



County of Los Alamos

Los Alamos, NM 87544
www.losalamosnm.us

Agenda - Final County Council - Regular Session

*Sara Scott, Council Chair; Pete Sheehey, Vice-Chair; David
Izraelevitz; Antonio Maggiore; James Robinson; Randall Ryt; and Katrina Schmidt, Councilors*

Tuesday, August 6, 2019

6:00 PM

Council Chambers - 1000 Central Avenue
TELEVISED

1. OPENING/ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. PUBLIC COMMENT
4. APPROVAL OF AGENDA
5. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS
 - A. [12155-19](#) Proclamation declaring the Month of August as "Bear Month" in Los Alamos County (accepted by Kathleen Ramsey)

Presenters: County Council - Regular Session
6. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA
7. CONSENT AGENDA

August 6, 2019 Consent Motion:

Consent Motion -

- A. [RE0415-19](#) Incorporated County of Los Alamos Resolution No. 19-17; A Resolution Appointing Utah Associated Municipal Power Systems ("UAMPS") Member Representative

Presenters: Philo Shelton, Utilities Manager

Attachments: [A - Resolution 19-17](#)
[B - Notice of Publication.pdf](#)
- B. [12142-19](#) County Council Minutes for July 23, 2019

Presenters: Naomi Maestas

Attachments: [A - Draft County Council Minutes for July 23, 2019](#)

- C. [12163-19](#) Amendment to the FY20 Compensation and Classification Plan, the re-grading of the Telecommunications Network Specialist Job Description.

Presenters: Denise Cassel, Human Resources Manager

Attachments: [A - FY20 Salary Plan - Job Class Order.pdf](#)
 [B - Telecommunications Specialist Job Description.pdf](#)

8. INTRODUCTION OF ORDINANCE(S)

- A. [OR0856-19](#) Incorporated County of Los Alamos Ordinance No. 695; AN ORDINANCE ADOPTING AN ECONOMIC DEVELOPMENT PROJECT FOR PUBLIC SUPPORT OF TNJLA LLC., A NEW MEXICO CORPORATION

Presenters: Joanie Ahlers, Economic Development Administrator

Attachments: [A - Incorporated County of Los Alamos Ordinance No. 695](#)

- B. [OR0857-19](#) Introduction of Incorporated County of Los Alamos Ordinance No. 696 Providing for the Transfer of Land to Los Alamos Public Schools

Presenters: Harry Burgess, County Manager

Attachments: [A - Incorporated County of Los Alamos Ordinance No. 696 Providing for the Transfer of Land to Los Alamos Public Schools](#)
 [B - Sullivan field parking lot map](#)

9. PUBLIC HEARING(S)

- A. [12101-19](#) New Liquor License Application No.1119254, Small Brewer 2nd Off-Site Location Liquor License, filed by Applicant, Boese Brothers Brewing, LLC, 145 Central Park Square, Los Alamos, NM 87544.

Presenters: County Council - Regular Session

Attachments: [A - Boese Brothers Brewing, LLC - Publication Form.pdf](#)
 [B - Boese Brothers Brewing, LLC - PD Memo.pdf](#)
 [C - Boese Brothers Brewing, LLC - CDD Memo.pdf](#)
 [D - Boese Brothers Brewing, LLC Liquor License Application 1119254.pdf](#)

10. BUSINESS

- A. [RE0417-19](#) Incorporated County of Los Alamos Resolution No. 19-18; A

Resolution Authorizing and Approving an Increase in the Participant's Entitlement Share Under the Carbon Free Power Project Power Sales Contract for the Lay-off Power Sales Agreement Associated with Joint Use Module Plant Operations at the Carbon Free Power Project; and Related Matters

Presenters: Philo Shelton, Utilities Manager

Attachments: [A - Resolution 19-18](#)
[B - Notice of Publication](#)

11. COUNCIL BUSINESS

- A. *Appointments***
- B. *Board, Commission and Committee Liaison Reports***
- C. *County Manager's Report***
- D. *Council Chair Report***
- E. *General Council Business***
- F. *Approval of Councilor Expenses***
- G. *Preview of Upcoming Agenda Items***

12. COUNCILOR COMMENTS

13. PUBLIC COMMENT

14. ADJOURNMENT

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



County of Los Alamos

Staff Report

August 06, 2019

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: A.

Index (Council Goals):

Presenters: County Council - Regular Session

Legislative File: 12155-19

Title

Proclamation declaring the Month of August as "Bear Month" in Los Alamos County (accepted by Kathleen Ramsey)

Body

WHEREAS: Los Alamos is blessed with an abundance of wildlife, and healthy wildlife populations have a positive impact on the Los Alamos community - our community is notably home to the American Black Bear; and

WHEREAS: Five key bear-safety practices should be added to our daily routines and recreational activities. When out in the wilderness, make noise so that a bear is not surprised by human presence, stay alert and actively look for signs of bears; never approach or crowd bears; keep food, garbage, and other attractants out of reach of bears; stay calm during a bear encounter, and do not run; and

WHEREAS: Humans can also reduce the likelihood of bear encounters around the home by removing bird feeders, securing garbage in bear-resistant containers, not feeding bears, planting gardens away from game trails, and frequently turning compost; and

WHEREAS: The Los Alamos Nature Center, the Pajarito Environmental Education Center, Land of Enchantment Wildlife Foundation, and many other local and state agencies will present many different bear education events throughout the month of August, including hosting New Mexico's only Bear Festival on August 24th;

NOW, THEREFORE, on behalf of the Council of the Incorporated County of Los Alamos, I do hereby designate August 2019 as:

"BEAR MONTH"

and urge our citizens to participate in this event by learning about bear safety and responsibility for peaceful coexistence with these remarkable animals so that they can continue to thrive across our county and state for generations to come.



County of Los Alamos

Staff Report

August 06, 2019

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.:

Index (Council Goals):

Presenters:

Title

August 6, 2019 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

August 06, 2019

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: A.

Index (Council Goals): * 2019 Council Goal - N/A

Presenters: Philo Shelton, Utilities Manager

Legislative File: RE0415-19

Title

Incorporated County of Los Alamos Resolution No. 19-17; A Resolution Appointing Utah Associated Municipal Power Systems ("UAMPS") Member Representative

Recommended Action

I move that Council adopt Incorporated County of Los Alamos Resolution No. 19-17; A Resolution Appointing Utah Associated Municipal Power Systems ("UAMPS") Member Representative.

..Utilities Manager's Recommendation

The Utilities Manager recommends that Council adopt the resolution as presented.

Board, Commission or Committee Recommendation

The Board of Public Utilities recommends that Council adopt the resolution as presented.

Body

In February 2014, County Council approved a resolution agreeing to membership in Utah Associated Municipal Power Systems (UAMPS). This resolution is to appoint Philo Shelton, Utilities Manager, as the new Member Representative to UAMPS.

Alternatives

Council could choose not to adopt the resolution, in which case, Los Alamos County would not have representative member of UAMPS.

Fiscal and Staff Impact/Planned Item

None

Attachments

- A - Resolution 19-17
- B - Notice of Publication

INCORPORATED COUNTY OF LOS ALAMOS RESOLUTION NO. 19-17

**A RESOLUTION APPOINTING UTAH ASSOCIATED MUNICIPAL
POWER SYSTEMS ("UAMPS") MEMBER REPRESENTATIVE**

WHEREAS, Incorporated County of Los Alamos Resolution No. 14-13 appointed Timothy A. Glasco, Utilities Manager, as its representative to Utah Associated Municipal Power Systems ("UAMPS"); and

WHEREAS, Timothy A. Glasco has retired from the position of Utilities Manager, and Philo S. Shelton III has filled the position of Utilities Manager; and

WHEREAS, Resolution No. 14-13 is hereby repealed, and Philo S. Shelton III shall now serve as the Incorporated County of Los Alamos representative to UAMPS.

BE IT RESOLVED by the Council of the Incorporated County of Los Alamos that:

Section 1. Philo S. Shelton III, Utilities Manager, is hereby appointed as its representative to Utah Associated Municipal Power Systems ("UAMPS"), together with such alternate or alternates as the Council shall appoint.

Section 2. The Council hereby appoints Steve Cummins, Deputy Utilities Manager for Power Supply, as its alternate.

Section 3. This Resolution shall remain in effect until repealed by another Resolution appointing a different representative to UAMPS.

PASSED AND ADOPTED this 6th day of August, 2019.

**COUNCIL OF THE INCORPORATED
COUNTY OF LOS ALAMOS, NEW MEXICO**

**Sara C. Scott,
Council Chair**

ATTEST: (Seal)

**Naomi D. Maestas,
Los Alamos County Clerk**

NOTICE OF RESOLUTION NO. 19-17

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 Resolution No. 19-17. This will be considered by the County Council at an open meeting on Tuesday, August 6, 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 RESOLUTION NO. 19-17

**A RESOLUTION APPOINTING UTAH ASSOCIATED MUNICIPAL POWER SYSTEMS ("UAMPS")
MEMBER REPRESENTATIVE**

Council of the Incorporated County of Los Alamos

By: /s/ Sara C. Scott, Council Chair

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

Publication Date: Thursday, July 18, 2019



County of Los Alamos

Staff Report

August 06, 2019

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: B.

Index (Council Goals): * 2019 Council Goal - Other

Presenters: Naomi Maestas

Legislative File: 12142-19

Title

County Council Minutes for July 23, 2019

Recommended Action

I move that Council approve the County Council Minutes for July 23, 2019

Clerk's Recommendation

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

Attachments

A-County Council Minutes for July 23, 2019

Minutes

County Council – Work Session

*Sara Scott, Council Chair; Pete Sheehey, Council Vice-Chair;
David Izraelevitz, Antonio Maggiore, James Robinson,
Randall Ryti, and Katrina Schmidt, Councilors*

Tuesday, July 23, 2019

6:00 PM

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

1. OPENING/ROLL CALL

The Council Chair, Sara Scott, called the meeting to order at 6:02 p.m.

The following Councilors were in attendance:

Present: 6 - Councilor Scott, Councilor Sheehey, Councilor Izraelevitz, Councilor Maggiore,
Councilor Robinson, and Councilor Ryti

Absent: 1 - Councilor Schmidt

2. PLEDGE OF ALLEGIANCE

Led by: All.

3. STATEMENT REGARDING CLOSED SESSION

A motion was made by Councilor Maggiore, seconded by Councilor Izraelevitz, that Council approve the following statement for inclusion in the minutes: "The matters discussed in the closed session held on July 23, 2019 at 5 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 Scott, Councilor Sheehey, Councilor Izraelevitz, Councilor Maggiore,
Councilor Robinson, and Councilor Ryti

Absent: 1 - Councilor Schmidt

4. PUBLIC COMMENT

Ms. Leslie Linke, 35 San Juan, Historic Preservation Advisory Board Chair, spoke regarding the Fuller Lodge Interpretive Plan.

5. APPROVAL OF AGENDA

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

The motion passed by acclamation with the following vote:

Yes: 6 - Councilor Scott, Councilor Sheehey, Councilor Izraelevitz, Councilor Maggiore, Councilor Robinson, and Councilor Ryti

Absent: 1 - Councilor Schmidt

6. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

A. Presentation by Jennifer Cramer, Forest Planner, of the Santa Fe National Forest on Draft Land Management Plan

Ms. Cramer, Santa Fe National Forest, spoke.
Mr. Sandy Hurlocker, Espanola District Ranger, spoke.
Ms. Erin Barton, Senior Planner, Santa Fe National Forest, spoke.
Mr. Brian Brogan, Community Services Director, spoke.

No action taken.

B. Briefing to Council by Terry Priestley, Chair of the Planning and Zoning Commission

Mr. Priestley, Planning and Zoning Commission Chair, spoke.
Mr. Paul Andrus, Community Development Director, spoke.
Mr. Kevin Powers, Assistant County Attorney, spoke.

No action taken.

7. BUSINESS

A. County Council Minutes for July 9, 2019

A motion was made by Councilor Maggiore, seconded by Councilor Sheehey, that Council approve the County Council Minutes for July 9, 2019 with the following discussed changes by adding two commas: "*Council, staff, and associated boards*" under the SECOND substitute motion in item 8.A.

The motion passed with the following vote:

Yes: 6 - Councilor Scott, Councilor Sheehey, Councilor Izraelevitz, Councilor Maggiore, Councilor Robinson, and Councilor Ryti

Absent: 1 - Councilor Schmidt

8. PUBLIC COMMENT

None.

9. ADJOURNMENT

The meeting adjourned at 7:52 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

Sara C. Scott, Council Chair

Attest:

Naomi D. Maestas, County Clerk

Meeting Transcribed by: Victoria L. Martinez, Deputy Clerk



County of Los Alamos

Staff Report

August 06, 2019

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: C.

Index (Council Goals):

Presenters: Denise Cassel, Human Resources Manager

Legislative File: 12163-19

Title

Amendment to the FY20 Compensation and Classification Plan, the re-grading of the Telecommunications Network Specialist Job Description.

Recommended Action

I recommend that Council approve the amendment to the FY20 Compensation and Classification Plan.

