

**RESOLUTION  
OF THE BOARD OF DIRECTORS OF THE  
BLACKSTONE METROPOLITAN DISTRICT**

**ADOPTING A SECURITY SYSTEM POLICY**

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WHEREAS, the Blackstone Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado; and

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

WHEREAS, the District owns and maintains considerable real and personal property within the boundaries of the District, including but not limited to parks, monuments, open space, and related improvements; and

WHEREAS, from time to time, the District and other property owners within the District have been subject to theft, vandalism, and other acts that have imposed costs on the District and residents, property owners, and taxpayers of the District; and

WHEREAS, the Board desires to deter theft, vandalism, and other unlawful acts within the District; and

WHEREAS, the Board further desires to cooperate with and assist local law enforcement authorities by providing them evidence and information that could aid in the investigation and prosecution of crimes; and

WHEREAS, the Board believes that a Security System, as defined below, including security cameras located at strategic locations within the District may deter theft, vandalism, and other unlawful acts and may provide evidence to law enforcement authorities for the investigation and prosecution of crimes; and

WHEREAS, the Board desires to adopt a policy regarding the District’s use of license plate cameras or other security or surveillance cameras and systems (collectively, the “**Security System**”) and the information obtained from such cameras and systems in order to clarify its intent, the proper use of, and the disposition of information obtained by, such cameras and systems.

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

1. Purpose.

a. The purpose of this Policy is to provide guidelines for Security System use and operation on property owned or utilized by the District in a way that enhances security and

aids law enforcement while respecting the privacy expectations of members of the public and in compliance with all applicable laws.

b. The primary purpose of utilizing the Security System in public areas is to deter crime and to assist law enforcement in enhancing the safety and security of property and residents of the District. The primary use of the Security System will be to record images and capture other information for use by law enforcement officials charged with investigating alleged violations of law.

c. Security System will not be monitored in real time. The existence of this policy does not imply or guarantee that Security System will be monitored or operational at any given time. Due to limitations of District resources and circumstances beyond the District's control, at any given time Security System may not be operational or may not communicate with a computer system that can record and maintain data. Accordingly, the public should have no expectation that images from any Security System will be available.

2. Responsibilities and Authorities. Responsibility for oversight of the installation and maintenance of the Security System is delegated by the Board to the District's manager, subject to oversight by the Board. Video or other information captured by the Security System will be turned over to law enforcement at the direction of the Board.

3. Security Camera Placement. Security cameras shall be placed only in public areas or on District property. This may include entrance monuments, landscaping tracts adjacent to public streets, parking areas, or other District-owned, -maintained, or -utilized property or facilities. Security cameras will not be directed toward private residences or backyards of private residences.

4. Security Camera Types. The District may purchase, install, lease, or otherwise contract for the Security System that record images, including high definition cameras that can read license plate numbers of vehicles that enter or leave the District or its facilities.

5. Storing, Access, and Use of Data Collected from Equipment.

a. Security System recordings and other captured information shall be used for the purposes of discouraging theft and other criminal activities and assisting law enforcement agencies in investigating incidents. The District shall not conduct any detailed investigation or police activity involving the security recordings on its own, but will turn that information over to appropriate law enforcement authorities to assist such agencies in their investigations.

b. Security System recordings may be utilized by the District as evidence in any civil or criminal proceeding involving the District or its property, such as to recover damage to District property or to enforce authorized fines.

c. Security System recordings may contain information that is not subject to release under the Colorado Open Record Act. Accordingly, Security System recordings shall not be made available to the general public except pursuant to court order, lawful legal

process such as a subpoena, or a lawful request under the Colorado Open Records Act.

5. District May Post Signs. The District may post signs in public locations informing the public that the Security System is in use. However, nothing in this Policy requires that the District post such signs at or near any particular location. The primary purpose of posting such signs is to deter crime by warning potential violators that their activities may be recorded, thus deterring such activity. The fact that such signs are posted is not intended to provide the public with any expectation or guarantee that a Security System is operational, is being monitored, or will insure the safety of any particular individual.

6. Amendment. The District expressly reserves the right to amend, revise, and/or repeal this policy in whole or in part, from time to time in order to further the purpose of carrying on the business, objects, and affairs of the District. The foregoing shall specifically include, but not be limited to, the right to adopt new rules, regulations and/or policies and procedures as may be necessary, in the Board's discretion.

7. Severability. If any term or provision of this Policy is found to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, such invalid or unenforceable term or provision shall not affect the validity of the remainder of this Policy, as a whole, but shall be severed, leaving the remaining terms or provisions in full force and effect. In addition, in lieu of such void or unenforceable provision, there shall automatically be added a provision similar in terms to such illegal, invalid or unenforceable provision so that the resulting reformed provision is legal, valid and enforceable.

*Signature page follows.*

ADOPTED 15<sup>th</sup> day of September, 2022.

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

*Shawn P. McGoff*

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Officer of the District

ATTEST:

*[Handwritten Signature]*

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APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON  
Attorneys at Law

*[Handwritten Signature]*

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General Counsel to the District