



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, November 12, 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
Martin**

2. PLEDGE OF ALLEGIANCE

Led by: All.

3. STATEMENT REGARDING CLOSED SESSION

November 12, 2019 Closed Session Motion

**A motion was made by Councilor Ryti, seconded by Councilor Sheehey, that
Council approve the following statement for inclusion in the minutes: "The
matters discussed in the closed session held on November 12, 2019 that began at
4:30 p.m. were limited only to the topics specified in the notice of the closed
session, and no action was taken on any matter in the closed session."**

The motion passed by acclamation with the following vote:

4. PUBLIC COMMENT

Mr. Cliff Han, 635 Navajo, spoke regarding Knoze Jr. Corporation.
Mr. Mike Steinzig, 299 La Cueva, spoke regarding preserving access to the
canyons through easements

5. APPROVAL OF AGENDA

**A motion was made by Councilor Izraelevitz, seconded by Councilor Martin, 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. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

- A. [12428-19](#) Recognition of Government Finance Officers Association Awards for FY2018 CAFR and FY2018 PAFR
Ms. Helen Perraglio, Chief Financial Officer, spoke.
- B. [12364-19](#) Proclamation declaring Tuesday, December 3, 2019 as "Giving Tuesday" in Los Alamos County accepted by United Way of Northern New Mexico and Los Alamos Community Foundation
Councilor Izraelevitz, read and presented the proclamation to Ms. Cindy Padilla, Executive Director of United Way and Dr. Cindy Rooney, Treasurer United Way of Northern New Mexico and Los Alamos Community Foundation member.

Ms. Padilla, spoke.
Ms. Rooney, spoke.
- C. [12502-19](#) Proclamation declaring The Week of November 4-9, 2019 as, "Los Alamos High School Key Club Week" in Los Alamos County accepted by Morrie Pongratz, Kiwanis
Councilor Robinson, read and presented the proclamation to Mr. Morrie Pongratz, Kiwanis.

Mr. Pongratz, Kiwanis Key Club Advisor, spoke.
Ms. Victoria Nisoli, Los Alamos High School Key Club President, spoke.
- D. [11672-19](#) Briefing to Council by Linda Deck, Chair of the Lodger's Tax Advisory Board.
Ms. Deck presented.
Ms. Kelly Stewart, Lodgers Tax Advisory Board member, spoke.

7. CONSIDERATION OF GOVERNOR'S REQUEST

- A. [12376-19](#) Approval of Recommended Name to the Governor to Fill the Unexpired Term of State Senator Carlos Cisneros, deceased.

Mr. Harry Burgess, County Manager, spoke.

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

Mr. Gabriel Montoya, spoke.

Ms. Kristina Ortiz, spoke.

Mr. Dan Borrone, spoke.

Mr. Roberto Gonzales, spoke.

Public Comment:

Ms. Karyl Ann Armbruster, 605 Totavi, spoke.

Ms. Katie Bruell, 3550 Ridgeway Drive, spoke.

Ms. Jodie Benson, 3547 Pueblo Drive, spoke.

Ms. Della Barrone, Taos County, spoke.

A motion was made by Councilor Martin, seconded by Councilor Robinson, that Council nominate Daniel Barrone, Roberto Gonzales, Gabriel Montoya and Kristina Ortiz as possible candidates to be sent to the Governor to fill the unexpired term of former State Senator Carlos Cisneros and move that Council select one person to be recommended to the Governor as follows:

By roll call vote, Councilors vote for one nominee and the one with the highest vote total of four or more be selected as the name to be recommended to the Governor.

Councilor Scott called for a roll call vote to appoint a candidate:

**Councilors Scott, Izraelevitz, Maggiore, Martin, Robinson, and Ryti voted for:
Kristina Ortiz**

**Councilor Sheehey voted for:
Roberto Gonzales**

After a roll call vote Ms. Kristina Ortiz was nominated for recommendation to the Governor for the vacant seat.

8. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA

Mr. Joseph D'Anna, 39 Los Arboles Drive, spoke regarding Item 6.A.

9. CONSENT AGENDA

November 12, 2019 Consent Motion:

Consent Motion -

Councilor Izraelevitz requested Item C. Community Development Advisory Board Appointment and Item G. The Amendments to Boards and Commission Procedure Rules be removed from Consent. There were no objections.

A motion was made by Councilor Izraelevitz, seconded by Councilor Maggiore, the Council approve the consent agenda as amended and that the motions in the staff reports be included for the record.

