



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 Rytz, Councilors*

Tuesday, May 2, 2023

6:00 PM

Council Chambers - 1000 Central Avenue

TELEVISED

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/82683176848>

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: 826 8317 6848

1. OPENING/ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. PUBLIC COMMENT
4. APPROVAL OF AGENDA
5. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS
 - A. [17332-23](#) Proclamation Declaring the Month of May as "Bike Month" and May 17th as "Bike to Work Day" (accepted by Juan Rael, Public Works Director and Eric Ulibarri, County Engineer).

Presenters: County Council
 - B. [17334-23](#) Proclamation declaring the Month of May as "Motorcycle Awareness Month" in Los Alamos County (accepted by Richard Sturgeon).

Presenters: County Council
 - C. [17205-23](#) Recognition of the Government Finance Officers Association Triple

Crown Honor in Awards for the FY2022 Budget, FY2021 ACFR, FY2021 PAFR

Presenters: Helen Perraglio, Chief Financial Officer

Attachments: [A - FY2022 Budget Award Notification](#)
[B - FY2021 ACFR Award Notification](#)
[C - FY2022 PAFR Award Notification](#)
[D - FY2021 Triple Crown Award Notification](#)
[E - Financial Achievement & Employee Recognition Slide](#)

- D. [17340-23](#) Proclamation Declaring the Month of May 2023 as “Older Americans Month” and marking the 25th Birthday of the Betty Ehart Center (Accepted by Tom McLaughlin, Board President of the Los Alamos Retired Seniors Organization).

Presenters: County Council

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

7. **CONSENT AGENDA**

Approval of the Consent Agenda

Consent Motion -

- A. [AGR0920-23](#) Approval of Services Agreement No. AGR23-06 with Allied 360 Construction, LLC in the Amount of \$1,000,000.00 plus Applicable Gross Receipts Tax, for the Purpose of On-Call Utility Systems Locate, Mark, and Repair Services

Presenters: Clay Moseley, Deputy Utilities Manager - GWS Services

Attachments: [A - AGR23-06 Allied360 LLC](#)

- B. [AGR0929-23](#) Approval of Amendment No. 1 to Services Agreement AGR 19-18 between the Incorporated County of Los Alamos and Transmission & Distribution Services, LLC, for On-Call Services for Utility Power Distribution Electrical Engineering

Presenters: Stephen Marez, Deputy Utilities Manager - Electric Distribution

Attachments: [A - AGR19-18-A1 T and D FINAL](#)

- C. [AGR0944-23](#) Approval of Agreements AGR 23-52a to Bohannon Huston, Inc., AGR 23-52b to Huitt-Zollars, Inc., AGR 23-52c to Miller Engineers, Inc. dba Souder Miller and Associates, AGR 23-52d to Stantec Consulting

Services, Inc., and AGR 23-52e to Wilson and Company, Inc. Engineers and Architects for On-Call Engineering Services in an Amount Not to Exceed \$5,000,000 Combined for all five Agreements Plus Applicable Gross Receipts Tax Over a Seven Year Period

Presenters: Eric Ulibarri, County Engineer and Juan Rael, Public Works Director

Attachments: [A – AGR 23-52a – Bohannon Huston, Inc.](#)
[B – AGR 23-52b – Huitt-Zollars, Inc.](#)
[C – AGR 23-52c – Miller Engineers, Inc. dba Souder Miller and Associates](#)
[D – AGR 23-52d – Stantec Consulting Services, Inc.](#)
[E – AGR 23-52e – Wilson and Company, Inc. Engineers, and Architects](#)

- D. [AGR0950-23](#) Approval of Agreement AGR23-58 for the Purpose of On-Call Utilities Construction Services with Parker Construction

Presenters: James Alarid, Deputy Utilities Manager - Engineering

Attachments: [A - Agreement AGR23-58 Parker Construction](#)

- E. [AGR0953-23](#) Approval of Task Order No. 3 under Services Agreement No. AGR 23-928 with J3 Systems in the Amount of \$247,214.00 plus Applicable Gross Receipts Tax for Fire Station 3 Apparatus Bay Roof Replacement

