

Minutes

County Council – Work Session

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

Tuesday, October 16, 2018

6:00 PM

Fire Station 3
129 State Road 4 – White Rock
Streamed

1. OPENING/ROLL CALL

The Council Chair, David Izraelevitz, called the meeting to order at 6:02 p.m.

The following Councilors were in attendance:

Present: 5 - Councilor Izraelevitz, Councilor Chandler, Councilor Maggiore, Councilor Reiss, and Councilor Sheehey

Remote: 1 - Councilor O'Leary

Absent: 1 - Councilor Pongratz

2. PLEDGE OF ALLEGIANCE

Led by: All.

3. STATEMENT REGARDING CLOSED SESSION

A motion was made by Councilor Sheehey, seconded by Councilor Maggiore, that Council approve the following statement for inclusion in the minutes: "The matters discussed in the closed session held on October 16, 2018 that began at 4:30 p.m. were limited only to those topics specified in the notice of the closed session, and no action was taken on any matter in that closed session."

The motion passed by acclamation with the following vote:

Yes: 5 - Councilor Izraelevitz, Councilor Chandler, Councilor Maggiore, Councilor Reiss, and Councilor Sheehey

Abstain: 1 - Councilor O'Leary

Absent: 1 - Councilor Pongratz

4. PUBLIC COMMENT

None.

5. APPROVAL OF AGENDA

A motion was made by Councilor Chandler, seconded by Councilor Maggiore, that the agenda be approved with the following modifications; make Item 7A Item 6, make Item 6 Item 7 and change the order of subparagraphs, Paragraph C become A, A become B, and B become C.

The motion passed by acclamation with the following vote:

Yes: 5 - Councilor Izraelevitz, Councilor Chandler, Councilor Maggiore, Councilor Reiss, and Councilor Sheehey

No: 1 - Councilor O'Leary

Absent: 1 - Councilor Pongratz

6. BUSINESS

A. Action to Suspend Council Rules for Work Session

A motion was made by Councilor Chandler, seconded by Councilor Reiss, that Council suspend their procedural rules for this work session, October 16, 2018, so that formal action may be taken.

The motion passed with the following vote:

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

Absent: 1 - Councilor Pongratz

7. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

A. Briefing to Council by Leslie Geyer, Chair of the Personnel Board

Ms. Leslie Geyer, Personnel Board Chair, presented.

No action taken.

B. Presentation by Frazier Lockhart of N3B Los Alamos and Doug Hintze of Department of Energy-EM

Mr. Doug Hintze, Department of Energy, spoke.
Mr. Frazier Lockhart, N3B Los Alamos, spoke.

No action taken.

C. Briefing to Council by Ryn Herrmann, Chair of the Lodger's Tax Advisory Board

Ms. Loryn "Ryn" Herrmann, Lodger's Tax Advisory Board Chair, spoke.
Ms. Kelly Stewart, Lodger's Tax Advisory Board Liaison, spoke.

No action taken.

RECESS

Councilor Izraelevitz called for a recess at 7:43 p.m. The meeting reconvened at 7:53 p.m.

D. Flow Trail Project Update and Consideration of Options

Mr. Brian Brogan, Community Services Director, spoke.
Mr. Hogan Koesis, Mountain Capital Consultants, spoke.
Mr. Harry Burgess, County Manager, spoke.

Public Comment:

Mr. Clay Moseley, 1355 45th Street, spoke.
Ms. Amy Rodgers, 2711 Walnut Street, spoke.
Mr. Bob Hall, 121 San Ildefonso, spoke.
Ms. Sherry Evans-Carmichael, 4007 Sycamore Street, spoke.
Mr. Brad Nyenhuis, 1790 36th Street, spoke.
Mr. Duncan McBranch, 351 Andanada, spoke.
Mr. Brady Burke, 2310 39th Street, spoke.
Mr. Volney Hildreth, 1976 G 42nd Street, spoke.

A motion was made by Councilor Sheehey, seconded by Councilor O'Leary, that Council direct staff to develop scope alternatives involving the suggested flow trail paths in Los Alamos, DP Canyon, including Walnut to Acid Canyon and return to Council with recommendations for consideration.

A SUBSTITUTE motion was made by Councilor Sheehey, seconded by Councilor Chandler, that Council direct staff to develop scope alternatives involving the suggested flow trail paths in Los Alamos, DP Canyon, and including Walnut to Acid Canyon; and further moved that Council have conversations with the Department of Energy (DOE) and a presentation to Council before the next steps.

