

## Minutes

### County Council – Regular Session

*David Izraelevitz, Council Chair; Christine Chandler, Council Vice Chair;  
James Chrobocinski, Antonio Maggiore, Susan O'Leary,  
Rick Reiss, and Pete Sheehey, Councilors*

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Tuesday, May 1, 2018

6:00 PM

Council Chambers-1000 Central Avenue

TELEvised

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#### 1. OPENING/ROLL CALL

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

The following Councilors were in attendance:

Present: 7 - Councilor Izraelevitz, Councilor Chandler, Councilor Chrobocinski,  
Councilor Maggiore, Councilor O'Leary, Councilor Reiss, and Councilor Sheehey

#### 2. PLEDGE OF ALLEGIANCE

Led by: Girl Scout Troop 10631

#### 3. PUBLIC COMMENT

Ms. Adrianna Ortiz, No address given, provided information regarding the Española Community Matanza.  
Mr. Ralph Martinez, Española, invited Council to attend the Española Community Matanza on June 2, 2018.

#### 4. APPROVAL OF AGENDA

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

The motion passed by acclamation with the following vote:

Yes: 7 - Councilor Izraelevitz, Councilor Chandler, Councilor Chrobocinski, Councilor Maggiore,  
Councilor O'Leary, Councilor Reiss, and Councilor Sheehey

#### 5. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

- A. Proclamation Declaring the Month of May as "Bike Month" and the Week of May 14-18, 2018 as "Bike to Work Week" in Los Alamos County

Councilor Sheehey read and presented the proclamation to Mr. Eric Martinez, County Engineer.

- B. Proclamation declaring the Month of May 2018 as "Motorcycle Awareness Month" in Los Alamos County

Councilor Chandler read and presented the proclamation to Mr. Richard Sturgeon and members of the local motorcycle club.

- C. Proclamation declaring the Week of May 13-19, 2018 as "Police Week" and Tuesday, May 15, 2018 as "Peace Officers' Memorial Day" in Los Alamos County

Councilor O'Leary read and presented the proclamation to Mr. Dino Sgambellone, Police Chief.

- D. Proclamation declaring the Week of May 20-26, 2018 as "Emergency Medical Services Week" in Los Alamos County

Councilor Chrobocinski read and presented the proclamation to Mr. Ben Stone, LAFD EMS Division Chief.

- E. Recognition of LANL Training Division Chief Paul Grano for Completing the Executive Fire Officer Designation through the National Fire Academy

Mr. Troy Hughes, Fire Chief recognized Mr. Paul Grano, LANL Training Division Chief.

## 6. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA

None.

## 7. CONSENT AGENDA

### Consent Motion:

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

- A. Approval of Services Agreement No. AGR 18-28 with T&D Con, LLC, an Affiliate Company of Transmission & Distribution Services LLC., in the amount of \$731,393.78, plus Applicable Gross Receipts Tax, for the Purpose of the White Rock Substation 15KV Retrofit & Upgrade Project

**I move that Council approve Services Agreement No. AGR 18-28 with T&D Con, LLC, an Affiliate Company of Transmission & Distribution Services, LLC., in the amount of \$731,393.78 and a contingency in the amount of \$50,000, for a total of \$781,393.78, plus applicable gross receipts tax, for the purpose of White Rock Substation 15KV Retrofit & Upgraded Project.**

- B. Approval of Professional Services Agreement No. AGR 18-37 with Delta Airport Consultants, Inc., in an Amount Not to Exceed \$2,000,000, excluding NMGR, for Professional Architectural, Engineering, Planning, and Project Management Consulting Services for the Los Alamos County Airport

**I move that Council approve Professional Services Agreement No. AGR 18-37 with Delta Airport Consultants, Inc., in an amount not to exceed \$2,000,000, excluding applicable NMGR, for professional architectural engineering, planning, and project management consulting services for the Los Alamos Airport.**

- C. Council Designation of Roadway Lighting Design Categories for roadways within Tract A-19, Mirador Subdivision

