

Minutes

County Council – Regular Session

Randall Ryti, Council Chair, Denise Derkacs, Council Vice-Chair,
Melanee Hand, David Izraelevitz, David Reagor, Sara Scott,
and Sean Williams, Councilors

Tuesday, February 22, 2022

6:00 PM

Due to COVID-19 concerns, meeting will be
conducted remotely.

<https://us02web.zoom.us/j/82543438107>

1. OPENING/ROLL CALL

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

The following Councilors were in attendance:

Present: 6 - Councilor Ryti, Councilor Hand, Councilor Izraelevitz, Councilor Reagor,
Councilor Scott, and Councilor Williams

Absent: 1- Councilor Derkacs

2. PLEDGE OF ALLEGIANCE

Led by: All.

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

3. STATEMENT REGARDING CLOSED SESSION

Councilor Scott, read the following statement to be included in the minutes: "The matters discussed in the closed session of County Council held on February 22, 2022 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. We request that this statement be included in the meeting minutes."

4. PUBLIC COMMENT

None.

5. APPROVAL OF AGENDA

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

The motion passed with the following vote:

Yes: 6 - Councilor Ryti, Councilor Hand, Councilor Izraelevitz, Councilor Reagor, Councilor Scott, and Councilor Williams

Absent: 1 - Councilor Derkacs

6. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

A. Acceptance of Los Alamos Resiliency, Energy and Sustainability Final Report and Recommendations to Reduce Greenhouse Gas

Ms. Angelica Gurule, Environmental Services Manager, spoke.

Ms. Katie Leonard, Chair of Los Alamos Resiliency Energy and Sustainability Task Force, presented.

Mr. Steven Lynne, County Manager, spoke.

Mr. Chick Keller, member of Los Alamos Resiliency Energy and Sustainability Task Force, spoke.

Mr. Steve Tobin, member of Los Alamos Resiliency Energy and Sustainability Task Force, spoke.

Ms. Elizabeth Daly, member of Los Alamos Resiliency Energy and Sustainability Task Force, spoke.

Ms. Heidi Rogers, member of Los Alamos Resiliency Energy and Sustainability Task Force, spoke.

Mr. Robert Gibson, Vice Chair of Los Alamos Resiliency Energy and Sustainability Task Force, spoke.

Public Comment:

Mr. Robert Day spoke.

Mr. Skip Dunn spoke.

Mr. Antonio Maggiore spoke.

Mr. Aaron Walker spoke.

Ms. Jody Benson spoke.

A motion was made by Councilor Scott, seconded by Councilor Izraelevitz, that Council thank the LA Resiliency, Energy, and Sustainability Task Force for their work, accept their report and recommendations; and further move that the revised Task Force Budget Request Items be included as budget option in the Fiscal Year 2023 budget. She further moved that at the next council meeting staff return with a purposed budget adjustment to allow for immediate action on recommendations GR2 and GR3. She further moved that the County Manager and the Department of Public Utility manager identify near term opportunities as they review current and future study information and bring those opportunities to Council for decision. She further moved that staff return with options for how best to have a task force, board, or subcommittee to continue to help move this initiative forward

Yes: 5 - Councilor Ryti, Councilor Hand, Councilor Izraelevitz, Councilor Scott, and Councilor Williams

No: 1 - Councilor Reagor

Absent: 1 - Councilor Derkacs

RECESS

Chair Ryti called for a recess at 7:52 p.m. the meeting reconvened at 8:02 p.m.

7. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA

None.

8. CONSENT AGENDA

Consent Motion:

A motion was made by Councilor Izraelevitz, seconded by Councilor Scott, that Council approve the items on the Consent Agenda as presented and that the motions in the staff reports be included for the record.

- A. County Council Minutes for January 25, 2022, February 1, 2022, and February 8, 2022

I move that County Council approve the County Council Minutes for January 25, 2022, February 1, 2022, and February 8, 2022.

- B. Approval of Budget Revision 2022-45, moving budget authority of the Broadband Design Services for the amount of \$500,000 from the Information Management Division within the Administrative Services Department to the Broadband Division within the County Manager's Office

I move that Council approve Budget Revision 2022-45 as summarized on Attachment A and that the attachment be made a part of the minutes of this meeting.

- C. Board/Commission Appointment- Transportation Board

I nominate Michael Altherr to fill one (1) vacancy on the Transportation Board and move that Council appoint him for a term beginning on March 1, 2022 and ending on February 28, 2024.

