

SOUTH METRO FIRE RESCUE FIRE PROTECTION DISTRICT

RESOLUTION NO. 2021-13

A RESOLUTION CALLING FOR THE 2022 REGULAR DISTRICT ELECTION FOR DIRECTOR DISTRICTS 2, 6 AND 7, AND APPOINTING A DESIGNATED ELECTION OFFICIAL

WHEREAS, the South Metro Fire Rescue Fire Protection District (the “District”) is a quasi-municipal corporation and political subdivision of the State of Colorado and a duly organized and existing special district pursuant to Title 32, Article 1, C.R.S.; and

WHEREAS, the terms of office of Directors Hank Eng (Director District 2), Alison Rausch (Director District 6) and William Shriver (Director District 7) shall expire after their successors are elected at the regular special district election to be held on May 3, 2022 (“Election”) and have taken office; and

WHEREAS, in accordance with the provisions of the Special District Act (“Act”) and the Colorado Local Government Election Code (“Code”) (the Act and the Code being referred to jointly as the “Election Laws”), the Election must be conducted to elect one Director to serve for a term of three (3) years in each of Director Districts 2, 6 and 7, pursuant to Section 1-13.5-111, C.R.S., which moves the regular special district elections to May of each odd-numbered year commencing in May, 2023 and, in connection therewith, adjusts the length of terms served by Directors elected in 2020 and 2022 in order to implement the new election schedule;

WHEREAS, the Board of Directors previously established Director Districts and wishes to designate that the Directors representing the Director Districts must be elected by the eligible electors within each Director District.

NOW, THEREFORE, be it resolved by the Board of Directors of the South Metro Fire Rescue Fire Protection District in the Counties of Arapahoe, Douglas and Jefferson, State of Colorado that:

1. The regular election of the eligible electors of Director Districts 2, 6 and 7 shall be held on May 3, 2022, between the hours of 7:00 a.m. and 7:00 p.m. pursuant to and in accordance with the Election Laws, and other applicable laws. At that time, one director will be elected to serve a three-year term from Director Districts 2, 6 and 7.
2. Pursuant to Section 32-1-902.7 (1), C.R.S., the Board of Directors confirms the previously established Director Districts and pursuant to Section 32-1-902.7 (2), C.R.S. designates that the Directors representing the Director Districts must be elected by the eligible electors within each Director District.

3. The Election shall be conducted as a mail ballot election in accordance with all relevant provisions of the Election Laws. The Designated Election Official shall prepare the Plan for conducting the mail ballot Election. There shall be no election precinct or polling place. All mail ballots shall be returned to the Designated Election Official's office, located at 9195 E. Mineral Avenue, Centennial, Colorado 80112, drop boxes specified by the Designated Election Official, or such other locations as may be determined by the Designated Election Official.

4. The Board of Directors hereby designates Barb Andrews as the Designated Election Official for the conduct of the Election on behalf of the District and she is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and of the Election Laws or other applicable laws. Among other matters, the Designated Election Official shall publish and post the call for nominations, appoint election judges as necessary, appoint the Canvass Board, arrange for the required notices of election, printing of ballots, and direct that all other appropriate actions be accomplished.

5. 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 earlier than January 1, 2022, nor later than the close of business on Friday, February 25, 2022.

6. If the only matter before the electors is the election of Directors of the Director Districts and if, at the close of business on March 1, 2022, there are not more candidates than offices to be filled at the Election, including candidates timely filing affidavits of intent no later than February 28, 2022, the Designated Election Official shall cancel the Election and declare the candidates elected. Notice of such cancellation shall be published and posted in accordance with the Code.

7. 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's intention that the various provisions hereof are severable.

8. Any and all actions previously taken by the Designated Election Official, the Secretary of the Board of Directors, or any other persons acting on their behalf pursuant to the Election Laws or other applicable laws, are hereby ratified and confirmed.

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

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

ADOPTED this 6th day of December, 2021.

SOUTH METRO FIRE RESCUE FIRE
PROTECTION DISTRICT

By James L Albee
Jim Albee, Chairman

ATTEST:
By Hank Eng
Hank Eng, Secretary