

SOUTHEAST METRO STORMWATER AUTHORITY
acting by and through
SEMSWA WATER ACTIVITY ENTERPRISE

Resolution 14-14

Adoption of a Policy for Inspection of Public Records Pursuant to the Colorado Open Records Act

WHEREAS, the Southeast Metro Stormwater Authority (SEMSWA) was formed by Intergovernmental Agreement to plan, fund, construct, acquire, operate, and maintain drainage and flood control facilities as well as to manage stormwater quality; and

WHEREAS, SEMSWA, as a governmental agency, is required to comply with the Colorado Open Records Act, (CORA) Section 24-72-101 et. seq., C.R.S.; and

WHEREAS, the purpose of CORA is to facilitate open government and the need to strike a balance between the statutory right of members of the public to inspect and copy public records and the administrative burdens that may be placed on governmental agencies in responding to such requests; and

WHEREAS, as of July 1, 2014, amendments to CORA will take effect adding the requirement that a written policy be adopted in order to impose fees in response to requests for the research and retrieval of public records and that this policy must be adopted and posted on the organization's website or otherwise published; and

WHEREAS, the SEMSWA Board of Directors desires to adopt a policy that will comply with CORA and address the appropriate balance between disclosure of public records and protection of SEMSWA from the administrative burdens that may be placed upon it in responding to such requests.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The policy of the Southeast Metro Stormwater Authority dated May 13, 2014 as attached hereto and incorporated herein by this reference is hereby approved and adopted as the SEMSWA Open Records Policy and will be posted on the SEMSWA website.

2. The Executive Director shall have the authority to, in consultation with SEMSWA's legal counsel, interpret the adopted Policy and to amend the Policy, without a Board resolution, to fully comply with amendments to CORA. However, any other amendment to the Policy that substantially changes the Policy or changes the fee to be charged for research and retrieval of public records shall only be adopted with Board approval.

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Date: _____

ATTEST:

Secretary

Chairperson

APPROVED AS TO FORM:
Attorney for
Southeast Metro Stormwater Authority

By _____
Edward J. Krisor

SOUTHEAST METRO STORMWATER AUTHORITY

OPEN RECORDS POLICY

Southeast Metro Stormwater Authority (SEMSWA) will make public records available for inspection in accordance with the applicable provisions of the Colorado Open Records Act, Colorado Revised Statutes §24-72-201, et seq. The act mandates access to many types of records, but it also provides exemptions on the basis of confidentiality, privilege, and security, among others.

All Requests

All requests for public records must be made in writing and must include the following:

- Requestor's full name, address, email address and telephone number
- As detailed description of the records requested as is reasonably possible
- A statement that the request is made pursuant to the provisions of the Colorado Open Records Act, Colorado Revised Statutes §24-72-201, et seq.

Written requests must be delivered in person, by mail or by email to semswamain@semswa.org.

Mailed requests should be addressed to:

Executive Director
SEMSWA
76 Inverness Drive E, Suite A
Englewood, CO 80112-5106

Fees

One hour of research toward responding to a request will be completed at no charge. After the first hour, a \$30/hour charge will be assessed for researching files for requested information, manipulation of data to generate a record in a form not used by SEMSWA, or redaction of documents containing confidential information. Fees also apply for copies of public records. If SEMSWA estimates the cost to comply with the request including the making of copies will exceed \$30.00, the requestor may be required by the custodian to deposit that estimate with SEMSWA prior to fulfillment of the request by SEMSWA.

Fees for copies of public records

- Paper, standard page (one side of a page, up to 11" x 17", black and white or color) - 25 cents
- Paper, oversized page (one side of a page, larger than 11" x 17", black and white or color) - \$1.25
- Photographic image digitized from a photographic print or negative (JPEG or TIFF or PDF) - \$1.50
- Photographic paper print from a photographic negative - Actual cost
- Electronic documents in PDF format if normally maintained in PDF by SEMSWA - no charge
- CD or DVD media disk - \$1
- Postage to mail copies - actual cost
- Email of copies to requestor - no charge

2014.05.13

Adopted by Resolution 14-14