



County of Los Alamos

Los Alamos, NM 87544
www.losalamosnm.us

Minutes - **DRAFT**

County Council – Regular Session

*Rick Reiss, Council Chair; Susan O'Leary, Vice Chair;
James T. Chrobocinski, Steven Girrens, Kristin Henderson,
David Izraelevitz and Pete Sheehey, Councilors*

Tuesday, August 30, 2016

6:00 PM

Council Chambers – 1000 Central Avenue
TELEvised

1. OPENING/ROLL CALL

The Vice Chair, Susan O'Leary, called the meeting to order at 6:06 p.m.

The following Councilors were in attendance:

Present: 5 - Councilor O'Leary, Councilor Chrobocinski, Councilor Girrens,
Councilor Henderson and Councilor Sheehey

Absent: 2 - Councilor Reiss and Councilor Izraelevitz

Councilor O'Leary announced Council met in closed session on August 26, 2016 and no action was taken.

2. PUBLIC COMMENT

Ms. Deborah Robinson, 199 Central Avenue, spoke of her current living situation and on legal issues she is pursuing.

Ms. Mary Beth Maassen, Community Relations and Patient Advocate at Los Alamos Medical Center, expressed thanks to Los Alamos County for their participation with the Relay for Life event held in July at Ashely Pond.

Ms. Jowilla Foreman, 2246 34th Street, made a statement of clarification regarding the assistance she has provided Ms. Deborah Robinson and family.

Mr. Cody Noakes, Los Alamos High School (LAHS) student, spoke about the construction efforts on Central Avenue, and sought clarification on the proposed route for the upcoming Homecoming Parade.

3. APPROVAL OF AGENDA

A motion was made by Councilor Girrens, seconded by Councilor Chrobocinski, that the Agenda be approved, as presented.

The motion passed by acclamation with the following vote:

Yes: 5 - Councilor O'Leary, Councilor Chrobocinski, Councilor Girrens,
Councilor Henderson and Councilor Sheehey

Absent: 2 - Councilor Reiss and Councilor Izraelevitz

4. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

- A. Thank You from "Moves 2 Win" Program by Espanola Public School District, Rio Arriba County and NM Children, Youth and Family Division

Mr. Eric Martinez, Superintendent of Espanola Public Schools, spoke.
Ms. Annette Martinez, Director "Moves 2 Win" Program, spoke.

- B. Proclamation declaring the Month of September as "Arts & Culture Month" in Los Alamos County

Councilor Henderson read and presented the proclamation to Ms. Marlane Hamilton, member of the Arts Council.

- C. Proclamation declaring 2016-2017 as a "Year of Asset Building" and Friday, September 2 as "College Day/Military Day" in Los Alamos County

Councilor Girrens read and presented the proclamation to Mr. Chad Lauritzen, of C'YA and Mr. Patrick Sullivan, of LACDC.

5. CONSENT AGENDA

Vice Chair O'Leary advised of a corrections to the attachment for Item 5B: Amendment No. 5 to Services Agreement No. AGR3470-09 with High Line Corporation for ePersonality (HR/Payroll) HRIS Software.

Mr. Harry Burgess, County Manager, spoke.

Consent Motion:

A motion was made by Councilor Chrobocinski, seconded by Councilor Sheehey, 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 Revised Art in Public Places Board Policies and Guidelines

I move that Council approve the revised Policies and Guidelines for the Art in Public Places Board as presented.

- B. Amendment No. 5 to Services Agreement No. AGR3470-09 with High Line Corporation for ePersonality (HR/Payroll) HRIS Software

I move that Council approve Amendment No. 5 to Services Agreement No. AGR3470-09 with High Line Corporation in the form attached, *as amended*, which has been approved as to form by the County Attorney; and further move that Council authorize the County Manager to execute the Agreement on behalf of the County.

- C. Approval of Services Agreement No. AGR16-042 with Open Access Technology International, Inc. (OATI) in the amount of \$679,320.00, plus Applicable Gross Receipts Tax, for the Purpose of Energy Trade Capture and Scheduling Software

I move that Council approve Services Agreement No. AGR16-042 with Open Access Technology International, Inc. (OATI) in the amount of \$679,320.00 plus applicable gross receipts tax, for the purpose of Energy Trade Capture and Scheduling Software.