**I move that Council designate Roadway Lighting Design Categories for roadways within the Mirador Subdivision as follows: La Vista Drive between NM 4 and Mirador Boulevard and Mirador Boulevard between NM 4 and the western lot line of commercial Tract D, shall be designated as RLDC-5, Continuously Lighted Roadway; Mirador Boulevard between the western lot line of commercial Tract D and Cadena Loop, Confianza Street, and Cadena Loop shall be designated as RLDC-4, Roadway with Lighted Intersections and Partial Lighting.**

- D. Approval DWI Planning Council Appointments

**I move that Council appoint Jaime Gonzales and Patrick Mockler-Wood and reappoint Denise McCoy, Juanita McNeil, and Judy Lovejoy to the DWI Planning Council for 2-year terms beginning on May 1, 2018 and ending on April 30, 2020.**

- E. Approval of Re-appointment of Deputy Utility Manager of Finance and Administration, Bob Westervelt, as Los Alamos' Member on the New Mexico Municipal Energy Acquisition Authority (NMMEA) Board of Directors

**I move that Council approve re-appointment of Deputy Utility Manager of Finance and Administration, Bob Westervelt, as Los Alamos' member on the New Mexico Municipal Energy Acquisition Authority Board of Directors.**

- F. County Council Minutes for April 10, 2018 and FY 2019 Budget Minutes April 16 and 17, 2018

**I move that Council approve the County Council Minutes for April 10, 2018 and FY 2019 Budget Minutes April 16 and 17, 2018.**

- G. Approval of Revision to Modification 20 to the Electric Energy and Power Coordination Agreement (ECA) Between the Incorporated County of Los Alamos and the United States Department of Energy (DOE).

**I move that Council approve this Modification 20 to the Electric Coordination Agreement as presented.**

- H. Approval of Northern Rio Arriba Electric Cooperative (NORA) Third Revised Exhibit A and Amendment No.3 to the Operation, Maintenance and Wheeling Agreement Dated August 27, 1986

**I move that Council approve the NORA Third Revised Exhibit A and Amendment No.3 to the Operation, Maintenance and Wheeling Agreement Dated August 27, 1986.**

**Approval of Consent Agenda:**

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

**Yes: 7 - Councilor Izraelevitz, Councilor Chandler, Councilor Chrobocinski, Councilor Maggiore, Councilor O'Leary, Councilor Reiss, and Councilor Sheehy**

## 8. PUBLIC HEARING(S)

- A. Incorporated County of Los Alamos Ordinance No. 02-281; An Ordinance Repealing Ordinances 571 and 664 in their Entirety and Enacting and Amending Certain Affordable Housing Provisions Into the Los Alamos County Code of Ordinances

Mr. Paul Andrus, Community Development Director, spoke.

Public Comment:  
None.

**A motion was made by Councilor Sheehey, seconded by Councilor Chandler, that Council approve Incorporated County Of Los Alamos Ordinance No. 02-281; An Ordinance Repealing Ordinances 571 and 664 in their Entirety and Enacting and Amending Certain Affordable Housing Provisions Into the Los Alamos County Code of Ordinances, and ask staff to assure that the Ordinance is published as required by the County Charter.**

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

**Yes: 7 - Councilor Izraelevitz, Councilor Chandler, Councilor Chrobocinski, Councilor Maggiore, Councilor O'Leary, Councilor Reiss, and Councilor Sheehey**

- B. Incorporated County of Los Alamos Code Ordinance No. 02-286, A Code Ordinance amending Chapter 18, Section 36, To Increase The Minimum Number of Day a Notice Provided to a Landowner to Correct a Violation Prior to Issuance of a Citation

Mr. Paul Andrus, Community Development Director, spoke.  
Councilor Maggiore spoke.  
Councilor Chrobocinski spoke.  
Ms. Katie Thwaits, Assistant County Attorney, spoke.  
Mr. Michael Arrellano, Chief Building Inspector, spoke.

