



County of Los Alamos

Minutes

Los Alamos, NM 87544
www.losalamosnm.us

County Council – Regular Session

*Theresa Cull, Council Chair; Suzie Havemann, Council Vice-Chair;
Melanee Hand, Ryn Herrmann, Beverly Neal-Clinton,
David Reagor, and Randall Ryti, Councilors*

Tuesday, April 8, 2025	6:00 PM	Council Chambers – 1000 Central Avenue
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1. OPENING/ROLL CALL

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

Chair Cull made opening remarks regarding the procedure of the meeting.

The following Councilors were in attendance:

**Present: 6 – Councilor Cull, Councilor Havemann, Councilor Hand,
Councilor Neal-Clinton, Councilor Reagor, and Councilor Ryti**

Remote: 1 – Councilor Herrmann

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 the County Council held on April 8, 2025, that began at 4:00 p.m. was limited only to the topics specified in the notice of the closed sessions, and no action was taken on any matter in the closed sessions. We request that this statement be included in the meeting minutes.”

4. PUBLIC COMMENT

Ms. Donna Jones spoke.
Mr. John Courtwright spoke.
Ms. Anna Dillane spoke.
Mr. Steven Mullins spoke.
Ms. Debbie Pirkel spoke.

5. APPROVAL OF AGENDA

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

The motion passed with the following vote:

Yes: 7 – Councilor Cull, Councilor Havemann, Councilor Hand, Councilor Herrmann, Councilor Neal-Clinton, Councilor Reagor, and Councilor Ryti

6. PRESENTATIONS, PROCLAMATIONS, AND RECOGNITIONS

- A.** Proclamation Designating April 6-12, 2025, as "National Library Week in Los Alamos County."

Councilor Hand read and presented the proclamation.

Ms. Gwen Kalavaza, Los Alamos County Library Manager, spoke.

No action taken.

- B.** Proclamation Declaring April 21-28, 2025, as "International Dark Sky Week."

Councilor Havemann read and presented the proclamation.

Ms. Heidi Morris, President of the Pajarito Astronomers Club, spoke.

No action taken.

7. PUBLIC COMMENT FOR ITEMS ON THE CONSENT AGENDA

None.

8. CONSENT AGENDA

Consent Motion:

A motion was made by Councilor Ryti and seconded by Councilor Neal-Clinton, 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.** Approval of County Council Minutes for the March 18, 2025, Work Session and March 25, 2025, Regular Session

I move that Council approve the County Council Minutes for March 18, 2025 Work Session and March 25, 2025 Regular Session.

- B.** Approval of Amendment No. 1 to Services Agreement No. AGR22-931a,b,c with ChargePoint, which Adds Compensation of \$176,766.04, plus Applicable Gross Receipts Tax, for the Purpose of Additional Electric Vehicle Equipment, Including Operation and Maintenance Services

I move that Council approve Amendment No. 1 to Services Agreement No. AGR22-931a,b,c with ChargePoint which Adds Compensation of \$176,766.04, plus Applicable Gross Receipts Tax, for the Purpose of Additional Electric Vehicle Equipment, Including Operation and Maintenance Services.

- C.** Approval of Amendment No. AGR24-06-A1 with Masek Rocky Mountain Golf Cars and Yamaha Motor Finance Corporation, USA to Delay the Delivery of the Electric Car Fleet to No Later Than June 13, 2025.

I move that Council approve the Amendment No. AGR24-06-A1 with Masek Rocky Mountain Golf Cars and Yamaha Motor Finance Corporation, USA to Delay the Delivery of the Electric Car Fleet to No Later Than June 13, 2025.

- D.** Approval of Expenditure of Arts in Public Places Funds in an Amount Not to Exceed \$750 for the Purchase, Shipping, Installation, and Other Costs Associated with the Purchase of an Informational Sign for Flower of Flight statue at the Nature Center

I move that Council approve the Expenditure of Arts in Public Places Funds in an Amount Not to Exceed \$750 for the Purchase, Shipping, Installation, and Other Costs Associated with the Purchase of an Informational Sign for Flower of Flight statue at the Nature Center.