County Manager's Recommendation

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

Body

The Information Management Division has made changes to the Telecommunications Network Specialist job description with the retirement of the incumbent. The change was removal of two certifications, the BICSI Level II Installer and the requirement of an EE-98J, Journeyman Electrician License. Previously the County was in a position where much of the IM infrastructure was being developed and installed, now the County has progressed to more of a maintenance and less significant installation mode. The removal of these two certifications, necessitated a re-grading of the position. With the proposed changes to the job description, the job description has been evaluated and downgraded, it is recommended the job description now be graded at a Grade 120, (\$20.22-\$29.81) FLSA Non-Exempt. Previously, the Telecommunications Network Specialist job description was a Grade 126 (\$27.10-\$39.95) FLSA Non-Exempt.

Alternatives

Council could choose to not approve the amendment to the FY20 Compensation and Classification Plan.

Attachments

- A - FY20 Salary Plan - Job Class Order
- B - Telecommunications Network Specialist Job Description

Los Alamos County
FY20 Salary Plan Job Class Order
Rates effective July 14, 2019

Attachment A

MUNIS Job Code	Change	Occupational Job Families and Job Classes	Approved					Change In Grade	Exempt/ Non- Exempt	
			Current Grade	New Grade	Minimum	Midpoint	Maximum			
↓ asterix=benchmarked job, red=new change										
Executive Management/At-Will Series										
101		Deputy County Manager	308	308	\$132,448	\$163,846	\$195,245		EX	
400	*	Police Chief	306	306	\$120,134	\$148,613	\$177,092		EX	
460	*	Fire Chief	306	306	\$120,134	\$148,613	\$177,092		EX	
500		Public Works Director	304	304	\$108,965	\$134,796	\$160,628		EX	
300		Community Services Director	304	304	\$108,965	\$134,796	\$160,628		EX	
170		Community Development Director	304	304	\$108,965	\$134,796	\$160,628		EX	
Elected Offices Series										
Assessment										
771	*	Chief Deputy Assessor	207	207	\$63,709	\$78,812	\$93,915		EX	
773		Chief Appraiser	201	203	\$52,413	\$64,838	\$77,263		EX	
774	*	Appraiser	121	121	\$44,172	\$54,644	\$65,115		NE	
776		Senior Assessment Specialist	120	120	\$42,069	\$52,042	\$62,014		NE	
777	*	Assessment Specialist	118	118	\$38,158	\$47,203	\$56,249		NE	
779		Apprentice Appraiser	115	115	\$32,962	\$40,776	\$48,590		NE	
Attorney's										
701		Deputy County Attorney	302	302	\$98,834	\$122,264	\$145,693		EX	
702		Assistant County Attorney	301	301	\$94,128	\$116,442	\$138,756		EX	
703		Associate County Attorney	211	211	\$77,439	\$95,797	\$114,155		EX	
287		Senior Legal Assistant	124	124	\$51,135	\$63,257	\$75,379		NE	
288	*	Legal Assistant	122	122	\$46,381	\$57,376	\$68,371		NE	
Clerk's Office										
751	*	Chief Deputy Clerk	207	207	\$63,709	\$78,812	\$93,915		EX	
755		Elections Manager	123	123	\$48,700	\$60,245	\$71,790		NE	
752	*	Senior Deputy Clerk	121	121	\$44,172	\$54,644	\$65,115		NE	
753	*	Deputy Clerk	119	119	\$40,065	\$49,563	\$59,061		NE	
Municipal Court										
761	*	Court Administrator	207	207	\$63,709	\$78,812	\$93,915		EX	
765	*	Probation Officer	122	122	\$46,381	\$57,376	\$68,371		NE	
762		Senior Court Clerk	122	122	\$46,381	\$57,376	\$68,371		NE	
763	*	Court Clerk	118	118	\$38,158	\$47,203	\$56,249		NE	
Sheriff's Office										
783		Deputy Sheriff	115	115	\$32,962	\$40,776	\$48,590		NE	
Administrative Services Series										
Public Information										
111		Communications & PR Administrator	212	212	\$81,311	\$100,587	\$119,862		EX	
604	*	Public Relations Manager	210	210	\$73,751	\$91,235	\$108,718		EX	
114	*	Visual Information Specialist	122	122	\$46,381	\$57,376	\$68,371		NE	
Management Support										
104		Assistant to County Manager	213	213	\$85,377	\$105,617	\$125,856		EX	
107		Business & ERP Manager	213	213	\$85,377	\$105,617	\$125,856		EX	
261	*	Budget & Performance Manager	212	212	\$81,311	\$100,587	\$119,862		EX	
262		Senior Budget Analyst	210	210	\$73,751	\$91,235	\$108,718		EX	
903		Senior Management Analyst	210	210	\$73,751	\$91,235	\$108,718		EX	
904	*	Management Analyst	207	207	\$63,709	\$78,812	\$93,915		EX	
Administrative Support										
442		Emergency Management Specialist		120	\$42,069	\$52,042	\$62,014		NE	
202		RIM Program Manager	211	211	\$77,439	\$95,797	\$114,155		EX	
906	*	Office Manager	203	203	\$52,413	\$64,838	\$77,263		EX	
227		Senior RIM Specialist	120	120	\$42,069	\$52,042	\$62,014		NE	
229		RIM Specialist	117	117	\$36,341	\$44,956	\$53,570		NE	
907	*	Senior Office Specialist	120	120	\$42,069	\$52,042	\$62,014		NE	
379	*	Office Specialist	117	117	\$36,341	\$44,956	\$53,570		NE	
404		Senior Records Specialist		117	\$36,341	\$44,956	\$53,570		NE	
405		Records Specialist	115	115	\$32,962	\$40,776	\$48,590		NE	
905		Executive Assistant	124	124	\$51,135	\$63,257	\$75,379		NE	

Los Alamos County
FY20 Salary Plan Job Class Order
Rates effective July 14, 2019

Attachment A

MUNIS				Approved					
Job Code	Change	Occupational Job Families and Job Classes	Current Grade	New Grade	Minimum	Midpoint	Maximum	Change In Grade	Exempt/ Non-Exempt
	↓	asterix=benchmarked job, red=new change							
		<u>Information Technology</u>							
200	*	Chief Information Officer	303	303	\$103,776	\$128,377	\$152,979		EX
201		IT Program Manager	214	214	\$89,646	\$110,898	\$132,149		EX
204		IT Project Manager	213	213	\$85,377	\$105,617	\$125,856		EX
219		Database Administrator	212	212	\$81,311	\$100,587	\$119,862		EX
211		Senior Systems Administrator	211	211	\$77,439	\$95,797	\$114,155		EX
215		Senior Application Analyst/Developer	210	210	\$73,751	\$91,235	\$108,718		EX
212		Systems Administrator	209	209	\$70,239	\$86,890	\$103,541		EX
216	*	Application Analyst/Developer	207	207	\$63,709	\$78,812	\$93,915		EX
225	New Grade	Telecomm Network Specialist	120	120	\$42,069	\$52,042	\$62,014		NE
236		Senior Technical Support Specialist	125	125	\$53,692	\$66,420	\$79,148		NE
237	*	Technical Support Specialist	122	122	\$46,381	\$57,376	\$68,371		NE
239		IT Intern	115	115	\$32,962	\$40,776	\$48,590		NE
		<u>Financial & Supply Management</u>							
240		Chief Financial Officer	303	303	\$103,776	\$128,377	\$152,979		EX
241		Deputy Chief Financial Officer	214	214	\$89,646	\$110,898	\$132,149		EX
242	*	Accounting Operations Manager	212	212	\$81,311	\$100,587	\$119,862		EX
255		Payroll Coordinator	207	207	\$63,709	\$78,812	\$93,915		EX
256		Payroll Specialist	124	124	\$51,135	\$63,257	\$75,379		NE
245		Senior Accountant	206	206	\$60,675	\$75,059	\$89,442		EX
246	*	Accountant	204	204	\$55,034	\$68,080	\$81,127		EX
251		Accounts Payable Coordinator	124	124	\$51,135	\$63,257	\$75,379		NE
252		Accounts Payable Specialist	121	121	\$44,172	\$54,644	\$65,115		NE
275	*	Senior Supply Specialist	118	118	\$38,158	\$47,203	\$56,249		NE
276		Supply Specialist	116	116	\$34,610	\$42,815	\$51,019		NE
270	*	Chief Purchasing Officer	211	211	\$77,439	\$95,797	\$114,155		EX
272	*	Senior Buyer	204	204	\$55,034	\$68,080	\$81,127		EX
273		Buyer	123	123	\$48,700	\$60,245	\$71,790		NE
		<u>Human Resources</u>							
130	*	Human Resources Manager	303	303	\$103,776	\$128,377	\$152,979		EX
131	*	Assistant Human Resources Manager	211	211	\$77,439	\$95,797	\$114,155		EX
132		Compensation Analyst	210	210	\$73,751	\$91,235	\$108,718		EX
133	*	Benefits & Pension Manager	210	210	\$73,751	\$91,235	\$108,718		EX
135	*	Risk Manager	210	210	\$73,751	\$91,235	\$108,718		EX
134	*	Training Manager	208	208	\$66,894	\$82,752	\$98,610		EX
141	*	Safety Coordinator	207	207	\$63,709	\$78,812	\$93,915		EX
144	*	Senior Human Resources Technician	124	124	\$51,135	\$63,257	\$75,379		NE
145	*	Human Resources Technician	121	121	\$44,172	\$54,644	\$65,115		NE

Los Alamos County
FY20 Salary Plan Job Class Order
Rates effective July 14, 2019

Attachment A

MUNIS Job Code	Change	Occupational Job Families and Job Classes	Approved					Change In Grade	Exempt/ Non- Exempt	
			Current Grade	New Grade	Minimum	Midpoint	Maximum			
↓ asterix=benchmarked job, red=new change										
Community & Economic Development Series										
Economic Development										
121	*	Economic Development Administrator	214	214	\$89,646	\$110,898	\$132,149		EX	
124		Marketing Specialist	205	205	\$57,786	\$71,485	\$85,184		EX	
Community Development										
181	*	Housing & Special Projects Manager	211	211	\$77,439	\$95,797	\$114,155		EX	
182		Chief Building Official		212	\$81,311	\$100,587	\$119,862		EX	
185	*	Building Safety Manager	209	209	\$70,239	\$86,890	\$103,541		EX	
172		Planning Manager		209	\$70,239	\$86,890	\$103,541		EX	
173		Principal Planner	209	209	\$70,239	\$86,890	\$103,541		EX	
174	*	Senior Planner	207	207	\$63,709	\$78,812	\$93,915		EX	
175		Associate Planner	204	204	\$55,034	\$68,080	\$81,127		EX	
183		Senior Building Inspector	124	124	\$51,135	\$63,257	\$75,379		NE	
177		Senior Permit Technician	123	123	\$48,700	\$60,245	\$71,790		NE	
184	*	Building Inspector	122	122	\$46,381	\$57,376	\$68,371		NE	
187		Code Compliance Officer	122	122	\$46,381	\$57,376	\$68,371		NE	
176		Assistant Planner	121	121	\$44,172	\$54,644	\$65,115		NE	
179		Permit Technician	121	121	\$44,172	\$54,644	\$65,115		NE	
Community Services Series										
Library										
311	*	Library Manager	212	212	\$81,311	\$100,587	\$119,862		EX	
312		Assistant Library Manager	208	208	\$66,894	\$82,752	\$98,610		EX	
315		Senior Librarian	206	206	\$60,675	\$75,059	\$89,442		EX	
316		Librarian	204	204	\$55,034	\$68,080	\$81,127		EX	
325		Program Specialist	122	122	\$46,381	\$57,376	\$68,371		NE	
317		Senior Library Specialist	119	119	\$40,065	\$49,563	\$59,061		NE	
319	*	Library Specialist	117	117	\$36,341	\$44,956	\$53,570		NE	
321		Senior Library Technician	114	114	\$31,392	\$38,834	\$46,276		NE	
327		Community Services Monitor	114	114	\$31,392	\$38,834	\$46,276		NE	
322		Library Technician	112	112	\$28,474	\$35,224	\$41,974		NE	
Parks & Recreation Program										
331	*	Parks, Recreation & Open Space Manager	301	301	\$94,128	\$116,442	\$138,756		EX	
332	*	Recreation Program Manager	208	208	\$66,894	\$82,752	\$98,610		EX	
362		Head Golf Professional	203	203	\$52,413	\$64,838	\$77,263		EX	
352		Aquatics Coordinator	122	122	\$46,381	\$57,376	\$68,371		NE	
363		Asst Golf/Ice Rink Professional	121	121	\$44,172	\$54,644	\$65,115		NE	
341		Recreational CS Supervisor	120	120	\$42,069	\$52,042	\$62,014		NE	
354		Lifeguard Supervisor	120	120	\$42,069	\$52,042	\$62,014		NE	
334		Recreation Specialist	120	120	\$42,069	\$52,042	\$62,014		NE	
337		Senior Recreation Leader	118	118	\$38,158	\$47,203	\$56,249		NE	
338	*	Recreation Leader	117	117	\$36,341	\$44,956	\$53,570		NE	
355		Senior Lifeguard	117	117	\$36,341	\$44,956	\$53,570		NE	
342		Senior Recreation CS Associate	115	115	\$32,962	\$40,776	\$48,590		NE	
356	*	Lifeguard	115	115	\$32,962	\$40,776	\$48,590		NE	
343		Recreational CS Associate	113	113	\$29,897	\$36,985	\$44,073		NE	
Parks & Recreation Maintenance										
371	*	Parks Superintendent	208	208	\$66,894	\$82,752	\$98,610		EX	
379		Open Space Specialist	206	206	\$60,675	\$75,059	\$89,442		EX	
365	*	GC Maintenance Superintendent	204	204	\$55,034	\$68,080	\$81,127		EX	
372		Assistant Parks Superintendent	124	124	\$51,135	\$63,257	\$75,379		NE	
366		GC/Recreation Maint Asst Super	120	120	\$42,069	\$52,042	\$62,014		NE	
367		GC Maintenance Mechanic	118	118	\$38,158	\$47,203	\$56,249		NE	
357		Aquatics Maintenance Specialist	118	118	\$38,158	\$47,203	\$56,249		NE	
375		Parks Maintenance Construction Spec 3	119	119	\$40,065	\$49,563	\$59,061		NE	
376	*	Parks Maintenance Construction Spec 2	116	116	\$34,610	\$42,815	\$51,019		NE	
377		Parks Maintenance Construction Spec 1	114	114	\$31,392	\$38,834	\$46,276		NE	

