



County of Los Alamos

Los Alamos, NM 87544
www.losalamosnm.us

Agenda - Final County Council - Regular Session

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

Tuesday, May 7, 2024

6:00 PM

Fire Station No. 3
129 State Road 4 - White Rock

NOTE: This meeting is in person and open to the public. However, for convenience, the following Zoom meeting link and/or telephone call in numbers may be used for public viewing and participation:

<https://us02web.zoom.us/j/84587518059>

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 301 715 8592
or +1 312 626 6799 or +1 929 205 6099

Webinar ID: 845 8751 8059

1. OPENING/ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. PUBLIC COMMENT

This section of the agenda is reserved for comments from the public on items that do not require action by the Council or are not otherwise on the agenda.

4. APPROVAL OF AGENDA
5. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

- A. [18234-24](#) Proclamation Declaring the Month of May as "Bike Month" and May 16, 2024 as "Bike to Work Day" (accepted by Juan Rael, Public Works Director and Eric Ulibarri, County Engineer).

Presenters: County Council and Melanee Hand, Councilor

- B. [18235-24](#) Proclamation declaring the Month of May as "Motorcycle Awareness Month" in Los Alamos County (accepted by Richard Sturgeon)

Presenters: County Council

- C. [18237-24](#) Proclamation Declaring the Week of May 19 - 25, 2024, as Emergency Medical Services Week (Accepted by Acting EMS Chief Manuel Pacheco)

Presenters: County Council

- D. [18238-24](#) Proclamation Declaring the Month of May as "Building Safety Month" (Accepted by David Martinez, Chief Building Official).

Presenters: County Council

- E. [18240-24](#) Proclamation Declaring the week of May 19 - 25, 2024 as "Public Works Week" (accepted by Juan Rael, Public Works Director, and Eric Martinez, Deputy Public Works Director).

Presenters: County Council

6. **PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA**

7. **CONSENT AGENDA**

The following items are presented for Council approval under a single motion unless any item is withdrawn by a Councilor for further Council consideration in the agenda section entitled "Business."

Approval of the Consent Agenda

Consent Motion -

I move that Council approve the items on the Consent Agenda as presented and that the motions in the staff reports be included for the record; or,

I move that Council approve the items on the Consent Agenda and that the motions contained in the staff reports, as amended be included for the record.

- A. [AGR1036-24](#) Approval of Agreement AGR 24-957 with San Bar Construction Company for On-Call Services for ReflectORIZED Pavement Markings for Public Works Traffic and Streets Division in an Amount Not to Exceed \$500,000 Plus Applicable Gross Receipts Tax

Presenters: Daniel Blea, Traffic and Streets Manager and Juan Rael, Public Works Director

Attachments: [A - AGR 24-957 - San Bar Construction Company](#)
[B – State of New Mexico's Purchasing Statewide Price Agreement 30-80500-22-16995](#)
[C – Agreement 30-80500-22-16995 Amendment No.1](#)

- B. [AGR1043-24](#) Approval of Amendment No. 1 to Services Agreement No. AGR22-18a with All-Rite Construction, Inc.; AGR22-18c with GME General Building, LLC; AGR22-d with Pluma, LLC; and AGR22-18e with R and M Construction LLC for On-Call Facility Construction Services in an Aggregate Amount Not to Exceed \$10,000,000.00 Excluding Applicable Gross Receipts Tax

Presenters: Sara Rhoton, Capital Projects & Facilities Manager and Eric Martinez, Deputy Public Works Director

Attachments: [A - AGR22-18a and Amendment No. 1 - All Rite Construction, Inc.](#)
[B - AGR22-18c and Amendment No. 1 - GME General Building, LLC](#)
[C - AGR22-18d and Amendment No. 1 - Pluma, LLC](#)
[D - AGR22-18e and Amendment No. 1 - R&M Construction](#)

- C. [AGR1044-24](#) Approval of Amendment No. 1 to Services Agreement No. AGR23-54 with Delta Airport Consultants, Inc. to Clarify Task Order Pricing for On-Call Professional Engineering, Architectural, Planning and Project Management Services for Los Alamos County Airport

Presenters: Eric Martinez, Deputy Public Works Director and Juan Rael, Public Works Director

Attachments: [A – AGR23-54 – Delta Airport Consultants, Inc.](#)
[B – Amendment 1 – AGR23-54-A1 – Delta Airport Consultants, Inc.](#)

