



County of Los Alamos

1000 Central Avenue
Los Alamos, NM 87544

Agenda - Final Board of Public Utilities

*Kathleen Taylor, Chair; Carrie Walker, Vice-chair; Jeff Johnson,
Stephen McLin and Steve Tobin Members
Philo Shelton, Ex Officio Member
Harry Burgess, Ex Officio Member
Randall Rytty, Council Liaison*

Wednesday, May 20, 2020

5:30 PM

1000 Central Avenue
Room 110

REGULAR SESSION -

Watch meeting streamed live. Submit public comment via e-mail to bpu@lacnm.us to be read into the record at the appropriate time on the agenda. Please include "PUBLIC COMMENT" in the subject.

The Los Alamos Board of Public Utilities (BPU) meeting scheduled at the Municipal Building in room 110 on Wednesday, May 20th, 2020 at 5:30 p.m. will continue using a format that complies with the recent New Mexico Department of Health's public health emergency order governing mass gatherings because of COVID-19. The format was used for the March 25th and April 15th BPU meetings, and that process is noted again for public reference below:

Public in-person attendance Wednesday evening will not be allowed. Minimal County staff will be in attendance to present items and Members will be participating by phone. The agenda has been streamlined to focus on time-sensitive matters. Members of the public interested in watching the meeting can view the agenda and live-stream the meeting from home using this link and accessing the meeting for May 20:

<https://ladpu.com/BPULiveProceedings>

The County encourages public comment via e-mail at bpu@lacnm.us. Citizens are asked to type PUBLIC COMMENT in the subject line of the e-mail. Within the body of the e-mail, individuals should include a name, address, whether the comment pertains to a specific item on the agenda, and the comment. Public comments about items will be accepted prior to the meeting, to be read into the meeting at the appropriate time. In addition, the e-mail address will be monitored during the meeting for comments to be received during the live proceedings and read into the record when the Chair calls for public comment.

Complete Board of Public Utilities agenda packets, past agendas, videos, legislation and minutes can be found online at **losalamos.legistar.com**. Learn more about the Board of Public Utilities at **ladpu.com/bpu**.

1. CALL TO ORDER & ROLL CALL**2. PUBLIC COMMENT**

This section of the agenda is reserved for comments from the public on Consent Agenda items or items that are not otherwise included in this agenda.

3. APPROVAL OF AGENDA**4. BOARD BUSINESS****4.A. Chair's Report****4.B. Board Member Reports****4.C. Utilities Manager's Report****4.D. County Manager's Report****4.E. Council Liaison's Report****4.F. General Board Business****4.G. Approval of Board Expenses****4.H. Preview of Upcoming Agenda Items****5. PUBLIC HEARING(S)**

There were no public hearings scheduled for this meeting.

6. CONSENT AGENDA

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

CONSENT MOTION -

I move that the Board of Public Utilities approve the items on the Consent Agenda as presented and that the motions in the staff reports be included in the minutes for the record.

OR

I move that the Board of Public Utilities approve the items on the Consent Agenda as amended and that the motions contained in the staff reports, be included in the minutes for the record.

- 6.A** [12989-20](#) Approval of Board of Public Utilities Meeting Minutes

Presenters: Board of Public Utilities

PG. 1-10

- 6.B** [AGR0665-20](#) Approval of Amendment No. 2 to Services Agreement No. AGR17-37 with Stantec Consulting Service, Inc. in the amount of \$500,000.00 for a Revised Contract Amount Not to Exceed \$950,000.00, plus Applicable Gross Receipts Tax, for the Purpose of the Geographic Information System (GIS) and Asset Management Upgrade Project

Presenters: Jack Richardson, Deputy Utilities Manager - GWS Services

PG. 11-16

7. BUSINESS

- 7.A** [12982-20](#) Briefing on the Utilities Assistance Program

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

PG. 17-28

8. PUBLIC COMMENT

This section of the agenda is reserved for comments from the public on any items.

