

**MINUTES OF MEETING
TESORO
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Tesoro Community Development District was held Tuesday, **November 4, 2025** at 11:00 a.m. at the Tesoro Club, 3rd Floor, 2000 SE Via Tesoro, Port St. Lucie, Florida.

Present and constituting a quorum were:

John Vogt	Chairman
Allen Borden	Vice Chairman
Rosemary Jones	Assistant Secretary
Emily Jones (<i>by Teams</i>)	Assistant Secretary
Michael Ferrucci	Assistant Secretary

Also present were:

Andressa Hinz-Philippi	District Manager, GMS
Jennifer Kilinski (<i>by Teams</i>)	District Attorney, KVW
Lindsay Moczynski	District Attorney, KVW
Roberto Cabrero	District Engineer, Culpepper and Terpening
Matt Hans	Field Manager, GMS
Ronny Howell	Native Lands
Zach Higginbotham	Wellington
Anne Vogt	Resident
Monica	Court Reporter

Segment I:

FIRST ORDER OF BUSINESS

Roll Call

Ms. Hinz-Philippi called the meeting to order at 11:02 a.m. and called the roll. Four Supervisors were in attendance and Ms. Jones joined by Teams.

SECOND ORDER OF BUSINESS

Public Comments

Ms. Hinz-Philippi: There are no audience comments at this time.

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THIRD ORDER OF BUSINESS

Approval of Minutes of the September 30, 2025 Meeting

Ms. Hinz-Philippi: The next item is approval of the minutes of September 30, 2025 meeting. If you have any questions, additions, or deletions I can take those at this time. If you do not have any changes, a motion to approve will be in order.

Mr. Vogt: I'll give you the second. As long as you do the two changes that I've asked you to do.

Ms. Hinz-Philippi: Yes, I got that one. We have two amendments to be done that John pointed out on the name of that structure that they are working with South Florida Water Management. Management. It's just the description, so I will take care of that.

On MOTION by Ms. Rosemary Jones, seconded by Mr. Vogt, with all in favor, the Minutes of the September 30, 2025 Meeting, were approved as amended.

FOURTH ORDER OF BUSINESS

Consideration of

A. Resolution #2026-01 Budget Amendment for FY25

Ms. Hinz-Philippi: This happens often because the budget has to be every single dollar the same as the proposed. We have to amend the budget because when we spend something different than what was budgeted for, we have to go back and structure that so we can pass the audits. If you have any questions I can take those, if not a motion to approve Resolution 2026-01 would be in order.

On MOTION by Mr. Vogt, seconded by Mr. Borden, with all in favor, Resolution #2026-01 Budget Amendment for FY25, was approved.

B. Engagement Letter with DiBartolomeo, McBee, Hartley & Barnes, P.A. to Perform the Audit for Fiscal Year Ending September 30, 2025

Ms. Hinz-Philippi: The next item is the engagement letter with DiBartolomeo, McBee, Hartley and Barnes, P.A. to perform the audit for the fiscal year ending on September 30th. This is our usual audit, if there are no questions I would ask for a motion to approve.

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On MOTION by Mr. Vogt, seconded by Ms. Rosemary Jones, with all in favor, the Engagement Letter with DiBartolomeo, McBee, Hartley and Barnes, P.A. to Perform the Audit for Fiscal Year Ending September 30, 2025, was approved.

FIFTH ORDER OF BUSINESS**Staff Reports****A. Attorney**

Ms. Moczynski: We have a shade session later. We will talk about the case during that timeframe. Otherwise, an email did go out because there was a previous request for a redline comparison from your previous rules to the current rules that you adopted at the last meeting. There are a lot of red lines because it has been 20 years since you amended the rules. If you have any questions about them, please feel free to reach out to my office. We are more than happy to dissect it with you if you need that. Otherwise, I think everything else would be saved during the shade session unless anybody has questions for me.

Mr. Borden: I don't know how you all work, but I had to almost beg to get something to report. Don't you all send paper out every time something happens to the six or five people that are in here?

Ms. Moczynski: A report or when something happens with what?

Mr. Borden: What's happened before this?

Ms. Moczynski: Oh, the amended petition.

Mr. Borden: Yeah, what did you all do before that?

Ms. Moczynski: The original petition was filed and then they did a motion to dismiss, which we sent the copies of that out.

Mr. Borden: You didn't send it to me.

Ms. Moczynski: Okay, I can double check and I will make sure that you have it.

Mr. Borden: Okay, I think you need to give us an update every month. If you don't do anything, just say we didn't do anything. But this is very irritating to me to have to wait until October to get something out of you all.

Ms. Moczynski: Okay. I have been sending out emails every couple of weeks, but I will double check. If I left you off, that was inadvertent, but I will check through. I know that actual document, we had to create a link for it because it was so large, I couldn't attach it normally through an email.

