

EC-25-320



CITY OF ALBUQUERQUE
Albuquerque, New Mexico
Office of the Mayor

Mayor Timothy M. Keller

INTER-OFFICE MEMORANDUM

January 27, 2025

TO: Brook Bassan, President, City Council

FROM: Timothy M. Keller, Mayor

SUBJECT: FY25, Quarter 2, Office of the City Clerk IPRA Backlog Reduction Plan Report

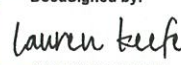
The Office of the City Clerk is pleased to provide its Second Quarter IPRA Backlog Reduction Plan Report. The report will show the efforts and progress being made by the Office of the City Clerk to address the exponential growth in public records requests the City is receiving.

FY25, Quarter 2, Office of the City Clerk IPRA Backlog Reduction Plan Report

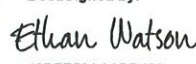
Approved:

Approved as to Legal Form:


Samantha Sengel Date 2/3/25
Chief Administrative Officer

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Lauren Keefe Date
City Attorney

Recommended:

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Ethan Watson, City Clerk Date

Cover Analysis
FY25, Quarter 2, Office of the City Clerk IPRA Backlog Reduction Plan
Report

- 1. What is it? FY25, Q2 IPRA Backlog Reduction Plan Report**
- 2. What will this piece of legislation do? N/A—Informative**
- 3. Why is this project needed? N/A—Informative**
- 4. How much will it cost and what is the funding source? N/A—Informative**
- 5. Is there a revenue source associated with this contract? If so, what level of income is projected? N/A—Informative**
- 6. What will happen if the project is not approved? N/A—Informative**
- 7. Is this service already provided by another entity? N/A—Informative**

FISCAL IMPACT ANALYSIS

TITLE: FY25, Quarter 2 IPRA Backlog Report

R: __N/A
FUND: O:

DEPT: City Clerk

- [x] No measurable fiscal impact is anticipated, i.e., no impact on fund balance over and above existing appropriations.
- [] (If Applicable) The estimated fiscal impact (defined as impact over and above existing appropriations) of this legislation is as follows:

	2025	Fiscal Years 2026	2027	Total
Base Salary/Wages	-	-		-
Fringe Benefits at	-			-
Subtotal Personnel	-	-	-	-
Operating Expenses		-		-
Property		-	-	-
Indirect Costs	-	-	-	-
Total Expenses	\$0.00	\$0.00	\$0.00	\$0.00
[x] Estimated revenues not affected				
[] Estimated revenue impact				
Revenue from program				0
Amount of Grant		-	-	
City Cash Match				
City Inkind Match				
City IDOH	-	-	-	-
Total Revenue	\$0.00	\$0.00	\$0.00	\$0.00

These estimates do not include any adjustment for inflation.

* Range if not easily quantifiable.

Number of Positions created

COMMENTS: No additional staff or staff time will be needed.

COMMENTS ON NON-MONETARY IMPACTS TO COMMUNITY/CITY GOVERNMENT:

This report is for infomative purpos. It highlights the efforts and progress made by the Office of the City Clerk in handling the rising number of public records requests the City receives.

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EXECUTIVE BUDGET ANALYST

BUDGET OFFICER

CITY ECONOMIST

DRIVING CHANGE, REDUCING BACKLOG

Second Quarter IPRA Backlog Reduction Report



FY2025
(OCTOBER 1ST - DECEMBER 31)

PREPARED BY: CRISTOBAL ROCHA
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RQUE clerk



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Introduction

The Inspection of Public Records Act (“IPRA”) is a state law that allows any person to request public records from public bodies such as the City of Albuquerque (“City”). See, NMSA 1978, Section 14-2-1 to 14-2-11. The City currently receives between **1,100 and 1,400 requests per month** and received over 14,000 requests last fiscal year. This is a significant increase over the previous year and continues a trend of a 10-30% increase each year. The City is not unique in experiencing significant growth in public records requests. Many public bodies are encountering growing amounts of requests and litigation.

In general, upon receipt of an IPRA request by the records custodian, they must either make the records available immediately or send an acknowledgment letter and make the records available no later than 15 days after receipt. If the request is “excessively burdensome or broad,” the public entity may take an additional reasonable period of time beyond 15 days to fulfill the request. What constitutes “an additional reasonable period of time” is context-specific and left ambiguous under IPRA.

For example, a request for tens of thousands of emails may take several years to fulfill. In short, IPRA does not require that public bodies fulfill all requests within 15 days.

Because it is permissible for public bodies to take more than 15 days to process a request, it is not clear what constitutes a “backlog” under IPRA, despite routine usage of this term. **This report defines requests that are open for more than thirty days as the “backlog.” ***



ETHAN WATSON, JD

In 2020, Ethan Watson was appointed City Clerk, he worked to improve the process by digitizing frequently requested documents for online access, earning the Dixon Award from the NM FOG for his commitment to transparency.

In 2021, he received the International Institute of Municipal Clerks' Program Excellence in Governance Award. Ethan is also a board member of the American Society of Access Professionals, an organization dedicated to fostering excellence in handling FOIA requests and promoting open government.

