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**COLORADO**  
**Governor's Office of  
Information Technology**

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# Bylaws for the Broadband Advisory Board (BAB)



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## Article I - Name

The name of this organization shall be The Broadband Advisory Board (BAB), herein referred to as the “Board,” created pursuant to Governor Jared Polis Executive Order [B 2020-009](#), operating within the Governor’s Office of Information Technology, in coordination with the Colorado Broadband Office (CBO).

## Article II - Duties of the Board

- A. Review and provide feedback on policy and legislation regarding broadband initiatives.
- B. Act as a funding body for any potential state provided broadband funding.
- C. Convene regular meetings to discuss:
  - i. Public and private broadband project initiatives;
  - ii. Future demand planning; and
  - iii. Recommendations to the Governor and General Assembly on meeting current and future demands for economic development, education, healthcare, public safety, and tourism; and
- D. Educate citizens, private industry, government agencies, and elected officials on broadband concerns.
- E. Provide a formalized process to engage and address concerns from citizens, private industry, elected officials, and local and State government.
- F. Centralize all broadband information from CBO, Department of Local Affairs (DOLA), and Department of Regulatory Agencies (DORA) websites into a single website.
- G. Partner with the Office of Future of Work to create a subcommittee focused on digital literacy and inclusion.
- H. As part of OIT’s annual performance plans pursuant to the SMART Act (C.R.S. § 2-7-204), OIT will provide an update on broadband collaboration including projects initiated and completed, dollars spent or disbursed, and other metrics including digital inclusion.

## Article III - Members

- A. The Board shall consist of the following members (each a “Member”):
  - i. The Executive Director of CBO, or their designee;
  - ii. The Executive Director of Office of Economic Development and International Trade, or their designee;
  - iii. The Executive Director of DOLA, or their designee;
  - iv. The Executive Director of DORA, or their designee; and,
  - v. The Executive Director of Colorado Department of Transportation, or their designee.



- B. The Executive Director of OIT may appoint additional persons to serve as non-voting or voting Advisory Members for as long as the Executive Director deems relevant, or to the purposes, of the Board, including any representative of any other agency or organization that has relevant projects and initiatives focused on broadband activities within the State.

## Article IV - Meetings

### Section 1. Meeting Schedule.

The Board shall meet at least once per year or as often as the majority of the Members deem appropriate.

### Section 2. Meeting Participation.

Speaking and public comment shall be limited to the voting Members and Advisory Members except as otherwise allowed by the Chair, such as by designated public comment periods or discussions opened to work groups and guests who are not Members or Advisory Members.

### Section 3. Meeting Attendance.

- A. A quorum of the Board shall be established by a majority of the Members of the Board, not including vacant positions. A majority of the full Board Members would be: 3.
- B. Members are allowed to attend in person, by teleconference, or other electronic means.

### Section 4. Voting.

- A. Voting may occur in person, by phone, or by other electronic means and the outcome of the vote shall be recorded in the meeting minutes.
- B. Only the five Members listed in statute may have a designee participate as a Member and vote. The five voting Members are:
  - i. The Executive Director of CBO, or their designee;
  - ii. The Executive Director of Office of Economic Development and International Trade, or their designee;
  - iii. The Executive Director of DOLA, or their designee;
  - iv. The Executive Director of DORA, or their designee; and



- v. The Executive Director of Colorado Department of Transportation, or their designee.

### **Section 5. Voting Exceptions.**

In the absence of a quorum, the board meeting may continue discussion but may not take any formal action, such as:

- A. Approving previous meeting minutes;
- B. Approving of funds for projects;
- C. Making recommendations to the Governor or Governor's Office on legislative or policy changes;
- D. Changing Board Bylaws.

### **Section 6. Public Notification.**

- A. Meeting agenda indicating date/time/location of the meeting will be posted on the Colorado Broadband Office (CBO) website at least 24-hours prior to each meeting (for exceptions see section 6 below).
- B. All meetings of the Board shall be open to the public, unless called to Executive Session in accordance with regulations of the Colorado Open Meetings Law, as the Board shall hear testimony from the public in attendance in a manner as prescribed by the Board.
- C. All meetings, agendas, and meeting notes will be posted on the CBO website associated with the Board and will provide access for the public to attend and submit agenda request items.
- D. In addition to posting meeting notices on the CBO website, the Board will maintain a list of persons who, within the previous two years, have requested notification of all meetings or of meetings when certain specified issues are discussed. These persons will be notified by email.

### **Section 7. Special Meetings.**

Special meetings of the Board may be called by the Executive Director of CBO or at the request of any of the three (3) members of the Board. The Executive Director may fix the time and place for holding any special meeting of the Board. Any special meetings shall be limited in agenda and action to the specific purpose for which the meeting was called.

