



County of Los Alamos

Los Alamos, NM 87544
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Minutes

County Council – Regular Session

*Sara Scott, Council Chair; Pete Sheehey, Council Vice-Chair;
David Izraelevitz, Antonio Maggiore, Katrina Martin, James Robinson,
and Randall Ryti, Councilors*

Tuesday, November 26, 2019

6:00 PM

Council Chambers - 1000 Central Avenue

TELEVISED

1. OPENING/ROLL CALL

The Council Chair, Sara Scott, called the meeting to order at 6:03 p.m.

The following Councilors were in attendance:

Present: 6 - Councilor Scott, Councilor Sheehey, Councilor Maggiore,
Councilor Martin, Councilor Robinson, and Councilor Ryti

Remote: 1 - Councilor Izraelevitz

2. PLEDGE OF ALLEGIANCE

Led by: All.

3. STATEMENT REGARDING CLOSED SESSION

A motion was made by Councilor Ryti, seconded by Councilor Sheehey, that Council approve the following statement for inclusion in the minutes: "The matters discussed in the closed session held on November 26, 2019 that began at 5:30 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 that closed session."

The motion passed by acclamation with the following vote:

Yes: 7 - Councilor Scott, Councilor Sheehey, Councilor Izraelevitz, Councilor Maggiore,
Councilor Martin, Councilor Robinson, and Councilor Ryti

4. PUBLIC COMMENT

None.

5. APPROVAL OF AGENDA

Councilor Sheehey requested item 8.A. be removed from the Consent Agenda, and added under Council Business. There were no objections.

A motion was made by Councilor Sheehey, seconded by Councilor Martin, that the agenda be approved, as amended.

The motion passed by acclamation with the following vote:

Yes: 7 - Councilor Scott, Councilor Sheehey, Councilor Izraelevitz, Councilor Maggiore, Councilor Martin, Councilor Robinson, and Councilor Ryti

6. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

- A. Proclamation declaring Saturday, Nov. 30 as "Small Business Saturday" in Los Alamos

Councilor Ryti read and presented the proclamation to Ms. Ryn Herrmann, Executive Director Los Alamos Chamber of Commerce.

Ms. Herrmann spoke.

7. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA

None.

8. CONSENT AGENDA

Consent Motion:

A motion was made by Councilor Martin, seconded by Councilor Robinson, 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. Adoption of Revisions to the Library Policies

Item pulled for further discussion under Council Business.

- B. County Council Minutes for November 12, 2019

I move that Council approve the County Council Minutes for November 12, 2019.

Approval of the Consent Agenda:

Yes: 7 - Councilor Scott, Councilor Sheehey, Councilor Izraelevitz, Councilor Maggiore, Councilor Martin, Councilor Robinson, and Councilor Ryti

9. PUBLIC HEARING(S)

- A. Incorporated County of Los Alamos Code Ordinance No. 02-299; An Ordinance Amending Chapter 40, Article III, Sections 40-171, 40-173 and 40-175 of the Code of the Incorporated County of Los Alamos Pertaining to Potable and Non-Potable Water Rates and Bulk Delivery Rates

Mr. Philo Shelton, Utilities Manager, spoke.

Mr. Robert Westervelt, Deputy Utilities Manager-Finance & Administration, spoke.

Mr. Jack Richardson, Deputy Utilities Manager-Gas, Water, Sewer, spoke.

Ms. Katie Thwait, Assistant County Attorney, spoke.

Public Comment:

Mr. Andrew Phelps, 705 Camino Cereza, spoke.

A motion was made by Councilor Sheehey, seconded by Councilor Maggiore, that Council adopt Incorporated County of Los Alamos Code Ordinance No. 02-299; An Ordinance Amending Chapter 40, Article III, Sections 40-171, 40-173 and 40-175 of the Code of the Incorporated County of Los Alamos Pertaining to Potable and Non-Potable Water Rates and Bulk Delivery Rates, and ask staff to assure that it is published in summary form.

