



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, March 20, 2018

6:00 PM

Council Chambers - 1000 Central
Avenue
TELEVISIONED

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

1. OPENING/ROLL CALL

Present 6 - Councilor Chandler, Councilor Maggiore, Councilor Sheehey,
Councilor Reiss, Councilor O'Leary and Councilor Chrobocinski
Absent 1 - Councilor Izraelevitz

2. PLEDGE OF ALLEGIANCE

Led by: All.

3. PUBLIC COMMENT

Ms. Troy Lewis, 974 Alamo Road, thanked Council for supporting the Teen Center.

Ms. Myra Kuropatwinski, 937 Capulin, thanked Council for supporting the Teen Center.

Mr. Ignatius Kuropatwinski, 937 Capulin, thanked Council for supporting the Teen Center.

Mr. Maxwell Goettee, 57 Valle Vista, thanked Council for supporting the Teen Center.

Ms. Helen Milenski, 1651 36th Street, expressed concern with the length of time for resolving code enforcement issues and commended Ms. Tamara Baer relative to the sign ordinance.

Mr. Mark Voss, 256 Canada Way, expressed concern with the length of time for resolving code enforcement issues.

4. APPROVAL OF AGENDA

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

The motion passed by acclamation with the following vote:

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

Absent: 1 - Councilor Izraelevitz

5. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

- A. [10276-18](#) Briefing to Council by County Lobbyist Scott Scanland Providing an Overview of the 2018 Legislative Session.
Mr. Scott Scanland, County Lobbyist, presented.
No action taken.
- B. [10530-18](#) Presentation of 2018 Ballfield Assessment at Overlook Park and North Mesa Sports Complex
Mr. Brian Brogan, Community Development Director, presented.
Ms. Stephanie Nakhleh, Parks and Recreation Board Chairperson, presented.

Public Comment:
Mr. Frank Montoya, 45th Street, spoke.

No action taken.

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 presented and that the motions contained in the staff reports be included for the record.

- A. [RE0364-18](#) Incorporated County of Los Alamos Resolution No. 18-05. a Resolution for Support of Fiber Connection Line Through National Forest Property

I move that Council adopt Incorporated County of Los Alamos Resolution No. 18-05, A RESOLUTION URGING THE UNITED STATES FOREST SERVICE TO CONDUCT AN ENVIRONMENTAL STUDY AND GRANT CENTURYLINK A PERMIT TO BEGIN CONSTRUCTION OF AN ALTERNATIVE FIBER-OPTIC PATH FOR THE BENEFIT OF THE INCORPORATED COUNTY OF LOS ALAMOS, ITS RESIDENTS, AND THE LOS ALAMOS NATIONAL LABORATORY.

- B. [10480-18](#) Approval of Revisions to the following Personnel Rules:
1. Rule 309 - Re-employment
 2. Rule 311.2 - Non-Exempt Employees Overtime Compensation
 3. Rule 312 - Exempt Employees Overtime Compensation
 4. Rule 315 - Night Differential Pay
 5. Rule 703 - Annual Leave
 6. Rule 709 - Sick Leave Accruals
- I move that Council approve the revisions to Personnel Rules and Regulations 309, 311.2, 312, 315, 703 and 709 as set out herein.
- C. [10516-18](#) Approval of Easement No. M18NA70208 Granted by the Department of Energy National Nuclear Security Administration to the Incorporated County of Los Alamos for the Purpose of the Canyon Rim Trail Phase 3 Project.
- I move that Council approve Easement No. M18NA70208 Granted by the Department of Energy National Nuclear Security Administration to the Incorporated County of Los Alamos for the Purpose of the Canyon Rim Trail Phase 3 Project.
- D. [10517-18](#) Approval of Easement No. M18NA70207 Granted by the Department of Energy National Nuclear Security Administration to the Incorporated County of Los Alamos for the Purpose of a Bus Stop on East Jemez Road.
- I move that Council approve Easement No. M18NA70207 Granted by the Department of Energy National Nuclear Security Administration to the Incorporated County of Los Alamos for the Purpose of a Bus Stop on East Jemez Road.
- E. [10518-18](#) 2018 Annual Road Mileage Certification for the New Mexico Department of Transportation.
- I move that Council certify the 2018 Road Mileage Certification as presented and authorize submittal to the New Mexico Department of Transportation.
- F. [10534-18](#) Approval to purchase Fire Mobile Data Terminals and associated mounting and peripheral equipment in the amount of \$283,266.
- I move that Council approve the request to purchase Fire Mobile Data Terminals (MDTs) and associated mounting equipment and peripherals in the amount of \$283,266.
- G. [10548-18](#) Vacation of Easement Lot 149A, North Community No. 1
- I move that Council approve the vacation of easement within Lot 149A, North Community No. 1.
- H. [10549-18](#) Consideration of Budget Revision 2018-13 Fire Marshal Grant
- I move that Council approve Budget Revision 2018-13 as summarized on attachment A and that the attachment be made a part of the minutes of this meeting.

