



County of Los Alamos

Minutes

County Council - Regular Session

Los Alamos, NM 87544
www.losalamosnm.us

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

Tuesday, August 8, 2017

6:00 PM

Council Chambers - 1000 Central
Avenue
TELEVISED

1. OPENING/ROLL CALL

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

The following Councilors were in attendance:

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

2. PLEDGE OF ALLEGIANCE

Led by: All

3. PUBLIC COMMENT

Mr. Gregory White, 600 San Ildefonso Road, spoke about Friends of the Shelter, the Los Alamos County Animal Shelter and the Los Alamos Police Department.
Mr. Michael Altherr, 1900 Camino Redondo, spoke about issues regarding the Pajarito Ski Hill.
Mr. Norbert Ensslin, 3097 Woodland, spoke on the County purchasing the Pajarito Ski Hill.
Mr. Mark Jones, 520 Navajo, spoke about issues regarding the Pajarito Ski Hill.
Mr. James Whitehead, 200 Camino Encantado, spoke about recent Council action regarding the Sheriff.

4. APPROVAL OF AGENDA

Councilor Reiss requested item 7D be removed from the Consent Agenda, and added to the August 22, 2017 meeting. There were no objections.

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

The motion passed by acclamation with the following vote:

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

5. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

- A. [9751-17](#) Proclamation thanking the Friends of the Shelter for their volunteer service and donations to Los Alamos County (accepted by Wendee Brunish and representatives of Friends of the Shelter)
- Councilor Chandler read and presented the proclamation to Ms. Wendee Brunish.

6. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA

None.

7. CONSENT AGENDA**Consent Motion -**

A motion was made by Councilor Reiss, seconded by Councilor Maggiore, that Council approve the items on the Consent Agenda less item 7D and that the motions contained in the staff reports be included for the record.

- A. [9567-17](#) Approval of the June 30, 2017 Quarterly Report as Required by the State of New Mexico Department of Finance and Administration's Local Government Division
- I move that Council approve the June 30, 2017 Quarterly Report to be submitted as required to the State of New Mexico Department of Finance and Administration's Local Government Division.**
- B. [9741-17](#) Approval of Personnel Rules Revisions: Personnel Rule 712 Sick Leave Credits Upon Separation; Personnel Rule 713 Bereavement Leave; and Personnel Rule 719 Leave Without Pay
- I move that Council approve the revisions to Personnel Rules 712, 713, and 719 as set out herein.**
- C. [9742-17](#) County Council Minutes for June 27, 2017 and July 11, 2017.
- I move that Council approve the County Council Minutes for June 27, 2017 and July 11, 2017.**
- D. [9756-17](#) Incorporated County of Los Alamos Resolution No. 17-18 to authorize the application to Federal Transit Administration (FTA) for a Bus and Bus Facilities 5339(b) Discretionary Program 2017 Funding Opportunity for the 2017 Federal Fiscal Year; committing to the local match in the amount of \$74,000 toward the estimated total grant amount of \$370,000, to fund the capital needs of the system for a replacement bus.
- Item pulled from the agenda, and rescheduled for the August 22, 2017 meeting.*

E. [9765-17](#) Board/Commission Re-Appointment - Environmental Sustainability Board

I nominate James Robinson [R] to fill one vacancy on the Environmental Sustainability Board and move that Council re-appoint Mr. Robinson for a second term ending on July 31, 2019.

F. [9780-17](#) Appointment of a Voting Delegate to the New Mexico Municipal League (NMML) Annual Conference

I move that Council appoint David Izraelevitz as the County's voting delegate to the NMML Annual Conference.

August 8, 2017 Consent Motion:

The motion passed with the following vote:

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

8. **BUSINESS**

A. [9560-17](#) Discussion and Possible Action Relating to Proposed Changes to the Capital Improvement Program (CIP) Fund

Councilor Susan O'Leary, spoke.

Mr. Steven Lynne, Deputy County Manager, spoke.

Mr. Harry Burgess, County Manager, spoke.

Public Comment:

Ms. Helen Milenski, 1651 36th Street, spoke.

Mr. James Whitehead, 200 Camino Encantado, spoke.

Mr. Dann Alison, 111 Bandelier, spoke.

Mr. Nathan Hjelm, 30 Kachina, spoke.

Ms. Deborah Morley, 119 La Senda, spoke.

Ms. Megan Fox, 3959 Trinity, spoke.

Ms. Amy Degidio, 125 Rover, spoke.

Ms. Cindy Byerly, 545 Navajo, spoke.

