

**RESOLUTION
BOARD OF DIRECTORS OF THE
ROXBOROUGH VILLAGE METROPOLITAN DISTRICT**

A RESOLUTION ESTABLISHING A POLICY FOR REQUESTS FOR PUBLIC RECORDS AND ASSESSING CHARGES FOR THE PRODUCTION OF PUBLIC RECORDS

WHEREAS, Roxborough Village Metropolitan District ("***District***") is a political subdivision of the State of Colorado, organized pursuant to C.R.S. § 32-1-101, *et seq.* ("***Special District Act***"), to provide certain public services to the communities within its boundaries;

WHEREAS, pursuant to the Special District Act, C.R.S. § 32-1-1001(1)(h) and (m), the District's Board of Directors ("***Board***") is vested with the management, control, and supervision of all the business and affairs of the District, and is authorized to adopt, amend, and enforce rules and regulations for carrying out the District's business and affairs;

WHEREAS, the Board is authorized by statute to charge a reasonable fee for copies, printouts, and photographs made at the request of an individual or entity pursuant to the Colorado Public (Open) Records Act, C.R.S. § 24-72-205 ("***CORA***");

WHEREAS, the Board intends for this Resolution to supersede and replace any prior written or unwritten policies or procedures utilized by the District in responding to requests for public records and assessing charges for the production of public records; and

WHEREAS, the Board determines that the fees it establishes by this Resolution are reasonable, cost-based fees, and are in compliance with the requirements and restrictions of CORA.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE ROXBOROUGH VILLAGE METROPOLITAN DISTRICT THAT:

1. The Board is committed to accountability and transparency in its processing of requests for inspection and/or production of public records. The term "public records" shall have the same meaning as set forth in CORA.

2. This policy sets forth the procedures for processing requests for inspection and/or production of public records with the goal of providing prompt service to those requesting access to public records and imposing consistent fees in accordance with, and as permitted by, the requirements of all federal, state, and local laws, rules, and regulations governing requests to inspect or obtain copies of the District's public records, including but not limited to, CORA, relevant Court decisions, or other applicable laws (collectively, "***Applicable Law***").

3. All requests for public records must be made in writing on the District's Public Records Request Form. The District's Public Records Request Form shall be in substantially the form attached as **Attachment A**.

4. The District will comply with the requirements of Applicable Law with respect to whether it must, may, or cannot produce the public records requested, and the fees it charges for producing such public records.

5. Where the fee for a certified copy or other copy, printout, or photograph of a public record is specifically prescribed by Applicable Law, the specific fee shall be charged. If a fee is not specifically prescribed by Applicable Law, the District will furnish copies, printouts, or photographs of a public record for a fee of \$0.25 per standard page. The District shall charge a fee not to exceed the actual cost of providing a copy, photograph, or printout in a form other than a standard page. The District shall charge the actual costs it incurs in having the copies made off-site by an outside copying facility.

6. If, in response to a specific request, the District's custodian of records performs a manipulation of data so as to generate a record in a form not used by the District (including a privilege log), an hourly administrative fee equal to the hourly research and retrieval fee discussed in Section 7, below, shall be charged to the person or entity making the request; provided, however, that the fee shall not exceed the actual cost of manipulating the data and generating the record in accordance with the request. An individual or entity making a subsequent request for the same or similar records shall be charged the same fee.

7. The District will not impose a charge for the first one hour of time expended in connection with the research and retrieval of public records. If the amount of time required by the District to research and retrieve the documents necessary to fulfill a specific request exceeds one hour, including the time required to identify and segregate records that must or may not be produced, the person or entity making the request shall be charged a research and retrieval fee of \$33.58 per hour, or such maximum hourly research and retrieval fee as may be established by the Colorado Legislative Council from time to time. Such fee will include discussing strategy for accomplishing the collection of public records (including time to agree on search terms and searchable time frame for email searches), redactions, and attorney time to review public records.

8. Upon request for transmission of the public record, the District will transmit the public record by United States mail, other delivery service, facsimile, or electronic mail. If transmitting the public record pursuant to this paragraph, the District may notify the record requester that a copy of the public record is available, but will be sent only when the District receives payment or makes satisfactory arrangements for payment of all costs associated with transmitting the public record and for all other fees lawfully allowed; provided, however, that no transmission fees will be charged for transmitting the public record via electronic mail. If, after the initial deposit is made, the actual cost associated with the request is greater than the initial deposit, the custodian shall collect the actual cost in full from the requestor before producing the public records. If the actual cost is less than the initial deposit, the custodian will refund the balance to the requestor. Persons making a subsequent request for the same public record(s) shall be charged the same fee.

9. The District will destroy any requested public records that have not been picked up within 30 calendar days of the date the public records request was submitted to the District. The District shall keep any fees pre-paid by the requestor to compensate the District for the costs it incurred in preparing the requested public records.

10. This Resolution shall supersede and replace the 2014 Open Records Policy and any other written or unwritten policies or procedures utilized by the District with respect to responding to requests for public records and assessing charges for the production of public records, which prior policies or procedures are hereby rescinded and null and void, in whole or in part, to the extent such Resolutions and motions conflict with this Resolution.

ADOPTED the 25th day of January, 2023.

BOARD OF DIRECTORS OF THE
ROXBOROUGH VILLAGE METROPOLITAN DISTRICT

By: Mathew Hart
Mat Hart, Board President

Attested:

By: Travis C Jensen
Travis Jensen, Board Secretary

Attachment A
Public Records Request Form
Roxborough Village Metropolitan District

Please complete the following information to obtain copies of the requested records. Roxborough Village Metropolitan District (“*District*”) will respond to your request within three working days, except in the event of extenuating circumstances, in which case the District will respond to your request within seven working days.

The District complies with the requirements of the Colorado Open Records Act and any other applicable federal or state laws with respect to whether it must, may, or cannot produce public records, or other documents or information requested, and the fees it charges for producing such public records or other documents or information. A complete copy of the District' policy for requests for public records and assessing charges for the production of public records is available at: <https://www.roxboroughmetrodistrict.org/district-documents>

Requester Name:	
Requester Address:	
Requester Telephone:	
Detailed Description of Requested Records:	
Requested Method of Delivery:	<input type="checkbox"/> Inspection at the District's offices.
	<input type="checkbox"/> United States mail to the following address:
	<input type="checkbox"/> Other delivery service (FedEx, UPS, etc.) to the following address:
	<input type="checkbox"/> Facsimile to the following number:
	<input type="checkbox"/> Email to the following email address:

I understand that fees may be assessed for the production of the records I am requesting, and/or for delivering the records to me. If requested by the District, I agree to pay all fees assessed for my request prior to the District sending the records to me.

Requester Signature

Date

Please return to: Peggy Ripko, Records Custodian/District Manager
Roxborough Village Metropolitan District
Attn: CORA Requests
141 Union Boulevard, Suite 150

Attachment A
Lakewood, CO 80228-1898
pripko@sdmsi.com