- A. Notice Requirements. Notice of each special meeting of the Board stating the date, time and place of the meeting shall be given to each member via their state email address, at least three (3) days (72 hours) prior to the meeting.
- B. Emergency meetings. Due to the nature of the Board and the unique role the Members serve, during situations that require immediate attention, like funding requests or policy concerns, it may become necessary to recall Members with limited to no notice. Every effort will be made to provide



Members with the maximum amount of time prior to convening the emergency meeting.

- C. Attendance. For special and emergency meetings, Members may attend in person or by telephone conference call or virtually as may be arranged by CBO staff.

#### **Section 8. Meeting Minutes.**

Meeting minutes shall be taken and promptly recorded; minutes are open to the public and shall be posted to the CBO website for a period of one year.

#### **Section 9. Communication with and between Board Members.**

- A. When sending information via email to Members, CBO will blind copy Members to prevent Members from replying to all which could violate Open Meetings Law.
- B. While Members are prohibited from discussing committee business with each other outside of a properly noticed open meeting, individual Members may independently contact CBO for assistance.
- C. No individual Member shall make a statement of policy that purports to be that of the Board unless the Board shall have adopted such policy, but no one shall be prohibited from stating his or her personal opinions, provided they are clearly identified as such.
- D. CBO is the administrative office for the Board.
- E. Nothing in these Bylaws is intended to prohibit the Members from carrying on their ordinary functions, charges, and business in their capacity as employees of the State.

## **Article V - Workgroups, Subcommittees, Task Forces and Ad Hoc Committees**

#### **Section 1. Guidelines and purpose.**

Business of the Board may be conducted through the use of the workgroups established to provide guidance to the Board, CBO, or both.

- A. Workgroups, subcommittees, task forces and ad hoc committees (hereinafter referred to as workgroups) may be established by majority vote of the Members as needed to provide specific advice to the Board.
- B. Workgroups may be established and dissolved by the Board as needed to further the business of the Board.
- C. Any workgroups so established and approved;



- i. Shall act only in an advisory capacity to the Board;
  - ii. Shall consider and make recommendations on any matter referred to them but final action shall remain with the Board; and
  - iii. Shall be chaired by a Member.
- D. An up-to-date list of workgroups and their members shall be maintained by the CBO.

## **Section 2. Meetings of Workgroups.**

Meetings of workgroups, subcommittees, task forces, and any ad hoc committees shall be open to the public in accordance with the Colorado Open Meetings Law except when prohibited by law, regulation or applicable policy, and shall hear testimony from the public in attendance in a manner as prescribed by the Board.

- A. Meetings shall be at the call of the chairperson of the workgroup, subcommittee or task force.
- B. Meetings shall be announced at least three (3) working days prior to the meeting date in a manner as prescribed by the Board.
- C. A majority of the current membership of the working group shall constitute a quorum of such.
- D. Members who resigned or vacated their Board Membership in accordance with these Bylaws shall not be considered workgroup participants for the purpose of quorum determination.
- E. No proxy or absentee voting shall be allowed for any member of a workgroup; however, a member may participate by teleconference.
- F. Meetings of workgroups shall be conducted in the manner as prescribed in the parliamentary authority as described in Robert's Rules of Order.
- G. Minutes of all workgroups shall be made, copies of which shall be retained by the CBO and posted to the CBO website for a year.

## **Section 3. Voting.**

Recommendation of workgroups to the Board shall be by majority vote of the respective workgroup members at a meeting.

## **Section 4. Reports.**

Reports to the Board shall include a summary of any public testimony heard in developing the recommendations.

# **Article VI - Amendment of Bylaws**



## Section 1. Process.

These Bylaws may be amended at a meeting of the Board by majority vote provided that such amendment was submitted to the chairperson and remitted to all Members at least ten working days prior to the meeting at which such amendment is to be offered.

Adopted amendments shall take effect immediately upon adoption.

## Article VII - Parliamentary Authority

The Board shall generally follow the latest version of Robert's Rules of Order to govern the committee and workgroups wherever they are applicable and not inconsistent with Colorado Revised Statutes or these Bylaws.

## Article VIII - Adoption of Bylaws

These Bylaws shall take effect immediately upon majority vote of the Members and signature of the Executive Director of the CBO.

## Article IX - Conflict of Interest

### Section 1. Process.

No Member shall be permitted to vote on items brought before the Board, or directly engage in tasks or duties of the Board, whereby an immediate personal or financial conflict of interest exists.

- A. Any Member wishing to abstain from voting shall notify the Executive Director of CBO and Chair of the Board.
- B. Any Board member wishing to disengage from a required task or duty of the Board, or to recuse themselves from a vote or decision of the Board, due to a conflict of interest shall notify the Executive Director of CBO, Chair of the Board, and Board staff members to explain the conflict.
- C. Dispensation for voting or duty shall pertain only to the specified vote or duty.

Bylaws adopted by Date: