



# County of Los Alamos

## Minutes

### County Council - Regular Session

Los Alamos, NM 87544  
www.losalamosnm.us

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

Tuesday, September 27, 2016

6:00 PM

Council Chambers - 1000 Central  
Avenue  
TELEVISED

#### 1. OPENING/ROLL CALL

The Chair, Rick Reiss, called the meeting to order at 6:01 p.m.

**Present** 7 - Councilor Reiss, Councilor Chrobocinski, Councilor Girrens, Councilor Henderson, Councilor Izraelevitz, Councilor Sheehey and Councilor O'Leary

#### 2. PUBLIC COMMENT

Mr. Tai Bixby, 130 Lincoln Suite K, Santa Fe, offered his services as a realtor to the County, marketing properties the County currently has for sale.

Ms. Sylvan Argo, 2059 G 41st and Mr. George Marsten, 992 Nambe Place, provided statistics on attendance for the Los Alamos Teen Center and extended an invitation to Council and the Public to attend the one year anniversary open house on November 3rd from 5 pm to 7pm.

#### 3. APPROVAL OF AGENDA

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

**Yes:** 7 - Councilor Reiss, Councilor Chrobocinski, Councilor Girrens, Councilor Henderson, Councilor Izraelevitz, Councilor Sheehey and Councilor O'Leary

#### 4. CONSENT AGENDA

December 6, 2016 Consent Motion:

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

- A.     [AGR0459-16](#)     Approval of Amendment No. 1 to Services Agreement No. AGR16-056 with AESI-US, Inc. in the amount of \$219,750.00, plus Applicable Gross Receipts Tax, for the Purpose of Support Services for North American Electric Reliability Corporation (NERC) / Western Electricity Coordinating Council (WECC) Cyber Security Standards
- I move that Council approve Amendment No. 1 to Services Agreement No. AGR16-056 with AESI-US, Inc. in the amount of \$219,750.00, plus Applicable Gross Receipts Tax, for the Purpose of Support Services for North American Electric Reliability Corporation (NERC) / Western Electricity Coordinating Council (WECC) Cyber Security Standards.
- B.     [RE0323-16](#)     Incorporated County of Los Alamos Resolution No.16-19; A Resolution Authorizing the County Council Chair or Los Alamos County Utilities Manager to Approve Submission of Completed Applications and Necessary Documents for 2017 Applications to the Water Trust Board for Funding for Non-Potable Water System Projects
- I move that Council adopt Incorporated County of Los Alamos Resolution No. 16-19; A Resolution Authorizing the County Council Chair or Los Alamos County Utilities Manager to Approve Submission of Completed Applications and Necessary Documents for 2017 Applications to the Water Trust Board for Funding for Non-Potable Water System Projects.
- C.     [8544-16](#)     County Council Minutes for August 23, August 30, and September 6, 2016.
- I move Council approve the County Council Minutes for August 23, August 30, and September 6, 2016.
- D.     [8568-16](#)     Board/Commission Appointment(s) - Labor Management Relations Board.
- I move that Council approve the appointment of the following individuals to the Labor Management Relations Board with terms ending August 31, 2017; Nathan "Trey" Frazier as the Labor Representative, Felicia Orth as the Management Representative, and Epifano "Eppie" Trujillo as the representative jointly selected by the Management and Labor nominees.
- E.     [8574-16](#)     Award of Bid No. 2017-08 for the Purpose of the East Road Gas and Electric Replacement Project to Paul Parker Construction, in the Amount of \$580,500.00, plus Applicable Gross Receipts Tax
- I move that Council approve the Award of Bid No. 2017-08 for the Purpose of East Road Gas and Electric Replacement Project, to Paul Parker Construction, in the Amount of \$580,500.00 and a contingency in the amount of \$58,050.00, for a total of \$638,550.00, plus Applicable Gross Receipts Tax

- F. [8576-16](#) Approval of Change Order No. 2 to Bid No. 16-052 for the Purpose of Kwage Mesa Non-potable Water Line Replacement Project with Paul Parker Construction, for an Increase in the Contract Amount of \$31,000.00, for a new total of \$329,218.50, plus Applicable Gross Receipts Tax.

I move that Council approve Change Order No. 2 to Bid No. 16-052 for the Purpose of the Kwage Mesa Non-potable Water Line Replacement Project with Paul Parker Construction for an increase in the contract amount of \$31,000.00, for a total contract amount of \$329,218.50, plus Applicable Gross Receipts Tax

- G. [8591-16](#) Contract for General Services, Agreement No. AGR17-05 with Sculpture Smart, LLC in an Amount Not To Exceed Seventy-Five Thousand Dollars (\$75,000) for Five Years, plus Applicable Gross Receipts Tax, for the Purpose of Outdoor Sculpture Cleaning and Maintenance.

I move that Council approve the expenditure of Art in Public Places funds for a multi-year agreement, AGR17-05, with Sculpture Smart, LLC in a total amount not to exceed \$75,000, plus applicable gross receipts tax, for the purpose of outdoor sculpture cleaning and maintenance of the Los Alamos County Public Art Collection.

#### **Approval of the Consent Agenda:**

The motion passed with the following vote:

Yes: 7 - Councilor Reiss, Councilor Chrobocinski, Councilor Girrens, Councilor Henderson, Councilor Izraelevitz, Councilor Sheehey and Councilor O'Leary

#### **5. PUBLIC HEARING(S)**

- A. [CO0467-16b](#) 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

Mr. Bob Westervelt, Deputy Utilities Manager, spoke.

Ms. Katie Thwaites, Acting County Attorney, spoke.

Mr. Tim Glasco, Utilities Manager, spoke.

Public Comment:

Ms. Chris Chandler, 1208 9th Street, expressed concern with the proposed ordinance.

Mr. Norm Wilson, 676 47th Street, provided feedback on the proposed ordinance and sought clarification on the establishment of variable gas rates.

**A motion was made by Councilor Chrobocinski, seconded by Councilor Girrens, that Council adopt 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; I further move that, upon passage, the Ordinance be published in summary form.**

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

**Yes: 7 - Councilor Reiss, Councilor Chrobocinski, Councilor Girrens, Councilor Henderson, Councilor Izraelevitz, Councilor Sheehey and Councilor O'Leary**

- B. [CO0475-16b](#) 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. Bob Westervelt, Deputy Utilities Manager, spoke.

Mr. Tim Glasco, Utilities Manager, spoke.

Public Comment:

Mr. Brady Burke, 2474 32nd Street, suggested a plan be put in place for the additional money received from increases before the increase is done.

Ms. Sherry Evans-Carmichael, 4007 Sycamore Street, comments on the County's use of its San Juan Chama water allocation.

**A motion was made by Councilor Girrens, seconded by Councilor Chrobocinski, that Council adopt 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; I further move that, upon passage, the Ordinance be published in summary form.**

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

Yes: 7 - Councilor Reiss, Councilor Chrobocinski, Councilor Girrens, Councilor Henderson, Councilor Izraelevitz, Councilor Sheehey and Councilor O'Leary

**RECESS**

Councilor Reiss called for a recess at 8:25 p.m. The meeting reconvened at 8:41 p.m.

- C. [CO0477-16b](#) **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.**

Mr. Paul Andrus, Community Development Director, spoke.

Mr. Philo Shelton, Public Works Director, spoke.

Mr. Dan Erickson, Traffic and Streets Coordinator, spoke.

Mr. Harry Burgess, County Manager, spoke.

**Public Comment:**

Mr. Norm Wilson, 676 47th Street, spoke in opposition of the ordinance.

Mr. Brady Burke, 2474 36th Street, spoke in opposition of the ordinance.

Mr. Travis Peery, 2291 48th Street, spoke in opposition of the ordinance.

Mr. Antonio Maggiore, 4102 Fairway Drive, spoke in opposition of the ordinance.

**A motion was made by Councilor Izraelevitz, seconded by Councilor Henderson, that Council adopt 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.**

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

Yes: 2 - Councilor Henderson and Councilor Izraelevitz

No: 5 - Councilor Reiss, Councilor Chrobocinski, Councilor Girrens, Councilor Sheehey and Councilor O'Leary

**7. COUNCIL BUSINESS**

**A. Appointments**

- 1) [8609-16](#) Board/Commission Appointment(s) - Fuller Lodge Historic Districts Advisory Board.

A motion was made by Councilor Sheehey, seconded by Councilor O'Leary, to nominate Leslie Linke, and Anna Marie Solomon to fill one vacancy on the Fuller Lodge Historic Districts Advisory Board 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 nominee with the highest vote total of four or more will be appointed to fill the vacant position which terms begins on October 1, 2016 and ends on September 30, 2020.

Councilor Reiss called for a roll call vote:

Councilor's Reiss, O'Leary, Chrobocinski, Girrens, Henderson, Izraelevitz and Sheehey voted for: Ms. Leslie Linke.

Ms. Leslie Link was appointed to fill the term ending September 30, 2020 on the Fuller Lodge Historic Districts Advisory Board.

- 2) [8618-16](#) Board/Commission Appointment(s) - Personnel Board.

A motion was made by Councilor Izraelevitz, seconded by Councilor Sheehey, to nominate William Cooper and Suzanne Frary to fill one vacancy on the Personnel Board 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 nominee with the highest vote total of four or more will be appointed to fill the vacant position which term began on April 1, 2015 and ends on March 31, 2018.

Councilor Reiss called for a roll call vote:

Councilor's Reiss, O'Leary, Chrobocinski, Girrens, Henderson, Izraelevitz and Sheehey voted for: Mr. William Cooper.

Mr. William Cooper has been appointed to fill the term ending March 31, 2018 on the Personnel Board.

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

Councilor Henderson Reported: She recently attended a Regional Coalition of LANL Communities, where a Legacy Waste Cleanup was presented to Los Alamos National Laboratory.

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

- 1) [8624-16](#) County Manager's Report for September 2016

Mr. Harry Burgess, County Manager, reported.

**D. Council Chair Report**

None.

**E. General Council Business**

None.

**F. Approval of Councilor Expenses**

None.

**G. Preview of Upcoming Agenda Items**

None.

**8. COUNCILOR COMMENTS**

None.

**9. PUBLIC COMMENT**

None.

**10. ADJOURNMENT**

The meeting adjourned at 10:24 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

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Rick Reiss, Council Chair

Attest:

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Sharon Stover, County Clerk

Meeting Transcribed by: Victoria L. Martinez, Deputy Clerk