

RESOLUTION

ADOPTING SENATE BILL 07-045 CONCERNING FEES FOR PROVIDING PUBLIC RECORDS AND APPOINTMENT OF CITY CLERK AS OFFICIAL CUSTODIAN OF CITY RECORDS.

WHEREAS, the requests for public records and the copying thereof is regulated by the Colorado Open Records Act ("CORA"); and

WHEREAS, in order to fully comply with the CORA, it is necessary to designate an official who would be responsible for overseeing the dissemination of City records to the public, excluding Criminal Justice Records, under 24-72-301 et seq.

WHEREAS, CORA has been amended by the General Assembly on April 19, 2007 by the enactment of SB 07-045 ("the Act") amending C.R.S. 24-72-205(1) and (2) and further amending 24-72-205 by the addition of a new section; and

WHEREAS, the Act allows local governing bodies to charge a fee not to exceed twenty-five cents per standard page for a copy of a public record or fee not to exceed the actual cost of providing a copy, printout, or photograph of a public record in a format other than a standard page; and

WHEREAS, the Council of the City of Fort Morgan desires to adopt the amendments of the Act under SB 07-045, a copy attached herewith and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fort Morgan, Colorado that:

SECTION 1: The City Clerk is hereby designated as the City's official custodian of records, and is authorized to implement policies to ensure compliance with the law and protect and preserve the integrity of the City's records. However, notwithstanding this authority, the City Clerk is not the custodian for Criminal Justice Records under C.R.S. 24-72-301 et seq.

SECTION 2: The City Clerk is authorized, as the official custodian of records for the City to implement a policy that conforms to the provisions of C.R.S. §24-72-205 as set forth in SB 07-045.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 17th day of July, 2007, the vote upon roll call being as follows:

Ayes: Mayor Darnell, Aldermen Baltazar, McAlister, Powers, Schafer, Shaver and Simmons

Nays: None.

Absent /Abstain:

THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

[SEAL]

BY: Jaer Darnell
Mayor

ATTEST:

Andrea Strand
City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN) ss. **CERTIFICATE**
CITY OF FORT MORGAN)

I, ANDREA STRAND, City Clerk for the City of Fort Morgan, Colorado, do hereby certify and attest that the foregoing **Resolution** is a true, perfect and complete copy of the **Resolution** adopted by the Council of Fort Morgan, Colorado, and is identical to the original thereof appearing in the official records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have affixed the seal of the City of Fort Morgan this 17th day of July 2007.

Andrea Strand
Andrea Strand, City Clerk