



1.7b Colorado Open Records Act Policy

A. PURPOSE AND APPLICATION

This document (the "Policy") sets forth the policies of the Colorado Local Government Liquid Asset Trust ("COLOTRUST") relating to requests for public records made pursuant to the Colorado Open Records Act, Colo. Rev. Stat. §§ 24-72-200.1, et seq. ("CORA") and Colo. Rev. Stat. § 24-75-702(2). This Policy shall be construed to promote the prompt disclosure of public records at no cost greater than the actual cost to COLOTRUST. This Policy sets forth procedures to ensure timely access to the public records of COLOTRUST that are subject to disclosure and fees for producing public records in accordance with CORA and Colorado law construing the provisions of CORA.

This Policy applies to all public records requests submitted directly to COLOTRUST and and/or entities authorized by COLOTRUST to have personal custody and control over the public records requested (each a "Custodian") by any person seeking records (the "Applicant"). All public records requests by Applicants must be made in accordance with this Policy. Public Trust Advisors, LLC, in its role as Administrator of COLOTRUST, acts as the official custodian for COLOTRUST, as such term is used in CORA (the "Official Custodian").

B. PUBLIC RECORDS AND RECORDS NOT SUBJECT TO DISCLOSURE

Public records defined. Pursuant to section 24-72-202(6)(a)(I), the term "public records" means and includes all writings made, maintained, or kept by a Custodian for use in the exercise of functions required or authorized by law or administrative rule or involving the receipt or expenditure of public funds. Pursuant to section 24-72-202(7), the term "writings" means and includes all books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials, regardless of physical form or characteristics. The term "writings" also includes digitally stored data, including without limitation electronic mail messages, but does not include computer software.

Records not subject to disclosure. Certain COLOTRUST records may be privileged or otherwise confidential and protected from disclosure under Colorado law and are not public records. Consequently, records that are confidential or privileged will not be disclosed in response to a public records request. Nothing set forth in this Policy shall be construed to abrogate the right of COLOTRUST, the Official Custodian, or any other Custodian to withhold records that are confidential or protected by the privileges expressly contemplated by CORA or otherwise established under Colorado law.

C. SUBMISSION OF REQUESTS

Form of requests. All requests for inspection or copying of public records held by COLOTRUST must be submitted to the Official Custodian using the Request Form attached to this Policy. All requests must be sufficiently specific as to enable the location of the information requested with reasonable effort. Request Forms that are not filled out completely will be denied. Applicants may submit Request Forms by mail, fax, or hand-delivery to the Official Custodian at the following address and fax number:



Public Trust Advisors, LLC
717 17th Street, Suite 1850
Denver, Colorado 80202
Fax: (303) 292-3492

An Applicant may also contact the Official Custodian via telephone at (303) 295-0777.

Public records not in the Official Custodian's custody or control. Pursuant to section 24-72-203(2)(a), if the records requested are not in the custody and control of the Official Custodian, then the Official Custodian will notify the Applicant of such fact upon receipt of the request and state, in detail and to the best of the Official Custodian's knowledge and belief, the reason for the absence of the records from the Official Custodian's custody or control, the location of the records, and what other person has custody or control of the requested records.

Denial of request for inspection. COLOTRUST, the Official Custodian, or any Custodian may deem that a requested inspection should not be permitted pursuant to 24-72-204(1)-(3). The denied applicant may apply to the district court wherein the record is found for an order directing the Official Custodian to show cause why the inspection should not be permitted. The applicant must file a written notice with the Official Custodian declaring the intent to file an application with the district court fourteen days prior to filing the application. The Official Custodian must either meet in person or communicate on the telephone with the applicant to determine if the dispute may be resolved without the district court application being filed. The applicant may declare that access is needed on an expedited basis three days prior to filing an application with the district court if the applicant includes a factual basis for the expedited need in the notice provided to the Official Custodian. The Official Custodian does not need to meet in person or communicate on the telephone with the applicant about a resolution if access is needed on an expedited basis. (HB 17-1177: Signed and effective August 9, 2017.)

D. INSPECTION OF RECORDS

Time request is deemed to be made. A public records request shall be considered made, thereby triggering three and seven Business Day periods discussed below, when the request is actually received by the Official Custodian. A letter is received when it is opened in the usual course of business by the Official Custodian. A fax is received when it is printed during regular business hours, or if received after hours, at 9:00 a.m. Denver time on the following business day.

Date and hour of inspection generally. Public records will be made available for inspection at the Official Custodian's offices, located at the address listed above. Inspections of public records are by appointment only and must be conducted during the Official Custodian's regular business hours, 7:30 a.m. to 4:30 p.m. The Official Custodian's offices are open on the following days ("Business Days"): Monday through Friday, except for banking holidays and days on which the offices may otherwise be closed due to inclement weather or other events outside the control of the Official Custodian. At COLOTRUST's discretion, the inspection of records may be supervised by



the Official Custodian or the Official Custodian’s designee to protect the integrity of the records.

For public records not immediately available for inspection, once a request is received, the Official Custodian will notify the Applicant of such fact and provide the Applicant with a date and time at which the records will be made available for inspection. The Applicant may request this notification be made in writing. Pursuant to section 24-72-203(3)(b), absent extenuating circumstances, the date and hour set for the inspection of public records not readily available at the time of the request will be within three Business Days of the request.