9. 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 Department of Public Utilities (505) 662-8132 if a summary or other type of accessible format is needed.



County of Los Alamos

Staff Report

May 20, 2020

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: 6.A
Index (Council Goals): DPU FY2020 - N/A
Presenters: Board of Public Utilities
Legislative File: 12989-20

Title

Approval of Board of Public Utilities Meeting Minutes

Recommended Action

I move that the Board of Public Utilities approve the meeting minutes of April 15th, 2020 as presented.

Body

REQUESTED REVISIONS TO THE DRAFT MINUTES

Draft minutes are sent to members after each meeting for their review. Members may then send changes to be incorporated prior to final approval of the minutes at the next regular meeting.

The following changes were incorporated into the minutes presented for approval:

1. Kathleen Taylor - Item 6.A. - "This past fiscal year, the Board of Public Utilities (BPU) ~~choose~~ chose to apply for a Zia award from Quality New Mexico (QNM)..."

Attachments

A - Draft BPU Regular Session Minutes - April 15th, 2020



LOS ALAMOS

County of Los Alamos

Minutes

Board of Public Utilities

1000 Central Avenue
Los Alamos, NM 87544

Kathleen Taylor, Chair; Carrie Walker, Vice-chair; Jeff Johnson, Stephen McLin and Steve Tobin Members
Philo Shelton, Ex Officio Member
Harry Burgess, Ex Officio Member
Randall Ryti, Council Liaison

Wednesday, April 15, 2020

5:30 PM

1000 Central Avenue
Council Chambers

REGULAR SESSION

1. CALL TO ORDER & ROLL CALL

The regular meeting of the Incorporated County of Los Alamos Board of Public Utilities was held on Wednesday, April 15th at 5:30 p.m. at 1000 Central Ave., Council Chambers. Board Chair Kathleen Taylor called the meeting to order at 5:30 p.m.

Some Department of Public Utilities (DPU) staff presented to the BPU in Council Chambers; however, all BPU members participated by phone. This social distancing was to comply with the recommendations of the Centers for Disease Control (CDC) to prevent the spread of COVID-19. Members of the public were able to live-stream the meeting online and submit public comment via email prior to or during the meeting. Comments would then be read into the record by staff during the appropriate agenda item.

Present 1 - Board Member Shelton

Absent 1 - Board Member Burgess

Remote 5 - Board Member Johnson, Board Member McLin, Board Member Tobin, Board Member Walker and Board Member Taylor

2. PUBLIC COMMENT

Ms. Taylor opened the floor for public comment on items on the Consent Agenda and for those not otherwise included on the agenda. Public Relations Manager Julie Williams-Hill informed the Board that no public comment had been received via e-mail prior to the meeting. She reminded those who might be live-streaming that the bpu@lacnm.us e-mail address would continue to be monitored during the meeting and public comments could still be submitted to be read during the meeting.

3. APPROVAL OF AGENDA

Ms. Walker moved that the agenda be approved as presented. The motion passed by the following vote:

Yes: 5 - Board Member Johnson, Board Member McLin, Board Member Tobin, Board Member Walker and Board Member Taylor

4. BOARD BUSINESS

4.A. Chair's Report

Ms. Taylor had nothing to report.

4.B. Board Member Reports

Board members had nothing to report.

4.C. Utilities Manager's Report

Mr. Shelton provided a written report, which is included in the minutes as an attachment.

Ms. Walker requested clarification on the Utilities Assistance Program (UAP) and whether or not County funding of or donations to the program would be a violation of anti-donation laws. Assistant County Attorney Kevin Powers confirmed that it would be a violation.

Ms. Walker requested clarification on the eligibility requirements and proof required to demonstrate financial need to qualify for assistance under the UAP. Deputy Utility Manager for Finance and Administration Bob Westervelt explained that the eligibility for recurring assistance is determined by median household income, in which case, proof of income is required. To be eligible to receive one-time hardship assistance, the customer need only provide a statement of need for the occurrence.

