



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;
Katrina Martin; James Robinson; and Randall Ryti, Councilors*

Tuesday, May 28, 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 6:02 p.m.

The following Councilors were in attendance:

Present 6 - Councilor Maggiore, Councilor Izraelevitz, Councilor Sheehey,
Councilor Robinson, Councilor Scott and Councilor Martin

Absent 1 - Councilor Ryti

2. PLEDGE OF ALLEGIANCE

Led by: All.

3. STATEMENT REGARDING CLOSED SESSION

June 18 & 25, 2019 Closed Sessions Motion

A motion was made by Councilor Maggiore, seconded by Councilor Izraelevitz, that Council approve the following statement for inclusion in the minutes: "The matters discussed in the closed sessions held on May 22, 2019, and May 23, 2019 that began at 7:30 am were limited only to those topics specified in the notices of the closed session, and no action was taken on any matter in the closed sessions." "The matters discussed in the closed session held on May 28, 2019 that began at 5:00 pm were limited only to those topics specified in the notices of the closed sessions, and no action was taken on any matter in that closed session."

The motion passed by acclamation with the following vote:

Yes: 6 - Councilor Maggiore, Councilor Izraelevitz, Councilor Sheehey,
Councilor Robinson, Councilor Scott and Councilor Martin

Absent: 1 - Councilor Ryti

4. PUBLIC COMMENT

None.

5. APPROVAL OF AGENDA

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

The motion passed by acclamation with the following vote:

Yes: 6 - Councilor Maggiore, Councilor Izraelevitz, Councilor Sheehey, Councilor Robinson, Councilor Scott and Councilor Martin

Absent: 1 - Councilor Rytí

6. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

- A. [11792-19](#) Proclamation declaring the Week of June 10-14, 2019 as "Annual LGBTQ+ Pride Week" in Los Alamos County (accepted by Tina DeYoe)
Councilor Schmidt read and presented the proclamation to the LGBTQ+ Group.

Mr. George Marsden spoke.

7. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA

None.

8. CONSENT AGENDA

May 28, 2019 Consent Motion:

Consent Motion -

A motion was made by Councilor Schmidt, seconded by Councilor Robinson, 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. [AGR0631-19](#) Approval of Amendment No. 1 to Services Agreement No. AGR18-20 with Intellibind Technologies, LLC in the amount of \$300,000.00 for a Total Contract Amount of \$800,000.00, plus Applicable Gross Receipts Tax, for the Purpose of Critical Infrastructure Protection Version 5 Comprehensive Patch Management Services

I move that Council approve Amendment No. 1 to Services Agreement No. AGR18-20 with Intellibind Technologies, LLC in the amount of \$300,000.00 for a Total Contract Amount of \$800,000.00, plus Applicable Gross Receipts Tax, for the Purpose of Critical Infrastructure Protection Version 5 Comprehensive Patch Management Services.

- B. [AGR0632-19](#) Consideration of Change Order No. 6 to Services Agreement AGR17-30 for the Otowi Well #2 Design, Drilling and Development Project

I move that Council approve Change Order No. 6 to AGR 17-30 for the Otowi Well #2 Design, Drilling and Development Project in the amount of \$399,587.64.

- C. [11808-19](#) County Council Minutes for May 7th and 14th, 2019
- I move that Council approve the County Council Minutes for May 7th and 14th, 2019.
- D. [11947-19](#) Board/Commission Appointment - Transportation Board
- I nominate Steve Barretta and Sarah Nichols to fill two vacancies on the Transportation Board which began March 1, 2019, and end on February 28, 2021.
- E. [11948-19](#) Board/Commission Appointments - Art in Public Places Board
- I nominate Jennifer Baker, Peter Carson and Catherine Ozment for re-appointment to the Art in Public Places Board for a term beginning on March 25, 2019 and ending on March 24, 2021.
- I further move Council acknowledge that Catherine Ozment intends to continue serving on the Community Development Advisory Board and Jennifer Baker intends to continue serving on the Library Board while serving on the Art in Public Places Board. Council finds these two positions are not incompatible. Council approves of their serving concurrently on both boards, and hereby appoints all three to the Art in Public Places Board.
- F. [11973-19](#) Approval of Summary Plat for Tract U, a subdivision of Eastern Area No. 2
- I move that Council approve a grant of utility easement within Tract U, a subdivision of Eastern Area No. 2.
- G. [11997-19](#) Consideration of Budget Revision 2020-01 (Capital Appropriations per DFA Requirement)
- I move that Council approve Budget Revision 2020-01 as summarized on attachment A and that the attachment be made a part of the minutes of this meeting.

