiar benefits accrue to property within the District and enable properties within its boundaries to be developed.

The CIP will be owned by the District or other governmental units, and such CIP is intended to be available and will reasonably be available for use by the general public (either by being part of a system of improvements that is available to the general public or is otherwise available to the general public), including nonresidents of the District. All of the CIP is or will be located on lands owned or to be owned by the District or another governmental entity or on perpetual easements in favor of the District or other governmental entity. The CIP, and any cost estimates set forth herein, do not include any earthwork, grading, or other improvements on private lots or property. The District will pay the lesser of the cost of the components of the CIP or the fair market value.

Please note that the CIP as presented herein is based on current plans and market conditions which are subject to change. Accordingly, the CIP, as used herein, refers to sufficient public infrastructure of the kinds described herein (i.e., stormwater/floodplain management, sanitary sewer, potable water, etc.) to support the development and sale of the planned residential units in the District, which (subject to true-up determinations) number and type of units may be changed with the development of the site. Stated differently, during development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans, provided such modifications comply with all applicable governmental regulations and approvals, and the District expressly reserves the right to do so subject to these conditions.

Kinan Husainy, P.E. (Florida License No. 75481)

- EXHIBIT A:** Future Land Use Map
- EXHIBIT B:** Location Map
- EXHIBIT C:** Land Use Map
- EXHIBIT D:** Proposed Utility and Stormwater System layout

Plotted By: Nicholas, Jacob Layout: McCorty PUD April 15, 2026 05:11:53pm K:\VRE_LDEV\McCorty PUD\CAD\Exhibits\Access Dimension\FLU map.dwg

NO CURRENT FLU ZONING

NO CURRENT FLU ZONING

FLU: U

NO CURRENT FLU ZONING

FLU: RM

FLU: ROI

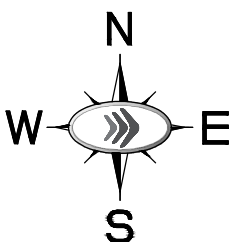
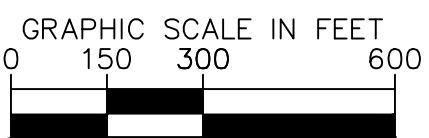
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FLU: ROI

FLU: ROI

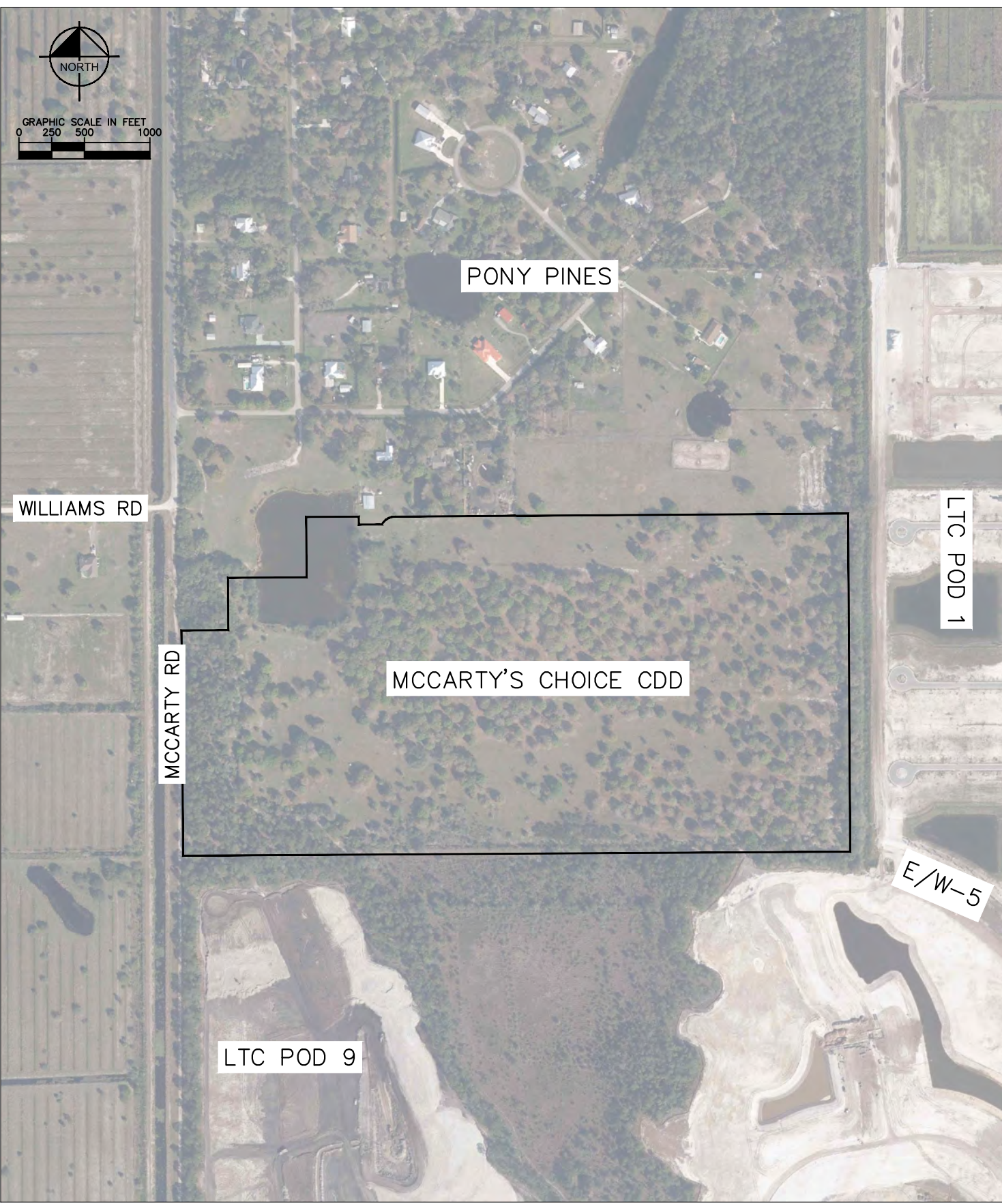
LEGEND

- RM: MEDIUM DENSITY RESIDENTIAL
- ROI: RESIDENTIAL OFFICE INSTITUTIONAL
- U: UTILITY



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PHONE: 772-473-8575
WWW.KIMLEY-HORN.COM REGISTRY NO. 35106

MCCARTY'S CHOICE CDD

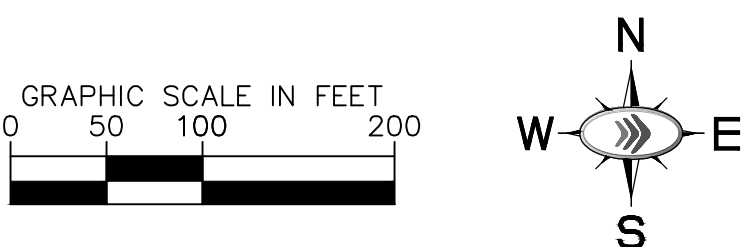
LOCATION MAP

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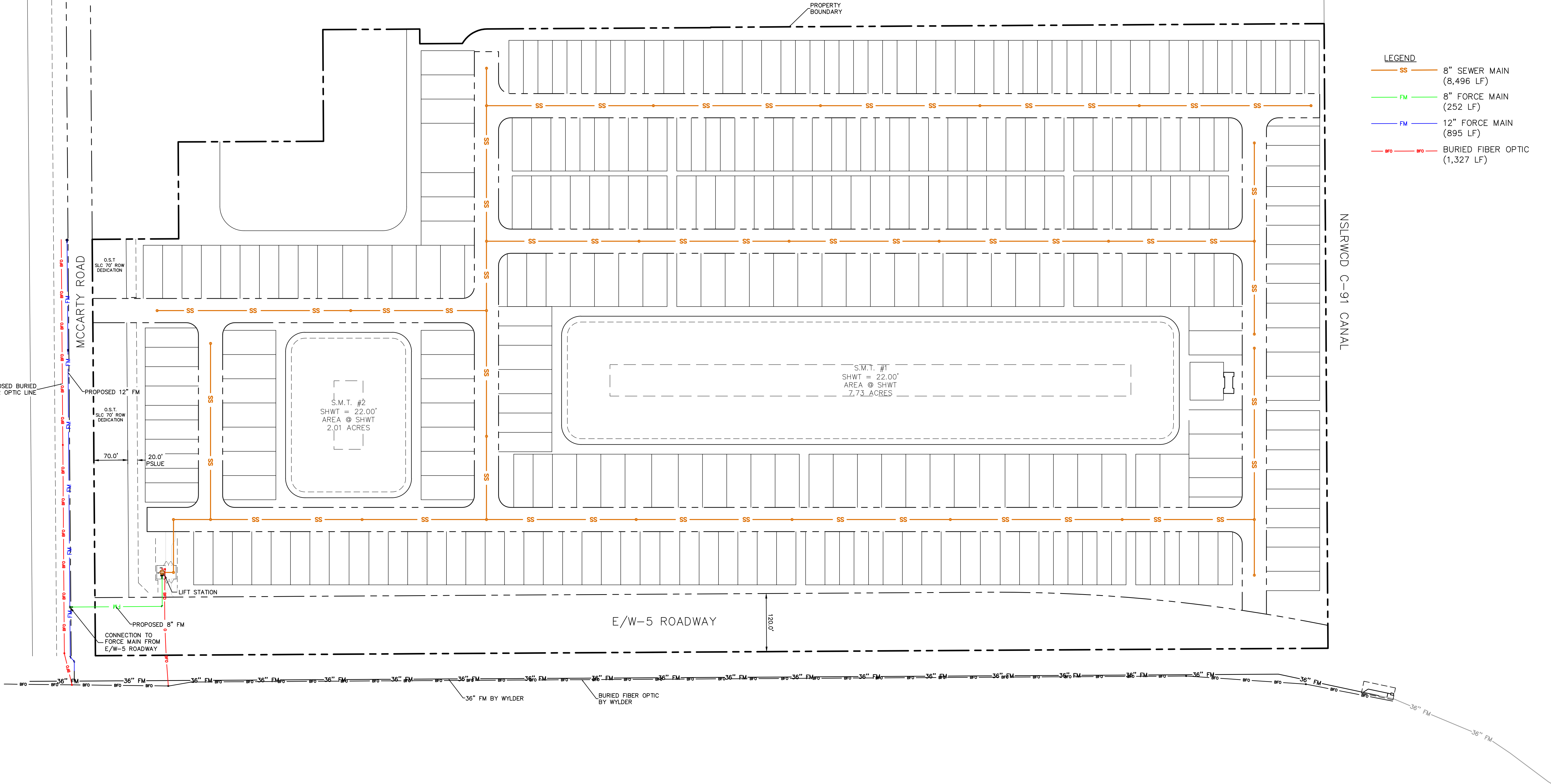
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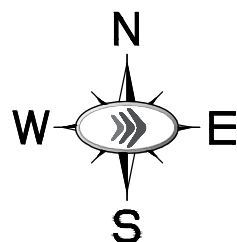
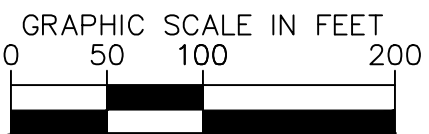
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LAKE AREA (EXCLUDES EX. PONY PINES LAKE):	9.78 ACRES
AMENITY AREA:	0.19 ACRES
DENSITY:	8.25 DU/AC

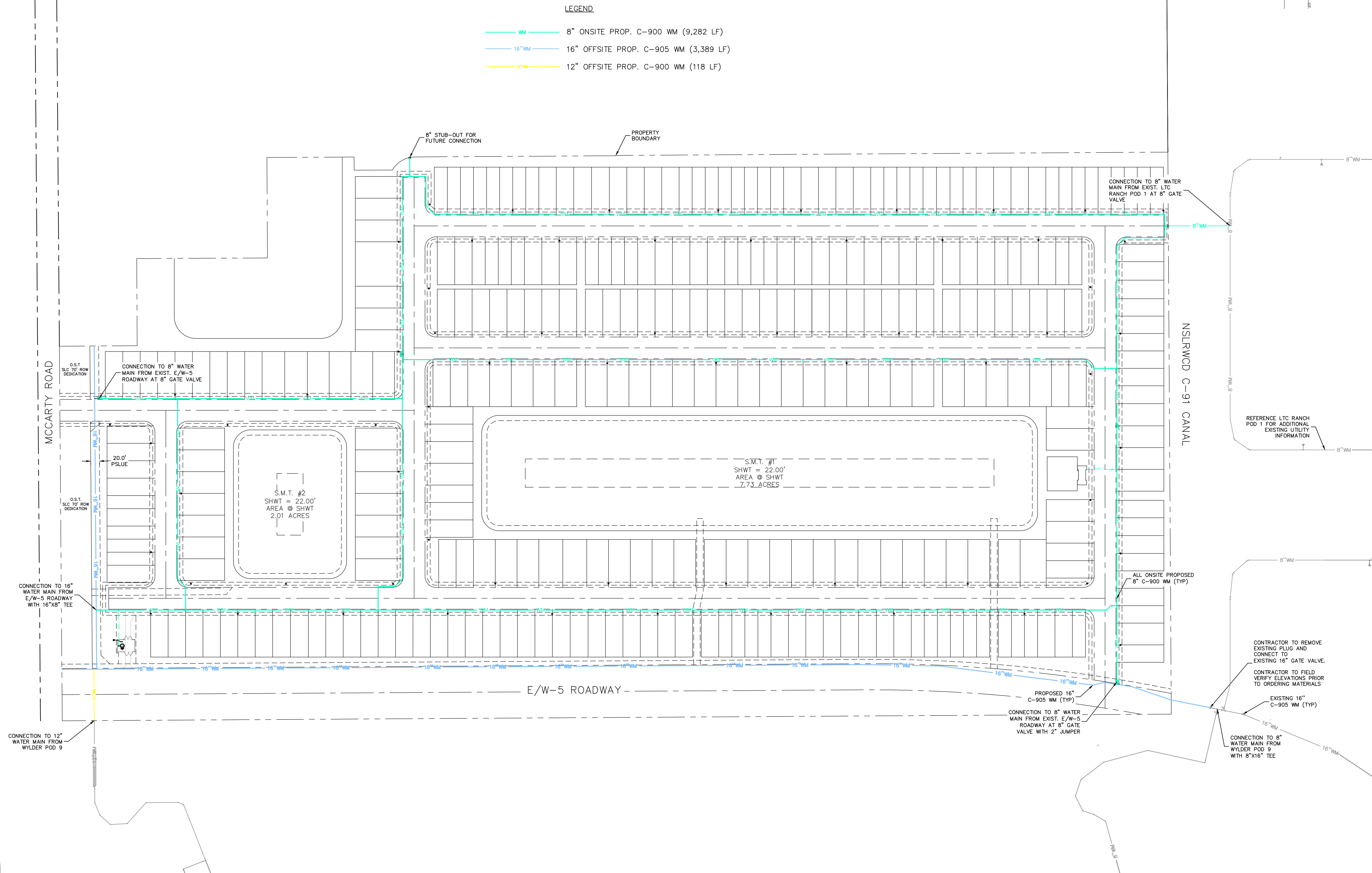


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Plotted By: Nicholas, Jacob
Layout: McCorty_PUD
April 15, 2026 03:04:00pm



- LEGEND
- SS 8" SEWER MAIN (8,496 LF)
 - FM 8" FORCE MAIN (252 LF)
 - FM 12" FORCE MAIN (895 LF)
 - BFO BURIED FIBER OPTIC (1,327 LF)





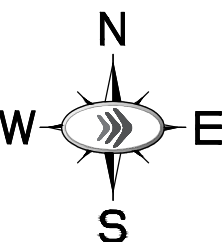
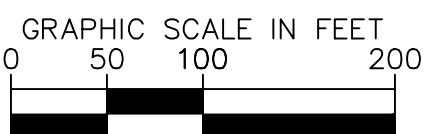
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MCCARTY'S CHOICE CDD

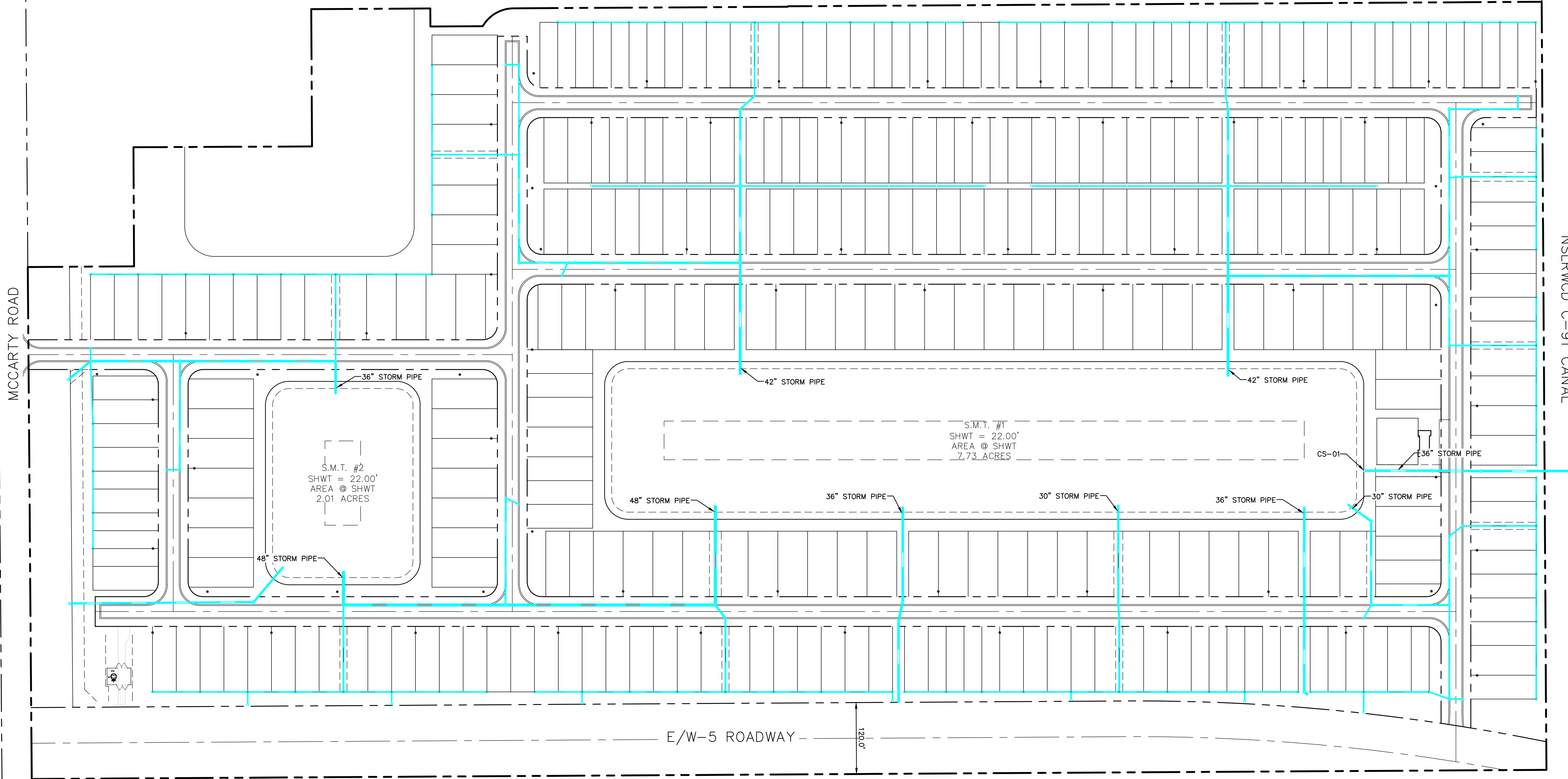
PORT ST. LUCIE, FL

STORMWATER EXHIBIT

03/19/2026 - CONTACT: (321) 225-0642



Kimley»Horn



SECTION 2

**MASTER
ASSESSMENT METHODOLOGY

FOR
MCCARTY'S CHOICE
COMMUNITY DEVELOPMENT DISTRICT**

Date: July 10, 2026

Prepared by

**Governmental Management Services - Central Florida, LLC
219 E. Livingston Street
Orlando, FL 32801**



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GMS-Central Florida, LLC does not represent McCarty's Choice Community Development District as a Municipal Advisor or Securities Broker nor is GMS-Central Florida, LLC registered to provide such services as described in Section 15B of the Securities and Exchange Act of 1934, as amended. Similarly, GMS-Central Florida, LLC does not provide McCarty's Choice Community Development District with financial advisory services or offer investment advice in any form.

1.0 Introduction

McCarty's Choice Community Development District is a local unit of special-purpose government organized and existing under Chapter 190, Florida Statutes, as amended (the "District"). The District plans to issue up to \$61,420,000 of special assessment bonds in one or more series (the "Bonds") for the purpose of financing certain infrastructure improvements within the District, more specifically described in the Master Engineer's Report dated July 10, 2026, prepared by Kimley-Horn and Associates, Inc., as may be amended and supplemented from time to time (the "Engineer's Report"). The District anticipates the construction of public infrastructure improvements consisting of improvements that benefit property owners within the District.

1.1 Purpose

This Master Assessment Methodology Report (the "Assessment Report") provides for an assessment methodology for allocating the debt to be incurred by the District to benefiting properties within the District. This Assessment Report allocates the debt to properties based on the special benefits each receives from the District's capital improvement plan ("CIP"). This Assessment Report will be supplemented with one or more supplemental methodology reports to reflect the actual terms and conditions at the time of the issuance of each series of Bonds. This Assessment Report is designed to conform to the requirements of Chapters 170, 190, and 197, Florida Statutes, with respect to special assessments and is consistent with our understanding of case law on this subject.

The District intends to impose non ad valorem special assessments on the benefited lands within the District based on this Assessment Report. It is anticipated that all of the proposed special assessments will be collected through the Uniform Method of Collection described in Chapter 197.3632, Florida Statutes, collected directly, or through any other legal means of collection available to the District. It is not the intent of this Assessment Report to address any other assessments, if applicable, that may be levied by the District, a homeowner's association, or any other unit of government.

1.2 Background

The District currently includes approximately 72.024 acres within the City of Port St. Lucie within St. Lucie County, Florida. The development program currently envisions approximately 321 residential units (herein the "Development"). The proposed Development program is depicted in Table 1. It is recognized that such land use plan may change, and this Assessment Report will be modified accordingly.

The public improvements contemplated by the District in the CIP will provide facilities that benefit certain property within the District. The CIP is delineated in the Engineer's Report. Specifically, the District may construct and/or acquire certain stormwater management, utilities (water/sewer/reclaim), roadways, hardscape/landscape/irrigation/trails, undergrounding of conduit, environmental conservation/mitigation, recreational improvements, contingency, and professional services along with any other public projects authorized by Florida law. The acquisition and construction costs are summarized in Table 2.

The Assessment Report is a four-step process.

1. The District Engineer must first determine the public infrastructure improvements that may be provided by the District and the costs to implement the CIP.
2. The District Engineer determines the assessable acres that benefit from the District's CIP.
3. A calculation is made to determine the funding amounts necessary to acquire and/or construct CIP.
4. This amount is initially divided equally among the benefited properties on a prorated gross acreage basis. Ultimately, as land is platted, this amount will be assigned to each of the benefited properties based on the number of platted units.

1.3 Special Benefits and General Benefits

Improvements undertaken by the District create special and peculiar benefits to the assessable property, different in kind and degree than general benefits, for properties outside its borders as well as general benefits to the public at large.

However, as discussed within this Assessment Report, these general benefits are incidental in nature and are readily distinguishable from the special and peculiar benefits, which accrue to the assessable property within the District. The implementation of the CIP enables properties within its boundaries to be developed. Without the District's CIP, there would be no infrastructure to support development of land within the District. Without these improvements, development of the property within the District would be prohibited by law.

There is no doubt that the general public and property owners outside the District will benefit from the provision of the District's CIP. However, these benefits will be incidental to the District's CIP, which is designed solely to meet the needs of property within the District. Properties outside the District boundaries do not depend upon the District's CIP. The property owners within the District are therefore receiving special benefits not received by those outside the District's boundaries. The District has determined that the general benefits conferred upon the public at large and properties

outside the District are de minimis in relation to the special and peculiar benefits conferred upon assessed properties within the District. Accordingly, no portion of the assessments levied hereunder represents a charge for general benefits, and the full amount of the assessments reflects only special benefits conferred upon the assessed properties.

1.4 Requirements of a Valid Assessment Methodology

There are two requirements under Florida law for a valid special assessment:

- 1) The properties must receive a special benefit from the improvements being paid for.
- 2) The assessments must be fairly and reasonably allocated to the properties being assessed.

Florida law provides for a wide application of special assessments that meet these two requirements for valid special assessments.

1.5 Special Benefits Exceed the Costs Allocated

The special benefits provided to the property owners within the District are greater than the costs associated with providing these benefits. The District Engineer estimates that the District's CIP that is necessary to support full development of property will cost approximately \$47,249,779. The District's Underwriter projects that financing costs required to fund the infrastructure improvements, including project costs, the cost of issuance of the Bonds, the funding of debt service reserves and capitalized interest, will be approximately \$61,420,000. Additionally, funding required to complete the CIP which is not financed with Bonds is expected to be funded by McCarty Town Development, LLC, its successors, assigns or future purchaser or another related entity (the "Developer"). Without the CIP, the property would not be able to be developed and occupied by future residents of the community. For each product type within the District, the special and peculiar benefits received - including the added use of the property, added enjoyment, and increased marketability and value resulting from the CIP - are greater than the assessments allocated to that product type as set forth in Tables 5 and 6. This finding is supported by the fact that the CIP is necessary to enable any development of the property and that the market value attributable to a fully serviced lot in this location exceeds the per-unit assessment obligations set forth herein.

2.0 Assessment Methodology

2.1 Overview

The District is planning to issue up to \$61,420,000 in Bonds, in one or more series to fund the District's CIP, provide for capitalized interest, a debt service reserve account and cost of issuance. It is the purpose of this Assessment Report to allocate the \$61,420,000 in debt to the properties benefiting from the CIP.

Table 1 identifies the proposed land uses as identified by the Developer and current landowners of the land within the District. The District has relied on the Engineer's Report to develop the costs of the CIP needed to support the Development. These construction costs are outlined in Table 2. The improvements needed to support the Development are described in detail in the Engineer's Report and are estimated to cost \$47,249,779. Based on the estimated costs, the size of the Bond issue under current market conditions needed to generate funds to pay for the CIP and related costs was determined by the District's Underwriter to total approximately \$61,420,000. Table 3 shows the breakdown of the bond sizing.

2.2 Allocation of Debt

Allocation of debt is a continuous process until the development plan is completed. The CIP funded by District Bonds benefits all developable acres within the District.

The initial assessments will be levied on an equal basis to all acres within the District. A fair and reasonable methodology allocates the debt incurred by the District proportionately to the properties receiving the special benefits. At this point all of the lands within the District are benefiting from the improvements.

Once platting, site planning, or the recording of declaration of condominium, ("Assigned Properties") has begun, the assessments will be levied to the Assigned Properties based on the benefits they receive. The Unassigned Properties, defined as property that has not been platted, assigned development rights or subjected to a declaration of condominium, will continue to be assessed on a per acre basis ("Unassigned Properties"). Eventually the development plan will be completed and the debt relating to the Bonds will be allocated to the planned 321 residential units within the District, which are the beneficiaries of the CIP, as depicted in Table 5 and Table 6. If there are changes to the development plan, a true up of the assessment will be calculated to determine if a debt reduction or true-up payment from the Developer is required. The process is outlined in Section 3.0.

Until all the land within the District has been platted and sold, the assessments on the portion of the land that has not been platted and sold are not fixed and determinable.

The reasons for this are (1) until the lands are platted, the number of developable acres within each tract against which the assessments are levied is not determined; (2) the lands are subject to re-plat, which may result in changes in development density and product type; and (3) until the lands are sold it is unclear of the timing of the absorptions. Only after the property has been platted and sold will the developable acreage be determined, the final plat be certain, the developable density known, the product types be confirmed, and the timing of the sales solidified.

The assignment of debt in this Assessment Report sets forth the process by which debt is apportioned. As mentioned herein, this Assessment Report will be supplemented from time to time.

2.3 Allocation of Benefit

The CIP consists of stormwater management, utilities (water/sewer/reclaim), roadways, hardscape/landscape/irrigation/trails, undergrounding of conduit, environmental conservation/mitigation, recreational improvements, contingency, and professional services. There are three residential product types within the planned development. The Single Family 50' unit has been set as the base unit and has been assigned one equivalent residential unit ("ERU"). The ERU factors for each product type are based on the relative special benefit each product type receives from the CIP, as measured by factors including lot size, anticipated impervious surface area, demand placed on stormwater, utility and roadway infrastructure, and access to parks and amenities. A Single Family 30', with a smaller footprint, is estimated to generate proportionally less demand on the CIP improvements and has been assigned an ERU factor of 0.60. A Single Family 40' unit, with a larger footprint than a Single Family 30' but smaller than a Single Family 50' unit, has been assigned an ERU factor of 0.80. A Single Family 50' unit, having the largest footprint and placing the greatest demand on the CIP, serves as the base unit at 1.00 ERU. Table 4 shows the allocation of benefit to the particular land uses. It is important to note that the benefit derived from the improvements on the particular units exceeds the cost that the units will be paying for such benefits.

2.4 Lienability Test: Special and Peculiar Benefit to the Property

Construction and/or acquisition by the District of its proposed CIP will provide several types of systems, facilities and services for its residents. These may include but are not limited to stormwater management, utilities (water/sewer/reclaim), roadways, hardscape/landscape/irrigation/trails, undergrounding of conduit, environmental conservation/mitigation, recreational improvements, contingency, and professional services. These improvements accrue in differing amounts and are somewhat dependent on the type of land use receiving the special benefits peculiar to those properties, which flow from the logical relationship of the improvements to the properties.

Once these determinations are made, they are reviewed in the light of the special benefits peculiar to the property, which flow to the properties as a result of their logical connection from the improvements in fact actually provided.

For the provision of CIP, the special and peculiar benefits are:

- 1) the added use of the property,
- 2) added enjoyment of the property, and
- 3) the probability of increased marketability and value of the property.

These special and peculiar benefits are real and ascertainable but are not yet capable of being calculated as to value with mathematical certainty. However, each is more valuable than either the cost of, or the actual non-ad valorem special assessment levied for the improvement or the debt as allocated.

2.5 Lienability Test: Reasonable and Fair Apportionment of the Duty to Pay Non-Ad Valorem Assessments

A reasonable estimate of the proportion of special and peculiar benefits received from the public improvements described in the Engineer's Report is delineated in Table 5 (expressed as Allocation of Par Debt per Product Type).

The determination has been made that the duty to pay the non-ad valorem special assessments is fairly and reasonably apportioned because the special and peculiar benefits to the property derived from the acquisition and/or construction of the District's CIP have been apportioned to the property according to reasonable estimates of the special and peculiar benefits provided consistent with the land use categories.

Accordingly, no acre or parcel of property within the boundaries of the District will have a lien for the payment of any non-ad valorem special assessment more than the determined special benefit peculiar to that property and therefore, the debt allocation will not be increased more than the debt allocation set forth in this Assessment Report.

In accordance with the benefit allocation suggested for the product types in Table 4, a total debt per unit and an annual assessment per unit have been calculated for each product type (Table 6). These amounts represent the preliminary anticipated per unit debt allocation assuming all anticipated units are built and sold as planned, and the entire proposed CIP is developed or acquired and financed by the District.

3.0 True Up Mechanism

Although the District does not process plats, declaration of condominiums, site plans or revisions thereto for the Developer, it does have an important role to play during

the course of platting and site planning. Whenever a plat, declaration of condominium or site plan is processed, the District must allocate a portion of its debt to the property according to this Assessment Report outlined herein. In addition, the District must also prevent any buildup of debt on Unassigned Property. Otherwise, the land could be fully conveyed and/or platted without all of the debt being allocated. To preclude this, at the time Unassigned Properties become Assigned Properties, the District will determine the amount of anticipated assessment revenue that remains on the Unassigned Properties, taking into account the proposed plat, or site plan approval. If the total anticipated assessment revenue to be generated from the Assigned and Unassigned Properties is greater than or equal to the maximum annual debt service then no adjustment is required. In the case that the revenue generated is less than the required amount then a debt reduction or true-up payment by the landowner in the amount necessary to reduce the par amount of the outstanding Bonds plus accrued interest to a level that will be supported by the new net annual debt service assessments will be required. In addition, if any Unassigned Property is permanently removed from the developable land base for any reason (including changes in entitlements, environmental restrictions, dedication, or condemnation), the District shall treat such removal as a triggering event requiring a true-up calculation, and the landowner shall be required to make a true-up payment or the District shall reduce the outstanding par amount of the Bonds to a level supportable by the remaining assessable properties.

4.0 Assessment Roll

The District will initially distribute the liens across the property within the District boundaries on a gross acreage basis. As Assigned Property becomes known with certainty, the District will refine its allocation of debt from a per acre basis to a per unit basis as shown in Table 7. If the land use plan changes, then the District will update Tables 1, 4, 5 and 6 to reflect the changes. As a result, the assessment liens are neither fixed nor are they determinable with certainty on any acre of land in the District prior to the time final Assigned Properties become known. At this time the debt associated with the District's CIP will be distributed evenly across the acres within the District. As the development process occurs, the debt will be distributed against the Assigned Property in the manner described in this Assessment Report. The current assessment roll is depicted in Table 7.

TABLE 1
MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT
DEVELOPMENT PROGRAM
MASTER ASSESSMENT METHODOLOGY

Product Types	No. of Units *	Totals	ERUs per Unit (1)	Total ERUs
Single Family - 30'	67	67	0.60	40.20
Single Family - 40'	164	164	0.80	131.20
Single Family - 50'	90	90	1.00	90.00
Total Units	321	321		261.4

(1) Benefit is allocated on an ERU basis based on the special benefit received from the CIP improvements. The allocation is density of planned development, with a Single Family 50' unit equal to 1 ERU. The District has determined that this allocation methodology provides a fair and reasonable apportionment of the debt among the benefited properties in accordance with Section 170.201, Florida Statutes

* Unit mix is subject to change based on marketing and other factors

Prepared by: Governmental Management Services - Central Florida, LLC

TABLE 2
MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT
INFRASTRUCTURE COST ESTIMATES
MASTER ASSESSMENT METHODOLOGY

Capital Improvement Plan ("CIP") (1)	Total Cost Estimate
Stormwater Management	\$8,500,000
Utilities (Water/Sewer/Reclaim)	\$9,500,000
Roadways	\$6,000,000
Hardscape/Landscape/Irrigation/Trails	\$8,500,000
Undergrounding of Conduit	\$2,500,000
Environmental Conservation/Mitigation	\$750,000
Recreational Improvements	\$1,500,000
Contingency	\$5,948,179
Professional Services	\$4,051,600
	\$47,249,779

(1) A detailed description of these improvements is provided in the Master Engineer's Report dated July 10, 2026

Prepared by: Governmental Management Services - Central Florida, LLC

TABLE 3
MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT
BOND SIZING
MASTER ASSESSMENT METHODOLOGY

Description	Total
Construction Funds	\$47,249,779
Debt Service Reserve	\$4,703,387
Capitalized Interest	\$7,984,600
Underwriters Discount	\$1,228,400
Cost of Issuance	\$250,000
Rounding	\$3,834
Par Amount*	\$61,420,000

Bond Assumptions:

Average Coupon	6.50%
Amortization	30 years
Capitalized Interest	24 months
Debt Service Reserve	Max Annual D/S
Underwriters Discount	2%

* Par amount is subject to change based on the actual terms at the sale of the Bonds

Prepared by: Governmental Management Services - Central Florida, LLC

TABLE 4
MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT
ALLOCATION OF BENEFIT
MASTER ASSESSMENT METHODOLOGY

Product Types	No. of Units *	ERU Factor	Total ERUs	% of Total ERUs	Total Improvements	
					Costs Per Product Type	Improvement Costs Per Unit
Single Family - 30'	67	0.60	40.20	15.38%	\$7,266,416	\$108,454
Single Family - 40'	164	0.80	131.20	50.19%	\$23,715,268	\$144,605
Single Family - 50'	90	1.00	90.00	34.43%	\$16,268,095	\$180,757
Totals	321		261.40	100.00%	\$47,249,779	

* Unit mix is subject to change based on marketing and other factors

TABLE 5
MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT
ALLOCATION OF TOTAL BENEFIT/PAR DEBT TO EACH PRODUCT TYPE
MASTER ASSESSMENT METHODOLOGY

Product Types	No. of Units *	Total Improvements Costs Per Product	Allocation of Par Debt Per Product	Par Debt Per Unit
		Type	Type	
Single Family - 30'	67	\$7,266,416	\$9,445,616	\$140,979
Single Family - 40'	164	\$23,715,268	\$30,827,483	\$187,972
Single Family - 50'	90	\$16,268,095	\$21,146,901	\$234,966
Totals	321	\$47,249,779	\$61,420,000	

* Unit mix is subject to change based on marketing and other factors

Prepared by: Governmental Management Services - Central Florida, LLC

TABLE 6
MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT
PAR DEBT AND ANNUAL ASSESSMENTS FOR EACH PRODUCT TYPE
MASTER ASSESSMENT METHODOLOGY

Product Types	No. of Units *	Allocation of Par Debt Per Product Type	Total Par Debt Per Unit	Maximum Annual Debt Service	Net Annual Debt Assessment Per Unit	Gross Annual Debt Assessment Per Unit (1)
Single Family - 30'	67	\$9,445,616	\$140,979	\$723,321	\$10,796	\$11,485
Single Family - 40'	164	\$30,827,483	\$187,972	\$2,360,690	\$14,394	\$15,313
Single Family - 50'	90	\$21,146,901	\$234,966	\$1,619,376	\$17,993	\$19,142
Totals	321	\$61,420,000		\$4,703,387		

(1) This amount includes collection fees and early payment discounts when collected on the St. Lucie County Tax Bill

* Unit mix is subject to change based on marketing and other factors

Prepared by: Governmental Management Services - Central Florida, LLC

TABLE 7
MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT
PRELIMINARY ASSESSMENT ROLL
MASTER ASSESSMENT METHODOLOGY

Owner	Property	Net Acres	Total Par Debt Allocation Per Acre	Total Par Debt Allocated	Net Annual Debt Assessment Allocation	Gross Annual Debt Assessment Allocation (1)
MCCARTY ROAD LLC	MCCARTY'S CHOICE CDD	72.02	\$852,771	\$61,420,000	\$4,703,387	\$5,003,603
Totals		72.02		\$61,420,000	\$4,703,387	\$5,003,603

(1) This amount includes 6% to cover collection costs and early payment discounts when collected utilizing the uniform method. As authorized by Section 197.3632, Florida Statutes, when collected utilizing the uniform method of collection pursuant to Chapter 197, Florida Statutes

Annual Assessment Periods	30
Average Coupon Rate (%)	6.50%
Maximum Annual Debt Service	\$4,703,387

* - See Metes and Bounds, attached as Exhibit A

Prepared by: Governmental Management Services - Central Florida, LLC

Exhibit A

DESCRIPTION:

THE SOUTH 1290.46 FEET OF THE SOUTHWEST ONE QUARTER LYING SOUTH OF PONY PINES-UNIT ONE, AS IN PLAT BOOK 17, PAGE 3, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. LESS THE EAST 46 FOOT CANAL RIGHT OF WAY AND LESS THE WEST 98 FEET FOR ROAD AND CANAL RIGHT OF WAY, ST. LUCIE COUNTY, FLORIDA. SAID LANDS SITUATE IN SECTION 9, TOWNSHIP 36 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 9, THENCE ALONG THE SOUTH LINE OF SAID SECTION 9, NORTH 89°39'17" EAST, A DISTANCE OF 98.00 FEET TO THE POINT OF BEGINNING; THENCE, NORTH 00°26'11" WEST, A DISTANCE OF 860.13 FEET; THENCE, NORTH 89°36'30" EAST, A DISTANCE OF 178.61 FEET; THENCE, NORTH 00°17'45" WEST, A DISTANCE OF 200.03 FEET; THENCE, NORTH 89°44'22" EAST, A DISTANCE OF 300.22 FEET; THENCE, NORTH 00°19'38" WEST, A DISTANCE OF 230.60 FEET; THENCE, NORTH 89°39'17" EAST, A DISTANCE OF 200.14 FEET; THENCE, SOUTH 00°19'38" EAST, A DISTANCE OF 30.37 FEET; THENCE, NORTH 89°40'22" EAST, A DISTANCE OF 87.85 FEET TO A POINT OF A NON-TANGENT CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 59° 47' 32", HAVING A RADIUS OF 60.00 FEET, HAVING AN ARC DISTANCE OF 62.61 FEET, AND WHOSE LONG CHORD BEARS NORTH 59° 46' 36" EAST FOR A DISTANCE OF 59.81 FEET; THENCE, NORTH 89°40'22" EAST, A DISTANCE OF 461.28 FEET; THENCE, NORTH 00°19'38" WEST, A DISTANCE OF 0.75 FEET; THENCE, NORTH 89°39'17" EAST, A DISTANCE OF 1267.24 FEET; THENCE, SOUTH 00°21'14" EAST, A DISTANCE OF 1290.46 FEET; THENCE, SOUTH 89°39'17" WEST, A DISTANCE OF 2611.76 FEET TO THE POINT OF BEGINNING.

