



County of Los Alamos

Los Alamos, NM 87544
www.losalamosnm.us

Agenda - Final County Council - Regular Session

*David Izraelevitz, Council Chair; Christine Chandler, Council
Vice Chair; James Chrobocinski, Antonio Maggiore, Susan
O'Leary, Rick Reiss, and Pete Sheehey, Councilors*

Tuesday, May 1, 2018

6:00 PM

Council Chambers - 1000 Central Avenue

TELEVISED

1. **OPENING/ROLL CALL**

2. **PLEDGE OF ALLEGIANCE**

- A. [10707-18](#) Girl Scout Troop 10631 will be Leading the Pledge of Allegiance

Presenters: County Council - Regular Session

3. **PUBLIC COMMENT**

4. **APPROVAL OF AGENDA**

5. **PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS**

- A. [10545-18](#) Proclamation Declaring the Month of May as "Bike Month" and the Week of May 14-18, 2018 as "Bike to Work Week" in Los Alamos County (accepted by Eric Martinez, County Manager).

Presenters: County Council - Regular Session

- B. [10571-18](#) Proclamation declaring the Month of May 2018 as "Motorcycle Awareness Month" in Los Alamos County (accepted by Richard Sturgeon and members of the local motorcycle club)

Presenters: County Council - Regular Session

- C. [10634-18](#) Proclamation declaring the Week of May 13-19, 2018 as "Police Week" and Tuesday, May 15, 2018 as "Peace Officers' Memorial Day" in Los Alamos County (accepted by LAPD Chief Dino Sgambellone)

Presenters: County Council - Regular Session

- D. [10645-18](#) Proclamation declaring the Week of May 20-26, 2018 as "Emergency Medical Services Week" in Los Alamos County (accepted by Ben Stone, LAFD EMS Division Chief)

Presenters: County Council - Regular Session

- E. [10671-18](#) Recognition of LANL Training Division Chief Paul Grano for Completing the Executive Fire Officer Designation through the National Fire Academy

Presenters: Troy Hughes, Fire Chief

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

7. **CONSENT AGENDA**

May 1, 2018 Consent Motion:

Consent Motion -

- A. [AGR0538-17](#) Approval of Services Agreement No. AGR 18-28 with T&D Con, LLC, an Affiliate Company of Transmission & Distribution Services LLC., in the amount of \$731,393.78, plus Applicable Gross Receipts Tax, for the Purpose of the White Rock Substation 15KV Retrofit & Upgrade Project

Presenters: Rafael De LaTorre, Deputy Utilities Manager - Electric Distribution

Attachments: [A - AGR-18-28](#)
[B - One-Line Diagram](#)
[C - RFP 18-28 Cost & Rank](#)

- B. [10768-18](#) Approval of Professional Services Agreement No. AGR 18-37 with Delta Airport Consultants, Inc., in an Amount Not to Exceed \$2,000,000, excluding NMGR, for Professional Architectural, Engineering, Planning, and Project Management Consulting Services for the Los Alamos County Airport.

Presenters: Philo Shelton, Public Works Director

Attachments: [A - AGR18-37 Delta Airport Consultants Inc.](#)

- C. [10449-18](#) Council Designation of Roadway Lighting Design Categories for roadways within Tract A-19, Mirador Subdivision

Presenters: Philo Shelton, Public Works Director and Eric Martinez, County Engineer

Attachments: [A - Mirador Subdivision Street Map](#)
[B - Incorporated County of Los Alamos Code Chapter 16, Article VII, Section 16-276 pertaining to Outdoor Lighting](#)

- D. [10547-18](#) DWI Planning Council Appointments

Presenters: Kim Gabaldon, Social Services Division Manager

Attachments: [A - DWI Planning Council Membership Roster](#)
[B - Resolution No. 16-08](#)
[C - Application for Appointment JGonzales](#)
[E - Application for Reappointment DMcCoy](#)
[D - Application for Appointment PMockler-Wood](#)
[F - Application for Reappointment JMcNiel](#)
[G - Application for Reappointment JLovejoy](#)

- E. [10582-18](#) Approval of Re-appointment of Deputy Utility Manager of Finance and Administration, Bob Westervelt, as Los Alamos' Member on the New Mexico Municipal Energy Acquisition Authority (NMMEA) Board of Directors

Presenters: Bob Westervelt, Deputy Utilities Manager - Finance/Admin

- F. [10595-18](#) County Council Minutes for April 10, 2018 and FY 2019 Budget Minutes April 16 and 17, 2018

Presenters: Naomi Maestas

Attachments: [A - County Council Minutes for April 10, 2018](#)
[B - County Council Minutes for FY 2019 Budget April 16 & 17, 2018](#)

- G. [10708-18](#) Approval of Revision to Modification 20 to the Electric Energy and Power Coordination Agreement (ECA) Between the Incorporated County of Los Alamos and the United States Department of Energy (DOE).

Presenters: Bob Westervelt, Deputy Utilities Manager - Finance/Admin

Attachments: [A - MOD 20 as approved by the CO](#)

- H. [10710-18](#) Approval of Northern Rio Arriba Electric Cooperative (NORA) Third Revised Exhibit A and Amendment No.3 to the Operation, Maintenance and Wheeling Agreement Dated August 27, 1986

Presenters: Steve Cummins, Deputy Utilities Manager - Power Supply

Attachments: [A - Third Revised Exhibit A and Amendment No. 3](#)

8. **PUBLIC HEARING(S)**

- A. [OR0809-18b](#) Incorporated County Of Los Alamos Ordinance No. 02-281; An Ordinance Repealing Ordinances 571 and 664 in their Entirety and

Enacting and Amending Certain Affordable Housing Provisions Into
the Los Alamos County Code of Ordinances

Presenters: Paul Andrus, Community Development Director

Attachments: [A - Incorporated County of Los Alamos Code Ordinance 02-281](#)
[B - MFA Letter confirming Ordinance 02-281 compliance with AHA & Rules](#)
[C - Publication Notice Code Ordinance No. 02-281.pdf](#)

- B. [CO0531-18b](#) Incorporated County of Los Alamos Code Ordinance No. 02-286, A Code Ordinance amending Chapter 18, Section 36, To Increase The Minimum Number of Day a Notice Provided to a Landowner to Correct a Violation Prior to Issuance of a Citation.

Presenters: Antonio Maggiore, Councilor

Attachments: [A - Code Ordinance No. 02-286.pdf](#)
[B - Publication Notice for Code Ordinance No. 02-286.pdf](#)

- C. [CO0530-18b](#) Incorporated County of Los Alamos Code Ordinance No. 02-285, A Code Ordinance amending Chapter 8 To Add An Article XV to Create A Community Development Advisory Board.

Presenters: Antonio Maggiore, Councilor

Attachments: [A - Code Ordinance No. 02-285.pdf](#)
[B - Publication Notice for Code Ordinance No. 02-285.pdf](#)

9. **BUSINESS**

- A. [AGR0569-18](#) Approval of Services Agreement AGR18-39 with FBT Architects in the Amount of \$459,315.00 and a contingency in the amount of \$50,000, for a total of \$509,315.00, plus Applicable Gross Receipts Tax, for the Purpose of Designing the Kiddie Pool Addition to the Los Alamos County Aquatics Center.

Presenters: Philo Shelton, Public Works Director

Attachments: [A - AGR 18-39 FBT Architects](#)

10. **COUNCIL BUSINESS**

A. ***Appointments***

- 1) [10592-18](#) Appointment of Members to the Tourism Implementation Task Force

Presenters: Linda Matteson, Assistant to the County Manager

Attachments: [A - Letters of Interest](#)
[B - Tourism Implementation Task Force charter](#)
[C - BCC Representatives](#)
[D - Guidance from Selection Team](#)
[E - Master List Spreadsheet](#)

B. Board, Commission and Committee Liaison Reports

C. County Manager's Report

D. Council Chair Report

E. General Council Business

- 1) [10650-18](#) Approval of Council's Review Committee Report and Recommendations on FY19 Board and Commission Work Plans.

Presenters: County Council - Regular Session

Attachments: [A - FY19 B&C Work Plan Review Committee Report](#)
[B - Draft FY19 APPB Work Plan](#)
[C - Draft FY19 ESB Work Plan](#)
[D - Draft FY19 HPAB Work Plan](#)
[E - Draft FY19 Library Board Work Plan](#)
[F - Draft FY19 LTAB Work Plan](#)
[G - Draft FY19 PRB Work Plan](#)
[H - Draft FY19 Personnel Board Work Plan](#)
[I - Draft FY19 P&Z Work Plan](#)
[J - Draft FY19 T-Board Work Plan](#)

F. Approval of Councilor Expenses

G. Preview of Upcoming Agenda Items

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.



County of Los Alamos

Staff Report

May 01, 2018

Los Alamos, NM 87544
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Agenda No.: A.

Index (Council Goals):

Presenters: County Council - Regular Session

Legislative File: 10707-18

Title

Girl Scout Troop 10631 will be Leading the Pledge of Allegiance



County of Los Alamos

Staff Report

May 01, 2018

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: A.

Index (Council Goals): * 2018 Council Goal – Quality of Life – Mobility – Maintain and Improve Transportation and Mobility

Presenters: County Council - Regular Session

Legislative File: 10545-18

Title

Proclamation Declaring the Month of May as “Bike Month” and the Week of May 14-18, 2018 as “Bike to Work Week” in Los Alamos County (accepted by Eric Martinez, County Manager).

Body

WHEREAS: On November 30, 2017, Los Alamos became a Bronze status Bicycle Friendly Community as designated by the League of American Bicyclists and where Los Alamos continues to make every effort to maintain and improve upon this designation;

WHEREAS: The bicycle is a viable and environmentally sound form of transportation and an excellent form of recreation, and May has been named National Bike Month for the past 56 years, celebrated by offering educational programs, races, commuting events, trail work days, helmet promotion, charity events, or just encouraging individuals to go for a ride; and

WHEREAS: At home and in school, parents and teachers can educate children about the benefits of protecting our resources and the importance of caring for our environment; and

WHEREAS: Los Alamos' trail network attracts hundreds of bicyclists each year from all 50 states and across the globe, providing economic, health and scenic benefits to our community and the world; bicycling activities and attractions have great potential to impact our economy and tourism industry and stimulate economic development by making Los Alamos attractive to businesses and citizens who enjoy the outdoors and healthy lifestyles; and

WHEREAS: Creating bicycle-friendly communities can improve citizens' health, well-being and quality of life, boost community spirit, improve traffic safety and reduce pollution and congestion; and

WHEREAS: Educating bicyclists and motorists about proper bicycle operation is important to ensure the safety and comfort of all involved;

NOW, THEREFORE, on behalf of the Council of the Incorporated County of Los Alamos, I do hereby proclaim the Month of May 2018 as

“BIKE MONTH”

in Los Alamos County, and the week of May 14-18, 2018 as

“BIKE TO WORK WEEK”

**I encourage our citizens to participate in planned events,
and to share the road safely.**



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Agenda No.: B.

Index (Council Goals):

Presenters: County Council - Regular Session

Legislative File: 10571-18

Title

Proclamation declaring the Month of May 2018 as "Motorcycle Awareness Month" in Los Alamos County (accepted by Richard Sturgeon and members of the local motorcycle club)

Body

WHEREAS: Motorcycles are used as a regular means of transportation for commuting, touring and recreational use in and around Los Alamos County; and

WHEREAS: Our scenic roadways make Los Alamos a very popular destination for motorcyclists from around the country; and

WHEREAS: The safe operation of a motorcycle requires the use of acquired skills developed through a combination of training and experience, the use of good judgment, and thorough knowledge of traffic laws and licensing requirements; and

WHEREAS: It is imperative that our residents be aware, show consideration and share the road with motorcycles on our streets and state highways in the interest of public safety; and

WHEREAS: The National Highway Traffic Safety Administration (NHTSA) has declared the month of May as "Motorcycle Awareness Month" and the Council wishes to join them in educating residents about the growing number of motorcyclists on Los Alamos County's roadways - working together, we can prevent accidents and save lives;

NOW, THEREFORE, on behalf of the Council of the Incorporated County of Los Alamos, I do hereby proclaim the Month of May 2018 as

"MOTORCYCLE AWARENESS MONTH"

in Los Alamos County, and urge our citizens to be observant, courteous and knowledgeable about motorcycle usage in our community.



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Staff Report

May 01, 2018

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Agenda No.: C.

Index (Council Goals):

Presenters: County Council - Regular Session

Legislative File: 10634-18

Title

Proclamation declaring the Week of May 13-19, 2018 as "Police Week" and Tuesday, May 15, 2018 as "Peace Officers' Memorial Day" in Los Alamos County (accepted by LAPD Chief Dino Sgambellone)

Body

WHEREAS: the Congress of the United States has designated May 15th of each year to be Peace Officers' Memorial Day, in honor of all fallen Officers and their families, and U.S. flags should be flown at half staff; and

WHEREAS: it is important that all citizens know and understand the challenges, duties and responsibilities of their police department, and that members of our police department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence or disorder, and by protecting the innocent against deception and the weak against oppression or intimidation; and;

WHEREAS: nearly 60,000 assaults against law enforcement Officers are reported each year, resulting in approximately 16,000 injuries, and since the first recorded death in 1791, over 20,000 law enforcement Officers have been killed in the line of duty, including over 600 Corrections Officers; In 2017, 135 Officers were killed in the line of duty, and another 35 Officers have lost their lives while serving in just the first three months of this year; and

WHEREAS, it is important that we pay tribute to the Officers who have fallen in the line of duty and recognize the sacrifices made by the families of those Officers, as well as the families of those who continue to protect and serve our communities; and

WHEREAS, it is critical that we acknowledge the dedication of those that continue to serve and who are willing to undertake the crucial roles and responsibilities of law enforcement and corrections Officers within our communities, and commemorate and honor the dedicated service of Officers past and present;

NOW, THEREFORE, on behalf of the Council of the Incorporated County of Los Alamos, I do

hereby proclaim the Week of May 13 - 19, 2018 as

“POLICE WEEK”

AND FURTHERMORE, declare Tuesday, May 15, 2018 as

“PEACE OFFICERS’ MEMORIAL DAY”

in Los Alamos County, and call upon our citizens to publicly join in commemorating law enforcement Officers, past and present, who, by their faithful and loyal devotion to their duty, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.



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May 01, 2018

Los Alamos, NM 87544
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Agenda No.: D.

Index (Council Goals):

Presenters: County Council - Regular Session

Legislative File: 10645-18

Title

Proclamation declaring the Week of May 20-26, 2018 as "Emergency Medical Services Week" in Los Alamos County (accepted by Ben Stone, LAFD EMS Division Chief)

Body

WHEREAS: Emergency medical services is a vital public service; and

WHEREAS: The members of emergency medical services teams are ready to provide life-saving care to those in need 24 hours a day, seven days a week; and

WHEREAS: Access to quality emergency care dramatically improves the survival and recovery rate of those with a sudden illness or injury; and

WHEREAS: The emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out-of-hospital medical care providers; and

WHEREAS: The members of emergency medical services teams engage in thousands of hours of specialized training and continuing education to enhance their life-saving skills; and

WHEREAS: It is appropriate to recognize the value and accomplishments of these dedicated individuals during Emergency Medical Services Week, and this year's theme is "EMS Strong: Stronger Together";

NOW, THEREFORE, on behalf of the Council of the Incorporated County of Los Alamos, I do hereby proclaim May 20-26, 2018 as

"EMERGENCY MEDICAL SERVICES WEEK"

in Los Alamos County, and extend our thanks and gratitude to all emergency medical services providers.



County of Los Alamos

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May 01, 2018

Los Alamos, NM 87544
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Agenda No.: E.

Index (Council Goals):

Presenters: Troy Hughes, Fire Chief

Legislative File: 10671-18

Title

Recognition of LANL Training Division Chief Paul Grano for Completing the Executive Fire Officer Designation through the National Fire Academy

Body

On January 29, 2018, Division Chief Paul R Grano received the Executive Fire Officer (EFO) designation through the US Fire Administration (USFA) National Fire Academy (NFA).

The NFA EFO Program provides senior fire officers with a broad perspective on various facets of fire and emergency services administration. This program enhances professional development through a series of four graduate and upper-division-baccalaureate equivalent courses taken over a four-year period. In each year of the program, Chief Grano completed an Applied Research Project (ARP) - completing an investigation, reaching conclusions and offering recommendations that contribute to the improvement of LAFD. These ARPs included research in Company Officer Development for LAFD, Developing a Fall Prevention Program for Older Adults in Los Alamos County, Pre Incident Plan Program Evaluation, and Ball Sports - Helping or Hurting Firefighter Physical Fitness. By writing the ARP, the EFO Program students not only launch continuous improvement initiatives, but contribute to the fire service literature as well.



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Staff Report

May 01, 2018

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Agenda No.:

Index (Council Goals):

Presenters:

Title

May 1, 2018 Consent Motion:

Recommended Action

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.



County of Los Alamos

Staff Report

May 01, 2018

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: A.

Index (Council Goals): * 2018 Council Goal – Quality Governance – Operational Excellence – Maintain Quality Essential Services and Supporting Infrastructure Including Updated Enterprise Software and Permitting

Presenters: Rafael De LaTorre, Deputy Utilities Manager - Electric Distribution

Legislative File: AGR0538-17

Title

Approval of Services Agreement No. AGR 18-28 with T&D Con, LLC, an Affiliate Company of Transmission & Distribution Services LLC., in the amount of \$731,393.78, plus Applicable Gross Receipts Tax, for the Purpose of the White Rock Substation 15KV Retrofit & Upgrade Project

Recommended Action

I move that Council approve Services Agreement No. AGR 18-28 with T&D Con, LLC, an Affiliate Company of Transmission & Distribution Services, LLC., in the amount of \$731,393.78 and a contingency in the amount of \$50,000, for a total of \$781,393.78, plus applicable gross receipts tax, for the purpose of White Rock Substation 15KV Retrofit & Upgraded Project.

..Utilities Manager's Recommendation

The Utilities Manager recommends that Council approve the agreement as requested.

Board, Commission or Committee Recommendation

The Board of Public Utilities recommends that Council approve the agreement as requested.

Body

A portion of the White Rock substation includes an original 1975, 5 MVA substation transformer and 2 circuit, 15KV, metal clad substation switchgear, "switchgear". The substation transformer is still good but the switchgear is in need of replacement. Though the switchgear is primarily used as a back-up because of its age and deteriorated condition, the switchgear is often placed into service each time LANL takes its 115KV transmission line out of service between White Rock and the ETA substation. The switchgear is placed into service several times per year but we're at a point where the switchgear has become unsafe to operate. (During the most recent event, one of the 15KV breakers became stuck and inoperable meaning the entire substation load had to be carried for the day with a single 15KV breaker.) Also, as the A19 and other potential load develops in White Rock, the replacement switchgear will likely be placed in service permanently to power A19 and surrounding area.

Alternatives

Council could choose not to accept the Agreement but would be detrimental to the electrical reliability and future electrical capacity needs for White Rock. Also, the existing switchgear would have to be removed from service because it's becoming increasingly unsafe to continue to be placed into service without major repairs.

Fiscal and Staff Impact/Planned Item

The White Rock Substation Project was in the FY 2018 electrical capital budget and \$800,000 has been allocated to the project. Staff will manage the retrofit upgrade project, develop the over-current protection settings, and program the substation relays. Line Operations staff will re-do the two outgoing feeders and install a new outgoing feeder for A19, energize and place the new switchgear section into service.

Attachments

A - AGR-18-28

B - One-Line Diagram

C - RFP 18-28 Cost & Rank



INCORPORATED COUNTY OF LOS ALAMOS SERVICES AGREEMENT

This **SERVICES AGREEMENT** (this "Agreement") is entered into by and between the **Incorporated County of Los Alamos**, an incorporated county of the State of New Mexico ("County"), and **T&D Con, LLC, an affiliate company of Transmission and Distribution Services, LLC**, a New Mexico limited liability company ("Contractor"), to be effective for all purposes May 2, 2018.

WHEREAS, the County Purchasing Agent determined in writing that the use of competitive sealed bidding was either not practical or not advantageous to County for procurement of the Services and County issued Request for Proposals No. 18-28 ("RFP") on December 10, 2017, requesting proposals for a Design/Build Solution to Field Upgrade the 15kV White Rock Substation, as described in the RFP; and

WHEREAS, Contractor timely responded to the RFP by submitting a response dated January 30, 2018 ("Contractor's Response");

WHEREAS, based on the evaluation factors set out in the RFP, Contractor was the successful Offeror for the services listed in the RFP;

WHEREAS, the Board of Public Utilities approved this Agreement at a public meeting held on April 18, 2018; and

WHEREAS, the County Council approved this Agreement at a public meeting held on May 1, 2018;

WHEREAS, Contractor shall provide the Services, as described below, to County.

NOW, THEREFORE, for and in consideration of the premises and the covenants contained herein, County and Contractor agree as follows:

SECTION A. SERVICES: Contractor shall provide a design-build turn-key solution ("Solution") that includes engineering services, design specifications, installation, material, construction review, and commissioning services for the electrical one-line diagram in **Attachment "A"**. The Solution replaces an existing two (2) circuit, 15kV metal clad substation in White Rock, which has been in service since approximately 1975. Contractor shall provide the services as follows:

1. Contractor shall develop DRAFT detailed design-build construction drawings, "90% Draft Drawings", for the Solution for County review, input and comment. Within seven (7) work days, the County shall provide written comments for incorporation to the 90% Draft Drawings.
2. Contractor shall provide "99% Construction Drawings" for County review, input and comment. Within five (5) work days, the County shall provide written comments for incorporation to the 99% Construction Drawings.

3. Contractor shall provide "For Construction Drawings" for County approval. Within three (3) work days, County shall approve the For Construction Drawings; at which time the Contractor shall proceed with the construction for the Solution.
4. Contractor shall remove the existing 15kV switchgear building by using a crane to load the building onto a County provided semi-trailer for removal and final disposition.
5. Contractor shall install a completely new 15kV switchgear building; remove the existing 115kV fuse protection & surge arresters; install a new 115kV candlestick type circuit switcher; and, add new transformer differential protective relaying.
6. If required, Contractor shall expand the concrete footing(s) to fit the new building and related 115kV equipment. The new 15kV switchgear building shall contain three (3) breaker bays and power the existing 15kV County feeders. Modifications and connections to the 15kV County feeders shall be provided by the County.
7. Contractor shall install new 115kV station class, polymer housed, MOV-type surge arresters; a new 115kV General Electric candlestick style circuit switcher placed between the existing center break V-switch and transformer; and new slip-over current transformers (CTs) installed on the transformer high-side bushings. The 15kV, low side CTs shall be incorporated into the switchgear outgoing feeders to complete the transformer differential protection.
8. Contractor shall utilize the existing 115kV center break V disconnect switches and add a new switch operator platform to provide consistent grounding connections to the circuit switcher.
9. Contractor shall provide slip-over current transformers that allow the microprocessor relays (SEL-787, SEL-751, and four (4) GE Multilin 750/760 relays) to detect faults in the transformer and switchgear and trip the 115kV candlestick switcher. The transformer and switchgear bus shall be included in the same differential zone.
10. The Contractor and County shall mutually agree to the project schedule, tentatively set around eight (8) months including forty (40) days of on-site installation and commissioning.
11. Contractor shall commission the new Solution installation and be on site when the County energizes the new upgraded White Rock Substation.

Base-Bid Design Build Solution:

1. Supply all design, installation, material, parts, equipment, electrical appurtenances, etc., and commissioning for the design-build Solution for a fully functional 15kV metal-clad White Rock Substation Upgrade which met the Project Specifications as described in the County's RFP 18-28 and as outlined in **Attachment "A"**, White Rock Substation One-Line Diagram attached hereto.
2. Supply all design, installation, material, parts, equipment, electrical appurtenances, etc., and commissioning for the 115kV components as outlined in **Exhibit "A"** attached hereto.
3. Supply all design, installation, material, parts, equipment, electrical appurtenances, etc., and commissioning for the 15kV components as outlined in **Exhibit "A"** attached hereto.

4. At the County's option, supply all design, installation, material, parts, equipment, electrical appurtenances, etc., and commissioning for the Adder components as outlined in **Exhibit "A"** attached hereto.
5. Coordinate with County staff the on-site daily work activities and field installation. Contractor shall wear the proper personal protective equipment and adhere to all County safety work practices required while working inside an energized, 115kV electrical substation.
6. Provide at least one (1) full day of on-site training to DPU staff during the execution, testing and commissioning of the substation upgrade Solution. In particular, racking-in and racking-out the 15kV feeder breakers.
7. Prepare and submit to the County three (3) complete sets of record drawings in hard-copy and digital format as described in the original RFP and prior to County's Certification of Substantial Completion ("CSC").
8. Provide New Mexico licensed professional engineer stamp for record drawings.
9. Provide New Mexico EL-1 license for the electrical installation services.

SECTION B. TERM: The term of this Agreement shall commence May 2, 2018 and shall continue through June 30, 2020, unless sooner terminated, as provided herein. At County's sole option the Agreement may be renewed for up to two (2) consecutive one-year periods, unless sooner terminated, as provided therein.

SECTION C. COMPENSATION:

1. **Amount of Compensation.** County shall pay compensation for performance of the Services in an amount not to exceed SEVEN HUNDRED THIRTY ONE THOUSAND THREE HUNDRED NINETY THREE DOLLARS AND 78/100 (\$731,393.78), which amount does not include applicable New Mexico gross receipts taxes ("NMGR"). Compensation shall be paid in accordance with the rate schedule set out in **Exhibit "A,"** attached hereto and made a part hereof for all purposes.
2. **Monthly Invoices.** Contractor shall submit itemized invoices to County's Project Manager showing amount of compensation due, amount of any NMGR, and total amount payable. Payment of undisputed amounts shall be due and payable thirty (30) days after County's receipt of the invoice.

SECTION D. TAXES: Contractor shall be solely responsible for timely and correctly billing, collecting and remitting all NMGR levied on the amounts payable under this Agreement.

SECTION E. STATUS OF CONTRACTOR, STAFF, AND PERSONNEL: This Agreement calls for the performance of services by Contractor as an independent contractor. Contractor is not an agent or employee of County and shall not be considered an employee of County for any purpose. Contractor, its agents or employees shall make no representation that they are County employees, nor shall they create the appearance of being employees by using a job or position title on a name plate, business cards, or in any other manner, bearing County's name or logo. Neither Contractor nor any employee of Contractor shall be entitled to any benefits or compensation other than the compensation specified herein. Contractor shall have no authority to bind County to any agreement, contract, duty or obligation. Contractor shall make no

representations that are intended to, or create the appearance of, bind County to any agreement, contract, duty, or obligation. Contractor shall have full power to continue any outside employment or business, to employ and discharge its employees or associates as it deems appropriate without interference from County; provided, however, that Contractor shall at all times during the term of this Agreement maintain the ability to perform the obligations in a professional, timely and reliable manner.

SECTION F. STANDARD OF PERFORMANCE: Contractor agrees and represents that it has and shall maintain the personnel, experience and knowledge necessary to qualify it for the particular duties to be performed under this Agreement. Contractor shall perform the Services described herein in accordance with a standard that meets the industry standard of care for performance of the Services.

SECTION G. DELIVERABLES AND USE OF DOCUMENTS: All deliverables required under this Agreement, including material, products, reports, policies, procedures, software improvements, databases, and any other products and processes, whether in written or electronic form, shall remain the exclusive property of and shall inure to the benefit of County as works for hire; Contractor shall not use, sell, disclose, or obtain any other compensation for such works for hire. In addition, Contractor may not, with regard to all work, work product, deliverables or works for hire required by this Agreement, apply for, in its name or otherwise, any copyright, patent or other property right and acknowledges that any such property right created or developed remains the exclusive right of County. Contractor shall not use deliverables in any manner for any other purpose without the express written consent of County.

SECTION H. EMPLOYEES AND SUB-CONTRACTORS: Contractor shall be solely responsible for payment of wages, salary or benefits to any and all employees or contractors retained by Contractor in the performance of the Services. Contractor agrees to indemnify, defend and hold harmless County for any and all claims that may arise from Contractor's relationship to its employees and subcontractors.

SECTION I. INSURANCE: Contractor shall obtain and maintain insurance of the types and in the amounts set out below throughout the term of this Agreement with an insurer acceptable to County. Contractor shall assure that all subcontractors maintain like insurance. Compliance with the terms and conditions of this Section is a condition precedent to County's obligation to pay compensation for the Services and Contractor shall not provide any Services under this Agreement unless and until Contractor has met the requirements of this Section. County requires Certificates of Insurance or other evidence acceptable to County that Contractor has met its obligation to obtain and maintain insurance and to assure that subcontractors maintain like insurance. Should any of the policies described below be cancelled before the expiration date thereof, notice shall be delivered in accordance with the policy provisions. General Liability Insurance and Automobile Liability Insurance shall name County as an additional insured.

- 1. General Liability Insurance:** ONE MILLION DOLLARS (\$1,000,000.00) combined single limit per occurrence; TWO MILLION DOLLARS (\$2,000,000.00) aggregate.
- 2. Workers' Compensation:** In an amount as may be required by law. County may immediately terminate this Agreement if Contractor fails to comply with the Worker's Compensation Act and applicable rules when required to do so.
- 3. Automobile Liability Insurance for Contractor and its Employees:** ONE MILLION DOLLARS (\$1,000,000.00) combined single limit per occurrence; TWO MILLION DOLLARS (\$2,000,000.00) aggregate on any owned, and/or non-owned motor vehicles used in performing Services under this Agreement.

4. **Professional Liability Insurance:** Insert appropriate language here if applicable. PROFESSIONAL LIABILITY INSURANCE, as may be applicable to the particular profession or service to be provided, with a limit of not less than ONE MILLION DOLLARS (\$1,000,000.00) each Claim, with a TWO MILLION DOLLARS (\$2,000,000.00) annual aggregate, without any restrictive "negligent act, negligent error, or negligent omission" clause, and with coverage extending for a three (3) year period from completion of this contract, against any and all claims which may arise from the Contractor's negligent performance of work described herein.
5. The switchgear and all its appurtenances shall carry a twenty four (24) month warranty from date of shipment or twelve (12) months from the date of energization, whichever occurs first.

SECTION J. RECORDS: Contractor shall maintain, throughout the term of this Agreement and for a period of six (6) years thereafter, records that indicate the date, time, and nature of the services rendered. Contractor shall make available, for inspection by County, all records, books of account, memoranda, and other documents pertaining to County at any reasonable time upon request.

SECTION K. PERFORMANCE BOND AND LABOR-MATERIALS BOND

Performance Bond and Labor-Materials Bond shall be executed in an amount equal to one hundred percent (100%) of the total amount payable by the terms of the contract attached herein as **Exhibit "B"**.

SECTION L. APPLICABLE LAW: Contractor shall abide by all applicable federal, state and local laws, regulations, and policies and shall perform the Services in accordance with all applicable laws, regulations, and policies during the term of this Agreement. In any lawsuit or legal dispute arising from the operation of this Agreement, Contractor agrees that the laws of the State of New Mexico shall govern. Venue shall be in the First Judicial District Court of New Mexico in Los Alamos County, New Mexico.

SECTION M. NON-DISCRIMINATION: During the term of this Agreement, Contractor shall not discriminate against any employee or applicant for an employment position to be used in the performance of the obligations of Contractor under this Agreement, with regard to race, color, religion, sex, age, ethnicity, national origin, sexual orientation or gender identity, disability or veteran status.

SECTION N. INDEMNITY: Contractor shall indemnify, hold harmless and defend County, its Council members, employees, agents and representatives, from and against all liabilities, damages, claims, demands, actions (legal or equitable), and costs and expenses, including without limitation attorneys' fees, of any kind or nature, arising from Contractor's performance hereunder or breach hereof and the performance of Contractor's employees, agents, representatives and subcontractors.

SECTION O. FORCE MAJEURE: Neither County nor Contractor shall be liable for any delay in the performance of this Agreement, nor for any other breach, nor for any loss or damage arising from uncontrollable forces such as fire, theft, storm, war, or any other force majeure that could not have been reasonably avoided by exercise of due diligence.

SECTION P. NON-ASSIGNMENT: Contractor may not assign this Agreement or any privileges or obligations herein without the prior written consent of County.

SECTION Q. LICENSES: Contractor shall maintain all required licenses including, without limitation, all necessary professional and business licenses, throughout the term of this Agreement. Contractor shall require and shall assure that all of Contractor's employees and subcontractors maintain all required licenses including, without limitation, all necessary professional and business licenses.

SECTION R. PROHIBITED INTERESTS: Contractor agrees that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of its services hereunder. Contractor further agrees that it shall not employ any person having such an interest to perform services under this Agreement. No County Council member or other elected official of County, or manager or employee of County shall solicit, demand, accept or agree to accept a gratuity or offer of employment contrary to Section 31-282 of the Los Alamos County Code.

SECTION S. TERMINATION:

- 1. Generally.** County may terminate this Agreement with or without cause upon ten (10) days prior written notice to Contractor. Upon such termination, Contractor shall be paid for Services actually completed to the satisfaction of County at the rate set out in Section C. Contractor shall render a final report of the Services performed to the date of termination and shall turn over to County originals of all materials prepared pursuant to this Agreement.
- 2. Funding.** This Agreement shall terminate without further action by County on the first day of any County fiscal year for which funds to pay compensation hereunder are not appropriated by County Council. County shall make reasonable efforts to give Contractor at least ninety (90) days advance notice that funds have not been and are not expected to be appropriated for that purpose.

SECTION T. NOTICE: Any notices required under this Agreement shall be made in writing, postage prepaid to the following addresses, and shall be deemed given upon hand delivery, verified delivery by telecopy (followed by copy sent by United States Mail), or three, (3) days after deposit in the United States Mail:

County:

Deputy Utilities Manager, Electric Distribution
Incorporated County of Los Alamos
1000 Central Ave., Suite 130
Los Alamos, New Mexico 87544

Contractor:

Harry Barnes Jr., Managing Member
T&D Con, LLC, an affiliate company of
Transmission & Distribution Services
9550 San Mateo Blvd. NE, Suite G
Albuquerque, New Mexico 87113

SECTION U. INVALIDITY OF PRIOR AGREEMENTS: This Agreement supersedes all prior contracts or agreements, either oral or written, that may exist between the parties with reference to the services described herein and expresses the entire agreement and understanding between the parties with reference to said services. It cannot be modified or changed by any oral promise made by any person, officer, or employee, nor shall any written modification of it be binding on County until approved in writing by both County and Contractor.

SECTION V. CAMPAIGN CONTRIBUTION DISCLOSURE FORM: A Campaign Contribution Disclosure Form was submitted as part of the Contractor's Response and is incorporated herein by reference for all purposes. This Section acknowledges compliance with Chapter 81 of the Laws of 2006 of the State of New Mexico.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date(s) set forth opposite the signatures of their authorized representatives to be effective for all purposes on the date first written above.

ATTEST

INCORPORATED COUNTY OF LOS ALAMOS

NAOMI D. MAESTAS
COUNTY CLERK

BY: _____
TIMOTHY A. GLASCO, PE **DATE**
UTILITIES MANAGER

Approved as to form:

J. ALVIN LEAPHART
COUNTY ATTORNEY

**T&D CON, LLC, AN AFFILIATE COMPANY OF
TRANSMISSION AND DISTRIBUTION
SERVICES, LLC, A NEW MEXICO LIMITED LIABILITY
COMPANY**

BY: _____
HARRY BARNES, JR., **DATE**
MANAGING MEMBER

Exhibit "A"
Compensation Rate Schedule
AGR18-28

ITEM #	DESCRIPTION	COST
1	Base Cost for Design Build Solution	
A	115kV Side with alternates described below	\$ 154,000.00
B	15kV Side with alternates described below	\$ 566,585.00
C	Bond	\$ 10,808.78
2	ALTERNATE ADDERS AT COUNTY'S DISCRETION	
A	ARC-FLASH DETECTION	\$ 6,000.00
B	UPGRADE TO STATION CLASS SWITCHGEAR ARRESTERS	\$ 2,700.00
C	TELVENT 3030 RTU INSTEAD OF SEL 2032	\$ 12,000.00
D	REAL-TIME FEEDER METERS (BI-TRONICS)	\$ 9,750.00
E	FACTORY ACCEPTANCE TESTING OPTION (T&D VISIT)	\$ 2,750.00
	TOTAL	\$ 731,393.78

ADDITIONAL DESCRIPTIONS for items above:

115 kV Side (Installation, Material, Commissioning & Testing, LOT pricing):

- 1 lot – GE Alstom, Circuit Switcher and supports (115 kV, 1200 Amp, 40 kA Interrupting)
- 1 lot – Slip over bushing CTs (100:5), Station Class Switchgear Arresters (74 kV MCOV), jumpers/terminal pads
- 1 lot – Transformer differential circuits and trip scheme, control wiring, cabling with associated raceways
- 1 lot – Associated low voltage AC/DC wiring for complete system
- 1 each – Engineering (50% of \$58,000 allocated to **115 kV** side)

Optional Costs:

- 1 lot – Telvent SAGE 3030 RTU and associated wiring \$ 12,000
- 1 lot – ARC Flash Detection cabling/hardware \$ 6,000
- 1 lot – Upgrade to station class LV arresters \$ 2,700
- 1 Factory Acceptance Testing Option (T&D to visit) \$ 2,750

Sub Total: \$ 154,000

15 kV Side (Installation, Material, Commissioning & Testing, LOT pricing):

1 each walk-in type Power Control Enclosure manufactured by PACS Switchgear with approximate dimensions of 18'x15'x13' including 15kV, 1200 Amp, 25 kA Interrupting, 4 cubicle metal clad switchgear.

Enclosure assembly to include:

- 3 each ABB breakers (ADVAC type, 1200 Amp, 25 kA, 95 kV BIL)
- 1 lot bus bracing, insulator assembly (1200 Amp, 15 kV, 25 kA, 110 kV BIL) two high cubicle
- 1 lot PTs, CTs for bus metering & differential and over current protection circuits
- 1 each 25 kVA, 120/240V control power transformer
- 3 each GE 760 Feeder Relays
- 1 each GE 750 Bus Relay
- 1 each SEL 787 transformer differential relay
- 1 each SEL 751 backup bus overcurrent relay with arc flash detection capability
- 4 each GE PQM 11 Feeder/Bus Metering devices
- 1 each 48VDC battery system and battery charger
- 1 each DC trip schemes for breakers, remote/local control, etc.
- 1 lot RTU and associated wiring installed in switchgear enclosure
- 1 lot surge arresters
- 1 lot – Associated low voltage AC/DC wiring for complete system
- 1 lot – Removal of existing switchgear assembly/hardware onto LAC provided transport/trailer for their removal from the station and associated salvage activities or disposal
- 1 each- Engineering (50% of \$58,000 allocated to **15 kV** side)
- Misc. Other support structures, cabling, grounding connections, etc. as needed to provide a functional and complete station.

Optional Cost:

1 Real-time Feeder Meters (Bi-tronics)	\$	9,750		
			<u>Sub Total</u>	\$ 566,585

Subtotal: \$154,000 + \$566,585 = \$720,585

1.5% for Performance and Labor & Material Bond = \$ 10,808.78

<u>GRAND TOTAL</u>	=	\$ 731,393.78
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PAYMENT SCHEDULE:

- 10% - Execution of Contract; Preliminary Drawing Submittal
- 50% - Construction Drawing Approval/Beginning of Manufacturing
- 20% - Project Construction Begins
- 15% - Project Construction Complete
- 5% - Completion of Record Drawings/Project Closeout

EXHIBIT "B"

Performance Bond



Bond No. _____

We as Principal, hereinafter referred to as Contractor, and _____ a limited liability company organized and existing under and by the virtue of the laws of the State of _____ and authorized to do business in the State of New Mexico, hereinafter called Surety, are held and firmly bound unto the Incorporated County of Los Alamos, hereinafter referred to as County, in the penal sum of one hundred percent (100%) of the Contract Price of _____ dollars (\$_____), as may be adjusted by Change Order, inclusive of applicable gross receipts taxes in lawful money of the United States of America, for the payment of which sum Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally.

THE CONDITIONS OF THIS BOND are such that, whereas, Contractor has been awarded and has agreed to enter into a certain Contract with the Incorporated County of Los Alamos, to which this Performance Bond shall be attached and incorporated therein, for performance of Work or services on Project specifically described in the Contract document for:

Incorporated County of Los Alamos

RFP18-28

Design/Build Solution to Field Upgrade the 15kV White Rock Substation

and if Contractor shall perform and complete all of the undertakings, covenants, terms, and obligations of said Contract during the original term thereof, and any extensions which may be granted by the County with or without notice to the Surety, and if Contract shall satisfy all claims and demands incurred under such Contract, and shall fully indemnify and save harmless the

Performance Bond Continued

County from all costs and damages which it may suffer by reason of failure to do so, and shall reimburse and repay the County all outlay and expenses which the County may incur in making good any default, then this obligation shall be void; otherwise it shall be and remain in full force and effect.

Any suit under this bond must be instituted before the expiration of two (2) years from the date on which final payment under the Contract falls due, except that, with respect to express guarantees of a longer term, a suit thereon must be initiated within six (6) months following the expiration of said express guarantees, if any.

The Surety acknowledges that said Contract may contain express guarantees and agrees that said guarantees, if any, are covered by the Surety's obligation hereunder.

Right of action with respect to any express guarantees, if any, in said Contract shall accrue following completion and formal acceptance of the work under said contract.

The right to sue on this bond accrues only to the contracting agency and the parties to whom New Mexico Statutes Annotated, 1978 Comp. 13-4-18 through 13-4-20, as amended, grant such right; and such right shall be exercised only in accordance with the provisions and limitation of said statutes.

PROVIDED, FURTHER, that Surety, for value received hereby stipulates and agrees that no change, extensions of time, alteration or addition to the terms of Contract. The Agreement, or the work to be performed thereunder, or the Contract Documents accompanying the same, shall in any way affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alternation or addition to the terms of the Contract.

PROVIDED, FURTHER, that no final settlement between the County and the Contractor shall abridge the right of any beneficiary hereunder, whose claim may be unsatisfied.

IN WITNESS WHEREOF, this instrument may be executed in two counter-parts, each one of which shall be deemed as an original, this _____ day of _____, 20____.

The undersigned state that they have the authority to enter into said Contract.

CONTRACTOR AS PRINCIPAL:

By: _____

Print Name: _____

Title: _____

ATTEST: _____

SURETY:

By: _____

Print Name: _____

Title: _____

ATTEST: _____

Payment (Labor and Materials) Bond



LOS ALAMOS

Payment (Labor and Materials) Bond for the Protection of all Persons Supplying Labor and Material to the Contractor or its Sub-contractors

Bond No. _____

We _____ as Principal, hereinafter called the Contractor, and _____, a limited liability company organized and existing under and by virtue of the laws of the State of _____, and authorized to do business in the State of New Mexico, hereinafter called the Surety, are held and firmly bound unto the Incorporated County of Los Alamos as Obligee, hereinafter the County, in the amount of _____ Dollars (\$ _____), in the penal sum of one hundred percent (100%) of the Contract Price of _____ dollars (\$ _____), as may be adjusted by Change Order, inclusive of applicable gross receipts taxes in lawful money of the United States of America, for the payment of which sum Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally.

Payment (Labor and Materials) Bond is for the Protection of all Persons Supplying Labor and Material to the Contractor or its Sub-contractors

WHEREAS, Contractor has agreed to enter into the Contract described as follows:

Incorporated County of Los Alamos

RFP18-28

Design/Build Solution to Field Upgrade the 15kV White Rock Substation

Which contract is by reference made part hereof, and is hereinafter referred to as the Contract.

ATTACHMENT A

NOW, THEREFORE, the condition of this obligation is such that if the Contractor shall pay as they become due, all just claims for labor performed and materials and supplies furnished upon or for the work under said contract, whether said labor be performed and materials and supplies be furnished under the original contract or any contract thereunder, then this obligation shall be null and void; otherwise, it shall remain in full force and effect, subject, however to the following conditions:

The right to sue on this bond accrues only to the Contracting Agency and the parties to whom Section 31-173 Los Alamos County Code of Ordinances grant such right; and any such right shall be exercised only in accordance with the provisions and limitations of said ordinance.

PROVIDE, FURTHER, that the Surety, for value received hereby stipulates and agrees that no change, extensions of time, alteration, or addition to the terms of the Contract, or to the Work to be performed thereunder, shall in any way affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract.

PROVIDE, FURTHER, the County shall not be liable for payment of any costs or expenses of any Claimant under this Bond, and shall have no obligations to make payments to give notices on behalf of or otherwise have obligations to Claimants. The Surety hereby waives notice of any change, including changes of time, to the Contractor or to related subcontracts, purchase orders and other obligations.

SIGNED AND SEALED ON this _____ day of _____, 20 _____

CONTRACTOR AS PRINCIPAL:

Signature: _____

Print Name: _____

Title: _____

Address: _____

SURETY'S AUTHORIZED NEW MEXICO AGENT:

Signature: _____

Print Name: _____

Title: _____

Address: _____

This bond is issued simultaneously with Performance Bond in favor of County for the faithful performance of the contract.

RFP18-28		White Rock Substation Design Build Replacement Project			
		Bixby Electric	T&D Services	US Electric	ABB
Total Cost (less Bonding & NMGR) NOTE: Price was 45% of weighted Criteria		\$ 874,740.00 Note 2	\$ 731,394.00	\$ 771,221.00 Note 2	\$ 774,625.00 Note 2
RANK BASED ON OVERALL SCORE:		Rank 4	Rank 1	Rank 3	Rank 2
NOTE 2: Some adjustments were made to the price to account for "like-for-like" comparison with #1 Ranked Choice. For example, the use of GE relays, GE Meters, Telvent RTU, etc, in conformance to the Spec.					



County of Los Alamos

Staff Report

May 01, 2018

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: B.

Index (Council Goals): * 2018 Council Goal – Quality Governance – Operational Excellence – Maintain Quality Essential Services and Supporting Infrastructure Including Updated Enterprise Software and Permitting

Presenters: Philo Shelton, Public Works Director

Legislative File: 10768-18

Title

Approval of Professional Services Agreement No. AGR 18-37 with Delta Airport Consultants, Inc., in an Amount Not to Exceed \$2,000,000, excluding NMGRT, for Professional Architectural, Engineering, Planning, and Project Management Consulting Services for the Los Alamos County Airport.

..Suggested Motion

I move that Council approve Professional Services Agreement No. AGR 18-37 with Delta Airport Consultants, Inc., in an amount not to exceed \$2,000,000, excluding applicable NMGRT, for professional architectural engineering, planning, and project management consulting services for the Los Alamos Airport.

..County Manager's Recommendation

The County Manager recommends that Council approve the professional services agreement as presented.

Body

Due to the complexity and specialized nature of Federal Aviation Administration (FAA) regulations regarding construction at airports, it is necessary for an airport to use the services of an engineering firm well versed in FAA standards. Currently, Delta Airport Consultants, Inc. provides these on-call services to the County; however, the current contract expires in May 2018.

A Request for Qualifications (RFQ) was issued for an engineering consulting company with experience in the airport industry. Six (6) firms responded to the RFQ. The evaluation committee reviewed the submittals and interviewed the top three firms; the evaluation committee determined that the most qualified firm was Delta Airport Consultants. Delta Airport Consultants has a very good working relationship with both the FAA and the New Mexico Department of Transportation Aviation Division. They have also been the on-call engineer for Los Alamos Airport for the last twelve years and their work during this time has been very good.

The proposed task order-based agreement has a five-year term starting May 2, 2018, with a not to exceed amount of \$2,000,000, excluding NMGRT. Nearly all work associated with this agreement is dependent on FAA and State grants. The work will involve engineering design, bidding, and construction management services associated with projects in the current Airport Master Plan.

Alternatives

Council may choose to not approve this award to Delta Airport Consultants and direct staff to re-issue the RFQ.

Fiscal and Staff Impact/New Item

This is a task order-based on-call agreement, therefore, there are no costs directly associated with its approval; a task order, with detailed costs, will be issued for each individual project. Since these projects will involve receipt of grant funds and associated budget revisions, each task order will be brought to Council for approval. Staff anticipates that the vast majority of the projects will be funded by grants from the FAA and the NMDOT. Projects anticipated under this agreement for FY19 & 20 have been included in the Airport Budget. Airport staff will manage the contract.

Attachments

A - AGR 18-37 - Delta Airport Consultants, Inc.



INCORPORATED COUNTY OF LOS ALAMOS SERVICES AGREEMENT

This **SERVICES AGREEMENT** (this "Agreement") is entered into by and between the **Incorporated County of Los Alamos**, an incorporated county of the State of New Mexico ("County"), and **Delta Airport Consultant's Inc.**, a Virginia corporation ("Contractor"), to be effective for all purposes May 2, 2018.

WHEREAS, the County Purchasing Agent determined in writing that the use of competitive sealed bidding was either not practical or not advantageous to County for procurement of the Services and County issued Request for Qualifications No. 18-37 (the "RFQ") on February 4, 2018, requesting proposals for on-call engineering, architectural, project management and planning Services for the Los Alamos County Airport ("LAM"), as described in the RFQ; and

WHEREAS, Contractor timely responded to the RFQ by submitting a response dated February 28, 2018 "Contractor's Response");

WHEREAS, based on the evaluation factors set out in the RFQ, Contractor was the successful Offeror for the Services listed in the RFQ;

WHEREAS, the County Council approved this Agreement at a public meeting held on May 1, 2018;

WHEREAS, Contractor will provide the Services, as described below, to County.

NOW, THEREFORE, for and in consideration of the premises and the covenants contained herein, County and Contractor agree as follows:

SECTION A. SERVICES:

1. Required Services. As required by County, Contractor shall provide the general Services outlined below for LAM Capital Improvement Projects. Specific Services for each project shall be detailed in a Task Order.

- a. Architectural/Engineering/Project Management Services. This category includes the Architectural/Engineering ("A/E") Services provided by Contractor to County as required for airport development projects. It includes but is not limited to Services of an architectural, civil, geotechnical, structural, mechanical, and electrical engineering nature.
- b. Aviation Planning Services. This category includes but is not limited to studies and Services provided by Contractor to County for airport system and master planning, airport noise compatibility planning and environmental assessments and related studies.
- c. Special Services. The development of some projects may involve activities or studies outside the scope of A/E and Planning Services. These special Services may vary greatly in scope, complexity, and timing and may involve a number of different disciplines and fields of expertise.

2. Future Anticipated Projects. The Los Alamos County Airport Capital Improvement Plan (CIP) includes the following anticipated, but not limited to, projects:

- a. Design and construct an aviation fuel facility
- b. Acquire and replace the Automated Weather Observation System
- c. Acquire new Snow Removal Equipment (SRE)
- d. Design and construct an SRE building
- e. Design and construct aircraft hangars
- f. Design and construct the West Area Development including but not limited to:
 - i. Relocate Airport Road and parking lots
 - ii. Relocate aircraft hangars adjacent to Taxiway F
 - iii. Construct new taxi lanes and ramps
 - iv. Reconstruct/realign Taxiway A
 - v. Construct new Taxiways A1, A2, A3, and A6
- g. Design and construct a new Terminal Building
- h. Design and rehabilitate aircraft ramps
- i. Design and rehabilitate airfield taxi lanes
- j. Design and rehabilitate Runway 9/27
- k. Conduct aeronautical and airfield surveys
- l. Conduct an Airport Master Plan and/or Airport Layout Plan update
- m. Other projects listed in the Airport Master Plan or as may be deemed necessary by County.

County may request Contractor to provide A/E, Planning and Special Services in support of these projects and/or other projects as deemed necessary by County. County reserves the right to not initiate some or all of the anticipated projects and/or initiate additional projects, or any other Services deemed necessary by County.

3. Task Orders. All Services will be assigned via Task Order by the County as needed. The purpose of issuing a Task Order is to ensure that the scope of Services, deliverables, cost and schedule are well understood and managed for each task and subtask performed by the Contractor. At its sole discretion, and subject to Contractor's acceptance, the County may issue one Task Order for a complete project, one or more phases of a project, or one or more subtask within a phase of the project.

Upon the County's request for a proposal for a task, the Contractor shall respond with a draft Task Order including scope of Services, deliverables, cost and schedule, for County's consideration. Compensation for Services shall be proposed in accordance with the Fee Schedule set out in Exhibit "A," attached hereto and incorporated herein for all purposes. Preparation and work performed to prepare each of the proposals shall be considered as incidental to this Agreement and not compensable.

County will review the Task Order proposal and address any concerns. If County and Contractor are unable to agree, the County reserves the right to offer the Services to any other qualified Contractor in conformity with the Los Alamos County Procurement Code. If the County and Contractor agree, both parties may execute a Task Order.

Task Orders shall be numbered sequentially and shall specify the scope of Services, deliverables, number of site visits, amount of reimbursable expenses, the maximum amount payable, and the schedule for completing the task. The Task Order may be as detailed as the County finds necessary to ensure that the scope of Services, deliverables, cost and schedule are well understood and managed for each task and subtask performed by the Contractor

Services. The compensation set out on the Task Order shall be an agreed upon lump-sum not-to-exceed amount, exclusive of New Mexico Gross Receipts Tax ("NMGRT"), and shall not be exceeded without justification made in writing by the Contractor and approved by the County prior to continuing the Task Order.

Upon execution of a Task Order by the parties, the Contractor is authorized to begin the task, the County is entitled to delivery of the Services stated on the Task Order, and the Contractor is entitled to payment for rendering of those Services in an amount not to exceed the maximum amount of the approved Task Order. The Contractor shall prepare and maintain a detailed Project Tracker in Microsoft Project or similar program for each approved Task Order. The Project Tracker shall include the tasks, milestones, phases, and the costs. The Contractor shall provide a current Project Tracker with all payment requests.

If the Contractor is unable to complete the Task Order for an amount less than or equal to the maximum amount or with the schedule, then the Contractor shall promptly notify the County, setting forth in detail the reasons, supporting information, and proposed adjustment to the Task Order. The Task Order will be adjusted only upon the written agreement of the County after a finding that a change to the Task Order is necessary and justifiable. The Contractor's failure to reasonably estimate the cost of completing the task in the first instance shall not be a justification for modifying the Task Order. In no event will the total of the maximum amount for all approved Task Orders exceed the maximum amount of set forth in this Agreement.

SECTION B. TERM: The term of this Agreement shall commence May 2, 2018 and shall continue through April 30, 2023, unless sooner terminated, as provided herein.

SECTION C. COMPENSATION:

1. **Amount of Compensation.** County shall pay compensation for performance of the Services in an amount not to exceed TWO MILLION DOLLARS (\$2,000,000.00), exclusive of applicable NMGRT. The amount payable by the County shall in every instance be based on Services satisfactorily rendered in an amount not to exceed the maximum amount of the approved Task Order and the rate schedule set out in **Exhibit "A"** of this Agreement.
2. **Monthly Invoices.** Contractor shall submit itemized invoices to the County detailing amount of compensation due, reimbursable expenses, amount of any NMGRT, and total amount payable. Payment of undisputed amounts shall be due and payable thirty (30) days after County's receipt of the invoice.

SECTION D. TAXES: Contractor shall be solely responsible for timely and correctly billing, collecting and remitting all NMGRT levied on the amounts payable under this Agreement.

SECTION E. STATUS OF CONTRACTOR, STAFF, AND PERSONNEL: This Agreement calls for the performance of Services by Contractor as an independent contractor. Contractor is not an agent or employee of County and will not be considered an employee of County for any purpose. Contractor, its agents or employees shall make no representation that they are County employees, nor shall they create the appearance of being employees by using a job or position title on a name plate, business cards, or in any other manner, bearing County's name or logo. Neither Contractor nor any employee of Contractor shall be entitled to any benefits or compensation other than the compensation specified herein. Contractor shall have no authority to bind County to any agreement, contract, duty or obligation. Contractor shall make no representations that are intended to, or create the appearance of, binding County to any agreement, contract, duty, or obligation. Contractor shall have full power to continue any outside

employment or business, to employ and discharge its employees or associates as it deems appropriate without interference from County; provided, however, that Contractor shall at all times during the term of this Agreement maintain the ability to perform the obligations in a professional, timely and reliable manner.

SECTION F. STANDARD OF PERFORMANCE: Contractor agrees and represents that it has and will maintain the personnel, experience, licensure, qualifications and knowledge necessary for the particular Services performed under this Agreement. Contractor shall perform the Services described herein in accordance industry standards of care for performance of the Services.

SECTION G. DELIVERABLES AND USE OF DOCUMENTS: All deliverables required under this Agreement, including material, products, reports, policies, procedures, software improvements, databases, and any other products and processes, whether in written or electronic form, shall remain the exclusive property of and shall inure to the benefit of County as works for hire; Contractor shall not use, sell, disclose, or obtain any other compensation for such works for hire. In addition, Contractor may not, with regard to all work, work product, deliverables or works for hire required by this Agreement, apply for, in its name or otherwise, any copyright, patent or other property right and acknowledges that any such property right created or developed remains the exclusive right of County. Contractor shall not use deliverables in any manner for any other purpose without the express written consent of County. Instruments of Service prepared or furnished by Contractor are not intended or represented to be suitable for reuse by the County on any other project. In the event the County uses the Instruments of Service without obtaining the Contractor, to the extent allowed by law, the County releases the Contractor from all claims and causes of action arising from such uses.

SECTION H. EMPLOYEES AND SUB-CONTRACTORS: Contractor shall be solely responsible for payment of wages, salary or benefits to any and all employees or contractors retained by Contractor in the performance of the Services. Contractor agrees to indemnify, defend and hold harmless County for any and all claims that may arise from Contractor's relationship to its employees and subcontractors.

SECTION I. INSURANCE: Contractor shall obtain and maintain insurance of the types and in the amounts set out below throughout the term of this Agreement with an insurer acceptable to County. Contractor shall assure that all subcontractors maintain like insurance. Compliance with the terms and conditions of this Section is a condition precedent to County's obligation to pay compensation for the Services and Contractor shall not provide any Services under this Agreement unless and until Contractor has met the requirements of this Section. County requires Certificates of Insurance or other evidence acceptable to County that Contractor has met its obligation to obtain and maintain insurance and to assure that subcontractors maintain like insurance. Should any of the policies described below be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions. General Liability Insurance and Automobile Liability Insurance shall name County as an additional insured.

1. **General Liability Insurance:** ONE MILLION DOLLARS (\$1,000,000.00) combined single limit per occurrence; TWO MILLION DOLLARS (\$2,000,000.00) aggregate.
2. **Workers' Compensation:** In an amount as may be required by law. County may immediately terminate this Agreement if Contractor fails to comply with the Worker's Compensation Act and applicable rules when required to do so.
3. **Automobile Liability Insurance for Contractor and its Employees:** ONE MILLION DOLLARS (\$1,000,000.00) combined single limit per occurrence; TWO MILLION DOLLARS

(\$2,000,000.00) aggregate on any owned, and/or non-owned motor vehicles used in performing Services under this Agreement.

- 4. Professional Liability Insurance:** ONE MILLION DOLLARS (\$1,000,000) each Claim; TWO MILLION DOLLARS (\$2,000,000) annual aggregate, without any restrictive "negligent act, negligent error, or negligent omission" clause, and with coverage extending for a three (3) year period from completion of this contract, against any and all claims which may arise from the Contractor's negligent performance of Services described herein.

SECTION J. RECORDS: Contractor shall maintain, throughout the term of this Agreement and for a period of six (6) years thereafter, records that indicate the date, time, and nature of the Services rendered. Contractor shall make available, for inspection by County, all records, books of account, memoranda, and other documents pertaining to County at any reasonable time upon request.

SECTION K. APPLICABLE LAW: Contractor shall abide by all applicable federal, state and local laws, regulations, and policies and shall perform the Services in accordance with all applicable laws, regulations, and policies during the term of this Agreement. In any lawsuit or legal dispute arising from the operation of this Agreement, Contractor agrees that the laws of the State of New Mexico shall govern. Venue shall be in the First Judicial District Court of New Mexico in Los Alamos County, New Mexico.

SECTION L. NON-DISCRIMINATION: During the term of this Agreement, Contractor shall not discriminate against any employee or applicant for an employment position to be used in the performance of the obligations of Contractor under this Agreement, with regard to race, color, religion, sex, age, ethnicity, national origin, sexual orientation or gender identity, disability or veteran status.

SECTION M. INDEMNITY: Contractor shall indemnify, hold harmless and defend County, its Council members, employees, agents and representatives, from and against all liabilities, damages, claims, demands, actions (legal or equitable), and costs and expenses, including without limitation attorneys' fees, of any kind or nature, arising from Contractor's performance hereunder or breach hereof and the performance of Contractor's employees, agents, representatives and subcontractors.

SECTION N. FORCE MAJEURE: Neither County nor Contractor shall be liable for any delay in the performance of this Agreement, nor for any other breach, nor for any loss or damage arising from uncontrollable forces such as fire, theft, storm, war, or any other force majeure that could not have been reasonably avoided by exercise of due diligence.

SECTION O. NON-ASSIGNMENT: Contractor may not assign this Agreement or any privileges or obligations herein without the prior written consent of County.

SECTION P. LICENSES: Contractor shall maintain all required licenses including, without limitation, all necessary professional and business licenses, throughout the term of this Agreement. Contractor shall require and shall assure that all of Contractor's employees and subcontractors maintain all required licenses including, without limitation, all necessary professional and business licenses.

SECTION Q. PROHIBITED INTERESTS: Contractor agrees that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of its Services hereunder. Contractor further agrees that it will not employ any

person having such an interest to perform Services under this Agreement. No County Council member or other elected official of County, or manager or employee of County shall solicit, demand, accept or agree to accept a gratuity or offer of employment contrary to Section 31-282 of the Los Alamos County Code.

SECTION R. TERMINATION:

1. **Generally.** The County may, by written notice to the Contractor, terminate this Agreement with or without cause.
2. **Termination for Convenience.** The County may, by written notice to the Contractor, terminate this Agreement for its convenience and without cause or default on the part of Contractor. Upon receipt of the notice of termination, except as explicitly directed by the County, the Contractor must immediately discontinue all Services affected.

Upon termination of the Agreement, the Contractor must deliver to the County all data, surveys, models, drawings, specifications, reports, maps, photographs, estimates, summaries, and other documents and materials prepared by the Engineer under this contract, whether complete or partially complete.

County agrees to make just and equitable compensation to the Contractor for satisfactory Services completed up through the date the Contractor receives the termination notice. Compensation will not include anticipated profit on non-performed Services.

To the extent allowed by law, County further agrees to hold Contractor harmless for errors or omissions in documents that are incomplete as a result of the termination action under this clause.

3. **Termination for Default.** Either party may terminate this Agreement for cause if the other party fails to fulfill its obligations that are essential to the completion of the Services per the terms and conditions of the Agreement. The party initiating the termination action must allow the breaching party an opportunity to dispute or cure the breach.

The terminating party must provide the breaching party seven (7) days advance written notice of its intent to terminate the Agreement. The notice must specify the nature and extent of the breach, the conditions necessary to cure the breach, and the effective date of the termination action. The rights and remedies in this clause are in addition to any other rights and remedies provided by law or under this agreement.

- a) **Termination by County:** The County may terminate this Agreement in whole or in part, for the failure of the Contractor to:
 1. Perform the Services within the time specified in this contract or by County approved extension;
 2. Make adequate progress so as to endanger satisfactory performance of the Project;
or
 3. Fulfill the obligations of the Agreement that are essential to the completion of the Project.

Upon receipt of the notice of termination, the Contractor must immediately discontinue all Services affected unless the notice directs otherwise. Upon termination of the Agreement, the Contractor must deliver to the County all data, surveys, models, drawings, specifications, reports, maps, photographs, estimates, summaries, and other documents

and materials prepared by the Engineer under this contract, whether complete or partially complete.

County agrees to make just and equitable compensation to the Contractor for satisfactory Services completed up through the date the Contractor receives the termination notice. Compensation will not include anticipated profit on non-performed Services.

To the extent allowed by law, County further agrees to hold Contractor harmless for errors or omissions in documents that are incomplete as a result of the termination action under this clause.

If, after finalization of the termination action, the County determines the Contractor was not in default of the Agreement, the rights and obligations of the parties shall be the same as if the County issued the termination for the convenience of the County.

