

**RESOLUTION OF
THE BOARD OF DIRECTORS OF
BASE VILLAGE METROPOLITAN DISTRICT NO. 2
2018 REGULAR SPECIAL DISTRICT ELECTION RESOLUTION**

WHEREAS, Base Village Metropolitan District No. 2 (the "District") was organized pursuant to Section 32-1-101 *et seq.*, C.R.S. of the Special District Act (the "Act"); and

WHEREAS, the Board of Directors (the "Board") for the District consists of one (1) board member and four (4) vacant directors' offices; and

WHEREAS, the term of office for Director Thomas Kosich shall expire after his successor is elected at the next regular special district election scheduled to be held on May 8, 2018 (the "Election"); and

WHEREAS, the Board desires to call the Election for purposes of electing three (3) directors to the Board to each serve a term of four years and two (2) directors to the Board to each serve the remaining two years of a four-year term ending in 2020; and

WHEREAS, the Board desires to set forth the procedures for conducting the Election in accordance with the provisions of the Act, the Colorado Local Government Election Code, Sections 1-13.5-101, *et seq.*, C.R.S. (the "Code"), and all provisions of the Uniform Election Code of 1992 not in conflict with the Code except as otherwise provided in Section 1-13.5-106(2), C.R.S.; and

WHEREAS, pursuant to Section 32-1-804(1), C.R.S., the Board shall govern the conduct of the Election and render all interpretations and make all decisions as to controversies or other matters arising in conducting the Election; and

WHEREAS, pursuant to Section 32-1-804(2), C.R.S., all powers granted by the Board by Part 8, Article 1 of Title 32, for the conduct of regular or special elections may be exercised in the absence of the Board by the secretary or by an assistant secretary appointed by the Board, and the person named by the Board who is responsible for the conducting of the election shall be the designated election official; and

WHEREAS, pursuant to Section 1-13.5-108(1), C.R.S., the designated election official named by the Board shall render all interpretations and shall make all initial decisions as to controversies or other matters arising in operation of the Code; and

WHEREAS, for purposes of the Election, the Board desires to appoint an assistant secretary, who shall be the designated election official for the Election and exercise all powers granted by the Board for the conduct of the Election,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF BASE VILLAGE METROPOLITAN DISTRICT NO. 2 THAT:

1. The Board hereby calls a regular election of the eligible electors of the District to be held on May 8, 2018 between the hours of 7:00 A.M. and 7:00 P.M. pursuant to and in accordance with the Act, Code, and other applicable laws, for purposes of three (3) directors to the Board to each serve a term of four years and two (2) directors to the Board to each serve the remaining two years of a four-year term ending in 2020. Such Election shall be conducted as an independent mail ballot election pursuant to Section 1-13.5-1101 *et seq.*, C.R.S. and all other relevant provisions of the Code.

2. Pursuant to Section 32-1-804(2), C.R.S., the Board hereby appoints Stacie L. Pacheco of the law firm of Icenogle Seaver Pogue, P.C. ("General Counsel") as Assistant Secretary to the District for purposes of the Election, who shall be the Designated Election Official for the Election. The Designated Election Official shall act as the primary contact with the Pitkin County Clerk and Recorder's office and shall be primarily responsible for ensuring the proper conduct of the Election including, but not limited to, appointing election judges as necessary, appointing the Board of Canvassers, arranging for the required notices of the election and printing of ballots, and directing that all other appropriate actions be accomplished. The Board hereby directs the District Manager to oversee the general conduct of the Election.

3. Pursuant to Section 1-13.5-303, C.R.S., any person who desires to be a candidate for the office of director in the District must file a self-nomination and acceptance form or letter, signed by the candidate and by an eligible elector of the State as a witness to the signature of the candidate, with the Designated Election Official no later than 3:00 P.M. on March 2, 2018. On the date of signing the self-nomination and acceptance form or letter a candidate for director shall be an eligible elector of the District. Pursuant to Section 32-1-103(5), C.R.S., an "eligible elector" means a person who, at the designated time or event, is registered to vote in the State of Colorado and (i) who is a resident of the special district; or (ii) who, or whose spouse or civil union partner, owns taxable real or personal property situated within the boundaries of the special district, whether said person resides within the special district or not. A person who is obligated to pay taxes under a contract to purchase taxable property situated within the boundaries of the special district is considered an "owner" for purposes of this definition. Self-nomination and acceptance forms are available at the Designated Election Official's office located at 4725 South Monaco Street, Suite 360, Denver, Colorado 80237.

4. Pursuant to Section 1-13.5-1002(1)(b), C.R.S., applications for absentee voter's ballots may be filed with the Designated Election Official's office, between the hours of 8:00 a.m. and 5:00 p.m., until the close of business on the Friday immediately preceding the Election (May 4, 2018).

5. Pursuant to Sections 1-13.5-513(1)&(6), C.R.S., the Board hereby authorizes and directs the Designated Election Official to cancel the Election and declare the candidates elected if, at the close of business on the sixty-third day before the Election (March 6, 2018), there are not more candidates for director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates, and so long as the only ballot questions are for the election of candidates. The Board further authorizes and directs the Designated Election Official to file cancellation notices with the Pitkin County Clerk and Recorder's Office and with the Colorado Division of Local Government, to post notice of the cancellation in the office of the Designated

Election Official, and to provide notice by publication of the cancellation of the election. The Designated Election Official also shall notify the candidates that the Election was cancelled and that they were elected by acclamation.

6. The District shall be responsible for the payment of any and all costs associated with the conduct of the Election, including its cancellation, if necessary.

7. This Resolution shall take effect on the date and at the time of its adoption.

(Signatures Begin on Next Page.)

ADOPTED AND APPROVED THIS 8TH DAY OF DECEMBER, 2017.

BASE VILLAGE METROPOLITAN DISTRICT NO. 2



By: Thomas Kosich

Its: President