CONTAINING 72.024 ACRES, MORE OR LESS.

SECTION 3

RESOLUTION 2026-33

A RESOLUTION OF THE BOARD OF SUPERVISORS OF MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING DISTRICT PROJECTS FOR CONSTRUCTION AND/OR ACQUISITION OF INFRASTRUCTURE IMPROVEMENTS; EQUALIZING, APPROVING, CONFIRMING, AND LEVYING SPECIAL ASSESSMENTS ON PROPERTY SPECIALLY BENEFITED BY SUCH PROJECTS TO PAY THE COST THEREOF; PROVIDING FOR THE PAYMENT AND THE COLLECTION OF SUCH SPECIAL ASSESSMENTS BY THE METHODS PROVIDED FOR BY CHAPTERS 170, 190, AND 197, *FLORIDA STATUTES*; CONFIRMING THE DISTRICT'S INTENTION TO ISSUE SPECIAL ASSESSMENT BONDS; MAKING PROVISIONS FOR TRANSFERS OF REAL PROPERTY TO GOVERNMENTAL BODIES; PROVIDING FOR THE RECORDING OF AN ASSESSMENT NOTICE; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, McCarty's Choice Community Development District (the "**District**") previously indicated its intention to construct certain types of infrastructure improvements and to finance such infrastructure improvements through the issuance of bonds, which bonds would be repaid by the imposition of special assessments on benefited property within the District; and

WHEREAS, the District Board of Supervisors (the "**Board**") noticed and conducted a public hearing pursuant to Chapters 170, 190, and 197, *Florida Statutes*, relating to the imposition, levy, collection and enforcement of such assessments.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT AS FOLLOWS:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. This Resolution is adopted pursuant to Chapters 170, 190, and 197, *Florida Statutes*, including without limitation, Section 170.08, *Florida Statutes*.

SECTION 2. FINDINGS. The Board hereby finds and determines as follows:

(a) The District is a local unit of special-purpose government organized and existing under and pursuant to Chapter 190, *Florida Statutes*, as amended.

(b) The District is authorized by Chapter 190, *Florida Statutes*, to finance, fund, plan, establish, acquire, install, equip, operate, extend, construct, or reconstruct roadways, stormwater management systems, water, wastewater, and reclaim utilities, landscape and irrigation, parks and amenities, undergrounding of conduit, offsite improvements, entry features and signage, and other infrastructure projects and services necessitated by the development of, and serving lands within, the District (together, the "**Capital Improvements**").

(c) The District is authorized by Chapter 190, *Florida Statutes*, to levy and impose special assessments to pay all, or any part of, the cost of such infrastructure projects and services and to issue special assessment bonds payable from such special assessments as provided in Chapters 170, 190, and 197, *Florida Statutes*.

(d) It is necessary to the public health, safety and welfare and in the best interests of the District that (i) the District provide the Capital Improvements, the nature and location of which is described in the *McCarty's Choice Community Development District Master Engineer's Report*, dated July 10, 2026 (the "**Engineer's Report**") (attached as **Exhibit A** hereto and incorporated herein by this reference), and which plans and specifications are on file and available for public inspection during normal business hours at the office of the District Manager c/o Governmental Management Services - Central Florida, LLC, 219 East Livingston Street, Orlando, Florida 32801 ("**District Records Offices**"); (ii) the cost of such Capital Improvements be assessed against the lands specially benefited by such Capital Improvements; and (iii) the District issue bonds to provide funds for such purposes pending the receipt of such special assessments.

(e) The provision of said Capital Improvements, the levying of such Assessments (hereinafter defined) and the sale and issuance of such bonds serves a proper, essential, and valid public purpose and is in the best interests of the District, its landowners, and residents.

(f) In order to provide funds with which to pay all or a portion of the costs of the Capital Improvements which are to be assessed against the benefitted properties, pending the collection of such Assessments, it is necessary for the District from time to time to sell and issue its Special Assessment Bonds, in one or more series (the "**Bonds**").

(g) By Resolution 2026-32, the Board determined to provide the Capital Improvements and to defray the costs thereof by making Assessments on benefited property and expressed an intention to issue Bonds, notes or other specific financing mechanisms to provide all or a portion of the funds needed for the Capital Improvements prior to the collection of such Assessments. Resolution 2026-32 was adopted in compliance with the requirements of Section 170.03, *Florida Statutes*, and prior to the time it was adopted, the requirements of Section 170.04, *Florida Statutes*, had been met.

(h) As directed by Resolution 2026-32, said Resolution was published as required by Section 170.05, *Florida Statutes*, and a copy of the publisher's affidavit of publication is on file with the Secretary of the Board.

(i) As directed by Resolution 2026-32, a preliminary assessment roll was adopted and filed with the Board as required by Section 170.06, *Florida Statutes*.

(j) As required by Section 170.07, *Florida Statutes*, upon completion of the preliminary assessment roll, the Board adopted Resolution 2026-32, fixing the time and place of a public hearing at which owners of the property to be assessed and other persons interested therein may appear before the Board and be heard as to (1) the propriety and advisability of making the infrastructure improvements, including the Capital Improvements, (2) the cost thereof, (3) the manner of payment therefore, and (4) the amount thereof to be assessed against each specially

benefited property or parcel and provided for publication of notice of such public hearing and individual mailed notice in accordance with Chapters 170, 190, and 197, *Florida Statutes*.

(k) Notice of such public hearing was given by publication and also by mail as required by Section 170.07, *Florida Statutes*. Affidavits as to such publications and mailings are on file in the office of the Secretary of the Board.

(l) On September 16, 2026, at the time and place specified in Resolution 2026-32 and the notice referred to in paragraph (k) above, the Board met as an Equalization Board, conducted such public hearing, and heard and considered all complaints and testimony as to the matters described in paragraph (j) above. The Board has made such modifications in the preliminary assessment roll as it deems necessary, just and right in the making of the final assessment roll.

(m) Having considered the estimated costs of the Capital Improvements, estimates of financing costs and all complaints and evidence presented at such public hearing, the Board further finds and determines:

- i. that the estimated costs of the Capital Improvements are as specified in the Engineer's Report, which Engineer's Report is hereby adopted and approved, and that the amount of such costs is reasonable and proper; and
- ii. it is reasonable, proper, just and right to assess the cost of such Capital Improvements against the properties specially benefited thereby using the method determined by the Board set forth in *Master Assessment Methodology for McCarty's Choice Community Development District*, dated July 10, 2026, as may be supplemented from time to time (the "**Assessment Report**," attached hereto as **Exhibit B** and incorporated herein by this reference), for the Bonds, which results in the special assessments set forth on the final assessment roll included within such **Exhibit B** (the "**Assessments**"); and
- iii. the Assessment Report is hereby approved, adopted and confirmed. The District ratifies its use in connection with the issuance of the Bonds;
- iv. it is hereby declared that the Capital Improvements will constitute a special benefit to all parcels of real property listed on said final assessment roll and that the benefit, in the case of each such parcel, will be equal to or in excess of the Assessments thereon when allocated as set forth in **Exhibit B**;
- v. that the costs of the Capital Improvements are fairly and reasonably apportioned to the properties specifically benefitted as set forth in **Exhibit B**;
- vi. it is in the best interests of the District that the Assessments be paid and collected as herein provided; and
- vii. it is reasonable, proper, just and right for the District to utilize the true-up mechanisms and calculations contained in the Assessment Report in order to ensure that all parcels of real property benefiting from the Capital Improvements are

assessed accordingly and that sufficient assessment receipts are being generated in order to pay the corresponding bond debt-service when due.

SECTION 3. AUTHORIZATION OF DISTRICT PROJECT. That construction of Capital Improvements initially described in Resolution No. 2026-32, and more specifically identified and described in **Exhibit A** attached hereto, is hereby authorized and approved and the proper officers, employees and/or agents of the District are hereby authorized and directed to take such further action as may be necessary or desirable to cause the same to be made.

SECTION 4. ESTIMATED COST OF CAPITAL IMPROVEMENTS. The total estimated costs of the Capital Improvements and the costs to be paid by Assessments on all specially benefited property are set forth in **Exhibits A and B**, respectively, hereto.

SECTION 5. EQUALIZATION, APPROVAL, CONFIRMATION AND LEVY OF SPECIAL ASSESSMENTS. The Assessments on the parcels specially benefited by the Capital Improvements, all as specified in the final assessment roll set forth in **Exhibit B**, attached hereto, are hereby equalized, approved, confirmed and levied. Immediately following the adoption of this Resolution, these Assessments, as reflected in **Exhibit B** attached hereto, shall be recorded by the Secretary of the Board of the District in a special book, to be known as the "Improvement Lien Book." The Assessment or assessments against each respective parcel shown on such final assessment roll and interest, costs and penalties thereon, as hereafter provided, shall be and shall remain a legal, valid and binding first lien on such parcel until paid and such lien shall be coequal with the lien of all state, county, district, municipal or other governmental taxes and superior in dignity to all other liens, titles, and claims. Prior to the issuance of any Bonds, including refunding bonds, the District may, by subsequent resolution, adjust the acreage assigned to particular parcel identification numbers listed on the final assessment roll to reflect accurate apportionment of acreage within the District amongst individual parcel identification numbers. The District may make any other such acreage and boundary adjustments to parcels listed on the final assessment roll as may be necessary in the best interests of the District as determined by the Board by subsequent resolution. Any such adjustment in the assessment roll shall be consistent with the requirements of law. In the event the issuance of Bonds, including refunding bonds, by the District would result in a decrease of the Assessments, then the District shall by subsequent resolution, adopted within sixty (60) days of the sale of such Bonds at a publicly noticed meeting and without the need for further public hearing, evidence such a decrease and amend the final assessment roll as shown in the Improvement Lien Book to reflect such a decrease.

SECTION 6. FINALIZATION OF SPECIAL ASSESSMENTS. When the Capital Improvements project, or any phase thereof funded by a particular series of Bonds, has been constructed or otherwise provided to the satisfaction of the Board, the Board shall adopt a resolution accepting the same and determining the actual costs (including financing costs) thereof, as required by Sections 170.08 and 170.09, *Florida Statutes*. Pursuant to the provisions of Section 170.08, *Florida Statutes*, regarding completion of a project funded by a particular series of bonds, the District shall credit to each Assessment the difference, if any, between the Assessment as hereby made, approved and confirmed and the proportionate part of the actual costs of the Capital Improvements, as finally determined upon completion thereof, but in no event shall the final amount of any such special assessment exceed the amount of benefits originally assessed

hereunder. In making such credits, no credit shall be given for bond financing costs, capitalized interest, funded reserves or bond discounts. Such credits, if any, shall be entered in the Improvement Lien Book.

SECTION 7. PAYMENT OF SPECIAL ASSESSMENTS AND METHOD OF COLLECTION; DEFAULT AND REMEDIES.

(a) The Assessments may be paid in not more than thirty (30) substantially equal consecutive annual installments of principal and interest, calculated in accordance with the Assessment Report and any applicable bond indenture or supplemental resolution. The Assessments may be paid in full without interest at any time within thirty (30) days after both (i) the completion of the Capital Improvements and (ii) the adoption by the Board of a resolution accepting the Capital Improvements, unless such option has been waived by the owner of the land subject to the Assessments; provided, however, that the Board shall at any time make such adjustments by resolution, at a noticed meeting of the Board, to that payment schedule as may be necessary and in the best interests of the District to account for changes in long and short term debt as actually issued by the District. All impact fee credits received and/or value received for impact fee credits shall be applied against the Capital Improvements costs and/or the outstanding indebtedness of any debt issuance that funded the improvement giving rise to the credits, which application shall be addressed by the applicable supplemental assessment resolution adopted for each series of Bonds. At any time subsequent to thirty (30) days after the Capital Improvements have been completed and a resolution accepting the Capital Improvements has been adopted by the Board, the Assessments may be prepaid in full including interest amounts to the next succeeding interest payment date or to the second succeeding interest payment date if such a prepayment is made within forty-five (45) calendar days before an interest payment date. The owner of property subject to Assessments may prepay the entire remaining balance of the Assessments at any time, or a portion of the remaining balance of the Assessment one time per parcel, if there is also paid, in addition to the prepaid principal balance of the Assessment, an amount equal to the interest that would otherwise be due on such prepaid amount on the next succeeding interest payment date, or, if prepaid during the forty-five day (45) period preceding such interest payment date, to the interest payment date following such next succeeding interest payment date. Prepayment of Assessments does not entitle the property owner to any discounts for early payment, except as may be expressly provided in the applicable bond indenture or supplemental resolution for a particular series of Bonds.

(b) The District hereby elects to use the method of collecting Assessments authorized by Sections 197.3632 and 197.3635, *Florida Statutes* (the “**Uniform Method**”), unless the Board determines by subsequent resolution that an alternative collection method is in the District's best interest. The District has heretofore taken or hereby commits to take within the timeframes required by law, all necessary actions to comply with the provisions of said Sections 197.3632 and 197.3635, *Florida Statutes*. Such Assessments may be subject to all of the collection provisions of Chapter 197, *Florida Statutes*. Notwithstanding the above, in the event the Uniform Method of collecting its special or non-ad valorem assessments is not available to the District in any year, or if determined by the District to be in its best interest, the Assessments may be collected as is otherwise permitted by law. The District may, in its sole discretion, collect Assessments by directly assessing landowner(s) and enforcing said collection in any manner authorized by law, including

but not limited to filing foreclosure proceedings pursuant to Chapter 170, Florida Statutes, or pursuing any other available legal or equitable remedies.

(c) For the period the District uses the Uniform Method, the District shall enter into an agreement with the Tax Collector of St. Lucie County, Florida, who may notify each owner of a lot or parcel within the District of the amount of the special assessment, including interest thereon, in the manner provided in Section 197.3635, *Florida Statutes*.

SECTION 8. APPLICATION OF TRUE-UP PAYMENTS.

(a) Pursuant to the Assessment Report attached hereto as **Exhibit B**, there may be required from time to time certain true-up payments. As parcels of land or lots are platted, the Assessments securing the Bonds shall be allocated as set forth in the Assessment Report. In furtherance thereof, at such time as parcels of land or lots are platted, it shall be an express condition of the lien established by this Resolution that any and all initial plats of any portion of the lands within the District, as the District's boundaries may be amended from time to time, shall be presented to the District Manager for review, approval and calculation of the percentage of acres and numbers of units which will be, after the plat, considered to be developed. No further action by the Board of Supervisors shall be required. The District's review shall be limited to the assessment reallocation function, the enforcement of the lien established by this Resolution, and any other matters within the District's jurisdiction. The District Manager shall cause the Assessments to be reallocated to the units being platted and the remaining property in accordance with **Exhibit B**, cause such reallocation to be recorded in the District's Improvement Lien Book, and shall perform the true-up calculations described in **Exhibit B**, which process is incorporated herein as if fully set forth (the "**True-Up Methodology**"). Any resulting true-up payment shall become due and payable that tax year by the landowner(s) of record of the remaining unplatted property, in addition to the regular assessment installment payable with respect to such remaining unplatted acres.

(b) The District will take all necessary steps to ensure that true-up payments are made in a timely fashion to ensure its debt service obligations are met. The District shall record all true-up payments in its Improvement Lien Book.

(c) The foregoing is based on the District's understanding with landowner and/or developer that it intends to develop the unit numbers and types shown in **Exhibit B**, on the net developable acres and is intended to provide a formula to ensure that the appropriate ratio of the Assessments to gross acres is maintained if fewer units are developed. However, no action by the District prohibits more than the maximum units shown in **Exhibit B** from being developed. In no event shall the District collect Assessments pursuant to this Resolution in excess of the total debt service related to the Capital Improvements, including all costs of financing and interest. The District recognizes that such events as regulatory requirements and market conditions may affect the timing and scope of the development in the District. If the strict application of the True-Up Methodology to any assessment reallocation pursuant to this paragraph would result in Assessments collected in excess of the District's total debt service obligation for the Capital Improvements, the Board shall by resolution take appropriate action to equitably reallocate the Assessments. Further, upon the District's review of the final plat for the developable acres, any

unallocated Assessments shall become due and payable and must be paid prior to the District's approval of that plat.

(d) The application of the monies received from true-up payments or Assessments to the actual debt service obligations of the District, whether long term or short term, shall be set forth in the supplemental assessment resolution adopted for each series of Bonds actually issued. Such subsequent resolution shall be adopted at a noticed meeting of the District, and shall set forth the actual amounts financed, costs of issuance, expected costs of collection, and the total amount of the assessments pledged to that issue, which amount shall be consistent with the lien imposed by this Resolution. Each such supplemental resolution shall also address the allocation of any impact fee credits expected to be received from the provision of the project funded by the corresponding series of Bonds issued or to be issued.

SECTION 9. GOVERNMENT PROPERTY; TRANSFERS OF PROPERTY TO UNITS OF LOCAL, STATE, AND FEDERAL GOVERNMENT. Property owned by units of local, state, and federal government shall not be subject to the Assessments without specific written consent thereto from the applicable governmental unit. If at any time, any real property on which Assessments are imposed by this Resolution is sold or otherwise transferred to a unit of local, state, or federal government (without consent of such governmental unit to the imposition of Assessments thereon), all future unpaid Assessments for such tax parcel shall become due and payable immediately prior to such transfer without any further action of the District.

SECTION 10. ASSESSMENT NOTICE. The District's Secretary is hereby directed to record a general Notice of Assessments in the Official Records of St. Lucie County, Florida, which shall be updated from time to time in a manner consistent with changes in the boundaries of the District.

SECTION 11. SEVERABILITY. If any section or part of a section of this Resolution be declared invalid or unconstitutional, the validity, force and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.

SECTION 12. CONFLICTS. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, superseded and repealed.

SECTION 13. EFFECTIVE DATE. This Resolution shall become effective upon its adoption.

APPROVED AND ADOPTED this 16th day of September 2026.

Attest:

**MCCARTY'S CHOICE COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: *McCarty's Choice Community Development District Master Engineer's Report,*
dated July 10, 2026

Exhibit B: *Master Assessment Methodology for McCarty's Choice Community Development*
District, dated July 10, 2026

Exhibit A:

McCarty's Choice Community Development District Master Engineer's Report, dated July 10,
2026

MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT DRAFT

MASTER ENGINEER'S REPORT

July 10, 2026

PREPARED FOR:

**BOARD OF SUPERVISORS
MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT**

PREPARED BY:

KIMLEY-HORN AND ASSOCIATES, INC.

**MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT
MASTER ENGINEER'S REPORT**

1. INTRODUCTION

The purpose of this report is to provide a description of the capital improvement plan (“**CIP**”), and estimated costs of the CIP, for the McCarty’s Choice Community Development District (the “**District**” or “**CDD**”). The District plans to design, permit, finance, acquire, and/or construct, operate, and maintain all or part of certain infrastructure necessary for community development within the District.

The District was established pursuant to Ordinance No. 26-57 adopted by the City Council of the City of Port St. Lucie, Florida (“**City**”), effective as of July 2, 2026. The developer is McCarty Town Development, LLC (the “**Developer**”), while McCarty Road LLC is the sole owner of all lands within the District.

2. GENERAL SITE DESCRIPTION

The District is located entirely within the City, and covers approximately 72.024 acres of land, more or less. The District is generally located south of West Midway Road, east of McCarty Road, north of the East/West-5 Roadway, and west of the North St. Lucie River Water Control District (NSLRWCD) C-91 Canal. A Location Map is included as **Exhibit B**. The project areas and land use are depicted in **Exhibit C**. The projects future land use can be found in **Exhibit A**.

3. PROPOSED CAPITAL IMPROVEMENT PLAN

The CIP is intended to provide public infrastructure improvements for the lands within the District, which are planned for 321 residential units. The following tables show the planned product types and land uses for the District:

PRODUCT TYPES

Product Type	Total Units
30' X 110'	67
40' X 110'	164
50' X 110'	90
TOTAL	321

LAND USE

Land Use	Acreage
Lot Development	33.13
Onsite ROW	9.96
Offsite ROW	6.62
Common Areas	0.19
Stormwater Ponds	11.74
Open Space	7.86
Existing Lake	2.52
TOTAL	+/- 72.02

The CIP infrastructure includes the following:

Roadway Improvements

The CIP includes subdivision roads within the District and off-site roadway improvements. Generally, all roads will be two-lane undivided roads. Such roads include the roadway asphalt, base, and subgrade, roadway curb and gutter, striping, signage, and sidewalks within rights-of-way abutting non-lot lands. Sidewalks abutting lots will be constructed by the homebuilders and will be owned and maintained by the substantial HOA. All roads will be designed in accordance with City of Port St. Lucie, St. Lucie County and FDOT standards, and all roadway improvements financed by the District shall be available for use by the general public. The internal roadways are anticipated to be owned, operated, and maintained by the District; McCarty Road by St. Lucie County; and the East/West-5 Roadway by the City of Port St. Lucie.

Stormwater Management System

The stormwater collection and outfall system are a combination of roadway curbs, curb inlets, pipe, a control structure, and open ponds designed to treat and attenuate stormwater runoff from District lands. The stormwater collection system within the District discharges to on-site retention ponds. The District drainage system outfalls into the NSLRWCD C-91 Canal. The stormwater system will be designed consistent with the criteria established by the South Florida Water Management District ("SFWMD") and the City of Port St. Lucie for stormwater/floodplain management systems. The District will finance, own, operate and maintain the stormwater system, including inlets and storm sewer systems throughout the District.

Water and Wastewater Utilities

As part of the CIP, the District intends to construct and/or acquire water and wastewater infrastructure. In particular, the on-site water supply improvements include water mains that will be located within rights-of-way and used for potable water service and fire protection and connection to the existing off-site water main. Wastewater improvements for the CIP will include installation of sewer mains within the District and connection to the existing off-site sewer main. In addition, a 12" force main offsite improvement on McCarty Road will be proposed (reference offsite improvements). The water and wastewater collection systems for all phases will be completed by the District and dedicated to the City of Port St. Lucie for operation and maintenance.

Watermain connection points for the Project:

- 8" Water main connection to existing Water main at the E/W-5 entrance
- 16" Water main connection in the southwest corner of the site to existing E/W-5 Water main
- 8" Water main connection to existing Water main at the McCarty Road entrance
- 8" Water main connection to existing LTC Ranch Pod 1 Water main in the northeast corner of the site

Hardscape, Landscape, and Irrigation

The District will construct and/or install landscaping and hardscaping within District common areas and rights-of-way. The hardscaping will consist of entry features, signage, and landscaping. All such landscaping and hardscaping will be owned, maintained, and funded by the District. Additionally, the District intends to construct an irrigation system for the development that will provide a lower-cost alternative to potable water for District landowners from onsite surface water irrigation. The system will also provide water for the common areas, pond side slopes, etc. Installation, operation, and maintenance of any irrigation system will be the responsibility of the District.

Undergrounding of Conduit

The CIP includes the incremental cost of undergrounding electrical and other utility conduit within rights-of-way and utility easements within the District. The electrical lines and transformers installed in such conduit will be owned, operated, and maintained by the FPL provider, and the District's funding obligation is limited to the installation of conduit only.

Recreational Amenities

The Developer may also choose to privately construct and finance amenity facilities. Any such improvements privately constructed and financed by the Developer will be considered common elements for the exclusive benefit of the District landowners; provided, however, that the District shall have no obligation to maintain, repair, or replace any such improvements unless expressly accepted by the District's Board of Supervisors.

Off-Site Improvements

Off-site improvements will consist of roadway and utility extensions to serve the District. The following off-site improvements are proposed for construction by the District:

- Construction of "EW 5" from project entrance +/- 2200 LF East to LTC Ranch Pod 9 entrance
- Construction of a chip seal layer over the existing from the Northwest project driveway to North of Williams Road
- Proposed 12" Force main from existing E/W-5 Force main past the west project entrance
- Proposed 16" Water main along E/W-5 connecting to existing Water main

Environmental Conservation/Mitigation

The District will be responsible for the Environmental permitting and mitigation of impacted onsite wetlands.

Professional Services

The CIP includes various professional services. These include: (i) engineering, surveying, Geotech, architectural, land planning, and legal fees associated with the CIP, and (ii) permitting and plan review costs that are required for the design, permitting, construction, and maintenance of the public improvements and community facilities.

As noted, the CIP functions as a system of improvements benefitting all lands within the District.

4. PERMITTING

All necessary permits for the construction of the CIP are expected to be obtained prior to the commencement of construction and include the following:

- **Roads | Drainage | Earthwork**
 - Pending South Florida Water Management District Environmental Resource Permit
 - Pending Florida Department of Environmental Protection NPDES Permit
 - Pending City of Port St Lucie Construction Permit
 - Pending City of Port St Lucie Preliminary Plat with Construction plans approval
 - North St. Lucie River Water Control District Approval #025-005-91 4/22/2026
- **Water Distribution**
 - Pending Florida Department of Environmental Protection Construction of Water Main Extensions for PWS's Permit
 - Pending City of Port St Lucie Permit to Construct a Water Main / Distribution System
 - Pending City of Port St Lucie Utility plan approval
- **Wastewater Collection and Transmission System**
 - Pending Florida Department of Environmental Protection Construction of a Domestic Wastewater Collection / Transmission System PWS's Permit
 - Pending City of Port St Lucie Permit to Construct a Domestic Wastewater Collection / Transmission System
 - Pending City of Port St Lucie Utility plan approval
- **Water Use - Irrigation and Construction Dewatering**
 - Pending South Florida Water Management District/St Lucie County Dewatering Permit
 - Pending South Florida Water Management District Water Use Permit

5. OPINION OF PROBABLE CONSTRUCTION COSTS

The table below presents, among other things, the cost estimate for the CIP. It is our professional opinion that the costs set forth in Table A are reasonable and consistent with market pricing.

Table A**Cost Estimate for District Facilities**

<u>Infrastructure</u>	<u>Estimated Costs</u>
Stormwater Management	\$8,500,000
Utilities (Water/Sewer/Reclaim)	\$9,500,000
Roadways	\$6,000,000
Hardscape/Landscape/Irrigation/Trails	\$8,500,000
Undergrounding of Conduit	\$2,500,000
Environmental Conservation/Mitigation	\$750,000
Recreational Improvements	\$1,500,000
Contingency (15% of construction costs)	\$5,948,179
Professional Services	\$4,051,600
Total	\$47,249,779

Kimley-Horn and Associates, Inc. has no control over the cost of labor, materials, equipment, or services furnished by others, or over methods of determining price, or over competitive bidding or market conditions. Any and all professional opinions as to costs reflected herein, including but not limited to professional opinions as to the costs of construction materials, are made on the basis of professional experience and available data. Kimley-Horn and Associates, Inc. cannot and does not guarantee or warrant that actual costs will not vary from the professional opinions of costs shown herein.

A 15% contingency has also been included. *

Table B shows which parties will finance, own, and operate the various improvements of the CIP:

Table B
District Proposed Facilities and Services

<u>District Infrastructure</u>	<u>Finance</u>	<u>Ownership</u>	<u>O&M</u>
Internal Roadways	CDD	CDD	CDD
McCarty Road	CDD	County	County
East/West-5 Roadway	CDD	City	City
Stormwater Management	CDD	CDD	CDD
Utilities (Water/Sewer)	CDD	City	City
Hardscape/Landscape/Irrigation	CDD	CDD	CDD
Undergrounding of Conduit	CDD	FPL	FPL
Environmental/Mitigation	CDD	CDD	CDD
Professional Services	CDD	CDD	CDD
Recreational Improvements	CDD	CDD	CDD

6. CONCLUSION

The CIP will be designed in accordance with current governmental regulations and requirements. The CIP will serve its intended function so long as the construction is in substantial compliance with the design.

It is further our opinion that:

- the estimated cost to the CIP as set forth herein is based on prices currently being experienced in the jurisdiction in which the District is located and is not greater than the lesser of the actual cost of construction or the fair market value of such infrastructure;
- all of the improvements comprising the CIP are necessitated by and reasonably required to serve the development within the District as contemplated by applicable development approvals and local government comprehensive plans;
- the CIP is feasible to construct, there are no technical reasons existing at this time that would prevent the implementation of the CIP, and it is reasonable to assume that all necessary regulatory approvals will be obtained in due course; and
- the assessable property within the District will receive a special benefit from the CIP that is at least equal to the costs of the CIP.

As described above, this report identifies the benefits from the CIP to the lands within the District. The general public, property owners, and property outside the District will benefit from the provisions of the District's CIP; however, these are incidental to the District's CIP, which is designed solely to provide special benefits peculiar to property within the District. Special and peculiar benefits accrue to property within the District and enable properties within its boundaries to be developed.

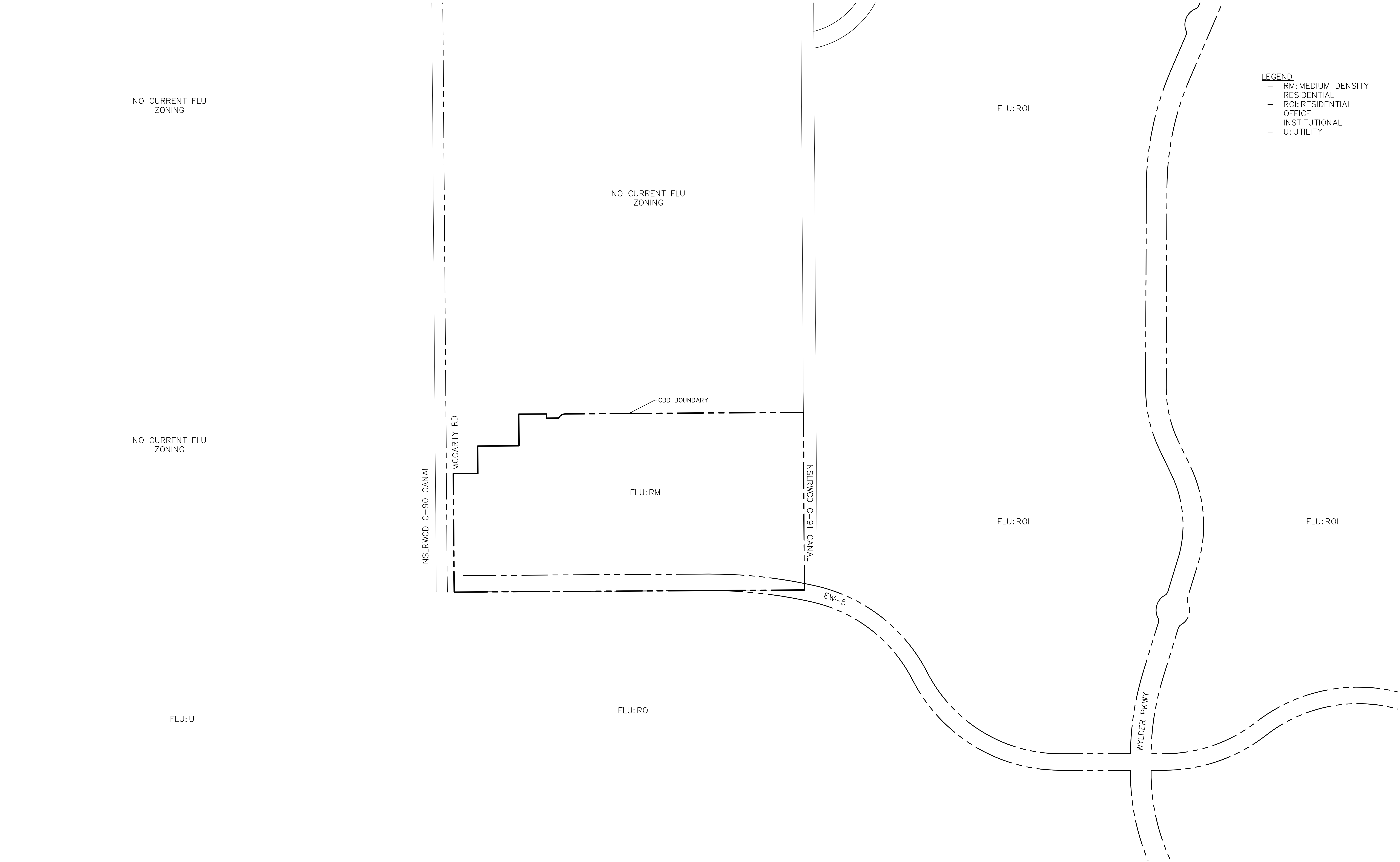
The CIP will be owned by the District or other governmental units, and such CIP is intended to be available and will reasonably be available for use by the general public (either by being part of a system of improvements that is available to the general public or is otherwise available to the general public), including nonresidents of the District. All of the CIP is or will be located on lands owned or to be owned by the District or another governmental entity or on perpetual easements in favor of the District or other governmental entity. The CIP, and any cost estimates set forth herein, do not include any earthwork, grading, or other improvements on private lots or property. The District will pay the lesser of the cost of the components of the CIP or the fair market value.

Please note that the CIP as presented herein is based on current plans and market conditions which are subject to change. Accordingly, the CIP, as used herein, refers to sufficient public infrastructure of the kinds described herein (i.e., stormwater/floodplain management, sanitary sewer, potable water, etc.) to support the development and sale of the planned residential units in the District, which (subject to true-up determinations) number and type of units may be changed with the development of the site. Stated differently, during development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans, provided such modifications comply with all applicable governmental regulations and approvals, and the District expressly reserves the right to do so subject to these conditions.