- b) **Termination by Contractor:** The Contractor may terminate this Agreement in whole or in part, if the County:
1. Defaults on its obligations under this Agreement;
 2. Fails to make payment to the Contractor in accordance with the terms of this Agreement;
 3. Suspends a Task Order for more than 180 days due to reasons beyond the control of the Contractor.

Upon receipt of a notice of termination from the Contractor, County agrees to cooperate with Contractor for the purpose of terminating the agreement or portion thereof, by mutual consent. If County and Contractor cannot reach mutual agreement on the termination settlement, the Contractor may, without prejudice to any rights and remedies it may have, proceed with terminating all or parts of this Agreement based upon the County's breach of the contract.

In the event of termination due to County breach, the Contractor is entitled to invoice County and to receive full payment for all Services performed or furnished in accordance with this Agreement and all justified reimbursable expenses incurred by the Contractor through the effective date of termination action. To the extent allowed by law, County agrees to hold Contractor harmless for errors or omissions in documents that are incomplete as a result of the termination action under this clause.

SECTION S. FEDERALLY REQUIRED CONTRACT PROVISIONS:

1. **Access to Records and Reports.** The Contractor must maintain an acceptable cost accounting system. The Contractor agrees to provide the County, the Federal Aviation Administration and the Comptroller General of the United States or any of their duly authorized representatives access to any books, documents, papers and records of the Contractor which are directly pertinent to the specific contract for the purpose of making audit, examination, excerpts and transcriptions. The Contractor agrees to maintain all books, records and reports required under this contract for a period of not less than three years after final payment is made and all pending matters are closed.

- 2. Breach of Contract Terms.** Any violation or breach of terms of this contract on the part of the Contractor or its subcontractors may result in the suspension or termination of this contract or such other action that may be necessary to enforce the rights of the parties of this agreement.

County will provide Contractor written notice that describes the nature of the breach and corrective actions the Contractor must undertake in order to avoid termination of the contract. County reserves the right to withhold payments to Contractor until such time the Contractor corrects the breach or the County elects to terminate the contract. The County's notice will identify a specific date by which the Contractor must correct the breach. County may proceed with termination of the contract if the Contractor fails to correct the breach by the deadline indicated in the County's notice.

The duties and obligations imposed by the Contract Documents and the rights and remedies available thereunder are in addition to, and not a limitation of, any duties, obligations, rights and remedies otherwise imposed or available by law.

- 3. General Civil Rights.** The Contractor agrees to comply with pertinent statutes, Executive Orders and such rules as are promulgated to ensure that no person shall, on the grounds of race, creed, color, national origin, sex, age, or disability be excluded from participating in any activity conducted with or benefiting from Federal assistance.

This provision binds the Contractor and subcontractors from the bid solicitation period through the completion of the contract. This provision is in addition to that required by Title VI of the Civil Rights Act of 1964.

- 4. Compliance with Nondiscrimination Requirements:** During the performance of this contract, the Contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "Contractor"), agrees as follows:

- a) **Compliance with Regulations:** The Contractor (hereinafter includes Contractors) will comply with the Title VI List of Pertinent Nondiscrimination Acts and Authorities, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
- b) **Nondiscrimination:** The Contractor, with regard to the Services performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor will not participate directly or indirectly in the discrimination prohibited by the Nondiscrimination Acts and Authorities, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR part 21.
- c) **Solicitations for Subcontracts, including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding or negotiation made by the Contractor for Services to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the Contractor of the contractor's obligations under this contract and the Nondiscrimination Acts and Authorities on the grounds of race, color, or national origin.
- d) **Information and Reports:** The Contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its

facilities as may be determined by the County or the Federal Aviation Administration to be pertinent to ascertain compliance with such Nondiscrimination Acts and Authorities and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the Contractor will so certify to the County or the Federal Aviation Administration, as appropriate, and will set forth what efforts it has made to obtain the information.

- e) **Sanctions for Noncompliance:** In the event of a Contractor's noncompliance with the non-discrimination provisions of this contract, the County will impose such contract sanctions as it or the Federal Aviation Administration may determine to be appropriate, including, but not limited to:

1. Withholding payments to the Contractor under the contract until the Contractor complies; and/or
2. Cancelling, terminating, or suspending a contract, in whole or in part.

- f) **Incorporation of Provisions:** The Contractor will include the provisions of paragraphs a) through f) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations, and directives issued pursuant thereto. The Contractor will take action with respect to any subcontract or procurement as the County or the Federal Aviation Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the Contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the Contractor may request the County to enter into any litigation to protect the interests of the County. In addition, the Contractor may request the United States to enter into the litigation to protect the interests of the United States.

5. **Title VI List of Pertinent Nondiscrimination Acts and Authorities:** During the performance of this contract, the Contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "Contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

- Title VI of the Civil Rights Act of 1964 (42 USC § 2000d *et seq.*, 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin);
- 49 CFR part 21 (Non-discrimination in Federally-assisted programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964);
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 USC § 4601) (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Section 504 of the Rehabilitation Act of 1973 (29 USC § 794 *et seq.*), as amended (prohibits discrimination on the basis of disability); and 49 CFR part 27;
- The Age Discrimination Act of 1975, as amended (42 USC § 6101 *et seq.*) (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982 (49 USC § 471, Section 47123), as amended (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987 (PL 100-209) (broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, the Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);

- Titles II and III of the Americans with Disabilities Act of 1990, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 USC §§ 12131 – 12189) as implemented by U.S. Department of Transportation regulations at 49 CFR parts 37 and 38;
- The Federal Aviation Administration's Nondiscrimination statute (49 USC § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 USC 1681 et seq).

6. Disadvantaged Business Enterprises:

- a) **Contract Assurance.** The Contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The Contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of Department of Transportation-assisted contracts. Failure by the Contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the County deems appropriate, which may include, but is not limited to:
 - 1) Withholding monthly progress payments;
 - 2) Assessing sanctions;
 - 3) Liquidated damages; and/or
 - 4) Disqualifying the Contractor from future bidding as non-responsible.
- b) **Prompt Payment.** The Contractor agrees to pay each subcontractor under this Agreement for satisfactory performance of its contract no later than thirty (30) days from the receipt of each payment the prime contractor receives from the County. The Contractor agrees further to return retainage payments to each subcontractor within thirty (30) days after the subcontractor's Services is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the County. This clause applies to both DBE and non-DBE subcontractors.

7. Texting when Driving: In accordance with Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving", (10/1/2009) and DOT Order 3902.10, "Text Messaging While Driving", (12/30/2009), the Federal Aviation Administration encourages recipients of Federal grant funds to adopt and enforce safety policies that decrease crashes

by distracted drivers, including policies to ban text messaging while driving when performing Services related to a grant or subgrant.

In support of this initiative, the County encourages the Contractor to promote policies and initiatives for its employees and other Services personnel that decrease crashes by distracted drivers, including policies that ban text messaging while driving motor vehicles while performing Services activities associated with the project. The Contractor must include the substance of this clause in all sub-tier contracts exceeding \$3,500 that involve driving a motor vehicle in performance of Services activities associated with the project.

- 8. Energy Conservation Requirements:** Contractor and Subcontractor agree to comply with mandatory standards and policies relating to energy efficiency as contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (42 USC 6201 *et seq*).
- 9. Equal Opportunity:** During the performance of this contract, the Contractor agrees as follows:
 - a) The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, sexual orientation, gender identify, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff, or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.
 - b) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive considerations for employment without regard to race, color, religion, sex, or national origin.
 - c) The Contractor will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the Contractor's commitments under this section and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
 - d) The Contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.
 - e) The Contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

- f) In the event of the Contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the Contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
- g) The Contractor will include the portion of the sentence immediately preceding paragraph a) and the provisions of paragraphs a) through g) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: *Provided, however,* that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

10. Federal Fair Labor Standards Act: All contracts and subcontracts that result from this Agreement incorporate by reference the provisions of 29 CFR part 201, the Federal Fair Labor Standards Act (FLSA), with the same force and effect as if given in full text. The FLSA sets minimum wage, overtime pay, recordkeeping, and child labor standards for full and part-time workers.

The Contractor has full responsibility to monitor compliance to the referenced statute or regulation. The Contractor must address any claims or disputes that arise from this requirement directly with the U.S. Department of Labor – Wage and Hour Division.

11. Occupational Safety and Health Act of 1970: All contracts and subcontracts that result from this Agreement incorporate by reference the requirements of 29 CFR Part 1910 with the same force and effect as if given in full text. The employer must provide a work environment that is free from recognized hazards that may cause death or serious physical harm to the employee. The employer retains full responsibility to monitor its compliance and their subcontractor's compliance with the applicable requirements of the Occupational Safety and Health Act of 1970 (20 CFR Part 1910). The employer must address any claims or disputes that pertain to a referenced requirement directly with the U.S. Department of Labor – Occupational Safety and Health Administration.

12. Seismic Safety: In the performance of design Services, the Contractor agrees to furnish a building design and associated construction specification that conform to a building code standard that provides a level of seismic safety substantially equivalent to standards as established by the National Earthquake Hazards Reduction Program (NEHRP). Local building codes that model their building code after the current version of the International Building Code (IBC) meet the NEHRP equivalency level for seismic safety. At the conclusion

of the design Services, the Contractor agrees to furnish the County a "certification of compliance" that attests conformance of the building design and the construction specifications with the seismic standards of NEHRP or an equivalent building code.

SECTION T. NOTICE: Any notices required under this Agreement shall be made in writing, postage prepaid to the following addresses, and shall be deemed given upon hand delivery, verified delivery by telecopy (followed by copy sent by United States Mail), or three (3) days after deposit in the United States Mail:

County:

Airport Manager
Incorporated County of Los Alamos
1040 Airport Rd.
Los Alamos, New Mexico 87544

Contractor:

Courtney A. Beamon, President
Delta Airport Consultants, Inc.
7804 Pan American East Freeway NE
Suite 4
Albuquerque, New Mexico 87109

SECTION U. INVALIDITY OF PRIOR AGREEMENTS: This Agreement supersedes all prior contracts or agreements, either oral or written, that may exist between the parties with reference to the Services described herein and expresses the entire agreement and understanding between the parties with reference to said Services. It cannot be modified or changed by any oral promise made by any person, officer, or employee, nor shall any written modification of it be binding on County until approved in writing by both County and Contractor.

SECTION V. CAMPAIGN CONTRIBUTION DISCLOSURE FORM: A Campaign Contribution Disclosure Form was submitted as part of the Contractor's Response and is incorporated herein by reference for all purposes. This Section acknowledges compliance with Chapter 81 of the Laws of 2006 of the State of New Mexico.

SECTION W. REQUIRED FEDERAL CERTIFICATIONS: Certifications Regarding Lobbying, Tax Delinquency and Felony Convictions, Debarment, and Trade Restrictions are incorporated herein by reference for all purposes. This Section acknowledges compliance with federal procurement and contracting under Title 49 of United States Code.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date(s) set forth opposite the signatures of their authorized representatives to be effective for all purposes on the date first written above.

ATTEST

INCORPORATED COUNTY OF LOS ALAMOS

NAOMI D. MAESTAS
COUNTY CLERK

BY: _____
HARRY BURGESS **DATE**
COUNTY MANAGER

Approved as to form:

J. ALVIN LEAPHART
COUNTY ATTORNEY

DELTA AIRPORT CONSULTANTS, INC., A VIRGINIA CORPORATION

BY: _____
COURTNEY A. BEAMON **DATE**
PRESIDENT

Exhibit "A"
Compensation Rate Schedule
AGR18-37

2018 FEE SCHEDULE - LOS ALAMOS COUNTY AIRPORT

Delta Airport Consultants, Inc.

Date: May 18, 2017

Item	2018
Work Hours Billing Rates (with overhead)	
Principal	\$240
Project Manager/Registered Professional	\$209
Design Professional (Engineer/Planner)	\$132
Project Production/Administration	\$107
Field Representative	\$98
Direct Nonsalary Expenses	
Automobile (per mile)	Federal Gov. guidelines
Aircraft (per mile)	Federal Gov. guidelines
Per Diem - Resident Project Rep	Federal Gov. guidelines
Long term - meals & lodging (per cal day)	
Airline, Rental Car, Charter, etc.	Pass-through cost (no markup)
Printing	Pass-through cost (no markup)
Bid Advertisement	Pass-through cost (no markup)
Meals, Lodging, etc. (short term)	Pass-through cost (no markup)
Miscellaneous	Pass-through cost (no markup)

Notes:

1. Billing Rates for future years will be increased by 1.5% annually.
2. Billing Rates based on estimated 2018 salaries (i.e.: 2017 salaries plus 3% inflation).
3. Work hour rates include labor overhead, general & administrative overhead per FAA AC 150/5100-14E, paragraph 4-10, and do not include profit.

2018 FEE SCHEDULE - LOS ALAMOS COUNTY AIRPORT**Billing Rate Breakdown**

Delta Airport Consultants, Inc.

Date: May 18, 2017

Item	2018 Direct Labor	Overhead 239.28%	Labor & Overhead	2018 Billing Rate
Principal	70.67	169.10	239.77	\$240
Project Manager/Registered Professional	61.47	147.09	208.56	\$209
Design Professional (Engineer/Planner)	38.85	92.96	131.81	\$132
Project Production/Administration	31.57	75.54	107.11	\$107
Field Representative	28.74	68.77	97.51	\$98

Overhead	2014	2015	2016	3 year Avg.
General/Administrative & Labor Fringe	236.59%	243.50%	237.75%	239.28%
			Use	239.28%



County of Los Alamos

Staff Report

May 01, 2018

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: C.

Index (Council Goals): * 2018 Council Goal – Economic Vitality – Promote vitality in our neighborhood and downtown areas and eliminate blight in Los Alamos and White Rock as part of an overall property maintenance and beautification effort.

Presenters: Philo Shelton, Public Works Director and Eric Martinez, County Engineer

Legislative File: 10449-18

Title

Council Designation of Roadway Lighting Design Categories for roadways within Tract A-19, Mirador Subdivision

..Recommended Motion

I move that Council designate Roadway Lighting Design Categories for roadways within the Mirador Subdivision as follows: La Vista Drive between NM 4 and Mirador Boulevard and Mirador Boulevard between NM 4 and the western lot line of commercial Tract D, shall be designated as RLDC-5, Continuously Lighted Roadway; Mirador Boulevard between the western lot line of commercial Tract D and Cadena Loop, Confianza Street, and Cadena Loop shall be designated as RLDC-4, Roadway with Lighted Intersections and Partial Lighting.

County Manager's Recommendation

The County Manager recommends that Council approve this motion as requested.

Board, Commission or Committee Recommendation

On April 11, 2018, the Planning and Zoning Commission approved the Final Subdivision Plat for the Mirador Subdivision, a development containing 161 single-family residential lots and a 2.26 acre commercial lot within Tract A-19 in White Rock. All new roadways within the development as shown in Attachment A will be dedicated to the County.

Body

In accordance with County Code Chapter 16, the Roadway Lighting Design Category (RLDC) for a roadway shall be determined by Council upon advice of the County Engineer. The County Engineer's RLDC category recommendation for a given roadway, or portion thereof, shall occur only after a study of local conditions and shall take into account the community lighting goals stated in section 16-276(e), which states in part, "Recognizing that outdoor lighting is an important component of the nighttime ambiance of the community and acknowledging that the night skies are a valuable natural resource which should be protected, the community lighting goals shall be to keep outdoor lighting to a safe minimum and to eliminate or reduce to the maximum extent feasible, light pollution and light trespass..." A copy of Incorporated County of Los Alamos Code Chapter 16, Article VII, Section 16-276 pertaining to Outdoor Lighting is attached for reference (Attachment B).

It is important to note that the RLDC addresses *roadway safety*, not aesthetics. All roadway

lighting fixtures shall be LED and shall meet or exceed NM Night Sky Protection Act requirements.

Based upon an evaluation of local conditions of existing nearby collector and local streets adjacent to the development (i.e. Sherwood Blvd. and La Vista Subdivision south of NM 4) and the interest in pedestrian safety expressed by the Planning and Zoning Commission, the County Engineer is recommending that Council designate the following streets within the development as follows:

RLDC-5 Continuously Lighted Roadway for La Vista Drive between NM 4 and Mirador Boulevard; and Mirador Boulevard between NM 4 and the western lot line of commercial Tract D. Both roadways function as collector streets containing sidewalks and bike lanes. RLDC-4 Roadway with Lighted Intersections and Partial Lighting (at points of road curvatures) for Mirador Boulevard between the western lot line of commercial Tract D and Cadena Loop, Confianza Street, and Cadena Loop. All roadways function as residential local streets with on-street parking and sidewalks.

Council should note that in addition to the recommended roadway lighting, the design of the of street lighting within the designated RLDC-5 collector streets above will include the White Rock commercial light standard utilized on Sherwood Boulevard adjacent to the White Rock Library. This design was chosen in response to streetscape recommendations discussed in the White Rock Center Master Plan/Economic Development Strategy, which Council adopted in June 2008.

Alternatives

Council may prefer a different RLDC for this corridor. The RLDC options are:

RLDC-1 Unlighted Roadway;

RLDC-2 Roadway with Partial Lighting;

RLDC-3 Roadway with Lighted Intersections;

RLDC-4 Roadway with Lighted Intersections and Partial Lighting Between Intersections; and,

RLDC-5 Continuously Lighted Roadway.

Fiscal and Staff Impact/Planned Item

Once Council designates Roadway Lighting Design Categories, the developer will continue with design. Costs for the lighting fixtures are the responsibility of the developer yet once the street infrastructure is completed and dedicated to the County, the ongoing costs of electricity and maintenance will be the burden of the County.

Attachments

A - Mirador Subdivision Street Map

B - Incorporated County of Los Alamos Code Chapter 16, Article VII, Section 16-276 pertaining to Outdoor Lighting



Mirador Subdivision: 161 single-family lots and one commercial tract, Tract D

Sec. 16-276. - Outdoor lighting.

- (a) All outdoor lighting fixtures shall be designed to comply with the performance standards relative to glare of the zoning district in which such area is located.
- (1) All uses, operations and activities shall be conducted so as to comply with the performance standards governing glare prescribed in table 16-1.
 - (2) Illumination levels shall be measured with a photoelectric photometer having a spectral response similar to that of the human eye, following the standard spectral luminous efficiency curve adopted by the International Commission on Illumination.
 - (3) Uses subject to group I and group II standards shall not produce glare so as to cause illumination in any R district in excess of one-half footcandles. Flickering or bright sources of illumination shall be controlled so as not to be a nuisance in any R district.
-
- (4) Uses subject to group I and group II standards shall limit the use of light sources and illuminated surfaces which are located in or are within 500 feet of and visible within any R district so as to comply with the light intensities indicated in Table 16-1 as follows:

TABLE 16-1
MAXIMUM INTENSITY OF LIGHT SOURCES

	Intensity	
<i>Source</i>	<i>Group I</i>	<i>Group II</i>
Bare incandescent bulbs	15 watts	40 watts
Mercury vapor bulbs	not allowed	not allowed
Illuminated buildings	15 footcandles	30 footcandles
Backlighted or luminous background signs	150 footlamberts	250 footlamberts
Outdoor illuminated signs and poster panels	25 footcandles	50 footcandles
Any other unshielded sources, intrinsic brightness	50 candela per square centimeter	50 candela per square centimeter

TABLE 16-2
REQUIRED PERFORMANCE STANDARDS
(GROUP I OR II)

	All PD and R Districts	C-1, P-O R&D	C-2, C-3	W-1, W-2 P-L	M-1, M-2
Group	I	I	II	I	II

-
- (b) Neither the direct nor reflected light may create a hazard to operators of motor vehicles.
 - (c) No lights that resemble traffic-control devices may be used.
 - (d) No beacon lights or blinking, flashing or fluttering or other illuminating devices which have a changing light intensity, brightness or color may be used or displayed in any district, except holiday decorations.
 - (e) Recognizing that outdoor lighting is an important component of the nighttime ambiance of the community and acknowledging that the night skies are a valuable natural resource which should be protected, the community lighting goals shall be to keep outdoor lighting to a safe minimum and to eliminate or reduce, to the maximum extent feasible, light pollution and light trespass, noting that the International Commission on Lighting (CIE) Environmental Zone E1 ("Areas with intrinsically dark landscapes", the most sensitive zone) may be applicable to R and PD districts near Tribal, National Forest, Bureau of Land Management or other open or designated recreational lands, and specifically includes residential areas that have requested this designation.
 - (f) Commercial outdoor lighting, private outdoor lighting which is part of a designated private utility improvement and public outdoor lighting, including but not limited to roadway, parking lot, walkway, bikeway, park, and outdoor sports lighting, shall in addition be subject to the following:
 - (1) Definitions for section 16-276(f).

Study of local conditions. A study of the impact of lighting at a given level which at the minimum considers the purpose for which lighting is provided, the community lighting goals stated in section 16-276(e), and any unusual local conditions which might affect the need for nighttime lighting. When related to the purpose for which lighting is provided or impacted by the lighting, the study shall also consider nighttime vehicular and pedestrian traffic volumes, nighttime accident rates, nighttime crime rates, and allowed uses in the zoning district.

Public safety hazard. A lighting system design shall be considered to create a public safety hazard when a study of local conditions indicates that the nighttime accident rate exceeds by a standard deviation the daytime accident rate, which for a roadway shall be the vehicular accident rate based on proportional vehicular miles of travel. For a proposed design the accident rates for an existing system with comparable local conditions shall be used.

Full IESNA design. A lighting system designed with the average luminance or illuminance equal to the Illuminating Engineering Society of North America's (IESNA) recommended minimum and the ratio of maximum illuminance to minimum illuminance equal to the IESNA recommended ratio, and as-built nowhere on the IESNA recommended measurement grid exceeding the greater of the maximum IESNA recommended illuminance or twice the IESNA

recommended average illuminance, and nowhere on the IESNA recommended measurement grid below the IESNA recommended minimum illuminance.

Half IESNA design. A lighting system designed with the average luminance or illuminance one-half IESNA recommended minimum and the ratio of maximum illuminance to minimum illuminance twice the IESNA recommended ratio, and as-built nowhere on the IESNA recommended measurement grid exceeding one-half the greater of the maximum IESNA recommended illuminance or twice the IESNA recommended average illuminance.

- (2) Outdoor lighting systems shall not exceed full IESNA design light levels. Half IESNA designs shall be allowed and encouraged when consistent with the purpose for which lighting is provided, especially in CIE-E1 zones; provided, however, council has not accepted a study of local conditions indicating that a half IESNA design would provide a public safety hazard, in which case the minimum light levels found necessary by that study in order to mitigate the public safety hazard, not to exceed full IESNA design, shall be used.
- (3) Roadway lighting shall in addition be subject to:

- a. Public or private roadway lighting shall be designed to the IESNA recommended practices for a small mountain community for one of the following county-designated roadway lighting design categories (RLDC):

RLDC-1. Unlighted roadway.

RLDC-2. Roadway with partial lighting.

RLDC-3. Roadway with lighted intersections.

RLDC-4. Roadway with lighted intersections and partial lighting between intersections.

RLDC-5. Continuously lighted roadway (IESNA RP-8).

Partial lighting for the purpose of RLDC-2 and RLDC-4 means the additional lighting needed for a specific designated section of roadway where one or more streetlights would substantially improve public safety but local conditions do not indicate the need for lighting based on a higher RLDC.

When a half IESNA design is used, the RLDC designation shall be modified to include 'A' (e.g., RLDC-4A). Half IESNA design is encouraged when traffic volume and speeds are low.

These design categories specify only the target light levels for the lighting system design and are not intended to prevent a reasonable variation from the design criteria necessitated by public safety or the details of the topography of the roadway for which the lighting system is being designed.

- b. The RLDC category for a roadway shall be determined by council upon advice of the county engineer. The county engineer's RLDC category recommendation for a given roadway, or portion thereof, shall occur only after a study of local conditions and shall take into account the community lighting goals stated in section 16-276(e) including minimizing light pollution and light trespass, especially in R and PD districts and CIE-E1 zones.
- c. RLDC-5 shall be considered the highest category of lighting and shall be used for any portion of any roadway only when its use, utility and necessity are demonstrated by a study of local conditions accepted by council for the roadway section for which this RLDC is proposed. In R and PD districts and CIE-E1 zones the Small Target Visibility Method for determining IESNA compliance shall be used when feasible.
- d. New roadway lighting systems shall be designed to the lowest RLDC consistent with the lighting goals of the neighborhood or subdivision in which it is to be installed, but shall not

be a lower light level than the minimum RLDC needed for public safety as indicated by a study of local conditions; said study shall be provided by the designers of any new roadway lighting system.

- e. Existing private roadway lighting which is part of a designated private utility improvement and which must be substantially rebuilt or redesigned beyond normal repair and maintenance shall be considered to be a new roadway lighting system; however, if the RLDC-category determination for that roadway lighting system is less than five years old, the county engineer may waive the requirement to provide a new study of local conditions.
- f. Existing public roadway lighting systems which must be substantially rebuilt or redesigned beyond normal repair and maintenance, including public roadway lighting destroyed in a declared disaster, shall be rebuilt to the RLDC which most closely matches the preexisting light locations, which for a declared disaster shall be the light locations one day prior to the official onset of the disaster; provided, however, council has not accepted a study of local conditions indicating that lighting to the RLDC which most closely matches the preexisting light locations would provide a public safety hazard and provided there is no petition to council by the affected property owners to use a different RLDC, which petition council shall have the authority to accept and direct the alternate RLDC be used if said petition is presented to council no later than 45 days after the initial design plan including maps showing the proposed light locations is presented to the public; upon direction by council to use the alternate RLDC the county engineer shall have thirty (30) days to accept the new RLDC for the roadways indicated in the petition or provide a study of local conditions which is accepted by council indicating that the petitioned for RLDC would present a public safety hazard and a determination based on that local study of the lowest safe RLDC consistent with local conditions. Recognizing that private property values can vary with exact position of a streetlight or other roadway light, independent of the RLDC used to rebuild or redesign the roadway lighting system, to the extent feasible the preexisting light locations shall be used; except where the majority of property owners within 400 feet of a proposed streetlight have agreed to an alternate location, which shall include addition and removal of a proposed streetlight, and that alternate location is feasible and does not create a public safety hazard, and the property owners requesting that change agree to bear the additional estimated cost incurred for that design change, said estimated cost to be provided by the county engineer upon a request for information.
- g. The county shall comply with requests supplied to the county traffic department to install, move, or remove a publicly owned streetlight when that request is signed by the majority of property owners within 400 feet of that streetlight and that request is feasible and does not create a public safety hazard, and the property owners requesting that change agree to bear the estimated cost of installing, moving, or removing that streetlight, said estimated cost to be provided by the county engineer upon a request for information.

(Ord. No. 85-210, § 3, 1994; Code 1985, § 17.40.060; Ord. No. 02-029, §§ 3—5, 6-24-2003)



County of Los Alamos

Staff Report

May 01, 2018

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: D.

Index (Council Goals):

Presenters: Kim Gabaldon, Social Services Division Manager

Legislative File: 10547-18

Title

DWI Planning Council Appointments

Recommended Action

I move that Council appoint Jaime Gonzales and Patrick Mockler-Wood and reappoint Denise McCoy, Juanita McNiel, and Judy Lovejoy to the DWI Planning Council for 2-year terms beginning on May 1, 2018 and ending on April 30, 2020.

Body

Los Alamos County Resolution No.16-08 authorizes a minimum of nine (9) DWI Planning Council Members to serve in a voting capacity for 2-year staggered terms. All terms end on April 30 of the given year and have options for unlimited 2-year reappointments thereafter.

Current Members (Term 5/1/17 - 4/30/19):

Andrea Cunningham, Juvenile Justice Advisory Board
Carie Fanning, Family Strengths Network
Cheryl Pongratz, Los Alamos Family Council
David Griego, Los Alamos County
Diane Noveroske, Citizen Member
George Marsden, Los Alamos Teen Center
Kristine Coblentz, Los Alamos Public Schools

Members for Reappointment (Term 5/1/18 - 4/30/20):

Juanita McNiel, Municipal Court
Judy Lovejoy, Citizen Member
Denise McCoy, Los Alamos County

New members (Term 5/1/18 - 4/30/20):

Jaime Gonzales, Los Alamos Police Department
Patrick Mockler-Wood, Pajarito Brew Pub

Attachments

A - DWI Planning Council Membership Roster
B - Resolution No. 16-08
C - Application for Appointment_JGonzales
D - Application for Appointment_PMockler-Wood
E - Application for Reappointment_DMcCoy

F - Application for Reappointment_JMcNiel
G - Application for Reappointment_JLovejoy

**LOS ALAMOS COUNTY
DWI PLANNING COUNCIL**
(as of 03/08/2018)

MEMBER NAME	ORGANIZATION	TERM
Andrea Cunningham	JJAB Coordinator	05/01/2017 to 04/30/2019
Carie Fanning	Executive Director, Family Strengths Network	05/01/2017 to 04/30/2019
Cheryl Pongratz	Administrator, Los Alamos Family Council	05/01/2017 to 04/30/2019
David Griego	Senior Management Analyst, Los Alamos County	05/01/2017 to 04/30/2019
Denise McCoy	Recreation Program Manager, Los Alamos County	05/01/2016 to 04/30/2018
Diane Noveroske	Citizen Member	05/01/2017 to 04/30/2019
George Marsden	Assistant Director, Los Alamos Teen Center	05/01/2017 to 04/30/2019
Juanita McNiel	Municipal Court Administrator	05/01/2016 to 04/30/2018
Judy Lovejoy	Citizen Member	05/01/2016 to 04/30/2018
Kristine Coblentz	Healthy Schools Initiative Director, LAPS	05/01/2017 to 04/30/2019
Morrie Pongratz	Citizen Member	05/01/2016 to 04/30/2018
Monica Salazar-Casias	Los Alamos Police Department	05/01/2016 to 04/30/2018

STAFF

Kim Gabaldon	DWI Program Coordinator	
Monica Montano	Adult Probation Officer	

INCORPORATED COUNTY OF LOS ALAMOS RESOLUTION NO. 16-08

**A RESOLUTION AMENDING THE STRUCTURE OF
THE LOS ALAMOS DWI PLANNING COUNCIL**

WHEREAS, Section 43-3-14, NMSA 1978, provides that the board of county commissioners of a county may create a county DWI Planning Council and appoint members for terms set by the board; and

WHEREAS, the Governing Body of the Incorporated County of Los Alamos ("County") formally created a County DWI Planning Council on May 4, 2004 through the adoption of Resolution No. 04-10; and

WHEREAS, the Los Alamos DWI Planning Council was established by the County Council ("Council") in accordance with state law for the purposes provided therein and was not established as an advisory board or commission in accordance with the adopted and effective Council Rules or Charter provisions regarding advisory boards and commissions; and

WHEREAS, driving while under the influence of alcohol or drugs is a very serious concern in the State of New Mexico and the County of Los Alamos; and

WHEREAS, the Council strongly supports efforts to minimize DWI and the ill effects of DWI; and

WHEREAS, the County continues to apply for grants under the DWI Grant Program established in Section 11-6A-3, NMSA 1978; and

WHEREAS, the provisions of Resolution 04-10 are hereby restated to the extent they are not amended herein; and

WHEREAS, Council wishes to modify the structure of the DWI Planning Council.

NOW, THEREFORE, THE COUNCIL OF THE INCORPORATED COUNTY OF LOS ALAMOS HEREBY RESOLVES:

Section 1. That the Los Alamos DWI Planning Council was established in accordance with Resolution No. 04-10.

Section 2. The provisions of Resolution 04-10 are hereby restated, to the extent that they are not amended herein.

Section 3. That the Los Alamos DWI Planning Council shall be comprised of at least nine (9) members, representing a broad spectrum of interests including County officials, courts, school representatives, law enforcement, corrections, DWI program and service providers, substance abuse counselors and therapists, local political leaders, teen representatives, citizens and County staff. Citizen members must be residents of Los Alamos County.

Section 4. Upon adoption of this resolution, the members of the DWI Planning Council shall serve two-year staggered terms which will be determined by lottery and shall serve until replaced following expiration of the members' term. A member may be appointed to an unlimited

number of terms to assure that each group identified in the statute may continue to be represented on the Planning Council.


Section 5. Members will be selected and appointed to serve on the DWI Planning Council by the County Council.

Section 6. Members of the Los Alamos Planning Council are expected to regularly attend scheduled meetings. A member may be removed at any time by the County Council.

Section 7. The Los Alamos DWI Planning Council may adopt its own by-laws and it shall be self-governing, provided that all state-law requirements, local ordinances, and the requirements of this Resolution are met.

PASSED AND ADOPTED this 3rd day of May, 2016.

**COUNCIL OF THE INCORPORATED
COUNTY OF LOS ALAMOS**



Rick Reiss
Council Chair

ATTEST:



Sharon Stover
Los Alamos County Clerk




R-16-08 05/03/2016 12:00 AM
Page(s): 2 Sharon Stover - County Clerk
Los Alamos County, NM Victoria L Martinez - Deputy



**Application for Appointment/Reappointment (circle one) to the Los Alamos County
DWI Planning Council**

Name: Jaime Gonzales Telephone: (505) 662-8222

E-mail: Jaime.Gonzales@lacnm.us Occupation: Police Corporal

I would appreciate being recommended by the Los Alamos DWI Planning Council for appointment by the Los Alamos County Council for membership to the DWI Council.

Why do you want to be appointed to the DWI Planning Council?

I was asked by multiple people to consider the position and I believe that I can learn a lot from the council and the people.

What knowledge and experience do you bring to this position?

I am currently a certified Drug Recognition Expert and a certified Standardized Field Sobriety Test Instructor

What do you think are the best things presently being done to reduce drunk driving?

Other than conducting standard patrols, traffic stops and reports of drunk drivers we currently and usually only do Saturation Patrols during a short period during the summer rather than throughout the year

Do you have any suggestions for what could be done to further reduce drunk driving?

Conduct more saturation patrols throughout the year during holidays and special events. Being that last year was the first year in which we had sobriety check point in around 4 years, it would be nice to conduct more and possibly reach out to other agencies to assist.

Which constituencies could you represent? (Circle all that apply)

1. Local Media 2. EMS 3. Schools 4. Community Substance Abuse Treatment
5. Public Health 6. Law Enforcement 7. Courts/Judicial 8. Community Traffic Safety
9. Prosecutor/legal 10. Elected County Official 11. Independent Behavioral Health
Service Professional 12. Business Community 13. Concerned Citizen 14. Other


Applicant Signature

4/20/2018
Date

Please return this completed form to Kim.Gabaldon@lacnm.us, or mail Kim Gabaldon, 1505 15th Street, Suite A; Los Alamos, NM 87544

Application for Appointment/Reappointment (circle one) to the Los Alamos County
DWI Planning Council

Name: Denise McCoy Telephone: 505 663-1796

E-mail: d.mccoy@lacnm.us

Occupation: Recreation Program Manager

I would appreciate being recommended by the Los Alamos DWI Planning Council for appointment by the Los Alamos County Council for membership to the DWI Council.

Why do you want to be appointed to the DWI Planning Council?

To continue supporting the efforts of the Los Alamos DWI Planning Council in preventing & reducing incidents of DWI in our community

What knowledge and experience do you bring to this position?

I have participated on the Board since March 2014 & strongly believe in seeking additional efforts Dial-A-Ride services for safe rides

What do you think are the best things presently being done to reduce drunk driving?

Increased Marketing, improved communication within Board, establishment owners and improvement on Event Buzz Bus Services

Do you have any suggestions for what could be done to further reduce drunk driving?

Continue communications & marketing to establishments and providing additional Dial-A-Ride Services

Which constituencies could you represent? (Circle all that apply)

1. Local Media 2. EMS 3. Schools 4. Community Substance Abuse Treatment
5. Public Health 6. Law Enforcement 7. Courts/Judicial 8. Community Traffic Safety
9. Prosecutor/legal 10. Elected County Official 11. Independent Behavioral Health
Service Professional 12. Business Community 13. Concerned Citizen 14. Other

County Staff

Please return this completed form to Kim.Gabaldon@lacnm.us, or mail Kim Gabaldon,
1505 15th Street, Suite A; Los Alamos, NM 87544

**Application for Appointment/Reappointment (circle one) to the Los Alamos County DWI
Planning Council**

Name: Patrick Mockler-Wood.

Telephone: (580)916-1235

E-mail: patrickmockler-wood@hotmail.com

Occupation: Business Owner

I would appreciate being recommended by the Los Alamos DWI Planning Council for appointment by the Los Alamos County Council for membership to the DWI Council.

Why do you want to be appointed to the DWI Planning Council?

- I think I could bring insight and prospective to the council when deciding how to advertise safe rides and end dwi advertisement campaign.

What knowledge and experience do you bring to this position?

- I have owned and operated many businesses that directly deal with buying and selling alcohol in Los Alamos County. Because of my back ground I have a rare insight to how best to help my customers and others that recreationally drink alcohol in Los alamos.

What do you think are the best things presently being done to reduce drunk driving?

- Buzz bus and later nights dial-a-ride are going to be the biggest impact. Police presents in another, I always welcome a police officer to come to the Brewpub during a busy night. It reminds the customers to use restraint and helps with the bar tenders job of not over serving.

Do you have any suggestions for what could be done to further reduce drunk driving?

- Dial-a-Ride to extend it service on Thursday through Saturday to Midnight especially in summer months.

Which constituencies could you represent? (Circle all that apply)

1. Local Media 2. EMS 3. Schools 4. Community Substance Abuse Treatment
5. Public Health 6. Law Enforcement 7. Courts/judicial 8. Community Traffic Safety
9. Prosecutor/legal 10. Elected County Official 11. Independent Behavioral Health Service
Professional 12. Business Community 13. Concerned Citizen 14. Other

Please return this completed form to Kim.Gabaldon@lacnm.us, or mail Kim Gabaldon, 1505
15th Street, Suite A; Los Alamos, NM 87544

Application for Appointment/Reappointment (circle one) to the Los Alamos County
DWI Planning Council

Name: Juanita McNiel Telephone: 505-662-8025

E-mail: juanita.mcniel@lacnm.us

Occupation: Court Administrator

I would appreciate being recommended by the Los Alamos DWI Planning Council for appointment by the Los Alamos County Council for membership to the DWI Council.

Why do you want to be appointed to the DWI Planning Council?

I deal with DWI offenders almost daily

What knowledge and experience do you bring to this position?

Court/Legal Knowledge

What do you think are the best things presently being done to reduce drunk driving?

Bozz Buss

Do you have any suggestions for what could be done to further reduce drunk driving?

Which constituencies could you represent? (Circle all that apply)

1. Local Media 2. EMS 3. Schools 4. Community Substance Abuse Treatment
5. Public Health 6. Law Enforcement 7. Courts/Judicial 8. Community Traffic Safety
9. Prosecutor/legal 10. Elected County Official 11. Independent Behavioral Health
Service Professional 12. Business Community 13. Concerned Citizen 14. Other

Please return this completed form to Kim.Gabaldon@lacnm.us, or mail Kim Gabaldon,
1505 15th Street, Suite A; Los Alamos, NM 87544

Application for Appointment/Reappointment (circle one) to the Los Alamos County
DWI Planning Council

Name: Judy (Judith) LOVEJOY Telephone: 505 670-0823

E-mail: Lovejoy-judy@comcast.net

Occupation: Registered Nurse

I would appreciate being recommended by the Los Alamos DWI Planning Council for appointment by the Los Alamos County Council for membership to the DWI Council.

Why do you want to be appointed to the DWI Planning Council?

Currently on DWI Planning Council - would like to stay

What knowledge and experience do you bring to this position?

RN with 35+ year experience
Have a child who had a DWI 2.5 years ago

What do you think are the best things presently being done to reduce drunk driving?

Education, "Buzz Bus" from concerts & on party nights

Do you have any suggestions for what could be done to further reduce drunk driving?

Further Education, publicity, DWI Checkpoints & LAPD stops,

Which constituencies could you represent? (Circle all that apply)

1. Local Media 2. EMS 3. Schools 4. Community Substance Abuse Treatment
☒ 5. Public Health 6. Law Enforcement 7. Courts/judicial 8. Community Traffic Safety
9. Prosecutor/legal 10. Elected County Official 11. Independent Behavioral Health
Service Professional 12. Business Community ☒ 13. Concerned Citizen 14. Other

Please return this completed form to Kim.Gabaldon@lacnm.us, or mail Kim Gabaldon,
1505 15th Street, Suite A; Los Alamos, NM 87544



County of Los Alamos

Staff Report

May 01, 2018

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: E.

Index (Council Goals): * 2018 Council Goal – Quality Governance – Intergovernmental Relations – Strengthen Coordination and Cooperation Between County Government, LANL, and Regional and National Partners

Presenters: Bob Westervelt, Deputy Utilities Manager - Finance/Admin

Legislative File: 10582-18

Title

Approval of Re-appointment of Deputy Utility Manager of Finance and Administration, Bob Westervelt, as Los Alamos' Member on the New Mexico Municipal Energy Acquisition Authority (NMMEAA) Board of Directors

Recommended Action

I move that Council approve re-appointment of Deputy Utility Manager of Finance and Administration, Bob Westervelt, as Los Alamos' member on the New Mexico Municipal Energy Acquisition Authority Board of Directors.

Utilities Manager Recommendation

The Utilities Manager recommends that Council approve the motion as presented.

Board, Commission or Committee Recommendation

The Board of Public Utilities recommends that Council approve the motion as presented.

Body

The Joint Powers Agreement (JPA) that formed the New Mexico Municipal Energy Acquisition Authority (NMMEAA) was amended in 2008 to guarantee Los Alamos a seat on a seven member Board of Directors. Mr. John Arrowsmith, former Utilities Manager, was appointed as Los Alamos' initial representative in 2008, and was reappointed in October 2013. In anticipation of Mr. Arrowsmith's retirement, Deputy Utilities Manager for Finance and Administration Robert Westervelt was appointed in June of 2014. Mr. Westervelt was appointed to a four year term, which expires in June of 2018. Mr. Westervelt has the knowledge and experience working with NMMEAA to serve in this position.

The JPA language is as follows:

"The Energy Acquisition Authority shall be governed by a seven-member board of directors (the "Board"). Each director shall have current experience in the operation of municipal utilities, the acquisition of energy supplies, and/or municipal finance in general, and shall be appointed as follows:

A. The governing body of each Party shall appoint two directors.

B. The fifth director shall be appointed by the Incorporated County of Los Alamos, New Mexico, as a local government participating in the acquisition of a long-term supply of natural gas pursuant to the Authority's initial energy acquisition transaction.

C. The sixth and seventh directors shall be appointed by the other five directors; provided, that the governmentally-owned utility contracting for at least fifty percent (50%) of the total natural gas being acquired pursuant to the initial transaction undertaken by the Energy Acquisition Authority shall have the right to nominate one person each for appointment to the sixth and seventh director positions; and provided further, that such nominees shall have the qualifications described in the introductory paragraph of this Section 3.

D. The governing body of each Party shall appoint replacement directors to fill vacancies in the Board positions appointed by that Party, and the remaining directors shall appoint a replacement director to fill any vacancy in the fifth director board position. Replacements for the sixth and seventh directors shall be appointed by the other five directors; provided, that the governmentally-owned utility contracting for at least fifty percent (50%) of the total natural gas being acquired pursuant to the initial transaction undertaken by the Energy Acquisition Authority shall have the right to nominate one person each for appointment as a replacement to the sixth and seventh director positions. All replacement directors shall have the qualifications set described in the introductory paragraph of this Section 3.

E. No director shall be a currently serving elected public official of the governing body of either Party to this agreement or of the governing body of a municipal participant.

F. Each director shall have a term of office of 4 years, but may be reappointed for additional terms as provided in this Section 3; provided, that a director appointed by the governmentally-owned utility as provided in paragraphs B and C of this Section may be replaced by the other directors if the Supply Agreement between the Authority and the governmentally-owned utility that appointed that director has been terminated."

Alternatives

Council could choose not to approve appointment of Mr. Westervelt.

Fiscal and Staff Impact

None

Attachments

None



County of Los Alamos

Staff Report

May 01, 2018

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: F.

Index (Council Goals): * 2018 Council Goal – Quality Governance – Operational Excellence – Maintain Quality Essential Services and Supporting Infrastructure Including Updated Enterprise Software and Permitting

Presenters: Naomi Maestas

Legislative File: 10595-18

Title

County Council Minutes for April 10, 2018 and FY 2019 Budget Minutes April 16 and 17, 2018

Recommended Action

I move that Council approve the County Council Minutes for April 10, 2018 and FY 2019 Budget Minutes April 16 and 17, 2018.

Clerk's Recommendation

The County Clerk recommends that Council approve the minutes as presented.

Attachments

A - County Council Minutes for April 10, 2018

B - FY 2019 Budget Minutes April 16 and 17, 2018



County of Los Alamos

Los Alamos, NM 87544
www.losalamosnm.us

Minutes

County Council – Special Session

*David Izraelevitz, Council Chair; Christine Chandler, Council Vice Chair;
James T. Chrobocinski, Antonio Maggiore,
Susan O'Leary, Rick Reiss and Pete Sheehey, Councilors*

Tuesday, April 10, 2018

6:00 PM

Council Chambers – 1000 Central Avenue
TELEVIEWED

JOINT SPECIAL SESSION WITH THE BOARD OF PUBLIC UTILITIES

1. CALL TO ORDER—BOARD OF PUBLIC UTILITIES

The Public Utilities Chair, Jeff Johnson, called the meeting to order at 6:02 p.m.

The following Board of Public Utilities Members were in attendance:

**Present: 5 – Board Member Kathleen Taylor, Board Member Stephen McLin,
Board Member Paul Fredrickson, Vice Chair Carrie Walker,
and Chair Jeff Johnson**

The following Councilors were present:

**Present: 7 - Councilor Izraelevitz, Councilor Chandler, Councilor Chrobocinski, Councilor Maggiore,
Councilor O'Leary, Councilor Reiss, and Councilor Sheehey**

2. PLEDGE OF ALLEGIANCE

Led by: All

3. PUBLIC COMMENT

Mr. Mike Dempsey, 300 Connie Avenue, spoke in support of the Carbon Free Project.
Mr. Keith Stevens, 2625 Walnut Street, spoke in support of the Carbon Free Project.

4. APPROVAL OF BPU AGENDA

**A motion was made by Board Member Stephen McLin, seconded by
Vice Chair Carrie Walker, that the BPU Agenda be approved as presented.**

The motion passed with the following vote:

**Yes: 5 – Board Member Kathleen Taylor, Board Member Stephen McLin,
Board Member Paul Fredrickson, Vice Chair Carrie Walker,
and Chair Jeff Johnson**

5. BPU BUSINESS

A. Recommendations and Possible Action on Carbon Free Power Project (CFPP) Licensing Period Phase 1 Participation

Mr. Steve Cummins, Deputy Utilities Manager, presented.

Public Comment:

Mr. Brady Burke, 2310 39th Street, spoke.

Mr. Phil Gursky, 223 El Viento, spoke.

Mr. Mark Jones, 525 Navajo Road, spoke.

Mr. Andrew Fallgren, 1520 Yuma Street, spoke.

Mr. Don Jones, 62 La Paloma Drive, spoke.

Mr. Mike Dempsey, 300 Connie Avenue, spoke.

Mr. Mike Steinzig, 299 La Cueva, spoke.

Ms. Dawn Trujillo Voss, 256 Canada Way, spoke.

A motion was made by Board Member Stephen McLin, seconded by Vice Chair Carrie Walker, that the Board of Public Utilities approve the Carbon Free Power Project Power Sales Contract with the Budget and Plan of Finance between the Utah Associated Municipal Power Systems and the Incorporated County of Los Alamos, New Mexico and forward to the Los Alamos County Council with a recommendation to approve Resolution No. 18-09.

The motion passed with the following vote:

**Yes: 4 – Board Member Kathleen Taylor, Board Member Stephen McLin,
Board Member Paul Fredrickson, and Vice Chair Carrie Walker**

No: 1 – Chair Jeff Johnson

6. PUBLIC COMMENT

None.

7. ADJOURNMENT—BOARD OF PUBLIC UTILITIES

The meeting adjourned at 7:03 p.m.

8. COUNCIL OPENING/ROLL CALL

The Council Chair, David Izraelevitz, called the meeting to order at 7:03 p.m.

The following Councilors were in attendance:

**Present: 7 - Councilor Izraelevitz, Councilor Chandler, Councilor Chrobocinski,
Councilor Maggiore, Councilor O'Leary, Councilor Reiss, and Councilor Sheehey**

9. PUBLIC COMMENT

None.

10. APPROVAL OF COUNCIL AGENDA

A motion was made by Councilor Sheehey, seconded by Councilor Chandler, that the Agenda be approved as presented.

The motion passed by acclamation with the following vote:

Yes: 7 - Councilor Izraelevitz, Councilor Chandler, Councilor Chrobocinski, Councilor Maggiore, Councilor O'Leary, Councilor Reiss, and Councilor Sheehey

11. BUSINESS

- A. Incorporated County of Los Alamos Resolution No. 18-09; A Resolution Authorizing and Approving the Carbon Free Power Project Power Sales Contract with Utah Associated Municipal Power Systems; Approving the Amended and Restated Initial Budget and Plan of Finance for the Project; and Related Matters.

Mr. Steve Cummins, Deputy Utilities Manager – Power Supply, spoke.

Mr. Mason Baker, General Counsel for Utah Associated Municipal Power Systems, spoke.

Mr. Timothy Glasco, Utilities Manager, spoke.

Mr. Harry Burgess, County Manager, spoke.

Mr. Bob Temple, General Counsel for Nuscale Power, spoke.

Mr. Richard Virtue, contact attorney with the County Attorney's Office, spoke.

Mr. Robert Westervelt, Deputy Utility Manager, spoke.

RECESS

Councilor Izraelevitz called for a recess at 8:31 p.m. The meeting reconvened at 8:44 p.m.

Mr. Alvin Leaphart, County Attorney, spoke.

Public Comment:

Mr. Mike Dempsey, 300 Connie Avenue, spoke.

Mr. Don Jones, 62 Palma Drive, spoke.

A motion was made by Councilor Reiss, seconded by Councilor Sheehey, that Council approve Incorporated County of Los Alamos Resolution No. 18-09; A Resolution Authorizing and Approving the Carbon Free Power Project Power Sales Contract with Utah Associated Municipal Power Systems; Approving the Amended and Restated Initial Budget and Plan of Finance for the Project; and Related Matters.

A SUBSTITUTE motion was made by Councilor Chandler, seconded by Councilor Maggiore, that Council approve Incorporated County of Los Alamos Resolution No. 18-09; A Resolution Authorizing and Approving the Carbon Free Power Project Power Sales Contract with the following amendment: Section 1 A, adding in the second line subject to the following amendment, that the development period be redefined in a form satisfactory to the County Attorney to include the construction and successful testing of the first module.

Mr. Alvin Leaphart, County Attorney, spoke.

The procedural motion to consider the SUBSTITUTE motion failed by acclamation.

Yes: 2 - Councilor Chandler and Councilor Maggiore

No: 5 - Councilor Izraelevitz, Councilor Chrobocinski, Councilor O'Leary, Councilor Reiss, and Councilor Sheehey

For the record, the original motion is on the floor:

A motion was made by Councilor Reiss, seconded by Councilor Sheehey, that Council approve Incorporated County of Los Alamos Resolution No. 18-09; A Resolution Authorizing and Approving the Carbon Free Power Project Power Sales Contract with Utah Associated Municipal Power Systems; Approving the Amended and Restated Initial Budget and Plan of Finance for the Project; and Related Matters.

The motion passed with the following vote:

Yes: 4 - Councilor Izraelevitz, Councilor Chrobocinski, Councilor Reiss, and Councilor Sheehey

No: 3 - Councilor Chandler, Councilor Maggiore, and Councilor O'Leary

12. PUBLIC COMMENT

Mr. Brady Burke, 2310 39th Street, spoke.

13. ADJOURNMENT—COUNCIL

The meeting adjourned at 10:16 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

David Izraelevitz, Council Chair

Attest:

Naomi D. Maestas, County Clerk

Meeting Transcribed by: Francella M. Montoya, Senior Deputy Clerk



County of Los Alamos

Los Alamos, NM 87544
www.losalamosnm.us

Minutes-DRAFT

County Council – Special Session

*David Izraelevitz, Council Chair; Christine Chandler, Council Vice Chair;
James Chrobocinski, Antonio Maggiore, Susan O'Leary,
Rick Reiss, and Pete Sheehey, Councilors*

April 16 & 17, 2018

6:00 PM

Council Chambers-1000 Central Avenue

TELEVISED

Budget Hearings-April 16th and 17th

1. OPENING/ROLL CALL

The Council Chair, David Izraelevitz, called the meeting to order at 6:03 p.m.

The following Councilors were in attendance:

Present: 6 - Councilor Izraelevitz, Councilor Chandler, Councilor Chrobocinski,
Councilor Maggiore, Councilor Reiss, and Councilor Sheehey

Remote: 1 - Councilor O'Leary

2. PLEDGE OF ALLEGIANCE

Led by: All

3. PUBLIC COMMENT

Mr. Greg White, 600 San Ildefonso, expressed concern regarding the budget restoration of the Office of County Sheriff. Mr. Patrick Sullivan, Executive Director Los Alamos Commerce and Development Corporation, asked Council to consider a recurring revenue stream for the Economic Development Fund.

4. APPROVAL OF AGENDA

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

The motion passed by acclamation with the following vote:

Yes: 7 - Councilor Izraelevitz, Councilor Chandler, Councilor Chrobocinski,
Councilor Maggiore, Councilor O'Leary, Councilor Reiss, and Councilor Sheehey

5. BUSINESS

A. County Council Minutes for April 3, 2018

Public Comment:
None.

A motion was made by Councilor Maggiore, seconded by Councilor Chrobocinski, that Council approve the County Council Minutes for April 3, 2018.

The motion passed by acclamation with the following vote:

Yes: 7 - Councilor Izraelevitz, Councilor Chandler, Councilor Chrobocinski, Councilor Maggiore, Councilor O'Leary, Councilor Reiss, and Councilor Sheehey

6. PUBLIC HEARING(S)

A. Introduction, Overview, Budget Summary and Long Term Financial Projection

1) FY 2019 Budget Hearings

Mr. Harry Burgess, County Manager, spoke.
Mr. Steven Lynne, Deputy County Manager, spoke.
Ms. Karen Kendall, Budget and Performance Manager, spoke.

B. Budget Presentations

1. County Council

Ms. Karen Kendall, Budget and Performance Manager, spoke.

A motion was made by Councilor Chrobocinski, seconded by Councilor Maggiore, that Council tentatively approve the budget for the County Council as presented.

The motion passed by acclamation with the following vote:

Yes: 7 - Councilor Izraelevitz, Councilor Chandler, Councilor Chrobocinski, Councilor Maggiore, Councilor O'Leary, Councilor Reiss, and Councilor Sheehey

2. Municipal Court

Judge Alan Kirk, Municipal Judge, spoke.

A motion was made by Councilor Chrobocinski, seconded by Councilor Maggiore, that Council tentatively approve a regular FTE (full time employee) and a \$574,516 budget for the Municipal Court as presented.

The motion passed by acclamation with the following vote:

Yes: 7 - Councilor Izraelevitz, Councilor Chandler, Councilor Chrobocinski, Councilor Maggiore, Councilor O'Leary, Councilor Reiss, and Councilor Sheehey

3. County Manager

Mr. Harry Burgess, County Manager, spoke.

A motion was made by Councilor Sheehey, seconded by Councilor Maggiore, that Council tentatively approve the budget for the County Manager's Department as presented.

The motion passed by acclamation with the following vote:

Yes: 7 - Councilor Izraelevitz, Councilor Chandler, Councilor Chrobocinski, Councilor Maggiore, Councilor O'Leary, Councilor Reiss, and Councilor Sheehey

4. County Assessor

Mr. Ken Milder, County Assessor, spoke.

Mr. Joaquin Valdez, Chief Deputy Assessor, spoke.

Mr. Michael Smith, GIS Administrator, spoke.

Mr. Harry Burgess, County Manager, spoke.

Mr. Steven Lynne, Deputy County Manager, spoke.

A motion was made by Councilor Chandler, seconded by Councilor Maggiore, that Council tentatively approve the budget for the County Assessor's Department as presented.

A SUBSTITUTE motion was made by Councilor Chrobocinski that Council tentatively approve the budget for the County Assessor in the amount of \$617,012.

The SUBSTITUTE motion failed for lack of a second.

The ORIGINAL motion passed with the following vote:

Yes: 4 - Councilor Izraelevitz, Councilor Chandler, Councilor Maggiore, and Councilor Sheehey

No: 3 - Councilor Chrobocinski, Councilor Reiss, and Councilor O'Leary

RECESS

Councilor Izraelevitz called for a recess at 8:08 p.m. The meeting reconvened at 8:18 p.m.

5. County Clerk

Ms. Naomi D. Maestas, County Clerk, spoke.

A motion was made by Councilor Reiss, seconded by Councilor Maggiore, that Council tentatively approve the budget for the County Clerk's Department as presented.

The motion passed by acclamation with the following vote:

Yes: 7 - Councilor Izraelevitz, Councilor Chandler, Councilor Chrobocinski, Councilor Maggiore, Councilor O'Leary, Councilor Reiss, and Councilor Sheehey

6. Probate Court

Ms. Naomi D. Maestas, County Clerk, spoke.

A motion was made by Councilor Sheehey, seconded by Councilor Chrobocinski, that Council tentatively approve the budget for the Probate Court as presented.

The motion passed by acclamation with the following vote:

Yes: 7 - Councilor Izraelevitz, Councilor Chandler, Councilor Chrobocinski, Councilor Maggiore, Councilor O'Leary, Councilor Reiss, and Councilor Sheehey

7. County Sheriff

Mr. Marco Lucero, County Sheriff, spoke.

A motion was made by Councilor Chrobocinski, seconded by Councilor Sheehey, that Council tentatively approve the budget for the County Sheriff's Department in the amount of \$85,000.

The motion failed with the following vote:

Yes: 2 - Councilor Chrobocinski and Councilor Sheehey

No: 5 - Councilor Izraelevitz, Councilor Chandler, Councilor O'Leary, Councilor Maggiore, and Councilor Reiss

A motion was made by Councilor Maggiore, seconded by Councilor Reiss, that Council tentatively approve the budget for the County Sheriff's Department as presented.

The motion passed with the following vote:

Yes: 5 - Councilor Izraelevitz, Councilor O'Leary, Councilor Chandler, Councilor Maggiore, and Councilor Reiss

No: 1 - Councilor Chrobocinski

Abstain: 1 - Councilor Sheehey

8. County Attorney

Mr. Alvin Leaphart, County Attorney, spoke.

A motion was made by Councilor Maggiore, seconded by Councilor Reiss, that Council tentatively approve the budget for the County Attorney's Department as presented.

The motion passed by acclamation with the following vote:

Yes: 7 - Councilor Izraelevitz, Councilor Chandler, Councilor Chrobocinski, Councilor Maggiore, Councilor O'Leary, Councilor Reiss, and Councilor Sheehey

9. Administrative Services

Mr. Steven Lynne, Deputy County Manager, spoke.

A motion was made by Councilor Sheehey, seconded by Councilor Maggiore, that Council tentatively approve the budget for the Administrative Services Department as presented.

The motion passed by acclamation with the following vote:

Yes: 7 - Councilor Izraelevitz, Councilor Chandler, Councilor Chrobocinski, Councilor Maggiore, Councilor O'Leary, Councilor Reiss, and Councilor Sheehey

10. Community Services

Mr. Brian Brogan, Community Services Director, spoke.

Mr. Harry Burgess, County Manager, spoke.

Mr. Steven Lynne, Deputy County Manager, spoke.

A motion was made by Councilor Sheehey, seconded by Councilor Maggiore, that Council tentatively approve the budget for the Community Services Department as presented with the carryover as suggested by Brian Brogan to carryover \$80k to fully fund the Public Health Office for FY 2019.

The motion passed with the following vote:

Yes: 7 - Councilor Izraelevitz, Councilor Chandler, Councilor Chrobocinski, Councilor Maggiore, Councilor O'Leary, Councilor Reiss, and Councilor Sheehey

During the discussion of this item, Councilor O'Leary asked for agenda item to discuss a budget increase.

11. Fire Department

Mr. Troy Hughes, County Fire Chief, spoke.

A motion was made by Councilor Reiss, seconded by Councilor Maggiore, that Council tentatively approve the budget for the Fire Department as presented.

The motion passed by acclamation with the following vote:

Yes: 7 - Councilor Izraelevitz, Councilor Chandler, Councilor Chrobocinski, Councilor Maggiore, Councilor O'Leary, Councilor Reiss, and Councilor Sheehey

12. Police Department

Mr. Dino Sgambellone, Police Chief, spoke.

A motion was made by Councilor Chrobocinski, seconded by Councilor O'Leary, that Council tentatively approve the budget for the Police Department in the amount of \$8,685,247; that is adding in the additional \$45,000 to go towards operations as the Police Chief sees fit.

The motion passed by acclamation with the following vote:

Yes: 7 - Councilor Izraelevitz, Councilor Chandler, Councilor Chrobocinski,
Councilor Maggiore, Councilor O'Leary, Councilor Reiss, and Councilor Sheehey

7. RECESS

The meeting recessed at 9:50 p.m., to be reconvened at 6:00 p.m. on Tuesday, April 17, 2018.

Tuesday, April 17, 2018

1. OPENING/ROLL CALL

The Council Chair, David Izraelevitz, called the meeting to order at 6:06 p.m.

The following Councilors were in attendance:

Present: 7 - Councilor Izraelevitz, Councilor Chandler, Councilor Chrobocinski,
Councilor Maggiore, Councilor O'Leary, Councilor Reiss, and Councilor Sheehey

2. PLEDGE OF ALLEGIANCE

No action taken.

4. PUBLIC COMMENT (*heard out of order*)

Ms. Helen Milenski, 1651 36th Street, commented on the budget of the Community Development Department.
Mr. Erin Walker, 413 Pruitt Avenue, commented on the budget of the Community Development Department.
Mr. Jose Carreno, 937 Tewa Loop, commented on the budget and the approval of Capital Improvement Projects.

3. STATEMENT REGARDING CLOSED SESSION

A motion was made by Councilor Sheehey, seconded by Councilor Maggiore, that Council approve the following statement for inclusion in the minutes: "The matters discussed in the closed session held on April 17, 2018 that began 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 that closed session."

The motion passed by acclamation with the following vote:

Yes: 6 - Councilor Izraelevitz, Councilor Chandler, Councilor Chrobocinski, Councilor Maggiore,
Councilor Reiss, and Councilor Sheehey

Abstain: 1 - Councilor O'Leary

Councilor Izraelevitz noted that Councilor O'Leary did not attend the closed session.

5. PUBLIC HEARING(S)

A. Introduction, Overview, Budget Summary and Long Term Financial Projection

1) FY2019 Budget Hearings

No Action taken.

B. Budget Presentations

13. Community Development Department

Mr. Paul Andrus, Community Development Director, spoke.
Ms. Karen Kendall, Budget and Performance Manager, spoke.
Mr. Steven Lynne, Deputy County Manager, spoke.

A motion was made by Councilor Reiss, seconded by Councilor Chandler, that Council tentatively approve the budget for the Community Development Department as presented.

The motion passed by acclamation with the following vote:

Yes: 6 - Councilor Izraelevitz, Councilor Chandler, Councilor Maggiore, Councilor O'Leary, Councilor Reiss, and Councilor Sheehey

No: 1 - Councilor Chrobocinski

Councilor Chandler left the meeting after the discussion of this item at 7:31 p.m.

14. Public Works Department

Mr. Philo Shelton, Public Works Director, spoke.

A motion was made by Councilor Maggiore, seconded by Councilor Chrobocinski, that Council tentatively approve the budget for the Public Works Department as presented.

The motion passed by acclamation with the following vote:

Yes: 6 - Councilor Izraelevitz, Councilor Chrobocinski, Councilor Maggiore, Councilor O'Leary, Councilor Reiss, and Councilor Sheehey

Absent: 1 - Councilor Chandler

RECESS

Councilor Izraelevitz called for a recess at 7:58 p.m. The meeting reconvened at 8:08 p.m.