The procedural motion to consider the SUBSTITUTE motion passed with the following vote:

Yes: 4 - Councilor Izraelevitz, Councilor Chandler, Councilor Reiss, and Councilor Sheehey

No: 2 - Councilor Maggiore and Councilor O'Leary

Absent: 1 - Councilor Pongratz

The SUBSTITUTE motion passed with the following vote:

Yes: 5 - Councilor Izraelevitz, Councilor Chandler, Councilor Maggiore, Councilor Reiss, and Councilor Sheehey

No: 1 - Councilor O'Leary

Absent: 1 - Councilor Pongratz

E. Public Improvement District (PID) Discussion

The remote connection with Councilor O'Leary was lost during the discussion of this item at 11:17 p.m. she did not rejoin the meeting.

Mr. Paul Andrus, Community Development Director, spoke.
Mr. Justin Horwitz, Rodey Law Firm, spoke.
Mr. Adam Thornton, Developer, spoke.
Ms. Jenica Jacoby, Rodey Law Firm, spoke.
Mr. Mitch Mosesman, 30 Three Sixty Group, spoke.

No action taken.

8. CONSENT AGENDA

Consent Motion:

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

A. County Council Minutes for September 25, 2018 and October 2, 2018

I move that Council approve the minutes for September 25, 2018 and October 2, 2018, as *amended*.

B. Approval to Submit an Assistance To Firefighter's Grant to the Department of Homeland Security's Federal Emergency Management Agency In The Amount of \$274,800

I move that Council approve the request to submit a grant application to the Department of Homeland Security's Federal Emergency Management Agency in the amount not to exceed \$274,800.

Approval of the Consent Agenda:

The motion passed with the following vote:

**Yes: 5 - Councilor Izraelevitz, Councilor Chandler, Councilor Maggiore,
Councilor Reiss and Councilor Sheehey**

Absent: 2 – Councilor O'Leary and Councilor Pongratz

9. PUBLIC COMMENT

Ms. Sherry Evans-Crumbacher, 4007 Sycamore, spoke regarding the flow trail motion that was passed.

10. ADJOURNMENT

The meeting adjourned at 11:39 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

David Izraelevitz, Council Chair

Attest:

Naomi D. Maestas, County Clerk

Meeting Transcribed by: Victoria L. Martinez, Deputy Clerk

Agenda Item 8.A - County Council Minutes for September 25, 2018 and October 2, 2018

There was a correction to the spelling of Katy Korkos in item 10.A and Catherine Ozment in items 10.D and 11.E.1.

The corrected minutes have been attached for your reference.



County of Los Alamos

Los Alamos, NM 87544
www.losalamosnm.us

Minutes

County Council – Regular Session

* Note – These minutes are **not the official minutes** and are subject to approval by the County Council.

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

Tuesday, October 2, 2018

6:00 PM

Council Chambers - 1000 Central Avenue

TELEVISED

1. OPENING/ROLL CALL

The Council Chair, David Izraelevitz, called the meeting to order at 6:02 p.m.

The following Councilors were in attendance:

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

2. PLEDGE OF ALLEGIANCE

A. Boy Scout Troop 22 will be leading the Pledge of Allegiance

Led by: Boy Scout Troop 22.

3. PUBLIC COMMENT

Mr. Greg White, 600 San Ildefonso Apt 225, expressed concern regarding suicide within Los Alamos County.

4. APPROVAL OF AGENDA

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

The motion passed by acclamation with the following vote:

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

5. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

A. Proclamation honoring Boy Scout Troop 22 on their "Centennial Celebration"

Councilor Maggiore read and presented the proclamation to Scout Master James Kuropatwinski and Boy Scouts from Troop 22.

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

Councilor Chandler read and presented the proclamation to Acting Executive Director Chris Monteith and other members of the Los Alamos Arts Council.

Ms. Chris Monteith, spoke.

- C. Proclamation declaring the Week of Oct. 7-13, 2018 as "Fire Prevention Week" in Los Alamos County

Councilor Pongratz read and presented the proclamation to Los Alamos Fire Department Wildland Division Chief Joseph Baca.

Chief Baca spoke.

- D. Proclamation declaring the Month of October as "Eco Challenge Month" in Los Alamos County

Councilor Sheehey read and presented the proclamation to Ms. Angelica Gurule, Environmental Services Division and Ms. Kirsten Bell, Community Services Department, Green Team Member.

Ms. Gurule and Ms. Bell spoke.

6. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA

None.

