



County of Los Alamos

Minutes

County Council - Regular Session

LOS ALAMOS

Los Alamos, NM 87544
www.losalamosnm.us

*Randall Rytí, Council Chair; James Robinson, Vice-Chair; Denise Derkacs; David Izraelevitz;
David Reagor; Sara Scott, and Sean Williams, Councilors*

Tuesday, June 8, 2021

6:00 PM

Due to COVID-19 concerns, public will
access meeting remotely.
<https://zoom.us/j/97663716072>

1. OPENING/ROLL CALL

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

The following Councilors were in attendance:

Present 7 - Councilor Robinson, Councilor Rytí, Councilor Scott, Councilor Izraelevitz, Councilor Reagor, Councilor Derkacs and Councilor Williams

2. PLEDGE OF ALLEGIANCE

Led by: All.

Council Chair Rytí made opening remarks regarding the procedure of the meeting due to COVID-19.

3. STATEMENT REGARDING CLOSED SESSION

June 8, 2021 Closed Session Motion

A motion was made by Councilor Scott that Council approve the following statement for inclusion in the minutes: "The matters discussed in the closed session of County Council held on June 8, 2021 that began at 5:00 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."

No vote taken.

4. PUBLIC COMMENT

Mr. Greg White, 600 San Ildefonso Road, commented on COVID-19 antibodies.
Ms. Frances Lovett, 34 Violet Circle, Santa Fe, commented on COVID-19 antibodies.

5. APPROVAL OF AGENDA

A motion was made by Councilor Izraelevitz, seconded by Councilor Derkacs, that the agenda be approved as presented.

The motion passed by acclamation with the following vote:

Yes: 7 - Councilor Robinson, Councilor Rytí, Councilor Scott, Councilor Izraelevitz, Councilor Reagor, Councilor Derkacs and Councilor Williams

6. COVID-19 SITUATIONAL UPDATE

Ms. Beverly Simpson, Emergency Manager, provided an update.

7. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

- A. [14338-21](#) Proclamation declaring the Second Week of June "Annual LGBTQ+ Pride Week" in Los Alamos County (accepted by Laura Lilley and Cristina Olds of Friends of Los Alamos Pride)
- Councilor Williams read and presented the proclamation to Laura Lilley of Friends of Los Alamos Pride.
- Ms. Laura Lilley, Friends of Los Alamos Pride, spoke.

8. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA

None.

9. CONSENT AGENDA

Consent Motion -

A motion was made by Councilor Williams, seconded by Councilor Reagor, 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. [AGR0759-21](#) Approval of Amendment No. 2 under Services Agreement No. AGR16-057d for On-Call Geotechnical and Construction Materials Testing Services Changing the Assignment from BSN Santa Fe, Inc. to BSN Santa Fe Enterprises, Inc., and Extending the Contract Term

Attachments: [A - Amendment No 2 to Services Agreement AGR16-057d](#)

I move that Council approve Amendment No. 2 under Services Agreement No. AGR16-057d for On-Call Geotechnical and Construction Materials Testing Services Changing the Assignment from BSN Santa Fe, Inc. to BSN Santa Fe Enterprises, Inc., and Extending the Contract Term.

- B. [14180-21](#) Appointment of the 2021 Board of Registration.

Attachments: [A - Letters of Interest](#)

I move that Council nominate Jolyn McTeigue, Cameron Counters, Sharon Dry, and James Rickman to fill the positions of the County's Board of Registration and appoint them for the term of July 1, 2021 to June 30, 2023.

- C. [14288-21](#) Board/Commission Appointment(s) - Personnel Board

Attachments: [B - Application Packet for Ramiro \(Trey\) Pereyra.pdf](#)
[D - Recommendation from Interview Panel.pdf](#)
[C - Application Packet for Laurence \(Ed\) McDaris.pdf](#)
[A - Board Member List.pdf](#)

I nominate Ramiro (Trey) Pereyra and Laurence McDaris to fill two (2) vacancies on the Personnel Board and move that Council reappoint Ramiro (Trey) Pereyra and appoint Laurence McDaris to the Personnel Board for terms beginning on April 1, 2021 and ending on March 31, 2024.

