



County of Los Alamos

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, September 24, 2024

6:00 PM

Council Chambers - 1000 Central Avenue

1. OPENING/ROLL CALL

The Council Chair, Denise Derkacs, called the meeting to order at 6:01 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: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann,
Councilor Lepsch, Councilor Reagor, and Councilor Rytí**

2. PLEDGE OF ALLEGIANCE

Led by: All.

3. STATEMENT REGARDING CLOSED SESSION

Councilor Cull read the following statement for inclusion in the minutes: “The matters discussed in the closed session of the County Council held on September 24, 2024, that began at 4:30 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 that this statement be included in the minutes.”

4. PUBLIC COMMENT

Ms. Cristina Pendegraft spoke.

Mr. Edmundo Leal spoke.

Ms. Morgan Apperson spoke.

Mr. Tharien Bamhall spoke.

See attachment 4.A for e-comments

5. APPROVAL OF AGENDA

A motion was made by Councilor Cull, seconded by Councilor Ryti, that Council move items 8.A and 8.F from the Consent Agenda to Council Business and with those changes, approve the agenda as amended.

The motion passed with the following vote:

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

6. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

- A.** Proclamation Designating October 2024 as "Arts & Humanities Month" In Los Alamos County.

Councilor Ryti read and presented the proclamation.

Ms. Alison Watkins, Los Alamos Main Street and Creative District, spoke.

- B.** Proclamation Designating October 7th - 11th, 2024 as "Customer Service Week" in Los Alamos County.

Councilor Lepsch read and presented the proclamation.

Ms. Joan Gentry, Business Operations Manager, spoke.

- C.** Proclamation Designating October 2024 as "Breast Cancer Awareness Month"

Councilor Cull read and presented the proclamation.

Ms. Nancy Partridge spoke.

- D.** Presentation from Ted Wyka, NNSA Los Alamos Field Office Manager

Mr. Ted Wyka, Manager NNSA Los Alamos Field Office, presented.

- E.** I Voted. I Voted Early. Future Voter. Sticker Contest Announcement

Ms. Naomi Maestas, County Clerk, presented.

7. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA

None.

8. CONSENT AGENDA

Consent Motion:

A motion was made by Councilor Cull, 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 Services Agreement No. AGR 25-14 with Waste Connections of Albuquerque, LLC. in the Amount of \$1,593,242.24 plus applicable Gross Receipts Tax for Mixed Recycling Services

Item pulled for further discussion under Business.

- B. Contract for General Services, Agreement No. AGR24-72 with Viking II, Inc. in the Amount of \$416,500, plus Applicable Gross Receipts Tax, for the Purpose of County Water Distribution Backflow Prevention ("BFP") and Cross Connection Control ("CCC") Program Services

I move that Council approve Contract for General Services, Agreement No. AGR24-72 with Viking II, Inc. in the amount of \$416,500, plus applicable gross receipts tax, for the purpose of County Water Distribution Backflow Prevention ("BFP") and Cross Connection Control ("CCC") Program Services.

- C. Approval of County Council Minutes for the September 10, 2024, Regular Session

I move that Council approve the County Council Minutes for the September 10, 2024, Regular Session.

- D. Approval of Agreement Between the Incorporated County of Los Alamos and the International Brotherhood of Electric Workers (IBEW) Local 611 (Utilities), for the period of October 1, 2024 through September 30, 2027

I move that Council approve the agreement between the Incorporated County of Los Alamos and the International Brotherhood of Electrical Workers (IBEW) Local 611 (Utilities), for the period of October 1, 2024 through September 30, 2027.

- E. Award of Task Order #1 to AGR24-04D for the Purpose of the Oppenheimer Primary Electric Replacement with Sanbros Corporation in the Amount of \$660,500.00 plus a 10% Project Contingency and Applicable Gross Receipts Tax

I move that Council approve the Award of Task Order # 1 to AGR24-04D for the purpose of the Oppenheimer Primary Electric Replacement with Sanbros Corporation in the amount of \$660,500.00, plus a project contingency of \$66,000, for a total of \$726,500 plus applicable Gross Receipts Tax.

- F. Approval of Budget Revision 2025-15 for Additional Funding to University of New Mexico-Los Alamos (UNM-LA)

Item pulled for further discussion under Business.