15. Department of Public Utilities

Mr. Tim Glasco, Utilities Manager, spoke.
Mr. Bob Westervelt, Deputy Utilities Manager, spoke.
Mr. Jordan Garcia, Power System Supervisor, spoke.
Mr. Jack Richardson, Deputy Utilities Manager, spoke.
Mr. Alvin Leaphart, County Attorney, spoke.

A motion was made by Councilor Reiss, seconded by Councilor Chrobocinski, that Council tentatively approve the budget for the Department of Utilities as presented.

The motion passed by acclamation with the following vote:

Yes: 6 - Councilor Izraelevitz, Councilor Chrobocinski, Councilor Maggiore, Councilor O'Leary, Councilor Reiss, and Councilor Sheehey

Absent: 1 - Councilor Chandler

16. Non Departmental

Mr. Steven Lynne, Deputy County Manager, spoke.

No action taken.

6. POSSIBLE BUDGET ADOPTION

Mr. Steven Lynne, Deputy County Manager, spoke.

Mr. Harry Burgess, County Manager, spoke.

A motion was made by Councilor O'Leary, seconded by Councilor Maggiore, that Council adopt the FY2019 budget in the amount of \$188,838,880, as described in Attachment H, Summary of Changes from Proposed to Adopted Budget;

Further moved that Council approve the following items related to the adoption of the FY2019 budget:

- 1. Summary of Pension Fund Administrative Costs in Attachment F;**
- 2. FY2019 Long Range Financial Projection in Attachment B;**
- 3. FY2019 Equipment Replacement List in Attachment E; and**
- 4. FY2019 Recurring Grants in Attachment G;**

Further moved that Council approve a 0.5 regular FTE Court Clerk for Municipal Court;

Further moved that Council approve continuing appropriations in the FY2019 budget for the following items from the FY2018 budget:

- a) all valid encumbrances outstanding at June 30, 2018;**
- b) all unexpended and unencumbered previously approved project budgets at June 30, 2018;**
- c) all unexpended and unencumbered previously approved Major Facilities Maintenance budget at June 30, 2018;**
- d) the unexpended and unencumbered previously approved budget for Fire Mitigation;**
- e) all unexpended and encumbered grant budgets at June 30, 2018 that are permitted to be carried forward by their governing grant agreements; and**
- f) \$80,000 within Community Services for the Public Health Office.**

The motion passed with the following vote:

Yes: 6 - Councilor Izraelevitz, Councilor Chrobocinski, Councilor Maggiore, Councilor O'Leary, Councilor Reiss, and Councilor Sheehey

Absent: 1 - Councilor Chandler

7. PUBLIC COMMENT

None.

8. ADJOURNMENT

The meeting adjourned at 9:29 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

David Izraelevitz, Council Chair

Attest:

Naomi D. Maestas, County Clerk

Meeting Transcribed by: Victoria L. Martinez, Deputy Clerk

Los Alamos County
FY2019 Summary of Changes from Proposed to Adopted Budget

Fund Type	Fund	Department	FY2019 Proposed Expenditure Budget	Changes	FY2019 Adopted Expenditure Budget
GOVERNMENTAL					
General	General Fund	County Council	\$ 419,546		419,546
General	General Fund	Municipal Court	522,517	24,624	547,141
General	General Fund	County Manager	3,540,784	-	3,540,784
General	General Fund	County Assessor	407,201		407,201
General	General Fund	County Attorney	703,539		703,539
General	General Fund	County Clerk	568,528		568,528
General	General Fund	Probate Court	5,906		5,906
General	General Fund	County Sheriff	15,510	-	15,510
General	General Fund	Administrative Services	7,469,690	-	7,469,690
General	General Fund	Community Services	10,582,995	-	10,582,995
General	General Fund	Fire	5,207,149	-	5,207,149
General	General Fund	Police	8,601,047	45,000	8,646,047
General	General Fund	Community Development	1,878,307	-	1,878,307
General	General Fund	Public Works	11,697,841	-	11,697,841
General Fund Subtotal			51,620,560	69,624	51,690,184

GOVERNMENTAL					
Special Revenue	State Shared Revenues	Public Works	-		-
Special Revenue	Lodger's Tax	County Manager	227,662		227,662
Special Revenue	State Grants	Fire, Police, Community Services	699,200	-	699,200
Special Revenue	Health Care Assistance	Community Services	2,345,621	-	2,345,621
Special Revenue	Economic Development	County Manager	3,275,750		3,275,750
Special Revenue	Other Special Revenue	Municipal Court, Community Services, Clerk, Assessor	302,573	-	302,573
Special Revenue	Emergency Declarations	Non Departmental	-		-
Special Revenue Funds Subtotal			6,850,806	-	6,850,806

GOVERNMENTAL					
Debt Service	Debt Service	Non Departmental	6,265,559	-	6,265,559

Los Alamos County
FY2019 Summary of Changes from Proposed to Adopted Budget

<u>Fund Type</u>	Fund	Department	FY2019 Proposed Expenditure Budget	Changes	FY2019 Adopted Expenditure Budget
GOVERNMENTAL					
Capital Projects	Capital Improvement Projects	Public Works, Community Development	8,652,000	-	8,652,000
Capital Projects	Capital Projects Permanent	Non Departmental	-	-	-
PROPRIETARY					
Enterprise	Joint Utilities System	Utilities	64,691,600	-	64,691,600
Other Enterprise	Environmental Services	Public Works	4,275,028	-	4,275,028
Other Enterprise	Transit	Public Works	4,865,667	-	4,865,667
Other Enterprise	Fire (Cooperative Agreement)	Fire	25,364,926	-	25,364,926
Other Enterprise	Airport	Public Works	1,062,406	-	1,062,406
Other Enterprise Funds Subtotal			35,568,027	-	35,568,027
PROPRIETARY					
Internal Service	Equipment	Public Works	4,671,006	-	4,671,006
Internal Service	Risk Management	County Manager	10,449,698	-	10,449,698
Internal Services Funds Subtotal			15,120,704	-	15,120,704
County-Wide Total Expenditures			\$ 188,769,256	69,624	\$ 188,838,880

PENSION FUND BUDGET SUMMARY

	FY2016 Actuals	FY2017 Actuals	FY 2018 Adopted Budget	FY2018 Projected Actuals	FY 2019 Proposed Budget	FY 2020 Projected Budget	Variance FY 2018 vs FY 2017
Over (under funding carryover)	\$ 119,308	97,816	76,816	80,153	59,153	44,153	(12%)
Revenues:							
Participant Fees and Interest	38,581	30,945	45,000	45,000	40,000	40,000	N/A
Expenditures:							
Administrative (trustee) Fees	47,645	37,654	55,000	55,000	44,000	44,000	0%
Legal Fees	6,571	5,097	5,000	5,000	5,000	5,000	0%
Audit Fees	5,857	5,857	6,000	6,000	6,000	6,000	0%
Expenditures	60,073	48,608	66,000	66,000	55,000	55,000	0%
Over (under) funding of pension costs	\$ 97,816	80,153	55,816	59,153	44,153	29,153	(15%)

*The **Pension Fund** accounts for participant fees paid by employees and the costs for administrative, legal and audit fees of the pension. Budgets are generally not presented for Pension Trust Funds under current accounting practice. The FY2019 proposed budget for administrative costs are being presented here for Council approval.*

It will not be a formal part of the final budget that is adopted.

LONG RANGE FINANCIAL PROJECTION

This Long Range Financial Projection (LRFP) is prepared in accordance with Financial Policies Section IX, Long Range Financial Projection. The purpose is to provide a longer-term context for the biennial budget, to clarify and illustrate Council's long-range financial policy direction, and to integrate the estimated long-term operating impacts from capital projects into the operating budget projections.

The focus of the LRFP is on the general governmental operations of the County. The Joint Utilities and other proprietary funds are excluded from this analysis.

Baseline Scenario

The key assumptions built into the baseline LRFP are the following:

Revenue Assumptions:

1. Charges for services, franchise taxes and interfund/interdepartmental charges are estimated using a simple forecast based upon past history. The primary assumptions for each of these lines was that the specific mix of revenues would remain stable over time and that there were no significant plans or other revenue interrelationships that would require a more refined projection model. The projection does include \$50,000 of new charges for services, beginning in FY2020 associated with the anticipated opening of the Kiddie Pool. Corresponding new operating expenses are also included (see note below).
2. Grants – The detail for FY2018 was reviewed and those items that were one time in nature or declining were reduced in future years. The base estimate for expected recurring revenues in the General fund is \$926,049 in FY2019. In subsequent years this amount is inflated annually at a rate of 3%.
3. Land Sales – The County has future plans that would involve sale of County land parcels. Land sales revenue totaling approximately \$5.3 million is included in the CIP Fund over FYs 2019 – 2020. These parcels include 20th St., A-13&12, and A-8. Any land sales will be subject to future development plans and subject to Council approval.
4. GRT revenue – The two primary sources of input for GRT revenue projections are the federal budget projections and input from LANL regarding projected spending. While the first input drives the other, it is the spending that actually generates GRT.

As previously noted, the M&O contract at LANL is currently under procurement. The projection below assumes that the new contract is for-profit. Should that assumption be incorrect and a non-profit be awarded the contract, the projection would be approximately 50% lower.

The GRT revenues are estimated to change as follows (in \$millions):

(in \$millions)												
Actual 2016	Actual 2017	Projected										
		2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028
45	41	45	45	47	47	47	48	48	49	50	51	52
%Change	-8.0%	8.4%	1.5%	3.0%	0.2%	0.7%	1.7%	0.7%	1.7%	1.7%	1.7%	1.7%

LONG RANGE FINANCIAL PROJECTION

There has been a significant amount of volatility in GRT and therefore the County is taking a conservative approach to budgeting this revenue source into the future. GRT revenues are projected to increase by 1.5% over projected revenues for 2018.

5. The average annual valuation increases are estimated to be 3%.
6. If not specifically addressed, revenues are projected to follow either historical trends or historical averages.

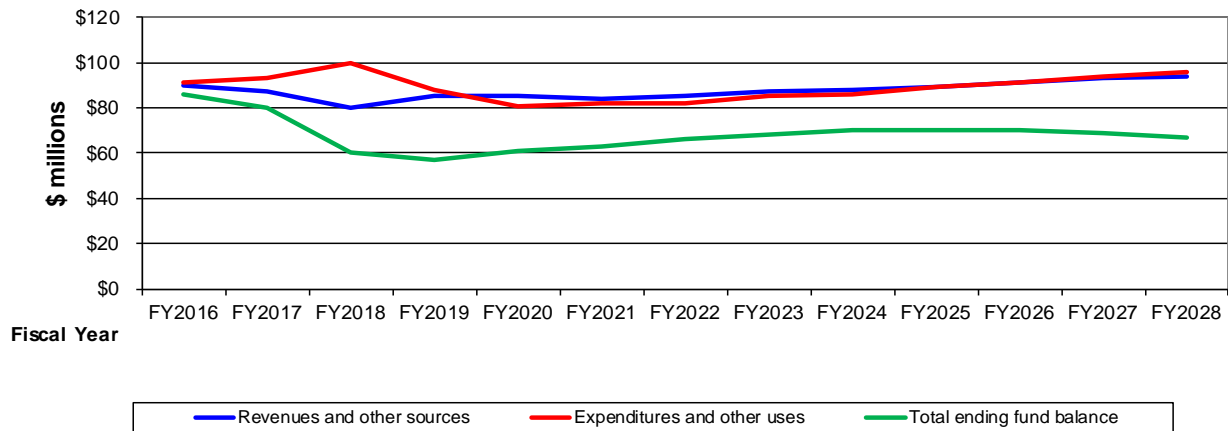
Operating Expenditure Assumptions:

1. In FY2021 and beyond, General Fund Expenditures are estimated to inflate annually at an average of 3%.
2. Expenditures in other special revenue funds inflate at varying rate of 1% to 3% annually.
3. In FY2020 and beyond, \$425,000 annually is estimated for Economic Development operational expenses to be paid from the General Fund as the Economic Development fund will be out of fund balance and has no identified revenue stream. An additional \$50,000 is also programmed into the Lodgers' Tax Fund in FY2020 for similar programs.
4. In FY2020, \$370,000 million in new operating expenses has been added to the General Fund for CIP project operating costs. This is offset by a planned decrease in debt service expense for the GRT revenue bonds in the General Fund of \$1.7 million and by the new charges for services noted earlier.

LONG RANGE FINANCIAL PROJECTION

The following table and graph illustrate the projected outcomes.

Governmental Activities Summary (in \$ millions)													
	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028
Total beginning fund balance	\$ 87	86	80	60	57	61	63	66	68	70	70	70	69
Revenues and other sources	90	87	80	85	85	84	85	87	88	89	91	93	94
Expenditures and other uses	(91)	(93)	(100)	(88)	(81)	(82)	(82)	(85)	(86)	(89)	(91)	(94)	(96)
Total ending fund balance	86	80	60	57	61	63	66	68	70	70	70	69	67



It should be noted that the projected fund balance growth is primarily due to projected growth in the CIP and CIP Permanent Funds.

Financial Risks and Mitigation Strategies

The most significant risk inherent in this LRFP is that projected GRT tax revenue from LANL decreases substantially (either the tax status of the contractor changes and/or the nature and size of LANL operations changes, and/or State tax law changes unfavorably).

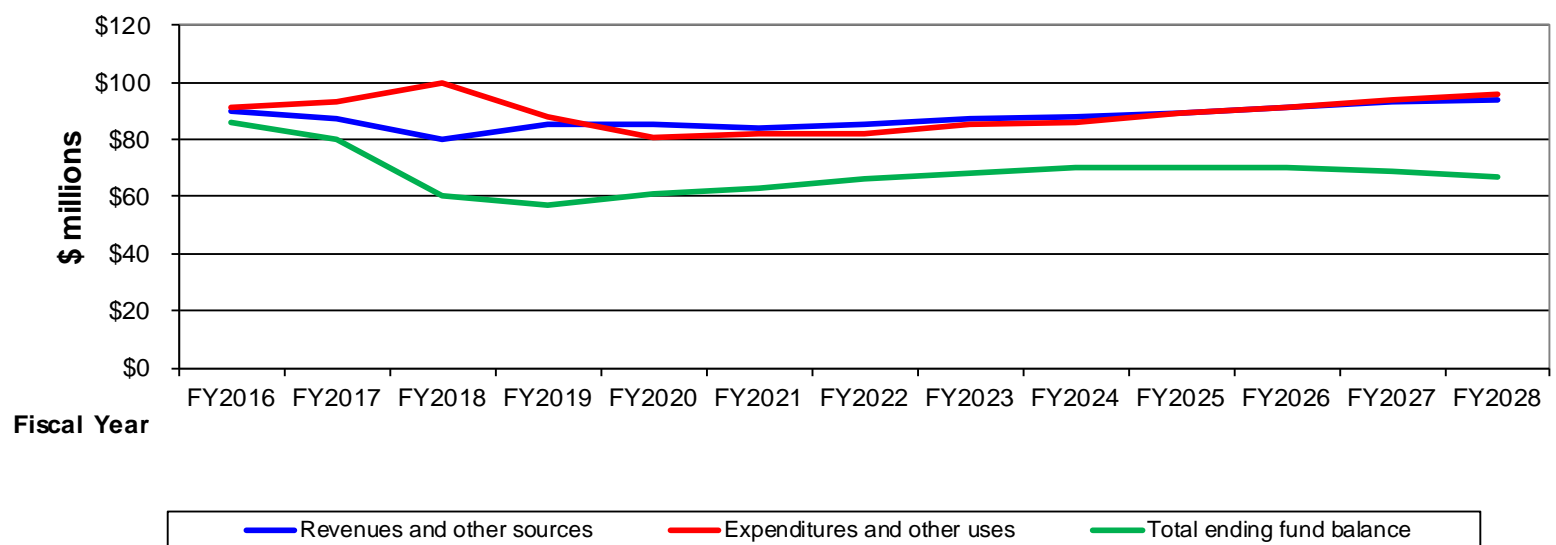
The Council has endorsed a regional strategy to pursue State legislative changes that could help alleviate the risk associated with the tax status of the LANL contractor changing in future years. In addition, a basic tenet of the County's ongoing budget development processes is to find efficiencies where possible, realign personnel with changing operations, and eliminate vacant positions when possible, thereby reducing recurring operating costs.

SUMMARY

The purpose of the LRFP is to illustrate the potential long-term impacts of operating and capital plans from a comprehensive perspective. The Capital Improvement Program, implemented as a whole and based upon the stated assumptions, is projected to generate positive economic benefit and to improve the quality of life for the community, although there are risks that will need to be managed carefully. It also projects that some additional capacity for other projects will be available over the long-term.

LONG RANGE FINANCIAL PROJECTION

Governmental Activities Summary (in \$ millions)													
	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028
Total beginning fund balance	\$ 87	86	80	60	57	61	63	66	68	70	70	70	69
Revenues and other sources	90	87	80	85	85	84	85	87	88	89	91	93	94
Expenditures and other uses	(91)	(93)	(100)	(88)	(81)	(82)	(82)	(85)	(86)	(89)	(91)	(94)	(96)
Total ending fund balance	86	80	60	57	61	63	66	68	70	70	70	69	67



GENERAL FUND LONG RANGE PROJECTION BUDGET SUMMARY

	<u>2019</u> Proposed	<u>2020</u> Projected	<u>2021</u> Projected	<u>2022</u> Projected	<u>2023</u> Projected	<u>2024</u> Projected	<u>2025</u> Projected	<u>2026</u> Projected	<u>2027</u> Projected	<u>2028</u> Projected
Beginning fund balance:										
Nonspendable	1,551,437	1,601,437	1,655,891	1,670,982	1,686,224	1,701,619	1,717,168	1,732,871	1,748,732	1,764,751
Restricted for Cash Requirements	4,445,285	4,301,713	4,453,453	4,900,652	5,037,768	5,178,785	5,324,201	5,473,933	5,628,230	5,787,175
Other Restricted/Assigned	1,773,670	773,670	1,075,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Revenue Stabilization	0	0	0	0	0	0	0	0	0	0
Unassigned	14,274,646	15,577,093	16,876,128	17,343,678	17,701,911	17,085,090	15,952,966	13,689,372	11,183,305	7,393,432
Total beginning fund balance	22,045,038	22,253,913	24,060,471	24,915,312	25,425,903	24,965,494	23,994,335	21,896,176	19,560,267	15,945,358
Revenues:										
Gross Receipts Taxes	40,988,000	42,215,000	42,301,000	42,611,000	43,328,000	43,632,000	44,377,000	45,129,000	45,900,000	46,687,000
Property Taxes	7,142,776	7,357,000	7,578,000	7,805,000	8,039,000	8,280,000	8,528,000	8,784,000	9,048,000	9,319,000
Interdepartmental charges	6,994,640	7,205,000	7,421,000	7,644,000	7,873,000	8,109,000	8,352,000	8,603,000	8,861,000	9,127,000
User Charges	2,260,970	2,377,000	2,448,000	2,521,000	2,597,000	2,675,000	2,755,000	2,838,000	2,923,000	3,011,000
Investment income	1,471,576	1,303,887	1,684,000	1,744,000	1,780,000	1,748,000	1,680,000	1,533,000	1,369,000	1,116,000
Grants	926,049	937,049	965,000	994,000	1,024,000	1,055,000	1,087,000	1,120,000	1,154,000	1,189,000
Other	1,361,314	1,368,554	1,410,000	1,452,000	1,496,000	1,541,000	1,587,000	1,635,000	1,684,000	1,735,000
Revenues:	61,145,325	62,763,490	63,807,000	64,771,000	66,137,000	67,040,000	68,366,000	69,642,000	70,939,000	72,184,000
Transfers from other funds	2,555,860	2,631,868	2,691,000	2,723,000	2,772,000	2,804,000	2,855,000	2,906,000	2,959,000	3,012,000
Total sources of funds	85,746,223	87,649,271	90,558,471	92,409,312	94,334,903	94,809,494	95,215,335	94,444,176	93,458,267	91,141,358
Expenditures:	2019	2020	2021	2022	2022	2022	2022	2022	2022	2022
County Council	419,546	419,546	432,000	445,000	458,000	472,000	486,000	501,000	516,000	531,000
Municipal Court	522,517	536,976	553,000	570,000	587,000	605,000	623,000	642,000	661,000	681,000
County Manager	3,540,784	4,466,258	4,600,000	4,738,000	4,880,000	5,026,000	5,177,000	5,332,000	5,492,000	5,657,000
County Assessor	407,201	409,481	422,000	435,000	448,000	461,000	475,000	489,000	504,000	519,000
County Attorney	703,539	705,414	727,000	749,000	771,000	794,000	818,000	843,000	868,000	894,000
County Clerk	568,528	571,376	589,000	607,000	625,000	644,000	663,000	683,000	703,000	724,000
Probate Court	5,906	5,906	6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000
County Sheriff	15,510	15,510	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000
Community Development	1,878,307	1,887,989	1,945,000	2,003,000	2,063,000	2,125,000	2,189,000	2,255,000	2,323,000	2,393,000
Administrative Services	7,469,690	7,527,491	7,753,000	7,986,000	8,226,000	8,473,000	8,727,000	8,989,000	9,259,000	9,537,000
Community Services	10,582,995	11,130,324	11,464,000	11,808,000	12,162,000	12,527,000	12,903,000	13,290,000	13,689,000	14,100,000
Fire	5,207,149	5,207,149	5,363,000	5,524,000	5,690,000	5,861,000	6,037,000	6,218,000	6,405,000	6,597,000
Police	8,601,047	8,642,167	8,901,000	9,168,000	9,443,000	9,726,000	10,018,000	10,319,000	10,629,000	10,948,000
Public Works	11,697,841	11,915,843	12,273,000	12,641,000	13,020,000	13,411,000	13,813,000	14,227,000	14,654,000	15,094,000
Expenditures	51,620,560	53,441,430	55,044,000	56,696,000	58,395,000	60,147,000	61,951,000	63,810,000	65,725,000	67,697,000
Transfers to other funds	11,871,750	10,147,370	10,599,159	10,287,409	10,974,409	10,668,159	11,368,159	11,073,909	11,787,909	11,503,628
Ending fund balance:										
Nonspendable	1,601,437	1,655,891	1,670,982	1,686,224	1,701,619	1,717,168	1,732,871	1,748,732	1,764,751	1,780,931
Restricted for Cash Requirements	4,301,713	4,453,453	4,900,652	5,037,768	5,178,785	5,324,201	5,473,933	5,628,230	5,787,175	5,950,851
Other Restricted/Assigned	773,670	1,075,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Unassigned	15,577,093	16,876,128	17,343,678	17,701,911	17,085,090	15,952,966	13,689,372	11,183,305	7,393,432	3,208,948
Total ending fund balance	22,253,913	24,060,471	24,915,312	25,425,903	24,965,494	23,994,335	21,896,176	19,560,267	15,945,358	11,940,730
Total uses of funds	85,746,223	87,649,271	90,558,471	92,409,312	94,334,903	94,809,494	95,215,335	94,444,176	93,458,267	91,141,358
Operating Surplus / (Shortfall)	208,875	1,806,558	854,841	510,591	(460,409)	(971,159)	(2,098,159)	(2,335,909)	(3,614,909)	(4,004,628)
Unassigned as a % of Revenue	25.48%	26.89%	27.18%	27.33%	25.83%	23.80%	20.02%	16.06%	10.42%	4.45%
Unassigned Target (20% of Rev)	12,229,065	12,552,698	12,761,400	12,954,200	13,227,400	13,408,000	13,673,200	13,928,400	14,187,800	14,436,800
\$ over (under) target	3,348,028	4,323,430	4,582,278	4,747,711	3,857,690	2,544,966	16,172	(2,745,095)	(6,794,368)	(11,227,852)

FY 2019 Equipment Replacement

General Fund Divisions

Unit#	Division	Year of Unit	DESCRIPTION	Estimated Replacement cost
1122	Police Department	2009	Ford F150	\$53,000
1151	Police Department	2012	Ford F150	\$53,000
1154	Police Department	2012	Ford F150	\$53,000
1058	Parks Maintenance	2007	Ford F250 4WD Reg Extended Cab	\$33,000
3097	Parks Maintenance	2008	JD 370 Mower Rear Mount Flail	\$15,000
3139	Parks Maintenance	2010	Hustler Super Z 28HP Mower	\$15,000
1059	Parks Maintenance	2007	Ford F250 4WD Extended Cab Utility	\$34,000
1124	PW Traffic and Streets	2009	Ford F350 SD Utility Bed	\$40,000
1097	PW Traffic and Streets	2009	Chevy 2500	\$30,000
3034	PW Traffic and Streets	2005	Freightliner Eagle Sweeper	\$280,000
1101	Facilities	2009	Ford F350 1 Ton Utility Bed	\$40,000
1119	PW Custodial	2009	Chevy 1500 4WD	\$25,500
1118	PW Custodial	2009	Chevy 1500 4WD	\$25,500
1075	Community Development	2007	Ford Escape	\$21,000
1025	Community Development	2004	Ford Escape SUV 4WD	\$21,000
997	Fleet Motor Pool	2000	Dodge Durango	\$23,000
1116	Golf Course	2009	Ford Ranger PU Economy 2WD	\$25,000
Equipment Fund Subtotal				\$787,000

Enterprise Funds

Unit#	Division	Year of Unit	DESCRIPTION			Estimated Replacement Cost
3148	PW Enviromental	2011	Case Skidster 440			\$50,000
1016	PW Enviromental	2004	Freightliner Roll Off			\$170,000
3018	PW Enviromental	2004	Peterson Grapppler Body			\$65,000
1146	PW Enviromental	2012	Refuse Side Loader			\$275,000
1114	PW Enviromental	2009	Chevy 1500 4WD			\$25,000
Unit#	Division	Year of Unit	DESCRIPTION	Full Cost	Utilities Fund (contribution for upgrade)	Estimated Replacement Cost
1078	Utilities WW	2005	Dump Truck 10 yd	\$ 178,000	\$ 57,000	\$121,000
1109	Utilities GWS	2009	Chevy 2500 4WD Utility Be	\$ 36,000		\$36,000
1158	Utililities WP	2012	Ford Expedition	\$ 30,000		\$30,000
Equipment Fund Subtotal						\$772,000

Transit Fund

Because these buses are grant funded, the grant funded portion resides in the Transit Budget. The replacement cost of these buses is split between the Transit Fund and the Equipment Fund.						
Unit#	Division	Year of Unit	Description	Full Cost	Transit Fund (including grant amount)	Estimated Replacement Cost
4111	PW Transit	2011	Glavel E450 Super Duty	\$370,000	\$347,020	\$22,980
4101	PW Transit	2010	Chevy 4500	\$370,000	\$317,189	\$52,811
4104	PW Transit	2010	Chevy 4500	\$370,000	\$317,189	\$52,811
Equipment Fund Subtotal						\$128,602

Equipment Fund Grand Total

Equipment Fund Grand Total				\$1,687,602
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**Schedule of Recurring Grants
Estimates for FY2019**

Dept/Div	Funding Source	Grant Description	Amount
Fire			
	NMPRC	Fire Protection Fund	\$ 563,000
	NMDOH	Emergency Medical Services Fund	10,500
Community Services			
	NMCYFD	Juvenile Justice Advisory Board	196,000
	NMDFA	Local DWI Distribution	75,000
Police			
	NMDHSEM	State Homeland Security Grant Program	200,000
	NMDFA	Law Enforcement Protection Fund	39,200
	NMDHSEM	Emergency Management Planning Grant	18,049
Transit			
	NMDOT	Transit 5311 - Operations	1,662,288
	NMDOT	Transit 5311 - Capital	888,000
	USDOI	Bandelier Service	175,252
Public Works			
	NMDOT	School Bus Route Program	87,000
	NMDOT	County Arterial Program	28,000
	NMDOT	Cooperative Program	64,000
Airport			
	USFAA		225,000
	NMDOT		271,500
Total			\$ 4,502,789

Approval of this schedule of recurring routine grants authorizes the department to apply for the grant. If the actual award is different from the amount included in the budget, a budget revision will be presented to Council for consideration during the fiscal year.



County of Los Alamos

Staff Report

May 01, 2018

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: G.

Index (Council Goals): * 2018 Council Goal – Quality Governance – Intergovernmental Relations – Strengthen Coordination and Cooperation Between County Government, LANL, and Regional and National Partners

Presenters: Bob Westervelt, Deputy Utilities Manager - Finance/Admin

Legislative File: 10708-18

Title

Approval of Revision to Modification 20 to the Electric Energy and Power Coordination Agreement (ECA) Between the Incorporated County of Los Alamos and the United States Department of Energy (DOE).

Recommended Action

I move that Council approve this Modification 20 to the Electric Coordination Agreement as presented.

Utilities Manager Recommendation

The Utilities Manager recommends that Council approve the motion as presented.

Board, Commission or Committee Recommendation

The Board of Public Utilities recommends that Council approve the motion as presented.

Body

MOD 20 to the Electric Coordination Agreement (ECA) between Los Alamos County and The Department of Energy was initially drafted and approved by the Operating Committee, the BPU, and the County Council, in June and July of 2017. When submitted to the NNSA Contracting Officer, she elected to delete one clause from the approved agreement, necessitating that the revised agreement be re-approved by the Operating Committee, BPU, and Council.

The change by the CO was to entirely remove proposed Article XVIII dealing with consideration of future resources. While the proposed language was useful for clarity, it in fact simply articulated in the contract what is essentially current and historical operational practice anyway, so is not crucial to moving forward. The summary of that language from the July 2017 staff report is shown in "strikethrough" below. The revised MOD was approved via E-Mail vote by the Operating Committee on April 3, 2018.

A summary of the proposed MOD from the July 2017 Agenda Item follows.

The Power Pool was established through the Electric Coordination Agreement (ECA) between Los Alamos County and The Department of Energy in 1985. (Note: In 2002 the National Nuclear Security Administration was established as a branch of the Department of Energy and took over responsibility for the ECA. The acronyms NNSA, DOE, and LANL may be used interchangeably

throughout this discussion and the MOD document). Through the contract, both parties contribute the power from and costs of each of the respective “Pool Approved Resources” into the Pool, and those costs are then allocated back to the parties pro rata according to each party’s usage. The contract has been renewed continuously since 1985. Historically the County has contributed approximately 75% of the resources, while LANL has accounted for approximately 80% of the load.

The attached MOD20 to the Electric Coordination Agreement was initially approved by the Operating Committee on ~~June 1, 2017~~ April 3, 2018. The changes were minor, mainly clarifying responsibilities for Critical Infrastructure Protection (CIP v5) and Western Electricity Coordinating Council (WECC) compliance, removal of the TA-3 Cogeneration Facility, which has been out of service for some time, as an approved resource, and correcting language related to fixed asset charges to reflect actual practice. The agreed status and cost share of NNSA’s initial participation in the Carbon Free Power Project through the Power Pool ~~and the treatment of exploration of future resources are~~ is also included. ~~primarily as a bridge to future negotiations for a MOD 21 where these matters will be refined more in the context of a post 2025 ECA.~~ No changes to cost share, asset mix, or contract term are included in this modification.

Alternatives

The Council could elect not to accept the proposed MOD20, in which case the parties would have to continue negotiations to address these matters.

Fiscal and Staff Impact

There is no immediate staff or fiscal impact. The proposed clauses proposed are intended to add clarity as to the matters covered.

Attachments

A - MOD 20 as approved by the CO

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE		PAGE OF PAGES 1 5	
2. AMENDMENT/MODIFICATION NO. 0020		3. EFFECTIVE DATE See Block 16C		4. REQUISITION/PURCHASE REQ. NO.	
6. ISSUED BY NNSA/Business Services Division U.S. Department of Energy Business Services Division P.O. Box 5400 Albuquerque NM 87185-5400		CODE 05001		5. PROJECT NO. (If applicable)	
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) Incorporated County Of Los Alamos Attn: Robert K. Westervelt 1000 Central Ave Ste 300 LOS ALAMOS NM 87544		(x)		9A. AMENDMENT OF SOLICITATION NO.	
CODE 069423424		FACILITY CODE		9B. DATED (SEE ITEM 11)	
		X		10A. MODIFICATION OF CONTRACT/ORDER NO. DE-AC04-85AL26078	
				10B. DATED (SEE ITEM 13) 09/11/2012	

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended. ☐ is not extended.
Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGEMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
X	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: Mutual Agreement of the Parties
	D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor ☒ is not. ☐ is required to sign this document and return _____ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

SEE ATTACHMENT B "Modification Description"

Payment:

OR for NNSA

U.S. Department of Energy

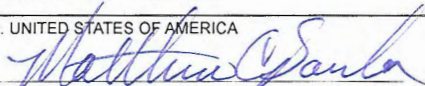
Oak Ridge Financial Service Center

P.O. Box 5807

Oak Ridge TN 37831

Period of Performance: 07/01/1985 to 06/30/2025

Except as provided herein, all terms and conditions of the document referenced in Item 9 A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Matthew C. Barela	
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA  (Signature of Contracting Officer)	16C. DATE SIGNED 2/6/18

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA
FAR (48 CFR) 53.243

ATTACHMENT A

ATTACHMENT B "Modification Description"

Electric Energy and Power Coordination Agreement

A. Pursuant to the authority "Mutual Agreement of the Parties". The purpose of this modification is to (1) ADD ARTICLE XVI - Western Electric Coordinating Council Compliance and Peak Reliability Services (2) ADD ARTICLE XVII - Carbon Free Power Project (CFPP), (3) revise Attachment A Exhibit A, Schedule 3, Rev. 2, (4) insert new Attachment A Exhibit B, Schedule 4.1 Rev. 0, (6) Remove Attachment A, Exhibit A, Schedule 1.1, TA-3 Generating Plant Units 1, 2, and 3.

B. As a result of Paragraph A, the contract is more specifically modified as follows:

Part I Schedule – Adding Article XVI Western Electric Coordinating Council Compliance and Peak Reliability Services and Article XVII Carbon Free Power Project (CFPP)

(1) ARTICLE XVI- Western Electric Coordinating Council Compliance and Peak Reliability Services

The Western Electricity Coordinating Council (WECC) is the Regional Entity for the Western Interconnection responsible for compliance monitoring and enforcement. NNSA is registered as a Transmission Owner (TO) and Transmission Operator (TOP) with WECC. As a registered entity, NNSA is responsible for compliance with all requirements of the WECC standards that are applicable to their function for which they are registered. NNSA is required to self-certify annually for all registered functions and WECC conducts compliance audits of the TO/TOPs per their schedule. As part of the ECA, the County provides and is responsible for the operation and maintenance of the Supervisory Control and Data Acquisition (SCADA) software system and the Backup Control Center that support the NNSA TOP function at LANL. The SCADA system and the Backup Control Center provide critical functions that are needed to meet the WECC TOP requirements related to Critical Infrastructure Protection and cybersecurity requirements. Operating Procedure C15, NERC CIP Compliance and Electric SCADA System Maintenance includes details on the WECC requirements applicable to the transmission system.

The parties agree to the following terms to ensure compliance with the applicable WECC standards and/or requirements:

Each party shall comply with the North American Electric Reliability Corporation and Western Electric Coordinating Council (WECC) standards where applicable, for the safe and reliable operation of the electric distribution/transmission system. NNSA will notify the County, when new standards or modifications to standards are applicable. The NNSA/County Operating Procedures will be updated to identify the requirements and who is the responsible party to implement, as necessary.

NNSA and the County shall be responsible for the maintenance and operation of their respective transmission facilities. Incurrence of significant costs relating to operation or maintenance of Pool transmission facilities will be reviewed and approved pursuant to the NNSA/County Operating Committee procedures for budgeting and planning. (Reference Operating Procedure C5, 1.1, Transmission System Operation and Maintenance) Attachment A, Exhibit A, Schedule 3, Rev 3 identifies the NNSA transmission arrangements and substations. Attachment A, Schedule 4.0, Rev 2 identifies the County transmission arrangements and substations.

As the registered entity with WECC, NNSA shall be the lead party responsible for the annual self-certification and audits including (1) communication with WECC regarding any issues or concerns; (2)

submitting the required documentation; and (3) coordinating with the County in a timely manner. The County shall provide the appropriate documentation to support NNSA within the required timeframes as communicated by NNSA.

Peak Reliability (Peak) serves as the Reliability Coordinator, as defined by the North American Electric Reliability Corporation, and as delegated by the Western Electricity Coordinating Council (WECC), for the Western Interconnection. The NNSA signed the Peak Reliability Coordinator Funding Agreement in July 2015. As a registered TOP/TQP, NNSAL must pay for Peak's services in accordance with the Funding Agreement. The monthly payment for the reliability coordination service will be included as a pool expense.

(2) Article XVII -Carbon Free Power Project (CFPP)

The Los Alamos Power Pool Operating Committee approved a not to exceed budget of \$145,540 to be used for Phase 1, the fatal flaw analysis for the Carbon Free Power Project at the preferred site in Idaho to evaluate the potential for this future resource to serve the Los Alamos Power Pool. The fatal flaw analysis will be used to determine the viability of a CFPP project as a future pool asset. The analysis evaluates the region of interest, land use agreement for the preferred site in Idaho, development of water acquisition strategy, and UAMPS - NuScale cost share agreement.

The parties agree that costs associated with the initial Fatal Flaw Analysis is in accordance with Exhibit C Miscellaneous Costs of Mutual Benefit, cost associated with studies and meetings with the planning for resources and facilities, the parties agree these costs will be allocated 50 percent demand and 50 percent energy.

Further participation in the project as defined in the UAMPS CFPP Power Sales Contract for the Development period will covered by a separate agreement or modification of the ECA.

Part III Exhibits are revised as followed:

(3) Exhibit A, Schedule 3, Rev. 2 DOE 115 KV TRANSMISSION AND SUBSTATION FACILITIES

Exhibit A, Schedule 3, Rev. 2 is revised to include additional resources associated with the STA and WTA. Modification 17 recognizes the STA-WTA link but Attachment A was not updated. The attachment is revised and incorporated as Attachment A, Exhibit A, Schedule 3, Rev. 3 DOE 115 KV TRANSMISSION AND SUBSTATION FACILITIES

(4) Insert Exhibit B, Schedule 4.1 Rev. 0

Exhibit B, Schedule 4.1 Rev. 0 is incorporated to recognize the Los Alamos County's transmission/distribution asset as an approved resource.

(5) Exhibit A, Schedule 1.1, TA-3 Generating Plant Units 1, 2, and 3

Exhibit A, Schedule 1.1 TA-3 Generating Plant Units 1, 2, and 3 is removed as an approved resource. The asset is no longer in service.

Exhibit A

Exhibit A, Schedule 3, Rev. 3

DOE 115 KV TRANSMISSION AND SUBSTATION FACILITIES

Description:

The DOE Los Alamos 115 kV Transmission and Substation Facilities includable as Approved Resources are as follow:

- (a) ETA Switching Station and related facilities
- (b) STA Switching Station and related facilities
- (c) WTA Switching Station and related facilities
- (d) 115 kV Transmission ETA to TA-3, ETA to TA-53, TA-53 to TA-3, STA to WTA, and WTA to TA 3
- (e) 115 kV Transmission ETA to PNM system point of connection
- (f) TA-3 Transformation and related facilities
- (g) Capacitor Banks and related facilities
- (h) Synchronous Optical Network (SONET Ring)
- (i) Primary Control Room and the Personal Access Control System

Monthly Fixed Charge

The parties agree that a monthly fixed charge associated with the NNSA 115 KV Transmission and Substation Facilities for each budget year will be based upon amortization of the remaining net asset value over the remaining estimated asset life as of June 30 of the proceeding contract year. Estimated asset lives will be established when assets are placed in service based on standard asset lives adopted for assets of a similar nature, industry or trade standards, or other methodology agreed to by the parties upon project approval. Any assets expensed directly or fully amortized will be excluded from this fixed charge amount. The monthly charge will be included as part of NNSA's annual budget. Replacements and additions of single items, not to exceed \$20,000, shall be separately charged as an operating expense on an actual cost incurred basis.

Operating and Maintenance Expenses

The parties agree that all operating and maintenance expenses associated with the approved 115 kV Transmission and Substation Facilities are includable herein.

Exhibit B

Exhibit B, Schedule 4.1, Rev. 0

County 115 KV TRANSMISSION AND SUBSTATION FACILITIES

Description

The County Los Alamos 115 kV Transmission and Substation Facilities includable as Approved Resources are as follow:

- (a) SCADA System
- (b) Backup Control Room

Monthly Fixed Charge

The parties agree that a monthly fixed charge associated with the County 115 KV Transmission facilities for each budget year will be based upon amortization of the remaining net asset value over the remaining estimated asset life as of June 30 of the preceding contract year. Estimated asset lives will be established when assets are placed in service based on standard asset lives adopted for assets of a similar nature, industry or trade standards, or other methodology agreed to by the parties upon project approval. Any assets expensed directly or fully amortized will be excluded from this fixed charge amount. The monthly charge will be included as part of NNSA's annual budget. Replacements and additions of single items, not to exceed \$20,000, shall be separately charged as an operating expense on an actual cost incurred basis.

Operating and Maintenance Expenses

The parties agree that all operating and maintenance expenses associated with the approved 115 kV Transmission and Substation Facilities are includable herein.

C. All other terms and conditions remain unchanged.



County of Los Alamos

Staff Report

May 01, 2018

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: H.

Index (Council Goals): * 2018 Council Goal – Quality Governance – Operational Excellence – Maintain Quality Essential Services and Supporting Infrastructure Including Updated Enterprise Software and Permitting

Presenters: Steve Cummins, Deputy Utilities Manager - Power Supply

Legislative File: 10710-18

Title

Approval of Northern Rio Arriba Electric Cooperative (NORA) Third Revised Exhibit A and Amendment No.3 to the Operation, Maintenance and Wheeling Agreement Dated August 27, 1986

Recommended Action

I move that Council approve the NORA Third Revised Exhibit A and Amendment No.3 to the Operation, Maintenance and Wheeling Agreement Dated August 27, 1986.

Utilities Manager Recommendation

The Utilities Manager recommends that Council approve the motion as presented.

Board, Commission or Committee Recommendation

The Board of Public Utilities recommends that Council approve the motion as presented.

Body

In 1986 LAC entered into a 50 year agreement with NORA to provide Wheeling Services for the output from the El Vado Generating Station from the Spills switching station to the Coyote Switching Station in northern New Mexico. In conjunction with wheeling agreements from Jemez Mountains Electric Cooperative and Tri-state Generation and Transmission Association, Inc., El Vado's energy has a designated path to serve the County's load. The rate that NORA charges the county, however, is part of an Exhibit and Amendment to the overall contract. The current exhibit expired in July of 2017 and had a ten year duration. LAC's proposal, agreed to by NORA, is the same annual percentage increase negotiated in the previous rate sheet. The result is a 5.09% increase over the next ten year period, or roughly one half percent per year.

Alternatives

Due to LAC's ownership of the El Vado Generating Station there is currently no alternative to this agreement. This wheeling agreement is an integral part of utilizing the Generating Station's output.

Fiscal and Staff Impact

The monetary impact is approximately \$986,863.48 in total over the ten year period at the forecasted delivery of 28,091 MWhs per year from the plant.

Attachments

A - Third Revised Exhibit A and Amendment No. 3

THIRD REVISED EXHIBIT "A"
TO
OPERATION, MAINTENANCE, AND WHEELING AGREEMENT
DATED AS OF AUGUST 27, 1986
("ORIGINAL WHEELING AGREEMENT"), AS AMENDED,
AND
AMENDMENT NO. 3 ("AMENDMENT NO. 3")
BETWEEN
NORTHERN RIO ARriba ELECTRIC COOPERATIVE, INC. ("NORA")
AND
INCORPORATED COUNTY OF LOS ALAMOS ("COUNTY")

SCHEDULE OF WHEELING CHARGES

1. NET RATE TO THE COUNTY PER BILLING PERIOD OR PART THEREOF.

\$60.00 per billing period (customer charge)

- PLUS -

The following charges per kWh of energy input annually for each billing year listed below. A "Billing Year" is from July 1 through the following June 30 of the next calendar year, as set forth below:

BILLING YEAR	ENERGY CHARGE PER kWh OF ENERGY INPUT
July 1, 2017-June 30, 2018	0.00343
July 1, 2018-June 30, 2019	0.00345
July 1, 2019-June 30, 2020	0.00347
July 1, 2020-June 30, 2021	0.00348
July 1, 2021-June 30, 2022	0.00350
July 1, 2022-June 30, 2023	0.00352
July 1, 2023-June 30, 2024	0.00354
July 1, 2024-June 30, 2025	0.00356
July 1, 2025-June 30, 2026	0.00358
July 1, 2026-June 30, 2027	0.00360

ATTACHMENT C

ATTACHMENT A

The above kWh charges shall be applied to the kWh energy input to NORA's system and measured by the kWh/kW demand meter located at the Spills Switching Station. The "billing period" shall be approximately 1/12 of a Billing Year but not necessarily a calendar month.

Commencing on July 1, 2027, the kWh charges to the County for energy applied to the kWh energy input to NORA 's utility system shall be at kWh energy charges and the minimum charges to be negotiated by the Parties pursuant to the terms and conditions of Amendment No. 3 ("Amendment No. 3") to the Operation, Maintenance, and Wheeling Agreement dated as of August 27, 1986 between NORA and the County ("Original Wheeling Agreement"), as revised by Addendum dated October 22, 1986, as amended by Amendment No. 1 dated as of June 26, 1996, and effective as of July 1, 1996 ("Amendment No. 1"), and as amended by Amendment No. 1 dated as of January 23, 2008, and effective as of July 1, 2017 ("Amendment No. 2") (together with Amendment No. 3 and Third Revised Exhibit "A" (collectively sometimes all referred to as the "Agreement," as it has been amended).

2. MINIMUM CHARGES.

The minimum charges under these rates shall be the product of the applicable kWh energy charge per Billing Year listed in Section 1 of this Third Revised Exhibit "A" for the particular Billing Year and times ten million (10,000,000) kWh per year (e.g., for the year 2017, \$.00343 per kWh times 10,000,000 kWh), payable on the first of the month following the execution of Amendment No. 3 to the Original Wheeling Agreement between NORA and the County and on July 1 thereafter for each year or portion thereof from July 1, 2017, through June 30, 2027. The payment of the minimum charges entitles the County to kWh wheeling allowances during the year for which the minimum charges are paid. All extraordinary

operations and maintenance expenses, as defined in the Agreement between NORA and the County, shall be charged separately from this Schedule in Amendment No. 3 and in accordance with the aforementioned Agreement.

Notwithstanding any provision in this Third Revised Exhibit "A" or in the Agreement, including Amendment No. 1 and Amendment No. 2, to the contrary, the County shall not be obligated to pay any minimum charges to NORA if the County is unable during any Billing Year, defined as from July 1 through June 30, to generate and transmit at least 10,000,000 kWh due to "uncontrollable forces," as defined in Section 7.3 of the Agreement. If the County is unable to generate and transmit a minimum of 10,000,000 kWh in a Billing Year due to uncontrollable forces, then the pro rata share of the minimum charges already paid to NORA for that year which represents the difference between the energy actually transmitted and 10,000,000 kWh shall be credited to the County for the next Billing Year.

3. POWER FACTOR ADJUSTMENT.

The County agrees to maintain at the Spills Switching Station unity power factor as nearly as practicable. KWh wheeling charges will be adjusted to correct for average power factors lower than 95%. Such adjustments will be made by increasing the measured kWh 1% for each 1% by which the average power factor is less than 95% (lagging or leading).

4. TERMS OF PAYMENT.

Terms of payment shall be as set forth in the Agreement between the County and NORA.

5. This Third Revised Exhibit "A" supersedes and replaces in its entirety Exhibit "A" and the Second Revised Exhibit "A" to the Agreement.

IN WITNESS WHEREOF, the Parties have hereunto set their hands and seals this ____ day of _____, 2018, and this Third Revised Exhibit "A" shall be effective as of July 1, 2017.

**NORTHERN RIO ARRIBA ELECTRIC
COOPERATIVE, INC.**

BY: _____
**STEVE RENDON
PRESIDENT**

ATTEST:

**GILBERT MARTINEZ
SECRETARY**

**INCORPORATED COUNTY OF LOS
ALAMOS**

BY: _____
**TIMOTHY A. GLASCO
LOS ALAMOS COUNTY UTILITIES MANAGER**

BY: _____
**DAVID IZRAELEVITZ
LOS ALAMOS COUNTY COUNCIL CHAIR**

ATTEST:

**NAOMI D. MAESTAS
LOS ALAMOS COUNTY CLERK**



County of Los Alamos

Staff Report

May 01, 2018

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.:	A.
Index (Council Goals):	* 2018 Council Goal – Quality of Life – Housing – Support development of affordable workforce housing; * 2018 Council Goal – Quality of Life – Housing – Promote the Creation of a Variety of Housing Options for all Segments of the Los Alamos Community, including infill Opportunities as Appropriate
Presenters:	Paul Andrus, Community Development Director
Legislative File:	OR0809-18b

Title

Incorporated County Of Los Alamos Ordinance No. 02-281; An Ordinance Repealing Ordinances 571 and 664 in their Entirety and Enacting and Amending Certain Affordable Housing Provisions Into the Los Alamos County Code of Ordinances

Recommended Action

I move that Council approve Incorporated County Of Los Alamos Ordinance No.02-281; An Ordinance Repealing Ordinances 571 and 664 in their Entirety and Enacting and Amending Certain Affordable Housing Provisions Into the Los Alamos County Code of Ordinances, and ask staff to assure that the Ordinance is published as required by the County Charter.

County Manager's Recommendation

The County Manager recommends that Council approve Ordinance No. 02-281 for adoption.

Body

Background

Ordinance No. 02-281 is an update to the County's group of Affordable Housing Ordinances and is intended to accomplish the following:

1. Repeal and consolidate the County's current affordable housing Ordinances and their associated programs, as applicable, into one chapter and article;
2. Ensure that all of the County's affordable housing Ordinances have been appropriately codified; and
3. Make some specific updates to the County affordable housing Ordinances which will allow for the County's local affordable housing programs and policies to better align with state and federal affordable housing programs and regulations which will allow for the County to maximize its opportunities to provide affordable housing to its Citizens.

The following current Ordinances and their underlying provisions of each are being proposed for repeal, consolidation and codification into Chapter 14, Article VII under this action:

Ordinance No. 551, Establishing an Affordable Housing Program pursuant to the Affordable Housing Act and which states additional ordinances will be needed to enable the County to create and administer specific housing programs, approved by Council January 26, 2010.

Ordinance No. 571, Authorizing the land donation and discount program which specified the income limits for households which may be assisted by the program, passed by Council on August 17, 2010.

Ordinance No. 664, which updated the Affordable Housing Program, essentially repealed Ordinance No. 551 to ensure compliance with the State's latest rules and regulations and to enhance the methods available to the County to assist qualified County residents in acquiring or improving housing within the County. This Ordinance was approved by Council on March 8, 2016.

This proposed Ordinance was submitted to the New Mexico Mortgage Finance Authority ("MFA") for their review and approval as required by the New Mexico Affordable Housing Act, and MFA approved the ordinance in its conformity to the Affordable Housing Act by letter dated February 28th, 2018 (Attachment B).

In summary, Ordinance No. 02-281, as did the other previous Ordinances, authorizes the County to operate an Affordable Housing Program as provided under the most recently enacted State of New Mexico Affordable Housing Act. The same activities and programming that previously existed under Ordinances 551 and 571 remain the same as approved by County Council (including the ability for the County to operate other housing assistance programs under the Affordable Housing Program, including but not limited to existing programs such as the Home Renewal Program and Homebuyer Assistance Program), with the following specific update:

This ordinance authorizes the County to donate land for affordable housing that will serve up to **sixty (60) percent Area Median Income (AMI)**. Previously, Ordinance No. 571 only allowed the County to consider donation of land when a project would serve households up to fifty (50) percent of AMI. This threshold is being recommended to be adjusted to 60% in order to align the County's policy with that of the Low-Income Housing Tax Credit Program (LIHTC) program. The LIHTC program is currently the only primary financing mechanism in the Country available for affordable multi-family rental projects. The household income for a household of four at 60% AMI is \$65,287. (A household of four at 50% AMI is \$54,400). The income threshold for discount of County land toward a project remains at eighty (80) percent of the AMI.

Notification for this public hearing has been done according to County Code.

No public comment has been received.

Alternatives

County Council could choose to not approve this ordinance and instruct staff to incorporate certain changes to it for future Council review and consideration.

Attachments

A - Incorporated County of Los Alamos Code Ordinance No. 02-281

B - Mortgage Finance Authority (MFA) Letter February 28, 2018 confirming Ordinance No. 02-281 compliance with AHA & Rules

C - Publication Notice April 12, 2018 of Code Ordinance No. 02-281

INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE NO. 02-281

A CODE ORDINANCE REPEALING ORDINANCES 571 AND 664 IN THEIR ENTIRETY AND ENACTING AND AMENDING CERTAIN AFFORDABLE HOUSING PROVISIONS INTO THE LOS ALAMOS COUNTY CODE OF ORDINANCES

WHEREAS, the Incorporated County of Los Alamos (“County”) has adopted various ordinances, including both general and code ordinances, establishing a County Affordable Housing Program pursuant to the State of New Mexico’s Affordable Housing Act, NMSA 1978 Sections 6-27-1 through 6-27-9 (“Affordable Housing Act”); and

WHEREAS, the County in 2010 adopted Ordinance No. 551 which established the first County Affordable Housing Program (“Program”); and

WHEREAS, the intent of the Affordable Housing Program is to provide various federal and State authorized housing programs including housing rehabilitation loans, homebuyer down payment assistance loan, and programs for large scale low-income housing projects for persons and families below the County’s specified average area median income level; and

WHEREAS, the County Council, in Ordinance No. 551, required that additional Program elements be enacted to set out the home rehabilitation program, ensure that any public funds or property be properly used, and a rental voucher program for County employees; and

WHEREAS, in County Ordinance No. 571, the County set out a Land Donation and Discount program which specified the levels to which County owned property could be donated or discounted for Program projects; and

WHEREAS, in County Ordinance No. 571, the non-codified ordinance, included two County Code changes to Sections 14-31 and 14-39; and

WHEREAS, in March of 2016 the County adopted Ordinance No. 664 which repealed Ordinance No. 551 and updated the County’s Affordable Housing Program to the State of New Mexico’s most recent statutory requirements; and

WHEREAS, the County’s Community Development Department is charged with administering and oversight of the County’s Affordable Housing Programs; and

WHEREAS, County Ordinances 571 and 664 were never codified in the County’s Code of Ordinances despite other Affordable Housing provisions codifications, therefore the County

desires to consolidate all affordable housing provisions into one chapter and article, add new provisions and modify others, and strengthen the purpose of this article; and

WHEREAS, the New Mexico Mortgage Finance Authority (“MFA”) has reviewed and approved this ordinance and the County’s various Affordable Housing Programs; and

WHEREAS, future amendments to Ordinance No. 02-281 and to Chapter 14, Article VII, must be approved by the MFA; and

WHEREAS, the County Council believes that the Affordable Housing Program(s) is in the best interest of the County’s overall health, safety, and welfare of its citizens.

BE IT ORDAINED BY THE GOVERNING BODY OF THE INCORPORATED COUNTY OF LOS ALAMOS, County Ordinances 571 and 664 are hereby repealed in full and are now incorporated into the County Code, along with amendments to Sections 14-31 and 14-39, as follows:

Section 1. County Code Ordinance 664 is hereby repealed in its entirety.

Section 2. County Code Ordinance 571 is hereby repealed its entirety.

Section 3. Article II, Section 31 of Chapter 14 (§ 14-31), is hereby amended as follows:

Sec. 14-31. - Generally.

The council may sell, lease, exchange or otherwise transfer county-owned real property and interests in real property, including the improvements contained thereon, when such transfer is made in accordance with the requirements of this article, except that such transfers may be made without following the requirements of sections 14-32 through 14-35, when the:

- (1) Property is being transferred under authority of the Municipal Housing Law, NMSA 1978, § 3-45-1, et seq., Urban Development Law, NMSA 1978, § 3-46-1, et seq., Community Development Law, NMSA 1978, § 3-60-1, et seq., or the Affordable Housing Act, NMSA 1978, § 6-27-1 et seq., and Article VII of this Chapter;
- (2) Property is being transferred to any other federal, state or local governmental agency or instrumentality after the council determines by resolution that the transfer is in the best interest of the public;
- (3) Property is being donated for the care and maintenance of the sick and indigent;

- (4) Property interest being transferred is either an easement or a license;
- (5) Property is being leased to an entity engaged in providing health care services, including nursing home services; or
- (6) Property interest is being transferred expressly pursuant to the authority granted by NMSA 1978, § 3-54-1, subject to the referendum requirements therein contained.

Section 4. Article II, Section 39 of Chapter 14 (§ 14-39), is hereby amended to read as follows:

Sec. 14-39. - Proceeds from sale or exchange of property.

Except for funds received from a sale or lease under the land donation or land discount program as provided in Article VII of this Chapter, all funds received from the sale or exchange of any county-owned property by the council shall be deposited in a separate account within the capital improvements fund and expended solely for the purpose of acquiring real property or capital improvements needed by the county.

Section 5. The Los Alamos County Code of Ordinances is amended by adding new sections in Article VII Division 1. ("Generally"), consisting of sections to be numbered 14-251 through 14-255, which sections read as follows:

Sec. 14-251. Purpose; generally.

There is hereby created a county affordable housing program which is to provide assistance to qualified recipients in acquiring or improving affordable housing within the county and to:

- (a) Establish procedures to ensure that all housing assistance grantees are qualifying grantees as defined in this Article and who meet the requirements of the Act and the rules both at the time of the award and throughout the term of any grant or loan under the Program;
- (b) Establish an application and award timetable for state housing assistance grants or loans to permit the selection of the qualifying grantee(s) by the county;
- (c) Create an evaluation process to determine:
 - (1) The financial and management stability of an Applicant;
 - (2) The demonstrated commitment of the Applicant to the community;
 - (3) A cost-benefit analysis of the project proposed by the Applicant including how the contribution will reduce the housing costs to persons of low income;
 - (4) The benefits to the community of a proposed project;
 - (5) The type or amount of assistance to be provided;

- (6) The scope of an Affordable Housing Project;
- (7) Any substantive or matching contribution by the Applicant to the proposed project;
- (8) A performance schedule for the qualifying grantee with performance criteria; and
- (9) Any other rules or procedures which the county believes are necessary for a full review and evaluation of an Applicant and the Application or which the MFA believes is necessary for a full review of the county's evaluation of the Applicant.
- (d) Require long-term affordability of the county's Affordable Housing Projects so that a project cannot be sold shortly after completion and taken out of the affordable housing market;
- (e) Require that a grant or loan for a Project must impose a contractual obligation on the Qualifying Grantee that all of the Affordable Housing units in any Project be occupied by persons of low or moderate income;
- (f) Provide for adequate security against the loss of public funds or property in the event that the Qualifying Grantee abandons or otherwise fails to complete a Project;
- (g) Require review and approval of a housing grant project budget by the county before any expenditure of grant funds or transfer of granted property;
- (h) Require that a condition of grant or loan approval be proof of compliance with all applicable State and local laws, rules and ordinances;
- (i) Provide definitions for "affordable" and "affordable housing" and for "low-income" and setting out requirements for verification of income levels;
- (j) Provide the county with a mechanism for implementing a valid Affordable Housing Program;
- (k) Establish a procedure and associated application for the purpose of waiving applicable county permit fees that are directly connected to projects that will result in the provision of affordable housing as defined under this Chapter and Article and the Affordable Housing Act, NMSA 1978, §§ 6-27-1 through 6-27-9, or as may be amended; and
- (l) Require that the county enter into a contract with the Qualifying Grantee consistent with the Act, which contract shall include remedies and default provisions in the event of unsatisfactory performance, and that subject the recipient of a contribution to the jurisdiction of the New Mexico courts to enforce compliance with the Act, the Rules, and any agreement(s) between the recipient and the county.
- (m) Require that all housing programs and assistance are in compliance with the Act and the Rules, as amended, and require compliance with the Act and the Rules in the provision of all contributions and by the recipients of contributions.

Sec. 14-252. Definitions.

The following words, terms, and definitions shall have the following meanings with this Article and Division where applicable or otherwise specified:

- (a) Act or AHA shall mean the Affordable Housing Act, NMSA 1978, §§ 6-27-1 through 6-27-9, or as may be amended from time to time.
- (b) Affordable shall mean consistent with minimum rent and/or income limitations set forth in the Act and in guidelines established by MFA and includes households earning less than eighty (80) percent of the county Area Median Income (AMI), as calculated by the United States Department of Housing and Urban Development (HUD). For affordable housing programs and projects using only County funds the unadjusted eighty (80) percent of the County Area Median Income (AMI) income limit is used. For affordable housing programs and projects using a mix of local, State and Federal funding or as required by a Federal Program, the eighty (80) percent of the County Area Median Income (AMI) income limit as published annually by HUD is used.
- (c) Affordable Housing means Residential Housing primarily for Persons or Households of Low Income with incomes eighty (80%) per cent of the county median family income, adjusted for family size, as calculated annually by HUD.
- (d) Affordable Housing Funds shall mean any or all funds awarded or to be awarded, loaned or otherwise distributed under the Act.
- (e) Affordable Housing Plan or Plan shall mean a plan pursuant to an Affordable Housing Program that contemplates one or more Affordable Housing Projects, which may be developed in one or more phases.
- (f) Affordable Housing Program or Program shall mean any programs the county and/or the MFA establish pursuant to the Act.
- (g) Affordable Housing Project or Project shall mean any work or undertaking, whether new construction, acquisition of existing Residential Housing, remodeling, improvement, rehabilitation or conversion and resale, land donation, homeowner down payment or closing cost assistance, which may be undertaken in one or more phases, as part of an Affordable Housing Plan, as approved by the county and/or the MFA for the primary purposes as allowed by the Act.
- (h) Affordability Period shall mean that amount of time represented by the term of a mortgage or other legal document during which only a qualified recipient or builder may hold title to or lease of real property for the development of which the county has

provided affordable housing assistance in the form of an award, loan, donation, or otherwise conveyed form. The Affordability period shall increase incrementally with the fair market value amount of county assistance provided. For the purposes of this Chapter and Article, *Affordability Period*, unless otherwise provided, shall be:

- (1) from \$1 to \$14,999.99, then the Affordability Period shall be not less than five (5) years.
 - (2) from \$15,000 up to and including \$40,000, then the Affordability Period shall be not less than ten (10) years.
 - (3) from \$40,000 up to and including \$100,000, then the Affordability Period shall be not less than fifteen (15) years.
 - (4) greater than \$100,000, then the Affordability Period shall be not less than twenty (20) years.
-
- (i) *Applicant* shall mean, subject to further qualifications, an individual, a governmental housing agency, regional housing authority, a for-profit venture, syndicate, or association or a nonprofit organization meeting the appropriate criteria of the county and/or the MFA.
 - (j) *Application* shall mean an application to participate in one or more Affordable Housing Programs under the Act submitted by an Applicant to the county.
 - (k) *Builder* shall mean an individual or entity licensed as a general contractor to construct Residential Housing in the State that satisfies the requirements of a Qualifying Grantee and has been approved by the county to participate in an Affordable Housing Program. The term *Builder* shall also include an individual or entity that satisfies the requirements of a Qualifying Grantee and has been approved by the county to participate in an Affordable Housing Program, who is not licensed as a general contractor in the State, provided such individual or entity contracts with a general contractor licensed in the State to construct Residential Housing.
 - (l) *Building* shall mean a structure capable of being renovated or converted into Affordable Housing or a structure that is to be demolished and is located on land donated for use in connection with an Affordable Housing Project.
 - (m) *County Permit Waiver* shall mean the approval to waive certain county Building, Planning and Utility Permit fees when associated with an eligible affordable housing activity. Waivers shall be granted only after the project has been deemed eligible by application and can be documented as part of an approved county Affordable Housing

Program or a housing project meeting the definition of affordable housing. Individual homeowners can apply to the county for the waiver or proof of eligibility can also be determined through verification of income provided by an acceptable third party documentation, including but not limited to income verification provided by Habitat for Humanity, the Los Alamos Housing Partnership, or other affordable housing provider that meets the criteria as and Eligible Entity under AHA rules.