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

Attachments: [A - Task Order 3, AGR 23-928](#)

- F. [17049-23](#) Board/Commission Appointment(s) - DWI Planning Council

Presenters: Katherine Hudspeth, Recreation Division Manager and Juanita McNiel, Court Administrator

Attachments: [A - DWI Planning Council Member Recommendations](#)
[B - Judith Lovejoy Application](#)
[C - Juanita McNiel Application](#)
[D - Rachel Mohr-Richards Application](#)

- G. [17257-23](#) Award of Bid No. IFB 2023-27 for the Purpose of Bayo Booster Non-Potable Water Tank Project - Phase 2, with TLC Company, Inc..

Presenters: James Alarid, Deputy Utilities Manager - Finance

Attachments: [A - Construction Drawings IFB 2023-27](#)

- H. [17310-23](#) Amendment No. 3 to Agreement DE-RE32-98AL79408 with the

DOE/NNSA Authorizing Construction of a New Water Tank as part of the Jemez Mountain Fire Protection System

Presenters: James Alarid, Deputy Utilities Manager - Engineering and Philo Shelton, Utilities Manager

Attachments: [A - Amendment No. 3 to Agreement DE-RE32-98AL79408](#)

- I. [17311-23](#) Grant of Utility Easement by the DOE/NNSA to the Incorporated County of Los Alamos for Construction of a Waterline and Electric Line Associated with the Jemez Mountain Fire Protection System
- Presenters:** James Alarid, Deputy Utilities Manager - Engineering
- Attachments:** [A - Final Easement DOE Camp May 4.20.2023](#)
- J. [17318-23](#) Approval of Assignment and Assumption of Ground Lease between Los Alamos Retirement Community, Inc. and 1011 Sombrillo Court NM LLC.
- Presenters:** Steven Lynne, County Manager
- Attachments:** [A - Assignment and Assumption of Ground Lease](#)
[B - Ground Lease](#)
- K. [17363-23](#) Approval of Budget Revision 2023-39 for the NM Crime Victims Reparations Commission Grant Program and the New Mexico Homeland Security Grant Program.
- Presenters:** Dino Sgambellone, Police Chief and Erika Thomas, Budget and Performance Manager
- Attachments:** [A - Budget Revision Council 2023-39](#)
[B - Grant Agreement with NM Crime Victims Reparations Commission](#)
[C - Grant Agreement with NM Homeland Security](#)

8 INTRODUCTION OF ORDINANCE(S)

- A. [CO0676-23](#) Incorporated County of Los Alamos Code Ordinance No. 02-344 A Code Ordinance Amending Chapter 38, Article II, Division 3, Section 38-92 (Traffic Code)
- Presenters:** County Council - Regular Session
- Attachments:** [A - Incorporated County of Los Alamos Code Ordinance No. 02-344.pdf](#)
- B. [OR0977-23](#) Incorporated County of Los Alamos Ordinance No. 723, An Ordinance Terminating the Economic Development Project for Public Support From the State of New Mexico for the Benefit of UbiQD, Inc. A Delaware Corporation.

Presenters: Daniel Ungerleider, Economic Development Administrator

Attachments: [A - Incorporated County of Los Alamos Ordinance No. 723 and Exhibit "A" Waiver and Release Agreement](#)
[B – Incorporated County of Los Alamos Ordinance No. 675, the ordinance between NMEDD, County, and UbiQD](#)
[C – Project Participation Agreement for NMEDD](#)
[D – IGA between County and NMEDD](#)
[E - Incorporated County of Los Alamos Ordinance No. 671, the ordinance which authorized the issuance of a loan to UbiQD](#)
[F - Project Participation Agreement for Ordinance 671](#)

- C. [OR0980-23](#) Incorporated County of Los Alamos Code Ordinance No. 02-345; an Ordinance Amending Chapter 32, Section 32-18, Refuse Recycling and Solid Waste Facility Fees

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

Attachments: [A - Incorporated County of Los Alamos Code Ordinance No. 02-345](#)

9. PUBLIC HEARING(S)

- A. [RE0539-23](#) Incorporated County of Los Alamos Resolution No. 23-14. A Resolution Increasing Pick-Up for PERA Contributions Previously Established by Resolution No. 22-24, By Authorizing the Incorporated County of Los Alamos to Pick-Up 5.12% for FY24, and 5.27% for FY25, of PERA Member Contributions for Members Covered Under Municipal Fire Plan 5.

