



County of Los Alamos

Minutes

County Council - Regular Session

Los Alamos, NM 87544
www.losalamosnm.us

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

Tuesday, January 28, 2020

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 5 - Councilor Maggiore, Councilor Sheehey, Councilor Robinson,
Councilor Scott and Councilor Martin

Remote 2 - Councilor Izraelevitz and Councilor Ryti

2. PLEDGE OF ALLEGIANCE

Led by all.

3. STATEMENT REGARDING CLOSED SESSION

A motion was made by Councilor Robinson, seconded by Councilor Sheehey, that Council approve the following statement for inclusion in the minutes: "The matters discussed in the closed session held on January 28, 2020 that began at 5:00 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:

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

4. PUBLIC COMMENT

Ms. Cortni Nucklos, 1793 Deacon Street, spoke on behalf of UnQuarked, regarding violations of Los Alamos Code Ordinance.

Mr. Sean Williams, 2131 34th Street, spoke regarding parcel A.8.A.

Mr. Jason Gochanour, 41 Canyon View Drive, spoke regarding UnQuarked..

5. APPROVAL OF AGENDA

A motion was made by Councilor Martin, seconded by Councilor Robinson, 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 9, 2020 Consent Motion:

Consent Motion -

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

- A. [12597-19](#) Vacation of Utility Easements Within Lot 239A, a Subdivision of North Community No. 1

I move that Council approve the vacation of easement within Lot 239A, a Subdivision of North Community No. 1

- B. [12630-20](#) **Amendment to the FY20 Compensation and Classification Plan and the amended Security/Administrative Services Manager Job Description.**

I move that Council approve the amendment to the FY20 Compensation and Classification Plan and the amended Security/Administrative Services Manager Job Description.

- C. [12659-20](#) Consideration of Budget Revision 2020-18 (Library Gift Fund)

I move that Council approve Budget Revision 2020-18 as summarized on attachment A and that the attachment be made a part of the minutes of this meeting.

- D. [12689-20](#) County Council Minutes for January 7, 2020 and January 14, 2020

I move that Council approve the County Council Minutes for January 7, 2020 and January 14, 2020.

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. INTRODUCTION OF ORDINANCE(S)

- A. [CO0586-20](#) Introduction of the Incorporated County Of Los Alamos Code Ordinance No. 02-302, An Ordinance Amending Chapter 40, Article II, Division 2, Sections, 40-63, 40-65, And 40-67 To Clarify The Transfer Of Operating Profits From The County Department Of Public Utilities To The General Fund And To Clarify The Appropriate Procurement Code For The Department
- Councilor Sheehey, read and introduced, without prejudice, Incorporated County Of Los Alamos Code Ordinance No. 02-302, An Ordinance Amending Chapter 40, Article II, Division 2, Sections, 40-63, 40-65, And 40-67 To Clarify The Transfer Of Operating Profits From The County Department Of Public Utilities To The General Fund And To Clarify The Appropriate Procurement Code For The Department, and ask staff to assure that it is published as provided in the County Charter.**
- B. [CO0588-20](#) Introduction of the Incorporated County Of Los Alamos Code Ordinance No. 02-303 An Ordinance Amending Article II, Section 31(1) Of Chapter 14 Of The Los Alamos County Code Of Ordinances To Include Property Transfers Pursuant To The Local Economic Development Act And The Metropolitan Redevelopment Code.
- Councilor Maggiore, read and introduced, without prejudice, Incorporated County Of Los Alamos Code Ordinance No. 02-303 An Ordinance Amending Article II, Section 31(1) Of Chapter 14 Of The Los Alamos County Code Of Ordinances To Include Property Transfers Pursuant To The Local Economic Development Act And The Metropolitan Redevelopment Code and ask staff to assure that it is published as provided in the County Charter.**
- C. [CO0589-20](#) Introduction of the Incorporated County Of Los Alamos Code Ordinance No. 02-304, A Code Ordinance Repealing Ordinances 501 And 543 In Their Entirety And Amending And Restating The Economic Development Plan Of The Incorporated County Of Los Alamos Into The Los Alamos County Code Of Ordinances.
- Councilor Martin, read and introduced, without prejudice Incorporated County Of Los Alamos Code Ordinance No. 02-304, A Code Ordinance Repealing Ordinances 501 And 543 In Their Entirety And Amending And Restating The Economic Development Plan Of The Incorporated County Of Los Alamos Into The Los Alamos County Code Of Ordinances, and ask staff to assure that it is published as provided in the County Charter.**