Los Alamos County
FY20 Salary Plan Job Class Order
Rates effective July 14, 2019

Attachment A

MUNIS Job Code	Change	Occupational Job Families and Job Classes	Approved					Change In Grade	Exempt/ Non- Exempt	
			Current Grade	New Grade	Minimum	Midpoint	Maximum			
↓ asterix=benchmarked job, red=new change										
Community Services Series Continued										
Social Services										
391		Social Services Manager	210	210	\$73,751	\$91,235	\$108,718		EX	
393	*	Case Coordination Specialist	203	203	\$52,413	\$64,838	\$77,263		EX	
396		Health Care Specialist	120	120	\$42,069	\$52,042	\$62,014		NE	
Public Safety Series										
Police Administration										
406		Senior Evidence & Training Technian	119	119	\$40,065	\$49,563	\$59,061		NE	
407	*	Evidence & Training Technician	117	117	\$36,341	\$44,956	\$53,570		NE	
409		Victim Assistant		118	\$38,158	\$47,203	\$56,249		NE	
Police Command										
401		Deputy Police Chief	302	302	\$98,834	\$122,264	\$145,693		EX	
402		Police Commander	213	213	\$85,377	\$105,617	\$125,856		EX	
441		Emergency Services Commander	213	213	\$85,377	\$105,617	\$125,856		EX	
Police Dispatch										
421	*	CDC Manager	207	207	\$63,709	\$78,812	\$93,915		EX	
423		Dispatch Shift Supervisor	123	123	\$48,700	\$60,245	\$71,790		NE	
424	*	Dispatcher 2	120	120	\$42,069	\$52,042	\$62,014		NE	
425	*	Dispatcher 1	118	118	\$38,158	\$47,203	\$56,249		NE	
Police Detention										
431		Detention Administrator	211	211	\$77,439	\$95,797	\$114,155		EX	
433		Detention Sergeant	127	127	\$59,195	\$73,228	\$87,261		NE	
434	*	Detention Corporal	124	124	\$51,135	\$63,257	\$75,379		NE	
435	*	Detention Officer	118	118	\$38,158	\$47,203	\$56,249		NE	
Animal Control										
447		Public Service Aide Supervisor	121	121	\$44,172	\$54,644	\$65,115		NE	
445		Animal Shelter Manager	121	121	\$44,172	\$54,644	\$65,115		NE	
448		Senior Public Service Aide	117	117	\$36,341	\$44,956	\$53,570		NE	
449	*	Public Service Aide	115	115	\$32,962	\$40,776	\$48,590		NE	
Fire Command										
461	*	Deputy Fire Chief	302	302	\$98,834	\$122,264	\$145,693		EX	
462	*	Fire Battalion Chief	212	212	\$81,311	\$100,587	\$119,862		EX	
Fire Administration										
486		Safeguards & Security & LR Manager	214	214	\$89,646	\$110,898	\$132,149		EX	
487		EMS Training Coordinator	209	209	\$70,239	\$86,890	\$103,541		EX	
481		Senior F&LS Coordinator	124	124	\$51,135	\$63,257	\$75,379		NE	
482		Fire & Life Safety Coordinator	122	122	\$46,381	\$57,376	\$68,371		NE	
484		F&LS Technology Specialist	121	121	\$44,172	\$54,644	\$65,115		NE	

Los Alamos County
FY20 Salary Plan Job Class Order
Rates effective July 14, 2019

Attachment A

MUNIS Job Code	Change	Occupational Job Families and Job Classes	Current Grade	New Grade	Minimum	Midpoint	Maximum	Change In Grade	Exempt/ Non- Exempt
↓ asterisk=benchmarked job, red=new change									
Public Works Series									
Airport									
509		Airport Manager	209	209	\$70,239	\$86,890	\$103,541		EX
Public Works Engineering									
501		Deputy Public Works Director	302	302	\$98,834	\$122,264	\$145,693		EX
505	*	County Engineer	214	214	\$89,646	\$110,898	\$132,149		EX
506	*	Chief Surveyor	210	210	\$73,751	\$91,235	\$108,718		EX
Facilities									
511		Facilities Manager	209	209	\$70,239	\$86,890	\$103,541		EX
521	*	Facilities Services Manager	206	206	\$60,675	\$75,059	\$89,442		EX
514		Construction Specialist 3	123	123	\$48,700	\$60,245	\$71,790		NE
515	*	Construction Specialist 2	120	120	\$42,069	\$52,042	\$62,014		NE
516		Construction Specialist 1	117	117	\$36,341	\$44,956	\$53,570		NE
523		Lead Custodian	113	113	\$29,897	\$36,985	\$44,073		NE
526	*	Custodian	111	111	\$27,118	\$33,546	\$39,975		NE
Environmental Services									
531	*	Environmental Svcs Manager	209	209	\$70,239	\$86,890	\$103,541		EX
532		Environmental Svcs Superintendent	206	206	\$60,675	\$75,059	\$89,442		EX
537		Environmental Svcs Specialist	202	202	\$49,917	\$61,750	\$73,584		EX
535		Scale Operator	119	119	\$40,065	\$49,563	\$59,061		NE
539		Environmental Svcs Trainee	112	112	\$28,474	\$35,224	\$41,974		NE
Fleet									
541		Fleet Manager	210	210	\$73,751	\$91,235	\$108,718		EX
542		Fleet Supervisor	205	205	\$57,786	\$71,485	\$85,184		EX
544		Fleet Shop Foreman	122	122	\$46,381	\$57,376	\$68,371		NE
547	*	Fleet Mechanic 2	120	120	\$42,069	\$52,042	\$62,014		NE
548		Fleet Mechanic 1	114	114	\$31,392	\$38,834	\$46,276		NE
Traffic & Street Operations									
571		Traffic & Streets Mgr/Traffic Engineer	213	213	\$85,377	\$105,617	\$125,856		EX
572		Traffic Manager	208	208	\$66,894	\$82,752	\$98,610		EX
574		Street Maintenance Superintendent	206	206	\$60,675	\$75,059	\$89,442		EX
575		Assistant Street Superintendent	125	125	\$53,692	\$66,420	\$79,148		NE
577		Transportation Safety Specialist	122	122	\$46,381	\$57,376	\$68,371		NE
581		Traffic Electrician 3	124	124	\$51,135	\$63,257	\$75,379		NE
582	*	Traffic Electrician 2	122	122	\$46,381	\$57,376	\$68,371		NE
581		Traffic Electrician 1	120	120	\$42,069	\$52,042	\$62,014		NE
586		Sign/Marking Tech 3	118	118	\$38,158	\$47,203	\$56,249		NE
587	*	Sign/Marking Tech 2	116	116	\$34,610	\$42,815	\$51,019		NE
588		Sign/Marking Tech 1	114	114	\$31,392	\$38,834	\$46,276		NE
Transit Operations									
551	*	Transit Manager	209	209	\$70,239	\$86,890	\$103,541		EX
552	*	Transit Supervisor	204	204	\$55,034	\$68,080	\$81,127		EX
561		Transit CS Rep/Dispatcher 3	119	119	\$40,065	\$49,563	\$59,061		NE
562		Transit CS Rep/Dispatcher 2	117	117	\$36,341	\$44,956	\$53,570		NE
563		Transit CS Rep/Dispatcher 1	115	115	\$32,962	\$40,776	\$48,590		NE
555		Lead Transit Operator	118	118	\$38,158	\$47,203	\$56,249		NE
556		Transit Operator 2	116	116	\$34,610	\$42,815	\$51,019		NE
557	*	Transit Operator 1	114	114	\$31,392	\$38,834	\$46,276		NE
558		Transit Operator Trainee	112	112	\$28,474	\$35,224	\$41,974		NE

Los Alamos County
FY20 Salary Plan Job Class Order
Rates effective July 14, 2019

Attachment A

MUNIS				Approved					
Job Code	Change	Occupational Job Families and Job Classes	Current Grade	New Grade	Minimum	Midpoint	Maximum	Change In Grade	Exempt/ Non-Exempt
↓ asterix=benchmarked job, red=new change									
Public Works & Utilities Series									
Operations									
922		Lead Equipment Operator	123	123	\$48,700	\$60,245	\$71,790		NE
923	*	Senior Equipment Operator	121	121	\$44,172	\$54,644	\$65,115		NE
924		Equipment Operator	118	118	\$38,158	\$47,203	\$56,249		NE
927	*	Laborer	111	111	\$27,118	\$33,546	\$39,975		NE
Engineering & Projects									
931		Senior Engineer	213	213	\$85,377	\$105,617	\$125,856		EX
932		Engineering Project Manager	211	211	\$77,439	\$95,797	\$114,155		EX
507		Project Manager	211	211	\$77,439	\$95,797	\$114,155		EX
933	*	Engineering Associate	208	208	\$66,894	\$82,752	\$98,610		EX
934		Engineering Assistant	204	204	\$55,034	\$68,080	\$81,127		EX
937		Senior Engineering Aide	122	122	\$46,381	\$57,376	\$68,371		NE
938	*	Engineering Aide	120	120	\$42,069	\$52,042	\$62,014		NE
939		Engineering Intern	115	115	\$32,962	\$40,776	\$48,590		NE
Utilities Series									
641		Deputy Utility Mgr - GWS	303	303	\$103,776	\$128,377	\$152,979		EX
621		Deputy Utility Mgr - Power Supply	303	303	\$103,776	\$128,377	\$152,979		EX
601		Deputy Utility Mgr - Finance and Admn	303	303	\$103,776	\$128,377	\$152,979		EX
611	*	Deputy Utility Mgr - Engineering	302	302	\$98,834	\$122,264	\$145,693		EX
631		Deputy Utility Mgr - Electrical Distribution	302	302	\$98,834	\$122,264	\$145,693		EX
Operations Support									
603		Business Operations Manager	212	212	\$81,311	\$100,587	\$119,862		EX
613		SCADA System Specialist	131	131	\$71,952	\$89,009	\$106,066		NE
614		SCADA System Technician	130	130	\$68,526	\$84,770	\$101,015		NE
615	*	GIS System Specialist	207	207	\$63,709	\$78,812	\$93,915		EX
657		Meter Reader Supervisor	121	121	\$44,172	\$54,644	\$65,115		NE
606		Senior Billing & Service Specialist	119	119	\$40,065	\$49,563	\$59,061		NE
607	*	Billing & Service Specialist	117	117	\$36,341	\$44,956	\$53,570		NE
Electric Production									
622	*	Power System Supervisor	214	214	\$89,646	\$110,898	\$132,149		EX
626		H-E Plant Engineer	214	214	\$89,646	\$110,898	\$132,149		EX
623		Senior Power System Operator	132	132	\$75,549	\$93,459	\$111,369		NE
624		Power System Operator	130	130	\$68,526	\$84,770	\$101,015		NE
627		Senior H-E Maintenance Technician	129	129	\$65,262	\$80,734	\$96,205		NE
628		H-E Maintenance Technician	126	126	\$56,376	\$69,741	\$83,105		NE
625		Power System Operator Apprentice	122	122	\$46,381	\$57,376	\$68,371		NE
629		H-E Maintenance Tech Apprentice	119	119	\$40,065	\$49,563	\$59,061		NE
Electric Distribution									
632		Electrical Engineering Manager		213	\$85,377	\$105,617	\$125,856		EX
354	*	Lineman Supervisor	131	131	\$71,952	\$89,009	\$106,066		NE
Utilities Series Continued									
Gas, Water & Sewer Services									
642		GWS Superintendent	210	210	\$73,751	\$91,235	\$108,718		EX
643		GWS Field Supervisor	204	204	\$55,034	\$68,080	\$81,127		EX
644		GWS Shop Supervisor	204	204	\$55,034	\$68,080	\$81,127		EX
Wastewater Services									
681		WWTP Superintendent	210	210	\$73,751	\$91,235	\$108,718		EX
682		WWTP Supervisor	124	124	\$51,135	\$63,257	\$75,379		NE
Water Services									
661		Water Systems Superintendent	210	210	\$73,751	\$91,235	\$108,718		EX
662	*	Water Systems Electrical Technician	126	126	\$56,376	\$69,741	\$83,105		NE
675		Water Systems Supervisor		124	\$51,135	\$63,257	\$75,379		NE



Los Alamos County

Job Description and Classification

JOB TITLE:	Telecommunications Network Specialist	LOS ALAMOS
JOB CODE:	225	
CLASSIFICATION:	Non-Exempt	
DEPARTMENT/DIVISION:	Administrative Services/Information Management	
SUPERVISOR:	Chief Information Officer or designee	

Position Summary:

Under general supervision of the Chief Information Officer or designee, develops the requirement definitions, specifications and designs of the layer one technical components of network systems inclusive of fiber and copper-based cabling. Deploys solutions that meet business requirements for planned physical IT infrastructure. Maintains confidentiality of all privileged information.