Kinan Husainy, P.E. (Florida License No. 75481)

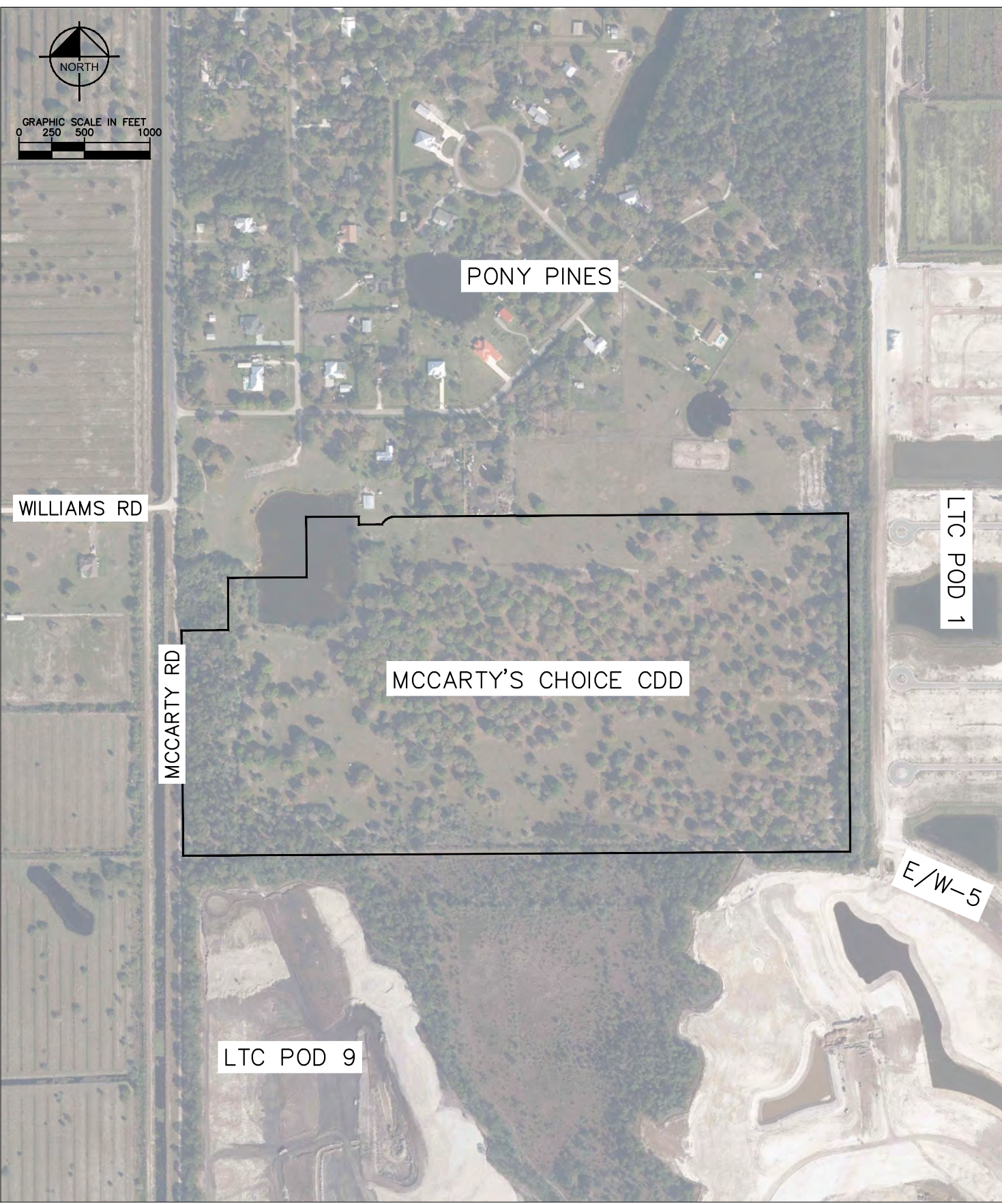
- EXHIBIT A:** Future Land Use Map
- EXHIBIT B:** Location Map
- EXHIBIT C:** Land Use Map
- EXHIBIT D:** Proposed Utility and Stormwater System layout

Plotted By: Nicholas, Jacob
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Layout: McCorty PUD April 15, 2026 05:11:53pm



Plotted By: Nicholas, Jacob Sheet Set: Kna Layout: Layout1 May 15, 2026 08:09:42am K:\VRB_LDEV\McCarty PUD\CAD\Exhibits\Location Map\LocationMap-McCarty.dwg

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



Kimley»Horn

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PHONE: 772-473-8575
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MCCARTY'S CHOICE CDD

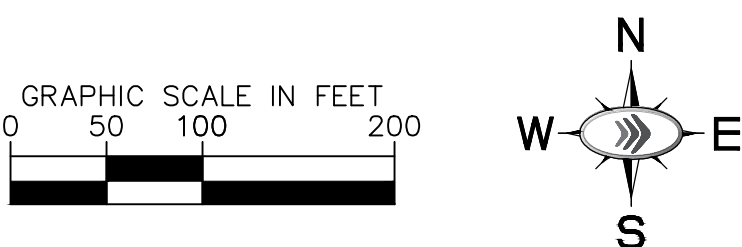
LOCATION MAP

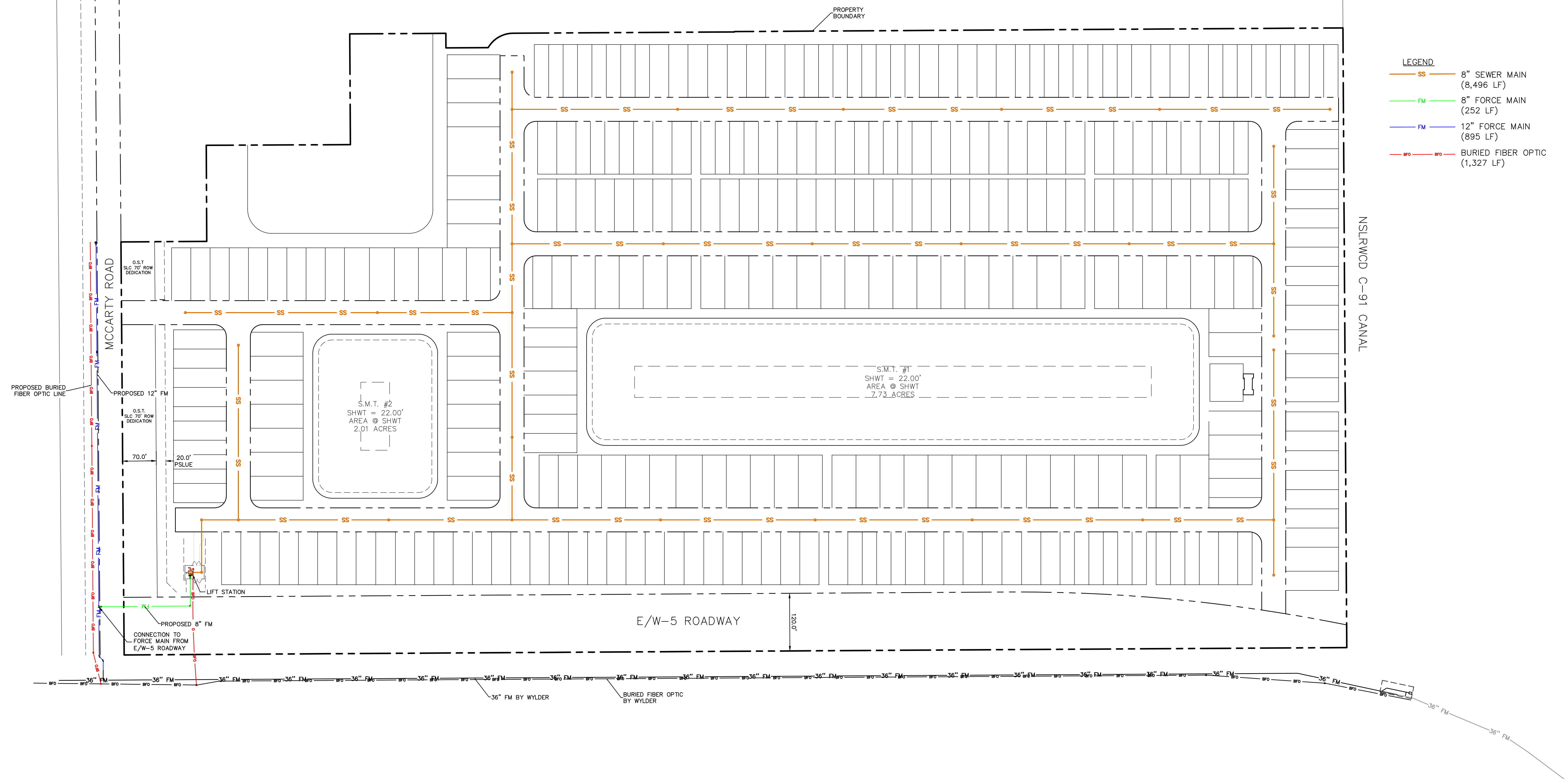
SHEET NUMBER

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SITE DATA	
SITE AREA:	72.02 ACRES (+/-)
LAKE AREA (EXCLUDES EX. PONY PINES LAKE):	9.78 ACRES
AMENITY AREA:	0.19 ACRES
DENSITY:	8.25 DU/AC





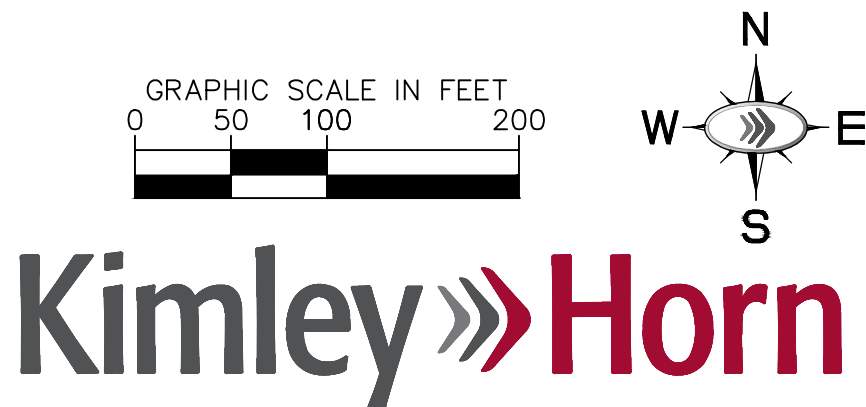
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MCCARTY'S CHOICE CDD

PORT ST. LUCIE, FL

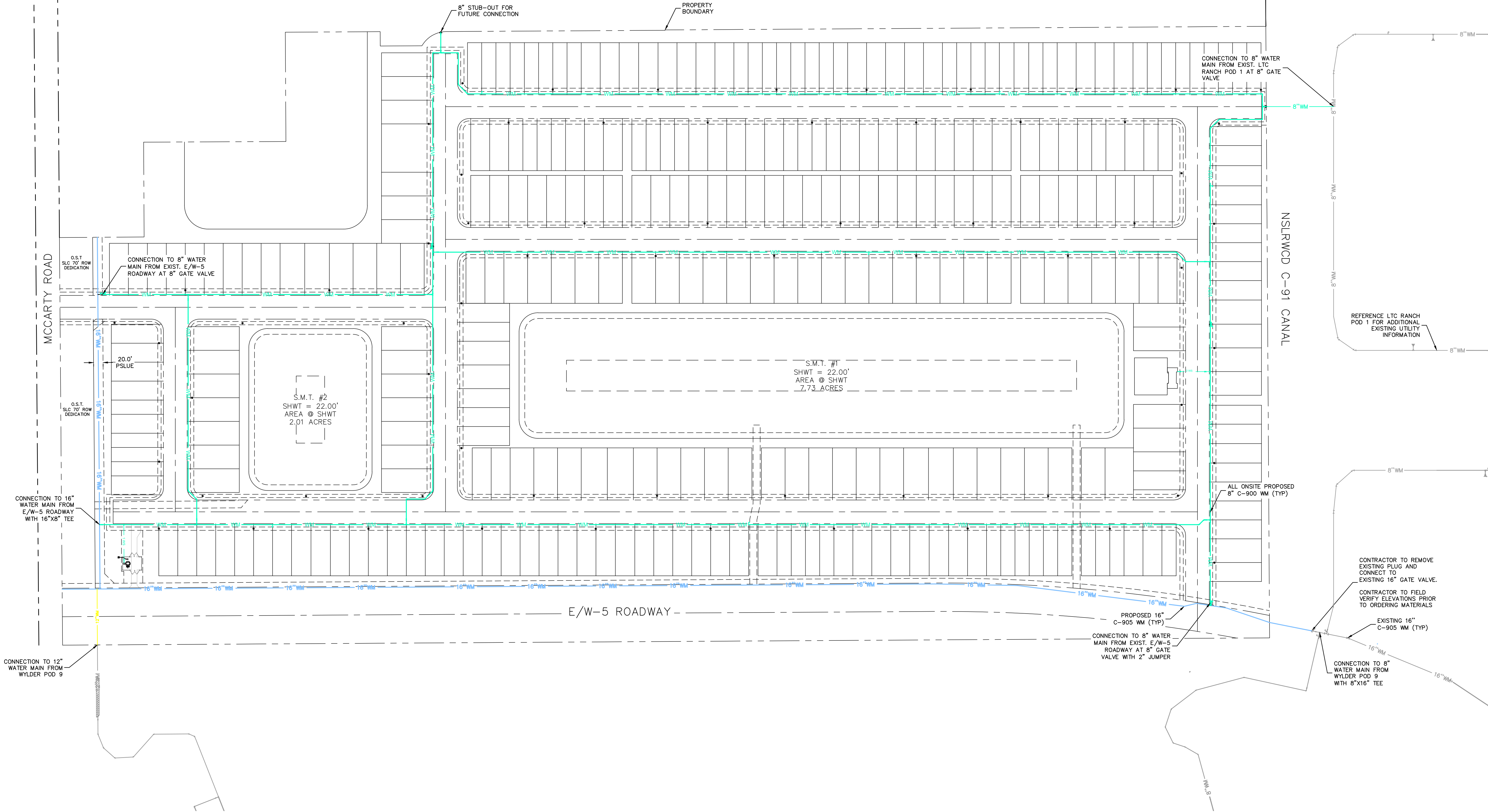
WATER MAIN EXHIBIT

04/15/2026 - CONTACT: (321) 225-0642



LEGEND

- 8" WM 8" ONSITE PROP. C-900 WM (9,282 LF)
- 16" WM 16" OFFSITE PROP. C-905 WM (3,389 LF)
- 12" WM 12" OFFSITE PROP. C-900 WM (118 LF)



Plotted By: Stecher, Gavin K:\VRB_LDEV\McCarty PUD\CAD\Exhibits\Conceptual Utility Grading and Drainage\2026-03-20\Stormwater CDD.dwg June 26, 2026 10:25:15am Layout: McCarty PUD

MCCARTY'S CHOICE CDD

PORT ST. LUCIE, FL

STORMWATER EXHIBIT

03/19/2026 - CONTACT: (321) 225-0642

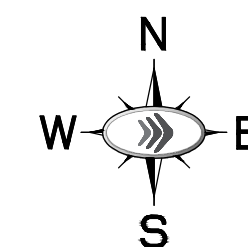
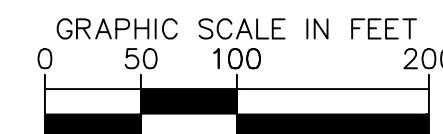
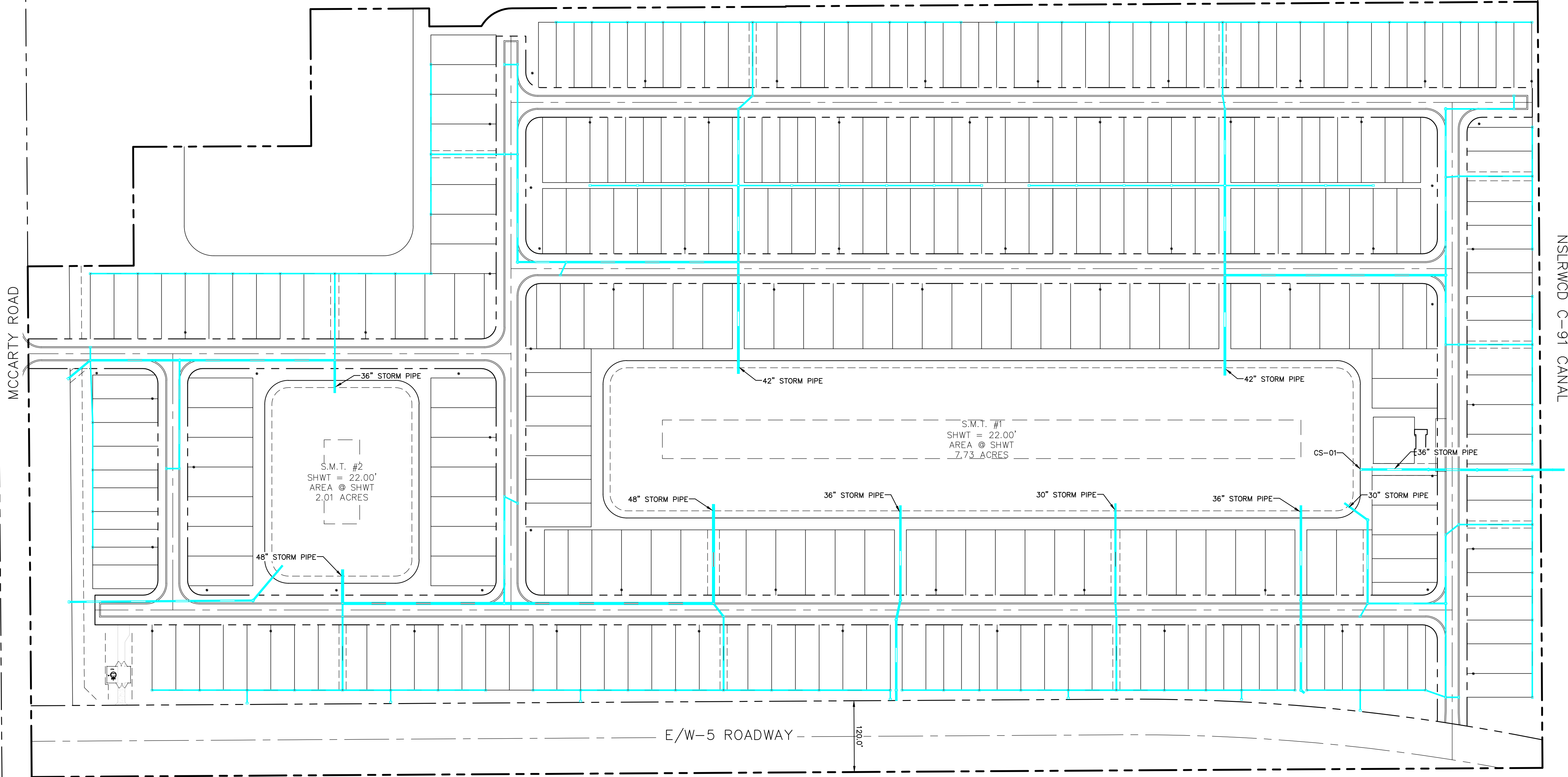


Exhibit B:

Master Assessment Methodology for McCarty's Choice Community Development District, dated
July 10, 2026

**MASTER
ASSESSMENT METHODOLOGY

FOR
MCCARTY'S CHOICE
COMMUNITY DEVELOPMENT DISTRICT**

Date: July 10, 2026

Prepared by

**Governmental Management Services - Central Florida, LLC
219 E. Livingston Street
Orlando, FL 32801**



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GMS-Central Florida, LLC does not represent McCarty's Choice Community Development District as a Municipal Advisor or Securities Broker nor is GMS-Central Florida, LLC registered to provide such services as described in Section 15B of the Securities and Exchange Act of 1934, as amended. Similarly, GMS-Central Florida, LLC does not provide McCarty's Choice Community Development District with financial advisory services or offer investment advice in any form.

1.0 Introduction

McCarty's Choice Community Development District is a local unit of special-purpose government organized and existing under Chapter 190, Florida Statutes, as amended (the "District"). The District plans to issue up to \$61,420,000 of special assessment bonds in one or more series (the "Bonds") for the purpose of financing certain infrastructure improvements within the District, more specifically described in the Master Engineer's Report dated July 10, 2026, prepared by Kimley-Horn and Associates, Inc., as may be amended and supplemented from time to time (the "Engineer's Report"). The District anticipates the construction of public infrastructure improvements consisting of improvements that benefit property owners within the District.

1.1 Purpose

This Master Assessment Methodology Report (the "Assessment Report") provides for an assessment methodology for allocating the debt to be incurred by the District to benefiting properties within the District. This Assessment Report allocates the debt to properties based on the special benefits each receives from the District's capital improvement plan ("CIP"). This Assessment Report will be supplemented with one or more supplemental methodology reports to reflect the actual terms and conditions at the time of the issuance of each series of Bonds. This Assessment Report is designed to conform to the requirements of Chapters 170, 190, and 197, Florida Statutes, with respect to special assessments and is consistent with our understanding of case law on this subject.

The District intends to impose non ad valorem special assessments on the benefited lands within the District based on this Assessment Report. It is anticipated that all of the proposed special assessments will be collected through the Uniform Method of Collection described in Chapter 197.3632, Florida Statutes, collected directly, or through any other legal means of collection available to the District. It is not the intent of this Assessment Report to address any other assessments, if applicable, that may be levied by the District, a homeowner's association, or any other unit of government.

1.2 Background

The District currently includes approximately 72.024 acres within the City of Port St. Lucie within St. Lucie County, Florida. The development program currently envisions approximately 321 residential units (herein the "Development"). The proposed Development program is depicted in Table 1. It is recognized that such land use plan may change, and this Assessment Report will be modified accordingly.

The public improvements contemplated by the District in the CIP will provide facilities that benefit certain property within the District. The CIP is delineated in the Engineer's Report. Specifically, the District may construct and/or acquire certain stormwater management, utilities (water/sewer/reclaim), roadways, hardscape/landscape/irrigation/trails, undergrounding of conduit, environmental conservation/mitigation, recreational improvements, contingency, and professional services along with any other public projects authorized by Florida law. The acquisition and construction costs are summarized in Table 2.

The Assessment Report is a four-step process.

1. The District Engineer must first determine the public infrastructure improvements that may be provided by the District and the costs to implement the CIP.
2. The District Engineer determines the assessable acres that benefit from the District's CIP.
3. A calculation is made to determine the funding amounts necessary to acquire and/or construct CIP.
4. This amount is initially divided equally among the benefited properties on a prorated gross acreage basis. Ultimately, as land is platted, this amount will be assigned to each of the benefited properties based on the number of platted units.

1.3 Special Benefits and General Benefits

Improvements undertaken by the District create special and peculiar benefits to the assessable property, different in kind and degree than general benefits, for properties outside its borders as well as general benefits to the public at large.

However, as discussed within this Assessment Report, these general benefits are incidental in nature and are readily distinguishable from the special and peculiar benefits, which accrue to the assessable property within the District. The implementation of the CIP enables properties within its boundaries to be developed. Without the District's CIP, there would be no infrastructure to support development of land within the District. Without these improvements, development of the property within the District would be prohibited by law.

There is no doubt that the general public and property owners outside the District will benefit from the provision of the District's CIP. However, these benefits will be incidental to the District's CIP, which is designed solely to meet the needs of property within the District. Properties outside the District boundaries do not depend upon the District's CIP. The property owners within the District are therefore receiving special benefits not received by those outside the District's boundaries. The District has determined that the general benefits conferred upon the public at large and properties

outside the District are de minimis in relation to the special and peculiar benefits conferred upon assessed properties within the District. Accordingly, no portion of the assessments levied hereunder represents a charge for general benefits, and the full amount of the assessments reflects only special benefits conferred upon the assessed properties.

1.4 Requirements of a Valid Assessment Methodology

There are two requirements under Florida law for a valid special assessment:

- 1) The properties must receive a special benefit from the improvements being paid for.
- 2) The assessments must be fairly and reasonably allocated to the properties being assessed.

Florida law provides for a wide application of special assessments that meet these two requirements for valid special assessments.

1.5 Special Benefits Exceed the Costs Allocated

The special benefits provided to the property owners within the District are greater than the costs associated with providing these benefits. The District Engineer estimates that the District's CIP that is necessary to support full development of property will cost approximately \$47,249,779. The District's Underwriter projects that financing costs required to fund the infrastructure improvements, including project costs, the cost of issuance of the Bonds, the funding of debt service reserves and capitalized interest, will be approximately \$61,420,000. Additionally, funding required to complete the CIP which is not financed with Bonds is expected to be funded by McCarty Town Development, LLC, its successors, assigns or future purchaser or another related entity (the "Developer"). Without the CIP, the property would not be able to be developed and occupied by future residents of the community. For each product type within the District, the special and peculiar benefits received - including the added use of the property, added enjoyment, and increased marketability and value resulting from the CIP - are greater than the assessments allocated to that product type as set forth in Tables 5 and 6. This finding is supported by the fact that the CIP is necessary to enable any development of the property and that the market value attributable to a fully serviced lot in this location exceeds the per-unit assessment obligations set forth herein.

2.0 Assessment Methodology

2.1 Overview

The District is planning to issue up to \$61,420,000 in Bonds, in one or more series to fund the District's CIP, provide for capitalized interest, a debt service reserve account and cost of issuance. It is the purpose of this Assessment Report to allocate the \$61,420,000 in debt to the properties benefiting from the CIP.

Table 1 identifies the proposed land uses as identified by the Developer and current landowners of the land within the District. The District has relied on the Engineer's Report to develop the costs of the CIP needed to support the Development. These construction costs are outlined in Table 2. The improvements needed to support the Development are described in detail in the Engineer's Report and are estimated to cost \$47,249,779. Based on the estimated costs, the size of the Bond issue under current market conditions needed to generate funds to pay for the CIP and related costs was determined by the District's Underwriter to total approximately \$61,420,000. Table 3 shows the breakdown of the bond sizing.

2.2 Allocation of Debt

Allocation of debt is a continuous process until the development plan is completed. The CIP funded by District Bonds benefits all developable acres within the District.

The initial assessments will be levied on an equal basis to all acres within the District. A fair and reasonable methodology allocates the debt incurred by the District proportionately to the properties receiving the special benefits. At this point all of the lands within the District are benefiting from the improvements.

Once platting, site planning, or the recording of declaration of condominium, ("Assigned Properties") has begun, the assessments will be levied to the Assigned Properties based on the benefits they receive. The Unassigned Properties, defined as property that has not been platted, assigned development rights or subjected to a declaration of condominium, will continue to be assessed on a per acre basis ("Unassigned Properties"). Eventually the development plan will be completed and the debt relating to the Bonds will be allocated to the planned 321 residential units within the District, which are the beneficiaries of the CIP, as depicted in Table 5 and Table 6. If there are changes to the development plan, a true up of the assessment will be calculated to determine if a debt reduction or true-up payment from the Developer is required. The process is outlined in Section 3.0.

Until all the land within the District has been platted and sold, the assessments on the portion of the land that has not been platted and sold are not fixed and determinable.

The reasons for this are (1) until the lands are platted, the number of developable acres within each tract against which the assessments are levied is not determined; (2) the lands are subject to re-plat, which may result in changes in development density and product type; and (3) until the lands are sold it is unclear of the timing of the absorptions. Only after the property has been platted and sold will the developable acreage be determined, the final plat be certain, the developable density known, the product types be confirmed, and the timing of the sales solidified.

The assignment of debt in this Assessment Report sets forth the process by which debt is apportioned. As mentioned herein, this Assessment Report will be supplemented from time to time.

2.3 Allocation of Benefit

The CIP consists of stormwater management, utilities (water/sewer/reclaim), roadways, hardscape/landscape/irrigation/trails, undergrounding of conduit, environmental conservation/mitigation, recreational improvements, contingency, and professional services. There are three residential product types within the planned development. The Single Family 50' unit has been set as the base unit and has been assigned one equivalent residential unit ("ERU"). The ERU factors for each product type are based on the relative special benefit each product type receives from the CIP, as measured by factors including lot size, anticipated impervious surface area, demand placed on stormwater, utility and roadway infrastructure, and access to parks and amenities. A Single Family 30', with a smaller footprint, is estimated to generate proportionally less demand on the CIP improvements and has been assigned an ERU factor of 0.60. A Single Family 40' unit, with a larger footprint than a Single Family 30' but smaller than a Single Family 50' unit, has been assigned an ERU factor of 0.80. A Single Family 50' unit, having the largest footprint and placing the greatest demand on the CIP, serves as the base unit at 1.00 ERU. Table 4 shows the allocation of benefit to the particular land uses. It is important to note that the benefit derived from the improvements on the particular units exceeds the cost that the units will be paying for such benefits.

2.4 Lienability Test: Special and Peculiar Benefit to the Property

Construction and/or acquisition by the District of its proposed CIP will provide several types of systems, facilities and services for its residents. These may include but are not limited to stormwater management, utilities (water/sewer/reclaim), roadways, hardscape/landscape/irrigation/trails, undergrounding of conduit, environmental conservation/mitigation, recreational improvements, contingency, and professional services. These improvements accrue in differing amounts and are somewhat dependent on the type of land use receiving the special benefits peculiar to those properties, which flow from the logical relationship of the improvements to the properties.

Once these determinations are made, they are reviewed in the light of the special benefits peculiar to the property, which flow to the properties as a result of their logical connection from the improvements in fact actually provided.

For the provision of CIP, the special and peculiar benefits are:

- 1) the added use of the property,
- 2) added enjoyment of the property, and
- 3) the probability of increased marketability and value of the property.

These special and peculiar benefits are real and ascertainable but are not yet capable of being calculated as to value with mathematical certainty. However, each is more valuable than either the cost of, or the actual non-ad valorem special assessment levied for the improvement or the debt as allocated.

2.5 Lienability Test: Reasonable and Fair Apportionment of the Duty to Pay Non-Ad Valorem Assessments

A reasonable estimate of the proportion of special and peculiar benefits received from the public improvements described in the Engineer's Report is delineated in Table 5 (expressed as Allocation of Par Debt per Product Type).

The determination has been made that the duty to pay the non-ad valorem special assessments is fairly and reasonably apportioned because the special and peculiar benefits to the property derived from the acquisition and/or construction of the District's CIP have been apportioned to the property according to reasonable estimates of the special and peculiar benefits provided consistent with the land use categories.

Accordingly, no acre or parcel of property within the boundaries of the District will have a lien for the payment of any non-ad valorem special assessment more than the determined special benefit peculiar to that property and therefore, the debt allocation will not be increased more than the debt allocation set forth in this Assessment Report.

In accordance with the benefit allocation suggested for the product types in Table 4, a total debt per unit and an annual assessment per unit have been calculated for each product type (Table 6). These amounts represent the preliminary anticipated per unit debt allocation assuming all anticipated units are built and sold as planned, and the entire proposed CIP is developed or acquired and financed by the District.

3.0 True Up Mechanism

Although the District does not process plats, declaration of condominiums, site plans or revisions thereto for the Developer, it does have an important role to play during

the course of platting and site planning. Whenever a plat, declaration of condominium or site plan is processed, the District must allocate a portion of its debt to the property according to this Assessment Report outlined herein. In addition, the District must also prevent any buildup of debt on Unassigned Property. Otherwise, the land could be fully conveyed and/or platted without all of the debt being allocated. To preclude this, at the time Unassigned Properties become Assigned Properties, the District will determine the amount of anticipated assessment revenue that remains on the Unassigned Properties, taking into account the proposed plat, or site plan approval. If the total anticipated assessment revenue to be generated from the Assigned and Unassigned Properties is greater than or equal to the maximum annual debt service then no adjustment is required. In the case that the revenue generated is less than the required amount then a debt reduction or true-up payment by the landowner in the amount necessary to reduce the par amount of the outstanding Bonds plus accrued interest to a level that will be supported by the new net annual debt service assessments will be required. In addition, if any Unassigned Property is permanently removed from the developable land base for any reason (including changes in entitlements, environmental restrictions, dedication, or condemnation), the District shall treat such removal as a triggering event requiring a true-up calculation, and the landowner shall be required to make a true-up payment or the District shall reduce the outstanding par amount of the Bonds to a level supportable by the remaining assessable properties.

4.0 Assessment Roll

The District will initially distribute the liens across the property within the District boundaries on a gross acreage basis. As Assigned Property becomes known with certainty, the District will refine its allocation of debt from a per acre basis to a per unit basis as shown in Table 7. If the land use plan changes, then the District will update Tables 1, 4, 5 and 6 to reflect the changes. As a result, the assessment liens are neither fixed nor are they determinable with certainty on any acre of land in the District prior to the time final Assigned Properties become known. At this time the debt associated with the District's CIP will be distributed evenly across the acres within the District. As the development process occurs, the debt will be distributed against the Assigned Property in the manner described in this Assessment Report. The current assessment roll is depicted in Table 7.

TABLE 1
MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT
DEVELOPMENT PROGRAM
MASTER ASSESSMENT METHODOLOGY

Product Types	No. of Units *	Totals	ERUs per Unit (1)	Total ERUs
Single Family - 30'	67	67	0.60	40.20
Single Family - 40'	164	164	0.80	131.20
Single Family - 50'	90	90	1.00	90.00
Total Units	321	321		261.4

(1) Benefit is allocated on an ERU basis based on the special benefit received from the CIP improvements. The allocation is density of planned development, with a Single Family 50' unit equal to 1 ERU. The District has determined that this allocation methodology provides a fair and reasonable apportionment of the debt among the benefited properties in accordance with Section 170.201, Florida Statutes

* Unit mix is subject to change based on marketing and other factors

Prepared by: Governmental Management Services - Central Florida, LLC

TABLE 2
MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT
INFRASTRUCTURE COST ESTIMATES
MASTER ASSESSMENT METHODOLOGY

Capital Improvement Plan ("CIP") (1)	Total Cost Estimate
Stormwater Management	\$8,500,000
Utilities (Water/Sewer/Reclaim)	\$9,500,000
Roadways	\$6,000,000
Hardscape/Landscape/Irrigation/Trails	\$8,500,000
Undergrounding of Conduit	\$2,500,000
Environmental Conservation/Mitigation	\$750,000
Recreational Improvements	\$1,500,000
Contingency	\$5,948,179
Professional Services	\$4,051,600
	\$47,249,779

(1) A detailed description of these improvements is provided in the Master Engineer's Report dated July 10, 2026

Prepared by: Governmental Management Services - Central Florida, LLC

TABLE 3
MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT
BOND SIZING
MASTER ASSESSMENT METHODOLOGY

Description	Total
Construction Funds	\$47,249,779
Debt Service Reserve	\$4,703,387
Capitalized Interest	\$7,984,600
Underwriters Discount	\$1,228,400
Cost of Issuance	\$250,000
Rounding	\$3,834
Par Amount*	\$61,420,000

Bond Assumptions:

Average Coupon	6.50%
Amortization	30 years
Capitalized Interest	24 months
Debt Service Reserve	Max Annual D/S
Underwriters Discount	2%

* Par amount is subject to change based on the actual terms at the sale of the Bonds

Prepared by: Governmental Management Services - Central Florida, LLC

TABLE 4
MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT
ALLOCATION OF BENEFIT
MASTER ASSESSMENT METHODOLOGY

Product Types	No. of Units *	ERU Factor	Total ERUs	% of Total ERUs	Total Improvements	
					Costs Per Product Type	Improvement Costs Per Unit
Single Family - 30'	67	0.60	40.20	15.38%	\$7,266,416	\$108,454
Single Family - 40'	164	0.80	131.20	50.19%	\$23,715,268	\$144,605
Single Family - 50'	90	1.00	90.00	34.43%	\$16,268,095	\$180,757
Totals	321		261.40	100.00%	\$47,249,779	

* Unit mix is subject to change based on marketing and other factors

TABLE 5
MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT
ALLOCATION OF TOTAL BENEFIT/PAR DEBT TO EACH PRODUCT TYPE
MASTER ASSESSMENT METHODOLOGY

Product Types	No. of Units *	Total Improvements Costs Per Product Type	Allocation of Par Debt Per Product Type	Par Debt Per Unit
Single Family - 30'	67	\$7,266,416	\$9,445,616	\$140,979
Single Family - 40'	164	\$23,715,268	\$30,827,483	\$187,972
Single Family - 50'	90	\$16,268,095	\$21,146,901	\$234,966
Totals	321	\$47,249,779	\$61,420,000	

* Unit mix is subject to change based on marketing and other factors

Prepared by: Governmental Management Services - Central Florida, LLC

TABLE 6
MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT
PAR DEBT AND ANNUAL ASSESSMENTS FOR EACH PRODUCT TYPE
MASTER ASSESSMENT METHODOLOGY

Product Types	No. of Units *	Allocation of Par Debt Per Product Type	Total Par Debt Per Unit	Maximum Annual Debt Service	Net Annual Debt Assessment Per Unit	Gross Annual Debt Assessment Per Unit (1)
Single Family - 30'	67	\$9,445,616	\$140,979	\$723,321	\$10,796	\$11,485
Single Family - 40'	164	\$30,827,483	\$187,972	\$2,360,690	\$14,394	\$15,313
Single Family - 50'	90	\$21,146,901	\$234,966	\$1,619,376	\$17,993	\$19,142
Totals	321	\$61,420,000		\$4,703,387		

(1) This amount includes collection fees and early payment discounts when collected on the St. Lucie County Tax Bill

* Unit mix is subject to change based on marketing and other factors

Prepared by: Governmental Management Services - Central Florida, LLC

TABLE 7
MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT
PRELIMINARY ASSESSMENT ROLL
MASTER ASSESSMENT METHODOLOGY

Owner	Property	Net Acres	Total Par Debt Allocation Per Acre	Total Par Debt Allocated	Net Annual Debt Assessment Allocation	Gross Annual Debt Assessment Allocation (1)
MCCARTY ROAD LLC	MCCARTY'S CHOICE CDD	72.02	\$852,771	\$61,420,000	\$4,703,387	\$5,003,603
Totals		72.02		\$61,420,000	\$4,703,387	\$5,003,603

(1) This amount includes 6% to cover collection costs and early payment discounts when collected utilizing the uniform method. As authorized by Section 197.3632, Florida Statutes, when collected utilizing the uniform method of collection pursuant to Chapter 197, Florida Statutes

Annual Assessment Periods	30
Average Coupon Rate (%)	6.50%
Maximum Annual Debt Service	\$4,703,387

* - See Metes and Bounds, attached as Exhibit A

Prepared by: Governmental Management Services - Central Florida, LLC

Exhibit A

DESCRIPTION:

THE SOUTH 1290.46 FEET OF THE SOUTHWEST ONE QUARTER LYING SOUTH OF PONY PINES-UNIT ONE, AS IN PLAT BOOK 17, PAGE 3, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. LESS THE EAST 46 FOOT CANAL RIGHT OF WAY AND LESS THE WEST 98 FEET FOR ROAD AND CANAL RIGHT OF WAY, ST. LUCIE COUNTY, FLORIDA. SAID LANDS SITUATE IN SECTION 9, TOWNSHIP 36 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 9, THENCE ALONG THE SOUTH LINE OF SAID SECTION 9, NORTH 89°39'17" EAST, A DISTANCE OF 98.00 FEET TO THE POINT OF BEGINNING; THENCE, NORTH 00°26'11" WEST, A DISTANCE OF 860.13 FEET; THENCE, NORTH 89°36'30" EAST, A DISTANCE OF 178.61 FEET; THENCE, NORTH 00°17'45" WEST, A DISTANCE OF 200.03 FEET; THENCE, NORTH 89°44'22" EAST, A DISTANCE OF 300.22 FEET; THENCE, NORTH 00°19'38" WEST, A DISTANCE OF 230.60 FEET; THENCE, NORTH 89°39'17" EAST, A DISTANCE OF 200.14 FEET; THENCE, SOUTH 00°19'38" EAST, A DISTANCE OF 30.37 FEET; THENCE, NORTH 89°40'22" EAST, A DISTANCE OF 87.85 FEET TO A POINT OF A NON-TANGENT CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 59° 47' 32", HAVING A RADIUS OF 60.00 FEET, HAVING AN ARC DISTANCE OF 62.61 FEET, AND WHOSE LONG CHORD BEARS NORTH 59° 46' 36" EAST FOR A DISTANCE OF 59.81 FEET; THENCE, NORTH 89°40'22" EAST, A DISTANCE OF 461.28 FEET; THENCE, NORTH 00°19'38" WEST, A DISTANCE OF 0.75 FEET; THENCE, NORTH 89°39'17" EAST, A DISTANCE OF 1267.24 FEET; THENCE, SOUTH 00°21'14" EAST, A DISTANCE OF 1290.46 FEET; THENCE, SOUTH 89°39'17" WEST, A DISTANCE OF 2611.76 FEET TO THE POINT OF BEGINNING.

CONTAINING 72.024 ACRES, MORE OR LESS.

SECTION 4

This instrument was prepared by:

Savannah Hancock, Esq.
Kilinski | Van Wyk PLLC
517 E. College Avenue
Tallahassee, Florida 32301

**MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT
NOTICE OF MASTER SPECIAL ASSESSMENTS / GOVERNMENTAL LIEN OF RECORD
(Master Debt Assessments)**

PLEASE TAKE NOTICE that the Board of Supervisors of McCarty's Choice Community Development District ("**District**") in accordance with Chapters 170, 190, and 197, *Florida Statutes*, previously adopted Resolution Nos. 2026-32 and 2026-33 (together, "**Master Assessment Resolutions**"). The Master Assessment Resolutions levy and impose one or more non-ad valorem, debt service special assessment lien(s) ("**Master Assessments**"), which are levied on the property described in **Exhibit A** ("**Master Assessment Area**") and are intended to secure the District's repayment of debt service on future special assessment revenue bonds ("**Master Bonds**"). Such Master Bonds are intended to finance all or a portion of the District's capital improvement plan, which is defined in the Master Assessment Resolutions and described in *McCarty's Choice Community Development District Master Engineer's Report*, dated July 10, 2026, as may be amended or supplemented from time to time ("**Master Engineer's Report**"). The Master Assessments are further described in the District's *Master Assessment Methodology for McCarty's Choice Community Development District*, dated July 10, 2026, as may be amended or supplemented from time to time ("**Master Assessment Report**").

A copy of the Master Engineer's Report, Master Assessment Report and Master Assessment Resolutions may be obtained from the registered agent of the District as designated to the Florida Department of Commerce in accordance with Section 189.014, *Florida Statutes*, or by contacting the District Manager by mail at c/o Governmental Management Services - Central Florida, LLC, 219 East Livingston Street, Orlando, Florida 32801, or by phone at (407) 841-5524.

The Master Assessments were legally and validly determined and levied in accordance with all applicable requirements of Florida law, and constitute and will at all relevant times in the future constitute, legal, valid, and binding first liens on the land against which they are assessed until paid, coequal with the lien of all state, county, district, and municipal taxes, and superior in dignity to all other liens, titles, and claims, except for liens of state, county, district, and municipal taxes. Please note that, as part of the Master Assessments, the Master Assessment Resolutions require that certain "True-Up Payments" be made in certain circumstances including those described in the Master Assessment Report, and landowners should familiarize themselves with those requirements, as they constitute a requirement under the liens. Failure to make required True-Up Payments when due shall constitute a default under the Master Assessments and may result in foreclosure proceedings or the exercise of any other remedies available to the District at law or in equity.

The District is a special-purpose form of local government established pursuant to and governed by Chapter 190, *Florida Statutes*. The Master Assessments constitute liens that run with the land and are binding upon all current and future owners and their successors and assigns. This notice shall remain effective even if the District undergoes merger, boundary amendment, or name change. Further, upon recording, this notice shall constitute a lien of record under Florida law, including but not limited to Chapters 170, 190 and 197, *Florida Statutes*, and Sections 197.552 and 197.573, *Florida Statutes*, among others.