- D. Approval of Amendment No. 2 to the Laramie River Station Participation Power Sales Agreement between the City of Lincoln and the County of Los Alamos

I move that Council approve Amendment No.2 to the Laramie River Station Participation Power Sales Agreement.

- E. Incorporated County Of Los Alamos Resolution No. 16-15; A Resolution of the Council Authorizing Application for Federal Transit Administration (FTA) Section 5310 Enhanced Mobility Funding for Seniors and Individuals with Disabilities for FY18

I move to approve Resolution No. 16-15 authorizing the County to submit Section 5310 grant application for the 2018 fiscal year and authorization to the required local match of \$28,000 for the 2018 Fiscal Year.

- F. Approval Incorporated County of Los Alamos Resolution No. 16-16: A Resolution of the Council Authorizing Application for the Federal Transit Administration (FTA) Section 5311 Rural Transportation Project Funding for FY18

I move to approve Resolution No. 16-16 authorizing the County to submit an FTA Section 5311 grant application and authorization to commit to the required local match of \$1,812,202 for the 2018 Fiscal Year.

- G. Incorporated County of Los Alamos Resolution No. 16-17: A Resolution of the Council Authorizing Application for the Federal Transit Administration Section 5339(b) Bus and Bus Facility Competitive Grants for FY17

I move to approve Resolution No. 16-17 authorizing the County to submit a Section 5339(b) Discretionary Program 2016 Funding Opportunity grant application for the 2017 fiscal year and authorization to commit to the required local match of \$74,000 for the 2017 fiscal year.

- H. County Council Minutes for July 12th, July 19th, July 26th, and August 9th, 2016

I move that Council approve the County Council Minutes for July 12th, July 19th, July 26th, and August 9th, 2016.

Approval of the Consent Agenda:

The motion passed with the following vote:

Yes: 5 - Councilor O'Leary, Councilor Chrobocinski, Councilor Girrens,
Councilor Henderson and Councilor Sheehey

Absent: 2 - Councilor Reiss and Councilor Izraelvitz

6. PUBLIC HEARING(S)

- A. Incorporated New Liquor License Application No.1007550, (premise consumption only), filed by Applicant, Pig & Fig Bakery and Cafe, L.L.P., d/b/a Pig & Fig Bakery and Cafe, 35G Rover Blvd, White Rock, New Mexico, 87544.

Mr. Harry Burgess, County Manager, spoke.

Public Comment:

Mr. Antonio Maggiore, 4102 Fairway Drive, spoke in support.

A motion was made by Councilor Sheehey, seconded by Councilor Chrobocinski, that Council approve New Liquor License and Application No. 1007550 for Pig & Fig Bakery and Cafe, L.L.P., d/b/a Pig & Fig Bakery and Cafe.

The motion passed with the following vote:

**Yes: 5 - Councilor O’Leary, Councilor Chrobocinski, Councilor Girrens,
Councilor Henderson and Councilor Sheehey**

Absent: 2 - Councilor Reiss and Councilor Izraelevitz

7. INTRODUCTION OF ORDINANCE(S)

- A. Incorporated County of Los Alamos Code Ordinance No. 02-268; An Ordinance Amending Chapter 40, Article III, Sections 40-151, 40-152 and 40-154 of the Code of Ordinances of the Incorporated County of Los Alamos Relating to Gas Rates

Councilor Girrens introduced, without prejudice, Incorporated County of Los Alamos Code Ordinance No. 02-268 and ask the staff to assure that it is published as provided in the County Charter.

- B. Incorporated County of Los Alamos Code Ordinance No. 02-267; an Ordinance Amending Chapter 40, Article III, Sections 40-171 and 40-175 of the Code of Ordinances of the Incorporated County of Los Alamos Pertaining to Potable Water Rates and Bulk Delivery Rates

Mr. Harry Burgess, County Manager, advised of a correction to the Code Ordinance number, which should read 02-267, not 02-087.

Councilor Henderson introduced, without prejudice, Incorporated County of Los Alamos Code Ordinance No. 02-267; and ask the staff to assure that it is published as provided in the County Charter.

