



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*

Tuesday, December 17, 2024

6:00 PM

Council Chambers - 1000 Central Avenue

1. OPENING/ROLL CALL

The Council Chair, Denise Derkacs, called the meeting to order at 6:00 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: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann,
Councilor Lepsch, Councilor Reagor, and Councilor Ryti**

2. PLEDGE OF ALLEGIANCE

Led by: All.

3. STATEMENT REGARDING CLOSED SESSION

Councilor Lepsch read the following statement to be included in the minutes: “The matters discussed in the closed session of County Council and the Board of Public Utilities joint session held on December 10th that began at 5:00 p.m. and the closed session of the County Council held on December 10, 2024, at 5:30 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. We request this statement to be included in the meeting minutes.”

4. PUBLIC COMMENT

None.

5. APPROVAL OF AGENDA

Chair Derkacs noted that item 10.B will be heard at a later meeting.

A motion was made by Councilor Cull, seconded by Councilor Reagor, that Council approve the agenda as amended.

The motion passed with the following vote:

Yes: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Haveman, Councilor Lepsch, Councilor Reagor, and Councilor Ryti

6. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

A. Recognition of Los Alamos County Election Officials

Councilor Lepsch read and presented the Proclamation.

County Clerk Naomi Maestas spoke.

B. Recognition of Outgoing County Clerk, Naomi Maestas

County Clerk-Elect Michael Redondo spoke.

Ms. Tessa Jo Mascarenas, Chief Deputy Clerk, spoke.

Clerk Naomi Maestas spoke.

C. Recognition of Outgoing Councilors

Council Vice-Chair Cull spoke.

Councilor Ryti spoke.

Councilor Havemann spoke.

Councilor Reagor spoke.

Councilor Lepsch spoke.

Council Chair Derkacs spoke.

7. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA

None.

8. CONSENT AGENDA

Consent Motion:

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

A. Approval of County Council Minutes for the December 3, 2024, Regular Session

I move that Council approve the County Council Minutes for the December 3, 2024, Regular Session.

- B. Approval of Services Agreement No. AGR 24-37 with Spare Labs, Inc. in the Amount of \$2,806,814.96 plus Applicable Gross Receipts Tax for Microtransit and Paratransit Software and Services

I move that Council approve Services Agreement No. AGR 24-37 with Spare Labs, Inc. in the Amount of \$2,806,814.96 plus Applicable Gross Receipts Tax for Microtransit and Paratransit Software and Services.

- C. Approval of Contract for General Services, Agreement No. AGR 25-13 with Renewance, Inc. in the Amount of \$945,240.00, a Contingency in the Amount of \$50,000.00 and Applicable GRT, for the Purpose of Removal and Proper Disposition of One (1) NGK One (1) Megawatt, Six (6) Megawatt-Hour Sodium Sulfur Battery System at the Los Alamos County Eco Station and Budget Revision 2025-10

I move that Council approve Contract for General Services, Agreement No. AGR 25-13 with Renewance, Inc. in the amount of \$945,240.00 and a contingency in the amount of \$50,000.00 for a total of \$995,240.00, plus applicable Gross Receipts Tax, for the purpose of removal and proper disposition of one (1) NGK one (1) megawatt, six (6) megawatt-hour sodium sulfur battery system at the Los Alamos County Eco Station.

I further move that Council approve Budget Revision 2025-10 in the amount of \$316,000 and include Attachment B in the meeting minutes.

- D. Approval of Services Agreement No. AGR 25-09 with DH Pace Company, Inc. dba Overhead Door Company of Santa Fe in the Amount of \$1,500,000 plus Applicable Gross Receipts Tax for Overhead Door Inspection, Maintenance and Repair Services

I move that Council approve Services Agreement No. AGR 25-09 with DH Pace Company, Inc. dba Overhead Door Company of Santa Fe in the Amount of \$1,500,000 plus Applicable Gross Receipts Tax for overhead door inspection maintenance and repair services.

