

PHOENIX TOWERS
CONDOMINIUM ASSOCIATION, INC.

December 11, 2020

To: <<Owner Name>> - <<MemberId>>
<<SecondOwner>>

From: The Inspectors of Election, LLC (TIE)

RE: Electronic Voting

Florida Statutes now allow electronic voting. The Phoenix Towers Condominium Association, Inc. Board of Directors has adopted a Resolution to take advantage of this option and offer association members the opportunity to vote online in a safe, efficient and cost-effective manner. The Board of Directors has contracted with an independent third party, Inspectors of Election, LLC (TIE), to provide electronic voting and noticing services.

The process is as follows:

- 1) **First Notice of Date of Annual Meeting and Board Election**
- 2) **Submission of Notice of Intent to be a Candidate**
- 3) **Member consent to electronic voting and electronic notice**
- 4) **Testing of communication between the association member and the voting website**
- 5) **Second Notice of Annual Meeting and ballot distribution for voting in the election of directors**
- 6) **Annual Meeting at which the election results will be announced**

Following is the unique username and password issued for the purpose of online access.

Username: << *Username* >> Password: << *Password* >>

CONSENT TO ELECTRONIC VOTING AND ELECTRONIC NOTICE

You may consent to electronic voting in one of two ways:

- 1) **Register Online:** Login at www.tieivote.com by entering the username and password listed above. You will be asked to agree to electronic noticing and electronic voting. This is a one-time process. Once your consent has been given, you will not be required to complete this process again for testing of the system or placing your vote. You will also be asked to provide your email address to be used to receive electronic notice.
- 2) **Paper Consent:** An alternative is to complete a paper consent form available at the Management Office to agree to the above referenced statements, and return the consent form as instructed on the form.

Either of the above methods is acceptable for your consent.

If you consent to electronic noticing and electronic voting and you wish to revoke your consent for both or either, you may obtain a Revocation of Consent to Electronic Voting and/or Revocation of Consent to Electronic Notice form from the Management Office.

TESTING ELECTRONIC COMMUNICATION

Florida statute requires a method to confirm (at least 14 days before the voting deadline) that the unit owner's electronic device can successfully communicate with the online voting system. Confirmation of successful communication will be conducted through email using the email address provided by the unit owner to the Association and to the company providing the electronic voting. The company providing the electronic voting will send an email in response to the unit owner registering or otherwise testing the communication with the online voting system. Owners who registered online and owners who registered by paper consent should perform the communication test.

To test electronic communication with the online voting system, please login at www.tieivote.com with the unique username and password provided. There is a button set up for this purpose. Upon a successful test, you will receive an email confirmation that the test is complete. Once voting begins, the test button will no longer be available.

NOTICE OF INTENT TO BE A CANDIDATE

If you desire to be a candidate, you must submit a Notice of Intent to be a Candidate. The notice may be submitted electronically, via email or via hard copy. To submit your Intent to be a Candidate electronically, you may login at www.tieivote.com by entering the unique username and password provided. **The Notice of Intent must be received by 4:00 PM on December 31, 2020 and is effective when received by the association.** Acknowledgment of receipt of your Notice of Intent to be a Candidate and confirmation of qualification will be provided.

During your online session, but no later than **January 5, 2021** you may also complete and submit your Information Statement in the same fashion as listed above. Information Statements and a ballot will be mailed to voting members with the Second Notice of the Annual Meeting, not less than (14) days prior to the date of the Annual Meeting. Please note your Information Statement must be received on or before January 5, 2021.

Should you encounter any difficulty with the above process, please feel free to contact The Inspectors of Election via email at info@tieivote.com.

