



County of Los Alamos

Minutes

County Council - Regular Session

Los Alamos, NM 87544
www.losalamosnm.us

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

Tuesday, August 29, 2017

6:00 PM

Council Chambers - 1000 Central
Avenue
TELEVISION

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 O'Leary, Councilor Chandler, Councilor Chrobocinski, Councilor Reiss, Councilor Sheehey and Councilor Maggiore

2. PLEDGE OF ALLEGIANCE

- A. [9862-17](#) Girl Scout Troop 116 will be Leading the Pledge of Allegiance

Led by: Girl Scout Troop 116

3. PUBLIC COMMENT

Mr. Greg White, 600 San Ildefonso Road, spoke about the recent vigil for the victims of Charlottesville.

Ms. Irene Powell, 1732 Ponderosa Street, spoke on the Leisure Pool Project and fundraising efforts.

Ms. Shelby Redondo, 390 Manhattan Loop, spoke on the Leisure Pool Project and fundraising efforts.

4. APPROVAL OF AGENDA

Councilor Chandler requested item 7.F. be removed from the Consent Agenda, and added under Business.

There were no objections.

A motion was made by Councilor Chandler, seconded by Councilor Chrobocinski, 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. [9442-17](#) Presentation from Los Alamos National Laboratory (LANL) Director Charlie McMillan.

Mr. Charlie McMillan, LANL Director, presented.

- B. [9823-17](#) Proclamation Celebrating the Contributions and Just Treatment of Immigrants and Refugees in the County of Los Alamos

Councilor Sheehey read and presented the amended proclamation.

Public Comment:

Mr. James Nesmith, 2000 41st Street, spoke.

Reverend John Cullinan, 2292B 48th Street, spoke.

Ms. Jess Cullinan, 2292B 48th Street, spoke.

Ms. Christina Deyoe, 4498 Fairway Drive Unit A, spoke.

Ms. Elena Giorgi, 5140 Quemazon, spoke.

Mr. Patrick Webb, 1463 Oakwood Loop, spoke.

Ms. Rebecca Oertel, 399 Andanada Street, spoke.

Mr. Eduardo Santiago, 166 Navajo Road, spoke.

Ms. Kate Gaduno King, 4596 Fairway Drive, spoke.

Ms. Amy Story, 70 Barranca, spoke.

Ms. Francine Mendoza, 130 Aragon Avenue, spoke.

Ms. Stephanie Nakhleh, 965 Estates Drive, spoke.

Ms. Ellen Ben-Naim, 245 Canada Way, spoke.

Ms. Rebecca Shankland, 6 Mariposa Court, spoke.

Ms. Heidi Rogers, 1716 Camino Uva, spoke.

Ms. Kristina Olds, 967 Tsankawi, spoke.

Mr. Jack Shlachter, 12 Timber Ridge Road, spoke.

Ms. Madhavi Garimella, 1278 Big Rock Loop, spoke.

Mr. Greg White, 600 San Ildefonso Road, spoke.

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

Ms. Elisa Enriquez, 5085 Alegria, spoke.

A motion was made by Councilor Sheehey, seconded by Councilor Chrobocinski, that Council approve this Proclamation, as amended.

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

- C. [9835-17](#) Proclamation declaring the Month of September as "Voter Registration Month" and the date of Tuesday, Sept. 26 as "Voter Registration Day" in Los Alamos County (accepted by Naomi Maestas, County Clerk)

Councilor Chandler read and presented the proclamation to County Clerk Naomi D. Maestas.

County Clerk Maestas 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 Maggiore, that Council approve the items on the Consent Agenda, as amended, and that the motions contained in the staff reports be included for the record and that excludes item F.

- A. [RE0353-17](#) Incorporated County of Los Alamos Resolution No. 17-17 to authorize the application to New Mexico Department of Transportation (NMDOT) for FY19 Section 5311 Public Rural Transportation program for an estimated total amount of \$4,338,088 to fund the Administrative, Operating and Capital needs of Atomic City Transit; committing to the local match in the amount of \$1,775,614 to fund the Section 5311 Transit Program for Federal FY19.

