



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 Rytí; and Katrina Schmidt, Councilors*

Tuesday, July 9, 2019

6:00 PM

Council Chambers - 1000 Central
Avenue
TELEVISED

1. OPENING/ROLL CALL

The Council Vice-Chair, Pete Sheehey, called the meeting to order at 6:05 p.m.

The following Councilors were in attendance:

Present 6 - Councilor Maggiore, Councilor Izraelevitz, Councilor Sheehey,
Councilor Robinson, Councilor Rytí and Councilor Schmidt

Absent 1 - Councilor Scott

2. PLEDGE OF ALLEGIANCE

Led by: All.

3. STATEMENT REGARDING CLOSED SESSION

A motion was made by Councilor Maggiore, seconded by Councilor Robinson, that Council approve the following statement for inclusion in the minutes: "The matters discussed in the closed session held on July 9, 2019 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: 6 - Councilor Maggiore, Councilor Izraelevitz, Councilor Sheehey,
Councilor Robinson, Councilor Rytí and Councilor Schmidt

Absent: 1 - Councilor Scott

4. PUBLIC COMMENT

Mr. Greg White, 600 San Ildefonso, expressed concern over the proximity of bars in Los Alamos.

Mr. Patrick Sullivan, Los Alamos Commerce and Development, invited the public to attend Sciencefest that began tonight.

5. APPROVAL OF AGENDA

Councilor Izraelevitz requested item 7.A. be removed from the Consent Agenda and added under business as item 8.B. There were no objections.

A motion was made by Councilor Schmidt, seconded by Councilor Maggiore, that the agenda be approved, as amended.

The motion passed with the following vote:

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

Absent: 1 - Councilor Scott

6. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA

None.

7. CONSENT AGENDA**Consent Motion -**

A motion was made by Councilor Izraelevitz, seconded by Councilor Robinson, 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. [AGR0634-19](#) Award of Bid No. 19-048 to Star Paving Company for Construction of the Diamond Drive Pavement Rehabilitation Project, Establish a Project Budget, and Approve Related Budget Revision 2020-03.

Item pulled for further discussion under Business.

- B. [RE0413-19](#) Incorporated County of Los Alamos Resolution No. 19-16: A Resolution Supplementing Resolution No. 19-05 Relating to the Natural Gas Supply Agreement Between the Incorporated County of Los Alamos and the New Mexico Municipal Energy Acquisition Authority, as Amended by a First Amendment; Authorizing the Execution and Delivery of a Second Amendment to the Natural Gas Supply Agreement and Other Action Necessary or Advisable to Obtain a Gas Discount Pursuant to the Supply Agreement, as Amended, Including the Execution and Delivery of Certificates and Agreements Relating to the Foregoing; Ratifying, Approving, and Confirming Prior Action Taken Related to the Foregoing; and Repealing Action Inconsistent Herewith.

I move that Council approve Incorporated County of Los Alamos Resolution No. 19-16: A Resolution Supplementing Resolution No. 19-05 Relating to the Natural Gas Supply Agreement Between the Incorporated County of Los Alamos and the New Mexico Municipal Energy Acquisition Authority, as Amended by a First Amendment; Authorizing the Execution and Delivery of a Second Amendment to the Natural Gas Supply Agreement and Other Action Necessary or Advisable to Obtain a Gas Discount Pursuant to the Supply Agreement, as Amended, Including the Execution and Delivery of Certificates and Agreements Relating to the Foregoing; Ratifying, Approving, and Confirming Prior Action Taken Related to the Foregoing; and Repealing Action Inconsistent Herewith.

- C. [11625-19](#) Consolidated Proposed Action on Incorporated County of Los Alamos Resolutions No. 19-10, 19-11, and 19-12, Resolutions of Support for County Participation in the 2019-2020 New Mexico Department of Transportation Local Government Road Fund for Reconstruction and Pavement Rehabilitation/Improvements of Various County Roads in Los Alamos, New Mexico Under the County Arterial Program, School Bus Route Program, and Cooperative Agreement Program.

