



County of Los Alamos

Los Alamos, NM 87544
losalamosnm.us

Minutes

County Council – Regular Session

*Denise Derkacs, Council Chair; Theresa Cull, Council Vice-Chair,
Melanee Hand, Suzie Havemann, Keith Lepsch,
David Reagor, and Randall Ryti, Councilors*

Tuesday, July 9, 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: 6 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann,
Councilor Reagor, and Councilor Ryti**

Absent: 1 – Councilor Lepsch

2. PLEDGE OF ALLEGIANCE

Led by: All.

3. STATEMENT REGARDING CLOSED SESSION

Councilor Ryti read the following statement to be included in the minutes: “The matters discussed in the closed sessions of County Council held on June 25, 2024 that began at 4:00 p.m. and July 9, 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.”

4. PUBLIC COMMENT

None.

5. APPROVAL OF AGENDA

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

The motion passed with the following vote:

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

Absent: 1 – Councilor Lepsch

6. PRESENTATIONS, PROCLAMATIONS, AND RECOGNITIONS

- A. Briefing from Regional Development Corporation (RDC) Executive Director Pat Vanderpool on Current and Upcoming Activities

Mr. Paul Andrus, Community Development Director, spoke.

Mr. Pat Vanderpool, Executive Director Regional Development Corporation, presented.

Ms. Carla Rachkowski, Director of Operations Regional Development Corporation, spoke.

Ms. Monica Abeita, North Central New Mexico Economic Development District (NCNMEDD) Director, spoke.

Public comment:

Mr. Bill Watt spoke.

Ms. Crystal Henderson spoke.

No action taken.

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 submitted be included for the record.

Approval of the Consent Agenda:

The motion passed with the following vote:

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

Absent: 1 – Councilor Lepsch

- A. Approval of Task Order No. 21 under Services Agreement No. AGR-22-18a with All-Rite Construction Inc. in the Amount of \$372,569.49 plus Applicable Gross Receipts Tax for Mesa Public Library Siding Replacement & Wall Repair and Establish a Project Budget in the Amount of \$485,000

I move that Council approve Task Order No. 21 under Services Agreement No. AGR-22-18a with All-Rite Construction Inc. in the Amount of \$372,569.49 plus Applicable Gross Receipts Tax for Mesa Public Library Siding Replacement & Wall Repair and Establish a Project Budget in the Amount of \$485,000.

- B. Approval of Purchase of dHCI Cluster Server Hardware Phase 2 to Consolidate and Standardize Application Infrastructure from Advanced Network Management (ANM) in the Amount of \$310,835.09 Including Shipping Plus Applicable New Mexico Gross Receipts Tax

I move that Council approve the purchase of dHCI Cluster Server Hardware phase 2 to Consolidate and Standardize Application Infrastructure from Advanced Network Management (ANM) in the Amount of \$310,835.09 including shipping, plus applicable New Mexico Gross Receipts tax.

- C. Approval of County Council Minutes for the June 18, 2024, Work Session and the June 25, 2024, Regular Session

I move that Council approve the County Council Minutes for the June 18, 2024, Work Session and the June 25, 2024, Regular Session.

- D. Vacation of Easement Within Lot 315, a Subdivision of Western Area No. 1

I move that Council approve the Vacation of Easement within Lot 315, a Subdivision of Western Area No. 1.

- E. Grant of Utility Easement Within Block 1, Lot 28 of Mirador Subdivision

I move that Council approve a Grant of Utility Easement within Block 1, Lot 28 of Mirador Subdivision.

- F. Board/Commission Appointment(s) - Property Valuation Protest Board

I move that Council appoint Kenneth Milder as the Valuation Protests Board Professional Representative; Wendy Keffeler as the Valuation Protests Board Professional Representative - Alternate; Kevin Talley as the Valuation Protests Board Community representative; and Richard Klamann as the Valuation Protests Board Community Representative - Alternate, all for the term July 1, 2024 through June 30, 2026.

- G. Approval of the Animal Shelter Fee Schedule.

I move that Council approve the Animal Shelter Fee Schedule.

