



County of Los Alamos

Los Alamos, NM 87544
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Minutes

County Council – Regular Session

*Denise Derkacs, Council Chair, Theresa Cull, Council Vice-Chair,
Melanee Hand, Suzie Havemann, Keith Lepsch, David Reagor, and Randall Ryti
Councilors*

* Note – These minutes are **not the official minutes** and are subject to approval by the County Council.

Tuesday, April 4, 2023

6:00 PM

Council Chambers – 1000 Central Avenue
TELEVISED

1. OPENING/ROLL CALL

The Council Chair, Denise Derkacs, called the meeting to order at 6:04 p.m.

Council Chair Derkacs made opening remarks regarding the procedure of the meeting.

Ms. Linda Matteson, Deputy County Manager, listed the county employees in attendance via zoom.

The following Councilors were in attendance:

Present: 6 - Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann,
Councilor Reagor, and Councilor Ryti

Absent: 1 - Councilor Lepsch

2. PLEDGE OF ALLEGIANCE

Led by: All.

3. STATEMENT REGARDING CLOSED SESSION

Councilor Hand, read the following statement to be included in the minutes: The matters discussed in the closed session of County Council held on April 4, 2023 that began 4:30 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 the closed session. We request that this statement be included in the meeting minutes.

4. PUBLIC COMMENT

None.

5. APPROVAL OF AGENDA

Councilor Derkacs requested item 8.A. be removed from the Consent Agenda and added under Business. There were no objections.

A motion was made by Councilor Ryti, seconded by Councilor Cull, that Council approve the agenda, moving Item 8.A. to Business.

The motion passed with the following vote:

**Yes: 6 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann,
Councilor Reagor, and Councilor Ryti**

Absent: 1 – Councilor Lepsch

6. PRESENTATIONS, PROCLAMATIONS, AND RECOGNITIONS

A. Briefing to Council by Representative Chris Chandler Providing an Overview of the 2023 Legislative Session

Representative Christine Chandler, presented.

No action taken.

B. Proclamation Declaring Saturday, April 29, 2023 as "Clean Up Los Alamos Day"

Councilor Hand read and presented the proclamation to Armando Gabaldon.

Mr. Armando Gabaldon, Environmental Services Manager, spoke.

Ms. Alysia Dahlby, Scale Operator, spoke

No action taken.

C. Proclamation Declaring April 15-22, 2023, as "International Dark Sky Week"

Councilor Cull read and presented the proclamation to Galen Gisler and Didier Saumon.

Mr. Galen Gisler, PEEC Volunteer, spoke.

No action taken.

D. Overview of Management Action Plans (MAPs)

Ms. Anne Laurent, Deputy County Manager, spoke.

No action taken.

7. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA

None.

8. CONSENT AGENDA

Consent Motion:

A motion was made by Councilor Hand, seconded by Councilor Ryti, that Council approve the items on the Consent Agenda and that the motions contained in the staff reports, as amended be included for the record.

- A. Approval of Contract for General Services, Agreement No. AGR23-25 with Busted Spur Cattle Company, LLC in the Amount of \$595,000, plus Applicable Gross Receipts Tax, for the Purpose of Feral Cattle Capture

Item moved to Business.

- B. Approval of Services Agreement No. AGR23-928 with J3 Systems LLC in an Amount Not to Exceed \$2,000,000 plus Applicable Gross Receipts Tax for On-Call Roofing Services

I move that Council approve Services Agreement No. AGR23-928 with J3 Systems LLC in an amount not to exceed \$2,000,000 plus applicable Gross Receipts Tax for On-Call Roofing Services.

- C. Approval of Purchase of New dHCI Cluster Server Hardware to Consolidate and Standardize Application Infrastructure from Advanced Network Management (ANM) in the Amount of \$260,781.40

I move that Council approve the purchase of New dHCI Cluster Server Hardware to Consolidate and Standardize Application Infrastructure from Advanced Network Management (ANM) in the Amount of \$260,781.40.