* There are two ways of measuring the impact our office has on the backlog: total open requests and the backlog itself. Both metrics have their limitations. Total open requests are also down.

“Backlog”

In July, the Office of the City Clerk reported to City Council that the City had approximately 1,500 requests older than thirty days. **As of December 31, 2024 the backlog totaled 1,128.** This decrease represents a positive development reflecting results of the initiatives outlined below.

Reduction Plan

The Office of the City Clerk has adopted a backlog reduction plan by implementing a number of strategies over time to address the increase and the number of requests that take more than thirty days to fulfill. There are 4 specific elements to the City’s backlog reduction plan: staffing, large requester outreach, process improvement, and records digitization. This report will address each element of the plan in turn.

1) Staffing Levels

Staffing is a core component in reducing the City’s IPRA “backlog.” Processing requests, in many instances, is a question of the workforce. For some time now, the Office of the City Clerk has been adding more temporary contract and permanent staff to the City’s public records team.

Most recently, in December 2023, the Office of the City Clerk received one-time funds to add approximately a dozen additional contract staff to assist with processing requests (see pg. 8). These contract staff were hired between February and March 2024. Following a training period, the new staff began processing limited types of requests in March and April. The City Council approved additional funds starting July 1 to continue these contracts.

Although the number of personnel varies slightly with attrition and promotion, we currently have approximately between twenty-five and thirty employees processing requests for public records.* This staffing has had a significant impact on the backlog. The backlog has been steadily decreasing since the new contract staff completed their training and began to process requests. As they continue to learn to process additional types of requests, they will continue to have an impact on our open requests.

***One-time funding
secured in 2023
brought crucial
workforce
reinforcements.***

* Various staff members outside the IPRA division also assist in fulfilling requests. For more information, see page 8.

2) Outreach to Large Requesters

Although most requesters submit 1 request per year, there is a **small group of requesters** – largely banks, insurance companies, lawyers, and consultants who **account for a significant portion** of the City's requests annually. Within that small group, there are some requesters who submit as many as 500 requests or more in a given year (see pg. 9). Because of the significant impact these large requesters have on our workload, engaging with them and their relevant trade associations is critical to addressing the growth of requests.

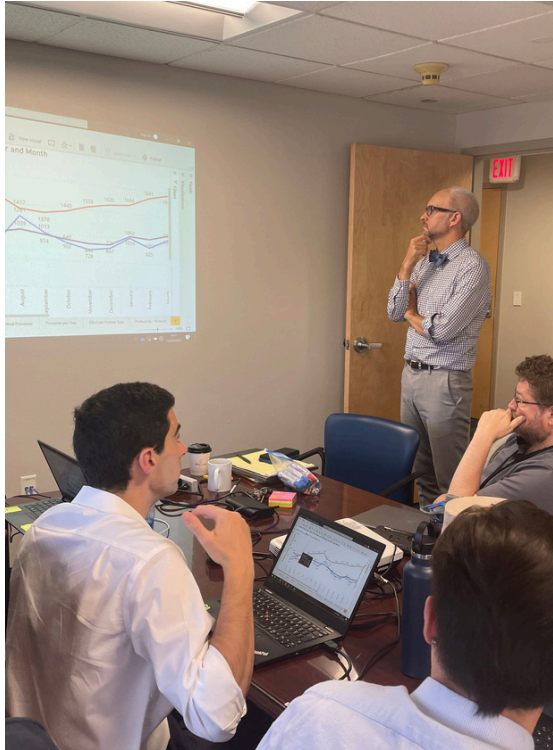
This engagement has taken many forms. In some cases, we have set up one-on-one meetings with the large requesters to assist them with clarifying and narrowing their requests. These discussions have generally been positive. For example, following one meeting, a large requester reduced the number of records they were seeking in each of their requests which has had a significant impact on our workload and allowed us to redirect resources to other requests. In other cases, we have presented at association conferences about best practices. In this most recent quarter, the City Clerk presented at the annual meetings of various groups of attorneys who include some of our most frequent requesters.

Specifically, the City Clerk presented at the Continuing Legal Education for the NM Defense Lawyers and the annual continuing education event for the NM Foundation on Open Government regarding best practices for submitting a records request.

"The number of requests that the City receives on an annual basis has nearly tripled since 2017." See page 6.

3) Improving the Process

In addition to adding staff and reducing volume through engagement, we have been working on improving the way that we process requests. This focus has included every aspect of our work, from our training program to how work is distributed to the way that we retrieve specific records. These efforts remain ongoing but have had a significant impact on our work. For example, it previously took us many months for an employee to complete basic training, now, employees complete our basic training in a matter of weeks.



Process Improvement Session: Team members collaborating on workflow enhancements and efficiency strategies aimed at streamlining IPRA request handling and reducing processing times.