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 Ordinance No. 02-348 an Ordinance Repealing and Replacing in its Entirety Article III, Chapter 14, of the County Code Pertaining to Cemeteries

Ms. Wendy Parker, Parks Superintendent, presented.

Public comment:
None.

A motion was made by Councilor Ryti, seconded by Councilor Havemann, that Council adopt Incorporated County of Los Alamos Code Ordinance No. 02-348 and ask staff to assure that it is published in summary form.

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. Incorporated County of Los Alamos Resolution No. 24-28, A Resolution Accepting Public Infrastructure for the Mirador Subdivision Phase II Pursuant to the Development Agreement for Certain Real Property within Site A-19-A-2, of the Mirador Public Improvement District, White Rock**

Mr. Paul Andrus, Community Development Director, spoke.

Public comment:
None

A motion was made by Councilor Cull, seconded by Councilor Ryti, that Council adopt Resolution No. 24-28, A Resolution Accepting Public Infrastructure for the Mirador Subdivision Phase II Pursuant to the Development Agreement for Certain Real Property within Site A-19-A-2, of the Mirador Public Improvement District, White Rock.

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

Councilor Derkacs called for a recess at 7:57 p.m. The meeting reconvened at 8:09 p.m.

10. BUSINESS

- A. Presentation and Possible Action on the Opioid Settlement Funds Use Plan**

Ms. Jessica Strong, Social Services Manager, presented.

Public comment:
None.

A motion was made by Councilor Ryti, seconded by Councilor Reagor, that Council approve the Opioid Settlement Funds Allocation of Uses Plan described in Attachment A as recommended by staff.

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.** Possible Action on Bid No. IFB 25-08 for the Purpose of the Jemez Mountain Fire Protection Phase I Project to DUB-L-EE, LLC

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

Public comment:

None.

A motion was made by Councilor Hand, seconded by Councilor Havemann, that Council approve the award of bid no. IFB 25-08 for the purpose of the Jemez Mountain Fire Protection Phase I Project with DUB-L-EE, LLC in the amount of \$4,316,384.03 and a contingency in the amount of \$647,000.00, for a total of \$4,963,384.03, plus applicable gross receipts tax.

The motion passed with the following vote:

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

Consent Item 8.A.

Approval of Services Agreement No. AGR 25-14 with Waste Connections of Albuquerque, LLC. in the Amount of \$1,593,242.24 plus applicable Gross Receipts Tax for Mixed Recycling Services

Mr. Eric Martinez, Deputy Public Works Director, spoke.

Mr. Armando Gabaldon, Environmental Services Manager, presented.

Public Comment:

None.

A motion was made by Councilor Ryti, seconded by Councilor Cull, that Council approve Services Agreement No. AGR 25-14 with Waste Connections of Albuquerque, LLC. in the amount of \$1,593,242.24 plus applicable Gross Receipts Tax for Mixed Recycling Services.

The motion passed with the following vote:

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

Consent Item 8.F.

Approval of Budget Revision 2025-15 for Additional Funding to University of New Mexico-Los Alamos (UNM-LA)

Ms. Erica Thomas, Budget and Performance Manager, spoke.

Ms. Anne Laurent, County Manager, spoke.

Public Comment:

None.

A motion was made by Councilor Ryti, seconded by Councilor Havemann, that Council approve Budget Revision 2025-15 as summarized on Attachment A and that the attachments be made part of the minutes of this meeting.

The motion passed with the following vote:

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

No: 1 – Councilor Cull

11. COUNCIL BUSINESS

A. General Council Business

1) Quarterly Briefing on Current Regional and Intergovernmental Issues

Ms. Danielle Duran, Intergovernmental Affairs Manager, presented.
Chair Derkacs reported on travel to Washington, DC.

B. Appointments

None.

C. Boards and Commission Vacancy Report

None.

D. Board, Commission, and Working Group Reports

Councilor Ryti reported on the Parks and Recreation Board and the Environmental Sustainability Board.

Councilor Cull reported on the Board of Public Utilities.

E. County Manager's Report

1) County Manager's Report for August 2024

Mr. Juan Rael, Public Works Director, spoke.

