



County of Los Alamos

Minutes

County Council - Regular Session

Los Alamos, NM 87544
www.losalamosnm.us

*Sara Scott, Council Chair; Pete Sheehey, Vice-Chair; David Izraelevitz; Antonio Maggiore;
James Robinson; Randall Ryti; and Katrina Schmidt, Councilors*

Tuesday, April 2, 2019

6:00 PM

Council Chambers - 1000 Central
Avenue
TELEVISED

1. OPENING/ROLL CALL

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

The following Councilors were in attendance:

Present 7 - Councilor Maggiore, Councilor Izraelevitz, Councilor Sheehey,
Councilor Robinson, Councilor Ryti, Councilor Scott and Councilor
Schmidt

Councilor Maggiore arrived during the discussion of item 5.A at 6:04 p.m.

2. PLEDGE OF ALLEGIANCE

Led by: All.

3. PUBLIC COMMENT

None.

4. APPROVAL OF AGENDA

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

The motion passed by acclamation with the following vote:

Yes: 6 - Councilor Izraelevitz, Councilor Sheehey, Councilor Robinson,
Councilor Ryti, Councilor Scott and Councilor Schmidt

Absent: 1 - Councilor Maggiore

5. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

Councilor Maggiore arrived during the discussion of this item at 6:04 p.m.

- A. [11755-19](#) Proclamation declaring April 7-13, 2019 as "Crime Victims' Rights Week" in Los Alamos County (accepted by Adele McKenzie, LAPD)

Councilor Schmidt read and presented the proclamation to Sergeant Chris Ross.

Sergeant Ross spoke.

6. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA

Ms. Dawn Marie Maldonado, 122 Bandelier, spoke regarding water rate changes and water conservation.

Ms. Sandy Walters, 1210 7th Street, spoke regarding water rate changes and utility billing errors.

7. CONSENT AGENDA

Consent Motion -

A motion was made by Councilor Ryti, seconded by Councilor Maggiore, that Council approve the items on the Consent Agenda and that the motions contained in the staff reports, as amended be included for the record.

- A. [AGR0618-19](#) Approval of Services Agreement No. AGR19-39 with Wagner Equipment in the amount of \$748,075.00, plus Applicable Gross Receipts Tax, for the Purpose of Pajarito Well No. 4 Natural Gas Engine Replacement and Consideration of Budget Revision 2019-33.

I move that Council approve Services Agreement No. AGR19-39 with Wagner Equipment in the amount of \$748,075.00 and a contingency in the amount of \$50,000.00, for a total of \$798,075.00, plus applicable gross receipts tax, for the purpose of the Pajarito Well No. 4 Natural Gas Engine Replacement Project. I further move that Council approve Budget Revision 2019-33 and that it be included in the minutes.

- B. [MOU020-19](#) Memorandum of Understanding (MOU) Entered into by and Between the Incorporated County of Los Alamos and the North Central Regional Transit District (NCRTD) for FY2019, Providing the NCRTD with \$350,000.

I move that Council approve a Memorandum of Understanding entered into by and between the Incorporated County of Los Alamos and the North Central Regional Transit District (NCRTD) for FY2019, Providing the NCRTD with \$350,000.

- C. [11693-19](#)

I move that Council approve the Cooperative Use, Maintenance and Lighting Agreement between the Incorporated County of Los Alamos and the New Mexico Department of Transportation regarding the Canyon Rim Trail Underpass.

- D. [11803-19](#) County Council Minutes for March 12, 2019 and March 19, 2019

I move that Council approve the County Council Minutes for March 12, 2019 and March 19, 2019.

- E. [11852-19](#) Consideration of Budget Revision 2019-34 in the Amount of \$50,000 for a Social Services Gap Analysis

I move that Council approve Budget Revision 2019-34 as summarized on attachment A and that the attachment be made a part of the minutes of this meeting.