- E.** Approval of Modification 24 to Extend the Contract Term by Six-Months of the Electric Coordination Agreement (ECA) between the Incorporated County of Los Alamos and the United States Department of Energy (DOE)

I move that Council approve the Modification 24 to extend the contract term by six-months of the Electric Coordination Agreement (ECA) between the Incorporated County of Los Alamos and the United States Department of Energy (DOE).

Approval of the Consent Agenda:

The motion passed with the following vote:

Yes: 7-Councilor Cull, Councilor Havemann, Councilor Hand, Councilor Herrmann, Councilor Neal-Clinton, Councilor Reagor, and Councilor Ryti

9. INTRODUCTION OF ORDINANCES

- A.** Introduction of the Incorporated County of Los Alamos Code Ordinance No. 02-368 Incorporated County of Los Alamos Code Ordinance No. 02-368 An Ordinance Amending Chapter 10, Building and Building Regulations, Article III, Division 1, Section 10-71, and Chapter 22, Fire Prevention and Protection, Article II, Division 1, Section 22-31, of the Code of the Incorporated County of Los Alamos to Include Chapters 2, 5, and 6 of the International Wild Land-Urban Interface Code.

Councilor Ryti moved to introduce, without prejudice, Incorporated County of Los Alamos Code Ordinance No. 02-368 and ask the staff to assure that it is published as provided in the County Charter.

10. PUBLIC HEARINGS

- A.** Incorporated County of Los Alamos Ordinance No. 02-367 a Code Ordinance Amending Section 38-299 of Chapter 38, Traffic and Vehicles, relating to the Use of Handheld Mobile Communication Devices While Driving, and Repealing Section 38-35 in its Entirety and Replacing it with a New Section 38-135, Relating to Distracted Driving.

Chief Dino Sgambellone, Los Alamos County Polica Department, spoke.
Mr. Alvin Leaphart, County Attorney, spoke.

Public Comment:
Mr. James Wernicke spoke

A motion was made by Councilor Ryti and seconded by Councilor Havemann, that council amend Incorporated County of Los Alamos Ordinance No. 02-367, as presented in Attachment C, to be considered and voted upon at the May 6th Council meeting.

The motion passed with the following vote:

Yes: 6 – Councilor Cull, Councilor Havemann, Councilor Hand, Councilor Herrmann, Councilor Neal-Clinton, and Councilor Ryti

No: 1 – Councilor Reagor

- B.** Incorporated County of Los Alamos Ordinance No. 02-369 an Ordinance Amending the Code of Ordinances of the Incorporated County of Los Alamos by Adding to Chapter 38, Traffic and Vehicles, a New Article XV Relating to Automated Speed Cameras.

Chief Dino Sgambellone, Los Alamos County Polica Department, spoke.
Mr. Alvin Leaphart, County Attorney, spoke.

Public Comment:
Mrs. Andrea Determan spoke.
Mr. John Courtwright spoke.
Mr. Lee Dixon spoke.
See attached e-comment.

A motion was made by Councilor Havemann and seconded by Councilor Ryti, that Council adopt Incorporated County of Los Alamos Ordinance No. 02-369; I further move that, upon passage, the Ordinance be published in summary form.

The motion passed with the following vote:

Yes: 4 – Councilor Cull, Councilor Havemann, Councilor Herrmann, and Councilor Ryti

No: 3 – Councilor Hand, Councilor Neal-Clinton, and Councilor Reagor

RECESS

Chair Cull called for a recess at 8:05 p.m. The meeting reconvened at 8:17 p.m.

11. BUSINESS

A. Presentation and Possible Action on the Los Alamos County Assessor Property Valuation and Maintenance Plan

Mr. George Chandler, County Assessor, spoke.
Mr. Lucas Fresquez, Chief Deputy Assessor, presented.

Public comment:
None.

A motion was made by Councilor Ryti and seconded by Councilor Neal-Clinton, that Council approve the Los Alamos County Assessor Property Valuation and Maintenance Plan.

The motion passed with the following vote:

Yes: 7 – Councilor Cull, Councilor Havemann, Councilor Hand, Councilor Herrmann, Councilor Neal-Clinton, Councilor Reagor, and Councilor Ryti

B. Presentation by Cities Work and Possible Action of Council Support of an Evaluation of the County's Permitting Requirements and Processes

Mrs. Anne Laurent, County Manager, spoke.
Mr. Chad Reese, presented.

