

Minutes

County Council – Regular Session

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

Tuesday, October 29, 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 6:02 p.m.

The following Councilors were in attendance:

**Present: 6 - Councilor Scott, Councilor Sheehey, Councilor Maggiore, Councilor Martin,
Councilor Robinson, and Councilor Ryti**

Remote: 1 - Councilor Izraelevitz

2. PLEDGE OF ALLEGIANCE

Led by: All.

3. STATEMENT REGARDING CLOSED SESSION

A motion was made by Councilor Ryti, that Council approve the following statement for inclusion in the minutes: "The matters discussed in the closed session held on October 29, 2019 that began at 4:30 p.m. were limited only to the topics specified in the notice of the closed session, and no action was taken on any matter in the closed session."

The motion passed by acclamation with the following vote:

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

4. PUBLIC COMMENT

None.

5. APPROVAL OF AGENDA

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

The motion passed by acclamation with the following vote:

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

6. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA

None.

7. CONSENT AGENDA

Consent Motion:

A motion was made by Councilor Maggiore, seconded by Councilor Robinson, 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. Contract for General Services, Agreement No. AGR 20-05 with Vision Service Plan in the Amount of \$400,000, plus Applicable Gross Receipts Tax, for the Purpose of providing vision insurance benefits for Los Alamos County employees over four year term**

I move that Council approve General Services Agreement No. AGR20-05 with Vision Service Plan, in the form attached which has been approved by the County Attorney, for the Purpose of providing Vision Insurance Benefits to Los Alamos County employees.

- B. General Services Agreement No. AGR20-04 with Delta Dental of New Mexico for the Purpose of Providing Dental Insurance Benefits for Los Alamos County Employees**

I move that Council approve General Services Agreement No. AGR20-04 with Delta Dental of New Mexico, in the form attached which has been approved by the County Attorney, for the Purpose of providing Dental Insurance Benefits to Los Alamos County employees.

- C. General Services Agreement No. AGR20-06 with Unum Life Insurance Company for the Purpose of Providing Long Term Disability Insurance Benefits for Los Alamos County Employees**

I move that Council approve General Services Agreement No. AGR20-06 with Unum Life Insurance Company of America, in the form attached which has been approved by the County Attorney, for the Purpose of providing Long Term Disability Insurance Benefits to Los Alamos County employees; and I further move that Council authorize the County Manager to execute the Agreement on behalf of the County.

- D. Amendment No. 2 to Existing General Services, Agreement No. AGR18-704 with Blue Cross Blue Shield of New Mexico, A Division of Health Care Service Corporation, a Mutual Legal Reserve Company, an Independent Licensee of the Blue Cross and Blue Shield Association, in an amount not to exceed \$2,631,000.00, for the initial term plus first and second renewal terms, plus applicable gross receipts tax, for the purpose of providing medical insurance benefits to eligible Los Alamos County employees

I move that Council approve Amendment No. 2 to existing Services Agreement No. AGR18-704, with Blue Cross Blue Shield of New Mexico for Employee Medical Insurance Benefits, in the form attached. I further move that Council approve Budget Revision 2020-13 as summarized on attachment B and that the attachment be made a part of the minutes of this meeting.

- E. Memorandum of Understanding (MOU) Entered into by and Between the Incorporated County of Los Alamos and the North Central Regional Transit District (NCRTD) for FY2020, 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 FY2020, Providing the NCRTD with \$350,000.

- F. Incorporated County of Los Alamos Resolution No. 19-25; A Resolution Authorizing the Los Alamos County Utilities Manager to Submit an Application to the New Mexico Environment Department for Funding for Light Duty Electric Vehicle Supply Equipment Projects

I move that Council adopt Resolution No. 19-25, a resolution authorizing the Los Alamos County Utilities Manager to submit an application to the New Mexico Environment Department for funding for Light Duty Electric Vehicle Supply Equipment projects.

- G. Incorporated County of Los Alamos Resolution No. 19-26: A Resolution Delegating Limited Authority to Certain County Officials to Initiate, Maintain, Settle and Compromise Legal Claims and Causes of Actions on Behalf of the Incorporated County of Los Alamos

I move that Council approve Resolution No. 19-26; A Resolution Delegating Limited Authority to Certain County Officials to initiate, Maintain, Settle and Compromise Legal Claims and Causes of Actions on Behalf of the Incorporated County of Los Alamos.