Presenters: Steven Lynne, County Manager

Attachments: [A - Resolution No. 23-14.pdf](#)
[B - Publication Notice for Resolution No. 23-14.pdf](#)

- B. [RE0540-23](#) Incorporated County of Los Alamos Resolution No. 23-15. A Resolution Increasing Pick-Up for PERA Contributions Previously Established by Resolution No. 22-23, By Authorizing the Incorporated County of Los Alamos to Pick-up 5.17% for FY24 of PERA Member Contributions for Members Covered Under Municipal Police Plan 5.

Presenters: Steven Lynne, County Manager

Attachments: [A - Resolution No. 23-15.pdf](#)
[B - Publication Notice for Resolution No. 23-15.pdf](#)

- C. [RE0541-23](#) Incorporated County of Los Alamos Resolution No. 23-16. A Resolution Increasing Pick-Up for PERA Contributions Previously Established by Resolution No. 22-21 By Authorizing the Incorporated County of Los Alamos to Pick-up 5.29% for FY24, and 5.42% for FY25, and 5.55% for FY26 of PERA Member Contributions for Members Covered Under Municipal Detention Officer Plan 1
- Presenters:** Steven Lynne, County Manager
- Attachments:** [A - Resolution No. 23-16.pdf](#)
[B - Publication Notice for Resolution No. 23-16.pdf](#)
- D. [RE0542-23](#) Incorporated County of Los Alamos Resolution No. 23-17. A Resolution Increasing Pick-up for Public Employees Retirement Association (PERA) Contributions Previously Established by Resolution No. 19-13 and by Resolution No. 22-22, by Authorizing the Incorporated County of Los Alamos to Pick-up 5.36% for FY24, 5.66% for FY25, and 5.96% for FY26, and thereafter, of PERA member contributions for specifically identified Contract employees.
- Presenters:** Steven Lynne, County Manager
- Attachments:** [A - Resolution No. 23-17.pdf](#)
[B - Publication Notice for Resolution No. 23-17.pdf](#)
- E. [RE0543-23](#) Incorporated County of Los Alamos Resolution No. 23-18, A Resolution Increasing Pick-Up for Public Employee Retirement Association (PERA) Contributions Previously Established by Resolution No. 22-25, by Authorizing the Incorporated County of Los Alamos to Pick-Up 5.07% for FY24, 5.17% For FY25 and 5.27% for FY26, and thereafter, of PERA Member Contributions for United Association of Plumbers and Pipefitters, Local Union No. 412 ("UAPP) Bargaining Unit Employees ("BUEs") covered Under Municipal General Plan 3
- Presenters:** Steven Lynne, County Manager
- Attachments:** [A - Resolution No. 23-18.pdf](#)
[B - Publication Notice for Resolution No. 23-18.pdf](#)
- F. [RE0544-23](#) Incorporated County of Los Alamos Resolution No. 23-19, A Resolution Increasing Pick-Up for Public Employee Retirement Association (PERA) Contributions Previously Established by Resolution No. 22-25, by Authorizing the Incorporated County of Los Alamos to Pick-Up 5.07% for FY24 and 5.17% For FY25 of PERA Member Contributions for the International Brotherhood of Electrical Workers, Local Union No. 611, ("IBEW") Bargaining Unit Employees ("BUEs") covered Under Municipal General Plan 3

Presenters: Steven Lynne, County Manager

Attachments: [A - Resolution No. 23-19.pdf](#)
[B - Publication Notice for Resolution No. 23-19.pdf](#)

- G. [RE0538-23](#) Incorporated County of Los Alamos Resolution No. 23-13. A Resolution Increasing Pick-Up for PERA Contributions Previously Established by Resolution No. 22-25 By Authorizing the Incorporated County of Los Alamos to Pick-up 5.07% for FY24, and 5.17% for FY25, and 5.27% for FY26 of PERA Member Contributions for Members Covered Under Municipal General Plan 3, Excluding Those Bargaining Unit Employees ("BUEs") Otherwise Covered by Resolution Numbers 23-18 and 23-19.