The motion passed with the following vote:

Yes: 7 - Councilor Scott, Councilor Sheehey, Councilor Izraelevitz, Councilor Maggiore, Councilor Martin, Councilor Robinson, and Councilor Ryti

- B. Incorporated County of Los Alamos Code Ordinance No. 02-298; An Ordinance Amending Chapter 40, Article III, Sections 40-201 and 40-202 of the Code of the Incorporated County of Los Alamos Pertaining to the Sewage Service Rate Schedule and Determination of Charges

Mr. Philo Shelton, Utilities Manager, spoke.

Ms. Katie Thwait, Assistant County Attorney, spoke.

Mr. Robert Westervelt, Deputy Utilities Manager-Finance & Administration, spoke.

Mr. Jack Richardson, Deputy Utilities Manager-Gas, Water, Sewer, spoke.

Public Comment:

Mr. Andrew Phelps, 705 Camino Cereza, spoke.

A motion was made by Councilor Ryti, seconded by Councilor Maggiore, that Council adopt Incorporated County of Los Alamos Code Ordinance No. 02-298; An Ordinance Amending Chapter 40, Article III, Sections 40-201 and 40-202 of the Code of the Incorporated County of Los Alamos Pertaining to the Sewage Service Rate Schedule and Determination of Charges, and ask staff to assure that it is published in summary form.

The motion passed with the following vote:

Yes: 7 - Councilor Scott, Councilor Sheehey, Councilor Izraelevitz, Councilor Maggiore, Councilor Martin, Councilor Robinson, and Councilor Ryti

- C. Incorporated County of Los Alamos Code Ordinance No. 02-297 An Ordinance Amending Chapter 16, Articles I And VII Of The County Code Of Ordinances To Add New Uses Gift And Souvenir Shops And Recreation Equipment Retail And Rental As An Accessory Use In The W-2 And P-O Zones And Permitted In All Down Town And M-U Zoned Areas; And Restaurants And Restaurants With Alcohol As Being Permitted By Special Use Permit In The W-2 Zoned Areas; And Lounges Or Bars Use Was Expanded To Include Tap Or Tasting Rooms And A New Zone Was Added Of W-2 With A Special Use Permit

Mr. Paul Andrus, Community Development Director, spoke.

Mr. Ryan Foster, Principal Planner, spoke.

Mr. Harry Burgess, County Manager, spoke.

Public Comment:

None.

A motion was made by Councilor Ryti, seconded by Councilor Robinson, that Council adopt Incorporated County of Los Alamos Code Ordinance No. 02-297; and ask staff to assure that it is published in summary form.

The motion passed with the following vote:

Yes: 6 - Councilor Scott, Councilor Sheehey, Councilor Izraelevitz, Councilor Martin, Councilor Robinson, and Councilor Ryti

Abstain: 1 - Councilor Maggiore

- D. Incorporated County Of Los Alamos Code Ordinance No. 02-301 Revision No. 2019-01 In Textual Form To The Official Zoning Map Of Los Alamos County By Rezoning One (1) County Owned Parcel, Consisting Of Approximately 2.02 Acres Of Land, Tract F-1 From Right-Of-Way To Public Land (P-L); Rezone Is Effective Thirty (30) Days After Publication Of Its Adoption Notice

Mr. Ryan Foster, Principal Planner, spoke.

Public Comment:

None.

A motion was made by Councilor Maggiore, seconded by Councilor Martin, that Council adopt Incorporated County of Los Alamos Code Ordinance No. 02-301; and further moved that, upon passage, the Ordinance be published in summary form.

The motion passed with the following vote:

Yes: 7 - Councilor Scott, Councilor Sheehey, Councilor Izraelevitz, Councilor Maggiore, Councilor Martin, Councilor Robinson, and Councilor Ryti

10. COUNCIL BUSINESS

A. Appointments

None.

B. Board, Commission and Committee Liaison Reports

Councilor Ryti reported on the Planning and Zoning Board; the Parks and Recreation Board; and the Energy Community Alliance (ECA).

Councilor Martin reported on the Art in Public Places Board.

Councilor Sheehey reported on the Rio Grande Water Fund meeting.

C. County Manager's Report

- 1) County Manager's Report for November 2019

County Manager Harry Burgess reported on the Mirador Subdivision Infrastructure acceptance; the Emergency Planning Panel at a recently attended conference; the upcoming anniversary of the Las Conchas fire; the Employee Appreciation Event; the old Wildland fire trucks; and snow and ice plan updates.