- H. Approval of the Interlocal Participation Agreement COOP20-915, with the National Purchasing Cooperative

I move that Council approve the Interlocal Participation Agreement with the National Purchasing Cooperative.

- I. Complete Count Committee Appointment(s)

I move that Council appoint Ann LePage, Cathy Hadley, Rachel Zizielewicz, Jenny McCumber, Kathryn Vigil, Consetta Goettee, Jennifer Bertram and Joanna Gillespie to the Los Alamos 2020 Census Complete Count Committee.

- J. Removal of Environmental Sustainability Board Member

I move that Council remove Warren Mazanec from the Environmental Sustainability Board (ESB) effective immediately.

K. Approval of Relocation of "Apache Harvest" and Expenditure of Art in Public Places Funds

I move that the Council approve the de-installation of the bronze sculpture Apache Harvest from the west end of Ashley Pond and its transport to and installation on a new concrete base in the courtyard of the White Rock Senior Center and the expenditure of Art in Public Places Funds for this relocation, not to exceed \$3,000.

L. Amendment 2 to the Purchase, Sale and Development Agreement with LAH Investors, LLC ("The Hill")

I move that Council approve Amendment 2 to PURCHASE, SALE AND DEVELOPMENT AGREEMENT FOR REAL PROPERTY LOCATED IN THE INCORPORATED COUNTY OF LOS ALAMOS COMMONLY REFERRED TO AS A-13-2 AND A-12 SITES, with LAH Investors

M. Approval of Authorized Signers for County Bank and Investment Accounts

I move that Council approve the individuals authorized to sign on all County of Los Alamos bank and investment accounts as presented in the attachment, to be effective on October 31, 2019.

N. Approval of County Council Minutes for October 15, 2019

I move that Council approve the County Council Minutes for October 15, 2019, as amended.

O. Approval of Expenditure of Art in Public Places Funds in an amount to not exceed \$5863 to acquire an engineering report from FBT architects to include assessment of mounting the "Sunflower" by Ed Grothus onto the West side of the Eco Station Building

I move that the Council approve that we initiate an engineering report from FBT Architects that will assess both the refurbishment of the Sunflower designed by former Los Alamos resident Ed Grothus and mounting the artwork on the west facing wall of the Eco Station for an expenditure of Art in Public Places funds in an amount to not exceed \$5,863.00.

P. Award of Bid No. IFB2020-12 for the Purpose of DP Road Lift Station Replacement Project to Paul Parker Construction

I move that Council approve the Award of Bid No. IFB2020-12 for the Purpose of DP Road Lift Station Replacement Project with Paul Parker Construction in the Amount of \$237,158.20 and a contingency in the amount of \$25,000.00, for a total of \$262,158.20, plus Applicable Gross Receipts Tax.

Q. Amendments to the FY20 Compensation & Classification Plan including the addition of new job descriptions; Trail Builder - Machine Operator and Trail Builder - Sr. Machine Operator

I move that Council approve the amendments to the FY20 Compensation & Classification Plan and the addition of the Salary Grades for Trail Builder - Machine Operator and Trail Builder - Sr. Machine Operator.

Approval of the Consent Agenda:

The motion passed with the following vote:

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

8. INTRODUCTION OF ORDINANCE(S)

- A. Incorporated County of Los Alamos Code Ordinance No. 02-299; 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

Councilor Sheehey, read and introduced without prejudice, Incorporated County of Los Alamos Code Ordinance No. 02- 299; 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 as provided in the County Charter.

- B. Incorporated County of Los Alamos Code Ordinance No. 02-298; An Ordinance Amending Chapter 40, Article III, Sections 40-201 and 40-202 of the Code of the Incorporated County of Los Alamos Pertaining to the Sewage Service Rate Schedule and Determination of Charges

Councilor Robinson, read and introduced without prejudice, Incorporated County of Los Alamos Code Ordinance No. 02- 298; An Ordinance Amending Chapter 40, Article III, Sections 40-201 and 40-202 of the Code of the Incorporated County of Los Alamos Pertaining to the Sewage Service Rate Schedule and Determination of Charges, and ask staff to assure that it is published as provided in the County Charter.

