



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, May 1, 2018

6:00 PM

Council Chambers - 1000 Central
Avenue
TELEVISED

1. OPENING/ROLL CALL

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

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

2. PLEDGE OF ALLEGIANCE

- A. [10707-18](#) Girl Scout Troop 10631 will be Leading the Pledge of Allegiance

Led by: Girl Scout Troop 10631

3. PUBLIC COMMENT

Ms. Adrianna Ortiz, No address given, provided information regarding the Española Community Matanza.

Mr. Ralph Martinez, Española, invited Council to attend the Española Community Matanza on June 2, 2018.

4. APPROVAL OF AGENDA

A motion was made by Councilor Reiss, seconded by Councilor Maggiore, that the agenda

be approved as presented.

The motion passed by acclamation with the following vote:

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

5. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

- A. [10545-18](#) Proclamation Declaring the Month of May as "Bike Month" and the Week of May 14-18, 2018 as "Bike to Work Week" in Los Alamos County (accepted by Eric Martinez, County Manager).
Councilor Sheehey read and presented the proclamation to Mr. Eric Martinez, County Engineer.
- B. [10571-18](#) Proclamation declaring the Month of May 2018 as "Motorcycle Awareness Month" in Los Alamos County (accepted by Richard Sturgeon and members of the local motorcycle club)
Councilor Chandler read and presented the proclamation to Mr. Richard Sturgeon and members of the local motorcycle club.
- C. [10634-18](#) Proclamation declaring the Week of May 13-19, 2018 as "Police Week" and Tuesday, May 15, 2018 as "Peace Officers' Memorial Day" in Los Alamos County (accepted by LAPD Chief Dino Sgambellone)
Councilor O'Leary read and presented the proclamation to Mr. Dino Sgambellone, Police Chief.
- D. [10645-18](#) Proclamation declaring the Week of May 20-26, 2018 as "Emergency Medical Services Week" in Los Alamos County (accepted by Ben Stone, LAFD EMS Division Chief)
Councilor Chrobocinski read and presented the proclamation to Mr. Ben Stone, LAFD EMS Division Chief.
- E. [10671-18](#) Recognition of LANL Training Division Chief Paul Grano for Completing the Executive Fire Officer Designation through the National Fire Academy
Mr. Troy Hughes, Fire Chief recognized Mr. Paul Grano, LANL Training Division Chief.

6. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA

None.

7. CONSENT AGENDA

Consent Motion -

A motion was made by Councilor Reiss, seconded by Councilor Chrobocinski, 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. [AGR0538-17](#) Approval of Services Agreement No. AGR 18-28 with T&D Con, LLC, an Affiliate Company of Transmission & Distribution Services LLC., in the amount of \$731,393.78, plus Applicable Gross Receipts Tax, for the Purpose of the White Rock Substation 15KV Retrofit & Upgrade Project
- I move that Council approve Services Agreement No. AGR 18-28 with T&D Con, LLC, an Affiliate Company of Transmission & Distribution Services, LLC., in the amount of \$731,393.78 and a contingency in the amount of \$50,000, for a total of \$781,393.78, plus applicable gross receipts tax, for the purpose of White Rock Substation 15KV Retrofit & Upgraded Project.
- B. [10768-18](#) Approval of Professional Services Agreement No. AGR 18-37 with Delta Airport Consultants, Inc., in an Amount Not to Exceed \$2,000,000, excluding NMGR, for Professional Architectural, Engineering, Planning, and Project Management Consulting Services for the Los Alamos County Airport.
- I move that Council approve Professional Services Agreement No. AGR 18-37 with Delta Airport Consultants, Inc., in an amount not to exceed \$2,000,000, excluding applicable NMGR, for professional architectural engineering, planning, and project management consulting services for the Los Alamos Airport.
- C. [10449-18](#) Council Designation of Roadway Lighting Design Categories for roadways within Tract A-19, Mirador Subdivision
- I move that Council designate Roadway Lighting Design Categories for roadways within the Mirador Subdivision as follows: La Vista Drive between NM 4 and Mirador Boulevard and Mirador Boulevard between NM 4 and the western lot line of commercial Tract D, shall be designated as RLDC-5, Continuously Lighted Roadway; Mirador Boulevard between the western lot line of commercial Tract D and Cadena Loop, Confianza Street, and Cadena Loop shall be designated as RLDC-4, Roadway with Lighted Intersections and Partial Lighting.
- D. [10547-18](#) DWI Planning Council Appointments
- I move that Council appoint Jaime Gonzales and Patrick Mockler-Wood and reappoint Denise McCoy, Juanita McNeil, and Judy Lovejoy to the DWI Planning Council for 2-year terms beginning on May 1, 2018 and ending on April 30, 2020.
- E. [10582-18](#) Approval of Re-appointment of Deputy Utility Manager of Finance and Administration, Bob Westervelt, as Los Alamos' Member on the New Mexico Municipal Energy Acquisition Authority (NMMEA) Board of Directors
- I move that Council approve re-appointment of Deputy Utility Manager of Finance and Administration, Bob Westervelt, as Los Alamos' member on the New Mexico Municipal Energy Acquisition Authority Board of Directors.
- F. [10595-18](#) County Council Minutes for April 10, 2018 and FY 2019 Budget Minutes April 16 and 17, 2018
- I move that Council approve the County Council Minutes for April 10, 2018 and FY 2019 Budget Minutes April 16 and 17, 2018.