- A. [12403-19](#) Approval of Revisions to County Council Procedural Rules
- I move that the Council approve the amended procedural rules as shown in Attachment A.
- B. [12425-19](#) Approval of County Council Minutes for October 29, 2019
- I move that Council approve the County Council Minutes for October 29, 2019.
- C. [12462-19](#) Board/Commission Appointment(s) - Community Development Advisory Board
- Item pulled for further discussion under General Council Business.
- D. [12465-19](#) Board/Commission Appointment(s) - Parks & Recreation Board
- I nominate Dianne Wilburn, Christopher Olsen, and David Hampton to fill three vacancies on the Parks & Recreation Board and move that Council appoint the nominees to the three vacant positions for a term beginning on December 01, 2019 and ending on November 30, 2021.
- E. [12372-19](#) Approval of Report to District Court on Los Alamos County Jail Conditions.
- I move that Council forward the attached letter regarding current jail conditions to District Court.
- F. [12484-19](#) FY2020 Golf Course Patio Enclosure Project - MFM Scope Change and Budget Reallocation
- I move that Council approve a modification of the scope for the Golf Course Patio Enclosure project to change it from a seasonal enclosure to a year-round enclosure, and approve a related budget reallocation to increase this project budget by \$95,000, from \$150,000 to \$245,000.
- G. [12501-19](#) Amendments to Boards and Commission Procedural Rules
- Item pulled for further discussion under General Council Business.
- Approval of the Consent Agenda:
- The motion passed with the following vote:

Approval of the Consent Agenda

A motion was made to Approve the Consent Agenda. The motion carried by the following vote:

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

10. BUSINESS

A. [12356-19](#) Sign Code Initial Review and Discussion

Mr. Kevin Powers, Assistant County Attorney, spoke.
Mr. Paul Andrus, Community Development Director, spoke.

No Action taken.

RECESS

Councilor Scott called for a recess at 8:31 p.m. The meeting reconvened at 8:38 p.m.

11. COUNCIL BUSINESS

A. Appointments

Consent Item 9.C:

Board/Commission Appointment(s) - Community Development Advisory Board

Mr. Paul Andrus, Community Development Director, spoke

A motion was made by Councilor Izraelevitz, seconded by Councilor Sheehey, that Council approve the appointment of the following two (2) individuals to the Community Development Advisory Board with terms ending August 14, 2022; Denise Derkacs, and Andrea Pistone as Board Members.

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. Board, Commission and Committee Liaison Reports

Councilor Martin reported on the Historic Advisory Board.

Councilor Sheehey requested a Council member to attend the Department of Public Utilities Board meeting and reported on the New Mexico Municipal League/New Mexico Counties joint priorities meeting.

C. County Manager's Report

1) County Manager's Report for October 2019

Mr. Harry Burgess, County Manager, reported on cybersecurity; 502 Project; and introduced the new Public Works Director Ms. Anne Laurent.

D. Council Chair Report

Chair Scott reported she attended the Chamber breakfast which focused on planning for Small Business Saturday and the upcoming Boards and Commissions luncheon.

E. General Council Business

- 1) [12352-19](#) Consideration of Parks and Recreation Board Recommendation Regarding BMX Track Improvements
- 1) Consideration of Parks and Recreation Board Recommendation Regarding BMX Track Improvements
- Mr. Daniel Erickson, Parks, Recreation, Open Space Division Manager, spoke.
Ms. Dina Pesenson, Vice Chair of the Parks and Recreation Board, spoke.
Mr. Alvin Leaphart, County Attorney, spoke.
Mr. Harry Burgess, County Manager, spoke.
Mr. Dan Deschamps, Founder of Bomb Town BMX, spoke.
- Public Comment:
None.
- A motion was made by Councilor Robinson, seconded by Councilor Maggiore, that Council approve \$100,000 for BMX Track Improvements.**
- The motion passed with the following vote:**
- Yes: 6 - Councilor Maggiore, Councilor Sheehey, Councilor Robinson, Councilor Ryt, Councilor Scott and Councilor Martin**
- No: 1 - Councilor Izraelevitz**

2) [12353-19](#) Consideration of Parks and Recreation Board Recommendation
Regarding Reallocation of Funds for Trail Improvements

Mr. Daniel Erickson, Parks, Recreation, Open Space Division Manager, spoke.

