



# County of Los Alamos

Los Alamos, NM 87544  
www.losalamosnm.us

## Minutes

### County Council – Regular Session

*Sara Scott, Council Chair; Pete Sheehey, Council Vice-Chair;  
David Izraelevitz, Antonio Maggiore, James Robinson,  
Randall Ryti, and Katrina Schmidt, Councilors*

---

Tuesday, April 2, 2019

6:00 PM

Council Chambers - 1000 Central Avenue

TELEVISED

---

#### 1. OPENING/ROLL CALL

The Council Chair, Sara Scott, called the meeting to order at 6:00 p.m.

The following Councilors were in attendance:

Present: 7 - Councilor Scott, Councilor Sheehey, Councilor Izraelevitz, Councilor Maggiore,  
Councilor Robinson, Councilor Ryti, and Councilor Schmidt

Councilor Maggiore arrived during the discussion of item 5.A at 6:04 p.m.

#### 2. PLEDGE OF ALLEGIANCE

Led by: All.

#### 3. PUBLIC COMMENT

None.

#### 4. APPROVAL OF AGENDA

A motion was made by Councilor Izraelevitz, seconded by Councilor Sheehey, that the agenda be approved, as presented.

The motion passed by acclamation with the following vote:

Yes: 6 - Councilor Scott, Councilor Sheehey, Councilor Izraelevitz,  
Councilor Robinson, Councilor Ryti, and Councilor Schmidt

Absent: 1 - Councilor Maggiore

#### 5. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

Councilor Maggiore arrived during the discussion of this item at 6:04 p.m.

- A. Proclamation Declaring April 7-13, 2019 as "Crime Victims' Rights Week" in Los Alamos County

Councilor Schmidt read and presented the proclamation to Sergeant Chris Ross.

Sergeant Ross spoke.

6. **PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA**

Ms. Dawn Marie Maldonado, 122 Bandelier, spoke regarding water rate changes and water conservation.

Ms. Sandy Walters, 1210 7<sup>th</sup> Street, spoke regarding water rate changes and utility billing errors.

7. **CONSENT AGENDA**

**Consent Motion:**

**A motion was made by Councilor Ryti, seconded by Councilor Maggiore, that Council approve the items on the Consent Agenda and that the motions contained in the staff reports, as amended be included for the record.**

- A. Approval of Services Agreement No. AGR19-39 with Wagner Equipment in the amount of \$748,075.00, plus Applicable Gross Receipts Tax, for the Purpose of Pajarito Well No. 4 Natural Gas Engine Replacement and Consideration of Budget Revision 2019-33

**I move that Council approve Services Agreement No. AGR19-39 with Wagner Equipment in the amount of \$748,075.00 and a contingency in the amount of \$50,000.00, for a total of \$798,075.00, plus applicable gross receipts tax, for the purpose of the Pajarito Well No. 4 Natural Gas Engine Replacement Project. I further move that Council approve Budget Revision 2019-33 and that it be included in the minutes.**

- B. Memorandum of Understanding (MOU) Entered into by and Between the Incorporated County of Los Alamos and the North Central Regional Transit District (NCRTD) for FY2019, Providing the NCRTD with \$350,000

**I move that Council approve a Memorandum of Understanding entered into by and between the Incorporated County of Los Alamos and the North Central Regional Transit District (NCRTD) for FY2019, Providing the NCRTD with \$350,000.**

- C. Approval of a Cooperative Use, Maintenance and Lighting Agreement between the County and the New Mexico Department of Transportation regarding the Canyon Rim Trail Underpass Project (*amended Exhibit A attached*)

**I move that Council approve the Cooperative Use, Maintenance and Lighting Agreement between the Incorporated County of Los Alamos and the New Mexico Department of Transportation regarding the Canyon Rim Trail Underpass.**

- D. County Council Minutes for March 12, 2019 and March 19, 2019

**I move that Council approve the County Council Minutes for March 12, 2019 and March 19, 2019.**

- E. Consideration of Budget Revision 2019-34 in the Amount of \$50,000 for a Social Services Gap Analysis

I move that Council approve Budget Revision 2019-34 as summarized on attachment A and that the attachment be made a part of the minutes of this meeting.