- (n) County shall mean the Incorporated County of Los Alamos, New Mexico, a New Mexico municipal corporation.
- (o) Congregate Housing Facility shall mean Residential Housing designed for occupancy by more than four Persons of Low Income living independently of each other. The facility may contain group dining, recreational, health care or other communal living facilities and each unit in a Congregate Housing Facility shall contain at least its own living, sleeping, and bathing facilities.
- (p) Contribution shall mean any provision of assistance for affordable housing, including and Affordable Housing Grant or Affordable Housing Funds, made by a state, county, municipality or the MFA.
- (q) Federal Government shall mean the United States of America and any agency or instrumentality, corporate or otherwise, of the United States of America.
- (r) "Household" shall mean one or more persons occupying a housing unit.
- (s) Housing Assistance Grant means the donation by the county of land for construction of affordable housing; an existing Building for conversion or renovation as Affordable Housing; the costs of acquisition, development, construction, financing and operating or owning affordable housing, infrastructure or the costs of infrastructure necessary to support Affordable Housing or interest rate write downs for affordable housing rehabilitation loans; the waiving of applicable building permit fees for housing development or rehabilitation activities that are determined by the County to low income homeowners or renters-upon submission and approval of a county-administered application.
- (t) HUD shall mean the United States Department of Housing and Urban Development.
- (u) Infrastructure shall mean infrastructure Improvements and Infrastructure Purposes.
- (v) Infrastructure Improvement includes, but is not limited to:
 - (1) Sanitary sewage systems, including collection, transport, storage, treatment, dispersal, effluent use and discharge;

- (2) Drainage and flood control systems, including collection, transport, diversion, storage, detention, retention, dispersal, use and discharge;
 - (3) Water systems for domestic purposes, including production, collection, storage, treatment, transport, delivery, connection and dispersal;
 - (4) Areas for motor vehicle use for road access, ingress, egress and parking;
 - (5) Trails and areas for pedestrian, equestrian, bicycle or other non-motor vehicle use for access, ingress, egress and parking;
 - (6) Parks, recreational facilities and open space areas for the use of residents for entertainment, assembly and recreation;
 - (7) Landscaping, including earthworks, structures, plants, trees and related water delivery systems;
 - (8) Electrical transmission and distribution facilities;
 - (9) Natural gas distribution facilities;
 - (10) Lighting systems;
 - (11) Cable or other telecommunications lines and related equipment;
 - (12) Traffic control systems and devices, including signals, controls, markings and signs;
 - (13) Inspection, construction management and related costs in connection with the furnishing of the items listed in this subsection; or
 - (14) Heating, air conditioning and weatherization facilities, systems or services, and energy efficiency improvements that are affixed to real property.
- (w) Infrastructure Purpose shall mean:
- (1) Planning, design, engineering, construction, acquisition or installation of Infrastructure, including the costs of applications, impact fees and other fees, permits and approvals related to construction, acquisition or installation of the Infrastructure, provided the county may determine it appropriate to reduce or waive building and planning permit fees, sewer, water, electric and gas hookup fees and other fees with respect to an Affordable Housing Project for which Affordable Housing Funds and/or Housing Assistance Grants are awarded, loaned, donated or otherwise distributed under the Act and the county's approved Affordable Housing Plan;
 - (2) Acquiring, converting, renovating or improving existing facilities for Infrastructure, including facilities owned, leased or installed by the owner;
 - (3) Acquiring interests in real property or water rights for Infrastructure, including

interests of the owner; or

- (4) Incurring expenses incident to and reasonably necessary to carry out the purposes specified in this subsection.
- (x) Low Income Household means a household earning less than eighty (80) percent of the county's Area Median Income, as calculated by the United States Department of Housing and Urban Development.
- (y) MFA shall mean the New Mexico Mortgage Finance Authority.
- (z) MFA Act shall mean the Affordable Housing Act, Affordable Housing Act, NMSA 1978, §§ 6-27-1 through 6-27-9, and as may be amended.
- (aa) Moderate Income Household means a household earning between eighty (80) and one hundred and twenty (120) percent of the county's Area Median Income, as calculated by the United States Department of Housing and Urban Development.
- (bb) Mortgage shall mean a mortgage, mortgage deed, deed of trust or other instrument creating a lien, subject only to title exceptions as may be acceptable to the county on a fee interest in real property located within the State or on a leasehold interest that has a remaining term at the time of computation that exceeds or is renewable at the option of the lessee until after the maturity day of the Mortgage Loan.
- (cc) Mortgage Lender shall mean any bank or trust company, mortgage company, mortgage banker, national banking association, savings bank, savings and loan association, credit union, building and loan association and any other lending institution; provided that the mortgage lender maintains an office in the State, is authorized to make mortgage loans in the State and is approved by the county and/or the MFA and either the Federal Housing Authority, Veterans' Affairs, Federal National Mortgage Association (now known as Fannie Mae), or Federal Home Loan Mortgage Corporation.
- (dd) Mortgage Loan shall mean a financial obligation secured by a Mortgage, including a Mortgage Loan for a Project.
- (ee) Multiple Family Housing Project shall mean Residential Housing that is designed for occupancy by more than four persons or families living independently of each other or living in a Congregate Housing Facility, at least sixty percent (60%) of whom are Persons of Low Income, including without limitation Persons of Low Income who are elderly and handicapped as determined by the county, provided that the percentage of low-income persons and families shall be at least the minimum, if any, required by federal tax law.

- (ff) Multi-Family Housing Program shall mean a program involving a Congregate Housing Facility, a Multiple Family Housing Project or a Transitional Housing Facility.
- (gg) Persons of Low Income shall mean persons and families within the State who earn less than eighty (80) percent of the county Area Median Income, as calculated by the United States Department of Housing and Urban Development.
- (hh) Policies and Procedures shall mean Policies and Procedures of the MFA, including but not limited to, Mortgage Loan purchasing, selling, servicing and reservation procedures, which the MFA may update and revise from time to time as the MFA deems appropriate.
- (ii) Public Service Agencies shall include, but are not limited to, any entities that support Affordable Housing and which believe that the program or project proposed by the Applicant is worthy and advisable, but which are not involved, either directly or indirectly, in the Affordable Housing Program or Project for which the Applicant is applying.
- (jj) Qualifying Grantee means an individual who is qualified to receive assistance pursuant to the Act and is approved by the county; or a governmental housing agency, regional housing authority, corporation, a limited liability company, partnership, joint venture, syndicate, association or a nonprofit organization that is organized under State or local laws and can provide proof of such organization; if a non-profit organization, has no part of its net earnings inuring to the benefit of any member, founder, contributor, or individual; and is approved by the county.
- (kk) Recertification shall mean the recertification of Applicants and/or Qualifying Grantees participating in any Affordable Housing Programs or in any programs under the Act as determined necessary from time to time by the county.
- (ll) Rehabilitation shall mean the substantial renovation or reconstruction of an existing single-family residence or a Multi-Family Housing Project, which complies with requirements established by county. Rehabilitation shall not include routine or ordinary repairs, improvements or maintenance, such as interior decorating, remodeling or exterior painting, except in conjunction with other substantial renovation or reconstruction.
- (mm) Residential Housing shall mean any Building, structure or portion thereof that is primarily occupied, or designed or intended primarily for occupancy, as a residence by one or more Households and any real property that is offered for sale or lease for the construction or location thereon of such a building, structure or portion thereof.

"Residential Housing" includes congregate housing, manufactured homes and housing intended to provide or providing transitional or temporary housing for homeless persons.

- (nn) Residential Use shall mean that the structure or the portion of the structure to benefit from the Affordable Housing Funds or Housing Assistance Grant, is designed primarily for use as the principal residence of the occupant or occupants and shall exclude vacation or recreational homes.
- (oo) RFP shall mean any request for proposal made by the county.
- (pp) Rules shall mean the rules issued pursuant to NMSA 1978, §§ 58-18-1 through 58-18-27 (the "Mortgage Finance Authority Act") and pursuant to the Affordable Housing Act, NMSA 1978, §§ 6-27-1 through 6-27-9 (the "Act").
- (qq) State shall mean the State of New Mexico.
- (rr) Transitional Housing Facility shall mean Residential Housing that is designed for temporary or transitional occupancy by Persons of Low or Moderate Income or special needs.

Sec. 14-253. Program Solicitations, Applications, Review Criteria, and Awards.

With the exception of Housing Assistance Grants involving funding from the State which shall be governed as specified below, the following requirements shall apply to all Housing Assistance Grants and/or Affordable Housing Funds awarded, loaned, or otherwise distributed by the county under the Act and the county Program to a Qualifying Grantee:

- (a) Request for Proposals. The county, in its discretion, may issue one or more RFPs to solicit applications from Applicants or may otherwise identify a Qualifying Grantee for the use of any Affordable Housing Funds or Housing Assistance Grants to be awarded, loaned, donated, or otherwise distributed under the Act.
- (b) Applicant Eligibility. The following Applicants are eligible under the Act to apply for Affordable Housing Funds or a Housing Assistance Grant to provide housing or related services to Persons of Low Income in the community:
 - (1) All individuals who are qualified to receive assistance pursuant to the Act, the Rules, and this Chapter and Article that are approved by the county;
 - (2) All regional housing authorities and any governmental housing agencies;

(3) All for-profit organizations, including any corporation, limited liability company, partnership, joint venture, syndicate or association;

(4) All non-profit organizations meeting the following requirements:

- a. A primary mission of the nonprofit organization must be to provide housing or housing-related services to Persons of Low Income;
- b. The non-profit organization must have received its 501(c)(3) designation prior to submitting an Application; and
- c. Have no part of its net earnings inuring to the benefit of any member, founder, contributor, or individual other than a Person of Low Income.

(5) All non-individual Applicants must:

- a. Be organized under State or local laws and provide proof of such organization, be authorized to conduct business in New Mexico and be approved by the county, including but not limited to having a current county business registration;
- b. Have a functioning accounting system that is operated in accordance with generally accepted accounting principles or that has designated, and
- c. Contracted with an entity that will maintain such an accounting system consistent with generally accepted accounting principles;
- c. Have among its purposes significant activities related to providing housing or services to Persons or Households of Low Income; and
- d. Have no significant outstanding or unresolved monitoring findings from the county, the MFA, or its most recent independent financial audit, or if it has any such findings, it has a letter certifying from the county, the MFA, or auditor stating that the findings are in the process of being resolved.

(c) Applications.

(1) Applications. Applicants wishing to apply for a Housing Assistance Grant including the use of any Affordable Housing Funds, or to participate in any Affordable Housing Program are required to submit to the county the following (as applicable):

- a. One original Application, together with all required schedules, documents, or such other information which may be required by the county or in any RFP which may have been issued by the county, must be included in the completed Application;
- b. A proposal describing the nature and scope of the Affordable Housing Project proposed by the Applicant and for which the Applicant is applying for funds or a grant under the Act, and which describes the type and/or amount of assistance which the Applicant proposes to provide to Persons of Low Income. For proposed Affordable Housing Projects to include land donation from the county, the applicant must indicate that all the housing units will be for households below 60% AMI as defined by HUD;
- c. Executive summary and project narrative(s) that address the evaluation criteria set forth in any RFP issued by the county for the Affordable Housing Funds or the Housing Assistance Grant for which the Applicant is applying;
- d. A proposed budget for the Affordable Housing Project for which the Applicant is applying for Affordable Housing Funds or for a Housing Assistance Grant;
- e. Current independent financial audit;
- f. If the Applicant is a non-profit organization:
 - 1. Proof of current IRS tax status such as 501(c)(3) status;
 - 2. Documentation that confirms that no part of its Applicants' net earnings inures to the benefit of any member, founder, contributor or individual;
- g. If an Applicant is a legal entity, including a non-profit organization:
 - 1. A current annual budget for the Applicant, including all sources and uses of funds not just those related to relevant programs and/or a current annual budget only for the program for which the Applicant is applying for a Housing

Assistance Grant, or as otherwise may be required by the county in its discretion;

2. An approved mission statement that the Applicant has among its purposes significant activities related to providing housing or housing-related services to Persons or Households of Low or Moderate Income;
 3. A list of members of the Applicant's current board of directors or other governing body, including designated homeless participation, where required by the county;
 4. Evidence (or a certification as may be allowed by the county) that the Applicant has a functioning accounting system that is operated in accordance with generally accepted accounting principles, or has a valid contract with a designated entity that will maintain such an accounting system consistent with generally accepted accounting principles;
 5. Evidence that the Applicant has no significant outstanding or unresolved monitoring findings from the county, the MFA, or its most recent independent financial audit; or if it has any significant outstanding or unresolved monitoring findings from the county, the MFA, or its most recent independent financial audit, it has a certified letter from the county, the MFA, or the auditor stating that the findings are in the process of being resolved;
 6. An organizational chart, including job titles and qualifications for the Applicant's employees or as otherwise may be required by the county and/or the MFA in its discretion. Job descriptions may be submitted as appropriate; and
 7. Documentation that the Applicant is duly organized under State or local law and certification that the Applicant is in good standing with any State authorities, including the New Mexico Public Regulation Commission and/or the Secretary of State.
- h. Information as may be required by the county in order for it to determine the financial and management stability of the Applicant;

- i. Information as may be required by the county in order for it to determine the demonstrated commitment of the Applicant to the community;
- j. A completed cost-benefit analysis of the Affordable Housing Project proposed by the Applicant. Any cost-benefit analysis must include documentation that clearly evidences that there is or will be a direct benefit from the project proposed by the Applicant to the community and/or to the purported beneficiaries of the project, consistent with the provisions of the Act;
- k. Adequate information, as required by the county, regarding applicant's proposed Affordable Housing Project. The information provided must clearly evidence the need for the subsidy, that the value of the housing assistance grant reduces the housing costs to persons of Affordable Housing Rules Checklist low or moderate income, and that there is or will be a direct benefit from the project proposed by the applicant to the community and/or to the purported beneficiaries of the project, consistent with the provisions of the Act;
- l. Information supporting the benefits to the community of the Affordable Housing Project proposed by the Applicant;
- m. If applicable, proof of substantive or matching funds or contributions and/or in-kind donations to the proposed Affordable Housing Project in connection with the Application for funds under the Act. Nothing contained herein shall prevent or preclude an Applicant from matching or using local, private, or federal funds in connection with a specific Housing Assistance Grant or a grant of Affordable Housing Funds under the Act;
- n. Any certifications or other proof which the county may require in order for the county to confirm that the Applicant is in compliance with all applicable federal, State and local laws, rules and ordinances;
- o. A verification signed by the Applicant before a notary public that the information provided, upon penalty of perjury, is true and correct to the best of the Applicant's information, knowledge, and belief;
- p. Certifications as may be required by the county and signed by chief executive officer, board president, or other authorized official of the Applicant, provided that

the county at its discretion may waive any of the foregoing requirements if not deemed applicable.

(2) Additional Requirements for Multi-Family Housing Projects. For Applicants who are submitting Applications in connection with a Multi-Family Housing Program, the Applicant must also submit to the county the following additional information:

a. A verified certificate that, among other things:

1. Identifies every Multi-Family Housing Program, including every assisted or insured project of HUD, Rural Housing Services (RHS), FHA and any other state or local government housing finance agency in which such Applicant or its principals has been or is a principal;
2. Except as shown on such certificate, states that:
 - i. No mortgage on a project listed on such certificate has ever been in default, assigned to the Federal Government or foreclosed, nor has any mortgage relief by the mortgagee been given;
 - ii. There has not been a suspension or termination of payments under any HUD assistance contract in which the Applicant has had a legal or beneficial interest;
 - iii. Such Applicant has not been suspended, debarred or otherwise restricted by any department or agency of the Federal Government or any state government from doing business with such department or agency because of misconduct or alleged misconduct; and
 - iv. The Applicant has not defaulted on an obligation covered by a surety or performance bond.

If such Applicant cannot certify to each of the above, such Applicant shall submit a signed statement to explain the facts and circumstances that such Applicant believes will explain the lack of certification. The county or MFA may then determine if such Applicant is or is not qualified.

b. The experience of the Applicant in developing, financing and managing Multi-

Family Housing Projects; and

- c. Whether the Applicant has been found by the United States Equal Employment Opportunity Commission or the New Mexico Human Rights Commission to be in non-compliance with any applicable civil rights laws.

(3) Additional Requirements for Mortgage Lenders. If the Applicant is a Mortgage Lender, the county shall consider, among other things:

- a. The financial condition of the Applicant;
- b. The terms and conditions of any loans to be made;
- c. The aggregate principal balances of any loans to be made to each Applicant compared with the aggregate principal balances of the loans to be made to all other Applicants;
- d. The county's or MFA's assessment of the ability of the Applicant or its designated service to act as originator and servicer of Mortgage Loans for any Multi-Family Housing Programs or other programs to be financed; and
- e. Previous participation by the Applicant in the MFA's programs and HUD, Federal Housing Authority, or Rural Housing Service programs.

(4) Submission Procedure.

a. Time, Place and Method of Submission Delivery.

- 1. If the county has issued an RFP, all Applications must be received by the county no later than the deadline set forth in the RFP; otherwise, all Applications must be received by the county by the deadline the county has established in connection with the respective award or grant. The county shall be allowed not less than forty-five (45) days in which to review any such Applications or otherwise determine or confirm that an Applicant is a Qualifying Grantee under the Act and consistent with the Rules.
- 2. Applications shall be submitted by Applicants to the county in the form required by the county and shall contain all information which is required by

this Chapter, Article, and Division and any RFP which may have been issued.

b. *Additional Factors.* The Application procedures shall take into consideration:

1. Timely completion and submission to the county of an Application or other appropriate response to any solicitation by the county;
2. Timely submission of all other information and documentation related to the program required by the county as set forth in this Chapter and Article or as set forth in the Rules;
3. Timely payment of any fees required to be paid to the county at the time of submission of the Application; and
4. Compliance with program eligibility requirements as set forth in the Act, the Rules, and this Article.

c. *Submission Format.*

1. County forms must be used when provided and no substitutions will be accepted; however, attachments may be provided as necessary.
2. An Applicant's failure to provide or complete any element of an Application, including all requirements of the county or as may be listed on any RFP may result in the rejection of the Application prior to review.
3. Illegible information, information inconsistent with other information provided in the application, and/or incomplete forms will be treated as missing information and evaluated accordingly.
4. The county reserves the right to request further information from any Applicant so long as the request is done fairly and does not provide any Applicant an undue advantage over another Applicant.
5. The county, in its discretion, may cancel any RFP or reject any or all proposals in whole or part submitted by any Applicant.

6. The county shall not be responsible for any expenses incurred by an Applicant in preparing and submitting an Application. However, the county may establish and collect fees from Applicants who file Applications. Notice that fees will be charged and the amount of any such fees shall be included by the county in any RFP or otherwise shall be advertised as part of the Application solicitation process.

(5) Review by the county. On receipt of an Application, the county shall:

- a. Determine whether the Application submitted by the Applicant is complete and responsive;
- b. Determine whether the Applicant is a Qualifying Grantee as defined in this Article and in the Act;
- c. Review and analyze whether the Applicant has shown a demonstrated need for activities to promote and provide affordable housing and related services to Persons of Low Income;
- d. Determine whether the Applicant has demonstrated experience related to providing housing or services to Persons of Low Income, as well as experience and/or the capacity to administer the Affordable Housing Program or Project for which the Applicant has applied;
- e. Determine whether the Applicant's proposal provides a plan for coordinating with other service providers in the community; whether the Applicant's plan addresses how Persons of Low Income in need of housing and/or housing related supportive services can receive supportive services and referrals to federal, State and local resources; and, whether the Applicant's plan addresses outreach efforts to reach the population to be served as identified by the county in any RFP or otherwise;
- f. Determine whether the Applicant has support from Public Service Agencies, or such other support as may be required by the county in its discretion, for its proposed services in the community;
- g. Ascertain the amount of any matching funds or in-kind services specific to the program that may be utilized by the Applicant in connection with the program;

- h. Ascertain whether any local, private, or federal funds will be used by the Applicant in connection with the specific grant for which the Applicant is applying;
- i. Ascertain whether the Applicant has and can demonstrate the capability to manage the implementation of the Program for which the Applicant is applying;
- j. If Applicant is a prior recipient of either a Housing Assistance Grant, Affordable Housing Funds and/or other Program funds, confirm that the Applicant had no outstanding findings or matters of non-compliance with program requirements from the county or the MFA, as applicable or if it has any such findings, it has a certified letter from the county, the MFA, or auditor stating that the findings are in the process of being resolved;
- k. If Applicant is a prior recipient of either a Housing Assistance Grant, Affordable Housing Funds and/or other Program funds, confirm that the Applicant reasonably committed and expended the funds under the prior Program and/or met anticipated production levels as set forth in any contract with the county or the MFA, as applicable, for those prior Program funds;
- l. Evaluate the Applicant's proposal in part based upon the Applicant's current financial audit;
- m. Evaluate the Applicant's proposed budget for the Project for which the Applicant is applying for Affordable Housing Funds or a Housing Assistance Grant, which proposed budget must be approved by the county before Applicant can be approved as a Qualifying Grantee and any expenditure of grant funds under the Act or granted property is transferred to the Applicant;
- n. On receipt of an Application from a Builder, the county will analyze the Builder's ability to construct and sell sufficient Residential Housing units to Persons of Low income within the time or times as may be required by the county; and
- o. Consider other factors it deems appropriate to ensure a reasonable geographic allocation for all Affordable Housing Programs.

(6) Notification of Acceptance. The county, upon completion of its review of the Application and an evaluation of the criteria for approval of the Application as set forth in this Chapter or Article and in any RFP issued by the county and upon its determination that the Applicant is a Qualifying Grantee, by written notice shall notify each Applicant which has submitted an Application of the approval or disapproval of its Application. Upon approval of its Application, the Applicant shall be considered approved to participate in the Affordable Housing Program. The county's determination of any Application shall be conclusive.

(7) The county may permit pre-qualification of applicants as Qualifying Grantees, as follows:

- a. The county may review information submitted by eligible applicant and certify in writing that applicant is a Potential Qualifying Grantee (PQG);
- b. The county must then provide copy of certification to MFA, upon its request;
- c. The county's certification shall be valid for up to one year, subject to the ability of PQG to certify in writing at time of application or response to RFP that there have been no material changes in any of the information or documentation provided by, or representations made by PQG to the county and upon which the county based its decision to certify the applicant as a PQG; and
- d. Notwithstanding the foregoing, certification as PQG does not mean that the PQG will be chosen by the county as a Qualifying Grantee, or that MFA will determine that PQG is a Qualifying Grantee, or that any application submitted by PQG is complete or otherwise in compliance with the Act or Rules, or that PQG will be awarded any Affordable Housing Funds or Housing Assistance Grants.

(d) Additional Requirements. Upon acceptance, the following additional requirements shall apply to any Applicant, who is a Qualifying Grantee:

(1) Contracted Requirements. The Qualifying Grantee shall enter into one or more contracts with the county, which contract(s) shall be consistent with the Act and which contract(s) shall include remedies and default provisions in the event of the unsatisfactory performance by the Qualifying Grantee.

- (2) Security Provisions; Collateral Requirements. In accordance with the Act, the Rules and this Chapter and Article, the county shall require the Qualifying Grantee to execute documents, which will provide adequate security against the loss of public funds or property in the event the Qualifying Grantee abandons or fails to complete the Affordable Housing Project, and which shall further provide, as may be permitted by law, for the recovery of any attorney's fees and costs which the county and/or the MFA may incur in enforcing the provisions of this Article, the Rules, the Act and/or any agreement entered into by the county and the Qualifying Grantee, and which documents may include, but are not limited to the following: note, Mortgage, loan agreement, land use restriction agreement, restrictive covenant agreements and/or any other agreement which the county may require in order to allow for any funds which the Qualifying Grantee may receive under a Housing Assistance Grant or Affordable Housing Funds to be adequately secured and to allow the county and the MFA to ensure that such funds shall be utilized by the Qualifying Grantee in accordance with the Act, the Rules and this Chapter and Article.
- (3) Performance Schedule and Criteria. The Qualifying Grantee shall be required in the contract to abide by a reasonable performance schedule and performance criteria that the county, in its discretion, may establish.
- (4) Examination of Books and Records. The Qualifying Grantee shall submit to and the county shall cause to be made such examinations of the books and records of each Qualifying Grantee as the county and/or the MFA deems necessary or appropriate to determine the Qualifying Grantee's compliance with the terms of the Act, the Rules, this Chapter and Article and any contracts between the Qualifying Grantee and the county. The county and/or the MFA may require each Qualifying Grantee to pay the costs of any such examination.
- (5) Infrastructure Cost Reimbursement Contracts.
- a. Cost Reimbursements. Payment to a Qualifying Grantee under cost reimbursable contract provisions shall be made upon the county's receipt from the Qualifying Grantee of certified and documented invoices for actual expenditures allowable under the terms of any agreement between the

Qualifying Grantee and the county.

- b. Cost Reimbursements for Units of Service. Payment under any unit cost contract provisions shall be made upon the county's receipt from the Qualifying Grantee of a certified and documented invoice showing the number of units of service provided during the billing period.
- c. Rate at which Costs Incurred. Under unit cost or cost reimbursable contracts, it is anticipated that costs will be incurred by the Qualifying Grantee at an approximate level rate during the term of any agreement between the Qualifying Grantee and the county. If the county determines that the Qualifying Grantee is underspending or overspending, then the county may reduce the budget and/or exercise such other budgetary fiscal controls it deems appropriate.
- d. Invoices. Qualifying Grantees shall not submit invoices more than once a month, unless written approval is obtained in advance from the county. Failure to submit invoices within twenty (20) days of the close of the month for which payment is sought may result in the non-availability of funds for reimbursement.
- e. No Dual Application of Costs. The Qualifying Grantee shall certify that any direct or indirect costs claimed by the Qualifying Grantee will not be allocable to or included as a cost of any other program, project, contract, or activity operated by the Qualifying Grantee and which has not been approved by the county in advance, in writing.
- f. Prohibition of Substitution of Funds. Any Affordable Housing Funds or other amounts received by Qualifying Grantee may not be used by Qualifying Grantee to replace other amounts made available or designated by the State or local governments through appropriations for use for the purposes of the Act.
- g. Cost Allocation. The Qualifying Grantee shall clearly identify and distribute all costs incurred pertaining to the Affordable Housing Project by a methodology and cost allocation plan at times and in a manner prescribed by, or acceptable to the

county.

(6) Additional Information. Qualifying Grantees shall provide the county with any and all information which the county reasonably may require in order for it to confirm that the Qualifying Grantees continue to satisfy the requirements of the Act, the Rules and this Chapter and Article throughout the term of any contract and/or any Affordability Period or otherwise as may be required by the county or the MFA in its discretion. At a minimum, on an annual basis, the county shall certify to the MFA in writing that to the best of its knowledge the Qualifying Grantee is in compliance with applicable provisions of the Act, the Rules and this Chapter and Article.

(e) Affordable Housing Requirements. All Affordable Housing Funds or Housing Assistance Grants awarded under the Act are to be used by Qualifying Grantees for the benefit of Persons of Low Income subject to the provisions of the Act and with particular regard to their housing related needs.

(1) Single Family Property. Qualifying Grantees shall agree that they shall maintain any single-family property which has been acquired, rehabilitated, weatherized, converted, leased, repaired, constructed, or which property has otherwise benefited from Affordable Housing Funds, including but not limited to any loans which have been repaid with Affordable Housing Funds and which loans previously were secured by such properties as Affordable Housing for so long as any or all of the Affordable Housing Funds which have been awarded, loaned, or otherwise conveyed to the Qualifying Grantee are unpaid and outstanding or the Affordability Period, whichever is longer.

(2) Multi-Family Property.

a. Single Apartment within a Multi-Family Property. Qualifying Grantees shall agree that, if any single apartments are to be rehabilitated, weatherized, converted, leased, repaired, constructed, or otherwise are to benefit from Affordable Housing Funds, those apartments shall be leased to Persons of Low Income at the time of any such award. Qualifying Grantees, who are the landlords and/or owners of such properties, shall further agree to contribute at least sixty percent (60%) of the cost of the rehabilitation, weatherization, conversion, lease, repair, and/or construction. Qualifying Grantees also shall agree that the Persons of Low

Income, who are tenants of those apartments, shall be allowed to remain tenants for so long as there are no uncured defaults by those tenants under their respective leases and provided that there is no just cause for the landlord to terminate any lease agreement with those tenants.

- b. *Multiple Apartments.* Qualifying Grantees shall agree that, if multiple apartments or an entire multi-family property are to be acquired, rehabilitated, weatherized, converted, leased, repaired, constructed, or otherwise are to benefit from Affordable Housing Funds, including but not limited to any loans which have been repaid with Affordable Housing Funds and which loans previously were secured by such properties, they shall maintain not less than sixty percent (60%) of the housing units as Affordable Housing for so long as any or all of the Affordable Housing Funds which have been awarded, loaned, or otherwise conveyed to the Qualifying Grantee are unpaid and outstanding or the Affordability Period, whichever is longer.
- (3) Non-Residential Property. Qualifying Grantees shall agree that they shall maintain any non-residential property which has been acquired, rehabilitated, weatherized, converted, leased, repaired, constructed, or which property has otherwise benefitted from Affordable Housing Funds, including but not limited to any loans which have been repaid with Affordable Housing Funds and which loans previously were secured by such properties, as a facility which provides housing related-services to Persons of Low Income for so long as any or all of the Affordable Housing Funds which have been awarded, loaned, or otherwise conveyed to the Qualifying Grantee are unpaid and outstanding or the Affordability Period, whichever is longer.
- (4) Housing Assistance Grant Affordability Requirements. Qualifying Grantees shall agree that they shall maintain any land or buildings received as a Housing Assistance Grant either as single-family or multi-family Affordable Housing in accordance with this Chapter and Article or as a facility which provides housing related-services to Persons of Low Income in accordance with Section 3. e. (3) (as applicable) for the duration of the Affordability Period. Qualifying Grantees shall agree that they shall maintain any land or buildings for which they have received the costs of Infrastructure or received other costs of construction and/or development as a Housing Assistance Grant either as single-family or multi-family Affordable

Housing or as a facility which provides housing related-services to Persons of Low Income (as applicable) for the duration of the Affordability Period. In calculating the Affordability Period for Housing Assistance Grants of either land or buildings, the fair market value of the land or buildings or the costs of Infrastructure at the time of the donation by the State or the county shall apply.

- (5) Affordability Period. the county, in its discretion, may increase the Affordability Period in any contract, note, Mortgage, loan agreement, land use restriction agreement, restrictive covenant agreements and/or any other agreement which the county may enter into with any Qualifying Grantee or beneficiary of the Affordable Housing Funds or of the Housing Assistance Grant. See definition of Affordability Period in Section 2 of this Chapter and Article. Notwithstanding the foregoing, in the discretion of the MFA, weatherization funds conveyed by the MFA and/or any other similar conveyances where an Affordability Period is not practical, shall not be subject to the Affordability Period requirements of Section 3 (e); but nevertheless, any such conveyances may be subject to recapture on some prorated basis as determined by the county and/or the MFA.

(f) Consent to Jurisdiction. Each Qualifying Grantee shall consent to the jurisdiction of the courts of the State over any proceeding to enforce compliance with the terms of the Act, the Rules and this Chapter and Article and any agreement between the Qualifying Grantee and the county.

(g) Recertification Procedures.

- (1) The Qualifying Grantee must meet the requirements of the Act, the Rules and this Chapter and Article both at the time of any award and throughout the term of any grant and contract related thereto.
- (2) The county may establish procedures for certifying Qualifying Grantees from time to time.
- (3) Qualifying Grantees that fail to satisfy the requirements for Recertification shall cease to be eligible and shall be denied further participation in Affordable Housing programs until the requirements of the county and the MFA are satisfied.

(h) Compliance with the Law. Qualifying Grantee shall provide the county with any certifications or other proof that it may require in order for the county and the MFA to confirm that the Qualifying Grantee and the Qualifying Grantee's proposed Project are in compliance with all applicable federal, State, and local laws, rules and ordinances.

(i) County Grant Requirements.

(1) The county is authorized to make Housing Assistance Grants under the Act. Upon determination that the county will make a Housing Assistance Grant, including the use of any Affordable Housing Funds, the county shall provide the MFA with the following:

- a. Documentation that confirms that the county has an existing valid Affordable Housing Plan;
- b. In the event the county determines that an ordinance will be required for the authorization of a Housing Assistance Grant may be provided to MFA for review.

(2) Prior to the submission of the ordinance to the council, the council must approve the budget submitted by the Applicant.

(3) An ordinance authorizing the county to make a Housing Assistance Grant and/or distribute Affordable Housing Funds:

- a. Must authorize the grant, including use of Affordable Housing Funds, if any;
- b. Must state the requirements and purpose of the grant;
- c. Must authorize the transfer or disbursement to the Qualifying Grantee only after a budget is submitted to and approved by the council;
- d. Must require, as a condition of grant approval, proof of compliance with all applicable state and local laws, rules and ordinances;
- e. Must contain provision stating that the contribution authorized by the ordinance is consistent with the county affordable housing plan or housing elements in the county strategic leadership plan; and

- f. May provide for matching or using local, private or federal funds either through direct participation with a federal agency pursuant to federal law or through indirect participation through the MFA.
- (4) The county, in its discretion, may also hold any award of Affordable Housing Funds or any Housing Assistance Grant made by the county in suspense pending the issuance by the county of any RFP or pending the award of the Affordable Housing Funds or of the Housing Assistance Grant by the county to the Qualifying Grantee without the issuance of an RFP by the county. Any award of Affordable Housing Funds or a Housing Assistance Grant by the county shall subject the Qualifying Grantee of the award or grant to the oversight of the county and the MFA under applicable state laws, rules, or county ordinances.
- (j) State Housing Assistance Grants. All Housing Assistance Grants from the State pursuant to the Act shall be appropriated to the Department of Finance and Administration for disbursement by the MFA to a Qualifying Grantee consistent with the rules adopted by the MFA for whatever program to which the grant is applicable and consistent with the Act. In the event that the MFA does not currently have a program in place which is consistent with the terms of any grant being made by the State, then the MFA, in its discretion may create a program to fulfill the terms of the grant and shall adopt rules consistent with the Act. Such rules may include provisions for matching or using local, private, or federal funds in connection with a specific grant, but matching or using federal funds shall not be prohibited.

Sec. 14-254. Discrimination Prohibited.

The development, construction, occupancy and operation of an Affordable Housing Program or an Affordable Housing Project financed or assisted under the Act shall be undertaken in a manner consistent with principles of nondiscrimination and equal opportunity and the county shall require compliance by all Qualifying Grantees with all applicable federal and State laws and regulations relating to affirmative action, non-discrimination, and equal opportunity.

Sec. 14-255. Administration.

The county shall administer any Affordable Housing programs in accordance with provisions of the Act, the Rules, this Chapter and Articles, any applicable state and federal laws and regulations as each of which may be amended or supplemented from time to time. The county, in establishing, funding and administering the Affordable Housing Programs and by making, executing, delivering and performing any award, contract, grant or any other activity or transaction contemplated by the Act, shall not violate any provision of law, rule or regulation or any decree, writ, order, injunction, judgment, determination or award and will not contravene the provisions of or otherwise cause a default under any of its agreements, indentures, or other instruments to which it may be bound.

Section 6. The Los Alamos County Code of Ordinances is amended by adding new sections in Article VII, Division 4 (“Public Land Discount or Donation for Affordable Housing”), consisting of sections to be numbered 14-280 through 14-284, which sections read as follows:

Division 4. Public Land Discount or Donation for Affordable Housing.

Sec. 14-280. Authority.

(a) Conveyance. The county is authorized to convey improved or unimproved real property directly to qualified recipients or to a Builder for subsequent resale or lease to a qualified recipient in accordance with the requirements of this Chapter and Article and the program rules and regulations approved by the county council. The county council shall adopt an ordinance authorizing a property conveyance to a Builder for resale or lease to a qualified recipient or a property conveyance to a qualified recipient directly.

(b) Donation and discount.

(1) A donation of the fair market value of the real property is only authorized under a sale to a builder for resale or lease to a qualified recipient whose income is below 60% Area Median Income as defined by HUD, adjusted for household size, or under a sale directly to the qualified recipient whose income is below 60% Area Median Income as defined by HUD adjusted for household size.

(2) A discount of the fair market value of the real property is only authorized under a sale to a builder for resale or lease to a qualified recipient whose income is defined by HUD as

low income, adjusted for household size, or under a sale directly to the qualified recipient whose income is defined by HUD as low income, adjusted for household size.

- (3) A donation of the fair market value of the real property is only authorized under a sale to a builder for lease to a qualified recipient whose income is defined by HUD below 60% Area Median Income, adjusted for household size.

Sec. 14-281. Definitions.

In addition to the other definitions in this Article or Chapter, the following definitions apply to this division unless otherwise provided.

- (a) *Affordability period* means that amount of time represented by the term of a mortgage during which only a qualified recipient or builder may hold title to or lease of real property conveyed by the county under authority of this Chapter and Article and shall not be less than the following time periods:

- (1) With a donation or discount from \$1 to \$14,999.99, then the affordability period shall be five (5) years;
- (2) With a donation or discount from \$15,000 up to and including \$40,000, then the affordability period shall be ten (10) years;
- (3) With a donation or discount from \$40,001 up to and including \$100,000, then the affordability period shall be fifteen (15) years;
- (4) With a donation or discount from \$100,001 up to and including \$200,000, then the affordability period shall be twenty (20) years;
- (5) With a donation or discount from \$200,001 up to and including \$300,000, then the affordability period shall be twenty-five (25) years; and
- (6) With a donation or discount greater than \$300,001, then the affordability period shall be thirty (30) years.

- (b) *Builder* shall mean an individual or entity licensed by the State of New Mexico Construction Industries Division as a general contractor to construct Residential Housing. The term "Builder" shall also include an individual that satisfies the requirements of a Qualified Recipient or a non-profit or for-profit organization that agrees to sell or rent to a Household(s) that satisfies the requirements of a Qualified Recipient, provided that such

individual or organization contracts with a general contractor licensed in the State to construct Residential Housing.

(c) *Discount* is that amount of money equal to the difference between the fair market value of the property and the cash received by the county at the time of sale of the property, which difference is represented by the promissory note payable to the county by a builder or qualified recipient and which difference is intended to be forgiven by the county at the end of the affordability period in accordance with this Chapter and Article and the program rules and regulations in order to assist low income qualified recipients in obtaining affordable housing in the county.

(d) *Donation* is that amount of money equal to the fair market value of the property as represented by the promissory note payable to the county by the builder or qualified recipient and which is intended to be forgiven by the county at the end of the affordability period in accordance this Chapter and Article and the program rules and regulations in order to assist-qualified recipients of below 60% Area Median Income as defined by HUD obtaining affordable housing in the county.

(e) *Program* is the Land Donation and Land Discount Program authorized in this ordinance Chapter and Article.

(f) *Qualified Recipient* is an individual or group of individuals who qualify as a household under HUD regulations whose income is less than eighty (80) percent of the area median income, adjusted for household size, as defined by HUD in the granting of a discount by the county or whose income is less than sixty (60) percent of the area median income, adjusted for household size, as defined by HUD in the granting of a donation by the county.

Sec. 14-282. Conveyance to Builder.

(a) A sale of real property may be made by a quit claim deed to a builder upon payment to the county of the appraised value of the property less the donation or discount amount determined by the county. The builder shall execute a promissory note and a mortgage on the property securing the promissory note for the donation or discount amount. The builder shall pay in cash or certified funds for the appraised value of the property not included in the promissory note.

- (b) The mortgage will include restrictive covenants that the property will only be resold or leased to a qualified recipient during the affordability period.
- (c) If the real property is conveyed with improvements such improvements shall qualify as a fixture under New Mexico law.
- (d) A mortgage on the property being conveyed may only be subordinate to a mortgage securing a construction loan or remodel loan.
- (e) Before a conveyance may be made, the builder shall comply with all contractual and pre-approval requirements of the program to the county's satisfaction.
- (f) The builder shall resell or lease the property conveyed by the county under this program to qualified recipients in accordance with the program's rules and regulations.
- (g) Satisfaction of the promissory note and a release of the mortgage on the property shall only be made upon: i) payment in full of the promissory note payable to the county and conveyance of the property from the builder to a qualified recipient in accordance with the restrictive covenants and the program's rules and regulations; ii) acceptance by the county of a new promissory note and mortgage from the qualified recipient covering the donation or discount amount; and, iii) receipt by the county of any difference between the donation or discount amount granted to builder and the amount of the new promissory note granted to the qualified recipient. If the property was legally subdivided by the builder and conveyance of a subdivided lot is made to a qualified recipient, the county may issue a partial satisfaction of the promissory note and a partial release of the mortgage in accordance with the program's rules and regulations.
- (h) When the mortgage term expires and the builder is not otherwise in default of any provision of the note, mortgage or program contract with the county, the county shall indicate full satisfaction of the promissory note by forgiveness of the amount owed and release the mortgage on the property.

Section 14-283. Conveyance to Qualified Recipient.

- (a) Sale to Qualified Recipient.
- (1) A sale of real property may be made by a quit claim deed to a qualified recipient upon payment to the county of the appraised value of the property less the donation or discount amount determined by the county. The qualified recipient shall execute a promissory note

and a mortgage on the property securing the promissory note for the donation or discount amount. The qualified recipient shall pay in cash or certified funds for the appraised value of the property not included in the promissory note.

- (2) The mortgage shall include restrictive covenants that the property shall only be resold or leased to a qualified recipient and that only a qualified recipient shall maintain residency on the property during the affordability period.
- (3) If the real property is conveyed with improvements such improvements shall qualify as a fixture under New Mexico law.
- (4) A mortgage on the property being conveyed may only be subordinate to a first purchase money mortgage.
- (5) Before a conveyance may be made, the qualified recipient shall have complied with all requirements of the program to the county's satisfaction as provided in the program's approved rules and regulations.
- (6) A promissory note is assumable by and mortgage is assignable to another qualified recipient during the term of the affordability period provided as the term in the mortgage with prior approval of the county.
- (7) When the mortgage term expires and the qualified recipient is not otherwise in default of any provision of the note or mortgage, the county shall indicate full satisfaction of the promissory note by forgiveness of the amount owed and release the mortgage on the property.
- (b) Lease to Qualified Recipient. A builder may lease or rent for one or more years the property only to a qualified recipient during the affordability period provided as the term of the mortgage. The lease or rental agreement may charge a monthly rental fee of no more than the affordable rent amount as determined in the program's rules and regulations.

Sec. 14-284. Funds Received Under Program.

Any funds received under this program shall be retained for the purpose of providing additional affordable housing under this program unless otherwise directed by council.

Section 7. SEVERABILITY. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or enforceability of that section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 8. EFFECTIVE DATE. This ordinance shall become effective thirty (30) days after publication of notice of its adoption.

Section 9. Repealer. The following Ordinances are hereby specifically repealed: 571 and 664. All other ordinances or resolutions, or parts thereof, inconsistent herewith are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

PASSED AND ADOPTED this 1st day of May, 2018.

INCORPORATED COUNTY OF LOS ALAMOS

David Izraelevitz
Council Chair

ATTEST:

Naomi D. Maestas
Los Alamos County Clerk



February 28, 2018

Kevin Powers, Esq.
Assistant County Attorney
Office of the County Attorney
1000 Central Avenue, Suite 340
Los Alamos, N.M. 87544

Re: Incorporated County of Los Alamos Ordinance No. 02-281: An Ordinance Repealing Ordinances 571 and 664 In Their Entirety and Enacting and Amending Certain Affordable Housing Provisions Into the Los Alamos County Code of Ordinances

Dear Mr. Powers:

The New Mexico Mortgage Finance Authority (MFA), in accordance with the Affordable Housing Act (Section 6-27-1 NMSA 1978 et. seq.) (the "Act"), and the Affordable Housing Act Rules (the "Rules") adopted thereto, has reviewed Los Alamos County's proposed Ordinance No. 02-281, more fully described above. MFA has determined that the proposed ordinance is in compliance with the requirements set out in the Act and the Rules.

Pursuant to the Rules, Los Alamos County must provide MFA with a certified copy of the approved ordinance, upon its adoption by the County's Commission.

Please know that MFA greatly appreciates Los Alamos County's continued efforts to provide affordable housing for the County's residents. Please feel free to contact MFA's Affordable Housing Program Manager Laura Chavez, if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Marjorie A. Martin". The signature is written in a cursive, flowing style.

Marjorie A. Martin
MFA Senior Legal Counsel

NOTICE OF CODE ORDINANCE NO. 02-281

STATE OF NEW MEXICO, COUNTY OF LOS ALAMOS

Notice is hereby given that the Council of the Incorporated County of Los Alamos, State of New Mexico, has directed publication of Los Alamos County Code Ordinance No. 02-281. This will be considered by the County Council at an open meeting on Tuesday, May 1, 2018 at 6:00 p.m., at the Los Alamos County Municipal Building: 1000 Central Avenue, Los Alamos, New Mexico 87544. The full copy is available for inspection or purchase, during regular business hours, in the County Clerk's Office: 1000 Central Avenue, Suite 240.

INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE NO. 02-281

A CODE ORDINANCE REPEALING ORDINANCES 571 AND 664 IN THEIR ENTIRETY AND PLACING NEW PROVISIONS INTO THE ORDINANCES IN THE LOS ALAMOS COUNTY CODE OF ORDINANCES CONCERNING CHAPTER 14, ARTICLE VII AFFORDABLE HOUSING

Council of the Incorporated County of Los Alamos

By: /s/ David Izraelevitz, Council Chair

Attest: /s/Naomi D. Maestas, County Clerk

TO BE PUBLISHED IN THE LA DAILY POST on Thursday, April 12, 2018



County of Los Alamos

Staff Report

May 01, 2018

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: B.

Index (Council Goals):

Presenters: Antonio Maggiore, Councilor

Legislative File: CO0531-18b

Title

Incorporated County of Los Alamos Code Ordinance No. 02-286, A Code Ordinance amending Chapter 18, Section 36, To Increase The Minimum Number of Day a Notice Provided to a Landowner to Correct a Violation Prior to Issuance of a Citation.

Recommended Action

I move that Council approve Incorporated County of Los Alamos Code Ordinance No. 02-286, a Code Ordinance amending Chapter 18 , Section 36, to Increase the Minimum Number of Days a Notice Provides to a Landowner to Correct a Violation Prior to Issuance of a Citation.

Body

In response to citizens' expressed concerns regarding the County's current Code Enforcement practices, Councilor Maggiore and Councilor Chrobocinski met with representatives of these concerned citizens and created the attached Ordinance for Council's consideration. The effect of the proposed ordinance would be to alter the current code's minimum time allowance for correcting certain code violations from two days to a new minimum allowance of fourteen days. Previously, in response to voiced concerns, the CDD has largely addressed these same concerns in practice, however the citizen representatives requested that the minimum days be altered in code to insure such practices continue into the future.

At present, the number of days allowed for corrective actions to occur before a notice of violation proceeds to a citation are:

Weeds - 16
Protective Treatment - 32
Inoperable Vehicles - 32
Roofs - 32
Sanitation - 16
Fences, Hedges - 16
Accessory Structures - 32
Outdoor Storage of Material - 16
Rodent Harborage - 16
Unsafe Conditions - 12
Unhitched Trailers - 14

* These stated time frames include an anticipated two days for mailing purposes.

Alternatives

Council could choose to not approve this ordinance, in which case the existing minimum required days for correction of code violations would remain at two days.

Attachments

A - Code Ordinance No. 02-286

B - Publication Notice for Code Ordinance No. 02-286

INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE NO. 02-286

**A CODE ORDINANCE AMENDING CHAPTER 18, SECTION 36,
TO INCREASE THE MINIMUM NUMBER OF DAYS A NOTICE
PROVIDES TO A LANDOWNER TO CORRECT A VIOLATION
PRIOR TO ISSUANCE OF A CITATION**

WHEREAS, the Incorporated County of Los Alamos ("County") is a home rule charter municipality, as allowed by N.M. Constitution, Article X, Section 6; and

WHEREAS, New Mexico Statutes, Chapter 3, Article 18, authorizes home rule municipalities to regulate, abate, and impose penalties upon persons who create and maintain a public nuisance; and

WHEREAS, a public nuisance is defined by State law in § 3-8-1, as knowingly creating, performing, or maintaining anything that affects any number of citizens without lawful authority which is injurious to public health, safety, morals, or welfare or interferes with the exercise and enjoyment of public rights, including the right to use public property; and

WHEREAS, Chapter 3, Article 21 of New Mexico statutes grants County the authority to zone and regulate land use, by code ordinance, within its jurisdiction including the right to regulate or restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land in each zone or district; and

WHEREAS, County has enacted code ordinances that regulate the use of land within its jurisdiction, including the regulation of erection, construction, reconstruction, alteration, repair or use of buildings, structures or land in each zone or district; and

WHEREAS, in Code Ordinance 02-238, the Los Alamos County Council ("Council") repealed the prior Article II of Chapter 18 of the Los Alamos County Code of Ordinances ("County Code") and on January 7, 2014, and adopted a new Article II of Chapter 18, which included in part the current text of Chapter 18, Article II, Section 36; and

WHEREAS, Council, as part of its strategic goals in 2016 and 2017, directed the Community Development Department ("CDD"), through its Code Enforcement Division ("Code Enforcement"), to enhance its property maintenance inspections to remove blight within the County; and

WHEREAS, in 2016 and 2017, as directed by Council, County and CDD staff and officers began increased enforcement of the community; and

WHEREAS, various citizens of the County have voiced concern that such enhanced enforcement of Chapters 10 (Buildings and Building Regulations), 16 (Development Code), and

18 (Environment), of the County Code have not adequately taken into account the concerns of the affected citizens; and

WHEREAS, Council believes that it is necessary to increase the minimum number of days that Code Enforcement staff provide to the property owner in order to resolve a County Code violation; and

WHEREAS, any property owner must still comply with the maximum time to correct a violation within thirty (30) days from the issuance of the notice of violation; and

WHEREAS, Council finds that it is in the best interest of the citizens and County to provide non-compliant property owners with additional time to abate the nuisance and violation(s).

BE IT ORDAINED BY THE GOVERNING BODY OF THE INCORPORATED COUNTY OF LOS ALAMOS, the Los Alamos County Code of Ordinances, Chapter 18, Section 36, is hereby amended as follows:

Section 1. Chapter 18, Section 36 (§ 18-36), of the County Code of Ordinances is hereby amended to increase the minimum time from which a County Code violation citation may be issued from two (2) days to fourteen (14) days, as follows:

Sec. 18-36. - Notice.

- (a) Any municipal police officer, upon observing, in plain view, any violation of this article, shall issue a notice directed to the owner of record of the property on which the nuisance occurs, or to the occupant or tenant of the property, or both. The notice shall describe the violation and shall establish a reasonable time limit for its abatement by the owner or occupant or tenants, which limit shall be not less than ~~two~~ fourteen days or more than 30 days after service of the notice. The notice may be served either personally or by registered mail at the owner's or occupant's last known address.
- (b) Nothing in this chapter or article however shall in any way limit or prevent the County from taking immediate measures under this or other chapters to prevent the imminent harm to or loss of property or life or which presents an imminent harm to the health, safety, and welfare of the public.
- (c) All notices shall contain the date and time of the next Community Development Advisory Board meeting.

Section 2. Severability. If any section, paragraph, clause or provision of this Code Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or enforceability of that section, paragraph, clause or provision shall not affect any of the remaining provisions of this Code Ordinance.

Section 3. Effective Date. This Code Ordinance shall become effective thirty (30) days after publication of notice of its adoption.

Section 4. Repealer. All other ordinances or resolutions, or parts thereof, inconsistent herewith are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

PASSED AND ADOPTED this _____ day of _____, 2018.

INCORPORATED COUNTY OF LOS ALAMOS

**David Izraelevitz,
Council Chair**

ATTEST:

**Naomi D. Maestas,
Los Alamos County Clerk**

NOTICE OF CODE ORDINANCE NO. 02-286

STATE OF NEW MEXICO, COUNTY OF LOS ALAMOS

Notice is hereby given that the Council of the Incorporated County of Los Alamos, State of New Mexico, has directed publication of Los Alamos County Code Ordinance No. 02-286. This will be considered by the County Council at an open meeting on Tuesday, May 1, 2018 at 6:00 p.m., at the Los Alamos County Municipal Building: 1000 Central Avenue, Los Alamos, New Mexico 87544. The full copy is available for inspection or purchase, during regular business hours, in the County Clerk's Office: 1000 Central Avenue, Suite 240.

INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE NO. 02-286

A CODE ORDINANCE AMENDING CHAPTER 18, SECTION 36, TO INCREASE THE MINIMUM NUMBER OF DAYS A NOTICE PROVIDES TO A LANDOWNER TO CORRECT A VIOLATION PRIOR TO ISSUANCE OF A CITATION

Council of the Incorporated County of Los Alamos

By: /s/ David Izraelevitz, Council Chair

Attest: /s/Naomi D. Maestas, County Clerk

TO BE PUBLISHED IN THE LA DAILY POST on Thursday, April 12, 2018



County of Los Alamos

Staff Report

May 01, 2018

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: C.

Index (Council Goals):

Presenters: Antonio Maggiore, Councilor

Legislative File: CO0530-18b

Title

Incorporated County of Los Alamos Code Ordinance No. 02-285, A Code Ordinance amending Chapter 8 To Add An Article XV to Create A Community Development Advisory Board.

Recommended Action

I move that Council approve Incorporated County of Los Alamos Code Ordinance No. 02-285, a Code Ordinance amending Chapter 8 to Add an Article XV to Create a Community Development Advisory Board.

Body

In response to recent concerns expressed about the County's Code Enforcement practices, Councilor Maggiore and Councilor Chrobocinski met with two representatives of these concerned citizens and developed the attached proposed ordinance. This ordinance, if adopted, would establish a five-person advisory board whose duties would include reviewing all code enforcement notices of violation on a monthly bases and making policy recommendations to Council based on such reviews. Further responsibilities of the board would include working with staff on revisions and clarifications to the code, community outreach and organizing volunteer neighborhood cleanup efforts.

Alternatives

Council could choose to amend the duties of this board or not adopt this ordinance in which case no such advisory board would be established.

Attachments

- A - Code Ordinance No. 02-285
- B - Publication Notice for Code Ordinance No. 02-285

INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE NO. 02-285

**A CODE ORDINANCE AMENDING CHAPTER 8 TO ADD AN ARTICLE XV TO
CREATE A COMMUNITY DEVELOPMENT ADVISORY BOARD**

WHEREAS, the Incorporated County of Los Alamos (“County”) is a home rule charter municipality, as allowed by N.M. Constitution, Article X, Section 6; and

WHEREAS, New Mexico Statutes, Chapter 3, Article 18, authorizes home rule municipalities to regulate, abate, and impose penalties upon persons who create and maintain a public nuisance; and

WHEREAS, a public nuisance is defined by State law in NMSA 1978, § 3-8-1, as knowingly creating, performing, or maintaining anything that affects any number of citizens without lawful authority that is injurious to public health, safety, morals or welfare, or interferes with the exercise and enjoyment of public rights, including the right to use public property; and

WHEREAS, Chapter 3, Article 21 of New Mexico statutes grants County the authority to zone and regulate land use by code ordinance within its jurisdiction, including the right to regulate or restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land in each zone or district; and

WHEREAS, County has enacted code ordinances that regulate the use of land within its jurisdiction, including the regulation of erection, construction, reconstruction, alteration, repair or use of buildings, structures or land in each zone or district; and

WHEREAS, such code ordinances are found in Chapter 10 (Buildings and Building Regulations), Chapter 16 (Development Code), and Chapter 18 (Environment) of the Los Alamos County Code of Ordinances (“Code”); and

WHEREAS, the County Council (“Council”), as part of its strategic goals in 2016 and 2017, directed the Community Development Department (CDD), through its Code Enforcement Division (“Code Enforcement”), to enhance its property maintenance inspections to remove blight within the County; and

WHEREAS, various citizens of the County have voiced concern that such enhanced enforcement of Chapters 10, 16, and 18, have not adequately taken into account the concerns of some affected citizens; and

WHEREAS, Council, in an effort to provide maximum public input to the process of Code Enforcement activities, hereby believes that it is in the public’s health, safety and welfare to create a citizen board that can receive public input, review enforcement efforts by CDD Code Enforcement, and provide citizen concerns and possible informal resolution to the alleged

violation(s) to Council, and provide recommendations to Council on the appropriate application of the Ordinance with regard to enforcement efforts; and

WHEREAS, the board will advise the Council for potential applicable changes to the Ordinance in clarity and content so as to address the needs of the community.

BE IT ORDAINED BY THE GOVERNING BODY OF THE INCORPORATED COUNTY OF LOS ALAMOS, the Los Alamos County Code of Ordinances is hereby amended as follows:

Section 1. Article I, Chapter 8, Section 8-4 of the County Code is hereby amended as follows:

Sec. 8-4. Standing advisory boards or commissions; terms of existence.

- (a) The following standing boards or commissions are hereby continued or established although not all are governed by the provisions of this chapter: arts in public places board; board of public utilities; Fuller Lodge/historic districts advisory board; labor management relations board; library board; lodger's tax advisory board; parks and recreation board; personnel board; planning and zoning commission; environmental sustainability board; transportation board; valuation protests board, variance board, ~~and~~ the youth advisory board, and the community development advisory board.
- (b) All standing boards and commissions will continue to function indefinitely, unless specifically discontinued by the county council or as otherwise provided by county ordinance. Boards or commissions shall be terminated only by express action of the county council. A board or commission may be assigned more than one task concurrently, but the absence of one or more assigned tasks at any time shall not affect the board or commission's continuing status.

Section 2. An Article XV is hereby enacted to be added to Chapter 8 creating the "Community Development Advisory Board" as follows:

ARTICLE XV. - COMMUNITY DEVELOPMENT ADVISORY BOARD

Sec. 8-301. - Purpose.

A community development advisory board is established in order to make recommendations to County Council regarding the development, implementation, and enforcement of County property maintenance codes within the corporate boundaries of the County.

Sec. 8-302. - Membership, Terms and Qualifications.

The community development advisory board shall be composed of five (5) citizens with an attempt to provide equal representation from both the Los Alamos townsite and the

White Rock community. No board member shall be appointed that is an employee of the County, either as staff or by contractor. Members shall be appointed by the County Council for staggered terms of three (3) years. Two (2) initial appointments shall expire after one (1) year. The determination of which initial expiring appointments will be decided by the Council Chairperson at the time of appointment. Vacant board positions will be appointed by the County Council. The remaining three (3) members on the board will expire their term after two (2) years and rotation of appointments shall continue. Board members can be reappointed for no more than three (3) terms.

Sec. 8-303. - Duties and Responsibilities.

The community development advisory board shall serve in an advisory capacity to the County Council and shall have the following functions, responsibilities and duties:

- (1) Making of recommendations to the County Council regarding:
 - a. Policies for the development, implementation and enforcement of County property maintenance codes;
 - b. Recommend possible changes and definitions to the county code relating to CDD and Code Enforcement efforts; and
 - c. Recommend programs and policies for community development with regard to positive outreach activities, such as assistance programs, citizen volunteer groups, and county sponsored clean-up activities.
- (2) Receive and provide citizen input to staff and County Council on ways and means for improving the County's property maintenance and code enforcement program. For this purpose, the community development advisory board shall gather public input in ways appropriate to the circumstances, which may include public meetings dedicated to specific topics.
- (3) Recommend ways to involve and educate the community on property maintenance issues.
- (4) Review all monthly property maintenance code enforcement reports including issued notices of violation and citations and photographic evidence.
- (5) Report to County Council as requested by Council on community development advisory board findings, activities, and recommendations.
- (6) Such other activities, duties and responsibilities related to Community Development Department activities as may be assigned by the County Council.

Section 3. Severability. If any section, paragraph, clause or provision of this Code Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or enforceability of that section, paragraph, clause or provision shall not affect any of the remaining provisions of this Code Ordinance.

Section 4. Effective Date. This Code Ordinance shall become effective thirty (30) days after publication of notice of its adoption.

Section 5. Repealer. All other ordinances or resolutions, or parts thereof, inconsistent herewith are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

PASSED AND ADOPTED this ____ day of _____, 2018.

INCORPORATED COUNTY OF LOS ALAMOS

**David Izraelevitz,
Council Chair**

ATTEST:

**Naomi D. Maestas,
Los Alamos County Clerk**

NOTICE OF CODE ORDINANCE NO. 02-285

STATE OF NEW MEXICO, COUNTY OF LOS ALAMOS

Notice is hereby given that the Council of the Incorporated County of Los Alamos, State of New Mexico, has directed publication of Los Alamos County Code Ordinance No. 02-285. This will be considered by the County Council at an open meeting on Tuesday, May 1, 2018 at 6:00 p.m., at the Los Alamos County Municipal Building: 1000 Central Avenue, Los Alamos, New Mexico 87544. The full copy is available for inspection or purchase, during regular business hours, in the County Clerk's Office: 1000 Central Avenue, Suite 240.

INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE NO. 02-285

A CODE ORDINANCE AMENDING CHAPTER 8 TO ADD AN ARTICLE XV TO CREATE A COMMUNITY DEVELOPMENT ADVISORY BOARD

Council of the Incorporated County of Los Alamos

By: /s/ David Izraelevitz, Council Chair

Attest: /s/Naomi D. Maestas, County Clerk

TO BE PUBLISHED IN THE LA DAILY POST on Thursday, April 12, 2018



County of Los Alamos

Staff Report

May 01, 2018

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: A.

Index (Council Goals): * 2018 Council Goal – Quality Governance – Operational Excellence – Maintain Quality Essential Services and Supporting Infrastructure Including Updated Enterprise Software and Permitting

Presenters:

Legislative File: AGR0569-18

Title

Approval of Services Agreement AGR18-39 with FBT Architects in the Amount of \$459,315.00 and a contingency in the amount of \$50,000, for a total of \$509,315.00, plus Applicable Gross Receipts Tax, for the Purpose of Designing the Kiddie Pool Addition to the Los Alamos County Aquatics Center.

..Recommended Motion

I move that Council Approve Services Agreement AGR18-39 with FBT Architects in the Amount of \$459,315.00 and a contingency in the amount of \$50,000, for a total of \$509,315.00, plus Applicable Gross Receipts Tax, for the Purpose of Designing the Kiddie Pool Addition to the Los Alamos County Aquatics Center.

County Manager's Recommendation

The County Manager recommends that Council approve the motion as presented.

Body

On December 5, 2017, Council approved up to \$6,500,000 in Capital Improvement Program funds for the Kiddie Pool addition to the Larry R. Walkup Aquatics Center. It was further required by Council that construction of the Kiddie Pool not be contracted until the Los Alamos National Lab contract is awarded to ensure sufficient revenues will be available.

On February 25, 2018, the County advertised a formal multi-source competitive solicitation for design services through Request for Proposal No. 18-39. Five responses were received and the evaluation committee is recommending award to FBT Architects. The contract is attached for reference as Attachment A.

The design of the Kiddie Pool addition features will include a zero-entry pool with water spray features and mini slide for toddlers, a shallow pool for swim lessons and programming, a lazy river, and a water slide with a total of 2,000 square feet of pool area. The plan is to also include three family locker rooms, pool deck, chemical storage, and mechanical rooms to support the addition. Site work will require relocation of a gas and sanitary sewer lines.

Council should note that issues with the Aquatics Center will be also addressed as part of the design. Funding for construction of these additional tasks is proposed separately through the Major Facility Maintenance Fund programmed for FY 2020. Acquiring these additional design

tasks collectively through this contract will provide the best value as opposed to addressing them individually. Additionally, this will allow for plan preparation in anticipation of FY 2020 funds. These additional tasks include:

1. Provide recommendations and construction documents to correct condensation issues and significant corrosion has been observed in some of the flat roof joists and deck within the mechanical rooms and other areas on the northwest portion of the building.
2. Provide recommendations and construction documents for improving the existing entrance to the Aquatics Center to address strong winds and cold outside air entering the lobby area, ADA accessibility of the service counter, and the aged flooring of the lobby and hallways. This will be particularly important since visitation to the center is expected to increase with the Kiddie Pool addition.
3. Provide recommendations and construction documents for replacing the Olympic Pool filters which are at the end of their life expectancy. Replace the filters with current filtration technology.

