



County of Los Alamos

Los Alamos, NM 87544
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Minutes

County Council – Regular Session

Randall Ryti, Council Chair, Denise Derkacs, Council Vice-Chair,
Melanee Hand, David Izraelevitz, Keith Lepsch, David Reagor, and Sara Scott,
Councilor Councilors

Tuesday, August 30, 2022

6:00 PM

Council Chambers-1000 Central Avenue
TELEVISED

1. OPENING/ROLL CALL

The Council Chair, Randall Ryti, called the meeting to order at 6:00 p.m.

Councilor Lepsch arrived at the meeting during the discussion of Item 2.

The following Councilors were in attendance:

**Present: 6 - Councilor Ryti, Councilor Derkacs, Councilor Hand, Councilor Lepsch,
Councilor Scott, and Councilor Reagor**

Remote: 1 - Councilor Izraelevitz

2. PLEDGE OF ALLEGIANCE

Led by: All.

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

Ms. Anne Laurent, Deputy County Manager, listed the county employees in attendance via Zoom.

3. PUBLIC COMMENT

Ms. Peggy Pendergast commented on the community and Los Alamos County staff.

Mr. Sammy Maestas, Gas/Water/Sewer Superintendent, commented on Item 8.D discussion of recruitment, retention, and compensation issues.

Mr. Estevan Garcia, Gas/Water/Sewer Apprentice II, commented on Item 8.D discussion of recruitment, retention, and compensation issues.

Mr. Roland Rodriguez, Journeyman Lineman, commented on Item 8.D discussion of recruitment, retention, and compensation issues.

Ms. Antonia Tallarico, commented on sidewalk maintenance and ADA compliance.

Ms. Anne Rutherford, commented on sidewalk maintenance and ADA compliance.

Mr. Bertram Quintana, Fire Driver Engineer, commented on Item 8.D discussion of recruitment, retention, and compensation issues.

Mr. Chris Mechels, commented on election law.

Mr. Joel Martinez, Water Systems Electrical Technician, commented on Item 8.D discussion of recruitment, retention, and compensation issues.

Ms. Sabrina Larson, commented on theft and shoplifting.

Mr. Allen Quintana, Fire Driver Engineer, commented on Item 8.D discussion of recruitment, retention, and compensation issues.

Mr. Chris Luchini, commented on Item 8.B about the Nuisance Code, and compensation for the County Sheriff position.

Mr. Ryan Wolking, Police Sergeant, commented on Item 8.D discussion of recruitment, retention, and compensation issues.

Mr. Bobby Baca, commented on Item 8.D discussion of recruitment, retention, and compensation issues.

Mr. Christopher Ross, Police Sergeant, commented on Item 8.D discussion of recruitment, retention, and compensation issues.

Mr. David Randleman, Police Sergeant, commented on Item 8.D discussion of recruitment, retention, and compensation issues.

4. APPROVAL OF AGENDA

A motion was made by Councilor Scott, seconded by Councilor Reagor, that the agenda be approved as presented with the exception of moving business item 8.D to right after 8.A.

The motion passed with the following vote:

Yes: 7 - Councilor Ryti, Councilor Derkacs, Councilor Hand, Councilor Izraelevitz, Councilor Reagor, Councilor Lepsch, and Councilor Scott

5. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

- A.** Proclamation declaring the Month of September as "Voter Registration Month" and Tuesday, September 20, 2022 as "Voter Registration Day" in Los Alamos County

Councilor Derkacs read and presented the proclamation to Naomi Maestas, County Clerk, Victoria Martinez, Elections Manager, and Barbara Calef, Vice-President of the League of Woman Voters of Los Alamos.

Ms. Naomi Maestas, County Clerk, spoke.

No action taken.

6. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA

None.

7. CONSENT AGENDA

Consent Motion:

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

- A.** Approval County Council Minutes for July 26, 2022 and August 9, 2022

I move that Council approve the County Council Minutes for the July 26, 2022 and August 9, 2022, as amended.

- B. Approval of the Fifth Revised Network Integration Transmission Service Agreement (NITSA) and Fifth Revised Network Operating Agreement (NOA) between Los Alamos County and Public Service Company of New Mexico

I move that Council approve the Fifth Revised Network Integration Transmission Service Agreement and Fifth Revised Network Operating Agreement between Los Alamos County and Public Service Company of New Mexico.

- C. Approval of budget revision 2023-07, Increase of revenue and expenditure in the fire protection fund granted by the Department of Homeland Security and Emergency Management and the Fire EMS Fund granted by the Department of Health

I move that Council approve Budget Revision 2023-07 as summarized on Attachment A and that the attachment be made a part of the minutes of this meeting.

- D. Board/Commission Appointment- Historic Preservation Advisory

I nominate Loretta Weiss to fill one vacancy on the Historic Preservation Advisory Board and appoint Ms. Weiss to a term ending April 30, 2023.