- I. [10568-18](#) County Council Minutes for February 13, 2018, and February 27, 2018

I move that Council approve the County Council Minutes for February 13, 2018 and February 27, 2018.

- J. [10575-18](#) Approval to allow the County to submit a grant application to the New Mexico Environment Department (NMED) Solid Waste Bureau for FY19 Recycling and Illegal Dumping (RAID) grant program for an estimated total amount of \$276,488.00 to fund roll carts for the yard trimming curbside collection program and recycle roll carts.

I move to allow the County to submit a grant application to NMED for FY19 Recycling and Illegal Dumping (RAID) Grant for the amount of \$276,488.00 to fund roll carts for the yard trimming curbside collection program and recycle roll carts.

- K. [10593-18](#) Approval to Submit a Letter of Intent to the New Mexico Department of Transportation in Support of the 20th Street Signalization Project for Funding Assistance through the Municipal Arterial Program (MAP) in the Amount of \$400,000.

I move that the County Council approve the County Manager Submitting a Letter of Intent to the New Mexico Department of Transportation in Support of the 20th Street Signalization Project for Funding Assistance through the Municipal Arterial Program (MAP) in the Amount of \$400,000.

May 1, 2018 Consent Motion:

The motion passed with the following vote:

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

Absent: 1 - Councilor Izraelevitz

8. INTRODUCTION OF ORDINANCE(S)

- A. [OR0810-18](#) Incorporated County of Los Alamos Code Ordinance No. 02-283, an ordinance amending Chapter 8, Article III of the Los Alamos County Code of Ordinances to clarify membership eligibility and duties and responsibilities assigned to the Historic Preservation Advisory Board.

Councilor Maggiore asked that a spelling error in item 6 be corrected to read "complementary."

Councilor Maggiore introduced, without prejudice, Incorporated County of Los Alamos Code Ordinance No. 02-283, an ordinance amending Chapter 8, Article III of the Los Alamos County Code of Ordinances to clarify membership eligibility and duties and responsibilities assigned to the Historic Preservation Advisory Board and ask the staff to assure that it is published as provided in the County Charter.

9. PUBLIC HEARING(S)

- A. [OR0804-18b](#) Incorporated County of Los Alamos Ordinance No. 675 An Ordinance Adopting An Economic Development Project For Public Support From The State of New Mexico For The Benefit Of UbiQD, Inc. A New Mexico Corporation

Ms. Joanie Ahlers, Economic Development Administrator, spoke.
Dr. Hunter McDaniels, CEO UBIQD, spoke.

Public Comment:

Ms. Therese Rivera, State of New Mexico Economic Development Program, spoke.

A motion was made by Councilor Sheehey, seconded by Chrobocinski, that Council adopt Incorporated County of Los Alamos Ordinance No. 675 An Ordinance Adopting An Economic Development Project For Public Support Of UbiQD, Inc. A New Mexico Corporation; and further moved that the Ordinance be published in summary form

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

Absent: 1 - Councilor Izraelevitz

10. BUSINESS

- A. [10271-18](#) Three Recommendations from the Art in Public Places Board: 1) Acceptance of a Cash Donation from Charles Bowman to Purchase a Kinetic Wind Sculpture in Honor of His Late Wife, Nona Bowman and Approval of Project Budget; 2) Disposal of Artwork from the Public Collection; 3) Acceptance of an Artwork Donation from Valentina Devine

Ms. Libby Carlsten, Community Service Department, spoke.
Mr. Jeremy Smith, Art in Public Places Chair, spoke.
Ms. Britton Donharl, Art in Public Places Board Member, spoke.
Mr. Harry Burgess, County Manager, spoke.

Public Comment:
None.

A motion was made by Councilor Chrobocinski, seconded by Maggiore, that Council accept a cash donation from Charles Bowman for the purchase of a Kinetic Wind Sculpture from the Mark White Gallery in Santa Fe; and further moved approval of an Art in Public Places project budget of up to \$25,000 to purchase two additional wind sculptures to create a coordinated grouping plus cover delivery, installation, plaques, a dedication event, lighting and contingency funding. The location of the wind sculptures will be determined at a later date by the APPB (Art in Public Places Board) and appropriate County staff in consultation with Mr. Bowman; and further moved that Council approve the disposal of "Inside Out" and APP funding of up to \$100 to pack and ship the artwork back to the artist; and further moved that Council accept the donation offer from Valentina Devine of "Berlin," a 10 ft. by 10 ft. knitted fiber piece currently installed in the Mesa Public Library.

The motion passed with the following vote:

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

Absent: 1 - Councilor Izraelevitz

Councilor Chandler called for a recess at 8:03 p.m. The meeting reconvened at 8:15 p.m.