7. CONSENT AGENDA

Consent Motion:

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

- A. Incorporated County of Los Alamos Resolution No. 18-23, A Resolution of the Incorporated County of Los Alamos Council Authorizing Application to the New Mexico Department of Transportation (NMDOT) for Federal Fiscal Year 2020/2021 Transportation Alternatives Program (TAP) Funds for the Urban Trail Phase I Project

I move that Council approve Incorporated County of Los Alamos Resolution No. 18-23, A Resolution of the Incorporated County of Los Alamos Council Authorizing Application to the New Mexico Department of Transportation (NMDOT) for Federal Fiscal Year 2020/2021 Transportation Alternatives Program (TAP) Funds for the Urban Trail Phase I Project.

- B. Incorporated County of Los Alamos Resolution No. 18-21; A Resolution Authorizing the County Council Chair or Los Alamos County Utilities Manager to Approve Submission of Completed Applications and Necessary Documents for 2019 Applications to the Water Trust Board for Funding Non-Potable Water Systems Projects

(Attachment C revised and included for the record)

I move that Council approve Incorporated County of Los Alamos Resolution No. 18-21; A Resolution Authorizing the County Council Chair or Los Alamos County Utilities Manager to Approve Submission of Completed Applications and Necessary Documents for 2019 Applications to the Water Trust Board for Funding Non-Potable Water Systems Projects.

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C. Appointment of Canvassing Committee for the 2018 General Election

I move that Council appoint Scott Brown, Cathy Walters, and Robyn Schultz as members of the Canvass Committee for the 2018 General Election and that David Schiferl be appointed to act as an alternate if necessary. I further move that the County Clerk's office coordinate the canvassing in accordance with state law.

D. Vacation of Easement Within Lot 2, Trinity/Oppenheimer Subdivision, a Subdivision of Tract A

I move that Council approve the vacation of easement within Lot 2, Trinity/Oppenheimer Subdivision, a Subdivision of Tract A.

Approval of the Consent Agenda:

The motion passed with the following vote:

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

8. INTRODUCTION OF ORDINANCE(S)

- A. Incorporated County Of Los Alamos Ordinance No. 688; an Ordinance authorizing the sale of certain County-owned real property within Tract RM to Thirty301, LLC**

Councilor Pongratz introduced, without prejudice, Incorporated County Of Los Alamos Ordinance No. 688; an ordinance authorizing the sale of certain county-owned real property within Tract RM to Thirty301, LLC and ask staff to assure it is published as provided in the County Charter.

9. PUBLIC HEARING(S)

- A. New Liquor License Application No. 1101184, (premise consumption only with patio service), filed by Applicant, Pig & Fig Bakery and Cafe, L.L.P., d/b/a Pig & Fig Cafe, 11 Sherwood Blvd, White Rock, New Mexico, 87547**

Mr. Harry Burgess, County Manager, spoke.

Public Comment:
None.

A motion was made by Councilor Pongratz, seconded by Councilor Sheehey, that Council approve New Liquor License and Application No. 1101184 for Pig & Fig Bakery and Cafe, L.L.P., d/b/a Pig & Fig Cafe.

The motion passed with the following vote:

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

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10. BUSINESS

- A. Recommendation from the Art in Public Places Board to Accept the Donation of a Pastel Painting by Artist Fran Stovall to be installed in the Los Alamos County Airport

Mr. Harry Burgess, County Manager, spoke.

Ms. Katy Korkos, Staff Liaison, Art in Public Places Board, spoke.

Mr. Jeremy Smith, Art in Public Places Board Chairman, spoke.

Public Comment:

None.

A motion was made by Councilor Chandler, seconded by Councilor Reiss, that Council accept the donation of the painting "Fuller Lodge" by artist Fran Stovall, to be hung in the Los Alamos County Airport.

The motion passed with the following vote:

Yes: 6 - Councilor Izraelevitz, Councilor Chandler, Councilor Maggiore, Councilor Pongratz, Councilor Reiss, and Councilor Sheehey

No: 1 - Councilor O'Leary

- B. Recommendation from the Art in Public Places Board to Relocate Sculpture "Spirit Dance" from Ashley Pond Park to the Columbarium in Guaje Pines Cemetery, and to Create a New Pedestal with Stone Facing for the Sculpture

Mr. Jeremy Smith, Art in Public Places Board Chairman, spoke.

Public Comment:

None.

