



County of Los Alamos

Los Alamos, NM 87544
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Agenda - Final County Council - Regular Session

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

Tuesday, January 30, 2024

6:00 PM

Council Chambers - 1000 Central Avenue

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. STATEMENT REGARDING CLOSED SESSION**

January 30, 2024 Closed Session Motion

- 4. 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.

- 5. APPROVAL OF AGENDA**
- 6. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS**

- A. [18001-24](#)** Recognition of Los Alamos County Election Officials (Accepted by County Clerk Naomi D. Maestas and Los Alamos County Election Officials)

Presenters: Naomi Maestas, County Clerk

7. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA

8. 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The following items are presented for Council approval under a single motion unless any item is withdrawn by a Councilor for further Council consideration in the agenda section entitled "Business."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.** [18272-24](#) Approval of County Council Minutes for the January 9, 2024, Regular Session

Presenters: Naomi Maestas, County Clerk

Attachments: [A - County Council Minutes for January 9, 2024](#)

- B.** [AGR1017-24](#) Approval of Amendment No. 3 under Services Agreement No. AGR 18-10b with Waste Management of New Mexico, Inc., to Increase the Compensation Amount by \$450,000.00 for a Total Not-to-Exceed Compensation Amount of \$3,278,832.05 Plus Applicable Gross Receipts Tax for Solid Waste Disposal Services

Presenters: Armando Gabaldon, Environmental Services Manager,
Eric Martinez, Deputy Public Works Director and
Juan Rael, Public Works Director

Attachments: [A - AGR18-10b-A3 Waste Management of New Mexico, Inc.](#)
[B - AGR18-10b-A2 Waste Management of New Mexico, Inc.](#)
[C - AGR18-10b-A1 Waste Management of New Mexico, Inc.](#)
[D - AGR18-10b- Waste Management of New Mexico, Inc.](#)

- C.** [18056-24](#) Award of IFB24-35 for the Purpose of the El Vado Fiber Optic Project with Kelly Cable of New Mexico LLC

Presenters: James Alarid, Deputy Utilities Manager - Engineering

Attachments: [A - El Vado Fiber Optic Line Drawings](#)

- D. [AGR1021-24](#) Approval of Amendment #4 to Task Order No. 4 to AGR20-48b for the Purpose of Engineering Services Associated with the TA-50 Waterline Relocation Project with CDM Smith

Presenters: James Alarid, Deputy Utilities Manager - Engineering

Attachments: [A - Amendment 4 to Task Order No. 4 to AGR20-48b](#)

- E. [18189-24](#) Approval of Change Order No. 5 to IFB23-05 for the Purpose of Construction Services Associated with the TA-50 Waterline Relocation Project with DUB-L-EE, LLC

Presenters: James Alarid, Deputy Utilities Manager - Engineering

Attachments: [A - Change Order No. 5 to IFB23-05](#)

- F. [AGR1022-24](#) Approval and Ratification of Amendment No. 1 to AGR20-23 Engineering Services for the Otowi Well No. 2 and Otowi Well No. 4 MCC Replacement Project with Wilson & Company Inc. Engineers and Architects

Presenters: James Alarid, Deputy Utilities Manager - Engineering

Attachments: [A - AGR20-23-A1 Wilson Company](#)

- G. [18120-24](#) Approval of the Calculation of Revenue Transfer from Electric and Gas Funds for Operations during Fiscal Year 2023, Approval of Budget Revision 2024-43, and Extension of Profit Transfer Redirection Option

Presenters: Karen Kendall, Deputy Utilities Manager - Finance and Erika Thomas, Budget and Performance Manager

Attachments: [A - Incorporated County of Los Alamos Ordinance 02-324](#)
[B - Utilities Profit Transfer Schedule - FY2024 for FY2023 Sales](#)
[C - Utilities Transfers To General Fund Ten Year History FY2014 through FY2023](#)
[D - Budget Revision 2024-43](#)

- H. [18227-24](#) Approval of Budget Revision 2024-47 for the Purpose of Funding Vertical Breakers

Presenters: Karen Kendall, Deputy Utilities Manager - Finance and Erika Thomas, Budget and Performance Manager

Attachments: [A - Budget Revision 2024-47](#)
 [B - Vertical Breaker Project Location](#)
 [C - Vertical Breaker Spend Plan](#)