- B. [10572-18](#) Mirador (A-19) Proposed Public Improvement District

Mr. Paul Andrus, Public Works Director, spoke.
Mr. Adam Thorne, Mirador, spoke.
Mr. Harry Burgess, County Manager, spoke.

No action taken.

11. COUNCIL BUSINESS

A. Appointments

- 1) [10565-18](#) Board/Commission Appointment(s) - Parks & Recreation Board
..Recommended Action
I nominate Dianne Wilburn, Christina Olds, Evan Rose and Lisa Reader to fill one vacancy on the Parks and Recreation 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 with the highest vote total of four or more be appointed to fill a term beginning on December 1, 2017 and ending on November 30, 2019.

..Body

The Parks and Recreation Board is a seven-member board with staggered two year terms beginning December 1 and ending November 30. A copy of the current Board Member list is attached for reference (Attachment F).

The applicants for these vacancies are:

Dianne Wilburn [D]
Cristina Olds [D]
Evan Rose [D]
Lisa Reader [R]

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.

The purpose of this item is to fill a vacancy on Parks & Recreation Board. This vacancy represents the expired first term vacated by John Russell which ended on November 30, 2017.

This seven-member board has two-year staggered terms and is currently composed as follows: Stephanie Nakhleh (Chair) [D], Dana Dattelbaum [D], Robbie Harris [R], Dina Pesenson [D], Donald Ulrich [I], and Ramiro Pereyra [R].

All of the applicants were interviewed between January and February 2018 by interview committees that consisted of the following panel:

PRB Chair: Stephanie Nakhleh; Council Liaison: Pete Sheehey;
and Staff Liaison: Christopher Wilson.

The interview committee found all applicants to be well qualified and hope that all will eventually have an opportunity to serve on the PRB, if not immediately then in the future.

The interview panel makes their recommendation based on seeking a balance among the currently serving board members and the backgrounds, experience and skills of the applicants. The attached application packets include the applications and interview notes by the interview panel. Given County Charter prohibition against more than a simple majority of any political party, any of the above applicants can be appointed.

The interview panel recommends appointment of the following applicant:

Dianne Wilburn [D]

[..Attachments](#)

- A - Dianne Wilburn Application Packet
- B - Cristina Olds Application Packet
- C - Evan Rose Application Packet
- D - Lisa Reader Application Packet
- E - Interview Panel Recommendations
- F - PRB Board Members

A motion was made by Councilor Maggiore to nominate Dianne Wilburn, Christina Olds, Evan Rose, and Lisa Reader to fill one vacancy on the Parks and Recreation 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 with the highest vote total of four or more be appointed to fill a term beginning on December 1, 2017 and ending on November 30, 2019.

Councilor Chandler called for a roll call vote to appoint a member to the Parks & Recreation Board.

Councilor's Chrobocinski, Maggiore, O'Leary, Sheehey, and Reiss voted for:

Dianne Wilburn

Councilor Chandler voted for:

Christina Olds

After a roll call vote, Dianne Wilburn was appointed to the Parks & Recreation Board to fill the term beginning on December 1, 2017 and ending on November 30, 2019.

B. Board, Commission and Committee Liaison Reports

Councilor Chandler reported that there is a meeting on April 10th with Utilities to discuss small nuclear reactors.

C. County Manager's Report**1) [10497-18](#) County Manager's Report for March 2018**

- 1) County Manager Harry Burgess reported on the July 1, 2018 implementation of PRISM (Planning Resource Integration + Systems Management), Mr. Harry Burgess, Mr. Dino Sgambellone, Chief of Police and several of the Police staff will be attending a conference regarding the Police Department CALEA (Commission on Accreditation for Law Enforcement) application, efforts to secure Pajarito Cliff side buildings has been implemented, RFP for kiddie pool and splash pad due tomorrow and RFP for Golf Course due next week, RFP will be issued for ice rink when shade study is complete, Wildfire Conference will be in town and he will forward email to Councilors with information, final plat for Mirador Subdivision will be presented to Planning And Zoning next week, there is public meeting tomorrow regarding The Hill Development at the Golf Course, the Mesa Public Library will be advertised this Sunday, Discovery Actions team will have a public meeting April 10th at Fuller Lodge from 11 am-12 pm , and a review of the Flow Trail RFP responses is being done and a recommendation is forthcoming.

D. Council Chair Report

None.

E. General Council Business

None.

F. Approval of Councilor Expenses

None.

G. Preview of Upcoming Agenda Items

Councilor O'Leary noted she had previously requested an item regarding the Kroger space be placed on the May 15 work session.

Councilor Chrobocinski requested that an item regarding the disposition of 1010 Central be placed on a future agenda.

Councilor Maggiore advised that the code enforcement issues will be on April 3rd meeting.

Councilor Chandler requested that an item regarding the Public Health Office be placed on the April 3rd agenda.

12. COUNCILOR COMMENTS

None.

13. PUBLIC COMMENT

None.

14. ADJOURNMENT

The meeting adjourned at 10:05 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