

RESOLUTION NO. 15699

A RESOLUTION ADOPTING NEW POLICIES AND PROCEDURES FOR RESEARCH, RETRIEVAL, AND COPYING OF PUBLIC RECORDS AND CRIMINAL JUSTICE RECORDS

WHEREAS, sections 24-72-201 et. seq. and 24-72-301 et. seq. of the Colorado Revised Statutes authorize the City to adopt rules concerning the inspection of Public Records and Criminal Justice Records and set fees for research and retrieval of those records; and

WHEREAS, the City currently charges \$33.58 per hour for research and retrieval of public records and criminal justice records as established by Resolution No. 14455; and

WHEREAS, the Colorado Legislature has recently increased the maximum amount that the City is allowed to charge for such services from \$33.58 per hour to \$41.37 per hour, in order to account for inflation over the past five years; NOW THEREFORE;

BE IT RESOLVED BY THE CITY COUNCIL OF PUEBLO, that

SECTION 1.

The "City of Pueblo Colorado Open Records Act Rules" attached hereto, having been approved as to form by the City Attorney, are hereby approved.

SECTION 2.

The "City of Pueblo Colorado Criminal Justice Records Act Rules" attached hereto, having been approved as to form by the City Attorney, are hereby approved.

SECTION 3.

All prior Resolutions inconsistent with this Resolution are hereby rescinded.

SECTION 4.

The officers and staff of the City are directed and authorized to perform any and all acts consistent with the intent of this Resolution to effectuate the policies and procedures described herein.

SECTION 5.

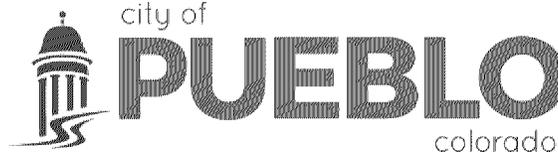
This Resolution shall become effective immediately upon final approval.

INTRODUCED: July 22, 2024

BY: Regina Maestri  
MEMBER OF CITY COUNCIL

APPROVED: Mark Bliff  
PRESIDENT OF CITY COUNCIL

ATTESTED BY: [Signature]  
CITY CLERK



**Background Paper for Proposed  
Resolution**

**COUNCIL MEETING DATE:** July 22, 2024

**TO:** President Mark Aliff and Members of City Council

**CC:** Mayor Heather Graham

**VIA:** Marisa Stoller, City Clerk

**FROM:** Marisa Stoller, City Clerk

**SUBJECT:** A RESOLUTION ADOPTING NEW POLICIES AND PROCEDURES FOR RESEARCH, RETRIEVAL, AND COPYING OF PUBLIC RECORDS AND CRIMINAL JUSTICE RECORDS

**SUMMARY:**

Attached is a Resolution adopting updated procedures for the research, retrieval and copying of Public Records and Criminal Justice Records as required by Colorado Law.

**PREVIOUS COUNCIL ACTION:**

On January 28, 2008, the City Council passed and approved Resolution No. 11209 which established fees associated with the research, retrieval and copying of public records and criminal justice records.

On June 9, 2014, City Council passed and approved Resolution No. 12975 which updated the fees associated with the research, retrieval and copying of public records and criminal justice records.

On June 27, 2016, the City Council passed and approved resolution 13462 adopting rules governing access to public records in accordance with state law and Resolution No. 12975.

On August 14, 2017, the City Council passed and approved Resolution 13745 rescinding Resolution 13462 in whole and Resolution No. 12975 in part and adopting 2 CPR 901 *et. seq.* governing access to public records in accordance with state law.

On August 10, 2020, the City Council passed and approved Resolution 14455 rescinding Resolution 13745 *inter alia*, and adopting updated governing rules to access to public records in accordance with state law.

**BACKGROUND:**

On July 1, 2024, the Colorado Legislature increased the maximum fee the city may charge for research and retrieval of public records to \$41.37 per hour. This adjustment was made based on inflation between 2019 and 2024. The first hour of research and retrieval of public records is still free of charge (the first hour of research and retrieval for criminal justice records is not free of charge).

Under Section 24-72-306 of the Colorado Revised Statutes Criminal Justice Records do not have a limit on how much can be charged for search, retrieval, and copying but any fees charged by the city must be “reasonable.” In the interest of uniformity this resolution will adopt rules setting Criminal Justice records fees in line with Public Records fees.

The City’s current fees are set by Resolution No. 14455. This resolution will raise the fees for research and retrieval of public records and criminal justice records to \$41.37 per hour. The decision to raise the fee for both records requests was made to make calculations easier for both requestors and city staff.

**FINANCIAL IMPLICATIONS:**

**Public Records:** The City currently charges \$33.58 per hour for every hour of staff time over 60 minutes that it takes to produce public records. The increase to \$41.37 for every hour over 60 minutes that it takes to produce public records is intended to adjust the fee for inflation.

**Criminal Justice Records:** The City currently charges \$33.58 per hour for every hour of staff time that it takes to produce criminal justice records, including the first hour. The increase to \$41.37 for every hour of staff time it takes to produce criminal justice records is intended to adjust the fee for inflation.

This ordinance will not require the City to expend any funds, it is likely however, this increase in fees will cause a nominal increase in money collected by the city.

**BOARD/COMMISSION RECOMMENDATION:**

Not applicable.

**STAKEHOLDER PROCESS:**

Not applicable.

**ALTERNATIVES:**

If this Resolution is not approved, fees will continue at their current levels and will not be adjusted for inflation.

**RECOMMENDATION:**

Approve the Resolution.

**ATTACHMENTS:**

1. CORA Policy 2024
2. CCJRA Policy 2024