A motion was made by Councilor Maggiore, seconded by Councilor Reiss, that Council approve the expenditure of APP Funds to relocate Spirit Dance from Ashley Pond Park to the Columbarium, with a budget not to exceed \$1,750 for concrete work to prepare a base and the purchase and installation of stone to match the stonework on the Columbarium.

The motion passed with the following vote:

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

- C. Recommendation from the Art in Public Places Board for an Expenditure of Art in Public Places Funds in an Amount not to exceed \$45,000 to Commission Artists Markow & Norris to Create and Install Woven Glass Sculptures

Mr. Jeremy Smith, Art in Public Places Board Chairman, spoke.

Public Comment:

None.

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A motion was made by Councilor Maggiore, seconded by Councilor Reiss, that Council approve the expenditure of APP funds for the purchase of 8 kite-shaped woven glass sculptures from artists Markow and Norris for the fireplace wall in the White Rock Branch Library in an amount not to exceed \$45,000 which includes tax, installation, lighting, plaque and a dedication event.

The motion passed with the following vote:

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

- D. Recommendation from the Art in Public Places Board for an Expenditure of Art in Public Places Funds in an Amount Not to Exceed \$195,000 for the Design, Fabrication, Transport and Installation of Art by Evelyn Rosenberg in the 502 Underpass Scheduled for Construction in 2020

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

Mr. Eric Martinez, County Engineer, spoke.

Mr. Alvin Leaphart, County Attorney, spoke.

Public Comment:

None.

A motion was made by Councilor Reiss, seconded by Councilor Maggiore, that Council approve the expenditure of Art In Public Places Funds for the design, fabrication, transport, and installation of art by Evelyn Rosenberg in the 502 Underpass in an amount not to exceed \$195,000 including tax, lighting, contingency funds, plaques, and a dedication event.

The motion failed with the following vote:

Yes: 3 - Councilor Maggiore, Councilor Reiss, and Councilor Sheehey

No: 4 - Councilor Izraelevitz, Councilor Chandler, Councilor O'Leary, and Councilor Pongratz

11. COUNCIL BUSINESS

A. Appointments

None.

B. Board, Commission, and Committee Liaison Reports

Councilor Sheehey reported on the North Central New Mexico Economic Development District.

Councilor Maggiore reported on the Planning and Zoning Board and the North Central Regional Transit District (NCRTD).

C. County Manager's Report

County Manager Harry Burgess reported on the status of the flow trail project; the employee appreciation luncheon; updates on the library project; Community Services Accreditation; and the status on the TRIAD gross receipts tax.

D. Council Chair Report

Council Chair David Izraelevitz advised that he wrote an editorial for the NCRTD as Council Chair but expressing his own opinions.

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RECESS

Councilor Izraelevitz called for a recess at 8:56 p.m. The meeting reconvened at 9:05 p.m.

E. General Council Business

1) Approval of FY19 Community Development Advisory Board Work Plan

Ms. Catherine Ozment, Community Development Advisory Board Chair, spoke.

Mr. Paul Andrus, Community Development Director, spoke.

Councilor O'Leary left the meeting during the discussion of this item, at 9:37 p.m.

Public Comment:

None.

A motion was made by Councilor Chandler, seconded by Councilor Pongratz, that Council approve the Community Development Advisory Board Work Plan with the following changes; with respect to 2.1 strike all; with respect to bullet 3 sub-bullet 5 strike *of comparable size*; with respect to bullet 3 sub-bullet 3 strike *citizens in action presentation to County Council*.

The motion passed with the following vote:

Yes: 6 - Councilor Izraelevitz, Councilor Chandler, Councilor Maggiore, Councilor Pongratz, Councilor Reiss, and Councilor Sheehey

Absent: 1 - Councilor O'Leary

F. Approval of Councilor Expenses

A motion was made by Councilor Pongratz, seconded by Councilor Chandler, to approve travel expenses for Councilor Izraelevitz to attend the Energy Community Alliance meeting in November.

The motion passed with the following vote:

Yes: 6 - Councilor Izraelevitz, Councilor Chandler, Councilor Maggiore, Councilor Pongratz, Councilor Reiss, and Councilor Sheehey

Absent: 1 - Councilor O'Leary

G. Preview of Upcoming Agenda Items

None.

12. COUNCILOR COMMENTS

None.

13. PUBLIC COMMENT

None.

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14. ADJOURNMENT

The meeting adjourned at 9:44 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

David Izraelevitz, Council Chair

Attest:

Naomi D. Maestas, County Clerk

Meeting Transcribed by: Victoria L. Martinez, Deputy Clerk

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