- C. Incorporated County of Los Alamos Code Ordinance No. 02-297 An Ordinance Amending Chapter 16, Articles I And VII Of The County Code Of Ordinances To Add New Uses Gift And Souvenir Shops And Recreation Equipment Retail And Rental As An Accessory Use In The W-2 And P-O Zones And Permitted In All Down Town And M-U Zoned Areas; And Restaurants And Restaurants With Alcohol As Being Permitted By Special Use Permit In The W-2 Zoned Areas; And Lounges Or Bars Use Was Expanded To Include Tap Or Tasting Rooms And A New Zone Was Added Of W-2 With A Special Use Permit

Councilor Maggiore, read and introduced without prejudice, Incorporated County of Los Alamos Code Ordinance No. 02-297 and ask the staff to assure that it is published as provided in the County Charter.

- D. The Introduction of the Incorporated County Of Los Alamos Code Ordinance No. 02-301 Revision No. 2019-01 In Textual Form To The Official Zoning Map Of Los Alamos County By Rezoning One (1) County Owned Parcel, Consisting Of Approximately 2.02 Acres Of Land, Tract F-1 From Right-Of-Way To Public Land (P-L); Rezone Is Effective Thirty (30) Days After Publication Of Its Adoption Notice

Councilor Ryti, read and introduced without prejudice, Incorporated County of Los Alamos Ordinance No. 02-301; Revision No. 2019-02 in textual form to the Official Zoning Map of Los Alamos County by rezoning one (1) county owned parcel, consisting of approximately 2.02 acres of land, Tract F1 from Right-of-Way to Public Land (P-L) and ask staff to assure that it is published as provided in the County Charter County.

9. PUBLIC HEARING(S)

- A. Incorporated County of Los Alamos Code Ordinance 02-300; An Ordinance Amending Chapter 18, Article IV, of the Code of Ordinances of the Incorporated County of Los Alamos to Bring it into Compliance with Recent Changes Made to the Dee Johnson Clean Indoor Air Act to Include E-Cigarettes and Expand the Scope of the Definitions of "Secondhand Smoke" and "Smoking"

Ms. Katie Thwaits, Assistant County Attorney, presented.

Public Comment:
None.

A motion was made by Councilor Martin, seconded by Councilor Ryti, that the County Council adopt Incorporated County of Los Alamos Code Ordinance 02-300; 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 Martin, Councilor Robinson, and Councilor Ryti

10. BUSINESS

A. Consideration of Submission of Public comment to Santa Fe National Forest Draft Land Management Plan

Mr. Harry Burgess, County Manager, spoke.

Public Comment:
None.

A motion was made by Councilor Sheehey, seconded by Councilor Robinson, that Council approve submission of comments to the Santa Fe Forest Draft Land Management Plan is a form substantially similar to the draft response in Attachment A including the suggested change on page two paragraph four, that the County request active engagement with USFS (United States Forest Service).

The motion passed with the following vote:

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

11. COUNCIL BUSINESS

A. Appointments

1) Commission Appointment - Planning and Zoning Commission

Mr. Paul Andrus, Community Development Director, spoke.

Public Comment:
None.

A motion was made by Councilor Ryti, seconded by Councilor Maggiorie, that Council nominate Jason Morris or Sean Williams to fill a vacancy on the Planning and Zoning Commission and move that Council appoint one nominee to the vacant position as follows:

By roll call vote, Councilors vote for one nominee and the one with the highest vote total of four or more be appointed to fill a term beginning on April 01, 2017 and ending on March 31, 2020.

Councilors Scott, Councilor Sheehey, Councilor Izraelevitz, Councilor Maggiorie, Councilor Robinson, and Councilor Ryti voted for:
Sean Williams

Councilor Martin voted for:
Jason Morris

After a roll call vote Mr. Sean Williams was appointed to fill the vacancy on the Planning and Zoning Commission.

