



# 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, June 11, 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 6:04 p.m.

**Present** 6 - Councilor Maggiore, Councilor Izraelevitz, Councilor Robinson,  
Councilor Ryti, Councilor Scott and Councilor Martin

**Remote** 1 - Councilor Sheehey

#### 2. PLEDGE OF ALLEGIANCE

Led by: All.

#### 3. STATEMENT REGARDING CLOSED SESSION

June 11, 2019 Closed Sessions Motion

Councilor Scott stated the closed session went into recess and Council will continue the closed session after the regular meeting is adjourned. A statement regarding the closed session will be provided at the next meeting.

#### 4. PUBLIC COMMENT

Ms. Loryn (Ryn) Herrmann, 817 Kristi Lane, Chamber of Commerce Director, thanked the County for their help in making Chamber Awards and Chamber Fest a success.

#### 5. APPROVAL OF AGENDA

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

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  
Martin

#### 6. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA

None.

## 7. CONSENT AGENDA

June 11, 2019 Consent Motion:

### Consent Motion -

A motion was made by Councilor Izraelevitz, seconded by Councilor Maggiore, 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. [RE0403-19](#) Incorporated County Of Los Alamos Resolution No. 19-06 A Resolution Adjusting Precinct Boundaries In The Incorporated County Of Los Alamos, New Mexico

I move that Council adopt Incorporated County Of Los Alamos Resolution No. 19-06 A Resolution Adjusting Precinct Boundaries In The Incorporated County Of Los Alamos, New Mexico.

- B. [RE0405-19](#) Incorporated County Of Los Alamos Resolution No. 19-07; A Resolution Amending The Designation Of The Polling Places Of Each Precinct For The 2018-2019 Election Cycle

I move that Council adopt Incorporated County of Los Alamos Resolution No. 19-07, a Resolution Amending The Designation Of The Polling Places Of Each Precinct For The 2018- 2019 Election Cycle.

- C. [RE0406-19](#) Incorporated County of Los Alamos Resolution No. 19-09, a Resolution of Support Authorizing Application for Local Government Transportation Project Funds

I move that Council approve Incorporated County of Los Alamos Resolutions No. 19-09, a Resolution of Support Authorizing Application for Local Government Transportation Project Funds.

- D. [11809-19](#) County Council Minutes for May 28, 2019

I move that Council approve the County Council Minutes for May 28, 2019.

- E. [11967-19](#) FY2020 Compensation and Classification Plan.

I move that Council approve the FY2020 Compensation and Classification Plan.

- F. [11989-19](#) Approval of Purchase Dell VxRail Hyperconverged Server Infrastructure for Purpose of Replacing the Current End-of-Life MUNIS Server System and Associated Licensing.

I move that Council approve the purchase from Vantage Point Corp of Dell VxRail Hyperconverged Server Infrastructure in an amount not to exceed \$299,296 plus Applicable Gross Receipts Tax, for purpose of replacing the current end-of-life Munis server system and associated licensing.

- G. [12018-19](#) Approval of Amendment 1 to AGR16-916 with Kutak Rock, LLP, Increasing the Contract Amount by \$120,000 from \$250,000 to \$370,000, plus Applicable Gross Receipts Tax, for the Purpose of Providing Legal Advice and Counsel.

I move that Council approve Amendment 1 to AGR16-916 with Kutak Rock, LLP, Increasing the Contract Amount by \$120,000 from \$250,000 to \$370,000, plus Applicable Gross Receipts Tax, for the Purpose of Providing Legal Advice and Counsel.

Approval of the Consent Agenda:

The motion passed with the following vote:

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

## 8. PUBLIC HEARING(S)

- A. [OR0854-19b](#) 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

Mr. Harry Burgess, County Manager, spoke.

Ms. Joanie Ahlers, Economic Development Administrator, spoke.

Ms. Michelle Henrie, Pebble Labs Corporate Counsel, spoke.

Dr. Richard Sayre, Pebble Labs Chief Science Officer, provided video in lieu of his absence.

Dr. Steven Buelow, Pebble Labs Chief Executive Officer, New Mexico Consortium, spoke.

Mr. Jon Bloodworth, Pebble Labs Chief Operating Officer, spoke.

Public Comment:

Mr. Patrick Sullivan, 193 Tunyo, Executive Director of Los Alamos Commerce & Development Corporation, spoke.

Ms. Loryn (Ryn) Herrmann, 817 Kristi Lane, spoke.

**A motion was made by Councilor Izraelevitz, seconded by Councilor Ryti, that Council approve 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.**

The motion passed with the following vote:

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

- B. [OR0855-19b](#) 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.

Ms. Joanie Ahlers, Economic Development Administrator, spoke.

Ms. Michelle Henrie, Pebble Labs Corporate Counsel, spoke.