The general level and nature of this position are described in the headings below. This is not an all-inclusive list of all responsibilities, duties, and skills required of personnel in this classification. Duties, responsibilities and activities may change at any time with or without notice.

Essential Duties and Responsibilities:

- Ensures service and support is provided to customers in a professional, courteous, and timely manner.
- Analyzes, plans, and performs layout installation activity, as well as perform such installations for planned physical IT infrastructure.
- Designs cable requirements for new voice/data circuit installations and associated telecommunication equipment (such as conduits, raceways, and cable troughs).
- Designs, install, terminate and test cable for infrastructure systems, electrical systems and communications network in all communication rooms and locations.
- Maintains backbone infrastructure for county property.
- Conducts site surveys and analyses, identifies and interprets the wiring requirements of projects, and recommends appropriate service and/or equipment solutions.
- Prepares bid specifications, obtains cost estimates, and develops estimates.
- Coordinates and monitors contractors/vendors and support personnel services in progress to job completion; supports data network personnel; assists with planning and coordination of resolutions.
- Cuts, bends and mounts conduit; mounting cable pull boxes, mounting wall boxes, jack panels and patch panels; pulls and terminates data/telephony cable and optic fiber as part of relocation of existing circuits or installing new circuits.
- Tests circuits, isolates faults, corrects problems, makes repairs, and improves circuit and network performance.
- Aids in the configuration and management of switches. May install routers and switches to support the network.
- Updates configuration drawings and diagrams to match finalized installations.
- Provides support for desktop calls requiring layer one advanced support, provides problem assessment and resolution; keeps customers informed as to the status of on-gong problems.
- Provides project management for IT initiated physical plant telecommunications infrastructure projects including inspections.

- Provides inspections for IT components of other county property projects as requested.
- Serves as technical project team member for network deployment issues.
- Provides lead supervision, training and technical assistance to other employees.
- Maintains layer one infrastructure at existing sites.
- Responsible for coordinating and managing technology projects of varying complexity, on time and within budget.
- Researches technology and new advances in fiber and copper infrastructure and wireless technology.
- Ensures strict confidentiality of all information and records.
- Contributes to a team effort and accomplishes related results as required.
- Performs other duties as required.

Minimum Qualifications:

- Associates Degree from an accredited college or university in Computer Science, Information Technology, Management Information Systems, or related field, or equivalent combination of education and related work experience.
- Three years' experience in network cable infrastructure installation, two of which must include experience in design and implementation of enterprise layer one networking projects.
- ~~Must possess an EE-98 or JS-7 Journeyman electrical license.~~
- ~~Must possess a BICSI level II installer.~~
- Must possess or have ability to obtain within first sixty days of employment and must maintain a valid New Mexico Class D driver's license.
- Successful completion of thorough background investigation, including FBI fingerprint check. Must not have been convicted of a felony.
- Successful completion of the pre-employment physical exam prior to commencing work.

Preferred Qualifications:

- Bachelor's Degree from an accredited college or university in Computer Science, Information Technology, Management Information Systems, or related field.
- Experience in basic network troubleshooting using tools such as ping and trace route; fiber and CAT5E installation; basic circuit (T1, DS3, OC(x), Ethernet, Fast Ethernet) troubleshooting and testing; switching, ATM, IP routing protocols (i.e. IGRP, BGP, RIP, static, OSPF) and cable infrastructure testing and equipment and fiber testing methods including OTDR.
- Four years of professional experience in physical network analysis, design, implementation and maintenance.
- A New Mexico Journeyman electrical license (EE-98J or ES-7J or ER-1J)
- BICSI (Building Industry Consulting Service International) Installer 2 Certification or Technician Certification.
- Net+ certification.
- ~~BICSI Technician certification.~~
- Cisco CCNA Certification.
- Two years of experience in enterprise physical infrastructure project management.
- Basic routing trouble analysis and diagnosis skills on Cisco routers and switches.

Knowledge, Skills, and Abilities:

- Knowledge of contract documents and specifications.
- Knowledge of switch and radio systems platforms.

- Knowledge of equipment and rack installation, DC power, wire wrapping/color code understanding, blueprint and schematic reading, circuit labeling, and safety procedures.
- Knowledge of network test equipment to be able to monitor, diagnosis and repair network problems.
- Knowledge of the features, design, performance/quality standards, and service requirements of a large, technologically advanced network infrastructure.
- Knowledge and understanding of work processes, volume, and traffic characteristics associated with networks.
- Knowledge of construction methods.
- Knowledge of network and communications infrastructure design and maintenance.
- Knowledge of building, electrical and utility codes.
- Skill in computer/network systems planning.
- Skill in fiber optic physical plant design, installation and termination.
- Skill in troubleshooting and diagnosing a wide variety of network, hardware and telecommunication platforms.
- Ability to establish and maintain professional relationships with individuals of varying social and cultural backgrounds and with co-workers at all levels.
- Ability to manage complex projects ensuring proper levels of communication, documentation, and notification.
- Ability to communicate effectively, both orally and in writing.
- Ability to analyze and assess network architecture requirements and determine optimum, cost-effective solutions.
- Ability to install, configure, and maintain IT infrastructure.
- Ability to act in an independent and conscientious manner using sound judgment.

Physical Demands:

While performing the duties of this job, the employee routinely sits, stands, walks, talks and hears. The employee regularly uses manual dexterity and visual acuity to complete tasks. The employee is occasionally required to crawl, reach above shoulder level, crouch, kneel, balance, push/pull, carry and climb stairs. The employee regularly lifts and/or moves up to 25 pounds and must occasionally move or lift up to 50 pounds with the assistance of appropriate equipment or another person.

Work Environment:

Work is performed in a professional office environment with a moderate noise level, occasionally working under stressful conditions and for extended periods of time. This position routinely uses standard office equipment such as computers, phones and photocopiers. Evening, holiday, and weekend work outside of normal business hours may be required as well as travel and attendance at meetings. Must be available for planned and emergency maintenance and to provide customer support 7x24x365 for enterprise environments.

Each and every county position requires the following professional skills and abilities as key and necessary elements of performance. Employees are required to:

- Demonstrate regular and reliable attendance;
- Work well with others and participate fully in a team-oriented environment;
- Interface with other employees and customers in a courteous and respectful manner;
- Project positive support of their department and all county organizations at all times; and,
- Maintain and enhance the county's commitment to customer service excellence.

Approvals:

Department Director: _____ Date: _____
(signature)

Human Resources Manager: _____ Date: _____
(signature)

Reviewed: _____ Revised: 3/20/2015, 12/1/2018



County of Los Alamos

Staff Report

August 06, 2019

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: A.

Index (Council Goals): * 2019 Council Goal - Enhancing Support and Opportunities for the Local Business Environment

Presenters: Joanie Ahlers, Economic Development Administrator

Legislative File: OR0856-19

Title

Incorporated County of Los Alamos Ordinance No. 695; AN ORDINANCE ADOPTING AN ECONOMIC DEVELOPMENT PROJECT FOR PUBLIC SUPPORT OF TNJLA LLC., A NEW MEXICO CORPORATION

..Suggested Motion

I move that Council introduce Incorporated County of Los Alamos Ordinance No. 695; AN ORDINANCE ADOPTING AN ECONOMIC DEVELOPMENT PROJECT FOR PUBLIC SUPPORT OF TNJLA LLC., A NEW MEXICO CORPORATION

County Manager's Recommendation

The County Manager recommends Council introduce this Ordinance

Body

On June 9, 2009 the Council approved Incorporated County of Los Alamos Ordinance No. 543 which amended and restated the County's Economic Development Plan in compliance with the New Mexico Local Economic Development Act (LEDA). Based upon the guidelines within this program the applicant, TNJLA LLC., submitted the required materials for consideration of support.

TNJLA is a New Mexico corporation located in Albuquerque, NM. TNJLA is one several LLC's that are owned and operated by Tushar Patel and associates. They have many other hotel properties in New Mexico and this would be their first investment in Los Alamos County. TNJLA has made the request for the donation of the County land so that they can develop a new 86 room extended stay hotel with a conference center that accommodates 250-300 people banquet style in Los Alamos.

The requested public support is a grant of County owned parcels of land: on 20th Street Extension; Lots 1C, 2C, 3C, 4C, 5C, and 6C which has the "Smart House" located on it. The total acreage is approximately 3.0204 acres.

The project includes the following key terms:

1. County land will only be released to TNJLA upon entering into a Project Participation Agreement with the County;
2. TNJLA must submit and be issued a Building Permit for new construction for the new hotel

within 12 months of the Effective Date of the PPA;

4. TNJLA will issue the County a Financial Guaranty in the form of a personal guaranty for the time period from the date of the County conveys the property to TNJLA to six (6) months after the Certificate of Occupancy is issued for the hotel/conference center and a subordinated lien for the grant amount in a prorated/decreasing value for the ten (10) year period of the PPA

5. TNJLA agrees to actively and continuously operate the hotel and conference center for the Ten (10) year PPA term;

6. TNJLA will create and maintain a minimum of 17 full time jobs.

Alternatives

Council could choose not to introduce this Ordinance.

Fiscal and Staff Impact/New Item

The fiscal impact is minimal to the County since the grant is in the form of a land donation. The staff impact will be minimal as the performance review metrics will be studied on an annual basis.

Attachments

A - Incorporated County of Los Alamos Ordinance No. 695

INCORPORATED COUNTY OF LOS ALAMOS ORDINANCE NO. 695

**AN ORDINANCE ADOPTING AN ECONOMIC DEVELOPMENT
PROJECT FOR PUBLIC SUPPORT OF TNJLA LLC,
A NEW MEXICO CORPORATION**

Section 1. On June 9, 2009, the governing body of the Incorporated County of Los Alamos ("County") adopted Ordinance No. 543, an ordinance amending and restating the Economic Development Plan of the County in accordance with the Local Economic Development Act, Sections 5-10-1 through 5-10-13 NMSA 1978, as amended.

Section 2. The Economic Development Plan sets forth the purpose of allowing public support of economic development to foster, promote and enhance local economic development efforts through the use of project participation agreements with qualifying entities while continuing to protect against the unauthorized use of public money and other public resources, and to enter into joint powers agreements with other local governments to plan and support regional economic development projects.

Section 3. TNJLA LLC, a New Mexico corporation ("Company"), proposes to acquire, develop and construct an extended stay hotel facility, including a 250 – 300 person banquet-style conference center, and a minimum of 1,800 square feet of stand-alone food and beverage retail on the 20th Street Extension properties in Los Alamos County (the "Project").

Section 4. Company has submitted an application to County pursuant to NMSA 1978 § 5-10-9, and has established itself as a qualifying entity and has addressed the following criteria:

- a. Company is a private for-profit development business that has an established track record of successful hotel projects in New Mexico. The application includes information about the Company's financials and its leadership team.
- b. Company's economic activity meets County's objective of expansion of the tax base by generating increased taxes from new construction, and from Company purchases such as equipment and supplies.
- c. Company's economic activity meets County's objective of increased job and income opportunities by proposing to create a minimum of seventeen (17) Full-Time Equivalent jobs based within the County, and maintain said employees over ten (10) years.
- d. Company shall make a good faith effort to promote County as a good and desirable place to visit, live and work.

Section 5. Company has met the priorities of the Economic Development Plan in the following respects:

- a. Meets County's objective of economic diversification by enriching the hospitality offerings in Los Alamos by creating an 86-room extended stay Marriot hotel;
- b. Meets the objective of economic diversification by constructing a hotel, conference center facility, and retail food and beverage space;

- c. Meets the objective of expansion of the tax base by generating increased taxes for property tax, gross receipts tax and Lodger's Tax Revenues via an increase in the number of hotel rooms available in Los Alamos;
- d. Meets the objective of increased job and income opportunities by proposing to generate seventeen (17) new primary jobs at the hotel, conference center, food and beverage service, and retail operations within County no later than twelve (12) months of the project obtaining Certificate of Occupancy;
- e. Meets County's objective of expansion of the tax base by creating a conference center that will accommodate up to 250 - 300 people seated banquet style for local events and Los Alamos National Laboratory meetings;
- f. Meets County's objective of economic diversification by enriching the hospitality offerings in Los Alamos by creating a stand-alone food and beverage retail space;
- g. Meets County's objective of recruiting and retaining businesses that utilize Los Alamos' location for events and meetings, and by offering existing businesses the opportunity to provide catering services for events and meetings;
- h. TNJLA is a private for-profit development business that has an established track record of successful hotel projects in New Mexico.