Presenters: Steven Lynne, County Manager

Attachments: [A - Resolution No. 23-13.pdf](#)
[B - Publication Notice for Resolution No. 23-13.pdf](#)

- H. [OR0975-23b](#) Incorporated County of Los Alamos Code Ordinance No. No. 02-342, . An Ordinance Amending the Text of Chapter 16, "County of Los Alamos Development Code", ARTICLE II DIVISION 2. SECTION 16-6(c) TABLE 16 AND DIVISION 3. TABLE 24 TO INCREASE THE BUILDING HEIGHT SOUTH OF TRINITY DRIVE IN DOWNTOWN LOS ALAMOS (DTLA) ZONE DISTRICT, with revisions related to the building height south of Trinity Drive.

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

Attachments: [A - P&Z Staff Report, Draft Ordinance 02-342, & Related Documents](#)
[B - P&Z Recommendation on ZCA-2023-0013](#)
[C - Incorporated County of Los Alamos Code Ordinance No. 02-342](#)
[D - Notice of Publication](#)
[E - Presentation](#)

- I. [OR0976-23b](#) Incorporated County of Los Alamos Code Ordinance No. No. 02-343 an Ordinance amending the Text of Chapter 16, "County of Los Alamos Development Code", AN ORDINANCE AMENDING THE TEXT OF CHAPTER 16, ARTICLE II DIVISION 1. SECTION 16-6(b)(3)c 1., SECTION 16-6(c)(3)d 1., ARTICLE IV DIVISION 3. SECTION 16-28(c) TABLE 27, SECTION 16-30(a)(1) TABLE 29 TO REVISE THE REQUIRED AMOUNT OF OFF-STREET PARKING IN DOWNTOWN LOS ALAMOS (DTLA) AND WHITE ROCK TOWN CENTER (WRTC) ZONE DISTRICTS; AND SECTION 16-30(b) TO

CLARIFY ADDITIONAL PARKING REDUCTIONS IN ALL ZONE DISTRICTS, with revisions related to Alternative Parking Regulations and Reduction Allowances in Downtown Los Alamos (DTLA) and White Rock Town Center (WRTC) Zone Districts.

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

Attachments: [A - P&Z Staff Report, Draft Ordinance 02-343, & Related Documents](#)
[B - P&Z Recommendation on ZCA-2023-0014](#)
[C - Incorporated County of Los Alamos Code Ordinance No. 02-343](#)
[D - Notice of Publication](#)
[E - Incorporated County of Los Alamos Code Ordinance No. 02-343 Alternate](#)
[F - Presentation](#)

10. COUNCIL BUSINESS

A. General Council Business

B. Appointments

C. Board, Commission and Committee Vacancy Report

- 1) [17169-23](#) Board, Commission and Committee Vacancy Report

Presenters: County Council - Regular Session

Attachments: [A - BCC Vacancy Report 04-25-2023.pdf](#)

D. Board, Commission and Committee Liaison Reports

E. County Manager's Report

- 1) [16849-23](#) County Manager's Report for March 2023

Presenters: Steven Lynne, County Manager

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

2) Brush Pickup for Fire Mitigation

3) Grant Award for Light Replacement

F. Council Chair Report

G. *Approval of Councilor Expenses***H. *Preview of Upcoming Agenda Items***

- 1) [17344-23](#) Tickler Report of Upcoming Agenda Items

Presenters: County Council - Regular Session

Attachments: [A - Tickler Report dated 04-28-23.pdf](#)

11. COUNCILOR COMMENTS**12. PUBLIC COMMENT****13. 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.