

**RESOLUTION NO. 2019-09-02**

**RESOLUTION  
OF THE BOARD OF DIRECTORS OF  
PAINT BRUSH HILLS METROPOLITAN DISTRICT**

**ESTABLISHING GUIDELINES FOR THE AUDIO AND VIDEO RECORDING OF  
REGULAR AND SPECIAL MEETINGS OF THE BOARD OF DIRECTORS BY THE  
PUBLIC**

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WHEREAS, Paint Brush Hills Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado, duly organized pursuant to Article 1, Title 32, Colorado Revised Statutes; and

WHEREAS, the District was organized for the purpose of providing certain improvements, facilities and services to and for the use and benefit of the District, its residents, users, property owners and the public; and

WHEREAS, pursuant to § 32-1-1001(1)(h), C.R.S., the Board of Directors of the District (the “**Board**”) shall have the management, control and supervision of all the business affairs of the District; and

WHEREAS, pursuant to § 32-1-1001(1)(m), C.R.S., the Board is further empowered to adopt, amend, and enforce bylaws and rules and regulations for the purpose of carrying on the business, objects and affairs of the Board and the District; and

WHEREAS, the Board uses written summary minutes as the manner and media for recording its regular and special public meetings (individually, a “**Meeting**,” and, collectively, “**Meetings**”) and electronically records executive sessions to the extent required by § 24-6-402(2)(d.5)(II)(A), C.R.S.; and

WHEREAS, the Board wishes to provide notice to the public that members of the public may record, either by audio or video or both (the “**Record/Recorded/Recording**”), Meetings of the Board; and

WHEREAS, the Board wishes to establish guidelines and rules for the Recording of the Meetings by the public.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

1. RECORDINGS OF MEETINGS. The District, its Board members, contractors, consultants, agents and employees will not Record Meetings. Meetings of the Board may be Recorded by members of the public subject to the provisions of this Resolution, which may be

amended from time to time, and supplemented by any rules and regulations hereafter adopted by the Board.

2. RECORDINGS OF EXECUTIVE SESSIONS PROHIBITED. The public may not attend or Record the executive sessions of the Board.

3. NOTICE OF INTENT TO RECORD MEETING. Any individual wishing to Record a Meeting of the Board shall submit notice of such intention to the District at least twenty-four (24) hours in advance of the Meeting on the form attached hereto as **Exhibit A** (the “**Notice**”). The Notice shall be submitted to the District’s Manager at the address provided on the Notice, which address may be updated periodically without formal amendment to this Resolution. Such individual shall then verbally inform the Board prior to the start of the Meeting that the Recording will occur. Upon receipt of a Notice, the Board will post a notice at the entrances to the Meeting location advising members of the public of the Recording.

4. SECRET RECORDINGS AND RECORDINGS WITHOUT NOTICE STRICTLY PROHIBITED. Individuals failing to provide the required Notice who then attempt to Record a Meeting of the Board, whether secretly or not, may be asked to discontinue with such Recording. If an individual fails to discontinue the Recording, the individual may be asked to leave the meeting. If the individual is not asked to leave the meeting, the Board shall inform the audience of the Recording and provide a means for submitting questions and comments anonymously. The Board reserves the right to revoke the Recording privileges of any individuals failing to abide by this Resolution and the Recording rules and regulations adopted by the Board.

5. LOCATION OF VISUAL RECORDING EQUIPMENT. Visual Recording equipment shall be directed at the Board at all times and shall not capture the faces or bodies of any members of the public in attendance at the Meeting. Recording of public members in attendance at the meeting is strictly prohibited. Audio Recording equipment may be located in the best suitable location to best capture the discussions of the Board. Recording equipment shall not be placed in a location that prevents the ingress and egress of members of the public attending the Meeting and shall not be placed in a location or in a manner which creates a risk of injury to people attending the Meeting. Damage to Recording equipment shall not be the responsibility or liability of the District, its Board members, contractors, consultants, agents or employees.

6. SUBMISSION OF COMMENTS. Members of the public wishing to address the Board but who do not wish to be Recorded may submit written questions or comments to the Board either prior to or during the Meeting.

7. DISCLAIMER. This Resolution intends to regulate the Recording of Meetings of the Board by the public. The District does not make any representations as to the authenticity of

the Recordings or how the Recordings may or may not be utilized and/or distributed. Further, the District does not and cannot guarantee the privacy of the individuals attending the Meetings of the Board.

8. 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.

9. EFFECTIVE DATE. The provisions of this Resolution shall take effect on September 26, 2019.

*[Remainder of Page Intentionally Left Blank. Signature Page Follows.]*

ADOPTED THIS 26<sup>th</sup> DAY OF SEPTEMBER, 2019.

**PAINT BRUSH HILLS METROPOLITAN  
DISTRICT**, a quasi-municipal corporation and  
political subdivision of the State of Colorado



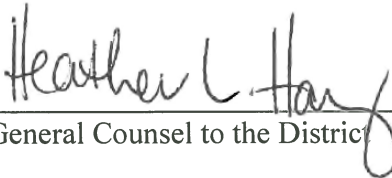
\_\_\_\_\_  
Officer of the District

ATTEST:



APPROVED AS TO FORM:

**WHITE BEAR ANKELE TANAKA & WALDRON**  
Attorneys at Law



\_\_\_\_\_  
General Counsel to the District

**EXHIBIT A**

**NOTICE OF INTENT TO AUDIO AND/OR VIDEO RECORD MEETING**

**NOTICE OF INTENT TO AUDIO AND/OR VIDEO RECORD REGULAR OR SPECIAL  
MEETING OF THE BOARD OF DIRECTORS OF PAINT BRUSH HILLS  
METROPOLITAN DISTRICT**

I, \_\_\_\_\_ (insert name), hereby provide my notice of intent to record the \_\_\_\_\_ (insert date of meeting) regular/special meeting of the Board of Directors of Paint Brush Hills Metropolitan District (the "District"). By signing below, I acknowledge and agree to abide by all policies, procedures, rules and regulations established by the District relating to the recording of meetings. I further understand and agree that if I fail to abide by the policies, procedures, rules and regulations that I may be asked to leave the meeting and/or the privilege of recording the meetings may be revoked.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

**Upon Completion Return To:**  
Paint Brush Hills Metropolitan District  
9985 Towner Avenue  
Falcon, Colorado 80831