Mr. Borden: You have my email address.

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Ms. Moczynski: Yes sir, I do. I will make a note of that and make sure. We can discuss if we want a different type of update schedule for the case. We can discuss that, too.

Mr. Borden: Can I ask us if you finished, Lindsey? This is wishful thinking, but will our insurance cover some of this? Because at the end of the day, it's cost us about \$75,000 for your legal fees and we do have some insurance.

Ms. Moczynski: I'm not aware of that, but it is something that I can discuss with Andressa, but I'm not aware of that being something that could be.

Mr. Vogt: Well, I think Andressa is the holder of that insurance. I don't know the details of it, could you see?

Ms. Moczynski: Yeah, I will reach out.

Mr. Vogt: It is an expensive exercise. We need to do it. There are no arguments about it.

Ms. Hinz-Philippi: I will check with them. I will describe what we're going through and see if in any shape or form we recover in some way.

B. Engineer

Mr. Cabrero: Mr. Vogt and I met with John Dutton. It was actually just earlier this week right there. The city is finalizing their 60% plans, and their goal is a shared goal with the CDD to replace that A25 structure during this upcoming dry season. They're manipulating their bid process to make that happen. That's the update from that front. Other than that, I think it's been a somewhat quiet month.

Mr. Vogt: Okay, I don't know what's going to happen and when it will happen. But to be able to do the new wall behind the existing eroded structure, they're going to have to pile metal behind it. To do that, we're going to have to take one oak tree out. However, the city will be planting two oak trees in exchange, but I'll try three.

Mr. Cabrero: Yeah, we sat down with them and we are planning this bench and this beautiful shade, something scenic through there. But it's just for staging and access. It makes a lot more sense to make that work from the edge of the road than disturbing that sloped area. There's an open space back there. It's got a lot of plants and stuff, so it makes a lot more sense. It will make it easier for them to just access it from the road. There's a nice flat surface there for them to do that.

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Mr. Vogt: It makes no sense to do it any other way than that, including the fact that there's about \$50,000 difference. We are not paying for it other than indirectly through our city tax.

C. Field

1) Discussion of Landscaping Maintenance Proposals:

a. Ground Up Landscaping

Ms. Hinz-Philippi: Matt, we had discussed last month about our services for landscaping. Can you please take that?

Mr. Hans: Yes, that I can. We do have one proposal already attached in your meeting packet from From the Ground Up Landscaping. They do a little bit of everything. We also do have the numbers from Wellington to continue month to month with them as well. We will start with Wellington and continue our regular scope of service, continue month to month. It would be at a rate of \$8,733 per month, which is what we're at currently. And then if we go into our meeting packet, these are all based off of the same scope of work as well. Onto page 30, we have Ground Up Landscaping.

Ms. Hinz-Philippi: This is 12 cuts per year?

Mr. Hans: Yes, this is 12 cuts per year or as needed for areas during summertime. This is based off of the same schedule we put out.

Ms. Rosemary Jones: We would be getting the same service in each one?

Mr. Hans: Yeah, the same service in each one. \$9,100 per month for this one. Now, this is the larger company as well. They have experience in neighborhoods such as this one. The Hanna Plus, they're perfectly good for cutting a berm and doing those areas as well. They won't have any arguments about where lines are. They are very good with that. But those are our three options. Wellington and Ground Up are definitely the more professional outfits. The guys will definitely look a lot more uniform. Hanna Painting is a little bit more of a smaller local company. Florida Exotic did not submit their bid in time. We had given them three weeks to submit, and they did not get it submitted before the meeting. We would have accepted it if they got to us yesterday, but they did not.

Mr. Ferrucci: Did you get one from Down to Earth?

Mr. Hans: We did not have time to get one from Mike Pickett. You emailed me on Friday about that and to be 100% honest, we've had issues with Mike Pickett in the past.

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Ms. Hinz-Philippi: What I was saying to the Board is we have one small company and two medium sized companies that would work well on this contest. Wellington that you already have and Ground Up that are more professional on their work schedule and all that. However, we did not have time to have other bids from larger companies. If the Board is not comfortable to make a decision at this meeting, you don't need to because we are on month to month with Wellington. The other way is to see what we have and see if these are good, really good options for the District and then go with one of these options. Matt said that he was very comfortable with Ground Up Landscaping and he thought that their work was very good. Then we have Wellington that is already in house.

Mr. Hans: We know exactly what we're getting from Wellington as it is.

Ms. Rosemary Jones: With Ground up are you very comfortable with because you've seen their work in other places?

Mr. Hans: Yes, and they did come recommended by people that we trust as well.

Mr. Vogt: I must admit this is not the biggest contract. We can change the contract in a month if we wish to terminate. I think we do need to make a decision. You make the recommendation.