- H. Approval of Budget Revision 2024-78 to Budget Funds for Safety Net Care Pool, County Supported Medicaid and HCAP

I move that Council approve Budget Revision 2024-78 as summarized on Attachment A and the attachment be made part of the minutes of this meeting.

9. INTRODUCTION OF ORDINANCE(S)

- A. Introduction of Incorporated County of Los Alamos Ordinance No. 734; An Ordinance Authorizing the Incorporated County of Los Alamos (Borrower) to Enter Into a Loan Agreement with the New Mexico Environment Department (NMED) for the Purpose of Obtaining Project Loan Funds in the Principal Amount of \$1,500,000, Plus 1% Accrued Interest and Loan Subsidy Grant Funds in the Amount of \$500,000; for a Total Funded Amount of \$2,000,000; Designating the Use of the Funds for the Purpose Defined in the Most Current Project Description Form as Approved by NMED; Declaring the Necessity for the Loan; Providing that the Loan will be Payable and Collectible Solely from the Borrower's Pledged Revenues Defined; Prescribing Other Details Concerning the Loan and the Security for that Purpose**

Councilor Havemann introduced, without prejudice, Incorporated County of Los Alamos Ordinance No. 734; An Ordinance Authorizing the Incorporated County of Los Alamos (Borrower) to Enter Into a Loan Agreement with the New Mexico Environment Department (NMED) for the Purpose of Obtaining Project Loan Funds in the Principal Amount of \$1,500,000, Plus 1% Accrued Interest and Loan Subsidy Grant Funds in the Amount of \$500,000; for a Total Funded Amount of \$2,000,000; Designating the Use of the Funds for the Purpose Defined in the Most Current Project Description Form as Approved by NMED; Declaring the Necessity for the Loan; Providing that the Loan will be Payable and Collectible Solely from the Borrower's Pledged Revenues Defined; Prescribing Other Details Concerning the Loan and the Security for that Purpose and ask staff to assure that it is published as provided in the County Charter.

- B. Introduction of Incorporated County of Los Alamos Code Ordinance No. 02-359; An Ordinance Amending Chapter 40, Article III, Sections 40-151 and 40-152 of the Code of the Incorporated County of Los Alamos Relating to Gas Rate Schedules**

Councilor Ryti introduced, without prejudice, Incorporated County of Los Alamos Ordinance No. 02-359; An Ordinance Amending Chapter 40, Article III, Sections 40-151 and 40-152 of the Code of the Incorporated County of Los Alamos Relating to Gas Rate Schedules.

10. PUBLIC HEARING(S)

- A. Incorporated County of Los Alamos Resolution No. 24-14 Endorsing the North Central Regional Transit District's FY2024 Budget Proposal, Approval of the FY2025 Los Alamos County Regional Service Plan and Direct Staff to Submit the FY2025 Los Alamos County Regional Service Plan to the North Central Regional Transit District Board of Directors

Mr. James Barela, Transit Manager, spoke.

Public comment:

None.

A motion was made by Councilor Ryti, seconded by Councilor Cull, that Council approve Incorporated County of Los Alamos Resolution No. 24-14 Endorsing the North Central Regional Transit District's FY2025 Budget Proposal, approve the FY2025 Los Alamos County Regional Service Plan and direct County Manager to submit the FY2025 Los Alamos County Regional Service Plan to the North Central Regional Transit District Board of Directors.

The motion passed with the following vote:

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

Absent: 1 – Councilor Lepsch

- B. Incorporated County of Los Alamos Resolution No. 24-15 to Authorize the Application to New Mexico Department of Transportation (NMDOT) for Federal Fiscal Year 2026 Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program for an Estimated Total Amount of \$233,426 to Fund an ACT Assist Replacement Vehicle for Atomic City Transit; Committing to the Local Match in the Amount of \$46,685 to Fund the Section 5310 Transit Program for Federal Fiscal Year 2026

Mr. James Barela, Transit Manager, presented.

Public comment:
None.