- D. [18607-24](#) Approval of Budget Revision 2024-60 Uniper Settlement

Presenters: Karen Kendall, Deputy Utilities Manager - Finance

Attachments: [A - 2024-60 Budget Revision](#)

- E. [18635-24](#) Approval of Sunset Date for Tourism Implementation Task Force

Presenters: Paul Andrus, Community Development Director and Linda Matteson, Deputy County Manager

- F. [18673-24](#) Approval to Submit 2026-2030 Capital Outlay Infrastructure Capital Improvement Plan (ICIP) for Senior Centers to the New Mexico Department of Finance and Administration (DFA)

Presenters: Jessica Strong, Social Services Division Manager and Erika Thomas, Budget and Performance Manager

Attachments: [A - Copy of 2026-2030 ICIP Submittal.pdf](#)
[B - Transmittal to DFA.pdf](#)

- G. [18737-24](#) Approval of County Council Minutes for the April 22, 2024, Special Session

Presenters: Naomi Maestas, County Clerk

Attachments: [A - Special Session Draft Council Minutes 4-22-2024](#)

- H. [18746-24](#) Approval of the Submission of the 2025 Capital Outlay Grant Application to the Aging & Long-Term Services Department (ALTSD)

Presenters: Jessica Strong, Social Services Division Manager and Cory Styron, Community Services Director

Attachments: [A - BESC Narrative Scope](#)
[B - Vehicle Proposal](#)

8. INTRODUCTION OF ORDINANCE(S)

- A. [CO0685-24](#) Incorporated County of Los Alamos Code Ordinance No. 02-355 Modifications to Chapter 6, Animal Code

Presenters: Dino Sgambellone, Police Chief

Attachments: [A - Incorporated County of Los Alamos Code Ordinance No. 02-355](#)
[B - Chapter 6, Animals, in its entirety, for reference](#)
[C - Chief's Council Report](#)

- B. [CO0687-24](#) Incorporated County of Los Alamos Code Ordinance 02-357 - A Code Ordinance Amending Chapter 26 (Municipal Court), Article I, Section 6 to Abolish the Corrections Fee, the Mandatory Judicial Education Fee, and the Mandatory Court Automation Fee to Comply with Amendments to State Law that Take Effect July 1, 2024

Presenters: Alvin Leaphart, County Attorney

Attachments: [A - Code Ordinance No. 02-357](#)
[B - HB 139](#)
[C - N.M. Stat. Ann. § 35-14-11 \(Repealed Effective July 1, 2024\)](#)

- C. [CO0689-24](#) Incorporated County of Los Alamos Code Ordinance 02-358 - A Code Ordinance Amending Chapter 38, Traffic and Vehicles, Article V, Section 293, to Abolish Certain Fee Assessments Associated with a Conviction for Operating a Motor Vehicle Under the Influence of

Intoxicating Liquor or Drugs to Comply with Amendments to State Law that Take Effect July 1, 2024

Presenters: Alvin Leaphart, County Attorney

Attachments: [A - Code Ordinance 02-358](#)
[B - HB 139](#)
[C- N.M. Stat. Ann. § 31-12-7\(repealed effective July 1, 2024\)](#)

- D. [CO0691-24](#) Incorporated County of Los Alamos Code Ordinance 02-353: A Code Ordinance Amending Chapter 20, Article IV, Regarding the Deposit and Investment of County Funds

Presenters: Melissa Dadzie, Chief Financial Officer

Attachments: [A - Code Ordinance 02-353](#)
[B - Current County Investment Policy, Updated May 24, 2005](#)
[C - Draft 2024 Deposit and Investment Policy \(redlined\)](#)
[D - Draft 2024 Deposit and Investment Policy \(redlining removed\)](#)

- E. [OR1015-24](#) Incorporated County of Los Alamos Ordinance No. 732; An Ordinance Authorizing the Execution and Delivery of a Loan Agreement ("Loan Agreement") By and Between the Incorporated County of Los Alamos, New Mexico (the "Governmental Unit") and the New Mexico Finance Authority, Evidencing a Special Limited Obligation of the Governmental Unit to Pay a Principal Amount of No More Than \$2,020,000, Together with Interest, Expenses, and Administrative Fees Thereon, for the Purpose of Financing the Costs of Construction of a Water Booster Station, Electrical and Mechanical Upgrades to Several Booster Stations and Related Appurtenances of the Project; Providing for the Pledge and Payment of the Principal, Administrative Fees and Interest Due Under the Loan Agreement Solely From the Net Revenues of the Joint Utility System of the Governmental Unit; Setting an Interest Rate for the Loan; Approving the Form of and Other Details Concerning the Loan Agreement; Ratifying Actions Heretofore Taken; Repealing All Action Inconsistent with This Ordinance; and Authorizing the Taking of Other Actions in Connection with the Execution and Delivery of the Loan Agreement