Mr. Hans: Ground Up was the most expensive, but I'm also the most comfortable with them as well.

Ms. Rosemary Jones: Do you think it's worth waiting to look at larger firms or do you think we have a very good one here?

Mr. Hans: I think the service will be within a margin and the price will also be within a margin. I don't think waiting for Florida Exotic or Down to Earth would result in better service or significantly better price for us. Again, if we don't seem satisfied with them, we have a 30-day clause in all of our contracts. We make it known to the contractor when they sign the contract as well. I expect that if we do have any issues, it would be very easy to solve.

Ms. Hinz-Philippi: Well on a side note, I have Florida Exotic and Down to Earth in two other provinces.

Mr. Hans: Florida Exotic is solid. Down to Earth is better for bigger properties.

Ms. Hinz-Philippi: We have a lot of issues with both of them.

Mr. Ferrucci: Where is the Florida Exotic one?

Mr. Hans: They did not submit a proposal.

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Ms. Rosemary Jones: Well, how do you feel?

Mr. Vogt: I'm happy with the recommendation that is coming from Matt. I suggest we proceed with that. Like everything you have to prove your worth when you get a contract. The proof of the pudding is in the eat. But this is not a major contract. This is an ancillary piece so one way or the other. I don't believe it makes a deal. I would suggest we take the recommendation and move on.

Mr. Borden: I'm a contractor, all of these prices are so close together, I wouldn't worry about one over the other. It's just so close.

Ms. Rosemary Jones: Yeah, I want to have the best service.

Mr. Hans: We can make a motion to move forward with From the Ground Up Landscaping services.

Ms. Hinz-Philippi: Before we do that, do we need a termination for Wellington because we are on a month to month even though we need to send them notice, right?

Ms. Moczynski: Yes, so we will need to move to terminate currently with Wellington Pro and confirm what date that will be and then a motion to approve From the Ground Up and what that start date will be. Then I can also work on our form of contract and agreement for the new landscaping company.

Ms. Hinz-Philippi: So the first motion is to terminate the current vendor and then the second one is to hire the new one.

Ms. Moczynski: It will be a 30 day, I believe, because it's a 30-day notice requirement as well I believe with Wellington. I will double check.

Mr. Vogt: Alright, so let's take the motion which is to replace Wellington with From the Ground Up with the date to be determined by the lawyer, Lindsay Moczynski.

Ms. Hinz-Philippi: We can just do a motion to terminate the current vendor obeying the terms that are on our agreement. That would be the motion.

Ms. Moczynski: This is the motion to terminate.

Ms. Kilinski: It is a 30-day notice, so we can get that out tomorrow.

Mr. Ferrucci: I don't want to. I'm not in favor of it. I don't have enough to research.

Ms. Hinz-Philippi: You cannot abstain from voting.

Mr. Ferrucci: No, you don't need me.

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Ms. Kilinski: We will still need a vote from you, aye or a nay. You can't do an abstention unless you're going to have a conflict here and you're not expressing a conflict.

Mr. Ferrucci: I don't know the company. I knew Florida Exotics. I know Wellington. I know the one that you said we can't have.

Ms. Kilinski: Okay, so this is the motion to terminate with Wellington. We have a first and a second so this could be opened up for discussion if you want to discuss whether or not you want to terminate before we take the vote. If you want to have the discussion on it. Mr. Ferrucci, is that what you would like to do?

Ms. Rosemary Jones: You would like more time?

Mr. Ferrucci: Yeah.

Ms. Emily Jones: I think that's fine to want more information. I'd like to know more about them as well.

Mr. Ferrucci: I've never heard of them. I don't know anything about them.

Ms. Emily Jones: Okay.

Mr. Ferrucci: That's where I'm at.

Mr. Hinz-Philippi: We have five Board members and to approve we need three in favor. If somebody's not confident, they can say nay.

Mr. Ferrucci: That's what I said in the beginning of the conversation. You don't need me. I don't know anything about the company.

Ms. Hinz-Philippi: You cannot abstain, but you can say no.

Mr. Ferrucci: I'll say no, that's fine.

Mr. Borden Wait a minute; I think this is pretty easy to settle. If these guys can't do it, you get rid of them and let them know up front that you're going to, hey we will let you start and everything, but if you don't do it right, we will get rid of you.

Ms. Hinz-Philippi: It is 30 days' notice anyway. If they don't do a good job, we can terminate them in 30 days.

Mr. Borden: Like I said, they're so close, it's not a financial decision

Mr. Ferrucci: But as I said, you don't need me to approve it.

Ms. Hinz-Philippi: We have three Supervisors in favor and Mr. Ferruci is opposed. Emily?

