

REGULAR CITY COUNCIL MEETING

January 4, 2010

6:00 P.M.

Mayor Ronnie Torres called the Regular Meeting of the Belen City Council to order at 6:00 P.M. Roll call taken by Sally G. Garley, City Manager.

PRESENT: Ronnie Torres, Mayor
David Lopez, Councilor
Terese Ulivarri, Councilor
Rudy Jaramillo, Councilor
Wayne Gallegos, Mayor Pro-Tem

CITY STAFF: Sally G. Garley, City Manager
Audrey Torres, CMC, Procurement Specialist
Mike Chavez, Chief of Police
Michael Steininger, Finance Director
Mary Lucy Baca, HR Director

OTHERS: Brent Ruffner, VCNB
Gilbert Tabet, Circle T
Jerah Cordova, Our Tomorrow
Tibo Chavez, Citizen

PLEDGE OF ALLEGIANCE:

Mayor Ronnie Torres asked Jerah Cordova to lead the pledge of allegiance.

APPROVAL OF AGENDA:

Mayor Ronnie Torres requested approval of tonight's agenda Councilor Rudy Jaramillo moved to approve the agenda. Councilor David Lopez seconds the motion, motion carried.

APPROVAL OF MINUTES:

Regular Meeting: December 21, 2009

Mayor Ronnie Torres requested approval of minutes for December 21, 2009. Councilor Terese Ulivarri advised she had a correction on page six second paragraph needs to reads “I attending” and it should read “I attended” and with that correction requested moved to approve the minutes. Councilor Rudy Jaramillo seconds the motion, motion carried.

CITIZENS PETITIONS:

Mayor Torres read the next agenda item referring to citizen petitions and asked if there were any citizen petitions. There were no citizen petitions presented at this time.

ACTION ITEMS:

ADOPTION OF STATE PERSONNEL OFFICE 2010 HOLIDAY SCHEDULE: Sally G. Garley, City Manager

Mayor Ronnie Torres read the next agenda item in reference to adoption of State Personnel Office 2010 Holiday Schedule as presented by Sally G. Garley, City Manager who request adoption of the schedule with the inclusion of April 2 observance of good Friday which has been done in prior years.

Mayor Ronnie Torres asked if there were any questions or comments. Councilor Terese Ulivarri moved to approve. Councilor David Lopez seconds the motion, motion carries.

AUTHORIZATION TO DISPOSE OF PUBLIC RECORDS: Sally G. Garley, City Manager

Mayor Ronnie Torres read the next agenda item referring to authorization to dispose of public records as presented by Sally G. Garley, City Manager who advised this was a request to approve disposition of public records as per Section 30-26-1 NMSA 1978 as Amended further noting the timing is not the greatest but there is no room for additional records in storage. Sally G. Garley, City Manager advised the Human Resource Manager, Mary Lucy Baca was available for questions. A listing of the files being destroyed is attached hereto and made an integral part of these minutes by reference. Mayor Ronnie Torres advised this was just standard policy, Sally G. Garley, City Manager advised that was correct. Councilor Terese Ulivarri asked how the records are being disposed. Sally G. Garley, City Manager advised they would be sent to Rio Rancho transfer station and a manifest sheet would be supplied verifying disposal. Sally G. Garley, City Manager added we are in the process of cleaning out the storage room and the vault so there will be further requests for disposition.

Councilor Rudy Jaramillo objected to the disposition of records and asked why we did not have them on microfilm or some type of data base. Sally G. Garley, City Manager noted there is a retention schedule for public Records through the State Records center in Santa Fe and we are allowed to dispose of public records as long as the retention period has been completed. Everything has a different retention period some records have three years and some six years while others are permanent record and others fifty five years it just depends on what type of records you are looking at.

Mayor Ronnie Torres asked Councilor Rudy Jaramillo if there was a particular item he was uncomfortable with destroying. Councilor Rudy Jaramillo said there were a lot of items and he was wondering if they have ever done this before as he did not recall. Sally G. Garley, City Manager advised it was done before and the letter was sent to the public records division in Santa Fe.

Councilor Rudy Jaramillo said “could I ask that maybe shouldn’t we just, since a new administration is coming in leave it to them to see what’s, I think there is a lot of stuff here there’s not just a handful, and I am not looking at just one particular thing, it’s so much in here that what it is that is being destroyed like here. There is a letter from the IRS from the fifty five hundred CR’s what is that, it’s not telling us”.

Mary Lucy Baca, Human Resources Manager was asked by Sally G. Garley, City Manager to explain the information-Lucy said “if anyone knew Diane they knew that she wrote a memo for “everything”. For example the memo to the IRS explained there was a report attached and now we need to destroy the copies of the memo and others alike.

Councilor David Lopez advised that there has been adequate time to review documents with consensus of Councilor Terese Ulivarri who advised it was “ten years or more”.

Mayor Ronnie Torres asked if there were any questions or comments if none he so entertains a motion. Councilor Terese Ulivarri moved to dispose of the records. Councilor David Lopez seconds the motion.

Councilor Rudy Jaramillo asked why these records are not on microfilm. Sally G. Garley, City Manager advised that took a lot of money and in the past a request has been made for a budget to do records storage but there were other priorities so we have not had a budget to do so. We have had cost estimates and it is a costly project.