Section 6. Company has requested that the Incorporated County of Los Alamos provide the following grant of public support as an economic development project: Transfer, by quitclaim deed, all rights, title and interests possessed by County to certain County-owned property defined as Eastern Area 3 Tract NN Lots 6C; 5C; 4C; 3C; 2C; and 1C located on 20th Street Extension, platted and recorded in Los Alamos County Records as Instrument No. 231237 (together, the "Real Property"). The Real Property has an appraised value of One Million Eight Hundred Twenty-Five Thousand Dollars (\$1,825,000.) This requested public support for Company's Project is referred to herein as the economic development "Project Grant."

Section 7. County and Company shall, upon approval of the Project as evidenced by the passage of this Ordinance, enter into a Participation Agreement, attached hereto as Exhibit "A", which Agreement shall include, but not be limited to, the following:

- a. The standards by which to measure furtherance by the Project of the economic development goals of County;
- b. The rights and responsibilities of the parties, including specifically defining the contributions of County and Company;
- c. Standards for regular performance reviews of the Project by County and the specific measurable objectives upon which the performance evaluations of the Project shall be based;
- d. A schedule and review procedures for the Project and performance goal attainment;
- e. The security provided for the Project;
- f. The default and cure provisions and such other procedures by which the Project can be

terminated by County and County's investment recovered;

- g. The time period for which County shall retain an interest in the activity of Company; and
- h. Any other requirements imposed by state law, county ordinance, rule or regulation not specifically identified in this ordinance.

Section 8. The application of Company for public assistance from County in the form of an economic development Project Grant is hereby approved, consistent with the terms of this ordinance and the Project Participation Agreement that has been negotiated and is attached to this Ordinance.

Section 9. The terms, provisions and conditions of the Project Participation Agreement, in the form presented to the County Council and attached to this Ordinance and incorporated herein by reference, are in all respects approved, authorized, and confirmed, and the County Council Chair is authorized to execute the Project Participation Agreement on behalf of County in substantially the form hereof, with only such nonmaterial changes recommended by the County Manager, approved as to form by the County Attorney, and approved by the Council Chair. The County Manager or his designee, is authorized to execute documents, in a form approved by the County Attorney, necessary to transfer all rights, title and interests possessed by County to certain County-owned property to Company as provided for in Section 6 of the Ordinance.

Section 10. The County Council, the Council Chair, other County officials, the County Manager and County staff are hereby authorized to take all action necessary to carry out the provisions of this Ordinance and the Project Participation Agreement.

Section 11. Should any section, paragraph, clause or provision of this ordinance, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

Section 12. This Ordinance shall become effective on September 28, 2019, thirty (30) days after notice of its adoption.

ADOPTED this 27th day of August, 2019.

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

Sara C. Scott
Council Chair

ATTEST: (Seal)

Naomi D. Maestas
Los Alamos County Clerk

PROJECT PARTICIPATION AGREEMENT

This Project Participation Agreement ("Agreement") is made and entered into as of September 28, 2019, by and between the Incorporated County of Los Alamos, an incorporated County of the State of New Mexico ("County") and TNJLA LLC, a New Mexico Corporation qualified to do business in New Mexico ("TNJLA").

RECITALS

THE PARTIES HERETO enter into this Agreement on the basis of the following facts, understandings, and intentions:

A. On June 9, 2009 the governing body of the Incorporated County of Los Alamos ("County") adopted Ordinance No. 543, an Ordinance amending and restating the economic development plan of County in accordance with the Local Economic Development Act, Sections 5-10-1 through 5-10-13 NMSA 1978, as amended and superseding Ordinance 501.

B. County has adopted Ordinance No. 695 providing for the public support of TNJLA's "Project," as defined herein, in the form of a grant of "Real Property," and certain capital improvements as further defined below, which is the "Project Grant." The value of the Real Property the Project Grant is One Million Eight Hundred Twenty-Five Thousand Dollars (\$1,825,000). TNJLA shall acquire, develop and construct an extended stay hotel facility, including a 250-300 person banquet style conference center, and a minimum of 1,800 sq. ft. of stand-alone food and beverage retail on the 20th Street Extension properties in Los Alamos County ("Project").

C. TNJLA's economic activity complies with the Local Economic Development Plan adopted by County on June 9, 2009, by providing a public benefit to the residents of County in the following respects:

1. Meets the objective of economic diversification by constructing a hotel, conference center facility and retail food and beverage space;

2. Meets the objective of expansion of the tax base by generating increased taxes for property tax, GRT and Lodger's Tax Revenues via the increase in number of hotel rooms available in Los Alamos;

3. Meets the objective of increased job and income opportunities by proposing to generate seventeen (17) new primary jobs at the hotel, conference center, food and beverage, and retail operations within County no later than twelve (12) months of the project obtaining Certificate of Occupancy;

4. Meets County's objective of economic diversification by enriching the hospitality offerings in Los Alamos by creating an 86-room extended stay hotel;

5. Meets County's objective of expansion of the tax base by creating a conference center that shall accommodate up to 250-300 people seated banquet style for local events and LANL meetings;

6. Meets County's objective of economic diversification by enriching the hospitality offerings in Los Alamos by creating a stand-alone retail food and beverage retail space;

7. Meets County's objective of recruiting and retaining businesses that utilize Los Alamos location for events and meetings additionally by offering existing businesses opportunity to provide catering services for events and meetings;

8. TNJLA is a private for-profit development business whose principal has an established track record of successful hotel projects in New Mexico.

D. As a condition precedent to its receipt of public assistance in the form of an economic development project, TNJLA is required to execute this Project Participation Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals and the covenants and promises contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Contributions of County.

A. *Project Grant.* Subject to the terms and conditions of this Project Participation Agreement, County agrees to transfer, by quitclaim deed, with all rights, title and interests possessed by County in the property defined as Eastern Area 3 Tract NN Lots 6C; 5C; 4C; 3C; 2C; and 1C located on 20th Street Extension, platted and recorded in Los Alamos County Records as Instrument No. 231237 (together, the "Real Property"). The Real Property has an appraised value of One Million Eight Hundred Twenty-Five Thousand Dollars (\$1,825,000).

B. *Conditions Precedent.* The parties agree that the following are conditions precedent to any contributions or obligations under this this Project Participation Agreement:

- (i) TNJLA shall have approval from Marriot Corporation to the construct an 86-room Towneplace Suites hotel with conference center in Los Alamos; and
- (ii) TNJLA shall have secured construction financing commitment in an amount sufficient to support the Project.

C. County shall be solely responsible for the cost of any and all signalization and roadway improvements once State traffic warrants are met for the intersection of NM 502 (Trinity Drive) and 20th Street.

2. Contributions of TNJLA.

A. *Construction.* TNJLA shall complete the Project and fully open for operation within forty-eight (48) months of the Effective Date of this Agreement.

- (i) an 86-room Towneplace Suites hotel and conference center to accommodate 250-300 people banquet style; and
- (ii) a minimum of 1800 sq. ft. of stand-alone food and beverage retail space.

B. *Employment.* TNJLA shall create a minimum of seventeen (17) Full Time Equivalent Jobs based in Los Alamos County, New Mexico and maintain said employees over the ten (10) year term of this Agreement. As used herein, a "Full Time Equivalent Job" is defined

as 2,080 employed hours annually, based on any twelve consecutive month period, which is paid through TNJLA's payroll.

C. *Conference Center.* TNJLA shall continuously operate a conference center that shall accommodate 250-300 people banquet style for the entire ten (10) year term of this Agreement. County shall be entitled to use the conference facilities up to four (4) times per year at no charge for room fees and only cleaning and catering fees shall be charged as appropriate and commercially reasonable. County must make reservations at least thirty (30) days in advance for their use of the facility unless mutually agreed upon and shall not displace a paying customer.

D. *Promotion.* TNJLA shall make good faith efforts to promote Los Alamos County as a good and desirable place to visit, live and work.

3. Performance Review and Measurement.

A. *Progress Report and Job Reporting.* TNJLA shall, within ninety (90) days of the end of each anniversary of the effective date during the term of this Agreement, provide County with a written report of its progress toward achieving the performance measures required by Section 2, Contributions of TNJLA, above (collectively the "Performance Measures"). Thereafter, for each year during the term of this Agreement, TNJLA may, at the sole option of the County Manager's Office, be subject to a commercially reasonable annual performance review and audit conducted by the County Manager's Office, or its designee, to evaluate whether TNJLA has achieved the Performance Measures. TNJLA shall reasonably cooperate in the performance review and audit process by making all of its personnel, employees, books and tax records available to County at all reasonable times upon request. The creation and retention of a minimum of seventeen (17) jobs must be verified on an annual basis as part of the Progress Report.

B. *Continuous Operation of Conference Center.* TNJLA shall demonstrate annually in writing via an Affidavit, to be included in the Annual Progress Report detailed below, that they continuously operate a conference center for 250-300 people banquet style for the duration of this Agreement.

C. *Confidential Information and Reliance.* All information regarding TNJLA shall be treated in confidence to the fullest extent allowed by New Mexico law; provided, however, that nothing in this Agreement shall be construed to permit or require County to circumvent, obstruct, or fail to comply with the New Mexico Inspection of Public Records Act, §§ 14-2-1 *et seq.* (NMSA 1978). TNJLA acknowledges that its reporting shall be relied on by County and, possibly, by the State to ascertain whether TNJLA is in compliance with the job creation provisions of this Agreement.

4. Security. TNJLA shall furnish the following security in connection with the Project.

A. *Real Property.* TNJLA agrees to permit new construction within twelve (12) months of acquisition of the Real Property from County. If TNJLA fails to permit new construction within twelve (12) months, and County has acted in a commercially reasonable manner and has not unreasonably withheld approval, and there is no force majeure (as defined below), then TNJLA shall be required to return with all rights, title and interests in the Real Property unencumbered by any lies, mortgage or other debt, to County by Quit Claim Deed.

B. *Financial Guarantee.* TNJLA's principals agree to provide a Financial Guarantee in an amount equal to One Million Eight Hundred Twenty-Five Thousand Dollars (\$1,825,000) to the benefit of County which is secured by a subordinated interest on the project property in an amount equal to One Million Eight Hundred Twenty-Five Thousand Dollars (\$1,825,000), as well as personal guarantees from both Tushar Patel and Jayesh Patel in an amount equal to One Million Eight Hundred Twenty-Five Thousand Dollars (\$1,825,000), both with an effective date that is the same date of transfer by quitclaim deed of the Real Property to TNJLA. County shall have the right to recoup its Financial Guarantee, as provided for in this agreement, from both sources of security, but not in a total amount that exceeds the amount of the Financial Guarantee existing at the time of default as defined below. The overlapping portion the Financial Guarantee that are provided by the personal guarantees defined herein shall expire six months after Certificate of Occupancy is issued for the hotel / conference center. The Financial Guarantee secures performance of TNJLA's obligations under this Agreement. The Financial Guarantee shall be reduced by Ten Percent (10%) of the original amount for each year of the ten (10) year term of this Agreement. The Financial Guarantee shall be Zero Dollars (\$0.00) at the end of the tenth (10th) year. To clarify, both parties agree that the value of the security shall reduce each year by an amount equal to Ten Percent (10%) of the original value. In the event of a termination necessitating the exercise of the guarantee, the language of this Agreement controls as it pertains to the amount of guarantee amount required to satisfy County demands.

5. Termination and Recovery of Investment.

A. *Events of Default.* The following events shall constitute events of default under this Agreement:

- (i) Failure of TNJLA to fulfill, in whole or in part, any Performance Measure or other obligation required by this Agreement; including but not limited to:
 - a. *Annual Progress Report and Job Reporting.* The creation and retention of a minimum of seventeen (17) jobs must be verified on an annual basis as part of the Progress Report.
 - b. *Continuous Operation of Conference Center.* TNJLA shall demonstrate in writing via an Affidavit that they continuously operate a conference center for 250-300 people banquet style for the duration of this Agreement, verification of operation via Affidavit shall be demonstrated within the Annual Progress Report.
- (ii) TNJLA (i) ceases operations of the Project prior the end of the ten (10) year term of this Agreement.
- (iii) TNJLA sells or assigns the Project or any portion thereof, without the written consent of County. However, should TNJLA propose a sale or assignment of the Project or any portion thereof to a qualified buyer who shall assume and meet all obligations of this Agreement, County approval shall not be unreasonably withheld.
- (iv) TNJLA fails to complete the Project and fully open for operation within forty-eight (48) months of the Effective Date of this Agreement. County shall act in a commercially reasonable manner when approving, inspecting and granting Certificate of Approval.
- (iii) The discovery by County that any representation, warranty, or covenant made by TNJLA in connection with this Agreement was false, materially misleading, erroneous, or breached in any material respect.

B. *TNJLA's Response to Default.* Upon the occurrence of an event of default by TNJLA specified in this Agreement, County shall notify TNJLA in writing that an event of default has occurred under this Agreement. Within sixty (60) days of the receipt of such notice, TNJLA shall:

- (i) Cause the default to be cured; or
- (ii) Furnish a written response indicating:
 - a. The factors which caused or contributed, in whole or in part, to the occurrence of default;
 - b. The measures TNJLA has undertaken to avoid the reoccurrence of default in the future;
 - c. Whether any Performance Measure not achieved can still be achieved in a timeframe acceptable to County;
 - d. What further action TNJLA plans to take to achieve the Performance Measure in a timeframe acceptable to County; and
 - e. In the event of a default after construction has commenced, TNJLA has the right to terminate this Agreement by tendering to County an amount equivalent to the Financial Guarantee as referenced in Section 4B of this Agreement.