- G. [10708-18](#) Approval of Revision to Modification 20 to the Electric Energy and Power Coordination Agreement (ECA) Between the Incorporated County of Los Alamos and the United States Department of Energy (DOE).

I move that Council approve this Modification 20 to the Electric Coordination Agreement as presented.

- H. [10710-18](#) Approval of Northern Rio Arriba Electric Cooperative (NORA) Third Revised Exhibit A and Amendment No.3 to the Operation, Maintenance and Wheeling Agreement Dated August 27, 1986

I move that Council approve the NORA Third Revised Exhibit A and Amendment No.3 to the Operation, Maintenance and Wheeling Agreement Dated August 27, 1986.

May 1, 2018 Consent Motion:

The motion passed with the following vote:

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

8. PUBLIC HEARING(S)

- A. [OR0809-18b](#) Incorporated County Of Los Alamos Ordinance No. 02-281; An Ordinance Repealing Ordinances 571 and 664 in their Entirety and Enacting and Amending Certain Affordable Housing Provisions Into the Los Alamos County Code of Ordinances

Mr. Paul Andrus, Community Development Director, spoke.

Public Comment:
None.

A motion was made by Councilor Sheehey, seconded by Councilor Chandler, that Council approve Incorporated County Of Los Alamos Ordinance No. 02-281; An Ordinance Repealing Ordinances 571 and 664 in their Entirety and Enacting and Amending Certain Affordable Housing Provisions Into the Los Alamos County Code of Ordinances, and ask staff to assure that the Ordinance is published as required by the County Charter.

The motion passed with the following vote:

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

- B. [CO0531-18b](#) Incorporated County of Los Alamos Ordinance No. 02-286, A Code Ordinance amending Chapter 18, Section 36, to Increase the Minimum Number of Day a Notice Provided to a Landowner to correct a Violation Prior to Issuance of a Citation.

Mr. Paul Andrus, Community Development Director, spoke.

Councilor Maggiore spoke.

Councilor Chrobocinski spoke.

Ms. Katie Thwaites, Assistant County Attorney, spoke.

Mr. Michael Arrellano, Chief Building Inspector, spoke.

Public Comment:

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

Ms. Heather Ortega, 40 Santolino, spoke.

A motion was made by Councilor Chrobocinski, seconded by Councilor Maggiore, that Council approve Incorporated County of Los Alamos Code Ordinance No. 02-286, a Code Ordinance amending Chapter 18 , Section 36, to Increase the Minimum Number of Days a Notice Provides to a Landowner to Correct a Violation Prior to Issuance of a Citation.

The motion passed with the following vote:

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

No: 1 - Councilor Izraelevitz

- C. [CO0530-18b](#) Incorporated County of Los Alamos Code Ordinance No. 02-285, A Code Ordinance amending Chapter 8 To Add An Article XV to Create A Community Development Advisory Board.

Councilor Chrobocinski spoke.

Councilor Maggiore spoke.

Ms. Katie Thwaites, Assistant County Attorney, spoke.

Mr. Harry Burgess, County Manager, spoke.

RECESS

Councilor Izraelevitz called for a recess at 8:03 p.m. The meeting reconvened at 8:12 p.m.

Public Comment:

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

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

A motion was made by Councilor Chrobocinski, seconded by Councilor O'Leary, that Council approve Incorporated County of Los Alamos Code Ordinance No. 02-285, a Code Ordinance amending Chapter 8 to Add an Article XV to Create a Community Development Advisory Board with the following changes; Section 8-302 increase from 5 to 7 citizens; 3 initial appointments expire after one year, the remaining 4 expire after 2 years; Section 8-303, number 4 will be changed to state receive all monthly property maintenance codes and review as appropriate.

A motion to amend was made by Councilor Izraelevitz, seconded by Councilor Chrobocinski, to include the following Amendment to the motion: to include the real estate disclosure found in 8-202-B.

After further discussion Councilor Chrobocinski withdrew his second to amend the motion.

After further discussion Councilor Maggiore seconded the motion to amend.

Public Comment on Motion to Amend:

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

The motion to amend passed with the following vote:

Yes: 4 - Councilor Izraelevitz, Councilor Chandler, Councilor Maggiore, and Councilor Reiss

No: 3 - Councilor Chrobocinski, Councilor O'Leary, and Councilor Sheehey

A SECOND motion to amend was made by Councilor Izraelevitz, to include the following Amendment to the motion: to remove reference to Los Alamos versus White Rock.

