

**RESOLUTION BY THE BOARD OF DIRECTORS
OF THE
LEDGE ROCK CENTER COMMERCIAL METROPOLITAN DISTRICT
RESOLUTION ADOPTING THE COLORADO SPECIAL DISTRICT RECORDS
RETENTION SCHEDULE, APPOINTING AN OFFICIAL CUSTODIAN, AND
ADOPTING POLICIES AND FEE SCHEDULE FOR THE HANDLING OF RECORD
REQUESTS UNDER THE COLORADO OPEN RECORDS ACT (“CORA”)**

WHEREAS, the Ledge Rock Center Commercial Metropolitan District (the “District”) is a quasi-municipal corporation and political subdivision of the State of Colorado; and

WHEREAS, the Board of Directors of the District (the “Board”) is responsible for the management, control and supervision of all business and affairs of the District and has the authority to appoint, hire, and retain agents; and the District is authorized pursuant to Colorado law to fix and from time to time to increase or decrease fees, rates, tolls, penalties, or charges for services, programs, or facilities furnished by the District; and

WHEREAS, the Board recognizes a need for a comprehensive records retention schedule for the District’s non-permanent records and the retention of those records that have long-term administrative, fiscal, and historical value; and

WHEREAS, the Board has determined that it is appropriate to designate an official custodian of the District’s records for the purpose of storing, maintaining, and protecting such records in accordance with state statute and to permit their inspection in an orderly and timely fashion; and

WHEREAS, pursuant to C.R.S. § 24-80-101 et seq., the Colorado State Archives has developed a statewide records retention schedule in cooperation with the Special District Association, the Colorado Attorney General’s Office, and the State Auditor’s Office for special districts and other governmental entities to use and follow; and

WHEREAS, the Board has determined that it is appropriate to adopt the model special district retention schedule unless modified by Section 4 below; and

WHEREAS, C.R.S. § 24-72-200.1 et seq., (Colorado Open Records Act or CORA) requires that public documents and records be made available upon request to members of the public unless protected by an exception and allows for public entities such as special districts to charge a reasonable fee for copying such documents and for any extra work that is required to research and retrieve requested documents; and

WHEREAS, the Board has determined that it is appropriate to adopt policies regarding CORA requests for documents and a fee schedule for the copying and retrieval of such documents.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

Section 1. The Board designates the Board Secretary or his/her designee as the Official Custodian of public records as such term is used in C.R.S. § 24-72-202. The Official Custodian is authorized to develop such procedures as may be reasonably required for the protection of such records. On behalf of the District, the Official Custodian may charge the maximum fees allowed by law for the development of a privilege log, copies, a printout or photograph, and such other services as are authorized by law.

The Board hereby sets a charge of \$41.37 per hour for research and retrieval of documents. The first hour of time spent on research and retrieval will be without charge.

Unless otherwise determined by the Board, all such fees and charges shall be increased or decreased for changes in the maximum rates allowed by law.

Section 2. The Official Custodian shall have the authority to designate such persons and/or organizations as it shall determine appropriate to perform any and all acts necessary to the maintenance, care, and keeping of the District's records. This may include, and shall not be limited to, the temporary, off-site storage of such records.

Section 3. The Board hereby adopts the 2008 Colorado Special District Records Retention Schedule ("Schedule") and all subsequent amendments, modifications, and revisions.

Section 4. Unless otherwise prescribed by Statute, all District records shall be retained in accordance with the Schedule and the Board authorizes the District Secretary or the Official Custodian to submit a request to the Colorado State Archivist to adopt the Schedule. Approval from the State Archivist is legal authority for the destruction and preservation of District records. This Schedule may be amended from time to time as required by the Official Custodian or by the State Archivist.

Section 5. All District records are public records and shall be available for public inspection as set forth in the District's Policy on Responding to Open Records Request outlined in **Attachment A** as may be amended from time to time by the Board, the Official Custodian or his or her designee, unless prohibited by the exceptions of Part 2 of Title 24, Article 72, C.R.S. Inspection shall be permitted during normal hours, Monday through Friday, except on holidays, at a time set by the Official Custodian.

Section 6. No person shall be permitted to inspect or copy any records of the District if, in the opinion of the Official Custodian after consultation with the District's general counsel, such inspection or copying would be prohibited by one or more exceptions set forth in the Colorado Open Records Act.