- E. Approval of Contract for General Services, Agreement No. AGR 25-26 with Burns & McDonnell Engineering Company, Inc. in the Amount of \$398,000, plus Applicable Gross Receipts Tax, for the Purpose of Developing an Electric Distribution System Electrification Study

I move that Council approve Contract for General Services, Agreement No. AGR 25-26 with Burns & McDonnell Engineering Company, Inc. in the amount of \$398,000, plus Applicable Gross Receipts Tax, for the purpose of developing an electric distribution system electrification study.

- F. Approval of Amendment No. 2 to Agreement No. AGR21-926 with Carahsoft Technology Corporation for the Purpose of Upgrading Granicus Encoder Appliances and Licensing for Simultaneous Streaming of Council and Boards and Commission Meetings on Legistar

I move that Council approve Amendment No. 2 to Agreement No. AGR21-926 with Carahsoft Technology Corporation for the purpose of upgrading Granicus Encoder appliances and licensing for simultaneous streaming of Council and Boards and Commissions meetings on Legistar.

- G. Approval of Asset Transfer for County Purchased EV Charging Stations from the General Fund to the Joint Utilities Fund

I move that Council approve the asset transfer for County purchased EV Charging Stations from the General Fund to the Joint Utilities Fund.

- H. Grant of Utility Easement on Lot 3, Maes Subdivision (2440 46th Street)

I move that the Council Approve the grant of Utility Easement on Lot 3 of the Maes Subdivision.

- I. Approval of Grant Application for the Assistance to Firefighters Grant for an Amount Not to Exceed \$752,868.72 for the Replacement of Cardiac Monitors on All Frontline Apparatus

I move that Council approve the submission of a Assistance to Firefighters Grant Application in an amount not to exceed \$752,868.72 to replace 12 LifePak Cardiac Monitors which would replace current fleet of cardiac monitors nearing the end of serviceable life.

- J. Approval of NM Department of Transportation 2025 Electric Vehicle Infrastructure Grant Application for an amount not to exceed \$1,600,000 for the Purpose of Designing, Constructing, and Installing Electric Vehicle Charging Infrastructure

I move that Council approve the submission of an NM Department of Transportation (NMDOT) 2025 Electric Vehicle Infrastructure grant application in an amount not to exceed \$1,600,000 for the purpose of designing, constructing, and installing electric vehicle charging infrastructure.

Approval of the Consent Agenda:

The motion passed with the following vote:

Yes: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Lepsch, Councilor Reagor, and Councilor Ryti

9. PUBLIC HEARING(S)

- A. Incorporated County of Los Alamos Resolution No. 24-30: A Resolution Authorizing and Approving Submission of a Completed Application for Financial Assistance and Project Approval to the New Mexico Finance Authority for the Denver Steels Waterline Replacement Project Phase II and III

Mr. James Alarid, Deputy Utility Manager – Engineering, presented.

Public comment:
None.

A motion was made by Councilor Ryti, seconded by Councilor Cull, that Council adopt Incorporated County of Los Alamos Resolution No. 24-30: A Resolution authorizing and approving submission of a completed application for financial assistance and project approval to the New Mexico Finance Authority for the Denver Steels Waterline Replacement Project Phase II and III.

The motion passed with the following vote:

Yes: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Lepsch, Councilor Reagor, and Councilor Ryti

- B. Public Hearing for County Council to Consider Case No. REZ-2024-0019 for a Minor Zone Map Amendment for the Property Located at 1725 17th Street, Los Alamos, New Mexico, Commonly Known as the Women's Dorm Building

Hearing Procedures:

Chair Derkacs introduced this Public Hearing item at 6:43 p.m. and explained the procedures.

Council Disclosure:

Chair Derkacs polled the Council for potential Conflicts of Interest or ex-parte communication.

Identification of Parties:

Mr. Russell Naranjo, representative for the Applicant, Los Alamos County.

Mr. Dan Osborn, Housing and Special Projects Manager, and Ms. Desirae Lujan, Senior Planner, representatives for Los Alamos County's Community Development Department.

Chair Derkacs accepted Attachments A, B, C, D, E, and F from the staff report for this agenda item as well as the recording of the November 20, 2024, meeting of the Planning and Zoning Commission identified in the staff report for this item into the record for this proceeding.