Public Comment:  
Ms. Helen Milenski, 1651 36<sup>th</sup> Street, spoke.  
Ms. Heather Ortega, 40 Santolino, spoke.

**A motion was made by Councilor Chrobocinski, seconded by Councilor Maggiore, that Council approve Incorporated County of Los Alamos Code Ordinance No. 02-286, a Code Ordinance amending Chapter 18 , Section 36, to Increase the Minimum Number of Days a Notice Provides to a Landowner to Correct a Violation Prior to Issuance of a Citation.**

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

**Yes: 6 - Councilor Chandler, Councilor Chrobocinski, Councilor Maggiore, Councilor O'Leary, Councilor Reiss, and Councilor Sheehey**

**No: 1 - Councilor Izraelevitz**

- C. Incorporated County of Los Alamos Code Ordinance No. 02-285, A Code Ordinance amending Chapter 8 to add an Article XV to Create A Community Development Advisory Board.

Councilor Chrobocinski spoke.  
Councilor Maggiore spoke.  
Ms. Katie Thwaits, Assistant County Attorney, spoke.  
Mr. Harry Burgess, County Manager, spoke.

## **RECESS**

***Councilor Izraelevitz called for a recess at 8:03 p.m. The meeting reconvened at 8:12 p.m.***

Public Comment:  
Mr. Brady Burke, 2310 39<sup>th</sup> Street, spoke.  
Ms. Helen Milenski, 1651 36<sup>th</sup> Street, spoke.

**A motion was made by Councilor Chrobocinski, seconded by Councilor O'Leary, that Council approve Incorporated County of Los Alamos Code Ordinance No. 02-285, a Code Ordinance amending Chapter 8 to Add an Article XV to Create a Community Development Advisory Board with the following changes; Section 8-302 increase from 5 to 7 citizens; 3 initial appointments expire after one year, the remaining 4 expire after 2 years; Section 8-303, number 4 will be changed to state receive all monthly property maintenance codes and review as appropriate.**

**A motion to amend was made by Councilor Izraelevitz, seconded by Councilor Chrobocinski, to include the following Amendment to the motion: to include the real estate disclosure found in 8-202-B.**

After further discussion Councilor Chrobocinski withdrew his second to amend the motion.

After further discussion Councilor Maggiore seconded the motion to amend.

Public Comment on Motion to Amend:  
Ms. Helen Milenski, 1651 36<sup>th</sup> Street, spoke.

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

**Yes: 4 - Councilor Izraelevitz, Councilor Chandler, Councilor Maggiore, and Councilor Reiss**

**No: 3 - Councilor Chrobocinski, Councilor O'Leary, and Councilor Sheehey**

**A SECOND motion to amend was made by Councilor Izraelevitz, to include the following Amendment to the motion: to remove reference to Los Alamos versus White Rock.**

**The motion failed for lack of a second.**

*Due to a substantive change to the motion it will have to be re-published and heard at a later date.*

Councilor Izraelevitz announced that the agenda for the May 22, 2018 Council Meeting will be amended to include this item and the rules for the meeting will be suspended to allow action at a work session.

## 9. BUSINESS

- A. Approval of Services Agreement AGR18-39 with FBT Architects in the Amount of \$459,315.00 and a contingency in the amount of \$50,000, for a total of \$509,315.00, plus Applicable Gross Receipts Tax, for the Purpose of Designing the Kiddie Pool Addition to the Los Alamos County Aquatics Center.

Mr. Eric Martinez, County Engineer, spoke.  
Ms. Katie Thwaits, Assistant County Attorney, spoke.  
Mr. Harry Burgess, County Manager, spoke.

Public Comment:

Mr. Brady Burke, 2310 39<sup>th</sup> Street, spoke.  
Ms. Shelby Redondo, 390 Manhattan Loop, spoke.  
Ms. Helen Milenski, 1651 36<sup>th</sup> Street, spoke.

