

# ANTILLIA COMMUNITY DEVELOPMENT DISTRICT

# **MIAMI-DADE COUNTY**

LANDOWNERS' MEETING NOVEMBER 5, 2024 11:00 A.M.

> Special District Services, Inc. 8785 SW 165<sup>th</sup> Avenue, Suite 200 Miami, FL 33024

> www.antilliacdd.org 786.347.2711 ext. 2011 Telephone 877.SDS.4922 Toll Free 561.630.4923 Facsimile

#### AGENDA ANTILLIA COMMUNITY DEVELOPMENT DISTRICT

#### Conference Room of the Goldbetter, Miami Business Center 1031 Ives Dairy Road Bldg 4, Suite 228 Miami, Florida 33179 LANDOWNERS' MEETING November 5, 2024 11:00 a.m.

A.	Call to Order
B.	Proof of PublicationPage 1
C.	Establish Quorum
D.	Consider Adoption of Election ProceduresPage 2
E.	Election of Chair for Landowners Meeting
F.	Election of Secretary for Landowners Meeting
G.	Approval of Minutes
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H.	Election of Supervisors
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	4. Ballot Tabulations
	5. Certification of the Results
I.	Landowners' Comments

J. Adjourn

# McClatchy

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# **AFFIDAVIT OF PUBLICATION**

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#### Attention: Laura J. Archer

Antillia Community Development District c/o Special District Services, Inc. 2501A Burns Road Palm Beach Gardens, Florida 33410 LArcher@sdsinc.org

#### ANTILLIA COMMUNITY DEVELOPMENT DISTRICT NOTICE OF LANDOWNERS' MEETING AND ELECTION AND REGULAR MEETING OF THE BOARD OF SUPERVISORS

**NOTICE IS HEREBY GIVEN** to the public and all landowners within the Antillia Community Development District (the "District") that a Landowners' Meeting of the District will be held at 11:00 a.m. on November 5, 2024, in a Conference Room of Goldbetter Miami Business Center located at 1031 lves Dairy Road, Building 4, Suite 228, Miami, Florida 33179.

The primary purpose of the Landowners' Meeting is to elect three (3) Supervisors to the Board of Supervisors (the "Board") for the District. The purpose of the Regular Meeting is to consider any other business which may lawfully and properly come before the Board.

A copy of the Agenda for this meeting may be obtained from the District's website or by contacting the District Manager at 786-347-2711 Ext 2011 and/or 1-877-737-4922 prior to the date of the meetings. The meetings may be continued as found necessary to a time and place specified on the record.

If any person decides to appeal any decision made with respect to any matter considered at these meetings, such person will need a record of the proceeding and such person may need to ensure that a verbatim record of the proceeding is made at his or her own expense and which record includes the testimony and evidence on which the appeal is based.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at these meetings should contact the District Manager at 786-347-2711 and/or 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

#### **Antillia Community Development District**

#### www.antilliacdd.org

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#### STATE OF FLORIDA COUNTY OF MIAMI-DADE

Before the undersigned authority personally appeared: Mary Castro, who on oath says that he/she is CUSTODIAN OF RECORDS of The Miami Herald, a daily newspaper published at Miami in Miami-Dade County, Florida; that the attached copy of the advertisement that was published was published in said newspaper in the issue (s) of:

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10/09/24, 10/16/24

Affiant further says that the said Miami Herald is a newspaper published at Miami, in the said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Dade County, Florida each day and has been entered a second class mail matter at the post office in Miami, in said Miami-Dade County, Florida, for a period of two years next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid or promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper(s).The McClatchy Company complies with all legal requirements for publication in chapter 50, Florida Statutes.

Mary Castro

Sworn to and subscribed before me this 16th day of October in the year of 2024

Margaret K. Wilson

Notary Public in and for the state of Texas, residing in Dallas County



MARGARET KATHLEEN WILSON My Notary ID # 134916732 Expires May 24, 2028

Extra charge for lost or duplicate affidavits. Legal document please do not destroy!