I move to approve Incorporated County of Los Alamos Resolution No. 17-17 to authorizing staff to submit the application to New Mexico Department of Transportation (NMDOT) for FY19 Section 5311 Public Rural Transportation program for an estimated total amount of \$4,338,088 to fund the Administrative, Operating and Capital needs of Atomic City Transit; committing to the local match in the amount of \$1,775,614 to fund the Section 5311 Transit Program for Federal FY19.

- B. [9568-17](#) Consideration of the FY2019 - FY2023 State Infrastructure and Capital Improvement Plan (ICIP) Submission

I move that Council approve the submission to the State of the ICIP as attached.

- C. [9779-17](#) 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 August 30, 2017.

- D. [9799-17](#) 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, 2018; 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. [9831-17](#) County Council Minutes for July 18, 2017, July 25, 2017 and July 26, 2017

I move that Council approve the County Council Minutes for July 18, 2017, July 25, 2017 and July 26, 2017.

- F. [9859-17](#) Consideration of Assignment of Task To Parks and Recreation Board - To Review and Make Recommendations Regarding Softball and/or Baseball Infrastructure Needs

Item pulled for further discussion under Business.

Approval of the Consent Agenda:

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

Approval of the Consent Agenda:

A motion was made to Approve the Consent Agenda. The motion carried by the following vote:

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

8. INTRODUCTION OF ORDINANCE(S)

Councilor Chrobocinski introduced, without prejudice, Incorporated County of Los Alamos Code Ordinance No. 02-277; An Ordinance Amending Chapter 40, Article III, Section 40-173 of the Code of the Incorporated County of Los Alamos Pertaining to Nonpotable Water Rates, and ask the staff to assure that it is published as provided in the County Charter.

- A. [CO0501-17](#) Incorporated County of Los Alamos Code Ordinance No. 02-277; An Ordinance Amending Chapter 40, Article III, Section 40-173 of the Code of the Incorporated County of Los Alamos Pertaining to Nonpotable Water Rates

Councilor Chrobocinski introduced, without prejudice, Incorporated County of Los Alamos Code Ordinance No. 02-277; An Ordinance Amending Chapter 40, Article III, Section 40-173 of the Code of the Incorporated County of Los Alamos Pertaining to Nonpotable Water Rates, and ask the staff to assure that it is published as provided in the County Charter.

9. PUBLIC HEARING(S)

- A. [OR0776-17b](#) Approval of Incorporated County of Los Alamos, New Mexico Ordinance No. 672; An Ordinance Authorizing the Execution and Delivery of a Loan Agreement and Intercept Agreement by and Between the Incorporated County of Los Alamos, New Mexico (the "Governmental Unit") and the New Mexico Finance Authority (the "Finance Authority"), in the Principal Amount of \$4,331,349.00 for the Purpose of Refunding Finance Authority Loan No. 1898-PP for the Governmental Unit, Paying a Loan Processing Fee and Funding a Loan Agreement Reserve Account, and Evidencing the Special Limited Obligation of the Governmental Unit to Repay the Principal Amount of \$4,331,349.00, Together with Interest Thereon; Providing for the Pledge and Payment of the Principal and Interest Due Under the Loan Agreement Solely from the First One-Sixteenth of One Percent Increment of Environmental Services Gross Receipts Tax Imposed Pursuant to Section 7-20E-17, NMSA 1978, and Distributed to the Governmental Unit by the State Taxation and Revenue Department; Providing for the Distribution of Environmental Services Gross Receipts Tax to be Redirected by the State Taxation and Revenue Department to the Finance Authority or its Assigns for the Payment of Principal and Interest Due on the Loan Agreement Pursuant to an Intercept Agreement; Ratifying Actions Heretofore taken: Repealing all Action Inconsistent with this Ordinance; and Authorizing the Taking of Other Actions in Connection with the Execution and Delivery of the Loan Agreement and Intercept Agreement.

Ms Helen Perraglio, Chief Financial Officer, presented.

Public Comment:
None.

A motion was made by Councilor Chrobocinski, seconded by Councilor Reiss, that Council Approve Incorporated County of Los Alamos Ordinance No. 672, and authorize the Chair in executing the necessary closing documents thereafter.

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. [RE0354-17](#) Incorporated County of Los Alamos Resolution No. 17-16, A Resolution Amending the Comprehensive Plan / Future Land Use Map Changing a County-Owned Parcel, Addressed 125 DP Road, Also Known As A-8-A, and Consisting of 21.69± Acres, from “High-Density Residential” to Mixed-Use”.

