



# 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, Antonio Maggiore, Susan O'Leary, Morris Pongratz, Rick Reiss, and Pete Sheehey, Councilors*

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Tuesday, July 31, 2018

6:00 PM

Council Chambers - 1000 Central  
Avenue  
TELEVISION

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#### 1. OPENING/ROLL CALL

The Council Vice Chair, Christine Chandler, called the meeting to order at 6:00 p.m.

The following Councilors were in attendance:

**Present: 3 - Councilor Chandler, Councilor Pongratz, and Councilor Reiss**

**Remote: 1 - Councilor O'Leary**

**Absent: 3 - Councilor Izraelevitz, Councilor Maggiore, and Councilor Sheehey**

Councilor Izraelevitz arrived at the meeting at 7:29 p.m.

#### 2. PLEDGE OF ALLEGIANCE

Led by: All

#### 3. STATEMENT REGARDING CLOSED SESSION

July 31, 2018 Closed Sessions Motion

A motion was made by Councilor Pongratz, seconded by Councilor Reiss, that Council approve the following statement for inclusion in the minutes: "The matters discussed in the closed session held on July 31, 2018 that began at 5:00 p.m. were limited only to those topics specified in the notice of the closed session, and no action was taken on any matter in that closed session."

The motion passed by acclamation with the following vote:

**Yes: 4 - Councilor Chandler, Councilor Reiss, Councilor O'Leary and Councilor Pongratz**

**Absent: 3 - Councilor Maggiore, Councilor Izraelevitz and Councilor Sheehey**

**4. PUBLIC COMMENT**

Ms. Amy Rogers, 2711 Walnut Street, President of the Los Alamos Stable Owners, read the Los Alamos Stable Association Flow Trail Position Statement.  
Ms. Wendy Burns, 1225 Los Pueblos Street, spoke regarding the flow trail in Bayo Canyon.  
Ms. Kristin Tobias, 247 Maple Drive, spoke regarding the flow trail in Bayo Canyon.  
Ms. Nancy Boudrie, 2565 36<sup>th</sup> Street, spoke regarding the flow trail Bayo Canyon.  
Ms. June Wall, 665 Totavi Street, representing the Equestrian Communities, spoke regarding the flow trail in Bayo Canyon.  
Mr. Louis Shulte, 893 Pine Street, spoke regarding Bayo Canyon flow trail contract.

**5. APPROVAL OF AGENDA**

Mr. Alvin Leaphart, County Attorney, spoke.

**A motion was made by Councilor Reiss, seconded by Councilor Pongratz, to approve the agenda with the removal of Item 10.D.**

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

**Yes: 4 - Councilor Chandler, Councilor Reiss, Councilor O'Leary and Councilor Pongratz**

**Absent: 3 - Councilor Maggiore, Councilor Izraelevitz and Councilor Sheehey**

**6. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS**

- A. [11021-18](#) Proclamation declaring the Month of August as "Bear Month" in Los Alamos County (accepted by James Robinson)  
Councilor Pongratz read and presented the proclamation to Mr. James Robinson.

**7. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA**

Ms. Lisa Reader, 3217 Woodland Road, spoke regarding the Equine Livestock Advisory Subcommittee

**8. CONSENT AGENDA**

Approval of Consent Agenda:

**I move that Council approve the items on the Consent Agenda as presented and that the motions in the staff reports be included for the record.**

**Consent Motion -**

**A motion was made by Councilor Reiss, seconded by Councilor Pongratz, 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. [10698-18](#) Approval of the June 30, 2018 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, 2018 Quarterly Report to be submitted as required to the State of New Mexico Department of Finance and Administration's Local Government Division.

- B. [11018-18](#) Consideration of Establishment of Equine Livestock Advisory Subcommittee

I move that Council approve the establishment of the Equine Livestock Advisory Subcommittee (ELAS) under the Parks & Recreation Board and direct staff to fill the roles of the subcommittee.

The motion passed with the following vote:

Yes: 4 - Councilor Chandler, Councilor O'Leary, Councilor Pongratz, and Councilor Reiss

Absent: 3 - Councilor Izraelevitz, Councilor Maggiore, and Councilor Sheehey

## 9. INTRODUCTION OF ORDINANCE(S)

- A. [OR0830-18](#) Ordinance No. 686 Authorization the Sale of Certain County-Owned Real Property Located in the Incorporated County of Los Alamos Generally Described as Lot 5C 20th Street to Verdad Real Estate, Inc.