9. PUBLIC HEARING(S)

- A. [OR0864-20b](#) Incorporated County of Los Alamos Ordinance No. 698; An Ordinance Authorizing the Execution and Delivery of a Water Project Fund Loan/Grant Agreement by and Between the New Mexico Finance Authority ("Finance Authority") and the Incorporated County of Los Alamos, New Mexico (the "Borrower/Grantee"), in the Total Amount of \$800,000, Evidencing an Obligation of the Borrower/Grantee to Utilize the Loan/Grant Amount Solely for the Purpose of Financing the Costs of Construction of a Replacement Effluent Booster Station at Overlook Park, and Solely in the Manner Described in the Loan/Grant Agreement; Providing for the Pledge and Payment of the Loan Amount and an Administrative Fee Solely From Net Revenues of the Water Utility Fund; Certifying That the Loan/Grant Amount, Together with Other Funds Available to the Borrower/Grantee, is Sufficient to Complete the Project; Approving the Form of and Other Details Concerning the Loan/Grant Agreement; Ratifying Actions Heretofore Taken; Repealing All Action Inconsistent with This Ordinance; and Authorizing the Taking of Other Actions in Connection with the Execution and Delivery of the Loan/Grant Agreement

Mr. James Alarid, Deputy Utilities Manager - Engineering presented.

Public Comment:
None.

A motion was made by Councilor Maggiore, seconded by Councilor Robinson, that Council adopt the Council adopt Incorporated County of Los Alamos Ordinance No. 698; An Ordinance Authorizing the Execution and Delivery of a Water Project Fund Loan/Grant Agreement by and Between the New Mexico Finance Authority ("Finance Authority") and the Incorporated County of Los Alamos, New Mexico (the "Borrower/Grantee"), in the Total Amount of \$800,000, Evidencing an Obligation of the Borrower/Grantee to Utilize the Loan/Grant Amount Solely for the Purpose of Financing the Costs of Construction of a Replacement Effluent Booster Station at Overlook Park, and Solely in the Manner Described in the Loan/Grant Agreement; Providing for the Pledge and Payment of the Loan Amount and an Administrative Fee Solely From Net Revenues of the Water Utility Fund; Certifying That the Loan/Grant Amount, Together with Other Funds Available to the Borrower/Grantee, is Sufficient to Complete the Project; Approving the Form of and Other Details Concerning the Loan/Grant Agreement; Ratifying Actions Heretofore Taken; Repealing All Action Inconsistent with This Ordinance; and Authorizing the Taking of Other Actions in Connection with the Execution and Delivery of the Loan/Grant Agreement; he further moved that upon passage, the Ordinance be 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 Martin

10. BUSINESS

- A. [AGR0658-20](#) Approval of a Power and Renewable Energy Credit Sales Agreement, County Agreement No. AGR20-926 between Uniper Global Commodities North America, LLC and the Incorporated County of Los Alamos, New Mexico.

Mr. Steve Cummins, Deputy Utilities Manager - Power Supply, spoke.

Mr. Jordan Garcia, Power System Supervisor, spoke.

Mr. Damian Irizarry, Director, West Origination - Uniper Global Commodities, spoke.

Public Comment:

None.

A motion was made by Councilor Sheehey, seconded by Councilor Robinson, that Council approve AGR20-936, a Power and Renewable Energy Credit Sales Agreement, between Uniper Global Commodities North America, LLC and the Incorporated County of Los Alamos.