Date and hour of inspection where extenuating circumstances exist. In some cases, extenuating circumstances may prevent the Official Custodian or another Custodian from making the public records available for inspection with three Business Days of the request. Pursuant to section 24-72-203(3)(b), the Official Custodian has seven Business Days from the time of the request to make records available for inspection when extenuating circumstances are present. Pursuant to section 24-72-203(b), extenuating circumstances exist in the following situations:

- Where a broadly stated request encompasses all or substantially all of a large category of records and the request is without sufficient specificity to allow the Custodian reasonably to prepare or gather the records within the three Business Day period.
- Where a broadly stated request encompasses all or substantially all of a large category of records and the Custodian is unable to prepare or gather the records within the three Business Day period because the Custodian needs to devote all or substantially all of its resources to meeting an impending deadline or period of peak demand that is either unique or not predicted to occur more frequently than once a month. For example, the Official Custodian’s office generally experiences a period of peak demand during the last three Business Days of each month to process statements for COLOTRUST participants.
- When a request involves such a large volume of records that the Custodian cannot reasonably prepare or gather the records within the three Business Day periods without substantially interfering with the Custodian’s obligation to perform its other public service responsibilities.

If any of these extenuating circumstances are present, the Official Custodian will notify the Applicant in writing within three Business Days of the Official Custodian’s receipt of the request. The Official Custodian will also provide the Applicant with a date and time at which the records will be made available for inspection within seven Business Days of the Official Custodian’s receipt of the request.

Procedures for inspection of structured data. Public records will be made available in a searchable or sortable format when requested, if the stored record exists in the requested format. The Official Custodian will provide a public record that is in a searchable or sortable digital format as long as it is technologically or practically feasible to remove information that the custodian is required to remove or permitted to withhold,



and does not violate the terms of a copyright or licensing agreement with a third party. If the Official Custodian is unable to provide a record in the requested format, the record will be provided in an alternative format with a written declaration addressing why the record could not be produced in the requested format.

E. FEES AND DEPOSITS

Fees for copies. Should the Applicant request copies of any records, COLOTRUST will charge \$0.25 per standard page copied pursuant to section 24-72-205(5)(a). If the Applicant requests copies of records that cannot be provided to the Applicant on a standard page, COLOTRUST charges fees in the amount of the actual cost of providing a copy, printout, or photograph of the public record.

Manipulation of data. Pursuant to section 24-72-205(3), COLOTRUST may charge a fee if a Custodian must manipulate data to generate a record in a form not used in COLOTRUST's day-to-day operation to respond to a records request. Such manipulation of data may include, but is not limited to, the redaction of privileged information from records and the preparation of a privilege log or similar record requested by the Applicant. The fee of at least \$25 per hour will not exceed the actual cost of manipulating the data and generating the record in accordance with the request. Accordingly, the actual cost of manipulating the data and generating the record will be calculated according to the salary and benefits paid to the persons designated by the Official Custodian to prepare the records as converted into an hourly fee, which will then be multiplied by the amount of time spent by such persons in manipulating the data and generating the record(s).

Fees for research and retrieval. Under Colorado law, COLOTRUST may also charge a nominal fee for the research and retrieval of requested records. There is no charge where the research and retrieval of records takes the Custodian or the Custodian's designee one hour or less. Where research and retrieval of the records takes longer than one hour, the fee is \$30 per hour.

The tasks for which COLOTRUST may charge research and retrieval fees include, but are not limited to, searching electronic and/or paper files for records, retrieving or compiling electronic and/or paper files for an inspection, reviewing individual records to determine their responsiveness to a request, and reviewing records for privileged or otherwise confidential information.

Deposits. COLOTRUST will not make any public records available for inspection or copying unless and until the Applicant provides to COLOTRUST a deposit in the amount of the total estimated fees to COLOTRUST. If the actual costs COLOTRUST incurs in responding to the request are less than the deposit submitted by the Applicant, COLOTRUST will return the excess to the Applicant after the Applicant's request is satisfied. If the actual costs COLOTRUST incurs in responding to the request are greater than the deposit submitted by the Applicant, COLOTRUST will charge the Applicant a corresponding additional amount.



Colorado Open Records Act Request Form

Date of Request:			
Name:			
Address:			
City, State Zip:			
Daytime Phone:			

Instructions: This request must comply in all respects with COLOTRUST'S Colorado Open Records Act Policy dated August 4, 2017 (the "Policy"). Please review the Policy carefully prior to submitting your request. All capitalized terms used in this form have the meanings given in the Policy.

Indicate the information you desire and/or list each public record requested below. Please be as specific as possible. Records that are available and subject to production pursuant to the Policy and CORA will generally be provided within three Business Days of the receipt of this request. In extenuating circumstances, the requested records may not be produced for up to seven Business Days. Attach another sheet if necessary.

Records Requested (Provide a Specific Description):	Requested Method of Review (State "Review in Person" or "Provide Copies"):

COLOTRUST may charge the Applicant for copies, research and retrieval, and other items as set forth in the Policy. COLOTRUST may require the Applicant to deposit the estimated charges with the Official Custodian prior to delivering the requested records. For more information, please contact the Official Custodian at the address or telephone number listed in the Policy.