The architecture firm will provide design services that include Schematic Design, Design Development, and Construction Documents. The architect will work with stakeholders for operational details to incorporate into the design. Three public involvement meetings are planned in conjunction with Parks and Recreation Board meetings at each of the three design phases. The architect is also tasked to provide options for the HVAC system with life cycle costs for the County to select a system with the best long term value. Council should note that Phase IV Construction Administration services are contingent upon the County's approval to move forward with construction of the Project.

Since natatoriums create demanding environments, the design this project will incorporate a peer review of the design to minimize the effects of a hot and humid environment on the building envelope. This peer review will be conducted by a commissioning agent under a separate County contract. The architect also is tasked to find areas of cost savings to bring the project in under the \$6.5M budget. The design is planned to start immediately after contract execution and the bid for construction is planned for February 2019.

Alternatives

Council could choose to not approve the agreement and postpone or cancel the project.

Fiscal and Staff Impact/Planned Item

Funding for the project is comprised CIP funds in the amount of \$650,000 for design in FY2018, and \$5,850,000 for construction in FY 2019 for a total project budget of \$6,500,000.

Attachments

A - AGR 18-39 FBT Architects



INCORPORATED COUNTY OF LOS ALAMOS SERVICES AGREEMENT

This **SERVICES AGREEMENT** ("Agreement") is entered into by and between the **Incorporated County of Los Alamos**, an incorporated county of the State of New Mexico ("County"), and **FBT Architects**, a New Mexico corporation ("Consultant"), to be effective for all purposes May 2, 2018.

WHEREAS, the County Purchasing Agent determined in writing that the use of competitive sealed bidding was either not practical or not advantageous to County for procurement of the Services and County issued Request for Proposals No. 18-39 (the "RFP") on February 25, 2018, requesting proposals for Design Services for a "Kiddie" Pool Addition to the LAC Aquatic Center, as described in the RFP; and

WHEREAS, Consultant timely responded to the RFP by submitting a response dated March 21, 2018 ("Consultant's Response"); and

WHEREAS, based on the evaluation factors set out in the RFP, Consultant was the successful Offeror for the services listed in the RFP; and

WHEREAS, the County Council approved this Agreement at a public meeting held on May 1, 2018; and

WHEREAS, Consultant shall provide the Services, as described below, to County.

NOW, THEREFORE, for and in consideration of the premises and the covenants contained herein, County and Consultant agree as follows:

SECTION A. SERVICES: Consultant shall provide Design Services for the Kiddie Pool addition to the Los Alamos County Aquatics Center located at 2760 Canyon Road, Los Alamos, New Mexico, as follows:

1. **Design Phases:** Each design phase shall occur only after County's design review and comment periods, and written approval to proceed to the next phase. Consultant shall maintain the project goals as detailed in Exhibit "A." Design services shall include the following:

- a. **Phase I – Schematic Design**

- (1) Consultant shall develop a Preliminary Design including a programming document with stakeholders for review and approval. Stakeholders include the Parks and Recreation Board, Aquatic Center Advisory Subcommittee, Art in Public Places Board along with County operations and maintenance staff.
 - (2) Consultant shall perform a geo-technical survey of the building site including borings and shall deliver a report of those findings and recommendations to County.
 - (3) Consultant shall present to and obtain approval from the Planning & Zoning Commission and Los Alamos County Inter Departmental Review Committee

- (IDRC) that includes the Planning and Zoning, Community Development, Traffic, Utilities, Environmental Services, Engineering, and Fire Departments.
- (4) Consultant shall provide design specialty services including civil engineering, grading and drainage, landscape design, telecommunications design, security and access control design.
 - (5) Consultant shall provide design solutions for snow and ice dams as well as storm water drainage from existing building's sloped roof that will drain onto the roof of the addition.
 - (6) Consultant shall conduct one (1) public information meeting as part of a regularly scheduled Parks and Recreation Board meeting reflecting the Schematic Design with a presentation of simple floor plans and perspective sketches.
 - (7) Consultant shall present two (2) options for the heating, ventilation and air conditioning system (HVAC) which shall include:
 - (a) a simple life cycle cost analysis; and
 - (b) upon County selected system, provide a basis of design.
 - (8) Consultant shall present to County best value design options considering initial costs and lifecycle costs for the building and the systems consistent with the Leadership in Energy and Environmental Design ("LEED") process.
 - (9) On or before July 15, 2018, Consultant shall develop and deliver the final Schematic Design documents as per the Project Schedule set out in Exhibit "C," attached hereto and made a part hereof for all purposes.
 - (10) The Final Schematic Design deliverables shall include at a minimum:
 - (a) Preliminary Design including a programming document. Final conceptual design developed from the County stakeholder meetings.
 - (b) A geo-technical survey report with findings and recommendations.
 - (c) Schematic Design Documents including drawings and other documents including a site plan, preliminary building plans, sections and elevations that may include a combination of study models and perspective sketches. Preliminary selection of major building systems, and construction materials shall be noted on the drawings or described in writing.
 - (d) Estimate of probable construction cost.
 - (e) A comparison of simple life cycle costs for two (2) HVAC systems, as required in Section A(1)(a)(8) above, and provide a basis of design for County's selected HVAC system.
 - (f) Submittal to County IDRC.
 - (g) Presentation materials for the public information meeting required in A.1.a.(6) above, including simple floor plans and perspective sketches.

b. Phase II – Design Development

- (1) In accordance with Exhibit "C," Consultant shall produce 60% and 90% Design Plans and specifications to County.
- (2) Consultant shall submit plans and conduct design plan reviews with County engineering, operations and maintenance staff including the Building Official and Fire Marshal for the 60% and 90% phases of design plan development.
- (3) Consultant shall conduct one (1) public information meeting during this Phase II, with a presentation reflecting the current design features with simple floor plans and perspective sketches.

- (4) Consultant shall conduct planning meetings for the building envelope design to include County engaged commissioning agent and County staff. Careful attention must be made to the envelope design to meet project goals.
- (5) From Design Development forward, Consultant shall participate in a peer review of Consultant's design. Peer reviews shall be conducted by the commissioning agent hired by County. This is planned to be performed as part of the commissioning process.
- (6) Consultant shall provide an estimate of probable construction cost from a professional estimator that includes input to reflect current market pricing at 60% and 90% phases of design plan development.
- (7) On or before October 2, 2018, Consultant shall develop and deliver the final Design Development documents as per the Project Schedule set out in Exhibit "C," attached hereto and made a part hereof for all purposes.
- (8) Design Development deliverables shall include as a minimum:
 - (a) 60% Design Plans shall consist of drawings and other documents including plans, sections, elevations, typical construction details, and layouts of the building systems. The plans shall establish the size and character of the Project as to architectural, structural, mechanical and electrical systems, and other elements. The Design Development Documents shall also include outline specifications for major materials and systems and establish in general their quality.
 - (b) 90% Design Plans shall consist of drawings and specifications setting in detail the quality levels and performance criteria of materials and systems and other requirements for the construction.
 - (c) Presentation materials for a public information meeting including simple floor plans and perspective sketches.
 - (d) Estimate of probable construction cost from a professional estimator that includes input to reflect current market pricing at 60% and 90% design plan phases.

c. Phase III – Construction Documents

- (1) On or before January 22, 2019, Consultant shall provide to County the final Construction Documents, 100% plans and specifications for bid, construction and permitting that incorporate the County's comments to accommodate a Spring/Summer 2019 construction start date. County requires at least ten (10) weeks for the bidding and award process to award the construction contract.
- (2) Consultant shall conduct one (1) public information meeting during this Phase III, with a presentation of simple floor plans and renderings reflecting the final design.
- (3) Construction Documents deliverable shall include as a minimum:
 - (a) Final documents for bid and permit that incorporate County comments.
 - (b) Construction Documents shall consist of drawings and specifications establishing in detail the quality levels and performance criteria of materials and systems and other requirements for the construction.
 - (c) A final estimate of probable construction cost from a professional estimator that includes input to reflect current market pricing.

(d) Phase IV – Construction Administration. Solely contingent upon County’s prior written approval to move forward with the Phase IV of the Project and only upon such approval, Consultant shall provide Construction Administration as follows:

- (1) Timely review and certify pay application amounts due the Contractor and make recommendations to County for payment.
- (2) Timely review and approve or take other appropriate action on the Contractors submittals.
- (3) Timely, review and respond to Requests For Information (“RFI”) about the Contract Documents. If requested by County, Consultant shall prepare and issue supplemental drawings and specifications in response to requests for information.
- (4) Recommend minor changes in the Construction Work that are consistent with the intent of the Construction Contract Documents and do not involve an adjustment in the Construction Contract sum or an extension of the Construction Contract time. As requested by County, Prepare change orders and construction change directives for the County’s approval and execution.
- (5) Support and attend weekly Owner (County), Architect, and Construction Contractor (“OAC”) meetings.
- (6) Provide monthly observation and inspection reports of the Construction Work.
- (7) Commissioning
 - (a) Consultant shall work with a County engaged commissioning agent providing written responses to County’s and agent’s comments.
 - (b) Consultant shall support functional testing lead by the commissioning agent.
 - (c) In addition to the functional testing, Consultant shall provide a mechanical engineer up to three (3) days of on-site support to adjust and fine tune the HVAC system, working with the controls contractor and commissioning agent.
- (8) Project Completion
 - (a) Consultant shall conduct inspections with the County to check conformance of the Construction Work with the Construction Contract Documents and verify the accuracy and completeness of the Construction Contractor’s list of work to be completed or corrected.
 - (b) Consultant shall prepare the Certificate of Substantial Completion and Final Completion.
 - (c) Consultant shall provide to the County the following within 90 calendar days of project final completion: record/as-built drawings in dwg and pdf computer file formats, and two (2) paper copies; all other project documentation in pdf computer file format and two (2) paper copies.

2. Additional Project Requirement No. 1: Consultant shall evaluate and make recommendations for corrective action, in conjunction with the main project’s Preliminary Design, to the corrosion of the roof structure in the northern portion of the existing Aquatics Center as well as replace or repair the flat roofing.

- a. Consultant shall provide a cost estimate for the probable construction costs; and
- b. Consultant shall provide a report recommending corrections, and provide Schematic Design and Construction Documents for the approved corrective action in conjunction with the appropriate phase of the main project design.

- 3. Additional Project Requirement No. 2:** Consultant shall design an improvement to the existing entrance to the Aquatics Center by addressing outside air entering the lobby through the entry door which makes the lobby and hallways cold during the winter. Design shall include ADA accessibility of the service counter and the aged flooring of the lobby and halls. Consultant shall provide Schematic Design and Construction Documents for the approved corrective action in conjunction with the appropriate phase of the main project design.
- 4. Additional Project Requirement No. 3:** Consultant shall make recommendations for a replacement filtration system for the Olympic Pool within the Aquatic Center for County selection and approval. Consultant shall provide Schematic Design and Construction Documents for the approved corrective action in conjunction with the appropriate phase of the main project design.

SECTION B. TERM: The term of this Agreement shall commence May 2, 2018 and shall continue through May 1, 2022, unless sooner terminated, as provided herein. At County's sole option the Agreement may be renewed for up to three (3) consecutive one-year periods, unless sooner terminated, as provided therein.

SECTION C. COMPENSATION:

- 1. Amount of Compensation.** County shall, during the initial term of this Agreement and any extensions, pay compensation for performance of the Services in an amount not to exceed FOUR HUNDRED FIFTY-NINE THOUSAND, THREE HUNDRED FIFTEEN AND NO/100 DOLLARS (\$459,315.00), which amount does not include applicable New Mexico gross receipts taxes ("NMGR"). Compensation shall be paid as follows:
 - a. For services described in Sections A.1.a., b., and c. (Phases I-III) County shall pay compensation for performance of the Services in an amount not to exceed THREE HUNDRED THIRTY-ONE THOUSAND, SEVENTY THREE AND NO/100 DOLLARS (\$331,073.00), which amount does not include applicable NMGR and in accordance with the rate schedule set out in Exhibit "B," attached hereto and made a part here of for all purposes.
 - b. For services described in Section A.1.d. (Phase IV), solely contingent on County's prior written approval to move forward with construction of Project and upon such approval, County shall pay compensation for performance of the Services in an amount not to exceed NINETY THOUSAND, FIFTY AND NO/100 DOLLARS (\$90,050.00), which amount does not include applicable NMGR and in accordance with the rate schedule set out in Exhibit "B," attached hereto and made a part here of for all purposes.
 - c. For services described in Section A.2., 3. and 4. County shall pay compensation for performance of the Services in an amount not to exceed THIRTY-EIGHT THOUSAND, ONE HUNDRED NINETY TWO AND NO/100 DOLLARS (\$38,192.00), which amount does not include applicable NMGR and in accordance with the rate schedule set out in Exhibit "B," attached hereto and made a part here of for all purposes
- 2. Monthly Invoices.** Consultant shall submit itemized monthly invoices to County's Project Manager showing amount of compensation due, amount of any NMGR, and total amount payable. Payment of undisputed amounts shall be due and payable thirty (30) days after County's receipt of the invoice.

SECTION D. TAXES: Consultant shall be solely responsible for timely and correctly billing, collecting and remitting all NMGR levied on the amounts payable under this Agreement.

SECTION E. STATUS OF CONSULTANT, STAFF, AND PERSONNEL: This Agreement calls for the performance of services by Consultant as an independent contractor. Consultant is not an agent or employee of County and will not be considered an employee of County for any purpose. Consultant, its agents or employees shall make no representation that they are County employees, nor shall they create the appearance of being employees by using a job or position title on a name plate, business cards, or in any other manner, bearing the County's name or logo. Neither Consultant nor any employee of Consultant shall be entitled to any benefits or compensation other than the compensation specified herein. Consultant shall have no authority to bind County to any agreement, contract, duty or obligation. Consultant shall make no representations that are intended to, or create the appearance of, binding County to any agreement, contract, duty, or obligation. Consultant shall have full power to continue any outside employment or business, to employ and discharge its employees or associates as it deems appropriate without interference from County; provided, however, that Consultant shall at all times during the term of this Agreement maintain the ability to perform the obligations in a professional, timely and reliable manner.

SECTION F. STANDARD OF PERFORMANCE: Consultant agrees and represents that it has and will maintain the personnel, experience and knowledge necessary to qualify it for the particular duties to be performed under this Agreement. Consultant shall perform the Services described herein in accordance with a standard that meets the industry standard of care for performance of the Services.

SECTION G. DELIVERABLES AND USE OF DOCUMENTS: All deliverables required under this Agreement, including material, products, reports, policies, procedures, software improvements, databases, and any other products and processes, whether in written or electronic form, shall remain the exclusive property of and shall inure to the benefit of County as works for hire; Consultant shall not use, sell, disclose, or obtain any other compensation for such works for hire. In addition, Consultant may not, with regard to all work, work product, deliverables or works for hire required by this Agreement, apply for, in its name or otherwise, any copyright, patent or other property right and acknowledges that any such property right created or developed remains the exclusive right of County. Consultant shall not use deliverables in any manner for any other purpose without the express written consent of the County.

SECTION H. EMPLOYEES AND SUB-CONTRACTORS: Consultant shall be solely responsible for payment of wages, salary or benefits to any and all employees or contractors retained by Consultant in the performance of the Services. Consultant agrees to indemnify, defend and hold harmless County for any and all claims that may arise from Consultant's relationship to its employees and subcontractors.

SECTION I. INSURANCE: Consultant shall obtain and maintain insurance of the types and in the amounts set out below throughout the term of this Agreement with an insurer acceptable to County. Consultant shall assure that all subcontractors maintain like insurance. Compliance with the terms and conditions of this Section is a condition precedent to County's obligation to pay compensation for the Services and Consultant shall not provide any Services under this Agreement unless and until Consultant has met the requirements of this Section. County requires Certificates of Insurance or other evidence acceptable to County that Consultant has met its obligation to obtain and maintain insurance and to assure that subcontractors maintain like insurance. Should any of the policies described below be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions. General Liability Insurance and Automobile Liability Insurance shall name County as an additional insured.

1. **General Liability Insurance:** ONE MILLION DOLLARS (\$1,000,000.00) per occurrence; TWO MILLION DOLLARS (\$2,000,000.00) aggregate.
2. **Workers' Compensation:** In an amount as may be required by law. County may immediately terminate this Agreement if Consultant fails to comply with the Worker's Compensation Act and applicable rules when required to do so.
3. **Automobile Liability Insurance for Consultant and its Employees:** ONE MILLION DOLLARS (\$1,000,000.00) combined single limit per occurrence; TWO MILLION DOLLARS (\$2,000,000.00) aggregate on any owned, and/or non-owned motor vehicles used in performing Services under this Agreement.
4. **ERRORS AND OMISSIONS/PROFESSIONAL LIABILITY INSURANCE:** Whichever is applicable to the particular profession or service to be provided, with a limit of not less than ONE MILLION (\$1,000,000.00) each Claim, with a TWO MILLION \$2,000,000 annual aggregate, without any restrictive "negligent act, negligent error, or negligent omission" clause, and sufficient to protect the Consultant, the Board, and the City, for a five (5) year period from completion of this contract, against any and all claims which may arise from the Consultant's negligent performance of work described herein.

SECTION J. RECORDS: Consultant shall maintain, throughout the term of this Agreement and for a period of six (6) years thereafter, records that indicate the date, time, and nature of the services rendered. Consultant shall make available, for inspection by County, all records, books of account, memoranda, and other documents pertaining to County at any reasonable time upon request.

SECTION K. APPLICABLE LAW: Consultant shall abide by all applicable federal, state and local laws, regulations, and policies and shall perform the Services in accordance with all applicable laws, regulations, and policies during the term of this Agreement. In any lawsuit or legal dispute arising from the operation of this Agreement, Consultant agrees that the laws of the State of New Mexico shall govern. Venue shall be in the First Judicial District Court of New Mexico in Los Alamos County, New Mexico.

SECTION L. NON-DISCRIMINATION: During the term of this Agreement, Consultant shall not discriminate against any employee or applicant for an employment position to be used in the performance of the obligations of Consultant under this Agreement, with regard to race, color, religion, sex, age, ethnicity, national origin, sexual orientation or gender identity, disability or veteran status.

SECTION M. INDEMNITY: Consultant shall indemnify, hold harmless and defend County, its Council members, employees, agents and representatives, from and against all liabilities, damages, claims, demands, actions (legal or equitable), and costs and expenses, including without limitation attorneys' fees, of any kind or nature, arising from Consultant's performance hereunder or breach hereof and the performance of Consultant's employees, agents, representatives and subcontractors.

SECTION N. FORCE MAJEURE: Neither County nor Consultant shall be liable for any delay in the performance of this Agreement, nor for any other breach, nor for any loss or damage arising from uncontrollable forces such as fire, theft, storm, war, or any other force majeure that could not have been reasonably avoided by exercise of due diligence.

SECTION O. NON-ASSIGNMENT: Consultant may not assign this Agreement or any privileges or obligations herein without the prior written consent of County.

SECTION P. LICENSES: Consultant shall maintain all required licenses including, without limitation, all necessary professional and business licenses, throughout the term of this Agreement. Consultant shall require and shall assure that all of Consultant's employees and subcontractors maintain all required licenses including, without limitation, all necessary professional and business licenses.

SECTION Q. PROHIBITED INTERESTS: Consultant agrees that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of its services hereunder. Consultant further agrees that it will not employ any person having such an interest to perform services under this Agreement. No County Council member or other elected official of County, or manager or employee of County shall solicit, demand, accept or agree to accept a gratuity or offer of employment contrary to Section 31-282 of the Los Alamos County Code.

SECTION R. TERMINATION:

1. **Generally.** County may terminate this Agreement with or without cause upon ten (10) days prior written notice to Consultant. Upon such termination, Consultant shall be paid for Services actually completed to the satisfaction of County at the rate set out in Section C. Consultant shall render a final report of the Services performed to the date of termination and shall turn over to County originals of all materials prepared pursuant to this Agreement.
2. **Funding.** This Agreement shall terminate without further action by County on the first day of any County fiscal year for which funds to pay compensation hereunder are not appropriated by the County Council. County shall make reasonable efforts to give Consultant at least ninety (90) days advance notice that funds have not been and are not expected to be appropriated for that purpose.

SECTION S. NOTICE: Any notices required under this Agreement shall be made in writing, postage prepaid to the following addresses, and shall be deemed given upon hand delivery, verified delivery by telecopy (followed by copy sent by United States Mail), or three (3) days after deposit in the United States Mail:

County:

Steve Huebner, Project Manager
Incorporated County of Los Alamos
1000 Central Avenue, Suite 160
Los Alamos, New Mexico 87544

Consultant:

Sanjay Engineer, Vice President
FBT Architects
6501 Americas Pkwy NE, Suite 300
Albuquerque, New Mexico 87110

SECTION T. INVALIDITY OF PRIOR AGREEMENTS: This Agreement supersedes all prior contracts or agreements, either oral or written, that may exist between the parties with reference to the services described herein and expresses the entire agreement and understanding between the parties with reference to said services. It cannot be modified or changed by any oral promise made by any person, officer, or employee, nor shall any written modification of it be binding on County until approved in writing by both County and Consultant.

SECTION U. CAMPAIGN CONTRIBUTION DISCLOSURE FORM: A Campaign Contribution Disclosure Form was submitted as part of Consultant's Response and is incorporated herein by

reference for all purposes. This Section acknowledges compliance with Chapter 81 of the Laws of 2006 of the State of New Mexico.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date(s) set forth opposite the signatures of their authorized representatives to be effective for all purposes on the date first written above.

ATTEST

INCORPORATED COUNTY OF LOS ALAMOS

NAOMI D. MAESTAS
COUNTY CLERK

BY: _____
HARRY BURGESS **DATE**
COUNTY MANAGER

Approved as to form:

J. ALVIN LEAPHART
COUNTY ATTORNEY

FBT ARCHITECTS, A NEW MEXICO CORPORATION

BY: _____
SANJAY ENGINEER **DATE**
VICE PRESIDENT

Exhibit "A"
Project Requirements
AGR 18-39

The Kiddie Pool addition project shall be performed by Consultant as follows:

1. Features shall include a zero-entry pool with water spray features and mini slide for toddlers, a shallow pool for swim lessons and programming, a lazy river, and a water slide with a total of 2,000 square feet of pool area, as shown in preliminary study drawing, Figure 1. The conceptual design shall have three (3) family locker rooms, pool deck, chemical storage, and mechanical rooms to support the Kiddie Pool addition. Figure 2 shows a section of the addition. Please note that Figure 2 was generated before the addition of the lazy river and water slide. Figure 3 shows the site with utilities and the gas service line to the building that will need to be relocated as well.
2. The project total budget is \$6.5M which is to cover all project related expenditures. This budget shall cover design, construction, commissioning, Fixtures, Furniture and Equipment ("FF&E"), public information costs, Art in Public Places at 1%, NMGR and contingency. The County desires to realize some cost savings and complete the project under the \$6.5M budget.
3. Start of construction is planned for Spring/Summer 2019.
4. Meet the Los Alamos County specific building specifications provided in RFP18-39 Design Services for a "Kiddie" Pool Addition to the LAC Aquatic Center in draft form, Attachment A. An updated specification will be provided by County to the Consultant at the start of the design.
5. All design work and specifications of the boiler systems shall take into account the building's 7,250 ft. elevation and local climate.
6. Design and build a building envelope that is energy efficient, resistant to weather and controls moisture.
7. Include in the pool equipment the following:
 - a. Separate flow zone controls so that the lazy river operates independently of other water feature flows.
 - b. Have additional water flow connections for future water features.
 - c. Select pool treatment equipment and chemicals that are compatible with existing pool systems for ease of maintenance.
8. The County does not intend to have the existing Aquatics Center be updated to meet a LEEDTM rating, but intends to follow LEED tenants in the addition. The County is interested in incorporating the County High Performance Green Building Standards into the Kiddie Pool. Consultant will advise the County, and upon approval, incorporate into the design the intent of the County Standards. No submittal to or certification by USGBC is desired.

The Los Alamos County High Performance Green Building Standards for new buildings are:

- a. All Los Alamos County funded new construction of public buildings in excess of 5,000 square feet shall be designed and built to a minimum rating of "LEEDTM Silver" using the U.S. Green Building Council's LEED-NCTM rating system.
- b. If another agency is funding part of a construction project, the project is not required to be LEED certified unless mutually agreed to by the agency and Los Alamos County.
- c. In achieving its LEEDTM rating, each project shall earn at least five (5) points under "Energy Atmosphere Credit 1 – Optimize Energy Performance" by achieving at least 25% better energy performance than the baseline standard.
- d. In achieving its LEEDTM rating, projects shall earn at least three (3) points in Water Efficiency.

ADDITIONAL PROJECT REQUIREMENT No. 1.

Significant corrosion has been observed in some of the flat roof joists and deck on the northern portion of the building with mechanical equipment. Pictures of these corroded joist and roof deck are shown in Figures 4 and 5. Implement a corrective action to the roof structure. Replace or repair the aging roofing in flat roof areas.

Additionally, condensation has been observed in the ceiling cavity in the electrical room, at the double exit doors in the north-west corner of the natatorium, and above the locker rooms for the Therapy Pool. Assess and correct the cause of the condensation to prevent damage to the building.

ADDITIONAL PROJECT REQUIREMENT No. 2.

Improve the existing entrance to the Aquatics Center by addressing outside air entering the lobby through the entry door which makes the lobby and hallways cold during the winter, ADA accessibility of the service counter, and the aged flooring of the lobby and halls.

ADDITIONAL PROJECT REQUIREMENT No. 3.

The filters for the Olympic Pool are at the end of their life expectancy. Replace the filters with current technology filtration either during the Kiddie Pool construction or within a couple of years after this project.

Figure 1 – Concept Layout Plan View

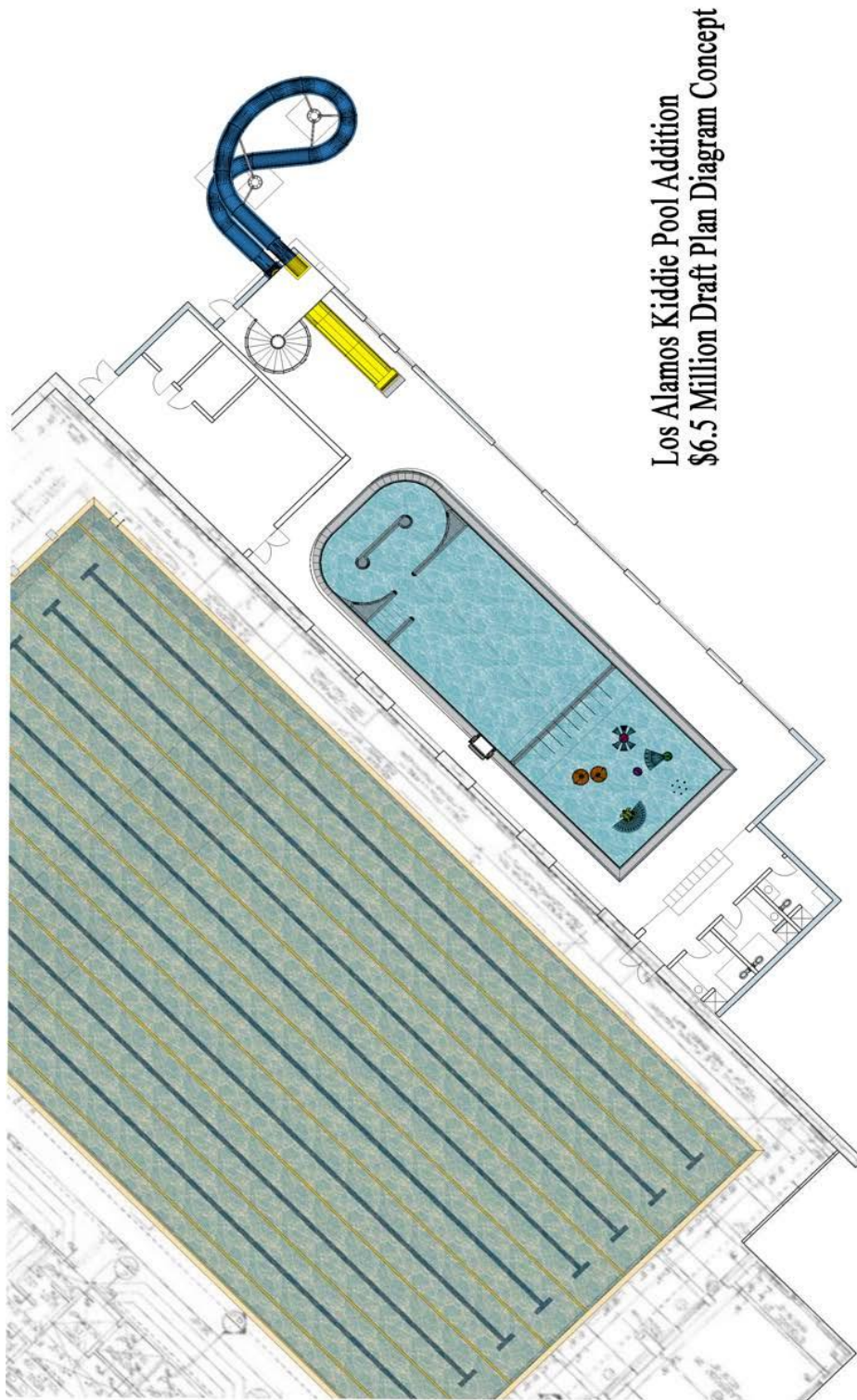


Figure 2 – Concept Layout Cross Section

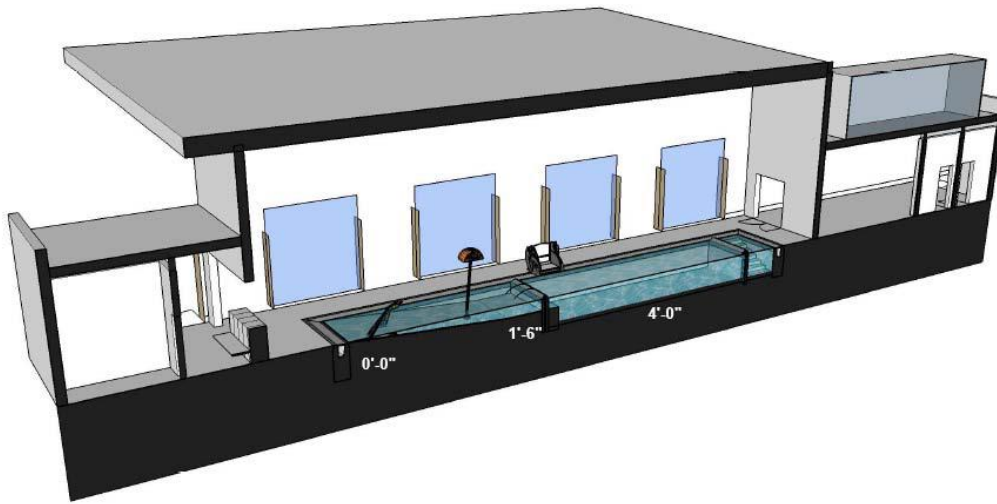


Figure 3 – GIS Utility Features Map

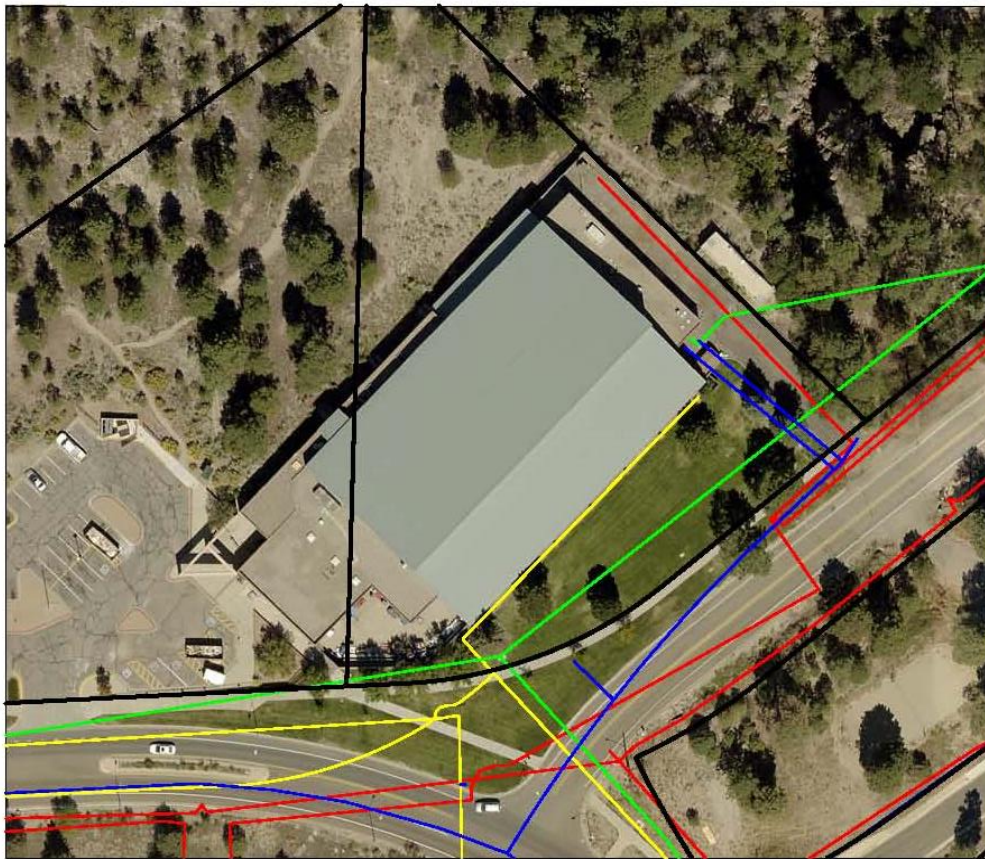


Figure 4 – Mechanical Room Roof Beam Corrosion



Figure 5 – Mechanical Room Roof Beam Corrosion

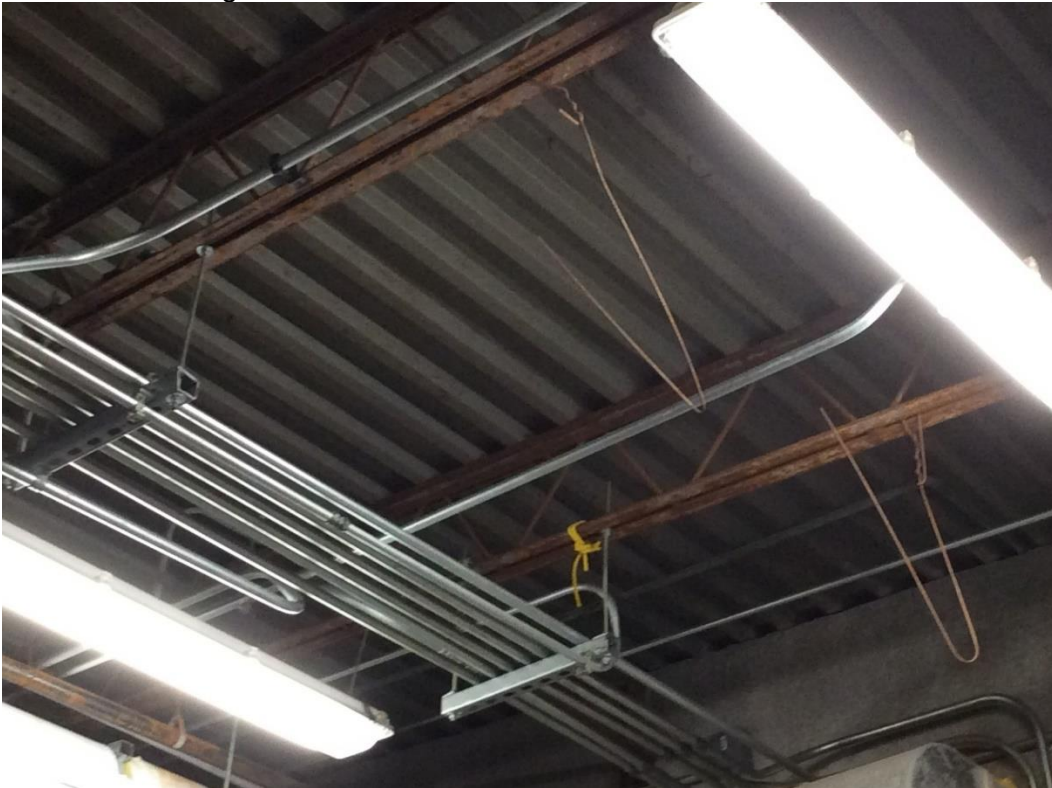


Exhibit "B"
Compensation Rate Schedule
AGR18-39

Kiddie Pool Addition (as per cost summaries):

Phase I – Schematic Design	\$66,192.00	
Phase II –Design Development	\$100,906.00	
Phase III – Construction Documents	<u>\$163,975.00</u>	
<i>Subtotal of Above Phases</i>		<i>\$331,073.00</i>
 *Phase IV - Construction Administration	 \$90,050.00	
 Total Phases I-IV		 <i>\$421,123.00</i>

Additional Project Requirements (as per cost summaries):

1. Roof Structure Correction	\$10,678.00	
2. Entry Vestibule/ADA	8,792.00	
3. Filtration System Replacement	<u>18,722.00</u>	
<i>Subtotal of Above Phases</i>		<i>\$38,192.00</i>
 <i>Project Total not to exceed (exclusive of NMGRT)</i>		 <i>\$459,315.00</i>

*Solely contingent upon County's prior written approval to move forward with the Project and upon such approval, Consultant shall provide Construction Administration in accordance with Section A(1)(d) Phase IV – Construction Administration of the Agreement.

COST SUMMARY SHEETS

COST SUMMARY – PHASE I SCHEMATIC DESIGN				
DIRECT LABOR (specify categories)	ESTIMATED HOURS	HOURLY RATE	ESTIMATED COST	TOTALS
Principal	40	\$155.00	\$2,066.40	
Project Manager	127	\$98.00	\$4,148.00	
Intern Architect	251	\$81.00	\$6,777.00	
DIRECT LABOR TOTAL:				\$33,977.00
SUPPLEMENTAL SERVICES				
SUBCONTRACTS (Identify & purpose)			ESTIMATED COST	
Civil Engineer – Miller			\$2,325.00	
Landscape Architect – Groundworks Studio			\$1,163.00	
Estimating – Balis			\$1,744.00	
Structural – Walla Engineering			\$2,906.00	
Pool Designer – Counsilman Hunsaker (CHH2o)			\$5,813.00	
ME - Bridgers and Paxton			\$4,650.00	
Building Envelope – Armstrong Group (AGI)			\$581.00	
SUBCONTRACTOR TOTAL:				\$19,181.00
TRAVEL			ESTIMATED COST	
Mileage/Transportation (0.46/mile x 2 trips)			\$184.00	
Per Diem: (Ref. LAC per diem policy)			-0-	
Pool Consultant (airfare/per diem)			\$850.00	
TRAVEL TOTAL:				\$1,034.00
OTHER REIMBURSABLE COSTS			ESTIMATED COST	
Presentation Graphic Boards Allowance			\$1,000.00	
Geotechnical Services			\$6,000.00	
OTHER REIMBURSABLE TOTAL:				\$7,000.00
SUBTOTAL ITEMS				\$66,192.00
GROSS RECEIPTS (7.5%)				\$4,964.00
TOTAL PRICE				\$71,157.00

COST SUMMARY – PHASE II Design Development				
DIRECT LABOR (specify categories)	ESTIMATED HOURS	HOURLY RATE	ESTIMATED COST	TOTALS
Principal	64	\$155.00	\$9,920.00	
Project Manager	223	\$98.00	\$21,854.22	
Intern Architect	40	\$81.00	\$33,129.00	
DIRECT LABOR TOTAL:				\$64,903.00
SUPPLEMENTAL SERVICES				
SUBCONTRACTS (Identify & purpose)			ESTIMATED COST	
Civil Engineer – Miller			\$3,875.00	
Landscape Architect – Groundworks Studio			\$1,938.00	
Estimating – Balis			\$2,906.00	
Structural – Walla Engineering			\$4,844.00	

Pool Designer – Counsilman Hunsaker (CHH2o)	\$9,688.00	
MEP - Bridgers and Paxton	\$7,750.00	
Building Envelope – Armstrong Group (AGI)	\$969.00	
SUBCONTRACTOR TOTAL:		\$31,969.00
TRAVEL	ESTIMATED COST	
Mileage/Transportation (0.46/mile x 2 trips)	\$184.00	
Per Diem: (Ref. LAC per diem policy)	\$-0-	
Pool Consultant (airfare/per diem)	\$850.00	
TRAVEL TOTAL:		\$1,034.00
OTHER REIMBURSABLE COSTS	ESTIMATED COST	
Presentation Graphic Boards Allowance, document reproductions costs	\$3,000.00	
Geotechnical Services		
OTHER REIMBURSABLE TOTAL:		\$3,000.00
SUBTOTAL ITEMS		\$100,906.00
GROSS RECEIPTS (7.5%)		\$7,568.00
TOTAL PRICE		\$108,474.00

COST SUMMARY – PHASE III Construction Documents				
DIRECT LABOR (specify categories)	ESTIMATED HOURS	HOURLY RATE	ESTIMATED COST	TOTALS
Principal	104	\$155.00	\$16,120.00	
Project Manager	340	\$98.00	\$33,320.00	
Intern Architect	671	\$81.00	\$54,351.00	
DIRECT LABOR TOTAL:				\$103,791.00
SUPPLEMENTAL SERVICES				
SUBCONTRACTS (Identify & purpose)			ESTIMATED COST	
Civil Engineer – Miller			\$6,200.00	
Landscape Architect – Groundworks Studio			\$3,100.00	
Estimating – Balis			\$4,650.00	
Structural – Walla Engineering			\$7,750.00	
Pool Designer – Counsilman Hunsaker (CHH2o)			\$15,500.00	
MEP - Bridgers and Paxton			\$12,400.00	
Building Envelope – Armstrong Group (AGI)			\$1,550.00	
SUBCONTRACTOR TOTAL:				\$51,150.00
TRAVEL			ESTIMATED COST	
Mileage/Transportation (0.46/mile x 2 trips)			\$184.00	
Per Diem: (Ref. LAC per diem policy)			\$-0-	
Pool Consultant (airfare/per diem)			\$850.00	
TRAVEL TOTAL:				\$1,034.00
OTHER REIMBURSABLE COSTS			ESTIMATED COST	
Presentation Graphic Boards Allowance, document reproductions costs			\$8,000.00	
Geotechnical Services			\$	
OTHER REIMBURSABLE TOTAL:				\$8,000.00
SUBTOTAL ITEMS				\$163,975.00
GROSS RECEIPTS (7.5%)				\$12,298.00
TOTAL PRICE				\$176,273.00

COST SUMMARY – PHASE IV CONSTRUCTION ADMINISTRATION				
DIRECT LABOR (specify categories)	ESTIMATED HOURS	HOURLY RATE	ESTIMATED COST	TOTALS
Principal	52	\$155.00	\$8,060.00	
Project Manager	169	\$98.00	\$16,562.00	
Intern Architect	337	\$81.00	\$27,297.00	
DIRECT LABOR TOTAL:				\$51,919.00
SUPPLEMENTAL SERVICES				
SUBCONTRACTS (Identify & purpose)			ESTIMATED COST	
Civil Engineer – Miller			\$3,100.00	
Landscape Architect – Groundworks Studio			\$1,550.00	
Estimating – Balis			\$2,325.00	
Structural – Walla Engineering			\$3,875.00	
Pool Designer – Counsilman Hunsaker (CHH2o)			\$7,750.00	
ME - Bridgers and Paxton			\$6,200.00	
Building Envelope – Armstrong Group (AGI)			\$775.00	
SUBCONTRACTOR TOTAL:				\$25,575.00
TRAVEL			ESTIMATED COST	
Mileage/Transportation (0.46/mile x 40 trips)			\$3,606.00	
Per Diem: (Ref. LAC per diem policy)			-0-	
Pool Consultant (airfare/per diem)			\$5,950.00	
TRAVEL TOTAL:				\$9,556.00
OTHER REIMBURSABLE COSTS			ESTIMATED COST	
Document reproduction costs allowance			\$3,000.00	
OTHER REIMBURSABLE TOTAL:				\$3,000.00
SUBTOTAL ITEMS				\$90,050.00
GROSS RECEIPTS (7.5%)				\$6,754.00
TOTAL PRICE				\$96,804.00

COST SUMMARY – Additional Project Requirement No. 1 - Roof Structure Correction				
DIRECT LABOR (specify categories)	ESTIMATED HOURS	HOURLY RATE	ESTIMATED COST	TOTALS
Principal	4	\$155.00	\$620.00	
Project Manager	16	\$98.00	\$1,568.00	
Intern Architect	40	\$81.00	\$3,240.00	
DIRECT LABOR TOTAL:				\$5,428.00
SUPPLEMENTAL SERVICES				
SUBCONTRACTS (Identify & purpose)			ESTIMATED COST	
Estimating – Balis			\$750.00	
Structural – Walla Engineering			\$2,250.00	
MEP - Bridgers and Paxton			\$1,150.00	
Building Envelope – Armstrong Group (AGI)			\$750.00	

SUBCONTRACTOR TOTAL:		\$5,250.00
TRAVEL	ESTIMATED COST	
Mileage/Transportation (0.46/mile x 2 trips)	\$-0-	
Per Diem: (Ref. LAC per diem policy)	\$-0-	
Pool Consultant (airfare/per diem)	\$-0-	
TRAVEL TOTAL:		\$-0-
OTHER REIMBURSABLE COSTS	ESTIMATED COST	
Document reproduction costs allowance	\$-0-	
Geotechnical Services	\$-0-	
OTHER REIMBURSABLE TOTAL:		\$-0-
SUBTOTAL ITEMS		\$10,678.00
GROSS RECEIPTS (7.5%)		\$800.85
TOTAL PRICE		\$11,478.85

COST SUMMARY – Additional Project Requirement No. 2 - Entry Vestibule/ADA				
DIRECT LABOR (specify categories)	ESTIMATED HOURS	HOURLY RATE	ESTIMATED COST	TOTALS
Principal	8	\$155.00	\$1,240.00	
Project Manager	20	\$98.00	\$1,960.00	
Intern Architect	32	\$81.00	\$2,592.00	
DIRECT LABOR TOTAL:				\$5,792.00
SUPPLEMENTAL SERVICES				
SUBCONTRACTS (Identify & purpose)			ESTIMATED COST	
Estimating – Balis			\$750.00	
MEP - Bridgers and Paxton			\$1,150.00	
Building Envelope – Armstrong Group (AGI)			\$750.00	
SUBCONTRACTOR TOTAL:				\$3,000.00
TRAVEL			ESTIMATED COST	
Mileage/Transportation (0.46/mile x 2 trips)			\$-0-	
Per Diem: (Ref. LAC per diem policy)			\$-0-	
Pool Consultant (airfare/per diem)			\$-0-	
TRAVEL TOTAL:				\$-0-
OTHER REIMBURSABLE COSTS			ESTIMATED COST	
Document reproduction costs allowance			\$-0-	
Geotechnical Services			\$-0-	
OTHER REIMBURSABLE TOTAL:				\$-0-
SUBTOTAL ITEMS				\$8,792.00
GROSS RECEIPTS (7.5%)				\$659.40
TOTAL PRICE				\$9,451.40

COST SUMMARY – Additional Project Requirement No. 3 - Lap Pool Filtration System				
DIRECT LABOR (specify categories)	ESTIMATED HOURS	HOURLY RATE	ESTIMATED COST	TOTALS

Principal	4	\$155.00	\$620.00	
Project Manager	10	\$98.00	\$980.00	
Intern Architect	12	\$81.00	\$972.00	
DIRECT LABOR TOTAL:				\$2,572.00
SUPPLEMENTAL SERVICES				
SUBCONTRACTS (Identify & purpose)			ESTIMATED COST	
Structural – Walla Engineering			\$14,950.00	
MEP - Bridgers and Paxton			\$1,250.00	
SUBCONTRACTOR TOTAL:				\$16,150.00
TRAVEL			ESTIMATED COST	
Mileage/Transportation (0.46/mile x 2 trips)			\$-0-	
Per Diem: (Ref. LAC per diem policy)			\$-0-	
Pool Consultant (airfare/per diem)			\$-0-	
TRAVEL TOTAL:				
				\$-0-
OTHER REIMBURSABLE COSTS			ESTIMATED COST	
Document reproduction costs allowance			\$-0-	
Geotechnical Services			\$-0-	
OTHER REIMBURSABLE TOTAL:				\$-0-
			SUBTOTAL ITEMS	\$18,722.00
GROSS RECEIPTS (7.5%)				\$1,404.15
TOTAL PRICE				\$20,126.15

EXHIBIT "C"
AGR 18-19
LAC Kiddie Pool Addition - Project Schedule

<u>PHASE</u>	<u>DATE/DAY TO BE COMPLETED</u>
Schematic Design Phase	July 15, 2019
Schematic Design Phase Review	July 29, 2018
Design Development Phase	October 2, 2018
Design Development Phase Review	October 16, 2018
Construction Documents Phase	January 22, 2019
Construction Documents Phase Review	February 5, 2019
Bidding Phase	
Invitation for Bid	February 6, 2019
Bid Opening (5 weeks)	March 14, 2019
General Contractor Contract Negotiations & Approval	April 4, 2019
Construction Start (Notice to Proceed)	April 8, 2019
Substantial Completion (12 months)	April 1, 2020
Final Completion (1 month)	May 1, 2020
11-Month Warranty	March 1, 2021



County of Los Alamos

Staff Report

May 01, 2018

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: 1)

Index (Council Goals): * 2018 Council Goal – Economic Vitality – Build the Local Tourism Economy

Presenters: Linda Matteson, Assistant to the County Manager

Legislative File: 10592-18

Title

Appointment of Members to the Tourism Implementation Task Force

Recommended Action

I move to appoint the persons indicated on the voting summary spreadsheet to the Tourism Implementation Task Force for a term of two years.

I, further move, to appoint the Representatives and Alternates from the Boards and Commissions on the voting summary spreadsheet to the Tourism Implementation Task Force for a term of two years

.County Manager's Recommendation

The County Manager recommends that Council appoint the recommended members of the Tourism Implementation Task Force Charter as requested.

Body

As part of Council's action on February 27, 2018 to accept the Los Alamos Tourism Strategic Plan, the Tourism Implementation Task Force was formed and staff was directed to bring back a charter for the task force. This task force was modeled after the White Rock Master Plan Implementation committee and will provide guidance and expertise to the Council and County staff on implementation issues.

The charter for the Tourism Implementation Task Force was approved on April 3, 2018. The charter (shown in Attachment B) defines the purpose, scope of work, representation, and member term among other items. The highlights of this new Task Force are:

- Task Force is initially chartered for two years.
- Task Force will be comprised of various tourism stakeholders including the community-at-large, Business community and assets/attractions
- Total number of members not to exceed eleven (11) members
- Task Force will also include representatives from Historic Preservation, Lodgers' Tax Advisory, and Parks/Recreation Boards
- Members will be initially appointed for a two term
- County project manager will be staff liaison to task force

The openings of the Task Force were advertised widely. All members of the former Tourism Work Group were invited and encouraged to apply for this committee. Fourteen (14) letters of interest were received and shown in Attachment A. The three Boards called out specifically in

the charter have identified their representatives and alternates for the Task Force. These Board and Commissions representatives are shown in Attachment C. A selection team consisting of one Councilor and County staff liaison for the Task Force reviewed the letters of interest and their guidance for membership is shown in Attachment D.

To facilitate the task force selection process for the remaining eight (8) slots, Councilors have been provided with the list of all applicants that will be used as a ballot. During the meeting, all Councilors will fill out the ballot and turn them in to staff. Staff will enter all the votes into a master list spreadsheet (shown in Attachment E) and the votes will be automatically tabulated. In order to be appointed, each applicant must have a minimum of 4 votes. If there are less than 8 persons that receive the required number of votes, Council will have the option to either appoint less than 8 members or conduct a voice vote to fill the remaining slots.

If Council chooses to conduct a voice vote, the following motion can be used:

I nominate _____(names of applicants) to fill the remaining ____ vacancies on the Tourism Implementation Task Force and move that Council appoint ____ nominees to the vacant position(s) as follows:

By roll call vote, Councilors vote for ____ nominees and the ____ with the highest vote total of four or more be appointed to fill the two year term.

[Attachments](#)

- A - Letters of Interest Received
- B - Tourism Implementation Task Force Charter
- C - BCC Representatives
- D - Guidance from Selection Team
- E - Master List Spreadsheet

Letter of Interest to join the Tourism Implementation Task Force

Micheline Devaurs

2067 47th Street (North Community)

Los Alamos, NM 87544

Email: devaurs@yahoo.com

Prior Employer: Los Alamos National Laboratory, retired 4/26/18 after over 30 years

To whom it may concern:

I am a volunteer from the community-at-large interested in serving on this Implementation Task Force. I am interested for several reasons. As a 30-plus year resident of Los Alamos, I am very interested in volunteering to improve our community. Additionally, I led the 3.5 year effort to open a brewery/taproom in Los Alamos as a community gathering place, using a cooperative business model. The result is Bathtub Row Brewing Co-op, which has been open for three years. Two years ago, I was instrumental from the Laboratory side (with a team including LACDC, County and Landlord representation in addition to LANL) in the opening of projectY cowork Los Alamos, a collaborative co-working space in downtown Los Alamos. This space is intended to foster collisions and collaborations, house entrepreneurs (workspace and various membership models) and provide associated educational, networking and entrepreneurial programming.

I am a hydrologist by schooling; however in my 30-plus year career at Los Alamos National Laboratory ending 4/26/18, I worked across many organizations, including environmental programs, weapons programs and decision applications. For the past four years, I worked in the Richard P. Feynman Center for Innovation as the Market Transition Program Manager with a focus on regional economic development.

Over the years, I have been actively involved in the community. In addition to leading the effort to open a brewery/taproom as noted above, I served for 8 years on the UNM LA Advisory Board (position ended January 2017), and previously on the Planning and Zoning Commission, Leadership Los Alamos Board and Art Center at Fuller Lodge Board. For the past three years I have served on the Los Alamos Commerce and Development Corporation (LACDC) Board due to my LANL position in technology transfer and community perspective. Additionally, I have served as a member of the Economic Vitality Action Team (EVAT) that has been updating the strategic plan.

I want to serve on this board due to my previous work on the Tourism Working Group and would be honored to assist in implementing the strategic plan that was developed. I also believe my business development experience, regional economic development experience through my day job, and personal passion to improving our community can help on this Task Force.

With regard to the Task Force Charter, since I was on the Tourism Working Group, I am intimately familiar with the Tourism Strategic Plan that this body will be implementing. I am passionate about economic development and improving our town.

In all planning efforts in which I have participated, it is important to assure the process is inclusive, transparent and that progress is communicated to both the public and County Council. I am committed to assuring this is the case if I am selected as a member of this task force.

I welcome your consideration of this letter and I am hopeful I can participate on this task force. Please note that I will be hiking a lot this summer; however I will be in Los Alamos 1-2 weeks a month, and would try and call in otherwise. I do believe on the Tourism Working Group I showed I was a hard worker and committed to this effort.

Regards,
Micheline Devaurs

Dave Fox: Application for Service on Tourism Implementation Task Force

Business Experience: 53 total years in businesses the successes of which were and are dependent upon effectiveness of local and mass communications to customers and prospects.

1964-66 Editor: Employee Publications, Public Relation and Public Affairs Dept., Armstrong Flooring Inc., Lancaster, PA, an S&P 500 company. Training: total emersion in marketing as defined by Peter Drucker.

1966-1979 Account Management, BatzHodgsonNeuwoehner Advertising, St Louis, MO. Responsible for analysis and solutions to marketing and marketing communications opportunities of clients in the nuclear medicine, automotive aftermarket, fleet management, investment brokerage, and electric utilities industries.

1979-2018: Founder, CEO: CB FOX.

Key Strength: Career-long dedication to communications solutions derived from analysis of target audience, plus the analysis of the communication problems/challenges needed to be solved in order to create:

the mix of product qualities,

and communications characteristics

required to achieve specific communications objectives

and cause positive target audience behaviors,

all of which include pre-testing of proposed solutions,

and on-going measurements of progress Re: objectives, behaviors, and end-point goals.

Allied with all that is a frankly gritty dedication to high production values in print and video.

My Modest Mantra:

Whatever is done, do it with the believability it requires,

with the eye-catching aesthetics and drama it merits,

in order to reap maximum message penetration

and its acceptance because of believability,

culminating in memorability and desire to spend.

Matteson, Linda

From: Laurence Goddard <drgodd@aol.com>
Sent: Thursday, April 19, 2018 2:54 PM
To: Matteson, Linda
Subject: Re: Tourism Implementation Task Force

LAURENCE GODDARD
505 690 0535
email drgodd@aol.com

retired, medical practice
Interest Groups

Los Alamos Triatomics (local triathlon club)

tuff riders (mountain biking club)

regular user of Walkup Aquatic Center and Los Alamos Ski Hill (when open)

Experience : two years on Los Alamos Chamber of Commerce Board (many years ago) and co chair (with Georgia Strickfadden) of tourism committee during that time
Great idea to promote tourism thru many channels for Los Alamos economy

-----Original Message-----

From: Matteson, Linda <linda.matteson@lacnm.us>
To: drgodd <drgodd@aol.com>
Sent: Thu, Apr 19, 2018 1:07 pm
Subject: Tourism Implementation Task Force

Dr. Goddard,

I was given your name from Brad Nyenhuis as being interested in the Tourism Implementation Task Force. I have attached the task force charter and the information about how you apply. Please note that the deadline for submitting the letters of interest is today.

Let me know if you have any further questions. I am glad that you are considering this contributing to our community in this way.

Thanks,
Linda

Linda Matteson

Assistant to County Manager
Los Alamos County
505-662-8086
Linda.matteson@lacnm.us

LOS ALAMOS
where discoveries are made



Sirphey, LLC

April 24th, 2017
1793 Deacon St
Los Alamos, NM 87544

Dear councilors,

I am interested in serving on the tourism task force. I have vested interests (Sirphey, Unquarked Wine Room, and Bandelier National Monument Concession) in ensuring that tourism flourishes in our county.

I have lived in New Mexico for over seven years. I first moved here to work at the Los Alamos National Laboratory before starting few tech and hospitality businesses. County has done an excellent job in last few years in making the Los Alamos a tourism destination in addition to attract visitors who visit Bandelier National Monument. Visitation at Bandelier is almost back to levels of ~250,000/yr. However, it is important to continue efforts to direct more of those visitors to the city itself.

I am optimistic about what this tourism task force can accomplish in bringing new and innovative ideas to make Los Alamos a tourism destination.

Sincerely,

Dr. Prashant Jain

CEO, Sirphey



METZGER'S HARDWARE

Metzger Stores LLC 1607 Central Ave, Los Alamos, NM 87544

Phone: (505) 662-3715
Fax: (505) 662-4987
info@metzgershardware.com

April 5, 2018

Los Alamos County Council
1000 Central Avenue Suite 350
Los Alamos, NM 87544

Councilors,

I am writing to express my interest in serving as a business representative on the Los Alamos County Tourism Implementation Task Force. I reside in White Rock, and as general manager of Metzger Stores I have a keen interest in growing tourism in the county as a driver of economic development, particularly as it concerns small business and retail.

I believe that an economically healthy community is fundamental to the success of my business, and since coming to Los Alamos have been active as a board member of the LACDC, as president of Los Alamos MainStreet, and numerous county initiatives from encouraging the development of the new Smith's shopping center to the Los Alamos County branding initiative. I have also been active in the previous tourism efforts including most recently as a member of the tourism work group and the Manhattan Project National Park subcommittee. I look forward to continuing that work with the Tourism Implementation Task Force. Prior to coming to Los Alamos, I was also involved with my employer at the time, Russell Lands on Lake Martin, in the development of tourism resources on Lake Martin, Alabama.

My address is 115 Azure Drive in White Rock, I can be reached by phone at 505.819.8287, or 505.662.3715 at Metzger's. My email address is: djollyjr@gmail.com or David@MetzgersHardware.com at work.

I am excited about the opportunities ahead of us, and look forward to helping make them a reality!

Thank you for your consideration.

Sincerely,

David Jolly
General Manager

**Board President**

Michael Wheeler

Vice President

Roger Waterman

Secretary

Wendy Hoffman

Treasurer

David Court

Executive Director

Heather McClenahan

Museum Educator

Aimee Slaughter

Museum Shop Manager

Todd Nickols

**Finance & Development
Manager**

Jennifer Bennett

Archivist

Rebecca Collinsworth

Curator

Don Cavness

Registrar

Stephanie Yeamans

Board of Directors

Linda Boncella
Shay Burns Kendrick
Mary Pat Kraemer
Michael Redondo
John Ruminer
Cherie Trottier
Sharon Snyder
Ron Wilkins

Los Alamos Historical Society
P.O. Box 43
1050 Bathtub Row
Los Alamos, NM 87544

www.losalamoshistory.org
info@losalamoshistory.org
505.662.6272

April 12, 2018

Dear County Councilors,

Thank you for your forward movement on the implementation of the Tourism Strategic Plan. As a member of the Tourism Working Group (TWG), I find it gratifying that the plan will not sit on a shelf but will be used to help our community be more welcoming to visitors and to diversify our local economy.

Also, as a member of the TWG, I am interested in serving on the new Tourism Implementation Task Force. For more than 15 years, from service on the then-named Fuller Lodge/Historic Districts Advisory Board to being an employee of the Los Alamos Historical Society, I have been involved in tourism issues. As you know, most of the leisure visitors to Los Alamos are coming to learn about our history. With the advent of the Manhattan Project National Historical Park, our Historic District is receiving more attention, and I want to help visitors to have the best experience possible.

Because I meet regularly with visitors, work with a wide variety of volunteers who interact with visitors, and receive input from hundreds of Historical Society members—people who are invested in our community—I have multiple perspectives that will be useful to task force.

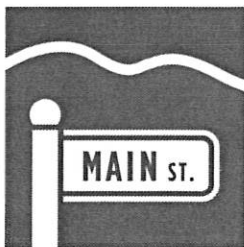
As most of you know, even before the Manhattan Project National Historical Park was created, a group of stakeholders met on a fairly regular basis to talk about tourism related issues, specifically being welcoming to visitors while retaining the wonderful qualities of our small-town community. This has been a particular interest of mine for many years and I hope to bring not only the expertise of being in the museum field but a sort of "institutional memory" on the issues that I have been working on for more than a decade.

Thank you for your consideration for an appointment to the Task Force.

Sincerely,

A handwritten signature in cursive script that reads "Heather McClenahan".

Heather McClenahan
Executive Director
505-662-6272
heather@losalamoshistory.org



**LOS ALAMOS
COMMERCE AND DEVELOPMENT
CORPORATION**

April 18, 2018

Lauren McDaniel
190 Central Park Square
Los Alamos, NM, 87544

Dear Los Alamos County Council,

I am writing to express my interest in serving on the Los Alamos County Tourism Implementation Task Force.

In my new role as Los Alamos MainStreet Director, I am tasked with facilitating the Los Alamos MainStreet program, dedicated to the promotion and revitalization of downtown. In addition to hosting several marquee community events each year — which attract both locals and visitors alike — the program also supports homegrown businesses that provide the community and our guests with special places to gather, relax and enjoy the history and beauty of Los Alamos.

As you know, the MainStreet program is part of Los Alamos Commerce and Development Corporation and thus likewise shares in its mission of leveraging public and private sector investment to achieve sustainable economic development by serving the business community, creating and retaining jobs, and diversifying the economy.

Prior to serving in this position, I was the Director of projectY cowork Los Alamos, an entrepreneurial hub off MainStreet that helps businesses start and expand by providing an affordable, collaborative workspace, as well as a variety of educational opportunities. projectY cowork is also a welcoming environment for those who work remotely, freelance, or who might even just be visiting LANL or another Los Alamos company for the day and need a comfortable workspace with high-speed, secure WiFi and other amenities. We have had one projectY member recently 'graduate' and expand into the community with an office space, which is our ideal scenario.