Presenters: James Alarid, Deputy Utilities Manager - Engineering

Attachments: [A - LAC Ordinance No. 732.pdf](#)
 [B - DWSRL 6368 Loan Agreement.pdf](#)
 [C - Pledged Revenue Certificate.pdf](#)
 [D - General and No Litigation Certificate.pdf](#)
 [E - Delivery Certificate and Cross-Receipt.pdf](#)
 [F - Borrower's Counsel Opinion.pdf](#)
 [G - Right-of-Way Certificate.pdf](#)
 [H - Sutin Opinion.pdf](#)
 [I - Transcript List.pdf](#)

- F. [OR1018-24](#) Introduction of Incorporated County of Los Alamos Ordinance No. 733 An Ordinance Authorizing the Incorporated County of Los Alamos (County) to Submit an Amendment No. 2, to the New Mexico Environment Department (NMED) Clean Water State Revolving Fund (CWSRF) for the Purpose of Increasing the Funding of Loan Number CWSRF 110 by \$1,200,000 for the Bayo Lift Station Elimination Project

Presenters: James Alarid, Deputy Utilities Manager - Engineering

Attachments: [A - LAC Ordinance No. 733](#)
 [B - Amended Promissory Note](#)
 [C - Interim Loan Agreement Amendment No. 2](#)

9. **PUBLIC HEARING(S)**

- A. [OR1011-24b](#) Incorporated County of Los Alamos Ordinance No. 731, 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 \$800,000 Plus (0.01%) Accrued Interest; and Loan Subsidy Grant Funds in the Amount of \$200,000 for a Total Funded Amount of \$1,000,000; Designating the Use of the Funds for the Bayo Non-potable Booster Station Refurbishment 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 Below; Prescribing Other Details Concerning the Loan and the Security Therefore

Presenters: James Alarid, Deputy Utilities Manager - Engineering

Attachments: [A - LAC Ordinance 731](#)
 [B - Ordinance 731 Project Description](#)
 [C - Publication Notice.pdf](#)

- B. [RE0592-24](#) Incorporated County of Los Alamos Resolution No. 24-08 - A Resolution Making Certain Findings and Determinations Pursuant to the Metropolitan Redevelopment Code, and Designating the East Downtown Los Alamos County Metropolitan Redevelopment Area

Presenters: Sobia Sayeda, Planning Manager and Paul Andrus, Community Development Director

Attachments: [A - Designation Report](#)
 [B - Legal Notice](#)
 [C - Resolution No 24-08](#)
 [D - Presentation](#)

10. **COUNCIL BUSINESS**

A. ***General Council Business***

B. ***Appointments***

C. ***Board and Commission Vacancy Report***

- 1) [18373-24](#) Board and Commission Vacancy Report

Presenters: County Council - Regular Session

Attachments: [A - BCC Vacancy Report May 3, 2024.pdf](#)

D. ***Board, Commission and Working Group Reports***

E. ***County Manager's Report***

- 1) [18285-24](#) County Manager's Report for March 2024

Presenters: Anne Laurent, County Manager

Attachments: [A - March County Manager's Update.pdf](#)

F. ***Council Chair Report***

G. ***Approval of Councilor Expenses***

H. ***Preview of Upcoming Agenda Items***

Note: This report shows tentative Council agenda items and is for planning purposes only. All items on the report are subject to changes such as item title, meeting date and/or being removed or not considered by Council.

- 1) [18661-24](#) Tickler Report of Upcoming Agenda Items

Presenters: County Council - Regular Session

Attachments: [A - Tickler Report dated May 3, 2024.pdf](#)

11. COUNCILOR COMMENTS

12. ADJOURNMENT

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the County Human Resources Division at 662-8040 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes can be provided in various accessible formats. Please contact the personnel in the Office of the County Manager at 663-1750 if a summary or other type of accessible format is needed.