Councilor Reiss introduced, without prejudice, Incorporated County Of Los Alamos Ordinance No. 686; AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN COUNTY-OWNED REAL PROPERTY LOCATED IN THE INCORPORATED COUNTY OF LOS ALAMOS GENERALLY DESCRIBED AS LOT 5C 20TH STREET TO VERDAD REAL ESTATE, INC. and ask staff to assure it is published as provided in the County Charter.

## 10. PUBLIC HEARING(S)

- A. [OR0817-18b](#) Incorporated County Of Los Alamos Ordinance No.682; an Ordinance authorizing the sale of certain County-owned real property within Tract MM to Los Alamos RE, LLC.

Ms. Joanie Ahlers, Economic Development Administrator, spoke.

Mr. Alvin Leaphart, County Attorney, spoke.

Mr. Matt Miles, Los Alamos RE, LLC Manager, spoke.

Public Comment:

None.

**A motion was made by Councilor Pongratz, seconded by Councilor Reiss, that Council adopt Incorporated County Of Los Alamos Ordinance No. 682; an ordinance authorizing the sale of certain county-owned real property within Tract MM to Los Alamos RE, LLC and ask staff to assure it is published as provided in the County Charter.**

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

**Yes: 4 - Councilor Chandler, Councilor Reiss, Councilor O'Leary and Councilor Pongratz**

**Absent: 3 - Councilor Maggiore, Councilor Izraelevitz and Councilor Sheehey**

- B. [OR0821-18b](#) Incorporated County of Los Alamos Ordinance No. 684, an Ordinance Amending the Delayed Repeal of the County Regional Transit Gross Receipts Tax and Reauthorizing the Tax.

Mr. Steven Lynne, Deputy County Manager, spoke.

Mr. Anthony Mortillaro, Executive Director North Central Regional District, spoke.

Public Comment:

None.

**A motion was made by Councilor Pongratz, seconded by Councilor Reiss, that the County Council adopt Incorporated County of Los Alamos Ordinance No. 684, an Ordinance Amending the Delayed Repeal of the County Regional Transit Gross Receipts Tax and Reauthorizing the Tax; and further moved, that upon passage, the Ordinance be published in summary form.**

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

**Yes: 4 - Councilor Chandler, Councilor Reiss, Councilor O'Leary and Councilor Pongratz**

**Absent: 3 - Councilor Maggiore, Councilor Izraelevitz and Councilor Sheehey**

- C. [OR0822-18b](#) Incorporated County of Los Alamos Ordinance No. 685 County Regional Transit Gross Receipts Tax Reauthorization Election.

Mr. Steven Lynne, Deputy County Manager, spoke.

Public Comment:  
None.

**A motion was made by Councilor Reiss, seconded by Councilor Pongratz, that Council adopt Incorporated County of Los Alamos Ordinance No. 685 County Regional Transit Gross Receipts Tax Reauthorization Election; and further moved, that upon passage, the Ordinance be published as required.**

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

**Yes: 4 - Councilor Chandler, Councilor Reiss, Councilor O'Leary and Councilor Pongratz**

**Absent: 3 - Councilor Maggiore, Councilor Izraelevitz and Councilor Sheehey**

- D. [OR0823-18b](#) Incorporated County of Los Alamos Code Ordinance No. 683, An Ordinance to Authorize the Refinance and Reissuance of Amended Loan and Promissory Note Agreements with the New Mexico Environment Department to Reflect a Reduction of the Prior Loan Principal Balance, Lowered Interest Rate and Extension of the Payment Term

**This item was removed from the agenda.**

## **11. BUSINESS**

- A. [10999-18](#) Discussion to Consider Charter for the Animal Shelter Ad Hoc Advisory Committee (ASAC).

Public Comment:

Ms. Wendee Brunish, 1225 Los Pueblos Drive, spoke.

Mr. James Robinson, 3493 Pueblo Drive, spoke.

Mr. Steas Snapp, 2173 Loma Linda Drive, spoke.

Ms. Amy Rogers, 2711 Walnut Street, spoke.

Mr. James Van Sickle, 991 Tsankawi Street, spoke.

Ms. Sally Wilkins, 1830 Los Pueblos Drive, spoke.