B. Board, Commission and Committee Liaison Reports

Councilor Ryti reported on the Community Health Council meeting; the Parks and Recreation Board; and the Parks & Recreation Board Golf Course Advisory sub-committee.

Councilor Sheehey reported on the Board of Public Utilities and encouraged citizens to review upcoming rate change information; Planning and Zoning Meeting he encouraged citizens to review the upcoming zoning changes; and reported on the North Central New Mexico Economic District meeting.

C. County Manager's Report

1) County Manager's Report for October 2019

Mr. Harry Burgess, County Manager reported on the Diamond Drive construction; the start of the snow season and thanked staff; new Public Works Director starting on November 4, 2019; the resignation of Ms. Joanie Ahlers, Economic Development Administrator, recruitment will begin next week for the position; provided an update on the Mirador housing development; and the Employee appreciation event on October 31, 2019.

D. Council Chair Report

Chair Scott reported on a meeting with the Kroger Real Estate Department.

E. General Council Business

1) Filling of Vacancies on the 2019 Board of Registration

Mr. Harry Burgess, County Manager, spoke.

Public Comment:
None.

A motion was made by Councilor Maggiorie, seconded by Councilor Robinson, that Council nominate Denis Dimick, Danielle Gardner, JoAnn Johnson, and Lee Weinland to fill the three vacancies of the County's Board of Registration for the term of July 1, 2019 to June 30, 2021. He further moved by roll call vote Councilors will each vote for three nominees. No more than two of the five persons appointed to the Board shall be members of the same major political party. The three nominees with the highest vote total of four or more votes, will be appointed to fill the three vacancies on the Board.

Councilors Scott, Maggiore, and Robinson voted for:
Denis Dimick

Councilors Scott, Sheehey, Izraelevitz, Maggiore, Martin, Robinson, and Ryti voted for:
Danielle Gardner

Councilors Scott, Sheehey, Izraelevitz, Maggiore, Martin, Robinson, and Ryti voted for:
Joann Johnson

Councilors Sheehey, Izraelevitz, Martin, and Ryti voted for:
Lee Weinland

After a roll call vote Ms. Danielle Gardner, Ms. Joann Johnson, and Mr. Lee Weinland were appointed to fill the vacancies on the Counties Board of Registration.

F. Approval of Councilor Expenses

None.

G. Preview of Upcoming Agenda Items

Councilor Sheehey introduced a possible item related to Los Alamos Makers.

Councilor Ryti inquired about the Environmental Services Waste Stream overview item and inquired when the Council Strategic Priorities will be scheduled.

12. COUNCILOR COMMENTS

Councilor Martin commented on the Employee Appreciation luncheon and thanked all staff for their work.

Councilor Robinson commented on the Employee Appreciation and expressed appreciation to staff for their hard work and expressed well wishes to the trick or treaters.

Councilor Ryti commented on the Pumpkin Carving event.

Councilor Izraelevitz commented on the RCLC (Regional Coalition of Los Alamos Communities) meeting and Employee Appreciation event.

13. PUBLIC COMMENT

None.

14. ADJOURNMENT

The meeting adjourned at 7:08 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

Sara C. Scott, Council Chair

Attest:

Naomi D. Maestas, County Clerk

Meeting Transcribed by: Francella M. Montoya, Senior Deputy Clerk

October 29, 2019 Council Meeting

County Council Minutes for October 15, 2019

An edit was made on page 3, Item B. Committees and Liaison Reports to read as follows:

B. Committees and Liaison Reports

Councilor Izraelevitz reported regarding an item of the Regional Coalition of Los Alamos National Laboratory (RCLC). The RCLC allocated \$10,000 toward the support of the census activities by qualified RCLC members and informed the public of the next meeting scheduled for Friday, in Santa Fe at City Hall.

Originally submitted as:

B. Committees and Liaison Reports

Councilor Izraelevitz reported on the Regional Coalition of Los Alamos National Laboratory (RCLC) and informed the public the next meeting will be this Friday, in Santa Fe at City Hall.

A revised copy of page 3 is attached for your reference.

A motion was made by Councilor Izraelevitz, seconded by Councilor Maggiore, that Council approve the County Council Minutes for September 24, 2019 and October 1, 2019.