- D. Approval of Purchase of Audio Visual Equipment for the Los Alamos County Council Chambers in the Amount of \$266,169.56

I move that Council approve the purchase of Audio Visual Equipment for Council Chambers in the amount of \$266,169.56.

- E. Approval of Expenditure to Rehrig Pacific Company for 360 Fully Automated Bear Resistant Roll Carts, in the amount not to exceed \$84,286

I move that Council approve the expenditure to Rehrig Pacific to procure 360 fully automated bear resistant roll carts, in the amount not to exceed \$84,286.

Approval of Consent Agenda:

The motion passed with the following vote:

Yes: 6 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Reagor, and Councilor Ryti

Absent: 1 – Councilor Lepsch

9. INTRODUCTION OF ORDINANCE(S)

- A. Introduction of Incorporated County of Los Alamos Ordinance No. 02-342, An Ordinance Amending the Text of Chapter 16, "County of Los Alamos Development Code", ARTICLE II DIVISION 2. SECTION 16-6(c) TABLE 16 AND DIVISION 3. TABLE 24 TO INCREASE THE BUILDING HEIGHT SOUTH OF TRINITY DRIVE IN DOWNTOWN LOS ALAMOS (DTLA) ZONE DISTRICT, with revisions related to the building height south of Trinity Drive

Councilor Havemann introduced, Incorporated County of Los Alamos Ordinance No. 02-342; An Ordinance Amending the Text of Chapter 16, "County of Los Alamos Development Code", ARTICLE II DIVISION 2. SECTION 16-6(c) TABLE 16 AND DIVISION 3. TABLE 24 TO INCREASE THE BUILDING HEIGHT SOUTH OF TRINITY DRIVE IN DOWNTOWN LOS ALAMOS (DTLA) ZONE DISTRICT, with revisions related to the building height south of Trinity Drive.

- B. Introduction of Incorporated County of Los Alamos Code Ordinance No. 02-343 an Ordinance amending the Text of Chapter 16, "County of Los Alamos Development Code", AN ORDINANCE AMENDING THE TEXT OF CHAPTER 16, ARTICLE II DIVISION 1. SECTION 16-6(b)(3)c 1., SECTION 16-6(c)(3)d 1., ARTICLE IV DIVISION 3. SECTION 16-28(c) TABLE 27, SECTION 16-30(a)(1) TABLE 29 TO REVISE THE REQUIRED AMOUNT OF OFF-STREET PARKING IN DOWNTOWN LOS ALAMOS (DTLA) AND WHITE ROCK TOWN CENTER (WRTC) ZONE DISTRICTS; AND SECTION 16-30(b) TO CLARIFY ADDITIONAL PARKING REDUCTIONS IN ALL ZONE DISTRICTS, with revisions related to Alternative Parking Regulations and Reduction Allowances in Downtown Los Alamos (DTLA) and White Rock Town Center (WRTC) Zone Districts

Councilor Cull introduced, without prejudice, Incorporated County of Los Alamos Code Ordinance No. 02-343 and asked the staff to assure that it is published as provided in the County Charter.

10. BUSINESS

- A. Discussion and Possible Action on Los Alamos County Assessor Valuation and Maintenance Plan

Mr. George Chandler, County Assessor, spoke.
Mr. Lucas Fresquez, Deputy Assessor, presented.

Public Comment:
None.

A motion was made by Councilor Cull, seconded by Councilor Havemann, that Council approve the Los Alamos County Assessor Valuation and Maintenance Plan.

The motion passed with the following vote:

Yes: 6 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Reagor, and Councilor Rytí

Absent: 1 – Councilor Lepsch

- B. Discussion and Possible Action on Amendment No. 2 to Services Agreement No. AGR 22-70 with iConsult LLC, dba iCon Golf Studio and Grass Roots Golf Design in the Amount \$265,108.00 plus Applicable Gross Receipts Tax for Additional Golf Course Design Services

Mr. Eric Martinez, Deputy Public Works Director, presented.
Ms. Anne Laurent, Deputy County Manager, spoke.