I further move Council acknowledge that Ramiro (Trey) Pereyra intends to continue serving on the Parks and Recreation Board while serving on the Personnel Board, Council finds these two positions not incompatible, Council approves of him serving concurrently on both boards.

- D. [14301-21](#) Incorporated County of Los Alamos Resolution No. 21-08; A Resolution Authorizing Acceptance of the 2021 - 2022 Wildfire Risk Reduction Grant Program in The Amount Of \$15,000 And Consideration of Budget Revision 2021-46.

Attachments: [B - Publication Notification Resolution No. 21-08.pdf](#)
[A - Resolution No. 21-08_Acceptance of 2021-2022 Wildfire Risk Reduction Grant](#)
[C - Budget Revision No. 2021-46.pdf](#)
[D - Grant Analysis and Financial Matrix.pdf](#)

I move that Council approve Resolution No. 21-08 in acceptance of the 2021 -2022 Wildfire Risk Reduction Grant Program monies and Budget Revision 2021-46 as summarized on Attachments A and B.

- E. [14328-21](#) Consideration of Membership in the Coalition of Sustainable Communities New Mexico and appoint Council Representative

Attachments: [A - Coalition of Sustainable Communities NM for Los Alamos County Presentation](#)
[B - Los Alamos County Letter of Intent to join the Coalition of Sustainable Comm](#)

I move that Council approve Los Alamos County to become a member to the Coalition of Sustainable Communities New Mexico as presented and appoint Councilor Randall Rytty to serve as a representative to the Coalition.

- F. [14363-21](#) Approval of County Council Minutes for May 18, 2021, and May 25, 2021

Attachments: [A - Draft County Council Minutes for May 18, 2021](#)
[B - Draft County Council Minutes for May 25, 2021](#)

I move that Council approve the County Council Minutes for May 18, 2021 and May 25, 2021.

- G. [14381-21](#) Proclamation Imposing Restrictions on the Use of Fireworks during Exceptional Drought.

I move that Council approve this proclamation.

Approval of Consent Agenda:

The motion passed with the following vote:

Yes: 7 - Councilor Robinson, Councilor Rytí, Councilor Scott, Councilor Izraelevitz, Councilor Reagor, Councilor Derkacs and Councilor Williams

10. INTRODUCTION OF ORDINANCE(S)

- A. [OR0894-21](#) Introduction of Incorporated County of Los Alamos Code Ordinance No. 707, An Ordinance to Authorize the Refinance and Re-issuance of Amended Loan and Promissory Note Agreements with the New Mexico Environment Department to Reflect a Lowered Interest Rate.

Attachments: [A - Incorporated County of Los Alamos Ordinance No. 707 with attachments](#)

Councilor Scott introduced, without prejudice, Incorporated County of Los Alamos Code Ordinance No. 707, An Ordinance to Authorize the Refinance and Re-issuance of Amended Loan and Promissory Note Agreements with the New Mexico Environment Department to Reflect a Lowered Interest rate, and asked the staff to assure that it is published as provided in the County Charter.

11. PUBLIC HEARING(S)

- A. [14404-21](#) Incorporated County of Los Alamos Ordinance No. 02-314; Revision No. 2021-01 In Textual Form To The Official Zoning Map Of Los Alamos County By Rezoning Two (2) County Owned Parcels Consisting Of Approximately 0.52 Acres Of Land Combined: 1) Lot Ea3 006 From Public-Land (P-L) To Mixed-Use (M-U); And 2) Lot Ea3 007 From Multi-Family Residential, Low Density (R-3-L) To Mixed-Use (M-U).