I move that Council approve Incorporated County of Los Alamos Resolutions No. 19-10, 19-11, and 19-12, Resolutions of Support for County Participation in the 2019-2020 New Mexico Department of Transportation Local Government Road Fund for Reconstruction and Pavement Rehabilitation/Improvements of Various County Roads in Los Alamos, New Mexico Under the County Arterial Program, School Bus Route Program, and Cooperative Agreement Program.

- D. [12077-19](#) Approval of the North Central Regional Transit District Intergovernmental Contract.

I move that Council approve the North Central Regional Transit District Intergovernmental Contract agreement that is an update with the addition of the Village of Questa to this contract thereby confirming and awarding the membership and voting rights of all the members listed in this agreement.

- E. [12092-19](#) County Council Minutes for June 18, 2019, June 19, 2019 and June 25, 2019

I move that Council approve the County Council Minutes for June 18, 2019, June 19, 2019, and June 25, 2019.

- F. [12095-19](#) Incorporated County of Los Alamos Resolution No. 19-15 Endorsing the North Central Regional Transit District's FY2020 Budget Proposal, Approving the FY2020 Los Alamos County Regional Transit Plan and Directing Staff to Submit the FY2020 Los Alamos County Regional Transit Plan to the North Central Regional Transit District Board of Directors.

I move that the County Council approve Resolution No. 19-15 endorsing the North Central Regional Transit District's FY2020 budget proposal, approving the FY2020 Los Alamos County Regional Transit Plan and directing staff to submit the FY2020 Los Alamos County Regional Transit Plan to the North Central Regional Transit District Board of Directors.

- G. [12117-19](#) Board/Commission Re-Appointment(s) - Environmental Sustainability Board

I nominate Heidi Rogers [D], and Heather Ward [DTS] to fill two vacancies on the Environmental Sustainability Board and move that Council re-appoint these applicants for terms ending on July 31, 2021.

- H. [12100-19](#) Board/Commission Appointments - Planning and Zoning Commission

I nominate Jean Dewart, April Wade and Michelle Griffin to fill the three vacancies on the Planning and Zoning Commission and move that Council appoint the nominees to the 3 vacant positions for a term beginning on April 01, 2019 and ending on March 31, 2022.

July 30, 2019 Closed Session Motion

The motion passed with the following vote:

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

Absent: 1 - Councilor Scott

8. BUSINESS

A. [P0061-19](#) Citizen Petition Requesting Council Ban the Use/Distribution of Plastic Bags, Plastic Straws, and Styrofoam Containers

Ms. Ann LePage, 4060 Trinity, presented.
Mr. Harry Burgess, County Manager, spoke.
Mr. Alvin Leaphart, County Attorney, spoke.

Public Comment:

Ms. Joyce Anderson, 199 Venado, spoke.
Ms. Aven Hefner, no address given, spoke.
Mr. Greg White, 600 San Ildefonso, spoke.
Ms. Jody Benson, 3547 Pueblo, spoke.
Ms. Sarah Terrill, 1393 40th, spoke.
Ms. Cary Dirlam, 685 Totavi, spoke.
Ms. Kathy Taylor, 557 Todd Loop, spoke.
Ms. Karyl Ann Armbruster, 605 Totavi, spoke.

A motion was made by Councilor Izraelevitz, seconded by Councilor Ryti, that Council acknowledge the petition, thank the petitioner for the recommendation, request that the Environmental Sustainability Board research the matter and return to Council with information, and that a public meeting be conducted in conjunction with the save as you throw objective.

A SUBSTITUTE motion was made by Councilor Maggiore, seconded by Councilor Ryti, that Council acknowledge the petition, thank the petitioner for the recommendation and request that the Zero Waste Restaurant Team work with local restaurants to discuss ways to reduce their use of single use plastics in preparation for a larger discussion on the ban but not to aggressively discuss the ban until after the end of the Summer Concert Series when Environmental Sustainability's workload is lessened.

