BOCA BRIDGES HOMEOWNERS ASSOCIATION, INC.

RESOLUTION AUTHORIZING ELECTRONIC VOTING

WHEREAS, Section 720.317, Florida Statutes, provides that an association may conduct elections and other unit owner votes through an Internet-based online voting system if a unit owner consents, in writing, to online voting and if certain requirements are met; and

WHEREAS, the Board of Directors of Boca Bridges Homeowners Association, Inc. (**"Association"**) has determined it to be in the best interests of the Association to enable the use of an online voting system in Association matters and to create the requisite authority required by the above-referenced statute.

NOW, THEREFORE, BE IT RESOLVED:

1. The Association may permit Members who desire to vote through an Internet-based online voting system to do so, provided the Member consents, in writing, to electronic voting as set forth herein.

2. For purposes hereof, "**consent, in writing**" means and includes (i) consent via email notification; (ii) consent via electronic registration through the online voting system; or (iii) consent in writing via the attached **"Consent to Electronic Voting and/or Consent to Receive Electronic Notice of Meetings"** attached hereto as **Exhibit "A"** and incorporated into this Resolution by reference, which Members may sign and file with the Association, or which may be affirmed by the Member as set forth in Paragraph 4 hereinbelow, in order for a Member to be entitled to vote by electronic means and/or to receive electronic notice of meetings.

3. A Member may opt-out or revoke consent to electronic voting via opt-out through the online voting system or via the attached **"Revocation of Consent to Electronic Voting and/or Revocation of Consent to Receive Electronic Notice of Meetings"** attached hereto as **Exhibit "B"** and incorporated into this Resolution by reference, which Members may sign and file with the Association, or which may be affirmed by the Member as set forth in Paragraph 4 hereinbelow, to revoke their consent to electronic voting and/or their consent to receive electronic notice of meetings. For purposes hereof, the terms "opt out" and "revoke" shall be used interchangeably.

4. Unless prohibited by law, an email notification from a Member to the Association or the Member's electronic registration or opt-out through the online voting system may be used in lieu of a signed consent or revocation form, in which case the terms of the attached consent and revocation forms are incorporated by reference and will be deemed affirmed by the Member when consent is given or revoked by e-mail.

5. The email address of the Member consenting to electronic voting is not considered an official record of the Association, unless the Member also consents to receive Association notices via email, signs and files the Consent to Receive Electronic Notice of Meetings or the Member has previously consented to receive electronic notices.

6. The deadline for Members to consent, in writing, to online voting is no less than twenty (20) days before the scheduled date of an election meeting or other Member vote for which the Association authorizes electronic voting.

7. The deadline for Members to opt out of online voting after giving consent, in writing, is no less than twenty (20) days before the scheduled date of an election meeting or other Member vote

in which the Association authorizes electronic voting. If the Association receives this revocation less than the deadlines stated above, the revocation will be effective for the next subsequent membership meeting.

8. The deadline for a Member to deliver to the Association his or her revocation of consent to receive electronic notice of meetings is no later than 72 hours prior to the Association sending any notice of a meeting or election. If the Association receives this revocation less than the deadline stated herein, the revocation will not be effective until the next meeting or election notice.

9. A Member's consent to online voting is valid until the Member opts out of online voting in accordance with this Resolution.

10. The Board may determine that utilizing electronic voting is not in the best interest of the Association as to any particular meeting or election. Accordingly, there is no obligation for the Association to utilize electronic voting at any particular meeting or election.

11. All Members will receive notice of the opportunity to vote electronically when the Association utilizes online voting. The opportunity to vote online will be included in the notice of the meeting requiring the vote.

12. In order to implement electronic voting, the Association may contract with an outside vendor or other party that provides electronic voting services (hereinafter referred to as the **"Provider"**). The Board must use reasonable judgment to ensure that Provider's services comply with the requirements of law.

13. The Association or its agent will notify Members in meeting notice materials, as provided by law, of the ability to vote electronically, including but not limited to Provider's e-mail address or website in a manner the Association reasonably believes to be sufficient to enable Members to participate in electronic voting.

14. Members who consent to vote by electronic means may still vote in person, if they choose, by paper means (use of proxies and ballots), or may send proxies to the Association by facsimile transmission or electronic mail, to the extent the Association otherwise receives and accepts proxies through such media. In the event of multiple votes cast by a Unit as to the same matter, the electronic vote cast will be the one counted.

15. In accordance with Section 720.317(3), Florida Statutes, a Member voting electronically pursuant to this Resolution is counted as being in attendance at the meeting for purposes of determining a quorum. A substantive vote of the Member may not be taken on any issue other than the issues specifically identified in the electronic vote, when a quorum is established based on the Members voting electronically pursuant to this Resolution.

