



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

Tuesday, November 27, 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.

The following Councilors were in attendance:

Present 6 - Councilor Chandler, Councilor Maggiore, Councilor Izraelevitz,
Councilor Sheehey, Councilor Reiss and Councilor Pongratz

Remote 1 - Councilor O'Leary

2. PLEDGE OF ALLEGIANCE

Led by: All

3. PUBLIC COMMENT

Mr. Mike Collins, 2117 43rd Street Unit B, thanked Councilors for their diligence with fire safety.

4. APPROVAL OF AGENDA

Councilor Chandler requested Item 6.A. be removed from the Consent Agenda and discussed under Business. There were no objections.

Councilor Pongratz noted Item 9.A. had been removed from the agenda.

Councilor Maggiore requested Item 6.D. be removed from the Consent Agenda and discussed under Business. There were no objections.

A motion was made by Councilor Sheehey, seconded by Councilor Pongratz, to approve the agenda as amended.

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 Pongratz

5. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA

None.

6. CONSENT AGENDA**Consent Motion -**

A motion was made by Councilor Sheehey, 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.

- A. [AGR0604-18](#) Approval of Services Agreement No. AGR19-10 with Julian Herrera, dba Allied Tree Service and Fencing in the amount of \$1,000,000.00, plus Applicable Gross Receipts Tax, for the Purpose of Electric Power Line Trimming
Item pulled for further discussion under Business.
- B. [MOU019-18](#) Approval of Memorandum of Understanding MOU19-16 with Comcast for the Installation of Communication Conduit As Part of the New Mexico 502 Project
I move that Council approve Memorandum of Understanding MOU19-16 with Comcast for Installation of Communication Conduit as part of the New Mexico 502 (NM502) Project.
- C. [RE0384-18](#) Incorporated County of Los Alamos Resolution No. 18-27, A Resolution of the Incorporated County of Los Alamos Council Authorizing Application to the New Mexico Department of Transportation (NMDOT) for Federal Fiscal Year 2020-2022 Congestion Mitigation and Air Quality Improvements Program (CMAQ) Funds for the Urban Trail, Phase II Project.
I move that Council approve Incorporated County of Los Alamos Resolution No. 18-27, A Resolution of the Incorporated County of Los Alamos Council Authorizing Application to the New Mexico Department of Transportation (NMDOT) for Federal Fiscal Year 2020-2022 Congestion Mitigation and Air Quality (CMAQ) Funds for the Urban Trail, Phase II Project.
- D. [11247-18](#) Approval of Report to District Court on Los Alamos County Jail Conditions.
Item pulled for further discussion under Business.
- E. [11328-18](#) Approval of Amendment No. 1 to the Utility Cooperative Agreement between the New Mexico Department of Transportation and Los Alamos County for NM 502 Project No. 5100650
I move that Council approve Amendment No. 1 to the Utility Cooperative Agreement between the New Mexico Department of Transportation and Los Alamos County for NM 502 Project No. 5100650.

- F. [11356-18](#) County Council Minutes for November 13, 2018
- I move that Council approve the County Council Minutes for November 13, 2018, as amended.
- G. [11402-18](#) Amendment to the FY2019 Compensation and Classification Plan Including New Job Description for a Water Systems Supervisor in the Utilities Department.
- I move that Council approve the new job description for a Water Systems Supervisor in the Utilities Department and the Amended FY2019 Compensation and Classification Plan reflecting the title, salary grade, and FLSA designation for this position.
- H. [11420-18](#) Vacation of Utility Easement Within Tract K, a Subdivision of North Community No. 1
- I move that Council approve the vacation of easement within Tract K, a Subdivision of North Community No. 1.
- I. [11421-18](#) Vacation of Utility Easement Within Replatted Lot 4C, a Subdivision of North Community 1
- I move that Council approve the vacation of easement within Replatted Lot 4C, a subdivision of North Community No. 1.
- J. [11422-18](#) Approval of Revisions to the Personnel Rules and Regulations, Rule 705 - Annual Leave Request and Rule 708 - Sick Leave Request
- I move that Council approve the revisions to Personnel Rules and Regulations 705 and 708 as attached.
- K. [11437-18](#) Consideration of Budget Revision 2019-26
- I move that Council approve Budget Revision 2019-26 as summarized on attachment A and that the attachment be made a part of the minutes of this meeting.
- November 27, 2018 Consent Motion:
- The motion passed with the following vote:
- Yes: 7 - Councilor Chandler, Councilor Maggiore, Councilor Izraelevitz, Councilor Sheehy, Councilor Reiss, Councilor O'Leary and Councilor Pongratz

7. INTRODUCTION OF ORDINANCE(S)

- A. [OR0840-18](#) Introduction of Incorporated County of Los Alamos Ordinance No. 690, An Ordinance Authorizing the Donation of County-Owned Land Being Tract A-8-b at 135 DP Road to Bethel Development, Inc. Conditional to County Approval of Affordable Housing Project "The Bluffs"

Councilor Pongratz introduced, without prejudice, Incorporated County of Los Alamos Ordinance No. 690, An Ordinance Authorizing Donation of County-Owned Land Being Tract A-8-B at 135 DP Road to Bethel Development, Inc. Conditional to County Approval of Affordable Housing Project "The Bluffs."