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Ms. Emily Jones: I think that if there's no negative, I guess I don't know how bad of a job Wellington is doing right now. So, the fact that they're on a month to month I guess it sounds like we're just going to let Ground Up do a month as well. We will review it in 30 days so.

Ms. Hinz-Philippi: Yes.

Ms. Emily Jones: Yeah, I am okay with the 30 days.

Ms. Hinz-Philippi: Okay, so we have four in favor and one opposed.

On MOTION by Mr. Vogt seconded by Ms. Rosemary Jones, with Mr. Vogt, Ms. Rosemary Jones, Mr. Borden and Ms. Emily Jones in favor and Mr. Ferrucci opposed, the Termination of Wellington, was approved 4-1.

Ms. Moczynski: Just to clarify, the agreement would be through the end of the fiscal year. It's on a monthly basis, but it would be through the end of the next fiscal year, which is September 30, 2026. But how we typically write within our agreements is that there can be a 30-day notice termination as well. I just wanted to clarify that part. It's not going to be written like it's only 30 days long.

Ms. Emily Jones: Okay, I hear that. So how is the review? How will we be looped into that review in 30 days?

Ms. Hinz-Philippi: Matt is going to be inspecting their work.

Mr. Hans: We will let you know how it's going during the field report.

Mr. Vogt: I promise you every person in this community will give us feedback.

Mr. Hans: Yeah, that as well. We will also hear very quickly if we're not doing good.

Ms. Hinz-Philippi: Now, a second motion would be to have staff work on an agreement with Ground Up.

Mr. Ferrucci: Did this come into the termination? I didn't get that. I don't see an agreement where you can terminate this contract with 30 days' notice.

Mr. Hans: We write our own agreements. This is what they presented to us. We write our own agreement so in our agreement there is a termination policy.

Mr. Ferrucci: This contract does not say that.

Mr. Hans: Correct.

Ms. Hinz-Philippi: This is what they sent to us. We never use this. We use our attorneys.

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Mr. Ferrucci: I was looking for a signature though.

Ms. Moczynski: Yes, I'll draft up the agreement.

Mr. Ferrucci: Okay, I'm just saying I don't see any of that verbiage in there.

Ms. Rosemary Jones: Can you say the whole motion again?

Ms. Hinz-Philippi: The motion is for staff to work on an agreement with Ground Up Landscaping. I have a motion by Rosemary, seconded by John. All in favor say aye.

Mr. Borden: Aye.

Mr. Ferrucci: Aye.

Mr. Vogt: Emily?

Ms. Emily Jones: Do you need my aye or my nay or no?

Ms. Kilinski: Whichever one it is.

Ms. Emily Jones: I guess it's nay.

Mr. Vogt: So, you don't want to appoint another company, but we've terminated the existing one.

Ms. Emily Jones: Yeah, I feel the same way that Mike Ferrucci does. I just want to know more about them.

Ms. Hinz-Philippi: Alright, so I have three in favor and two opposed and with that the motion passes.

On MOTION by Ms. Rosemary Jones, seconded by Mr. Vogt, with Mr. Borden, Ms. Rosemary Jones, and Mr. Vogt in favor and Ms. Emily Jones and Mr. Michael Ferrucci opposed, Approving the Proposal and Directing Staff to Work on an Agreement with Ground Up Landscaping, was approved 3-2.

Ms. Moczynski: I will prepare an agreement.

Ms. Hinz-Philippi: We're going to work with Lindsay to prepare the agreement and send the termination notice.

Ms. Moczynski: I will prepare the termination notice. It's a 30-day notice and then I'll prepare the agreement. That is something that would be executed and done in between meetings to make sure that we can be efficient with the timing there.

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2) Lake & Wetland Assessment Report

Mr. Hans: We are doing good. We've gotten pretty caught up on all the spraying for the weeds now that the rain has stopped. The lakes are looking a lot better. We have a few cattails that we have to take care of in the main mitigation cell, but other than that, things are looking really good. Rony is about to start his winter trimming, but all of our wetlands are looking awesome right now in the lakes.

Mr. Howell: I am already in the middle of trimming phases 1-4. That will all be done before Thanksgiving. That is my goal every year to try to get those trims done before the holidays and it is on track.

Mr. Ferrucci: Are they berry picking this year?

Mr. Howell: No, my guys don't berry pick. The pig guy did berry pick. That's usually in the months of September and October. It was a slack year.

Mr. Borden: They've done much better this year than they did last year.

Mr. Hans: Things are looking good on the lake and wetland side. Rony's company is doing a great job.

Mr. Ferrucci: Yeah, it all looks good.

Mr. Hans: Thank you. It looks better every year.

Mr. Ferrucci: Those things John, you guys planted in the lake, you were right about 80% of them died.

Mr. Hans: Yeah, that is about right, 80% of them died.