County Manager, Anne Laurent, reported on the Bathtub Row Water Project, the National Community Survey and National Employee Survey; the sendoff for summer interns, the start of early voting, and the success of the recent Comicon.

F. Update on Wastewater Surveillance

Ms. Linda Matteson, Deputy County Manager, presented.

Public comment:

Mr. Richard Skullnick spoke.

G. Council Chair Report

Chair Derkacs gave her report during the Quarterly Briefing on Current Regional and Intergovernmental Issues Briefing.

H. Preview of Upcoming Agenda Items

1) Tickler Report of Upcoming Agenda Items

Councilor Derkacs highlighted upcoming agenda items.

12. COUNCILOR COMMENTS

Councilor Cull commented on the Public Schools County UNM-LA meeting.

Councilor Ryti commented on the discussions and statements during Council meetings disapproving of vandalization of political signs.

Chair Derkacs commented on the camera located at the White Rock Municipal Complex.

13. ADJOURNMENT

The meeting adjourned at 10:30 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

Denise Derkacs, Council Chair

Attest:

Naomi D. Maestas, County Clerk

Meeting Transcribed by: Marie Pruitt, Deputy Clerk

Los Alamos County Council
Regular Session
September 24, 2024
Item 8.F

Budget Revision 2025 - 15

Council Meeting Date: 09/24/2024

	Fund & Department	Org	Object	Revenue (decrease)	Expenditures (decrease)	Transfers In(Out)	Fund Balance (decrease)
1	General Fund - Finance IDC's/Transfer	01140195	9617			\$ (50,000)	\$ (50,000)
2	Economic Development Fund - UNM-LA	17145420	7601			\$ 50,000	\$ 50,000
3	Economic Development Fund - UNM-LA	17145420	8369		\$ 50,000		\$ (50,000)
4							\$ -
5							\$ -
6							\$ -
7							\$ -
8							\$ -
9							\$ -
10							\$ -
Description: Increasing Funding to UNM-LA per council direction during the September 10, 2024 council meeting.							
Fiscal Impact: -\$50,000 decrease to General Fund							

Erika Thomas

9/16/2024

Preparer

Date

County Manager Approval if Required



9/16/2024

Department Director Signature

Erika Thomas

9/16/2024

Budget Manager/Analyst Signature

ATTACHMENT A

County Council - Regular Session on 2024-09-24 6:00 PM

Meeting Time: 09-24-24 17:45

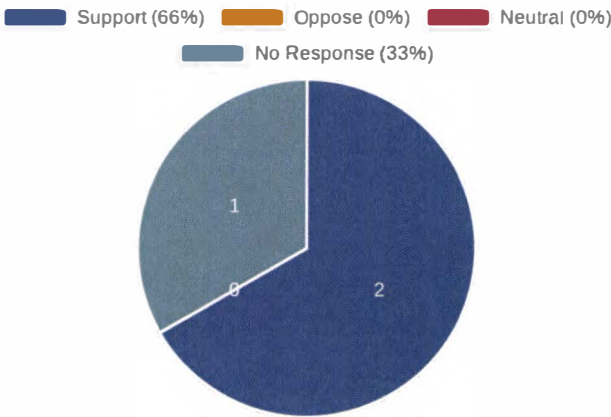
eComments Report

Meetings	Meeting Time	Agenda Items	Comments	Support	Oppose	Neutral
County Council - Regular Session on 2024-09-24 6:00 PM	09-24-24 17:45	45	3	2	0	0

Sentiments for All Meetings

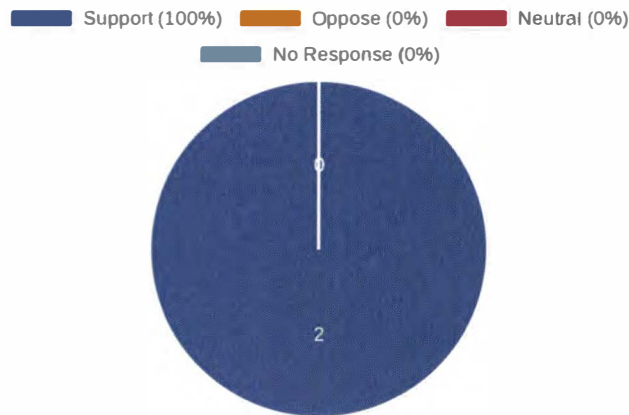
The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment



Agenda Item: eComments for 4. PUBLIC COMMENT

Overall Sentiment



Jessica Rodarte

Location:

Submitted At: 11:43am 09-24-24

Wastewater surveillance is something we need in our county. As a mother and resident of this community, I hope we can make this happen to help protect the entire community. The data collected will help all residents of Los Alamos, but only if the data is collected, interpreted properly, and shared with the community. Please ensure this important community health issue is addressed and keep us one of the "healthiest communities" in the nation.
Jessica Rodarte, MPH

Stacey Gauny

Location:

Submitted At: 12:57pm 09-23-24

Re: Wastewater surveillance. I support the restart of the wastewater surveillance program ASAP! There is currently NO mechanism for County residents or workers to determine the (roughly) real time level of circulating COVID, Influenza A or B, or RSV. Hard data must be easily available so that each person can decide how best to protect themselves, their family, co-workers and community members. This program will save individuals, schools, workplaces and the County money.
thank you, Stacey Gauny

Los Alamos County Recycling Program

Incorporated County of Los Alamos
Public Works Department

Armando Gabaldon
Environmental Services Manager

September 24, 2024

Recycled Materials Thru Waste Diversion Programs

The following recyclable materials are generally revenue generating:

1. **Clean Cardboard, 15 tons a month**
Mckinley Paper Recycling, Albuquerque
2. **Metal Recycling/White goods, 350 tons a year** (fridges, stoves, washing machines)
Ace Metals, South Valley Albuquerque
3. **Automotive batteries, 3 tons a year**
Capital Scrap, Santa Fe NM

The following recycling materials generally do not generate revenue:

1. **Glass recycling, 100 tons a year**
Glass 2 Glass (G2G) Recycling, Broomfield Colorado, suburbs of Denver
2. **Electronic Waste, 11 tons a year** (E-Waste)
Natural Evolution, Tulsa Oklahoma
3. **Tires, 88 tons a year**
State Rubber, Denver City Texas
4. **Small electronic batteries** (watch batteries, AA's, AAA's ext.)
Call 2 Recycle, Albuquerque

The flowing may or may not generate revenue:

1. **Mixed Recycling, 1,650 tons year** (aluminum, tins, plastics #1-7, paper, minimal cardboard)
Waste Connection formerly known as Freidman Recycling, Albuquerque

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Item 8.A

Mixed Recycling Contract Transition

In Year 1, the processing fee is **\$136.80**. If the calculated Average Market Value (AMV) of recyclable materials for the month is **\$123.62**, the net cost to the County is determined as follows:

Net Cost per Ton:

$$\text{Processing Fee} - \text{AMV} = \$136.80 - \$123.62 = \$13.18$$

This net cost of **\$13.18 per ton** is then multiplied by the total tonnage delivered.

In cases where the AMV exceeds the processing fee, this calculation would instead reflect the amount due to the County.

Average Market Value Example:

Commodity	Percentage		Index Price	T&H	Net Price	Weighted Average Value
Mixed Paper	57.35%	*SW/LA High	\$ 115.00		\$ 115.00	\$ 65.953
OCC	15.02%	*SW/LA High	\$ 185.00		\$ 185.00	\$ 27.787
PETE	4.04%	*Houston Avg	\$ 270.00		\$ 270.00	\$ 10.908
HDPE Natural	1.13%	*Houston Avg	\$ 562.50		\$ 562.50	\$ 6.356
HDPE Color	0.75%	*Houston Avg	\$ 337.50		\$ 337.50	\$ 2.531
Tin Cans	2.03%	*Houston Avg	\$ 3.00		\$ 3.00	\$ 0.061
Aluminum Cans	1.24%	*Houston Avg	\$ 1,450.00		\$ 1,450.00	\$ 17.980
Plastics #3 - #7	0.39%	*Houston Avg	\$ 10.00		\$ 10.00	\$ 0.039
Rigid Plastics	0.42%	*Houston Avg	\$ 10.00		\$ 10.00	\$ 0.042
Pots & Pans / Scrap Metals	0.52%	*Houston Avg	\$ 1.50		\$ 1.50	\$ 0.008
Residual	17.11%	*Houston Avg	\$ (30.00)	\$ (17.00)	\$ (47.00)	\$ (8.042)
Total	100.0%		Average Market Value (AMV)			\$ 123.62