Attachments: [C - Planning and Zoning Commission StaffReport REZ-2021-0014, April 14, 2021](#)
[D - Final Order](#)
[B - CODE ORDINANCE 02-314](#)
[A - Publication Notice for Ordinance No. 02-314.pdf](#)

Mr. Paul Andrus, Community Development Director, spoke.

Public Comment:

None.

A motion was made by Councilor Robinson, seconded by Councilor Izraelevitz, that Council adopt Incorporated County of Los Alamos Ordinance No. 02-314; further moved that, upon passage, the Ordinance be published in summary form.

The motion passed with the following vote:

Yes: 7 - Councilor Robinson, Councilor Rytí, Councilor Scott, Councilor Izraelevitz, Councilor Reagor, Councilor Derkacs and Councilor Williams

- B. [RE0459-21](#) Incorporated County of Los Alamos Resolution No. 21-06: A Resolution Making Certain Findings and Determinations Pursuant to the Metropolitan

Redevelopment Code, and Designating White Rock Downtown as a Metropolitan Redevelopment Area

Attachments: [A - Resolution No. 21-06](#)
[B - Public Notice of Resolution No. 21-06.pdf](#)

Mr. Paul Andrus, Community Development Director, spoke.
Ms. Lauren McDaniel, Mainstreet Director, presented.
Ms. Amy Bell, New Mexico MainStreet Revitalization Specialist of Urban Design, spoke.
Mr. Patrick Sullivan, Los Alamos Commerce & Development Corporation Executive Director, spoke.

Public Comment:

Mr. Greg White, 600 San Ildefonso Road, spoke.

A motion was made by Councilor Reagor, seconded by Councilor Scott, that Council approve Resolution No. 21-06 that Supports the Establishment of a Metropolitan Redevelopment Area in White Rock.

The motion passed with the following vote:

Yes: 5 - Councilor Rytí, Councilor Scott, Councilor Izraelevitz, Councilor Reagor and Councilor Derkacs
No: 2 - Councilor Robinson and Councilor Williams

12. COUNCIL BUSINESS

A. Appointments

- 1) [14203-21](#) Board/Commission Appointment(s) - Board of Public Utilities.

Attachments: [A - Appointment Process for BPU.pdf](#)
[B - BPU Vacancy Brochure.pdf](#)
[C - Board of Public Utilities Member List.pdf](#)
[D - Application Packet for Daniel Holladay.pdf](#)
[E - Application Packet for David Sarnowski.pdf](#)
[F - Application Packet for Cornell Wright.pdf](#)
[G - Interview Committee Recommendation Form.pdf](#)

Mr. Philo Shelton, Utilities Manager, advised that Mr. Daniel Holladay withdrew his application.

Each applicant made an opening statement then was asked five questions by Council.

Public Comment:
None.

A motion was made by Councilor Scott, seconded by Councilor Robinson, to nominate David Sarnowski (R), and Cornell Wright (I) to fill one vacancy on the Board of Public Utilities and move that Council appoint one nominee to the vacant position as follows:

By roll call vote, Councilors vote for one nominee, and the nominee with the highest total of four or more votes will be appointed to fill the term beginning July 1, 2021 and ending June 30th, 2026.

Councilor Ryt called for a roll call vote to appoint one member to the Board of Public Utilities:

**Councilors Ryt, Robinson, Derkacs, Izraelevitz, Reagor, Scott, and Williams voted for:
Cornell Wright**

After a roll call vote Mr. Cornell Wright was appointed to the Board of Public Utilities.

RECESS

Councilor Ryt called for a recess at 7:49 p.m. The meeting reconvened at 8:00 p.m.

B. Board, Commission and Committee Liaison Reports

Councilor Scott reported on the North Central NM Economic Development District and the Racial Equity and Inclusivity Task Force.