Approval of the Consent Agenda:

The motion passed with the following vote:

Yes: 7 - Councilor Scott, Councilor Sheehey, Councilor Izraelevitz, Councilor Maggiore, Councilor Robinson, Councilor Ryti, and Councilor Schmidt

## 8. PUBLIC HEARING(S)

- A. Incorporated County of Los Alamos Code Ordinance No. 02-295 Revision No. 2019-01 In Textual Form To The Official Zoning Map of Los Alamos County by Rezoning Two (2) Privately Owned Parcels Consisting of Approximately 4.5 + Acres Of Land: Lots K and L of the North Community 1 Subdivision From C-1 (Light Commercial and Professional Business District To M-U (Mixed Use District)

Ms. Tamara Baer, Planning Manager, spoke.

Mr. Bill Taylor, T2 Development, spoke.

A motion was made by Councilor Maggiore, seconded by Councilor Robinson, that Council adopt Incorporated County of Los Alamos Code Ordinance No. 02-295; and ask staff to assure that it is published in summary form.

The motion passed with the following vote:

Yes: 7 - Councilor Scott, Councilor Sheehey, Councilor Izraelevitz, Councilor Maggiore, Councilor Robinson, Councilor Ryti, and Councilor Schmidt

- B. Incorporated County of Los Alamos Code Ordinance No. 02-294; An Ordinance Amending Chapter 40, Article III, Sections 40-171, 40-173 and 40-175 of the Code of the Incorporated County of Los Alamos Pertaining to Potable and Non-Potable Water Rates and Bulk Delivery Rates

Mr. Bob Westervelt, Deputy Utility Manager-Finance/Administration, spoke.

Public Comment:

Ms. Dawn Marie Maldonado, 122 Bandelier, spoke.

A motion was made by Councilor Ryti, seconded by Councilor Robinson, that Council adopt Incorporated County of Los Alamos Code Ordinance No. 02-294; An Ordinance Amending Chapter 40, Article III, Sections 40-171, 40-173 and 40-175 of the Code of the Incorporated County of Los Alamos Pertaining to Potable and Non-Potable Water Rates and Bulk Delivery Rates; and ask staff to assure that it is published in summary form.

The motion passed with the following vote:

Yes: 6 - Councilor Scott, Councilor Sheehey, Councilor Izraelevitz, Councilor Robinson, Councilor Ryti, and Councilor Schmidt

No: 1 - Councilor Maggiore

## 9. BUSINESS

### A. Los Alamos County Assessor Valuation and Maintenance Plan

Mr. Ken Milder, County Assessor, spoke.

Mr. Joaquin Valdez, Chief Deputy Assessor, spoke.

Councilor Sheehey left the session during the presentation of this item at 7:42 p.m.

Councilor Sheehey rejoined the session during the presentation of this item at 7:45 p.m.

Public Comment:

None.

**A motion was made by Councilor Sheehey, seconded by Councilor Izraelevitz, that Council approve the Los Alamos County Assessor Valuation and Maintenance Plan.**

**The motion passed with the following vote:**

**Yes: 7 - Councilor Scott, Councilor Sheehey, Councilor Izraelevitz, Councilor Maggiore, Councilor Robinson, Councilor Ryti, and Councilor Schmidt**

## RECESS

*Councilor Scott called for a recess at 8:12 p.m. The meeting reconvened at 8:21 p.m.*

### B. Consideration of Establishment of Save As You Throw Subcommittee

Mr. Philo Shelton, Public Works Director, spoke.

Public Comment:

None.