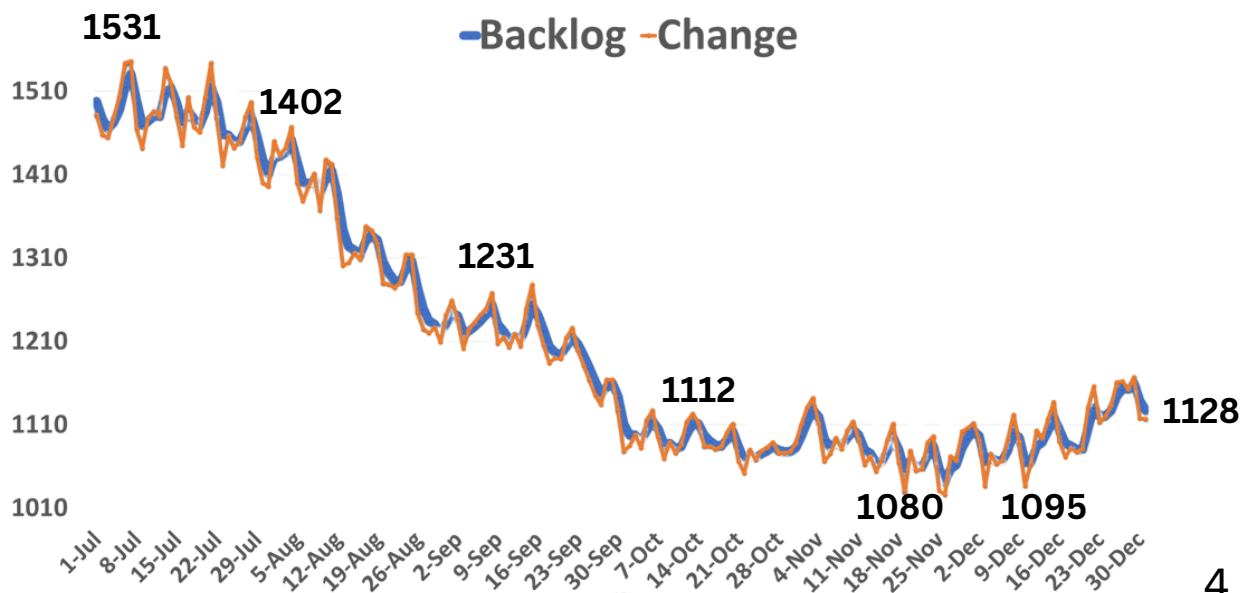
4) Records Digitization

Finally, we continue to work with all City departments to digitize commonly requested paper records or records that will make departments more efficient. These digitization projects have spanned a wide range of activities and remain ongoing (see pg. 10). For example, **we have digitized over 22,000 APD internal affairs documents.** Digitizing these records will greatly increase the speed with which we are able to make these records accessible.

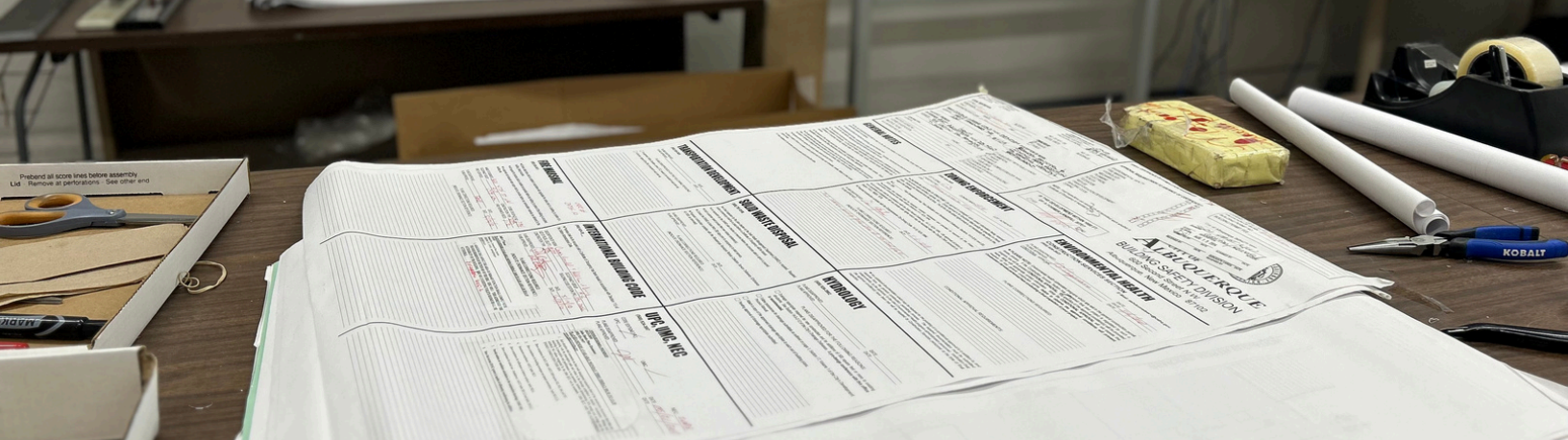
Conclusion

The Office of the City Clerk continues to study and implement best practices in an effort to address the growing number of requests. We will update our plan as we continue to review other entities efforts and our impact on the backlog.