Approval of the Consent Agenda

The motion carried by the following vote:

Yes: 6 - Councilor Maggiore, Councilor Izraelevitz, Councilor Sheehey, Councilor Robinson, Councilor Scott and Councilor Martin

Absent: 1 - Councilor Ryti

9. INTRODUCTION OF ORDINANCE(S)

- A. [OR0854-19](#) Incorporated County Of Los Alamos Ordinance No. 693; AN ORDINANCE ADOPTING AN ECONOMIC DEVELOPMENT PROJECT FOR PUBLIC SUPPORT OF PEBBLE LABS USA, INC., A NEW MEXICO CORPORATION

Councilor Sheehey introduced, without prejudice, Incorporated County of Los Alamos Ordinance No. 693; AN ORDINANCE ADOPTING AN ECONOMIC DEVELOPMENT PROJECT FOR PUBLIC SUPPORT OF PEBBLE LABS USA, INC., A NEW MEXICO CORPORATION, and ask staff to assure that it is published as provided in the County Charter.

- B. [OR0855-19](#) Incorporated County of Los Alamos Ordinance No. 694 AUTHORIZING THE ISSUANCE AND SALE OF INCORPORATED COUNTY OF LOS ALAMOS, NEW MEXICO INDUSTRIAL REVENUE BONDS (PEBBLE LABS U.S.A., INC. PROJECT), IN ONE OR MORE TAXABLE OR TAX-EXEMPT SERIES IN AN AMOUNT NOT TO EXCEED SIXTY MILLION DOLLARS (\$60,000,000) (THE "BONDS") FOR THE BENEFIT OF PEBBLE LABS U.S.A., INC. (THE "COMPANY") FOR THE PURPOSE OF ACQUIRING, LAND, BUILDINGS, EQUIPMENT AND INFRASTRUCTURE LOCATED IN LOS ALAMOS COUNTY, NEW MEXICO (THE "COUNTY"); PROVIDING FOR THE PAYMENT OF THE BONDS FROM LEASE PAYMENTS TO BE RECEIVED BY THE COUNTY PURSUANT A LEASE AGREEMENT BETWEEN THE COUNTY AND PEBBLE LABS U.S.A, INC.; APPROVING FORMS OF A LEASE AGREEMENT, INDENTURE, BOND PURCHASE AGREEMENT AND OTHER PROJECT DOCUMENTS RELATING TO THE BONDS; AND PROVIDING THAT THE COUNTY SHALL NOT BE PLEDGING ITS FAITH AND CREDIT TO THE PAYMENT OF THE BONDS; PROVIDING THAT THE COMPANY SHALL MAKE CERTAIN PAYMENTS IN LIEU OF TAXES TO THE COUNTY; APPROVING AND RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THERE-WITH.

Councilor Izraelevitz introduced, without prejudice, Incorporated County of Los Alamos Ordinance No. 694; Authorizing the Issuance of up to \$60 million in Industrial Revenue Bonds for the benefit of Pebble Labs, and ask staff to assure that it is published as provided in the County Charter.

10. BUSINESS

A. [11853-19](#) Consideration of Updated 2019 Economic Vitality Strategic Plan

Mr. Harry Burgess, County Manager, spoke.

Ms. Joanie Ahlers, Economic Development Administrator, spoke.

Ms. Kelly Stewart, Los Alamos County Marketing Specialist, spoke.

Mr. Bret Simpkins, Economic Vitality Action Team (EVAT) Member, spoke.

Mr. Ian Maez, EVAT Member, spoke.