Public Comment:
Mr. Phil Gursky spoke.
Mr. George Marsden spoke.
Mr. Allan Saenz spoke.
Mr. James Wernicke spoke.
Mrs. Jacqueline Connolly spoke.

A motion was made by Councilor Ryti and seconded by Councilor Hand, that council support engaging with Cities Work to evaluate the County's permitting requirements and processes.

The motion passed with the following vote:

Yes: 7 – Councilor Cull, Councilor Havemann, Councilor Hand, Councilor Herrmann, Councilor Neal-Clinton, Councilor Reagor and Councilor Ryti

C. Continuation of Update and Request for Guidance on Metropolitan Redevelopment Area (MRA) - Downtown East Los Alamos.

Ms. Anne Laurent, County Manager, presented.
Mr. Alvin Leaphart, County Attorney, spoke.

A motion was made by Councilor Hand and seconded by Councilor Ryti that the Council support alternative 1 which is to complete the plan which is at 85% complete today and present it to the Council for consideration before the end of Summer 2025 for the MRA Downtown East Plan.

Public Comment:

Ms. Jacqueline Connolly, Executive Director of Los Alamos Mainstreet, spoke.

Mr. Phil Gursky spoke.

Mr. George Marsden, spoke.

The motion passed with the following vote:

Yes: 7 – Councilor Cull, Councilor Havemann, Councilor Hand, Councilor Herrmann, Councilor Neal-Clinton, Council Reagor, and Councilor Rytí

D. Initial Presentation of Los Alamos County Pedestrian Master Plan

Mr. Eric Ulibarri, County Engineer, spoke.

Mr. Noah Burke, Planning Practice Lead for the Southwest Region, Wilson and Company spoke.

No action taken.

12. COUNCIL BUSINESS

A. General Council Business

1) 2025 Legislative Session Update and Quarterly Intergovernmental Update Presentation

Item not presented.

2) Quarterly Briefing on Sustainability Initiatives

Item not presented.

B. Appointments

1) Board/Commission Appointments - Art in Public Places Board

Ms. Linda Matteson, Deputy County Manager, spoke.

A motion was made by Councilor Havemann and seconded by Councilor Neal-Clinton to nominate Andrew Wright, Anna Buckthorpe, and Ana Paredes to fill two vacancies on the Art in Public Places Board.

By roll call vote, Councilors vote for two nominees and the two nominees with the highest vote total of four or more will be appointed to fill the vacancies with terms beginning on March 25, 2025 and ending on March 24, 2027.

Andrew Wright: 5 – Councilor Havemann, Councilor Hand, Councilor Herrmann, Councilor Reagor, and Councilor Rytí

Anna Buckthorpe: 5 – Councilor Cull, Councilor Havemann, Councilor Herrmann, Councilor Neal-Clinton, and Councilor Rytí

Ana Paredes: 4 – Councilor Cull, Councilor Hand, Councilor Neal-Clinton, and Councilor Reagor

After a roll call vote, Andrew Wright and Anna Buckthorpe were appointed to fill the

C. Board and Commission Vacancy Report

1) Board and Commission Vacancy Report

Councilor Cull mentioned that this report is attached to the Agenda.

D. Board and Commission Reports

Councilor Ryti reported on the Health Council, Action Center, Housing, and Inclusivity Task Force.

Councilor Hand submitted a status report detailing the NCRTD, Transportation Board, and the Internal Regional Working Group. The report should be updated to change the March status report to reflect April.

Councilor Havemann reported on BPU meetings held on March 19 and April 2 and presented the Council's Strategic Leadership Plan. A letter was sent to Ben Ray Lujan regarding the replacement of a water well.

Councilor Neal-Clinton reported on the Arts in Public Places Board and the Library Board.

E. County Manager's Report

Ms. Anne Laurent, County Manager, reported on the following:

- 1) The loss of Staff Member Ronald Lopez in February, his memorial service, and his contributions to Los Alamos County.
- 2) The Building Department was recognized for its certification from the International Accreditation Service.
- 3) Two town halls are taking place, one regarding helicopters; Classic Air and Care Flight, and the Lifeguard who will speak with the community on April 15th and one regarding the recent internet outages which will take place on April 9th.
- 4) On April 9th, DPU will present about the communication/network outages and future planning. Both will be recorded and put online.