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. [12569-20](#) Approval of Modification 21 to the Electric Energy and Power Coordination Agreement (ECA) Between the Incorporated County of Los Alamos and the United States Department of Energy (DOE).

Mr. Bob Westervelt, Deputy Utilities Manager - Finance Admin, spoke.

Mr. Jordan Garcia, Power System Supervisor, spoke.

Public Comment:

None

A motion was made by Councilor Maggiore, seconded by Councilor Martin, that Council approve this Modification 21 to the Electric Coordination Agreement as presented.

The motion passed with the following vote:

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

11. COUNCIL BUSINESS

A. Appointments

1) [12723-20](#) Board/Commission Appointment(s) - Community Development Advisory Board

A motion was made by Councilor Maggiore, seconded by Councilor Robinson, to nominate Anna Dillane, Kyle Wheeler, and John Gustafson to fill two (2) current vacancies on the Community Development Advisory Board.

I move that Council appointment two (2) of the nominees to the two (2) current vacant positions:

By roll call vote, Councilors vote for two (2) nominees, and the two (2) nominees with the highest vote total of at least four votes will be appointed to fill CDAB terms ending August 14, 2022.

Councilors Scott, Ryti, Maggiore, Martin, Robinson, and Sheehey voted for:
Anna Dillane

Councilors Scott, Ryti, Izraelevitz, Maggiore, Martin, Robinson, and Sheehey, voted for:
John Gustafson

Councilor Izraelevitz voted for:
Kyle Wheeler

After a roll call vote Ms. Anna Dillane and Mr. John Gustafson were appointed to the Community Development Advisory Board.

A motion was made by Councilor Maggiore, seconded by Councilor Robinson, that Council acknowledge that John Gustafson intends to continue serving on the Library Board while serving on the Community Development Advisory Board, Council finds these two positions not incompatible, Council approves of him serving concurrently on both boards, and hereby appoints John Gustafson to the Community Development Advisory Board.

The motion passed with the following vote:

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

B. Board, Commission and Committee Liaison Reports

Councilor Ryti reported on the Parks & Recreation Board; Department of Public Utilities (DPU); the Board & Commission Luncheon; the Planning & Zoning Board; the Regional Coalition of Los Alamos National Laboratory (LANL) Communities meeting.

Councilor Sheehey reported on the New Mexico Counties Legislative Conference and commented on the PERA System Solvency Bill.

Councilor Maggiore reported on the Community Development Advisory Board and the Environmental Sustainability Board.

C. County Manager's Report**1) [12729-20](#) County Manager's Report for January 2020**

Mr. Harry Burgess, County Manager, reported on the Part 1 Crimes Report; the Popular Annual Financial Report (PAFR); the monthly report; the quarterly report; and the Financial Budget Report..

Mr. Steven Lynne, Deputy County Manager, spoke.

D. Council Chair Report

Chair Scott reported she attended the Lunch with a Leader; the Joint Los Alamos Public Schools and Los Alamos County Lunch; the Council Strategic Planning meeting with KRSN; met with the Los Alamos Medical Centers CEO; and noted that letters are going out requesting support from our Federal Legislative Representatives regarding the land transfer request to National Nuclear Security Administration (NNSA).

E. General Council Business**1) [12573-20](#) Assignment of Councilors as Council Liaisons to Boards and Commissions and on Various Council Committees.**
Councilor Scott spoke.

No action taken.

F. Approval of Councilor Expenses

None.

G. Preview of Upcoming Agenda Items

None.

12. COUNCILOR COMMENTS

Councilor Robinson extended an invite to the upcoming public meeting regarding the North Mesa Development.

13. PUBLIC COMMENT

Mr. David Hampton, 300 Aragon Avenue, spoke regarding the red tag process.

Mr. Sean Williams, 2131 34th Street, requested confirmation of the time for the North Mesa meeting.

14. ADJOURNMENT

The meeting adjourned at 7:15 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