Pursuant to Section 190.048, *Florida Statutes*, you are hereby notified that: **MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT MAY IMPOSE AND LEVY TAXES OR ASSESSMENTS, OR BOTH TAXES AND ASSESSMENTS, ON THE ASSESSMENT AREA. THESE TAXES AND ASSESSMENTS PAY THE CONSTRUCTION, OPERATION, AND MAINTENANCE COSTS OF CERTAIN PUBLIC FACILITIES AND SERVICES OF THE DISTRICT AND ARE SET ANNUALLY BY THE GOVERNING BOARD OF THE DISTRICT. THESE TAXES AND ASSESSMENTS ARE IN ADDITION TO COUNTY AND OTHER LOCAL GOVERNMENTAL TAXES AND ASSESSMENTS AND ALL OTHER TAXES AND ASSESSMENTS PROVIDED FOR BY LAW.**

IN WITNESS WHEREOF, this Notice shall be effective as of the 16th day of September 2026 and shall be recorded in the Public Records of St. Lucie County, Florida.

WITNESSES

**MCCARTY'S CHOICE COMMUNITY
DEVELOPMENT DISTRICT**

By: _____
Name: _____
Address: _____

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Address: _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this ____ day of _____ 2026, by Jill Burns, as District Manager of **McCarty's Choice Community Development District**, who appeared before me, and who is either personally known to me, or produced _____ as identification.

NOTARY PUBLIC, STATE OF FLORIDA

(NOTARY SEAL)

Name: _____
(Name of Notary Public, Printed, Stamped
or Typed as Commissioned)

EXHIBIT A

Legal Description of Master Assessment Area (District Boundaries)

THE SOUTH 1290.46 FEET OF THE SOUTHWEST ONE QUARTER OF SECTION 9, TOWNSHIP 36 SOUTH, RANGE 39 EAST, LYING SOUTH OF PONY PINES-UNIT ONE, AS IN PLAT BOOK 17, PAGE 3, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

LESS THE EAST 46 FOOT CANAL RIGHT OF WAY AND LESS THE WEST 98 FEET FOR ROAD AND CANAL RIGHT OF WAY, ST. LUCIE COUNTY, FLORIDA

ALL ABOVE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 9 TOWNSHIP 36 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA, THENCE ALONG THE SOUTH LINE OF SAID SECTION 9, NORTH 89°39'17" EAST, A DISTANCE OF 98.00 FEET TO THE POINT OF BEGINNING; THENCE, NORTH 00°26'11" WEST, A DISTANCE OF 860.13 FEET; THENCE, NORTH 89°36'30" EAST, A DISTANCE OF 178.61 FEET; THENCE, NORTH 00°17'45" WEST, A DISTANCE OF 200.03 FEET; THENCE, NORTH 89°44'22" EAST, A DISTANCE OF 300.22 FEET; THENCE, NORTH 00°19'38" WEST, A DISTANCE OF 230.60 FEET; THENCE, NORTH 89°39'17" EAST, A DISTANCE OF 200.14 FEET; THENCE, SOUTH 00°19'38" EAST, A DISTANCE OF 30.37 FEET; THENCE, NORTH 89°40'22" EAST, A DISTANCE OF 87.85 FEET TO A POINT OF A NON-TANGENT CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 59° 47' 32", HAVING A RADIUS OF 60.00 FEET, HAVING AN ARC DISTANCE OF 62.61 FEET, AND WHOSE LONG CHORD BEARS NORTH 59° 46' 36" EAST FOR A DISTANCE OF 59.81 FEET; THENCE, NORTH 89°40'22" EAST, A DISTANCE OF 461.28 FEET; THENCE, NORTH 00°19'38" WEST, A DISTANCE OF 0.75 FEET; THENCE, NORTH 89°39'17" EAST, A DISTANCE OF 1267.24 FEET; THENCE, SOUTH 00°21'14" EAST, A DISTANCE OF 1290.46 FEET; THENCE, SOUTH 89°39'17" WEST, A DISTANCE OF 2546.26 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,137,359 SQUARE FEET OR 72.0238 ACRES, MORE OR LESS.

SECTION B

SECTION 1

RESOLUTION 2026-34

RESOLUTION OF THE BOARD OF SUPERVISORS OF MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT EXPRESSING ITS INTENT TO UTILIZE THE UNIFORM METHOD OF LEVYING, COLLECTING, AND ENFORCING NON-AD VALOREM ASSESSMENTS WHICH MAY BE LEVIED BY MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT IN ACCORDANCE WITH SECTION 197.3632, *FLORIDA STATUTES*; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, McCarty's Choice Community Development District ("**District**") was established pursuant to the provisions of Chapter 190, *Florida Statutes*, which authorizes the District to levy certain assessments which include benefit and maintenance assessments and further authorizes the District to levy special assessments pursuant to Chapters 170 and 197, *Florida Statutes*, for the acquisition, maintenance, construction, or reconstruction of assessable improvements authorized by Chapter 190, *Florida Statutes*; and

WHEREAS, the above referenced assessments are non-ad valorem in nature and, therefore, may be levied and collected under the provisions of Section 197.3632, *Florida Statutes*, in which the State of Florida has provided a uniform method for the levying, collecting, and enforcing such non-ad valorem assessments (the "**Uniform Method**"); and

WHEREAS, the Board has previously adopted a resolution declaring the intent to use the Uniform Method for the levy, collection and enforcement of non-ad valorem special assessments authorized by Section 197.3632, *Florida Statutes*, over certain lands within the District as described therein; and

WHEREAS, pursuant to Section 197.3632, *Florida Statutes*, the District has caused notice of a public hearing on the District's intent to use the Uniform Method to be advertised weekly in a newspaper of general circulation within St. Lucie County for four (4) consecutive weeks prior to such hearing; and

WHEREAS, the District has held a public hearing pursuant to Section 197.3632, *Florida Statutes*, where public and landowners were allowed to give testimony regarding the use of the Uniform Method; and

WHEREAS, the District desires to use the Uniform Method for the levy, collection and enforcement of non-ad valorem special assessments authorized by Section 197.3632, *Florida Statutes*, for special assessments, including benefit and maintenance assessments, over all the lands in the District as further described in **Exhibit A**.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. McCarty's Choice Community Development District, upon conducting its public hearing as required by Section 197.3632, *Florida Statutes*, hereby expresses its need and intent to use the Uniform Method of collecting assessments imposed by the District over the lands described in **Exhibit A**, as provided in Chapters 170 and 190, *Florida Statutes*, each of which are non-ad valorem assessments may be collected annually pursuant to the provisions of Chapter 190, *Florida Statutes*, for the purpose of paying principal and interest on any and all of its indebtedness and for the purpose of paying the cost of operating and maintaining its assessable improvements. The legal description of the boundaries of the real property subject to a levy of assessments is attached and made a part of this Resolution as **Exhibit A**. The non-ad valorem assessments and the District's use of the Uniform Method of collecting its non-ad valorem assessment(s) may continue in any given year when the Board of Supervisors determines that use of the uniform method for that year is in the best interests of the District.

SECTION 2. The District's Secretary is authorized to provide the Property Appraiser and Tax Collector of St. Lucie County and the Department of Revenue of the State of Florida with a copy of this Resolution and enter into any agreements with the Property Appraiser and/or Tax Collector necessary to carry out the provisions of this Resolution.

SECTION 3. If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 4. This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 16th day of September 2026.

ATTEST:

**MCCARTY'S CHOICE COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chairperson, Board of Supervisors

EXHIBIT A: Legal Description of McCarty's Choice Community Development District

EXHIBIT A:
Legal Description of McCarty's Choice Community Development District

THE SOUTH 1290.46 FEET OF THE SOUTHWEST ONE QUARTER LYING SOUTH OF PONY PINES-UNIT ONE, AS IN PLAT BOOK 17, PAGE 3, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

LESS THE EAST 46 FOOT CANAL RIGHT OF WAY AND LESS THE WEST 98 FEET FOR ROAD AND CANAL RIGHT OF WAY, ST. LUCIE COUNTY, FLORIDA

ALL ABOVE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 9 TOWNSHIP 36 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA, THENCE ALONG THE SOUTH LINE OF SAID SECTION 9, NORTH 89°39'17" EAST, A DISTANCE OF 98.00 FEET TO THE POINT OF BEGINNING; THENCE, NORTH 00°26'11" WEST, A DISTANCE OF 860.13 FEET; THENCE, NORTH 89°36'30" EAST, A DISTANCE OF 178.61 FEET; THENCE, NORTH 00°17'45" WEST, A DISTANCE OF 200.03 FEET; THENCE, NORTH 89°44'22" EAST, A DISTANCE OF 300.22 FEET; THENCE, NORTH 00°19'38" WEST, A DISTANCE OF 230.60 FEET; THENCE, NORTH 89°39'17" EAST, A DISTANCE OF 200.14 FEET; THENCE, SOUTH 00°19'38" EAST, A DISTANCE OF 30.37 FEET; THENCE, NORTH 89°40'22" EAST, A DISTANCE OF 87.85 FEET TO A POINT OF A NON-TANGENT CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 59° 47' 32", HAVING A RADIUS OF 60.00 FEET, HAVING AN ARC DISTANCE OF 62.61 FEET, AND WHOSE LONG CHORD BEARS NORTH 59° 46' 36" EAST FOR A DISTANCE OF 59.81 FEET; THENCE, NORTH 89°40'22" EAST, A DISTANCE OF 461.28 FEET; THENCE, NORTH 00°19'38" WEST, A DISTANCE OF 0.75 FEET; THENCE, NORTH 89°39'17" EAST, A DISTANCE OF 1267.24 FEET; THENCE, SOUTH 00°21'14" EAST, A DISTANCE OF 1290.46 FEET; THENCE, SOUTH 89°39'17" WEST, A DISTANCE OF 2546.26 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,137,359 SQUARE FEET OR 72.0238 ACRES, MORE OR LESS.

SECTION C

SECTION 1

RESOLUTION 2026-35

THE ANNUAL APPROPRIATION RESOLUTION OF THE MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGETS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2025, AND ENDING SEPTEMBER 30, 2026; AND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2026, AND ENDING SEPTEMBER 30, 2027; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the McCarty's Choice Community Development District ("**District**") was established by Ordinance No. 26-57 of the City of Port St. Lucie, Florida, effective June 22, 2026; and

WHEREAS, the District Manager has submitted to the Board of Supervisors ("**Board**") of the District proposed budgets for the remainder of the fiscal year beginning October 1, 2025, and ending September 30, 2026 ("**Fiscal Year 2026**"), and for the fiscal year beginning October 1, 2026, and ending September 30, 2027 ("**Fiscal Year 2027**"), along with an explanatory and complete financial plan for each fund of the District, pursuant to the provisions of Section 190.008(2)(a), *Florida Statutes* ("**Proposed Budgets**"); and

WHEREAS, at least sixty (60) days prior to the adoption of the Proposed Budgets, the District filed a copy of the Proposed Budgets 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 public hearings thereon and caused notice of such public hearings to be given by publication pursuant to Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, Section 190.008(2)(a), *Florida Statutes*, requires that, prior to October 1st of each year, the 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 Proposed Budgets, which budgets 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 MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. BUDGET

- a. The Board has reviewed the Proposed Budgets, copies of which is on file with the office of the District Manager and at the District's Local Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.

- ## SECTION 2. APPROPRIATIONS

- | | |
|--------------------|----|
| TOTAL GENERAL FUND | \$ |
|--------------------|----|

- | | |
|--------------------|----|
| TOTAL GENERAL FUND | \$ |
|--------------------|----|

- a. A line-item appropriation for expenditures within a fund may be decreased or increased by motion of the Board recorded in the minutes, and approving the expenditure, if the total appropriations of the fund do not increase.

- b. The District Manager or Treasurer may approve an expenditure that would increase or decrease a line-item appropriation for expenditures within a fund if the total appropriations of the fund do not increase and if either (i) the aggregate change in the original appropriation item does not exceed the greater of \$15,000 or 15% of the original appropriation, or (ii) such expenditure is authorized by separate disbursement or spending resolution.
- c. Any other budget amendments shall be adopted by resolution and consistent with Florida law.

The District Manager or Treasurer must ensure that any amendments to the budget under paragraph c. above are posted on the District's website within five (5) days after adoption and remain on the website for at least two (2) years.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 16th DAY OF SEPTEMBER 2026.

ATTEST:

**MCCARTY'S CHOICE COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Vice/Chairperson, Board of Supervisors

Exhibit A: Adopted Budgets for Fiscal Year 2026 & Fiscal Year 2027

Exhibit A:
Adopted Budgets for Fiscal Year 2026 & Fiscal Year 2027

McCarty's Choice
Community Development District

Proposed Budget
FY2026 - FY2027



Table of Contents

1

General Fund

2-4

General Fund Narrative

McCarty's Choice

Community Development District

Proposed Budget General Fund

Description	Proposed Budget FY2026*	Proposed Budget FY2027
<u>Revenues</u>		
Developer Contributions	\$ 51,759	\$ 382,128
Total Revenues	\$ 51,759	\$ 382,128
<u>Expenditures</u>		
<i><u>General & Administrative</u></i>		
Supervisor Fees	\$ 4,000	\$ 12,000
FICA Expenditures	\$ 306	\$ 918
Engineering	\$ 5,000	\$ 15,000
Attorney	\$ 8,333	\$ 25,000
Dissemination	\$ -	\$ 5,000
Trustee Fees	\$ -	\$ 4,500
Arbitrage	\$ -	\$ 450
Audit Fees	\$ -	\$ 4,000
Management Fees	\$ 13,333	\$ 40,000
Information Technology	\$ 600	\$ 1,800
Website Maintenance **	\$ 2,150	\$ 1,200
Telephone	\$ 100	\$ 300
Postage & Delivery	\$ 333	\$ 1,000
Insurance	\$ 5,000	\$ 5,000
Copies	\$ 333	\$ 1,000
Legal Advertising	\$ 10,000	\$ 8,500
Contingencies	\$ 1,667	\$ 5,000
Office Supplies	\$ 208	\$ 625
Travel Per Diem	\$ 220	\$ 660
Dues, Licenses & Subscriptions	\$ 175	\$ 175
General and Administrative Expenditures	\$ 51,759	\$ 132,128
<i><u>Field Operations</u></i>		
Contingencies	\$ -	\$ 250,000
Total Field Expenditures	\$ -	\$ 250,000
Total Expenditures	\$ 51,759	\$ 382,128
Excess Revenues/(Expenditures)	\$ -	\$ -

* This budget is prorated for June 2026

**Budget amount includes a one-time website creation fee.

McCarty's Choice

Community Development District

General Fund Narrative

Revenues:

Developer Contributions

Represents funding to be provided by the Developer under a funding agreement to cover General Fund expenditures for the Fiscal Year.

Expenditures:

General & Administrative:

Supervisor Fees

Represents fees paid to each member of the Board of Supervisors for time devoted to District business and meetings. Pursuant to Chapter 190, Florida Statutes, each Supervisor may receive \$200 per meeting, not to exceed \$4,800 per year.

FICA Expenditures

Represents the Employer's share of Social Security and Medicare taxes withheld from Board of Supervisors checks.

Engineering

Represents general engineering services provided by Absolute Engineering, Inc., including attendance and preparation for monthly Board meetings, invoice review, and various projects as directed by the Board of Supervisors and District Manager.

Attorney

Represents general legal services provided by Kilinski Van Wyk, PLLC., including but not limited to attendance and preparation for meetings, preparation and review of agreements, resolutions, and other legal matters as directed by the Board of Supervisors and the District Manager.

Dissemination

Represents costs associated with the compliance of the Securities and Exchange Commission (SEC) Rule 15c2-12(b)(5), including continuing disclosure and reporting requirements for the District's bond issuances. The District has contracted with Governmental Management Services – Central Florida, LLC to provide these services.

Trustee Fees

Represents costs associated with trustee services for the District's anticipated Bonds, provided by U.S. Bank, including administration of bond funds, processing of payments, and compliance with trust indenture requirements.

Management Fees

Represents costs associated with management, accounting, and administrative services provided under a Management Agreement with Governmental Management Services – Central Florida, LLC, including but not limited to recording and transcription of Board meetings, administrative services, budget preparation, financial reporting, and coordination of the annual audit.

McCarty's Choice

Community Development District

General Fund Narrative

Information Technology

Represents various cost of information technology with Governmental Management Services–Central Florida, LLC for the District such as video conferencing, cloud storage and servers, positive pay implementation and programming for fraud protection, accounting software, tablets for meetings, Adobe, Microsoft Office, etc.

Website Maintenance

Represents the costs with Governmental Management Services–Central Florida LLC associated with monitoring and maintaining the District's website created in accordance with Chapter 189, Florida Statutes. These services include site performance assessments, security and firewall maintenance, updates, document uploads, hosting and domain renewals, website backups, etc.

Telephone

Represents costs associated with telephone, fax, and related communication services utilized for District administrative operations and official communications.

Postage & Delivery

Represents costs associated with mailing services for checks, Board meeting materials, correspondence, legal notices, overnight deliveries, and other District administrative documents.

Insurance

Represents costs associated with the District's general liability, public officials liability, and other insurance coverages provided by Florida Insurance Alliance (FIA), which specializes in insurance programs for governmental entities.

Copies

Represents costs associated with copying and printing services for District operations, including Board meeting materials, correspondence, reports, and other administrative documents.

Legal Advertising

Represents costs associated with advertising required notices for Board meetings, public hearings, and other official District actions in a newspaper of general circulation.

Contingencies

Represents bank charges and other miscellaneous expenses incurred during the fiscal year.

Office Supplies

Represents costs associated with office supplies purchased during the fiscal year, including paper, minute books, file folders, labels, paper clips, and other administrative materials used in District operations.

Travel Per Diem

Represents costs associated with travel expense reimbursements for Board Supervisors and authorized personnel related to attendance at meetings, conferences, training sessions, and other official District activities.

McCarty's Choice
Community Development District
General Fund Narrative

Dues, Licenses & Subscriptions

Represents the annual special district fee of \$175 paid to the Florida Department of Commerce, as required by Florida Statutes, to maintain the District's active status and compliance with state reporting requirements.

Field Operations:

Contingencies

Represents funds allocated for unforeseen field-related expenses that are incurred during the fiscal year.

SECTION D

SECTION 1

RESOLUTION 2026-36

A RESOLUTION OF THE BOARD OF SUPERVISORS OF MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT ADOPTING RULES OF PROCEDURE; ADOPTING AMENITY DISCIPLINARY RULES; ADOPTING RATES, FEES AND CHARGES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, McCarty's Choice Community Development District ("District") is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, which owns, operates and maintains, or anticipates owning, operating and maintaining, certain amenity facilities and other public facilities (collectively, "Amenity Facilities"); and

WHEREAS, Chapters 190 and 120, *Florida Statutes*, authorize the District to adopt rules, rates, charges and fees to govern the administration of the District and to adopt resolutions as may be necessary for the conduct of District business; and

WHEREAS, to provide for efficient and effective District operations and to maintain compliance with Florida law, the District's Board of Supervisors ("Board") finds that it is in the best interests of the District to adopt by resolution the Rules of Procedure attached hereto as **Exhibit A** for immediate use and application; and

WHEREAS, the Board also desires to adopt rules relating to the suspension and/or termination of patrons' rights to utilize the Amenity Facilities; and

WHEREAS, the Board finds that it is in the best interests of the District and necessary for the efficient operation of the District to adopt by resolution the *Suspension and Termination of Access Rule* ("Disciplinary Rule"), which is attached hereto as **Exhibit B** and incorporated herein by this reference, for immediate use and application; and

WHEREAS, the Board finds that it is in the best interests of the District and necessary for the efficient operation of the District to adopt by resolution the fee schedule, which is attached hereto as **Exhibit C** and incorporated herein by this reference, for immediate use and application ("Fee Schedule"); and

WHEREAS, the Board finds that the Fee Schedule outlined in **Exhibit C** is just and equitable having been based upon (i) the amount of service furnished; and (ii) other factors affecting the use of the facilities furnished; and

WHEREAS, the Board of Supervisors has complied with applicable Florida law concerning rule development, ratemaking, and rule and rate adoption, including without limitation the requirements of Sections 120.54 and 190.035, *Florida Statutes*, and the holding of public hearings thereon.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The Rules of Procedure set forth in **Exhibit A** are hereby adopted pursuant to this Resolution as necessary for the conduct of District business. The Rules of Procedure shall stay in full force and effect until such time as the Board may amend these rules in accordance with Chapters 120 and 190, *Florida Statutes*.

SECTION 2. The Disciplinary Rule set forth in **Exhibit B** is hereby adopted pursuant to this Resolution as necessary for the conduct of District business and shall remain in full force and effect unless revised or repealed by the District in accordance with Chapters 120 and 190, *Florida Statutes*.

SECTION 3. The Fee Schedule set forth in **Exhibit C** is hereby adopted pursuant to this Resolution as necessary for the conduct of District business and the Board of Supervisors hereby finds the rates, fees and charges contained in the Fee Schedule as reasonable, just, equitable and in the District's best interests. The Fee Schedule shall remain in full force and effect unless revised or repealed by the District in accordance with Chapters 120 and 190, *Florida Statutes*.

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

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

PASSED AND ADOPTED this 16th day of September 2026.

ATTEST:

**MCCARTY'S CHOICE COMMUNITY
DEVELOPMENT DISTRICT**

Secretary / Assistant Secretary

Chairperson, Board of Supervisors

Exhibit A: Rules of Procedure
Exhibit B: Disciplinary Rule
Exhibit C: Fee Schedule

EXHIBIT A:
RULES OF PROCEDURE

[BEGINS AT FOLLOWING PAGE]

**RULES OF PROCEDURE
MCCARTY’S CHOICE COMMUNITY DEVELOPMENT DISTRICT**

EFFECTIVE AS OF SEPTEMBER 16, 2026

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Rule 1.0 General.

- (1) McCarty's Choice Community Development District ("District") was created pursuant to the provisions of Chapter 190 of the Florida Statutes, and was established to provide for the ownership, operation, maintenance, and provision of various capital facilities and services within its jurisdiction. The purpose of these rules ("Rules") is to describe the general operations of the District.
- (2) Definitions located within any section of these Rules shall be applicable within all other sections, unless specifically stated to the contrary.
- (3) Unless specifically permitted by a written agreement with the District, the District does not accept documents filed by electronic mail or facsimile transmission. Filings are only accepted during normal business hours, which are 9:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.
- (4) A Rule of the District shall be effective upon adoption by affirmative vote of the District Board. After a Rule becomes effective, it may be repealed or amended only through the rulemaking procedures specified in these Rules. Notwithstanding, the District may immediately suspend the application of a Rule if the District determines that the Rule conflicts with Florida law. In the event that a Rule conflicts with Florida law and its application has not been suspended by the District, such Rule should be interpreted in the manner that best effectuates the intent of the Rule while also complying with Florida law. If the intent of the Rule absolutely cannot be effectuated while complying with Florida law, the Rule shall be automatically suspended.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 190.011(5), 190.011(15), Fla. Stat.

Rule 1.1 Board of Supervisors; Officers and Voting.

- (1) Board of Supervisors. The Board of Supervisors of the District (“Board”) shall consist of five (5) members. Members of the Board (“Supervisors”) appointed by ordinance or rule or elected by landowners must be citizens of the United States of America and residents of the State of Florida. Supervisors elected or appointed by the Board to elector seats must be citizens of the United States of America, residents of the State of Florida and of the District and registered to vote with the Supervisor of Elections of the county in which the District is located and for those elected, shall also be qualified to run by the Supervisor of Elections. The Board shall exercise the powers granted to the District under Florida law.
 - (a) Supervisors shall hold office for the term specified by Section 190.006 of the Florida Statutes. If, during the term of office, any Board member(s) vacates their office, the remaining member(s) of the Board shall fill the vacancies by appointment for the remainder of the term(s). If three or more vacancies exist at the same time, a quorum, as defined herein, shall not be required to appoint replacement Board members.
 - (b) Three (3) members of the Board shall constitute a quorum for the purposes of conducting business, exercising powers and all other purposes. A Board member shall be counted toward the quorum if physically present at the meeting, regardless of whether such Board member is prohibited from, or abstains from, participating in discussion or voting on a particular item.
 - (c) Action taken by the Board shall be upon a majority vote of the members present, unless otherwise provided in the Rules or required by law. Subject to Rule 1.3(10), a Board member participating in the Board meeting by teleconference or videoconference shall be entitled to vote and take all other action as though physically present.
 - (d) Unless otherwise provided for by an act of the Board, any one Board member may attend a mediation session on behalf of the Board. Any agreement resulting from such mediation session must be approved pursuant to subsection (1)(c) of this Rule.
- (2) Officers. At the first Board meeting held after each election where the newly elected members take office, the Board shall select a Chairperson, Vice-Chairperson, Secretary, Assistant Secretary, and Treasurer.
 - (a) The Chairperson must be a member of the Board. If the Chairperson resigns from that office or ceases to be a member of the Board, the Board shall select a Chairperson. The Chairperson serves at the pleasure of the Board. The Chairperson shall be authorized to execute resolutions and contracts on the District’s behalf. The Chairperson shall convene and conduct all meetings of the Board. In the event the Chairperson is unable to attend a

meeting, the Vice-Chairperson shall convene and conduct the meeting. The Chairperson or Vice-Chairperson may delegate the responsibility of conducting the meeting to the District's manager ("District Manager") or District Counsel, in whole or in part.

- (b) The Vice-Chairperson shall be a member of the Board and shall have such duties and responsibilities as specifically designated by the Board from time to time. The Vice-Chairperson has the authority to execute resolutions and contracts on the District's behalf in the absence of the Chairperson. If the Vice-Chairperson resigns from office or ceases to be a member of the Board, the Board shall select a Vice-Chairperson. The Vice-Chairperson serves at the pleasure of the Board.
- (c) The Secretary of the Board serves at the pleasure of the Board and need not be a member of the Board. The Secretary shall be responsible for maintaining the minutes of Board meetings and may have other duties assigned by the Board from time to time. An employee of the District Manager may serve as Secretary. The Secretary shall be bonded by a reputable and qualified bonding company in at least the amount of one million dollars (\$1,000,000), or have in place a fidelity bond, employee theft insurance policy, or a comparable product in at least the amount of one million dollars (\$1,000,000) that names the District as an additional insured.
- (d) The Treasurer need not be a member of the Board but must be a resident of the State of Florida. The Treasurer shall perform duties described in Section 190.007(2) and (3) of the Florida Statutes, as well as those assigned by the Board from time to time. The Treasurer shall serve at the pleasure of the Board. The Treasurer shall either be bonded by a reputable and qualified bonding company in at least the amount of one million dollars (\$1,000,000), or have in place a fidelity bond, employee theft insurance policy, or a comparable product in at least the amount of one million dollars (\$1,000,000) that names the District as an additional insured.
- (e) In the event that both the Chairperson and Vice-Chairperson are absent from a Board meeting and a quorum is present, the Board may designate one of its members or a member of District staff to convene and conduct the meeting. In such circumstances, any of the Board members present are authorized to execute agreements, resolutions, and other documents approved by the Board at such meeting. In the event that the Chairperson and Vice-Chairperson are both unavailable to execute a document previously approved by the Board, the Secretary or any Assistant Secretary may execute such document.
- (f) The Board may assign additional duties to District officers from time to time, which include, but are not limited to, executing documents on behalf of the District.

- (g) The Chairperson, Vice-Chairperson, and any other person authorized by District Resolution may sign checks and warrants for the District, countersigned by the Treasurer or other persons authorized by the Board.
- (3) Committees. The Board may establish committees of the Board, either on a permanent or temporary basis, to perform specifically designated functions. Committees may include individuals who are not members of the Board. Such functions may include, but are not limited to, review of bids, proposals, and qualifications, contract negotiations, personnel matters, and budget preparation. Florida Open Meetings Laws apply to such Committees.
- (4) Record Book. The Board shall keep a permanent record book entitled "Record of Proceedings," in which shall be recorded minutes of all meetings, resolutions, proceedings, certificates, and corporate acts. The Records of Proceedings shall be located at a District office and shall be available for inspection by the public.
- (5) Meetings. For each fiscal year, the Board shall establish a schedule of regular meetings, which shall be published in a newspaper of general circulation in the county in which the District is located and filed with the local general-purpose governments within whose boundaries the District is located. All meetings of the Board and Committees serving an advisory function shall be open to the public in accordance with the provisions of Chapter 286 of the Florida Statutes.
- (6) Voting Conflict of Interest. The Board shall comply with Section 112.3143 of the Florida Statutes, so as to ensure the proper disclosure of conflicts of interest on matters coming before the Board for a vote. For the purposes of this section, "voting conflict of interest" shall be governed by the Florida Constitution and Chapters 112 and 190 of the Florida Statutes, as amended from time to time. Generally, a voting conflict exists when a Board member is called upon to vote on an item which would inure to the Board member's special private gain or loss or the Board member knows would inure to the special private gain or loss of a principal by whom the Board member is retained, the parent organization or subsidiary of a corporate principal, a business associate, or a relative including only a father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law.
 - (a) When a Board member knows the member has a conflict of interest on a matter coming before the Board, the member should notify the Board's Secretary prior to participating in any discussion with the Board on the matter. The Board member shall publicly announce the conflict of interest at the meeting. This announcement shall appear in the minutes.

If the Board member was elected at a landowner's election or appointed to fill a vacancy of a seat last filled at a landowner's election, the Board member may vote or abstain from voting on the matter at issue. If the Board

member was elected by electors residing within the District, the Board member is prohibited from voting on the matter at issue. In the event that the Board member intends to abstain or is prohibited from voting, such Board member shall not participate in the discussion on the item subject to the vote.

The Board's Secretary shall prepare a Memorandum of Voting Conflict (Form 8B) which shall then be signed by the Board member, filed with the Board's Secretary, and provided for attachment to the minutes of the meeting within fifteen (15) days of the meeting.

- (b) If a Board member inadvertently votes on a matter and later learns he or she has a conflict on the matter, the member shall immediately notify the Board's Secretary. Within fifteen (15) days of the notification, the member shall file the appropriate Memorandum of Voting Conflict, which will be attached to the minutes of the Board meeting during which the vote on the matter occurred. The Memorandum of Voting Conflict shall immediately be provided to other Board members and shall be read publicly at the next meeting held subsequent to the filing of the Memorandum of Voting Conflict. The Board member's vote is unaffected by this filing.
- (c) It is not a conflict of interest for a Board member, the District Manager, or an employee of the District to be a stockholder, officer or employee of a landowner or of an entity affiliated with a landowner.
- (d) In the event that a Board member elected at a landowner's election or appointed to fill a vacancy of a seat last filled at a landowner's election, has a continuing conflict of interest, such Board member is permitted to file a Memorandum of Voting Conflict at any time in which it shall state the nature of the continuing conflict. Only one such continuing Memorandum of Voting Conflict shall be required to be filed for each term the Board member is in office.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 112.3143, 190.006, 190.007, Fla. Stat.

Rule 1.2 District Offices; Public Information and Inspection of Records; Policies; Service Contract Requirements; Financial Disclosure Coordination.

- (1) District Offices. Unless otherwise designated by the Board, the official District office shall be the District Manager's office identified by the District Manager. If the District Manager's office is not located within the county in which the District is located, the Board shall designate a local records office within such county which shall at a minimum contain, but not be limited to, the following documents:
- (a) Agenda packages for prior twenty-four (24) months and next meeting;
 - (b) Official minutes of meetings, including adopted resolutions of the Board;
 - (c) Names and addresses of current Board members and District Manager, unless such addresses are protected from disclosure by law;
 - (d) Adopted engineer's reports;
 - (e) Adopted assessment methodologies/reports;
 - (f) Adopted disclosure of public financing;
 - (g) Limited Offering Memorandum for each financing undertaken by the District;
 - (h) Proceedings, certificates, bonds given by all employees, and any and all corporate acts;
 - (i) District policies and rules;
 - (j) Fiscal year end audits; and
 - (k) Adopted budget for the current fiscal year.

The District Manager shall ensure that each District records office contains the documents required by Florida law.

- (2) Public Records. District public records include, but are not limited to, all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received in connection with the transaction of official business of the District. All District public records not otherwise restricted by law may be copied or inspected at the District Manager's office during regular business hours. Certain District records can also be inspected and copied at the District's local records office during regular business hours. All written public records requests shall be directed to the Secretary who by these rules

is appointed as the District's records custodian. Regardless of the form of the request, any Board member or staff member who receives a public records request shall immediately forward or communicate such request to the Secretary for coordination of a prompt response. The Secretary, after consulting with District Counsel as to the applicability of any exceptions under the public records laws, shall be responsible for responding to the public records request. At no time can the District be required to create records or summaries of records, or prepare opinions regarding District policies, in response to a public records request.

- (3) Service Contracts. Any contract for services, regardless of cost, shall include provisions required by law that require the contractor to comply with public records laws. The District Manager shall be responsible for initially enforcing all contract provisions related to a contractor's duty to comply with public records laws.
- (4) Fees; Copies. Copies of public records shall be made available to the requesting person at a charge of \$0.15 per page for one-sided copies and \$0.20 per page for two-sided copies if not more than 8 ½ by 14 inches. For copies of public records in excess of the sizes listed in this section and for outside duplication services, the charge shall be equal to the actual cost of reproduction. Certified copies of public records shall be made available at a charge of one dollar (\$1.00) per page. If the nature or volume of records requested requires extensive use of information technology resources or extensive clerical or supervisory assistance, the District may charge, in addition to the duplication charge, a special service charge that is based on the cost the District incurs to produce the records requested. This charge may include, but is not limited to, the cost of information technology resource, employee labor, and fees charged to the District by consultants employed in fulfilling the request. In cases where the special service charge is based in whole or in part on the costs incurred by the District due to employee labor, consultant fees, or other forms of labor, those portions of the charge shall be calculated based on the lowest labor cost of the individual(s) who is/are qualified to perform the labor, taking into account the nature and volume of the public records to be inspected or copied. The charge may include the labor costs of supervisory and/or clerical staff whose assistance is required to complete the records request, in accordance with Florida law. For purposes of this Rule, the word "extensive" shall mean that it will take more than 15 minutes to locate, review for confidential information, copy and re-file the requested material. In cases where extensive personnel time is determined by the District to be necessary to safeguard original records being inspected, the special service charge provided for in this section shall apply. If the total fees, including but not limited to special service charges, are anticipated to exceed twenty-five dollars (\$25.00), then, prior to commencing work on the request, the District will inform the person making the public records request of the estimated cost, with the understanding that the final cost may vary from that estimate. If the person making the public records request decides to proceed with the request, payment of the estimated cost is required in advance. Should the person fail to pay the estimate, the District is under no duty to produce the requested records. After the request has been fulfilled, additional payments or credits may be

due. The District is under no duty to produce records in response to future records requests if the person making the request owes the District for past unpaid duplication charges, special service charges, or other required payments or credits.

- (5) Records Retention. The Secretary of the District shall be responsible for retaining the District's records in accordance with applicable Florida law.
- (6) Policies. The Board may adopt policies related to the conduct of its business and the provision of services either by resolution or motion.
- (7) Financial Disclosure Coordination. Unless specifically designated by Board resolution otherwise, the Secretary shall serve as the Financial Disclosure Coordinator ("Coordinator") for the District as required by the Florida Commission on Ethics ("Commission"). The Coordinator shall create, maintain and update a list of the names, e-mail addresses, physical addresses, and names of the agency of, and the office or position held by, all Supervisors and other persons required by Florida law to file a statement of financial interest due to their affiliation with the District ("Reporting Individual"). The Coordinator shall provide this list to the Commission by February 1 of each year, which list shall be current as of December 31 of the prior year. Each Supervisor and Reporting Individual shall promptly notify the Coordinator in writing if there are any changes to such person's name, e-mail address, or physical address. Each Supervisor and Reporting Individual shall promptly notify the Commission in the manner prescribed by the Commission if there are any changes to such person's e-mail address.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 112.31446(3), 112.3145(8)(a)1., 119.07, 119.0701, 190.006, Fla. Stat.

Rule 1.3 Public Meetings, Hearings, and Workshops.

- (1) Notice. Except in emergencies, or as otherwise required by statute or these Rules, at least seven (7) days' public notice shall be given of any public meeting, hearing or workshop of the Board. Public notice shall be given by publication in a newspaper of general circulation in the District and in the county in which the District is located. "General circulation" means a publication that is printed and published at least once a week for the preceding year, offering at least 25% of its words in the English language, qualifies as a periodicals material for postal purposes in the county in which the District is located, is for sale to the public generally, is available to the public generally for the publication of official or other notices, and is customarily containing information of a public character or of interest or of value to the residents or owners of property in the county where published, or of interest or of value to the general public. The annual meeting notice required to be published by Section 189.015 of the Florida Statutes, shall be published in a newspaper not of limited subject matter, which is published at least five days a week, unless the only newspaper in the county is published less than five days a week, and shall satisfy the requirement to give at least seven (7) days' public notice stated herein. Each Notice shall state, as applicable:
 - (a) The date, time and place of the meeting, hearing or workshop;
 - (b) A brief description of the nature, subjects, and purposes of the meeting, hearing, or workshop;
 - (c) The District office address for the submission of requests for copies of the agenda, as well as a contact name and telephone number for verbal requests for copies of the agenda; and
 - (d) The following or substantially similar language: "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 three (3) business days before the meeting/hearing/workshop by contacting the District Manager at Jill Burns, jburns@gmscfl.com, Governmental Management Services - Central Florida, LLC, 219 E. Livingston Street, Orlando, Florida 32801 (407) 841-5524. If you are hearing or speech impaired, please contact the Florida Relay Service at 1 (800) 955-8770 or 1 (800) 955-8771, who can aid you in contacting the District Office."
 - (e) The following or substantially similar language: "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."

- (f) The following or substantially similar language: “The meeting [or hearing or workshop] may be continued in progress without additional notice to a time, date, and location stated on the record.”

The date, time, and place of each meeting, hearing, or workshop of the Board shall additionally be posted on the District’s website at least seven (7) days before each meeting, hearing, or workshop.

- (2) Mistake. In the event that a meeting is held under the incorrect assumption that notice required by law and these Rules has been given, the Board at its next properly noticed meeting shall cure such defect by considering the agenda items from the prior meeting individually and anew.
- (3) Agenda. The District Manager, under the guidance of District Counsel and the Chairperson or Vice-Chairperson, shall prepare an agenda of the meeting/hearing/workshop. The agenda and any meeting materials available in an electronic format, excluding any confidential and any confidential and exempt information, shall be available to the public at least seven days before the meeting/hearing/workshop, except in an emergency. Meeting materials shall be defined as, and limited to, the agenda, meeting minutes, resolutions, and agreements of the District that District staff deems necessary for Board approval (“Meeting Materials”). Inclusion of additional materials for Board consideration other than those defined herein as “meeting materials” shall not convert such materials into Meeting Materials. For good cause, which includes but is not limited to emergency situations, time-sensitive matters, or newly discovered information essential for Board consideration, the agenda may be changed after it is first made available for distribution, and additional materials may be added or provided under separate cover at the meeting. The requirement of good cause shall be liberally construed to allow the District to efficiently conduct business and to avoid the expenses associated with special meetings.

