

MID VALLEY METROPOLITAN DISTRICT PUBLIC RECORDS POLICY

ADOPTED: September 16, 2026

The Mid Valley Metropolitan District ("MVMD" or the "District") is committed to transparency and open government. The following policy specifies how the District will respond to requests under the Colorado Open Records Act ("CORA" or the "Act"), codified at C.R.S. § 24-72-201, *et seq.*

It is the policy of the District that public records shall be open for inspection at reasonable times in accordance with CORA. Public records are defined by CORA as all writings made, maintained or kept by the District, regardless of the format or medium of the records (including emails), subject to certain exceptions.

By action of the Board of Directors of the District, the District's Executive Director is hereby designated as the official Custodian of Records responsible for the maintenance, care and keeping of all records of the District. The official Custodian of Records shall have authority to designate such agents as he/she shall determine appropriate to perform any and all acts necessary to enforce and execute the provisions of this policy. Upon receipt, requests to inspect and/or copy any District record should be immediately sent to the Custodian of Records.

The following are general policies and procedures concerning the release of public records by the District:

1. Every records requester shall fill out a written Request for Inspection/Copying of Record in the form attached hereto as Exhibit A (a "**Records Request**"), which form shall be submitted to the District's Custodian of Records.
2. The Custodian of Records will determine: (a) the status of the requested record (location, availability, etc.); and (b) the cost estimate for the requested record. When the records requester receives the cost estimate, he/she will either confirm or cancel the Records Request, which shall be indicated on the Records Request form.
3. If the requested public records are not in the custody or control of the Custodian of Records, the Custodian of Records shall notify the requester. The Custodian of Records should state the reason for the absence of the records and, to the best of the Custodian of Record's knowledge, the location of the records and/or the entity/person in control of those records.
4. If any question arises as to the District's obligation of fully complying with a Records Request, the Custodian of Records shall immediately forward it to the District's legal counsel to determine the District's obligations under applicable law.

5. If the Custodian of Records denies access to the requested record, the records requester may request a written statement of the grounds for the denial.
6. Pursuant to CORA, all records must be made available for inspection or transmission within three (3) working days, unless extenuating circumstances exist. The deadline may be extended by seven (7) working days if extenuating circumstances exist and the requesting party is notified of the delay.
7. The Custodian of Records will notify the record requestor that a copy of the record is available, but will only be sent to the requestor or available for inspection or pick-up once the custodian receives payment for all fees and costs associated with the Records Request, unless recovery of all or any portion of such costs or fees has been waived by the Custodian of Records. The Custodian of Records may set the time during normal office hours and the place for the copy of the record to be inspected or picked up. If requested, the Custodian of Records may transmit a copy of the record by U.S. Mail, facsimile, or electronic mail.
8. If a record is stored in a digital format, the Custodian of Records shall provide the record in a digital format unless otherwise requested by the requester. If the digital record is stored in a sortable or searchable format, the Custodian of Records shall not convert that record into a non-sortable or non-searchable format before it is provided to the requester. If it is not feasible to remove information that the Custodian of Records is required to withhold, the record does not need to be in a searchable or sortable format. Altering an existing public record to remove information that cannot be released does not constitute the creation of a new public record.
9. The District will charge for copies and other services in conjunction with CORA requests, which charges shall be paid at the time of service.
 - The District will charge \$0.25 per page for standard page black and white copies. There shall be no per-page fee for digital or electronic records transmitted over electronic mail.
 - The charge for providing a public record in a format other than a standard page black and white copy will be assessed at the actual cost of production. The actual cost may include, but is not limited to, the cost of the physical medium of the document (e.g., tape, disk, USB flash drive, or other physical form of electronic data storage).
 - The District may also charge for the cost of transmission of the public record to the requester via U.S. Mail or facsimile, if applicable.
 - In those cases where the location or existence of specific documents must be researched and/or the documents must be retrieved, sorted or reviewed for applicability to the request, and such process requires one or more hours of staff time, the District may charge a research and retrieval fee of \$41.37 per hour, but no charge shall be made for the first hour of time expended in connection with the research and retrieval of public records.

10. The Custodian of Records shall not disclose certain records or has the discretion not to disclose certain records.

- The Custodian of Records shall not release personnel files unless it is to the person themselves or their duly elected/appointed supervisor; letters of reference; trade secrets or privileged/confidential information; application material for any person who was not a finalist for a position; the email addresses, telephone numbers, or home addresses of those who reached out to an elected official, agency, institution, or political subdivision of the state; documents created during the deliberative process whose release would negatively impact the public interest.
- Personal information of users of public utilities or services shall not be released to anyone except a criminal justice agency when that information is reasonably related to an investigation.
- Any records related to sexual harassment complaints and personnel investigations unless they are being released to an investigating state agency or to the person at issue.
- Any records that, upon consultation with the District's Attorney, it is determined that inspection is prohibited by CORA or would be contrary to any other state statute, federal statute, or regulation issued thereunder or is prohibited by the order of any court.

This policy supersedes and replaces any prior public records policy of the District.

EXHIBIT A

REQUEST FOR INSPECTION/COPYING OF RECORD

Date of request: _____ Time of request: _____

Applicant name: _____ Daytime Phone: _____

Address: _____

Email Address: _____

Description of document: _____

Method of Delivery: _____ pick-up _____ email _____ U.S. Mail _____ fax

Purpose of request

☐ Court Case ☐ Personal information ☐ Other (please specify): _____

Certified Copy? ☐ Yes ☐ No

FOR DISTRICT USE ONLY

Availability: ☐ Paper Copy ☐ Electronic Format

Location: ☐ In Storage ☐ Readily Available (on-site)

Cost Estimate:

_____ pages @ \$0.25 per page =	\$	_____
_____ other cost of production =	\$	_____
_____ cost of transmission =	\$	_____
_____ hours @ \$41.37 hourly rate after the first hour =	\$	_____

Total Cost Estimate: \$ _____

Having received the foregoing cost estimate I choose to confirm my request for the records described and agree to pay the charges.

☐ Yes ☐ No - Cancel request

Signature

Date