Backlog Reduction Progress*

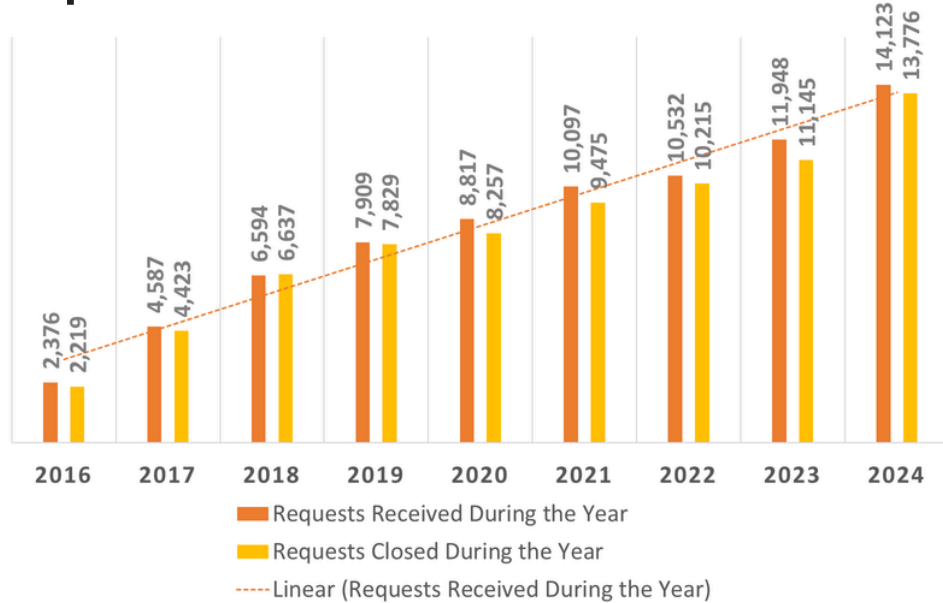


* These numbers are approximate.



Statistical Data

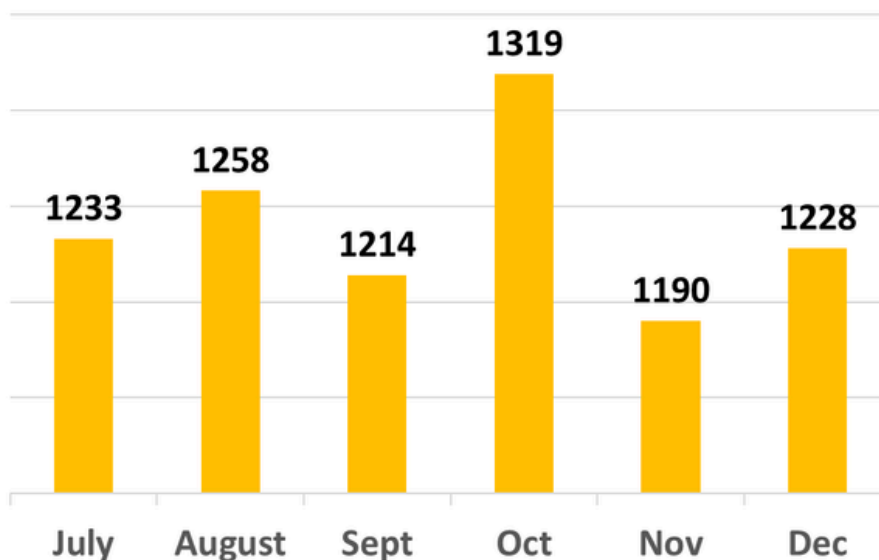
Request Open and Closed in Fiscal Years



The number of requests that the City receives on an annual basis has nearly tripled since 2017. In 2017, the City received approximately 4,500 requests. Seven years later, in **FY 2024, the City received over 14,000 requests.**

In FY 2024, we observed a **notable 18% increase in requests over FY 2023.** Despite the overall growth in IPRA requests, our office has managed to keep pace with the increased demand and closes more and more requests each year.