Ms. Walker asked if the Department is being flexible with late fees during the COVID-19 emergency declaration. Mr. Westervelt explained that late fees and disconnections for non-payment are currently suspended, at least until the Governor's emergency orders are lifted. If there is a need to extend the suspension, that can be determined later.

Ms. Taylor asked if there is a timeline for the Enchant agreement with Farmington for the San Juan Generating Station. Mr. Shelton explained that it will be a multi-year endeavor to put all the pieces of the agreement in place. He should know more in May.

4.D. County Manager's Report

Mr. Burgess was absent. No report was given.

4.E. Council Liaison's Report

Councilor Ryti provided a written report, which is included in the minutes as an attachment.

5. CONSENT AGENDA

As a follow-up item, Ms. Taylor would like the Board to revisit when on the agenda and how the Consent Agenda is approved.

Ms. Taylor moved that the Board of Public Utilities approve the items on the Consent Agenda as presented and that the motions contained in the staff reports be included in the minutes for the record. The motion passed by the following vote:

Yes: 5 - Board Member Johnson, Board Member McLin, Board Member Tobin, Board Member Walker and Board Member Taylor

5.A [12960-20](#) Approval of Board of Public Utilities Meeting Minutes

Presenters: Board of Public Utilities

I move that the Board of Public Utilities approve the meeting minutes of March 25th, 2020 as presented.

5.B [12956-20](#) Approval of Purchase of ClaVal Altitude Valves from Core & Main per Quote # 1277753 in the Amount of \$64,674.75, Plus Applicable Gross Receipts Tax, for the Purpose of Replacing Failed Valves in the Sycamore and Pajarito 4 Water Tanks

Presenters: Jack Richardson

I move that the Board of Public Utilities approve the purchase of ClaVal Altitude Valves from Core & Main per Quote # 1277753 in the Amount of \$64,674.75, Plus Applicable Gross Receipts Tax, for the Purpose of Replacing Failed Valves in the Sycamore and Pajarito 4 Water Tanks

6. BUSINESS

6.A [12841-20](#) New Mexico Performance Excellence Awards Program, 2019 Feedback Report on the Department of Public Utilities' Zia Application

Presenters: Philo Shelton

Mr. Shelton presented this item. The following is the substance of the item being considered.

This past fiscal year, the Board of Public Utilities (BPU) chose to apply for a Zia award from Quality New Mexico (QNM) to satisfy a charter requirement that every five years an outside agency review DPU's operations. QNM administers the New Mexico Performance Excellence Awards program based on the national Malcolm Baldrige framework for performance excellence. While the Department did not win the Zia Award, it was recognized at the Roadrunner level just below the Zia Award. Mr. Shelton discussed the feedback report and the identified strengths, opportunities for improvement and the steps that are planned to address issues. The QNM process is beneficial to the Department to improve operations. However, to seek a Malcolm Baldrige designation, this quality improvement process needs to be repeated more often than once every five years so that the organization can better learn and adapt to changes in operations. Therefore, staff recommends reapplying for a Zia designation in two years and is seeking Board direction.

The Board discussed this item and requested clarification where necessary.

The following actions were identified for follow-up:

1) Through general consensus, the Board agreed that additional information would be helpful before deciding whether or not to support applying for a Zia award again in two years. It was noted that there may be other more beneficial and cost effective ways to 1) meet the 5-year management audit Charter requirement and 2) assess the effectiveness of the Department's operational performance and continuous improvement efforts. Mr. Shelton was asked to return at a future meeting to present a summarized cost comparison and a benefit analysis for multiple options so that the Board can make a more informed decision.

6.B [12954-20](#)

Fiscal Year 2021 Department of Public Utilities Proposed Staffing Levels

Presenters: Philo Shelton

Mr. Shelton presented this item. The following is the substance of the item being considered.