F. Council Chair Report

Councilor Cull presented the following:

- 1) Attending the ribbon cutting for the Kinnikinnik Trail and ADA improvements.
- 2) Attending the Capital Projects open house on March 17th.
- 3) Boards and Commissions first lunch meeting on March 13th.
- 4) Attending the economic development meeting on March 13th.
- 5) Attending the NM Legislature on March 12th.
- 6) Meetings with the Regional Working Group and the City of Espanola.
- 7) Attending the ribbon cutting for Veterans Memorial Park in Espanola, April 5th.
- 8) Attending a meeting with Eric Vasquez, CEO of the Northern Rio Grande National Heritage Area, and Aaron Resnick, CEO of In Our Hands.
- 9) A meeting scheduled for April 7th with Rio Arriba County to discuss future projects.

G. Approval of Council Expenses

- 1) Councilor Ryti NM Counties Annual Conference, NACO in Philadelphia County

A motion was made by Councilor Ryti and seconded by Councilor Hand for council to approve expenses for up to 3 councilors to attend the New Mexico Counties Annual Conference June 16th to 19th in Curry County and 3 councilors to attend the National Association of Counties Annual Conference July 11th to 14th in Philadelphia.

Yes: 7 – Councilor Cull, Councilor Havemann, Councilor Hand, Councilor Herrmann, Councilor Neal-Clinton, Councilor Reagor, and Councilor Ryti

H. Preview of Upcoming Agenda Items

- 1) Tickler Report of Upcoming Agenda Items.

Chair Cull emphasized the agenda items for the upcoming Council Meeting, referencing the tickler report included in the agenda packet. She highlighted the budget meetings and noted that on May 6th, there will be a public hearing on the Wildland Urban Interface Ordinance. Additionally, the continuation of the Distracted Driving Ordinance will be discussed, along with several upcoming presentations.

13. WORKING GROUPS AND EXTERNAL ENTITIES REPORTS

Councilor Hand submitted a report to be included with the minutes.

Councilor Havemann reported on a nominating committee for the Coalition of Sustainable Communities New Mexico.

14. COUNCILOR COMMENTS

None.

15. ADJOURNMENT

The meeting adjourned at 10:43 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

Theresa Cull, Council Chair

Attest:

Michael D. Redondo, County Clerk

Meeting Transcribed by: Danielle J. Miera, Senior Deputy Clerk

INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE NO. 02-367

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE INCORPORATED COUNTY OF LOS ALAMOS BY AMENDING SECTION 38-299 OF CHAPTER 38, TRAFFIC AND VEHICLES, RELATING TO THE USE OF HANDHELD MOBILE COMMUNICATION DEVICES WHILE DRIVING, AND REPEALING SECTION 38-315 IN ITS ENTIRETY AND REPLACING IT WITH A NEW SECTION 38-135, RELATING TO DISTRACTED DRIVING

WHEREAS, the Incorporated County of Los Alamos has general authority to enact and/or amend legislation designed to protect the safety, health, and welfare of its citizens and the general public; and

WHEREAS, Chapter 38 of the Code of the Incorporated County of Los Alamos governs Traffic and Vehicles; and

WHEREAS, traffic crash data maintained by the Los Alamos County Police Department indicates that distracted driving consistently contributes to injury and non-injury crashes; and

WHEREAS, the most recent Youth Risk and Resiliency Survey indicated a higher percentage of Los Alamos County teens self-reporting texting while driving than teens state wide, with over 50% of Los Alamos High School juniors and seniors reporting texting while driving behavior; and

WHEREAS, the purpose of this amendment is to encourage traffic safety and promote awareness of the risks associated with distracted driving.

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE INCORPORATED COUNTY OF LOS ALAMOS that:

Section 1. Section 38-299 of Chapter 38 of the Code of the Incorporated County of Los Alamos is hereby amended as follows:

Sec. 38-299. - Prohibited activities while driving.