**A motion was made by Councilor Robinson, seconded by Councilor Maggiore, that Council approve the establishment of the Save As You Throw Research Subcommittee (SAYT), which shall report to the Environmental Sustainability Board and furthermore, the SAYT Research Subcommittee shall sunset on April 2, 2020.**

**The motion passed with the following vote:**

**Yes: 7 - Councilor Scott, Councilor Sheehey, Councilor Izraelevitz, Councilor Maggiore, Councilor Robinson, Councilor Ryti, and Councilor Schmidt**

### C. Recommendation from the Art in Public Places Board for an Expenditure of Art in Public Places Funds in an Amount Not to Exceed \$65,000 for the Design, Fabrication, Transport and Installation of Art by Evelyn Rosenberg in the west side of Ashley Pond Park near the Justice Building

Ms. Catherine Ozment, Art in Public Places Board, spoke.

Ms. Katie Korkos, Art in Public Places Staff Liaison, spoke.

Public Comment:  
None.

A motion was made by Councilor Robinson, seconded by Councilor Schmidt, that Council approve the expenditure of Art in Public Places Funds for the design, fabrication, transport, and installation of art by Evelyn Rosenberg in an amount not to exceed \$65,000 including tax, lighting, contingency funds, plaques, and a dedication event.

A SUBSTITUTE motion was made by Councilor Izraelevitz to postpone action on this item until after there has been opportunity for public input on this project by the Art in Public places board and come back to Council for decision.

The motion failed for the lack of a second.

A SECOND SUBSTITUTE motion was made by Councilor Ryti, seconded by Councilor Schmidt, that Council approve the expenditure of Art in Public Places Funds for the design, fabrication, transport, and installation of art by Evelyn Rosenberg in an amount not to exceed \$65,000 including tax, lighting, contingency funds, plaques, and a dedication event, this will also include public engagement on the design and comment on the final location.

The SECOND SUBSTITUTE motion passed with the following vote:

Yes: 6 - Councilor Scott, Councilor Sheehey, Councilor Maggiore,  
Councilor Robinson, Councilor Ryti, and Councilor Schmidt

No: 1 - Councilor Izraelevitz

## 10. COUNCIL BUSINESS

### A. Appointments

None.

### B. Board, Commission and Committee Liaison Reports

Councilor Ryti reported on the Planning and Zoning Board.

Councilor Maggiore reported on the Environmental Sustainability Board.

### C. County Manager's Report

County Manager Harry Burgess reported on the Budget which is out for the public to view; the upcoming budget meetings; and the upcoming Federal Legislative Meeting.

### D. Council Chair Report

Councilor Scott reported on the March 27<sup>th</sup> Land Use Subcommittee meeting; a March 28<sup>th</sup> meeting with Española Mayor Javier Sanchez; a conference call with Governor Lujan-Grisham regarding new legislation and second amendment challenges; and the April 3<sup>rd</sup> Town Hall.

### E. General Council Business

None.

**F. Approval of Councilor Expenses**

A motion was made by Councilor Maggiore, seconded by Councilor Izraelevitz, to approve travel expenses for the Federal Legislative Committee to travel to Washington D.C. the first week of June.

The motion passed by acclamation with the following vote:

Yes: 7 - Councilor Scott, Councilor Sheehey, Councilor Izraelevitz, Councilor Maggiore, Councilor Robinson, Councilor Ryti, and Councilor Schmidt

**G. Preview of Upcoming Agenda Items**

None.

**11. COUNCILOR COMMENTS**

Councilor Robinson extended thanks to County staff for their response to the local natural disasters.

Councilor Ryti commented on the excess funds for gas and water and the potential opportunities for those funds, the quality of the utility billing system, and affordable utilities for citizens.

Councilor Izraelevitz announced that he will be doing a presentation at the Senior Center on April 9<sup>th</sup> regarding the Strategic Plan; reminded Councilors that Monday is the Municipal League District Meeting in Red River.

**12. PUBLIC COMMENT**

Ms. Dawn Marie Maldonado, 122 Bandelier, expressed appreciation for the public meeting process and cautioned Council about skipping this process in the future.