Public Comment:

No public comment was allowed during this Quasi-Judicial proceeding.

Opening Statements:

Mr. Dan Osborn spoke.

Mr. Russell Naranjo spoke.

Ms. Desirae Lujan spoke.

Ms. Linda Matteson, Deputy County Manager, spoke.

A motion was made by Councilor Ryti, seconded by Councilor Cull, that the County Council approve the recommendation of the Planning and Zoning Commission in Case No. REZ-2024-0019; adopt the Findings of Fact and Conclusions of Law made by the Planning and Zoning Commission as part of the County Council's Findings of Fact and Conclusions of Law, and I further move to authorize the Chair of the County Council to sign a final order prepared by county staff that is consistent with this motion.

The motion passed with the following vote:

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

No: 1 – Councilor Reagor

The Public Hearing for this item was adjourned by Chair Derkacs at 7:05 p.m.

10. BUSINESS

- A. Presentation and Possible Adoption of the Final 2024 Comprehensive Health Plan and Los Alamos County Health Care Quality and Accessibility Survey

Ms. Jessica Strong, Social Services Manager, presented.

Ms. Rachelle Howell, Managing Partner, Southwest Planning & Marketing, spoke.

Ms. Lori Padilla, Chair of the Los Alamos County Health Council, spoke.

Ms. Lisa Hampton, incoming Chair of the Los Alamos County Health Council, spoke.

Public comment:

Mr. James Wernicke spoke.

A motion was made by Councilor Ryti, seconded by Councilor Lepsch, that Council adopt the 2024 Comprehensive Health Plan.

The motion passed with the following vote:

Yes: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Lepsch, Councilor Reagor, and Councilor Ryti

RECESS:

Chair Derkacs called for a recess at 8:28 p.m. The meeting reconvened at 8:41 p.m.

- B. East Downtown Los Alamos MRA Plan Update

Public comment:

See attached eComments.

This item was removed from the agenda.

- C. Presentation on 2024 Wildlife Education Campaign and Possible Action on Future Consideration of a Wildlife Feeding Ordinance

Ms. Leslie Bucklin, Assistant Public Information Officer, presented.

Conservation Officer Tyler Carter, New Mexico Department of Game and Fish, presented.

Sergeant Ben Otero, New Mexico Department of Game and Fish, spoke.

Mr. Alvin Leaphart, County Attorney, spoke.

Ms. Theresa Phelan, Animal Control Officer, spoke.

Public comment:

Dr. Jonathan Powell spoke.

Mr. David Hampton spoke.

Mr. James Robinson spoke.

Mr. James Wernicke spoke.

See attached eComments.

A motion was made by Councilor Ryti, seconded by Councilor Lepsch, that Council direct the County Manager to implement the wildlife education plan recommendations and return to Council with an ordinance prohibiting the feeding of wildlife in the County with further consideration of how the local enforcement is coordinated with the New Mexico Game and Fish Department.

The motion passed with the following vote:

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

No: 1 – Councilor Reagor

11. COUNCIL BUSINESS

A. General Council Business

None.

B. Appointments

None.

C. Board and Commission Vacancy Report

None.

D. Board, Commission, and Working Group Reports

Councilor Ryti reported on the Parks and Recreation Board.

Councilor Hand reported on the Library Board, the Transportation Board, and the North Central Regional Transit District.

Councilor Reagor reported on the Planning & Zoning Board and the Lodger's Tax Advisory Board.

Councilor Cull reported on the Board of Public Utilities and the Inclusivity Task Force.

E. County Manager's Report

1) County Manager's Report for November 2024

County Manager Laurent reported on the Better-Informed Public Officials training, the Elected Officials orientation on December 18, and the new Executive Assistant in the County Manager's Office. She also reported on the recruitment of the Community Development Director and Public Works Director. She expressed her thanks to those involved with the Light Parade and the lighting of the Christmas tree in the Municipal Building lobby.

