



## **RESOLUTION 25-13**

### **A RESOLUTION DESIGNATING RECORDS CUSTODIANS AND APPROVING PROCEDURES FOR THE INSPECTION OF PUBLIC RECORDS**

- WHEREAS,** Pursuant to Section 14-2-7 NMSA 1978, the Village of Los Lunas shall designate at least one custodian of public records and provide proper and reasonable opportunities to inspect public records; and
- WHEREAS,** Pursuant to Section 3-13-2 (B)(4) NMSA 1978, the Municipal Clerk is required by law to furnish copies of municipal records; and
- WHEREAS,** Pursuant to Los Lunas Municipal Code 2.06.030 (B)(1), the Village Administrator is designated as the Municipal Clerk for the Village of Los Lunas; and
- WHEREAS,** The Village employs a full time Deputy Clerk and may from time to time appoint additional staff as Deputy Clerks, in order to perform the duties of the Municipal Clerk.

**NOW, THEREFORE, BE IT RESOLVED** BY THE GOVERNING BODY OF THE VILLAGE OF LOS LUNAS, NEW MEXICO, that I, Charles Griego, Mayor, hereby authorize the Village Administrator and all Deputy Clerks to be appointed as Records Custodians for the Village of Los Lunas and approve the Inspection of Public Records Procedures as stated below.

#### **Notice of Right to Inspect Public Records**

By law, under the Inspection of Public Records Act, every person has the right to inspect public records of the Village of Los Lunas. The act also makes compliance with requests to inspect public records an integral part of the routine duties of the officers and employees of the Village of Los Lunas.

The Village of Los Lunas and its employees who have in their possession public records are obligated to make such records available upon proper request by third parties, as specifically provided for in the Inspection of Public Records Act, Section 14-2-1 through 14-2-12, NMSA 1978. To facilitate and ensure proper implementation of that Act, the following positions are appointed as Records Custodians of all public records of the Village of Los Lunas:

1. **Village Administrator**
2. **Deputy Clerk(s)**

The employees currently serving in the foregoing positions are granted authority by the Village of Los Lunas Council to take whatever actions necessary or appropriate to maintain Village compliance with the Inspection of Public Records Act. The Village of Los Lunas will provide information as required in the Inspection of Public Records Act. Only records that are defined in the Act, NMSA 1978, Section 14-2-6(E), as being public records, and not otherwise exempt in accordance with the Act, are subject to inspection by the public. This Act does not require the Village to develop new reports or analysis of data. The following procedures shall be followed by Records Custodians to ensure the Village's compliance with the Inspection of Public Records Act.

## Inspection of Public Records Procedures

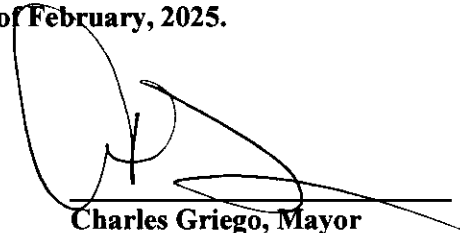
Any person wishing to inspect public records may submit a written request through the online Request to Inspect Public Records Form. All requests received through the Request to Inspect Public Records Form will be reviewed by a Records Custodian and forwarded to the appropriate department. The Village will acknowledge all requests received within three (3) business days and will provide a response within fifteen (15) days. If the records requested, the nature of the request, or the individual making the request suggest that the matter may concern potential or actual litigation against the Village, the Records Custodian may consult with the Village's legal counsel for guidance prior to responding to the request for information. If the inspection of records cannot be completed within fifteen (15) days of receipt of the initial request, the requestor will be notified in writing that the request is "excessively broad or burdensome" and additional time will be required to complete the request.

If the request for a public record includes a request that cannot be permitted because the requested record is exempt from disclosure, the requestor will be provided a written explanation prior to the response or in conjunction with the response. The final response may include responsive records or a determination that there are no responsive records, in which case a written explanation will be provided to the requestor as to the basis of the denial. Non-exempt records shall be segregated and made available for inspection. When records are available for inspection the Village will notify the requestor.

If a person requesting inspection would like a copy of a public record, a reasonable fee may be charged to duplicate the public record, as provided below:

- o \$0.50 per page for hard-copy documents 11 x 17 inches in size or smaller.
- o Documents larger than 11 x 17 inches, e.g. maps, mechanical drawings etc., as well as printed photographs, colored documents, tape recordings, or other non-digital media shall be charged based on actual duplication costs.
- o \$10.00 for digital records stored to a usb or flash drive up to 32 GB in storage capacity. **\*For security reasons, the Village will only provide records on a new usb drive that we provide.**
- o \$20.00 for digital records stored to a usb or flash drive up greater than 32 GB and up to 126 GB in storage capacity. **\*For security reasons, the Village will only provide records on a new usb drive that we provide.**
- o **Advanced payment of fees will be required if cost is anticipated to exceed \$25.00. A receipt shall be provided upon payment.**

**PASSED, ADOPTED, AND APPROVED THIS 27 day of February, 2025.**



Charles Griego, Mayor

**ATTEST:**



Gregory B. Martin, Village Administrator