A motion was made by Councilor Ryti, seconded by Councilor Havemann, that Council approve County of Los Alamos Resolution No. 24-15 to authorize the application to New Mexico Department of Transportation (NMDOT) for Federal Fiscal Year 2026 Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program for an estimated total amount of \$233,426 to fund an ACT Assist Replacement Vehicle for Atomic City Transit; committing to the local match in the amount of \$46,685 to fund the Section 5310 Transit Program for Federal Fiscal Year 2026.

The motion passed with the following vote:

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

Absent: 1 – Councilor Lepsch

- C. Incorporated County of Los Alamos Resolution No. 24-16 to Authorize the Application to New Mexico Department of Transportation (NMDOT) for Federal Fiscal Year 2026 Section 5311 Public Rural Transportation Program for an Estimated Total Amount of \$4,915,259 to Fund the Administrative, Operating and Capital Needs of Atomic City Transit; Committing the Local Match in the Amount of \$2,154,271 to Fund the Section 5311 Transit Program for Federal Fiscal Year 2026

Mr. James Barela, Transit Manager, presented.

Public comment:
None.

A motion was made by Councilor Hand, seconded by Councilor Cull, that Council approve Incorporated County of Los Alamos Resolution No. 24-16 to authorize the application to New Mexico Department of Transportation (NMDOT) for Federal Fiscal Year 2026 Section 5311 Public Rural Transportation program for an estimated total amount of \$4,915,259 to fund the Administrative, Operating and Capital needs of Atomic City Transit; Committing the Local Match in the amount of \$2,154,271 to fund the Section 5311 Transit Program for Federal Fiscal Year 2026.

The motion passed with the following vote:

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

Absent: 1 – Councilor Lepsch

- D. Adoption of Incorporated County of Los Alamos Resolution No. 24-13 Assigning Signatory for Administration of Rural Infrastructure Loan and Grant Agreement RIP-00059 for the Water Production Wells Mechanical and Electrical Upgrades Project

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

Public comment:
None.

A motion was made by Councilor Cull, seconded by Councilor Ryti, that Council adopt Incorporated County of Los Alamos Resolution No. 24-13, a Resolution Assigning Signatory for Administration of Rural Infrastructure Loan and Grant Agreement RIP-00059 for the Water Production Wells Mechanical and Electrical Upgrades Project and forward to Council for Adoption.

The motion passed with the following vote:

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

Absent: 1 – Councilor Lepsch

- E. Incorporated County of Los Alamos Resolution No. 24-19, Resolution of Support for County Participation in the New Mexico Department of Transportation Fiscal Year 2025 Local Government Road Fund Program Municipal Arterial Program for the Diamond Drive Pavement Preservation Project

Mr. Jual Rael, Public Works Director, spoke.

Public comment:
None.

A motion was made by Councilor Hand, seconded by Councilor Ryti, that Council approve Incorporated County of Los Alamos Resolution No. 24-19, Resolution for County Participation in the New Mexico Department of Transportation Fiscal Year 2025 Local Government Road Fund Program Municipal Arterial Program for the Diamond Drive Pavement Preservation Project.

The motion passed with the following vote:

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

Absent: 1 – Councilor Lepsch

11. BUSINESS

A. Presentation of Draft Climate Action Plan and Commencement of Public Comment

Ms. Angelica Gurule, Sustainability Manager, presented.

Ms. Andrea Martin, Cascadia Consulting Group Project Manager, presented.

Public Comment:

Mr. David Hanson spoke.

No action taken.

RECESS

Councilor Derkacs called for a recess at 8:16 p.m. The meeting reconvened at 8:29 p.m.

12. COUNCIL BUSINESS

A. General Council Business

1) Update on LARES Council Working Group Action Plan Business.

Ms. Angelica Gurule, Sustainability Manager, presented.

Public comment:

None.

No action taken.

B. Appointments

1) Board/Commission Appointments - Planning and Zoning Commission

Ms. Sobia Sayeda, Planning Manager, spoke.

Public Comment:

None.

A motion was made by Councilor Cull, seconded by Councilor Havemann, to nominate Kyle Christensen, Alice Holtzclaw, Joshua Muck, and Ronald Nelson to fill two (2) vacancies on the Planning and Zoning Commission with three-year terms beginning on April 01, 2024, and ending on March 31, 2027.