F. Council Chair Report

Chair Derkacs reported attending the following meetings and events:

- Regular meeting with the County Manager
- Regular meeting with the County Attorney
- Regional and State Working Group meeting for upcoming legislative priorities
- County holiday tree lighting
- Boards & Commissions luncheon
- Wreaths Across America ceremony at Guaje Pines Cemetery
- Metropolitan Redevelopment Area public forum

G. Approval of Councilor Expenses

A motion was made by Councilor Ryti, seconded by Councilor Reagor, that Council approve expenses for up to three Councilors to attend the New Mexico Legislative Conference in January in Santa Fe.

The motion passed with the following vote:

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

Absent: 1 – Councilor Havemann

H. Preview of Upcoming Agenda Items

Chair Derkacs highlighted upcoming agenda items for Council meetings in January 2025.

12. COUNCILOR COMMENTS

Councilor Ryti commented on discussions at the Intergovernmental meeting and that it has been a pleasure serving with Councilor Lepsch and Chair Derkacs.

12. ADJOURNMENT

The meeting adjourned at 10:33 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

Denise Derkacs, Council Chair

Attest:

Naomi D. Maestas, County Clerk

Meeting Transcribed by: Allison Collins, Deputy Clerk

Budget Revision 2025 - 10

BPU Meeting Date: Dec 4, 2024

Council Meeting Date: Dec 17, 2024

	Fund & Department	Org	Object	Revenue (decrease)	Expenditures (decrease)	Transfers In(Out)	Fund Balance (decrease)
1	Joint Utilities Fund - Electric Production	51185140	8369		\$ 316,000		\$ (316,000)
<p>Description: The purpose of this budget revision is to cover the additional funding needed for the sodium sulfur battery removal project.</p>							
<p>Fiscal Impact: The net fiscal impact to the Joint Utilities Fund is an increase in expenditures and decrease in fund balance by \$316,000.</p>							

Karen Kendall 11/22/2024
 Preparer Date

N/A

 County Manager Approval if Required

Phil Shelton
 Department Director Signature

Yvette Atencio
 Budget Manager/Analyst Signature

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 Item 8.C
 Attachment B

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8. CONSENT

E. AGR1084-24

Approval of Contract for General Services, Agreement No. AGR 25-26 with Burns & McDonnell Engineering Company, Inc. in the Amount of \$398,000, plus Applicable Gross Receipts Tax, for the Purpose of Developing an Electric Distribution System Electrification Study

Revised Motion

I move that Council approve Contract for General Services, Agreement No. AGR 25-26 with Burns & McDonnell Engineering Company, Inc. in the amount of \$398,000, plus Applicable Gross Receipts Tax, for the purpose of developing an electric distribution system electrification study.

Los Alamos County Council Regular Session December 17, 2024 Item 8.E - Revised Motion
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County Council - Regular Session on 2024-12-17 6:00 PM

Meeting Time: 12-17-24 17:45

eComments Report

Meetings	Meeting Time	Agenda Items	Comments	Support	Oppose	Neutral
County Council - Regular Session on 2024-12-17 6:00 PM	12-17-24 17:45	46	5	3	1	1

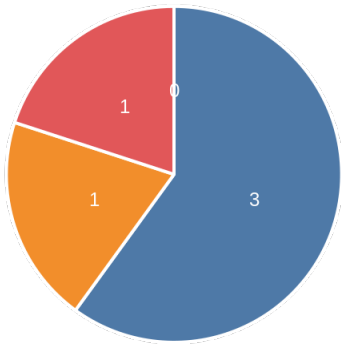
Sentiments for All Meetings

The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment

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eComments

Support (60%) Oppose (20%) Neutral (20%)
No Response (0%)



County Council - Regular Session on 2024-12-17 6:00 PM

12-17-24 17:45

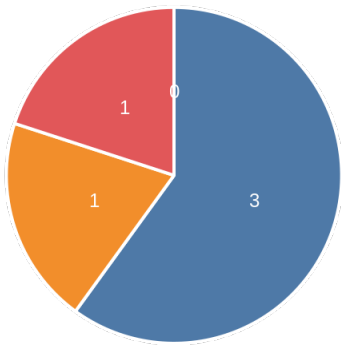
Agenda Name	Comments	Support	Oppose	Neutral
B. 19389-24 East Downtown Los Alamos MRA Plan Update	1	0	0	1
C. 19293-24 Presentation on 2024 Wildlife Education Campaign and Possible Action on Future Consideration of a Wildlife Feeding Ordinance	4	3	1	0