Mr. Paul Jaramillo, 507 Paige Loop, expressed concern regarding utility billing issues and expressed dissatisfaction with Council for approving the rate increase.

**13. ADJOURNMENT**

The meeting adjourned at 9:48 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

---

Sara C. Scott, Council Chair

Attest:

---

Naomi D. Maestas, County Clerk

Meeting Transcribed by: Victoria L. Martinez, Deputy Clerk

## Budget Revision 2019-33 Otowi Well

Board of Public Utilities Meeting Date: Mar 20, 2019

Council Meeting Date: Apr 2, 2019

	<b>Fund/Dept</b>	<b>Brass Org</b>	<b>Revenue</b> (decrease)	<b>Expenditures</b> (decrease)	<b>Transfers</b> In(Out)	<b>Fund Balance</b> (decrease)
1	Water Production Fund	54285699 8369		\$ 856,435		\$ (856,435)

**Description:** The purpose of this budget revision is to increase the expenditure budget by \$856,435 for Services Agreement AGR19-39 in the amount of \$748,075, contingency of \$50,000 plus GRT of \$58,360 for the purchase and installation of a natural gas engine for Otowi Well No 2.

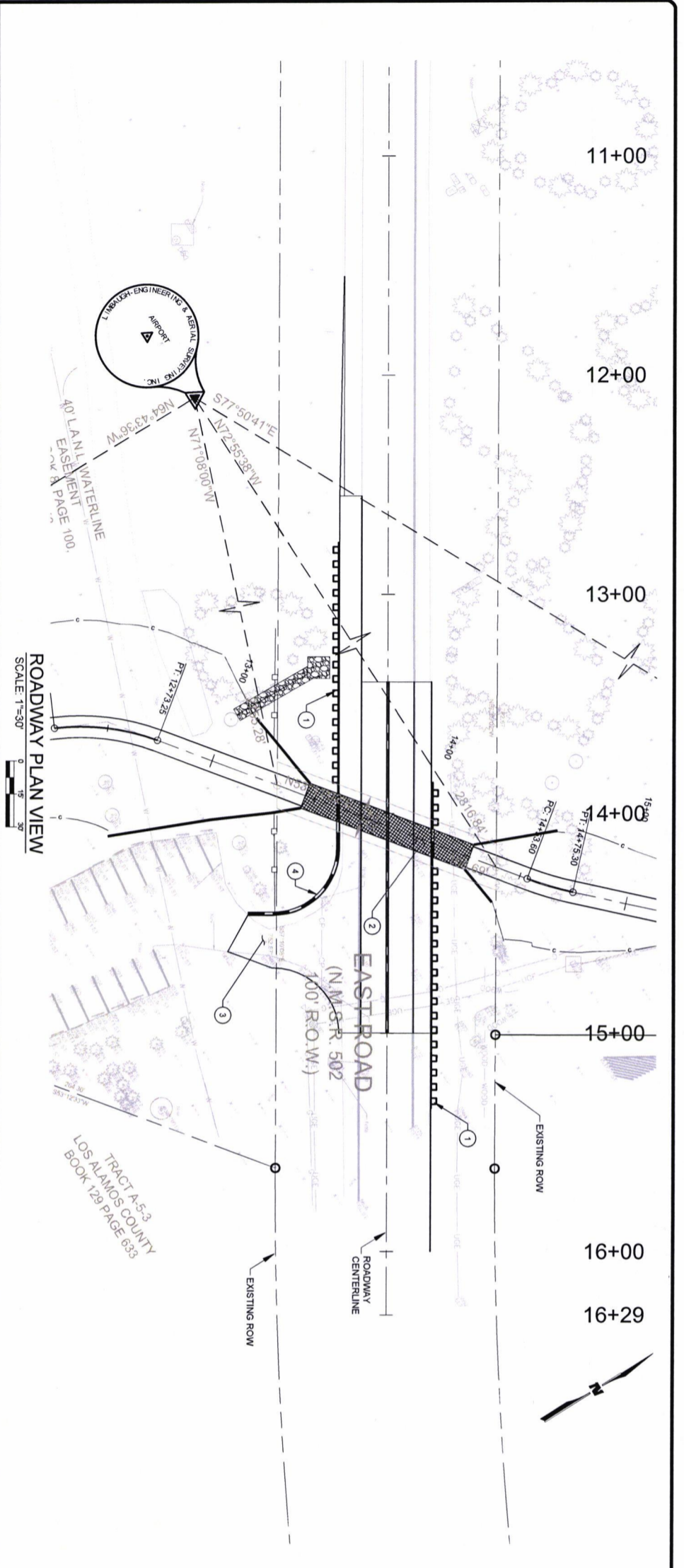
**Fiscal Impact:** The net fiscal impact to the Water Production Fund is an increase to expenditures and a decrease to fund balance in the amount of \$856,4535.