Section 7. Unless otherwise directed by the Board, by July 1 of every five-year period after July 1, 2024, the Official Custodian shall adjust the maximum hourly fee specified in this Resolution in accordance with the percentage change over the period of the United States Department of Labor, Bureau of Labor Statistics, Consumer Price Index for Denver-Aurora-

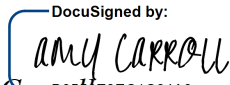
Lakewood, All Items, All Urban Consumers, or its successor index as posted by the Director of Research of the Legislative Council on the website of the General Assembly.

Section 8. If any provision of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, it being the Board's intention the various provisions hereof are severable.

Section 9. All acts, orders, and resolutions or parts thereof of the District's Board which are inconsistent with or in conflict with this Resolution, are hereby repealed to the extent only of such consistency or conflict.

Section 10. The provisions of this Resolution shall take effect as of the date set forth below.

Approved and adopted this 18th day of November 2024.

By: 
 /s/ Amy Carroll DocuSigned by: Amy Carroll
E9EC1C64A0...
 Officer of the District
 (Resolution may be signed by electronic means; an original signature is not required)

ATTACHMENT A
Policy on Responding to Open Records Request
(Effective Upon Adoption of CORA Resolution)

The following are general policies concerning the release of records. Such policies may be amended from time to time. If a policy is determined to violate the Colorado Open Records Act, that provision shall be deemed void and unenforceable.

Policies and Procedures

1. **Public Records Open to Inspection.** All public records of the District shall be open for inspection at the times designated in the District's CORA Resolution unless prohibited by the provisions of CORA or policies adopted by the Board of Directors in conformance with CORA.

2. **Requirements.** Every request (a "Records Request" or "Request") by a party (the "Requesting Party" or "Party") to inspect and/or copy any District record (a "Record" or "Records") shall be submitted to the District's Official Custodian in writing and specify the requested information.

a. The Official Custodian will not accept a Records Request made over the telephone or via social media.

b. If not submitted to the Official Custodian, any District employee or Board Member who receives the Records Request may, but is not obligated to, send the Request to the Official Custodian. To assist the Official Custodian in responding to requests in a timely and complete manner, the Official Custodian may require records requests to be submitted on a form developed by the Official Custodian.

3. **Scope of Disclosure.**

a. The Official Custodian may only disclose Records in the Official Custodian's custody and control.

b. The Official Custodian does not need to create a new Record to comply with a Request.

c. If any question arises as to the propriety of fully complying with a Records Request, the Official Custodian will immediately forward the Request to the District's legal counsel.

d. After receiving the forwarded Request, the District's legal counsel will consult with the Official Custodian as to whether it may disclose the requested Records.

4. Form of Disclosure.

a. A public record stored in a digital format that is neither searchable nor sortable will be provided in a digital format. The Official Custodian need not make such Record searchable or sortable before releasing the Record to the Requesting Party.

b. A Record stored in a digital format that is searchable and/or sortable will be provided in such digital format, unless (1) the public record is in a searchable or sortable format and producing the Record in the requested format would violate the terms of any copyright or licensing agreement between the District and a third party; (2) producing the Record would result in the release of a third party's proprietary information; (3) after making reasonable inquiries, it is not technologically or practically feasible to provide a copy of the Record in a searchable or sortable format; (4) if the Official Custodian would be required to purchase software or create additional programming functionality in its existing software to remove the information; or (5) the Official Custodian determines to provide the Record in a different format consistent with the provisions of CORA.

5. Time and Cost Estimates; Deposit. If a Records Request includes producible Records, the Official Custodian will estimate the time it will take to research, retrieve, and provide the requested Records as set out in Paragraph 8, and send the Requesting Party an estimate of the time and the amount of the required deposit (the "Deposit") as set out in Paragraph 5(a). The Official Custodian may require a Deposit at his or her discretion. The Requesting Party must approve the estimate and submit the Deposit before the Official Custodian will begin compiling the Records. The Requesting Party must pay the costs of the Request in full before the Official Custodian will provide the Records.

a. *Deposit.* A Deposit will equal 50% of the estimated costs of research and retrieval of the Requested Records.

6. Time to Respond. The Official Custodian will make every effort to respond to the Request within three working days as required by C.R.S. § 24-72-203(3)(b) after the Request is made or the estimate is approved and the Deposit is received, whichever is later. The three working days of response time begin on the first working day following receipt of the Request or approval of the estimate and receipt of the Deposit. A Request received on any non-working day will be considered as received the following working day. The District may add up to a seven additional working day extension of extenuating circumstances as described in C.R.S. § 24-72-203(3)(b). If an extension is required, the reasons will be given to the Requesting Party.