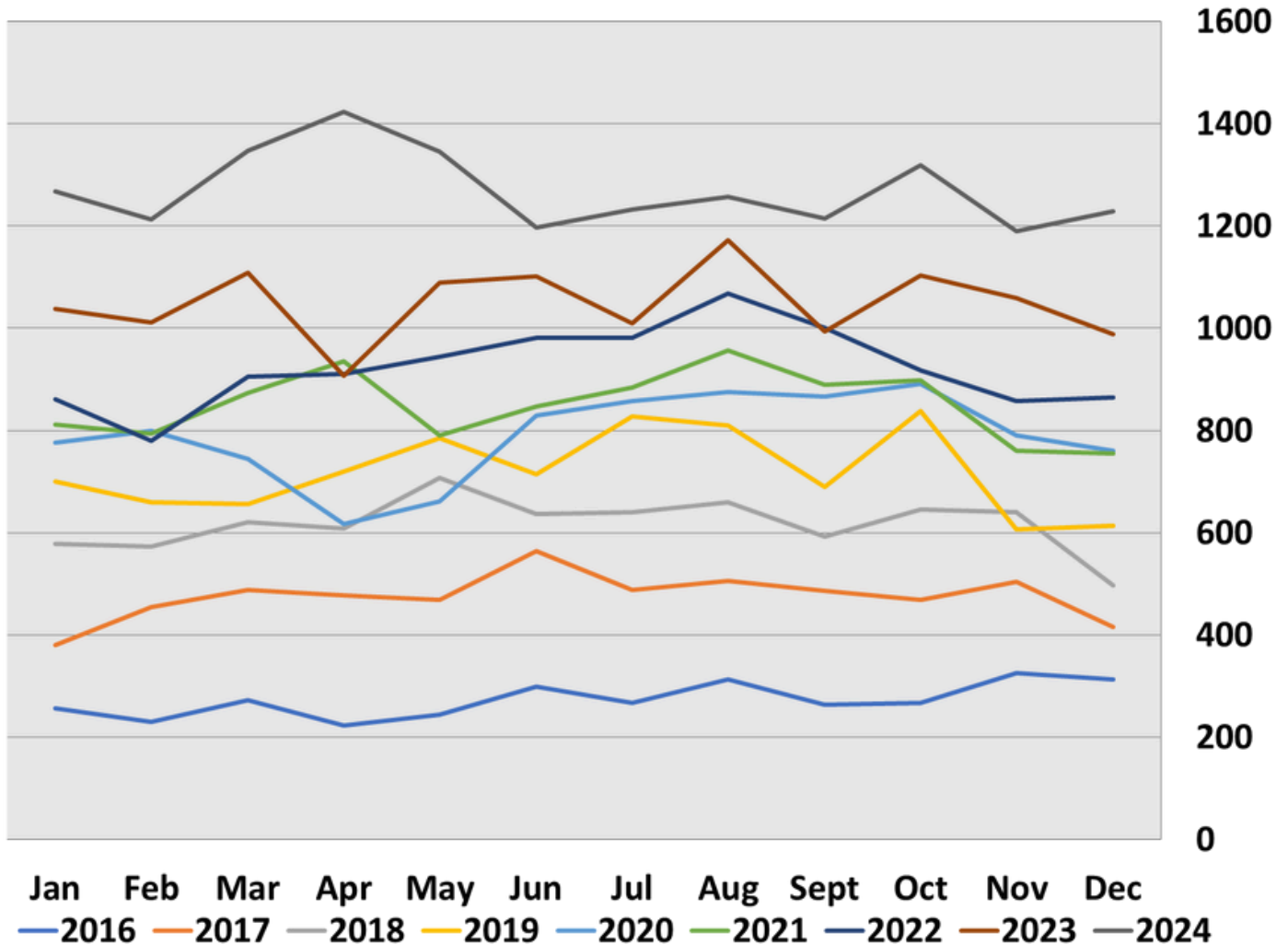
Requests Received To Date FY 2025



This chart reflects the number of requests received each month for fiscal year 2025.

The chart shows a trend in the number of IPRA requests received by our office, with a peak in October at 1,319 and the lowest point at 1,190 in November.

Number of IPRA Requests Month Over Year



The number of requests received has clearly increased from 2016 to 2024. In 2016, the highest number was 326, while in 2024, it reached 1,400 in April. In each year, certain months tend to have more requests than others.



MATT GARCIA
IPRA SPECIALIST

Matthew is dedicated to ensuring families and citizens receive the information they need, applying his expertise to tackle complex IPRA requests and reduce the backlog.

MEET OUR STAFF



DANIEL VALDEZ
IPRA TECH

Currently a temporary staff member applying for a full-time position, Daniel values teamwork and tackles IPRA requests with a strong commitment to learning every day.

Staffing Levels

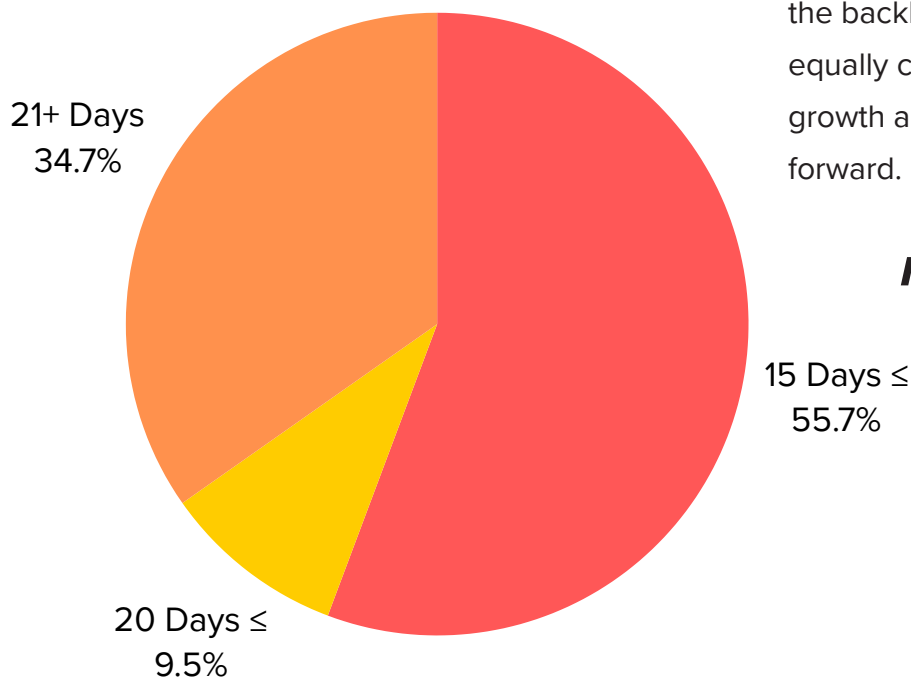
The Office of the City Clerk's IPRA division represents only part of the resources the City devotes to IPRA. For example, front desk staff in the Office, though not part of the division, regularly field calls from requesters and handle mailed requests. Across the City, various personnel assist with gathering and processing public records.