Mr. Vogt: I don't know about 80.

Mr. Ferrucci: But it's a large number of them that died.

Mr. Vogt: Yeah. This year there's been a far greater number that has not died.

Mr. Hans: Correct. Yeah, we were better at planting this year.

Mr. Vogt: That's fairly well covered there. If you look at it, the clumping and planting later appears to have worked extremely well. The year before when we had all those massive rains and all the lakes overflowed again, we lost. There's no doubt about it. This is a lottery. When you look at the established lakes, if I can call them that, on the west side, they are starting to get where we are going to have to pull out some of that stuff two or three years from now, which is cool. I have a source, oh no sorry, Rony has a source.

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Mr. Ferrucci: Are you doing anything on the west side as far as CDD related? I see the contract is for the east.

Mr. Hans: Yeah, we do all your wetlands and stuff over there too and any areas that we have already.

Mr. Ferrucci: Who has contracted that? That didn't start yet. We're not ready for that yet.

Mr. Hans: For a cutting contract on the west side.

Mr. Vogt: Cutting of what? The grass?

Mr. Ferrucci: Right, are you going to wait for the golf course to be done?

Mr. Vogt: The golf course and all the common areas on the west side would be part of the Wellington.

Mr. Ferrucci: Wellington contract?

Mr. Vogt: Yeah, if you look at all of the preserve areas, all the water that runs up through those trees, that's Rony and that's all being dumped. But honestly, you're only cutting it once or twice a year.

Mr. Howell: Because those areas were old growth old wetland growth, where our mitigation cells, phases 1 through 4, they were created by man. So, we go in there and we keep that trimmed a couple times a year where you don't want to do that in your natural wetlands as you will kill the trees back. They can't be trimmed four or five times a year. We go in there once a year, we bring the palmettos down below the walls and stuff like that and just keep a healthy growth, no overgrowth. There are still a lot of areas that aren't complete. There is still quite a bit that we haven't.

Mr. Ferrucci: At the same level that we are at in that area.

Mr. Hans: Correct.

Mr. Vogt: What we have not done is the old Watson 2 to 3 with those beautiful big bridges. When they ever do the first nine holes we are going to have to be very careful.

Mr. Hans: That's kind of what I'm asking. We're just leaving that as it's still.

Mr. Howell: There's not a lot of houses there. There's no golf play so yeah, we've been doing the areas.

Mr. Vogt: With making sure that we don't get silt in there, sand in there, we don't get machinery anywhere near it because it's 25 foot that must be undisturbed. Rony's going to have to get into the little island in the middle and take some of the exotics out. If they do the Watson

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course, we are going to see an enormous amount of work done in Rony's hands unfortunately to make sure that nothing out of all the big Earth moving and the building of the golf course affects the runoff of the water. I'll say it like this, if you have a look at a number of the lakes that we are getting sand runoff into the lakes from the roads. Yeah, we can dig that out. We can take some of that out, but it's becoming a bit of an issue.

Ms. Hinz-Philippi: Yes. Something that I want to point out also is we have this project with the BMAP that is water management. They have these goals of phosphorus and nitrogen that we have to achieve. So next year I'm going to bring probably somebody to test our water and see how we're doing and things like that because we have to achieve their goals. They are not enforcing it, but we have to submit this proposal when?

Mr. Cabrero: Yeah the FDEP, there's a new rule in place where communities that discharge into impaired water bodies like Tesoro are required to provide nutrient removal above and beyond what the permitted requirements are. So those are nutrients for total nitrogen and total phosphorus. It's all really new to everybody, including them. The immediate goal from them is to solicit potential projects that each community would perform to achieve those goals. Their target deadline on those projects is mid-January. Whatever projects we end up submitting we are not necessarily locked into those projects. There are other soft kind of projects, kind of like public information that will give us credit and a fertilization program that will give us credit for the goals. But the immediate goal is to inform FDEP of potential projects that we're looking at by mid-January. So just to kind of keep talking on that, we're kind of poking at it from a bunch of different angles. We're reaching back to the original environmental engineer that worked on the community to explore if there were any. Sometimes in a community like Tesoro, there are things that are done above and beyond what was required. So, let's say that the permit required only X amount like a thousand pounds of nitrogen, but because of the mitigation bank or because of this littoral planting shelf, we already did more than that. We can grab those credits and apply it to this upcoming rule.

Ms. Hinz-Philippi: Yeah, so some simple things that we can do is the street swiping that counts points that we can put on the record for them that we are doing something. Community education, throughout the HOA we can send them letters instructing about fertilization and all that, how it affects our bodies of water. So, all these little things that we can do to bring the points that we need for SORU that we're going to have to work on.

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Mr. Vogt: Roberto, is this a general policy document that's gone out?

