

BONITA BEACH CLUB ASSOCIATION, INC.
a Florida not for profit corporation
(the "Association")

**A RESOLUTION OF THE BOARD OF DIRECTORS AUTHORIZING
ELECTRONIC VOTING
AND ELECTRONIC NOTICE**

WHEREAS, Florida Statutes section 718.128 expressly authorizes a condominium association to conduct elections and other membership votes through an internet based electronic voting system for those members consenting to vote online; and

WHEREAS, Florida Statutes Chapter 718 expressly authorizes a condominium association to provide official notice to owners consenting to receive electronic notice; and

WHEREAS, the Board of Directors deems it in the best interest of the Association and its members to utilize electronic voting and provide notice electronically to those consenting owners; and

WHEREAS, the Board of Directors wishes to institute a system of electronic voting in compliance with Florida Statutes section 718.128 and to provide electronic official notice to Owners;

NOW THEREFORE BE IT RESOLVED by the Board of Directors

1. The Association will permit Owners to utilize electronic voting in conformance with the above-referenced Florida Statutes section 718.128 as it exists today and as amended from time.

2. For any election or matter for which a membership vote is required, the Board of Directors may, by majority vote, elect to not permit electronic voting in its discretion and therefore this resolution shall provide the option, but not the requirement, to utilize electronic voting for all permissible matters.

3. The Association shall utilize the "Consent to Participate in Electronic Voting and Receive Electronic Notice" attached hereto as Exhibit "A" (referred to as the "Consent") and any owner seeking to participate in electronic voting and/or receive electronic notice shall execute the Consent and file the same with the Association as part of its Official Records.

4. Unless otherwise prohibited by law, the obligation to provide notice via mail or hand delivery shall be satisfied by providing electronic notice to those Owners consenting to receive electronic notice pursuant to the Consent.

5. The Association is authorized to contract with an outside vendor providing electronic voting services.

6. Owners that do not execute the Consent are entitled to vote via traditional paper ballot or proxy methods and receive notice via regular US Mail or hand delivery. Owners that do execute the Consent may still vote by other permissible means (in person or by proxy) provided, however, that the Association shall only accept the first ballot cast in the election of Directors and shall accept the most recent proxy or ballot for all non-Director election votes.

7. Members shall consent to electronic voting in writing by completing the required form (attached) or on the electronic voting system. The deadline to consent to electronic voting shall be no less than twenty-four (24) hours prior to meeting requiring the vote and shall be valid for all future electronic voting opportunities in the Association unless revoked in writing or until the Owner transfers title to his or her Unit to a third party.

8. Any Owner that previously provided an executed Consent may withdraw his/her Consent and opt-out of the Consent in favor of voting via traditional paper ballot or proxy provided for in Section 6 above, provided the opt-out is received by the Association, in writing, not less than seven (7) days before the scheduled vote.

ADOPTED by the Board of Directors on this ____ day of _____, 2022.

**BONITA BEACH CLUB
ASSOCIATION, INC.**

A Florida not for profit corporation

By: _____, its President

Exhibit "A"

**CONSENT TO PARTICIPATE IN ELECTRONIC VOTING AND/OR RECEIVE
ELECTRONIC NOTICE**

The undersigned, being a member of Bonita Beach Club Association, Inc., pursuant to Florida Statutes Chapter 718 and the Association's Bylaws, hereby consents as follows:

****INITIAL NEXT TO EACH VOTING AND NOTICE TO CONSENT****

_____ (initial) **ELECTRONIC VOTING.** By signing this Consent, I/we consent to voting electronically at meetings and elections for the Association to the fullest extent permitted by Florida law. This consent is being provided at least twenty-four (24) hours prior to the meeting requiring the vote. I designate the following email address for electronic voting purposes:

clearly print email address

_____ (initial) **ELECTRONIC NOTICE.** I/we consent to receiving notice by electronic transmission for meetings of the Board of Directors, Committees, and Annual and Special Meetings of the Members of Bonita Beach Club Association, Inc. I designate the following email address for electronic notice:

clearly print email address if different from above

I/we acknowledge that mailed/paper notice may not be provided to me unless I rescind this consent in writing not less than seven (7) days before the notice of the election or other unit owner vote and that any email address provided to the Association for purposes of electronic notice is an Official Record accessible by the Association.

All Owners or the Authorized Voter must **print, sign, and date** below:

Signature 1: _____

Printed Name: _____ Date: _____

Signature 2: _____

Printed Name: _____ Date: _____