No person shall:

- ~~(1) Drive a vehicle while engaged in any activity which interferes with the safe operation of the vehicle;~~
- (21) Drive while having in his lap any person, adult or minor, or any animal;
- (32) Drive while seated in the lap of another person while the vehicle is in motion;
- (43) Drive a vehicle while having either arm around another person; ~~or~~
- (54) Operate a motor vehicle's equipment including, but not limited to, the vehicle horn or lights, in such manner as to distract other motorists on the public way or in such a manner as to disturb the peace.

Section 2. Section 38-315 of Chapter 38 of the Code of the Incorporated County of Los Alamos is repealed in its entirety and replaced with the following:

Section 38-315. – Distracting driving.

(a) No person shall:

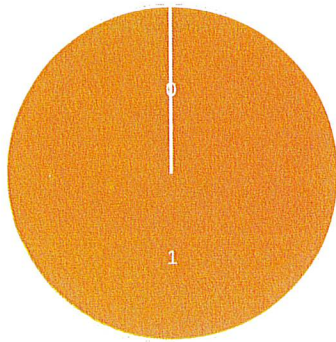
- (1) Operate a motor vehicle while engaged in any activity which interferes with the safe operation of the vehicle;

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Item 10.A
Attachment C

- (2) Operate a motor vehicle upon a street or highway while using a handheld mobile communication device, to create, send, or read a text message, or receive or transmit data, including but not limited to photographs, snapshots or electronically transmitted images, or any other data, whether the vehicle is in motion or not, unless said motor vehicle has pulled over to the side of or off of an active roadway, and has stopped at a location in which it can safely remain stationary; or
 - (3) Operate a motor vehicle upon a street or highway while using a handheld mobile communication device to dial, place, receive, or engage in a call whether the vehicle is in motion or not, unless said motor vehicle has pulled over to the side of or off of an active roadway, and has stopped at a location in which it can safely remain stationary.
- (b) This section shall not apply to:
 - (1) the use of a handheld mobile communication device for the sole purpose of communicating with any of the following regarding an emergency situation:
 - a. An emergency response operator;
 - b. A hospital, physician's office or health clinic;
 - c. A fire department; or
 - d. A police department.
 - (2) the use of a mobile communication device when being used in a hands-free manner.
- (c) As used in this section:
 - (1) "driving" means being in actual physical control of a motor vehicle on a highway or street and includes being temporarily stopped because of traffic, a traffic light or stop sign or otherwise, but "driving" excludes operating a motor vehicle when the vehicle has pulled over to the side of or off of an active roadway and has stopped at a location in which it can safely remain stationary.
 - (2) "handheld mobile communication device" means a wireless communication device that is designed to receive and transmit voice, text, or image messages, calls, or videos, or access the internet or application, including social media or other communication applications, or a game, but "handheld mobile communication device" excludes global positioning or navigation systems, devices that are physically or electronically integrated into a motor vehicle—and, voice-operated or hands-free devices that allow the user to compose, send or read a text message without the use of a hand except to activate, deactivate or initiate a feature or function, and a radio microphone used to communicate via a vehicle mounted radio.
 - (3) "hands-free manner" means using a mobile communication device that has an internal feature or function, or that is equipped with an attachment or addition, whether or not permanently part of such mobile communication device, by which a user engages in a call without the use of either hand (or prosthetic device or aid in the case of a physically disabled person), whether or not the use of either hand (or prosthetic device) is necessary to activate, deactivate or initiate a function of such communication device.
 - (4) "text message" means a digital communication transmitted or intended to be transmitted between communication devices and includes images, electronic mail, an instant message, an electronic message, text or image communication, a command or request to an internet site or application, including social media or other communication applications, or a game; but "text message" excludes communications through the use of a computer-aided dispatch service by law enforcement or rescue personnel.
- (d) An operator of a motor vehicle who holds a handheld mobile communication device to, or in the immediate proximity of, the operator's ear is presumed to be engaging in a call within the meaning of this section. The presumption established by this section is rebuttable by evidence tending to show that the operator was not engaged in a call. Immediate proximity shall mean that distance which permits the operator of a handheld mobile communication

Overall Sentiment

Support (0%) Oppose (100%) Neutral (0%)
No Response (0%)



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Item 10.
Comments

Lee Dixon

Location:

Submitted At: 10:28pm 04-07-25

I oppose the adoption of Ordinance 02-369 allowing use of speed cameras. I believe it is a fallacy that this is at all an effective safety measure much less a cost effective one.