The motion passed with the following vote:

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

8. PUBLIC HEARING(S)

- A. Incorporated County Of Los Alamos Ordinance No. 695; An Ordinance Adopting An Economic Development Project For Public Support Of TNJLA LLC., A New Mexico Corporation

Mr. Jim Colson, Project Manager for TNJLA LLC, spoke.

Ms. Joanie Ahlers, Economic Development Administrator, presented.

Mr. Harry Burgess, County Manager, spoke.

Public Comment:

Mr. Aaron Walker, no address given, Chair of the Community Development Advisory Board (CDAB), spoke.

Ms. Jody Benson, 3547 Pueblo Drive, spoke.

A motion was made by Councilor Sheehey, seconded by Councilor Izraelevitz, that Council adopt, as amended at the October 1, 2019 Council Meeting, Incorporated County of Los Alamos Ordinance No. 695; An Ordinance Adopting An Economic Development Project For Public Support Of TNJLA LLC., A New Mexico Corporation, with the transfer of County owned real property contained therein to TNLJA LLC. occurring in accordance with the authority to sell, lease, or exchange county-owned real property, including the improvements contained thereon, provided in Section 14-31(6) of the County Code of Ordinances and Chapter 3, Article 54, Section 1 of New Mexico State Statutes Annotated referenced therein, in particular, Section 3-54-1(b); he further moved that, upon passage, the Ordinance be published as required by Section 3-54-1(D).

The motion passed with the following vote:

Yes: 5 - Councilor Scott, Councilor Sheehey, Councilor Izraelevitz, Councilor Martin, and Councilor Robinson

No: 2 - Councilor Maggiore and Councilor Ryti

B. Committees and Liaison Reports

Councilor Izraelevitz reported regarding an item of the Regional Coalition of Los Alamos National Laboratory (RCLC). The RCLC allocated \$10,000 toward the support of the census activities by qualified RCLC members and informed the public of the next meeting scheduled for Friday, in Santa Fe at City Hall.

9. PUBLIC COMMENT

Ms. Adelaide Jacobson, no address given, spoke regarding housing.

Los Alamos County Council
Regular Session
October 29, 2019
Item 7.N

Amended Staff Report # 12407-19
Commission Appointment – Planning and Zoning Commission

..Title

Commission Appointment - Planning and Zoning Commission

..Recommended Action

I nominate Jason Morris or Sean Williams to fill a vacancy on the Planning and Zoning Commission and move that Council appoint one nominee to the vacant position as follows:

By roll call vote, Councilors vote for one nominee and the one with the highest vote total of four or more be appointed to fill a term beginning on April 01, 2017 and ending on March 31, 2020.

..Body

The purpose of this item is to fill one (1) vacancy on the Planning and Zoning Commission.

This vacancy represents and unexpired term vacated by Jessie Dixon which ends on March 31, 2020.

The applicants for this position are: Jason L Morris - D and Sean Williams - D.

Party affiliations are noted as [D] Democrat, [R] Republican, [I] Independent, [G] Green, [L] Libertarian, [DTS] Declined to State, and [N] Not Registered to Vote.

This nine member Commission has three year terms beginning April 01 and ending March 31. It is currently composed as follows:

Craig Martin	Apr 01, 2017 Mar 31, 2020	D
Melissa Arias	Apr 01, 2017 Mar 31, 2020	D
Terry Priestley	Apr 01, 2018 Mar 31, 2021	I
Beverly Neal-Clinton	Apr 01, 2018 Mar 31, 2021	I
Neal D Martin	Apr 01, 2018 Mar 31, 2021	D
April Wade	Apr 01, 2019 Mar 31, 2022	R
Jean M Dewart	Apr 01, 2019 Mar 31, 2022	D
Michelle Griffin	Apr 01, 2019 Mar 31, 2022	R

Appointing any of the nominees will not violate the County Charter restriction concerning political party majorities on Boards and Commissions.

..Attachments

- A - Board Member List
- B - Application Packet for Jason L Morris
- C - Application Packet for Sean Williams
- D - Interview Panel Recommendations