7. Abandoned Requests.

a. If the Official Custodian attempts to contact a Requesting Party to clarify or discuss the scope of a Request and the Requesting Party does not respond within ten business days, the Request will be considered abandoned, and the Request will be

automatically closed. The Requesting Party will then be required to submit a new Records Request.

b. The Official Custodian will hold Records for no more than ten business days after the Requesting Party is notified that they are available for inspection or pick-up. Failure to pick up the Records within this time will be considered an abandoned Request, and the Request will be automatically closed.

8. Fees.

a. *Research and Retrieval Fee.* Research and retrieval of Requested Records will be charged a fee of \$41.37 per hour, including the development of a privilege log (if applicable), copies, a printout or photograph, and such other services as are authorized by law. The first hour of time spent for research and retrieval will be without charge.

b. *Copying Fee.* Physical copies of a Record may be provided at the cost of \$.25 per standard page. Copies, printouts, and photographs of a Record in a format other than a standard page will cost the actual cost of production.

Certificate Of Completion

Envelope Id: 494D561A29DF4D7F92E5F29ECDB3629F

Status: Completed

Subject: Ledge Rock Center Commercial MD - 11/18/24 Signature Items (7)

Client Name: Ledge Rock Center Commercial MD

Client Number: A107083

Source Envelope:

Document Pages: 36

Signatures: 12

Envelope Originator:

Certificate Pages: 5

Initials: 0

Marlena Brzeska-Cloyd

AutoNav: Enabled

220 S 6th St Ste 300

Envelopeld Stamping: Enabled

Minneapolis, MN 55402-1418

Time Zone: (UTC-06:00) Central Time (US & Canada)

Marlena.Brzeska-Cloyd@claconnect.com

IP Address: 73.78.65.233

Record Tracking

Status: Original

Holder: Marlena Brzeska-Cloyd

Location: DocuSign

11/24/2024 7:12:48 PM

Marlena.Brzeska-Cloyd@claconnect.com

Signer Events


AMY CARROLL

amycarroll@corbinparkop.com

president

Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:

 B6556E9EC1C64A0...

Signature Adoption: Pre-selected Style
 Using IP Address: 70.115.26.85

Timestamp

Sent: 11/24/2024 7:21:03 PM

Viewed: 11/26/2024 6:23:27 AM

Signed: 11/26/2024 6:23:46 AM

Electronic Record and Signature Disclosure:

Accepted: 11/26/2024 6:23:27 AM

ID: 2e0a3426-ae8-4a1e-b2f5-9dcb6779c8cf

John Schlup

johnschlup@corbinparkop.com

Manager

Security Level: Email, Account Authentication (None)

Signed by:

 50742E77D6F3402...

Signature Adoption: Pre-selected Style
 Using IP Address: 70.115.26.85

Sent: 11/26/2024 6:23:53 AM

Viewed: 11/26/2024 9:25:12 AM

Signed: 11/26/2024 9:25:28 AM

Electronic Record and Signature Disclosure:

Accepted: 11/26/2024 9:25:12 AM

ID: f13a4eba-6eae-4615-979e-24450e7591e1

In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events

Status

Timestamp

Carbon Copy Events

Status

Timestamp

Becky Johnson

bjohnson@spencerfane.com

Security Level: Email, Account Authentication (None)

COPIED

Sent: 11/26/2024 9:25:33 AM

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Carbon Copy Events**Status****Timestamp**

SD Records

sdrecordsretention@claconnect.com

Security Level: Email, Account Authentication
(None)**Electronic Record and Signature Disclosure:**

Accepted: 10/5/2023 9:27:44 AM

ID: 2eeab7cf-9041-488d-bed0-8baedf289723

COPIED

Sent: 11/26/2024 9:25:33 AM

Viewed: 12/2/2024 1:27:28 PM

Witness Events**Signature****Timestamp****Notary Events****Signature****Timestamp****Envelope Summary Events****Status****Timestamps**

Envelope Sent

Hashed/Encrypted

11/24/2024 7:21:03 PM

Certified Delivered

Security Checked

11/26/2024 9:25:12 AM

Signing Complete

Security Checked

11/26/2024 9:25:28 AM

Completed

Security Checked

11/26/2024 9:25:33 AM

Payment Events**Status****Timestamps****Electronic Record and Signature Disclosure**

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ii. send us an email to BusinessTechnology@CLAconnect.com and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

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