As I have a public relations background, I would also be able to contribute ideas and best practices for how the Task Force might communicate with locals, increase awareness of the tourism offerings in our special cul-de-sac community, and help provide compelling reasons for why tourists should make Los Alamos one of their New Mexico travel destinations.

My predecessor Suzette Fox served on this Task Force, and I hope to continue in this role as a representative of the downtown businesses that are so vital to our local tourism economy. The Los Alamos Chamber of Commerce Director, Ryn Herrmann, would be available as an alternate on any occasion where I may have a meeting conflict.

Thank you for your consideration.

Best,

Lauren McDaniel

Los Alamos MainStreet Director
Los Alamos Commerce and Development Corporation
lauren@losalamos.org | 505-629-2063 (cell)

T. Clay Moseley
1355 45th St.
Los Alamos, NM 87544
(505) 500-0523
tclaynm@gmail.com
Employer: Los Alamos County Department of Public Utilities

RE: Letter of Interest - Tourism Implementation Task Force

My name is Clay Moseley, and I have been a resident of Los Alamos since 1999. I grew up in Ruidoso, NM and graduated from Ruidoso High School, where I played for a state-championship football program, Alpine ski raced for one of the Rocky Mountain Region's best programs, and became a multi-national champion and Pan American Games gold medal bicycle racer in a career that spanned nearly twenty years. I graduated from the University of New Mexico, where I also ski raced and was a member of a collegiate national champion cycling team.

Currently, I work for the Department of Public Utilities as an Engineering Project Manager. It's a unique position, in that the DPU functions somewhat like a private corporation where we must cultivate progressive customer-service relationships with the community, our stakeholders, and private contractors. The health and vitality of our local economy is vital to our success. My children attend local schools and my family and I have a vested stake in Los Alamos.

I have served on the board of various volunteer-based community organizations, with the most lasting being my role as the chairman/president of the Southwest Nordic Ski Club (SWNSC), a 501(c)3 non-profit organization that focuses on promoting Nordic skiing in Los Alamos by developing programs for all users, hosting events, and running a large kids/youth program for all types of outdoor activities. We also maintain a large trail network in the Santa Fe National Forest through a contract agreement with the USFS, which is administered by me. We oversaw all of the government funded projects on SFNF lands within Los Alamos County after both the Cerro Grande and Las Conchas fires.

I have been the director of many sporting events in Los Alamos, including the Tour de Los Alamos, the Atomic Man Duathlon, the Pajarito Trailfest, the Pajarito Punishment mountain bike race, and several winter events for cross-country skiing and showshoeing, such as the Los Alamos Loppet and the New Year Resolution Race. All of these events attracted many participants from out of town. I also work for various other volunteer organizations, such as the PEEC, to lend my time and expertise in the construction of their educational facilities, and to help manage projects and work with contractors for them. I teach engineering, construction, and water resources classes for various kids' groups as well.

Through my own athletic endeavors in which I have traveled through the country and the world, and now as a coach of youth teams (xc skiing, mountain biking, running, etc.), I have seen the positive impacts that outdoor sports, facilities, and programs have had on communities and surrounding regions. Our local groups travel to these areas because of their vitality and the events they host, and for the facilities they have. These communities embrace a progressive culture and take proactive steps to develop themselves into recreation destinations. There is no question that Los Alamos has an untapped

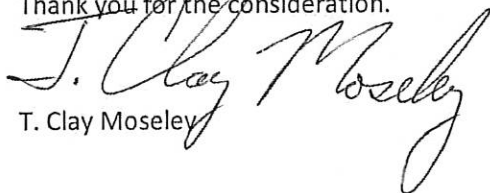
potential that should be modelled after some of these communities, while maintaining a good amount of our "secret" character as well.

I am a very good organizer and communicator. People have often made jokes that I would be an ideal head of the New Mexico Chamber of Commerce. I laugh along with the jokes, but I must admit that it is true. I do love New Mexico and very much love to promote Los Alamos as my home because it has so much to offer. Many people in the community know me, not only through work, but also as a community volunteer and promoter. I have actually made a few "promotional" videos for xc skiing and mountain biking here that I have not published, but would make excellent promotional material for some of our outdoor assets.

Finally, I am an expert in the field of construction, focusing on local development of not only utilities, but also other areas of the process. I am very near completion of my master's program in construction engineering and project management. I work with many New Mexico construction companies, developers, and engineering firms. In addition to utilities construction, I'm an expert trail builder with a wide range of experience in all aspects of wild-land construction and maintenance. I lead the effort to keep the winter xc ski trails groomed, and cleared of downfall during the other seasons. The SWNSC has been recognized for various awards by the USFS and private industry (REI, Patagonia) for the promotion and stewardship programs we undertake for outdoor recreation.

I believe that I would be a good fit for the Tourism Implementation Task Force. I realize that it could be seen as a conflict of interest since I am an employee of Los Alamos County, but if there are ever any circumstances that would require me to recuse myself, I would accept that. I consider myself to be a person of integrity and am very well-versed in municipal codes and laws, especially as it concerns procurement and contracting. Of course I would understand if my position could be considered a conflict of interest. However, I am an active member of the community and am devoted to its economic vitality.

Thank you for the consideration.


T. Clay Moseley

Matteson, Linda

From: Cristina Olds <oldsdesign@gmail.com>
Sent: Thursday, April 19, 2018 1:49 PM
To: Matteson, Linda
Subject: Re: Tourism Implementation Task Force

Hi Linda,
My application is below in this email. Thanks!
-cristina

Cristina Olds
967 Tsankawi St.
Los Alamos, 87544
505-944-6525
oldscreative@gmail.com

Employer: LANL, Communication Arts & Services; I've been a writer-editor at the Lab since April 2016. Also self-employed with my freelance graphic design and writing business for 25 years, Olds Creative, www.oldscreative.com

Civic orgs: Voices of Los Alamos, a progressive activism group that I started in February 2017, meets monthly on issues relevant to the community. I'm the secretary of the Tuff Riders Mountain Bike Club. I'm also part of the Emerge NM Class of 2018 which trains women to be leaders and run for office.

Experience: I've lived in Los Alamos for the past four years. I previously lived in Albuquerque for 23 years. Over the years, I've traveled to many small towns similar to Los Alamos, primarily for recreational activities. I've seen many places that do tourism right and have ideas about how we could learn from them. As a small business owner for 25 years, I'm familiar with NM economic challenges the businesses in LA face. Many small businesses, like mine, thrived in Albuquerque, which could provide some models for us here. As part of Voices of LA, I've met and worked with some of the County Councilors, am familiar with their meetings, and have positive relationships with many local residents.

Strengths: I'm an organizer, communicator, and community leader. I'm an active outdoors enthusiast who hikes, mountain bikes, road rides, cross country and downhill skis, and I'm a small business owner. I bring a perspective of someone who has lived outside of Los Alamos for many years, as well as living here for four.

Why I would like to serve on the board: I care deeply about LA and I'd like to see it flourish economically. We have a lot to offer to tourists that will help our economy and benefit the local community. I'd like to see economic development projects progress and come to fruition, such as the mountain bike flow trail and more parts of the Manhattan Project National Park. I believe our Council, committees, and residents can come to agreements to the benefit of all, and I'd like to help in that process.

Thanks for your consideration,
Cristina Olds

Melanie Peña
109 Central Park Square
Los Alamos, NM 87544
melanie@losalamos.org
Los Alamos Commerce & Development Corporation

April 10, 2018

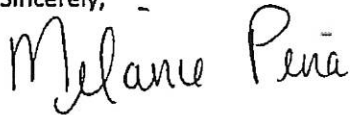
Los Alamos County
Tourism Implementation Task Force

Dear Linda,

I'm writing to you today to express my interest in joining the Los Alamos County Tourism Implementation Task Force. I believe that with my experience in running our two local Visitor Centers, this gives me the advantage of knowing just what our typical visitor is looking to visit, dine and shop locally. Interacting with visitors over the last 4 years has given me a unique look at the day in the life of a Los Alamos tourist. My employment with Los Alamos Commerce & Development has also given me the opportunity to help with events and event planning, along with local economic development. I currently present a monthly tourism report to the Lodger's Tax Advisory Board, which includes visitation data from all our local attractions, including the Visitor Centers. This information gives me a unique insight on visitation trends in Los Alamos for both the past and present.

Thank you for your time and consideration, please feel free to contact me at any time.

Sincerely,

A handwritten signature in black ink that reads "Melanie Peña". The signature is written in a cursive, flowing style.

Melanie Peña
Director- Discover Los Alamos
505-661-4836

Jacqueline A. Shen, MBA

Owner, Canyon Inn – Downtown Los Alamos
80 Canyon Rd, Los Alamos, NM 87544

(714) 642-0468
jashb126@gmail.com

April 19, 2018

RE: Application for the Tourism Implementation Task Force

To Whom It May Concern:

My name is Jacqueline Shen, and I am applying to be a member of the Tourism Implementation Task Force. I operate the Canyon Inn in the heart of downtown Los Alamos, one of the few licensed lodging businesses in the County that pays Lodger's Tax. As a stakeholder in the Hospitality and Tourism industries, my business and I provide much-needed short- and long-term housing to tourists and visitors coming to Los Alamos. Year-round, I meet and talk with incredible people from all around the nation and the world who come to Los Alamos to visit or relocate.

Through this role, my business is one of the first touchpoints that visitors receive, and effectively, I serve as a "town ambassador" of sorts, the live person waiting to welcome them to this new town and ensure their needs are met and questions answered. Over the years, I have developed first-hand knowledge of what visitors and potential future residents identify they need, what they love about Los Alamos and New Mexico, and where points of confusion exist. This knowledge from direct visitor feedback is vital to and will help the effectiveness of the Task Force to improve the vitality and welcoming vibe of our town.

Additionally, I bring a background of regional economic development not only as a current business owner but also from my seven years at LANL's Richard P. Feynman Center of Innovation, which leads the Lab's regional economic development efforts. Through this role, I have collaborated with the County, LACDC, and other regional partners in Los Alamos and across the state to diversify our economy for short- and long-term sustainability. My varied experiences enable me to consider the larger picture from different perspectives (county, Lab, business owner, home owner, younger citizen, transplant from out-of-state). This open and informed mindset, along with my education background in Strategic Marketing & Global Leadership, will help me serve as an effective member of the Task Force to create and market an inviting community, increase the capture of visitor dollars, enrich our attractions and celebrate our area's natural beauty, and intentionally explore public and private investments and partnerships.

Lastly, through my interactions with the County, including LTAB, P&Z, BOA, and County Council, I have established amiable relationships with staff across various departments. In fact, several staff and current and former board or commission members have encouraged me to apply to several different boards and commissions, a testament to our mutual familiarity and respect for each other. I am confident my abilities to establish collaborative relationships among varied stakeholders, coupled with my background as previously described, will contribute to the Task Force's ability to move the needle of our community for tourism, hospitality, and economic vitality.

Thank you for your consideration of my application. Please contact me if you have any questions.

Regards,



Jacqueline A. Shen, MBA

Matteson, Linda

From: Whitney Spivey <whitneyjspivey@gmail.com>
Sent: Thursday, April 19, 2018 1:55 PM
To: LACManager
Subject: Tourism Implementation Task Force

Hi Linda,

Hope you're doing well. I am writing because I'd like to apply for the Tourism Implementation Task Force. Here's the information you requested:

Name: Whitney Spivey

Address: 2297 North Road, Los Alamos

Phone: 573-864-4126

Email: whitneyjspivey@gmail.com

Employer: Los Alamos National Laboratory

Civic organizations: former Co-op Market board member, Leadership Los Alamos graduate

Tourism/ED background: I am a writer who has written extensively for local and state publications about touristy things to do (New restaurants! Live music! Gallery openings! etc.). I have a solid understanding of how tourists want to receive their information and how to write that information in an informative, readable way.

As a competitive athlete, I have traveled all over the country to race and have strong feelings about what makes a small town attractive for active visitors. I also have strong opinions on why Los Alamos is not yet a destination for athletes, despite its amazing trails, mountains, and national parks.

I love being a Los Alamos resident, but I can't image a tourist would want to spend more than a few hours here. There is huge room for improvement, and I would like to play a role in shaping the County's tourism plan. Among other things, I would like to bring the 2020 U.S. National Snowshoe Racing Championships to Los Alamos/Valles Caldera. I've met with Kelly Stewart about this but am curious to share my ideas with others as well.

I know you asked for 1-2 pages, but this email is due today, so here you go! If you have follow up questions, please contact me.

Thanks!
~Whitney

--
Whitney Jackson Spivey

Writer/editor
Los Alamos, New Mexico
573-864-4126
whitney.pressfolios.com

To: lacmanager@lacnm.us
From: Robert A Tobey robertatobey@yahoo.com
RE: Application for Tourist Implementation Task Force

Having lived in Los Alamos for nearly 55 years with a strong interest in promoting tourism and also years of interacting directly with tourists, I wish to apply for membership in the Tourist Implementation Task Force.

Many past approaches to designing procedures for attracting tourists have failed to concentrate on the all-important consideration of what visitors actually want and expect. That can only be provided by *directly engaging the visitors*. This is an area where I can provide highly relevant input. After retiring from LANL as a Laboratory Fellow in cellular and molecular biology in June 1991, my interest in tourism led me to serve as a guide at the Bradbury Science Museum from December 1999 to November 2004 and as a staff member at the White Rock Visitor Center from June 1992 to April 2013.

As a Bradbury Museum guide, the conversations with visitors made many wish to know and see more. Among topics discussed were the wide range of research projects ongoing in the Laboratory (a surprise to many) as well as the role of nuclear power and weapons in the past and present. In this manner, I obtained an appreciation for promoting the Lab and Los Alamos.

During my employment at the Visitor Center, I had discussions with many hundreds of tourists focusing on their reasons for visiting. As I provided information on the area, I asked a series of questions such as: How did you hear about us? Why did you decide to visit? What sites will you visit? How long do you plan to stay? Are you aware of local attractions? (I actively encouraged those planning to visit ONLY Bandelier to visit the town site.) As a result, I acquired a detailed picture of visitor likes and dislikes and was better able to serve them.

I think expansion of tourism in Los Alamos is a worthwhile and achievable goal. Task Force success will rely on the integration of ideas from individuals of diverse backgrounds and experiences. Visitor attitudes regarding Los Alamos undoubtedly will play an important role in the design of future strategies to attract tourists. If selected for membership, I could provide the Task Force with information regarding features which visitors favor, based on my extensive face-to-face interactions with them. I also believe that I would mesh well with Task Force members since I interact well within groups and value the role of listening and responding favorable to the ideas of others.

Accordingly, I hope you will give my application serious consideration.

Robert A Tobey
102 Rover Boulevard
Los Alamos, NM 87547
(505) 672-3520
robertatobey@yahoo.com

9 April 2018

Matteson, Linda

From: Karen Wray <thekarenwraygallery@gmail.com>
Sent: Thursday, April 19, 2018 2:44 PM
To: LACManager; Matteson, Linda
Subject: Letter of Interest - Tourism Task Force

Letter of Interest

Los Alamos Tourism Task Force

My name is Karen Wray, artist and owner of The Karen Wray Gallery in Los Alamos,

I believe that my experiences as a business owner, artist, former Lab employee, and resident gives me valuable perspectives on tourism, and I am asking to be considered for the Los Alamos Tourism Task Force.

Ever since I opened my gallery in 2008, it became evident that Los Alamos needs a coordinated, professional approach to tourism. Los Alamos and Bandelier have attracted tourists for many decades, so it seems obvious that tourism would be a coordinated effort between the Lab, the County, and the business community. The reality is that each entity envisions tourism quite differently and, as a result, leaves a confusing impression. Now with the establishment of the Manhattan Project National Historical Park, I would like to help organize a more coordinated approach to tourism, incorporating the Visitors Centers, local businesses, our museums, New Mexico True, tour bus operators, concierges from Santa Fe/Taos hotels, etc. By coordinating with these and other tourism organizations, the business community benefits, locals get more and better goods and services, and tourists have a better experience and impression.

At the Los Alamos National Lab, I was the principal isotope sales contact for the Medical Radioisotopes Research Group during the 1980's, and then I worked as a Division Budget Analyst until my medical retirement in 1994. I helped the Isotope Production Facility vastly improve it's reliability, consistency, and responsiveness to customers' needs by instituting a more businesslike approach and attitude. I helped coordinate the development of a full-color brochure and video of the Isotope Production Facility, which was first used at a Society of Nuclear Medicine Conference in San Francisco. Our DOE sponsor was quite impressed. I became a certified shipper of radioactive materials at LANL to consolidate the shipping process for very short-lived radioisotopes to national and international customers. This relieved the LANL Radioactive Material Shipping Office from dealing with numerous last-minute shipping documentation processing. I also developed a database for isotope shipment records, allowing fast and accurate information for management. As a Division Budget Analyst, I developed a system to help management determine their financial status at any point in time. This system incorporated all year-to-date costs, outstanding procurements/commitments, anticipated expenditures, monies owed to other Divisions, monies expected from other Divisions and Program Offices, potential new funding, and overhead rates. The Group Leaders found this system to be extremely useful and accurate.

As a business owner and especially an art gallery owner, I know that more needs to be done to direct tourists to businesses that typically are of interest to tourists. From our location a half block from the Bradbury Science Museum, tourists arrive at and visit the Science Museum, then, armed with the LA Visitor's Guide, walk west towards the Fuller Lodge. They rarely turn east towards our businesses. Unfortunately, as Lab employees, the Science Museum employees are limited in what they can suggest or recommend to tourists beyond handing out the Los Alamos Visitor's Guide. If tourists don't then make an additional stop by the Visitors Center/Chamber of Commerce in Central Park Square, they won't know about shopping, dining, lodging, nor entertainment options. Tourists have very little time to wander around and find businesses on their own, so we need to relocate the Visitors' Center from its current location in Central Park Square to the space next to the Science Museum, which would make it much more convenient for tourists, would relieve the pressure on the Museum employees, and would help the local businesses benefit from tourism dollars. The space mentioned is currently available and is ideal for that purpose.

I have relocated my art gallery several times before I found a location that is downtown, easy to access, near the Science Museum, and several other businesses that attract tourists. Location, location, location! It matters where the LA Visitors' Center is located for it to be effective.

Connecting tourists with small shops, restaurants, cafes, and galleries enhances tourists' experience and gives a favorable impression of the town. Right now, our businesses struggle to attract customers through advertising, social media, and other promotional methods, but independently can't afford to market themselves to all our regional, national, and international tourists. Visitors' Centers provide a valuable link between tourists and businesses offering products and/or services that would appeal to tourists. Our Visitors' Centers are more geared towards local attractions than to local businesses. The Taos Visitors' Center focuses on both, including offering a small selection of products from local shops and galleries at a 30% markup so tourists can make purchases if they don't have time to visit the shops themselves or if the shops are not open at that time. The shops receive 100% of the regular price and the Visitors' Center receives the 30% markup to help with operations costs. Both businesses and the Visitors' Center are quite happy with this arrangement. This is a great example of what other communities are doing to help promote local businesses and give tourists a delightful experience.

Los Alamos is located within 37 miles of Santa Fe, the third-largest art market in the country, and 64 miles from Taos. We are in an enviable position to attract those art enthusiasts who are visiting Santa Fe and/or Taos. Since the Northern New Mexico area has attracted artists and inspired many more for decades, we also have a surprising number of artists and soon-to-be artists in Los Alamos. My gallery is focused on artwork of and by local artists, featuring images of Los Alamos and surrounding areas, not commonly found in Santa Fe/Taos galleries. For many years local artists have exhibited their artwork outside of Los Alamos because of the lack of affordable venues in Los Alamos and the limited exposure to visitors. I have been working towards changing this by bringing local fine artists back to Los Alamos, inviting new artists and promising emerging artists, presenting professional art exhibitions and Openings, and teaching new artists painting and marketing skills. Our space, Openings, and exhibitions have been compared very favorably with those in Santa Fe. I promote our gallery and artists by advertising in The Collector's Guide (which is distributed yearly to all hotels, art galleries, and upscale shops in Santa Fe, Taos, Albuquerque, and neighboring communities), the LA Living Magazine, the Reel Deal Theater, local news outlets, through email and direct mail, and through social media.

I have spent my career working to analyze, research, and improve systems and processes, evaluate results, and adjust accordingly. I believe I would be a valuable addition to the Tourism Task Force.

Thank you for your consideration!

Respectfully,

Karen E. Wray

Owner, The Karen Wray Gallery

1247 Central Avenue

Suite D-2

Los Alamos, New Mexico 87544

(505) 660-6382

kewray40@comcast.net



Tourism Implementation Task Force Charter

I. Purpose

The Tourism Implementation Task Force (“Task Force”) was created through an action of the County Council on February 27, 2018 when the Council formally accepted the Los Alamos County Tourism Strategic Plan. The Task Force serves as an advisory body to the County Council for the purpose of building the tourism economy as a way to economic development through implementation of the principles, objectives and associated actions as provided in the Tourism Strategic Plan. The Task Force provides guidance and serves as a resource to the County Council and staff in the formulation, development, championing and execution of specific actions and projects. The committee will also serve a valuable role in communicating implementation of the Tourism Strategic Plan recommendations to the general public and County Council.

II. Scope of Work

The Tourism Strategic Plan is a practical roadmap detailing the strategies and actions needed to develop the tourism economy while improving community quality for residents, businesses and LANL. The Task Force’s mission is to be primary stakeholder group that helps to lead this economic development effort and works closely with Staff and other members of the community. The Task Force will also advise staff in the process of implementing the recommended tactics and actions delineated in the Tourism Strategic Plan. The Task Force will advocate for the promotion of tourism as an economic driver for the County. Meetings of the Task Force will also serve as a venue for communicating and receiving information from the general public on plan implementation.

The Task Force will initially be chartered for two years.

III. Task Force Representation

The Task Force will be comprised of volunteers representing the various tourism stakeholders within the County including: the community-at-large, Business Community (Retail, Hospitality, and Service), and assets/attractions such as Los Alamos History Museum, Nature Center, Pajarito Mountain and Bradbury Science Museum. Historic Preservation, Lodgers’ Tax Advisory, and Parks/Recreation Boards shall select one member from their board to serve on the Task Force and also select an alternate to attend meetings in case the member cannot attend. The total number of members shall not exceed eleven (11) persons including the representatives from Council Advisory Boards.

Committee members will be individually appointed by the County Council.

IV. Member Term

The initial term of all task force members will be two years. At that point in time, the charter and membership will be evaluated for possible renewals.

V. Quorum

A quorum of the committee is defined as a simple majority of the appointed committee members. Committee actions can be taken and considered valid only if a quorum has been established at the meeting. Information can be shared during a meeting even if a quorum is not established.

VI. Resources

The County will provide a staff project manager responsible for coordinating the committee in its exploration and development of implementation actions including meeting logistics and other needs. Other County staff will be available based upon identified needs or specific topics of discussion but all staff members will be non-voting members of the Task Force.

VII. Meetings

Meeting dates and frequency will be established by the Task Force and staff. All meetings will be open to the public. Meetings will also serve as a venue for communicating and receiving information from and to the general public on project implementation.

VIII. Subcommittees

The existing Manhattan Project National Historical Park (MAPR) subcommittee is being transitioned over to this Task Force. This subcommittee will focus on the issues that must be addressed to support the implementation of the new national park.

The Task Force may form any additional subcommittees it deems appropriate but all recommendations to the Council should be that of the full committee, as indicated by a majority vote of the committee members. The subcommittees may include persons not otherwise identified as a member of the committee, however subcommittee membership does not convey an ability to vote on any recommendations.

BCC Representatives for Tourism Implementation Task Force

Representatives from Boards	Primary	Alternate
Lodgers' Tax Advisory	Katie Bruell	Elizabeth Allen
Historic Preservation	Mark Rayburn	Leslie Linke
Parks and Recreation	Stephanie Nakhleh	TBD

Tourism Implementation Task Force

Guidance and Selection Criteria for County Councilor Consideration

Review Team: Councilor Susan O’Leary and Linda Matteson

As requested by the Council Chair, the Review Team offers this selection criteria and applicant review to the County Council for consideration in this selection process. Each of the criteria listed below is important. An objective of this selection process is to form a task force that will provide an optimal combination of these criteria. Guidance for the selection of member for the Tourism Implementation Task Force was established by the review team by recalling the focus areas of the Tourism Strategic Plan and the Task Force representation listed in the charter approved by Council. Per the Tourism Strategic Plan, Los Alamos needs to focus on the three strongest components of Los Alamos’ tourism offerings of outdoor recreation, history and science initially.

Each of the applicants offer important attributes. However, the Council must select 8 of the 14 applicants in order to keep the task force to the size mandated by the Charter. To assist the County Council in this selection process, all applicants were reviewed to determine their attributes according to the following criteria:

1. Provide continuity from Tourism Work Group
2. Represent business community—retail
3. Represent business community—hospitality
4. Represent business community--service
5. Represent/involved in outdoor recreation assets
6. Represent/involved in history assets
7. Represent/involved in science assets
8. Prior interaction with Los Alamos visitors
9. Business planning and development experience
10. Diversity of members that live in Los Alamos townsite and White Rock community
11. Community member-at-large

The master list spreadsheet contains a list of all applicants that submitted a letter of interest and what interests and/or criteria they fulfill.

Tourism Implementation Task Force
5/1/2018

	Name	Affiliation, if any	Attributes	Izraelvitz	O'Leary	Sheehy	Reiss	Chrobocinski	Chandler	Maggiore	Total # of Votes
1	Micheline Devaurs		Tourism Work Group member; Hospitality (Bathtub Row Brewing); represent Science; business planning and development experience; LA townsite resident								
2	David Fox	CEO and Founder, CB Fox and Pajarito Greenhouse	Tourism Work Group member; Retail Business (CB Fox); prior interaction with LA visitors; business planning and development experience; WR resident								
3	Laurence Goddard		Service Business (Medical practice); Outdoor recreation assets; LA townsite resident								
4	Prashant Jain	Owner, Siphey	Hospitality Business (Siphey, Unquaked Wine Room and Bandelier NM concession); business planning and development experience								
5	Dave Jolly	Metzger's Hardware, Los Alamos MainStreet	Tourism Work Group member; Retail Business (Metzger's); prior interaction with Los Alamos visitors; business planning and development experience; WR resident								
6	Heather McClenahan	Executive Director, Los Alamos Historical Society	Tourism Work Group member; represent History (Los Alamos History Museum); prior interaction with LA visitors; business planning and development experience; WR resident								0
7	Lauren McDaniel	Director, Los Alamos MainStreet (LACDC)	Represent Science (ScienceFest); prior interaction with LA visitors; business planning and development experience								
8	T. Clay Moseley	Chairman and President, Southwest Nordic Ski Club	Represent Outdoor Recreation (Tour de Los Alamos, Atomic City Duathlon, Pajarito Trailfest and Pajarito Punishment mountain bike race); prior interaction with LA visitors; business planning and development experience; LA townsite resident								0
9	Cristina Olds		Represent Outdoor Recreation (Tuff Riders Mountain Bike Club); business planning and development experience; LA townsite resident								0

	Name	Affiliation, if any	Attributes	Izraelvitz	O'Leary	Sheehy	Reiss	Chrobocinski	Chandler	Maggiore	Total # of Votes
10	Melanie Pena	Los Alamos Commerce and Development Corp.	Hospitality Business (Discover Los Alamos Meeting and Visitor Bureau); prior interaction with LA visitors								0
11	Jacqueline Shen	Owner, Canyon Inn	Hospitality Business (Canyon Inn); prior interaction with LA visitors; business planning and development experience								0
12	Whitney Spivey		Represent Outdoor Recreation (competitive athlete; traveled all over the country to race); prior interaction with LA visitors; business planning and development experience; LA townsite resident								0
13	Robert Tobey		Prior experience with LA visitors (Bradbury Science Museum (1999-2004) and White Rock Visitor Center (1992-2013)); WR resident								0
14	Karen Wray	Artist and owner of the Karen Wray Gallery	Retail Business (Karen Wray Gallery); prior interaction with LA visitors; business planning and development experience								0
	TOTAL			0	0	0	0	0	0	0	



County of Los Alamos

Staff Report

May 01, 2018

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: 1)

Index (Council Goals): * 2018 Council Goal – Quality Governance - Communication – Create a Communication Process That Provides Measureable Improvements in Citizen Trust in Government

Presenters:

Legislative File: 10650-18

Title

Approval of Council's Review Committee Report and Recommendations on FY19 Board and Commission Work Plans.

Recommended Action

I move that Council thank all Board & Commission members for their dedication to public service and approve the FY19 Work Plans as submitted or amended from the following boards: Arts in Public Places Board, Environmental Sustainability Board, Historic Preservation Advisory Board, Library Board, Lodger's Tax Advisory Board, Parks and Recreation Board, Personnel Board, Planning and Zoning Commission, and the Transportation Board with the understanding that this approval does not represent formal Council budget approval of all projects, proposals, or potential recommendations listed in the Work Plans.

I further move that Council approve the continuation of B&C annual presentations to Council using the current format and direct staff to notify the Board and Commission Chairpersons of this requirement and the approval of the FY19 Work Plans.

County Manager's Recommendation

The County Manager recommends that Council approve the FY19 B&C Work Plan Review Committee Report as requested.

Board, Commission or Committee Recommendation

The 3-member Council Work Plan Review Committee recommends that Council approve the motion as presented.

Body

Members of the Council Board & Commission FY19 Work Plan Review Committee are: Councilors Pete Sheehey, James Chrobocinski, and Susan O'Leary.

Excluding the Utilities Board, the Council Committee reviewed a FY19 Work Plan for each Board and Commission. The Utilities Board does not submit a work plan, per se, because it is a board established in the Los Alamos County Charter that includes County Council oversight via budgetary and other mechanisms.

Also, other boards that have a specifically defined area of responsibility such as the Valuation

Protests Board and the Labor Management Relations Board are not asked to prepare work plans.

The B&C FY19 Work Plans were reviewed individually, and comparatively where appropriate. All B&Cs have been notified of the committee's recommendations, questions, and requests.

The FY19 B&C Work Plan Review Committee wishes to thank all boards and commissions for their hard work and recommends that the following plans be approved by the Council as submitted: Arts in Public Places Board, Environmental Sustainability Board, Historic Preservation Advisory Board, Library Board, Lodger's Tax Advisory Board, Planning and Zoning Commission, Parks and Recreation Board, Personnel Board, and the Transportation Board.

Copies of the FY19 Work Plans are attached to this agenda documentation.

This is the fourteenth year that the Los Alamos County Council has appointed a 3-member Council Committee to review work plans submitted by Boards and Commissions.

The Review Committee did not recommend any revisions to the work plan template for FY20.

The Review Committee recommends that the boards and commissions continue with their annual presentations to Council using the existing format.

Alternatives

Council can vote not to approve/accept the FY19 B&C Work Plans;
Council can add additional recommendations/comments to any of the FY19 Work Plans;
Council can identify items from the FY19 Work Plans that warrant additional Council discussion.

Fiscal and Staff Impact/Planned Item

None noted. Each board or commission was reminded during the work plan preparation phase that any budget impact resulting from items in their work plan should be included in the appropriate departmental budget. County support of boards and commissions is included in the FY19 budget.

Attachments

- A - FY19 B&C Work Plan Review Committee Report
- B - Draft FY19 Art in Public Places Board Work Plan
- C - Draft FY19 Environmental Sustainability Board Work Plan
- D - Draft FY19 Historic Preservation Advisory Board Work Plan
- E - Draft FY19 Library Board Work Plan
- F - Draft FY19 Lodgers Tax Advisory Board Work Plan
- G - Draft FY19 Parks and Recreation Board Work Plan
- H - Draft FY19 Personnel Board Work Plan
- I - Draft FY19 Planning and Zoning Commission Work Plan
- J - Draft FY19 Transportation Board Work Plan

Boards and Commissions FY19 Work Plans
Council Review Committee Report

Submitted by Committee Members: Pete Sheehey, James Chrobocinski and Susan O'Leary. Staff assistance provided by: Libby Carlsten, Senior Management Analyst, Community Services Department.

Review Process

Board and Commission (B&C) Work Plan Review Committee members Sheehey, Chrobocinski, and O'Leary plus staff member Carlsten met on March 23, 2018 to review and discuss the work plans. Specific recommendations for Section 4.0 of each work plan were provided by Julie Habiger, Public Information Officer. The boards and commission have now made the requested corrections or incorporated the appropriate changes to the work plans.

The committee members reviewed and discussed the draft work plans using the following questions:

- 1) What is the area of responsibility for each B&C?
- 2) What is each B&C doing in their area of responsibility?
- 3) How is each B&C involving the public?

General Recommendations/Comments on FY19 Work Plans

1. The Work Plan Review Committee members encourage all the boards and commissions to actively solicit public input and look for ways to gauge public sentiment on items in the B&C's area of responsibility. The committee sees transparency and communication as important goals for all B&Cs and are pleased to note that all B&Cs continued to include both items under the "Communication" section of Attachment B.
2. The Committee expressed support for incorporating the PIO's recommendations for each B&C into Section 4.0. The recommendations primarily focused on requesting more detailed information regarding each B&C's plans for public outreach efforts and asked the B&Cs to identify the budget impact of their efforts to the extent possible.
3. The Committee members expressed support for continuing the revolving monthly B&C presentations to Council during work sessions or other Council meetings as determined by the Council Leadership team.
4. The Committee also recommended that B&C's consider ways to conduct outreach efforts with the Los Alamos Public School system to inform students about the various board activities and projects if appropriate venues and messages could be identified.

5. The Review Committee asked various relevant boards to add the following to Section 3.0: “Liaison with the Tourism Implementation Task Force, as needed or requested.”
6. In addition, the Committee encourages the B&Cs to continue actively designating inter-board liaison assignments, when appropriate, to increase communication and coordination between all the boards and commissions.
7. Compiled information from Attachment B regarding the B&C’s reports of how their work/projects relate to Council strategic goals is provided as **Appendix A**.
8. Overall, the B&C Work Plan Review Committee feels that the FY19 Work Plans were well prepared. They want to express their gratitude for the time and effort spent by the B&Cs on the work plans.
9. The Committee decided to aim for a May 1, 2018 presentation date to Council for their report.

This report is respectfully submitted to Council by the FY18 Work Plan Review Committee: Councilors Pete Sheehey, James Chrobocinski, and Susan O’Leary.



Appendix A:

Council Strategic Goals:

Economic Vitality	
<u>Economic Vitality:</u>	
<ul style="list-style-type: none"> • Priority Area – Build the local tourism economy 	APPB; HPAB; Library Board; LTAB; P&Z; T-Board
<ul style="list-style-type: none"> • Priority Area – Promote vitality in our neighborhoods and downtown areas and eliminate blight in Los Alamos and White Rock as part of an overall property maintenance and beautification effort. 	APPB; P&Z; T-Board; ESB
<ul style="list-style-type: none"> • Promote a strong and diverse economic base by encouraging new business growth. 	Library Board; PRB; P&Z
<ul style="list-style-type: none"> • Collaborate with Los Alamos National Laboratory as the area's #1 employer. 	ESB
<u>Financial Sustainability</u>	
<ul style="list-style-type: none"> • Encourage the retention of existing businesses and assist in their opportunities for growth 	ESB; PRB; P&Z; T-Board;
<ul style="list-style-type: none"> • Support spinoff business opportunities from LANL 	P&Z
<ul style="list-style-type: none"> • Significantly improve the quantity and quality of retail business 	
Quality of Life	
<u>Housing:</u>	
<ul style="list-style-type: none"> • Priority Area -- Support development of affordable workforce housing. 	P&Z
<ul style="list-style-type: none"> • Promote the creation of a variety of housing options for all segments of the Los Alamos Community, including infill opportunities as appropriate. 	P&Z
<u>Education:</u>	
<ul style="list-style-type: none"> • Support Los Alamos Public Schools' goal of ranking among the top public schools in the nation 	Library Board
<ul style="list-style-type: none"> • Partner with Los Alamos Public Schools and the University of New Mexico – Los Alamos; and support, as appropriate, the delivery of their educational services to community standards 	ESB; Library Board;
<u>Quality Cultural and Recreational Amenities:</u>	
<ul style="list-style-type: none"> • Priority Area – Maintain and improve existing outdoor recreation and open space amenities. 	PRB
<ul style="list-style-type: none"> • Implement a comprehensive range of recreational and cultural amenities that enhance the Los Alamos 	APPB; Library Board; HPAB;

community	T-Board; PRB
<u>Environmental Stewardship:</u>	
<ul style="list-style-type: none"> Enhance environmental quality and sustainability balancing costs and benefits including County services and utilities 	ESB; PRB; T-Board;
<u>Mobility:</u>	
<ul style="list-style-type: none"> Maintain and improve transportation and mobility 	PRB; T-Board;
Quality Governance	
<u>Operational Excellence:</u>	
<ul style="list-style-type: none"> Priority Area – Continue implementation of the Comprehensive Plan with an emphasis on neighborhoods. 	P&Z
<ul style="list-style-type: none"> Priority Area – Maintain and improve existing quality essential services and supporting infrastructure including updated enterprise software and permitting. 	APPB; HPAB; T-Board; ESB; Library Board; Personnel Board;
<ul style="list-style-type: none"> Invest in staff development to create a high performing organization 	Personnel Board; ESB; Library Board;
<ul style="list-style-type: none"> Manage commercial growth well following an updated, concise, and consistent comprehensive plan. 	P&Z; T-board;
<ul style="list-style-type: none"> Establish and implement a mechanism for effective Utility policy setting and review. 	
<u>Communication:</u>	
<ul style="list-style-type: none"> Improve transparency in policy setting and implementation. 	All B&Cs
<ul style="list-style-type: none"> Create a communication process that provides measurable improvement in citizen trust in government. 	All B&Cs
<u>Intergovernmental Relations:</u>	
<ul style="list-style-type: none"> Strengthen coordination and cooperation between County government, LANL, and the regional and national partners. 	
<ul style="list-style-type: none"> Actively pursue land transfer opportunities. 	PRB





LOS ALAMOS
where discoveries are made

FY19 Work Plan for Los Alamos County Boards and Commissions

(Fiscal Year 2019: July 1, 2018 – June 30, 2019)

Board and Commission Name: Art in Public Places Board

Date prepared: 2/14/2018 Date approved by Council: _____

Prepared by: Jeremy Smith and Libby Carlsten, with APPB approval

This work plan will be accomplished in the following time frame: from July 1, 2018 to June 30, 2019

Chairperson: Jeremy Smith

Members and terms:

Pete Carson: 1st term to 3/23/19 – eligible for re-appointment
Britton Donharl: 2nd term to 3/23/19 – not eligible for re-appointment
Catherine Ozment: 1st term to 3/23/19 – eligible for re-appointment
Michelle Mittrach: 1st term to 11/3.19 – eligible for re-appointment
Jeremy Smith: 2nd term to 2/11/20– not eligible for re-appointment

Department Director: Brian Brogan

Work plan developed in collaboration with Department Director? (Y/N?): Yes

Staff Liaison: Libby Carlsten

Administrative Support provided by: Becky Andrus

Council Liaison: Reviewed by Council Liaison? Yes

1.0 Provide a brief Summary of your Board or Commission’s activities over the past twelve months. Please describe your Board or Commission’s accomplishments and identify constraints. List any “lessons learned” and identify the greatest challenges faced by the Board or Commission.

Activities and Accomplishments

Suspended Dichroic PlexiGlas Sculpture in the Golf Course Clubhouse – On October 27, 2015, Council approved an APPB recommendation to commission a dichroic glass sculpture by Albuquerque artist Doug Czor. The sculpture was installed along the ceiling in the entry hallway between the golf pro shop and the restaurant – plus one additional cluster was added above the doorway to the community room. APPB members and staff provided guidance and worked with the artist as he fabricated the sculpture. Mr. Czor completed and installed the sculpture in the summer of 2017. The dedication event was held on September 7, 2017. Many positive comments have been received by the board.

Municipal Building – APPB members collaborated with Utilities Department staff to develop plans for an artistic/educational display at the top of the main staircase using the artwork from the former NEDO Smart House. The display area was created by the County’s Facilities Division in late summer 2017. The dedication event was held on October 3, 2017. Two of the artists attended the ceremony. APPB members and the staff liaison have continued to work with the County’s Communication and Public Relations Division to develop the educational posters to provide explanatory information about the Smart House project and the significance of the artwork.

Large San Ildefonso Pot Replicas – The placement of a historical progression of six large San Ildefonso pot replicas along the NM 4 corridor through White Rock was accomplished in early summer 2016. APPB members are continuing to work with Communications and Public Relations staff to design a permanent educational plaque to be installed at the White Rock Visitors Center to provide photographs and more explanatory information about the significance of the project than is provided on the small bronze plaques next to each pot.

Los Alamos Community Building (home of the renovated Teen Center, the Visitor Center for the Manhattan Project National Historical Park, the Cooperative Extension Service Office, PAC-8, and the Youth Activity Center) In July 2017, the APPB recommended the purchase of colorful, whimsical benches and matching lighted sculptures made by California-based artist, Colin Selig, from reclaimed propane tanks for the front courtyard of the Community Building. The bench and sculpture installation was completed in December 2017. The board is planning to schedule a dedication event in March or April 2018 along with the installation of an informative plaque explaining the repurposed propane tank art.

Web presence, APPB brochure, Maintenance, Plaques – There is strong board interest in improving the county’s public art presence through a public art website managed by www.publicartarchive.org. APPB members and the staff liaison continue to prepare letters to artists to get permission to display their work on the on-line database. This is an ongoing project that may take another year to complete. APPB members have also been working with County staff to identify options for collection management software. The collection is currently managed using Excel spreadsheets which are inadequate for this task. The board anticipates making a recommendation regarding new software in mid to late 2018. The board continues to improve the maintenance of current works of art in the county’s public collection and in the fall of 2016 awarded a new maintenance contract to Sculpture Smart (a Santa Fe based company) for the outdoor sculptures. With addition of a significant number of new works over the last several years, the board is continuing to order and install plaques, and to replace old or missing plaques as part of the maintenance of the artwork.

Public Education/Outreach Efforts – The Board has noted that the source of APP funding, the restrictions on its use, and the process by which public art projects are developed, recommended and approved, are unclear to many members of the community. The board looks for opportunities to inform the public about its roles and responsibilities, and the enabling County ordinance, whenever they can. In the past year, board members hosted an APP informational table at a summer Farmer’s Market, provided pictures/information to the LA Daily Post, and the APPB Chair provided explanatory information about the APPB in the opening remarks at each dedication event. The public art collection is also periodically promoted on the Community Services Department’s Facebook page.

October 2017 – Evening of Arts and Culture – The Chair of the APPB and the staff liaison assisted with planning for the inaugural kick-off event on October 13, 2017 for the “Month of Arts and Culture.” The board also hosted a table at Fuller Lodge during the event and handed out information about the public art collection and answering questions about the work of the board. The County published a booklet/informational guide with information about all the artistic and cultural events in the community during the month of October. It was well received.

Challenges and Lessons Learned

- The County has engaged in numerous capital projects over the past decade, resulting in a substantial influx of funds to the Art in Public Places Account. The board responded by recommending major new artwork for the Nature Center, Municipal Building, White Rock Visitor Center, WR Branch Library, the renovated NM4 corridor in White Rock, and the Golf Course Clubhouse. The board also addressed some smaller scale projects, such as the relocation of Smart House art and added benches and sculptures in front of the Community Building. The

board plans to continue concentrating on the upkeep of the existing collection, collection management software, and to evaluate remaining public art funds and annual expenses.

- In 2015, the board implemented a policy stipulating that artists will be responsible for engineering, permitting, construction, and installation of large art projects such as “Solar Tree.” Previously these activities relied heavily on the help of County personnel whose operational workload required that they fit in art projects “as and when,” and the policy is intended to formalize the artist’s responsibilities and to reduce the board’s reliance on County personnel. Nonetheless, even with the policy in place, assistance continues to be needed from the appropriate County building managers to safeguard County assets. In other cases, such as artwork relocation or special projects like the WR Pottery Replicas, a great deal of assistance from County personnel is often required. The lesson learned is that, while the board makes every effort to budget appropriately for County staff assistance, and very much appreciates the help, we must also be aware that other County priorities may take precedence, and projects may not be completed according to the board’s timeline. With this in mind the board should use private contractors whenever possible, with appropriate county oversight, to avoid lengthy delays in project completion.
- APPB receives strong, high-level County staff and administrative support, including developing and negotiating contracts for maintenance and commissions, researching and drafting policies, and acting as liaison with County departments. However, this support is not unlimited, and it is incumbent upon the Board to realistically prioritize and manage their demands.
- It remains the case, apparent from some public input, that the source of funding for public art, the restrictions on its use, and the process by which public art projects are developed, recommended and approved, are unclear to many members of the community. The board will continue their efforts to inform the public about its roles and responsibilities, and the enabling County ordinance, whenever the opportunity arises.

2.0 Describe the future work plans for this Board or Commission using the following items and showing the relationship to those items: *(Please remember that Council approval of this work plan does not constitute official Council approval of proposed projects, assignments, or anticipated recommendations included in this work plan that have budget implications.)*

2.1 List any special projects or assignments given to this Board or Commission by Council or the Department director:

- Meet with the Community Services Department Director and other CSD Board Chairs as requested, for discussion and information sharing.
- Participate in the public input gathering for [art at Ashley Pond Park](#) if [the](#) project goes forward.
- Participate as needed and at the appropriate time with the proposed Capital Improvement Projects for any public art opportunities.
- Participate in the planning efforts, if any, for the development of a park area to commemorate military service.
- As directed by the Community Services Director, work with Library staff to assess options for combining the Library's existing art collection into the public collection.
- Conduct public outreach activities after the art collection is added to the "Public Art Archives" to develop both the public's interest in art and a better understanding of how public art is funded. Some suggested activities are: developing a prominent link to the PAA on the County's web site, staffing the County table at the Farmer's Market, giving talks in schools, to civic groups, and at the Senior Center lunches – or providing articles or photos (daily postcards) to the Los Alamos Daily Post and the Los Alamos Monitor.

2.2 List the guiding documents/plans (with approval or revision dates listed) used by this Board or Commission.

- APPB enabling legislation in the County Code
- APPB Policies and Guidelines – Approved by Council on August 30, 2016
- Contractual relationships for sculpture maintenance
- Contractual agreements with artists
- County Comprehensive Plan and Master Plans related to land use

2.3 Other projects/assignments proposed by the Board or Commission: (Any projects or activities proposed in this section should be discussed with the Council Liaison prior to listing it in this work plan.)

Administrative Activities

- APPB Inventory –APPB is conducting a search for an appropriate collection management database for accessing and managing the inventory.
- APPB Identification of Artwork Maintenance and Repairs – Each member of the board has taken responsibility for a specific section of the art collection, regularly inspects their section, and reports bi-annually to the entire board about any needed maintenance or repairs. The board as a group then prioritizes the maintenance needs for the entire collection.
- Public Art Web Presence -- The Board has researched and gotten approval from TAG (County's Technology Group) to move forward with "Public Art Archive," an on-line database subscription service that will allow the County to provide user-friendly public access to the Los Alamos County Public Art Collection. This database option will provide an instant web presence (without having to develop it ourselves) that is easily searchable, can be viewed on mobile devices, and is connected with Google maps. Permission forms are being collected from artists.
- Plaques – In conjunction with the inventory update, plaques will be ordered with a goal of having all art in the County collection properly labeled.

Marketing and Communications

- Public Information - the APPB will continue to look for opportunities to inform the public about the public art collection, the APP funding, and the process the board uses to select and recommend public art pieces.
- Web Presence – Coordinate efforts to place the County's public art collection on the web via Public Art Archives, a free on-line database service. After the collection is listed on the PAA – develop a prominent link to the PAA on the County's web page.
- Open Forum – The APPB has successfully used the County's Open Forum for soliciting public input in the past and will continue to use it in the future, when appropriate.

Current/In-process Projects

- White Rock State Route 4 - Native American Pots – The pot replicas have been installed. The board is working to design an educational plaque and brochure to provide more information to the public about this project.
- Los Alamos Community Building – Colorful, whimsical benches and matching lighted sculptures have been installed. The board will plan a dedication event for this artwork

- Columbarium – The board will work with the PROS Division to explore options for appropriate art for the proposed columbarium
- Disposal - The board is discussing options for the possible disposal of a few pieces of art in the public collection that have been damaged or are no longer relevant to the collection
- Donations -- Several potential donation offers have been received and will be discussed/considered by the board
- Memorial park to honor military service – the board is collaboratively (with PROS and the Parks and Rec Board) considering options for developing a park area to honor military service
- Solicitation of Future projects - Board members have developed a “Call for Art Ideas” as a way for the public to suggest ideas and locations for additions to the public art collection. The deadline for submittals is March 2018. Evaluation of the proposed projects will occur over the next six months.

Potential Projects/Locations

The following is a list of, including but not limited to, potential projects and/or locations for consideration of public art over the next two years (not in any particular order):

- Roundabout – The board has discussed recommending a sculpture for the new 502 roundabout and has concluded that this would best be considered after it is completed and the entire nearby area can be evaluated for potential art locations.
- Underpass for Hwy 502 near the Canyon Rim Trailhead and the Cooperative Market - The board has received a preliminary overview of this project and is looking forward to developing ideas for art and artistic lighting for the proposed underpass.
- White Rock Senior Center and Town Hall – Continue to evaluate art possibilities for this area.
- Deacon Street Project – The board is planning to explore options and ideas for public art along Deacon Street as this renovation/economic development project progresses.
- CIP Recreation Projects – The board will be ready to work with any project teams early in the process to recommend public art, including landscaping, as part of any CIP project.

3.0 Identify any interfaces for the goals/tasks in this work plan with County Departments and other Boards and Commissions. Specify the coordination required.

- Throughout the year, the APPB will work closely with Parks, Recreation and Open Space (PROS), Public Works, and Facilities staff as needed, regarding the placement, installation, lighting and landscaping of exterior artwork, and installation of interior artwork.
- A Santa Fe based company (Sculpture Smart), contractually bound to the County through the APPB to clean and maintain the outdoor sculptures in the public collection, also works closely with the Parks Division, as needed, in fulfilling their requirements, such as winterizing water features and maintaining sculptures.
- The Board and staff liaison will coordinate with County departments currently displaying interior art to ensure that said artwork is displayed in appropriate settings and available for public viewing in accordance with County Code.
- The Board will continue to collaborate, as appropriate, with other Los Alamos County Boards, Commissions, and departments including but not limited to the: Lodger's Tax Advisory Board, Fuller Lodge Historic Districts Advisory Board, Library Board, Parks and Recreation Board, and community stakeholder groups and organizations.
- The Board will liaison to the Tourism Implementation Task Force, as needed.

4.0 List any special public information or involvement meetings or efforts to be conducted by this Board or Commission:

- Staff will work with both the Community Development Department, the Public Works Department, and the Community Services Department to identify, for specific capital projects, at which point APPB input and/or involvement is appropriate.
- Board will solicit public input during the development of requests for proposals for new acquisitions, as well as during the selection process.
- Public receptions/dedications will be held for the installation/re-installation of major pieces of artwork.
- Continue to work with the news media by providing information and articles, and be available for interviews.
- As noted in Section 2.0 – the board may conduct public outreach activities after the art collection is added to the “Public Art Archives” to develop both the public’s interest in art and a better understanding of how public art is funded. Some suggested activities are: developing a link from the County’s web site to the PAA, staffing the County booth at the Farmer’s Market, giving talks in schools, to civic groups, and at the Senior Center lunches – or providing photos (daily postcards) to the Los Alamos Daily Post. These activities should have a low costs and/or low staff support requirements.

5.0 List the current subcommittees for this Board or Commission.

**5.1 For subcommittees with members that are not members of the parent board or commission:
List the subcommittee members and their terms.
Explain how sub- committee members are selected or appointed.
Provide a description of each subcommittee's charter or purpose.
Describe the expected duration for the subcommittee and their work plan(s) demonstrating how they support the Board or Commission:**

None

Attachment A: Provide a copy of your Board or Commission's "Purpose" and "Duties and Responsibilities" from Chapter 8 of the County Code:

Sec. 8-31. - Purpose

The art in public places board shall promote and encourage public programs to further the development and community awareness of and interest in public art and shall encourage the integration of art into the architecture of municipal structures, and shall visually enhance the community. Staff shall submit to the art in public places board for its review and recommendation all expenditures of the art in public places account which is created and set aside for the arts pursuant to Chapter 20 article III. (Ord. No. 02-078, § 2, 10-3-2006)

Sec. 8-32. - Membership, terms, and qualifications.

The art in public places board shall consist of five regular members and two provisional members. The term of each regular member shall be two years with staggered terms. The term of each provisional member shall be two years beginning with the appointment to each term after the adoption of this ordinance. Provisional memberships are intended to provide additional assistance to the board during a time in which the board will have a greater than normal work load. Each regular member and each provisional member shall have equal voting strength on the board and shall be authorized to attend, participate in, and vote at all board meetings. At the end of the initial two year term, the provisional memberships shall expire and the board shall revert to only five regular members.

(Ord. No. 02-078, § 2, 10-3-2006; Ord. No. 02-233, § 1, 7-26-2013)

Sec. 8-33. - Duties and responsibilities.

The art in public places board shall serve in an advisory capacity to the county council and shall have the following functions, powers and duties:

- (1) Recommend to the council the acquisition and maintenance of all works of art funded from the art in public places account. The source selection provisions in County Code sections 20-101 through 20-140 shall not apply to works of art recommended for acquisition by the arts in public places board;
- (2) Recommend to the council the public sites selected for the display of art funded from the art in public places account and establish criteria for the selection of the artists or the work of art desired;
- (3) Advise the council on the proposed removal, relocation or alteration of any public facility or works of art funded from the arts in public places account;
- (4) Recommend to the council programs and policies to further the development and public awareness of public art;
- (5) Seek private donations for the county to supplement the art in public places account and advise the council regarding additional sources of funding for public art;
- (6) Recommend such policies and procedures as are necessary to effect the purpose of this article subject to the approval of the council; these policies and procedures shall include, but not be limited to, criteria for selection of artists, procedures for artistic competitions, selection of public locations for art equitably distributed throughout the community, and recommendations for the maintenance of art funded by the art in public places account;
- (7) Recommend a policy to coordinate with the county's capital improvements program and other county activities to ensure that works of art funded by the arts in public places account are properly integrated into the community and do not pose excessive maintenance costs or public health risk and do not unduly encumber public lands;
- (8) Perform such additional related duties as may be assigned by the county council or requested by the county administrator.

(Ord. No. 02-078, § 2, 10-3-2006)

Sec. 8-34. - Selection of art.

- (a) The board may establish such policies, guidelines and timetables for the selection of art and artists and the placement of art, subject to the approval of the council.
- (b) Any work of art that is chosen must comply with the following standards in addition to any guidelines established:
 - (1) The work of art must be located in a public place with public visibility and impact.
 - (2) The work of art shall have a permanence generally of at least 20 years and shall be likely to remain a thing of value for this time period given appropriate site selection and maintenance.
 - (3) The work of art shall enhance the environment of the county.
- (c) The board shall recommend an artist or a work of art to the council. The board may recommend purchasing a completed work of art, commissioning a work of art, holding a competition to select a work of art, or creating some other appropriate mode of selection. In the event that the work of art is to be purchased and placed in conjunction with a county project, the board shall consult with the appropriate county staff and the project architect, if any, and involve them in the selection process. The board may request in advance council approval to purchase a work of art at a juried show.

Attachment B: Using the chart below, place an X in the column on the right if the Council Goal is related to the work of the Art in Public Places Board:

Mark all that apply

Economic Vitality	
<u>Economic Vitality:</u>	
• Priority Area – Build the local tourism economy	X
• Priority Area – Promote vitality in our neighborhoods and downtown areas and eliminate blight in Los Alamos and White Rock as part of an overall property maintenance and beautification effort.	X
• Promote a strong and diverse economic base by encouraging new business growth.	
• Collaborate with Los Alamos National Laboratory as the area's #1 employer.	
<u>Financial Sustainability</u>	
• Encourage the retention of existing businesses and assist in their opportunities for growth	
• Support spinoff business opportunities from LANL	
• Significantly improve the quantity and quality of retail business	
Quality of Life	
<u>Housing:</u>	
• Priority Area -- Support development of affordable workforce housing.	
• Promote the creation of a variety of housing options for all segments of the Los Alamos Community, including infill opportunities as appropriate.	
<u>Education:</u>	
• Support Los Alamos Public Schools' goal of ranking among the top public schools in the nation	
• Partner with Los Alamos Public Schools and the University of New Mexico – Los Alamos; and support, as appropriate, the delivery of their educational services to community standards	
<u>Quality Cultural and Recreational Amenities:</u>	
• Priority Area – Maintain and improve existing outdoor recreation and open space amenities.	
• Implement a comprehensive range of recreational and cultural amenities that enhance the Los Alamos community	X
<u>Environmental Stewardship:</u>	
• Enhance environmental quality and sustainability balancing costs and benefits including County services and utilities	
<u>Mobility:</u>	
• Maintain and improve transportation and mobility	

Quality Governance	
<u>Operational Excellence:</u>	
<ul style="list-style-type: none"> • Priority Area – Continue implementation of the Comprehensive Plan with an emphasis on neighborhoods. 	
<ul style="list-style-type: none"> • Priority Area – Maintain and improve existing quality essential services and supporting infrastructure including updated enterprise software and permitting. 	X
<ul style="list-style-type: none"> • Invest in staff development to create a high performing organization 	
<ul style="list-style-type: none"> • Manage commercial growth well following an updated, concise, and consistent comprehensive plan. 	
<ul style="list-style-type: none"> • Establish and implement a mechanism for effective Utility policy setting and review. 	
<u>Communication:</u>	
<ul style="list-style-type: none"> • Improve transparency in policy setting and implementation. 	X
<ul style="list-style-type: none"> • Create a communication process that provides measurable improvement in citizen trust in government. 	X
<u>Intergovernmental Relations:</u>	
<ul style="list-style-type: none"> • Strengthen coordination and cooperation between County government, LANL, and the regional and national partners. 	X
<ul style="list-style-type: none"> • Actively pursue land transfer opportunities. 	



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FY19 Work Plan for Los Alamos County Boards and Commissions

(Fiscal Year 2019: July 1, 2018 – June 30, 2019)

Board and Commission Name: Environmental Sustainability Board

Date prepared: January 12, 2018 Date approved by Council: _____
Prepared by: Angelica V. Gurule

This work plan will be accomplished in the following time frame:
From: July 1, 2018 to June 30, 2019

Chairperson: James Robinson Term: July 31, 2019

Members and terms:

John Bliss	July 31, 2018
Sarah Terrill	July 31, 2018
James Robinson	July 31, 2019
Heidi Rogers	July 31, 2019
Heather Ward	July 31, 2019
Lisa Bakosi	July 31, 2018
Susan Barns	July 31, 2018

Department Director: Philo S. Shelton III

Work plan developed in collaboration with Department Director?(Y/N?) Yes

Staff Liaison: Angelica Gurule

Administrative Support provided by: Public Works Staff

Council Liaison: Pete Sheehy Reviewed by Council Liaison? Yes

1.0 Provide a brief Summary of your Board or Commission’s activities over the past twelve months. Please describe your Board or Commission’s accomplishments and identify constraints. List any “lessons learned” and identify the greatest challenges faced by the Board or Commission.

- Completed RFP language for Incentive Based Program to promote recycling and public transportation
- Received Recycling and Illegal Dumping (RAID) grant to develop Zero Waste Lunch Video Campaign with LAPS
- Received Federal grant assistance from NM Game and Fish to purchase Bear Tough roll carts and Bear Tough dumpsters.
- Presented final recommendation to County Council and New Mexico Recycle Coalition (NMRC) for the Brush and Bulk Item Collection Program, including yard trimmings roll cart
- Developed implementation plan for yard trimmings (brush) roll cart program
- Conducted audit (“waste sort”) of residential solid waste
- Created definition of “environmental sustainability”
- Hosted Clean Up Los Alamos Day
- Hosted presentations on: Energy Sustainability and Carbon Neutrality of LAC Buildings, Famine to Feast, Project Green Challenge, GEM*STAR Subcritical Reactor, Fancy Fiddle Auction, bear issues, Waste Expo Conference
- Updated and approved LAC Environmental Sustainability Plan
- Co-hosted tour of Friedman Recycling facility
- Toured LAC Compost Operation and presentation from Soilutions (food composting company)
- Awarded Business and Non-Profit Recycler of the Year awards
- Discussed:
 - Bear/wildlife issues, including proposed Wildlife Ordinance
 - Closed landfill methane issues and remediation
 - Environmental issues regarding CIP projects
 - “Save-As-You-Throw” (tiered rate structure for residential trash collection)
 - Electronics recycling
 - Food waste prevention and diversion (composting)

- Construction and demolition recycling opportunities
- Implementation plan for yard trimmings (brush) roll cart program
- Solar System Technology at Eco Station
- Proposed and implemented a rate change for Environmental Services
- Conducted education and outreach activities at the following events:
 - Science Festival
 - County Fair Event
 - Co+op Market Anniversary Celebration
 - LAC Green Team Event
 - Earth Day Festival
 - Bear Festival
 - Bike-to-Work Week
 - Farmer's Market
- Recruited two new ESB members: Heidi Rogers and Heather Ward
- Co-Sponsored EcoChallenge

2.0 Describe the future work plans for this Board or Commission using the following items and showing the relationship to those items: *(Please remember that Council approval of this work plan does not constitute official Council approval of proposed projects, assignments, or anticipated recommendations included in this work plan that have budget implications.)*

2.1 List any special projects or assignments given to this Board or Commission by Council or the Department director:

- Host annual LA Clean Up Day
- Continue researching Save-As-You-Throw
- Implement incentive based programs such as Recycle Bank to boost diversion and local economy
- Contribute, as appropriate, to the implementation of the new Yard Trimmings Collection program (3rd bin for brush material)
- Research feasibility and cost impact of donating free loads to community members
- Research feasibility and cost of quarterly clean-up days

2.2 List the guiding documents/plans (with approval or revision dates listed) used by this Board or Commission.
--

- Environmental Sustainability Initiative
- Environmental Sustainability Plan – Approved by ESB December 2017
- Los Alamos County Operation Plan

2.3 Other projects/assignments proposed by the Board or Commission: (<i>Any projects or activities proposed in this section should be discussed with the Council Liaison prior to listing it in this work plan.</i>)

- Update Environmental Sustainability Plan
- Participate in Bear Festival and other educational outreach to promote bear safety awareness
- Promote back yard composting for food waste diversion
- Develop and implement environmental education and outreach materials and distribute to customers
- Monitor composting program
- Research Save-As-You-Throw
- Conduct two residential trash sorts to understand how well Yard Trimming Program is working to divert material from the landfill
- Expand and improve Business and Non-Profit Recycler of the Year award
- Further develop partnerships with organizations such as PEEC, LAPS, and UNM-LA
- Work with LAPS to educate and implement waste diversion programs including Zero waste lunches, reduce, recycle, reuse and composting
- Continue researching other glass recycling options
- Develop Utility Bill Information Letters
- Host and potentially expand Recycle Fashion Show and form a committee of community partners to host/sponsor the event
- Host workshop to create sustainable gifts and/or artwork
- Investigate potential for food waste collection
- Continue to investigate Waste to Energy Methods

- Investigate diversion opportunities for construction and demolition debris.
- Promote and participate in EcoChallenge

3.0 Identify any interfaces for the goals/tasks in this work plan with County Departments and other Boards and Commissions. Specify the coordination required.

- Continue to nurture and strengthen relationship with BPU and DPU to support energy and water conservation.
- Partner with Parks and Recreation Board on sustainability issues regarding CIP projects.
- Continue outreach to other county boards and commissions regarding environmental sustainability.
- Liaison with Tourism Implementation Task Force, as needed.
- Interface with Tourism group on environmental impacts of increased tourism.