Revenue Share Calculation	
AMV	\$ 123.62
Processing Fee	\$ (136.80)
Net Rebate/(Charge) per Ton	\$ (13.18)
Total Tons Delivered	141.62
Total Due To/(From) Los Alamos County	\$ (1,866.13)

•**Rebates:** These are determined solely based on the Average Market Value (AMV). Improved market conditions lead to higher revenue credits for the County.

•**Bi-Annual Audits:** These audits will assist in future pricing strategies, as higher quality materials can yield better processing rates.

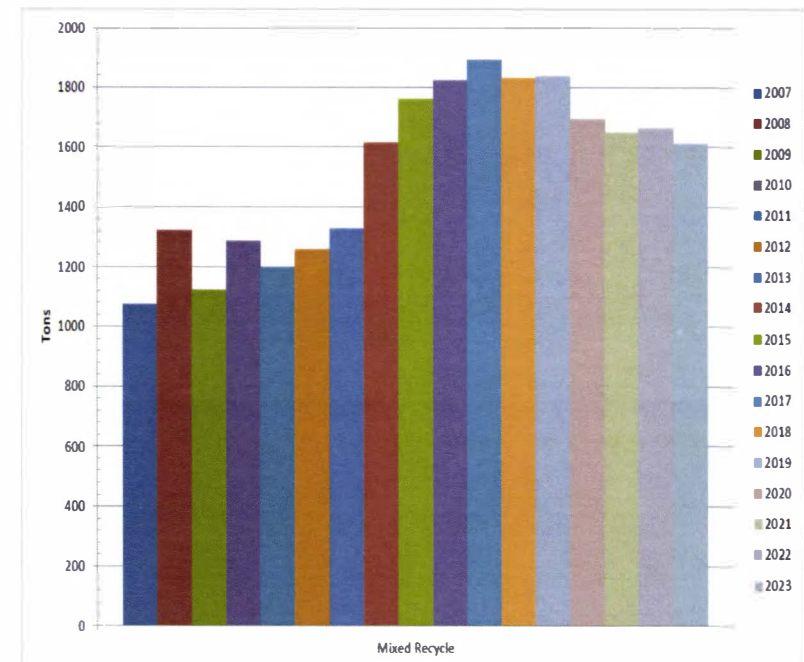
•**Revenue Opportunities:** When the AMV exceeds the processing fee, the County will generate revenue. A significant drop in market value would be necessary for the County to incur the full processing fee.

Mixed Recycling (Cost) vs Revenues 2022 to 2024

Mixed Recycling

BARCO			
Month	Tons	(Cost)/Revenue	(Cost)/Revenue per ton
Jan-22	139.58	\$ (3,629.08)	\$ (26.00)
Feb-22	159.44	\$ (4,145.40)	\$ (26.00)
Mar-22	130.13	\$ (3,383.38)	\$ (26.00)
Apr-22	125.68	\$ (3,267.68)	\$ (26.00)
May-22	136.09	\$ (3,538.74)	\$ (26.00)
Jun-22	133.72	\$ (3,476.60)	\$ (26.00)
Jul-22	155.70	\$ (4,048.20)	\$ (26.00)
Aug-22	136.81	\$ (3,557.06)	\$ (26.00)
Sep-22	131.40	\$ (4,599.00)	\$ (35.00)
Oct-22	150.68	\$ (5,273.80)	\$ (35.00)
Nov-22	120.43	\$ (4,214.70)	\$ (35.00)
Dec-22	149.39	\$ (5,228.65)	\$ (35.00)
Jan-23	143.45	\$ (5,020.75)	\$ (35.00)
Feb-23	118.44	\$ (4,145.40)	\$ (35.00)
Mar-23	114.98	\$ (4,024.30)	\$ (35.00)
Apr-23	128.72	\$ (4,505.20)	\$ (35.00)
May-23	143.80	\$ (5,033.00)	\$ (35.00)
Jun-23	154.65	\$ (5,412.75)	\$ (35.00)
Jul-23	139.78	\$ (4,892.30)	\$ (35.00)
Aug-23	152.23	\$ (5,328.05)	\$ (35.00)
Sep-23	139.10	\$ (5,703.10)	\$ (41.00)
Oct-23	134.98	\$ (4,724.00)	\$ (35.00)
Nov-23	140.47	\$ (1,545.17)	\$ (11.00)
Dec-23	122.03	\$ 488.12	\$ 4.00
Jan-24	132.76	\$ 531.04	\$ 4.00
Feb-24	132.79	\$ 531.16	\$ 4.00
Mar-24	121.17	\$ 484.68	\$ 4.00
Apr-24	150.77	\$ 603.08	\$ 4.00
May-24	156.86	\$ 2,196.04	\$ 14.00
Jun-24	141.62	\$ 1,982.68	\$ 14.00
Jul-24	140.06	\$ 1,960.84	\$ 14.00
Aug-24	153.97	\$ 2,155.58	\$ 14.00
	4431.68	\$ (87,763.09)	\$ (19.97)