C. *County Response to Default of Section 2: Contributions of TNJLA.* County staff shall review the response furnished by TNJLA and within thirty (30) days from receipt of such response, recommend to the County Council whether to modify or terminate this Participation Agreement. TNJLA shall have an opportunity to make a presentation to the County Council at any meeting where such recommendation shall be acted upon. The County Council shall maintain the right to reasonably modify or terminate this Agreement. The County Council power and authority is not limited in any way by the event of a default. TNJLA maintains a reasonable right to arbitrate.

6. Term. The term of this Agreement shall commence on the Effective Date of this Agreement and continue for ten (10) years unless terminated sooner, as provided herein. TNJLA has the right to return the Real Property and terminate this Agreement if, despite commercially reasonable efforts, it is unable to timely permit new construction within twelve (12) months of acquisition of the Real Property from County.

7. Obligation to Perform. The failure of County to insist, in any one or more instances, upon performance of any of the terms or covenants of this Agreement shall not be construed as a waiver or relinquishment of County's right to the future performance of any such terms and covenants, and the obligations of TNJLA with respect to such future performance shall continue in full force and effect.

8. Force Majeure. Neither TNJLA nor County 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 as defined by New Mexico law that could not have been reasonably avoided by exercise of due diligence.

9. Notices. All notices and communications required or permitted under this Agreement (including change of address and facsimile or telephone number set forth below) shall be in writing and shall be deemed given to, and received by, the receiving party: (i) when hand-delivered to the street address of the receiving party set forth below; (ii) when sent by facsimile transmission to the facsimile number of the receiving party set forth below; (iii) one (1) day after deposit with a national overnight courier addressed to the receiving party at the street address set forth below;

or (iv) five (5) days after deposit in the U. S. mail, certified mail, return receipt requested, postage prepaid, addressed to the receiving party at the mailing address set forth below.

County: Los Alamos County
County Manager
1000 Central Avenue, Suite 350
Los Alamos, New Mexico 87544
Telephone: (505) 663-1750
Facsimile: (505) 662-8079

TNJLA: TNJLA, Inc.
Tushar Patel, Chief Executive Officer
4520 Lower Terrace Circle NE
Albuquerque, New Mexico 87111
Telephone: (505) 275-8223

10. Amendment. This Agreement shall not be altered, changed, or amended other than by a written instrument executed by both parties.

11. Appropriations. The performance by County of any of the terms, covenants, or conditions in this Agreement that County is obligated to perform shall be subject to the availability of appropriated funds that may be lawfully used for such purpose.

12. Partnership. Nothing contained in this Agreement shall be construed as creating or establishing a joint venture or partnership between County and TNJLA.

13. Authority. The individual(s) signing this Agreement on behalf of TNJLA represent and warrant that they have the power and authority to bind TNJLA, and that no further action, resolution, or approval from TNJLA is necessary to enter into a binding contract.

14. Governing Law. This Agreement shall be governed by the laws of the State of New Mexico (without giving effect to the State of New Mexico's choice of law provisions).

15. Severability. If any terms of this Agreement, or the application of such terms to any circumstance, person, or entity, shall be held illegal, invalid, or unenforceable, the remainder of this Agreement, or the application of such terms to persons or circumstances other than those to which it is held illegal, invalid, or unenforceable, shall not be affected; provided, however, that the remainder of this Agreement is still capable of performance in substantial accordance with the original intent of the parties.

16. Miscellaneous. This Agreement binds and inures to the benefit of County and TNJLA and their respective successors and permitted assigns. This Agreement may not be assigned without the written consent of the non-assigning party, which may not be unreasonably withheld; provided, however that with notice, TNJLA may assign this Agreement to any affiliate of TNJLA that agrees in writing to assume and perform all of the obligations of TNJLA under this Agreement.

IN WITNESS WHEREOF, the parties have entered into this Project Participation Agreement effective as of the date first written above (the "Effective Date").

INCORPORATED COUNTY OF LOS ALAMOS

Attest:

By: _____
Harry Burgess, County Manager

Naomi D. Maestas, County Clerk

APPROVED TO FORM:

J. Alvin Leaphart, County Attorney

TNJLA, Inc.,
a New Mexico Corporation

By: _____
Name: _____
Title: _____



County of Los Alamos

Staff Report

August 06, 2019

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: B.

Index (Council Goals): * 2019 Council Goal - Other

Presenters: Harry Burgess, County Manager

Legislative File: OR0857-19

Title

Introduction of Incorporated County of Los Alamos Ordinance No. 696 Providing for the Transfer of Land to Los Alamos Public Schools

Recommended Action

I introduce, without prejudice, Incorporated County of Los Alamos Ordinance No. 696, an Ordinance providing for the transfer of land to Los Alamos Public Schools, and ask staff to assure that it is published as provided in the County Charter and that the property description in this publication include utility and drainage easements as required.

County Manager's Recommendation

The County Manager recommends that Council introduce this Ordinance.

Body

This ordinance provides for the transfer of Sullivan Field parking lot (see attachment B) to Los Alamos Public Schools (LAPS). LAPS is planning to build a new fieldhouse at Sullivan Field. The plan for the fieldhouse includes a significant use of land that is currently part of the Sullivan field parking lot and this parking lot is currently owned by the County. In addition, LAPS has expressed an interest in owning the entire parking lot so that they can enforce LAPS policies there.

Prior to publication of the public hearing notice, the property description will be updated to include utility and drainage easements.

Alternatives

The Council could choose to not introduce this ordinance at this time.

Fiscal and Staff Impact/Planned Item

The introduction involves minimal staff and fiscal impact. If the ordinance is adopted, then the property would be conveyed to LAPS.

Attachments

- A - Incorporated County of Los Alamos Ordinance No. 696 Providing for the Transfer of Land to Los Alamos Public Schools
- B. Sullivan field parking lot map

INCORPORATED COUNTY OF LOS ALAMOS ORDINANCE NO. 696

**AN ORDINANCE PROVIDING FOR THE TRANSFER OF APPROXIMATELY
87,976 SQUARE FEET, OR 2.02 ACRES ±, OF LAND OWNED BY THE
INCORPORATED COUNTY OF LOS ALAMOS TO THE BOARD OF EDUCATION
OF THE LOS ALAMOS PUBLIC SCHOOLS**

WHEREAS, the Incorporated County of Los Alamos ("County") has agreed to convey approximately 87,976 square feet of County land, the description of which is attached hereto as Exhibit "A", to the Board of Education of the Los Alamos Public Schools ("Schools"); and

WHEREAS, County and Schools mutually agree that the land transfer is in the best interest of both parties; and

WHEREAS, the transfer shall be subject to the execution and performance by the parties, or their designated and authorized representatives, of all documents, including quitclaim deeds, free and clear of any encumbrances, and the filing thereof with any and all proper authorities or entities.

**BE IT ORDAINED BY THE GOVERNING BODY OF THE INCORPORATED COUNTY
OF LOS ALAMOS:**

Section 1. Pursuant to Section 14-31 of the Code of Ordinances of the Incorporated County of Los Alamos, a total of approximately 87,976 square feet of County-owned land, the description of which is attached hereto as Exhibit "A", shall be conveyed by quitclaim deed to the Schools.

Section 2. County Staff is hereby directed to prepare all documents necessary to effect the conveyance, and the Council Chair is hereby authorized to execute all documents necessary to effect the conveyance on behalf of County.

Section 3. This Ordinance shall be effective thirty (30) days after publication of notice of its adoption. Publication shall be made by general summary.

ADOPTED this the 27th day of August 2019.

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

Sara C. Scott, Council Chair

ATTEST:

**Naomi D. Maestas
Los Alamos County Clerk**

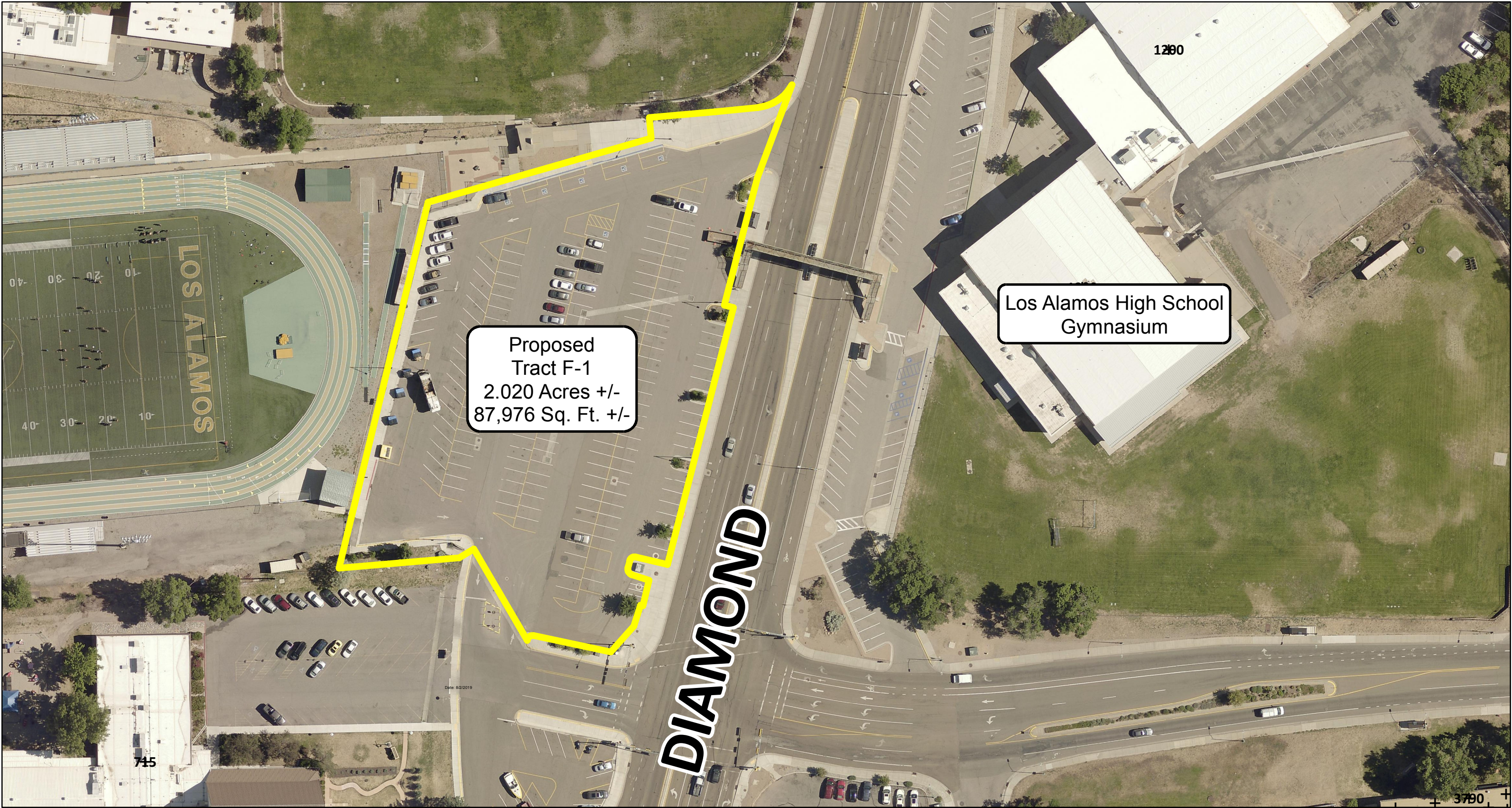
THE INCORPORATED COUNTY OF LOS ALAMOS HAS AGREED TO CONVEY APPROXIMATELY 87,976 SQUARE FEET OF COUNTY LAND TO THE BOARD OF EDUCATION OF THE LOS ALAMOS PUBLIC SCHOOLS, AS FOLLOWS:

A parcel of land within Western Area No. 1, Los Alamos, Los Alamos County, New Mexico, more particularly described as:

Beginning at the point for Control Monument No. LAC-6 (Trinity) within the Los Alamos County Control Map,

thence S87°22'38"E a distance of 2695.99 ft to the point and place of beginning ;
thence bearing N 73°58'60"E a distance of 180.15 ft ;
thence bearing N 5°00'37" W a distance of 16.04 ft ;
thence bearing N 85°11'59" E a distance of 51.72 ft ;
thence bearing N 83°58'27" E a distance of 33.26 ft. ;
thence along a curve to the LEFT, having a radius of 33.87 a delta angle of 55° 39' 11.47", and whose long chord bears N 56°8'51" E a distance of 32.90 ft.;
thence bearing S 20°28'50" W a distance of 76.99 ft. ;
thence bearing S 14°30'2" W a distance of 102.36 ft. ;
thence bearing S 75°7'22" E a distance of 7.27 ft. ;
thence bearing S 14°23'37" W a distance of 205.88 ft. ;
thence bearing N 76°39'55" W a distance of 25.49 ft. ;
thence along a curve to the LEFT, having a radius of 3.76 a delta angle of 102° 13' 23.83", and whose long chord bears S 52°13'22" W a distance of 6.70 ft. ;
thence bearing S 15°15'-59" W a distance of 4.46 ft. ;
thence along a curve to the LEFT, having a radius of 4.81 ft. a delta angle of 85° 32' 11", and whose long chord bears S 27°30'6" E a distance of 7.19 ft. ;
thence bearing S 72°6'51" E a distance of 13.92 ft. ;
thence bearing S 13°10'8" W a distance of 20.33 ft. ;
thence bearing N 77°9'3" W a distance of 2.10 ft. ;
thence bearing S 17°34'21" W a distance of 17.21 ft. ;
thence bearing S 41°38'45" W a distance of 26.76 ft. ;
thence bearing N 78°5'8" W a distance of 61.24 ft. ;
thence along a curve to the LEFT, having a radius of 4.02 a delta angle of 97° 14' 31", and whose long chord bears S 53°17'36" W a distance of 6.82 ft. ;
thence bearing N 30°22'32" W a distance of 82.20 ft. ;
thence bearing S 59°8'-11" W a distance of 13.16 ft. ;
thence bearing S 84-58-20" W a distance of 93.69 ft. ;
thence bearing N 13°39'20" E a distance of 292.43 ;
to the point of beginning.