In preparing the Department's budget for fiscal years 2021 and 2022, there were several requests for additional staff to support the Department. Mr. Shelton did not feel comfortable presenting a budget with an increase in Full Time Equivalent (FTEs) and worked with his team to maintain the same number of FTEs while making changes to where these employees are working within the Department. This staffing transition is anticipated to occur over the first six to nine months in FY2021 as Advanced Metering Infrastructure (AMI) is implemented, fully on-line, and functional and as retirement vacancies occur. The AMI project proposed that three to four-meter reading positions would no longer be needed and will result in a staff cost savings. The FY2021 staffing plan proposes to transition three-meter reader FTEs and use these FTEs to serve the Department needs as outlined in detail in the staff report and in a proposed organizational chart included in the agenda packet. Mr. Shelton discussed these proposed changes and requested Board support.

The Board discussed this item and requested clarification where necessary.

Mr. Johnson moved to support Utilities Manager's recommendations for FY2021 proposed staffing levels as presented in Attachment B, FY2021 Department Proposed Organizational Chart. The motion passed by the following vote:

Yes: 4 - Board Member Johnson, Board Member Tobin, Board Member Walker and Board Member Taylor

No: 1 - Board Member McLin

7. PUBLIC COMMENT

Ms. Taylor opened the floor for public comment on any items. There were no comments.

8. ADJOURNMENT

The meeting adjourned at 6:59 p.m.

APPROVAL

Board of Public Utilities Chair Name

Board of Public Utilities Chair Signature

Date Approved by the Board

ATTACHMENT
OFFICER REPORTS
SUBMITTED AT THE MEETING

**Utility Manager's Report
April 15, 2020**

1. Continued to have multiple discussions and meetings with staff in response to COVID-19 Pandemic and related operational changes required. Customer Care Center (CCC) Staff now have surfaces and cell phones to handle calls remotely and one-third of the staff are working at the office to process payment and divert calls to these remote staff. This plan is in place to handle anticipated volume of property tax payments coming in over the next month. Also, staff is seeing an increase in requests for application to the Utilities Assistance Program (UAP). Currently, demand for this program exceeds incoming donations at a rate of approximately \$442/month. We are working on a donate now button on DPU website to help facilitate receiving donations. Finally, a big shout-out to Heather Garcia, Business Operations Manager, for sewing cloth masks for the department in order to keep our employees safe.
2. Prepared DPU's budget presentation to County Council. We saw a small increase in water usage in March over last year and since most people are working from home, DPU's revenues are anticipated to be slightly higher. On the other hand, the laboratory usage and costs will be somewhat lower, but these costs do not impact the enterprise as negatively since wholesale rates closely match the costs of the utilities services provided.
3. Staff continues to work with NMED and Laboratory to cleanup an area of the soil containing the oil of approximately 1.2 cubic yards of soil located next to Otowi Well #4 at DP Los Alamos Canyons confluence. The Laboratory sampled the spill area to confirm if DPU staff can clean the spill or if it needs to be performed by the Laboratory. The soil sample results will be provided to DPU at the end of this month. For the pump house Notice of Violation (NOV), NMED has accepted the riser pipe solution and this matter is now closed.
4. The PRC has made a ruling to support the SJGS decommissioning. Next activities will be to continue to monitor PNM replacement resources and the Farmington/Enchant proposal.
5. Attended the LANL Cleanup Technical Working Group meeting and reviewed the Material Disposal Area C project. The next meeting will go into more detail on the remedial measures for this project that will include protecting the ground water.
6. Attended the project management committee meeting with UAMPS and the project continues its design efforts. Funds are anticipated to run out by the end of July and in May UAMPS will be making another funding request with an amendment to the plan of finance. UAMPS will give its members 60-days to consider this request. I anticipate bringing this request to BPU in June.