16. By signing or affirming the consent form attached as Exhibit "A" hereto and otherwise choosing to vote electronically as enabled by this Resolution, each Member recognizes that the Association cannot control the practices of third parties regarding internet communications and use of the Member's e-mail address. As such, and as a condition of the Association's agreement to permit electronic voting, each Member who consents to electronic voting releases and waives any claim against the Association pertaining to such voting, including but not limited to the transmission or placement of "viruses," "malware," "spyware," cookies," and the like. Each Member who consents to electronic voting also consents to he Association's publication of their e-mail address, as well as other information (including necessary personal identifying information) to Providers or other third parties

to the extent and as may be reasonably necessary to enable the use of electronic voting processes. Such information will not be considered an official record and will not be available for Member inspection unless required by law.

17. By signing or affirming the consent form attached as Exhibit "A" hereto, each Member further recognizes that internet/electronic communications may be subject to failure, interruptions, or other problems due to a variety of reasons, including but not limited to Member operator error, Provider system or server failures, "spam" blockers, power outages, and the like. As such, as a condition of the Association's agreement to permit electronic voting, each Member who consents to electronic voting releases and waives any claim or challenge to such voting, including but not limited to situations where a Member vote was not received or counted by the Association due to no fault of the Board of directors or management.

18. The actions contained herein will be effective upon adoption.

BOARD OF DIRECTORS

Signature: _____

Print Name: Jon Schm, Jr

As Its: President

Date: 10/26/23

EXHIBIT "A"

CONSENT TO ELECTRONIC VOTING AND/OR CONSENT TO RECEIVE ELECTRONIC NOTICE OF MEETING

Consent to Electronic Voting:

The undersigned owner, or designated voter, hereby consents to online voting in elections and other membership votes through an Internet-based online voting system pursuant to Florida Statutes, Section 720.317, as amended or renumbered from time to time. Our consent is as follows (check box):

☐ **Consent to electronic voting**

In order for the consent to be valid and enforceable, it must be received by the Association no less than twenty (20) days before the scheduled date of an election or other Member vote for which the Association authorizes electronic voting.

Consent to Receive Electronic Notices and Other Association Official Communication via E-mail and/or text/SMS

The undersigned owner, or designated voter, consents to the use of the following email address and/or cell phone number for purposes of notices and other official communications from the Association pursuant to Florida Statutes, Section 720.303(2)(c)1., as amended or renumbered from time to time. Our consent is as follows (check box):

☐ Consent to receive electronic notices and other Association official communication via e-mail

_____
(list email address)

☐ Consent to receive electronic notices and other Association official communication via text messaging / SMS communication[1]

_____
(list cell phone number)

[1] Standard text messaging rates and data charges may apply. Contact your carrier for details

Florida law provides that an Association can only use email or electronic communications for its notices and official communications where an owner consents, in writing, to the use of such email address or other electronic communications. As such, if you would like to receive notices from the Association for meetings and other official purposes by email or electronic communication, you are required to complete this consent form, with the understanding that your consent to use your email address and/or cell phone number will allow other owners within the community to have access to such email address and/or cell phone number as part of the Association's official records for inspection purposes. Therefore, your consent is not only for the use of your email address and/or cell phone number for Association communications and notices, but is also an acknowledgment that the Association may release your email address and/or cell phone number, upon written request, to members of the Association requesting an inspection of the Association's official records.

PLEASE NOTE THAT YOU MAY CONSENT TO ELECTRONIC VOTING AND/OR RECEIPT OF ELECTRONIC NOTICES; THE ABOVE ARE TWO (2) SEPARATE CONSENTS.

OWNER OR DESIGNATED VOTER:

_____

Print Name:_____

Date:_____

Property address:_____

_____

_____

EXHIBIT "B"

REVOCATION OF CONSENT TO ELECTRONIC VOTING AND/OR CONSENT TO RECEIVE ELECTRONIC NOTICE OF MEETING

The undersigned, being the eligible voter for Address:_____ _____, at Boca Bridges Homeowners Association, Inc. (**"Association"**), has previously consented in writing to electronic voting at meetings and elections and/or to receive electronic notice of meetings/elections and other Association official communication via e-mail for the Association, as permitted by Florida law and duly filed with the Association.

I hereby **REVOKE** my consent for the following (**check all that apply**):

☐ **ELECTRONIC VOTING**

☐ **ELECTRONIC NOTICES AND OTHER OFFICIAL ASSOCIATION COMMUNICATION**

Deadline to Revoke Electronic Voting:

The undersigned understands and agrees that the deadline for members to revoke the written consent for electronic voting is no less than twenty (20) days before the scheduled date of an election or any other Member vote for which the Association authorizes electronic voting.

If the Association receives this revocation less than the deadlines stated above, the revocation will be effective for the next subsequent membership meeting.

Deadline to Revoke Electronic Notices and Other Official Association Communication:

The undersigned understands and agrees that the deadline for revoking electronic notices and other official Association communication is no less than 72 hours prior to the Association sending any notice of a meeting or election. If the Association receives this revocation less than the deadline stated herein, the revocation will not be effective until the next meeting or election notice.

OWNER OR DESIGNATED VOTER:

_____

Print Name:_____

Date:_____

Property address:_____

_____

_____