Tract contains 2.020 acres OR 87,976 square feet,+/-.



Proposed
Tract F-1
2.020 Acres +/-
87,976 Sq. Ft. +/-

Los Alamos High School
Gymnasium

DIAMOND





County of Los Alamos

Staff Report

August 06, 2019

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: A.

Index (Council Goals):

Presenters: County Council - Regular Session

Legislative File: 12101-19

Title

New Liquor License Application No.1119254, Small Brewer 2nd Off-Site Location Liquor License, filed by Applicant, Boese Brothers Brewing, LLC, 145 Central Park Square, Los Alamos, NM 87544.

Recommended Action

I move that Council approve New Liquor License Application No. 1119254 Boese Brothers Brewing, LLC d/b/a Boese Brothers Brewing.

Body

The Applicant Boese Brothers Brewing, LLC d/b/a Boese Brothers Brewing has applied for a Small Brewer 2nd Off-Site Location Liquor License with on Premises Consumption No. Application No. 1119254.

The County is required to notify the State Alcohol and Gaming Division, within 30 days after the Public Hearing, of the Council's approval or disapproval of this Application.

Attachments

- A - Boese Brothers Brewing, LLC - Publication Form
- B - Boese Brothers Brewing, LLC - PD Memo
- C - Boese Brothers Brewing, LLC - CDD Memo
- D - Boese Brothers Brewing, LLC - Liquor License Application

NOTICE OF PUBLIC HEARING

LIQUOR LICENSE – APPLICATION NO. 1119254

Notice is hereby given that the Los Alamos County Council has scheduled a Public Hearing on Tuesday, August 6, 2019 at 6:00 p.m., in the Council Chambers of the Los Alamos County Municipal Building, located at 1000 Central Ave, Los Alamos, New Mexico. The Applicant is seeking a Small Brewer 2nd Off-Site Location Liquor License, with on Premises Consumption. Application No. 1119254. Applicant name: Boese Brothers Brewing LLC, dba Boese Brothers Brewing, 601 Gold Ave. SW, Albuquerque, NM 87102. Proposed Location: 145 Central Park Square, Los Alamos, NM 87544.

COUNTY CLERK

/s/ Naomi D. Maestas

CHIEF DEPUTY CLERK

/s/ Adrianna Ortiz

Publication Dates: July 3, 2019, July 11, 2019, July 18, 2019 and August 1, 2019



Los Alamos Police Department

MEMORANDUM

To: Chief Sgambellone
From: Commander Ballew
Date: July 11, 2019
Re: Liquor License Application # 1119254

Chief Sgambellone:

I have reviewed the application and conducted research on the premises in question (145 Central Park Square). I did not discover any incidents reported at this location in reference to any alcohol related offenses.

The distance to the nearest school (Children's Montessori School, 1060 Nuggett) is approximately 2,640 feet. The distance to the nearest church (Job of Pochaiv Orthodox Church, 1319 Trinity Dr) is approximately 1,584 feet. The distance to the nearest military installation (Kirtland Air Force Base, Albuquerque) is approximately 100 miles.

Due to the information listed above, the Los Alamos Police Department does not have any issues with this application.

Sincerely,

Commander Preston Ballew

Professionalism • Integrity • Accountability • Respect • Teamwork • Communication

MEMORANDUM

DATE: July 1, 2019
TO: Harry Burgess, County Manager
FROM: Ryan Foster, Principal Planner
RE: Public Hearing for Small Brewer 2nd off-site Location Liquor License with on premises consumption for Boese Brothers Brewing, LLC., dba Boese Brothers Brewing, 145 Central Park Square, Los Alamos, NM 87544 [No. 1119254]

COUNTY COUNCIL

Sara C. Scott
Council Chair

Pete Sheehey
Council Vice-Chair

COUNCILORS

David Izraelevitz
Antonio Maggiore
James N. Robinson
Randall T. Rytli

COUNTY MANAGER

Harry Burgess

Application No. 1119254, submitted by Boese Brothers Brewing, LLC., dba Boese Brothers Brewing, is seeking a **Small Brewer 2nd off-site Location Liquor License** with on premises consumption at 145 Central Park Square, Los Alamos, NM 87544.

The location is part of a larger property known as Central Park Square, in Eastern Area No. 3 subdivision. The property is within the Downtown Town Center Overlay zone (DT-TCO) which allows for liquor stores, lounges, bars and restaurants serving alcoholic beverages. As such, the proposed use is within character of the area and intention of the zones use.



Michelle Lujan Grisham
Governor

Marguerite Salazar
Superintendent

Claudia Armijo
Deputy Superintendent

Daniel Rubin
General Counsel

Andrew Vallejos
Director

Alcohol and Gaming Division
(505) 476-4875

Boards and Commissions Division
(505) 476-4600

Construction Industries Division
(505) 476-4700

Financial Institutions Division
(505) 476-4885

Manufactured Housing Division
(505) 476-4770

Securities Division
(505) 476-4580

Administrative Services Division
(505) 476-4800

New Mexico Regulation and Licensing Department ALCOHOL AND GAMING DIVISION

PO Box 25101 • Santa Fe, New Mexico 87504-5101
(505) 476-4875 • Fax (505) 476-4595 • www.rld.state.nm.us/alcoholandgaming

June 24, 2019

Certified Mail No.: 9171 9690 0935 0078 2601 50

Los Alamos County
Clerk: Naomi Maestas
1000 Central Avenue, Suite 240
Los Alamos, NM 87544

Lic. No. /Appl. No.: **Application No. 1119254**
Name of Applicant: Boese Brothers Brewing LLC
Doing Business As: Boese Brothers Brewing
Proposed Location: 145 Central Park Square, Los Alamos, NM 87544

Greetings:

The Director of the Alcohol and Gaming Division has reviewed the referenced Application and granted **Preliminary Approval**. It is being forwarded to you for Local Option District approval or disapproval of the Liquor License Application.

While the law states that “within forty-five (45) days after receipt of a Notice from the Alcohol and Gaming Division, the governing body shall hold a Public Hearing in the question of whether the department should approve the proposed issuance or transfer”, we recognize the potential for conflict between the requirement for publication of 30 day notice and the 45 day hearing requirement. Should the Local Governing Body be unable to meet one of these requirements, please send a Request for Waiver/Extension by email to the assigned AGD Hearing Officer listed on page 2.

Notice of the Public Hearing required by the Liquor Control Act **shall be given by the governing body by publishing a notice** of the date, time, and place of the hearing **twice during the 30 days prior to the hearing** in a newspaper of general circulation within the territorial limits of the governing body. **The first notice must be published at least thirty (30) days before the hearing. Both publications must occur before a hearing can be conducted.** The notice shall include:

- (A) Name and address of the Applicant/Licensee;
- (B) The action proposed to be taken by the Alcohol & Gaming Division;
- (C) The location of the licensed premises.

In addition, if the Local Option District has a website, **the Notice shall also be published on the website.**

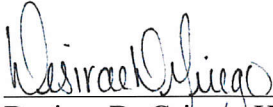
The governing body is required to send notice by certified mail to the Applicant of the date, time, and place of the Public Hearing. The governing body may designate a Hearing Officer to conduct the hearing. **A record shall be made of the hearing.**

THE APPLICANT IS SEEKING A SMALL BREWER 2ND OFF-SITE LOCATION LIQUOR LICENSE, WITH ON PREMISES CONSUMPTION.

Within thirty (30) days after the Public Hearing, the governing body shall notify the Alcohol and Gaming Division of their decision to approve or disapprove the issuance or transfer of the license by signing the enclosed original Page 1 of the Application. The original Page 1 of the Application must be returned together with the notices of publication. **If the Governing Body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the Public Hearing, the Director may issue the license.**

If the Governing Body disapproves the issuance or transfer of the license, it shall notify the Alcohol and Gaming Division within thirty (30) days setting forth the reasons for the disapproval. A copy of the Minutes of the Public Hearing shall be submitted to the Alcohol and Gaming Division with the Notice of Disapproval (*Page 1 of the Application, noting disapproval*).

Respectfully,



Desirae D. Griego, Hearing Officer

New Mexico Regulation & Licensing Dept. | Alcohol & Gaming Division

Phone: (505) 476-4552 Fax: (505) 476-4595

Email: Desirae.Griego@state.nm.us

Enclosures:

1. Original Page 1 of the Application (*must be signed and returned w/notices of publication*)
2. Copy of Page 2 of the Application
3. Copy of Zoning Statement



AGD USE ONLY: Payment| Application Fee \$ 200 Received on: 1-23-19 Receipt No. 2155107
License Fee \$ _____ Received on: _____ Receipt No. _____
Application # 1119254 Local Option District: _____

SMALL BREWER LIQUOR LICENSE APPLICATION

\$200.00 Application Fee, non-refundable.

Check appropriate boxes:

Application is for: ☐ New License ☒ Off-Site Location – 1st, 2nd, 3rd Master License No. 67055

Applicant is: ☐ Individual ☐ Limited Liability Company ☐ Corporation ☐ Partnership (General/Limited)

NAME OF APPLICANT (company or individual) ADDRESS (including city, state, zip) TELEPHONE NUMBER
Boese Brothers Brewing LLC 601 Gold Ave SW, Albuquerque, NM, 87102 (575) 317-6378

D/B/A Name to be used: Boese Brothers Brewing Business Phone #: (575) 317-6378

Email Address (required): gboese10@gmail.com

Physical location where license is to be used: (Include street number / highway number / state road, city and county, state, and zip code)
145 Central Park Square, Los Alamos, New Mexico, 87544

Are alcoholic beverages currently being dispensed at the proposed location? ☒ Yes ☐ No If Yes, License # / Type: 61002

Mailing Address: Same 601 Gold Ave. SW Albuquerque NM 87102 Wine Grocer Offsite

Agent/Contact Person: George Boese Phone #: 575 317 6378 Email: gboese10@gmail.com

I, (print name) George Boese, as (title) Resident Agent
being first duly sworn upon oath deposes and says: that he/she is the applicant or is authorized by the applicant to make this application;
that he/she has read the same; knows the contents therein contained are true. Applicant(s) agree(s) that if any statements or representations
herein are found to be false, the Director may refuse to issue or renew the license or may cause the license to be revoked at any time.

You must sign and date before a Notary Public:

Signature of Applicant: _____

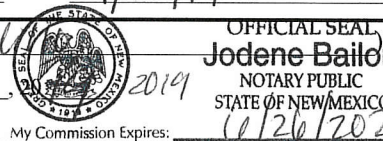
Date: 1/18/19

NOTARY PUBLIC USE ONLY: (State of New Mexico, County of Bernal)

SUBSCRIBED AND SWORN TO before me this 18th day of January

By: Jodene Bailon Notary Public: Jodene Bailon

My Commission Expires: 6/26/2022



FOR LOCAL OPTION DISTRICT USE ONLY: Local Governing Body of: _____ City, County, Village

Public Hearing held on _____, 20____ Check one: ☐ Approved ☐ Disapproved

Signature and Title of City/County Official: _____

FOR ALCOHOL AND GAMING DIVISION USE ONLY: ☐ Approved ☐ Disapproved

Signed by Director: _____ Date: _____



PREMISES LOCATION, OWNERSHIP, AND DESCRIPTION

NMSA §60-6B-10

1. The land and building which is proposed to be the licensed premises is: (check one)

- ☐ Owned by Applicant, copy of deed/document attached ☒ Leased by Applicant, copy of lease/document attached
☐ Other (provide details): _____

2. If the land and building are not owned by Applicant, indicate the following:

A. Owner(s): Central Park Square LLC

B. Date and Term of Lease: 6/1/19 (5-yr)

3. Premises location is Zoned (example C-1, see Zoning Statement): DT-TCO

☒ Zoning Statement attached, which must be obtained from the Local Government, listing the proposed location by address, Type of Zone, state whether alcoholic beverages are allowed at proposed location, and if applicable, whether packaged sales, patio service and/or manufacturing is allowable. If there is no zoning in the proposed location, attach Statement from the local government, indicating there is no zoning.

4. Distance* from nearest Church: (Property line of church to closest point of licensed premises—shortest distance)

Name of Church: United Church of Los Alamos Miles/feet: 0.6 miles 3168 ft

Address/location of Church: 2525 Canyon Rd, Los Alamos, NM, 87544

5. Distance* from nearest School: (Property line of school to closest point of licensed premises—shortest distance)

Name of School: Los Alamos Public Schools Miles/feet: 0.3 miles 1584 ft

Address/location of School: 2075 Trinity Dr, Los Alamos, NM, 87544

6. Distance from military installation *(Property line of military installation to closest point of licensed premises—shortest distance.)