#### **SPECIAL DISTRICT (CDD) ELECTION PROCEDURES**

#### 1. Landowners' Meeting

In accordance with the provisions of Chapter 190, Florida Statutes, it is required that an initial meeting of the Landowners of the District be held within ninety (90) days following the effective date of the rule or ordinance establishing the District and thereafter every two years during the month of November for the purpose of electing Supervisors. The second election by landowners shall be held on the first Tuesday in November; thereafter, there shall be an election of supervisors every two years in November on a date established by the Board of Supervisors. The assembled Landowners shall organize by electing a Chairperson, who shall preside over the meeting; and a Secretary shall also be elected for recording purposes.

#### 2. Establishment of Quorum

Any Landowner(s) present or voting by proxy shall constitute a quorum at the meeting of the Landowners.

#### 3. Nomination of Candidates

At the meeting, the Chairperson shall call for nominations from the floor for Candidates for the Board of Supervisors. When there are no further nominations, the Chairperson shall close the floor for nominations. The names of each Candidate and the spelling of their names shall be announced. Nominees need not be present to be nominated.

#### 4. Voting

Each Landowner shall be entitled to cast one vote for each acre (or lot parcel), or any fraction thereof, of land owned by him or her in the District, for each open position on the Board. (For example, if there are three positions open, an owner of one acre or less (or one lot parcel) may cast one vote for each of the three positions. An owner of two acres (or two lot parcels) may cast two votes for each of the three positions.) Each Landowner shall be entitled to vote either in person or by a representative present with a lawful written proxy.

#### 5. <u>Registration for Casting Ballots</u>

The registration process for the casting of ballots by Landowners or their representatives holding their proxies shall be as follows:

a) At the Landowners' Meeting and prior to the commencement of the first casting of ballots for a Board of Supervisor position, each Landowner, or their representative if proxies are being submitted in lieu thereof, shall be directed to register their attendance and the total number of votes by acreage (or lot parcels) to which each claims to be entitled, with the elected Secretary of the meeting or the District's Manager.

- b) At such registration, each Landowner, or their representative with a lawful proxy, shall be provided a numbered ballot for the Board of Supervisor position(s) open for election. A District representative will mark on the ballot the number of votes that such Landowner, or their representative, is registered to cast for each Board of Supervisor position open for election.
- c) All Landowner proxies shall be collected at the time of registration and retained with the Official Records of the District for subsequent certification or verification, if required.

#### 6. Casting of Ballots

Registration and the issuance of ballots shall cease once the Chairperson calls for the commencement of the casting of ballots for the election of a Board of Supervisor and thereafter no additional ballots shall be issued.

The Chairperson will declare that the Landowners, or their representatives, be requested to cast their ballots for the Board of Supervisor(s). Once the ballots have been cast, the Chairperson will call for a collection of the ballots.

#### 7. Counting of Ballots

Following the collection of ballots, the Secretary or District Manager shall be responsible for the tabulation of ballots in order to determine the total number of votes cast for each candidate that is seeking election.

At the second and subsequent landowner elections\*, the two candidates receiving the highest number of votes will be declared by the Chairperson as elected to the Board of Supervisors for four-year terms. The candidate receiving the next highest number of votes will fill the remaining open position on the Board of Supervisors for a two-year term, as declared by the Chairperson.

\* At the final landowner election (*after the 6<sup>th</sup> or 10<sup>th</sup> year*), the candidate receiving the highest number of votes will be elected to the Board of Supervisors for a four-year term (two supervisors are elected by General Election).

#### 8. <u>Contesting of Election Results</u>

Following the election and announcement of the votes, the Chairperson shall ask the Landowners present, or those representatives holding proxies for Landowners, whether they wish to contest the election results. If no contests are received, said election results shall thereupon be certified.

If there is a contest, the contest must be addressed to the Chairperson and thereupon the individual casting a ballot that is being contested will be required to provide proof of ownership of the acreage for which they voted at the election within five (5) business days of the Landowners' Meeting. The proof of ownership shall be submitted to the District Manager who will thereupon consult with the District's General Counsel and together they will review the material provided and will determine the legality of the contested ballot(s). Once the contests are resolved, the Chairperson shall reconvene the Landowners' Meeting and thereupon certify the election results.

#### 9. Recessing of Annual Landowners' Meeting

In the event there is a contest of a ballot or of the election, the Landowners' Meeting shall be recessed to a future time, date and location, at which time the election findings on the contest shall be reported in accordance with the procedure above and the newly elected Supervisor(s) shall thereupon take their Oath of Office.