Sincerely, The Inspectors of Election
info@tieivote.com

Attachments:

- First Notice of Annual Meeting and Board Election
- Notice of Intent to Be a Candidate
- Information Sheet
- Certificate of Appointment of Voting Representative

**FIRST NOTICE OF DATE OF ANNUAL MEETING
AND BOARD ELECTION OF
THE PHOENIX TOWERS CONDOMINIUM ASSOCIATION, INC.
AND PROCEDURE FOR QUALIFYING FOR THE BOARD**

TO ALL MEMBERS:

On *Tuesday, February 9, 2021, at 7:00 p.m., at 2800 N. Ocean Drive, Riviera Beach, Florida 33404*, the Annual Meeting of the Association will be held for the purpose of electing directors and such other business as may lawfully be conducted. Subsequent to this "FIRST NOTICE" you will receive a "SECOND NOTICE OF ANNUAL MEETING" that will specify the agenda and advise of other important information concerning the Annual Meeting.

The purpose of this Notice is to advise you of the date, time and place of the Annual Meeting and Election and to inform you of the process for qualifying for the Board.

QUALIFYING FOR THE BOARD

You must give notice online, email, by mail, fax or in person, to the Association of your intent to run for the Board. You may complete the "Notice of Intent to be a Candidate for the Board" online at www.tieivote.com or you may complete the enclosed form and submit to the Association as instructed on the form. The Notice of Intent must be received by the Association on or before 4:00 PM on *December 31, 2020*.

You may submit an Information Sheet, no larger than 8 - 1/2 inches by 11 inches and the information provided shall not exceed one side of such sheet, containing your qualifications and/or platform for office. This information sheet must be received by the Association on or before *January 5, 2021*.

The Information Sheet and ballots will be distributed to voting members, with the Second Notice of the Annual Meeting, not less than **fourteen (14)** days prior to the date of the Annual Meeting.

Pursuant to Article IV, Section 1 of the By-Laws, the number of directors shall be seven (7) members serving staggered two (2) year terms. The number of vacancies available for this election is three (3).

In the event the number of candidates running for the Board is equal to or less than the number of vacancies to be filled on the Board, in the present case there are three (3) vacancies, then the tally of the votes is not required. Rather, those candidates will take their seat on the Board after the Annual Meeting. This is a process known as an election by "acclamation". If the number of members seated on the Board as a result of an election by "acclamation" is less than three (3), then the newly seated Board will appoint another member to fill the vacancy.

VOTING CERTIFICATE

A voting certificate is being provided to determine who the voting representative will be for your unit, if your unit is owned by a corporation. Please note the following information about **VOTING CERTIFICATES**:

- 1) A **voting certificate** is for the purpose of establishing who is authorized to vote for a corporation.
- 2) A voting certificate is **not a proxy** and cannot be used as such.
- 3) The voting certificate must be signed by an officer of the corporation
- 4) A **voting certificate** is enclosed with this notice for your use, if needed.
- 5) The person designated in the voting certificate will receive the Second Notice pertaining to the election of directors and be authorized to cast the ballot for the election.

Dated: 12/11/2020

BY ORDER OF THE BOARD OF DIRECTORS

THE PHOENIX TOWERS CONDOMINIUM ASSOCIATION, INC.

Notice of Intent to be a Candidate February 9, 2021 Election of Directors

I, _____ hereby place my name in nomination as a candidate for the Board of Directors. I (circle one) **am** / **am not** enclosing an Information Sheet about myself. I understand that I am responsible for the accuracy of the information contained in the Information Sheet. All Information Sheets are limited to one single-sided 8.5" x 11" sheet of paper. (You can attach a picture online as well.)

DATE: _____ SIGNATURE: _____

Are you currently an owner at Phoenix Tower Condominium Assn? ___ Yes ___ No

How long have you been an owner? _____

To be considered as a candidate, your Notice of Intent must be received by 4:00 PM December 31, 2020 and your Information Sheet must be received online or as noted below no later than January 5, 2021. The Information Sheet provided herein will be presented to the members in the official notice and/or online exactly as provided to The Inspectors of Election (TIE).