May 28, 2019 Consent Motion:

The motion passed with the following vote:

Yes: 7 - Councilor Maggiore, Councilor Izraelevitz, Councilor Sheehey, Councilor Robinson, Councilor Ryti, Councilor Scott and Councilor Schmidt

8. PUBLIC HEARING(S)

- A. [CO0561-19b](#) Incorporated County of Los Alamos Code Ordinance No. 02-295 Revision No. 2019-01 In Textual Form To The Official Zoning Map of Los Alamos County by Rezoning Two (2) Privately Owned Parcels Consisting of Approximately 4.5 ± Acres Of Land: Lots K and L of the North Community 1 Subdivision From C-1 (Light Commercial and Professional Business District To M-U (Mixed Use District).

Ms. Tamara Baer, Planning Manager, spoke.

Mr. Bill Taylor, T2 Development, spoke.

A motion was made by Councilor Maggiore, seconded by Councilor Robinson, that Council adopt Incorporated County of Los Alamos Code Ordinance No. 02-295; and ask staff to assure that it is published in summary form.

The motion passed with the following vote:

Yes: 7 - Councilor Maggiore, Councilor Izraelevitz, Councilor Sheehey, Councilor Robinson, Councilor Ryti, Councilor Scott and Councilor Schmidt

- B. [CO0545-18b](#) Incorporated County of Los Alamos Code Ordinance No. 02-294; An Ordinance Amending Chapter 40, Article III, Sections 40-171, 40-173 and 40-175 of the Code of the Incorporated County of Los Alamos Pertaining to Potable and Non-Potable Water Rates and Bulk Delivery Rates

Mr. Bob Westervelt, Deputy Utility Manager-Finance/Administration, spoke.

Public Comment:

Ms. Dawn Marie Maldonado, 122 Bandelier, spoke.

A motion was made by Councilor Ryti, seconded by Councilor Robinson, that Council adopt Incorporated County of Los Alamos Code Ordinance No. 02-294; An Ordinance Amending Chapter 40, Article III, Sections 40-171, 40-173 and 40-175 of the Code of the Incorporated County of Los Alamos Pertaining to Potable and Non-Potable Water Rates and Bulk Delivery Rates; and ask staff to assure that it is published in summary form.

The motion passed with the following vote:

Yes: 6 - Councilor Izraelevitz, Councilor Sheehey, Councilor Robinson, Councilor Ryti, Councilor Scott and Councilor Schmidt

No: 1 - Councilor Maggiore

9. BUSINESS

- A. [11632-19](#) Los Alamos County Assessor Valuation and Maintenance Plan.

Mr. Ken Milder, County Assessor, spoke.

Mr. Joaquin Valdez, Chief Deputy Assessor, spoke.

Councilor Sheehey left the session during the presentation of this item at 7:42 p.m.

Councilor Sheehey rejoined the session during the presentation of this item at 7:45 p.m.

Public Comment:

None.

A motion was made by Councilor Sheehey, seconded by Councilor Izraelevitz, that Council approve the Los Alamos County Assessor Valuation and Maintenance Plan.

The motion passed with the following vote:

Yes: 7 - Councilor Maggiore, Councilor Izraelevitz, Councilor Sheehey, Councilor Robinson, Councilor Ryti, Councilor Scott and Councilor Schmidt

RECESS

Councilor Scott called for a recess at 8:12 p.m. The meeting reconvened at 8:21 p.m.

B. [11764-19](#) Consideration of Establishment of Save As You Throw Subcommittee

Mr. Philo Shelton, Public Works Director, spoke.

Public Comment:
None.

A motion was made by Councilor Robinson, seconded by Councilor Maggiore, that Council approve the establishment of the Save As You Throw Research Subcommittee (SAYT), which shall report to the Environmental Sustainability Board and furthermore, the SAYT Research Subcommittee shall sunset on April 2, 2020.