#### 10. Miscellaneous Provisions

- a) Each Landowner shall only be entitled to vote in person or by means of a representative attending in person and holding a lawful written proxy in order to cast said Landowner's votes.
- b) Proxies will not require that proof of acreage (or lot parcel) ownership be attached. Rather, proof of ownership must be provided timely by the holder of the proxy, if the proxy is contested in accordance with the procedure above.

#### ANTILLIA COMMUNITY DEVELOPMENT DISTRICT INITIAL LANDOWNERS' MEETING DECEMBER 8, 2022

#### A. CALL TO ORDER

The December 8, 2022, Initial Landowners' Meeting of the Antillia Community Development District (the "District") was called to order at 11:01 a.m. in the Hundredfold Business Center Third Floor Conference Room located at 6625 Miami Lakes Drive, Miami Lakes, Florida 33014.

#### **B. PROOF OF PUBLICATION**

Proof of publication was presented which showed that notice of the Initial Landowners' Meeting had been published in the *Miami Daily Business Review* on November 10, 2022, and November 17, 2022, as legally required.

#### C. ESTABLISH A QUORUM

Mrs. Perez requested that the landowners of property within the District identify themselves and register the number of acres/lots which they own and/or being represented by Proxy in the District. A sign-in sheet was provided.

Mrs. Perez stated that the attendance of Proxy Holder Timothy "Tim" Smith, representing James P. Harvey of CRE-KL Antillia Owner LLC, constituted a quorum and it was in order to proceed.

Also in attendance were Ginger Wald, District Counsel, of Billing Cochran, Lyles, Mauro & Ramsey, P.A.; Gloria Perez of Special District Services, Inc.; as well as Michael Caputo, Jon Seifel and Justin Frye.

#### D. CONSIDER ADOPTION OF ELECTION PROCEDURES

Mrs. Perez presented the Election Procedures and stated that it would be in order to review and approve same. There being no comments or changes, the Proxy Holder approved the Election Procedures, as presented.

#### E. ELECTION OF CHAIRPERSON FOR INITIAL LANDOWNERS' MEETING

Mrs. Perez stated that it would be in order to elect a Chairperson for the Initial Landowners' Meeting. Timothy Smith elected himself to serve as Chairperson for the Initial Landowners' Meeting.

#### F. ELECTION OF SECRETARY FOR INITIAL LANDOWNERS' MEETING

Mrs. Perez stated that it would be in order to elect a Secretary for the Initial Landowners' Meeting for the purpose of conducting and recording the events of the Initial Landowners' Meeting. Timothy Smith elected Mrs. Perez to serve as Secretary for the Initial Landowners' Meeting. Mrs. Perez accepted the position of Secretary for the Initial Landowners' Meeting.

# G. ELECTION OF SUPERVISORS 1. Determine Number of Voting Units Represented or Assigned by Proxy

Mrs. Perez stated that there were 45 acres being represented/assigned to Timothy Smith, the attending Proxy Holder on behalf of CRE-KL Antillia Owner LLC, the primary landowner and developer in the District.

#### 2. Nomination of Candidates

Mrs. Perez stated that the terms of office of the initial members of the Board of Supervisors named in the creation petition were expiring and that it would be in order to nominate candidates for election to fill the five (5) positions currently held by Supervisors Timothy Smith, Michael Caputo, Candice Smith, Jon Seifel and Justin Frye.

Timothy Smith nominated the following persons for election to the Board of Supervisors of the District:

Michael Caputo Timothy Smith Jon Seifel Candice Smith Justin Frye

There being no further nominations, Mrs. Perez closed the nomination portion of the Initial Landowners' Meeting.

#### 3. Casting of Ballots

Timothy Smith, Proxy Holder, was requested to cast votes for the following slate of nominees: Timothy Smith, Michael Caputo, Candice Smith, Jon Seifel and Justin Frye. Mrs. Perez stated the two (2) candidates receiving the highest number of votes would each serve four-year terms of office, expiring in November 2026; and the three (3) candidates receiving the next highest number of votes would each serve two-year terms of office, expiring in November 2024.