Ms. Julia Baker, 877 Estates Drive, spoke.

Ms. Julie Miller, 904 Capulin, spoke.

Ms. Bonnie Olsen, 965 Alamo, spoke.

Mr. Kevin Brake, 687 45th Street, spoke.

Mr. Mark Jones, 520 Navajo, spoke.

Mr. Brady Burke, 2310 39th Street, spoke.

Mr. Michael Collins, 2117 B 43rd Street, spoke.

Ms. Irene Powell, 1732 Ponderosa, spoke.

Ms. Jody Benson, 3547 Pueblo, spoke.

Ms. Shelby Redondo, 390 Manhattan Loop, spoke.

Mr. Chris Fischahns, 4205 C Alabama, spoke.

Mr. Ted Ball, 152 Maple, spoke.

Ms. Holly Berry, 217 Rover, spoke.

Ms. Amy Storey, 70 Barranca, spoke.

Mr. Charles Nakhel, 965 Estates Drive, spoke.

Mr. Eric Fairfield, 3000 Trinity #70, spoke.

Mr. Rod Mason, 148 Piedra Loop, spoke.

Mr. Grant Fox, 3959 Trinity Drive, spoke.

Mr. Art Brown, 861 43rd Street, spoke.

Mr. Robbie Harris, 1016 49th Street, spoke.

Ms. Lisa Shin, 637 47th Street, spoke.

Mr. Tony Fox, 428 Cheryl Avenue, spoke.

Mr. Ed Birnbaum, 926 Circle Drive, spoke.

RECESS

Councilor Izraelevitz called for a recess at 8:29 p.m. The meeting reconvened at 8:35 p.m.

A motion was made by Councilor O'Leary, seconded by Councilor Chrobocinski, that Council subdivide the original motion into seven different motions and vote on those individually.

The motion failed with the following vote:

Yes: 3 - Councilor O'Leary, Councilor Chrobocinski and Councilor Sheehey

No: 4 - Councilor Izraelevitz, Councilor Chandler, Councilor Reiss and Councilor Maggiore

A motion was made by Councilor O'Leary, seconded by Councilor Chrobocinski, that Council approve \$13.928 million of capital improvement funds for the Splash Pad, Golf Course, and Multi-generational Pool and direct County Staff to begin work on these projects. She moved that the softball field project be assigned to the Parks and Recreation Board for further evaluation and public input, and the Parks and Recreation Board provide the County Council with a recommendation by February, 2018 that addresses softball and baseball capacity issues. She moved that the County Council defer discussion of funding for the recreation center until the Laboratory contract has been awarded in April, 2018. She further moved that County Staff be directed to explore additional ways to increase the number of gymnasiums, to include evaluation with the Los Alamos Public School District of possible gyms located on school campuses. She further moved that staff return to Council with a budget revision that implements these changes to the CIP.

A SUBSTITUTE motion was made by Councilor Chandler, seconded by Councilor Reiss, that staff working with the Parks and Rec Board devise a plan to be presented to Council no later than December 5, 2017 that proposes a splash pad in White Rock at a cost not to exceed \$400,000 that implements the Capital Improvement Projects (CIP) golf course improvements at a cost not to exceed \$4.6 million, and implement it over a multi-year period; that proposes improvements to the existing outdoor ice skating rink for an amount equaling approximately \$1.2 million and that estimates costs for a scaled back kiddie pool proposal that includes an easy entry relatively shallow kiddie pool possibly with a scaled back footprint and a water feature but that eliminates the lazy river and possibly the fourth locker room to meet a projected cost goal of not more than \$5 million.

Councilor Reiss offered the following Friendly Amendment to the SUBSTITUTE motion: to fine tune the numbers; \$4.524 million for the golf course, \$1,035,939.00 for the ice rink lockers and other rooms and the splash pad at \$720,000 with a request to lower that if at all possible for a total of \$6.28 million which leaves us with about \$3 million to respond perhaps to the revised pool, the softball fields, and other projects that are coming.

After further discussion Councilor Reiss withdrew the proposed modification of \$1,035,939.00 for the ice rink locker and other rooms. Councilor Chandler accepted the friendly amendment as revised.

Councilor Sheehey offered the following additional Friendly Amendment to the SUBSTITUTE motion: to prepare an estimate for the subdivision of the main pool with a false floor. It was not accepted.