- C. Incorporated Introduction Of Incorporated County Of Los Alamos Code Ordinance No. 02-269 An Ordinance Amending Chapter 34, Article I, Of The Los Alamos County Code Of Ordinances By Adding Sections 34-20 Through 34-23 To Require Property Owners And Occupants To Remove And Properly Dispose Of All Snow Accumulated On, Adjacent, And Abutting Sidewalks.

Councilor Chrobocinski introduced, without prejudice, Incorporated County of Los Alamos Code Ordinance No. 02-269 and ask the staff to ensure that it is published as provided in the County Charter.

8. BUSINESS

A. Consider Approval of Community Wildfire Protection Plan 2016

Mr. Harry Burgess, County Manager, spoke.

Mr. Troy Hughes, Fire Chief, spoke.

Mr. Ramon Garcia, Division Chief (Wildland), spoke.

Public Comment:

None.

A motion was made by Councilor Sheehey, seconded by Councilor Henderson, that Council approve the 2016 Community Wildfire Protection Plan.

The motion passed with the following vote:

Yes: 5 - Councilor O'Leary, Councilor Chrobocinski, Councilor Girrens,
Councilor Henderson and Councilor Sheehey

Absent: 2 - Councilor Reiss and Councilor Izraelevitz

B. Incorporated County of Los Alamos Resolution No.16-18 A Resolution Encouraging Congress to Create a Reliable, Predictable Stream of Resources to Address Deferred Maintenance Needs in America's National Park System

Mr. Harry Burgess, County Manager, spoke.

Public Comment:

None.

A motion was made by Councilor Sheehey, seconded by Councilor Henderson, that Council adopt Incorporated County of Los Alamos Resolution No. 16-18, a Resolution encouraging Congress to create a reliable, predictable stream of resources to address deferred maintenance needs in America's National Park System.

The motion passed with the following vote:

Yes: 5 - Councilor O'Leary, Councilor Chrobocinski, Councilor Girrens,
Councilor Henderson and Councilor Sheehey

Absent: 2 - Councilor Reiss and Councilor Izraelevitz

9. COUNCIL BUSINESS

A. Appointments

1) Board/Commission Appointment(s) - Transportation Board

Mr. Philo Shelton, Public Works Director, spoke.

A motion was made by Councilor Girrens, seconded by Councilor Chrobocinski, nominating Eileen Lime, Sriram Swaminarayan, and Marion Vance to fill two vacancies on the Transportation Board and that Council appoint two nominees to the vacant positions as follows: By roll call vote, Councilors vote for two nominees and the two nominees with the highest vote total of four or more will be appointed to fill the vacant positions which terms began on March 1, 2016 and will end on February 28, 2018.

After a roll call vote, Eileen Lime, Sriram Swaminarayan were appointed.

B. Board, Commission and Committee Liaison Reports

Councilor Henderson Reported: Members of the Manhattan Project National Historical Park (MPNHP) Committee recently attended an Energy Communities Alliance meeting in Denver, Colorado, where branding, marketing, signage, and cooperative efforts to promote MPNHP were discussed.

Councilor Chrobocinski Reported: He also attended the Energy Communities Alliance meeting in Denver, Colorado, noting the need for a sub-committee to address issues with access to the MPNHP sites.

Councilor Sheehey Reported: Attended U.S. Senator Martin Heinrich Energy Summit: Energy Storage Strategies for Industry & National Security, which focused heavily on renewable energy initiatives.

C. County Manager's Report

1) Approval County Manager's Report for August 2016

Mr. Harry Burgess, County Manager, reported.

D. Council Chair Report

None.

E. General Council Business

None.

F. Approval of Councilor Expenses

A motion was made by Councilor Girrens, seconded by Councilor Sheehey, to approve travel expenses for Councilor Henderson to attend the 2016 National Cleanup Workshop, September 14-15, 2016, in Alexandria, Virginia.

The motion passed by acclamation with the following vote:

Yes: 5 - Councilor O'Leary, Councilor Chrobocinski, Councilor Girrens,
Councilor Henderson and Councilor Sheehey

Absent: 2 - Councilor Reiss and Councilor Izraelevitz

G. Preview of Upcoming Agenda Items

None.

10. COUNCILOR COMMENTS

None.