Each department typically has designated contacts to help fulfill requests. Divisions like Environmental Health, Planning, and Fire contribute significantly to locating relevant records. Similarly, employees at the 911 center dedicate substantial time to processing requests for call records.

Time to Fulfill Requests October 1 - December 31

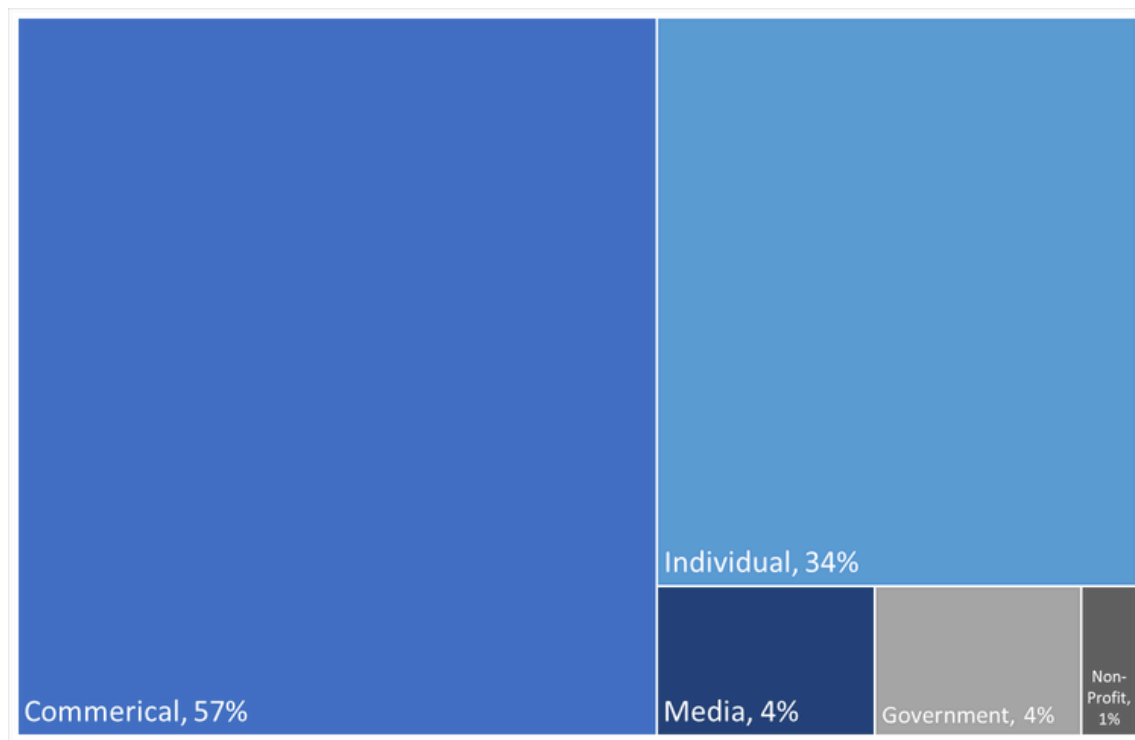
As part of our commitment to reducing the backlog, the department has made remarkable strides in processing and closing new requests with greater speed. Over the past quarter, 56% of all closures occurred within 15 days of receipt, highlighting our growing responsiveness.

This achievement is more than just a milestone—it represents a strategic win in our overall effort to manage the workload. By addressing new requests promptly, we not only prevent these cases from becoming part of the backlog but also free up critical resources to focus on older, more complex requests. Our efforts underscore that while the backlog remains a priority, we are equally committed to preventing future growth and fostering a sustainable path forward.



