



**BLACK CREEK  
COMMUNITY DEVELOPMENT  
DISTRICT**

**MIAMI-DADE COUNTY  
LANDOWNERS' MEETING  
NOVEMBER 7, 2023  
10:30 A.M.**

Special District Services, Inc.  
8785 SW 165th Avenue, Suite 200  
Miami, FL 33193  
786.313.3661 Telephone  
877.SDS.4922 Toll Free  
561.630.4923 Facsimile

**AGENDA**  
**BLACK CREEK COMMUNITY DEVELOPMENT DISTRICT**  
Lennar Homes, LLC  
5505 Blue Lagoon Drive  
Miami, Florida 33126  
**LANDOWNERS' MEETING**  
November 7, 2023  
10:30 a.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Consider Adoption of Election Procedures.....Page 2
- E. Election of Chairperson for Landowners' Meeting
- F. Election of Secretary for Landowners' Meeting
- G. Approval of Minutes
  - 1. November 2, 2021 Landowners' Meeting Minutes.....Page 5
- H. Election of Supervisors
  - 1. Determine Number of Voting Units Represented or Assigned by Proxy.....Page 8
  - 2. Nomination of Candidates
  - 3. Casting of Ballots.....Page 9
  - 4. Ballot Tabulations
- I. Certification of the Results
- J. Landowners' Comments
- K. Adjourn

BLACK CREEK COMMUNITY  
DEVELOPMENT DISTRICT  
NOTICE OF SECOND LANDOWNERS'  
MEETING AND REGULAR BOARD MEETING

NOTICE IS HEREBY GIVEN that the Black Creek Community Development District (the "District") will hold a Second Landowners' Meeting and Regular Board Meeting at 10:30 a.m., or as soon thereafter as can be heard, on November 7, 2023, in Lennar Homes, LLC located at 5505 Blue Lagoon Drive, Miami, Florida 33126. The primary purpose of the Second Landowners' Meeting is to elect three (3) Supervisors to the Board of Supervisors (the "Board") for the District. The purpose of the Regular Board Meeting is to consider any business that may lawfully and properly come before the Board. Copies of the Agendas for these meetings may be obtained from the District's website or by contacting the District Manager at 786-313-3661 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 are conducted in accordance with the provisions of Florida law for community development districts. The meetings may be continued as found necessary to a date, time and place specified on the record. Also, there may be occasions when Staff and/or Supervisors may participate by speaker telephone.

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 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 these meetings should contact the District Manager at 786-313-3661 and/or 1-877-737-4922 at least seven (7) days prior to the date of these particular meetings. Meetings may be cancelled from time to time without advertised notice.

BLACK CREEK COMMUNITY DEVELOPMENT DISTRICT  
[www.blackcreekcdd.org](http://www.blackcreekcdd.org)  
10/17-24 23-24/0000689771M



## **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. 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 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. 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 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.

**BLACK CREEK COMMUNITY DEVELOPMENT DISTRICT  
REGULAR BOARD MEETING  
NOVEMBER 2, 2021**

**A. CALL TO ORDER**

District Manager Armando Silva called the November 2, 2021, Regular Board Meeting of the Black Creek Community Development District (the “District”) to order at 10:40 a.m. in the Suite 300 Meeting Room of 730 NW 107<sup>th</sup> Avenue, Miami, Florida 33172.

**B. PROOF OF PUBLICATION**

Mr. Silva presented proof of publication that notice of the Regular Board Meeting had been published in the *Miami Daily Business Review* on October 6, 2021, as part of the District’s Fiscal Year 2021/2022 Regular Meeting Schedule, as legally required.

**C. SEAT ELECTED BOARD MEMBERS**

Mr. Silva seated and welcomed the newly elected Board Members: *Carmen Orozco, Vanessa Perez and Yadira Monzon.*

**D. ADMINISTER OATH OF OFFICE AND REVIEW BOARD MEMBER RESPONSIBILITIES & DUTIES**

Mr. Silva, Notary Public for the State of Florida, administered the Oath of Office to the elected Board Members: *Raisa Krause, Yolexys Perez and Carmen Herrera* and briefly reviewed their responsibilities and duties with emphasis on Government in the Sunshine, Financial Disclosure requirements and Public Records Law.

**E. ESTABLISH A QUORUM**

Mr. Silva determined that the attendance of the following Board Members constituted a quorum and it was in order to proceed with the meeting: Vice Chairperson Teresa Baluja and Supervisors Carmen Herrera and Vanessa Perez.

Staff in attendance included: District Manager Armando Silva of Special District Services, Inc.; District Counsel Michael Pawelczyk of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

**F. ELECTION OF OFFICERS**

Mr. Silva stated, due to the Second Landowners’ Election and the new terms of office, it would be in order to re-elect the officers of the. A discussion ensued after which the following slate of officers was presented for election:

- Chairperson – Maria C. Herrera
- Vice Chairperson – Teresa Baluja
- Secretary/Treasurer – Armando Silva
- Assistant Secretaries – Vanessa Perez, Carmen Orozco, Yadira Monzon, Gloria

Perez, Nancy Nguyen and Armando Silva.