Name of Military Installation, circle one: Kirtland Air Force Base (Albuquerque), White Sands Missile Range (Las Cruces),
Miles: 80 Holloman Air Force Base (Alamogordo), Cannon Air Force Base (Clovis)

7. Attach Detailed Floor Plan, must include the Total Square Footage of premises; List nearest cross street; Show which direction is North; Show each level (floor) where alcoholic beverages will be sold or consumed, exterior walls, doors, and interior walls; Patio Area with type of barrier used; Highlight Bonded Areas. The floor plan should be no larger than 8½ x 11 inches and must be labeled with designated areas highlighted, which will reflect the proposed Licensed Premises.

8. Type of Operation: ☐ Hotel ☐ Lounge ☐ Package Grocery ☐ Restaurant ☐ Racetrack

☒ Small Brewer ☐ Craft Distiller ☐ Winery ☐ Wholesaler

☐ Other (specify): 2nd Off-Site Location

RECEIVED

*NOTE: If the distance is beyond 300 feet, but less than 400 feet, a Registered Engineer or Licensed Surveyor must complete a Survey Certificate showing the exact distance.

JAN 22 2019

January 18, 2019

New Mexico Regulation and Licensing Department
Alcohol and Gaming Division
2550 Cerrillos Road
Santa Fe, New Mexico 87505

Re: Zoning Statement; 145 Central Avenue, Los Alamos, New Mexico 87544

To Whom It May Concern:

Please be advised that above referenced property is zoned DT-TCO (Downtown District—Town Center Overlay).

The DT-TCO district is intended to accommodate mixed-use development combining office, commercial, civic, certain types of residential and other uses at the highest density allowed. The use of the property for the purpose of a "Tap Room" with liquor sales- including patio service and packaged sales - would be an allowed use within the provisions of the Incorporated County of Los Alamos Development Code.

A complete listing of allowable uses for this property can be found in the Los Alamos County, New Mexico, Code of Ordinances, Chapter 16, Article VII—Use Regulations.

Please feel free to contact me directly if you require additional information, or I can be of further assistance.

Very Truly,



Anita C. Barela
Planning Assistant

RECEIVED

JAN 22 2019

ALCOHOL & GAMING DIVISION



County of Los Alamos

Staff Report

August 06, 2019

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: A.

Index (Council Goals): * 2019 Council Goal - Investing in Infrastructure

Presenters: Philo Shelton, Utilities Manager

Legislative File: RE0417-19

Title

Incorporated County of Los Alamos Resolution No. 19-18; A Resolution Authorizing and Approving an Increase in the Participant's Entitlement Share Under the Carbon Free Power Project Power Sales Contract for the Lay-off Power Sales Agreement Associated with Joint Use Module Plant Operations at the Carbon Free Power Project; and Related Matters

Recommended Action

I move that Council adopt Incorporated County of Los Alamos Resolution No. 19-18; A Resolution Authorizing and Approving an Increase in the Participant's Entitlement Share Under the Carbon Free Power Project Power Sales Contract for the Lay-off Power Sales Agreement Associated with Joint Use Module Plant Operations at the Carbon Free Power Project; and Related Matters

..Utilities Manager's Recommendation

The Utilities Manager recommends that Council adopt the resolution as presented.

Board, Commission or Committee Recommendation

The Board of Public Utilities recommends that Council adopt the resolution as presented.

Body

This JUMP Allocation Resolution is for Los Alamos County to express their interest in their entitlement share of capacity and energy from the Joint Use Module Plant (JUMP) program after DOE has completed their research and development using the power output of the JUMP.

UAMPS and DOE expect to have the terms and conditions of the JUMP Power Sales Layoff agreement completed by October 2019. At this time the members interested in the JUMP program will have the option to rescind its election to increase their entitlement share in the CFPP.

What is JUMP?

JUMP refers to the Joint Use Modular Plant and specifically the first NuScale module at the Carbon Free Power Project (CFPP) that will be used by the Department of Energy ("DOE") for research and development ("R & D") purposes. UAMPS and DOE entered into a Memorandum of Understanding ("MOU") in December 2018 to explore potential R & D applications for the JUMP module and establishing a goal to have contracts in place between the parties by October 2019. UAMPS and DOE have been working on these objectives from the MOU since the beginning of 2019.

What is the benefit to the CFPP as a whole?

The JUMP program provides significant de-risking benefits to the CFPP, namely the first of a kind deployment risk associated with the NuScale technology. The JUMP program envisions an early procurement, fabrication, installation, and commissioning of the first NuScale module. Conducting these activities on an accelerated timeline than what is otherwise contemplated will allow the know-how developed from these activities to be implemented as lessons learned to the deployment of subsequent NuScale modules at the CFPP.

What is the potential benefit to CFPP Participants signing up for an allocation in the JUMP module?

It is contemplated that the DOE will pay a 100% of costs associated with deploying and operating the JUMP module as well as a proportionate share of balance of plant costs. The effect of this structure will mean that when R & D activities cease (currently contemplated to occur in 2041) as spelled out in the ultimate terms of the JUMP contracts (discussed above), the JUMP module will revert to use by those Participants signing up for a JUMP allocation at a cost that reflects ongoing operations and maintenance and moving forward decommissioning costs but not having to pay debt costs associated with the deployment of JUMP module.

What happens if a Participant does not like the terms of the JUMP Agreements?

The JUMP Resolution to be approved by Participant governing bodies expressly identifies that each Participant signing up for a JUMP allocation will have the unilateral right to fully rescind or adjust down its JUMP allocation upon reviewing the final terms and conditions of the JUMP agreement (anticipated to be finalized in October 2019). The CFPP Project Management Committee (PMC) will also review the JUMP agreements and will authorize approval if the PMC deems appropriate.

On April 10, 2018, the Board of Public Utilities and County Council approved the CFPP Power Sales Contract with UAMPS for an entitlement share of 8,000 kW (8 MW) of capacity. Based on LAC's current subscription in the CFPP, the JUMP Resolution will increase our capacity by 2,974 kW (2.974 MW). The Resolution also expresses the County's interest in the JUMP program up to 10,000 kW (10 MW) of additional capacity if available.

The ten year average generation from the Abiquiu and El Vado hydroelectric facilities, and the initial 8 MW allocation in the CFPP, is expect to generate approximately 128,000 MWh per year.

Based on our most recent load forecast, LAC electric demand will be approximately 136,000 MWh per year in 2030 and approach 150,000 MWh in 2040. These additional 3 MW of capacity will help meet our current load projections in 2040 by supplying an additional 25,000 MWh annually. Combined with the 128,000 MWh discussed above totals 153,000 MWh of energy production on an annual basis.

These load projections do not account for the electric demand associated with the electrification of automobiles.

Alternatives

Do not participate in the JUMP layoff-off Power Sales Agreement. The County's subscription in the project will remain at the 8 MW entitlement share that was approved on April 10, 2018.

Fiscal and Staff Impact/Planned Item

None at this time. When the terms and conditions of the JUMP layoff-off Power Sales Agreement are finalized and approved by the Project Management Committee, each participant will be notified in writing and have 30 days to get their governing body approvals. If the County chooses to move forward with the JUMP Power Sales Layoff Agreement, the County will be committed to the power when the plant goes into commercial operation in 2027. This does not eliminate the off-ramps at each phase of the project requiring Board and Council approvals.

Attachments

A - Resolution 19-18

B - Notice of Publication

RESOLUTION NO. 19-18

A RESOLUTION AUTHORIZING AND APPROVING AN INCREASE IN THE PARTICIPANT'S ENTITLEMENT SHARE UNDER THE CARBON FREE POWER PROJECT POWER SALES CONTRACT FOR THE LAY-OFF POWER SALES AGREEMENT ASSOCIATED WITH JOINT USE MODULE PLANT OPERATIONS AT THE CARBON FREE POWER PROJECT; AND RELATED MATTERS.

***** ***** *****

WHEREAS, the Incorporated County of Los Alamos, New Mexico (the "*Participant*") is a member of Utah Associated Municipal Power Systems ("*UAMPS*") pursuant to the provisions of the Utah Associated Municipal Power Systems Amended and Restated Agreement for Joint and Cooperative Action, as amended (the "*Joint Action Agreement*");

WHEREAS, the Participant has previously approved, executed and delivered the Carbon Free Power Sales Contract dated as of April 1, 2018 (the "*Power Sales Contract*") with UAMPS, including an Entitlement Share of 8,000 kW of the capacity of the Project (initially capitalized terms used and not defined herein have the meanings assigned to them in the Power Sales Contract);

WHEREAS, UAMPS, the U.S. Department of Energy and Batelle Energy Alliance, as DOE's prime contractor at the Idaho National Laboratory (together, "*DOE*") entered into a Memorandum of Understanding in December 2018 (the "*MOU*"), under which one of the small modular reactors at the Project ("*JUMP SMR*") will be utilized by DOE for research and development purposes under its "JUMP" program;

WHEREAS, the MOU calls for definitive agreements for the JUMP SMR be negotiated by October 2019 (collectively, these agreements are referred to herein as the "*JUMP Lay-Off Power Sales Agreement*");

WHEREAS, UAMPS and the Project Management Committee believe that the JUMP Lay-Off Power Sales Agreement will provide substantial benefits to the Participants and the Project as a whole, including accelerating the development of the Project, achieving cost savings and other benefits;

WHEREAS, certain Participants in the CFPP desire to facilitate this transaction by electing to increase their Entitlement Shares in a total amount sufficient to enable UAMPS to make the JUMP SMR available to DOE and thus enabling UAMPS to enter into JUMP Lay-Off Power Sales Agreement with DOE; and

WHEREAS, the Participant now desires to increase its Entitlement Share in the amount set forth below to facilitate the JUMP Lay-Off Power Sales Agreement;

ATTACHMENT A

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Incorporated County of Los Alamos, New Mexico as follows:

Section 1. Increase of Participant Entitlement Share for JUMP Lay-Off Power Sales Agreement. (a) The Participant hereby authorizes and approves increasing its Entitlement Share in the CFPP by 2,974 kW and up to 10,000 kW of capacity.

(b) Upon the completion of negotiations with DOE, UAMPS shall submit the JUMP Lay-Off Power Sales Agreement to the Project Management Committee for approval as provided in the Power Sales Contracts. Upon the approval or disapproval of the JUMP Lay-Off Power Sales Agreement by the Project Management Committee, UAMPS shall send written notice to each of the Participants that has elected to increase its Entitlement Share of the action taken by the Project Management Committee and, if the Project Management Committee has approved the JUMP Lay-Off Power Sales Agreement, a copy of the JUMP Lay-Off Power Sales Agreement.

(c) If the JUMP Lay-Off Power Sales Agreement is approved by the Project Management Committee but is not executed by UAMPS for any reason, UAMPS shall give additional written notice of such fact to such Participants.

(d) Upon its receipt of the written notice from UAMPS described in (b) above, the Participant shall, in its sole discretion, have the right to rescind its election to increase its Entitlement Share as provided in 1(a) above or to modify the increase in its Entitlement Share as provided in 1(a) above upon its determination that the final terms of the JUMP Lay-Off Power Sales Agreement are unacceptable. Upon its receipt of the written notice from UAMPS described in (c) above, the Participant shall, in its sole discretion, have an additional right to rescind its election to increase its Entitlement Share as provided in 1(a) above or to modify the increase in its Entitlement Share as provided in 1(a) above. The Participant shall exercise these rights upon the approval of its Governing Body and by written notice to UAMPS which shall be given not later than 30 days after UAMPS gives notice to the Participant under (b) or (c) above.

Section 2. Miscellaneous; Effective Date. (a) Notwithstanding the rights provided to the Participant Section 1(d) of this resolution, this resolution shall be and remain irrevocable until the expiration or termination of the Power Sales Contract in accordance with its terms.

(b) All previous acts and resolutions in conflict with this resolution or any part hereof are hereby repealed to the extent of such conflict.

(c) In case any provision in this resolution shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

(d) This resolution shall take effect immediately upon its adoption and approval.

ADOPTED AND APPROVED this 6th day of August, 2019.

INCORPORATED COUNTY OF LOS ALAMOS,
NEW MEXICO

By _____
Sara C. Scott
Council Chair

ATTEST:

Naomi D. Maestas
County Clerk

[SEAL]

NOTICE OF RESOLUTION NO. 19-18

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 Resolution No. 19-18. This will be considered by the County Council at an open meeting on Tuesday, August 6, 2019, 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 RESOLUTION NO. 19-18

A RESOLUTION AUTHORIZING AND APPROVING AN INCREASE IN THE PARTICIPANT'S ENTITLEMENT SHARE UNDER THE CARBON FREE POWER PROJECT POWER SALES CONTRACT FOR THE LAY-OFF POWER SALES AGREEMENT ASSOCIATED WITH JOINT USE MODULE PLANT OPERATIONS AT THE CARBON FREE POWER PROJECT; AND RELATED MATTERS.

Council of the Incorporated County of Los Alamos

By: /s/ Sara C. Scott, Council Chair

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

Publication Date: Thursday, July 18, 2019