The District may, but is not required to, use the following format, or similar format, in preparing its agenda for its regular meetings:

- Call to order
- Roll call
- Public comment
- Organizational matters
- Review of minutes
- Specific items of old business
- Specific items of new business
- Staff reports
 - (a) District Counsel
 - (b) District Engineer
 - (c) District Manager

1. Financial Report

2. Approval of Expenditures

Supervisor's requests and comments

Public comment

Adjournment

- (4) Minutes. The Secretary shall be responsible for preparing and keeping the minutes of each meeting of the Board. Minutes shall be corrected and approved by the Board at a subsequent meeting. The Secretary may work with other staff members in preparing draft minutes for the Board's consideration.
- (5) Special Requests. Persons wishing to receive, by mail, notices or agendas of meetings, may so advise the District Manager or Secretary at the District Office. Such persons shall furnish a mailing address in writing and shall be required to pre-pay the cost of the copying and postage.
- (6) Emergency Meetings. The Chairperson, or Vice-Chairperson if the Chairperson is unavailable, upon consultation with the District Manager and District Counsel, if available, may convene an emergency meeting of the Board without first having complied with sections (1) and (3) of this Rule, to act on emergency matters that may affect the public health, safety, or welfare. Whenever possible, the District Manager shall make reasonable efforts to provide public notice and notify all Board members of an emergency meeting twenty-four (24) hours in advance. Reasonable efforts may include telephone notification. Notice of the emergency meeting must be provided both before and after the meeting on the District's website, including the specific reasons for the emergency meeting. Whenever an emergency meeting is called, the District Manager shall be responsible for notifying at least one newspaper of general circulation in the District. After an emergency meeting, the Board shall publish in a newspaper of general circulation in the District, the time, date and place of the emergency meeting, the reasons why an emergency meeting was necessary, and a description of the action taken. Actions taken at an emergency meeting may be ratified by the Board at a regularly noticed meeting subsequently held.
- (7) Public Comment. The Board shall set aside three (3) minutes per person, unless extended or reduced by the Chairperson based on the number of speakers, the meeting agenda and other reasonable factors, at each meeting for public comment, and members of the public shall be permitted to provide comment on any proposition before the Board. The portion of the meeting generally reserved for public comment shall be identified in the agenda. Policies governing public comment may be adopted by the Board in accordance with Florida law.
- (8) Budget Hearing. Notice of hearing on the annual budget(s) shall be in accord with Section 190.008 of the Florida Statutes. Once adopted in accord with Section 190.008 of the Florida Statutes, the annual budget(s) may be amended from time to time by action of the Board. Approval of invoices by the Board in excess of the

funds allocated to a particular budgeted line item shall serve to amend the budgeted line item.

- (9) Public Hearings. Notice of required public hearings shall contain the information required by applicable Florida law and by these Rules applicable to meeting notices and shall be mailed and published as required by Florida law. The District Manager shall ensure that all such notices, whether mailed or published, contain the information required by Florida law and these Rules and are mailed and published as required by Florida law. Public hearings may be held during Board meetings when the agenda includes such public hearing.
- (10) Participation by Teleconference/Videoconference. District staff may participate in Board meetings by teleconference or videoconference. Board members may also participate in Board meetings by teleconference or videoconference if in the good judgment of the Board extraordinary circumstances exist; provided however, at least three Board members must be physically present at the meeting location to establish a quorum. Such extraordinary circumstances shall be presumed when a Board member participates by teleconference or videoconference, unless a majority of the Board members physically present determines that extraordinary circumstances do not exist. Extraordinary circumstances may include, but are not limited to, illness, family emergencies, or other significant schedule conflicts which prevent in-person meeting attendance.
- (11) Board Authorization. The District has not adopted Robert's Rules of Order. For each agenda item, there shall be discussion permitted among the Board members during the meeting. Unless such procedure is waived by the Board, approval or disapproval of resolutions and other proposed Board actions shall be in the form of a motion by one Board member, a second by another Board member, an opportunity for final board discussion and an affirmative vote by the majority of the Board members present. Any Board member, including the Chairperson, can make or second a motion.
- (12) Continuances. Any meeting or public hearing of the Board may be continued without re-notice or re-advertising provided that:
 - (a) The Board identifies on the record at the original meeting a reasonable need for a continuance;
 - (b) The continuance is to a specified date, time, and location publicly announced at the original meeting; and
 - (c) The public notice for the original meeting states that the meeting may be continued to a date and time and states that the date, time, and location of any continuance shall be publicly announced at the original meeting and posted at the District Office immediately following the original meeting.

- (13) Attorney-Client Sessions. An Attorney-Client Session is permitted when the District's attorneys deem it necessary to meet in private with the Board to discuss pending litigation to which the District is a party before a court or administrative agency or as may be authorized by law. The District's attorney must request such session at a public meeting. Prior to holding the Attorney-Client Session, the District must give reasonable public notice of the time and date of the session and the names of the persons anticipated to attend the session. The session must commence at an open meeting in which the Chairperson or Vice-Chairperson announces the commencement of the session, the estimated length of the session, and the names of the persons who will be attending the session. The discussion during the session is confined to settlement negotiations or strategy related to litigation expenses or as may be authorized by law. Only the Board, the District's attorneys (including outside counsel), the District Manager, and the court reporter may attend an Attorney-Client Session. During the session, no votes may be taken and no final decisions concerning settlement can be made. Upon the conclusion of the session, the public meeting is reopened, and the Chairperson or Vice-Chairperson must announce that the session has concluded. The session must be transcribed by a court reporter and the transcript of the session filed with the District Secretary within a reasonable time after the session. The transcript shall not be available for public inspection until after the conclusion of the litigation.
- (14) Security and Firesafety Board Discussions. Portions of a meeting which relate to or would reveal a security or firesafety system plan or portion thereof made confidential and exempt by section 119.071(3)(a), Florida Statutes, are exempt from the public meeting requirements and other requirements of section 286.011, *Florida Statutes*, and section 24(b), Article 1 of the State Constitution. Should the Board wish to discuss such matters, members of the public shall be required to leave the meeting room during such discussion. Any records of the Board's discussion of such matters, including recordings or minutes, shall be maintained as confidential and exempt records in accordance with Florida law.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 189.069(2)(a)16, 190.006, 190.007, 190.008, 286.0105, 286.011, 286.0113, 286.0114, Fla. Stat.

Rule 1.4 Internal Controls to Prevent Fraud, Waste and Abuse

- (1) Internal Controls. The District shall establish and maintain internal controls designed to:
- (a) Prevent and detect “fraud,” “waste” and “abuse” as those terms are defined in section 11.45(1), *Florida Statutes*; and
 - (b) Promote and encourage compliance with applicable laws, rules,, contracts, grant agreements, and best practices; and
 - (c) Support economical and efficient operations; and
 - (d) Ensure reliability of financial records and reports; and
 - (e) Safeguard assets.
- (2) Adoption. The internal controls to prevent fraud, waste and abuse shall be adopted and amended by the District in the same manner as District policies.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.
Law Implemented: § 218.33(3), Fla. Stat.

Rule 2.0 Rulemaking Proceedings.

- (1) Commencement of Proceedings. Proceedings held for adoption, amendment, or repeal of a District Rule shall be conducted according to these Rules. Rulemaking proceedings shall be deemed to have been initiated upon publication of notice by the District. A “rule” is a District statement of general applicability that implements, interprets, or prescribes law or policy, or describes the procedure or practice requirements of the District (“Rule”). Nothing herein shall be construed as requiring the District to consider or adopt rules unless required by Chapter 190 of the Florida Statutes. Policies adopted by the District which do not consist of rates, fees, rentals or other monetary charges may be, but are not required to be, implemented through rulemaking proceedings.
- (2) Notice of Rule Development.
 - (a) Except when the intended action is the repeal of a Rule, the District shall provide notice of the development of a proposed rule by publication of a Notice of Rule Development in a newspaper of general circulation in the District before providing notice of a proposed rule as required by section (3) of this Rule. Consequently, the Notice of Rule Development shall be published at least seven (7) days before the notice of rulemaking described in Section 2.0(3), *infra.*, and at least thirty-five (35) days prior to the public hearing on the proposed rule. The Notice of Rule Development shall indicate the subject area to be addressed by rule development, provide a short, plain explanation of the purpose and effect of the proposed rule, cite the grant of rulemaking authority for the proposed rule and law being implemented, include the proposed rule number, and include a statement of how a person may promptly obtain, without cost, a copy of any preliminary draft, if available.
 - (b) All rules as drafted shall be consistent with Sections 120.54(1)(g) and 120.54(2)(b) of the Florida Statutes.
- (3) Notice of Proceedings and Proposed Rules.
 - (a) Prior to the adoption, amendment, or repeal of any rule other than an emergency rule, the District shall give notice of its intended action, including: a short, plain explanation of the purpose and effect of the proposed action, the proposed rule number (if applicable), a reference to the specific rulemaking authority pursuant to which the rule is adopted, a reference to the section or subsection of the Florida Statutes being implemented, interpreted, or made specific, and the name, e-mail address, and telephone number of the staff member who may be contacted regarding the intended action. The notice shall include a summary of the District’s statement of estimated regulatory costs and the website address where the complete statement of estimated regulatory costs may be viewed, if such a

statement has been prepared pursuant to Section 120.541(2), *Florida Statutes*, and a statement that any person who wishes to provide the District with a lower cost regulatory alternative as provided by Section 120.541(1), must do so in writing within twenty-one (21) days after publication of the notice. The notice shall additionally include a statement that any affected person may request a public hearing by submitting a written request within twenty-one (21) days after the date of publication of the notice. Except when intended action is the repeal of a rule, the notice shall include a reference to both the date on which and the place where the Notice of Rule Development required by section (2) of this Rule appeared.

- (b) The notice shall be published in a newspaper of general circulation in the District and each county in which the District is located not less than twenty-eight (28) days prior to the intended action. The proposed rule and any material proposed to be incorporated by reference shall be available for inspection and copying by the public at the time of the publication of notice.
 - (c) The notice shall be mailed, delivered electronically to all persons named in the proposed rule and to all persons who, at least fourteen (14) days prior to publication of the notice, have made requests of the District for advance notice of its rulemaking proceedings. Any person may file a written request with the District Manager to receive notice by mail of District proceedings to adopt, amend, or repeal a rule. Such persons must furnish a mailing address and may be required to pay the cost of copying and mailing.
- (4) Rule Development Workshops. Whenever requested in writing by any affected person, the District must either conduct a rule development workshop prior to proposing rules for adoption or the Chairperson must explain in writing why a workshop is unnecessary. The District may initiate a rule development workshop but is not required to do so.
 - (5) Petitions to Initiate Rulemaking. All Petitions to Initiate Rulemaking proceedings must contain the name, address, and telephone number of the petitioner, the specific action requested, the specific reason for adoption, amendment, or repeal, the date submitted, the text of the proposed rule, and the facts showing that the petitioner is regulated by the District or has a substantial interest in the rulemaking. Not later than thirty (30) calendar days following the date of filing a petition, the Board shall initiate rulemaking proceedings or deny the petition with a written statement of its reasons for the denial. If the petition is directed to an existing policy that the District has not formally adopted as a rule, the District may, in its discretion, notice and hold a public hearing on the petition to consider the comments of the public directed to the policy, its scope and application, and to consider whether the public interest is served adequately by the application of the policy on a case-by-case basis, as contrasted with its formal adoption as a rule. However, this section shall not be construed as requiring the District to adopt a rule to replace a policy.

- (6) Rulemaking Materials. After the publication of the notice referenced in section (3) of this Rule, the Board shall make available for public inspection and shall provide, upon request and payment of the cost of copies, the following materials:
- (a) The text of the proposed rule, or any amendment or repeal of any existing rules;
 - (b) A detailed written statement of the facts and circumstances justifying the proposed rule;
 - (c) A copy of the statement of estimated regulatory costs if required by Section 120.541 of the Florida Statutes; and
 - (d) The published notice.
- (7) Hearing. The District may, or, upon the written request of any affected person received within twenty-one (21) days after the date of publication of the notice described in section (3) of this Rule, shall, provide a public hearing for the presentation of evidence, argument, and oral statements, within the reasonable conditions and limitations imposed by the District to avoid duplication, irrelevant comments, unnecessary delay, or disruption of the proceedings. The District shall publish notice of the public hearing in a newspaper of general circulation within the District either in the text of the notice described in section (3) of this Rule or in a separate publication at least seven (7) days before the scheduled public hearing. The notice shall specify the date, time, and location of the public hearing, and the name, address, and telephone number of the District contact person who can provide information about the public hearing. Written statements may be submitted by any person prior to or at the public hearing. All timely submitted written statements shall be considered by the District and made part of the rulemaking record.
- (8) Emergency Rule Adoption. The Board may adopt an emergency rule if it finds that it is necessitated by immediate danger to the public health, safety, or welfare which requires immediate action, or if the Legislature authorizes the Board to adopt emergency rules. Prior to the adoption of an emergency rule, the District Manager shall make reasonable efforts to notify a newspaper of general circulation in the District. Notice of the emergency rules together with the Board's findings of immediate danger, necessity, and procedural fairness or a citation to the grant of emergency rulemaking authority shall be published as soon as possible in a newspaper of general circulation in the District. The District may use any procedure which is fair under the circumstances in the adoption of an emergency rule provided that such procedure protects the public interest and complies with applicable law and these provisions.
- (9) Negotiated Rulemaking. The District may use negotiated rulemaking in developing and adopting rules pursuant to Section 120.54(2)(d) of the Florida Statutes, except that any notices required under Section 120.54(2)(d) of the Florida Statutes, may

be published in a newspaper of general circulation in the county in which the District is located.

- (10) Rulemaking Record. In all rulemaking proceedings, the District shall compile and maintain a rulemaking record. The record shall include, if applicable:
- (a) The texts of the proposed rule and the adopted rule;
 - (b) All notices given for a proposed rule;
 - (c) Any statement of estimated regulatory costs for the rule;
 - (d) A written summary of hearings, if any, on the proposed rule;
 - (e) All written comments received by the District and responses to those written comments; and
 - (f) All notices and findings pertaining to an emergency rule.
- (11) Petitions to Challenge Existing Rules.
- (a) Any person substantially affected by a rule may seek an administrative determination of the invalidity of the rule on the ground that the rule is an invalid exercise of the District's authority.
 - (b) The petition seeking an administrative determination must state with particularity the provisions alleged to be invalid with sufficient explanation of the facts or grounds for the alleged invalidity and facts sufficient to show that the person challenging a rule is substantially affected by it.
 - (c) The petition shall be filed with the District. Within ten (10) days after receiving the petition, the Chairperson shall, if the petition complies with the requirements of subsection (b) of this section, designate any member of the Board (including the Chairperson), District Manager, District Counsel, or other qualified person as a hearing officer who shall conduct a hearing within thirty (30) days thereafter, unless the petition is withdrawn or a continuance is granted by agreement of the parties. The failure of the District to follow the applicable rulemaking procedures or requirements in this Rule shall be presumed to be material; however, the District may rebut this presumption by showing that the substantial interests of the petitioner and the fairness of the proceedings have not been impaired.
 - (d) Within thirty (30) days after the hearing, the hearing officer shall render a decision and state the reasons therefor in writing.

- (e) Hearings held under this section shall be de novo in nature. The petitioner has a burden of proving by a preponderance of the evidence that the existing rule is an invalid exercise of District authority as to the objections raised. The hearing officer may:
 - (i) Administer oaths and affirmations;
 - (ii) Rule upon offers of proof and receive relevant evidence;
 - (iii) Regulate the course of the hearing, including any pre-hearing matters;
 - (iv) Enter orders; and
 - (v) Make or receive offers of settlement, stipulation, and adjustment.
 - (f) The petitioner and the District shall be adverse parties. Other substantially affected persons may join the proceedings as intervenors on appropriate terms which shall not unduly delay the proceedings.
- (12) Variances and Waivers. A “variance” means a decision by the District to grant a modification to all or part of the literal requirements of a rule to a person who is subject to the rule. A “waiver” means a decision by the District not to apply all or part of a rule to a person who is subject to the rule. Variances and waivers from District rules may be granted subject to the following:
- (a) Variances and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person, and when application of the rule would create a substantial hardship or would violate principles of fairness. For purposes of this section, "substantial hardship" means a demonstrated economic, technological, legal, safety-related, or other significant type of hardship to the person requesting the variance or waiver. For purposes of this section, "principles of fairness" are violated when the literal application of a rule affects a particular person in a manner significantly different from the way it affects other similarly situated persons who are subject to the rule.
 - (b) A person who is subject to regulation by a District Rule may file a petition with the District, requesting a variance or waiver from the District’s Rule. Each petition shall specify:
 - (i) The rule from which a variance or waiver is requested;
 - (ii) The type of action requested;

- (iii) The specific facts that would justify a waiver or variance for the petitioner; and
 - (iv) The reason why the variance or the waiver requested would serve the purposes of the underlying statute.
 - (c) The District shall review the petition and may request only that information needed to clarify the petition or to answer new questions raised by or directly related to the petition. If the petitioner asserts that any request for additional information is not authorized by law or by Rule of the District, the District shall proceed, at the petitioner's written request, to process the petition.
 - (d) The Board shall grant or deny a petition for variance or waiver and shall announce such disposition at a publicly held meeting of the Board, within ninety (90) days after receipt of the original petition, the last item of timely requested additional material, or the petitioner's written request to finish processing the petition. The District's statement granting or denying the petition shall contain a statement of the relevant facts and reasons supporting the District's action.
- (13) Rates, Fees, Rentals and Other Charges. All rates, fees, rentals, or other charges shall be subject to rulemaking proceedings. Policies adopted by the District which do not consist of rates, fees, rentals or other charges may be, but are not required to be, implemented through rulemaking proceedings.

Specific Authority: §§ 190.011(5), 190.011(15), 190.035, Fla. Stat.

Law Implemented: §§ 120.54, 190.011(5), 190.035(2), Fla. Stat.

Rule 3.0 Competitive Purchase.

- (1) Purpose and Scope. In order to comply with Sections 190.033(1) through (3), 287.055 and 287.017 of the Florida Statutes, the following provisions shall apply to the purchase of Professional Services, insurance, construction contracts, design-build services, goods, supplies, and materials, Contractual Services, and maintenance services.
- (2) Board Authorization. Except in cases of an Emergency Purchase, a competitive purchase governed by these Rules shall only be undertaken after authorization by the Board.
- (3) Definitions.
 - (a) “Competitive Solicitation” means a formal, advertised procurement process, other than an Invitation to Bid, Request for Proposals, or Invitation to Negotiate, approved by the Board to purchase commodities and/or services which affords vendors fair treatment in the competition for award of a District purchase contract.
 - (b) “Continuing Contract” means a contract for Professional Services entered into in accordance with Section 287.055 of the Florida Statutes, between the District and a firm, whereby the firm provides Professional Services to the District for projects in which the costs do not exceed two million dollars (\$2,000,000), for a study activity when the fee for such Professional Services to the District does not exceed two hundred thousand dollars (\$200,000), or for work of a specified nature as outlined in the contract with the District, with no time limitation except that the contract must provide a termination clause (for example, a contract for general District engineering services). Firms providing Professional Services under Continuing Contracts shall not be required to bid against one another.
 - (c) “Contractual Service” means the rendering by a contractor of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors. Contractual Services do not include auditing services, Maintenance Services, or Professional Services as defined in Section 287.055(2)(a) of the Florida Statutes, and these Rules. Contractual Services also do not include any contract for the furnishing of labor or materials for the construction, renovation, repair, modification, or demolition of any facility, building, portion of building, utility, park, parking lot, or structure or other improvement to real property entered into pursuant to Chapter 255 of the Florida Statutes, and Rules 3.5 or 3.6.
 - (d) “Design-Build Contract” means a single contract with a Design-Build Firm for the design and construction of a public construction project.

- (e) “Design-Build Firm” means a partnership, corporation or other legal entity that:
 - (i) Is certified under Section 489.119 of the Florida Statutes, to engage in contracting through a certified or registered general contractor or a certified or registered building contractor as the qualifying agent; or
 - (ii) Is certified under Section 471.023 of the Florida Statutes, to practice or to offer to practice engineering; certified under Section 481.219 of the Florida Statutes, to practice or to offer to practice architecture; or certified under Section 481.319 of the Florida Statutes, to practice or to offer to practice landscape architecture.
- (f) “Design Criteria Package” means concise, performance-oriented drawings or specifications for a public construction project. The purpose of the Design Criteria Package is to provide sufficient information to permit Design-Build Firms to prepare a bid or a response to the District’s Request for Proposals, or to permit the District to enter into a negotiated Design-Build Contract. The Design Criteria Package must specify performance-based criteria for the public construction project, including the legal description of the site, survey information concerning the site, interior space requirements, material quality standards, schematic layouts and conceptual design criteria of the project, cost or budget estimates, design and construction schedules, site development requirements, provisions for utilities, stormwater retention and disposal, and parking requirements applicable to the project. Design Criteria Packages shall require firms to submit information regarding the qualifications, availability, and past work of the firms, including the partners and members thereof.
- (g) “Design Criteria Professional” means a firm who holds a current certificate of registration under Chapter 481 of the Florida Statutes, to practice architecture or landscape architecture, or a firm who holds a current certificate as a registered engineer under Chapter 471 of the Florida Statutes, to practice engineering, and who is employed by or under contract to the District to provide professional architect services, landscape architect services, or engineering services in connection with the preparation of the Design Criteria Package.
- (h) “Emergency Purchase” means a purchase necessitated by a sudden unexpected turn of events (for example, acts of God, riot, fires, floods, hurricanes, accidents, or any circumstances or cause beyond the control of the Board in the normal conduct of its business), where the Board finds that the delay incident to competitive purchase would be detrimental to the interests of the District. This includes, but is not limited to, instances where

the time to competitively award the project will jeopardize the funding for the project, will materially increase the cost of the project, or will create an undue hardship on the public health, safety, or welfare.

- (i) “Invitation to Bid” is a written or electronically posted solicitation for sealed bids with the title, date, and hour of the public bid opening designated specifically and defining the commodity or service involved. It includes printed instructions prescribing conditions for bidding, qualification, evaluation criteria, and provides for a manual signature of an authorized representative. It may include one or more bid alternates.
- (j) “Invitation to Negotiate” means a written or electronically posted solicitation for competitive sealed replies to select one or more vendors with which to commence negotiations for the procurement of commodities or services.
- (k) “Negotiate” means to conduct legitimate, arm’s length discussions and conferences to reach an agreement on a term or price.
- (l) “Professional Services” means those services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, as defined by the laws of Florida, or those services performed by any architect, professional engineer, landscape architect, or registered surveyor and mapper, in connection with the firm's or individual's professional employment or practice.
- (m) “Proposal (or Reply or Response) Most Advantageous to the District” means, as determined in the sole discretion of the Board, the proposal, reply, or response that is:
 - (i) Submitted by a person or firm capable and qualified in all respects to perform fully the contract requirements, who has the integrity and reliability to assure good faith performance;
 - (ii) The most responsive to the Request for Proposals, Invitation to Negotiate, or Competitive Solicitation as determined by the Board; and
 - (iii) For a cost to the District deemed by the Board to be reasonable.
- (n) “Purchase” means acquisition by sale, rent, lease, lease/purchase, or installment sale. It does not include transfer, sale, or exchange of goods, supplies, or materials between the District and any federal, state, regional or local governmental entity or political subdivision of the State of Florida.

- (o) “Request for Proposals” or “RFP” is a written or electronically posted solicitation for sealed proposals with the title, date, and hour of the public opening designated and requiring the manual signature of an authorized representative. It may provide general information, applicable laws and rules, statement of work, functional or general specifications, qualifications, proposal instructions, work detail analysis, and evaluation criteria as necessary.
- (p) “Responsive and Responsible Bidder” means an entity or individual that has submitted a bid that conforms in all material respects to the Invitation to Bid and has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance. “Responsive and Responsible Vendor” means an entity or individual that has submitted a proposal, reply, or response that conforms in all material respects to the Request for Proposals, Invitation to Negotiate, or Competitive Solicitation and has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance. In determining whether an entity or individual is a Responsive and Responsible Bidder (or Vendor), the District may consider, in addition to factors described in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, the following:
 - (i) The ability and adequacy of the professional personnel employed by the entity/individual;
 - (ii) The past performance of the entity/individual for the District and in other professional employment;
 - (iii) The willingness of the entity/individual to meet time and budget requirements;
 - (iv) The geographic location of the entity’s/individual’s headquarters or office in relation to the project;
 - (v) The recent, current, and projected workloads of the entity/individual;
 - (vi) The volume of work previously awarded to the entity/individual, provided that for a public works project as defined in Section 255.0992, *Florida Statutes*, the District may not penalize a bidder for performing a larger volume of construction work for the District or reward a bidder for performing a smaller volume of construction work for the District;

- (vii) Whether the cost components of the bid or proposal are appropriately balanced; and
- (viii) Whether the entity/individual is a certified minority business enterprise as defined in Section 287.0943, *Florida Statutes*.
- (q) “Responsive Bid,” “Responsive Proposal,” “Responsive Reply,” and “Responsive Response” all mean a bid, proposal, reply, or response which conforms in all material respects to the specifications and conditions in the Invitation to Bid, Request for Proposals, Invitations to Negotiate, or Competitive Solicitation document and these Rules, and the cost components of which, if any, are appropriately balanced. A bid, proposal, reply or response is not responsive if the person or firm submitting it fails to meet any material requirement relating to the qualifications, financial stability, or licensing of the bidder.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 190.033, 255.0992, 255.20, 287.055, Fla. Stat.

Rule 3.1 Procedure Under the Consultants' Competitive Negotiations Act.

- (1) Scope. The following procedures are adopted for the selection of firms or individuals to provide Professional Services exceeding the thresholds herein described, for the negotiation of such contracts, and to provide for protest of actions of the Board under this Rule. As used in this Rule, "Project" means that fixed capital outlay study or planning activity when basic construction cost is estimated by the District to exceed the threshold amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FIVE, or for a planning study activity when the fee for Professional Services is estimated by the District to exceed the threshold amount provided in Section 287.017 for CATEGORY TWO, as such categories may be amended or adjusted from time to time.
- (2) Qualifying Procedures. In order to be eligible to provide Professional Services to the District, a consultant must, at the time of receipt of the firm's qualification submittal:
 - (a) Hold all required applicable state professional licenses in good standing;
 - (b) Hold all required applicable federal licenses in good standing, if any;
 - (c) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the consultant is a corporation; and
 - (d) Meet any qualification requirements set forth in the District's Request for Qualifications.

Evidence of compliance with this Rule may be submitted with the qualifications, if requested by the District. In addition, evidence of compliance must be submitted any time requested by the District.

- (3) Public Announcement. Except in cases of valid public emergencies as certified by the Board, the District shall announce each occasion when Professional Services are required for a Project or a Continuing Contract by publishing a notice providing a general description of the Project, or the nature of the Continuing Contract, and the method for interested consultants to apply for consideration. The notice shall appear in at least one (1) newspaper of general circulation in the District and in such other places as the District deems appropriate. The notice must allow at least fourteen (14) days for submittal of qualifications from the date of publication. The District may maintain lists of consultants interested in receiving such notices. These consultants are encouraged to submit annually statements of qualifications and performance data. The District shall make reasonable efforts to provide copies of any notices to such consultants, but the failure to do so shall not give such consultants any bid protest or other rights or otherwise disqualify any otherwise valid procurement process. The Board has the right to reject any and all

qualifications, and such reservation shall be included in the published notice. Consultants not receiving a contract award shall not be entitled to recover from the District any costs of qualification package preparation or submittal.

(4) Competitive Selection.

- (a) The Board shall review and evaluate the data submitted in response to the notice described in section (3) of this Rule regarding qualifications and performance ability, as well as any statements of qualifications on file. The Board shall conduct discussions with, and may require public presentation by consultants regarding their qualifications, approach to the Project, and ability to furnish the required services. The Board shall then select and list the consultants, in order of preference, deemed to be the most highly capable and qualified to perform the required Professional Services, after considering these and other appropriate criteria:
 - (i) The ability and adequacy of the professional personnel employed by each consultant;
 - (ii) Whether a consultant is a certified minority business enterprise;
 - (iii) Each consultant's past performance;
 - (iv) The willingness of each consultant to meet time and budget requirements;
 - (v) The geographic location of each consultant's headquarters, office and personnel in relation to the project;
 - (vi) The recent, current, and projected workloads of each consultant; and
 - (vii) The volume of work previously awarded to each consultant by the District.
- (b) Nothing in these Rules shall prevent the District from evaluating and eventually selecting a consultant if less than three (3) Responsive qualification packages, including packages indicating a desire not to provide Professional Services on a given Project, are received.
- (c) If the selection process is administered by any person or committee other than the full Board, the selection made will be presented to the full Board with a recommendation that competitive negotiations be instituted with the selected firms in order of preference listed.
- (d) Notice of the rankings adopted by the Board, including the rejection of some or all qualification packages, shall be provided in writing to all consultants

by United States Mail, hand delivery, electronic mail, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's ranking decisions under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

(5) Competitive Negotiation.

- (a) After the Board has authorized the beginning of competitive negotiations, the District may begin such negotiations with the firm listed as most qualified to perform the required Professional Services at a rate or amount of compensation which the Board determines is fair, competitive, and reasonable.
- (b) In negotiating a lump-sum or cost-plus-a-fixed-fee professional contract for more than the threshold amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FOUR, the firm receiving the award shall be required to execute a truth-in-negotiation certificate stating that "wage rates and other factual unit costs supporting the compensation are accurate, complete and current at the time of contracting." In addition, any professional service contract under which such a certificate is required, shall contain a provision that "the original contract price and any additions thereto, shall be adjusted to exclude any significant sums by which the Board determines the contract price was increased due to inaccurate, incomplete, or noncurrent wage rates and other factual unit costs."
- (c) Should the District be unable to negotiate a satisfactory agreement with the firm determined to be the most qualified at a price deemed by the District to be fair, competitive, and reasonable, then negotiations with that firm shall be terminated and the District shall immediately begin negotiations with the second most qualified firm. If a satisfactory agreement with the second firm cannot be reached, those negotiations shall be terminated and negotiations with the third most qualified firm shall be undertaken.
- (d) Should the District be unable to negotiate a satisfactory agreement with one of the top three (3) ranked consultants, additional firms shall be selected by the District, in order of their competence and qualifications. Negotiations shall continue, beginning with the first-named firm on the list, until an agreement is reached or the list of firms is exhausted.

(6) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.

- (7) Continuing Contract. Nothing in this Rule shall prohibit a Continuing Contract between a consultant and the District.
- (8) Emergency Purchase. The District may make an Emergency Purchase without complying with these Rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 119.0701, 190.011(3), 190.033, 287.055, Fla. Stat.

Rule 3.2 Procedure Regarding Auditor Selection.

In order to comply with the requirements of Section 218.391 of the Florida Statutes, the following procedures are outlined for selection of firms or individuals to provide Auditing Services and for the negotiation of such contracts. For audits required under Chapter 190 of the Florida Statutes but not meeting the thresholds of Chapter 218 of the Florida Statutes, the District need not follow these procedures but may proceed with the selection of a firm or individual to provide Auditing Services and for the negotiation of such contracts in the manner the Board determines is in the best interests of the District.

(1) Definitions.

- (a) "Auditing Services" means those services within the scope of the practice of a certified public accounting firm licensed under Chapter 473 of the Florida Statutes, and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy.
- (b) "Committee" means the auditor selection committee appointed by the Board as described in section (2) of this Rule.

(2) Establishment of Auditor Selection Committee. Prior to a public announcement under section (4) of this Rule that Auditing Services are required, the Board shall establish an auditor selection committee ("Committee"), the primary purpose of which is to assist the Board in selecting an auditor to conduct the annual financial audit required by Section 218.39 of the Florida Statutes. The Committee shall include at least three individuals, at least one of which must also be a member of the Board. The establishment and selection of the Committee must be conducted at a publicly noticed and held meeting of the Board. The Chairperson of the Committee must be a member of the Board. An employee, a chief executive officer, or a chief financial officer of the District may not serve as a member of the Committee; provided however such individual may serve the Committee in an advisory capacity.

(3) Establishment of Minimum Qualifications and Evaluation Criteria. Prior to a public announcement under section (4) of this Rule that Auditing Services are required, the Committee shall meet at a publicly noticed meeting to establish minimum qualifications and factors to use for the evaluation of Auditing Services to be provided by a certified public accounting firm licensed under Chapter 473 of the Florida Statutes, and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy.

- (a) Minimum Qualifications. In order to be eligible to submit a proposal, a firm must, at all relevant times including the time of receipt of the proposal by the District:

- (i) Hold all required applicable state professional licenses in good standing;
- (ii) Hold all required applicable federal licenses in good standing, if any;
- (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the proposer is a corporation; and
- (iv) Meet any pre-qualification requirements established by the Committee and set forth in the RFP or other specifications.

If requested in the RFP or other specifications, evidence of compliance with the minimum qualifications as established by the Committee must be submitted with the proposal.

- (b) **Evaluation Criteria.** The factors established for the evaluation of Auditing Services by the Committee shall include, but are not limited to:
 - (i) Ability of personnel;
 - (ii) Experience;
 - (iii) Ability to furnish the required services; and
 - (iv) Such other factors as may be determined by the Committee to be applicable to its particular requirements.

The Committee may also choose to consider compensation as a factor. If the Committee establishes compensation as one of the factors, compensation shall not be the sole or predominant factor used to evaluate proposals.

- (4) **Public Announcement.** After identifying the factors to be used in evaluating the proposals for Auditing Services as set forth in section (3) of this Rule, the Committee shall publicly announce the opportunity to provide Auditing Services. Such public announcement shall include a brief description of the audit and how interested firms can apply for consideration and obtain the RFP. The notice shall appear in at least one (1) newspaper of general circulation in the District and the county in which the District is located. The public announcement shall allow for at least seven (7) days for the submission of proposals.
- (5) **Request for Proposals.** The Committee shall provide interested firms with a Request for Proposals (“RFP”). The RFP shall provide information on how proposals are to be evaluated and such other information the Committee determines is necessary for the firm to prepare a proposal. The RFP shall state the time and

place for submitting proposals.

- (6) Committee's Evaluation of Proposals and Recommendation. The Committee shall meet at a publicly held meeting that is publicly noticed at least seven (7) days in advance of the meeting to evaluate all qualified proposals and may, as part of the evaluation, require that each interested firm provide a public presentation where the Committee may conduct discussions with the firm, and where the firm may present information, regarding the firm's qualifications. At the public meeting, the Committee shall rank and recommend in order of preference no fewer than three firms deemed to be the most highly qualified to perform the required services after considering the factors established pursuant to subsection (3)(b) of this Rule. If fewer than three firms respond to the RFP or if no firms respond to the RFP, the Committee shall recommend such firm as it deems to be the most highly qualified. Notwithstanding the foregoing, the Committee may recommend that any and all proposals be rejected.
- (7) Board Selection of Auditor.
 - (a) Where compensation was not selected as a factor used in evaluating the proposals, the Board shall negotiate with the firm ranked first and inquire of that firm as to the basis of compensation. If the Board is unable to negotiate a satisfactory agreement with the first ranked firm at a price deemed by the Board to be fair, competitive, and reasonable, then negotiations with that firm shall be terminated and the Board shall immediately begin negotiations with the second ranked firm. If a satisfactory agreement with the second ranked firm cannot be reached, those negotiations shall be terminated and negotiations with the third ranked firm shall be undertaken. The Board may reopen formal negotiations with any one of the three top-ranked firms, but it may not negotiate with more than one firm at a time. If the Board is unable to negotiate a satisfactory agreement with any of the selected firms, the Committee shall recommend additional firms in order of the firms' respective competence and qualifications. Negotiations shall continue, beginning with the first-named firm on the list, until an agreement is reached or the list of firms is exhausted.
 - (b) Where compensation was selected as a factor used in evaluating the proposals, the Board shall select the highest-ranked qualified firm or document in its public records the reason for not selecting the highest-ranked qualified firm.
 - (c) In negotiations with firms under this Rule, the Board may allow the District Manager, District Counsel, or other designee to conduct negotiations on its behalf.

- (d) Notwithstanding the foregoing, the Board may reject any or all proposals. The Board shall not consider any proposal, or enter into any contract for Auditing Services, unless the proposed agreed-upon compensation is reasonable to satisfy the requirements of Section 218.39 of the Florida Statutes, and the needs of the District.
- (8) Contract. Any agreement reached under this Rule shall be evidenced by a written contract, which may take the form of an engagement letter signed and executed by both parties. The written contract shall include all provisions and conditions of the procurement of such services and shall include, at a minimum, the following:
 - (a) A provision specifying the services to be provided and fees or other compensation for such services;
 - (b) A provision requiring that invoices for fees or other compensation be submitted in sufficient detail to demonstrate compliance with the terms of the contract;
 - (c) A provision setting forth deadlines for the auditor to submit a preliminary draft audit report to the District for review and to submit a final audit report no later than June 30 of the fiscal year that follows the fiscal year for which the audit is being conducted;
 - (d) A provision specifying the contract period, including renewals, and conditions under which the contract may be terminated or renewed. The maximum contract period including renewals shall be five (5) years. A renewal may be done without the use of the auditor selection procedures provided in this Rule but must be in writing.
 - (e) Provisions required by law that require the auditor to comply with public records laws.
- (9) Notice of Award. Once a negotiated agreement with a firm or individual is reached, or the Board authorizes the execution of an agreement with a firm where compensation was a factor in the evaluation of proposals, notice of the intent to award, including the rejection of some or all proposals, shall be provided in writing to all proposers by United States Mail, hand delivery, electronic mail, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests regarding the award of contracts under this Rule shall be as provided for in Rule 3.11. No proposer shall be entitled to recover any costs of proposal preparation or submittal from the District.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.
Law Implemented: §§ 119.0701, 218.33, 218.391, Fla. Stat.

Rule 3.3 Purchase of Insurance.

- (1) Scope. The purchases of life, health, accident, hospitalization, legal expense, or annuity insurance, or all of any kinds of such insurance for the officers and employees of the District, and for health, accident, hospitalization, and legal expenses upon a group insurance plan by the District, shall be governed by this Rule. This Rule does not apply to the purchase of any other type of insurance by the District, including but not limited to liability insurance, property insurance, and directors and officers insurance. Nothing in this Rule shall require the District to purchase insurance.
- (2) Procedure. For a purchase of insurance within the scope of these Rules, the following procedure shall be followed:
 - (a) The Board shall cause to be prepared a Notice of Invitation to Bid.
 - (b) Notice of the Invitation to Bid shall be advertised at least once in a newspaper of general circulation within the District. The notice shall allow at least fourteen (14) days for submittal of bids.
 - (c) The District may maintain a list of persons interested in receiving notices of Invitations to Bid. The District shall make reasonable efforts to provide copies of any notices to such persons, but the failure to do so shall not give such consultants any bid protest or other rights or otherwise disqualify any otherwise valid procurement process.
 - (d) Bids shall be opened at the time and place noted in the Invitation to Bid.
 - (e) If only one (1) response to an Invitation is received, the District may proceed with the purchase. If no response to an Invitation to Bid is received, the District may take whatever steps are reasonably necessary in order to proceed with the purchase.
 - (f) The Board has the right to reject any and all bids and such reservations shall be included in all solicitations and advertisements.
 - (g) Simultaneously with the review of the submitted bids, the District may undertake negotiations with those companies that have submitted reasonable and timely bids and, in the opinion of the District, are fully qualified and capable of meeting all services and requirements. Bid responses shall be evaluated in accordance with the specifications and criteria contained in the Invitation to Bid; in addition, the total cost to the District, the cost, if any, to the District officers, employees, or their dependents, relevant business presence and capability to service the District's needs, and the ability of the company to guarantee premium stability may be considered. A contract to purchase insurance shall be

awarded to that company whose response to the Invitation to Bid best meets the overall needs of the District, its officers, employees, and/or dependents.