Public Comment:
Mr. Cliff Wolfgang spoke.
Mr. Jared Dreicer spoke.

A motion was made by Councilor Reagor, seconded by Councilor Ryti, that Council approve Amendment No. 2 to Services Agreement No. AGR 22-70 with iConsult LLC, dba iCon Golf Studio and Grass Roots Golf Design in the Amount \$265,108.00 plus Applicable Gross Receipts Tax for Additional Golf Course Design Services.

The motion passed with the following vote:

Yes: 6 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann,
Councilor Reagor, and Councilor Ryti

Absent: 1 – Councilor Lepsch

- C. Discussion and Possible Action on the calculation of Revenue Transfer of 5% from Electric and Gas Funds for Operations during Fiscal Year 2023

Ms. Heather Garcia, Business Operations Manager, presented.

Public Comment:
None.

A motion was made by Councilor Cull, seconded by Councilor Ryti, that Council approve the transfer of revenues of 5% from the electric and gas funds during fiscal year 2022 to the general fund, and re-direct these amounts to be used within the joint utility system fund for purposes designated by Council in accordance with Incorporated County of Los Alamos Ordinance 02-324.

The motion passed with the following vote:

Yes: 6 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann,
Councilor Reagor, and Councilor Ryti

Absent: 1 – Councilor Lepsch

RECESS

Councilor Derkacs called for a recess at 7:59 p.m. The meeting reconvened at 8:08 p.m.

- D. Discussion and Possible Action to Revise the Scope of the Pueblo Canyon Conceptual Trail Project to an Updated County-wide Trails & Open Space Management Plan

Mr. Cory Styron, Community Services Director, presented.
Ms. Anne Laurent, Deputy County Manager, spoke.
Mr. Alvin Leaphart, County Attorney, spoke.
Mr. David Hampton, Park and Recreation Chair Board Member, spoke.

Public Comment:
Mr. Michael Smith spoke.
Ms. Lisa Reader spoke.
Mr. Jared Dreicer spoke.
Mr. Taber West spoke.
Ms. Stephanie Nakhleh spoke.
Ms. Addie Jacobson spoke.

A motion was made by Councilor Hand, seconded by Councilor Ryti, that Council adjust the scope of the project to be a County-wide trails and open space management plan and also coordinate with the parks and recreation board for further input:

After further discussion the motion made by Councilor Hand was restated. There were no objections. The new motion now reads:

A motion was made by Councilor Hand, seconded by Councilor Ryti, that Council adjust the scope of the Pueblo Canyon Conceptual Trail project to an updated County-wide trails and open space management plan with input from the parks and recreation board and its committees and community stakeholders.

The motion failed with the following vote:

Yes: 3 – Councilor Derkacs, Councilor Hand, and Councilor Ryti

No: 3 – Councilor Cull, Councilor Havemann, and Councilor Reagor

Absent: 1 – Councilor Lepsch

A SUBSTITUTE motion was made by Councilor Havemann, seconded by Councilor Reagor, that Council adjust the scope of the Pueblo Canyon Conceptual Trail project to a single comprehensive consolidated County-wide trails and open space management plan. This consolidated plan will incorporate the four plans attached to this agenda item along with the ADA audit and transition plan and the Los Alamos County open space restoration feasibility assessment. The plan will be holistic in its scope by included maintenance and improvements and will consider recreation, mobility, economic vitality, and environmental sustainability.

Councilor Hand offered the following Friendly Amendment to the SUBSTITUTE motion: to coordinate with the Parks and Recreation Board for input. It was accepted.

The motion passed with the following vote:

Yes: 6 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Reagor, and Councilor Ryti

Absent: 1 – Councilor Lepsch

E. Discussion and Possible Action on Proposed Launch of a Local Adopt-A-Road Program in Los Alamos County

Mr. Juan Rael, Public Works Director, presented.