7. Working with NNSA to reactive the DP Road Lift Station Project. The Lab will clear, observe and support the Project while work and excavations are occurring. A site meeting is schedule for the end of this week.
8. The Water Rights Agreement has been finalized between LANL and the County and has been forwarded to the DOE Property Division in Albuquerque for approval of the contract. While this is ongoing, staff and LANL are working on the Water Sales Agreement. Both agreements will have an effective date of October 1, 2020 that is consistent with the water year and expiration of the current water sales agreement.

Council Liaison Report, Randall Ryti Vice Chair

Apr 15, 2020

February 25, 2020 Regular Session

Correction. Electric distribution franchise fee changed from 2% to 2.5%. No change to gas.

March 31, 2020 Regular Session

Presentation on 2019 salary market study

April 7, 2020 Regular Session

Approved golf course irrigation system replacement project funding (\$2,650,000). Left funding available for other course improvements (\$1,874,000).

Potential Development

North Mesa Housing Feasibility Study (Los Alamos Public Schools property), report is in preparation

DP Road parcels transferred from DOE and available for development. A-8-A and A-16-A



County of Los Alamos

Staff Report

May 20, 2020

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: 6.B
Index (Council Goals): DPU FY2020 - 1.0 Provide Safe and Reliable Utility Services
Presenters: Jack Richardson, Deputy Utilities Manager - GWS Services
Legislative File: AGR0665-20

Title

Approval of Amendment No. 2 to Services Agreement No. AGR17-37 with Stantec Consulting Service, Inc. in the amount of \$500,000.00 for a Revised Contract Amount Not to Exceed \$950,000.00, plus Applicable Gross Receipts Tax, for the Purpose of the Geographic Information System (GIS) and Asset Management Upgrade Project

Recommended Action

I move that the Board of Public Utilities approve Amendment No. 2 to Services Agreement No. AGR17-37 with Stantec Consulting Service, Inc. in the amount of \$500,000.00 for a Revised Contract Amount Not to Exceed \$950,000.00, plus Applicable Gross Receipts Tax, for the Purpose of the Geographic Information System and Asset Management Upgrade Project and forward to Council for approval.

Staff Recommendation

Staff recommends that the BPU approve the motion as presented.

Body

DPU has completed the first three years of this agreement with Stantec spending the full original 3-year contractual amount of \$450,000.00. This past 3-year period accomplished multiple objectives: 1) Re-organized the GWS assets into discrete layers making it easier to locate and view specific assets as individual and/or small group assets; 2) Cleaned the data to improve geographical and attribute accuracy; 3) Developed attributes to enable asset management functionality for asset condition, asset criticality or risk and financial value; 4) Developed reporting tools for asset management; 5) Completed a first run asset import into the Munis System to test whether or not the Munis system can function as a usable asset based work order management and tracking system; and 6) Developed a GWS GIS Metadata system and document for future users to refer to in order to maintain data consistency.

Current statistics indicate that the GWS systems (GA, DW, WC, WP, NP & WT) consist of 122 major assets (wastewater treatment plants, lift stations, wells, tanks, booster stations, etc.), approximately 20,000 mid-major assets (pressure reducing valve (PRV) stations, hydrants, meters, manholes, etc.) and approximately 90,000 minor assets (pipelines, valves, points) for a total of approximately 110,000 individual discrete assets. Completed upgrades include asset attributes such as age, physical condition, risk/criticality, financial value (initial and depreciated current present worth value). Additional upgrades include operational specifications for major and mid-major assets - such as well pump capacity, sewer lift station wet well dimensions, PRV station inlet & outlet pressure settings, storage tank volume, etc. - that enable the DPU GIS to be

the go-to data set for knowledge about the size and functionality of the GWS systems.

There have also been 17 non-asset layers developed to track events such as water line breaks, gas line leaks, sewer overflow events, pressure zones and service areas.