**A motion was made by Councilor O'Leary, seconded by Councilor Pongratz, that Council Adopt the Animal Shelter Ad Hoc Advisory Committee Charter and direct staff to begin recruitment of members.**

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

**Yes: 4 - Councilor Chandler, Councilor Reiss, Councilor O'Leary and Councilor Pongratz**

**Absent: 3 - Councilor Maggiore, Councilor Izraelevitz and Councilor Sheehey**

**B.      [11042-18](#)      Homebuyer Assistance Program Policies & Procedures Amendments**

Mr. Paul Andrus, Community Development Director, spoke.

Public Comment:

None.

**A motion was made by Councilor O'Leary, seconded by Councilor Pongratz, that Council approve the proposed changes to the Homebuyer Assistance Program Policies and Procedures.**

**Yes: 4 - Councilor Chandler, Councilor O'Leary, Councilor Pongratz, and Councilor Reiss**

**Absent: 3 - Councilor Izraelevitz, Councilor Maggiore, and Councilor Sheehey**

**Councilor Izraelevitz arrived before the discussion of Item 12, at 7:29 p.m.**

**12.      COUNCIL BUSINESS****A.      Appointments**

Mr. Steven Lynne, Deputy County Manager, spoke.

**1)      [10989-18](#)      Board/Commission Appointment(s) - Valuation Protests Board**

**A motion was made by Councilor Pongratz, seconded by Councilor Reiss, that Council appoint Bob Harmon as the Valuation Protests Board Professional representative and Karl Hjelvik as the Valuation Protests Board Professional representative alternate, with demonstrated experience in the field of property valuation, and Richard Klamann as the Valuation Protests Board Community representative alternate, all for the remainder of the terms ending June 25, 2019.**

Public Comment:

None.

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

**Yes:    5 -    Councilor Chandler, Councilor Izraelevitz, Councilor Reiss, Councilor O'Leary and Councilor Pongratz**

**Absent:   2 -   Councilor Maggiore and Councilor Sheehey**

2)        **10988-18**        Board/Commission Appointment for the Planning and Zoning Commission

A motion was made by Councilor Reiss, that Council appoint nominate Ralph Chapman, Jacqueline Shen, or Richard Thompson to fill one (1) vacancy on the Planning and Zoning Commission; and further moved, that Council appoint the nominee to the vacant position by roll call vote. The nominee with the highest votes of four or more will be appointed to a partial term beginning April 01, 2016 and ending on March 31, 2019. The appointee will be eligible for 2 full terms with the first term beginning 04/01/2019.

Public Comment:  
None.

Councilor Chandler called for a roll call vote to appoint members to the Planning and Zoning Commission:

Councilor's Izraelevitz, Pongratz, Reiss, and O'Leary, voted for:  
Ralph Chapman

Councilor Chandler voted for:  
Richard Thompson

After a roll call vote, Mr. Ralph Chapman was appointed.

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

Councilor Reiss reported on the Art in Public Places Board.

Councilor Chandler reported the Utilities Department and the Utilities Board are planning on coming forth with a sewer rate increase.

Councilor Pongratz reported on the Regional Coalition LANL Communities.

**C.        County Manager's Report**

County Manager Harry Burgess reported on the Munis implementation.

1)        [10959-18](#)        County Manager's Report for July 2018

County Manager Harry Burgess reported on the Munis implementation.

**D.        Council Chair Report**

Councilor Izraelevitz reported on the trip to Washington DC, attended a meeting with the Los Alamos National Laboratory Director Designate Thom Mason, and attended the meeting in Santa Fe regarding the land boundary exchange.

**E.        General Council Business**

Councilor Pongratz reported on the trip to Washington DC.

**F. Approval of Councilor Expenses**

A motion was made by Councilor Reiss, seconded by Councilor Pongratz, to approve the travel expenses for Councilor Izraelevitz to attend the Energy Community Alliance meeting in September.

The motion passed with the following vote:

Yes: 5 - Councilor Chandler, Councilor Izraelevitz, Councilor Reiss,  
Councilor O'Leary and Councilor Pongratz

Absent: 2 - Councilor Maggiore and Councilor Sheehey

**G. Preview of Upcoming Agenda Items**

None.

**13. COUNCILOR COMMENTS**

None.

**14. PUBLIC COMMENT**

None.

**15. ADJOURNMENT**

The meeting adjourned at 8:11 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

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David Izraelevitz, Council Chair

Attest:

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Naomi D. Maestas, County Clerk

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