By roll call vote, Councilors vote for two (2) nominees and the two (2) with the highest votes total of four (4) or more be appointed to fill terms beginning on April 01, 2024, and ending on March 31, 2027.

Councilor Cull seconded by Councilor Havemann, called for a roll call vote to appoint members to the Planning and Zoning Commission:

Councilors Derkacs, Hand, and Havemann, voted for:
Kyle Christensen

Councilors Cull, Reagor, and Ryti, voted for:
Joshua Muck

Councilors Cull, Derkacs, Hand, Havemann, Reagor, and Ryti voted for:
Ronald Nelson

After the roll call vote, Mr. Ronald Nelson was appointed to the term beginning on April 01, 2024, and ending on March 31, 2027.

Chair Derkacs called for a second roll call vote to appoint a second member to the Planning and Zoning Commission:

Councilors Derkacs, Hand, and Havemann, voted for:
Kyle Christensen

Councilors Cull, Reagor, and Ryti, voted for:
Joshua Muck

Chair Derkacs called for a third roll call vote to appoint a second member to the Planning and Zoning Commission:

Councilors Derkacs, Hand, and Havemann, voted for:
Kyle Christensen

Councilors Cull, Reagor, and Ryti, voted for:
Joshua Muck

The Councilors agreed to hold another vote at a later date to appoint the second member to the term beginning on April 01, 2024, and ending on March 31, 2027.

C. Boards and Commission Vacancy Report

- 1) Board and Commission Vacancy Report

Chair Derkacs reported there will be vacancies on the Environmental Sustainability Board, Library Board, and the Labor Management Relations Boards.

D. Board, Commission, and Working Group Reports

Councilor Ryti reported on the Environmental Sustainability Board interviews.

Councilor Hand reported on the Library Board meeting.

Councilor Reagor reported on the Planning and Zoning Commission meeting.

Councilor Havemann reported that the Historic Preservation Advisory Board rescheduled their meeting until the first week of August. She also reported that she missed the Art in Public Places Board meeting. She gave a summary of the meeting's votes.

E. County Manager's Report

No report.

F. Council Chair Report

Chair Derkacs reported she introduced the County Rodeo Court at the Friday Night Concert at Ashley Pond. She also participated in an interview with a New York Times reporter.

G. Approval of Councilor Expenses

None.

H. Preview of Upcoming Agenda Items

1) Tickler Report of Upcoming Agenda Items

Chair Derkacs noted that at the next Council Meeting, July 23, 2024, there will be an update on the strategic goal of operational excellence and a presentation by the Chair of the Board of Public Utilities.

Ms. Anne Laurent, County Manager, noted that a date has not been selected for an update on the Mental Behavioral Health Solutions discussion.

13. COUNCILOR COMMENTS

Councilor Reagor asked for a status update regarding the Art in Public Places Board meeting.

Councilor Hand commented that she attended the film called Paradise Paradox at SALA. She attended the New Mexico Counties Conference, and the North Central Economic Development District Board meeting.

Councilor Ryti commented on the Council Booth at the Farmer's Market. He also attended the Los Alamos East Metropolitan Redevelopment Area Town Hall meeting, met with Social Services Director Jessica Strong, and the Los Alamos Study Group on the Climate Action Plan.

14. ADJOURNMENT

The meeting adjourned at 9:02 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
 July 9, 2024
 Item 8.H

Budget Council Revision 2024-74

	Fund & Department	Org	Object	Revenue (decrease)	Expenditures (decrease)	Transfers In(Out)	Fund Balance (decrease)
1	Health Care Assistance Program/ CSD/Social Svs	15150760	8369		\$ 974,361		\$ (974,361)
2							\$ -
3							\$ -
4							\$ -
5							\$ -
6							\$ -
7							\$ -
8							\$ -
9							\$ -
10							\$ -
Description: Increased Safety Care Net Pool, County Supported Medicaid and HCAP Costs							
Fiscal Impact: 974,361							