Mr. Donald Ulrich, Member of the Parks and Recreation Board, spoke.

Ms. Linda Matteson, Acting Community Services Director, spoke.

Mr. Harry Burgess, County Manager, spoke.

Public Comment:

Ms. Dina Pesenson, 1355 45th Street, spoke.

Mr. Brad Nyenhuis, 943 Alamo Road, spoke.

Mr. Tabor West, 4827 Yucca Street, spoke.

Ms. Melissa Arias, 2168 44th Street, spoke.

Mr. Dylan Boyle, 844 43rd Street, spoke.

A motion was made by Councilor Sheehey, seconded by Councilor Ryti, that Council approve the allocation of \$100,000 from the CIP funds for Mountain bike flow trail to address work delineated in International Mountain Biking Association (IMBA) 2017 report to further pursue bronze level of ride center status.

A motion to AMEND was made by Councilor Izraelevitz, seconded by Councilor Maggiore, that Council direct staff to provide budget options for: signage and way finding, pit toilets, a skills park, and a pump track.

A motion was made by Councilor Maggiore to call the question.

Mr. Alvin Leaphart, County Attorney, spoke.

Councilor Robinson seconded the motion to call the question.

After further discussion the motion to AMEND was re-stated for the record:

That Council direct staff to develop budget options for multi-use signage and way finding of our trails, pit toilets at appropriate trail heads, development and installation of a skills park, and development and installation of a pump track.

The procedural motion to consider the AMENDED motion passed with the following vote:

Yes: 4 - Councilor Izraelevitz, Councilor Maggiore, Councilor Martin, and Councilor Robinson

No: 3 - Councilor Scott, Councilor Sheehey, and Councilor Ryti

Mr. Alvin Leaphart, County Attorney, spoke.

A motion was made by Councilor Maggiore, seconded by Robinson, to approve the AMENDED motion that Council direct staff to develop budget options for multi-use signage and way finding of our trails, pit toilets at appropriate trail heads, development and installation of a skills park, and development and installation of a pump track.

Mr. Alvin Leaphart, County Attorney, spoke.

After further discussion, it was noted for the record that the motion to call the question lacked a vote and was therefore deemed withdrawn.

A SUBSEQUENT motion to AMEND was made by Councilor Scott, seconded by Councilor Ryti, to direct staff to provide budget options for items contained in the IMBA Report to Council as part of the budget hearings.

The procedural motion to consider the SUBSEQUENT motion to AMEND passed with the following vote:

Yes: 5 - Councilor Scott, Councilor Sheehey, Councilor Maggiore, Councilor Martin, and Councilor Ryti

No: 2 - Councilor Izraelevitz and Councilor Robinson

A motion was made by Councilor Scott, seconded by Martin, to approve the SUBSEQUENT motion to AMEND to direct staff to provide budget options for items contained in the IMBA Report to Council as part of the budget hearings.

The SUBSEQUENT motion to AMEND passed with the following vote:

Yes: 5 - Councilor Izraelevitz, Councilor Sheehey, Councilor Ryti, Councilor Scott and Councilor Martin

No: 2 - Councilor Maggiore and Councilor Robinson

- 3) [12503-19](#) Approval of County Manager's Recommendation to remove Brian Brogan as the Community Services Department Director, and to terminate his employment with Los Alamos County.

Public Comment:

Mr. Joseph D'Anna, 39 Los Arboles Drive, spoke.

A motion was made by Councilor Sheehey, seconded by Councilor Izraelevitz, that Council approve the removal of Brian Brogan as Community Services Department Director, and the termination of his employment with Los Alamos County.

The motion passed with the following vote:

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

No: 1 - Councilor Maggiore

Consent Item 9.G.

Amendments to Boards and Commission Procedural Rules

A motion was made by Councilor Izraelevitz, seconded by Councilor Robinson, that Council amend the proposed changes to include a new number seven which says the council may vote on the set of applicants, may remand the list to the interview committee for additional applicants, or take other action as deemed appropriate and the old seven which is now number eight to say the board and committee and commission appointments require a minimum vote of four of the county Council.

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 Ryti requested an item related to Fire Mitigation.

12. COUNCILOR COMMENTS

Councilor Robinson commented on road construction and suggested the county look at the emergency plan.

Councilor Izraelevitz commented regarding a previous charter change.

13. PUBLIC COMMENT

None.

14. ADJOURNMENT

The meeting adjourned at 11:53 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