

Bond Case Briefs

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OPEN MEETINGS - COLORADO

Sentinel Colorado v. Rodriguez

Supreme Court of Colorado - October 7, 2025 - P.3d - 2025 WL 2835119

Public-media corporation filed complaint against city records custodian seeking release of recording of city council executive session about censure charges against council member, alleging council committed Colorado Open Meetings Law (COML) violations at that executive session.

The District Court, upon reconsideration from initial order to release session recording, determined that COML violations were cured by a subsequent public city council meeting and ordered custodian not to release recording. Corporation appealed. The Court of Appeals reversed, but denied corporation's request for prevailing party attorney fees. Parties cross-petitioned for certiorari review, which petitions were granted.

The Supreme Court held that:

- As a matter of first impression, plain meaning of COML provision, along with legislative history, supported conclusion that corporations, including media organizations, are entitled to reasonable attorney fees when they are prevailing parties;
- City council did not waive attorney-client privilege by publishing special counsel's letter containing factual assertions; and
- Corporation was entitled to seek attorney fees related to litigation in Supreme Court and the court of appeals.