Sentiments for All Agenda Items

The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment

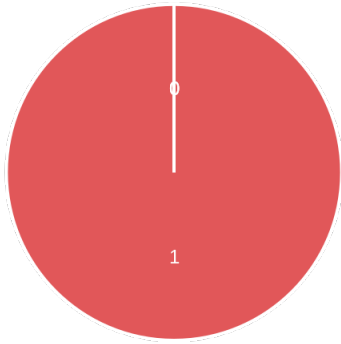
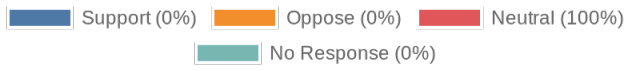
Support (60%) Oppose (20%) Neutral (20%)
No Response (0%)



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Agenda Item: eComments for B. 19389-24 East Downtown Los Alamos MRA Plan Update

Overall Sentiment



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Kevin Holsapple

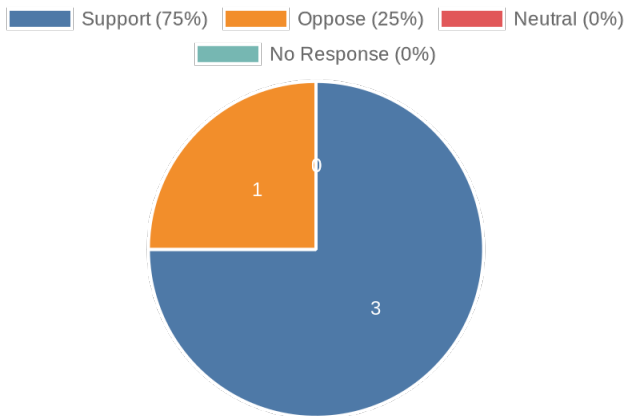
Location:

Submitted At: 12:26pm 12-14-24

Please find out the answer to this question: When will a draft MRA plan be made available for public review, input, and comment? The timeline suggests it should be happening now.

Overall Sentiment

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Akkana Peck

Location:
Submitted At: 11:22am 12-17-24

Every complaint I've seen centers on people feeding deer, yet the ordinance is so general that it would ban most bird feeding, especially ground-feeding birds (doves, towhees, juncos, quail) since "wild animals" other than songbirds can usually access seed in bird feeders as well.

If the problem is people feeding deer, make an ordinance about that. Don't prohibit all wildlife feeding including bird feeding. It just makes criminals out of half the county residents.

June Fabryka-Martin

Location:
Submitted At: 10:55am 12-17-24

I request that Council move forward with a Wildlife Feeding Ordinance. The threats to public safety are real, not hypothetical. The issue is analogous to that of the \$1.9M safety netting that Council approved for installation at the golf course (10/10/23), for which Chair Derkacs said, "My perspective is that once we have been told that there is a safety liability at the course, it is up to us to then take precautions to address that liability and protect the public."

Craig Martin

Location:
Submitted At: 10:00am 12-16-24

For 25 years I've witness the forest's recovery from fire and without a doubt the fire has created ideal deer habitat. Supplemental feeding by residents is unnecessary and indeed is harmful to wildlife and potentially a safety issue for humans. I fully support the consideration of a wildlife feed ordinance. Further, for consistency, I'd recommend eliminating "groundhogs" and "opossums" from the wildlife definition because neither are found in the Los Alamos area.

David Arellano

Location:

Submitted At: 9:56am 12-14-24

The deer inside the city are akin to giant rats, they eat landscaping, damage property and propagate disease. The predators are moving to hunt the fattened, lazy, complacent deer and are finding the locals to be easier prey. Its only a matter of time before someone gets hurt or killed. In my opinion, we should go further and encourage non-firearm hunting inside the city, particularly in the canyons and on the golf course. The wildlife has lost the fear of humans and we should reestablish it.

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