Mr. Richard Sturgeon, President of the Jemez Riders Riding Club, Member of LANL's Motorcycle Safety Committee, spoke.

Public Comment:

None.

A motion was made by Councilor Ryti, seconded by Councilor Hand, that Council approve the creation of an Adopt-A-Road Program and authorize the County Manager to proceed with the implementation.

The motion passed with the following vote:

Yes: 6 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Reagor, and Councilor Ryti

Absent: 1 – Councilor Lepsch

Consent Item 8.A.

Approval of Contract for General Services, Agreement No. AGR23-25 with Busted Spur Cattle Company, LLC in the Amount of \$595,000, plus Applicable Gross Receipts Tax, for the Purpose of Feral Cattle Capture

Mr. Cory Styron, Community Services Director, spoke.

A motion was made by Councilor Cull, seconded by Councilor Ryti, that Council approve Contract for General Services, Agreement No. AGR23-25 with Busted Spur Cattle Company, LLC in the Amount of \$595,000, plus Applicable Gross Receipts Tax, for the purpose of Feral Cattle Capture.

Yes: 5 – Councilor Derkacs, Councilor Cull, Councilor Havemann, Councilor Reagor, and Councilor Ryti

No: 1 – Councilor Hand

Absent: 1 – Councilor Lepsch

11. COUNCIL BUSINESS

A. General Council Business

None.

B. Appointments

1) Board/Commission Appointment(s) - Los Alamos County Health Council

Ms. Jessica Strong, Social Services Division Manager, spoke.

Public Comment:
None.

A motion was made by Councilor Ryti, seconded by Councilor Cull, to nominate Jennifer Bartram, Jeramay Martinez, Joyce Richins, Conner Tharp, and Elizabeth Burr to fill three (3) positions on the Los Alamos Health Council and move that Council appoint three (3) to the vacant position(s) as follows:

By roll call vote, Councilors vote for three (3) nominees and the three (3) with the highest vote total of four or more be appointed to fill terms beginning on January 7, 2023 and ending on January 6, 2025.

Councilor Derkacs called for a roll call vote to appoint members to the Los Alamos Health Council.

Councilors Derkacs, Cull, Hand, Havemann, Reagor, and Ryti voted for:
Jennifer Bartram

Councilors Derkacs, Cull, Hand, Havemann, Reagor, and Ryti voted for:
Jeramay Martinez

Councilors Derkacs, Cull, and Havemann voted for:
Joyce Richins

Councilors Hand, Reagor, and Ryti voted for:
Elizabeth Burr

After a roll call vote, Ms. Jennifer Bartram and Ms. Jeramay Martinez were appointed to the Los Alamos Health Council.

Councilor Derkacs called for a roll call vote to appoint one member to the Los Alamos Health Council.

Councilors Derkacs, Cull, Hand, Havemann, Reagor, and Rytli voted for:
Joyce Richins

After a roll call vote, Ms. Joyce Richins was appointed to the Los Alamos Health Council.

C. Board, Commission and Committee Vacancy Report

No Report.

D. Board, Commission, and Committee Liaison Reports

Councilor Rytli reported on the Library Board meeting.

E. County Manager's Report

No Report.

F. COVID-19 Situational Report

Ms. Linda Matteson, Deputy County Manager, provided an update.

G. Council Chair Report

No Report.

H. Approval of Councilor Expenses

None.

I. Preview of Upcoming Agenda Items

1) Tickler Report of Upcoming Agenda Items

Chair Derkacs highlighted upcoming items.

Councilor Rytli requested a presentation update from the Wildland Department on fire preparedness efforts.

12. COUNCILOR COMMENTS

None.

13. PUBLIC COMMENT

None.

14. **ADJOURNMENT**

The meeting adjourned at 10:22 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

Denise Derkacs, Council Chair

Attest:

Naomi D. Maestas, County Clerk

Meeting Transcribed by: Victoria Montoya, Sr. Deputy Clerk