Return this form to: Secretary of the Association, c/o The Inspectors of Election (TIE)
Via Mail: 2794 Loker Ave W, Suite 104, Carlsbad, CA 92010
Via Email: info@tieivote.com
Via Fax: 888-211-5332
Online Form: www.tieivote.com - Login Requires Username and Password provided in First Notice

PLEASE NOTE: CANDIDATES MUST BE A NATURAL PERSON AT LEAST 18 YEARS OF AGE. UNDER THE AMENDED PROVISIONS OF THE CONDOMINIUM ACT, YOU WILL NOT BE ELIGIBLE FOR BOARD MEMBERSHIP IF ANY OF THE FOLLOWING APPLY:

- I. IN A CONDOMINIUM WITH MORE THAN 10 UNITS, IF YOU AND A CO-OWNER OF YOUR UNIT WOULD SERVE ON THE BOARD AT THE SAME TIME, UNLESS YOU OWN MORE THAN ONE UNIT OR UNLESS THERE ARE NOT ENOUGH ELIGIBLE CANDIDATES TO FILL THE VACANCIES ON THE BOARD AT THE TIME OF THE VACANCY;**
- II. YOU WERE A DIRECTOR WHO WAS SUSPENDED OR REMOVED BY THE DIVISION AND SUCH SUSPENSION OR REMOVAL TIME PERIOD IS STILL IN EFFECT ON *DECEMBER 31, 2020*;**
- III. ON *DECEMBER 31, 2020*, YOU ARE DELINQUENT IN THE PAYMENT OF ANY MONETARY OBLIGATION OWED TO THE ASSOCIATION;**
- IV. YOU WERE CONVICTED OF A FELONY IN FLORIDA OR CONVICTED OF AN OFFENSE IN ANOTHER JURISDICTION THAT WOULD BE CONSIDERED A FELONY IN FLORIDA (UNLESS YOUR CIVIL RIGHTS HAVE BEEN RESTORED FOR AT LEAST FIVE YEARS AS OF *DECEMBER 31, 2020*; AND/OR**
- V. YOU ARE A DIRECTOR CHARGED WITH A FELONY THEFT OR EMBEZZLEMENT OFFENSE INVOLVING THE ASSOCIATION'S FUNDS OR PROPERTY AND SUCH CRIMINAL CHARGE IS PENDING AS OF *DECEMBER 31, 2020*.**

**THE PHOENIX TOWERS CONDOMINIUM ASSOCIATION, INC.
2800 North Ocean Drive, Riviera Beach, Florida 33404**

INFORMATION SHEET

Name: _____ Unit#: _____

Are you a current owner at Phoenix Tower Condominium Assn? ____ Yes or ____ No

How long have you been an owner?

Why are you seeking election to the Board?

Prior Board Experience:

Related Work / Volunteer Experience:

Other Information Relative to your Candidacy:

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Via Fax: 888-211-5332
Online Form: www.tieivote.com - Login Requires Username and Password provided in First Notice

Your Information Sheet must be received by the Association on or before January 5, 2021.

**CERTIFICATE OF APPOINTMENT
OF VOTING REPRESENTATIVE FOR CORPORATE OWNER**

To the Secretary of *The Phoenix Towers Condominium Association, Inc.* (the "Association")

THIS IS TO CERTIFY that the undersigned, constituting the record owner of Unit (Condominium) No. _____ in *Phoenix Tower Condominium Association, Inc.*, has designated

(Name of Voting Representative)

as their representative to cast all votes and to express all approvals that such owners may be entitled to cast or express at all meetings of the membership of the Association and for all other purposes provided by the Declaration, the Articles and Bylaws of the Association.

A Voting Certificate must be filed for a Corporation designating someone entitled to vote, signed by an appropriate officer of the Corporation.

This Certificate is made pursuant to the Declaration and the By-Laws and shall revoke all prior Certificates and be valid until revoked by a subsequent Certificate.

DATED _____

CORPORATION

OFFICER SIGNATURE

NOTE: This form is not a proxy and should not be used as such.

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