**EXHIBIT A - DESIGN/CONSTRUCTION DRAWING/MAP**

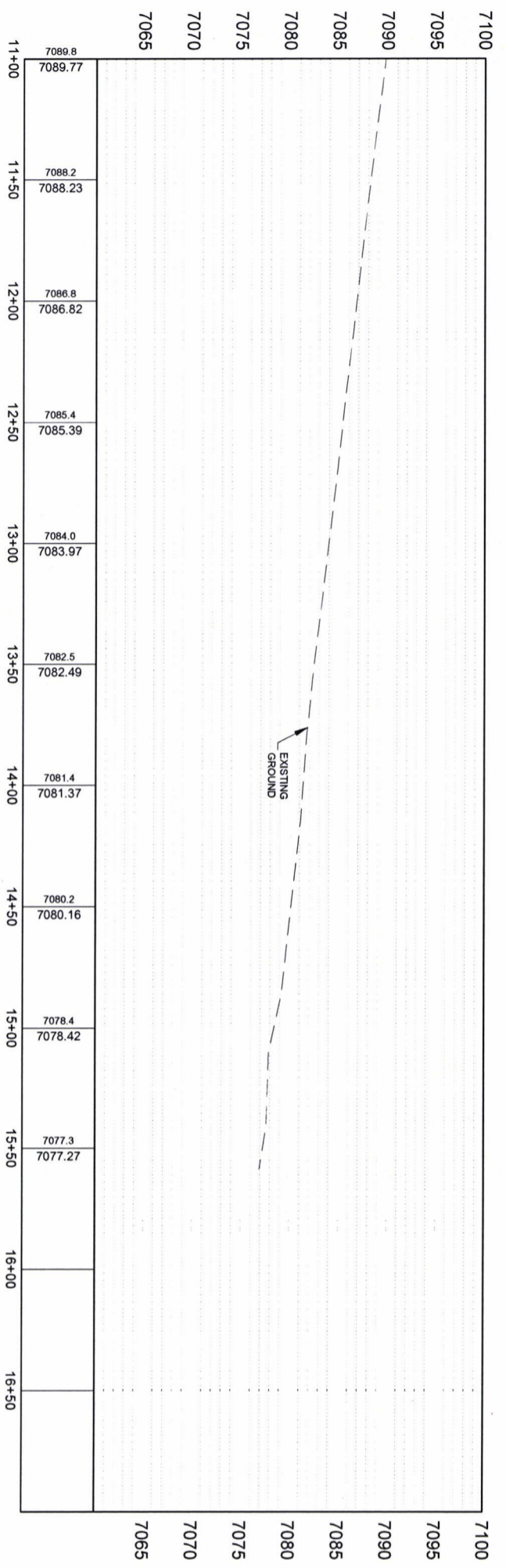
**FOR ITEM 11693-19**

**Approval of a Cooperative Use, Maintenance and Lighting Agreement  
between the County and the New Mexico Department of  
Transportation regarding the Canyon Rim Trail Underpass Project**





ROADWAY PLAN VIEW  
SCALE: 1"=30'



ROADWAY PROFILE VIEW  
SCALE: 1"=30'

**GENERAL NOTES:**

1. FIELD VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.
2. IF THIS SHEET IS NOT 22"x34", THEN IT IS REDUCED SIZE PLOT. USE GRAPHIC SCALE ACCORDINGLY.

