

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE  
BBC METROPOLITAN DISTRICT**

Calling an Election – May 2, 2023

A. The Board of Director seats occupied by four directors are subject to election at the May 2, 2023 regular special district election (the “**Election**”); and

B. Two seats subject to election are for four-year terms and two seats subject to election are for two-year terms.

C. These seats are to be voted upon at the Election as required by the Special District Act, Title 32, Article 1, C.R.S. (“**Act**”); and the Uniform Election Code of 1992, Title 1, Articles 1-13, C.R.S., and the Colorado Local Government Election Code, Title 1, Article 13.5, C.R.S. (the “**Code**”); and

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the BBC Metropolitan District as follows:

1. Date and Time of Election. The regular election shall be held on May 2, 2023, between the hours of 7:00 A.M. and 7:00 P.M. pursuant to and in accordance with the Act, the Code and other legal requirements.

2. Conduct of Election. The Election shall be conducted as an independent mail-ballot election in accordance with all relevant provisions of the Code. The Designated Election Official shall have on file, no later than fifty-five (55) days prior to the Election, a plan for conducting the independent mail ballot Election.

3. Designated Election Official. Natalie M. Fleming, Erb Law, LLC, shall be the Designated Election Official (“**DEO**”). The DEO is authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and of the Act, Code, or other applicable laws. Among other matters, the DEO shall appoint election judges as necessary, arrange for the required notices of election (either by mail or publication) and printing of ballots, and direct that all other appropriate actions be accomplished.

4. Self-Nomination and Acceptance Forms. Self-nomination and acceptance forms for the director positions are available at the DEO’s offices: 3900 E. Mexico Avenue, Suite 300, Denver, CO 80210, or by requesting a form via telephone or e-mail: (303) 626-7125 or [nfleming@erblawllc.com](mailto:nfleming@erblawllc.com). All candidates must file self-nomination and acceptance forms with the DEO no later than 5:00 P.M. on February 24, 2023.

5. Cancellation of Election. Pursuant to § 1-13.5-513, C.R.S., if there are not more candidates running than seats to be filled at 5:00 P.M. on February 24, 2023, the DEO shall cancel the Election and declare the candidates elected. Notice of such cancellation shall be published and posted in accordance with law.

6. Severability. If any part or provision of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, it being the Board of Director's intention that the various provisions hereof are severable.

7. Repealer. All acts, orders and resolutions, or parts thereof, of the Board of Directors which are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.

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ADOPTED AND APPROVED this 5<sup>th</sup> day of December, 2022.

**BBC METROPOLITAN DISTRICT**

*Chelsey Green*

Chelsey Green (Jan 9, 2023 12:20 MST)

Name: Chelsey Green

Title: President

Attest:

*Nikolas Wagner*

Nikolas Wagner (Jan 9, 2023 12:01 MST)

Secretary/Assistant Secretary