# COLORADO SPRINGS URBAN RENEWAL AUTHORITY

RESOLUTION NO. **NO. 08-20**

**TITLE: A RESOLUTION OF THE COLORADO SPRINGS URBAN RENEWAL AUTHORITY APPROVING EMERGENCY PROCEDURES AND AUTHORIZING ELECTRONIC PARTICIPATION FOR REGULAR AND SPECIAL MEETINGS**

WHEREAS, the Colorado Springs Urban Renewal Authority (the “Authority”) is a body corporate and politic of the State of Colorado (the “State”), and has been duly organized, established and authorized by the City of Colorado Springs, Colorado to transact business and exercise its powers as an urban renewal authority under the laws of the State, including the Colorado Urban Renewal Law, constituting Sections 31-25-101 et seq., Colorado Revised Statutes, as amended;

WHEREAS, the Governor of the State declared a state of emergency on March 10, 2020 (the “Emergency”) due to the threat that COVID-19 coronavirus (“COVID-19”) poses to the health, safety and welfare of the citizens of the State;

WHEREAS, the Colorado Department of Public Health and Environment recommends certain precautions in order to attempt to slow the spread of COVID-19, including minimizing close contact with large numbers of people;

WHEREAS, in order to attempt to protect the health and safety of the Board of Commissioners of the Authority (the “Board”) and members of the public from COVID-19, while at the same time continuing with the required business of the Authority, the Board wishes to have the ability to hold regular and special meetings via electronic participation until such time that the Emergency is lifted by the State and normal operations of the Board can resume or as otherwise determined by the Board;

WHEREAS, the Board wishes to establish certain procedures and requirements for when the Authority determines to hold regular and special meetings via electronic participation during and after the Emergency until normal operations of the Board can resume;

**Approval of Agreements.**

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby approves and authorizes the conduct of regular and special meetings via electronic participation during and after the Emergency until normal operations of the Board can resume, subject to the following conditions:

1. Definitions.

“Electronic participation” or “electronically participate” shall mean participating in a meeting by telephone or another web-based video or audio-conferencing platform.

“Electronic participation meeting” shall mean a meeting held entirely by telephone or other web-based video or audio-conferencing platform.

2. Open Meetings. The Executive Director or the Executive Director’s designee shall take reasonable and practical measures to ensure that:

a. Each such electronic participation meeting is open to the public at all times, other than during a properly-convened executive session;

b. information is provided to enable the public to electronically participate such that the public is always reasonably able to hear comments and testimony but, it is not necessary to provide a means to the public to speak and, in the case of video-conference electronic participation meeting, it is not necessary to provide a means to the public to view the meeting;

c. Each such electronic participation meeting provides Authority staff and the public a reasonable opportunity to be heard or provide comments, which may include requiring the public to provide written comments/questions to the Executive Director or the Executive Director’s designee prior to the start of the meeting;

d. All Board members in attendance can clearly and without interruption hear one another or otherwise communicate with one another and can hear or read all discussion and testimony in a manner designed to provide maximum notice and participation; and

e. All votes are conducted by roll call.

3. Initiation. The Executive Director or the Executive Director’s designee shall initiate the telephone or web conferencing or similar contact not more than 20 minutes prior to the scheduled time of the meeting.

4. Notice of Electronic Participation Meetings. Notice of electronic participation meetings held during times of emergency, including instructions on how the public may electronically attend the meeting, shall be provided in accordance with the Authority’s then-effective resolution designating the location for posting public notices whenever possible. If the nature of the emergency precludes the Authority from so posting, the Authority will use all reasonable efforts to provide notice to the public of its electronic participation meeting, including whenever possible, posting such notice on the Authority’s web site, in accordance with State law.

5. Executive Sessions. Participation during an executive session held during an electronic participation meeting shall be available only after each participating Board member affirms on the record that each such Board member is participating in a secure and confidential manner in a location where no other persons can hear the content of the executive session and such participant shall not record or transmit the executive session.

6. Effect of Telephonic or Electronic Participation. Electronic participation during electronic participation meetings shall constitute actual attendance for purposes of establishing a quorum for the meeting and for action on all matters at such meeting.

FURTHER RESOLVED, that this Resolution shall remain in full force and effect until such time as the Board determines that the Emergency conditions necessitating its adoption no longer exist, including when State or local public officials no longer impose or recommend measures to promote social distancing and limitations on public events, and normal operations of the Board can resume, or as otherwise determined by the Board;

FURTHER RESOLVED, that if, and to the extent that, the provisions of this Resolution conflict with the Bylaws of the Authority, the provisions of this Resolution shall control; and

FURTHER RESOLVED, that all actions previously taken in connection with the foregoing by any officer or agent of the Authority, in the name or on behalf of the Authority or any of its affiliates, be, and each of the same hereby is, authorized, adopted, ratified, confirmed and approved in all respects as the act and deed of the Authority.

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 **ADOPTED** the 29th day of April, 2020.

COLORADO SPRINGS URBAN RENEWAL AUTHORITY

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Randle W. Case II, Chair

ATTEST:

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Secretary

APPROVED AS TO FORM:

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David M. Neville, General Counsel