A discussion ensued after which;

A **motion** was made by Ms. Baluja, seconded by Ms. Perez and unanimously passed electing the District's slate of officers, as stated above.

**G. CONFIRMATION OF SECOND LANDOWNERS' MEETING ELECTION RESULTS**

Mr. Silva restated the District's Second Landowners' Meeting/Election results and recommended that they be accepted by the Board. A discussion ensued after which;

A **motion** was made by Ms. Baluja, seconded by Ms. Perez and passed unanimously accepting the Second Landowners' Meeting election results to wit: Vanessa Perez and Carmen Orozco each received **29 votes** and were each elected to a 4-year term of office and their individual terms of office shall expire in November 2025. Yadira Monzon received **28 votes** and was elected to a 2-year term of office, which term shall expire in November 2023.

**H. ADDITIONS OR DELETIONS TO THE AGENDA**

There were no additions or deletions to the agenda.

**I. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA**

There were no comments from the public for items not on the agenda.

**J. APPROVAL OF MINUTES**

**1. July 21, 2021, Regular Board Meeting & Public Hearing Minutes**

Mr. Silva presented the July 21, 2021, Regular Board Meeting & Public Hearing minutes and asked if there were any comments and/or changes.

There being no comments or changes, a **motion** was made by Ms. Baluja, seconded by Ms. Perez and unanimously passed approving the July 21, 2021, Regular Board Meeting & Public Hearing minutes, *as presented*.

**K. OLD BUSINESS**

**1. Staff Report, as Required**

There was no Staff Report at this time.

**L. NEW BUSINESS**

**1. Consider Resolution No. 2021-13 – Adopting a Fiscal Year 2020/2021 Amended Budget**

Mr. Silva presented Resolution No. 2021-13, entitled:

**RESOLUTION NO. 2021-13**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COCO PALMS COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING AND ADOPTING AN AMENDED FINAL FISCAL YEAR 2020/2021 BUDGET (“AMENDED BUDGET”), PURSUANT TO CHAPTER 189, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.**



Mr. Silva read the title of the resolution into the record and provided an explanation for the document. He further stated that the Operating Fund as of September 30, 2021, had a positive balance. A discussion ensued after which;

A **motion** was made by Ms. Baluja, seconded by Ms. Perez and unanimously passed approving and adopting Resolution No. 2021-13, *as presented*, thereby setting the amended/revised final budget for the 2020/2021 fiscal year.

## **2. Discussion Regarding Landscape Maintenance Agreement**

Mr. Silva presented a Landscape Maintenance Agreement between the District and FRD Complete Tree Service Lawn Care, Inc. (“FRD”). Mr. Silva stated that the Developer was in the process of conveying Tracts B and C (plat recorded in PB 174, p. 44) to the District, so in anticipation, the District has engaged FRD to perform the landscape maintenance in the District owned tracts. A discussion ensued, after which:

A **motion** was made by Ms. Baluja, seconded by Ms. Orozco, and unanimously passed approving the Landscape Maintenance Agreement between the District and FRD Complete Tree Service Lawn Care, Inc. (“FRD”).

## **M. ADMINISTRATIVE & OPERATIONAL MATTERS**

### **1. Staff Report: As Required**

There was no Staff Report at this time.

## **N. BOARD MEMBER & STAFF CLOSING COMMENTS**

There were no Board Member or Staff closing comments.

## **O. ADJOURNMENT**

There being no further business to come before the Board, a **motion** was made by Ms. Baluja, seconded by Ms. Perez and passed unanimously to adjourn the Regular Board Meeting at approximately 10:47 a.m.

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Secretary/Assistant Secretary

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Chairperson/Vice-Chairperson

**LANDOWNER PROXY**

**BLACK CREEK 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 initial meeting of the landowners of the **Black Creek Community Development District** to be held on November 7, 2023 at 10:30 a.m. at Lennar Homes, LLC, Waterford District Drive Miami, Florida 33126, 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 annual 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/Entity**

\_\_\_\_\_  
**Signature of Legal Owner (and/or Authorized Representative)**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Parcel(s) Description(s)\*{Folio Number(s)}**

\_\_\_\_\_  
**# of Units/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 (2023)*, 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: \_\_\_\_\_**

**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.)**

**OFFICIAL BALLOT**

BALLOT # \_\_\_\_\_

**BLACK CREEK  
COMMUNITY DEVELOPMENT DISTRICT  
LANDOWNERS' MEETING**

**ELECTION OF BOARD SUPERVISORS**

**NOVEMBER 7, 2023**

The undersigned certifies that he/she is the owner (\_\_\_) or duly authorized **representative of lawful proxy of an owner** (\_\_\_) of land in the **Black Creek Community Development District**, constituting \_\_\_\_\_ Acre(s)/Lot(s)/Unit(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**

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

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

*{The two (2) candidates receiving the highest number of votes shall each be elected for a four (4) year term of office; the three (3) candidates receiving the next highest number of votes shall each be elected for a two (2) year term of office.}*

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

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

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

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