

Colorado Open Records Act "CORA" Policy

502.1 PURPOSE AND SCOPE

To set forth a general policy and implement procedures for providing access to public records maintained by the City in compliance with the Colorado Open Records Act ("CORA"), C.R.S. 24-72-101, et seq. This policy is reasonably necessary for the protection of the Public Records and the prevention of unnecessary interference with the regular discharge of the duties of the Custodian or the Custodian's office.

To provide a framework for the establishment, by the City Manager, of reasonable and standardized fees for searching, retrieving, producing, reproducing, and transmitting Public Records maintained by the City, as authorized by CORA.

This policy applies to all Records maintained by the City with the exception of Criminal Justice Records as defined by C.R.S. § 24-72-301. City employees and records custodians are required to understand the requirements of this policy and of CORA. The regulatory authority for the City of Greeley Records policy is the Colorado Open Records Act ("CORA"), C.R.S. 24-72-101, et seq.

This policy replaces the City of Greeley 2014 Access to Public Records Policy.

502.2 DEPARTMENTS AND INDIVIDUALS AFFECTED BY THIS POLICY

This policy applies to all employees, contractors, and third parties who create, manage, or access records and information on behalf of the City of Greeley. It covers all types of records, whether physical or digital, including but not limited to documents, emails, reports, data, and multimedia content.

502.3 DEFINITIONS

Departmental Records - Records that are retained within each department to provide convenient access to Records needed for departmental use.

Document Sizes -

Legal Size Page: A document measuring 8 1/2" x 14" on one side.

Overside Document: Any document that exceeds the size of 11" x 14" in any dimension.

Standard Letter Size Page: A document measuring 8 1/2" x 11" on one side.

Format - The physical form of a record, such as paper, electronic, or microfilm.

Non-Public Record - Records which are not subject to open records requests and shall not be released to the public.

Non-Record - Information that does not need to be retained because it lacks any kind of administrative, evidential, financial, historical, or other value to the City and does not constitute a record, as defined by this policy.

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Official Custodian - The City Clerk is the City's "Official Custodian" and is responsible for coordinating the maintenance, care, and retention of public records. The City Clerk is also responsible for providing certified copies of City Public Records as requested.

Permanent Records - Records designated for permanent retention that must be kept and maintained indefinitely by the City Clerk's Office.

Person(s) - Any natural person, including any public employee and any elected or appointed public official acting in an official or personal capacity, and any corporation, limited liability company, partnership, firm, or association.

Protected Records - Records which are not subject to public inspection as defined by Colorado Revised Statutes.

Public Records - All writings, regardless of form, made, maintained, or kept of the City for use in the exercise of functions required or authorized by law or administrative rule or involving the receipt or expenditure of public funds. "Public" shall also have the meaning set forth in the Greeley Municipal Code.

Record - Recorded information, regardless of medium or characteristics, made or received by the City that is evidence of its operations and has intent and value requiring its retention for a specific period.

Records Center - The City's central, climate-controlled location designed for the physical preservation and retention of specific records.

Records Custodian/Custodian - Every Department Director, within the City, is the official Records Custodian for their respective department and may utilize the Records Center for Records storage, with the assistance of the City Clerk's Records Team. Each department is responsible for their documents stored at the Records Center, including, inventory (*boxes that have not been properly inventoried cannot be stored in Records Center*), retention, and destruction of their departmental records.

Records Retention Schedule - The City's adopted Records Retention Schedule, the Colorado Municipal Records Retention Schedule (CMRRS), which is reviewed and updated periodically by the Colorado State Archives, as amended by local exceptions properly approved by the City and the State Archives. The retention schedule applies to all City Records regardless of storage format or location.

Temporary Records - Records without value of documented functions of an agency that is designated for short-term retention in accordance with the City's adopted Records Retention Schedule.

Work Product - A work product is defined as all intra- or inter-agency advisory or deliberative materials assembled for the benefit of elected officials, which materials express an opinion or are deliberative in nature and are communicated for the purpose of assisting such elected officials in reaching a decision within the scope of their authority.

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502.4 ROLES AND RESPONSIBILITIES

502.4.1 CITY CLERK - OFFICIAL RECORDS CUSTODIAN

As the Official Records Custodian for all City records, the City Clerk is responsible for establishing recordkeeping practices across the City in order to aid in document retrieval for a CORA request.

502.4.2 DEPARTMENT DIRECTORS - DEPARTMENT RECORDS CUSTODIANS

Department directors are expected to maintain appropriate recordkeeping practices within their departments and to be prepared to respond to a CORA request at any time.

502.4.3 RECORDS TEAM

The Records Team shall act as the intermediaries between the requestor and City staff. The Records Team is responsible for receiving all formal open records requests from the public, whether submitted in person, via email, or through other means. The Records Team is also responsible for acknowledging and clarifying requests, working with various City departments to identify and locate responsive records, and redacting protected information.