Mr. Paul Andrus, Community Development Director, spoke.

Ms. Tamara Baer, Planning Manager, presented.

Public Comment:

None.

A motion was made by Councilor Maggiore, seconded by Councilor Sheehey, that Council adopt Incorporated County of Los Alamos Resolution No. 17-16, a Resolution Amending the Comprehensive Plan / Future Land Use Map Changing a County-Owned Parcel, Addressed 125 DP Road, Also Known As A-8-A, and Consisting of 21.69+ Acres, from “High-Density Residential” to “Mixed-Use”.

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

- C. [OR0777-17b](#) Incorporated County of Los Alamos Ordinance No. 02-278 a Request to rezone five (5) County-owned parcels: A-13-2, A-12, A-9, A-8-A, and A-8-B.

Ms. Tamara Baer, Planning Manager, presented.

Public Comment:

None.

A motion was made by Councilor Reiss, seconded by Councilor Chrobocinski, that Council adopt Incorporated County of Los Alamos Ordinance No. No. 02-278; a Request to rezone five (5) County-owned parcels: A-13-2, A-12, A-9, A-8-A, and A-8-B; 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. BUSINESS

Mr. Harry Burgess, County Manager spoke.

RECESS

Councilor Izraelevitz called for a recess at 7:50 pm. The meeting reconvened at 8:00 pm.

A. [P0057-17](#)

Ms. Joanie Ahler, Economic Administrator, spoke.

Public Comment:

Mr. Greg White, 600 San Ildefonso Road, spoke.

A motion was made by Councilor Chandler, seconded by Councilor Chrobocinski, that Council authorize Chair Izraelevitz and our Economic Development Staff to work on a letter supporting the completion of that 8 mile piece of road; further moved that we encourage our Economic Development Staff to continue a dialog and work on a regional strategy to pursue a coalition that will advocate for the completion of that road.

Councilor Izraelevitz offered a Friendly Amendment that Council first acknowledge the petition, thank the petitioners for their recommendations. It was accepted.

Councilor O'Leary offered a Friendly Amendment that the County Development Administrator provide an update to the Council in six months. It was accepted.

**For the record, the motion on the floor was restated for clarification:
That Council acknowledge the petition, thank the petitioners for their recommendations we accept the petition as presented and authorize the Chair to work with the Economic Development Administrator to submit a letter to the New Mexico Department of Transportation supporting the proposed paving of the 8 mile stretch of road; further moved that the Coordinator pursue a coalition of neighboring communities to advocate for the paving of the subject 8 miles and that the Economic Administrator report back with a status update in 6 months.**

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

7.F. Consideration of Assignment of Task To Parks and Recreation Board - To Review and Make Recommendations Regarding Softball and/or Baseball Infrastructure Needs

Public Comment:

Mr. Greg White, 600 San Ildefonso Road, spoke.

A motion was made by Councilor O'Leary, seconded by Councilor Chrobocinski, that Council assign to the Parks and Recreation Board the task of Reviewing and Making Recommendations for Softball and/or Baseball capacity needs, and that any such recommendations be provided for Council's consideration in January 2018.

Councilor Chrobocinski offered a Friendly Amendment to add the words "use and lighting" after "capacity". It was accepted.

For the record, the motion on the floor was restated:

That Council assign to the Parks and Recreation Board the task of Reviewing and Making Recommendations for Softball and/or Baseball capacity needs, use and lighting, and that any such recommendations be provided for Council's consideration in January 2018.

The motion, as amended, passed with the following vote:

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

[9859-17](#)

Consideration of Assignment of Task To Parks and Recreation Board - To Review and Make Recommendations Regarding Softball and/or Baseball Infrastructure Needs

I move that Council assign to the Parks and Recreation Board the task of Reviewing and Making Recommendations for Softball and/or Baseball Infrastructure Needs, and that any such recommendations be provided for Council's consideration prior to its meeting scheduled for December 5, 2017.

11. COUNCIL BUSINESS

A. Appointments

1) [9787-17](#)

A motion was made by Councilor Reiss to nominate Jennifer Baker (incumbent) Rebecca Rodriguez (new applicant) Ellen Wren Propp (new applicant) to fill two vacancies on the Library Board and move that Council appoint two of the nominees to the vacant position(s) as follows:

By roll call vote, Councilors vote for two nominees and the two with the highest vote total of four or more be appointed or re-appointed to fill terms beginning on 9-2-2017 and ending on 8-31-2019.