Approval of the Consent Agenda:

The motion passed with the following vote:

Yes: 7 - Councilor Ryti, Councilor Derkacs, Councilor Hand, Councilor Izraelevitz, Councilor Reagor, Councilor Lepsch, and Councilor Scott

8. BUSINESS

- A. Racial Equity and Inclusivity Task Force (REI) Final Report to Council and Possible Action

Ms. Ashley Naughton, Vice-Chair Racial and Inclusivity Task Force, presented.

Mr. Dino Sgambellone, Police Chief, spoke.

Public Comment:

Mr. Aaron Walker spoke.

A motion was made by Councilor Scott, seconded by Councilor Hand, that Council thank the Racial Equity and Inclusivity Task Force for their work and accept their report; she further moved that the recommendations be included in FY 2024 proposed budget for consideration as budget options.

The motion passed with the following vote:

Yes: 7 - Councilor Ryti, Councilor Derkacs, Councilor Hand, Councilor Izraelevitz, Councilor Reagor, Councilor Lepsch, and Councilor Scott

- D. Discussion of Recruitment, Retention and Compensation Issues and Plans for Developing Alternative Responses (Heard Out of Order)

Mr. Steven Lynne, County Manager, presented.

Public Comment:
Mr. Joel Martinez, spoke.
Mr. Estevan Garcia, spoke.
Mr. David Randleman, spoke.

No action taken.

- B.** Update by County Consultant, Dekker/Perich/Sabatini on draft Chapter 18 Article I General and Article II Nuisances Code Update

Mr. Paul Andrus, Community Development Director, spoke.
Mr. Will Gleason, D/P/S Principal Urban Planner, presented.
Ms. Jessica Lawlis, D/P/S Designer, presented.

RECESS

Councilor Ryti called for a recess at 8:12 p.m. The meeting reconvened at 8:22 p.m.

Public Comment:
Ms. Elizabeth Daly, spoke.
Mr. Michael Smith, spoke.
Mr. David Randleman, spoke.
Mr. James Wernicke, spoke.
Ms. Peggie Dare, spoke.
Mr. Aaron Walker, spoke.
Ms. Brittany Dowd, spoke.
Ms. Brandi Engeman, spoke.
Mr. Peter Ledelfe, spoke.

No action taken.

- 10A.** New Liquor License Application No. 1234862, Restaurant Beer and Wine on Premises Consumption Only with Patio Service , filed by Applicant, Muy Salsas, LLC d/b/a Muy Salsas, 1315 Trinity Drive, Los Alamos, NM 87544 (Heard Out of Order)

Mr. Steven Lynne, County Manager, spoke.
Mr. Paul Andrus, Community Development Director, spoke.

Public Comment:
None.

A motion was made by Councilor Reagor, seconded by Councilor Izraelevitz, that Council approve New Liquor License and Application No. 1234862 Muy Salsas, LLC, d/b/a Muy Salsas.

The motion passed with the following vote:

Yes: 7 - Councilor Ryti, Councilor Derkacs, Councilor Hand, Councilor Izraelevitz, Councilor Reagor, Councilor Lepsch, and Councilor Scott

C. Discussion of and Possible Approval of the 2022 Community Wildfire Plan (CWPP)

Mr. Kelly Sterna, Fire Battalion Chief, spoke.

Public Comment:
None.

A motion was made by Councilor Scott, seconded by Councilor Derkacs, that Council approve the 2022 Community Wildfire Protection Plan.

The motion passed with the following vote:

Yes: 7 - Councilor Ryti, Councilor Derkacs, Councilor Hand, Councilor Izraelevitz, Councilor Reagor, Councilor Lepsch, and Councilor Scott

9. INTRODUCTION OF ORDINANCE(S)

- A. Introduction of Incorporated County of Los Alamos Code Ordinance No. 02-331: An Ordinance Amending Chapter 26, Article II, Section 26-45 of the Code of the Incorporated County of Los Alamos By Amending the Salary for the Municipal Judge

Councilor Derkacs introduced, without prejudice, Incorporated County of Los Alamos Ordinance No. 02-331: An Ordinance Amending Chapter 26, Article II, Section 26-45 of the Code of the Incorporated County of Los Alamos By Amending the Salary for the Municipal Judge and asked staff to assure that it is published as provided in the County Charter.

- B. Introduction of Incorporated County of Los Alamos Code Ordinance No. 02-330: An Ordinance Amending Chapter 2, Article III, Sections 2-113 Through 2-115 Of The Code Of The Incorporated County Of Los Alamos Adjusting The Compensation Of The County Assessor, County Sheriff, And Probate Judge as allowed by NMSA § 4-44-14

Councilor Derkacs introduced, without prejudice, Incorporated County of Los Alamos Ordinance No. 02-330: An Ordinance Amending Chapter 2, Article III, Sections 2-113 Through 2-115 of the Code of the Incorporated County of Los Alamos Adjusting the Compensation of the County Assessor, County Sheriff, And Probate Judge, as allowed by NMSA § 4-44-14 and asked staff to assure that it is published as provided in the County Charter.