502.4.4 CITY EMPLOYEES

All employees of the City are expected to be aware of CORA and be prepared to locate responsive documents at any time. Employees are expected to maintain acceptable recordkeeping practices in order to pull documents should a CORA request be submitted. Employees will receive training from the City Clerk's Office prior to working on CORA requests.

502.5 REQUIREMENTS OF THE POLICY

502.5.1 GENERAL POLICY STATEMENT

It is the policy of the City to make Public Records available for public inspection at reasonable times unless such Records are protected from disclosure by law.

502.5.2 FORM OF REQUESTS FOR PUBLIC RECORDS

Except for requests for inspection of Public Records that can be quickly identified and are readily available by the custodian for immediate inspection, all requests for inspection or copying of Public Records must be in writing and must specifically identify the Public Records requested. The preferred method of requesting Public Records is through the link on the City's website. Requests received via email, phone, or paper forms shall be entered into the City's public portal for processing and tracking.

502.5.3 TIMEFRAME FOR FULFILLING A REQUEST FOR PUBLIC RECORDS

1. The City of Greeley will respond to requests for Public Records in a reasonable time, as defined by CORA. Unless the Requestor agrees to a longer time, a reasonable time will be considered to be within three business days of the written request, clarification of the request, and payment of the estimated fees if advance payment is required.
2. Upon written notice to the requesting party, provided within three business days of the request, the reasonable time may be extended by the City up to an additional seven

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business days if extenuating circumstances prevent an earlier response. Extenuating circumstances includes but is not limited to:

- (a) the request was very broad; or
 - (b) earlier compliance would substantially interfere with the regular discharge of the duties of the Custodian or the Custodian's department, the Custodian may set a date for inspection or copying for a later date. The Custodian of the record will notify the requesting party in writing of the later date and the reasons for the delay within the initial three business days of the written Records request unless the reason for the delay could not be reasonably anticipated during the initial three days.
3. In calculating the time periods set forth in this policy, the rules set forth below will apply;
 - (a) Any day the office is closed does not count as a business day.
 - (b) If a request is received after 5:00 p.m., it will be considered received the next business day.
 - (c) In calculating the time to respond, the day the request is received and resumed does not count as a day.
4. Modification of a request by the requestor will reset the timeline for determining when the response is due.

502.5.4 FEES

1. Fee Amounts
 - (a) Fees for Records research, retrieval, identification, segregation, review, and/or redaction of Records is set by the Colorado Legislative Council Staff, per C.R.S. 24-72-205 (6) (b), et seq., and approved by the City Manager or designee when updated.
 - (b) The Fee Amounts shall be updated to match the maximum hourly fee published by the Colorado Legislative Council within thirty (30) business days of the effective date.
2. Advance Payment of Fees Required
 - (a) For requests that exceed 60 minutes of staff time to complete, the requestor will be notified of the estimated time and cost required to complete the request.
 - (b) The requestor must approve the cost estimate before the City will begin work on fulfilling the request.
 - (c) A 50% advance deposit will be required before work begins on the request. The 50% advance payment shall be calculated based on the estimated time required to complete the request. The timeframe for the City to complete the request will not begin until payment has been received.
 - (d) If an adjustment is required to the estimated cost to complete, the requestor will be notified prior to release of the Records. The requestor shall pay the full amount due to complete the request.

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- (e) Records shall be withheld until the final payment is received. Upon receipt, records shall be provided to the requestor.
- 3. Payment for Subsequent Requests
 - (a) Persons making subsequent requests for the same records which have previously been released, will be charged the same fee for the time required to fulfill the original request.
- 4. Waiver of Fees
 - (a) Fees will not be waived.
- 5. Refunds
 - (a) No refunds will be provided unless there are extenuating circumstances.

502.5.5 ON-SITE INSPECTION

On-site inspection of records is by request only. Records staff must be available to supervise the inspection of records.

502.5.6 PROCEDURES FOR INSPECTION AND COPYING OF PUBLIC RECORDS

- 1. Public Records are to be open for inspection in the office of the Records Custodian where the Records physically reside during normal office hours.
- 2. Original Public Records shall not be released to the requestor. The Custodian shall take precautions to ensure the security of Public Records made available for inspection and copying.
- 3. Public records may also include information that is protected. In these cases, the protected information will be redacted. The requestor will receive a log detailing the type of information redacted and the citation that excludes the information from public records requests.
- 4. Copies of electronic Records available and provided on computer media in native format, such as databases, spreadsheets, or word processing documents, will be produced by the Custodian for a fee established by the Colorado Legislative Council Staff and adopted by the City.