This amendment (No.2) approves the 3-year extension that was proposed in the original agreement. The work proposed in the final three years of this agreement will be concentrated on: 1) Using the asset management tools, in conjunction with the FY21 DPU Condition Assessment Project consultant, to provide detailed reports assessing the condition of the individual GWS facilities; 2) Populating the non-asset layers with historic data; 3) Field surveys to finalize geo-location of assets; 4) Development of mobile application digital field inspection tools to take the GIS into the field and complete asset condition monitoring in real time; 5) Develop desktop dashboard applications to monitor and report on field inspection activities.

The total project cost of \$950,000 comes to approximately \$8.63 per individual asset for the approximately 110,000 assets in the six GWS systems.

Alternatives

DPU could try to complete this work in house however, that would mean multiple additional GIS personnel and equipment would be required to complete this work within the projected 3-year schedule. Without this contract, and alternatively without the addition of multiple personnel and equipment, the GWS GIS datasets will never be developed to the point of being reliable for use as an asset management tool.

Fiscal and Staff Impact

Funds are budgeted in GA, DW, WC, WP & NP in FY21 and FY22 for this work. The total cost of the 6-year contract is \$950,000; \$450,000 for the first three years and \$500,000 for the final three years. Project Management will be absorbed within the routine functioning of the DPU with personnel from both GWS and Engineering involved. The hourly rates for the next three years are the same rates that were established in 2017. Finally due to COVID-19 concerns, summer interns will not be hired in 2020 due to not having safe work space for the interns to work and ability for interaction with staff.

Attachments

A - AGR17-37-A2 Stantec Consulting Services_Amendment No. 2

**AMENDMENT NO. 2
INCORPORATED COUNTY OF LOS ALAMOS
SERVICES AGREEMENT NO. AGR17-37**

This **AMENDMENT NO. 2** is entered into by and between the **Incorporated County of Los Alamos**, an incorporated county of the State of New Mexico ("County"), and **Stantec Consulting Service, Incorporated**, a New York corporation ("Contractor"), to be effective for all purposes July 1, 2020.

WHEREAS, County and Contractor entered into Agreement No. AGR17-37 on June 28, 2017 and Amendment No. AGR17-37-A1 dated August 20, 2018, (as amended, the "Agreement") for Geographic Information System and Asset Management Upgrade; and

WHEREAS, the Services are ongoing and County and Contractor wish to extend the term as allowed for in the original terms of the Agreement; and

WHEREAS, the Board of Public Utilities approved this Amendment at a public meeting held on May 20, 2020 ; and

WHEREAS, the County Council approved this Amendment at a public meeting held on May 26, 2020 ; and

NOW, THEREFORE, for good and valuable consideration, County and Contractor agree as follows:

1. Delete **SECTION B. TERM** in its entirety and replace it with the following:

SECTION B. TERM: The term of this Agreement shall commence June 28, 2017, and shall continue through June 30, 2023, unless sooner terminated, as provided herein.

2. Delete **SECTION C. COMPENSATION** in its entirety and replace it with the following:

SECTION C. COMPENSATION:

1. **Amount of Compensation.** County shall pay compensation for performance of the Services in an amount not to exceed NINE HUNDRED FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$950,000.00), which amount does not include applicable New Mexico gross receipts taxes ("NMGR"). Compensation shall be paid in accordance with the rate schedule(s) set out in Exhibit "A," attached hereto and made a part hereof for all purposes.
2. **Monthly Invoices.** Contractor shall submit itemized monthly invoices to County's Project Manager showing amount of compensation due, amount of any NMGR, and total amount payable. Payment of undisputed amounts shall be due and payable thirty (30) days after County's receipt of the invoice. All disputes related to performance and payment shall be governed by the County's Procurement Code, Chapter 31.

3. Add two (2) new Sections titled "V." and "W."

SECTION V. LEGAL RECOGNITION OF ELECTRONIC SIGNATURES: Pursuant to NMSA 1978 § 14-16-7, this Agreement may be signed by electronic signature.

