



**BLUE LAKE  
COMMUNITY DEVELOPMENT  
DISTRICT**

**LEE COUNTY  
LANDOWNERS' MEETING  
NOVEMBER 8, 2022  
1:00 P.M.**

Special District Services, Inc.  
27499 Riverview Center Boulevard, #253  
Bonita Springs, FL 33134

[www.delwebboakcreekcdd.org](http://www.delwebboakcreekcdd.org)

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**AGENDA**  
**BLUE LAKE COMMUNITY DEVELOPMENT DISTRICT**  
Conference Room of the Offices of Lennar  
10461 Ben C. Pratt, Six Mile Cypress Parkway  
Fort Myers, Florida 33966  
**LANDOWNERS' MEETING**  
November 8, 2022  
2:00 p.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish a Quorum
- D. Consider Adoption of Election Procedures.....Page 2
- E. Election of Chair for Landowners Meeting
- F. Election of Secretary for Landowners Meeting
- G. Approval of Minutes
  - 1. November 3, 2020 Landowners' Meeting Minutes.....Page 5
- H. Election of Supervisors
  - 1. Determine Number of Voting Units Represented or Assigned by Proxy.....Page 7
  - 2. Nomination of Candidates
  - 3. Casting of Ballots.....Page 8
  - 4. Ballot Tabulations
  - 5. Certification of the Results
- I. Landowners' Comments
- J. Adjourn

## Miscellaneous Notices



Published in Naples Daily News on October 18, 2022

### Location

Collier County,

### Notice Text

WINDING CYPRESS COMMUNITY DEVELOPMENT DISTRICT NOTICE OF LANDOWNERS' MEETING AND REGULAR BOARD MEETING NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Blue Lake Community Development District will hold a Special Board Meeting in the Offices of Lennar located at 10481 Ben C. Pratt, Six Mile Cypress Parkway, Fort Myers, Florida 33966 at 11:00 a.m. on October 18, 2022. The purpose of the meeting is to discuss Hurricane Ian damage and any other business coming before the Board. The meeting is open to the public and will be conducted in accordance with the provisions of Florida law. A copy of the agenda for this meeting may be obtained from the District's website or by contacting the District Manager at 239-444-5790 and/or toll free at 1-877-737-4922 prior to the date of the meeting. From time to time one or two Supervisors may participate by telephone; therefore, a speaker telephone will be present at the meeting location so that Supervisors may be fully informed of the discussions taking place. Said meeting 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 this meeting, such person will need a record of the proceedings and such person may need to insure that a verbatim record of the proceedings 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 this meeting should contact the District Manager at 239-444-5790 and/or toll free at 1-877-737-4922 at least seven (7) days prior to the date of the meeting. Meetings may be cancelled from time to time without advertised notice. BLUE LAKE COMMUNITY DEVELOPMENT DISTRICT  
www.bluelakecdd.org Pub Date: Oct. 18,25 2022 #5448038



## **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 (2) 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 (2) 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 (1) 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 (3) positions open, an owner of one (1) acre or less (or one lot parcel) may cast one (1) vote for each of the three (3) positions. An owner of two (2) acres (or two lot parcels) may cast two (2) votes for each of the three (3) positions.) Each Landowner shall be entitled to vote either in person or by a representative present with a lawful written proxy.

### **5. Registration for Casting Ballots**

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(s) 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 (2) 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 (2) supervisors are elected by General Election).

#### 8. Contesting of Election Results

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 (or lot parcels) 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.

**BLUE LAKE COMMUNITY DEVELOPMENT DISTRICT  
LANDOWNERS' MEETING  
NOVEMBER 3, 2020**

**A. CALL TO ORDER**

The Landowners' Meeting of the Blue Lake Community Development District (the "District") was called to order at 2:00 p.m. in the Conference Room of the Offices of Lennar located at 10481 Ben C. Pratt, Six Mile Cypress Parkway, Fort Myers, Florida 33966

**B. PROOF OF PUBLICATION**

Proof of publication was presented which showed that notice of the Landowners' Meeting had been published in the *Naples Daily News* on October 13, 2020, and October 20, 2020, as legally required.

**C. ESTABLISH A QUORUM**

A quorum was established with the following landowner present:

Supervisor	Barry Ernst	Present
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Present were the following Staff Members:

District Manager	Kathleen Dailey	Special District Services, Inc.
District Counsel	Wes Haber (via phone)	Hopping, Green & Sams

**D. CONSIDER ADOPTION OF ELECTION PROCEDURES**

Mr. Ernst approved the adoption of the Election Procedures.

**E. ELECTION OF CHAIRMAN FOR LANDOWNERS' MEETING**

Mr. Ernst was elected Chair for the Landowners' Meeting.

**F. ELECTION OF SECRETARY FOR LANDOWNERS' MEETING**

Mr. Ernst elected Ms. Meneely as Secretary for the Landowners' Meeting.

**G. ELECTION OF SUPERVISORS**

**a. Determine Number of Voting Units Represented or Assigned by Proxy – 706**

393 votes were represented by proxy for Mr. Ernst.

**b. Nomination of Candidates**

The following nominations were made

Scott Edwards to Seat #3;

Barry Ernst to Seat #4; and  
Tommy Dean to Seat #5

**c. Casting of Ballots**

**d. Ballot Tabulations**

The following ballot tabulations were determined:

Scott Edwards to Seat #3 – 393 votes  
Ernst to Seat #4 – 393 Votes  
Dean to seat #5 – 300 votes

**e. Certification of Results**

Mr. Ernst certified the results of the election.

**H. LANDOWNERS' COMMENTS**

There were no comments from the landowners.

**I. ADJOURNMENT**

There being no further business to come before the Landowners' Meeting, Mr. Ernst adjourned the meeting at 2:07 p.m. There were no objections.

**ATTESTED BY:**

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Secretary/Assistant Secretary

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Chairperson/Vice-Chair



**LANDOWNER PROXY  
BLUE LAKE 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 Blue Lake Community Development District to be held on November 8, 2022 at 1:00 p.m. at the Conference Room of the Offices of Lennar, 10461 Ben C. Pratt, Six Mile Cypress Parkway, Fort Myers, Florida 33966 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

\_\_\_\_\_  
Date

**Parcel Description\***

**# of Acres**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

\* 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 298 Florida Statutes (2022), 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.)**

**BALLOT**

<b>BALLOT # _____</b>
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**BLUE LAKE  
COMMUNITY DEVELOPMENT DISTRICT  
LANDOWNERS' MEETING**

**ELECTION OF BOARD SUPERVISORS**

**NOVEMBER 8, 2022**

The undersigned certifies that he/she is the owner (\_\_\_\_) or duly authorized **representative of lawful proxy of an owner** (\_\_\_\_) of land in the **Blue Lake Community Development District**, 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**

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

Printed Name: \_\_\_\_\_

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

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