- D. Approval of Task Order No. 4 to AGR20-48b with CDM Smith for Engineering and Construction Oversight Services for the Pajarito Road / TA-50 Waterline Replacement Project, and Approval of Budget Revision 2022-46

I move that the County Council Approve Task Order No. 4 to AGR20-48b with CDM Smith for Engineering and Construction Oversight Services for the Pajarito Road / TA-50 Waterline Replacement Project in the Amount of \$321,631.47, which includes Gross Receipts Tax, and a Contingency in the amount of \$58,322.53, for a Total Project Budget of \$379,954.

- E. Consideration and Possible Approval of the Janssen Settlement Agreement

I move that Council approve the Janssen Settlement Agreement, and I further move that the County Manager or the County Attorney are authorized to execute the agreement and any related documents necessary to effectuate the terms of the Janssen Settlement Agreement.

- F. Approval of Amendment No. 1 to New Exit Date Amendment Amending and Restating the Amended and Restated San Juan Project Participation Agreement and the Extended Operations Agreement

I move that County Council Approve Amendment No. 1 to the New Exit Date Amendment, Amending and Restating the Amended and Restated San Juan Project Participation Agreement and Approve the Extended Operations Agreement. I further move that Council authorize the Utilities Manager to execute the final drafts of Amendment No. 1 to New Exit Date Amendment Amending and Restating the Amended and Restated San Juan Project Participation Agreement and the Extended Operations Agreement.

Approval of the Consent Agenda:

The motion passed with the following vote:

Yes: 6 - Councilor Ryti, Councilor Hand, Councilor Izraelevitz, Councilor Reagor, Councilor Scott, and Councilor Williams

Absent: 1- Councilor Derkacs

9. PUBLIC HEARING(S)

- A. Incorporated County of Los Alamos Code Ordinance No. 02-325; 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, presented.

Ms. Heather Garcia, Acting Deputy Utilities Manager-Finance and Administration, spoke.

Public Comment:

None.

A motion was made by Councilor Izraelevitz, seconded by Councilor Scott, that Council adopt Incorporated County of Los Alamos Ordinance No. 02-325; 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.

The motion passed with the following vote:

Yes: 6 - Councilor Ryti, Councilor Hand, Councilor Izraelevitz, Councilor Reagor, Councilor Scott, and Councilor Williams

Absent: 1- Councilor Derkacs

- B. Incorporated County of Los Alamos Code Ordinance No.02-322, Ordinance Adding, Amending, and Deleting Certain Sections of Chapter 22, Article II

Division Chief, Wendy Servey, Los Alamos Fire Department (LAFD) spoke.

Public Comment:

None.

A motion was made by Councilor Williams, seconded by Councilor Hand, that Council adopt Incorporated County of Los Alamos Code Ordinance No. 02-322; and asked staff to assure that it is published in summary form.

The motion passed with the following vote:

Yes: 6 - Councilor Ryti, Councilor Hand, Councilor Izraelevitz, Councilor Reagor, Councilor Scott, and Councilor Williams

Absent: 1- Councilor Derkacs

- C. Incorporated County of Los Alamos Resolution No. 22-02: A resolution authorizing the County to submit an application to the Department of Finance and Administration, Local Government Division, to participate in the Local DWI Grant and Distribution Program

Public Comment:
None.

A motion was made by Councilor Scott, seconded by Councilor Izraelevitz, that Council adopt Incorporated County of Los Alamos Resolution No. 22-02, a resolution authorizing the County to submit an application to the Department of Finance and Administration, Local Government Division, to participate in the Local DWI (LEDWI) Grant and Distribution Program. As part of the LEWDI application, she further moved that Council approve the Council Chair to also sign the MOU and Statement of Assurances.

The motion passed with the following vote:

Yes: 6 - Councilor Ryti, Councilor Hand, Councilor Izraelevitz, Councilor Reagor, Councilor Scott, and Councilor Williams

Absent: 1- Councilor Derkacs

- D. Incorporated County of Los Alamos Resolution No. 22-03, Resolution of Support Authorizing Application for Funding Assistance to the New Mexico Department of Transportation through the Fiscal Year 2023 Municipal Arterial Program for the Rose Street Reconstruction Project

Public Comment:
None.

A motion was made by Councilor Izraelevitz, seconded by Councilor Scott, that Council approve Incorporated County of Los Alamos Resolution No. 22-03, Resolution of Support Authorizing Application for Funding Assistance to the New Mexico Department of Transportation through the Fiscal Year 2023 Municipal Arterial Program for the Rose Street.