<p>4.0 List any special public information or involvement meetings or efforts to be conducted by this Board or Commission:</p>

The ESB will sponsor the events with asterisk* and will host outreach and educational booths at the other events listed below to educate, share information, and solicit input from LAC residents and customers. The ESB will provide prior notification to the public utilizing a minimum of one media platform such as but not limited to: Facebook, press release, LA Daily Post paid advertisement, Environmental Services website, LA Monitor paid advertisement, KRSN interview or advertisement, Bill insert, Newspaper insert, LAVA Flyers, and/or County Line Newsletter. The ESB may also utilize County Open Forum Survey as a resource to solicit public input. The cost for the ESB public outreach efforts is budgeted in the Environmental Services budget.

- Earth Day Festival
- Bear Festival
- Summer Concerts
- Green Team Event*
- County Fair Event
- Science Festival
- Chamber Festival
- Farmer's Market (2 events)
- Recycle Fashion Show*
- Eco Challenge*

- Zero waste, recycling and/or composting workshops or lectures at PEEC and Los Alamos clubs*

5.0 List the current subcommittees for this Board or Commission.

- | | | |
|----------------------------------|---|-------------------------|
| • Save-As-You-Throw Subcommittee | • Los Alamos Public School Subcommittee | • Wildlife Subcommittee |
|----------------------------------|---|-------------------------|

5.1 For subcommittees with members that are not members of the parent board or commission: List the subcommittee members and their terms.

Save-As-You-Throw Subcommittee:

Heidi Rogers, Heather Ward, Susan Barns (7/31/18), Sandra West (community volunteer), Alexis David (community volunteer), Angelica Gurule (Staff Liaison)

Explain how sub- committee members are selected or appointed.

The non-board members volunteered and expressed interest to help with this effort, no appointment or selection was made.

Provide a description of each subcommittee’s charter or purpose. Purpose: Investigate tiered rate structure for residential trash collection (“Save-As-You-Throw”) to promote equity, balance budget and incentivize waste reduction.

Describe the expected duration for the subcommittee and their work plan(s) demonstrating how they support the Board or Commission: Duration: 1 to 1.5 yrs.

Work Plan: FY18 ESB Work Plan

Attachment A: Provide a copy of your Board or Commission’s “Purpose” and “Duties and Responsibilities” from Chapter 8 of the County Code:

- **Sec. 8-231. - Purpose.** The environmental sustainability board is established to serve as the central point of contact for environmental sustainability issues and as an advisory body to the county council on environmental sustainability issues.

(Ord. No. 02-078, § 2, 10-3-2006; Ord. No. 02-094, § 2, 6-10-08)

- **Sec. 8-232. - Membership, terms and qualifications.** The board shall consist of seven members. The members shall serve for staggered two-year terms beginning on August 1 and ending on July 31, except that three members on the initial board shall only serve for one-year terms.

(Ord. No. 02-078, § 2, 10-3-2006; Ord. No. 02-094, § 3, 6-10-08)

DRAFT FY19 WORK PLAN

- **Sec. 8-233. - Duties and responsibilities.** The environmental sustainability board shall serve in an advisory capacity to the county council and shall have the following functions, responsibilities and duties:
 - (1) Gather and provide citizen input to staff and council on ways to improve the county's environmental sustainability and on proposed environmental sustainability policies, programs and services. For this purpose, the board shall gather public input in ways appropriate to the circumstances.
 - (2) Recommend ways to involve and educate the community on environmental sustainability issues. Review and comment on public involvement and information plans (PIIPs) related to environmental sustainability projects outside the department of public utilities.
 - (3) Review and comment to council on environmental sustainability master plans.
 - (4) Review all environmental sustainability related matters submitted to the board by council.
 - (5) Coordinate with other boards as appropriate on environmental sustainability activities.
 (Ord. No. 02-078, § 2, 10-3-2006; Ord. No. 02-094, § 4, 6-10-08)

Attachment B: Using the chart below, place an X in the column on the right if the Council Goal is related to the work of the Environmental Sustainability Board

Mark all that apply

Economic Vitality		
	<u>Economic Vitality:</u>	
	• Priority Area – Build the local tourism economy	
	• Priority Area – Promote vitality in our neighborhoods and downtown areas and eliminate blight in Los Alamos and White Rock as part of an overall property maintenance and beautification effort.	X
	• Promote a strong and diverse economic base by encouraging new business growth.	
	• Collaborate with Los Alamos National Laboratory as the area's #1 employer.	X
	<u>Financial Sustainability</u>	
	• Encourage the retention of existing businesses and assist in their opportunities for growth	X
	• Support spinoff business opportunities from LANL	
	• Significantly improve the quantity and quality of retail business	
Quality of Life		
	<u>Housing:</u>	
	• Priority Area -- Support development of affordable workforce housing.	
	• Promote the creation of a variety of housing options for all segments of the Los Alamos Community, including infill opportunities as appropriate.	
	<u>Education:</u>	
	• Support Los Alamos Public Schools' goal of ranking among the top public schools in the nation	

DRAFT FY19 WORK PLAN

<ul style="list-style-type: none"> Partner with Los Alamos Public Schools and the University of New Mexico – Los Alamos; and support, as appropriate, the delivery of their educational services to community standards 	X
<u>Quality Cultural and Recreational Amenities:</u>	
<ul style="list-style-type: none"> Priority Area – Maintain and improve existing outdoor recreation and open space amenities. 	
<ul style="list-style-type: none"> Implement a comprehensive range of recreational and cultural amenities that enhance the Los Alamos community 	
<u>Environmental Stewardship:</u>	
<ul style="list-style-type: none"> Enhance environmental quality and sustainability balancing costs and benefits including County services and utilities 	X
<u>Mobility:</u>	
<ul style="list-style-type: none"> Maintain and improve transportation and mobility 	

Quality Governance	
<u>Operational Excellence:</u>	
<ul style="list-style-type: none"> Priority Area – Continue implementation of the Comprehensive Plan with an emphasis on neighborhoods. 	
<ul style="list-style-type: none"> Priority Area – Maintain and improve existing quality essential services and supporting infrastructure including updated enterprise software and permitting. 	X
<ul style="list-style-type: none"> Invest in staff development to create a high performing organization 	X
<ul style="list-style-type: none"> Manage commercial growth well following an updated, concise, and consistent comprehensive plan. 	
<ul style="list-style-type: none"> Establish and implement a mechanism for effective Utility policy setting and review. 	
<u>Communication:</u>	
<ul style="list-style-type: none"> Improve transparency in policy setting and implementation. 	X
<ul style="list-style-type: none"> Create a communication process that provides measurable improvement in citizen trust in government. 	X
<u>Intergovernmental Relations:</u>	
<ul style="list-style-type: none"> Strengthen coordination and cooperation between County government, LANL, and the regional and national partners. 	
<ul style="list-style-type: none"> Actively pursue land transfer opportunities. 	



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FY19 Work Plan for Los Alamos County Boards and Commissions

(Fiscal Year 2019: July 1, 2018 – June 30, 2019)

Board and Commission Name: Historic Preservation Advisory Board (HPAB)

Date Approved by HPAB: February 7, 2018 Date approved by Council: TBD, 2018

Prepared by: Barbara Lai, Staff Liaison, Mark Rayburn, HPAB, Chair

This work plan will be accomplished in the following time frame: July 1, 2018 to June 30, 2019

Chairperson: Mark Rayburn

Term: February 1, 2015 thru January 31, 2019

Members and terms:

Mark Rayburn	Feb 1 2015 thru Jan 31 2019 – 2nd term
Leslie Linke	Oct 1 2016 – Sep 30 2020 – 2nd term
Jorge Maldonado	Dec 10 2014 thru Dec 9 2018 – 1 st term
Patrick Moore	Feb 1, 2017 thru Jan 31, 2020 - 1 st term
Jordan Jarrett	Feb 1, 2017 thru Jan 31, 2020 – 1 st term

Department Director: Paul Andrus, Director, Community Development Department

Work plan developed in collaboration with Department Director? (Y/N?) Y

Staff Liaison: Barbara Lai, Senior Management Analyst, Community Development Department

Administrative Support provided by: Barbara Lai, Senior, Management Analyst, Community Development Department

Council Liaison: Rick Reiss

Reviewed by Council Liaison? Yes

1.0 Provide a brief Summary of your Board or Commission’s activities over the past twelve months. Please describe your Board or Commission’s accomplishments and identify constraints. List any “lessons learned” and identify the greatest challenges faced by the Board or Commission.

In the past, it has been challenging to fill Board vacancies in a timely manner. Therefore, the Ordinance was revised to reduce the number of Board members from 7 to 5 and to reduce the length of service to 3 years.

The HPAB has a new Board member with the appointment of Patrick Moore. Mr. Moore brings with him an extensive background in historic preservation. He is currently serving as the Director, New Mexico Historic Sites.

Previously known as the Fuller Lodge Historic Districts Advisory Board, the Board was successful in championing capital improvement projects at the Lodge including the following major renovations:

- Installed an interior, ADA compatible, two-floor elevator;
- Removed carpet and refinished some wood floors;
- Removed the cement covering the stairs to find that the original stairs in excellent condition with one minor chip repaired; the east patio was rebuilt;
- Replaced the west entry flagstone along with the steps, driveway and ramp;
- Refurbished the windows and doors in the wings and installed storm windows;
- Remodeled the reservation office; and,
- Remodeled the restrooms.

Fuller Lodge Interpretive Plan. Started to work with Candace Matelic and Donna Braden on the very beginning stages of this plan.

2.0 Describe the future work plans for this Board or Commission using the following items and showing the relationship to those items: *(Please remember that Council approval of this work plan does not constitute official Council approval of proposed projects, assignments, or anticipated recommendations included in this work plan that have budget implications.)*

2.1 List any special projects or assignments given to this Board or Commission by Council or the Department Director:

- Continue to have a representative support the implementation of the Tourism Strategic Plan.
- Support the completion and implementation of the Fuller Lodge Interpretive Plan. Assist in planning, fabricating, and installing interpretive features.

2.2 List the guiding documents/plans (with approval or revision dates listed) used by this Board or Commission.

The County Boards and Commissions Ordinance, the Historic Preservation Ordinance, and the Historic Preservation Advisory Board Ordinance.

2.3 Other projects/assignments proposed by the Board or Commission: (*Any projects or activities proposed in this section should be discussed with the Council Liaison prior to listing it in this work plan.*) To assist with Council review of the work plans, please list the B&C's proposed projects or assignments in priority order.

- If not completed in FY18, apply for designation as a Certified Local Government (CLG) to the NM Historic Preservation Division. With designation as a CLG, the County of Los Alamos will be eligible to apply for Historic Preservation state and federal grants.
- Set aside one regular meeting for informational or educational purposes per year, pertaining to the work and functions of the commission or to historic preservation.
- If not completed in FY18, revise the HPAB Ordinance to include CLG requirements.
- Formalize a local historic district(s).
- Begin work on identifying historic districts, landmarks, trails, buildings in the County for local designation. Prioritize the list and apply for state and/or federal grants for studies.

3.0 Identify any interfaces for the goals/tasks in this work plan with County Departments and other Boards and Commissions. Specify the coordination required.

- Continue participation in the Tourism Strategic Planning effort and interface with the Tourism Implementation Task Force, as needed.
- Coordinate facilities maintenance projects with PW Project Managers and Parks and Recreation staff.

4.0 List any special public information or involvement meetings or efforts to be conducted by this Board or Commission:

- To protect the public's interests and concerns, HPAB will focus on extensive public outreach to develop a resident-driven Historic Preservation agenda through:
 - a. conducting public meetings to hear what the community desires for historic preservation activities as the budget permits;
 - b. Put a survey out in the Public Forum website;
 - c. publishing newspaper articles explaining any and all activities on the HPAB;
 - d. appearing at public events to engage and educate the community as to the purpose of the Board as well as to increase community involvement in all historic preservation issues, i.e., Board members and the liaison shall provide information at select Thursday morning, *Community Market* and Friday evening, *Concerts at the Pond*; and,
 - e. hold public hearings as the budget permits,
- One HPAB meeting will focus on historic preservation and information each year.
- The Board will discuss HPAB Ordinance revisions at a monthly meeting.

5.0 List the current subcommittees for this Board or Commission.

Not Applicable.

**5.1 For subcommittees with members that are not members of the parent board or commission:
List the subcommittee members and their terms.
Explain how sub- committee members are selected or appointed.
Provide a description of each subcommittee's charter or purpose.
Describe the expected duration for the subcommittee and their work plan(s) demonstrating how they support the Board or Commission:**

Not Applicable.

Attachment A: Provide a copy of your Board or Commission's "Purpose" and "Duties and Responsibilities" from Chapter 8 of the County Code:

- **ARTICLE III. - HISTORIC PRESERVATION ADVISORY BOARD**
- **Sec. 8-51. - Purpose.**

A historic preservation advisory board is established in order to make recommendations to the planning and zoning commission, variance board and county council regarding the protection, preservation and enhancement of places, sites, areas, buildings, structures and other objects within the corporate boundaries of the incorporated county having a special character or special historic, architectural or cultural interest or value, and to initiate and conduct research and investigations relating to them.

(Ord. No. 02-078, § 2, 10-3-2006; Ord. No. 02-271, § 1, 5-2-2017)

- **Sec. 8-52. - Membership, terms and qualifications.**

The historic preservation advisory board shall be composed of five citizens competent and informed in the historic, architectural and cultural traditions of the community. Members shall be appointed for staggered terms of three years.

(Ord. No. 02-078, § 2, 10-3-2006; Ord. No. 02-271, § 2, 5-2-2017)

- **Sec. 8-53. - Duties and responsibilities.**

The historic preservation advisory board shall serve in an advisory capacity to the county council and shall have the following functions, responsibilities and duties:

- (1) Inspections, investigations and recommendations regarding any sites, buildings, structures or areas within the county which the historic preservation advisory board has reason to believe are or will become important historic, architectural or cultural landmarks; and

- (2) Making of recommendations to the county council regarding:
 - a. Policies for the use and management of Fuller Lodge, including: user fees, charges, control of events during which alcoholic beverages are served, security, replacement of fixtures and furnishings, and maintenance of Fuller Lodge;
 - b. Compliance with all federal, state and county laws, regulations, codes, ordinances and resolutions applicable to Fuller Lodge and other important historic, architectural or cultural landmarks owned or controlled by the county;
 - c. Use of proceeds from grants or any historic building improvement tax approved by voters of the county at any general election or special election called for that purpose following the adoption of a resolution pursuant to the Historic Building Improvements Act, NMSA 1978, §§ 4-55b-1 to 4-55b-5 (1993 Supp.);
- (3) Make such recommendations as reasonably necessary on historic preservation issues to the planning and zoning commission, variance board, and county council, including but not limited to, site plans and variance requests in historic districts.
- (4) Provide citizen input to staff and council on ways and means for improving the county's historic preservation program. For this purpose, the board shall gather public input in ways appropriate to the circumstances, which may include public hearings dedicated to specific topics.
- (5) Recommend ways to involve and educate the community on historic preservation issues.
- (6) Such other activities, duties and responsibilities related to Fuller Lodge or the historic districts as may be assigned by the county council.

(Ord. No. 02-078, § 2, 10-3-2006; Ord. No. 02-271, § 3, 5-2-2017)

Historic Preservation Ordinance, Article XV, Chapter 16

Sec. 16-610. - Authority; purpose.

- (a) *Authority.* As the preservation of historic assets within the county has been determined by the county council to be a legitimate purpose of government, this Article is adopted pursuant to and furthers the purposes of NMSA 1978, §§ 3-21-1 et seq., (Municipal and County Zoning Regulations); NMSA § 3-22-1 et seq., (Historic Districts and Landmarks Act); and NMSA §§ 18-6-1 et seq., (Cultural Properties Act).
- (b) *Purpose.* The county council hereby declares that the archeological and historical heritage of the county is one of the county's most valued and important assets; that the public has an interest in the preservation of all prehistoric and historic ruins, sites, trails, primitive or historic roads—excluding existing modified thoroughfares, structures, objects and similar places and things for their scientific and cultural information and value; that the neglect, desecration and destruction of prehistoric and historic sites and objects results in an irreplaceable loss to the public. The term "prehistoric and historic sites and objects" includes, but is not limited to, real and personal property, including structures and ruins, that have historical and/or archeological significance. Therefore, the purpose of this article is to establish a cooperative approach for the protection and enhancement of the county's unique heritage and identity through the protection of historic sites, structures, and artifacts and through the designation of districts and landmarks of historical or archeological significance. This article is further intended to:
 - (1) Create a reasonable balance between private property rights and the public's interest in preserving the county's historic properties;
 - (2) Allow for the preservation, protection and enhancement of archeological and historical sites and objects within the county;
 - (3) Foster civic pride in the beauty and accomplishments of our past;

- (Ord. No. 02-234, § 2, 10-29-2013)

(Ord. No. 02-234, § 2, 10-29-2013; Ord. No. 02-271, § 4, 5-2-2017)

- (1) Embodies an architectural style or method of construction dating from one or more significant historic periods;
 - (2) Establishes a sense of time and place unique to Los Alamos County;
 - (3) Exemplifies or reflects the cultural, social, economic or political history of the nation, state or county;
 - (4) Is associated with the lives of significant historical persons or events;
 - (5) Has the potential to preserve, display, or yield significant historic or archaeological information; or
 - (6) Exists on the registry of the State or National Register of Historic Places.
- (c) *Owner consent required.* Any person or group may nominate a historic landmark or district for designation; however, written consent of the property owner(s) is required before the nomination of an individual landmark will be considered. A historic district nomination application requires the written consent of the owners of at least 66 percent of the properties within the proposed district.
- (d) *Application requirements.* Nominating applications shall be submitted to the community development department director and shall contain at a minimum:
- (1) The proper application form as provided by the community development department director;
 - (2) Any application fees as established by resolution of the county council;
 - (3) A map showing the boundary of the proposed historic landmark or district, including all structures and property lines within the proposed landmark or district;
 - (4) Written consent of the owner(s) satisfying the requirement of subsection 16-612(c);
 - (5) A statement of justification reviewing the historical or architectural significance of the proposed landmark or district and how it meets the criteria for designation in this article;
 - (6) A description of the particular historic or architectural features that should be preserved. The description shall be based on a study prepared by an architectural or qualified authority on historic preservation surveying the proposed landmark or all properties within the proposed district, as applicable. The features deemed to be significant and worthy of preservation shall be specifically listed and illustrated in the study and shall form the basis for proposed preservation regulations within the district.
- (e) *Review and public hearing.*
- (1) After the community development department director determines the nominating application is complete, the HPAB shall hold a public hearing to solicit comment on the application. At least 15 days prior to the public hearing the community development department shall send notice of the meeting by U.S. mail to all owners of property within the proposed district. At the public meeting, the HPAB shall make a recommendation, with rationale based on the criteria contained in this article, and forward the same to be heard by the planning and zoning commission. The HPAB may nominate or sponsor an application for the designation of an individual landmark or an historic district. In that case, the requirements for owner consent still apply, but the public hearing provisions of this subsection (e)(1) shall not apply and, after the community development department director determines the nominating application is complete, the application shall be heard at a public hearing of the planning and zoning commission as provided below in subsection (e)(2).
 - (2) The planning and zoning commission shall hold a public hearing on the application and HPAB's recommendation. Notice of public hearing shall be as set forth in section 16-192. The planning and zoning commission shall make a recommendation to the county council as to whether the proposed historic landmark or district shall be officially designated on the county zoning map as an overlay district in accordance with section 16-452(b).
 - (3) As soon as practicable thereafter, the county council shall hold a public hearing. Notice of public hearing shall be as set forth in section 16-192. The county council shall determine

whether the proposed historic landmark or district shall be officially designated on the county zoning map as an overlay district in accordance with section 16-452(b).

- (4) The same application and processing procedures shall apply to subsequent amendments to any designated landmark or district.

(Ord. No. 02-234, § 2, 10-29-2013; Ord. No. 02-266, § 1, 5-24-2016; Ord. No. 02-271, § 5, 5-2-2017)

Sec. 16-613. - Historic property alteration certificate.

- (a) *Generally.* With respect to any designated historic property under this article, the exterior appearance of any structure shall not be altered, new structures shall not be constructed, and existing structures shall not be demolished until a historic property alteration certificate has been obtained by the owner. Construction, alteration, relocation or demolition of any fence or other landscape feature including, without limitation, any deck, wall, berm, garden structure, exterior lighting, driveway, or landscaping that has the potential for affecting historic structures or features shall also require an approved historic property alteration certificate.
- (b) *Exemptions.* Notwithstanding the foregoing, a historic property alteration certificate shall not be required for:
 - (1) Ordinary maintenance and repair where the purpose of the work is to preserve the integrity of the structure and/or materials, correct deterioration to the structure, and restore it to its condition prior to deterioration; or
 - (2) Construction, alteration or demolition involving only interior features of the structure, unless such work impacts the structure's exterior appearance.
- (c) *Application.* The owner of a designated historic property shall apply to the community development department director for a historic property alteration certificate using the forms and submitting the necessary documentation as prescribed by the director. The applicant also shall submit any fees as established by resolution of the county council.
- (d) *Standards for review.* No application for an historic property alteration certificate shall be approved unless the following conditions are satisfied:
 - (1) The proposed work will preserve, enhance, or restore and does not damage or destroy the significant features of the resource as identified in the nomination for designation under sections 16-612(d)(4) and (5) and any specific design guidelines adopted for the historic landmark or district; and
 - (2) The proposed work will be compatible with the relevant historic, cultural, or architectural qualities characteristic of the structure, site or district including, but not limited to, elements of size, scale, massing, proportions, orientation, materials, surface textures and patterns, details and embellishments and the relation of these elements to one another.
- (e) *Review and public hearing.*
 - (1) *Committee review.* Within ten business days after acceptance by the community development department director of an application for historic property alteration certificate, a committee consisting of the community development department director, or designee, and two members of the HPAB designated by the HPAB chair shall meet to review the application and determine whether the proposed work will have a significant impact upon or be potentially detrimental to the historic property.
 - a. If the committee determines there will be no significant impact or potential detriment, the director shall issue an alteration certificate to the applicant and shall notify the HPAB and the planning and zoning commission of such issuance.
 - b. If it has been determined by the majority of the committee that the proposed work would create a significant impact or potential detriment to the historic property, the application shall be referred to a public hearing pursuant to section 16-613(e)(3) below, and the applicant shall be promptly notified of the referral.

- (2) *Expedited review.* The above notwithstanding, the director may review any application that seeks approval of common alterations; and if the director determines that there will be no significant impact or potential detriment from the alteration, then the director shall issue a historic property alteration certificate to the applicant.
- (3) *Review and recommendation by HPAB.* In addition to those applications referred for public meeting after administrative review pursuant to section 16-613(e)(1)b. above, a public meeting before the HPAB shall be required for any application requesting new construction over 200 square feet in gross floor area, or the relocation or demolition of a historic property.
 - a. Upon acceptance by the community development department director of any application for an historic property alteration certificate, the HPAB shall schedule a meeting to review the application.
 - b. The HPAB shall hold a public meeting on the application during which it shall make a recommendation to the planning and zoning commission regarding whether a historic property alteration certificate should be issued. The HPAB shall have 40 calendar days from the acceptance date of the application in which to hold said meeting. The planning and zoning commission shall take no action on the application until the HPAB has either made its recommendation or the 40-day review period has passed.
 - c. The HPAB recommendation on the application shall take one of three forms: (i) approval as presented; (ii) approval with conditions; or (iii) denial. A written explanation applying the standards for review under section 16-614(d) shall accompany the recommendation.
 - d. If the HPAB fails to make a recommendation within the 40-day period, the planning and zoning commission shall proceed with its determination.
- (4) *Determination by planning and zoning commission.* As soon as practicable after the HPAB meeting on an application for historic property alteration certificate, the planning and zoning commission shall hold a public hearing to consider the recommendation. In making its decision on whether the certificate shall issue, the planning and zoning commission shall apply the standards for review under section 16-613(d) and shall also consider any recommendation received from the HPAB. The planning and zoning commission shall make a determination whether the historic property alteration certificate shall issue. If the determination of the planning and zoning commission differs from the recommendation of the HPAB, such determination shall include a statement explaining why the HPAB recommendation was not followed, and this statement shall be forwarded to the HPAB.
- (5) *Appeals.* The final action of the planning and zoning commission regarding any historic property alteration certificate may be appealed to the county council in accordance with article XII of this chapter.

(Ord. No. 02-234, § 2, 10-29-2013; Ord. No. 02-271, § 6, 5-2-2017)

Sec 16-614. - Temporary restraint of demolition.

While it is the purpose of this article to preserve structures of historic or architectural significance, it is recognized that all areas of significance cannot be identified, analyzed, and designated at one time. However, it is important to protect properties with potentially qualifying buildings from inappropriate demolitions until review and hearings can be completed for possible historic preservation designation. Therefore:

- (a) No demolition permit shall be issued by the building official regarding any structure located within an area of an application for historic designation under section 16-612 between such time as the application is filed and the time the action is taken on the application by the county council unless it is determined after review by the committee established under subsection 16-613(e)(1) that the structure to be demolished contains no historic or architectural significance and is not an essential contribution to other historic features in the area.

(b) If a demolition approval is not issued after committee review, then the HPAB shall, within 30 calendar days of the application acceptance date, hold a public hearing, at which time, the requesting party shall demonstrate:

(1) For total demolition:

- a. The structure is of minimal historic significance because of its location, condition, modifications or other factors, and its demolition will be inconsequential to historic preservation needs of the area; or
- b. The structure is determined to have historic or architectural significance but:
 - i. The structure proposed for demolition is not structurally sound despite evidence of the owner's efforts to maintain the structure; and
 - ii. The structure cannot be rehabilitated or reused on site to provide for any reasonable beneficial use of the property; and
 - iii. The structure cannot be practically moved to another site in Los Alamos; and
 - iv. The applicant demonstrates that the proposal mitigates the greatest extent practical the following:
 - a) Any impacts that occur to the visual character of the neighborhood where demolition is proposed to occur.
 - b) Any impact on the historical importance of the structure or structures located on the property and adjacent properties.
 - c) Any impact to the architectural integrity of the structure or structures located on the property and adjacent properties.

(2) For partial demolition:

- a. The partial demolition is required for renovation, restoration, or rehabilitation of the structure; and
- b. The structure is determined to have historic or architectural significance but, the structure proposed for demolition is not structurally sound despite evidence of the owner's efforts to maintain the structure; and
- c. The applicant has mitigated, to the greatest extent possible:
 - i. Impacts on the historic importance of the structure or structures located on the property.
 - ii. Impacts on the architectural integrity of the structure or structures on the property.

At the conclusion of the meeting, the HPAB shall submit its recommendation if the permit should be approved or denied to the planning and zoning commission.

(c) Within 14 days of the HPAB meeting date, the planning and zoning commission shall hold a public hearing. The recommendation of the HPAB shall be entered into the record and shall be considered by the planning and zoning commission in making its determination. The finding of the planning and zoning commission shall be final and may be appealed to the county council in accordance with article XII of this chapter.

(d) If the request for demolition permit is denied, then no permit for demolition shall be issued for six months from the date of the planning and zoning commission hearing on the permit.

(1) If historic designation has not been granted for the property, at the expiration of the six-month period, the building official shall grant a demolition permit for the property.

(2) At the time of adoption of historic property designation, the temporary restraint of demolition and any stays of demolition in effect shall expire. Demolition approvals after that time shall be regulated by section 16-613.

(Ord. No. 02-234, § 2, 10-29-2013; Ord. No. 02-271, § 7, 5-2-2017)

Sec. 16-615. - Demolition by neglect.

No owner of an historic property shall permit such property to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature which would produce a detrimental effect upon the character of the district as a whole or the life and character of the property itself. Examples of such deterioration include: deterioration of exterior walls or other vertical supports; deterioration of roof or other horizontal members; deterioration of exterior chimneys; deterioration or crumbling of exterior stucco or mortar; ineffective waterproofing of exterior walls, roof, or foundations, including broken windows or doors; and deterioration of any feature so as to create a hazardous condition which could lead to the claim that demolition is necessary for the public safety.

(Ord. No. 02-234, § 2, 10-29-2013)

Sec. 16-616. - Economic hardship.

- (a) An applicant who has been denied a historic property alteration certificate may seek an exemption from all, or portions of, the requirements of this article based on economic hardship. Economic hardship in this context does not relate to the applicant's financial status, but rather whether the impact of this ordinance is such that it denies the applicant all reasonable or beneficial use of the property. A request for relief from this ordinance on account of economic hardship shall be made using the necessary forms provided by the community development department.
- (b) If a request for economic hardship is made, the applicant may not undertake any work on the historic property until and unless the planning and zoning commission makes a finding that an economic hardship exists and a certificate has been issued.
- (c) When a claim of economic hardship is made due to the effect of this article, the owner must demonstrate:
 - (1) In the case of an income-producing property, that a reasonable rate of return cannot be obtained from the property in its present condition or if improved in compliance with this article.
 - (2) In the case of a non-income-producing property, that the property has no beneficial use as a dwelling or for an institutional use in its present condition or if improved in compliance with this article.
 - (3) The consideration for economic hardship shall not include willful or negligent acts by the owner, purchase of the property for substantially more than the market value, or failure to perform normal maintenance and repairs.
 - (4) In addition, the applicant shall demonstrate that it has consulted in with the HPAB, local preservation groups, or interested parties in an effort to seek an alternative that will result in preservation of the property.
- (d) The planning and zoning commission shall hold a public hearing on the economic hardship request at its next regularly scheduled meeting, or not less than 30 days after filing of the request with the community development department director.
- (e) Any decision of the planning and zoning commission regarding an economic hardship request may be appealed by the applicant to the county council in accordance with article XII of this chapter.

(Ord. No. 02-234, § 2, 10-29-2013; Ord. No. 02-271, § 8, 5-2-2017)

Sec 16-617. - Enforcement; violation; penalties.

Any violation of this article is a violation of the Los Alamos County Development Code and is therefore subject to the enforcement and penalties prescribed by section 16-85 and section 1-8 of the LAC County Code.

(Ord. No. 02-234, § 2, 10-29-2013)

Sec. 16-618. - Public safety exclusion.

Nothing in this article shall be construed as to prevent any repairs, construction alterations or demolition necessary to correct or abate the unsafe or dangerous condition of any structure or site feature or part thereof, where such condition has been declared unsafe or dangerous by the county building official, other applicable county department directors, or federal or state agencies, and where proposed measures have been declared necessary by such departments or agencies. To the maximum practical extent such repairs, alterations, or demolitions shall be carried out in accordance with the standards required by this article.

(Ord. No. 02-234, § 2, 10-29-2013)

Sec. 16-619. - Severability.

If any section, clause, sentence, or phrase of this article is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this article.

(Ord. No. 02-234, § 2, 10-29-2013)

Attachment B: Using the chart below, place an X in the column on the right if the Council Goal is related to the work of the Historic Preservation Advisory Board:

Mark all that apply

Economic Vitality	
<u>Economic Vitality:</u>	
• Priority Area – Build the local tourism economy	X
• Priority Area - Revitalize and eliminate blight in Los Alamos and White Rock	
• Promote a strong and diverse economic base by encouraging new business growth	
• Collaborate with Los Alamos National Laboratory as the area's #1 employer	
<u>Financial Sustainability</u>	
• Encourage the retention of existing businesses and assist in their opportunities for growth	
• Support spinoff business opportunities from LANL	
• Significantly improve the quantity and quality of retail business	
Quality of Life	
<u>Housing:</u>	
• Priority Area -- Promote the creation of a variety of housing options for all segments of the Los Alamos Community, including infill opportunities as appropriate	
• Priority Area -- Support development of affordable workforce housing	
<u>Education:</u>	
• Support Los Alamos Public Schools' goal of ranking among the top public schools in the nation	
• Partner with Los Alamos Public Schools and the University of New Mexico – Los Alamos; and support, as appropriate, the delivery of their educational services to community standards	
<u>Quality Cultural and Recreational Amenities:</u>	
• Implement a comprehensive range of recreational and cultural amenities that enhance the Los Alamos community	X
<u>Environmental Stewardship:</u>	
• Enhance environmental quality and sustainability balancing costs and benefits including County services and utilities	
<u>Mobility:</u>	
• Maintain and improve transportation and mobility	

Quality Governance		
	<u>Operational Excellence:</u>	
	<ul style="list-style-type: none"> • Priority Area – Implement the Comprehensive Plan with an emphasis on neighborhoods and zoning 	
	<ul style="list-style-type: none"> • Priority Area – Simplify permit requirements and improve the overall development and building code processes to become easier to work with for all participants 	
	<ul style="list-style-type: none"> • Maintain quality essential services and supporting infrastructure 	X
	<ul style="list-style-type: none"> • Invest in staff development to create a high performing organization 	
	<ul style="list-style-type: none"> • Manage commercial growth well following an updated, concise, and consistent comprehensive plan 	
	<ul style="list-style-type: none"> • Establish and implement a mechanism for effective Utility policy setting and review 	
	<u>Communication:</u>	
	<ul style="list-style-type: none"> • Improve transparency in policy setting and implementation 	X
	<ul style="list-style-type: none"> • Create a communication process that provides measurable improvement in citizen trust in government 	X
	<u>Intergovernmental Relations:</u>	
	<ul style="list-style-type: none"> • Strengthen coordination and cooperation between County government, LANL, and the regional and national partners 	
	<ul style="list-style-type: none"> • Actively pursue land transfer opportunities 	



LOS ALAMOS
where discoveries are made

FY19 Work Plan for Los Alamos County Boards and Commissions

(Fiscal Year 2019: July 1, 2018 – June 30, 2019)

Board and Commission Name: Library Board

Date prepared: February 2, 2018 Date approved by Council: ____

Prepared by: Library Board and Staff Liaison

**This work plan will be accomplished in the following time frame:
from July 1, 2018 to June 30, 2019**

Chairperson: Jennifer Baker. Term: 9/1/17 to 8/31/2019

Members and terms:

Rebecca Rodriguez (1 st term)	9/1/17 to 8/31/19
Virginia White (2 nd term)	9/1/16 to 8/31/18
Tim Langworthy (2 nd term)	9/1/16 to 8/31/18
Megan Fox	9/1/16 to 8/31/18

Department Director: Brian Brogan, Community Services

Work plan developed in collaboration with Department Director? (Y/N?) Yes

Staff Liaison: Library Manager

Administrative Support provided by: Eva Jacobsen

Council Liaison: Susan O’Leary ____ Reviewed by Council Liaison? Yes ____

1.0 Provide a brief Summary of your Board or Commission’s activities over the past twelve months. Please describe your Board or Commission’s accomplishments and identify constraints. List any “lessons learned.”

Promoted Library Services

During FY 18 the board piloted a project in which each board member attended a community event in order to promote library services and have more direct interaction with the community. Several board members worked at the library table during Chamberfest and engaged with local residents. They recruited applications for a board vacancy that was open at the time, and asked patrons and non-patrons about their experience with the libraries, and promoted summer events at the library. Board members hosted library events – film showing, author talks, and art receptions and were instrumental in bringing author J.A. Jance to Los Alamos for a talk and book signing. The board worked with staff liaison to evaluate additional options for library promotion and as appropriate, directly communicate with the public about key library events.

Review of Public Comments and Suggestion

The board reviewed public comments and suggestions submitted to the library and recommended action as appropriate.

Reviewed Monthly Statistics

The board received updates on facilities projects and library services and events, including monthly statistics on key indicators for library services (# of circulations, # of visits, # of public computer uses, # of program attendees, and # of reference transactions). In addition, the board reviewed the use of the new “Hoopla” service (e-books, music and video streaming).

Liaison to Friends of the Los Alamos County Library

A board member served as a liaison to the Friends of the Los Alamos County Libraries.

Board Appointments

One board member was replaced in September of 2017; one board member was reappointed in September of 2017.

Library Manager Search Panel

The Library Board Chair was on one of the interview panels for the new library manager. The new library manager, Eileen Sullivan, started in July 2017 and the board provided support in bringing her up to date on board business.

Library Advocacy

Two library board members attended the New Mexico Library Legislative Day in Santa Fe on January 26th to raise awareness and support for libraries in the state.

Communication with Boards and Commissions

The Chair of the library board prepared periodic reports and presented these reports at the boards and commissions luncheons.

2.0 Describe the future work plans for this Board or Commission using the following items and showing the relationship to those items: *(Please remember that Council approval of this work plan does not constitute official Council approval of proposed projects, assignments, or anticipated recommendations included in this work plan that have budget implications.)*

2.1 List any special projects or assignments given to this Board or Commission by Council or the Department director:

None.

2.2 List the guiding documents/plans (with approval or revision dates listed) used by this Board or Commission.

Los Alamos County Code, Chapter 8, Sections 8-81 to 8-83, Library Board
Los Alamos County Code, Chapter 30, Article 1, Code of Conduct
Los Alamos County Library System Strategic Plan: 2017 (draft)

2.3 Other projects/assignments proposed by the Board or Commission: *(Any projects or activities proposed in this section should be discussed with the Council Liaison prior to listing it in this work plan.)* To assist with Council review of the work plans, please list the B&C's proposed projects or assignments in priority order.

Mesa Public Library will be closed to the public from approximately August 20 through November 30 for the HVAC renovation project. The library board will assist the Library Manager in identifying potential opportunities for community partnerships for the delivery of library programs and services during the closure.

The library policies have not been revised since 2010. One of the duties of the library board is to "review and recommend to council written public policies to support the purpose, goals and objectives of the library..." Working with the Library Manager, the library board will review current library policies and recommend changes.

Continue to promote library services through attendance at community events and hosting library events, such as film showings, author talks, or art receptions.

Work with staff liaison to evaluate additional options for library promotion. As appropriate, directly communicate with the public about key library events.

Twice annually, review staff progress on the Strategic Plan. Periodically review plan for areas for potential Library Board involvement that are related to gathering public input or interfacing with County Council.

Tour library facilities and provide input into improvements (seating, furnishings, etc.)

Host one community-wide library appreciation event annually.

Continue serving as the liaison to the Friends of the Los Alamos County Libraries.
Continue serving on the Friends Scholarship Committee.

3.0 Identify any interfaces for the goals/tasks in this work plan with County Departments and other Boards and Commissions. Specify the coordination required.

Coordination with The County Attorney's Office may be needed for policy review and revision.

Work with staff liaison to consider and explore other options for relevant community connections including with other County Departments and Boards and Commissions.

4.0 List any special public information or involvement meetings or efforts to be conducted by this Board or Commission:
--

The Library Board will participate in a variety of public events over the course of FY2018.

- Working with the Library Manager, the library board will review current library policies and recommend changes. Public focus groups may be convened for input on policy changes that would affect the public.
- Work with staff liaison to evaluate additional options for library promotion. As appropriate, directly communicate with the public about key library events. Library board members will continue to attend library programs and interface with the public. They may assist with the distribution of event flyers.
- Twice annually, review staff progress on the Strategic Plan. Periodically review plan for areas for potential Library Board involvement that are related to gathering public input or interfacing with County Council. The library board may assist with targeted focus groups or public forums to gather input on library policy changes that affect the public and require council approval. The library board may be called upon to convene focus groups to gather input on facilities improvements or input on new programming initiatives
- Host one community-wide library appreciation event annually. The board will host an annual "Love Your Library Day" to celebrate the library. This event will be free and open to the public and advertised through flyers, the library newsletter and other sources.

5.0 List the current subcommittees for this Board or Commission.

Not applicable.

5.1 For subcommittees with members that are not members of the parent board or commission: List the subcommittee members and their terms. Explain how sub- committee members are selected or appointed. Provide a description of each subcommittee's charter or purpose. Describe the expected duration for the subcommittee and their work plan(s) demonstrating how they support the Board or Commission:
--

Not applicable.

Attachment A: Provide a copy of your Board or Commission's "Purpose" and "Duties and Responsibilities" from Chapter 8 of the County Code:

ARTICLE V. LIBRARY BOARD

Sec. 8-81. Purpose.

The library board's primary purpose is to receive input from the public and, based on that input, make recommendations to council that support the fulfillment of the library's mission in the community.

In addition, state grants-in-aid to public libraries, 4.5.2 NMAC (7/1/2000) stipulates that the library shall have a library board that is an entity separate from the political subdivision of state government or other type of entity that established it. Therefore, the existence of the library board is part of insuring that the library will be eligible to receive such funding. (Ord. No. 02-078, § 2, 10-3-2006)

Sec. 8-82. Membership, terms and qualifications.

The library board will consist of five members. The library manager shall be an ex officio member of the library board. Members will serve for two-year staggered terms beginning on September 1 and ending on August 31. (Ord. No. 02-078, § 2, 10-3-2006)

Sec. 8-83. Duties and responsibilities.

The library board shall serve in an advisory capacity to the county council and shall have the following functions, responsibilities and duties:

- (1) Review and recommend to council written public policies to support the purpose, goals and objectives of the library including the collection development policy, which authorizes the library manager and qualified staff to select all books and materials.
 - (2) Ensure that library policy states and supports the intellectual freedom of all residents and provides a well-defined public challenge policy and procedure to protect the library from censorship threat.
 - (3) Gather and provide public input on:
 - a. Ways and means for improving library services and programs;
 - b. The development of library service objectives and the library's long-range plan; and
 - c. Recommendations for methods and schedules for reviewing library programs and services.
- For these purposes, the board shall gather public input in ways appropriate to the circumstances, which may include public hearings dedicated to specific topics.
- (4) Review all library and library-related matters submitted to the board by council.

(Ord. No. 02-078, § 2, 10-3-2006) Drafted by Library Board February 6, 2012 Approved by County Council March 27, 2012

Attachment B: Using the chart below, place an X in the column on the right if the Council Goal is related to the work of the Library Board:

Mark all that apply

Economic Vitality	
<u>Economic Vitality:</u>	
• Priority Area – Build the local tourism economy	X
• Priority Area - Revitalize and eliminate blight in Los Alamos and White Rock	
• Promote a strong and diverse economic base by encouraging new business growth	X
• Collaborate with Los Alamos National Laboratory as the area's #1 employer	
<u>Financial Sustainability</u>	
• Encourage the retention of existing businesses and assist in their opportunities for growth	
• Support spinoff business opportunities from LANL	
• Significantly improve the quantity and quality of retail business	
Quality of Life	
<u>Housing:</u>	
• Priority Area -- Promote the creation of a variety of housing options for all segments of the Los Alamos Community, including infill opportunities as appropriate	
• Priority Area -- Support development of affordable workforce housing	
<u>Education:</u>	
• Support Los Alamos Public Schools' goal of ranking among the top public schools in the nation	X
• Partner with Los Alamos Public Schools and the University of New Mexico – Los Alamos; and support, as appropriate, the delivery of their educational services to community standards	X
<u>Quality Cultural and Recreational Amenities:</u>	
• Implement a comprehensive range of recreational and cultural amenities that enhance the Los Alamos community	X
<u>Environmental Stewardship:</u>	
• Enhance environmental quality and sustainability balancing costs and benefits including County services and utilities	
<u>Mobility:</u>	
• Maintain and improve transportation and mobility	

Quality Governance		
	<u>Operational Excellence:</u>	
	<ul style="list-style-type: none"> • Priority Area – Implement the Comprehensive Plan with an emphasis on neighborhoods and zoning 	
	<ul style="list-style-type: none"> • Priority Area – Simplify permit requirements and improve the overall development and building code processes to become easier to work with for all participants 	
	<ul style="list-style-type: none"> • Maintain quality essential services and supporting infrastructure 	X
	<ul style="list-style-type: none"> • Invest in staff development to create a high performing organization 	X
	<ul style="list-style-type: none"> • Manage commercial growth well following an updated, concise, and consistent comprehensive plan 	
	<ul style="list-style-type: none"> • Establish and implement a mechanism for effective Utility policy setting and review 	
	<u>Communication:</u>	
	<ul style="list-style-type: none"> • Improve transparency in policy setting and implementation 	X
	<ul style="list-style-type: none"> • Create a communication process that provides measurable improvement in citizen trust in government 	X
	<u>Intergovernmental Relations:</u>	
	<ul style="list-style-type: none"> • Strengthen coordination and cooperation between County government, LANL, and the regional and national partners 	
	<ul style="list-style-type: none"> • Actively pursue land transfer opportunities 	



FY19 Work Plan for Los Alamos County Boards and Commissions

(Fiscal Year 2019: July 1, 2018 – June 30, 2019)

Board and Commission Name: Lodgers' Tax Advisory Board (LTAB)

Date prepared: Feb 9, 2018 Date approved by Council: _____

Prepared by: Kelly Stewart, County Staff Liaison

This work plan will be accomplished in the following time frame:
from Jul 1, 2018 to Jun 30, 2019

Chairperson: Ryn Herrmann Term: Dec 2015 to Present

Members and terms:

Loryn "Ryn" Herrmann – Dec 2 2015 - Dec 1 2018 (Term 2)

Linda Deck – Dec 2 2016 - Dec 1 2019 (Term 1)

Katie Bruell – Dec 2 2015 - Dec 1 2018 (Term 1)

Catherine Mockler - Dec 2 2016 - Dec 1 2019 (Term 1)

Elizabeth Allen - Dec 2 2017 - Dec 1 2020 (Term 1)

Department Director: Joanie Ahlers, Economic Development Division

Work plan developed in collaboration with Department Director?(Y/N?) Y

Staff Liaison: Kelly Stewart, Marketing Specialist, Economic Development Division

Administrative Support provided by: Barbara Lai, Community Development Department

Council Liaison: James Chrobocinski Reviewed by Council Liaison? N

1.0 Provide a brief Summary of your Board or Commission’s activities over the past twelve months. Please describe your Board or Commission’s accomplishments and identify constraints. List any “lessons learned” and identify the greatest challenges faced by the Board or Commission.

LTAB FY18 ACTIVITIES

- Discover Los Alamos meeting and visitor bureau (DLA), a program of the Los Alamos Commerce and Development Corporation (LACDC), renewed contract with tourism materials service vendor, Fun and Games to distribute services of visitor guides to hotels, visitor centers and events statewide to all Los Alamos attractions for a reduced rate. In addition to the County’s visitor guide distribution, Fun and Games now distributes brochures from the Bradbury Science Museum, the Los Alamos Nature Center/PEEC and the Manhattan Project National Historical Park/Gateway to 3 National Parks.
- LTAB presented to Council in November 2017, including the need for a full-service hotel and event space, the need for a regular source/system for collecting lodging data, i.e., average daily rate (ADR) and occupancy; enhancement of Gateway to Three National Parks, customer service training.
- Promoted Los Alamos as the Gateway to 3 National Parks, as well as high altitude recreation events and assets including the 100-plus mile trail system, Pajarito Mountain and bike tourism opportunities.
- Hosted one of ten Regional Tourism Economic Summits in Los Alamos on behalf of the New Mexico Hospitality Association (October 25, 2017)
- Worked with New Mexico Tourism Department and the New Mexico Hospitality Association to leverage all opportunities for positive exposure to target audiences, including article placement in several national magazines and statewide and southwest regional awards/recognition for Los Alamos assets and marketing efforts, e.g., the Atomic City Spy Tour
- Advised County on the Tourism Marketing Services contract. See summary of activities and results in the FY18 Tourism Marketing Plan (Can be obtained from LTAB Staff Liaison).
- Advised County on the Visitor Center Operations and Management services performed by DLA. DLA maintains, operates and staffs the Los Alamos and White Rock visitor centers, providing a quality visitor experience 7 days a week. In addition, they promote and facilitate the Bandelier Shuttle operations (May 15-October 15), fulfill all visitor guide requests, and maintain 4 auxiliary kiosk locations along Central Avenue with a weekly up-to-date event calendar. DLA also stocks 12 display racks with visitor guides and event calendars at attractions and businesses throughout the townsite and White Rock. DLA updates VisitLosAlamos.org (the County’s official tourism website), and applies for, implements and solicits for matching dollars from the New Mexico Tourism Department’s Marketing Co-op grants, as well as other available grant opportunities. DLA regularly collaborates with the County and the Tourism Marketing Services on advertising, marketing, print materials and events. DLA provides logistical, marketing and visitor welcome services for any event that requests Visitor Center services and or materials. DLA continues to manage the rotation of two local business display cases inside the White Rock Visitor Center.

2.0 Describe the future work plans for this Board or Commission using the following items and showing the relationship to those items: (Please remember that Council approval of this work plan does not constitute official Council approval of proposed projects, assignments, or anticipated recommendations included in this work plan that have budget implications.)

MISSION: To advise the County Manager and Council on the expenditures of funds received through Lodgers' tax for advertising, publicizing and promoting tourist attractions and facilities in and around the County of Los Alamos.

GOALS:

- I. Maximize every opportunity to put heads in beds.
- II. Influence a positive visitor experience at every interface, e.g., a tourism visit is the potential first of several economic development visits.
- III. Develop measures for tourism interfaces/experiences.
- IV. Support projects that drive tourists to other local businesses, like retail and restaurants.
- V. Serve as a conduit between the public and the County Council.

COUNCIL VISION: Los Alamos is a world-renowned community where discovery and innovation are inspired by its dramatic history and magnificent mountain setting. We offer extraordinary education, recreational and cultural opportunities in a vibrant, small-town atmosphere.

COMMUNITY ASSET AREAS: 3 National Parks and High Altitude Recreation.

AREAS OF FOCUS: National Parks Trifecta including Manhattan Project National Historical Park, High Altitude Sports & Recreation, Hospitality Industry, Branding & Marketing and Destination Vitality.

1. Support implementation of the Tourism Strategic Plan, Wayfinding Plan and Brand Action Plans
2. Facilitate transition of new contracts for Visitor Center Operations and Management services and Tourism Marketing services.
3. Assess and change data collection, interpretation and reporting to increase effectiveness of tourism marketing decisions, including visitation data, lodging data (occupancy and average daily rate), return on investment, etc.
4. Develop target markets and campaigns based on identified visitor trip planning decision points—timing, location, media preference—e.g., all Bandelier National Monument visitors' decision to travel up to the Los Alamos townsite attractions; or a Santa Fe visitor's decision to travel up to a Los Alamos attraction. Identify resources to help determine when and where in the trip planning process is the best time and medium to present our message to visit Los Alamos. Campaigns must include hospitality partners and incentives to track conversion from awareness to interest to consideration to visit.
5. Assess and consolidate Los Alamos tourism marketing materials.
6. Participate and promote customer service training program offered via the County's branding initiative.
7. Initiate group marketing efforts, targeting tour operators, tournament events and other activities that bring large groups of visitors to town for multiple nights.

2.1 List any special projects or assignments given to this Board or Commission by Council or the Department director:

N/A

2.2 List the guiding documents/plans (with approval or revision dates listed) used by this Board or Commission.

- FY18 Tourism Marketing Services Marketing Plan
- Lodgers' Tax Fund Accrued and Actual Revenue reports (Los Alamos County Finance Department)
- P.R./Social Media Data reports (Griffin and Associates)
- Visitor/Attraction Trends reports (LACDC-Meeting and Visitor Bureau Program, visitor center operations and management contractor)
- Recreation Division monthly reports
- Reports from interactions with Arts In Public Places Board, Historic Preservation Board, Library Board, Parks and Recreation Board, Planning and Zoning Board and Transportation Board
- Tourism Strategic Plan, including Wayfinding Plan
- Brand Action Plan

2.3 Other projects/assignments proposed by the Board or Commission: (Any projects or activities proposed in this section should be discussed with the Council Liaison prior to listing it in this work plan.)

N/A

3.0 Identify any interfaces for the goals/tasks in this work plan with County Departments and other Boards and Commissions. Specify the coordination required.

LTAB members are assigned to monitor activities of other Boards and Commissions as follows:

- 1) Historic Preservation Advisory Board - Linda Deck
- 2) Planning and Zoning Commission – Catherine Mockler
- 3) Parks and Recreation Board – Elizabeth Allen
- 4) Transportation Board – Kelly Stewart
- 5) Library Board – Katie Bruell
- 6) Art and Public Places – Ryn Herrmann

4.0 List any special public information or involvement meetings or efforts to be conducted by this Board or Commission:

N/A

5.0 List the current subcommittees for this Board or Commission.

N/A

- 5.1 For subcommittees with members that are not members of the parent board or commission:**
List the subcommittee members and their terms.
Explain how sub- committee members are selected or appointed.
Provide a description of each subcommittee's charter or purpose.
Describe the expected duration for the subcommittee and their work plan(s) demonstrating how they support the Board or Commission:

Attachment A: Provide a copy of your Board or Commission’s “Purpose” and “Duties and Responsibilities” from Chapter 8 of the County Code:

Sec. 8-101. Purpose

A lodger's tax advisory board is established to advise the county manager and council on the expenditure of funds authorized by NMSA 1978, § 3-38-22 for advertising, publicizing and promoting tourist attractions and facilities in and around the county. (Ord. No. 02-078, § 2, 10-3-2006)

Sec. 8-102. Membership, terms and qualifications.

The lodger's tax advisory board is established and its members shall be appointed in accordance with NMSA 1978, § 3-38-22. Only the member representing the general public must be a resident of the county. The term of each member of the lodger's tax advisory board shall be three years beginning on December 2 and ending on December 1. (Ord. No. 02-078, § 2, 10-3-2006)

Sec. 8-103. Duties and responsibilities. (Ord. No. 02-078, § 2, 10-3-2006)

The lodger's tax advisory board shall serve in an advisory capacity to the county council and shall have the following functions, responsibilities and duties:

- 1) Provide citizen input to staff and council on ways and means for improving the county's use of lodger's tax funds. For this purpose, the board shall gather public input in ways appropriate to the circumstances, which may include public hearings dedicated to specific topics.
- 2) Review and act upon all lodgers' tax related matters submitted to the board by council.

Attachment B: Using the chart below, place an X in the column on the right if the Council Goal is related to the work of the LTAB Board or Commission:

Mark all that apply

Economic Vitality		
	<u>Economic Vitality:</u>	
	• Priority Area – Build the local tourism economy with emphasis on implementing Tourism Strategic Plan and supporting plans.	X
	• Priority Area - Revitalize and eliminate blight in Los Alamos and White Rock (TBD)	
	• Promote a strong and diverse economic base by encouraging new business growth	
	• Collaborate with Los Alamos National Laboratory as the area's #1 employer	
	<u>Financial Sustainability</u>	
	• Encourage the retention of existing businesses and assist in their opportunities for growth	
	• Support spinoff business opportunities from LANL	
	• Significantly improve the quantity and viability of retail business	

Quality of Life	
<u>Housing:</u>	
<ul style="list-style-type: none"> • Priority Area -- Support development of affordable workforce housing 	
<ul style="list-style-type: none"> • Promote the creation of a variety of housing options for all segments of the Los Alamos Community, including infill opportunities as appropriate 	
<u>Education:</u>	
<ul style="list-style-type: none"> • Support Los Alamos Public Schools' goal of ranking among the top public schools in the nation 	
<ul style="list-style-type: none"> • Partner with Los Alamos Public Schools and the University of New Mexico – Los Alamos; and support, as appropriate, the delivery of their educational services to community standards 	
<u>Quality Cultural and Recreational Amenities:</u>	
<ul style="list-style-type: none"> • Priority Area – Maintain and improve existing outdoor recreation and open space amenities 	
<ul style="list-style-type: none"> • Implement a comprehensive range of recreational and cultural amenities that enhance the Los Alamos community 	
<u>Environmental Stewardship:</u>	
<ul style="list-style-type: none"> • Enhance environmental quality and sustainability balancing costs and benefits including County services and utilities 	
<u>Mobility:</u>	
<ul style="list-style-type: none"> • Maintain and improve transportation and mobility 	
Quality Governance	
<u>Operational Excellence:</u>	
<ul style="list-style-type: none"> • Priority Area – Continue implementation of the Comprehensive Plan with an emphasis on neighborhoods 	
<ul style="list-style-type: none"> • Priority Area – Maintain and improve existing quality essential services and supporting infrastructure including PRISM/Munis and permitting 	
<ul style="list-style-type: none"> • Invest in staff development to create a high performing organization 	
<ul style="list-style-type: none"> • Manage commercial growth well following an updated, concise, and consistent comprehensive plan 	
<ul style="list-style-type: none"> • Establish and implement a mechanism for effective Utility policy setting and review 	
<u>Communication:</u>	
<ul style="list-style-type: none"> • Improve transparency in policy setting and implementation 	
<ul style="list-style-type: none"> • Create a communication process that provides measurable improvement in citizen trust in government 	
<u>Intergovernmental Relations:</u>	
<ul style="list-style-type: none"> • Strengthen coordination and cooperation between County government, LANL, and the regional and national partners 	



LOS ALAMOS
where discoveries are made

FY19 Work Plan for Los Alamos County Boards and Commissions

(Fiscal Year 2019: July 1, 2018 – June 30, 2019)

Board and Commission Name: Parks and Recreation Board

Date prepared: January 11, 2018 - Approved by Council: _____

Prepared by: Christopher Wilson

This work plan will be accomplished in the following time frame: July 1, 2018 to June 30, 2019

Chairperson: Stephanie Nakhleh - Term: November 30, 2019

Members and terms:

Stephanie Nakhleh	12-01-2017 – 11-30-2019 (2nd Term)
Dana Dattelbaum	12-01-2016 – 11-30-2018 (1st Term)
Robbie Harris	12-01-2016 – 11-30-2018 (1st Term)
Dina Pesenson	12-01-2016 – 11-30-2018 (1st Term)
Trey Pereya	12-01-2017 – 11-30-2019 (1st Term)
Donald Ulrich	12-01-2017 – 11-30-2019 (1st Term)
Dianne Wilburn	12-01-2017 – 11-30-2019 (1st Term)

Department Director: Brian Brogan

Work plan developed in collaboration with Department Director? Yes

Staff Liaison: Christopher Wilson

Administrative Support provided by: Linda Lindstrom

Council Liaison: Pete Sheehy – Reviewed by Council Liaison? YES

1.0 Provide a brief Summary of your Board or Commission’s activities over the past twelve months. Please describe your Board or Commission’s accomplishments and identify constraints. List any “lessons learned” and identify the greatest challenges faced by the Board or Commission.

Supported the Parks and Recreation Board’s (PRB) FY18 Work Plan that is linked to Council goals and priorities for the support of new and existing recreation facilities, activities, and Open Space in Los Alamos County (LAC).

- Council’s CIP/Bond process and decisions for Parks and Recreation facilities.
- Revisited and updated PRB subcommittee charters for missions and broader areas of recreational facilities and associated needs.
- Received updates on the Pajarito Ski area Land Transfer.
- Reviewed and made recommendations about future North Mesa Stable operations.
- Discussed existing and potential future improvements in camping, RV use, and RV storage facilities in Los Alamos County.

Continued to support the Los Alamos County Comprehensive Plan, including Open Space Plan recommendations.

Site improvement plan for updating Ashley Pond.

Identified needed/anticipated interfaces with other Boards and Commissions for the achievement of common goals.

- Tourism Strategic Plan participation
- Reviewed the proposed new exterior signage for the Museum Campus.
- Reviewed with Environmental Service bear resistant containers and manure removal options for stables in Los Alamos County.
- Discuss and review the Historic District boundary and how it will impact associated parks.

Identified the needs and efforts for public involvement and informing the public.

- Supported Council’s lead for public input and involvement on proposed CIP/Bond projects, including involvement with subcommittee focus groups, listening sessions and presentations.
- Discussion of the Integrated Pest Management Plan for Parks and Open Space Programs as well as weed ordinance in relation to Parks and Open Space properties.
- Community Wildfire Protection Plan and the projects presently in the environmental review phase.

Accomplishments:

- Recommending to Council the CIP projects moving forward, as supported through a collaborative public process.
- Completing a Tennis Court Assessment and advisory recommendation.
- Supported maximizing use of the tennis facilities with additional pickle ball lines.

- Began the process of a Ballfield Assessment and advisory recommendation.
- Establishing through Work Shop/Agenda Items trails working groups to address North Mesa trail issues.
- International Mountain Bicycling Association assessment of all trails as a part of a Ride Center designation process.
- Supported Family Friendly Demonstration Flow Trail project.
- Supported the Bicycle Transportation planning efforts.
- Reviewed RV storage program and investigated alternatives.
- Reviewed and supported camping improvements at Camp May, Main Gate Park and White Rock.
- Reviewed and supported a demonstration project for canyon restoration beginning at the upper limits of Graduation Canyon.
- Reviewed and supported upcoming projects that are a part of the community Wildfire Plan efforts.

Constraints:

- Navigating communication and coordination with Board members, subcommittees, Council, the public, and other Boards and Commissions.
- How to boost creativity, output, and public input while respecting formal systems?

Lessons-Learned

- Aligning subcommittees with program projects while focusing on a broader spectrum of public interests for our common purpose through education and outreach.
- Considered the use of additional committees or work sessions for the PRB for brainstorming, and less restrictive communication processes/timing with the public.
- Division of roles and responsibilities between PRB and operational activities of the Parks, Recreation and Open Space Division.

Greatest Challenges

- Revitalization of the PRB Subcommittees, including renewed focus on modified and expanded areas of their charters that support the Recreation CIP and other initiatives.
- Recruitment for the subcommittees and the PRB.
- Increased involvement with County Council to support park, recreation and open space needs.
- Marketing/promoting the CIP Projects to benefit the entire community; Education through integrating and involving the subcommittees with facilitation of focus groups and public presentations.
- Deferred maintenance increases due to limited budgets.

2.0 Describe the future work plans for this Board or Commission using the following items and showing the relationship to those items: *(Please remember that Council approval of this work plan does not constitute official Council approval of proposed projects, assignments, or anticipated recommendations included in this work plan that have budget implications.)*

2.1 List any special projects or assignments given to this Board or Commission by Council or the Department director:

- Participate as needed and requested in support of the Council's CIP next steps process in regard to CIP decisions related to recreation facilities. Participate in the project scoping process of individual recreation initiatives.
- Facilitate communications on the Family Friendly Demonstration Flow Trail project.
- Recommendations to County Council for management and future use of existing tennis courts in the county. Continue discussions with the tennis community to maximize facility usage for tennis while re-purposing courts as supported. Facilitate discussions with all parties interested in future development of a tennis complex.
- Based on Ballfield Assessment recommendations, provide continued public updates on progress and next steps for Overlook Park and North Mesa Sports Complex.
- Participate as needed and requested by the Council or Community Services Department Director in the implementation of the updated Ashley Pond planning effort, and the Comprehensive Plan follow-on items.
- Meet with Community Services Department Director and other LAC Board and Commission Chairs as requested for discussion and information sharing.
- Participate as needed and requested to support the Tourism Strategic Planning effort.
- Meet with the Los Alamos Historic Preservation Advisory Board on Historic District boundaries and operational changes necessitated by such.
- Assisting as needed on school based programs and facility discussions.

2.2 List the guiding documents/plans (with approval or revision dates listed) used by this Board or Commission.

Parks Master Plan – Updated 2007
Parks Integrated Maintenance Plan – 2010
Recreation User Fee Policy – 1998
Recreation Needs Assessment – 2004
Open Space Management Plan – 2015
Community Wildfire Protection Plan – 2016

Canyon Rim Trail Master Plan – 2011
Comprehensive Plan – 2016
Trails Management Planning Documents – 2009

2.3 Other projects/assignments proposed by the Board or Commission: (Any projects or activities proposed in this section should be discussed with the Council Liaison prior to listing it in this work plan.)

- Support the Open Space Management Plan and the Community Wildfire Protection Plan next steps.
- Support the Manhattan Project National Historic Park, other national park activities and past recommendations to the Board that would be used by visitors, including camping improvements to Main Gate Park and Camp May.
- Support continued Canyon Restoration Projects that will serve as demonstration sites for ongoing rehabilitation work.
- Support Council and the Historical Society Board in the continuation of a way finding program and signage plan for the campus area and associated parks.
- Visit Los Alamos Reservoir and make recommendations regarding public use once the road improvement/stabilization project concludes.
- Work with subcommittees and receive reports and updates on assigned tasks and projects.
- Support the long-term success of Pajarito Mountain for year-round use and activities including its sustainable management and bike trail improvements.
- Meet in the field with and invite more groups and individuals to the Parks and Recreation Board meetings to outline their programs, interests, current challenges and suggested solutions to strengthen the Board's connections with the community that uses the parks, recreation programs and facilities.
- Assess/evaluate the need for an Equine and Livestock Advisory Subcommittee

3.0 Identify any interfaces for the goals/tasks in this work plan with County Departments and other Boards and Commissions. Specify the coordination required.