Mr. Cabrero: Yeah, it's on a basin-by-basin basis. They have established an overall basin goal, and then they kind of prorate those goals to the individual contributors that discharge into that basin. Most places in St. Lucie County discharge in the St. Lucie River and that's an impaired water body. So, most communities in St. Lucie County have those goals. What it will end up being, kind of speaking to what Andressa was saying is what we call the BMP trains process, where we'll get a little bit of credit for littoral plantings. We will get a little bit of credit and part of it is, like I said, we'll look for things that the CDD has already done or the community has already done and we will seek those credits, too. But there is a possibility that we will have to undertake a special project to cover the balance of what the target goal is.

Ms. Hinz-Philippi: They gave me a calculator that shows what we can use to submit the projects.

Mr. Vogt: Can you give us the document, the policy document and any pertinent information? Let us have it.

Ms. Hinz-Philippi: Yeah. But the training I have is for all my Districts. This is public information so I can send if you guys want to take a look.

Mr. Vogt: If you would please. Because I think there are two parts to this. One, Tesoro is probably the east side anyway. It's probably the most carefully designed I've seen for a body done in 2010. There are pages and pages of calculations of how to slow water down, etc., etc. and filtration and all the rest of it. So, we may or may not be contributing to the impaired body. We need to do what's necessary before they start telling us.

Ms. Hinz-Philippi: What I think also because Tesoro has so many treatments for the bodies of water, we might need to check our permits and see because maybe we are above already what they require and this can be seen as credit. So maybe we don't have to do anything. Maybe we can submit and look at the papers with Roberto and see what they are requiring and what we already have and if we do have enough because I think Tesoro really treats the water and has a lot of things going on, waters and treating the wetlands and all that. So, with that, we can submit and see probably if we don't really need to do anything. But it's good for us to get together and have a plan so we can know where we stand with that.

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Mr. Vogt: I would agree. I think it's absolutely essential that we stay ahead of this. I would be estimating 70% of the water that we discharge into the St. Lucie River comes from the city of Port St. Lucie.

Mr. Cabrero: Yeah, all water's coming through here anyway.

Mr. Vogt: They may also have some interesting times ahead of them. But I think the answer to that is we need to have knowledge and have a plan of it will be some measurements that we have had, no one else.

Ms. Hinz-Philippi: Okay, sounds good.

D. Manager – Final Approval of the FY2024 – FY2025 Report Performance Measures and Standards

Ms. Hinz-Philippi: The next item is the final approval of the 2024-2025 report performance and measures and standards. This is the report that we talked about. We just put the goals and objectives. This just means that we did follow these rules and we achieved all the goals that we needed. I just need a motion to approve.

On MOTION by Mr. Vogt, seconded by Mr. Ferrucci, with all in favor, the FY2024-2025 Report of Performance Measures and Standards, was approved.

SIXTH ORDER OF BUSINESS

Financial Reports

A. Approval of Check Register

B. Acceptance of Unaudited Financials

Ms. Hinz-Philippi: Next is approval of the check register and acceptance of the financials. Do you have any questions, if not, a motion to approve will be in order.

On MOTION by Ms. Rosemary Jones, seconded by Mr. Vogt, with all in favor, the Check Register and Acceptance of the Unaudited Financials, were approved.

SEVENTH ORDER OF BUSINESS

Supervisors Requests

Ms. Hinz-Philippi: Do we have any supervisor requests? Not hearing any. We are going to start our shade session.

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Ms. Moczynski: Before we do that, we will have to have everyone leave. If there was anything else that anyone needed from the vendors before they leave, now would be the time to talk to your vendors. What we need is a motion to open the shade session which at that time everyone who is not a Supervisor, District Manager or myself, Jennifer, and the court reporter would need to leave.

Segment II:

EIGHTH ORDER OF BUSINESS

Announcement/Commencement of the Shade Session

Ms. Moczynski: We're looking for is a motion to open the shade session for the pending litigation.

On MOTION by Mr. Borden, seconded by Mr. Ferrucci, with all in favor, Opening the Shade Session, was approved.

NINTH ORDER OF BUSINESS

Closure of Shade Session

Ms. Hinz-Philippi: Is there a motion to close the shade session?

On MOTION by Mr. Vogt, seconded by Mr. Ferrucci, with all in favor, Closure of the Shade Session, was approved.

TENTH ORDER OF BUSINESS

Business Items Related to Shade Session (If Any)

Ms. Hinz-Philippi: Okay, we are back on our meeting and the next item will be business items related to shade session.

Ms. Moczynski: I don't have any motions that we need as it relates to the shade session.

Ms. Hinz-Philippi: I think we could do a motion to approve the proposal for the surveyor not to exceed amount.

Ms. Moczynski: No, because we will be working within the spending authority of the chair.

