

**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
Jessica Kowalski
Justin Frye
Charleigh Berry

Appointed as Chairman
Appointed as Vice Chair
Appointed as Assistant Secretary
Appointed as Assistant Secretary

Also present were:

Jill Burns
Mitchell Zwang
Kinan Husainy *by Zoom*

District Manager, GMS
District Counsel, KVV
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.

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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

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- 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**

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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

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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.

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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.

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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.

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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.

Jill Burns

Secretary/Assistant Secretary

Signed by:

Jack Berry III

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Chairman/Vice Chairman