Councilor Wayne Gallegos said “I am real comfortable with the retention program the state has and when I used to work at the fire station we had to do that to some of the records that had a lot of personal information, medical information and every so often we did have to shred them. There were some things that we couldn’t like if it was a death or something like that we had to keep it I guess forever. I know when Lucy came on board and Lenore it was a big turnaround we had to make sure we had these documents or whatever is needed we needed to keep them not at a certain place but at City Hall in the files and I am real comfortable when this came up because I know in the past when I was an employee it was the old City Hall on fifth street we were taking out boxes of items and having to get rid of them, taking pictures and itemizing. It just goes to

long and I know we don't have the system to record everything but I am pretty comfortable with this".

Sally G. Garley, City Manager advised we have records still in the vault and they are records that we just cannot dispose of.

Councilor Wayne Gallegos continued and asked if there is a question one or something since Rudy hasn't seen them he can view them later. Sally G. Garley, City Manager advised Councilor Rudy Jaramillo the records are ready for him to review. Councilor Wayne Gallegos said "it isn't going to happen tomorrow (destruction) it will be scheduled sometime and if there is something there at least he is comfortable". Mary Lucy Baca, HR Director advised it was about ten boxes or so not a lot. Councilor Wayne Gallegos said "it was like a truckload before I a serious you knew that it was a dump truck load full of stuff that we took like time sheets of summer workers and personal information and stuff like that.

Sally G. Garley, City Manager said she was glad that was brought up because this afternoon we spent a couple of hours in the vault. We had stuff in there since the early 80's like time sheets, there are like thirty or forty boxes. Are we going to continue to save them for life it doesn't make any sense when we need to make room for the documents that are permanent record and we need to have them in a safe place.

Councilor Wayne Gallegos added "in the pictures of the old politics and all that "oh there they go getting rid of evidence", I think those days are long gone and I am comfortable with it. I know that timing is like not good right now especially since there is a new administration. In the past, the history that I have had, it piles up.

Sally G. Garley, City Manager said "I have had people come in from the public records actually assist us in separating what needs to be kept and for how long. We've got retention schedules in my office, in all our offices, we all have retention schedules, every department you know has to get rid of records at some point.

Councilor David Lopez added there are files here on people who are dead and retired records from 1985 I say yes let's get rid of them.

Councilor Terese Ulivarri advised she used to work for the state and they would do this every year and if you didn't do it you had papers hanging everywhere. As per state statute you can only dispose of certain things and have to keep the rest, and that is what these guys are doing here. It's just like state procurement you have to follow certain rules and you have to do this and that. You can't dispose of certain personnel records and you keep those under lock and key and they are kept forever.

Councilor Terese Ulivarri called for the question.

Mayor Ronnie Torres asked Mary Lucy Baca, HR Director when she was going to destroy the records. Mary Lucy Baca, HR Director advised they would do it next week when they had time. Mayor Ronnie Torres said we are going to vote on this, Councilor Rudy Jaramillo voted no, motion carried.

Mayor Ronnie Torres advised Councilor Rudy Jaramillo he could go tomorrow and view the records.

INFORMATIONAL ITEMS:

CITY MANAGERS REPORT:

The City Managers report is attached hereto and made an integral part of these minutes by reference.

COMMUNICATIONS FROM CITY COUNCIL:

Councilor Rudy Jaramillo: said “Christmas, New Years, 2010 it is a mouthful things have been good I didn’t hear anything. I spoke to state policemen who were at the restaurant they said it was pretty quiet some of the DUI’s were curtailed. I know there were some fire people that were eating at the restaurant and I told them you know you guys get out and when you are not busy it goes great and it wasn’t two to three minutes later they got a call there is always something going with the police department and the fire department. Holidays were good. Tomorrow everybody that is going to file good luck and that’s it.

Councilor Wayne Gallegos: said “I don’t know if the answer is Y two ten or twelve. I always remember the Y2K era that it was going to shut down we had to do all this comprehensive planning for the entire state for the rollover it seems like it was just yesterday. The Mayor had this big ball coming down in the middle of main street real big, you know like he always does, but you know the people were really scared. They thought something bad was really going to happen. As we went around announcing that throughout the different countries nothing was happening they were like pretty happy. It was pretty cold out there we had fire, and that always comes to my mind. Anyway it is a new year and I think it is going to be a great one.

There are a lot of things over at the senior center happening, continuing they have had their dinners they have had their boxes and baskets and they have stayed very busy over there. Other than that, that’s it.

Councilor Terese Ulivarri: nothing to report at this time.

Councilor David Lopez: said “it’s funny I was thinking about that myself. We were just worried about Y2K and ten years have already gone by but to make Wayne feel a little better I am still eating Y2K food. Charlie Pena passed away during the Christmas holidays so keep him in your thoughts and prayers, that’s about all I have. Everything went ok during the Christmas holidays

and there were a few people that passed away and the tattoo place on South Main Street burned to the ground that was not good but what can you do. Hopefully this will be a better year for everyone hopefully we can start some new projects and get some funding for stuff that we have in mind for the City.

EXECUTIVE SESSION:

Mayor Torres called for executive session

Councilor David Lopez	Yes
Councilor Terese Ulivarri	Yes
Mayor Ronnie Torres	Yes
Mayor Pro-Tem Wayne Gallegos	Yes
Councilor Rudy Jaramillo	Yes

Mayor Torres reconvened this regular meeting and stated for the record that no action was taken.

ADJOURNMENT:

Mayor Ronnie Torres asked for a motion to adjourn tonight's meeting.

Councilor Rudy Jaramillo moved to adjourn this meeting. Councilor David Lopez seconds the motion, motion carried.

/ss
Ronnie Torres, Mayor

ATTEST:

/ss
Sally G. Garley, City Manager