- (h) Notice of the intent to award, including rejection of some or all bids, shall be provided in writing to all bidders by United States Mail, by hand delivery, or by overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's procurement of insurance under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: § 112.08, Fla. Stat.

Rule 3.4 Pre-qualification

- (1) Scope. In its discretion, the District may undertake a pre-qualification process in accordance with this Rule for vendors to provide construction services, goods, supplies, and materials, Contractual Services, and maintenance services.
- (2) Procedure. When the District seeks to pre-qualify vendors, the following procedures shall apply:
 - (a) The Board shall cause to be prepared a Request for Qualifications.
 - (b) For construction services exceeding the thresholds described in Section 255.20 of the Florida Statutes, the Board must advertise the proposed prequalification criteria and procedures and allow at least seven (7) days' notice of the public hearing for comments on such pre-qualification criteria and procedures. At such public hearing, potential vendors may object to such pre-qualification criteria and procedures. Following such public hearing, the Board shall formally adopt pre-qualification criteria and procedures prior to the advertisement of the Request for Qualifications for construction services.
 - (c) The Request for Qualifications shall be advertised at least once in a newspaper of general circulation within the District and within the county in which the District is located. The notice shall allow at least seven (7) days for submittal of qualifications for goods, supplies and materials, Contractual Services, maintenance services, and construction services under two hundred fifty thousand dollars (\$250,000). The notice shall allow at least twenty-one (21) days for submittal of qualifications for construction services estimated to cost over two hundred fifty thousand dollars (\$250,000) and thirty (30) days for construction services estimated to cost over five hundred thousand dollars (\$500,000).
 - (d) The District may maintain lists of persons interested in receiving notices of Requests for Qualifications. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, or hand delivery, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any pre-qualification determination or contract awarded in accordance with these Rules and shall not be a basis for a protest of any pre-qualification determination or contract award.
 - (e) If the District has pre-qualified vendors for a particular category of purchase, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies or responses in response to the applicable Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

- (f) In order to be eligible to submit qualifications, a firm or individual must, at the time of receipt of the qualifications:
 - (i) Hold all required applicable state professional licenses in good standing;
 - (ii) Hold all required applicable federal licenses in good standing, if any;
 - (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the vendor is a corporation; and
 - (iv) Meet any special pre-qualification requirements set forth in the Request for Qualifications.

Evidence of compliance with these Rules must be submitted with the qualifications if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the qualifications.

- (g) Qualifications shall be presented to the Board, or a committee appointed by the Board, for evaluation in accordance with the Request for Qualifications and this Rule. Minor variations in the qualifications may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature.
- (h) All vendors determined by the District to meet the pre-qualification requirements shall be pre-qualified. To assure full understanding of the responsiveness to the requirements contained in a Request for Qualifications, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion and revision of qualifications. For construction services, any contractor pre-qualified and considered eligible by the Department of Transportation to bid to perform the type of work the project entails shall be presumed to be qualified to perform the project.
- (i) The Board shall have the right to reject all qualifications if there are not enough to be competitive or if rejection is determined to be in the best interest of the District. No vendor shall be entitled to recover any costs of qualification preparation or submittal from the District.
- (j) Notice of intent to pre-qualify, including rejection of some or all qualifications, shall be provided in writing to all vendors by United States Mail, electronic mail, hand delivery, or overnight delivery service. The notice shall

include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's pre-qualification decisions under this Rule shall be in accordance with the procedures set forth in Rule 3.11; provided however, protests related to the pre-qualification criteria and procedures for construction services shall be resolved in accordance with section (2)(b) of this Rule and Section 255.20(1)(b) of the Florida Statutes.

(3) Suspension, Revocation, or Denial of Qualification

(a) The District, for good cause, may deny, suspend, or revoke a prequalified vendor's pre-qualified status. A suspension, revocation, or denial for good cause shall prohibit the vendor from bidding on any District construction contract for which qualification is required, shall constitute a determination of non-responsibility to bid on any other District construction or maintenance contract, and shall prohibit the vendor from acting as a material supplier or subcontractor on any District contract or project during the period of suspension, revocation, or denial. Good cause shall include the following:

- i. One of the circumstances specified under Section 337.16(2), *Florida Statutes*, has occurred.
- ii. Affiliated contractors submitted more than one proposal for the same work. In this event the pre-qualified status of all of the affiliated bidders will be revoked, suspended, or denied. All bids of affiliated bidders will be rejected.
- iii. The vendor made or submitted false, deceptive, or fraudulent statements, certifications, or materials in any claim for payment or any information required by any District contract.
- iv. The vendor or its affiliate defaulted on any contract or a contract surety assumed control of financial responsibility for any contract of the vendor.
- v. The vendor's qualification to bid is suspended, revoked, or denied by any other public or semi-public entity, or the vendor has been the subject of a civil enforcement proceeding or settlement involving a public or semi-public entity.
- vi. The vendor failed to comply with contract or warranty requirements or failed to follow District direction in the performance of a contract.
- vii. The vendor failed to timely furnish all contract documents required by the contract specifications, special provisions, or by any state or federal statutes or regulations. If the vendor fails to furnish any of the subject contract documents by the expiration of the period of suspension, revocation, or denial set forth above, the vendor's pre-qualified status

shall remain suspended, revoked, or denied until the documents are furnished.

- viii. The vendor failed to notify the District within 10 days of the vendor, or any of its affiliates, being declared in default or otherwise not completing work on a contract or being suspended from qualification to bid or denied qualification to bid by any other public or semi-public agency.
 - ix. The vendor did not pay its subcontractors or suppliers in a timely manner or in compliance with contract documents.
 - x. The vendor has demonstrated instances of poor or unsatisfactory performance, deficient management resulting in project delay, poor quality workmanship, a history of payment of liquidated damages, untimely completion of projects, uncooperative attitude, contract litigation, inflated claims or defaults.
 - xi. An affiliate of the vendor has previously been determined by the District to be non-responsible, and the specified period of suspension, revocation, denial, or non-responsibility remains in effect.
 - xii. The vendor or affiliate(s) has been convicted of a contract crime.
 - 1. The term “contract crime” means any violation of state or federal antitrust laws with respect to a public contract or any violation of any state or federal law involving fraud, bribery, collusion, conspiracy, or material misrepresentation with respect to a public contract.
 - 2. The term “convicted” or “conviction” means a finding of guilt or a conviction of a contract crime, with or without an adjudication of guilt, in any federal or state trial court of record as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.
 - xiii. Any other circumstance constituting “good cause” under Section 337.16(2), *Florida Statutes*, exists.
- (b) The pre-qualified status of a contractor found delinquent under Section 337.16(1), *Florida Statutes*, shall be denied, suspended, or revoked. A denial, suspension, or revocation shall prohibit the vendor from being a subcontractor on District work during the period of denial, suspension, or revocation, except when a prime contractor’s bid has used prices of a subcontractor who becomes disqualified after the bid, but before the request for authorization to sublet is presented.
- (c) The District shall inform the vendor in writing of its intent to deny, suspend, or

revoke its pre-qualified status and inform the vendor of its right to a hearing, the procedure which must be followed, and the applicable time limits. If a hearing is requested within ten (10) days after the receipt of the notice of intent, the hearing shall be held within thirty (30) days after receipt by the District of the request for the hearing. The decision shall be issued in writing within fifteen (15) business days after the hearing.

- (d) Such suspension or revocation shall not affect the vendor's obligations under any preexisting contract.
- (e) If a contractor's pre-qualified status is revoked, suspended, or denied and the contractor receives an additional period of revocation, suspension, or denial of its pre-qualified status, the time periods will run consecutively.
- (f) In the case of contract crimes, the vendor's pre-qualified status under this Rule shall be revoked indefinitely. For all violations of Rule 3.4(3)(a) other than for the vendor's conviction for contract crimes, the revocation, denial, or suspension of a vendor's pre-qualified status under this Rule shall be for a specific period of time based on the seriousness of the deficiency.

Examples of factors affecting the seriousness of a deficiency are:

- i. Impacts on project schedule, cost, or quality of work;
 - ii. Unsafe conditions allowed to exist;
 - iii. Complaints from the public;
 - iv. Delay or interference with the bidding process;
 - v. The potential for repetition;
 - vi. Integrity of the public contracting process;
 - vii. Effect on the health, safety, and welfare of the public.
- (g) The District shall deny or revoke the pre-qualified status of any contractor and its affiliates for a period of 36 months when it is determined by the District that the contractor has, subsequent to January 1, 1978, been convicted of a contract crime within the jurisdiction of any state or federal court. Any such contractor shall not act as a prime contractor, material supplier, subcontractor, or consultant on any District contract or project during the period of denial or revocation.

(4) Reapplication and Reinstatement

- (a) A contractor whose qualification to bid has been revoked or denied because of contract crime may, at any time after revocation or denial, file a petition for

reapplication or reinstatement. However, a contractor may not petition for reapplication or reinstatement for a period of 24 months after revocation or denial for a subsequent conviction occurring within 10 years of a previous denial or revocation for contract crime.

- (b) If the petition for reapplication or reinstatement is denied, the contractor cannot petition for a subsequent hearing for a period of nine months following the date of the final order of revocation or denial.
- (c) If the petition for reapplication or reinstatement is granted, the contractor must file a current Application for Qualification with the Contracts Administration Office. Reinstatement shall not be effective until issuance of a Certificate of Qualification.

(5) Emergency Suspension and Revocation

- (a) The District may summarily issue an emergency suspension of a contractor's qualification to bid if it finds that imminent danger exists to the public health, safety, or welfare.
- (b) The written notice of emergency suspension shall state the specific facts and reasons for finding an imminent danger to the public health, safety, or welfare exists.
- (c) The District, within 10 days of the emergency suspension, shall initiate formal suspension or revocation proceedings in compliance with Rule 3.4(3), except the 10-day notice requirement shall not be construed to prevent a hearing at the earliest time practicable upon request of the aggrieved party.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 190.033, 255.0525, 255.20, Fla. Stat.; §§ 14-22.012, 14-22.0121, 14-22.014, Fla. Admin. Code.

Rule 3.5 Construction Contracts, Not Design-Build.

- (1) Scope. All contracts for the construction or improvement of any building, structure, or other public construction works authorized by Chapter 190 of the Florida Statutes, the costs of which are estimated by the District in accordance with generally accepted cost accounting principles to be in excess of the threshold amount for applicability of Section 255.20 of the Florida Statutes, as that amount may be indexed or amended from time to time, shall be let under the terms of these Rules and the procedures of Section 255.20 of the Florida Statutes, as the same may be amended from time to time. A project shall not be divided solely to avoid the threshold bidding requirements.
- (2) Procedure. When a purchase of construction services is within the scope of this Rule, the following procedures shall apply:
 - (a) The Board shall cause to be prepared an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.
 - (b) Notice of the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be advertised at least once in a newspaper of general circulation in the District and in the county in which the District is located. The notice shall also include the amount of the bid bond, if one is required. The notice shall allow at least twenty-one (21) days for submittal of sealed bids, proposals, replies, or responses, unless the Board, for good cause, determines a shorter period of time is appropriate. Any project projected to cost more than five hundred thousand dollars (\$500,000) must be noticed at least thirty (30) days prior to the date for submittal of bids, proposals, replies, or responses. If the Board has previously pre-qualified contractors pursuant to Rule 3.4 and determined that only the contractors that have been pre-qualified will be permitted to submit bids, proposals, replies, and responses, the Notice of Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation need not be published. Instead, the Notice of Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be sent to the pre-qualified contractors by United States Mail, electronic mail, hand delivery, or overnight delivery service.
 - (c) The District may maintain lists of persons interested in receiving notices of Invitations to Bid, Requests for Proposals, Invitations to Negotiate, and Competitive Solicitations. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, or hand delivery, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.

- (d) If the District has pre-qualified providers of construction services, then, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies, or responses to Invitations to Bid, Requests for Proposals, Invitations to Negotiate, and Competitive Solicitations.
- (e) In order to be eligible to submit a bid, proposal, reply, or response, a firm or individual must, at the time of receipt of the bids, proposals, replies, or responses:
 - (i) Hold all required applicable state professional licenses in good standing;
 - (ii) Hold all required applicable federal licenses in good standing, if any;
 - (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the bidder is a corporation; and
 - (iv) Meet any special pre-qualification requirements set forth in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

Any contractor that has been found guilty by a court of competent jurisdiction of any violation of federal labor or employment tax laws regarding subjects including but not limited to, reemployment assistance, safety, tax withholding, worker's compensation, unemployment tax, social security and Medicare tax, wage or hour, or prevailing rate laws within the past five (5) years shall be deemed ineligible by the District to submit a bid, response, or proposal for a District project.

Evidence of compliance with these Rules must be submitted with the bid, proposal, reply, or response, if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the bid, proposal, reply, or response.

- (f) Bids, proposals, replies, and responses, or the portions of which that include the price, shall be publicly opened at a meeting noticed in accordance with Rule 1.3, and at which at least one district representative is present. The name of each bidder and the price submitted in the bid shall be announced at such meeting and shall be made available upon request. Minutes should be taken at the meeting and maintained by the District. Bids, proposals, replies, and responses shall be evaluated in accordance with the respective Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation and these Rules. Minor variations in the bids,

proposals, replies, or responses may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature. Mistakes in arithmetic extension of pricing may be corrected by the Board, provided such corrections do not result in a material change to the bid amount or create an unfair advantage. Bids and proposals may not be modified or supplemented after opening; provided however, additional information may be requested and/or provided to evidence compliance, make non-material modifications, clarifications, or supplementations, and as otherwise permitted by Florida law.

- (g) The lowest Responsive Bid submitted by a Responsive and Responsible Bidder in response to an Invitation to Bid shall be accepted. In relation to a Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, the Board shall select the Responsive Proposal, Reply, or Response submitted by a Responsive and Responsible Vendor which is most advantageous to the District. To assure full understanding of the responsiveness to the solicitation requirements contained in a Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion, preparation, and revision of bids, proposals, replies, and responses.
- (h) The Board shall have the right to reject all bids, proposals, replies, or responses because they exceed the amount of funds budgeted for the purchase, if there are not enough to be competitive, or if rejection is determined to be in the best interest of the District. No contractor shall be entitled to recover any costs of bid, proposal, response, or reply preparation or submittal from the District.
- (i) The Board may require potential contractors to furnish bid bonds, performance bonds, and/or other bonds with a responsible surety to be approved by the Board.
- (j) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses, shall be provided in writing to all contractors by United States Mail, electronic mail, hand delivery, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's purchase of construction services under this Rule shall be in accordance with the procedures set forth in Rule 3.11.
- (k) If less than three (3) Responsive Bids, Proposals, Replies, or Responses are received, the District may purchase construction services or may reject the

bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may proceed with the procurement of construction services, in the manner the Board determines is in the best interests of the District, which may include but is not limited to a direct purchase of the construction services without further competitive selection processes.

- (3) Sole Source; Government. Construction services that are only available from a single source are exempt from this Rule. Construction services provided by governmental agencies are exempt from this Rule. This Rule shall not apply to the purchase of construction services, which may include goods, supplies, or materials, that are purchased under a federal, state, or local government contract that has been competitively procured by such federal, state, or local government in a manner consistent with the material procurement requirements of these Rules. A contract for construction services is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process.
- (4) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.
- (5) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules only when there exists an immediate and serious need for construction services that cannot be met through normal procurement methods and the lack of such services would seriously threaten: (i) the District's ability to perform essential services; (ii) the preservation or protection of property or improvements; or (iii) the health, safety, or welfare of any person. The fact that an Emergency Purchase has occurred or is necessary, along with a detailed description of the basis for the emergency determination, shall be noted in the minutes of the next Board Meeting.
- (6) Exceptions. This Rule is inapplicable when:
 - (a) The project is undertaken as repair or maintenance of an existing public facility;
 - (b) The funding source of the project will be diminished or lost because the time required to competitively award the project after the funds become available exceeds the time within which the funding source must be spent;
 - (c) The District has competitively awarded a project and the contractor has abandoned the project or the District has terminated the contract; or
 - (d) The District, after public notice, conducts a public meeting under Section 286.011 of the Florida Statutes, and finds by a majority vote of the Board

that it is in the public's best interest to perform the project using its own services, employees, and equipment.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 119.0701, 189.053, 190.033, 255.0518, 255.0525, 255.20, 287.055, Fla. Stat.

Rule 3.6 Construction Contracts, Design-Build.

- (1) Scope. The District may utilize Design-Build Contracts for any public construction project for which the Board determines that use of such contract is in the best interest of the District. When letting a Design-Build Contract, the District shall use the following procedure:
- (2) Procedure.
 - (a) The District shall utilize a Design Criteria Professional meeting the requirements of Section 287.055(2)(k) of the Florida Statutes, when developing a Design Criteria Package, evaluating the proposals and qualifications submitted by Design-Build Firms, and determining compliance of the project construction with the Design Criteria Package. The Design Criteria Professional may be an employee of the District, may be the District Engineer selected by the District pursuant to Section 287.055 of the Florida Statutes, or may be retained pursuant to Rule 3.1. The Design Criteria Professional is not eligible to render services under a Design-Build Contract executed pursuant to the Design Criteria Package.
 - (b) A Design Criteria Package for the construction project shall be prepared and sealed by the Design Criteria Professional. If the project utilizes existing plans, the Design Criteria Professional shall create a Design Criteria Package by supplementing the plans with project specific requirements, if any.
 - (c) The Board may either choose to award the Design-Build Contract pursuant to the competitive proposal selection process set forth in Section 287.055(9) of the Florida Statutes, or pursuant to the qualifications-based selection process pursuant to Rule 3.1.
 - (i) Qualifications-Based Selection. If the process set forth in Rule 3.1 is utilized, subsequent to competitive negotiations, a guaranteed maximum price and guaranteed completion date shall be established.
 - (ii) Competitive Proposal-Based Selection. If the competitive proposal selection process is utilized, the Board, in consultation with the Design Criteria Professional, shall establish the criteria, standards

and procedures for the evaluation of Design-Build Proposals based on price, technical, and design aspects of the project, weighted for the project. After a Design Criteria Package and the standards and procedures for evaluation of proposals have been developed, competitive proposals from qualified firms shall be solicited pursuant to the design criteria by the following procedure:

1. A Request for Proposals shall be advertised at least once in a newspaper of general circulation in the county in which the District is located. The notice shall allow at least twenty-one (21) days for submittal of sealed proposals, unless the Board, for good cause, determines a shorter period of time is appropriate. Any project projected to cost more than five hundred thousand dollars (\$500,000) must be noticed at least thirty (30) days prior to the date for submittal of proposals.
2. The District may maintain lists of persons interested in receiving notices of Requests for Proposals. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, or hand delivery, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.
3. In order to be eligible to submit a proposal, a firm must, at the time of receipt of the proposals:
 - a. Hold the required applicable state professional licenses in good standing, as defined by Section 287.055(2)(h) of the Florida Statutes;
 - b. Hold all required applicable federal licenses in good standing, if any;
 - c. Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the proposer is a corporation;
 - d. Meet any special pre-qualification requirements set forth in the Request for Proposals and Design Criteria Package.

Any contractor that has been found guilty by a court of any violation of federal labor or employment tax laws regarding subjects including but not limited to reemployment assistance, safety, tax withholding, worker's compensation, unemployment tax, social security and Medicare tax, wage or hour, or prevailing rate laws within the past five (5) years may be considered ineligible by the District to submit a bid, response, or proposal for a District project.

Evidence of compliance with these Rules must be submitted with the proposal if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the proposal.

4. The proposals, or the portions of which that include the price, shall be publicly opened at a meeting noticed in accordance with Rule 1.3, and at which at least one district representative is present. The name of each bidder and the price submitted in the bid shall be announced at such meeting and shall be made available upon request. Minutes should be taken at the meeting and maintained by the District. In consultation with the Design Criteria Professional, the Board shall evaluate the proposals received based on evaluation criteria and procedures established prior to the solicitation of proposals, including but not limited to qualifications, availability, and past work of the firms and the partners and members thereof. The Board shall then select no fewer than three (3) Design-Build Firms as the most qualified.
5. The Board shall have the right to reject all proposals if the proposals are too high, or rejection is determined to be in the best interest of the District. No vendor shall be entitled to recover any costs of proposal preparation or submittal from the District.
6. If less than three (3) Responsive Proposals are received, the District may purchase design-build services or may reject the proposals for lack of competitiveness. If no Responsive Proposals are received, the District may proceed with the procurement of design-build services in the manner the Board determines is in the best interests of the District, which may include but is not limited to a direct purchase of the design-build services without further competitive selection processes.

7. Notice of the rankings adopted by the Board, including the rejection of some or all proposals, shall be provided in writing to all consultants by United States Mail, hand delivery, electronic mail, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's rankings under this Rule shall be in accordance with the procedures set forth in Rule 3.11.
8. The Board shall negotiate a contract with the firm ranking the highest based on the evaluation standards and shall establish a price which the Board determines is fair, competitive and reasonable. Should the Board be unable to negotiate a satisfactory contract with the firm considered to be the most qualified at a price considered by the Board to be fair, competitive, and reasonable, negotiations with that firm must be terminated. The Board shall then undertake negotiations with the second most qualified firm, based on the ranking by the evaluation standards. Should the Board be unable to negotiate a satisfactory contract with the firm considered to be the second most qualified at a price considered by the Board to be fair, competitive, and reasonable, negotiations with that firm must be terminated. The Board shall then undertake negotiations with the third most qualified firm. Should the Board be unable to negotiate a satisfactory contract with the firm considered to be the third most qualified at a price considered by the Board to be fair, competitive, and reasonable, negotiations with that firm must be terminated. Should the Board be unable to negotiate a satisfactory contract with any of the selected firms, the Board shall select additional firms in order of their rankings based on the evaluation standards and continue negotiations until an agreement is reached or the list of firms is exhausted.
9. After the Board contracts with a firm, the firm shall bring to the Board for approval, detailed working drawings of the project.
10. The Design Criteria Professional shall evaluate the compliance of the detailed working drawings and project construction with the Design Criteria Package and shall provide the Board with a report of the same.

- (3) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.
- (4) Emergency Purchase. The Board may, in case of a public emergency, declare an emergency and immediately proceed with negotiations with the best qualified Design-Build Firm available at the time. The fact that an Emergency Purchase has occurred shall be noted in the minutes of the next Board meeting.
- (5) Exceptions. This Rule is inapplicable when:
 - (a) The project is undertaken as repair or maintenance of an existing public facility;
 - (b) The funding source of the project will be diminished or lost because the time required to competitively award the project after the funds become available exceeds the time within which the funding source must be spent;
 - (c) The District has competitively awarded a project and the contractor has abandoned the project or the District has terminated the contractor; or
 - (d) The District, after public notice, conducts a public meeting under Section 286.011 of the Florida Statutes, and finds by a majority vote of the Board that it is in the public's best interest to perform the project using its own services, employees, and equipment.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 119.0701, 189.053, 190.033, 255.0518, 255.0525, 255.20, 287.055, Fla. Stat.

Rule 3.7 Payment and Performance Bonds.

- (1) Scope. This Rule shall apply to contracts for the construction of a public building, for the prosecution and completion of a public work, or for repairs upon a public building or public work and shall be construed in addition to terms prescribed by any other Rule that may also apply to such contracts.

- (2) Required Bond. Upon entering into a contract for any of the services described in section (1) of this Rule in excess of \$200,000, the Board should require that the contractor, before commencing the work, execute and record a payment and performance bond in an amount equal to the contract price. Notwithstanding the terms of the contract or any other law, the District may not make payment to the contractor until the contractor has provided to the District a certified copy of the recorded bond.

- (3) Discretionary Bond. At the discretion of the Board, upon entering into a contract for any of the services described in section (1) of this Rule for an amount not exceeding \$200,000, the contractor may be exempted from executing a payment and performance bond.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: § 255.05, Fla. Stat.

Rule 3.8 Goods, Supplies, and Materials.

- (1) Purpose and Scope. All purchases of goods, supplies, or materials exceeding the amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FOUR, shall be purchased under the terms of this Rule. Contracts for purchases of “goods, supplies, and materials” do not include printing, insurance, advertising, or legal notices. A contract involving goods, supplies, or materials plus maintenance services may, in the discretion of the Board, be treated as a contract for maintenance services. However, a purchase shall not be divided solely in order to avoid the threshold bidding requirements.
- (2) Procedure. When a purchase of goods, supplies, or materials is within the scope of this Rule, the following procedures shall apply:
 - (a) The Board shall cause to be prepared an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.
 - (b) Notice of the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be advertised at least once in a newspaper of general circulation within the District and within the county in which the District is located. The notice shall also include the amount of the bid bond, if one is required. The notice shall allow at least seven (7) days for submittal of bids, proposals, replies, or responses.
 - (c) The District may maintain lists of persons interested in receiving notices of Invitations to Bid, Requests for Proposals, Invitations to Negotiate, or Competitive Solicitations. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, or hand delivery, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.
 - (d) If the District has pre-qualified suppliers of goods, supplies, and materials, then, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies, or responses.
 - (e) In order to be eligible to submit a bid, proposal, reply, or response, a firm or individual must, at the time of receipt of the bids, proposals, replies, or responses:
 - (i) Hold all required applicable state professional licenses in good standing;
 - (ii) Hold all required applicable federal licenses in good standing, if any;

- (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the vendor is a corporation; and
- (iv) Meet any special pre-qualification requirements set forth in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

Evidence of compliance with these Rules must be submitted with the bid, proposal, reply or response if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the bid, proposal, reply, or response.

Any firm or individual whose principal place of business is outside the State of Florida must also submit a written opinion of an attorney at law licensed to practice law in that foreign state, as to the preferences, if any or none, granted by the law of that foreign state to business entities whose principal places of business are in that foreign state, in the letting of any or all public contracts. Failure to submit such a written opinion or submission of a false or misleading written opinion may be grounds for rejection of the bid, proposal, reply, or response.

- (f) Bids, proposals, replies, and responses shall be publicly opened at the time and place noted on the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation. Bids, proposals, replies, and responses shall be evaluated in accordance with the respective Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, and this Rule. Minor variations in the bids, proposals, replies, or responses may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids and proposals may not be modified or supplemented after opening; provided however, additional information may be requested and/or provided to evidence compliance, make non-material modifications, clarifications, or supplementations, and as otherwise permitted by Florida law.
- (g) The lowest Responsive Bid, after taking into account the preferences provided for in this subsection, submitted by a Responsive and Responsible Bidder in response to an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be accepted. If the lowest Responsive Bid is submitted by a Responsive and Responsible Bidder whose principal place of business is located in a foreign state which does not grant a preference in competitive purchase to businesses whose principal place of business are in that foreign state, the lowest Responsive and Responsible Bidder whose principal place of business is in the State of

Florida shall be awarded a preference of five percent (5%). If the lowest Responsive Bid is submitted by a Responsive and Responsible Bidder whose principal place of business is located in a foreign state which grants a preference in competitive purchase to businesses whose principal place of business are in that foreign state, the lowest Responsible and Responsive Bidder whose principal place of business is in the State of Florida shall be awarded a preference equal to the preference granted by such foreign state.

To assure full understanding of the responsiveness to the solicitation requirements contained in an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion, preparation, and revision of bids, proposals, replies, and responses.

- (h) The Board shall have the right to reject all bids, proposals, replies, or responses because they exceed the amount of funds budgeted for the purchase, if there are not enough to be competitive, or if rejection is determined to be in the best interest of the District. No vendor shall be entitled to recover any costs of bid, proposal, reply, or response preparation or submittal from the District.
- (i) The Board may require bidders and proposers to furnish bid bonds, performance bonds, and/or other bonds with a responsible surety to be approved by the Board.
- (j) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses shall be provided in writing to all vendors by United States Mail, electronic mail, hand delivery, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's purchase of goods, supplies, and materials under this Rule shall be in accordance with the procedures set forth in Rule 3.11.
- (k) If less than three (3) Responsive Bids, Proposals, Replies, or Responses are received, the District may purchase goods, supplies, or materials, or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may proceed with the procurement of goods, supplies, and materials, in the manner the Board determines is in the best interests of the District, which may include but is not limited to a direct purchase of the goods, supplies, and materials without further competitive selection processes.

- (3) Goods, Supplies, and Materials included in a Construction Contract Awarded Pursuant to Rule 3.5 or 3.6. There may be occasions where the District has undergone the competitive purchase of construction services which contract may include the provision of goods, supplies, or materials. In that instance, the District may approve a change order to the contract and directly purchase the goods, supplies, and materials. Such purchase of goods, supplies, and materials deducted from a competitively purchased construction contract shall be exempt from this Rule.
- (4) Exemption. Goods, supplies, and materials that are only available from a single source are exempt from this Rule. Goods, supplies, and materials provided by governmental agencies are exempt from this Rule. A contract for goods, supplies, or materials is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process. This Rule shall not apply to the purchase of goods, supplies or materials that are purchased under a federal, state, or local government contract that has been competitively procured by such federal, state, or local government in a manner consistent with the material procurement requirements of these Rules.
- (5) Renewal. Contracts for the purchase of goods, supplies, and/or materials subject to this Rule may be renewed for a maximum period of five (5) years.
- (6) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 189.053, 190.033, 287.017, 287.084, Fla. Stat.

Rule 3.9 Maintenance Services.

- (1) Scope. All contracts for maintenance of any District facility or project shall be set under the terms of this Rule if the cost exceeds the amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FOUR. A contract involving goods, supplies, and materials plus maintenance services may, in the discretion of the Board, be treated as a contract for maintenance services. However, a purchase shall not be divided solely in order to avoid the threshold bidding requirements.
- (2) Procedure. When a purchase of maintenance services is within the scope of this Rule, the following procedures shall apply:
 - (a) The Board shall cause to be prepared an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.
 - (b) Notice of the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be advertised at least once in a newspaper of general circulation within the District and within the county in which the District is located. The notice shall also include the amount of the bid bond, if one is required. The notice shall allow at least seven (7) days for submittal of bids, proposals, replies, or responses.
 - (c) The District may maintain lists of persons interested in receiving notices of Invitations to Bid, Requests for Proposals, Invitations to Negotiate, and Competitive Solicitations. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, or hand delivery, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.
 - (d) If the District has pre-qualified suppliers of maintenance services, then, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies, and responses.
 - (e) In order to be eligible to submit a bid, proposal, reply, or response, a firm or individual must, at the time of receipt of the bids, proposals, replies, or responses:
 - (i) Hold all required applicable state professional licenses in good standing;
 - (ii) Hold all required applicable federal licenses in good standing, if any;

- (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the vendor is a corporation; and
- (iv) Meet any special pre-qualification requirements set forth in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

Evidence of compliance with these Rules must be submitted with the bid, proposal, reply, or response if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the bid, proposal, reply, or response.

- (f) Bids, proposals, replies, and responses shall be publicly opened at the time and place noted on the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation. Bids, proposals, replies, and responses shall be evaluated in accordance with the respective Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, and these Rules. Minor variations in the bids, proposals, replies, and responses may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids and proposals may not be modified or supplemented after opening; provided however, additional information may be requested and/or provided to evidence compliance, make non-material modifications, clarifications, or supplementations, and as otherwise permitted by Florida law.
- (g) The lowest Responsive Bid submitted in response to an Invitation to Bid by a Responsive and Responsible Bidder shall be accepted. In relation to a Request for Proposals, Invitation to Negotiate or Competitive Solicitation the Board shall select the Responsive Proposal, Reply, or Response submitted by a Responsive and Responsible Vendor which is most advantageous to the District. To assure full understanding of the responsiveness to the solicitation requirements contained in a Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion, preparation, and revision of bids, proposals, replies, or responses.
- (h) The Board shall have the right to reject all bids, proposals, replies, or responses because they exceed the amount of funds budgeted for the purchase, if there are not enough to be competitive, or if rejection is determined to be in the best interest of the District. No Vendor shall be

entitled to recover any costs of bid, proposal, reply, or response preparation or submittal from the District.

- (i) The Board may require bidders and proposers to furnish bid bonds, performance bonds, and/or other bonds with a responsible surety to be approved by the Board.
 - (j) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses shall be provided in writing to all vendors by United States Mail, electronic mail, hand delivery, , or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's procurement of maintenance services under this Rule shall be in accordance with the procedures set forth in Rule 3.11.
 - (k) If less than three (3) Responsive Bids, Proposals, Replies, or Responses are received, the District may purchase the maintenance services or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may proceed with the procurement of maintenance services, in the manner the Board determines is in the best interests of the District, which may include but is not limited to a direct purchase of the maintenance services without further competitive selection processes.
- (3) Exemptions. Maintenance services that are only available from a single source are exempt from this Rule. Maintenance services provided by governmental agencies are exempt from this Rule. A contract for maintenance services is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process.
 - (4) Renewal. Contracts for the purchase of maintenance services subject to this Rule may be renewed for a maximum period of five (5) years.
 - (5) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.
 - (6) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

Specific Authority: §§ 190.011(5), 190.011(15), 190.033, Fla. Stat.

Law Implemented: §§ 119.0701, 190.033, 287.017, Fla. Stat.

Rule 3.10 Contractual Services.

- (1) Exemption from Competitive Purchase. Pursuant to Section 190.033(3) of the Florida Statutes, Contractual Services shall not be subject to competitive purchasing requirements. If an agreement is predominantly for Contractual Services, but also includes maintenance services or the purchase of goods and services, the contract shall not be subject to competitive purchasing requirements. Regardless of whether an advertisement or solicitation for Contractual Services is identified as an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, no rights or remedies under these Rules, including but not limited to protest rights, are conferred on persons, firms, or vendors proposing to provide Contractual Services to the District.

- (2) Contracts; Public Records. In accordance with Florida law, each contract for Contractual Services shall include provisions required by law that require the contractor to comply with public records laws.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 119.0701, 190.011(3), 190.033, Fla. Stat.

Rule 3.11 Protests with Respect to Proceedings under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, and 3.9.

The resolution of any protests with respect to proceedings under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, and 3.9 shall be in accordance with this Rule.

(1) Filing.

- (a) With respect to a protest regarding qualifications, specifications, documentation, or other requirements contained in a Request for Qualifications, Request for Proposals, Invitation to Bid, or Competitive Solicitation issued by the District, the notice of protest shall be filed in writing within seventy-two (72) calendar hours (excluding Saturdays, Sundays, and state holidays) after the first advertisement of the Request for Qualifications, Request for Proposals, Invitation to Bid, or Competitive Solicitation. A formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days (including Saturdays, Sundays, and state holidays) after the initial notice of protest was filed. For purposes of this Rule, wherever applicable, filing will be perfected and deemed to have occurred upon receipt by the District. Failure to file a notice of protest shall constitute a waiver of all rights to protest the District's intended decision. Failure to file a formal written protest shall constitute an abandonment of the protest proceedings and shall automatically terminate the protest proceedings.
- (b) Except for those situations covered by subsection (1)(a) of this Rule, any firm or person who is affected adversely by a District's ranking or intended award under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, or 3.9 and desires to contest the District's ranking or intended award, shall file with the District a written notice of protest within seventy-two (72) calendar hours (excluding Saturdays, Sundays, and state holidays) after receipt of the notice of the District's ranking or intended award. A formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days (including Saturdays, Sundays, and state holidays) after the initial notice of protest was filed. For purposes of this Rule, wherever applicable, filing will be perfected and deemed to have occurred upon receipt by the District. Failure to file a notice of protest shall constitute a waiver of all rights to protest the District's ranking or intended award. Failure to file a formal written protest shall constitute an abandonment of the protest proceedings and shall automatically terminate the protest proceedings.
- (c) If the requirement for the posting of a protest bond and the amount of the protest bond, which may be expressed by a percentage of the contract to be awarded or a set amount, is disclosed in the District's competitive solicitation documents for a particular purchase under Rules 3.1, 3.2, 3.3,

3.4, 3.5, 3.6, 3.8, or 3.9, any person who files a notice of protest must post the protest bond. The amount of the protest bond shall be determined by District staff after consultation with the Board and within the limits, if any, imposed by Florida law. In the event the protest is successful, the protest bond shall be refunded to the protestor. In the event the protest is unsuccessful, the protest bond shall be applied towards the District's costs, expenses, and attorney's fees associated with hearing and defending the protest. In the event the protest is settled by mutual agreement of the parties, the protest bond shall be distributed as agreed to by the District and protestor.

- (d) The District does not accept documents filed by electronic mail or facsimile transmission. Filings are only accepted during normal business hours, which are 9:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.
- (2) Contract Execution. Upon receipt of a notice of protest which has been timely filed, the District shall not execute the contract under protest until the subject of the protest is resolved. However, if the District sets forth in writing particular facts and circumstances showing that delay incident to protest proceedings will jeopardize the funding for the project, will materially increase the cost of the project, or will create an immediate and serious danger to the public health, safety, or welfare, the contract may be executed.
- (3) Informal Proceeding. If the Board determines a protest does not involve a disputed issue of material fact, the Board may, but is not obligated to, schedule an informal proceeding to consider the protest. Such informal proceeding shall be at a time and place determined by the Board. Notice of such proceeding shall be sent via certified mail, hand delivery, or email with delivery confirmation to the protestor and any substantially affected persons or parties not less than three (3) calendar days prior to such informal proceeding. Within thirty (30) calendar days following the informal proceeding, the Board shall issue a written decision setting forth the factual, legal, and policy grounds for its decision.
- (4) Formal Proceeding. If the Board determines a protest involves disputed issues of material fact or if the Board elects not to use the informal proceeding process provided for in section (3) of this Rule, the District shall schedule a formal hearing to resolve the protest. The Chairperson shall designate any member of the Board (including the Chairperson), District Manager, District Counsel, or other qualified person as a hearing officer to conduct the hearing. The hearing officer may:
 - (a) Administer oaths and affirmations;
 - (b) Rule upon offers of proof and receive relevant evidence;
 - (c) Regulate the course of the hearing, including any pre-hearing matters;

(d) Enter orders; and

(e) Make or receive offers of settlement, stipulation, and adjustment.

The hearing officer shall, within thirty (30) days after the hearing or receipt of the hearing transcript, whichever is later, file a recommended order which shall include a caption, time and place of hearing, appearances entered at the hearing, statement of the issues, findings of fact and conclusions of law, separately stated, and a recommendation for final District action. The District shall allow each party fifteen (15) calendar days from receipt of the recommended order in which to submit written exceptions to the recommended order. The District shall issue a final order within sixty (60) days after the filing of the recommended order.

- (5) Intervenors. Other substantially affected persons may join the proceedings as intervenors by filing a motion to intervene within 10 calendar days of the initial protest filing, on terms that shall not unduly delay the proceedings.
- (6) Rejection of all Qualifications, Bids, Proposals, Replies and Responses after Receipt of Notice of Protest. If the Board determines there was a violation of law, defect, or an irregularity in the competitive solicitation process, the Bids, Proposals, Replies, and Responses are too high, or if the Board determines it is otherwise in the District's best interest, the Board may reject all qualifications, bids, proposals, replies, and responses and start the competitive solicitation process anew. If the Board decides to reject all qualifications, bids, proposals, replies, and responses and start the competitive solicitation process anew, any pending protests shall automatically terminate.
- (7) Settlement. Nothing herein shall preclude the settlement of any protest under this Rule at any time.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: § 190.033, Fla. Stat.

Rule 4.0 Effective Date.

These Rules shall be effective September 16, 2026 except that no election of officers required by these Rules shall be required until after the next regular election for the Board.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 190.011(5), 190.011(15), Fla. Stat.