The motion passed with the following vote:

Yes: 6 - Councilor Ryti, Councilor Hand, Councilor Izraelevitz, Councilor Reagor, Councilor Scott, and Councilor Williams

Absent: 1- Councilor Derkacs

10. BUSINESS

A. Results for the Los Alamos County Code Enforcement Survey 2021

Mr. Bryce Ternet, Planning Manager, spoke.

Ms. Erin Caldwell, NSPH Director of Research, presented.

Mr. Paul Andrus, Community Development Director, spoke.

Public Comment:

Mr. Antonio Maggiore spoke.

Mr. Aaron Walker spoke.

Ms. Brandi Engeman spoke.

Ms. Elizabeth Daly spoke.

Mr. Grant Harding spoke.

No action taken.

11. COUNCIL BUSINESS

A. Appointments

None.

B. Board, Commission, and Committee Liaison Reports

Councilor Scott reported on Racial Equity and Inclusivity Task Force, the community meeting of the Racial Justice Advisory Council, the Juvenile Justice Advisory Board (JJAB), the upcoming school board meeting, and the meeting with Rio Arriba County Commissioners and staff.

Councilor Izraelevitz reported on the Environmental Sustainability Board, the Parks and Recreation Board, and the meeting with Rio Arriba County Commissioners and staff.

Councilor Hand reported on the Art in Public Places Board.

Councilor Williams reported on Lodger's Tax Advisory Board.

Councilor Reagor reported on the Planning and Zoning Committee meeting.

C. County Manager's Report

Mr. Steven Lynne, County Manager reported on the new format of the CMO report, candidate filing day, Ms. Angelica Gurule receiving her New Mexico Edge CPS, and staff stats on COVID-19.

D. Council Chair Report

Council Chair Ryti reported on a meeting with Mr. Robert Dryja the representative of the Los Alamos Retirement Committee, strategic planning session with the Valles Caldera National Preserve, CSCNM legislative update meeting with Representative Teresa Leger Fernandez staff member, multiple requests for public inquiries, meeting with NNSA Administrator Hruby, the Los Alamos County (LAC)/Los Alamos Public Schools (LAPS) joint meeting, and the meeting with EM.

E. General Council Business

1) COVID-19 Situational Update

Ms. Beverley Simpson, Emergency Service Commander, presented.

Ms. Linda Matteson, Deputy County Manager, spoke.

2) Discussion and Possible Action on Council Meeting Format in Relation to COVID-19 Situation

No action was taken.

F. Approval of Councilor Expenses

A motion was made by Councilor Izraelevitz, seconded by Councilor Williams, that Council pay for any expenses for any Councilors who will be attending the BPA Waste Management Conference.

The motion passed with the following vote:

Yes: 6 - Councilor Ryti, Councilor Hand, Councilor Izraelevitz, Councilor Reagor, Councilor Scott, and Councilor Williams

Absent: 1- Councilor Derkacs

G. Preview of Upcoming Agenda Items

None.

12. COUNCILOR COMMENTS

Councilor Reagor commented on public comments regarding agenda items and straying on topic.

13. PUBLIC COMMENT

Mr. Antonio Maggiore apologized for his language, thanked Chair Ryti for protecting his right to free speech and responded to Councilor Reagor's comment.

Ms. Brandi Engman commented on hybrid Council Meetings and the right to comment freely on agenda topics.

Ms. Elizabeth Daly commented in favor of remote County Council Meetings.

14. ADJOURNMENT

The meeting adjourned at 10:33 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

Randall T. Ryti, Council Chair

Attest:

Naomi D. Maestas, County Clerk

Meeting Transcribed by: Victoria Montoya, Senior Deputy Clerk

Budget Revision 2022-45

Council Meeting Date: February 22, 2022

	Fund/Dept	Munis Org	Object	Revenue (decrease)	Expenditures (decrease)	Transfers In(Out)	Fund Balance (decrease)
	GF - ASD Information Management	01143010	8369		\$ (500,000)		\$ 500,000
	GF - CMO Broadband	01131010	8369		\$ 500,000		\$ (500,000)
	Net fiscal impact						\$ -
Description: The purpose of this budget revision is to move spending authority of the Braodband budget option which was approved for the amount of \$500,000 for the design services from the Information Management division under the ASD department to the Broadband division under the CMO department. This was Budget Option 12c in FY2022 Adopted Budget.							
Fiscal Impact: The fiscal impact on the General Fund is zero.							

Monther Jubran

01/24/2021

Preparer

Date

Monther Jubran

Budget & Performance Manager