The motion passed with the following vote:

Yes: 7 - Councilor Maggiore, Councilor Izraelevitz, Councilor Sheehey, Councilor Robinson, Councilor Rytí, Councilor Scott and Councilor Schmidt

- C. [11800-19](#) **Recommendation from the Art in Public Places Board for an Expenditure of Art in Public Places Funds in an Amount Not to Exceed \$65,000 for the Design, Fabrication, Transport and Installation of Art by Evelyn Rosenberg in the west side of Ashley Pond Park near the Justice Building.**

Ms. Catherine Ozment, Art in Public Places Board, spoke.

Ms. Katie Korkos, Art in Public Places Staff Liaison, spoke.

Public Comment:

None.

A motion was made by Councilor Robinson, seconded by Councilor Schmidt, that Council approve the expenditure of Art in Public Places Funds for the design, fabrication, transport, and installation of art by Evelyn Rosenberg in an amount not to exceed \$65,000 including tax, lighting, contingency funds, plaques, and a dedication event.

A SUBSTITUTE motion was made by Councilor Izraelevitz to postpone action on this item until after there has been opportunity for public input on this project by the Art in Public places board and come back to Council for decision.

The motion failed for the lack of a second.

A SECOND SUBSTITUTE motion was made by Councilor Ryti, seconded by Councilor Schmidt, that Council approve the expenditure of Art in Public Places Funds for the design, fabrication, transport, and installation of art by Evelyn Rosenberg in an amount not to exceed \$65,000 including tax, lighting, contingency funds, plaques, and a dedication event, this will also include public engagement on the design and comment on the final location.

The SECOND SUBSTITUTE motion passed with the following vote:

10. COUNCIL BUSINESS

A. Appointments

None.

B. Board, Commission and Committee Liaison Reports

Councilor Ryti reported on the Planning and Zoning Board.

Councilor Maggiore reported on the Environmental Sustainability Board.

C. County Manager's Report

County Manager Harry Burgess reported on the Budget which is out for the public to view; the upcoming budget meetings; and the upcoming Federal Legislative Meeting.

D. Council Chair Report

Councilor Scott reported on the March 27th Land Use Subcommittee meeting; a March 28th meeting with Española Mayor Javier Sanchez; a conference call with Governor Lujan-Grisham regarding new legislation and second amendment challenges; and the April 3rd Town Hall.

E. General Council Business

None.

F. Approval of Councilor Expenses

A motion was made by Councilor Maggiore, seconded by Councilor Izraelevitz, to approve travel expenses for the Federal Legislative Committee to travel to Washington D.C. the first week of June.

The motion passed by acclamation with the following vote:

Yes: 7 - Councilor Maggiore, Councilor Izraelevitz, Councilor Sheehey, Councilor Robinson, Councilor Ryti, Councilor Scott and Councilor Schmidt

G. Preview of Upcoming Agenda Items

None.

11. COUNCILOR COMMENTS

Councilor Robinson extended thanks to County staff for their response to the local natural disasters.

Councilor Ryti commented on the excess funds for gas and water and the potential opportunities for those funds, the quality of the utility billing system, and affordable utilities for citizens.

Councilor Izraelevitz announced that he will be doing a presentation at the Senior Center on April 9th regarding the Strategic Plan; reminded Councilors that Monday is the Municipal League District Meeting in Red River.

12. PUBLIC COMMENT

Ms. Dawn Marie Maldonado, 122 Bandelier, expressed appreciation for the public meeting process and cautioned Council about skipping this process in the future.

Mr. Paul Jaramillo, 507 Paige Loop, expressed concern regarding utility billing issues and expressed dissatisfaction with Council for approving the rate increase.

13. ADJOURNMENT

The meeting adjourned at 9:48 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

Sara C. Scott, Council Chair

Attest:

Naomi D. Maestas, County Clerk

Meeting Transcribed by: Victoria L. Martinez, Deputy Clerk