8. PUBLIC HEARING(S)

- A. [CO0539-18b](#) Incorporated County of Los Alamos Code No. 02-292: An Ordinance Repealing Article VII, Safety in Public Places, of Chapter 28, Offenses and Miscellaneous Provisions.

Mr. Alvin Leaphart, County Attorney, spoke.

Mr. Kevin Powers, Deputy County Attorney, spoke.

Public Comment:

None.

A motion was made by Councilor Maggiore, seconded by Councilor Chandler, that Council adopt Incorporated County of Los Alamos Code Ordinance No. 02-292 repealing Article VII, Safety in Public Places, of Chapter 28, Offenses and Miscellaneous Provisions contained in the Code of Ordinances of the County of Los Alamos, New Mexico; and ask staff to assure that it is published in summary form.

The motion passed with the following vote:

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

- B. [OR0828-18b](#) Incorporated County of Los Alamos Code Ordinance No. 02-287; an Ordinance Adopting a New Article to be Added to Chapter 34, Streets, Sidewalks and Other Public Places, to be Designated Article IV and Entitled "Addressing and Road Naming," and Amending Other Provisions of the Code to be Consistent Therewith.

Mr. Eric Martinez, County Engineer, spoke.
Ms. Tamara Baer, Planning Manager, spoke.
Mr. Kevin Powers, Deputy County Attorney, spoke.
Chief Troy Hughes, Fire Chief, spoke.
Ms. Kate Stoddard, Dispatch Supervisor, 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. 02-287, an Ordinance Adopting a New Article to be Added to Chapter 34, Streets, Sidewalks and Other Public Places, to be Designated Article IV and Entitled "Addressing and Road Naming," and Amending Other Provisions of the Code to be Consistent Therewith and ask staff to assure that it is published as provided in 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 Pongratz

9. BUSINESS

- A. [P0060-18](#) Citizen Petition Requesting Council to Name a Segment of the Pueblo Canyon Rim Trail in Memory of Jim Billen

Item pulled from the agenda.

**Cons Approval of Services Agreement No. AGR19-10 with Julian Herrera, dba
ent Allied Tree Service and Fencing
Item in the amount of \$1,000,000.00, plus Applicable Gross Receipts Tax, for the
6.A. Purpose of Electric Power Line
Trimming**

Mr. Raphael De La Torre, Deputy Utilities Manager-Electric Distribution, spoke.
Mr. Alvin Leaphart, County Attorney, spoke.

Public Comment:
None.

A motion was made by Councilor Maggiore, seconded by Councilor Sheehey, that Council approve Services Agreement No. AGR19-10 with Julian Herrera, dba Allied Tree Service and Fencing in the amount of \$1,000,000.00, plus applicable gross receipts tax, for the purpose of Electric Power Line Trimming.

The motion passed with the following vote:

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

**Cons Approval of Report to District Court on Los Alamos County Jail Conditions
ent
Item
6.D.**

Mr. Harry Burgess, County Manager, spoke.
Mr. Alvin Leaphart, County Attorney, spoke.

Public Comment:
None.

A motion was made by Councilor Maggiore, seconded by Councilor Pongratz that Council forward the attached letter regarding current jail conditions to District Court.

The motion passed with the following vote:

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

10. COUNCIL BUSINESS

A. Appointments

None.

B. Board, Commission and Committee Liaison Reports

None.

C. County Manager's Report**1) [11298-18](#) County Manager's Report for November 2018**

County Manager Harry Burgess reported on the airport hangar project; the work on Fire Station No. 3; the 502 underpass; the NM 502 construction project; the Mesa Public Library project; the award received by the Environmental Services Department; the award received by PEEC (Pajarito Environmental Education Center) from the New Mexico Hospitality Association; the trail map updates; road work in Pajarito Acres; and Regional Coalition of LANL Communities (RCLC) reimbursements to County employees or elected officials.

D. Council Chair Report

Councilor Izraelevitz reported on the ECA (Energy Communities Alliance) Directors meeting.

E. General Council Business

None.

F. Approval of Councilor Expenses

None.

G. Preview of Upcoming Agenda Items

None.

11. COUNCILOR COMMENTS

Councilor Chandler commented on the remarks made by Mr. Mike Collins.

12. PUBLIC COMMENT

Mr. James Robinson, 3493 Pueblo, provided an update on the yard trimming roll cart program.

13. ADJOURNMENT

The meeting adjourned at 7:51 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