Mixed Recycling Collected by Year



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Item 8.A

Questions/Comments?



Los Alamos County Council
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Item 8.A

Proposed Use of Opioid Settlement Funds

Presentation to County Council
9/24/2024

Attachment A

Los Alamos County Council
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Item 10.A

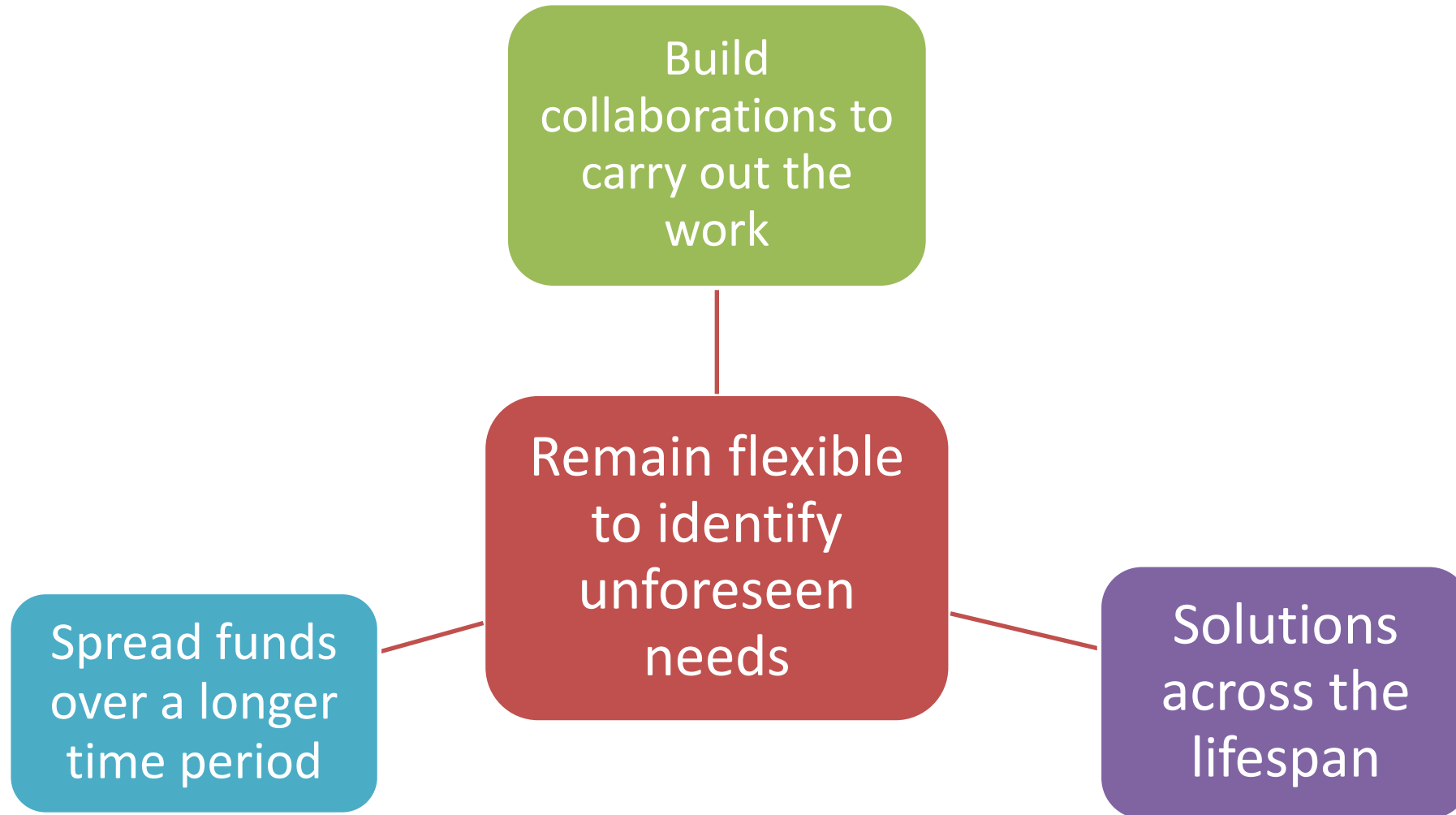
Overview

- Lawsuit settlement funds distributed to states; each state determines its own implementation plan
- Total to Los Alamos County to date: \$761,000
- May not reimburse expenses incurred prior to the settlements
- Must follow state laws

Overview

- Must align with “Opioid Related Expenditures”
 - Prevention and Harm Reduction
 - Treatment
 - Recovery supports
 - Professional development for County staff
- Priority should be given to evidence-based strategies

Best Practices Learned from Tobacco Settlements



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Informed Discussions over the Past Year:

- Social Services, Courts, Detention and Police Dept
- Los Alamos Public Schools, local non-profit organizations, Los Alamos Medical Center
- Community Conversations, and other events
- Los Alamos County Health Council

Implementing Best practices

1. Broaden access to Narcan
2. Enrich prevention services
3. Expand harm reduction programs
4. Improve treatment in jails and post-release
5. Fund wraparound and recovery services
6. Increase use of medications to treat opioid use disorder
7. Provide treatment and supports during pregnancy and post-partum period
8. Expand services for neonatal opioid withdrawal syndrome
9. Ensure data collection

From: Primer on Spending Funds from the Opioid Litigation, Johns Hopkins Bloomberg School of Public Health, 2023

Attachment A

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Item 10.A

Expand Prevention Services and Harm Reduction Programs