Mr. Patrick Sullivan, EVAT Member, spoke.

Mr. Paul Andrus, Community Development Director, spoke.

Ms. Cindy Rooney, EVAT Member, speaking as a resident of White Rock at 112 Alhambra Drive, spoke.

Public Comment:

Ms. Kathy Keith, EVAT Member, address not provided, spoke.

A motion was made by Councilor Izraelevitz, seconded by Councilor Sheehey, that Council accept the 2019 Economic Vitality Strategic Plan with the edits suggested at the May 28, 2019 session.

The motion passed with the following vote:

Yes: 6 - Councilor Maggiore, Councilor Izraelevitz, Councilor Sheehey, Councilor Robinson, Councilor Scott and Councilor Martin

Absent: 1 - Councilor Ryti

11. COUNCIL BUSINESS

A. Appointments

Councilor Scott stated Mr. Robert Gibson withdrew his application.

Council reviewed the questions and decided on how long each applicant will have to answer the questions.

Mr. Pete Sheehey spoke.

Mr. Timothy Glasco, Utilities Manager, spoke.

Mr. Harry Burgess, County Manager, spoke.

The questions and time limits were approved by acclamation with the following vote:

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

Absent: 1 - Councilor Ryti

Each applicant made an opening statement then was asked four questions by Council.

A motion was made by Councilor Sheehey, seconded by Councilor Robinson, that Council nominate Travis Gibson (D), David Hampton (R), and Steve Tobin (D) to fill 1 vacancy on the Board of Public Utilities and move that Council appoint 1 nominee to the vacant position as follows:

By roll call vote, Councilors vote for 1 nominee, and the nominee with the highest vote total of four or more will be appointed to fill the term beginning on July 1st, 2019 and ending on June 30th, 2024.

Councilors Scott, Sheehey, Izraelevitz, Maggiore, Robinson, and Schmidt voted for:

Mr. Steve Tobin.

After a roll call vote, Mr. Steve Tobin, was appointed to the Board of Public Utilities starting on July 1, 2019.

- 1) [11910-19](#) Board/Commission Appointment(s) - Board of Public Utilities.

Meeting went into Recess

Meeting Reconvened

RECESS

Councilor Scott called for a recess at 7:59 pm. The meeting reconvened at 8:07 pm.

B. Board, Commission and Committee Liaison Reports

None.

C. County Manager's Report

- 1) [11599-19](#) County Manager's Report for May 2019

County Manager Harry Burgess reported on the preparation for the Friday night concert series.

D. Council Chair Report

Councilor Scott reported on a meeting regarding zero waste with the League of Women's; the Los Alamos County & Los Alamos Public schools meeting; the Jemez Mountain Trail Run; and an upcoming meeting with Governor Martinez of San Ildelfonso.

E. General Council Business

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 Robinson, that Council approve the amended procedural rules as shown in attachment A.

The motion passed with the following vote:

Yes: 6 - Councilor Maggiore, Councilor Izraelevitz, Councilor Sheehey, Councilor Robinson, Councilor Scott and Councilor Martin

Absent: 1 - Councilor Ryti

- 1) [12002-19](#) Discussion and Possible Action Regarding Revisions to County Council Procedural Rules

I move that the Council approve the amended procedural rules as shown in Attachment A.

F. Approval of Councilor Expenses

None.

G. Preview of Upcoming Agenda Items

Councilor Scott advised there will be upcoming closed sessions associated with the performance appraisal process.

Councilor Maggiore suggested that council address the rising trend of self-check outs.

Councilor Izraelevitz reminded Council that they add the Board and Commission appointment process.

12. COUNCILOR COMMENTS

Councilor Robinson commented on the proclamation for the Memorial Day Celebration.

Councilor Sheehey commented on the ceremony at Guaje Pines Cemetery.

Councilor Izraelevitz commented on the Friday night concerts.

13. PUBLIC COMMENT

None.

14. ADJOURNMENT

ADJOURNMENT

The meeting adjourned at 9:02 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

Sara C. Scott, Council Chair

Attest:

Naomi D. Maestas, County Clerk

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