EXHIBIT B:
DISCIPLINARY RULE

[BEGINS AT FOLLOWING PAGE]

SUSPENSION AND TERMINATION OF PRIVILEGES

SUSPENSION AND TERMINATION OF ACCESS RULE

Law Implemented: ss. 120.69, 190.011, 190.012, Fla. Stat. (2025)
Effective Date: September 16, 2026

In accordance with Chapters 190 and 120, *Florida Statutes*, and on September 16, 2026, at a duly noticed public meeting, the Board of Supervisors (“Board”) of McCarty’s Choice Community Development District (“District”) adopted the following rules / policies to govern disciplinary and enforcement matters. All prior rules / policies of the District governing this subject matter are hereby rescinded for any violations occurring after the date stated above.

1. Introduction. This rule addresses disciplinary and enforcement matters relating to the use of the Amenities and other properties owned and managed by the District (“Amenity Center” or “Amenity Facilities”).

2. General Rule. All persons using the Amenity Facilities and entering District properties are responsible for compliance with the Policies established for the safe operations of the District’s Amenity Facilities.

3. Access Card. Access Cards are the property of the District. The District may request surrender of, or may deactivate, an Access Card for violation of the District’s Policies established for the safe operations of the District’s Amenity Facilities.

4. Suspension and Termination of Rights. The District, through its Board of Supervisors (“Board”) and District Manager shall have the right to restrict or suspend, and after a hearing as set forth herein, terminate the Amenity Facilities access of any Patron and members of their household or Guests to use all or a portion of the Amenity Facilities for any of the following acts (each, a “Violation”):

- a. Submitting false information on any application for use of the Amenity Facilities, including but not limited to facility rental applications;
- b. Failing to abide by the terms of rental applications;
- c. Permitting the unauthorized use of a Patron Card or otherwise facilitating or allowing unauthorized use of the Amenity Facilities;
- d. Exhibiting inappropriate behavior or repeatedly wearing inappropriate attire;
- e. Failing to pay amounts owed to the District in a proper and timely manner (with the exception of special assessments);
- f. Failing to abide by any District rules or policies (e.g., Amenity Policies);

- g. Treating District Staff, contractors, representatives, residents, Patrons or Guests, in a harassing or abusive manner;
- h. Damaging, destroying, rendering inoperable or interfering with the operation of District property, Amenities or other property located on District property;
- i. Failing to reimburse the District for Amenities or property damaged by such person, or a minor for whom the person has charge, or a Guest;
- j. Engaging in conduct that is likely to endanger the health, safety, or welfare of the District, District Staff, contractors, representatives, landowners, Patrons or Guests;
- k. Committing or being alleged, in good faith, to have committed a crime on District property that leads the District to reasonably believe the health, safety or welfare of the District, District Staff, contractors, representatives, landowners, Patrons or Guests is likely endangered;
- l. Engaging in another Violation after a verbal warning has been given by staff (which verbal warning is not required); or
- m. Such person's Guest or a member of their household committing any of the above Violations.

Permanent termination of access to the District's Amenity Facilities shall only be considered and implemented by the Board in situations that pose a long term or continuing threat to the health, safety and/or welfare of the District, District Staff, contractors, representatives, landowners, Patrons or Guests. The Board, in its sole discretion and upon motion of any Board member, may vote to rescind a termination of access to the Amenity Facilities.

5. Suspension Procedures.

- a. ***Immediate Suspension.*** A first written or verbal warning may be appropriate depending on the nature of the violation and is in the District's designees discretion. The District Manager or his or her designee has the ability to immediately remove any person from one or all Amenities or issue a suspension for up to sixty (60) days for the Violations described above, or when such action is necessary to protect the health, safety and welfare of other Patrons and their Guests, or to protect the District's Amenities or property from damage. If, based on the nature of the offense, staff recommends a suspension longer than sixty (60) days, such suspension shall be considered at the next Board meeting. Crimes committed or allegedly committed on District property shall automatically result in an immediate suspension until the next Board meeting.
- b. ***Notice of Suspension.*** The District Manager or his or her designee shall mail a letter to the person suspended referencing the conduct at issue, the sections of the District's rules and policies violated, the time, date, and location of the next regular Board meeting where the person's suspension will be presented to the Board, and a statement that the person has a right to appear before the Board and offer

testimony and evidence why the suspension should be lifted. If the person is a minor, the letter shall be sent to the adults at the address within the community where the minor resides.

6. Administrative Reimbursement. The Board may in its discretion require payment of an administrative reimbursement of up to Five Hundred Dollars (\$500) in order to offset the actual legal and/or administrative expenses incurred by the District as a result of a Violation (“Administrative Reimbursement”). Such Administrative Reimbursement shall be in addition to any suspension or termination of Amenity access, any applicable legal action warranted by the circumstances, and/or any Property Damage Reimbursement (defined below).

7. Property Damage Reimbursement. If damage to District property or Amenities occurred in connection with a Violation, the person or persons who caused the damage, or the person whose guest caused the damage, or the person who has charge of a minor that caused the damage, shall reimburse the District for the costs of cleaning, repairing, and/or replacing the property (“Property Damage Reimbursement”). Such Property Damage Reimbursement shall be in addition to any suspension or termination of Amenity access, any applicable legal action warranted by the circumstances, and/or any Administrative Reimbursement.

8. Initial Hearing by the Board; Administrative Reimbursement; Property Damage Reimbursement.

- a. If a person’s Amenity Facilities privileges are suspended, as referenced in Section 5, such person shall be entitled to a hearing at the next regularly scheduled Board meeting that is at least eight (8) days after the initial suspension, as evidenced by the date of notice sent by certified electronic or other mail service or as soon thereafter as a Board meeting is held if the meeting referenced in the letter is canceled, during which both District staff and the person subject to the suspension shall be given the opportunity to appear, present testimony and evidence, cross examine witnesses present, and make arguments. The Board may also ask questions of District Staff, the person subject to the suspension, and witnesses present. All persons are entitled to be represented by a licensed Florida attorney at such hearing if they so choose. Any written materials should be submitted at least seven (7) days before the hearing for consideration by the Board. If the date of the suspension is less than eight (8) days before a Board meeting, the hearing may be scheduled for the following Board meeting at the discretion of the person subject to the suspension.
- b. The person subject to the suspension may request an extension of the hearing date to a future Board meeting, which shall be granted upon a showing of good cause, but such extension shall not stay the suspension.
- c. After the presentations by District Staff, witnesses and the person subject to the suspension, the Board shall consider the facts and circumstances and determine whether to lift or extend the suspension or impose a termination. In determining the length of any suspension, or a termination, the Board shall consider the nature of the conduct, the circumstances of the conduct, the number of rules or policies violated, the person’s escalation or de-escalation of the situation, and any prior

Violations and/or suspensions.

- d. The Board shall also determine whether an Administrative Reimbursement is warranted and, if so, set the amount of such Administrative Reimbursement.
- e. The Board shall also determine whether a Property Damage Reimbursement is warranted and, if so, set the amount of such Property Damage Reimbursement. If the cost to clean, repair and/or replace the property is not yet available, the Property Damage Reimbursement shall be fixed at the next regularly scheduled Board meeting after the cost to clean, repair, and/or replace the property is known.
- f. After the conclusion of the hearing, the District Manager or his/her designee shall mail a letter to the person suspended identifying the Board's determination at such hearing.

9. Suspension by the Board. The Board on its own initiative acting at a noticed public meeting may elect to consider a suspension of a person's access for committing any of the Violations outlined in Section 4. In such circumstances, a letter shall be sent to the person suspended which contains all the information required by Section 5, and the hearing shall be conducted in accordance with Section 8.

10. Automatic Extension of Suspension for Non-Payment. Unless there is an affirmative vote of the Board otherwise, no suspension or termination will be lifted or expire until all Administrative Reimbursements and Property Damage Reimbursements have been paid to the District. If an Administrative Reimbursement or Property Damage Reimbursement is not paid by its due date, the District reserves the right to request surrender of, or deactivate, all Access Cards associated with an address within the District until such time as the outstanding amounts are paid.

11. Appeal of Board Suspension. After the hearing held by the Board required by Section 8, a person subject to a suspension or termination may appeal the suspension or termination, or the assessment or amount of an Administrative Reimbursement or Property Damage Reimbursement, to the Board by filing a written request for an appeal ("Appeal Request"). The filing of an Appeal Request shall not result in the stay of the suspension or termination. The Appeal Request shall be filed within thirty (30) calendar days after mailing the notice of the Board's determination as required by Section 8(f), above. For purposes of this Rule, wherever applicable, filing will be perfected and deemed to have occurred upon receipt by the District. Failure to file an Appeal Request shall constitute a waiver of all rights to protest the District's suspension or termination and shall constitute a failure to exhaust administrative remedies. The District shall consider the appeal at a Board meeting and shall provide reasonable notice to the person of the Board meeting where the appeal will be considered. At the appeal stage, no new evidence shall be offered or considered. Instead, the appeal is an opportunity for the person subject to the suspension or termination to argue, based on the evidence elicited at the hearing, why the suspension or termination should be reduced or vacated. The Board may take any action deemed by it in its sole discretion to be appropriate under the circumstances, including affirming, overturning, or otherwise modifying the suspension or termination. The Board's decision on appeal shall be final.

12. Legal Action; Criminal Prosecution; Trespass. If any person is found to have committed a Violation, such person may additionally be subject to arrest for trespassing or other applicable legal action, civil or criminal in nature. If a person subject to suspension or termination is found at the Amenity Facilities, such person will be subject to arrest for trespassing. If a trespass warrant is issued to a person by a law enforcement agency, the District has no obligation to seek a withdrawal or termination of the trespass warrant even though the issuance of the trespass warrant may effectively prevent a person from using the District's Amenities after expiration of a suspension imposed by the District.

13. Severability. If any section, paragraph, clause or provision of this rule shall be held to be invalid or ineffective for any reason, the remainder of this rule shall continue in full force and effect, it being expressly hereby found and declared that the remainder of this rule would have been adopted despite the invalidity or ineffectiveness of such section, paragraph, clause or provision.

EXHIBIT C:
FEE SCHEDULE

Fee	Adopted Fee Range
Non-Resident Annual User Fee	\$2,500.00 – \$4,000.00
Lost Access Card Replacement	\$25.00 – \$50.00
Amenity Facilities Rental Deposit / Fee	Refundable Deposit \$250 Non-refundable rental fee \$0 - \$500
Returned Check/Insufficient Funds Fee (per occurrence)	\$50.00
Administrative Reimbursement	Up to \$500.00

SECTION V

RESOLUTION 2026-37

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT
SETTING THE ANNUAL MEETING SCHEDULE FOR FISCAL YEAR
2027; AND PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, McCarty's Choice Community Development District ("**District**") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within the City of Port St. Lucie, Florida; and

WHEREAS, the District is required by Section 189.015, *Florida Statutes*, to file quarterly, semi-annually, or annually a schedule (including date, time, and location) of its regular meetings with local governing authorities; and

WHEREAS, further, in accordance with the above-referenced statute, the District shall also publish quarterly, semi-annually, or annually the District's regular meeting schedule in a newspaper of general paid circulation in the county in which the District is located; and

WHEREAS, the Board of Supervisors desires to adopt an annual meeting schedule for the fiscal year beginning October 1, 2026, and ending September 30, 2027 ("**Fiscal Year 2027**"), attached as **Exhibit A**.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF
SUPERVISORS OF THE MCCARTY'S CHOICE COMMUNITY
DEVELOPMENT DISTRICT:**

SECTION 1. The Fiscal Year 2027 annual meeting schedule attached hereto and incorporated by reference herein as **Exhibit A** is hereby approved and shall be published in accordance with the requirements of Florida law and also provided to applicable governing authorities.

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

PASSED AND ADOPTED this 16th day of September 2026.

ATTEST:

**MCCARTY'S CHOICE COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Vice/Chairperson, Board of Supervisors

Exhibit A: Fiscal Year 2027 Annual Meeting Schedule

EXHIBIT A
MCCARTY'S CHOICE COMMUNITY DEVELOPMENT DISTRICT
NOTICE OF MEETINGS FOR FISCAL YEAR 2027

The Board of Supervisors ("Board") of the McCarty's Choice Community Development District ("District") will hold their regular meetings for Fiscal Year 2027 at the Port St. Lucie Community Center (Meeting Room E), 2195 Southeast Airoso Boulevard, Port Saint Lucie, Florida 34984, on the first Wednesday of every month at 11:00 a.m. unless otherwise indicated as follows:

October 7, 2026
November 4, 2026
December 2, 2026
January 6, 2027
February 3, 2027
March 3, 2027
April 7, 2027
May 5, 2027
June 2, 2027
July 7, 2027
August 4, 2027
September 1, 2027

The meetings will be conducted in accordance with the provisions of Florida law for community development districts and, other than the closed session described above, will be open to the public. The meetings may be continued in progress without additional notice to a date, time, and place to be specified on the record at the meeting. A copy of the agenda for the meetings may be obtained by contacting the office of the District Manager c/o Governmental Management Services – Central Florida, LLC, 219 East Livingston Street, Orlando, Florida 32801; Phone: (407) 841-5524 ("District Manager's Office").

There may be occasions when one or more Board supervisors or staff will participate by speaker telephone. Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations at any meeting because of a disability or physical impairment should contact the District Office at (321) 263-0132 at least three (3) business days prior to the meeting. 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), for aid in contacting the District Office.

A person who decides to appeal any decision made at a meeting with respect to any matter considered at the meeting 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 such appeal is to be based.

District Manager

SECTION VI

REQUEST FOR QUALIFICATIONS FOR
ENGINEERING SERVICES FOR

McCarty's Choice Community Development District



DSFLMELB017364_2026

Prepared For:
**MCCARTY'S CHOICE
COMMUNITY
DEVELOPMENT DISTRICT**

Prepared By:
Kimley»Horn
Expect More. Experience Better.



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ABILITY AND ADEQUACY OF PROFESSIONAL PERSONNEL

The District needs a consultant team that can navigate the responsibilities and challenges presented in this contract with a clear, visionary approach, as well as a proactive partner who is familiar with the area. Kimley-Horn's experience with community development districts (CDDs) and St. Lucie County provides you with unmatched service, responsiveness, and essential local knowledge. Outlined below are the qualifications of our key project team members.



KINAN HUSAINY, PE
Project Manager | CDD Engineer

Kinan has more than 19 years of civil engineering experience. He has extensive experience in the design

and project management of large-scale residential communities, commercial projects, and mixed-use developments. Kinan is well-versed in the specific requirements for both multifamily developments and single-family communities. His specific areas of engineering expertise include land development, grading, stormwater management, water and sewer systems, site layout, permitting, utility system design, dewatering, construction phasing, and value engineering.



ALEXANDER M. DAUGHERTY, PE
Civil Engineer

Alex is a professional civil engineer with more than nine years of experience providing land development and site civil engineering services throughout the state of Florida. He has experience supporting large-scale residential communities, commercial projects, and mixed-use developments. His work includes a broad range of site civil design responsibilities such as site layout, stormwater management, erosion and sedimentation control design and inspection, ADA accessibility, utility system design, agency permitting, and construction-phase services.



JACOB NICHOLAS, EI
Engineering Analyst

Jacob is a civil engineering professional with two years of experience providing land development and site civil engineering services in Florida. He has

supported large-scale residential and luxury community developments, with experience on projects ranging from several hundred to over 2,000 acres. His work includes preparation of construction documents, cost estimates, and engineering calculations, as well as site civil design tasks such as paving, grading, and drainage plans; stormwater management; erosion and sedimentation control; and private water and wastewater utility systems. Jacob also has experience with agency coordination, permitting, and construction-phase services.



MICHAEL PROCKO
Technical Support

Michael is an experienced civil engineering professional with over 30 years of experience in site civil

and roadway design services for public and private sector projects throughout Florida. He has supported residential, commercial, and infrastructure projects, contributing to developments ranging from large master planned communities to roadway, drainage, and utility improvements. His experience includes CADD design support for site layout, grading, drainage, stormwater management, utility systems, roadway improvements, environmental assessments, agency permitting, and construction phase services.



VANESSA SUIT
Administrative Support

Vanessa is an administrative professional with over 12 years of experience supporting project teams

through a wide range of contract, correspondence, and project submittal functions. She plays a key role in coordinating meeting schedules, arranging travel, and managing proposal production efforts. Vanessa also works closely with marketing staff and practice teams to maintain and enhance the integrity of the Deltek Vision database, which houses internal project and employee records.

Individual resumes for each of our key staff members can be found in Part I, Section E of the Standard Form 330 at the end of this qualifications package.



CONSULTANT'S PAST PERFORMANCE

ST. LUCIE COUNTY EXPERIENCE

Kimley-Horn has remained steadfast in upholding the core values that have defined our firm for the past 59 years. We know the value and importance of staying true to our roots, focusing on our local municipal clients, and delivering the personalized and responsive service they deserve. Having served St. Lucie County for more than two decades, we are familiar with your standards and will operate as an extension of County staff, easing the burdens on your time. Our local team is accessible for staff meetings and work sessions on short notice and offer extensive knowledge of local conditions.

PAST PERFORMANCE FOR COMMUNITY DEVELOPMENT DISTRICTS

Kimley-Horn provides urban and development planning and landscape architectural services for a wide variety of public and private clients throughout Florida and the United States. Throughout our 59-year history, we have served numerous local governments in Florida and are proud of the role we play in shaping the development, and in many cases, the redevelopment of Florida's communities. A hallmark of our services to clients is our ability to provide a full range of services for a multitude of urban and transportation planning and public infrastructure improvements. Our multi-disciplined teams can take your

projects from inception through implementation—all while keeping your initial goals for your projects at the forefront of each step of the process.

A few examples of our range of services include:

- Helping two new communities develop their first comprehensive plan
- Assisting several communities with their evaluation and appraisal reports and related comprehensive plan amendments
- Helping initiate regional activity centers and transportation concurrency exception areas
- Teaming with developers and communities to develop design guidelines for specific projects
- Site plan review, traffic, and other concurrency reviews
- Engaging the public in design, visioning, and transportation workshops and charrettes for several communities
- Performing traffic studies and transportation planning including a transit-oriented design feasibility study, transportation master plans, transportation concurrency management database, and multiple parking and downtown parking garage studies

COMMUNITY DEVELOPMENT DISTRICTS **KIMLEY-HORN HAS SERVED IN FLORIDA:**

- Westridge CDD – Polk County, FL
- Victor Posner City Center CDD – Polk County, FL
- Oakmont Grove CDD – Polk County, FL
- Hawthorne Mill CDD – Lakeland, FL
- Fox Branch Ranch CDD – Lakeland, FL
- Boca Royale CDD – Sarasota, FL
- Lakewood Ranch CDD – Sarasota, FL
- Blackburn CDD – Sarasota, FL
- Central Parc CDD – Sarasota, FL
- Coastal Lake CDD – Walton, FL
- Grove Resort CDD – Winter Garden, FL
- Miami World Center CDD – Miami, FL
- Sumter Landing CDD – The Villages, FL
- Premium Point CDD – St. Augustine, FL
- Reserve CDD – Port St. Lucie, FL
- Rivington CDD – Debarry, FL
- The District CDD – Jacksonville, FL
- Mills Park CDD – Orlando, FL
- Bonnet Creek CDD – Winter Park, FL
- Bayi CDD – Ocala, FL
- Bay Laurel Center CDD – Ocala, FL
- Coastal Lake CDD – Panama City Beach, FL
- The Villages CDD – The Villages, FL
- Village Center CDD – The Villages, FL
- Midtown Miami CDD – Miami, FL
- Sumter Landing CDD – The Villages, FL
- Mayfair CDD – Lake Wales, FL
- Kenmare at Lake Annie CDD – Dundee, FL
- Greyhawk Landing CDD – Manatee County, FL
- Waterlefe CDD – Sarasota, FL
- Venetian CDD – Sarasota, FL
- Blackburn Creek CDD – Sarasota, FL
- Highlands CDD – Hillsborough County, FL
- Mills & Nebraska CDD – Orlando, FL
- Cottages Silver Oaks CDD – Zephyrhills, FL
- Boynton Village CDD – Boynton Beach, FL
- Sarasota National CDD – Sarasota, FL
- Stoneybrook at Venice CDD – Sarasota, FL
- Tara CDD – Bradenton, FL
- Legends Bay CDD – Sarasota, FL
- Beacon Lakes CDD – Miami, FL
- Manatee River CDD – Bradenton, FL
- Arbor Greene CDD – Tampa, FL
- Cross Creek CDD – Bradenton, FL
- Veranda CDD – Port St. Lucie, FL
- Parkland Preserve CDD – St. Augustine, FL
- Winding Oaks CDD – Ocala, FL
- River Road at Center Road CDD – Sarasota, FL





GEOGRAPHIC LOCATION

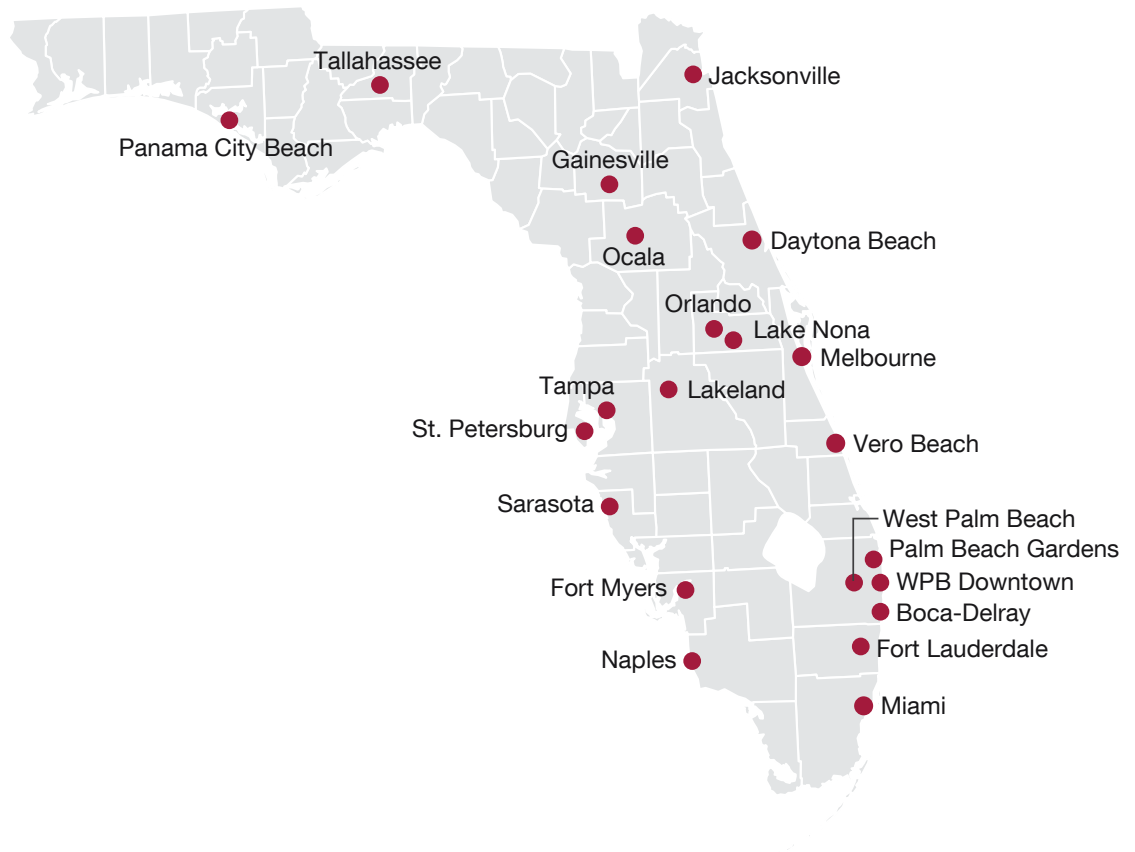
Kimley-Horn's Melbourne office will serve as the primary office responsible for overseeing the work related to this project. In addition, we have the ability to call upon our nationwide partners for assistance, offering the resources of a large, nationally ranked firm with the personal attention and response of a dedicated, local professional team.

OUR MELBOURNE OFFICE IS LOCATED AT:

7341 Office Park Place,
Suite 102
Melbourne, FL 32940
321.430.1138

KIMLEY-HORN'S CORPORATE HEADQUARTERS ARE LOCATED AT: One Bank of America Plaza

421 Fayetteville Street,
Suite 600
Raleigh, NC 27601
919.677.2000



WILLINGNESS TO MEET TIME AND BUDGET REQUIREMENTS

Kimley-Horn has a proven record of performing on time and within budget. The key to our success is managing the right resources at the right time. We emphasize project management using bi-monthly effort reports that give our project managers up-to-date staffing and expense information related to their projects. This information enables them to continuously monitor the status of project cost, cost control effectiveness, and schedule. Kimley-Horn often schedules bi-monthly telephone meetings with our clients to communicate the project's progress.

Frequent communication and a clear definition of the responsibilities of team members are critical elements in maintaining schedules. With that in mind, our project-specific work plan identifies critical project milestones and deliverable dates. We will then actively manage our team resources to meet the agreed-upon schedules and keep your project on track.

Our project manager, **Kinan Husainy, PE**, will have the authority to allocate resources and troubleshoot difficulties. We pledge to view the project from your perspective, examine issues in a strategic context, and provide you with tactical solutions.





CERTIFIED MINORITY BUSINESS ENTERPRISE

Although Kimley-Horn is not a certified minority business, we have a company policy of meeting or exceeding our clients' minority business participation goals. Through corporate policies and philosophy, our firm actively seeks to encourage and promote the use of MBE/WBE firms. We provide interested minority firms/women owned firms with the opportunity to serve as subconsultants on our teams and we actively seek to increase our large database of qualified MBE/WBE firms for use on future projects. Our aggressive MBE/WBE utilization policy ensures that Kimley-Horn is consistently furthering the positive economic development momentum advocated by the state of Florida using minority/women-owned businesses.

Our performance in using minority firms from 2020-2024 is as follows:

YEAR	TOTAL PAID
2024	\$123.2 million
2023	\$93.9 million
2022	\$71.1 million
2021	\$54.6 million
2020	\$54.5 million



RECENT, CURRENT AND PROJECTED WORKLOADS

Kimley-Horn is very progressive when it comes to understanding its current and projected workload and has a long history of achieving successful project completion through a combination of effective project management and technical expertise. Consequently, Kimley-Horn is committed to providing the District with the highest quality staff and service to meet your project schedule and budget requirements. The members of our project team were selected using two criteria: (1) their experience with similar projects and (2) their availability to assume major technical responsibilities.

Based on a review of our workload forecasting program called “Castaheads,” we can assure you that the staff members selected for this team are available to serve you and are in an excellent position to handle the workload of this assignment. When work is assigned to us, our cast-ahead system will ensure staff availability to successfully complete our assignments. While not all staff assigned to this project will be required full time, they will be fully committed whenever their expertise is needed.

VOLUME OF WORK PREVIOUSLY AWARDED TO CONSULTANT BY DISTRICT

Kimley-Horn currently serves as the Interim District Engineer for the McCarty's Choice Community Development District. Through this ongoing role, our team has developed a strong familiarity with the District, its stakeholders, and its development objectives. This experience provides valuable institutional knowledge and continuity that positions us to effectively support the District's current and future needs.



ORGANIZATIONAL CHART

THE GROVES OF ST. LUCIE COUNTY COMMUNITY DEVELOPMENT DISTRICT



SECTION VIII

LICENSES

State of Florida Department of State

I certify from the records of this office that KIMLEY-HORN AND ASSOCIATES, INC. is a North Carolina corporation authorized to transact business in the State of Florida, qualified on April 24, 1968.

The document number of this corporation is 821359.

I further certify that said corporation has paid all fees due this office through December 31, 2026, that its most recent annual report/uniform business report was filed on January 10, 2026, and that its status is active.

I further certify that said corporation has not filed a Certificate of Withdrawal.

*Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capital, this
the Tenth day of February, 2026*

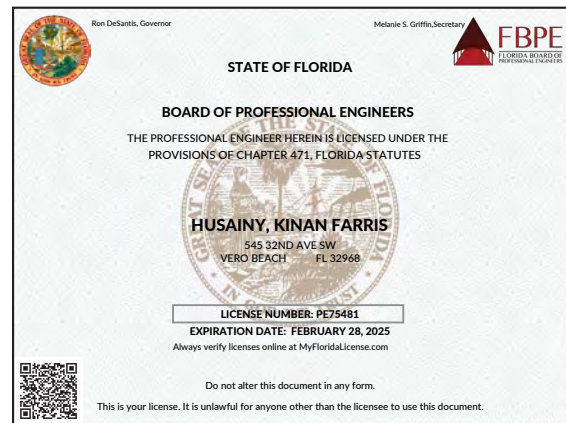
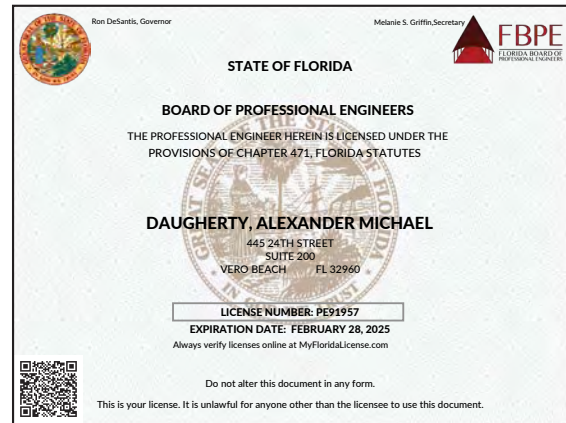


[Signature]
Secretary of State

Tracking Number: 9013963510CU

To authenticate this certificate, visit the following site, enter this number, and then follow the instructions displayed.

<https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication>





SECTION IX

STANDARD FORM 330

ARCHITECT – ENGINEER QUALIFICATIONS

PART I – CONTRACT SPECIFIC QUALIFICATIONS

A. CONTRACT INFORMATION

1. TITLE AND LOCATION (City and State)

McCarty's Choice Community Development District, St. Lucie County, FL

2. PUBLIC NOTICE DATE

July 27, 2026

3. SOLICITATION OR PROJECT NUMBER

N/A

B. ARCHITECT - ENGINEER POINT OF CONTACT

4. NAME AND TITLE

Kinan Husainy, PE, Vice President

5. NAME OF FIRM

Kimley-Horn and Associates, Inc.

6. TELEPHONE NUMBER

772.473.8575

7. FAX NUMBER

N/A

8. E-MAIL ADDRESS

kinan.husainy@kimley-horn.com

C. PROPOSED TEAM

(Complete this section for the prime contractor and all key subcontractors.)

	(Check)			9. FIRM NAME	10. ADDRESS	11. ROLE IN THIS CONTRACT
	PRIME	J-V PARTNER	SUBCONTRACTOR			
a	☒			Kimley-Horn and Associates, Inc. ☒ CHECK IF BRANCH OFFICE	7341 Office Park Place Melbourne, FL, 32940	Project management, Professional engineering services, Technical support, Administrative support
b	☒			Kimley-Horn and Associates, Inc. ☒ CHECK IF BRANCH OFFICE	445 24 th Street Vero Beach, FL 32960	Professional engineering services
c				☐ CHECK IF BRANCH OFFICE		
d				☐ CHECK IF BRANCH OFFICE		
e				☐ CHECK IF BRANCH OFFICE		
f				☐ CHECK IF BRANCH OFFICE		

D. ORGANIZATIONAL CHART OF PROPOSED TEAM

☒ (Attached)

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT

(Complete one Section E for each key person.)

12. NAME Kinan Husainy, PE	13. ROLE IN THIS CONTRACT Project Manager; CDD Engineer	14. YEARS EXPERIENCE	
		a. TOTAL 19	b. WITH CURRENT FIRM 18
15. FIRM NAME AND LOCATION (City and State) Kimley-Horn and Associates, Inc.			
16. EDUCATION (DEGREE AND SPECIALIZATION) Bachelor of Science / Civil Engineering / Florida State University		17. CURRENT PROFESSIONAL REGISTRATION (STATE AND DISCIPLINE) FL / Professional Engineer / 75481	
18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.)			

19. RELEVANT PROJECTS

	(1) TITLE AND LOCATION (City and State)	(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES	CONSTRUCTION (If Applicable)
a.	Veranda Estates Port St. Lucie, FL	2019	Ongoing
	(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Project manager. Kimley-Horn is providing professional civil engineering services for the development of a 200-acre, 138-unit residential, luxury community. The Veranda Estates Community is located on Becker Road and Gilson Road on 200-acres of land. Specific services provided by the Kimley-Horn team include due diligence, traffic engineering, design, permitting, and construction phase services. Construction plans include a master drainage plan; master utility plan; paving, grading, and drainage plans; utility plan; and erosion control plan. This project has required approvals through the City of Port St. Lucie, St. Lucie County, Florida Water Management District (SFWMD), and Florida Department of Transportation (FDOT) District Four. Project Cost: \$450k		
b.	The Lakes at Waterway Village Vero Beach, FL	2016	Ongoing
	(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Project manager. Kimley-Horn is providing professional civil engineering services for the development of a 708-acre, 1,596-unit single-family, luxury community. The team's responsibilities include site plan; paving, grading, and drainage plans; water, sewer, and utility plans; dry utility coordination; and erosion control plans. Kimley-Horn is providing construction phase services for the remaining phases of the project. This project required approvals from Indian River County, Florida Department of Environmental Protection (FDEP), and the St. Johns River Water Management District (SJRWD). Project Cost: \$2M		
c.	Del Webb at Tradition Port St. Lucie, FL	2016	Ongoing
	(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Project manager. Kimley-Horn is providing professional civil engineering services for the development of a 230-acre, four-phased, single-family residential community. Kimley-Horn's scope of services range from due diligence to construction phase services. Specific design plans include horizontal control; erosion sediment control; stormwater management; dewatering; paving, grading, and drainage; onsite water and sewer; as well as lift station pumping plans. The project required approvals from St. Lucie County, the South Florida Water Management District (SFWMD), and the Florida Department of Environmental Protection (FDEP). Project Cost: \$650k		
d.	Veranda Preserve Port St. Lucie, FL	2018	Ongoing
	(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Project manager. Kimley-Horn is providing professional civil engineering services for the development of a 165-acre, 786-unit single-family residential community. Kimley-Horn's scope of services included a site plan, paving and grading plan, water and sewer plan, lighting plan, as well as landscape and irrigation plans. Kimley-Horn also provided traffic engineering, construction documents, and permitting services. This project required approvals from St. Lucie County, City of Port St. Lucie, and the South Florida Water Management District (SFWMD). Project Cost: \$1.2M		
e.	LTC Ranch CDD Port St. Lucie, FL	2019	Ongoing
	(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Project engineer. Kimley-Horn is providing professional civil engineering services for the development of a 2,000-acre, 4,000-unit residential community. The LTC Ranch Community is located between Midway Road and Glades Cutoff Road, west of I-95 on 2,055 acres of land. Specific services provided by the Kimley-Horn team include due diligence, CDD engineering, traffic engineering, design, permitting, and construction phase services. Construction plans include a master drainage plan; master utility plan; paving, grading, and drainage plans; utility plan; and erosion control plan. This project has required approvals through the City of Port St. Lucie, St. Lucie County, Florida Water Management District (SFWMD), Florida Department of Environmental Protection, and Florida Department of Transportation (FDOT) District Four. Project Cost: \$4.5M		

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT

(Complete one Section E for each key person.)

12. NAME Alexander M. Daugherty, PE	13. ROLE IN THIS CONTRACT Civil Engineer	14. YEARS EXPERIENCE	
		a. TOTAL 9	b. WITH CURRENT FIRM 9
15. FIRM NAME AND LOCATION (City and State) Kimley-Horn and Associates, Inc.			
16. EDUCATION (DEGREE AND SPECIALIZATION) Bachelor of Science / Civil Engineering / University of Florida		17. CURRENT PROFESSIONAL REGISTRATION (STATE AND DISCIPLINE) FL / Professional Engineer / 91957	
18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.)			

19. RELEVANT PROJECTS

(1) TITLE AND LOCATION (City and State)		(2) YEAR COMPLETED	
LTC Ranch CDD Port St. Lucie, FL		PROFESSIONAL SERVICES 2019	CONSTRUCTION (If Applicable) Ongoing
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE		☒ Check if project performed with current firm	
a.	CDD engineer and project engineer. Kimley-Horn is providing professional civil engineering services for the development of a 2,000-acre, 4,000-unit residential community. The LTC Ranch Community is located between Midway Road and Glades Cutoff Road, west of I-95 on 2,055 acres of land. Specific services provided by the Kimley-Horn team include due diligence, CDD engineering, traffic engineering, design, permitting, and construction phase services. Construction plans include a master drainage plan; master utility plan; paving, grading, and drainage plans; utility plan; and erosion control plan. This project has required approvals through the City of Port St Lucie, St Lucie County, Florida Water Management District (SFWMD), Florida Department of Environmental Protection, and Florida Department of Transportation (FDOT) District Four. Project Cost: \$4.5M		
(1) TITLE AND LOCATION (City and State)		(2) YEAR COMPLETED	
The Lakes at Waterway Village Vero Beach, FL		PROFESSIONAL SERVICES 2016	CONSTRUCTION (If Applicable) Ongoing
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE		☒ Check if project performed with current firm	
b.	Project engineer. Kimley-Horn is providing professional civil engineering services for the development of a 708-acre, 1,596-unit single-family, luxury community. The team's responsibilities include site plan; paving, grading, and drainage plans; water, sewer, and utility plans; dry utility coordination; and erosion control plans. Kimley-Horn is providing construction phase services for the remaining phases of the project. This project required approvals from Indian River County, Florida Department of Environmental Protection (FDEP), and the St. Johns River Water Management District (SJRWMD). Project Cost: \$2M		
(1) TITLE AND LOCATION (City and State)		(2) YEAR COMPLETED	
Del Webb at Tradition Port St. Lucie, FL		PROFESSIONAL SERVICES 2016	CONSTRUCTION (If Applicable) Ongoing
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE		☒ Check if project performed with current firm	
c.	Project engineer. Kimley-Horn is providing professional civil engineering services for the development of a 230-acre, four- phased, single-family residential community. Kimley-Horn's scope of services range from due diligence to construction phase services. Specific design plans include horizontal control; erosion sediment control; stormwater management; dewatering; paving, grading, and drainage; onsite water and sewer; as well as lift station pumping plans. The project required approvals from St. Lucie County, the South Florida Water Management District (SFWMD), and the Florida Department of Environmental Protection (FDEP). Project Cost: \$650k		
(1) TITLE AND LOCATION (City and State)		(2) YEAR COMPLETED	
Veranda Preserve Port St. Lucie, FL		PROFESSIONAL SERVICES 2018	CONSTRUCTION (If Applicable) Ongoing
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE		☒ Check if project performed with current firm	
d.	Project engineer. Kimley-Horn is providing professional civil engineering services for the development of a 165-acre, 786-unit single-family residential community. Kimley-Horn's scope of services included a site plan, paving and grading plan, water and sewer plan, lighting plan, as well as landscape and irrigation plans. Kimley-Horn also provided traffic engineering, construction documents, and permitting services. This project required approvals from St Lucie County, City of Port St. Lucie, and the South Florida Water Management District (SFWMD). Project Cost: \$1.2M		
(1) TITLE AND LOCATION (City and State)		(2) YEAR COMPLETED	
Veranda Estates Port St. Lucie, FL		PROFESSIONAL SERVICES 2019	CONSTRUCTION (If Applicable) Ongoing
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE		☒ Check if project performed with current firm	
e.	Project engineer. Kimley-Horn is providing professional civil engineering services for the development of a 200-acre, 138-unit residential, luxury community. The Veranda Estates Community is located on Becker Road and Gilson Road on 200-acres of land. Specific services provided by the Kimley-Horn team include due diligence, traffic engineering, design, permitting, and construction phase services. Construction plans include a master drainage plan; master utility plan; paving, grading, and drainage plans; utility plan; and erosion control plan. This project has required approvals through the City of Port St. Lucie, St. Lucie County, Florida Water Management District (SFWMD), and Florida Department of Transportation (FDOT) District Four. Project Cost: \$450k		

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT

(Complete one Section E for each key person.)

