

RESOLUTION 3-2020

**RESOLUTION OF COLORADO CITY METROPOLITAN DISTRICT
CONCERNING MAY 5, 2020 ELECTION**

WHEREAS, a regular election will be held on May 5, 2020, for the purpose of electing members to the Board of Directors of the Colorado City Metropolitan District (“District”); and

WHEREAS, the terms of office of Directors Terry Kraus, Harry Hochstetler and Neil Elliott shall expire after their successors are elected at the election on May 5, 2020 (“Election”) and take office; and

WHEREAS, three 3-year terms of office for Directors shall be open at the Election; and

WHEREAS, the Board of Directors wishes to set forth certain details regarding the Election.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Colorado City Metropolitan District of Pueblo County, Colorado, that:

1. A regular election of the eligible electors of the District shall be held on Tuesday, May 5, 2020, between the hours of 7:00 A.M. and 7:00 P.M., at which election the electors shall vote for three Directors to serve three-year terms.
2. The Election shall be held and conducted in accordance with the Colorado Local Government Election Code, Title 32, Article 1, Part 8, Colorado Revised Statutes, and other relevant Colorado and federal law (collectively, the “Applicable Law”).
3. The election shall be conducted as a mail ballot election in accordance with the applicable provisions of the Applicable Law. The Designated Election Official shall develop a plan for conducting the mail ballot election, which will be made available to the public. There shall be no election precincts or polling places.
4. All mail ballots shall be either returned by United States mail to:

Colorado City Metropolitan District
c/o James Eccher
P.O. Box 20229
Colorado City, CO 81019

or returned to the depository located at the Designated Election Official’s office, at the following address:

Colorado City Metropolitan District
4497 Bent Brothers Blvd.
Colorado City, Colorado

5. The Board hereby designates James Eccher whose address is: 4497 Bent Brothers Blvd., Colorado City, Colorado as the Designated Election Official for the conduct of the Election on behalf of the District, and following the election to serve until replaced by the Board. The Board hereby authorizes the Designated Election Official to undertake all reasonable actions that are necessary or appropriate for the conduct of the Election. Except as otherwise provided by Applicable Law, the Designated Election Official shall render all interpretations and shall make all initial decisions as to controversies or other matters arising in the operation of the Election.

6. Self-Nomination and Acceptance forms are available at the Designated Election Official's office located at the above address. All candidates must file a Self-Nomination and Acceptance form with the Designated Election Official no later than the close of business (1:00 p.m.) 67 days prior to the date of the election (Friday, February 28, 2020).

7. An affidavit of intent to be a write-in candidate for Director shall be filed with the Designated Election Official no later than the close of business (4:00 p.m.) on Monday, March 2, 2020.

8. If the only matter before the eligible electors is the election of persons to office and if, at the close of business on March 3, 2020, there are not more candidates than offices to be filled at the election, including candidates filing affidavits of intent no later than the close of business on Monday, March 2, 2020, the Designated Election Official shall cancel the election and declare the candidates elected. If the election is so canceled, the Designated Election Official shall publish a Notice of Cancellation of Election and post it in the offices of the Designated Election Official and the County Clerk and Recorder of each county in which the District is located, and shall file it with the Division of Local Government. The Designated Election Official shall also notify the candidates that the election was canceled and that they are elected by acclamation.

9. Should any part or provision of this Resolution be adjudged unenforceable or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, it being the intention that the various provisions hereof are severable.

10. All acts, orders, resolutions, or parts thereof, of the District that are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.

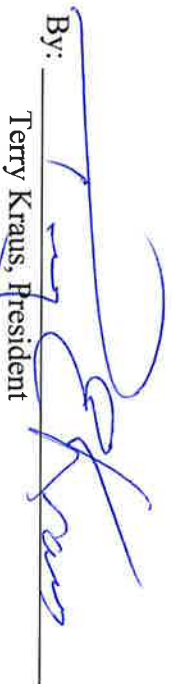
11. All past actions taken by the District, or its Designated Election Official, Board members or other persons acting on their behalf, directed toward the lawful conduct of the Election are hereby ratified and confirmed.

12. In the event of a conflict between this Resolution and Applicable Law, the Applicable Law shall control.

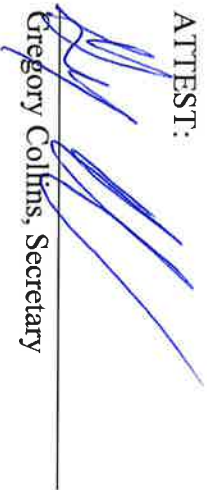
13. The provisions of this Resolution shall take effect immediately.

Adopted and approved this 14th day of January, 2020, by the Board of Directors of Colorado City Metropolitan District, Pueblo County, Colorado.

COLORADO CITY METROPOLITAN DISTRICT

By:  Terry Kraus, President

ATTEST:


Gregory Collins, Secretary