The motion failed for lack of a second.

Due to a substantive change to the motion it will have to be re-published and heard at a later date.

Councilor Izraelevitz announced that the agenda for the May 22, 2018 Council Meeting will be amended to include this item and the rules for the meeting will be suspended to allow action at a work session.

9. BUSINESS

- A. [AGR0569-18](#) Approval of Services Agreement AGR18-39 with FBT Architects in the Amount of \$459,315.00, plus Applicable Gross Receipts Tax, for the Purpose of Designing the Kiddie Pool Addition to the Los Alamos County Aquatics Center.

Mr. Eric Martinez, County Engineer, spoke.

Ms. Katie Thwaites, Assistant County Attorney, spoke.

Mr. Harry Burgess, County Manager, spoke.

Public Comment:

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

Ms. Shelby Redondo, 390 Manhattan Loop, spoke.

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

A motion was made by Councilor Sheehey, seconded by Councilor Chandler, that Council Approve Services Agreement AGR18-39 with FBT Architects in the Amount of \$459,315.00 and a contingency in the amount of \$50,000, for a total of \$509,315.00, plus Applicable Gross Receipts Tax, for the Purpose of Designing the Kiddie Pool Addition to the Los Alamos County Aquatics Center.

A motion was made by Councilor Maggiore, seconded by Councilor Izraelevitz, to postpone this item to the June 12, 2018 County Council meeting.

The motion to postpone passed with the following vote:

10. COUNCIL BUSINESS

A. Appointments

- 1) [10592-18](#) Appointment of Members to the Tourism Implementation Task Force

Council presented votes to Ms. Linda Matteson, Assistant to County Manager, she populated the spreadsheet and presented the results to Council.

Public Comment:

None.

A motion was made by Councilor Chrobocinski to appoint the persons indicated on the voting summary spreadsheet to the Tourism Implementation Task Force for a term of two years; and further moved, to appoint the Representatives and Alternates from the Boards and Commissions on the voting summary spreadsheet to the Tourism Implementation Task Force for a term of two years.

The motion passed with the following vote:

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

B. Board, Commission and Committee Liaison Reports

None.

C. County Manager's Report

County Manager Harry Burgess reported that the construction at the airport hangar has begun and in house workers are being utilized and training has begun on the MUNIS Platform for all employees.

Council had a discussion with Mr. Brian Brogan, Community Services Director, regarding the Bayo Canyon Flow Trail.

D. Council Chair Report

Councilor Izraelevitz reported that there was a meeting last week with a member of the Public Schools Board and some staff to talk about the parcel at the middle school and ideas for development of that area.

E. General Council Business**1) [10650-18](#)**

Mr. Harry Burgess, County Manager, spoke.
Councilor Sheehey spoke.

Public Comment:

Mr. Brady Burke, 2310 39th Street, spoke.
Mr. James Robinson, 3493 Pueblo, spoke.

A motion was made by Councilor Maggiore, seconded by Councilor Sheehey, that Council thank all Board & Commission members for their dedication to public service and approve the FY19 Work Plans as submitted or amended from the following boards: Arts in Public Places Board, Environmental Sustainability Board, Historic Preservation Advisory Board, Library Board, Lodger's Tax Advisory Board, Parks and Recreation Board, Personnel Board, Planning and Zoning Commission, and the Transportation Board with the understanding that this approval does not represent formal Council budget approval of all projects, proposals, or potential recommendations listed in the Work Plans; and further moved that Council approve the continuation of Boards and Commissions annual presentations to Council using the current format and direct staff to notify the Board and Commission Chairpersons of this requirement and the approval of the FY19 Work Plans.

The motion passed with the following vote:

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

F. Approval of Councilor Expenses

None.

G. Preview of Upcoming Agenda Items

Councilor O'Leary provided a briefing on the item involving Kroger which will be discussed at the May 15, 2018 County Council meeting.

11. COUNCILOR COMMENTS

Councilor Chrobocinski read a statement resigning his position on Council effective immediately following this evenings meeting.
Councilor O'Leary thanked Councilor Chrobocinski for all he has done for the community and wished him success and good fortune.
Councilor Maggiore echoed Councilor O'Leary's comments.
Councilor Sheehey thanked Councilor Chrobocinski for his service.
Councilor Izraelevitz thanked Councilor Chrobocinski for his service.

12. PUBLIC COMMENT

Mr. Brady Burke, 2310 39th Street, suggested crosswalks be painted on the streets as a safety precaution.
Ms. Helen Milenski, 1651 36th Street, thanked Councilor Chrobocinski for his support throughout the last year.
Mr. James Robinson, 3493 Pueblo, thanked Councilor Chrobocinski for all he has done and wished him the best of luck.

13. ADJOURNMENT

The meeting adjourned at 10:32 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