**A motion was made by Councilor Sheehey, seconded by Councilor Chandler, that Council Approve Services Agreement AGR18-39 with FBT Architects in the Amount of \$459,315.00 and a contingency in the amount of \$50,000, for a total of \$509,315.00, plus Applicable Gross Receipts Tax, for the Purpose of Designing the Kiddie Pool Addition to the Los Alamos County Aquatics Center.**

**A motion was made by Councilor Maggiore, seconded by Councilor Izraelevitz, to postpone this item to the June 12, 2018 County Council meeting.**

The motion to postpone passed with the following vote:

**Yes: 4 - Councilor Izraelevitz, Councilor Maggiore, Councilor Reiss, and Councilor Sheehey**

**No: 3 - Councilor Chandler, Councilor Chrobocinski, and Councilor O'Leary**

## 10. COUNCIL BUSINESS

### A. Appointments

- 1) Appointment of Members to the Tourism Implementation Task Force

Council presented votes to Ms. Linda Matteson, Assistant to County Manager, she populated the spreadsheet and presented the results to Council.

Public Comment:  
None.

**A motion was made by Councilor Chrobocinski to appoint the persons indicated on the voting summary spreadsheet to the Tourism Implementation Task Force for a term of two years; and further moved, to appoint the Representatives and Alternates from the Boards and Commissions on the voting summary spreadsheet to the Tourism Implementation Task Force for a term of two years.**

The motion passed with the following vote:

**Yes: 7 - Councilor Izraelevitz, Councilor Chandler, Councilor Chrobocinski, Councilor Maggiore, Councilor O'Leary, Councilor Reiss, and Councilor Sheehey**

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

None.

## **C. County Manager's Report**

County Manager Harry Burgess reported that the construction at the airport hangar has begun and in house workers are being utilized and training has begun on the MUNIS Platform for all employees.

Council had a discussion with Mr. Brian Brogan, Community Services Director, regarding the Bayo Canyon Flow Trail.

## **D. Council Chair Report**

Councilor Izraelevitz reported that there was a meeting last week with a member of the Public Schools Board and some staff to talk about the parcel at the middle school and ideas for development of that area.

## **E. General Council Business**

- 1) Approval of Council's Review Committee Report and Recommendations on FY19 Board and Commission Work Plans

Mr. Harry Burgess, County Manager, spoke.  
Councilor Sheehey spoke.

Public Comment:  
Mr. Brady Burke, 2310 39<sup>th</sup> Street, spoke.  
Mr. James Robinson, 3493 Pueblo, spoke.

**A motion was made by Councilor Maggiore, seconded by Councilor Sheehey, that Council thank all Board & Commission members for their dedication to public service and approve the FY19 Work Plans as submitted or amended from the following boards: Arts in Public Places Board, Environmental Sustainability Board, Historic Preservation Advisory Board, Library Board, Lodger's Tax Advisory Board, Parks and Recreation Board, Personnel Board, Planning and Zoning Commission, and the Transportation Board with the understanding that this approval does not represent formal Council budget approval of all projects, proposals, or potential recommendations listed in the Work Plans; and further moved that Council approve the continuation of Boards and Commissions annual presentations to Council using the current format and direct staff to notify the Board and Commission Chairpersons of this requirement and the approval of the FY19 Work Plans.**

The motion passed with the following vote:

**Yes: 7 - Councilor Izraelevitz, Councilor Chandler, Councilor Chrobocinski, Councilor Maggiore, Councilor O'Leary, Councilor Reiss, and Councilor Sheehey**

## **F. Approval of Councilor Expenses**

None.

## **G. Preview of Upcoming Agenda Items**

Councilor O'Leary provided a briefing on the item involving Kroger which will be discussed at the May 15, 2018 County Council meeting.

**11. COUNCILOR COMMENTS**

Councilor Chrobocinski read a statement resigning his position on Council effective immediately following this evenings meeting.

Councilor O'Leary thanked Councilor Chrobocinski for all he has done for the community and wished him success and good fortune.

Councilor Maggiore echoed Councilor O'Leary's comments.

Councilor Sheehey thanked Councilor Chrobocinski for his service.