**KEYED NOTES:**

- 1 METAL BARRIER
- 2 12W x 10H CBC UNDERPASS
- 3 BUILT 24' WIDE TURNOUT
- 4 32" CONCRETE WALL BARRIER

**LEGEND:**

- 10' MULTI-USE TRAIL
- UNDER PASS
- LIMIT OF RECONSTRUCTION

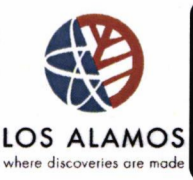


Los Alamos County Council  
Regular Meeting  
April 2, 2019  
Item 7.C.

NO.	REVISION DESCRIPTION	DATE	BY
5			
4			
3			
2			
1			

DESIGNED BY: CLL  
 DRAWN BY: DAP  
 CHECKED BY: ESC  
 APPROVED BY: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 SCALE: \_\_\_\_\_

**CANYON RIM TRAIL UNDERPASS**  
 PROJECT BID No : 2019-XXXX  
**ROADWAY PLAN AND PROFILE**

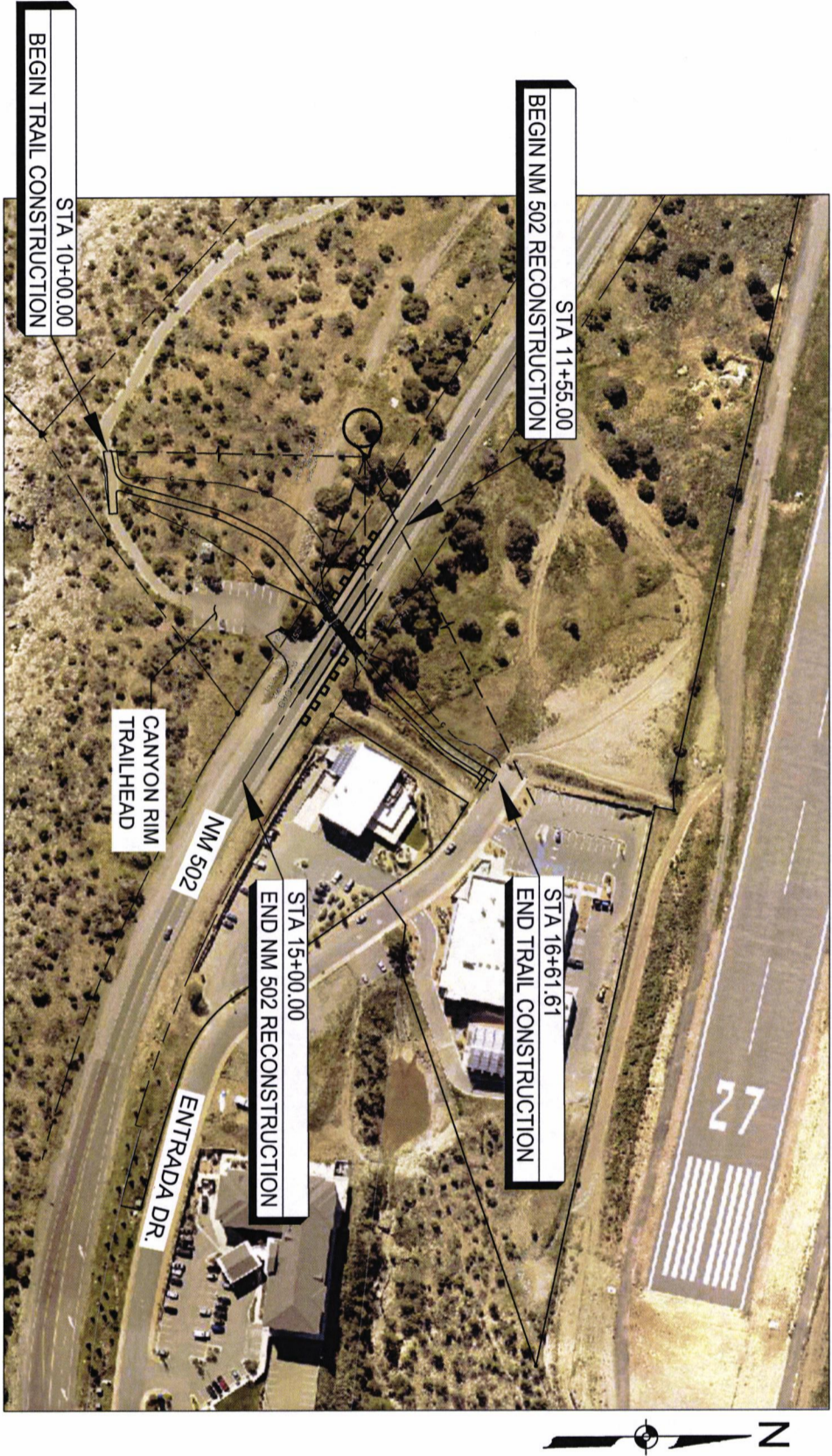


**COUNTY OF LOS ALAMOS**  
 PUBLIC WORKS DEPARTMENT  
 1000 CENTRAL AVE.  
 LOS ALAMOS, NEW MEXICO 87544

SHEET  
**3-4**

EXHIBIT A

LENGTH OF TRAIL PROJECT: 661 FEET  
 LENGTH OF ROADWAY RECONSTRUCTION: 345 FEET



**VICINITY MAP**  
 NTS

THIS PROJECT BEGINS IN TOWNSHIP 19N, SECTION 13, RANGE 6E  
 THIS PROJECT ENDS IN TOWNSHIP 19N, SECTION 13, RANGE 6E

**INTENT OF PROJECT**  
 CONSTRUCTION OF UNDERPASS (PRECAST CBC), WINGWALLS, GRAVITY WALL, TRAIL, RECONSTRUCTION OF ROADWAY, TRAFFIC CONTROL, PERMANENT SIGNING & STRIPING, METAL BARRIER, EROSION CONTROL & REVEGETATION