Councilor Izraelevitz called for a roll call vote:

Councilors Izraelevitz, O'Leary, Chandler, Chrobocinski,
Maggiore, Reiss and Sheehey voted for: Ms. Jennifer Baker
Councilor Izraelevitz, O'Leary, Chandler, Chrobocinski,
Maggiore, Reiss and Sheehey voted for: Ms. Rebecca Rodriguez

After a roll call vote, Ms. Jennifer Baker and Ms. Rebecca Rodriguez were appointed.

2) [9808-17](#)

Board/Commission Appointment(s) - Environmental Sustainability Board

A motion was made by Councilor Sheehey to nominate Heather Ward [I], Elena Giorgi [D], and Heidi Rogers [D] to fill two vacancies on the Environmental Sustainability Board and move that Council appoint two nominees to the vacant positions as follows:

By roll call vote, Councilors vote for 2 nominees -- and the 2 nominees with the highest vote total of at least four votes will be appointed to fill ESB terms beginning August 1, 2017 and ending on July 31, 2019.

Councilor Izraelevitz called for a roll call vote:

Councilors Izraelevitz, O'Leary, Chandler, Chrobocinski, Maggiore, Reiss and Sheehey voted for: Ms. Heather Ward
Councilors O'Leary and Maggiore voted for: Ms. Elena Giorgi
Councilors Izraelevitz, Chandler, Chrobocinski, Reiss and Sheehey voted for: Ms. Heidi Rogers

After a roll call vote, Ms. Heather Ward and Ms. Heidi Rogers were appointed.

B. Board, Commission and Committee Liaison Reports

Councilor O'Leary Reported: Tourism working group preparing for the September 6, 2017 public meeting.

Councilor Chandler Reported: State Budget Legislative Committee has begun work, with primary focus on the Gross Receipts Tax (GRT) bill.

Councilor Maggiore Reported: Lodgers Tax Advisory Board conducted interviews to fill vacancies, nominations forthcoming. Science Fest 2017 was reported to have had 14,000 attendees. North Central Regional Transit District (NCRTD) was presented with a consolidation study regarding the Santa Fe Transit.

Councilor Sheehey, NMAC Liaison, Reported: New Mexico Association of Counties (NMAC) Board recently reviewed the upcoming legislative session agenda, which will be presented at a subsequent meeting.

Councilor Reiss Reported: The County was well represented at the recent Energy Communities Alliance (ECA) peer meeting in Richmond, Washington, where the Manhattan Project logo was presented.

C. County Manager's Report

- 1) [9849-17](#) County Manager's Report for August 2017

Mr. Harry Burgess, County Manager, spoke.

D. Council Chair Report

Report Given: Expressed thanks for the support on his recent election to the New Mexico Municipal League (NMML) Board.

E. General Council Business

None.

F. Approval of Councilor Expenses

A motion was made by Councilor Sheehey, seconded by Councilor Chandler, to approve expenses for Councilor Reiss to attend the ECA Conference and other meetings in Alexandria, Virginia.

The motion passed with the following vote:

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

A motion was made by Councilor Reiss, seconded by Councilor Chrobocinski, to approve expenses for Councilor Chandler to attend the UMAPS meeting in Utah in September.

The motion passed with the following vote:

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

A motion was made by Councilor Chandler, seconded by Councilor Maggiore, to approve expenses for Councilor Izraelevitz to attend the Municipal Officers Leadership Institute Conference in Santa Fe, New Mexico on September 25-27th; and the Leadership NM program next February and April.

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

G. Preview of Upcoming Agenda Items

None.

12. COUNCILOR COMMENTS

None.

12. COUNCILOR COMMENTS

None.

13. PUBLIC COMMENT

Councilor Chrobocinski requested an upcoming agenda item related to the fundraising efforts mentioned by Ms. Shelby Redondo, relative to the Leisure Pool Project, which will require Council approval.

Mr. Jay Stimmel, 354 Kayenta Drive, spoke regarding the nuisance ordinance.

14. ADJOURNMENT

The meeting adjourned at 9:26 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

David Izraelevitz, Council Chair

Attest:

Naomi D. Maestas, County Clerk

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