- Expand prevention services through amended MOA with the Los Alamos Public Schools
- Contract to provide evidence-based trainings to interested community members, first responders, medical and behavioral health personnel
- Create targeted outreach and education events for specific groups, including youth and older adults

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Item 10.A

Improve Treatment Options at Detention Center

- Implement online treatment options for people who are incarcerated at the Los Alamos Detention Center
 - Supports treatment goals for those who want to begin / continue recovery process before release
 - Supports reduction in recidivism rates

Address Recovery Supports

- Implement services that support recovery post-treatment and/or post-detention
 - Contract for a Certified Peer Specialist position
 - Expands wraparound services that help support people in recovery

Professional Development

- Training and Professional Development needs of County staff
 - To enhance knowledge of best practices to best serve individuals in need

Reserves

- Fund to assist with unforeseen needs

Additional Notes

- Addressing gaps identified in Community Health Care Quality and Accessibility survey in the Comprehensive Health Plan
 - Working with regional partners
- Collecting data to define success
 - Number of people trained; pre- and post- surveys increasing knowledge
 - Utilization data

Estimated costs

Description	Category	Cost per Year	5 Year Cost
Expand Prevention Specialist services at LAPS	Prevention	\$75,000	\$375,000
Provide evidence-based trainings	Prevention	\$27,000	\$135,000
Expand outreach / educational events	Prevention	\$5,000	\$25,000
Provide online treatment options to those in Detention Center	Treatment	\$5,000	\$25,000
Expand recovery services	Treatment / Post-Treatment Support	\$30,000	\$150,000
Professional Development for staff		\$5,000	\$25,000
Reserve fund		\$5,000	\$25,000
		\$152,000	\$760,000