SECTION W. DUPLICATE ORIGINAL DOCUMENTS: This document may be executed in counterparts, each of which shall be deemed an original.

Except as expressly modified by this Amendment, the terms and conditions of the Agreement remain unchanged and in effect.

IN WITNESS WHEREOF, the parties have executed this Amendment No. 2 on the date(s) set forth opposite the signatures of their authorized representatives to be effective for all purposes on the date first written above.

ATTEST

INCORPORATED COUNTY OF LOS ALAMOS

NAOMI D. MAESTAS
COUNTY CLERK

BY: _____ **Date** _____
PHILO S. SHELTON, III, P.E.
UTILITIES MANAGER

Approved as to form:

J. ALVIN LEAPHART
COUNTY ATTORNEY

STANTEC CONSULTING SERVICES, INC., A NEW YORK CORPORATION

BY: _____ **Date** _____

NAME: _____

TITLE: _____

**EXHIBIT “A”
COMPENSATION RATE SCHEDULE
AGR17-37
AS REVISED BY AMENDMENT AGR17-37-A2**

Fees and Costs:

Project Manager	\$154.00
GIS Developer	\$144.00
Senior GIS Analyst	\$117.00
GIS Analyst 2	\$110.00
GIS Analyst 1	\$105.00
Asset Management Lead	\$242.00
Project Principal	\$242.00
Travel and Printing	Not to exceed \$60,000 for entire term of Agreement



County of Los Alamos

Staff Report

May 20, 2020

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: 7.A

Index (Council Goals): DPU FY2020 - 3.0 Be a Customer Service Oriented Organization that is Communicative, Efficient, and Transparent

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

Legislative File: 12982-20

Title

Briefing on the Utilities Assistance Program

Recommended Action

None - discussion item only

Staff Recommendation

None - discussion item only

Body

In the past two years the BPU has taken action to expand the availability of funds available to support the community through the Utilities Assistance Program. While initially established to provide assistance for Gas and Electric services only, the program has been expanded to make assistance available for all services. "One Time Assistance" was added to allow for utilization of the fund to help customers with an unanticipated financial situation that results in a short-term financial need. A program to provide year around assistance for qualifying customers over age 65 was added. Most recently, the use of the median household income of the "Los Alamos Census Designated Place" as the financial criteria instead of the "Santa Fe Metropolitan Statistical Area" was adopted, raising the qualifying income threshold and allowing for more households to potentially qualify. The Addition of account holders qualified through the Social Security Administration for Supplemental Security Income (SSI) for eligibility for year around assistance was also added with that last revision.

The UAP is funded entirely by voluntary donations from Los Alamos residents and customers. In the current COVID-19 situation, while several of Los Alamos' largest employers have continued operations in one form or another and many resident's income has been unaffected, there remains a likelihood that there will be many residents with increasing financial need. Both the Board and the Council have expressed concern and desire to explore how the fund may be utilized to provide more assistance and to more people if needed, but to do so additional donations would need to be received. We have already conducted some outreach to make sure citizens that may be in need are aware of the assistance available, and also to solicited additional contributions. The attached presentation provides an overview of the program history, current status, and recent activity. Also attached are the current authorizing rule, and the current

UAP application.

Alternatives

None - discussion item only

Fiscal and Staff Impact

Since the program is funded entirely through voluntary contributions, budgetary fiscal impact is minimal - simply the modest amount of staff time expended to administer the program, and with the recent addition of "Donate Now" the incremental credit card fees paid by the department to the credit card transaction processor. These fees are not expected to exceed \$500 in the course of an entire fiscal year.