D. Council Chair Report

Chair Scott reported on her efforts in contacting the candidates for the Senate District 6 vacancy and the Boards and Commissions lunch.

E. General Council Business

- 1) Follow-up on Animal Shelter Advisory Committee Recommendations

Councilor Robinson presented.

Public Comment:

Ms. Wendy Brunish, 1225 Los Pueblos, member of Los Alamos Animal Shelter Ad Hoc Committee, spoke.

A motion was made by Councilor Martin, seconded by Councilor Sheehey, that Council direct the County Manager to prepare budget options for the Animal Shelter that include an addition of 1.5 FTEs and an addition of \$10,000 for training for Council consideration during the FY 2021 budget hearing and that Council direct the Animal Shelter Advisory Board to Identify infrastructure needs, draft a Best Practice Guide, and draft an updated Animal Shelter Ordinance as described in the Animal Shelter Path Forward provided in tonight's meeting materials.

After further discussion Councilor Martin restated her motion, which Councilor Maggiore seconded and Councilor Sheehey supported.

A CLARIFYING motion was made by Councilor Martin, seconded by Councilor Maggiore, that Council direct the County Manager to prepare budget options for the Animal Shelter that include an addition of 1.5 dedicated animal shelter FTEs and an addition of \$10,000 for training for Council consideration during the FY 2021 budget hearing and that Council direct the Animal Shelter Advisory Board to Identify infrastructure needs, draft a Best Practice Guide, and draft an updated Animal Shelter Ordinance as described in the Animal Shelter Path Forward provided in tonight's meeting materials.

The motion passed with the following vote:

Yes: 7 - Councilor Scott, Councilor Sheehey, Councilor Izraelevitz, Councilor Maggiore, Councilor Martin, Councilor Robinson, and Councilor Ryti

RECESS

Councilor Scott called for a recess at 8:34 p.m. The meeting reconvened at 8:47 p.m.

Councilor Martin left the meeting during the recess.

2) Follow-up on Community Development Advisory Board Presentation

Councilor Scott presented.

Mr. Harry Burgess, County Manager, spoke.

Public Comment:

None.

A motion was made by Councilor Ryti, seconded by Councilor Maggiore, that the Community Development Advisory Board (CDAB) to update their work plan based upon the discussion during this meeting as specified in the proposed path forward document and provide to council for review and approval in no more than 90 days of their next meeting.

The motion passed with the following vote:

Yes: 6 - Councilor Scott, Councilor Sheehey, Councilor Izraelevitz, Councilor Maggiore, Councilor Robinson, and Councilor Ryti

Absent: 1 - Councilor Martin

Consent Item 8.A.

Adoption of Revisions to the Library Policies

Councilor Martin re-joined the session remotely during the discussion of this item at 9:43 p.m.

Ms. Eileen Sullivan, Library Manager, presented.

Ms. Katie Thwait, Assistant County Attorney, spoke.

Public Comment:

None.

A motion was made by Councilor Maggiore, seconded by Councilor Robinson, that Council adopt the revisions to the Library Policies.

The motion passed with the following vote:

Yes: 6 - Councilor Scott, Councilor Sheehey, Councilor Izraelevitz, Councilor Maggiore, Councilor Robinson, and Councilor Ryti

Abstain: 1 – Councilor Martin

F. Approval of Councilor Expenses

A motion was made by Councilor Sheehey, seconded by Councilor Robinson, to approve travel expenses for Councilor Ryti to attend the ECA Annual meeting in January.

The motion passed with the following vote:

Yes: 7 - Councilor Scott, Councilor Sheehey, Councilor Izraelevitz, Councilor Maggiore, Councilor Martin, Councilor Robinson, and Councilor Ryti

G. Preview of Upcoming Agenda Items

None.

11. COUNCILOR COMMENTS

None.

12. PUBLIC COMMENT

None.

13. ADJOURNMENT

The meeting adjourned at 9:46 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

Sara C. Scott, Council Chair

Attest:

Naomi D. Maestas, County Clerk

Meeting Transcribed by: Victoria L. Martinez, Deputy Clerk