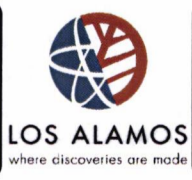


Los Alamos County Council  
 Regular Meeting  
 April 2, 2019  
 Item 7.C.

NO.	REVISION DESCRIPTION	DATE	BY
5			
4			
3			
2			
1			

DESIGNED BY: CIL  
 DRAWN BY: DAP  
 CHECKED BY: ESC  
 APPROVED BY:  
 DATE:  
 SCALE:

**CANYON RIM TRAIL UNDERPASS**  
 PROJECT BID No : 2019-XXXX  
**VICINITY MAP**



COUNTY OF LOS ALAMOS  
 PUBLIC WORKS DEPARTMENT  
 1000 CENTRAL AVE  
 LOS ALAMOS, NEW MEXICO 87544

SECRET  
 1-2

## Budget Revision 2019-34 Gap Analysis

Council Meeting Date: Apr 2, 2019

	Fund/Dept	Brass Org	Revenue (decrease)	Expenditures (decrease)	Transfers In(Out)	Fund Balance (decrease)
1	General Fund/CSD Social Services	01152010 8369		\$ 50,000		\$ (50,000)

**Description:** The purpose of this budget revision is to increase the expenditure budget by \$50,000 for a gap analysis survey under the Social Services division.

**Fiscal Impact:** The net fiscal impact to the General Fund is an increase to expenditures and a decrease to fund balance in the amount of \$50,000.