C. County Manager's Report

Acting County Manager Steven Lynne reported on representing the Council in front of the Planning and Zoning Commission on June 9, 2021, the recruitment of a Human Resource Manager, the funds received from the American Rescue Plan, the Summer Intern Program, the Federal Budget and the recruitment of an Economic Development Director.

D. Council Chair Report

Chair Ryt reported on the retirement of Mr. Harry Burgess, the Federal Legislative Committee meetings with Senator Heinrich and with Congresswomen Theresa Legar Fernandez, the Technical Work Group meeting, the New Mexico Self Insurers Fund Board of Trustees meeting, the Los Alamos Resilience Energy Sustainability Task Force, the Mayor's Council, the COVID Committee, and the County Manager Search Committee.

E. General Council Business

- 1) [14201-21](#) Possible Action Resulting from the Council Closed Session Discussions of Limited Personnel Matters--Personnel Evaluations of Contract Employees.
Public Comment:
None.

A motion was made by Councilor Scott, seconded by Councilor Izraelevitz, that Council approve salary adjustment of 3% for Philo Shelton, to be effective beginning at the start of the first full pay period in July 2021.

The motion passed with the following vote:

Yes: 7 - Councilor Robinson, Councilor Rytí, Councilor Scott, Councilor Izraelevitz, Councilor Reagor, Councilor Derkacs and Councilor Williams

A motion was made by Councilor Izraelevitz, seconded by Councilor Derkacs, that Council approve salary adjustment of 3% for Alvin Leaphart, to be effective beginning at the start of the first full pay period in July 2021.

The motion passed with the following vote:

Yes: 7 - Councilor Robinson, Councilor Rytí, Councilor Scott, Councilor Izraelevitz, Councilor Reagor, Councilor Derkacs and Councilor Williams

A motion was made by Councilor Izraelevitz, seconded by Councilor Robinson, that Council approve salary adjustment of 4% for Harry Burgess, to be effective beginning at the start of the first full pay period in July 2021.

The motion passed with the following vote:

Yes: 6 - Councilor Robinson, Councilor Rytí, Councilor Scott, Councilor Izraelevitz, Councilor Reagor and Councilor Derkacs

No: 1 - Councilor Williams

2) [14403-21](#) Consideration of Change in Format for In-Person Meetings for County Council and Board/Commissions

Mr. Steven Lynne, Acting County Manager, spoke.
Mr. Alvin Leaphart, County Attorney, spoke.

Public Comment:

Mr. Greg White, 600 San Ildefonso Road, spoke.

A motion was made by Councilor Scott, seconded by Councilor Robinson, that Council direct staff to plan and execute a change in meeting format to include public attendance in-person starting at July 6, 2021 meeting, and that staff work with the County's Boards/Commissions to provide input to the County Council regarding their plans to phase in similar in-person meetings by July 30, 2021.

The motion passed with the following vote:

Yes: 7 - Councilor Robinson, Councilor Rytí, Councilor Scott, Councilor Izraelevitz, Councilor Reagor, Councilor Derkacs and Councilor Williams

F. Approval of Councilor Expenses

None.

G. Preview of Upcoming Agenda Items

Councilor Rytí highlighted the Local Economic Development Act (LEDA), the application of Open Meeting Act to LAC Task Forces, and the Regional Fund discussions.

13. COUNCILOR COMMENTS

Councilor Robinson thanked Ms. Anne Laurent for cleaning tables after the in-person meetings.

Councilor Izraelevitz expressed his pleasure regarding the in-person meeting.

Councilor Rytí expressed his appreciation regarding the in-person meeting.

14. PUBLIC COMMENT

Mr. Greg White, 600 San Ildefonso Road, commented on COVID-19.

15. ADJOURNMENT

The meeting adjourned at 8:58 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

Randall T. Rytí, Council Chair

Attest:

Naomi D. Maestas, County Clerk

Meeting Transcribed By: Victoria N. Montoya, Senior Deputy Clerk