



County of Los Alamos

Minutes

County Council – Work Session

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

Tuesday, March 19, 2024

6:00 PM

Council Chambers – 1000 Central Avenue

1. OPENING/ROLL CALL

The Council Chair, Denise Derkacs, called the meeting to order at 6:00 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 Lepsch,
Councilor Reagor, and Councilor Ryti**

Remote: 1 – Councilor Havemann

2. PLEDGE OF ALLEGIANCE

Led by: All.

3. PUBLIC COMMENT

None.

4. APPROVAL OF AGENDA

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

The motion passed with the following vote:

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

5. PRESENTATIONS, PROCLAMATIONS, AND RECOGNITIONS

A. Briefing by Representative Christine Chandler Providing an Overview of the 2023 Legislative Session

Representative Christine Chandler presented.

No action taken.

B. Presentation from Ted Wyka, NNSA Los Alamos Field Office Manager

Mr. Ted Wyka, National Nuclear Security Administration Los Alamos Field Office Manager, presented.

Mr. Paul Holland spoke.

Ms. Anne Laurent, County Manager, spoke.

No action taken.

C. Briefing Presentation to Council by Frances Knudson, Chair Library Board

Ms. Francis Knudson, Chair Library Board, presented.

Ms. Gwen Kalavaza, Library Manager, spoke.

No action taken.

D. Briefing Presentation by James Wernicke, Chair of the Parks and Recreation Board (PRB)

Mr. James Wernicke, Chair of Parks and Recreation Board, presented.

Mr. Cory Styron, Community Services Director, presented.

No action taken.

6. BUSINESS

A. Action to Suspend Council Rules for Work Session

A motion was made by Councilor Cull, seconded by Councilor Havemann, that Council suspend their procedural rules for this work session, March 19, 2024, so that formal action may be taken.

The motion passed with the following vote:

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

- B. Possible Approval of County Council Minutes for the February 27, 2024 and March 5, 2024 Regular Session

A motion was made by Councilor Ryti, seconded by Councilor Cull, that Council approve the amended County Council Minutes for February 27, 2024, and the County Council Minutes for March 5, 2024 Regular Sessions.

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 7:55 p.m. The meeting reconvened at 8:10 p.m.

- C. Possible Approval of the Termination and Settlement Agreement and Release of Claims between the Incorporated County of Los Alamos, New Mexico and Uniper Global Commodities North America LLC

Mr. Philo Shelton, Utilities Manager, presented.

Public comment:
None.

A motion was made by Councilor Cull, seconded by Councilor Ryti, that Council approve the Termination and Settlement Agreement and Release of Claims between the Incorporated County of Los Alamos, New Mexico, and Uniper Global Commodities North America LLC. She further moved that Council authorize the County Manager, or designee, to enter into and execute the Termination and Settlement Agreement and Release of Claims, and to take all actions necessary to carry out the provisions of the Agreement.

The motion passed with the following vote:

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

- D. Possible Approval of a Short-term Power Purchase Agreement with Mercuria Energy America, LLC to Replace the Uniper Agreements

Mr. Ben Olbrich, Deputy Utility Manager – Power Supply, presented.

Public comment:
None.

A motion was made by Councilor Ryti, seconded by Councilor Cull, that Council approve a short-term Power Purchase Agreement with Mercuria Energy America, LLC, in the amount of \$51,334,560.00 and a contingency additional amount of \$3,690,720.00, for a total of \$55,025,280.00, plus applicable gross receipts tax, for the purpose of buying power and energy to serve the Los Alamos Power Pool's electric load.

The motion passed with the following vote:

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

E. Process and General Schedule for the Los Alamos County Development Code, Chapter 16, "Clean-up" and Discussion of Additional Planning and Zoning Recommendations

Mr. Paul Andrus, Community Development Director, spoke.
Ms. Sobia Sayeda, Planning Manager, presented.

Public comment:
Mr. Phil Gursky spoke.
Ms. Akkana Peck spoke.
Ms. Rebecca Shankland spoke.

No action taken.

F. Discussion on Chapter 6 Animal Ordinance

Police Chief Dino Sgambellone presented.
Ms. Katie Thwaites, Deputy County Attorney, spoke.

No action taken.

G. Discussion and Possible Action on Next Steps on Diversity, Equity, and Inclusivity Program including Pros and Cons of Board Versus a Staff Member

Ms. Linda Matteson, Deputy County Manager, presented.
Ms. Anne Laurent, County Manager, spoke.
Mr. Cory Styron, Community Services Director, spoke.

Public comment:
None.

Councilor Derkacs announced that Business Item G will be voted on during the Budget Meetings. There were no objections.

No action taken.

7. ADJOURNMENT

The meeting adjourned at 10:48 p.m.

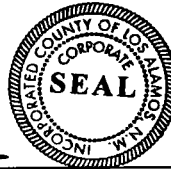
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Naomi D. Maestas, County Clerk
Los Alamos County NM
marie.pruitt

INCORPORATED COUNTY OF LOS ALAMOS


Denise Derkacs, Council Chair

Attest:


Naomi D. Maestas, County Clerk



Meeting Transcribed by: Marie Pruitt, Deputy Clerk

March 19, 2024

County Council – Working Session

For DAIS

6. CONSENT AGENDA

- B. 18473-24 Possible Approval of County Council Minutes for the February 27, 2024, and March 5, 2024 Regular Sessions**

REVISED 10.B.

The following corrections were to the minutes of February 27, 2024:

- B. ~~Chair Derkaas~~ Councilor Hand moved that Council direct the County Manager to further develop regional activities for recommended budget options as part of the FY25 Proposed Budget based on input from Council at the February 27 Regular Session.**

March 19, 2024, County Council – Work Session **For DAIS**

6. Business

C. Possible Approval of the Termination and Settlement Agreement and Release of Claims between the Incorporated County of Los Alamos, New Mexico, and Uniper Global Commodities North America LLC

Recommended action reads:

I move that Council approve the Termination and Settlement Agreement and Release of Claims between the Incorporated County of Los Alamos, New Mexico, and Uniper Global Commodities North America LLC.

Should read:

I move that Council approve the Termination and Settlement Agreement and Release of Claims between the Incorporated County of Los Alamos, New Mexico, and Uniper Global Commodities North America LLC. I further move that Council authorize the County Manager, or designee, to enter into and execute the Termination and Settlement Agreement and Release of Claims, and to take all actions necessary to carry out the provisions of the Agreement.