



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 Rytí
Councilors*

Tuesday, June 13, 2023

6:00 PM

Council Chambers – 1000 Central Avenue

1. OPENING/ROLL CALL

The Council Chair, Denise Derkacs, called the meeting to order at 6:01 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 Lepsch, and Councilor Rytí**

Remote: 1 - Councilor Reagor

2. PLEDGE OF ALLEGIANCE

Led by: All.

3. STATEMENT REGARDING CLOSED SESSION

Councilor Cull, read the following statement to be included in the minutes: "The matters discussed in the closed session of County Council held on June 13, 2023, that began at 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".

4. PUBLIC COMMENT

Mr. Robert Bourque, commented on the North Mesa Roundabout.

5. APPROVAL OF AGENDA

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

The motion passed with the following vote:

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

6. PRESENTATIONS, PROCLAMATIONS, AND RECOGNITIONS

- A. Proclamation declaring Monday, June 19, 2023 as "Juneteenth" in Los Alamos County

Councilor Cull read and presented the proclamation to Andrea Determan and Beverly Neal-Clinton.

Ms. Andrea Determan spoke.

No action taken.

7. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA

None.

8. CONSENT AGENDA

Consent Motion:

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

- A. Approval of County Council Minutes for the May 16, 2023 Work Session and the May 23, 2023 Regular Session

I move that Council approve the County Council Minutes for the May 16, 2023 Work Session and the May 23, 2023 Regular Session.

- B. Approval of Professional Services Agreement No. AGR 23-54, in an Amount Not to Exceed \$2,000,000 excluding NMGR, for Professional On-Call Architectural, Engineering, Planning, and Project Management Consulting Services for the Los Alamos County Airport

I move that Council approve Professional Services Agreement No. AGR 23-54 in an amount not to exceed \$2,000,000, excluding applicable NMGR, for professional architectural engineering, planning, and project management consulting services for the Los Alamos Airport.

- C. Approval of Agreements AGR 23-37a to Franco's Builder, LLC., AGR 23-37b to GME General Building, LLC., and AGR 23-37c to Jaypen Construction, LLC for On-Call Concrete and Other Related Services in an Amount Not to Exceed \$4,000,000 Combined for all three Agreements Plus Applicable Gross Receipts Tax Over a Seven Year Period

I move that Council approve Agreements AGR 23-37a to Franco's Builder, LLC., AGR 23-37b to GME General Building, LLC., and AGR 23-37c to Jaypen Construction, LLC, Inc. for On-Call Concrete and Other Related Services in an Amount Not to Exceed \$4,000,000 Combined for all three Agreements Plus Applicable Gross Receipts Tax Over a Seven Year Period.

- D. Grant of Utility Easements Within Tract-A-8-B, Eastern Area No. 2 for Development of the Bluffs Housing, LLC DP Road

I move that Council Approve the Grant of Utility Easement Within Track A-8-B, a subdivision of Eastern Area No. 2.

Approval of 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. INTRODUCTION OF ORDINANCE(S)

- A.** Incorporated County of Los Alamos Code Ordinance No. 02-346: A Code Ordinance Amending Chapter 31, Procurement, to Increase the Threshold Amounts for Certain Approval Authority; and Amending Chapter 40, Utilities, to Remove the Incorrect Reference to the State Procurement Code

Councilor Ryti introduced, without prejudice, Incorporated County of Los Alamos Ordinance No. 02-346: A Code Ordinance Amending Chapter 31, Procurement, to Increase the Threshold Amounts for Certain Approval Authority; and Amending Chapter 40, Utilities, to Remove the Incorrect Reference to the State Procurement Code, and asked staff to assure that it is published as provided in the County Charter.

- B.** Introduction of Incorporated County of Los Alamos Ordinance No. 726 Adopting a Municipal Gross Receipts Tax of One-Half of One Percent to be Effective July 1, 2024

Councilor Cull introduced, without prejudice, Incorporated County of Los Alamos Ordinance No. 726 Adopting a Municipal Gross Receipts Tax of one-half of one percent to be effective July 1, 2024.