9. INTRODUCTION OF ORDINANCE(S)

- A. [OR1000-24](#) Introduction of Incorporated County of Los Alamos Ordinance No. 24-728, An Ordinance Authorizing the Execution and Delivery of a Water Project Fund Loan/Grant Agreement By and Between the New Mexico Finance Authority ("NMFA") and the Incorporated County of Los Alamos, New Mexico (The "Borrower/Grantee"), in the Total Amount of \$5,000,000, Including a Loan in the Amount of \$2,400,000, Evidencing an Obligation of the Borrower/Grantee to Utilize the Loan/Grant Amount Solely for the Purpose of Financing the Costs of Construction and Replacement 16,500 Feet of Existing 16-Inch Pipe and Waterlines, and Solely in the Manner Described in the Loan/Grant Agreement; Providing for the Pledge and Payment of the Loan Amount and an Administrative Fee Solely From Net System Revenues of the Joint Utility System of the Borrower/Grantee; Certifying That the Loan/Grant Amount, Together With Other Funds Available to the Borrower/Grantee, is Sufficient to Complete the Project; Approving the Form of and Other Details Concerning the Loan/Grant 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/Grant Agreement

Presenters: James Alarid, Deputy Utilities Manager - Engineering

Attachments: [A - LAC Ordinance No. 24-728](#)
 [B - Loan Grant Agreement WPF-5966](#)
 [C - General and No Litigation Certificate](#)
 [D - Delivery, Deposit and Cross Receipt Certificate](#)

10. PUBLIC HEARING(S)

- A. [RE0586-24](#) Approval of Incorporated County of Los Alamos Resolution No. 24-04 A Resolution In Support of Paid Family and Medical Leave

Presenters: County Council - Regular Session

Attachments: [A - Los Alamos Resolution No. 24-04.pdf](#)
 [B - Publication Notice for Resolution No. 24-04 .pdf](#)
 [C - Proposed Legislation SB0003](#)

- B. [RE0585-24](#) Approval of Incorporated County Of Los Alamos Resolution No.

24-03, Adopting The Los Alamos County, New Mexico All-Hazard Emergency Operations Plan In Compliance With The State Of New Mexico Civil Emergency Preparedness Act (12-10-1 Through 12-10-10)

Presenters: Beverley Simpson, Emergency Service Commander and Dino Sgambellone, Police Chief

Attachments: [A - Publication Notice for Resolution No. 24-03.pdf](#)
[B - Incorporated County of Los Alamos Resolution 24-03.pdf](#)

11. BUSINESS

A. [18245-24](#) Board/Commission Appointment(s) - Board of Public Utilities

Presenters: Theresa Cull, County Council Vice Chair

Attachments: [A - Appointment Process for BPU](#)
[B - BPU Vacancy Brochure](#)
[C - BPU Member Roster](#)
[D - BPU Member & Applicant Party Affiliation](#)
[E - Daniel Leonard BPU Application](#)
[F - Curtis Christensen BPU Application](#)
[G - Matt Heavner BPU Application](#)
[H - David North BPU Application](#)
[I - Josip Loncaric BPU Application](#)
[J - Chris Rose BPU Application](#)
[K - John Pearson BPU Application](#)
[L - Samuel Baty BPU Application](#)
[M - BPU Interview Questions](#)
[N - Interview Committee Recommendation Form](#)

B. [18178-24](#) Discussion and Possible Action on the Initiation of an Evaluation Process and Possible Application to Modify Downtown Los Alamos (DT-LA) Zoning District Boundaries

Presenters: Randall Ryti, Councilor

Attachments: [A - DT-LA Zoning Districts](#)

12. COUNCIL BUSINESS

A. *General Council Business*

1) [18270-24](#) Board and Commission Liaisons and Council Working Groups

Assignments

Presenters: Denise Derkacs, Council Chair

Attachments: [A - 2024 County Council B&C Liaisons](#)
[B - 2024 Council Working Groups.pdf](#)
[C - List of B&C Chair and Vice Chair](#)

- 2) [18307-24](#) Review and Possible Action on Boards and Commissions' Revised Work Plan Template

Presenters: Suzie Havemann, Councilor, David Reagor, Councilor, Theresa Cull, County Council Vice Chair and Adrienne Lovato, Senior Management Analyst

Attachments: [A - 2024 Draft Work Plan template](#)

B. Appointments

C. Board and Commission Vacancy Report

D. Board, Commission and Working Group Reports

E. County Manager's Report

- 1) [18282-24](#) County Manager's Report for December 2023

Presenters: Steven Lynne, County Manager

Attachments: [A - December County Manager's Update.pdf](#)
[B - Code Compliance 4th qtr 2023.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) [18295-24](#) Tickler Report of Upcoming Agenda Items

Presenters: County Council - Regular Session

Attachments: [A - Tickler Report dated January 26, 2024.pdf](#)

13. COUNCILOR COMMENTS**14. 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.