Councilor Izraelevitz thanked Councilor Chrobocinski for his service.

**12. PUBLIC COMMENT**

Mr. Brady Burke, 2310 39<sup>th</sup> Street, suggested crosswalks be painted on the streets as a safety precaution.

Ms. Helen Milenski, 1651 36<sup>th</sup> Street, thanked Councilor Chrobocinski for his support throughout the last year.

Mr. James Robinson, 3493 Pueblo, thanked Councilor Chrobocinski for all he has done and wished him the best of luck.

**13. ADJOURNMENT**

The meeting adjourned at 10:32 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

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David Izraelevitz, Council Chair

Attest:

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Naomi D. Maestas, County Clerk

Meeting Transcribed by: Victoria L. Martinez, Deputy Clerk



Tourism Implementation Task Force  
5/1/2018

	Name	Affiliation, if any	Attributes	Izraelievitz	Chandler	Chrobocinski	Maggiore	O'Leary	Reiss	Sheehey	Total # of Votes
1	Micheline Devaurs		Tourism Work Group member; Hospitality (Bathtub Row Brewing); represent Science; business planning and development experience; LA townsite resident	x	x	x	x	x	x	x	7
2	David Fox	CEO and Founder, CB Fox and Pajarito Greenhouse	Tourism Work Group member; Retail Business (CB Fox); prior interaction with LA visitors; business planning and development experience; WR resident	x	x	x	x	x	x	x	7
3	Laurence Goddard		Service Business (Medical practice); Outdoor recreation assets; LA townsite resident	x			x				2
4	Prashant Jain	Owner, Siphey	Hospitality Business (Sirphey, Unquarked Wine Room and Bandelier NM concession); business planning and development experience	x	x		x	x	x	x	6
5	Dave Jolly	Metzger's Hardware, Los Alamos MainStreet	Tourism Work Group member; Retail Business ( Metzger's); prior interaction with Los Alamos visitors; business planning and development experience; WR resident	x	x	x			x		4
6	Heather McClenahan	Executive Director, Los Alamos Historical Society	Tourism Work Group member; represent History (Los Alamos History Museum); prior interaction with LA visitors; business planning and development experience; WR resident	x		x	x	x	x	x	6
7	Lauren McDaniel	Director, Los Alamos MainStreet (LACDC)	Represent Science (ScienceFest); prior interaction with LA visitors; business planning and development experience	x	x		x		x	x	5
8	T. Clay Moseley	Chairman and President, Southwest Nordic Ski Club	Represent Outdoor Recreation (Tour de Los Alamos, Atomic City Duathlon, Pajarito Trailfest and Pajarito Punishment mountain bike race); prior interaction with LA visitors; business planning and development experience; LA townsite resident			x	x	x	x		4
9	Cristina Olds		Represent Outdoor Recreation (Tuff Riders Mountain Bike Club); business planning and development experience; LA townsite resident		x	x		x		x	4
10	Melanie Pena	Los Alamos Commerce and Development Corp.	Hospitality Business (Discover Los Alamos Meeting and Visitor Bureau); prior interaction with LA visitors				x			x	2
11	Jacqueline Shen	Owner, Canyon Inn	Hospitality Business (Canyon Inn); prior interaction with LA visitors; business planning and development experience			x		x			2
12	Whitney Spivey		Represent Outdoor Recreation (competitive athlete; traveled all over the country to race); prior interaction with LA visitors; business planning and development experience; LA townsite resident	x		x					2
13	Robert Tobey		Prior experience with LA visitors (Bradbury Science Museum (1999-2004) and White Rock Visitor Center (1992-2013)); WR resident		x			x			2
14	Karen Wray	Artist and owner of the Karen Wray Gallery	Retail Business (Karen Wray Gallery); prior interaction with LA visitors; business planning and development experience		x				x	x	3
	TOTAL			8	8	8	8	8	8	8	

Los Alamos County Council  
Regular Meeting  
Item 10A  
May 1, 2018