11. PUBLIC COMMENT

Mr. Cody Noakes, Los Alamos High School (LAHS) student, thanked the Council and County staff for all of their hard work.

12. ADJOURNMENT

The meeting adjourned at 7:37 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

Rick Reiss, Council Chair

Attest:

Sharon Stover, County Clerk

Meeting Transcribed by: Adrianna Ortiz, Chief Deputy Clerk

UPDATED - Agenda Item 8528-16

Amendment No. 5 to Services Agreement No. AGR3470-09 with High Line Corporation for ePersonality (HR/Payroll) HRIS Software.

UPDATES

The attached updated agreement has the following changes:

1. Clarified that Enhanced Technical Support Service are included. This service will ensure that the County is fully supported during the ERP project implementation and through the end of life of the High Line product. Added Exhibit E to include specifications of the Enhanced Technical Support Services.
2. Updated the pricing to current rates – the grand total changed by \$8,039 from \$1,304,080 to \$1,312,119. The total cost of the maintenance and services associated with just the future services in Amendment No. 5 went up by the same amount from \$292,421 to \$300,460. This adjusted amount is within the still within the adopted budget for system maintenance.
3. Clarified the description on Exhibit D regarding Oracle licensing to match the County's actual configuration.

**AMENDMENT NO. 5
INCORPORATED COUNTY OF LOS ALAMOS
SERVICES AGREEMENT NO. AGR3470-09**

This **AMENDMENT NO. 5** is entered into by and between the **Incorporated County of Los Alamos**, an incorporated county of the State of New Mexico ("County"), and **High Line Corporation**, a Canadian corporation ("High Line" or Contractor"), to be effective for all purposes August 31, 2016.

WHEREAS, County contracted with High Line to provide a Human Resources System with Payroll and Implementation, named Personality, on September 9, 2009 pursuant to Services Agreement No. AGR3470-09, Amendment No. 1, AGR3470-09, dated June 8, 2011, Amendment No. 2, AGR3470-09, dated June 23, 2011, Amendment No. 3, AGR3470-09-A3, dated November 1, 2012, and Amendment No. 4, AGR3470-09-A4, dated January 1, 2015 (as amended, the "Agreement"); and

WHEREAS, the original Agreement provided for the possibility of extensions of the Term of the Agreement through December 31, 2019; and

WHEREAS, County amended the Term of the Agreement through August 31, 2016 on Amendment No. 4, AGR3470-09-A4; and

WHEREAS, due to an unanticipated change in system conversion dates, both parties wish to amend the Agreement to extend the Term through December 31, 2019. This does not impair or conflict with the intent of the RFP or Agreement; and

WHEREAS, this Amendment was approved by the County Council at a public meeting on August 30, 2016.

NOW, THEREFORE, for good and valuable consideration, County and Contractor agree as follows:

- I. To delete **SECTION B. TERM** in its entirety and replace it with the following:

SECTION B. TERM: The Term of this Agreement shall commence on September 9, 2009 and shall continue until December 31, 2019, unless sooner terminated, as provided herein.

- II. To delete **SECTION C. COMPENSATION**, sub-paragraph 3.d. in its entirety and replace it with the following:

3.d. County shall pay compensation for the performance of the Services a total amount for the duration of this Agreement not to exceed ONE MILLION THREE HUNDRED TWELVE THOUSAND ONE HUNDRED NINETEEN DOLLARS AND 38 CENTS (\$1,312,119.38) which amount does not include applicable New Mexico gross receipts taxes ("NMGR"). Said amount includes annual maintenance fees as set forth in the Exhibit "D," attached hereto and made a part hereof for all purposes.

III. To delete **SECTION C. COMPENSATION** sub-paragraph 7.b. in its entirety and replace it with the following:

For the term of this Agreement, County shall pay annual maintenance in an amount in accordance with the Annual Service Fee Agreement Fee Table set forth in Exhibit "D," attached hereto.

IV. To amend **SECTION C. COMPENSATION** to add a new sub-paragraph 7.c. to read as follows:

Exhibit "E" "Highline Enhanced Technical Support Services," attached hereto and made a part hereof for all purposes, describes the Enhanced Technical Support Services that shall be provided by Contractor. For the 2016 through 2019 years of the Term of the Agreement, County and Contractor agree that should "Assistance" as described in Exhibit "E" exceed the included 40 (forty) hours, a new Amendment to this Agreement will be required.