To effectively address the goals and tasks outlined the Board will incorporate input from the listed Boards and Commissions. The integration of these diverse perspectives will produce collaborative project outcomes. The Museum Campus Wayfinding Projects and the Site Improvements for Ashley Pond are good examples of the type of interfaces needed between the listed Boards and Commissions.

Community Development Department
Library Board
Art in Public Places Board
Lodgers' Tax Advisory Board
Public Works Department
Fire Department
Police Department
Parks, Recreation and Open Space Division
Library Division

Environmental Sustainability Board
Transportation Board
Historic Preservation Advisory Board
Historical Society Board
Planning & Zoning Commission
Board of Public Utilities
Department of Public Utilities
Tourism Implementation Task Force

4.0 List any special public information or involvement meetings or efforts to be conducted by this Board or Commission:

Tennis, gym space, ballfield assessment next steps, North Mesa Trail planning efforts for multiple use including equestrians, Flow Trail, Comprehensive Plan follow-on, Los Alamos Reservoir planning, camping enhancements, canyon restoration plan, and CIP recreation facility initiatives will require public information and involvement meetings.

5.0 List the current subcommittees for this Board or Commission.

5.1 For subcommittees with members that are not members of the parent board or commission:

List the subcommittee members and their terms.

Explain how sub-committee members are selected or appointed.

Provide a description of each subcommittee's charter or purpose.

Describe the expected duration for the subcommittee and their work plan(s) demonstrating how they support the Board or Commission:

Aquatic Center Advisory Subcommittee

1. List of Members and Terms (Attachment B).
2. Description of Purpose and Guidelines (Attachment F).
3. This subcommittee is expected to exist for one year with annual reevaluation.
4. ACAS Work Plan
 - A. Support associated CIP projects for a splash pad and a multi-generational pool.
 - B. Review Aquatic Center programs and facility and submit recommendations for improvement.
 - C. Gather public input on Aquatic Center programs and facility.
 - D. Promote maximum utilization of the Aquatic Center programs and facility.
5. Coordinate a meeting annually with the outdoor pools.

Ice Rink and Recreation Advisory Subcommittee

1. List of Members and Terms (Attachment C).
2. Description of Purpose and Guidelines (Attachment G).
3. This subcommittee is expected to exist for one year with annual reevaluation.
4. IRRAS Work Plan
 - A. Support Ice Rink CIP projects for upgrades and improvements.
 - B. programs and facility and submit recommendations for improvement.
 - C. Gather public input on Ice Rink and Recreation programs and facility.
 - D. Promote maximum utilization of the Ice Rink and Recreation programs and facility.

Golf Course Advisory Subcommittee

1. List of Members and Terms (Attachment D).
2. Description of Purpose and Guidelines (Attachment H).
3. This subcommittee is expected to exist for one year with annual reevaluation.
4. GCAS Work Plan
 - A. Support associated CIP project for golf course improvement.
 - B. Review Golf Course programs and facility and submit recommendations for improvement.
 - C. Gather public input on Golf Course programs and facility.

- D. Promote maximum utilization of the Golf Course programs and facility.
- E. Participate as needed and as requested in support of the Council's CIP next steps.

Open Space Advisory Subcommittee

- 1. List of Members and Terms (Attachment E).
- 2. Description of Purpose and Guidelines (Attachment I).
- 3. This subcommittee is expected to exist for one year with annual reevaluation.
- 4. OSAS Work Plan
 - A. Review Open Space functions and facilities and submit recommendations for improvement.
 - B. Gather public input on Open Space functions and facility.
 - C. Promote maximum utilization of the Open Space functions and facilities.
 - D. Participate as needed and as requested in support of the Council's CIP next steps.

When a vacancy or upcoming vacancy on a sub-committee is determined the following shall occur:

- 1) A verbal or written notification will be given to current members who are eligible for reappointment to submit their intention to be reappointed. A new application is not required unless applicants choose to update it.
- 2) Parks, Recreation and Open Space staff shall send a public service announcement (PSA) informing the community of the vacancy.
- 3) New applications will be taken at the Parks, Recreation and Open Space Division Office and given to specific subcommittees.
- 4) Recommendations along with copies of all applications shall be submitted to PRB for discussion and appointment.
- 5) Letter informing all applicants of the appointment shall be mailed.
- 6) If there is more than one applicant for a position on a subcommittee, an interview process should be followed. The interviews should be conducted by the Parks and Recreation Board members with recommendations (as to the applicants) from the subcommittee members. This will allow for diversity and eliminate the self-perpetuating selection by the subcommittee of its members.

The need for advisory subcommittees of the Parks and Recreation Board is evaluated and approved annually by the board on interest by the public in the various operations of the Parks, Recreation and Open Space Division. Subcommittees may be eliminated, added or reconfigured as the need arises, following the procedures identified in the BCC Procedural Rules. Currently, there are four subcommittees – Aquatic Advisory Subcommittee, Golf Course Advisory Subcommittee, Ice Rink/Recreation Advisory Subcommittee, and Open Space Advisory Subcommittee. Even though some of these subcommittees are long term in their function, their existence is based on the annual review by the Board. Due to the potential short life of all or any one subcommittee, the Parks and Recreation Board has approved the appointments from interested citizens on an as needed basis. New subcommittees created by the Board and approved by County Council have members on the subcommittees that are approved by the Board.

Attachment A: Provide a copy of your Board or Commission's "Purpose" and "Duties and Responsibilities" from Chapter 8 of the County Code:

ARTICLE VII. - PARKS AND RECREATION BOARD

Sec. 8-141. - Purpose.

The parks and recreation board is established to serve as a central point of communication for the parks and recreation interests of the county and as an advisory body to the county council. The October 17, 1977, resolution creating the recreation board for the Incorporated County of Los Alamos is hereby repealed and voided.

(Ord. No. 02-078, § 2, 10-3-2006)

Sec. 8-142. - Membership, terms and qualifications.

The Los Alamos County Parks and Recreation Board shall consist of seven members with two-year staggered terms beginning on December 1 and ending on November 30.

(Ord. No. 02-078, § 2, 10-3-2006)

Sec. 8-143. - Duties and responsibilities.

The board shall be an advisory board to the Council of the Incorporated County of Los Alamos, and as such shall have the following functions, responsibilities and duties:

- (1) Review current parks and recreation programs and facilities in the county to determine additional needs, and submit recommendations pertaining to parks and recreation guidelines, policies, facilities, or user fees to the council. For this purpose, the board shall gather public input in ways appropriate to the circumstances, which may include public hearings dedicated to specific topics;
- (2) Provide and/or gather public input on parks and recreation related long-range plans;
- (3) Serve in an advisory capacity to the planning and zoning commission for the location, construction, maintenance and funding of parks and recreation facilities; and
- (4) Review all parks and recreation related matters submitted to the board by council.
- (5) Within the current county council goals, objectives, and budget, perform the abovementioned duties using the following criteria:
 - a. Promote maximum utilization of parks, recreation facilities and programs;
 - b. Enhance the quality of the leisure life of all county residents through parks and recreation programs and services;
 - c. Provide to county residents as wide a variety of recreational opportunities as possible, taking into consideration programs other than county offerings.

Current PRB Subcommittee Members as of 02/21/2018

All First terms will start at the first schedule meeting following the date of appointment by PRB.

All Second terms will start two years from the date of their first appointment.

ACAS (Aquatic Center Advisory Subcommittee) 5 Members 4 Citizens & 1 PRB Liaison – All Voting

Appointed Date	1 st Term Beg	1 st Term Exp.	2 nd Term Beg	2 nd Term Exp.	Name & Address	Elig Y/N
Dec-14	Jan-14	Dec-16	Jan-16	Dec-18	Irene Powell 1732 Ponderosa Street 505-662-5877 505-662-8923 Irene L Powell@msn.com	Yes
Oct-14	Nov-14	Jan-16	Nov-16	Oct-18	William W. Dai 4149 Arizona Ave 505-662-1900 dai@lanl.gov	Yes
Apr-16	May-16	Apr-18			Cathy Walters 1001 Oppenheimer Dr. 505-690-2309 cathywalter@aol.com	Yes
Feb-17	Mar-17	Feb-19			Shelby Redondo 390 Manhattan 505-662-2625 redondo@cybermesa.com	Yes
					(PRB Liaison)	
					Denise McCoy, Aquatic Manager – Staff Liaison 505-662-8170 denise.mccoy@lacm.us	

Subcommittee meets 1st Tuesday of each month unless it falls on the 1st then it is moved to the 2nd week at Aquatic Center Training Room at 12:00 Noon

IRRAS (Ice Rink & Recreation Advisory Subcommittee) 5 Members 4 Citizens & 1 PRB Liaison – All Voting

Appointed Date	1 st Term Beg	1 st Term Exp.	2 nd Term Beg	2 nd Term Exp.	Name & Address	Elig Y/N
Sep –16	Oct – 16	Sep – 18			Rachael Adler 4364B Fairway Drive 248-207-2465 505-476-7953 rachel.adler@gmail.com	Yes
Aug – 16	Sep – 16	Nov – 18			Darren Meadows, PE 4940 Hermosa 505-500-8278 505-412-1804 meadows@cnsr.com	Yes
					Dina Pesenson (PRB Liaison)	
					Dianne Marquez, Recreation Program Manager – Staff Liaison 662-8173 dianne.marquez@lacnm.us	

Subcommittee meets 1st Thursday of each month at the Aquatic Center Training Room at 5:30 p.m.

GCAS (Golf Course Advisory Subcommittee) 5 Members 2 LAGA, 1 PRB Liaison & 2 Citizens at Large – All Voting

Appointed Date	1 st Term Beg	1 st Term Exp.	2 nd Term Beg	2 nd Term Exp.	Name & Address	Elig Y/N
Nov – 16	Dec – 18	Nov – 18			Laura Crucet 934 Capulin Road lcucethamilton@gmail.com	Yes
May – 16	Jun – 16	May – 18			Tony Fox 428 Cheryl Avenue tony@lanlfoundation.org	Yes
Nov – 17	Dec – 17	Nov – 19			Anthony Vallejos 209 Rover Blvd LLG2havefun@msn.com	Yes
Dec – 17	Dec – 17	Nov – 18			Laura Coffelt 99 La Vista cloud210@msn.com	Yes
Dana Dattelbaum (PRB Liaison)						
Sam Logan, Golf Course Manager - Staff Liaison 505-662-1850 sam.logan@lacnm.us						
Michael Phillips, Golf Professional 505-662-8139 michael.phillips@lacnm.us						
Matthew Allen, GC Superintendent 505-662-8103 matthew.allen@lacnm.us						

Subcommittee meets 3rd Wednesday of each month at the Golf Course at 5:30 p.m.

OSAS (Open Space Advisory Subcommittee) 5 Members 4 Citizens & 1 PRB Liaison – All Voting

Appointed Date	1 st Term Beg	1 st Term Exp.	2 nd Term Beg	2 nd Term Exp.	Name & Address	Elig Y/N
Dec – 16	Jan – 17	Dec – 18			Liz Aicher 1980 Camino Mora e.aicher@q.com	Yes
Jul – 14	Aug – 14	Jul – 16	Dec – 16	Nov – 18	Kevin Holsapple 2175A 37 th St. highlinem@gmail.com	Yes
May – 17	Jun – 17	May – 18			Jonathan Creel 3200 Canyon Road 850-380-9292 505-662-0460 jonathancree14@gmail.com programs@peecnature.org	Yes
					Vacant	
					Stephanie Nakhleh (PRB Liaison)	
					Eric Peterson, Open Space Specialist 505-662-8173 eric.peterson@lacnm.us	

Subcommittee meets the 2nd Tuesday of each month at the Aquatic Center Training Room at 11:45 a.m.

**Los Alamos County
PARKS AND RECREATION BOARD
Aquatic Center Advisory Subcommittee**

GUIDELINES

PURPOSE

The purpose of the Aquatic Center Advisory Subcommittee (ACAS) is to gather public input and advise the Parks and Recreation Board (the Board) on policy issues relating to the Larry R. Walkup Aquatic Center. The ACAS shall be established on a year-to-year basis upon affirmative vote of the Board and approval by Council.

The duties and responsibilities of ACAS are:

1. Provide a forum for discussion of aquatic policies and serve as an advisory body to the Board and a resource to staff.
2. When asked, review current aquatic programs in the County to determine additional needs and submit recommendations pertaining to aquatic center programs, guidelines, policies or user fees to the Board.
3. Review and comment on the long-range plan for the operation and development of the Larry R. Walkup Aquatic Center and serve in an advisory capacity to staff and the Board by recommending improvements or maintenance to aquatic facilities and equipment.
4. With the Aquatic Program, develop and prioritize a list of capital improvements for consideration by the Board.
5. When requested, and using the Board's criteria from Los Alamos County Code Section 8-143 sub-paragraph (5) assist staff in the annual review of the aquatic center usage schedule and inform the Board of the subcommittee's recommendations.
6. Provide and/or gather public input on the annual recommended user fee schedule for the aquatic facility.
7. Ensure that all findings, recommendations, or action items identified by ACAS are submitted for Board consideration and/or approval.

MEMBERSHIP

ACAS will consist of five-(5) official voting members, four (4) being appointed by the Board and the fifth being a current member of the Board. The Chairperson of the ACAS shall be elected annually by the voting members of the subcommittee. The County Aquatic Center

Program Manager shall be a non-voting member. The Chairperson of ACAS shall be elected annually by the voting members of the subcommittee.

TERMS

Terms for voting members can be up to two-(2) years from the date approved by the Board. No voting member will serve more than two (2) terms in succession. After serving two terms, a former ACAS member must wait one full year before serving again on the ACAS.

Upon expiration of the term of any regular voting member of ACAS, the Board shall appoint or re-appoint a member for a full term; provided that no member shall be re-appointed to more than two (2) successive terms. When any vacancy shall occur on ACAS for any cause whatsoever, a member shall be appointed by the Board to fill the unexpired term caused by such vacancy.

All vacancies shall be advertised as determined by the Board and the CSD Director or designee with applications submitted to the Parks, Recreation and Open Space Administrative Office, 2760 Canyon Road, Los Alamos, NM.

MEETINGS

Meetings may be conducted monthly. The frequency of the ACAS meetings will be set annually by the Board. Additional ACAS meetings may be called as required and approved by the Chairman of the Board.

RECORDS

All ACAS records shall be retained by the Parks, Recreation and Open Space Division in accordance with the current Los Alamos County record retention policies.

STAFF LIAISON:

Parks, Recreation and Open Space Division Manager – 662-8170

Aquatic Center Manager - 662-8170

**Los Alamos County
PARKS AND RECREATION BOARD
Ice Rink and Recreation Advisory Subcommittee (IRRAS)**

GUIDELINE

PURPOSE:

The purpose of the Ice Rink and Recreation Advisory Subcommittee (IRRAS) is to gather public input and advise the Parks and Recreation Board (the Board) on policy issues relating to the Los Alamos County ice rink facility and general recreation programming. The IRRAS shall be established on a year-to-year basis upon affirmative vote of the Board and approval by Council.

The duties and responsibilities of IRRAS are:

1. Provide a forum for discussion of ice rink and recreation policies and serve as an advisory body to the Board and a resource to staff.
2. When asked, review current ice rink and recreation programs and uses to determine additional needs and submit recommendations pertaining to ice rink and recreation guidelines, policies or user fees to the Board.
3. Review and comment on the long-range plan for the operation and development of the ice rink facility and serve in an advisory capacity to staff and the Board by recommending improvements or maintenance to ice rink and recreation facilities and equipment.
4. With the Recreation Program, develop and prioritize a list of capital improvements for consideration by the Board.
5. When requested, and using the Board's criteria from Los Alamos County Code Section 8-143 sub-paragraph (5), assist staff in the annual review of the ice rink usage schedule and inform the Board of the subcommittee's recommendations.
6. Provide and/or gather public input on the annual recommended ice rink and recreation fee schedules.
7. Ensure that all findings, recommendations, or action items identified by IRRAS are submitted for Board consideration and/or approval.

MEMBERSHIP

IRRAS will consist of five-(5) official voting members, four (4) being appointed by the Board and the fifth being a current member of the Board. The non-voting member will be the

Recreation Program Manager. The Chairperson of IRRAS shall be elected annually by the voting members of the subcommittee.

TERMS

Terms for voting members can be up to two-(2) years from the date approved by the Board. No voting member will serve more than two (2) terms in succession. After serving two terms, a former IRRAS member must wait one full year before serving again on the IRRAS.

Upon expiration of the term of any regular voting member of IRRAS, the Board shall appoint or re-appoint a member for a full term; provided, however, that no member shall be re-appointed to serve more than two (2) successive terms. When any vacancy shall occur on IRRAS for any cause whatsoever, a member shall be appointed by the Board to fill the unexpired term caused by such vacancy.

All vacancies shall be advertised as determined by the Board and the CSD Director or designee with applications submitted to the Recreation Administrative Office, 2760 Canyon Road, Los Alamos, NM.

MEETINGS

Meetings may be conducted monthly. The frequency of the IRRAS meetings will be set annually by the Board. Additional IRRAS meetings may be called as required and approved by the Chairman of the Board.

RECORDS

All IRRAS records shall be retained by the Recreation Division in accordance with the current Los Alamos County record retention policies.

STAFF LIAISON:

Parks, Recreation and Open Space Division Manager – 662-8170
Recreation Program Manager – 662-8173 or 662-4500

**Los Alamos County
PARKS AND RECREATION BOARD
Golf Course Advisory Subcommittee (GCAS)**

GUIDELINES

PURPOSE:

The purpose of the Golf Course Advisory Subcommittee (GCAS) is to gather public input and advise the Parks and Recreation Board (the Board) on policy issues relating to the Los Alamos County Golf Course. The GCAS shall be established on a year-to-year basis upon affirmative vote of the Board and approval by Council.

The duties and responsibilities of GCAS are:

1. Provide a forum for discussion of golf-related policies and serve as an advisory body to the Board and a resource to staff.
2. When asked, review current golf course programs and uses to determine additional needs and submit recommendations pertaining to the golf course programs, guidelines, policies or user fees to the Board.
3. Review and comment on the long-range plan for the operation and development of the golf course and serve in an advisory capacity to staff and the Board by recommending improvements or maintenance to golf facilities and equipment.
4. With the Golf Program, develop and prioritize a list of capital improvements for consideration by the Board.
5. When requested, and using the Board's criteria from Los Alamos County Code Section 8-143 sub-paragraph (5), assist staff in the annual review of the usage schedule and inform the Board of the subcommittee's recommendations.
6. Provide and/or gather public input on the annual recommended fee schedule for golf facility passes.
7. Ensure that all findings, recommendations, or action items identified by GCAS are submitted for Board consideration and/or approval.

MEMBERSHIP

GSAC will consist of five (5) official voting members; Four being appointed by the Board and the fifth being a current member of the Board. Preferably two voting members, one representing female golfers, will also be members of the Los Alamos Golf Association (LAGA.) The non-voting members will be the Golf Course Manager, the Head Golf

Professional, and the Golf Course Superintendent. The Chairperson of GCAS shall be elected annually by the voting members of the subcommittee.

TERMS

Terms for voting members shall be no more than two (2) years from the date approved by the Board. The LAGA may be asked to recommend up to two members, for Board approval. No voting member will serve more than two terms in succession. After serving two terms, a former GCAS member must wait one full year before serving again on GCAS

Upon expiration of the term of any voting member of GCAS, the Board shall appoint or re-appoint a member for a full term; provided, however, that no member shall be re-appointed to serve more than two successive terms. When any vacancy shall occur on GCAS for any cause whatsoever, a member shall be appointed by the Parks and Recreation Board to fill the un-expired term caused by such vacancy.

All vacancies or renewals shall be advertised as determined by the Board and the CSD Director or designee with applications submitted to the Parks, Recreation and Open Space Administrative Office, 2760 Canyon Road or the Golf Course, 4250 Diamond Drive, Los Alamos, NM.

MEETINGS

Meetings may be conducted monthly. The frequency of the GCAS meetings will be set annually by the Board. Additional GCAS meetings may be called as required and approved by the Chair of the Board.

RECORDS

All GSAC records shall be retained by the Parks, Recreation and Open Space Division in accordance with the current Los Alamos County record retention policies.

STAFF LIAISON

Parks, Recreation and Open Space Division Manager – 662-8170
Golf Course Manager – 662-8139
Head Golf Professional – 662-8139
Golf Course Superintendent – 662-8103

**Los Alamos County
PARKS AND RECREATION BOARD
Open Space Advisory Subcommittee (OSAS)**

*Facilities included are those that do not have an on-site manager. In particular, this subcommittee is concerned with: trails used by hikers, bikers, equestrians and runners, open space including viewsheds, corridors for wildlife movement, wildfire fuel management, and ecosystem processes, protection of cultural and natural resources and facilities such as a bicycle flow trail or other facilities related to outdoor activities in open space.

GUIDELINES

PURPOSE

The purpose of the Open Space Advisory Subcommittee (OSAS) is to gather public input and advise the Parks and Recreation Board (the Board) on policy issues relating to Los Alamos County resources and facilities as identified above. The OSAS shall be established on a year-to-year basis upon affirmative action of the Board and approval by Council.

The duties and responsibilities of OSAS are:

1. Provide a forum for discussion of open space issues and serve as an advisory body to the Board and a resource to staff.
2. Review current open space programs and facility uses throughout the County to determine additional needs and submit recommendations pertaining to open space programs, guidelines, and policies to the Board.
3. Develop and prioritize a list of capital improvements for consideration by the Board.
4. Review and comment on the County Trails Management Plan
 - a. Make recommendations for additions, deletions and realignments to the County Trail Network.
 - b. Review and comment on adherence to the County Trails Management Plan
 - c. Review proposed developments to ensure preservation of access to the County Trails Network.
 - d. Recommend and document criteria for prioritization of trail projects and conduct an annual assessment of a list of prioritized projects.
5. Review and comment on the Open Space Management Plan
 - a. Make recommendations for additions, deletions and realignments to the Open Space Management Plan.
 - b. Review and comment on adherence to the Open Space Management Plan.
 - c. Make recommendations and document in a work plan for the upcoming fiscal year on an annual basis.

6. Ensure that all findings, recommendations, or action items identified by OSAS are submitted for Board consideration and/or approval.

MEMBERSHIP

OSAS will consist of five (5) official voting members; four (4) being appointed by the Board and the fifth member being a current member of the Parks and Recreation Board. The non-voting members will be the Parks, Recreation and Open Space Division Manager, and the Open Space Specialist. The Chairperson of OSAS shall be elected annually by the voting members of the subcommittee.

TERMS

Terms for voting members can be up to two (2) years from the date approved by the Board. No voting member shall serve more than two years in succession. After serving two years, a former OSAS member must wait one full year before serving again on the OSAS.

Upon expiration of the term of any regular voting member of OSAS, the Board shall appoint or re-appoint a member for a full term; provided that no member shall be re-appointed to more than two (2) successive full terms. When any vacancy shall occur on OSAS for any cause whatsoever, a member shall be appointed by the Board to fill the unexpired term caused by such vacancy.

All vacancies shall be advertised as determined by the Board and the CSD Director or designee with applications submitted to the Parks, Recreation and Open Space Department Office, 2760 Canyon Road, Los Alamos, New Mexico 87544.

MEETINGS

Meetings will be conducted monthly. The frequency of the OSAS meetings will be reviewed annually by the Board. Additional OSAS meetings may be called as required and approved by the Chair of the Board.

RECORDS

All OSAS records shall be retained by the Parks, Recreation and Open Space Division in accordance with the current Los Alamos County records retention policies.

STAFF LIAISON

Parks, Recreation and Open Space Division Manager – 662-8170

Open Space Specialist – 662-8159

Using the chart below, place an X in the column on the right if the Council Goal is related to the work of the Parks and Recreation Board:

Mark all that apply

Economic Vitality	
<u>Economic Vitality:</u>	
<ul style="list-style-type: none"> • Priority Area – Build the local tourism economy 	
<ul style="list-style-type: none"> • Priority Area - Revitalize and eliminate blight in Los Alamos and White Rock 	
<ul style="list-style-type: none"> • Promote a strong and diverse economic base by encouraging new business growth 	X
<ul style="list-style-type: none"> • Collaborate with Los Alamos National Laboratory as the area's #1 employer 	
<u>Financial Sustainability</u>	
<ul style="list-style-type: none"> • Encourage the retention of existing businesses and assist in their opportunities for growth 	X
<ul style="list-style-type: none"> • Support spinoff business opportunities from LANL 	
<ul style="list-style-type: none"> • Significantly improve the quantity and quality of retail business 	
Quality of Life	
Housing:	
<ul style="list-style-type: none"> • Priority Area -- Promote the creation of a variety of housing options for all segments of the Los Alamos Community, including infill opportunities as appropriate 	
<ul style="list-style-type: none"> • Priority Area -- Support development of affordable workforce housing 	
Education:	
<ul style="list-style-type: none"> • Support Los Alamos Public Schools' goal of ranking among the top public schools in the nation 	
<ul style="list-style-type: none"> • Partner with Los Alamos Public Schools and the University of New Mexico – Los Alamos; and support, as appropriate, the delivery of their educational services to community standards 	
Quality Cultural and Recreational Amenities:	
<ul style="list-style-type: none"> • Implement a comprehensive range of recreational and cultural amenities that enhance the Los Alamos community 	X
Environmental Stewardship:	
<ul style="list-style-type: none"> • Enhance environmental quality and sustainability balancing costs and benefits including County services and utilities 	X
Mobility:	
<ul style="list-style-type: none"> • Maintain and improve transportation and mobility 	X

Quality Governance		
	<u>Operational Excellence:</u>	
	<ul style="list-style-type: none"> • Priority Area – Implement the Comprehensive Plan with an emphasis on neighborhoods and zoning 	
	<ul style="list-style-type: none"> • Priority Area – Simplify permit requirements and improve the overall development and building code processes to become easier to work with for all participants 	
	<ul style="list-style-type: none"> • Maintain quality essential services and supporting infrastructure 	
	<ul style="list-style-type: none"> • Invest in staff development to create a high performing organization 	
	<ul style="list-style-type: none"> • Manage commercial growth well following an updated, concise, and consistent comprehensive plan 	
	<ul style="list-style-type: none"> • Establish and implement a mechanism for effective Utility policy setting and review 	
	<u>Communication:</u>	
	<ul style="list-style-type: none"> • Improve transparency in policy setting and implementation 	X
	<ul style="list-style-type: none"> • Create a communication process that provides measurable improvement in citizen trust in government 	X
	<u>Intergovernmental Relations:</u>	
	<ul style="list-style-type: none"> • Strengthen coordination and cooperation between County government, LANL, and the regional and national partners 	
	<ul style="list-style-type: none"> • Actively pursue land transfer opportunities 	X



LOS ALAMOS
where discoveries are made

FY19 Work Plan for Los Alamos County Boards and Commissions

(Fiscal Year 2019: July 1, 2018 – June 30, 2019)

Board and Commission Name: Personnel Board

Date prepared: 02/14/2018 **Date approved by Council:**

Prepared by: Leslie Geyer

This work plan will be accomplished in the following time frame:

From July 1, 2018 **to** June 30, 2019

Chairperson: Leslie Geyer **Term:** 04/01/2015 to 03/31/2018

Members and terms (1st term for all):

<u>Leslie Geyer</u>	<u>04/01/2015 – 03/31/2018</u>
<u>William Cooper</u>	<u>04/01/2015 – 03/31/2018</u>
<u>Terry Priestley</u>	<u>04/01/2017 – 03/31/2020</u>
<u>Vacant</u>	
<u>Vacant</u>	

Department Director: Denise Cassel, Human Resources Manager

Work plan developed in collaboration with Department Director? (Y/N?) Yes

Staff Liaison: Denise Cassel

Administrative Support provided by: Rosabella Romero

Council Liaison: James Chrobocinski **Reviewed by Council Liaison?** Yes

1.0 Provide a brief Summary of your Board or Commission’s activities over the past twelve months. Please describe your Board or Commission’s accomplishments and identify constraints. List any “lessons learned” and identify the greatest challenges faced by the Board or Commission.

- 1.1 For fiscal year 2018 thus far, the board has held five regular board meetings and no special meetings.
- 1.2 While the County took multiple employment actions, there has been no appeal hearings requested during the time period of July 1, 2017 to January 30, 2018.
- 1.3 The Personnel Board reviewed Personnel Rules and Regulations and discussed necessary changes. Specifically, Rules 712, 713, and 719, which were all submitted to County Council for approval. There are several more scheduled to be taken to the Personnel Board in late February.
- 1.4 County staff gave presentations on the County’s Compensation Plan, an overview of the Anti-Harassment Presentation, the new Non-Exempt Performance Planning and Appraisal Form (PPA), and PRISM (ERP) project for the County.
- 1.5 The Personnel Board made its annual presentation to Council in October 2017 sharing one of its greatest challenges is finding new board members.

2.0 Describe the future work plans for this Board or Commission using the following items and showing the relationship to those items: *(Please remember that Council approval of this work plan does not constitute official Council approval of proposed projects, assignments, or anticipated recommendations included in this work plan that have budget implications.)*

2.1 List any special projects or assignments given to this Board or Commission by Council or the Department director:

- 2.1.1 Advisory capacity in the administration of the personnel program to include the review of the personnel rules and regulations and the compensation system.
- 2.1.2 Appellate capacity to review decisions of the County Manager/Utilities Manager when employee appeals such action.
- 2.1.3 Reporting annually to the County Council on the operation of the personnel system.
- 2.1.4 Review of the Total Compensation Market Studies, and make recommendations to the compensation plan.
- 2.1.5 Provide input for the HR components of the new PRISM (ERP) software.

2.2 List the guiding documents/plans (with approval or revision dates listed) used by this Board or Commission.

- Los Alamos County Personnel Rules: 08/08/2017
- FY18 Compensation Plan/Salary Plan: 08/04/2017
- EEOC requirements: not applicable
- Reference Los Alamos County Administrative Policies, as needed during appeals: dates vary depending on the policy
- Reference LAC Departmental Policies, as needed during appeals: dates vary by department and policy

2.3 Other projects/assignments proposed by the Board or Commission: (Any projects or activities proposed in this section should be discussed with the Council Liaison prior to listing it in this work plan.)

Not applicable.

3.0 Identify any interfaces for the goals/tasks in this work plan with County Departments and other Boards and Commissions. Specify the coordination required.

- 3.1.1 Review and Revision of Compensation Plan. This requires input from the Senior Management Team, the Attorney's Office, as well as the Human Resources Division.
- 3.1.2 Review and Revision of Personnel Rules – as needed. This requires input from the Senior Management Team, the Attorney's Office, the four collective bargaining groups, County employees, as well as the Human Resources Division.
- 3.1.3 Employee Appeal Hearings – as requested. This requires coordination with the departments taking an action, the Attorney's Office and Human Resources. In addition there is coordination with the Personnel Board's attorney and the employee's attorney/representative.
- 3.1.4 Annual Overview of the Personnel System (Work Plan Report/Presentation to Council). This requires review of various personnel programs in order to provide feedback to Council.
- 3.1.5 Review of HR processes and how it pertains to PRISM (ERP) implementation. This requires input and coordination with Senior Management Team, the Attorney's Office, the Finance and Information Technology divisions, the Utilities Department, Subject Matter Experts (SME's) throughout the County, as well as the Human Resources Division.

4.0 List any special public information or involvement meetings or efforts to be conducted by this Board or Commission:

At the beginning of each meeting the public and/or employees are provided an opportunity to offer comment.

5.0 List the current subcommittees for this Board or Commission.

Not applicable

**5.1 For subcommittees with members that are not members of the parent board or commission:
List the subcommittee members and their terms.
Explain how sub- committee members are selected or appointed.
Provide a description of each subcommittee's charter or purpose.
Describe the expected duration for the subcommittee and their work plan(s) demonstrating how they support the Board or Commission:**

Attachment A: Provide a copy of your Board or Commission's "Purpose" and "Duties and Responsibilities" from Chapter 8 of the County Code:

Sec. 8-181. - Purpose.

A personnel board is established as required in the County Charter, section 306.2, to serve in an appellate and advisory capacity in the administration of the personnel program. The board shall report annually to the county council on the operation of the personnel system.

(Ord. No. 02-078, § 2, 10-3-2006)

Sec. 8-183. - Duties and responsibilities.

The personnel board shall serve in an advisory capacity and as such shall have the following functions, responsibilities and duties:

- (1) Advise council and the county manager on personnel issues not covered under a collective bargaining agreement, review and comment to council or staff, when requested, on the following:
 - a. County-wide employee survey;
 - b. Personnel rules;
 - c. Salary plan; and
 - d. Various personnel programs (i.e. benefits, employee recognition and appreciation, employee communications).

(2) Provide citizen input to staff and council on ways and means for improving the county's personnel program. For this purpose, the board shall gather public input in ways appropriate to the circumstances, which may include public hearings dedicated to specific topics.

(3) The personnel board shall serve in an appellate capacity and as such have the following functions, responsibilities and duties:

Review decisions of the county manager regarding the following actions when taken against regular employees as a disciplinary action and for cause:

- a. Suspensions;
- b. Reductions in pay;
- c. Demotions;
- d. Dismissal;
- e. Such other matters as are deemed to effect a property right of an employee under New Mexico law.

(Ord. No. 02-078, § 2, 10-3-2006; Ord. No. 02-256, § 18, 7-7-2015)

Attachment B: Using the chart below, place an X in the column on the right if the Council Goal is related to the work of the Personnel Board or Commission:

Mark all that apply

Economic Vitality		
<u>Economic Vitality:</u>		
• Priority Area – Build the local tourism economy		
• Priority Area - Revitalize and eliminate blight in Los Alamos and White Rock		
• Promote a strong and diverse economic base by encouraging new business growth		
• Collaborate with Los Alamos National Laboratory as the area's #1 employer		
<u>Financial Sustainability</u>		
• Encourage the retention of existing businesses and assist in their opportunities for growth		
• Support spinoff business opportunities from LANL		
• Significantly improve the quantity and quality of retail business		

Quality of Life	
<u>Housing:</u>	
<ul style="list-style-type: none"> • Priority Area -- Promote the creation of a variety of housing options for all segments of the Los Alamos Community, including infill opportunities as appropriate 	
<ul style="list-style-type: none"> • Priority Area -- Support development of affordable workforce housing 	
<u>Education:</u>	
<ul style="list-style-type: none"> • Support Los Alamos Public Schools' goal of ranking among the top public schools in the nation 	
<ul style="list-style-type: none"> • Partner with Los Alamos Public Schools and the University of New Mexico – Los Alamos; and support, as appropriate, the delivery of their educational services to community standards 	
<u>Quality Cultural and Recreational Amenities:</u>	
<ul style="list-style-type: none"> • Implement a comprehensive range of recreational and cultural amenities that enhance the Los Alamos community 	
<u>Environmental Stewardship:</u>	
<ul style="list-style-type: none"> • Enhance environmental quality and sustainability balancing costs and benefits including County services and utilities 	
<u>Mobility:</u>	
<ul style="list-style-type: none"> • Maintain and improve transportation and mobility 	
Quality Governance	
<u>Operational Excellence:</u>	
<ul style="list-style-type: none"> • Priority Area – Implement the Comprehensive Plan with an emphasis on neighborhoods and zoning 	
<ul style="list-style-type: none"> • Priority Area – Simplify permit requirements and improve the overall development and building code processes to become easier to work with for all participants 	
<ul style="list-style-type: none"> • Maintain quality essential services and supporting infrastructure 	X
<ul style="list-style-type: none"> • Invest in staff development to create a high performing organization 	X
<ul style="list-style-type: none"> • Manage commercial growth well following an updated, concise, and consistent comprehensive plan 	
<ul style="list-style-type: none"> • Establish and implement a mechanism for effective Utility policy setting and review 	
<u>Communication:</u>	
<ul style="list-style-type: none"> • Improve transparency in policy setting and implementation 	X
<ul style="list-style-type: none"> • Create a communication process that provides measurable improvement in citizen trust in government 	X
<u>Intergovernmental Relations:</u>	
<ul style="list-style-type: none"> • Strengthen coordination and cooperation between County government, LANL, and the regional and national partners 	
<ul style="list-style-type: none"> • Actively pursue land transfer opportunities 	



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**FY19 Work Plan for
Los Alamos County
Boards and Commissions
(Fiscal Year 2019: July 1, 2018 – June 30, 2019)**

Board and Commission Name: Planning and Zoning Commission

Date prepared: 01/30/18 **Date approved by Council:** _____

Prepared by: Anita Barela/Tamara Baer

This work plan will be accomplished in the following time frame:
from 7/1/18 **to** 6/30/19

Chairperson: Terry Priestley **Term:** ends March 2021

Members and terms:

Ashley Mamula - March 2019 (end of second term)
April Wade – March 2019 (end of partial term) **
Jean Dewart - March 2019 (end of partial term) **
Melissa Arias -- March 2020 (end of first term)
Jessie Dixon - March 2020 (end of first term)
Craig Martin - March 2020 (end of first term)
Terry Priestley – March 2021 (end of first term)
Beverly Neal-Clinton - March 2021 (end of first term)*
Neal Martin - March 2021 (end of first term)

* P&Z Vice Chair

** Partial term, filling vacated seat.

Department Director: Paul Andrus

Work plan developed in collaboration with Department Director? (Y/N?) Y

Staff Liaison: Tamara Baer **Administrative Support provided by:** Anita Barela

Council Liaison: Antonio Maggiore **Reviewed by Council Liaison?** Y

1.0 Provide a brief Summary of your Board or Commission’s activities over the past twelve months. Please describe your Board or Commission’s accomplishments and identify constraints. List any “lessons learned” and identify the greatest challenges faced by the Board or Commission.

- 1. Development of a new Mixed Use Zoning district; adopted by Council in May 2017**
- 2. Two (2) Comprehensive Plan Amendments to the Future Land Use Map**
- 3. Rezoning of approximately 56.50 total acres of County owned land on DP Road, Entrada Dr., and Parcels A-12 and A-13 to MU**
- 4. Rezoning of the Entrada Business Park to MU**
- 5. FLUM Amendment and Rezoning of 555 and 557 Oppenheimer Drive; Site Plan Approval for 557 Oppenheimer redevelopment**
- 6. Special Use Permits (1 Accessory Apartment, 1 Home Business)**
- 7. Approval of a six (6) lot Subdivision of 20th Street**
- 8. Approval of three related cases pertaining to A-19 in White Rock, including Preliminary Subdivision Plat for 160 market rate single-family homes**
- 9. Revisions to Downtown (DT) Overlays to allow all residential uses in certain districts**

Due to illness, relocation and other unanticipated events, the Planning and Zoning Commission was down by three members at the end of calendar year 2017. The second terms of two senior members expire in March 2018. The Commission was challenged to find and train fill-in members for BOA, and to recruit and have Council appoint five (5) new Commissioners for terms beginning April 1, 2018.

2.0 Describe the future work plans for this Board or Commission using the following items and showing the relationship to those items: *(Please remember that Council approval of this work plan does not constitute official Council approval of proposed projects, assignments, or anticipated recommendations included in this work plan that have budget implications.)*

Anticipated Projects include:

- 1. Recommended adoption of new Sign Code**
- 2. Recommended adoption of revised Outdoor Lighting ordinance**
- 3. Final Subdivision Plat review & approval for 160 market rate single-family homes on A-19 in White Rock – Mirador**

- 4. Site Plan review & approval for 70 apartment units of affordable housing on A-9/DP Road – Canyon Walk Apartments**
- 5. Possible Rezoning for Los Alamos Visiting Nurses property and adjacent parcels on Canyon Road**
- 6. Redevelopment of underdeveloped parcels on Trinity Drive, including Site Plan review for 20th Street parcels**
- 7. Possible redevelopment of underdeveloped parcels on Longview Drive in White Rock and the Black Hole**
- 8. Possible review and approval of new construction on Entrada Drive – Subdivision and Site Plan**
- 9. Review and approval of Site Plan for 150 new market rate apartments on A-12 and 13 – The Hill**
- 10. Continued review of land use cases**

Additional code amendments and work plan items may include the items listed below. Note that this list is neither comprehensive nor prioritized. Not all items on the list will be completed and others may be added.

- Adopting digital version of Official Zoning Maps in lieu of paper**
- Revisions and updates to Code Definitions**
- Corrections to gender language**
- Clean-up language from “County Administrator” to “County Manager”**
- Early notification and increasing communication between project proposers and neighborhoods to avoid conflict at public hearings**
- Clarification of uses in R-3-L-NC (Multiple-family residential/low density – North Community district**
- Addressing severability one time in the code; removing redundancy**
- Clarification of time frame for Appeals**
- Addressing the issue of carports and waiver requests**
- Establishing minimum distance between Manufactured Homes**
- Add ability of Chair, or Chair’s designee, to sit on BOA in the event of a vacancy on that board (16-52. (a))**

2.1 List any special projects or assignments given to this Board or Commission by Council or the Department director:
--

Continued implementation of Development Code amendments prompted by adoption of the 2016 Comprehensive Plan which include possible rezoning of some parcels and correction of mapping errors.

In addition, the Commission may be asked to help study the possible redevelopment potential of quads, which are a unique housing type in Los Alamos and present unique challenges for ownership, sale and maintenance.

2.2 List the guiding documents/plans (with approval or revision dates listed) used by this Board or Commission.

**Los Alamos Comprehensive Plan
Los Alamos County Code of Ordinances, Chapter 16, Development Code
Development Code Appeals, Council Procedures, adopted by Council Resolution on
04/15/16**

2.3 Other projects/assignments proposed by the Board or Commission: (*Any projects or activities proposed in this section should be discussed with the Council Liaison prior to listing it in this work plan.*)

3.0 Identify any interfaces for the goals/tasks in this work plan with County Departments and other Boards and Commissions. Specify the coordination required.

The Planning and Zoning Commission will coordinate with other Boards, Commissions and Committees as needed, as well as with the Los Alamos Commerce and Development Corporation, to implement any proposed code changes, and with the Historic Preservation Advisory Board on a Historic District Zoning Overlay and possible base rezoning of affected properties. The P&Z Commission will liaison with the Tourism Implementation Task Force, as needed.

4.0 List any special public information or involvement meetings or efforts to be conducted by this Board or Commission:

Anticipated Projects that will be of public interest include:

- 1. Recommended adoption of new Sign Code**
- 2. Recommended adoption of revised Outdoor Lighting ordinance**
- 3. Possible redevelopment of underdeveloped parcels on Longview Drive in White Rock and the Black Hole**

For these projects listed above, the P&Z members will work with County staff and the PIO to develop separate public information and involvement/outreach plans that will include but not be limited to press releases and ads for public meetings that are set to occur beyond P&Z meetings, or to be held in combination with a P&Z regular meeting but with heightened outreach at least ten days prior to meetings in order to notify the public.

Interviews in advance with the LA Daily Post and the LA Monitor will be offered at least a

week in advance to alert the public to the possible issues or projects coming up that might impact them in their neighborhood. Meetings will be listed on the P&Z Facebook page, in the County Line or other outreach outlets. Surveys such as through Open Forum or attendance at events to gather citizen input outside of P&Z meetings may be required. Details will be outlined in the PIIP and ads will be paid for by CDD.

If the P&Z Commission decides to work on any of the additional code amendments and work plan items listed below, PIIPs will be required and Staff will work with the PIO. Ads, press releases, interviews, use of social media similar to what is noted above for the three projects will be typical of these plan elements and ads will be paid for by CDD.

- Revisions and updates to Code Definitions
- Early notification and increasing communication between project proposers and neighborhoods to avoid conflict at public hearings
- Clarification of uses in R-3-L-NC (Multiple-family residential/low density – North Community district)

5.0 List the current subcommittees for this Board or Commission.

<p>5.1 For subcommittees with members that are not members of the parent board or commission: List the subcommittee members and their terms. Explain how sub- committee members are selected or appointed. Provide a description of each subcommittee’s charter or purpose. Describe the expected duration for the subcommittee and their work Plan (s) demonstrating how they support the Board or Commission:</p>

Board of Adjustment (formerly Variance Board) is comprised of three members of the Planning and Zoning Commission who volunteer to serve and are appointed by the County Council. Board of Adjustment (BOA) members serve concurrent with the Planning & Zoning Commissioner's current term, including any period during which the member serves until replaced or reappointed. The BOA generally meets once or twice a month, on Mondays, when a request for a waiver is pending. Eighteen (18) Waiver cases were heard in CY 2017.

The Board of Adjustment is responsible for hearing and deciding on applications for waivers to the standards established in Chapter 16, the Development Code, of the Los Alamos County Code of Ordinances.

Due to illness, relocation and other unanticipated events, three new BOA members need to be appointed as soon as the full new P&Z Commission is seated.

Attachment A: Provide a copy of your Board or Commission’s “Purpose” and “Duties and Responsibilities” from Chapter 8 of the County Code:

ARTICLE IX. - PLANNING AND ZONING COMMISSION

Sec. 8-201. - Purpose.

The county council has determined that the coordinated, comprehensive, orderly, and harmonious physical development of the county in both the short and long term will be best served through the establishment of a planning and zoning commission. Pursuant to NMSA 1978, § 4-57-1, the county council will appoint a planning and zoning commission for making advisory recommendations to the county council regarding planning and zoning for the county and for promoting the general welfare of the citizens of the county.

(Ord. No. 02-078, § 2, 10-3-2006)

Sec. 8-203. - Duties and responsibilities.

(a) The planning and zoning commission shall serve in an advisory capacity and shall have the following functions, responsibilities and duties:

- (1) From time to time, the planning and zoning commission may undertake such study, training, and investigations as may be deemed necessary to carry out the powers and duties listed in subsections (a)(2) and (a)(3) below.
- (2) The planning and zoning commission shall hold a public hearing in accordance with the requirements of chapter 16 article XI of this Code and shall forward a recommendation to the county council on the following applications:
 - a. Application for adoption of and amendments to the text of chapter 16;
 - b. Application for adoption of and amendments to the official zoning map;
 - c. Application for adoption of and amendments to the comprehensive plan. The planning and zoning commission may from time to time recommend amendments, extensions or deletions to the comprehensive plan or carry any part or subject matter into greater detail;
 - d. Application for addition, deletion or change in category to the uses allowed in any district as set forth in the chapter 16 index of land uses.
- (3) Provide citizen input to staff and council on ways and means for improving the county's planning and zoning functions including formulation of the comprehensive plan, changes in the official zoning map, and updates and revisions to chapter 16 of the County Code as may be required. For this purpose, the board shall gather public input in ways appropriate to the circumstances, which may include public hearings dedicated to specific topics.
- (4) Review and act upon all planning, zoning, and comprehensive plan related matters submitted to the commission by council.

(b) The planning and zoning commission shall serve in a regulatory capacity and as such have the following functions, responsibilities and duties:

- (1) Hold a public hearing in accordance with the requirements of Los Alamos County Code chapter 16 article XI and shall have the authority to approve, conditionally approve or disapprove the following applications:
 - a. Application for approval of a site plan except an application on which the community development director acts pursuant to subsection 16-51(b);
 - b. Application for special use permit;
 - c. Subdivision applications: sketch, preliminary and final plats; and summary plats when referred to the planning and zoning commission by the community development director;
 - d. Application or decision making authority referred to it by the community development director.

(c) The planning and zoning commission shall serve in an appellate capacity and as such have the following functions, responsibilities and duties in accordance with this article:

- (1) Hear appeals from a decision or determination of the community development director with respect to any matter (except personnel) other than an interpretation of this County of Los Alamos Development Code. The planning and zoning commission shall either affirm, overturn, or modify the decision of the community development director, or remand the matter to the community development director, as appropriate.
- (2) Hear appeals from a decision of the community development director requiring an interpretation of the County of Los Alamos Development Code. The interpretation of the Code made by the community development director must be in writing. The planning and zoning commission shall affirm the interpretation of this Code determined by the community development director, or remand the matter to the community development director for further consideration in accordance with the instructions of the planning and zoning commission. (Ord. No. 02-078, § 2, 10-3-2006)

Board of Adjustment

[From Chapter 16 of the Development Code]

Sec. 16-52. - Board of adjustment

- (a) *Board of adjustment established.* The board of adjustment is hereby established. The board of adjustment will consist of three members of the planning and zoning commission appointed by the county council. The planning and zoning commission shall nominate members for appointment to the board of adjustment. The chairperson of the planning and zoning commission shall not be eligible to serve as a regular member of the board of adjustment. Each member of the board of adjustment shall serve a term ending concurrently with the member's then current term as a member of the planning and zoning commission, including any period during which the member serves until replaced or reappointed. The chairperson of the planning and zoning commission shall serve as an alternate member of the board of adjustment and the chairperson or the chairperson's designee may sit in place of any member of the board of adjustment that is unable to attend a regular or special meeting of the board of adjustment, or is disqualified to act on a matter due to a conflict of interest.
- (b) *Powers and duties.* The board of adjustment shall hold a public hearing in accordance with the requirements of article XI and shall have the authority to approve, conditionally approve or disapprove the following:
 - (1) Applications for waivers to the requirements of this chapter, except that the board of adjustment shall not consider waivers to the public works construction standards referenced in the chapter; and
 - (2) Application or decision making authority referred to the board of adjustment by the community development director as set forth in subsection 16-51(c)4.
- (c) *Conditions of approval.* In granting conditional approval, the board of adjustment may only impose such conditions as are reasonably necessary to meet the approval criteria of section 16-157, including the granting of waivers more restrictive than those originally requested by the applicant.
- (d) *Meetings.* Two members of the board of adjustment shall be a quorum for the conduct of business and approval of a waiver or application considered by the board of adjustment shall require a motion and affirmative vote of at least two members of the board of adjustment.
(Ord. No. 02-084, § 2, 3-27-2007)

Editor's note—

Ord. No. 02-084, § 2, adopted March 27, 2007, amended section 16-52 in its entirety to read as herein set out. Former section 16-52, pertained to variance board, and derived from Ord. No. 85-301, § 1, 11-6-01.

Attachment B: Using the chart below, place an X in the column on the right if the Council Goal is related to the work of the Planning & Zoning Commission:

Mark all that apply

Economic Vitality		
	Priority Area and Priority Goals are highlighted	
	Economic Vitality:	
	<ul style="list-style-type: none"> Build the local tourism economy. 	X
	<ul style="list-style-type: none"> Revitalize and eliminate blight in Los Alamos and White Rock. 	X
	<ul style="list-style-type: none"> Promote a strong and diverse economic base by encouraging new business growth. 	X
	<ul style="list-style-type: none"> Collaborate with Los Alamos National Laboratory as the area's #1 employer. 	
	Financial Sustainability:	
	<ul style="list-style-type: none"> Encourage the retention of existing businesses and assist in their opportunities for growth. 	X
	<ul style="list-style-type: none"> Support spinoff business opportunities from LANL. 	X
	<ul style="list-style-type: none"> Significantly improve the quantity and quality of retail and tourism business. 	
Quality of Life		
	Priority Area and Priority Goals are highlighted	
	Housing:	
	<ul style="list-style-type: none"> Promote the creation of a variety of housing options for all segments of the Los Alamos Community, including infill opportunities as appropriate. 	X
	<ul style="list-style-type: none"> Support development of affordable workforce housing. 	X
	Education:	
	<ul style="list-style-type: none"> Support Los Alamos Public Schools' goal of ranking among the top public schools in the nation. 	
	<ul style="list-style-type: none"> Partner with Los Alamos Public Schools and the University of New Mexico – Los Alamos; and support, as appropriate, the delivery of their educational services to community standards. 	
	Quality Cultural and Recreational Amenities:	
	<ul style="list-style-type: none"> Implement a comprehensive range of recreational and cultural amenities that enhance the Los Alamos community. 	
	Environmental Stewardship:	
	<ul style="list-style-type: none"> Enhance environmental quality and sustainability balancing costs and benefits including County services and utilities. 	
	Mobility:	
	<ul style="list-style-type: none"> Maintain and improve transportation and mobility. 	

Quality Governance		
	Priority Areas and Priority Goals are highlighted	
	Operational Excellence:	
	<ul style="list-style-type: none"> Implement the Comprehensive Plan with an emphasis on neighborhoods and zoning. 	X
	<ul style="list-style-type: none"> Simplify permit requirements and improve the overall development and building code processes to become easier to work with for all participants. 	X
	Operational Excellence:	
	<ul style="list-style-type: none"> Maintain quality essential services and supporting infrastructure. 	
	<ul style="list-style-type: none"> Invest in staff development to create a high performing organization. 	
	<ul style="list-style-type: none"> Manage commercial growth well following an updated, concise, and consistent comprehensive plan. 	X
	<ul style="list-style-type: none"> Establish and implement a mechanism for effective Utility policy setting and review. 	
	Communication:	
	<ul style="list-style-type: none"> Improve transparency in policy setting and implementation. 	X
	<ul style="list-style-type: none"> Create a communication process that provides measurable improvement in citizen trust in government. 	X
	Intergovernmental Relations:	
	<ul style="list-style-type: none"> Strengthen coordination and cooperation between County government, LANL, and the regional and national partners. 	
	<ul style="list-style-type: none"> Actively pursue land transfer opportunities. 	



LOS ALAMOS

where discoveries are made

FY19 Work Plan for Los Alamos County Boards and Commissions

(Fiscal Year 2019: July 1, 2018 – June 30, 2019)

Board and Commission Name: Transportation Board

Date prepared: January 4, 2017 **Date approved by Council:** _____

Prepared by: Members of the Transportation Board and County Staff

This work plan will be accomplished in the following time frame: July 1, 2018 to June 30, 2019.

Chairperson: Sriram Swaminarayan

Members and terms:

- Don Machen; term expires February 28, 2019
- Nancy Barnes; term expires February 28, 2019
- David Schiferl; term expires February 29, 2019
- Kyle Wheeler; term expires February 28, 2019
- Terence Foecke; term expires February 28, 2020
- Julie Bennett; term expires February 28, 2020
- Sriram Swaminarayan; term expires February 28, 2020

Department Director: Philo Shelton

Work plan developed in collaboration with Department Director? Yes

Staff Liaison: Philo Shelton

Administrative Support provided by: Louise Romero

Council Liaison: Susan O’Leary **Reviewed by Council Liaison?** Yes

1.0 Provide a brief Summary of your Board or Commission’s activities over the past twelve months. Please describe your Board or Commission’s accomplishments and identify constraints. List any “lessons learned” and identify the greatest challenges faced by the Board or Commission.

1. Received public comment, reviewed, or monitored progress of the following issues/projects:
 - a. Reviewed and approved 2017 Bicycle Transportation Plan
 - b. Received Bronze Level Bike Friendly Community, American League of Bicyclists
 - c. Installed Transit’s Automatic Vehicle Location System
 - d. Reviewed Americans with Disabilities Act (ADA) Transition Plan
 - e. Reviewed designs for NM502 Project with NMDOT
 - f. Developed Urban Bike Path
 - g. Monitored 20th Street Extension Project
 - h. Monitored North Mesa Improvements Project Phase 1
 - i. Reviewed Pavement Condition Index Plan
 - j. Researched Complete Street concepts in similar communities nation-wide.
 - k. Reviewed Title VI Plan
 - l. Reviewed North Road Traffic Calming
 - m. Reviewed Urban Street Traffic Calming
 - n. Reviewed Paratransit Policies and Procedures
 - o. Reviewed Transit Customer Service Policy and Disruptive Passenger Conduct Policy
 - p. Developed Complete Streets Design Check List
 - q. Approved Route 2 Service Expansion
 - r. Monitored Supplemental Environmental Projects
2. Approved 2017-2018 Snow & Ice Control Plan
3. Greatest challenges: Recruitment of new board members continues to be greatest challenge for the board.

2.0 Describe the future work plans for this Board or Commission using the following items and showing the relationship to those items: (Please remember that Council approval of this work plan does not constitute official Council approval of proposed projects, assignments, or anticipated recommendations included in this work plan that have budget implications.)

2.1 List any special projects or assignments given to this Board or Commission by Council or the Department director:

1. Review and monitor major construction and renovation plans for transportation facilities such as roads, streets, multi-use pathways, sidewalks and trails, airport, and public transit. Host public meetings as requested, and forward any submitted public comment throughout project completion to staff. Identifies ongoing and upcoming projects:
 - a. A-19 Development
 - b. NM 502 Improvements construction
 - c. Traffic signalization at 20th Street
 - d. Trinity Drive Safety & ADA Improvements
 - e. A-9 Affordable Housing on DP Road
 - f. Pavement Rehabilitation
 - g. Airport Fence Replacement

- h. Airport Hangar Construction
 - i. Bus Stop Improvement Plan
 - j. DP Road Improvements
 - k. ADA Plan Updates
 - l. Complete Street Policy Review
 - m. Department of Energy – Supplemental Environmental Projects
 - n. Wayfinding for MainStreet District
 - o. Canyon Rim Trail Phase III
 - p. Canyon Rim Trail Underpass
 - q. North Mesa Phase II
 - r. Residential LED Street Light Replacement Plan
- 2. Review Snow and Ice Control Plan annually and make recommendations before October 15.
 - 3. Review projects to ensure adherence to current standards and policies to ensure/improve the safety and efficiency of all modes of transportation including:
 - a. The 2017 Bicycle Transportation System Plan
 - b. The Policy of the Design of Public Streets and Rights-of-way, (Res. No. 10-32; Nov 2010).
 - c. Complete Streets Checklist
 - 4. Host or attend public meetings as requested by Council or staff.

2.2 List the guiding documents/plans (with approval or revision dates listed) used by this Board or Commission.
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- a. Bicycle Transportation System Plan; 2017
- b. Policy on the Design of Public Streets and Rights of Way, (Res. No. 10-32; Nov 2010)
- c. Los Alamos County Comprehensive Transit Study/Updated Service Plan
- d. Airport Master Plan, 2013.
- e. ADA Transition Plan 2017
- f. Complete Streets Plan 2017
- g. Pedestrian Transportation Plan 1998

2.3 Other projects/assignments proposed by the Board or Commission: <i>(Any projects or activities proposed in this section should be discussed with the Council Liaison prior to listing it in this work plan.)</i>

- a. Attend 2-3 events a year in collaboration with the Transit and Airport Divisions to provide transportation related information and interact with the public.
- b. Have project public meetings in conjunction with monthly Transportation Board meetings.

3.0 Identify any interfaces for the goals/tasks in this work plan with County Departments and other Boards and Commissions. Specify the coordination required.

- a. Continue working with Environmental Sustainability Board regarding the transportation component in the Environmental Sustainability Plan.
- b. Maintain awareness and responsiveness to airport issues, including transportation to and from the airport.

- c. Identify common and/or interrelated issues/opportunities of interest that may exist between the Transportation Board and other county Boards/Commissions and propose collaborative work sessions or training.
- d. Utilize Legistar to track Transportation Board motions and action items from initiation to completion.
- e. Facilitate implementation of road and parking lot design standards that minimize untreated storm water run-off.
- f. American League of Bicyclists Silver Level
- g. Tourism Strategic Planning Effort (assign a Liaison with the Tourism Implementation Task Force as needed or requested.)

4.0 List any special public information or involvement meetings or efforts to be conducted by this Board or Commission:
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1. In collaboration with the Transit Division attend transportation related activities which shuttle service is provided to the community. The Transit Division provides shuttle service for the following activities:

- 4th of July Fireworks Show
- Nature Center /Earth Day
- Halloween Shuttle
- St. Patrick's Day Shuttle
- New Year's Eve Shuttle
- Senior Appreciation Night
- Skiesta Shuttle
- Ullr Fest
- ScienceFest
- Opera on the Rocks
- Summer Concert Series

2. In collaboration with the Airport Division attend transportation related activities provided to the community. The Airport Division participates in the following activities:

- Young Eagles
- Public Airport Day
- Taste of the Sky

3. In collaboration with the Traffic & Streets Division attend transportation related activities provided to the community. The Traffic & Streets Division participates in the following activities:

- Touch a Truck Day – in May in conjunction with Public Works Week

4. In collaboration with the Engineering Division attend transportation related activities provided to the community. The Engineering Division participates in the following activities:

- Bike to Work Day

5.0 List the current subcommittees for this Board or Commission.

1. At this time - there are no subcommittees.

**5.1 For subcommittees with members that are not members of the parent board or commission:
List the subcommittee members and their terms.
Explain how sub- committee members are selected or appointed.
Provide a description of each subcommittee’s charter or purpose.
Describe the expected duration for the subcommittee and their work plan(s) demonstrating how they support the Board or Commission:**

Attachment A: Provide a copy of your Board or Commission’s “Purpose” and “Duties and Responsibilities” from Chapter 8 of the County Code:

ARTICLE XI. Transportation Board

Sec. 2-281. Purpose.

A transportation board is established to advise the county council and make recommendations regarding improvements in traffic conditions and all modes of transportation within the county. (Ord. No. 02-278, § 2. 10-3-2006)

Sec. 8-282. Duties and responsibilities.

The transportation board shall serve in an advisory capacity to the county council and shall have the following functions, responsibilities and duties:

1. Review and comment to council on transportation master plans for all modes of transportation;
2. For the purpose of collecting public input, review all major county construction and renovation plans for county transportation facilities (such as, but not limited to, roads, streets, bicycle paths, the airport, sidewalks, transit, and trails) with the purpose of ensuring that all modes of transportation (e.g., pedestrian, bicycle transit, low speed vehicles, and aviation, if appropriate) are adequately treated in such projects;
3. Review and provide input to council, not later than October 15, on any recommended changes to the snow and ice control plan;
4. Review all traffic and transportation matters submitted to the board by the council; and Advise council on ways and means for improving transportation and traffic conditions. For this purpose, when requested by staff or council, the board shall gather public input in ways appropriate to the circumstances, which may include public hearings dedicated to specific topics. (Ord. No. 02-278, § 2. 10-3-2006)

Attachment B: Using the chart below, place an X in the column on the right if the Council Goal is related to the work of the Transportation Board:

Mark all that apply

Economic Vitality	
<u>Economic Vitality:</u>	
• Priority Area – Build the local tourism economy	X
• Priority Area - Revitalize and eliminate blight in Los Alamos and White Rock	X
• Promote a strong and diverse economic base by encouraging new business growth	
• Collaborate with Los Alamos National Laboratory as the area's #1 employer	
<u>Financial Sustainability</u>	
• Encourage the retention of existing businesses and assist in their opportunities for growth	X
• Support spinoff business opportunities from LANL	
• Significantly improve the quantity and quality of retail business	
Quality of Life	
<u>Housing:</u>	
• Priority Area -- Promote the creation of a variety of housing options for all segments of the Los Alamos Community, including infill opportunities as appropriate	
• Priority Area -- Support development of affordable workforce housing	
<u>Education:</u>	
• Support Los Alamos Public Schools' goal of ranking among the top public schools in the nation	
• Partner with Los Alamos Public Schools and the University of New Mexico – Los Alamos; and support, as appropriate, the delivery of their educational services to community standards	
<u>Quality Cultural and Recreational Amenities:</u>	
• Implement a comprehensive range of recreational and cultural amenities that enhance the Los Alamos community	X
<u>Environmental Stewardship:</u>	
• Enhance environmental quality and sustainability balancing costs and benefits including County services and utilities	X
<u>Mobility:</u>	
• Maintain and improve transportation and mobility	X

Quality Governance		
	<u>Operational Excellence:</u>	
	<ul style="list-style-type: none"> • Priority Area – Implement the Comprehensive Plan with an emphasis on neighborhoods and zoning 	
	<ul style="list-style-type: none"> • Priority Area – Simplify permit requirements and improve the overall development and building code processes to become easier to work with for all participants 	
	<ul style="list-style-type: none"> • Maintain quality essential services and supporting infrastructure 	X
	<ul style="list-style-type: none"> • Invest in staff development to create a high performing organization 	
	<ul style="list-style-type: none"> • Manage commercial growth well following an updated, concise, and consistent comprehensive plan 	X
	<ul style="list-style-type: none"> • Establish and implement a mechanism for effective Utility policy setting and review 	
	<u>Communication:</u>	
	<ul style="list-style-type: none"> • Improve transparency in policy setting and implementation 	X
	<ul style="list-style-type: none"> • Create a communication process that provides measurable improvement in citizen trust in government 	X
	<u>Intergovernmental Relations:</u>	
	<ul style="list-style-type: none"> • Strengthen coordination and cooperation between County government, LANL, and the regional and national partners 	
	<ul style="list-style-type: none"> • Actively pursue land transfer opportunities 	