A SECOND SUBSTITUTE motion was made by Councilor Robinson, seconded by Councilor Ryti, that Council acknowledge the petition, thank the petitioner for the recommendations and request that the Council, staff, and associated boards investigate and research the matter and return to Council with information, options or a recommendation by December 1, 2019.

The procedural motion to consider the SECOND SUBSTITUTE motion passed with the following vote:

The SECOND SUBSTITUTE motion passed with the following vote:

Yes: 5 - Councilor Maggiore, Councilor Sheehey, Councilor Robinson, Councilor Ryti and Councilor Schmidt

No: 1 - Councilor Izraelevitz

Absent: 1 - Councilor Scott

- B. [AGR0634-19](#) Award of Bid No. 19-048 to Star Paving Company for Construction of the Diamond Drive Pavement Rehabilitation Project, Establish a Project Budget, and Approve Related Budget Revision 2020-03.

Mr. Harry Burgess, County Manager, spoke.

Mr. Jon Bulthuis, Acting Public Works Director, spoke.

Ms. Desiree Lujan, Senior Engineer, spoke.

Public Comment:

Mr. Greg White, 600 San Ildefonso, spoke.

A motion was made by Councilor Izraelevitz, seconded by Councilor Maggiore, that Council award Bid No. 19-048 for the Base Bid and Bid Alternate 1 in the Amount of \$3,771,010.30 plus Applicable Gross Receipts Tax to Star Paving Company for Construction of the Diamond Drive Pavement Rehabilitation Project; Establish a Project Budget in the Amount of \$4,475,000 for Roadway Improvements; and Approve Related Budget Revision 2020-03 in the Amount of \$725,000.

The motion passed with the following vote:

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

Absent: 1 - Councilor Scott

9. COUNCIL BUSINESS

A. Appointments

None.

B. Board, Commission and Committee Liaison Reports

Councilor Schmidt reported on the Historic Preservation Advisory Board.

Councilor Rytty reported on the New Mexico Environment Department Quarterly Meeting.

C. County Manager's Report

County Manager Harry Burgess reported on the July 4th event; the Community Services Department events that have been occurring; Sciencefest; and the State Local Economic Development Act (LEDA) award.

D. Council Chair Report

None.

E. General Council Business

None.

F. Approval of Councilor Expenses

A motion was made by Councilor Maggiore, seconded by Councilor Robinson, to approve travel expenses for Councilors to attend the New Mexico Municipal Conference in Las Cruces, NM in August.

The motion passed by acclamation with the following vote:

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

Absent: 1 - Councilor Scott

A motion was made by Councilor Maggiore, seconded by Councilor Schmidt, to approve travel expenses for Councilors to attend the Energy Community Alliance (ECA) trip above and beyond the threshold that the ECA covers.

The motion passed by acclamation with the following vote:

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

Absent: 1 - Councilor Scott

G. Preview of Upcoming Agenda Items

Councilor Ryti asked for an item relating to composting be placed on an upcoming agenda.

Councilor Robinson asked for Environmental Services to make a presentation to Council regarding weekly recycling be placed on an upcoming agenda.

Councilor Sheehey asked that a potential ordinance regarding hazardous behavior be placed on an upcoming agenda.

10. COUNCILOR COMMENTS

Councilor Izraelevitz thanked staff for the attendance statistics at the Ozomatli Concert and advised that he has been working through the Municipal League to strengthen immunization requirements.

Councilor Maggiore advised State Representative Chandler is hosting a taco event at Bathtub Row at 5 p.m. and he will also be available to talk to citizens during the live stream of the New Mexico United Soccer game.

Councilor Ryti expressed concern that there was an accident on Main Hill that led to a fatality and indicated his desire to look into traffic safety.

Councilor Robinson advised he will be participating in a Wildlife Corridor presentation in Taos and will brief Council upon his return.

11. PUBLIC COMMENT

Ms. Jody Benson, 3547 Pueblo Drive, provided information to Council on the Zero Waste Team.

12. ADJOURNMENT

The meeting adjourned at 8:39 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