Except as expressly modified by this Amendment, the terms and conditions of the Agreement remain unchanged and in effect.

IN WITNESS WHEREOF, the parties have executed this Amendment No. 5 on the date(s) set forth opposite the signatures of their authorized representatives to be effective for all purposes on the date first written above.

ATTEST

INCORPORATED COUNTY OF LOS ALAMOS

SHARON STOVER
COUNTY CLERK

BY: _____
HARRY BURGESS **DATE**
COUNTY MANAGER

Approved as to form:

KATHRYN S. THWAITS
ACTING COUNTY ATTORNEY

HIGH LINE CORPORATION,
A CANADIAN CORPORATION

BY: _____
MEGAN REGISTER **DATE**
PRESIDENT

EXHIBIT "D"
2016/2017/2018 Annual Service Fee Agreement Fee Table

Module	AGR347-09-A4 Maintenance Fee 2017	Maintenance Fee 2018 not to exceed	Maintenance Fee 2019 not to exceed	Maintenance Fee 2020 not to exceed	Total
Foundation	\$4347.00	\$4,564.35	\$4,792.57	\$5,032.20	
Payroll	\$6143.00	\$6,450.15	\$6,772.66	\$7,111.29	
Salary Administration	\$1738.00	\$1,824.90	\$1,916.15	\$2,011.95	
Benefit Administration	\$2053.00	\$2,155.65	\$2,263.43	\$2,376.60	
Attendance Control	\$2053.00	\$2,155.65	\$2,263.43	\$2,376.60	
Training and Development	\$872.00	\$915.60	\$961.38	\$1,009.45	
Recruitment	\$872.00	\$915.60	\$961.38	\$1,009.45	
Workflow	\$1738.00	\$1,824.90	\$1,916.15	\$2,011.95	
Employee/Manager Self-Service	\$1738.00	\$1,824.90	\$1,916.15	\$2,011.95	
Time Management Self-Service	\$1738.00	\$1,824.90	\$1,916.15	\$2,011.95	
Enhanced Technical Support	\$9000.00	\$12,000	\$12,600	\$13,230.00	
Windward (Reports/days^8 Cores, Server Engine – Unlimited)	\$2530.00	\$2,656.50	\$2,789.33	\$2,928.79	
Custom Processes & Reports, ePersonality-Cayenta Integration/Interface Software	\$17,655.00	\$18,537.75	\$19,464.64	\$20,437.87	
Symmetry Tax Engine	\$5765.00	\$6,053.25	\$6,355.91	\$6,673.71	
Acquire Org Publisher Enterprise	\$1700.00	\$1,785.00	\$1,874.25	\$1,967.96	
Internet Application Server EE (OAS -Oracle)	\$13,860.00				
Internet Application Server SE (OAS - Oracle)	\$2295.00				
Oracle OAS including WebLogic basic (appropriate for Personality 4.5)		\$14,553.00	\$15,280.65	\$16,044.68	
Oracle OAS including WebLogic basic (appropriate for Personality 4.5)		\$2,409.00	\$2,530.24	\$2,656.75	
Total	*\$76,097.00	\$82,451.85	\$86,574.44	\$90,903.16	\$259,929.46

* BASELINE FOR 5% CALCULATION



EXHIBIT "E"

High Line Corporation Technical Support Services

Revision/effective: May 31, 2016

The Services described shall form as Schedule "B" to an original signed Annual Support Service Agreement. Upon Client acceptance, a Contract Addendum shall be created to finalize.

High Line offers its customers two different levels of Technical Support Services:

-  Basic Technical Support
-  Enhanced Technical Support

Basic Technical Support Services

The following services are included with the purchase of Oracle Database and/or Applications Server Licenses from High Line Corporation.

Customers that have purchased these licenses from another source will be required to purchase the Basic Technical Support Service to receive support on Oracle products. The Support Service fee is based on Customer's current License Tier and is billed annually in advance.