Ms. Hinz-Philippi: Okay.

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Ms. Moczynski: Then we can get it ratified later. I guess it wouldn't hurt if we want to do a motion to approve for the Chair and District Manager to work to get a surveyor in between meetings.

Ms. Hinz-Philippi: Okay.

On MOTION by Ms. Rosemary Jones, seconded by Mr. Vogt, with all in favor, Authorizing the Chair & District Manager to Work to get a Surveyor in between Meetings, was approved.

Ms. Moczynski: Then the other thing is I know we probably need to work out when we're going to meet again. And if so, once we get that new date, I probably would also recommend that we add on a shade session there just in case. I will have to do a formal request for that, but if you want to check on dates first and then I'll do.

Mr. Vogt: Yeah, but you've got to go through all the production and paperwork and stuff. We would normally schedule about March, so we need to come in earlier. But a 30-day notice is more than adequate between us to pick a date.

Ms. Moczynski: I need to do a formal request during an open meeting that I would like to do a shade session at the next scheduled Board meeting. Is Jennifer still on?

Ms. Kilinski: Yeah, I'm still here.

Ms. Moczynski: Can I leave the request for a shade session without knowing the actual date for the next meeting or do we have to actually know what the date will be?

Ms. Kilinski: Under the statute, it wants a date, time, and place certain.

Ms. Moczynski: Right. So, we would probably need to see if you guys don't normally meet till March, we could plan a date for January or February just so I can request it now and you guys can move to do that and have a shade session. If we don't need it because things might have gotten delayed because the holidays, we can cancel it. But at least it's there in case we need to discuss anything and not wait until March to have that discussion. But it's up to you guys if you.

Mr. Ferrucci: Do we have to have a Tuesday? Can't we go anytime?

Ms. Hinz-Philippi: I'm open the 13th.

Mr. Ferrucci: I'm not here on the 13th.

Ms. Moczynski: I have a meeting on the 13th.

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Ms. Hinz-Philippi: Okay, let's go to the end of the month, the 20th.

Ms. Moczynski: I can do the 20th.

Mr. Ferrucci: Okay.

Mr. Borden: Yes, good by me.

Ms. Moczynski: Do you want to make it also a normal, regular meeting? And that way, too, if you need to evaluate your landscaping, you can do that discussion.

Ms. Hinz-Philippi: We can terminate them. But it's going to be if we have to terminate them, we are going to have to hire somebody. It's going to be like three months. It will be November, December, and January.

Ms. Moczynski: It can just be a special shade session meeting, or you guys can do a regular session. It's up to the Board.

Ms. Hinz-Philippi: Yeah, we're not going to have this business.

Ms. Moczynski: So, then I would like to request for the record that the Board moves to have a shade session meeting January 20, 2026 at 11:00 a.m. at this location to discuss the current pending case that we have of Tesoro CDD vs. Diggle individually and as trustee. This would be to discuss the litigation expenditures and strategy as it relates to the case in St. Lucie County Circuit Court, case number 25 CA 1892. The people that I would request to be part of this motion to be present would be the Supervisors, Jones, Jones, Ferrucci, Borden and Vogt as well as the District Manager, Andressa Philippi, and then District counsel, myself, Lindsay Moczynski, and Jennifer Kilinski. A court reporter would also be present and it's expected to take approximately 30 minutes, give or take. If I could have someone make that motion based on my recommendation.

On MOTION by Ms. Rosemary Jones, seconded by Mr. Vogt, with all in favor, the Shade Session Requested for January 20, 2026, was approved.

Ms. Hinz-Philippi: Then if we do need a regular meeting, I can just let you guys know because you're going to be here. So, we don't need one.

Ms. Rosemary Jones: We've got a bit of time with Wellington before their 30 days is up, before the other one starts.

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Ms. Hinz-Philippi: If we need one, we can just schedule the meeting right before. If we don't, then we don't and we have just a shade session.

Ms. Moczynski: It's a matter of the publishing. So, we can either roll it all into one publication or you would do it separately if you wanted to add the regular meeting later?

Ms. Rosemary Jones: I think just add it separately. Don't mess with what's already in existence so we don't mess anything up.

Ms. Moczynski: Okay and I will prepare the notice for the shade session.

Ms. Rosemary Jones: If we need it.

Ms. Hinz-Philippi: Or if the Board wants, we can just set up the meeting and then if we don't need, we cancel.

Mr. Vogt: We can make that determination in December. You only need to give seven days' notice. We only need to make the decision if it's a Board meeting and shade or shade.

Ms. Moczynski: We can wait until it gets closer to do the publication and by that time we might know.

Mr. Vogt: Yeah, her problem is she has got to fix that.