- C.** Introduction of Incorporated County of Los Alamos Ordinance No. 725 Adopting a Municipal Gross Receipts Tax of One-Half of One Percent to be Effective January 1, 2024

Councilor Havemann introduced, without prejudice, Incorporated County of Los Alamos Ordinance No. 725 Adopting a Municipal Gross Receipts Tax of one-half of one percent to be effective January 1, 2024.

10. BUSINESS

- A.** Presentation and Possible Action on the Five Year Transit Plan

Mr. Juan Rael, Public Works Director, spoke.
Mr. James Barela, Transit Manager, presented.

Public Comment:
None.

A motion was made by Councilor Ryti, seconded by Councilor Lepsch, that Council approve the Atomic City Transit Short Range Transit 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**

11. COUNCIL BUSINESS

A. General Council Business

None.

B. Appointments

None.

C. Board, Commission and Committee Vacancy Report

1) Board, Commission and Committee Vacancy Report

No report.

D. Board, Commission, and Committee Liaison Reports

Councilor Hand reported on the North Central Regional Transit Board, the Planning and Zoning Commission, and the Historic Preservation Advisory Board.

Councilor Lepsch reported on the Health Council and the Transportation Board.

Councilor Cull reported on the Nuisance Code Implementation Review Task Force, the Rules Committee, and the Board of Public Utilities.

Councilor Ryti reported on the Executive Board for the Energies Communities Alliance, the Technical Working Group, the Library Board, the National League of Cities Risk Conference, and the deep dive on bias and racism, and the National Association of Counties.

E. County Manager's Report

1) County Managers Report for February 2023

Mr. Steve Lynne, County Manager, reported on quarterly code compliance report publishing, the Local Mainstreet Association, and fentanyl overdoses in the community.

F. Council Chair Report

Chair Derkacs reported on weekly agenda setting meetings, the weekly meetings with the County Manager, the biweekly meetings with the County Attorney, monthly joint meetings with Los Alamos Public Schools and UNM-LA, the LANL community meeting, presenting the Earth Day proclamation, the Juvenile Justice Advisory Board (JJAB), the League of Woman Voters, the Board of Public Utilities, Student Briefing on raising minimum wage, the DOE-EM NPA Briefing, the Board and Commission Luncheon, UNM-LA Commencement Ceremony, the Las Cumbres Learning Center, the Grand Reopening of Metzger's in White Rock, story hour at Mesa Public Library, Mirador Public Improvement District Meeting, the Memorial Ceremony for the Ross Aviation Incident, Jemez Mountain Trail Run, the Farmers Market, the Los Alamos Fire Department Cadet Graduation Ceremony, the Memorial Day Proclamation, a visit with Rep. Teresa Leger-Fernandez, a Regional partnership meeting discussion, a National Media Opportunity, and the Northern New Mexico Queens Court.

G. Approval of Councilor Expenses

A motion was made by Councilor Cull, seconded by Councilor Hand, that Council approve Councilor Ryti's trip to Austin, Texas for the National Association of Counties Meeting.

The motion passed with the following vote:

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

H. Preview of Upcoming Agenda Items

1) Tickler Report of Upcoming Agenda Items

Chair Derkacs highlighted upcoming items.
Councilor Cull highlighted upcoming items.
Councilor Ryti highlighted upcoming items.

12. COUNCILOR COMMENTS

Councilor Ryti commented on the Juneteenth Proclamation, the Pride Proclamation, and the bear sighting in White Rock.

Chair Derkacs commented on the bear sighting in White Rock.

13. PUBLIC COMMENT

None.

14. ADJOURNMENT

The meeting adjourned at 7:08 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

Denise Derkacs, Council Chair

Attest:

Naomi D. Maestas, County Clerk

Meeting Transcribed by: Ubaldo Barela, Deputy Clerk