1. Oracle Software Updates

A) Oracle Software Licensing purchased through High Line:

High Line will determine if there are Oracle software updates available on a quarterly basis. Once the new Oracle software has been tested and passed QA the programs will be placed on High Line's server (Release Wiki) for download by customers. A bulletin will be emailed to the High Line contacts who are subscribed to the Oracle Updates mailing list to indicate new Oracle software is available.

B) Oracle Software Licensing purchased through another Source:

Customers who have not purchased Oracle licensing through High Line will be limited to receiving High Line bulletins as described in paragraph (A); it is the customer's responsibility to obtain updates from their own licensing source.

2. Oracle Database or Application Server Error Resolution Assistance

High Line's responsibility will be limited to advisement of what is required to solve the issue (where possible), versus instruction on the steps involved. High Line's responses will assume that the Client has an experienced Oracle Database/System Administrator on staff. Issues must be logged in the Customer Care system, including details of the error condition. 'Live' Client environments covered include (3): Production, Pilot/Test and Training. Implementing Client environments covered include (3): Conversion, Pilot and either Production or the Quickstart/Turnkey database at High Line.

All services will be provided remotely. Clients must provide High Line with access to the Database and/or Application Server.

EXHIBIT "E"

Enhanced Technical Support Services

Prerequisite: Current High Line Basic Technical Support Services (Customers that have purchased Oracle licenses from another source will be required to purchase the Basic Technical Support Service to obtain the Enhanced Technical Support Service).

Hosted Clients receive the Enhanced Technical Support Services level of coverage and further support, as defined in the Hosting contract.

The Enhanced Technical Support Service fee is based on Customer's current License Tier and is billed annually in advance.

The following services are included with the Enhanced Technical Support Service:

1. Review of Operating Environment

High Line will review the Client's:

- ⊗ storage
- ⊗ memory
- ⊗ performance
- ⊗ network connection - understanding of how the network is setup and working and any recommendations
- ⊗ database/application server configuration

This review will be conducted annually, upon renewal.

Standard time commitment: 1 day (see item 6).

2. Review of Backup / Recovery Procedures

High Line will use Oracle utilities and tool sets to

- ⊗ Assist with establishing database backup and recovery strategy
- ⊗ Assist with Backup / Recovery setup and documentation of procedures using Oracle Utilities and tool sets

This service will be scheduled annually, upon renewal.

Standard time commitment: 1 day (see item 6).

3. Remote Assistance with Install Issues

High Line will assist Clients remotely with issues that arise as a result of installation of Oracle or High Line software fixes or patches. This service will be provided via teleconference, Webex, email and/or direct connection to the Client environment. High Line can provide complete installation, and/or work directly with the Client to troubleshoot issues, if requested (see item 6).

4. Remote Assistance with Other Technical Issues

High Line will assist Clients remotely with the following technical issues. These services will be provided via teleconference, Webex, email and/or direct connection to the Client environment (see item 6 for included hours).

- ⊗ Oracle warning analysis, problem determination and errors
- ⊗ Restore application systems to normal state
- ⊗ Resolve application server and database performance related problems

5. Logging Cases

EXHIBIT "E"

Issues must be logged in the Customer Care system, including details of the error condition or the request for technical assistance. Cases will be flagged (either by the Client or High Line) as a "Billable or ETA Issue" and will be assigned to a Technical Consultant. All time logged against a "Billable or ETA Issue" case will apply to the Included Hours (see item 6 below). 'Live' Client environments covered include (3): Production, Pilot/Test and Training. Implementing Client environments covered include (3): Conversion, Pilot and either Production or the Quickstart/Turnkey database at High Line.

6. **Assistance – Definition and Included Hours**

'Assist' includes advice regarding the correct path/how to complete the task. Direct completion of tasks, and/or working with the Client (via Webex/phone/other) to complete the task(s), is limited to the Included Hours below.

Additional assistance will be billed on a time/materials basis, current standard rates⁽¹⁾ and on-site travel/out of pocket expenses are applicable.

Included Hours: 40

Scheduled assistance: minimum quarter day/2-hour increments.

Unscheduled assistance (i.e. Cases assigned as Technical Consulting is available to complete): no minimum increments.

Unused hours do not roll forward to future contract years.

⁽¹⁾ Prevailing rate subject to change without notice.