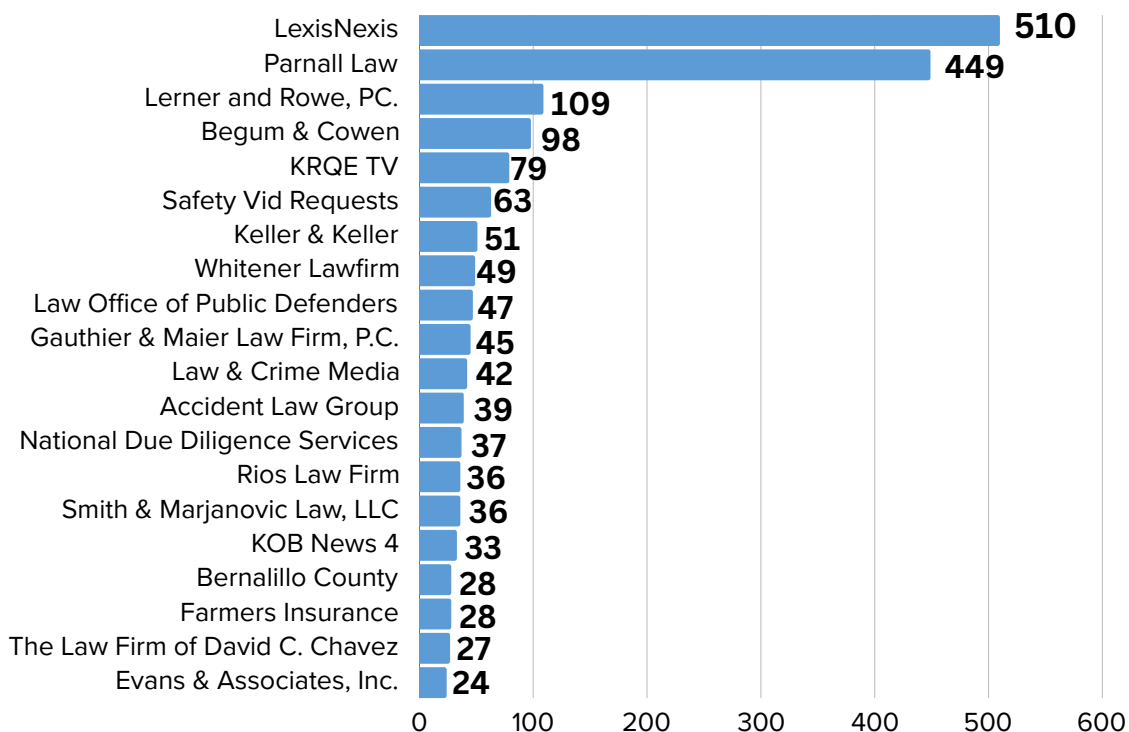
These milestones reflect the dedication of our team and the impact of strategic improvements.

Types of Requestors October 1 - December 31



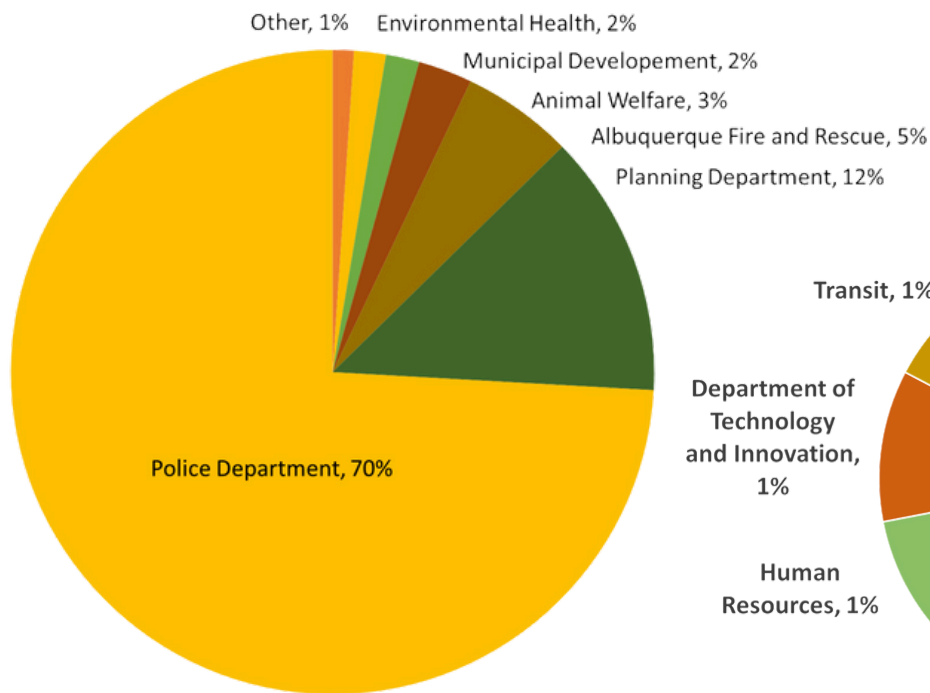
This graph categorizes requestors—individuals, commercial entities, media, government, and non-profits—breaking down which class most actively uses the public records system.