502.5.7 PUBLIC RECORDS THAT ARE MAINTAINED IN A DIGITAL FORMAT

- 1. Public Records that are maintained in a digital format may be inspected or copied, subject to this policy.
- 2. If the digital format of the Public Record is searchable, but not sortable, then the City will provide the Public Record in a searchable format (such as Word or PDF).
- 3. If the digital format of the Public Record is sortable, then the City will provide a copy in a sortable format (such as Excel or a comma-separated values format).
- 4. If the Public Record is stored by the City in a digital format that is not searchable or sortable, the City will provide the Public Record in the digital format in which it is stored.

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5. If the Custodian cannot produce the Records as outlined above, the City shall produce the Records in an alternate format and shall provide a written statement as to why the City is unable to produce the Public Records in the requested format.
6. The City is not required to produce Public Records in a digital format if:
 - (a) Doing so would violate the terms of any copyright or licensing agreement or result in the release of a third party's proprietary information;
 - (b) It is not technologically or practically feasible to permanently remove information permitted to be withheld;
 - (c) It is not technologically or practically feasible to provide the Public Record in a searchable or sortable format; or
 - (d) The City would be required to purchase or create software to remove information.

502.5.8 CLARIFYING OR NARROWING REQUESTS

1. All requests must include enough information so the Public Record being requested can be identified, including a date or date-range.
2. The requester will be asked to clarify the request when it is so broadly stated the request encompasses all, or substantially all, of a large category of Records.
3. The requestor will be asked to clarify the request when it is without sufficient specificity to allow the preparation or gathering of the Records within the three-day period.
4. The requestor will be given the opportunity to clarify the request, and the request will be deemed incomplete until a revised request has been received. The timeframe to complete the request will not begin until a complete request is received.
5. If City staff does not receive a response from the requestor within ten (10) business days of pausing the request, the request will be closed, and the requestor will be notified.

502.5.9 ADDING PEOPLE TO REQUESTS AFTER SUBMISSION

No one shall be added to a request or provided access to documents after a request has been submitted, unless a written agreement is reached between the City and the requestor. Only the requestor who submitted the request shall receive correspondence, payment information, and documents.

502.5.10 PROCEDURES FOR MULTIPLE, REPEATED, OR DUPLICATIVE SUBMISSIONS

1. When there are duplicative CORA requests submitted – either by one individual or by multiple requestors – that require extensive amounts of staff time and would otherwise interfere with the completion of other duties of the City, the City must appropriately manage and delegate its staff time so as to ensure that the processing of such requests does not interfere with the other duties of the City.
2. At the discretion of the Custodian, requests with the same or similar search terms from one requestor will be consolidated, as necessary. Each request will be handled in the order in which it is received. Once consolidated, the fees set forth in this policy

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will be charged for the staff time necessary to review and respond to the consolidated request.

3. When addressing the same or similar requests from multiple requestors, the City may choose to publish the requested information on a secure, public records portal and will direct requestors to that portal.

502.5.11 RESTRICTIONS ON INSPECTION AND COPYING OF PUBLIC RECORDS

1. Inspection and copying of Public Records shall not be permitted if inspection and copying of the Public Record would be contrary to any state statute, federal statute, or regulation issued thereunder; or is prohibited by rules promulgated by the Colorado Supreme Court; or is prohibited by court order.
2. Inspection and copying of Public Records may be prohibited where authorized by CORA.

502.5.12 NO DUTY TO CREATE A RECORD

1. The City is not under any duty to create a Record in response to a request.
2. Requests in advance for "future" Records and requests for information on a subsequent continuing or periodic basis are not allowed.
3. A separate request must be made each time existing data and/or Records are requested. Data will not be manipulated and provided in custom formats.

502.5.13 BROCHURES AND PAMPHLETS

Brochures and pamphlets produced specifically for the assistance and convenience of residents and businesses in complying with municipal regulations are not affected by this policy and may be distributed free of charge.

502.5.14 BOOKS

Copies of any books the City has printed, i.e. the budget book, are available for the requestor to purchase at the City's cost to have them printed. Copies of the code of ordinances and code supplement subscriptions are to be purchased through the City's code publisher.

502.6 VIOLATIONS OF POLICY

Violations of this policy may result in disciplinary action up to and including termination from employment.

502.7 STANDARD OPERATING PROCEDURE (SOP)

City Employees shall refer to and follow the respective Standard Operating Procedure (SOP) for this policy. The SOP is intended to provide additional information and guidance on this policy as it pertains to effectively and efficiently managing Records to maintain compliance. If you are unable to locate the SOP, please contact the City Clerk's Office for assistance.

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502.8 AUTHORIZATION

See attachment: [CORA Policy Signature Page.pdf](#)


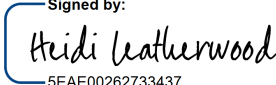
Attachments

CORA Policy Signature Page.pdf



CORA Records Request Policy – Access to Public Records

APPROVED:

Signed by: 		Signed by: 	
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Title:	City Manager	Title:	City Clerk
Date:	5/19/2025	Date:	5/16/2025