As a resident of Los Alamos and daily driver I seldom witness excessive speeding as described in the justification for this ordinance. Indeed the incidences I witness occur on either NM 502 or NM 501 both of which are state routes or on Lab property where the county would not be able to place cameras. So this seems a knee-jerk reaction to fatal incidents which were indeed tragic, but would not be addressed by a camera passing out tickets by the Aquatic Center. Rather, I believe patrolled enforcement through overtime or hiring an additional officer would be far more effective as a safety measure and effective in areas where speed may indeed present a public hazard.

Because it is simple to then claim to have addressed a civic concern, this same mantra gets repeated to tout a system which primarily serves corporate interests. Studies of the impact of cameras consistently take credit for what is regression to the mean after placing the cameras based upon statistical aberrations. Neighboring states have moved to forbid municipalities from these installations.

As mentioned in the pitch for this ordinance, it is usually believed by local boards that there will be revenue from these systems. On the net, they wind up costing not only the exorbitant \$300,000 estimate, but also additional staffing to handle contested tickets and program administration. The only net revenue seen is that which goes to RedFlex or whichever vendor is taking advantage of an unsuspecting public in Los Alamos. Perhaps this is the most troubling aspect. Fundamentally the use of cameras would be the Council's decision to grant a for-profit corporate interest the right to tax the residents of Los Alamos while delivering nothing. I hope I can count on the Council to reject this fleecing of their constituency!

Working Group and Committee Status
Councilor Melanee Hand

4/8/2025

	A	B	C	D	E	F
1	2025 Assignments	Date Last Met	Next meeting	Key Activities and Results	Action Items/ Follow Up	Comments/Notes
2	LAC LTAB (Lodger's Tax Advisory Board) Liaison	3/18/25 Cancelled due to lack of quorum	5/13/2025			
3	LAC Transportation Board Liaison	4/3/2025	5/1/2025	Introduced new Airport Manager, Gary Goddard; Denver Steels Phase II Road Improvement Project; LAC Design and Construction Standards		
4	Regional and State Working Group	4/7/2025	Pending	Meeting with Espanola, Rio Arriba, and others for discussion about regional needs and priorities.	Follow up meeting of WG needed to discuss recommendations to Council for Regional Funding.	
5	Rules Working Group	Pending			Several proposed areas for additions and changes to be drafted for WG consideration.	
6	Jail Inspection Team	Pending				
7	Juvenile Justice Advisory Board (JJAB)	3/28/2025		JJAB Buzz report distributed in March. Due to confusion receiving zoom link and notification, was not able to attend this meeting.		
8	New Mexico Municipal League	Pending			Follow up on travel to annual conference and request funding approval at Council.	
9	NCNMEDD Board	3/13/2025	24-Apr-25	Community Economic Development Strategy: discussion was held as part as an initiative to shape the economic future of the NCNMEDD region, which consists of 8 NM Counties. A press release was distributed 3/18/25 to gather more input from the public.		

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Item 12.C
Status Report - Councilor Hand

Working Group and Committee Status
Councilor Melanee Hand

4/8/2025

	A	B	C	D	E	F
	2025 Assignments	Date Last Met	Next meeting	Key Activities and Results	Action Items/ Follow Up	Comments/Notes
1	LAC LTAB (Lodger's Tax Advisory Board)	3/18/25 Cancelled due to lack of quorum	5/13/2025			
2	Liaison					
3	LAC Transportation Board Liaison	4/3/2025	5/1/2025	Introduced new Airport Manager, Gary Goddard; Denver Steels Phase II Road Improvement Project; LAC Design and Construction Standards		
4	Regional and State Working Group	4/7/2025	Pending	Meeting with Espanola, Rio Arriba, and others for discussion about regional needs and priorities.	Follow up meeting of WG needed to discuss recommendations to Council for Regional Funding.	
5	Rules Working Group	Pending			Several proposed areas for additions and changes to be drafted for WG consideration.	
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Item 12.C
Status Report Councilor an