Top 20 Requestors to Date in FY25

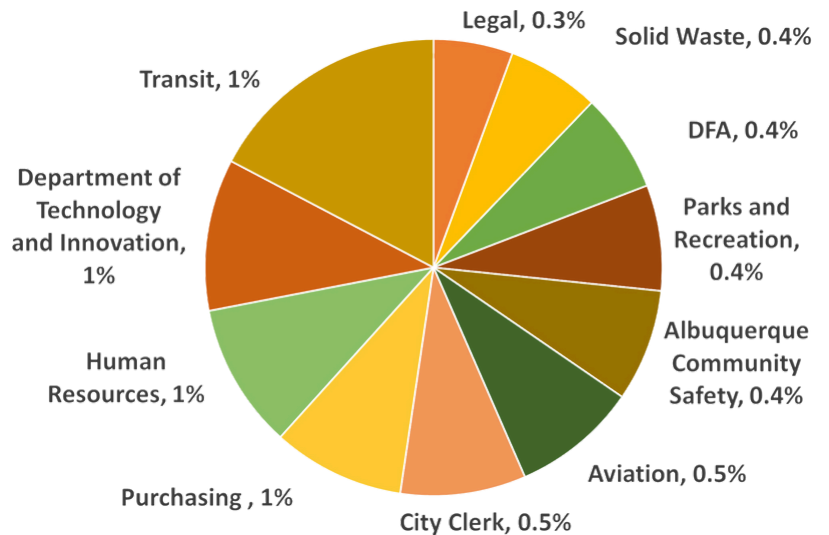


This chart identifies requests from part 2 of the backlog reduction plan and the number of requests they submit.

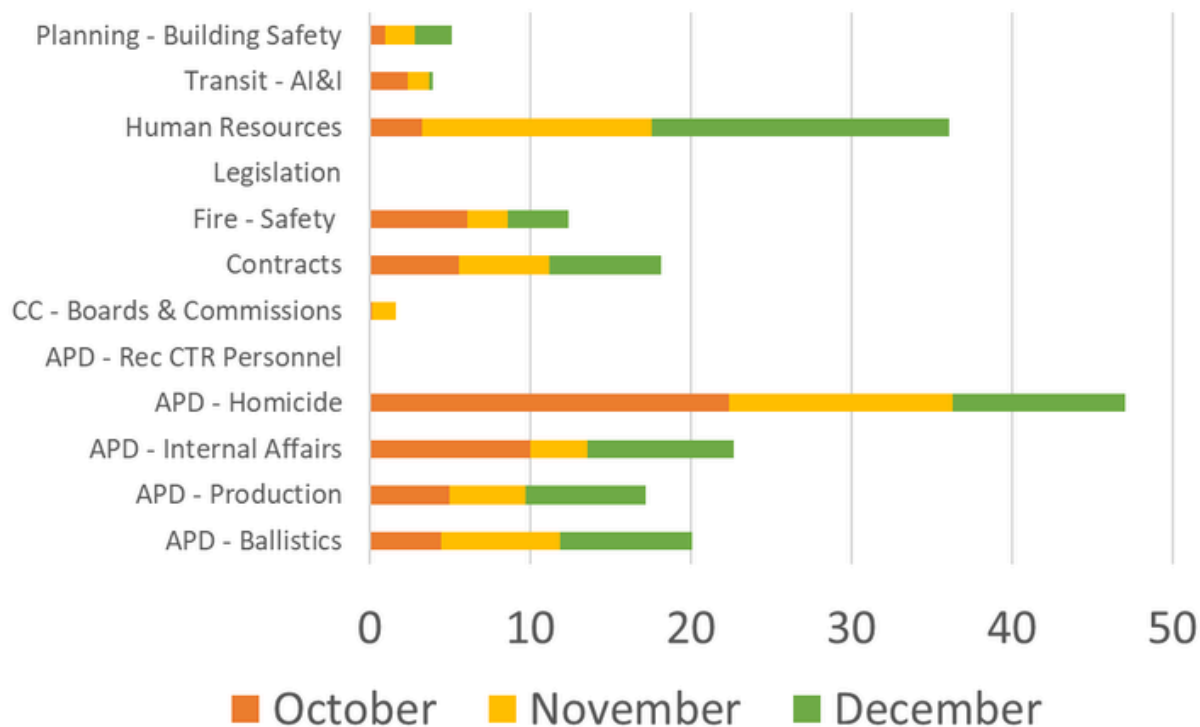
IPRA Requests by Department October 1 - December 31



Department Requests 1% or less



Department Records Digitized (In Thousands)



This chart visualizes part 4 of the backlog reduction plan, as the City Clerk's office digitizes other department records.



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Summary

Modern Challenges with an Old Law



The evolution of public records has introduced significant challenges in fulfilling IPRA requests. The increase in records from emails, on-body recording devices (OBRD), texts, and social media has made responses more complex, requiring custodians to manage multiple formats. Notably, the volume of OBRD footage has grown, complicating the review process for even routine incidents.

Additionally, new legislation and case law have expanded the types of information that can be redacted, increasing the time and resources needed to process requests. In 2023, House Bill 232 allows for more extensive redactions from law enforcement records, further contributing to the complexities.

The growing volume of public records requests locally and nationally has created significant challenges for public bodies, highlighting the need for ongoing adaptation in response to technological advancements and evolving laws. However, the City Clerk's office remains committed to making progress in addressing IPRA requests. Through the backlog reduction plan, the department is making strides in reducing the backlog. The City Clerk's office remains committed to making progress in addressing IPRA requests, showcasing the dedication of the department to public service.

By law, under the Inspection of Public Records Act, NMSA 1978, 14-2-1 to -12, every person has the right to inspect public records maintained by the City of Albuquerque.



To submit an IPRA request, contact the Office of the City Clerk.

<https://nextrequest.cabq.gov>

The Office of the City Clerk's mission is to preserve records, manage a fair and equitable public financing program, and ensure fairness through impartial hearings.



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