Ms. Hinz-Philippi: Yeah. So just for you guys to know, we had a lot of public record requests from Mr. Diggle and this is going to cost the District some money too. We talked with Jennifer and there are some rules that we have to follow for requesting for payment. So, everything that he requests, it takes a lot of time and needs to be me doing and then Jennifer reviewing or her associates. That takes time and needs to be charged for. But we are charging him now a fee because it's so many requests. We have to make them available for a reasonable rate. We charge the District one amount, but we have to charge the resident lesser than what we are charging so just wanted to let the Board know that also if he goes further with this request because he had one that he paid for and we provided, but now there is a lot of other ones that is extensively greater the amount of paperwork. So, if that happens, this is also going to cost the District money.

Mr. Ferrucci: We have got 278 residents dying to know.

Ms. Moczynski: When there's an extensive public record request per the statute and per the rules of procedure of the District, we can charge a special fee, but it does have to be reasonably related to the actual time and cost it takes for that person or persons to do that

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request. We also can require that the requester pay that before the documents are made available or provided to them.

Ms. Rosemary Jones: Excellent.

Ms. Moczynski: So those are things that we have. Our office has worked with Andressa to try to calculate which is where I was explaining before, were how much time it might take to go through everything. What are the actual costs that are being incurred by the District, the companies who employ the people who are doing that. So, we're making sure that we're following the statutory framework as it relates to what we can charge for the special fee. And then if when that payment gets made, then the work goes into producing those documents. I believe there was one thing that all the digital stuff to be provided and it was. There's been other stuff where we gave the fee assessment, but we have not received payment.

Ms. Hinz-Philippi: We had two responses that we did requesting for payment for providing that service that I haven't heard back. But there was one that he replied saying that he wanted the rules and that was easy enough to send him. Then I worked with my people to send him all the agendas from here. He requested the rules and some other documents. So I said, you know what, just send him the agendas from 2020 to present. He has all the documents.

Mr. Ferrucci: Is he being charged for all of these documents?

Ms. Hinz-Philippi: No. When you have 15 minutes of time that you spend. Anyone can request a document. Anyone from the public can request a document from me. If I spend 15 minutes on it, I won't charge because it's only 15 minutes.

Ms. Moczynski: The District is assessing the allowable statutory fees for his public records request. So, if it's something that takes more than that 15 minutes then it's being calculated how much time and what those pass-through fees can be that are reasonable and still make them accessible to the public.

Mr. Vogt: Yeah, I'm comfortable if that is the maximum fee you think is right. That's all we do.

Ms. Moczynski: Yeah, there were discussions. Yeah, I think that is the number that come up, correct. And also, across the Board for any resident who asks for records that are going to take that extended period.

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Ms. Hinz-Philippi: Going to be consistent and also, we did check the court records. Lindsay obviously did that to see what is reasonable and what we would be safe to use for our District.

ELEVENTH ORDER OF BUSINESS Supervisor Requests

Ms. Hinz-Philippi: Are there any Supervisor requests at this time?

Mr. Vogt: None.

Mr. Borden: None.

Mr. Ferrucci: None.

TWELFTH ORDER OF BUSINESS Adjournment

On MOTION by Mr. Ferrucci seconded by Ms. Rosemary Jones with all in favor the meeting adjourned.

DocuSigned by:
Andressa Hinz Philippi
87D36659F55A4C5...
Secretary/Assistant Secretary

Signed by:
[Signature]
16CC2EBC804A4F7...
Chairman/Vice Chairman

Certificate Of Completion

Envelope Id: FB8965D7-FF63-492E-9E43-7E3E6D5AE458	Status: Completed
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Source Envelope:	
Document Pages: 27	Signatures: 6
Certificate Pages: 2	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Enabled	Ellen Acosta
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	1001 Bradford Way
	Kingston, TN 37763
	eacosta@gmssf.com
	IP Address: 162.199.192.217

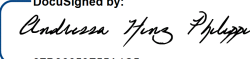
Record Tracking

Status: Original	Holder: Ellen Acosta	Location: DocuSign
4/6/2026 8:01:47 AM	eacosta@gmssf.com	

Signer Events

Andressa Hinz Philippi
 AHPPhilippi@gmssf.com
 Assistant Secretary
 Security Level: Email, Account Authentication (None)

Signature

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 Signature Adoption: Pre-selected Style
 Using IP Address:
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Timestamp

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Electronic Record and Signature Disclosure:
 Not Offered via Docusign

John Vogt
 vogtj2v@gmail.com
 Chairman
 Security Level: Email, Account Authentication (None)

Signed by:

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 Signature Adoption: Drawn on Device
 Using IP Address: 104.203.7.217
 Signed using mobile

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Electronic Record and Signature Disclosure:
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In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Completed	Security Checked	4/7/2026 5:01:53 PM

Payment Events	Status	Timestamps
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