#### 4. Ballot Tabulations

Mrs. Perez announced the following election results:

Michael Caputo - 45 Votes Timothy Smith - 45 Votes Jon Seifel - 44 Votes Candice Smith - 44 Votes Justin Frye - 44 Votes

Furthermore, Mrs. Perez stated that Michael Caputo received 45 votes; and Timothy Smith received 45 votes and were both elected to 4-year terms of office and each individual term of office shall expire in November 2026. Jon Seifel received 44 votes; Candice Smith received 44 votes and Justin Frye received 44 votes; each were elected to a 2-year term of office and their individual terms of office shall expire in November 2024.

#### H. CERTIFICATION OF RESULTS

Mrs. Perez asked Michael Caputo, Proxy Holder, if there were any objections to the election results or to the procedures followed. There being no comments or objections, Mrs. Perez declared the election results completed, final and certified.

#### I. LANDOWNER COMMENTS

There were no further comments from the landowners.

#### J. ADJOURNMENT

There being no further business to address, a **MOTION** was made by Supervisor Smith adjourning the Initial Landowners' Meeting at 11:12 a.m. There were no objections.

**ATTESTED BY:** 

Secretary/Assistant Secretary

Chairperson/Vice-Chair

### LANDOWNER PROXY ANTILLIA COMMUNITY DEVELOPMENT DISTRICT LANDOWNERS' MEETING

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, the fee simple owner of the lands described herein, hereby constitutes and appoints \_\_\_\_\_\_\_("Proxy Holder") for and on behalf of the undersigned, to vote as proxy at the meeting of the landowners of the Antillia Community Development District to be held on <u>November 5, 2024</u> at <u>11:00 a.m.</u> at <u>Goldbetter Miami Business</u> <u>Center, 1031 Ives Dairy Road, Building 4, Suite 228, Miami, FL 33179</u>, and at any adjournments thereof, according to the number of acres of unplatted land and/or platted lots owned by the undersigned landowner which the undersigned would be entitled to vote if then personally present, upon any question, proposition, or resolution or any other matter or thing which may be considered at said meeting including, but not limited to the Board of Supervisors. Said Proxy Holder may vote in accordance with their discretion on all matters not known or determined at the time of solicitation of this proxy, which may be legally considered at said meeting.

This proxy is to continue in full force and effect from the hereof until the conclusion of the above noted landowners' meeting and any adjournment or adjournments thereof, but may be revoked at any time by written notice of such revocation presented at the annual meeting prior to the Proxy Holder exercising the voting rights conferred herein.

Printed Name of Legal Owner

Signature of Legal Owner

Parcel Description\*

\* Insert in the space above the street address of each parcel, the legal description of each parcel, or the tax identification number of each parcel. [If more space is needed, identification of Parcels owned may be incorporated by reference to an attachment hereto.]

Pursuant to section 190.006(2) (b), Florida Statutes (2024), a fraction of an acre is treated as one (1) acre entitling the landowner to one vote with respect thereto.

#### TOTAL NUMBER OF AUTHORIZED VOTES:

Please note that each eligible acre of land or fraction thereof is entitled to only one vote, for example, a husband and wife are together entitled to only one vote per their residence if it is located on one acre or less of real property.

If the Legal Owner is not an individual, and is instead a corporation, limited liability company, limited partnership or other entity, evidence that the individual signing on behalf of the entity has the authority to do so should be attached hereto. (e.g. bylaws, corporate resolution, etc.)

Date

# of Acres

## BALLOT

## BALLOT #

### ANTILLIA COMMUNITY DEVELOPMENT DISTRICT LANDOWNERS' MEETING

#### **ELECTION OF BOARD SUPERVISORS**

#### **NOVEMBER 5, 2024**

The undersigned certifies that he/she is the owner (\_\_\_) or duly authorized **representative of lawful proxy of an owner** (\_\_\_) of land in the <u>Antillia</u> <u>Community Development District</u>, constituting \_\_\_\_\_ acre(s) and hereby casts up to the corresponding number of his/her vote(s) for the following candidate/candidates to hold the above-named open position:

#### Name of Candidate

Number of Votes

Signature: \_\_\_\_\_

Printed Name:

Street Address or Tax Parcel Id Number for your Real Property: