



**QUANTUM PARK OVERLAY
DEPENDENT DISTRICT**

**CITY OF BOYNTON BEACH
LANDOWNERS' MEETING
NOVEMBER 6, 2018
2:00 P.M.**

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

www.quantumparkoverlaydd.org

561.630.4922 Telephone
877.SDS.4922 Toll Free
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AGENDA
QUANTUM PARK OVERLAY DEPENDENT DISTRICT
Boynton Beach Fire Station No. 5
2080 High Ridge Road
Boynton Beach, Florida 33426
LANDOWNERS' MEETING
November 6, 2018
2:00 p.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 Chair for Landowners Meeting
- F. Election of Secretary for Landowners Meeting
- G. Approval of Minutes
 - 1. November 1, 2016 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
 - 5. Certification of the Results
- I. Landowners' Comments
- J. Adjourn

Palm Beach Post, The
Oct. 10, 2018
Miscellaneous Notices

QUANTUM PARK OVERLAY DEPENDENT DISTRICT NOTICE OF LANDOWNERS' MEETING NOTICE IS HEREBY GIVEN that the Quantum Park Overlay Dependent District will hold a Landowners' Meeting at 2:00 p.m., or as soon thereafter as can be heard, on November 6, 2018, in the Conference Room of the Boynton Beach Fire Station No. 5, 2080 High Ridge Road, Boynton Beach, Florida 33426.. The primary purpose of the Landowners' Meeting is to elect Supervisors for the Quantum Park Overlay Dependent District. A copy of the agenda for this meeting 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 this meeting. One or more Supervisors may be in attendance at the meeting. The meeting is open to the public and will be conducted in accordance with the provisions of Florida law. The 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 561-630-4922 and/or toll free at 1-877-737-4922 at least seven (7) days prior to the date of this particular meeting. Meetings may be cancelled from time to time without advertised notice. QUANTUM PARK OVERLAY DEPENDENT DISTRICT www.quantumparkoverlaydd.org 10-10, 10-17/2018



QUANTUM PARK OVERLAY DEPENDENT DISTRICT ELECTION PROCEDURES

1. Landowners' Meeting

In accordance with the provisions of Ordinance 05-061 of the City of Boynton Beach, Florida, 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 on the first Tuesday in November for the purpose of electing Supervisors. The second election by landowners shall be held on the first Tuesday in the November following the expiration of the initially elected 2 year terms; thereafter, there shall be an election of supervisors every two years on the first Tuesday in November. 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. Nomination of Candidates

At the meeting, the Chairman shall call for nominations from the floor for Candidates for the Board of Supervisors. When there are no further nominations, the Chairman 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.

3. Voting

At such meeting, each landowner shall be entitled to cast one vote per assessable acre and/or a fractional vote equal to any fractional share of one assessable acre for the purpose of votes taken at the meeting for any item that the landowner is entitled to vote. Landowners owning less than one (1) assessable acre in the aggregate shall be entitled to a fractional vote equal to the aggregate fractional assessable acreage owned. Landowners with more than one (1) assessable acre are entitled to an aggregate number of votes equal to the aggregate number of all (whether whole or fractional) assessable acres owned, when all of such landowners' assessable acreage has been aggregated for purposes of voting. A landowner may vote in person or by a proxy given in writing.

4. 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 to which each claims to be entitled, with the

District's Manager, who will be in attendance at the meeting; or with the elected Secretary of the meeting.

- 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.
- d) Registration of Landowners shall proceed until all Landowners present have been registered or thirty (30) minutes after the registration begins. Registration shall begin at 2:00 p.m.

5. 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 Chairman will declare that the Landowners, or their representatives, be requested to cast their ballots for the Board of Supervisors. Once the ballots have been cast, the Chairperson will call for a collection of the ballots.

6. 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.

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.

7. 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 specific and 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 attempt to determine the legality of the contested ballots. Once the contests are resolved, the Chairperson shall reconvene the Landowners' Meeting and thereupon certify the election results.

8. 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.

9. 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 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.

QUANTUM PARK OVERLAY DEPENDENT DISTRICT
LANDOWNERS' MEETING
NOVEMBER 1, 2016

A. CALL TO ORDER

District Manager Richard Ellington called to order the November 1, 2016, Landowners' Meeting of the Quantum Park Overlay Dependent District at 2:15 p.m. in a Conference Room located at 2500 Quantum Boulevard, Suite 101, Boynton Beach, Florida 33426.

B. PROOF OF PUBLICATION

Proof of publication was presented that notice of the October 20, 2016, Landowners' Meeting had been published in *The Palm Beach Post* on October 7, 2016, and October 14, 2016, as legally required.

C. ESTABLISH A QUORUM

The following Board Members were present:

Al Slaman, Cyndi Benson, Desha Pencheff and Charles Kanter

Staff in attendance were: District Manager Richard Ellington of Special District Services, Inc.; District Counsel Bernard Conko, Of Counsel to Cohen, Norris, Wolmer, Ray, Telepman, Cohen; and District Engineer Eugene A. Gerlica, P.E. of Gerlica, Inc.

Peter L. Pimentel of Special District Services was also present.

The following people had signed in:

Jim Lahiff; Andre Parks; Robert Jones; John Lyon; Woody Lear; Brooke Baitinger; Steven Grant; Terese Urban; Justin Katz; Jeff Livergood; and Colin Groff.

The first item of business brought up by Mr. Ellington was to announce that there had been a total 80.634 votes presented either in person or by proxy. Therefore, he declared that a quorum was present.

D. CONSIDER ADOPTION OF ELECTION PROCEDURES

Mr. Ellington went through the procedures and summarized them briefly for all that were in the audience. Those who were present with proxies or in person to vote were Charles Kanter, a resident with six (6) proxies; Desha Pencheff with five (5) proxies; Mayor Steven Grant of the City of Boynton Beach with one direct for the City itself, and one (1) proxy; and Robert Jones for a total of four (4) proxies. After Mr. Ellington's explanation of the election procedures, Mayor Grant **moved** approval, Mr. Jones seconded and the **motion** carried unanimously.

E. ELECTION OF CHAIR FOR LANDOWNERS' MEETING

Terese Urban, a resident, **nominated** Mr. Kanter for Chair of the Landowners' Meeting, Mayor Grant seconded and the **motion** carried unanimously.

QUANTUM PARK OVERLAY DEPENDENT DISTRICT
LANDOWNERS' MEETING
NOVEMBER 1, 2016

F. ELECTION OF SECRETARY FOR LANDOWNERS' MEETING

Mr. Ellington suggested that he be nominated to serve as the Secretary for the Landowners' Meeting, since he would be, in essence, running the meeting and counting the ballots and certifying the ballots. Mr. Kanter so **moved**, Mayor Grant seconded and Mr. Ellington was elected unanimously.

G. APPROVAL OF MINUTES

1. November 4, 2014, Landowners' Meeting

Mr. Ellington presented the minutes of the November 4, 2014, Landowners' Meeting. Mr. Jones **moved** approval, seconded by Mr. Kanter and the **motion** carried unanimously.

H. ELECTION OF SUPERVISORS

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

Following, again, the reiteration of the number of proxies that were available, Mr. Ellington explained the voting process as to how the votes should be counted insofar as if you had one full acre and a fraction thereof, it would be rounded to the highest number if you were at a fraction of .5 or higher, or rounded to the lower number; if you had a fraction of .4 or less. Mr. Ellington also advised that the voters could vote up to 3 candidates using their full amount of votes available to them. Following an explanation of the voting procedures and everyone understanding and acknowledging the understanding, Mr. Ellington moved for a nomination of candidates.

2. Nomination of Candidates

Jeffrey Livergood was nominated by Mayor Grant. Colin Groff was nominated by Mr. Jones. Andrew Mack was nominated by Mayor Grant. Al Slaman was nominated by Charles Kanter. After asking if there were other nominations, there being none, the nominations were closed.

3. Casting of Ballots

Mr. Ellington then asked that the voters cast their ballots and place them in the ballot box that he had placed on the adjacent table.

4. Ballot Tabulations

Following the casting of ballots and all ballots casted, Mr. Ellington tabulated the ballots and it was concluded that Mr. Livergood had total of 69.4718 votes; Mr. Groff had a total of 69.4718 votes; Mr. Mack had a total of 69.0 votes; and Mr. Slaman had a total of 24.0318 votes. With the result of the vote tabulation, Mr. Ellington declared that Mr. Livergood and Mr. Groff had each been elected to 4-year terms and Mr. Mack had been elected to a 2-year term.

QUANTUM PARK OVERLAY DEPENDENT DISTRICT
LANDOWNERS' MEETING
NOVEMBER 1, 2016

5. Certification of Results

Mr. Ellington then asked if any of the proxy holders wished to contest the election. There being none, Mr. Ellington then indicated that he would certify the ballot with the totals, as shown above.

I. LANDOWNER COMMENTS

Mr. Ellington asked if there were any Landowners' comments. There were none.

J. ADJOURNMENT

There being no further business to come before the Landowners' Meeting, the meeting was adjourned at 3:45 p.m. on a **motion** made by Mr. Kanter, seconded by Mr. Jones and **motion** unanimously carried.

Secretary/Assistant Secretary

Chair/Vice-Chair

LANDOWNER PROXY
QUANTUM PARK OVERLAY
DEPENDENT 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 Quantum Park Overlay Dependent District to be held on November 6, 2018 at 2:00 p.m. in a Conference Room located at the Boynton Beach Fire Station No. 5, 2080 High Ridge Road, Boynton Beach, Florida 33426, 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.]

TOTAL NUMBER OF AUTHORIZED VOTES: _____

Please note that each eligible acre of land or fraction thereof is entitled to such vote as provided in Ordinance 05-061 of the City of Boynton Beach, for example, a husband and wife are together entitled to only such 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 # _____

**QUANTUM PARK OVERLAY
DEPENDENT DISTRICT
LANDOWNERS' MEETING**

ELECTION OF BOARD SUPERVISORS

NOVEMBER 6, 2018

The undersigned certifies that he/she is the owner (___) or duly authorized **representative of lawful proxy of an owner** (___) of land in the **Quantum Park Overlay Dependent 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:
