

BROADWAY PROMENADE CONDOMINIUM ASSOCIATION, INC.

A RESOLUTION OF THE BOARD OF DIRECTORS AUTHORIZING AN ONLINE VOTING SYSTEM UNDER SECTION 718.128, FLORIDA STATUTES

WHEREAS, BROADWAY PROMENADE CONDOMINIUM ASSOCIATION, INC. ("Association") is a condominium association, as defined by Section 718.103(2), Florida Statutes, and the entity authorized to administer and operate BROADWAY PROMENADE, A CONDOMINIUM ("Condominium") under the Declaration of Condominium, as recorded in Official Records Instrument Number 2007099056 of the Public Records of Sarasota County, Florida, as amended; and

WHEREAS, according to Article 4.1 of the Articles of Incorporation and Article 5 of the Bylaws of the Association, all of the powers existing under Chapters 617 and 718, Florida Statutes are exercised by the Association's Board of Directors ("Board"); and

WHEREAS, under the authority of Section 718.128, Florida Statutes, the Association desires to conduct director elections and other unit owner votes through an Internet-based online voting system if the unit owner consents, electronically or in writing, to online voting.

NOW, THEREFORE, upon motion duly made, seconded, and approved at a duly noticed and held meeting of the Board of Directors of the Association, **BE IT HEREBY RESOLVED:**

Section 1. That the Association, through its Internet-based online voting system, shall provide each owner with:

- (A) A method to authenticate the unit owner's identity to the online voting system;
- (B) For elections of the Board, a method to transmit an electronic ballot to the online voting system that ensures the secrecy and integrity of each ballot; and
- (C) A method to confirm, at least fourteen (14) days before the voting deadline, that the unit owner's electronic device can successfully communicate with the online voting system.

Section 2. That the Association hereby designates Condo Voter as its Internet-based online voting system ("Voting System"). The Voting System has confirmed that it satisfies all requirements of Section 718.128, Florida Statutes, and is able to:

- (A) Authenticate the unit owner's identity.
- (B) Authenticate the validity of each electronic vote to ensure that the vote is not altered in transit.
- (C) Transmit a receipt from the online voting system to each unit owner who casts an electronic vote.
- (D) For elections of the Board of Directors, permanently separate any authentication or identifying information from the electronic election ballot, rendering it impossible to tie an election ballot to a specific unit owner.

- (E) To store and keep electronic votes accessible to election officials for recount, inspection, and review purposes.

Section 3. The Association hereby directs that any unit owner voting electronically under this Resolution and Section 718.128, Florida Statutes shall be counted as being in attendance at the membership meeting for purposes of determining a quorum. A substantive vote of the unit owners may not be taken on any issue other than the issues specifically identified in the electronic vote, when a quorum is established based on unit owners voting electronically under this Resolution.

Section 4. That this Resolution is intended to fully comply with the requirements of Section 718.128(4), Florida Statutes by the Board providing for and authorizing the unit owners to use an online voting system.

Section 5. That a unit owner's electronic or written consent to online voting will remain valid unless the owner elects to opt out of online voting after giving consent.

Section 6. That any unit owner who previously consented to vote through the online system shall have the ability to opt out of online voting through the above-named electronic voting system no later than forty-eight (48) hours before a meeting at which a vote may be cast.

Section 7. That all unit owners must receive notice of the opportunity to vote through an online voting system when the Association utilizes online voting. The opportunity to vote online must be included in the notice of the meeting requiring the vote.

Section 8. That a unit owner must comply with the posted rules and procedures, as amended from time to time, of the Voting System and deadlines included in such procedures, which are provided for on the Voting System's website and are adopted as fully set forth herein.

Section 9. That a unit owner desiring to vote via the Internet-based online voting system must consent in writing to online voting at least twenty-four (24) hours before the date and time of the meeting at which the vote will be counted and any adjournment of that meeting.

Section 10. That written notice of a meeting at which this Resolution was considered and adopted was mailed, delivered, or electronically transmitted to the unit owners and posted conspicuously on the Condominium Property or Association Property at least fourteen (14) days before the date of the Board meeting. Evidence of compliance with the 14-day notice requirement is made by an affidavit executed by the person providing the notice, is attached hereto, and filed with the official records of the Association.

THIS RESOLUTION IS ADOPTED this 1 day of November, 2024 by the Board of Directors of BROADWAY PROMENADE CONDOMINIUM ASSOCIATION, INC. at a duly noticed and conducted meeting.

BROADWAY PROMENADE CONDOMINIUM ASSOCIATION, INC., a Florida not-for-profit corporation

[Corporate Seal]

By: Rue Firl, President

Attest: [Signature], Secretary