

**SOUTH METRO FIRE RESCUE FIRE PROTECTION DISTRICT**

**RESOLUTION NO. 2019-07 (OPTION 2)**

**A RESOLUTION CONCERNING  
REDISTRICTING OF DIRECTOR DISTRICTS  
AND DIRECTOR TERMS**

WHEREAS, the South Metro Fire Rescue Fire Protection District (“South Metro 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, Colorado Revised Statutes; and

WHEREAS, the South Metro District has concluded a process to include areas within the Cunningham Fire Protection District (“Cunningham Fire”), the Littleton Fire Protection District (“Littleton Fire”), Highlands Ranch Metropolitan District (“Highlands Ranch”), and the City of Littleton (“City”), to form a much larger unified fire protection district by January 2020 and prior to the May 2020 South Metro District Board of Directors election; and

WHEREAS, the number of electors in the South Metro District before these consolidations was approximately 162,000; and

WHEREAS, after these consolidations the number of electors will approximate 370,000, which is 2.3 times the number of current electors; and

WHEREAS, the number of members of the South Metro District Board of Directors will remain at seven, qualified from Director districts and elected by all District electors, even after all of the contemplated consolidations; and

WHEREAS, four of the seven South Metro District Directors will have their terms expire and their offices will be up for election at the May 2020 regular District election (“2020 Directors”); and

WHEREAS, three of the seven South Metro District Directors have terms that do not expire until May 2022 (“2022 Directors”) and, absent a resignation or other vacancy, their offices will not be up for election at the May 2020 regular District election; and

WHEREAS, absent a resignation or other vacancy prior to the deadline for submitting self-nomination petitions for the May 2020 election, electors of the three director Districts associated with any of the three 2022 Directors will be precluded from running for election to the South Metro District Board of Directors until May 2022; and

WHEREAS, following the contemplated redistricting the four Director districts associated with the 2020 Directors are likely to include large areas being included within the South Metro District, and the electors within those Director districts may run for election to the Board of Directors of the South Metro District in May 2020; and

WHEREAS, electors in all seven South Metro District Director districts may cast votes in every Director district election, including the May 2020 election for the four 2020 Director offices, regardless of requirements that candidates for Director offices originate from Director districts; and

WHEREAS, the three 2022 Directors were elected in May 2018, when the size and scope of the consolidations with Littleton Fire, Highlands Ranch, the City and Cunningham Fire, as well as the required future redistricting, were publicly known; and

WHEREAS, pressuring elected officials to resign prior to the expiration of their terms removes the power of those electors who voted for that public official; and

WHEREAS, Colorado law does not allow the redistricting process to remove from office members of the South Metro District Board of Directors prior to the expiration of their terms of office; and

WHEREAS, the Board of Directors of South Metro District has no power to force elected officials to resign prior to the expiration of their terms; and

WHEREAS, there are strategic reasons the South Metro District Board of Directors might prefer to retain the three 2022 Directors in office until the expiration of their terms of office as an assurance of continuity of the Board during the immediate post-consolidation period.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the South Metro Fire Rescue Fire Protection District as follows:

Section 1. 2022 Director Terms. Each 2022 Director has a right to consider the circumstances of their election and the Director district associated with their office and determine whether it represents the best interests of the South Metro District to continue to serve until 2022; or to resign in December 2019 and choose to run for re-election in May 2020.

Section 2. Severability. If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

Section 3. Effective Date. This Resolution shall take effect and be enforced immediately upon its approval by the District Board.

ADOPTED this 4 day of November 2019.

SOUTH METRO FIRE RESCUE FIRE  
PROTECTION DISTRICT

By Rhonda Scholting  
Rhonda Scholting, Chair

Attest:

Danny Gaddy  
Danny Gaddy, Secretary