Mr. Erick LeBrun, Pebble Labs VP Research, Parallax Division, spoke.

Mr. Peter Franklin, LAC Bond Counsel, spoke.

Mr. Robert (Bob) Stroemer, Pebble Labs Bond Counsel, spoke.

Mr. Alvin Leaphart, County Attorney, spoke.

Public Comment:

None.

A motion was made by Councilor Maggiore, seconded by Councilor Robinson, that Council approve changes to Ordinance No: 694, and related documents, proposed during the Public Hearing as specifically reflected in the document titled "Proposed Changes to Ordinance No. 694 and related documents" presented during this public hearing; further moved that pursuant to Section 203.2.3 of the County Charter that these changes be incorporated into Ordinance No: 694, and that Ordinance No. 694 be presented to the County Council for adoption at a future meeting not less than seven (7) days from this meeting.

The motion passed with the following vote:

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

Public Comment:  
None.

A motion was made by Councilor Schmidt (Martin), seconded by Councilor Robinson, that County Council call a special meeting for June 19, 2019 at 2:30 p.m. to occur in the Council Chambers for the purpose of considering adoption of Ordinance No. 694; further moved that county staff provide notice of this meeting as required by law.

The motion passed with the following vote:

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

## **9. COUNCIL BUSINESS**

### **A. Appointments**

- 1) [12008-19](#) Appointment of the 2019 Board of Registration.

A motion was made by Councilor Maggiore, seconded by Councilor Robinson, that Council nominate Laura Burrows, Cameron Counters, Chris Luchini, Mary Theresa Marzili, Dave Schiferl and Kyle Wheeler to fill the positions of the County's Board of Registration for the term of July 1, 2019 to June 30, 2021; further moved by roll call vote Councilors will each vote for five nominees. No more than two of the five persons appointed to the Board shall be members of the same major political party. The five nominees with the highest vote total of four or more votes, will be appointed to fill the five positions on the Board.

Councilors Scott, Sheehey, Izraelevitz, Maggiore, Robinson, Ryti and Schmidt (Martin) voted for:  
Laura Burrows, Cameron Counters, Chris Luchini,  
Mary Theresa Marzili, and Dave Schiferl.

After a roll call vote, Ms. Laura Burrows, Mr. Cameron Counters, Mr. Chris Luchini, Ms. Mary Theresa Marzili, and Mr. Dave Schiferl were appointed to the Board of Registration for the term of July1, 2019 to June 30, 2021.

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

Councilor Ryti reported on the Parks and Recreation Board; the National League of Cities Risk Information Sharing Consortium (NLC-RISC) Trustees meeting; the New Mexico Self Insurers Fund of New Mexico Municipal League; P & Z Site Plan approvals; Regional Coalition of LANL Communities (RCLC) Meeting; and the Eddy-Lea Energy Alliance presentation.

Councilor Izraelevitz reported on the Transportation Board.

Councilor Maggiore reported on the Environmental Sustainability Board and the Zero Waste Booths

**C. County Manager's Report**

County Manager Harry Burgess reported on the Summer Concerts; the Diamond Drive reconstruction project; and the New Mexico Counties Conference

**D. Council Chair Report**

Councilor Scott reported on the meeting with Governor Martinez of San Ildefonso Pueblo and the Federal Legislative Committee.

**E. General Council Business**

- 1) [11984-19](#) Approval of Council's Review Committee Report and Recommendations on FY20 Board and Commission Work Plans.

Councilor Schmidt (Martin) spoke.

Public Comment:  
None.

**A motion was made by Councilor Maggiore, seconded by Councilor Robinson, that Council thank all Board & Commission members for their dedication to public service and approve the FY20 Work Plans as submitted or amended from the following boards: Arts in Public Places Board, Community Development Advisory Board, Environmental Sustainability Board, Historic Preservation Advisory Board, Library Board, Lodgers' 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; further moved that Council approve the continuation of B&C 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 FY20 Work Plans.**

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

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

**F. Approval of Councilor Expenses**

None.

**G. Preview of Upcoming Agenda Items**

Councilor Scott advised there are several outstanding items for future meetings, including legal precedence associated with government authorities regarding business activities and possible modification to councilor rules.

**10. COUNCILOR COMMENTS**

Councilor Robinson commented on the possible movement of the environmental lab down to Santa Fe from Los Alamos.

Councilor Ryti reported N3B is having a community forum on non-profit funding.

Councilor Maggiore commented on Summer Fest and extended a thank you to Atomic City Transit.

**11. PUBLIC COMMENT**

None.

**12. ADJOURNMENT**

The meeting adjourned at 8:21 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

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Sara C. Scott, Council Chair

Attest:

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Naomi D. Maestas, County Clerk

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