

**RESOLUTION OF
THE BOARD OF DIRECTORS OF
PORTEOS BUSINESS IMPROVEMENT DISTRICT**

2024 MEETING RESOLUTION

WHEREAS, Porteos Business Improvement District (the “District”) was organized as a business improvement district pursuant to Ordinance No. 2016-43 adopted by the City Council of the City of Aurora with an effective date of October 29, 2016; and

WHEREAS, pursuant to Section 31-25-1210, C.R.S., upon notice to each member of the Board of Directors (the “Board”) of the District, the Board shall hold meetings, which shall be held in a place to be designated by the board as often as the needs of the District requires; and

WHEREAS, Section 24-6-402(2)(c)(I), C.R.S. requires the District to annually designate one public place within the boundaries of the District where notice of the Board’s meetings shall be posted no less than twenty-four (24) hours prior to the Board’s meetings, and where possible, the posting shall include specific agenda information; and

WHEREAS, pursuant to Sections 31-25-1210 and 24-6-402(2)(c)(I) & (III), C.R.S., in addition to any other means of full and timely notice, the Board shall be deemed to have given full and timely notice of a public meeting if the Board posts the notice on a public website of the District or in the designated public place within District boundaries, no less than twenty-four (24) hours prior to the meeting; and

WHEREAS, if the District posts notice on the District’s public website pursuant to Section 24-6-402(2)(c)(III), C.R.S., the District must also designate a public place within its boundaries at which the District may post a notice no less than twenty-four (24) hours prior to a meeting if the District is unable to post notice online in exigent or emergency circumstances; and

WHEREAS, the Colorado Open Meetings Law at Section 24-6-402(2)(d.5)(II)(A), C.R.S. specifies that discussions that occur in an executive session of a local public body shall be electronically recorded; and

WHEREAS, pursuant to Section 24-6-402(2)(d.5)(II)(E), C.R.S., such electronic recording of executive sessions shall be retained for at least ninety (90) days after the date of the executive session; and

WHEREAS, the Board desires to designate the time and place of all regular meetings, and to set forth specific requirements for the Board to call emergency meetings when such meetings are deemed necessary for the immediate protection of the public health, safety, and welfare of the property owners and residents of the District for the ensuing year of 2024, pursuant to this 2024 Meeting Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF PORTEOS BUSINESS IMPROVEMENT DISTRICT THAT:

1. The Board hereby designates to hold all meetings of the Board via MS Teams or other reliable virtual or telephonic platform.

2. The Board hereby designates the District's public website, <https://portesbid.net/>, as the twenty-four (24) hour posting location for all meeting notices. The Board designates the northwest quadrant of the intersection of Jackson Gap St and E 56th Avenue as the public place within the boundaries of the District at which it may post notices of meetings if it is unable to post a notice on the District's official website.

3. The designation set forth in Paragraph 2 is hereby deemed to be the Board's annual designation of the location where notices of meetings shall be posted twenty-four (24) hours in advance of said meetings and shall be effective until such time as the Board determine to designate a new posting location.

4. Emergency meetings may be called without notice, if notice is not practicable, by the president of the Board or any two (2) Directors in the event of an emergency that requires the immediate action of the Board in order to protect the public health, safety and welfare of the property owners and residents of the District. If possible, notice of such emergency meeting may be given to the Directors of the Board by telephone or whatever other means are reasonable to meet the circumstances of the emergency, and shall be provided to the public via any practicable means available, if any, including, but not limited to, posting notice of such emergency meeting on the District's website, if any. At such emergency meeting, any action within the power of the Board that is necessary for the immediate protection of the public health, safety and welfare may be taken; provided however, that any action taken at an emergency meeting shall be ratified at the first to occur: (a) the next regular meeting of the Board, or (b) the next special meeting of the Board.

5. The Board directs the custodian of all electronic recordings of executive sessions to retain all electronic recordings of executive sessions for purposes of the Colorado Open Meetings Law for ninety (90) days after the date of the executive session. The Board further directs the custodian to systematically delete all recordings of executive sessions made for purposes of the Colorado Open Meetings Law at its earliest convenience after the ninetieth (90th) day after the date of the executive session.

6. This Resolution shall repeal, supersede, and replace any prior resolutions regarding meetings and any and all previous resolutions or provisions of previous resolutions adopted by the Board concerning meeting location, time, and posting of notices.

7. This Resolution shall take effect as of January 1, 2024.

(Signature Page Follows.)

ADOPTED AND APPROVED THIS 11TH DAY OF DECEMBER, 2023.

PORTEOS BUSINESS IMPROVEMENT DISTRICT

DocuSigned by:
By: Seth Rollert
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Seth Rollert, President

Signature Page to 2024 Meeting Resolution