12. NAME Jacob Nicholas, EI	13. ROLE IN THIS CONTRACT Engineering Analyst	14. YEARS EXPERIENCE	
		a. TOTAL 2	b. WITH CURRENT FIRM 2
15. FIRM NAME AND LOCATION (City and State) Kimley-Horn and Associates, Inc.			
16. EDUCATION (DEGREE AND SPECIALIZATION) Bachelor of Science / Mechanical Engineering / University of Florida		17. CURRENT PROFESSIONAL REGISTRATION (STATE AND DISCIPLINE) FL / Engineering Intern / 1100028718	
18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.)			

19. RELEVANT PROJECTS

	(1) TITLE AND LOCATION (City and State)	(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES	CONSTRUCTION (If Applicable)
a.	LTC Ranch CDD Port St. Lucie, FL	2019	Ongoing
	(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Project analyst. Kimley-Horn is providing professional civil engineering services for the development of a 2,000-acre, 4,000-unit residential community. The LTC Ranch Community is located between Midway Road and Glades Cutoff Road, west of I-95 on 2,055 acres of land. Specific services provided by the Kimley-Horn team include due diligence, CDD engineering, traffic engineering, design, permitting, and construction phase services. Construction plans include a master drainage plan; master utility plan; paving, grading, and drainage plans; utility plan; and erosion control plan. This project has required approvals through the City of Port St Lucie, St Lucie County, Florida Water Management District (SFWMD), Florida Department of Environmental Protection, and Florida Department of Transportation (FDOT) District Four. Project Cost: \$4.5M		
b.	Creekside PUD St. Lucie County	2022	Ongoing
	(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Project analyst. Kimley-Horn was selected to provide professional civil engineering services for the development of this single-family, luxury community. The team's responsibilities include site plan; paving, grading, and drainage plans; water, sewer, and utility plans; dry utility coordination; and erosion control plans. Kimley-Horn is providing construction phase services for the remaining phases of the project. This project required approvals from St. Lucie County, Florida Department of Environmental Protection (FDEP), North St. Lucie River Water Control District (NSLRWCD), United States Army Corps of Engineers (USACE), and South Florida Water Management District (SFWMD). Project Cost: \$336.6k		
c.	Veranda Preserve Port St. Lucie, FL	2018	Ongoing
	(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Project analyst. Kimley-Horn is providing professional civil engineering services for the development of a 165-acre, 786-unit single-family residential community. Kimley-Horn's scope of services included a site plan, paving and grading plan, water and sewer plan, lighting plan, as well as landscape and irrigation plans. Kimley-Horn also provided traffic engineering, construction documents, and permitting services. This project required approvals from St Lucie County, City of Port St. Lucie, and the South Florida Water Management District (SFWMD). Project Cost: \$1.2M		
d.	Veranda Estates Port St. Lucie, FL	2019	Ongoing
	(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Project analyst. Kimley-Horn is providing professional civil engineering services for the development of a 200-acre, 138-unit residential, luxury community. The Veranda Estates Community is located on Becker Road and Gilson Road on 200-acres of land. Specific services provided by the Kimley-Horn team include due diligence, traffic engineering, design, permitting, and construction phase services. Construction plans include a master drainage plan; master utility plan; paving, grading, and drainage plans; utility plan; and erosion control plan. This project has required approvals through the City of Port St. Lucie, St. Lucie County, Florida Water Management District (SFWMD), and Florida Department of Transportation (FDOT) District Four. Project Cost: \$450k		
e.	The Lakes at Waterway Village Vero Beach, FL	2016	Ongoing
	(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Project analyst. Kimley-Horn is providing professional civil engineering services for the development of a 708-acre, 1,596-unit single-family, luxury community. The team's responsibilities include site plan; paving, grading, and drainage plans; water, sewer, and utility plans; dry utility coordination; and erosion control plans. Kimley-Horn is providing construction phase services for the remaining phases of the project. This project required approvals from Indian River County, Florida Department of Environmental Protection (FDEP), and the St. Johns River Water Management District (SJRWMD). Project Cost: \$2M		

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 1		
21. TITLE AND LOCATION (City and State) LTC Ranch CDD Port St. Lucie, FL		22. YEAR COMPLETED <table border="1"> <tr> <td>PROFESSIONAL SERVICES 2019</td> <td>CONSTRUCTION (if Applicable) Ongoing</td> </tr> </table>	PROFESSIONAL SERVICES 2019	CONSTRUCTION (if Applicable) Ongoing
PROFESSIONAL SERVICES 2019	CONSTRUCTION (if Applicable) Ongoing			

23. PROJECT OWNER'S INFORMATION		
a. PROJECT OWNER Greenpointe Developers, LLC	b. POINT OF CONTACT NAME R. Austin Burr	c. POINT OF CONTACT TELEPHONE NUMBER 904.910.7256

24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

Kimley-Horn is providing professional civil engineering services for the development of a large-scale residential community consisting of approximately 2,055 acres and 4,000 residential units. The LTC Ranch Community is located between Midway Road and Glades Cutoff Road, west of Interstate 95, encompassing approximately 2,055 acres of land.

Kimley-Horn's scope of services includes comprehensive support throughout the project lifecycle, beginning with due diligence efforts and extending through design, permitting, and construction phase services. The firm is also providing Community Development District (CDD) engineering and traffic engineering services to support the overall development framework. Construction plan preparation includes a master drainage plan and master utility plan, along with detailed paving, grading, and drainage plans. Additional design services include utility plans and erosion control plans prepared to meet applicable regulatory and site requirements.

The project has required coordination with and approvals from multiple regulatory agencies, including the City of Port St. Lucie, St. Lucie County, the South Florida Water Management District (SFWMD), the Florida Department of Environmental Protection (FDEP), and the Florida Department of Transportation (FDOT) District Four.

Project Cost: \$4.5M

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT			
a.	(1) FIRM NAME Kimley-Horn and Associates, Inc.	(2) FIRM LOCATION (City and State) Melbourne, FL	(3) ROLE Prime
b.	(1) FIRM NAME Kimley-Horn and Associates, Inc.	(2) FIRM LOCATION (City and State) Vero Beach, FL	(3) ROLE Prime

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 2
21. TITLE AND LOCATION <i>(City and State)</i> The Lakes at Waterway Village Vero Beach, FL	22. YEAR COMPLETED PROFESSIONAL SERVICES 2016 CONSTRUCTION (if Applicable) Ongoing	

23. PROJECT OWNER'S INFORMATION		
a. PROJECT OWNER Pulte Home Company	b. POINT OF CONTACT NAME Matt Nelson	c. POINT OF CONTACT TELEPHONE NUMBER 561.602.3253

24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

Kimley-Horn is providing professional civil engineering services for the development of a 708-acre, 1,596-unit single-family luxury residential community. The project involves extensive planning and coordination efforts to support a large-scale, multi-phase development.

Kimley-Horn's responsibilities include the preparation of comprehensive site plans, along with detailed paving, grading, and drainage plans to support the proposed roadway and lot infrastructure. The scope also includes the design of water, sewer, and utility plans, as well as coordination with dry utility providers to ensure compatibility with the overall site layout and infrastructure systems. In addition, Kimley-Horn is responsible for the development of erosion control plans to address regulatory requirements and site conditions. The firm is providing construction phase services for the remaining phases of the project, supporting implementation of the approved design documents.

The project required coordination with and approval from multiple regulatory agencies, including Indian River County, the Florida Department of Environmental Protection (FDEP), and the St. Johns River Water Management District (SJRWMD), to ensure compliance with applicable local and state regulations.

Project Cost: \$2M

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT		
a.	(1) FIRM NAME Kimley-Horn and Associates, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Melbourne, FL
		(3) ROLE Prime
b.	(1) FIRM NAME Kimley-Horn and Associates, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Vero Beach, FL
		(3) ROLE Prime

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 3		
21. TITLE AND LOCATION (City and State) Del Webb at Tradition Port St. Lucie, FL		22. YEAR COMPLETED <table border="1"> <tr> <td>PROFESSIONAL SERVICES 2016</td> <td>CONSTRUCTION (if Applicable) Ongoing</td> </tr> </table>	PROFESSIONAL SERVICES 2016	CONSTRUCTION (if Applicable) Ongoing
PROFESSIONAL SERVICES 2016	CONSTRUCTION (if Applicable) Ongoing			

23. PROJECT OWNER'S INFORMATION		
a. PROJECT OWNER Pulte Home Company	b. POINT OF CONTACT NAME Matt Nelson	c. POINT OF CONTACT TELEPHONE NUMBER 561.602.3253

24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

Kimley-Horn is providing comprehensive professional civil engineering services in support of the development of a 230-acre, four-phased, single-family residential community. The firm's involvement spans the full lifecycle of the project, with services ranging from initial due diligence efforts through construction phase support.

Kimley-Horn's scope includes the preparation of detailed design and permitting documents for a wide variety of site and infrastructure elements, including horizontal control, erosion and sediment control, stormwater management systems, and dewatering plans. Additional design services encompass paving, grading, and drainage plans, as well as onsite water distribution and sanitary sewer systems. The scope also includes the development of lift station pumping plans necessary to support the proposed utility infrastructure.

The project required coordination with and approval from multiple regulatory agencies, including St. Lucie County, the South Florida Water Management District (SFWMD), and the Florida Department of Environmental Protection (FDEP), to ensure compliance with all applicable local, regional, and state requirements.

Project Cost: \$650k

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT		
a.	(1) FIRM NAME Kimley-Horn and Associates, Inc.	(2) FIRM LOCATION (City and State) Melbourne, FL
		(3) ROLE Prime
b.	(1) FIRM NAME Kimley-Horn and Associates, Inc.	(2) FIRM LOCATION (City and State) Vero Beach, FL
		(3) ROLE Prime

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 4		
21. TITLE AND LOCATION <i>(City and State)</i> Veranda Preserve Port St. Lucie, FL		22. YEAR COMPLETED <table border="1"> <tr> <td>PROFESSIONAL SERVICES 2018</td> <td>CONSTRUCTION (if Applicable) Ongoing</td> </tr> </table>	PROFESSIONAL SERVICES 2018	CONSTRUCTION (if Applicable) Ongoing
PROFESSIONAL SERVICES 2018	CONSTRUCTION (if Applicable) Ongoing			

23. PROJECT OWNER'S INFORMATION		
a. PROJECT OWNER Greenpointe Developers, LLC	b. POINT OF CONTACT NAME R. Austin Burr	c. POINT OF CONTACT TELEPHONE NUMBER 904.910.7256

24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

Kimley-Horn is providing professional civil engineering services for the development of a 165-acre, 786-unit single-family residential community.

Kimley-Horn's scope of services includes the preparation of a comprehensive site plan, along with paving and grading plans to support the proposed roadway and lot layout. The firm is also responsible for the design of water and sewer plans, as well as lighting plans and landscape and irrigation plans to support the overall site development. In addition to design services, Kimley-Horn provided traffic engineering services, construction documents, and permitting support to facilitate project approvals and implementation.

The project required coordination with and approvals from multiple regulatory agencies, including St. Lucie County, the City of Port St. Lucie, and the South Florida Water Management District (SFWMD), to ensure compliance with applicable local and regional requirements.

Project Cost: \$1.2M

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT			
a.	(1) FIRM NAME Kimley-Horn and Associates, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Melbourne, FL	(3) ROLE Prime
b.	(1) FIRM NAME Kimley-Horn and Associates, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Vero Beach, FL	(3) ROLE Prime

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 5		
21. TITLE AND LOCATION (City and State) Veranda Estates Port St. Lucie, FL		22. YEAR COMPLETED <table border="1"> <tr> <td>PROFESSIONAL SERVICES 2019</td> <td>CONSTRUCTION (if Applicable) Ongoing</td> </tr> </table>	PROFESSIONAL SERVICES 2019	CONSTRUCTION (if Applicable) Ongoing
PROFESSIONAL SERVICES 2019	CONSTRUCTION (if Applicable) Ongoing			

23. PROJECT OWNER'S INFORMATION		
a. PROJECT OWNER Greenpointe Developers, LLC	b. POINT OF CONTACT NAME R. Austin Burr	c. POINT OF CONTACT TELEPHONE NUMBER 904.910.7256

24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

Kimley-Horn is providing professional civil engineering services for the development of a 200-acre, 138-unit luxury residential community. The Veranda Estates Community is located at Becker Road and Gilson Road and encompasses approximately 200 acres of land.

Kimley-Horn's scope of services includes support throughout the project lifecycle, beginning with due diligence activities and extending through traffic engineering, design, permitting, and construction phase services. The team is responsible for preparing a comprehensive set of construction documents, including a master drainage plan and master utility plan, as well as detailed paving, grading, and drainage plans. Additional design elements include utility plans and erosion control plans developed to meet applicable regulatory requirements and site conditions.

The project has required coordination with and approvals from multiple agencies, including the City of Port St. Lucie, St. Lucie County, the South Florida Water Management District (SFWMD), and the Florida Department of Transportation (FDOT) District Four.

Project Cost: \$450k

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT		
a.	(1) FIRM NAME Kimley-Horn and Associates, Inc.	(2) FIRM LOCATION (City and State) Melbourne, FL
		(3) ROLE Prime
b.	(1) FIRM NAME Kimley-Horn and Associates, Inc.	(2) FIRM LOCATION (City and State) Vero Beach, FL
		(3) ROLE Prime

[illegible]

29. EXAMPLE PROJECTS KEY

NO.	TITLE OF EXAMPLE PROJECT <i>(From Section F)</i>	NO.	TITLE OF EXAMPLE PROJECT <i>(From Section F)</i>
1	LTC Ranch CDD, Port St. Lucie, FL	6	
2	The Lakes at Waterway Village, Vero Beach, FL	7	
3	Del Webb at Tradition, Port St. Lucie, FL	8	
4	Veranda Preserve, Port St. Lucie, FL	9	
5	Veranda Estates, Port St. Lucie, FL	10	

H. ADDITIONAL INFORMATION

30. PROVIDE ANY ADDITIONAL INFORMATION REQUESTED BY THE AGENCY. ATTACH ADDITIONAL SHEETS AS NEEDED.

Founded in 1967, Kimley-Horn is a full-service, employee-owned, multidisciplinary consulting firm offering a broad range of engineering, planning, landscape architecture, and environmental services to clients in both the private and public sectors. Over the years, we have grown from a small group of engineers and planners to one of the most respected consulting engineering firms in the nation—and a recognized leader in land development. Today, Kimley-Horn has over 9,500 employees in more than 140 offices across the United States and in Puerto Rico, offering a full range of consulting services to local, regional, national, and international clients. Engineering News-Record (ENR) annually compiles and publishes the rankings of the 500 largest U.S. design firms (architectural and engineering firms), measured by gross revenues. Kimley-Horn's sound growth and stability is reflected in its steady rise on ENR's top 500 list. The firm first appeared on the list in 1981, when it ranked 421st. In 2021, Kimley-Horn ranked 10th overall and 6th among the top 100 "Pure Design Firms." This growth has been accompanied by a steadfast commitment to providing responsive client service and pursuing continuous quality improvement.

In addition, ENR named Kimley-Horn the 2015 Southeast Design Firm of the Year. The following awards provide even more insight into Kimley-Horn's culture:

- The firm has appeared on Fortune magazine's list of the 100 Best Companies To Work For 15 times: In 2025, we ranked 22nd.
- Ranked the #1 Civil Engineering Firm To Work For by CE News in 2004, 2006, and 2007. Kimley-Horn is the only firm to have been selected for this honor three times.
- Each year since 2008, Kimley-Horn has also been recognized by ENR as one of the nation's "Top Green Design Firms." More than 100 of our professionals across the firm have earned LEED accreditations.

As consultants, we take pride in building real partnerships with clients. That means you get an expert Kimley-Horn team that delivers high-quality results on time and on budget, advocates for your best interests, and works closely with you and your entire development team throughout the site development process—from the earliest stages of due diligence and entitlements to construction bidding, inspection, and final punch lists. And, because Kimley-Horn makes deliberate business-planning decisions on hiring, growth, and client selection, we remain financially strong, independent, and stable.

Kimley-Horn offers a broad range of engineering, planning, landscape architectural, and environmental services including:

- Site civil engineering
 - Stormwater management
 - Water/wastewater treatment and collection systems
 - Paving and drainage
 - Utilities
- Land development services
- Landscape architecture
- Urban design and planning
- Predevelopment services
- Comprehensive planning
- Permitting and approvals
- Transportation planning/engineering and traffic operations
- Roadway and bridge design
- Advanced traffic management systems
- Areawide traffic signal systems
- Parking planning and design
- Public involvement programs
- Geographic Information Systems (GIS)
- Environmental permitting, assessment, and remediation
- Wetland delineation, assessment, and mitigation
- Construction administration/observation
- Building structures
- Surveying/platting
- Aviation planning and design

I. AUTHORIZED REPRESENTATIVE

The foregoing is a statement of facts.

30. SIGNATURE



31. DATE
8/10/26

33. NAME AND TITLE

Kinan Husainy, PE, Vice President

ARCHITECT – ENGINEER QUALIFICATIONS				1. SOLICITATION NUMBER (If any) N/A		
PART II – GENERAL QUALIFICATIONS (If a firm has branch offices, complete for each specific branch office seeking work.)						
2a. FIRM (OR BRANCH OFFICE) NAME Kimley-Horn and Associates, Inc.				3. YEAR ESTABLISHED 1987	4. UNIQUE ENTITY IDENTIFIER V8PKG6NLKV6	
2b. STREET 445 24th Street, Suite 200				5. OWNERSHIP		
2c. CITY Vero Beach		2d. STATE Florida	2e. ZIP CODE 32960	a. TYPE Corporation		
6a. POINT OF CONTACT NAME AND TITLE Alexander M. Daugherty, PE, Civil Engineer				b. SMALL BUSINESS STATUS No		
6b. TELEPHONE NUMBER 772-794-4100		6c. E-MAIL ADDRESS alex.daugherty@kimley-horn.com		7. NAME OF FIRM (If block 2a is a branch office) Kimley-Horn and Associates, Inc.		
8a. FORMER FIRM NAME(S) (If any) N/A				8b. YR. ESTABLISHED N/A	8c. UNIQUE ENTITY IDENTIFIER N/A	
9. EMPLOYEES BY DISCIPLINE				10. PROFILE OF FIRM'S EXPERIENCE AND ANNUAL AVERAGE REVENUE FOR LAST 5 YEARS		
a. Function Code	b. Discipline	c. No. of Employees		a. Profile Code	b. Experience	c. Revenue Index Number (see below)
		(1) FIRM	(2) BRANCH			
02	Administrative	671	6	H07	Highways; Streets; Airfield Paving; Parking Lots	7
08	CADD Technicians	353	6	E07	Energy Conservation; New Energy Sources	6
12	Civil Engineers	2220	18	G01	Garages; Vehicle Maintenance Facilities; Parking D	6
13	Communications Engineers	25	1	H11	Housing (Residential, Multifamily, Apartments, Con	6
24	Environmental Scientists	120	2	I01	Industrial Buildings; Manufacturing Plants	6
38	Land Surveyors	59	1	O01	Office Building; Industrial Parks	6
39	Landscape Architects	225	2	R04	Recreational Facilities (Parks; Marinas; etc.)	6
48	Project Managers	457	4	T03	Traffic & Transportation Engineering	6
57	Structural Engineers	220	1	I04	Intelligent Transportation Systems	6
58	Technician/Analysts	1754	20	L03	Landscape Architecture	6
60	Transportation Engineers	886	4	C10	Commercial Building; (low rise); Shopping Centers	6
62	Water Resources Engineers	482	4	P05	Planning (Community; Regional; Areawide & State)	5
63	Design Technicians	168	1	S13	Stormwater Handling & Facilities	5
65	Technical Support	1134	11	U02	Urban Renewals; Community Development	5
				C12	Communications Systems; TV; Microwave	5
				R03	Railroad and Rapid Transit	4
				T01	Telephone Systems (Rural; Mobile; Intercom; etc.)	4
				W02	Water Resources; Hydrology; Ground Water	4
				B02	Bridge Design	4
				A06	Airports; Terminals; & Hangars; Freight Handling	4
	Other Employees	1172	0	E02	Educational Facilities; Classrooms	4
	Total	9946	80	R13	Roadway Design	3
11. ANNUAL AVERAGE PROFESSIONAL SERVICES REVENUES OF FIRM FOR LAST 3 YEARS (Insert revenue index number shown at right)		PROFESSIONAL SERVICES REVENUE INDEX NUMBER				
a. Federal Work	1	1. Less than \$100,000 2. \$100,000 to less than \$250,000 3. \$250,000 to less than \$500,000 4. \$500,000 to less than \$1 million 5. \$1 million to less than \$2 million		6. \$2 million to less than \$5 million 7. \$5 million to less than \$10 million 8. \$10 million to less than \$25 million 9. \$25 million to less than \$50 million 10. \$50 million or greater		
b. Non-Federal Work	9					
c. Total Work	9					
12. AUTHORIZED REPRESENTATIVE The foregoing is a statement of facts.						
a. SIGNATURE 				b. DATE 8/10/26		
c. NAME AND TITLE Kinan Husainy, PE, Vice President						

**McCarty's Choice Community Development District
Engineer RFQ Ranking Sheet**

	Ability and Adequacy	Consultant's	Geographic	Willingness to Meet	Certified Minority	Recent, Current		
	of Personnel	Past Performance	Location	Time and Budget	Business Enterprise	and Projected	Total Score	Ranking
				Requirements		Workloads		
	25 Points	25 Points	20 Points	15 Points	5 Points	10 Points		
Kimley-Horn								

SECTION VII

SECTION C

SECTION 1

McCarty's Choice
Community Development District

Unaudited Financial Reporting
July 31, 2026



Table of Contents

1		<u>Balance Sheet</u>
2		<u>General Fund</u>
3		<u>Month to Month</u>

McCarty's Choice

Community Development District

Combined Balance Sheet

July 31, 2026

	<i>General Fund</i>	
Assets:		
Due from Developer	\$	21,750
Total Assets	\$	21,750
Liabilities:		
Accounts Payable	\$	11,905
Total Liabilites	\$	11,905
Fund Balance:		
Unassigned	\$	9,845
Total Fund Balances	\$	9,845
Total Liabilities & Fund Balance	\$	21,750

McCarty's Choice
Community Development District
General Fund

Statement of Revenues, Expenditures, and Changes in Fund Balance
For The Period Ending July 31, 2026

	Proposed	Prorated Budget	Actual	
	Budget	Thru 07/31/26	Thru 07/31/26	Variance
<u>Revenues:</u>				
Developer Contributions	\$ 51,759	\$ 21,750	\$ 21,750	\$ -
Total Revenues	\$ 51,759	\$ 21,750	\$ 21,750	\$ -
<u>Expenditures:</u>				
<u>General & Administrative:</u>				
Supervisors Fees	\$ 4,000	\$ 3,000	\$ -	\$ 3,000
FICA Expense	\$ 306	\$ 230	\$ -	\$ 230
Engineering	\$ 5,000	\$ 3,750	\$ -	\$ 3,750
Attorney	\$ 8,333	\$ 6,250	\$ 6,414	\$ (164)
Management Fees	\$ 13,333	\$ 10,000	\$ 3,333	\$ 6,667
Information Technology	\$ 600	\$ 450	\$ 150	\$ 300
Website Maintenance	\$ 2,150	\$ 1,613	\$ 100	\$ 1,513
Telephone	\$ 100	\$ 75	\$ -	\$ 75
Postage & Delivery	\$ 333	\$ 250	\$ -	\$ 250
Insurance	\$ 5,000	\$ 3,750	\$ -	\$ 3,750
Copies	\$ 333	\$ 250	\$ 1,137	\$ (887)
Legal Advertising	\$ 10,000	\$ 7,500	\$ 770	\$ 6,730
Contingency	\$ 1,667	\$ 1,250	\$ -	\$ 1,250
Office Supplies	\$ 208	\$ 156	\$ -	\$ 156
Travel Per Diem	\$ 220	\$ 165	\$ -	\$ 165
Dues, Licenses & Subscriptions	\$ 175	\$ 131	\$ -	\$ 131
Total General & Administrative:	\$ 51,759	\$ 38,820	\$ 11,905	\$ 26,915
Total Expenditures	\$ 51,759	\$ 38,820	\$ 11,905	\$ 26,915
Excess Revenues (Expenditures)	\$ -		\$ 9,845	
Fund Balance - Beginning	\$ -		\$ -	
Fund Balance - Ending	\$ -		\$ 9,845	

McCarty's Choice
Community Development District
Month to Month

	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July	Aug	Sept	Total
Revenues:													
Developer Contributions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	21,750	\$ -	\$ -	21,750
Total Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	21,750	\$ -	\$ -	21,750
Expenditures:													
<u>General & Administrative:</u>													
Supervisors Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
FICA Expense	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
Engineering	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
Attorney	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	6,414	\$ -	\$ -	6,414
Management Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	3,333	\$ -	\$ -	3,333
Information Technology	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	150	\$ -	\$ -	150
Website Maintenance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	100	\$ -	\$ -	100
Telephone	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
Postage & Delivery	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
Insurance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	1,137	\$ -	\$ -	1,137
Copies	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
Legal Advertising	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	488	282	\$ -	\$ -	770
Contingency	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
Office Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
Travel Per Diem	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
Dues, Licenses & Subscriptions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
Total General & Administrative:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	488	11,416	\$ -	\$ -	11,905
<u>Operations and Maintenance</u>													
Field Expenditures													
Contingency	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
Total Operations & Maintenance:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
Total Expenditures	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	488	11,416	\$ -	\$ -	11,905
Excess Revenues (Expenditures)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	(488)	10,334	\$ -	\$ -	9,845

SECTION 2

McCarty's Choice
Community Development District

Funding Request #2
September 4, 2026

Bill to: McCarty Town Development, LLC

Payee		General Fund FY2026	
1	Florida Department of Commerce Invoice#93938-Special District Fee-FY26	\$	100.00
2	Governmental Management Services - Central Florida, LLC Invoice #1 - Management Fees- July 2026 Invoice #2 - Management Fees- August 2026	\$ \$	3,583.33 3,689.61
4	Kilinski Van Wyk PLLC Invoice#15769 - General Counsel - July 2026	\$	6,413.87
		Total:	\$ 13,786.81

Please make check payable to:

McCarty's Choice
6200 Lee Vista Blvd, Suite 300
Orlando, FL 32822

FloridaCommerce, Special District Accountability Program

Fiscal Year 2025 - 2026 Special District State Fee Invoice and Profile Update

Required by sections 189.064 and 189.018, Florida Statutes, and Chapter 73C-24, Florida Administrative Code

Date Invoiced: 07/22/2026				Invoice No: 93938
Annual Fee: \$100.00	1st Late Fee: \$0.00	2nd Late Fee: \$0.00	Received: \$0.00	Total Due, Postmarked by 09/21/2026: \$100.00

STEP 1: Review the following profile and make any needed changes.

1. Special District's Name, Registered Agent's Name and Registered Office Address:

McCarty's Choice Community Development District
Ms. Jill Burns
219 E. Livingston Street
Orlando, Florida 32801



2. Telephone: 407-841-5524 Ext: 115
3. Fax:
4. Email: jburns@gmscfl.com
5. Status: Independent
6. Governing Body: Elected
7. Website Address: Not on file -Due by the end of the first fiscal year after creation.
8. County(ies): St. Lucie
9. Special Purpose(s): Community Development
10. Boundary Map on File: 07/14/2026
11. Creation Document on File: 07/14/2026
12. Date Established: 06/22/2026
13. Creation Method: Local Ordinance
14. Local Governing Authority: City of Port St. Lucie
15. Creation Document(s): City Ordinance 26-57
16. Statutory Authority: Chapter 190, Florida Statutes
17. Authority to Issue Bonds: Yes
18. Revenue Source(s): Assessments

STEP 2: Sign and date to certify accuracy and completeness.

By signing and dating below, I do hereby certify that the profile above (changes noted if necessary) is accurate and complete:

Registered Agent's Signature: Jill Burns Date 7-23-26

STEP 3: Pay the annual state fee or certify eligibility for zero annual fee.

a. Pay the Annual Fee: Pay the annual fee by following the instructions at www.FloridaJobs.org/SpecialDistrictFee.

b. Or, Certify Eligibility for the Zero Fee: By initialing both of the following items, I, the above signed registered agent, do hereby certify that to the best of my knowledge and belief, BOTH of the following statements and those on any submissions to the Department are true, correct, complete, and made in good faith. I understand that any information I give may be verified.

1. ___ This special district is not a component unit of a general purpose local government as determined by the special district and its Certified Public Accountant; and,

2. ___ This special district is in compliance with its Fiscal Year 2023 - 2024 Annual Financial Report (AFR) filing requirement with the Florida Department of Financial Services (DFS) and that AFR reflects \$3,000 or less in annual revenues or, is a special district not required to file a Fiscal Year 2023 - 2024 AFR with DFS and has included an income statement with this document verifying \$3,000 or less in revenues for the current fiscal year.

Department Use Only: Approved: ___ Denied: ___ Reason: _____

STEP 4: Make a copy of this document for your records.

STEP 5: Email this document to SpecialDistricts@Commerce.fl.gov or mail it to us. For our mailing address, visit www.FloridaJobs.org/SpecialDistrictFee. Direct questions to 850-717-8430.

1001 Bradford Way
Kingston, TN 37763

Invoice #: 1
Invoice Date: 7/1/26
Due Date: 7/1/26
Case:
P.O. Number:

McCarty's Choice CDD

[illegible]

GMS-Central Florida, LLC
1001 Bradford Way
Kingston, TN 37763

Invoice

RECEIVED

AUG 13 2026

Bill To:
McCarty's Choice CDD

Invoice #: 2
Invoice Date: 8/1/26
Due Date: 8/1/26
Case:
P.O. Number:

Description	Hours/Qty	Rate	Amount
Management Fees		3,333.33	3,333.33
Website Administration		100.00	100.00
Information Technology		150.00	150.00
Office Supplies		2.65	2.65
Postage		3.70	3.70
American Express Statement closing 7/25/26 - PSL Community Center - Meeting Room		99.93	99.93
Total			\$3,689.61
Payments/Credits			\$0.00
Balance Due			\$3,689.61



KILINSKI | VAN WYK

Kilinski | Van Wyk PLLC

P.O. Box 6386
Tallahassee, Florida 32314

INVOICE

Invoice # 15769
Date: 08/17/2026
Due On: 09/16/2026

McCarty's Choice CDD

Statement of Account

Outstanding Balance	New Charges	Payments Received	Total Amount Outstanding
(\$0.00	+ \$6,413.87	) - (\$0.00	) = \$6,413.87

MCCCDD-01

McCarty's Choice CDD - General Counsel

Type	Attorney	Date	Notes	Quantity	Rate	Discount	Total
Service	AH	06/08/2026	Prepare notices of landowners' meeting and election and organizational meeting; confer with Ham and Berry regarding same; transmit same.	1.60	\$200.00	50.0%	\$160.00
Service	JK	06/08/2026	Review/edit landowner election and organizational meeting document notices	0.30	\$395.00	-	\$118.50
Service	AH	06/09/2026	Confer with district manager regarding date and time of organizational meeting; prepare updates to district file regarding draft agenda memo of same.	0.30	\$200.00	-	\$60.00
Service	MZ	06/09/2026	Draft shell engineer report; review establishment documents to confirm figures and amounts.	0.90	\$315.00	-	\$283.50

Service	AH	06/11/2026	Prepare organizational meeting documents.	1.40	\$200.00	-	\$280.00
Service	AH	06/23/2026	Confer with Ward regarding certified copy of ordinance.	0.10	\$200.00	-	\$20.00
Service	AH	06/24/2026	Confer with district staff regarding organizational meeting documents and certified copy of ordinance; prepare updates to district file regarding same; prepare notice of establishment.	0.90	\$200.00	-	\$180.00
Service	AH	06/26/2026	Prepare organizational meeting documents and interim engineering agreement; confer with engineer regarding same and status of engineer's report; finalize notice of establishment; prepare resolution authorizing recording of same.	2.60	\$200.00	25.0%	\$390.00
Service	JK	06/26/2026	Review master engineers report and provide comments thereto; review methodology and provide comments; review notice of establishment and ratification resolution	0.70	\$395.00	-	\$276.50
Service	JK	06/27/2026	Review and finalize organizational meeting documents, including review of 20+ resolutions, agreements and reports; review rules and update same; update master assessment resolution	1.40	\$395.00	-	\$553.00
Service	AH	06/29/2026	Prepare updates to district files regarding draft engineer's report and master assessment methodology report; finalize and prepare recording of notice of establishment.	0.60	\$200.00	100.0%	\$0.00
Service	JK	06/29/2026	Confer re: master engineers report and edits on same; confer re: cost share on pond and	0.20	\$395.00	-	\$79.00

options for same							
Service	AH	07/02/2026	Prepare updates to district file regarding recorded notice of establishment; transmit same to Ham.	0.30	\$200.00	100.0%	\$0.00
Service	AH	07/03/2026	Prepare updates to district file regarding draft engineer's report.	0.20	\$200.00	-	\$40.00
Service	JK	07/03/2026	Prepare updated end of session bill summary and impacts on CDD operations and documents	0.20	\$395.00	-	\$79.00
Service	AH	07/06/2026	Confer with Gang regarding ordinance establishing district; transmit same; prepare updates to general file regarding same; prepare notice setting public hearings on fiscal year 2026 and fiscal year 2027 budgets, setting public hearing on adoption of uniform method, notice of public hearing on special assessments and adoption of assessment roll, and notice of master lien of special assessments.	1.20	\$200.00	-	\$240.00
Service	MZ	07/06/2026	Revise organizational documents to reflect effective date of establishing ordinance; draft correspondence to district staff.	0.30	\$315.00	-	\$94.50
Service	AH	07/07/2026	Prepare amended and restated notice of establishment; prepare resolution authorizing recording of same; prepare mailed notice of public hearing on special assessments.	1.20	\$200.00	50.0%	\$120.00
Service	MZ	07/07/2026	Review and revise organizational documents in advance of meeting; draft notes for presentation to board on	2.20	\$315.00	50.0%	\$346.50

			general district information and resolution date changes; draft summaries of bond and delegation resolutions and of financing and validation process for meeting.				
Service	MZ	07/07/2026	Review plats and deeds for District property and POA property; review developer correspondence regarding need for pond cost share; draft cost share agreement.	2.50	\$315.00	50.0%	\$393.75
Service	AH	07/08/2026	Prepare amended and restated notice of establishment and resolution authorizing filing of same; confer with district staff regarding execution of same; prepare recording of same; prepare updates to district file regarding same.	0.30	\$200.00	-	\$60.00
Service	JK	07/08/2026	Review updated organizational meeting agenda materials; update resolution and notices; prepare for second meeting documents including budget documents/notices, assessment notices and related matters; prepare for Board meeting	0.60	\$395.00	-	\$237.00
Service	MZ	07/08/2026	Revise organizational documents to reflect effective date of establishing ordinance and maximum bond issuance; confer with district staff regarding changes.	0.70	\$315.00	50.0%	\$110.25
Service	MZ	07/08/2026	Research Florida statutes for notice publication dates and electronic signature language and update agenda presentation notes in advance of July	0.60	\$315.00	100.0%	\$0.00

			organizational meeting; confer with engineer regarding revisions to master engineer report.				
Expense	KB	07/08/2026	Simplifile Recording: eRecording fee for Amended and Restated Notice of Establishment.	1.00	\$32.25	-	\$32.25
Service	MZ	07/09/2026	Finalize notes in advance of organizational meeting; prepare for meeting and review resolutions.	2.20	\$315.00	75.0%	\$173.25
Service	JK	07/10/2026	Attend organizational meeting	2.00	\$395.00	-	\$790.00
Expense	KB	07/10/2026	Travel: Mileage - MZ.	97.00	\$0.76	-	\$73.72
Expense	KB	07/10/2026	Travel: Tolls - MZ.	1.00	\$4.15	-	\$4.15
Service	AH	07/13/2026	Confer with district manager regarding receipt of executed organizational meeting documents.	0.30	\$200.00	100.0%	\$0.00
Service	CD	07/14/2026	Review and respond to email from Jessica Kowalski regarding Check to Port St. Lucie.	0.10	\$200.00	-	\$20.00
Service	AH	07/14/2026	Confer with Ham regarding executed agenda items and board of supervisors' contact information.	0.20	\$200.00	-	\$40.00
Service	MZ	07/15/2026	Review new supervisor notebooks and confer with staff.	0.40	\$315.00	-	\$126.00
Service	AH	07/15/2026	Prepare notices of public hearings on uniform method, fiscal year budget; prepare mailed and published notices of public hearings on special assessments.	0.60	\$200.00	-	\$120.00
Service	MZ	07/15/2026	Review and revise notices of uniform method and budget approval hearings, notice of master assessment hearing, and mailed notices of master	0.60	\$315.00	-	\$189.00

			assessment hearing; verify against engineer report and assessment report; run additional redlines.				
Service	JK	07/15/2026	Review uniform method, budget notices, mailed assessment notice and published assessment notice and confer re: affidavit of mailing	0.40	\$395.00	-	\$158.00
Service	SD	07/15/2026	Begin drafting New Supervisor Notebooks for all supervisors.	0.80	\$185.00	-	\$148.00
Service	AH	07/16/2026	Prepare affidavit of mailed notices; transmit mailed and published notices, and notice of public hearing on uniform method and fiscal year budgets to Burns and Ham; confer with engineer regarding execution of engineer's report.	0.60	\$200.00	-	\$120.00
Service	SD	07/16/2026	Revise Supervisor Notebooks for all Supervisors.	0.30	\$185.00	100.0%	\$0.00
Service	AH	07/17/2026	Prepare updates to district file regarding executed engineer's report; assemble same to assessment resolution; confer with Ham regarding same.	0.40	\$200.00	100.0%	\$0.00
Service	MZ	07/21/2026	Finalize new supervisor binders and confer with staff.	0.20	\$315.00	100.0%	\$0.00
Service	AH	07/27/2026	Prepare revisions to interim engineering services agreement; confer with Ham regarding same; confer with district staff regarding revisions to mailed and published notices of public hearings on special assessments.	0.70	\$200.00	-	\$140.00
Service	SD	07/27/2026	Confer with District Staff and revise New	0.50	\$185.00	100.0%	\$0.00

Supervisor Notebooks.							
Service	JK	07/27/2026	Review updated district informational packages and supporting documentation for five supervisors	0.10	\$395.00	-	\$39.50
Service	SD	07/28/2026	Transmit New Supervisor Notebooks to all Supervisors.	0.30	\$185.00	100.0%	\$0.00
Service	JK	07/28/2026	Update mailed and published notices for Chapter 170 hearings and affidavits of same	0.30	\$395.00	-	\$118.50
Line Item Discount Subtotal							-\$2,555.75
Total							\$6,413.87

Please make all amounts payable to: Kilinski | Van Wyk PLLC

Please pay within 30 days.