- C. Introduction of Incorporated County of Los Alamos Ordinance No. 721, An Ordinance Authorizing Amendment of Lease with Sprint Spectrum Realty Company, LLC, a Delaware Limited Liability Company, Successor-in-Interest to Alamosa Properties, L.P., a Texas Limited Partnership ("T-Mobile") for Replacement of Existing Antenna Collocation and Facilities at 280 North Mesa Road, Los Alamos

Councilor Scott introduced, without prejudice, Introduction of Incorporated County of Los Alamos Ordinance No. 721, An Ordinance Authorizing Amendment of Lease with Sprint Spectrum Realty Company, LLC, a Delaware Limited Liability Company, Successor-in-Interest to Alamosa Properties, L.P., a Texas Limited Partnership ("T-Mobile") for Replacement of Existing Antenna Collocation and Facilities at 280 North Mesa Road, Los Alamos.

10. PUBLIC HEARING(S)

- B. Incorporated County of Los Alamos Code Ordinance No. 02-329; An Ordinance Amending Chapter 40, Article III, Sections 40-151, and 40-152 of the Code of the Incorporated County of Los Alamos Pertaining to Gas Service Rates

Ms. Heather Garcia, Business Operations Manager, presented.
Mr. Steven Lynn, County Manager, spoke.

Public Comment:
None.

A motion was made by Councilor Derkacs, seconded by Councilor Scott, that Council adopt Incorporated County of Los Alamos Code Ordinance No. 02-329; An Ordinance Amending Chapter 40, Article III, Sections 40-151, and 40-152 of the Code of the Incorporated County of Los Alamos Pertaining to Gas Service Rates.

The motion passed with the following vote:

Yes: 5 - Councilor Ryti, Councilor Derkacs, Councilor Scott, Councilor Izraelevitz, and Councilor Lepsch

No: 2 - Councilor Hand and Councilor Reagor

- C. Incorporated County of Los Alamos Resolution 22-16, A Resolution Authorizing the County Council Chair or Los Alamos County Utilities Manager to Approve Submission of Completed Applications and Necessary Documents for 2023 Applications to the Water Trust Board for Funding Water System Projects

Public Comment:
None.

A motion was made by Councilor Scott, seconded by Councilor Reagor, that Council Approve Resolution 22-16 Authorizing the County Council Chair or Los Alamos County Utilities Manager to Approve Submission of Completed Applications and Necessary Documents for the 2023 Applications to the Water Trust Board for Funding Water System Projects.

The motion passed with the following vote:

Yes: 7 - Councilor Ryti, Councilor Derkacs, Councilor Hand, Councilor Izraelevitz, Councilor Reagor, Councilor Lepsch, and Councilor Scott

11. COUNCIL BUSINESS

- A. **Appointments**

None.

- B. **Board, Commission and Committee Liaison Reports**

Skipped.

C. County Manager's Report

Skipped.

D. COVID-19 Situational Update

Skipped.

E. Council Chair Report

Skipped.

F. General Council Business

Skipped.

G. Approval of Councilor Expenses

Skipped.

H. Preview of Upcoming Agenda Items

Skipped.

12. COUNCILOR COMMENTS

None.

13. PUBLIC COMMENTS

Mr. Aaron Walker, commented on the Nuisance Code Chapter 18 presentation.

14. ADJOURNMENT

The meeting adjourned at 10:40 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

Randall T. Ryti, Council Chair

Attest:

Naomi D. Maestas, County Clerk

Meeting Transcribed by: Ubaldo Barela, Deputy Clerk

Budget Revision 2023-07

Council Meeting Date: August 30, 2022

	Fund/Dept	Munis Org	Object	Revenue (decrease)	Expenditures (decrease)	Transfers In(Out)	Fund Balance (decrease)
	Fire Marshall Fund	14461444	3425/8369	\$ 95,147	\$ 95,147		\$ -
	Fire EMS Distribution Fund	14561545	3423/8559	\$ 424	\$ 424		\$ -

Description: The purpose of this budget revision is to increase revenue and expenditures in both the Fire Marshall Fund and the Fire EMS Fund. Both funds have received award letters on 07/26/2022 and 8/10/2022 respectively.

Fiscal Impact: The net fiscal impact on the Fire Protection Fund and the Fire EMS Fund is zero.

_____ Erika D Thomas 8/17/2022
 Preparer Date
Erika D Thomas

 Budget & Performance Manager