



**WINDING CYPRESS
COMMUNITY DEVELOPMENT
DISTRICT**

**COLLIER COUNTY
LANDOWNERS' MEETING
NOVEMBER 9, 2022
1:00 P.M.**

Special District Services, Inc.
The Oaks Center
2501A Burns Road
Palm Beach Gardens, FL 33410

www.windingcypresscdd.org

561.630.4922 Telephone

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AGENDA
WINDING CYPRESS COMMUNITY DEVELOPMENT DISTRICT
Clubhouse at Winding Cypress
7180 Winding Cypress Drive
Naples, Florida 34114
LANDOWNERS' MEETING
November 9, 2022
1:00 p.m.

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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 Winding Cypress Community Development District will hold a Landowners' Meeting at 1:00 p.m. or as soon thereafter as possible, on November 9, 2022, in the Clubhouse at Winding Cypress located at 7180 Winding Cypress Drive, Naples, Florida 34114. Immediately following the landowners' meeting there will be convened a meeting of the Board for the purpose of considering certain matters of the Board to include election of certain District officers, and other such business which may properly come before the Board. The primary purpose of the Landowners' Meeting is to elect three (3) Supervisors to the Board Supervisors for the Winding Cypress Community Development District. A copy of the agendas for these meetings may be obtained from the District's website or by contacting the District Manager at 561-630-4922 and/or toll free at 1-877-737-4922 at least five (5) days prior to the date of these meetings. The meetings are open to the public and will be conducted in accordance with the provisions of Florida law for special districts. The meetings may be continued to a date, time and place specified on the record at the meeting. Also, there may be occasions when Staff and/or other individuals may participate by speaker telephone. In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter because of a disability or physical impairment to participate at these meetings should contact the District Manager at 561-630-4922 and/or 1-877-737-4922 at least 48 hours before the meetings. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770, who can aid you in contacting the District Office. A person who decides to appeal any decision made by the Board with respect to any matter considered at these meetings is advised that this same person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based. Meetings may be cancelled from time to time without advertised notice. WINDING CYPRESS COMMUNITY DEVELOPMENT DISTRICT /www.windingcypresscdd.org Oct. 18,25 ,2022



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 6th or 10th 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.

**WINDING CYPRESS
COMMUNITY DEVELOPMENT DISTRICT
LANDOWNERS' MEETING
NOVEMBER 3, 2020**

A. CALL TO ORDER

The Landowners' Meeting of the Winding Cypress Community Development District (the "District") was called to order at 1: 00 p.m. in the Clubhouse at Winding Cypress located at 7180 Winding Cypress Drive, Naples, Florida 34114.

B. PROOF OF PUBLICATION

Proof of publication was presented that Notice of the Landowners' Meeting had been published in the *Naples Daily News* on October 7, 2020, and October 14, 2020, as legally required.

C. ESTABLISH A QUORUM

It was determined that the attendance of the following Supervisors constituted a quorum and it was in order to proceed with the meeting:

Scott Brooks	Present
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Also present were the following Staff members:

District Manager	Kathleen Dailey	Special District Services, Inc.
District Counsel	Alyssa Willson (via telephone)	Hopping Green & Sams

D. CONSIDER ADOPTION OF ELECTION PROCEDURES

Mr. Brooks approved the adoption of the Election Procedures, as presented.

E. ELECTION OF CHAIRMAN FOR LANDOWNERS' MEETING

Mr. Brooks was elected Chairman for the Landowners' Meeting.

F. ELECTION OF SECRETARY FOR LANDOWNERS' MEETING

Mr. Brooks nominated Kathleen Meneely as the Secretary for the Landowners' Meeting.

G. APPROVAL OF MINUTES

1. November 6, 2018, Landowners' Meeting

Mr. Brooks approved the minutes of the November 6, 2019, Landowners' Meeting, as presented.

H. ELECTION OF SUPERVISORS

1. Determine Number of Voting Units Represented or Assigned by Proxy

It was determined there were 173 votes assigned by proxy to Scott Brooks.

2. Nomination of Candidates

Mr. Brooks nominated Dr. James Verbist for Seat #1, Laura Ray for Seat #2 and Patrick Butler for Seat #4.

3. Casting of Ballots

The following casting of ballots took place:

Dr. Verbist received 100 votes;
Laura Ray received 173 votes; and
Patrick Butler received 173 votes

4. Ballot Tabulations

The ballots were tabulated.

5. Certification of the Results

The results were certified.

I. LANDOWNERS' COMMENTS

There were no further comments from the landowner.

J. ADJOURNMENT

There being no further business to address, the Landowners' Meeting was adjourned at 1:02 p.m. by Mr. Brooks. There were no objections.

Chairman/Vice Chairman

Secretary/Assistant Secretary

Date Approved _____

LANDOWNER PROXY
WINDING CYPRESS
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 Winding Cypress Community Development District to be held on November 9, 2022 at 1:00 p.m. in the Clubhouse at Winding Cypress located at 7180 Winding Cypress Drive, Naples, Florida 34114, 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 190.006(2) (b), Florida Statutes (2019), 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

BALLOT # _____

**WINDING CYPRESS
COMMUNITY DEVELOPMENT DISTRICT
LANDOWNERS' MEETING**

ELECTION OF BOARD SUPERVISORS

NOVEMBER 9, 2022

The undersigned certifies that he/she is the owner (____) or duly authorized **representative of lawful proxy of an owner** (____) of land in the **Winding Cypress 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

Signature: _____

Printed Name: _____

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