A SECOND SUBSTITUTE motion was made by Councilor Chrobocinski, seconded by Councilor O'Leary, that staff working with the Parks and Rec Board devise a plan to be presented to Council no later than December 5, 2017 that proposes a splash pad in White Rock at a cost not to exceed \$400,000 that implements the Capital Improvement Projects (CIP) golf course improvements at a cost not to exceed \$4.6 million, and implement it over a multi-year period; that earmarks \$1.2 million for ice rink facilities and instructs staff to work with the Los Alamos Hockey Association and other user groups to work out design and vetting of a standalone indoor ice rink; and that estimates costs for a scaled back kiddie pool proposal that includes an easy entry relatively shallow kiddie pool possibly with a scaled back footprint and a water feature but that eliminates the lazy river and possibly the fourth locker room to meet a projected cost goal of not more than \$5

million.

Councilor O'Leary offered the following Friendly Amendment to the SECOND SUBSTITUTE motion: to add that the softball field project be assigned to the Parks and Recreation board for further evaluation and public input. The friendly amendment was accepted.

Councilor Maggiore offered the following Friendly Amendment to the SECOND SUBSTITUTE motion: to drop the amount for the splash pad to an amount not to exceed \$600,000 and to raise the cost of the pool to a potential \$6 million. The friendly amendment was accepted.

A motion to call the question was made by Councilor Chrobocinski.

The motion to call the question passed with the following vote:

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

The SECOND SUBSTITUTE motion failed with the following vote:

Yes: 3 - Councilor O'Leary, Councilor Chrobocinski and Councilor Sheehey

No: 4 - Councilor Izraelevitz, Councilor Chandler, Councilor Reiss and Councilor Maggiore

The SUBSTITUTE motion passed with the following vote:

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

No: 2 - Councilor O'Leary and Councilor Chrobocinski

Councilor Izraelevitz called for a recess at 9:34 p.m. The meeting reconvened at 9:41 p.m.

9. PUBLIC HEARING(S)

- A. [CO0489-17b](#) Incorporated County of Los Alamos Code Ordinance No. 02-276; 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

Mr. Tim Glasco, Utilities Manager, spoke.

Mr. Bob Westervelt, Deputy Utilities Manager, spoke.

Mr. Jack Richardson, Deputy Utilities Manager, spoke.

Public Comment:

Mr. Brady Burke, 2210 39th Street, spoke.

Mr. Mark Jones, 520 Navajo, spoke.

A motion was made by Councilor Chandler, seconded by Councilor Sheehey, that Council adopt Incorporated County of Los Alamos Code Ordinance No. 02-276; 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; further moved that, upon passage, the Ordinance be published in summary form.

The motion passed with the following vote:

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

- B. [CO0490-17b](#) Incorporated County of Los Alamos Code Ordinance No. 02-275, An Ordinance Amending Chapter 40, Article III, Sections 40-171 and 40-175 of the Code of the Incorporated County of Los Alamos Pertaining to Potable Water Rates and Bulk Delivery Rates

Mr. Tim Glasco, Utilities Manager, spoke.

Mr. Bob Westervelt, Deputy Utilities Manager, spoke.

Mr. Jack Richardson, Deputy Utilities Manager, spoke.

Public Comment:

Mr. Brady Burke, 2210 39th Street, spoke.

Mr. James Whitehead, 200 Camino Encantado, spoke.

A motion was made by Councilor Reiss, seconded by Councilor Maggiore, that Council adopt Incorporated County of Los Alamos Code Ordinance No. 02-275, An Ordinance Amending Chapter 40, Article III, Sections 40-171 and 40-175 of the Code of the Incorporated County of Los Alamos Pertaining to Potable Water Rates and Bulk Delivery Rates; further moved that, upon passage, the ordinance be published in summary form.

The motion passed with the following vote:

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

10. COUNCIL BUSINESS**A. Appointments**

None.

B. Board, Commission and Committee Liaison Reports

None.

C. County Manager's Report**1) [9785-17](#)**

Mr. Harry Burgess, County Manager, reported.

D. Council Chair Report

Councilor Izraelevitz reported.

E. General Council Business

Councilor O'Leary suggested the Parks and Recreation Board review the softball field issues raised during CIP discussions, and requested this issue be placed on an upcoming agenda.

Councilor Sheehey asked the Chair to appoint a subcommittee to determine a path forward with regard to the Sheriff, and citing his willingness to serve on said committee.

F. Approval of Councilor Expenses

None.

G. Preview of Upcoming Agenda Items

None.

11. COUNCILOR COMMENTS

None.

12. PUBLIC COMMENT

None.

13. ADJOURNMENT

The meeting adjourned at 11:07 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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