Attachments

A - UAP Presentation BPU May 2020

B - Rule GR18 - Utilities Assistance Program

C - UAP Application

Department of Public Utilities

Utility Assistance Program (UAP)

- The Energy Assistance Program (EAP) or Utilities Assistance Program (UAP) has been in place for at least the past 30 years. The policy for this program can be found under General Rule (GR) -18, last revised 10/16/2019.
- Last year \$7,152 was given out in assistance to LAC Utility Customers, and \$5,800.47 was donated.
- As of 5/11/2020, \$13,721 has been given out as assistance, an increase of 92% from last fiscal year, and \$13,422 has been donated to the program, an increase from FY2019 of 131%.

	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019 *	5 Year Avg. **	FY 2020
Beg Balance	23,763.25	25,073.54	27,988.51	27,366.20	25,173.26		23,821.73
Contributions/Donations	8,184.63	8,182.92	9,161.77	7,664.25	5,800.47	7,798.81	13,422.19
Assistance Given	6,874.34	5,267.95	9,784.08	9,857.19	7,152.00	7,787.11	13,720.76
Ending Balance	25,073.54	27,988.51	27,366.20	25,173.26	23,821.73		23,523.16

* Per the GL

** 5 year average for FY 2015 – FY 2019

Department of Public Utilities

Utility Assistance Program (UAP)

- The Utility Assistance Program (UAP) was established to provide assistance to qualified:
 - 1) Low income residential customers of the Utility during the periods of October 1 through March 31,
 - 2) Year-round for citizens over age 65 or account holders qualified through the Social Security Administration for Supplemental Security Income (SSI), or
 - 3) One-time assistance to account holders who demonstrate need due to unforeseen and unusual circumstances.
- Funding is donated voluntarily from customers.
- To qualify for monthly assistance under items 1 & 2, the household income of the applicant must be below 50 percent of the median household income for the Los Alamos Census Designated Place (CDP) . DPU will verify income levels by requesting copies of tax returns, pay stubs, or other suitable documentation.
- To qualify for monthly assistance under item 3, customers must demonstrate a financial hardship due to unforeseen circumstances.

Department of Public Utilities

Utility Assistance Program (UAP)

- GR-18 states the following:
 - The annual assistance period will be October 1 through the following March 31 of each year, or October 1 through the following September 30 for year-round assistance. A new application will be required each year. In September the Utility will determine eligibility for winter or year-round assistance and calculate the maximum allocation for each applicant.
 - One-time assistance payments will be considered as applications are received, if funds are available.
 - Applications received during an annual assistance period will be considered for the remainder of the current assistance period if funds are available. If the total allocation thus calculated exceeds projected funds available, the allocations will be reduced on a pro-rata basis.
 - In no case will assistance payments exceed contributed funds available at the time the assistance payment is credited to the customer's account.

Department of Public Utilities

Utility Assistance Program (UAP)

- Assistance provided will be up to 30% of the customer's average bill for consumption of water, gas, electric and sewer during the previous winter months of October through March, with a maximum of \$125.00 assistance per month and a minimum of \$15.00 assistance per month for those who qualify. The monthly credit will be limited by the customers total bill for utilities services for each individual month.
- One time assistance is provided once per qualifying event, but a customer can apply again if another qualifying event occurs.
- There are other public and private programs in Los Alamos County and New Mexico that can help with utility costs. Some we have worked with in the past are listed on our website and provided to customers who apply for the UAP.
 - New Mexico Low Income Energy Assistance Program (LIHEAP) - LIHEAP assists eligible families with their heating and cooling costs and is administered by the NM Human Services Department.
 - LA Cares
 - Self-help Inc. (Includes Salvation Army)

Department of Public Utilities

Utility Assistance Program (UAP)

- As of May 2020, 29 customers have been approved for 6 months of assistance, 8 customers have been approved for yearly assistance, and there has been 1 customer who received 1 time assistance.
- Staff spends approx. 4 to 5 hours a week on UAP related tasks, including consulting with customers, reviewing applications, processing EAP payments into Tyler Cashiering and entering credits onto customers' accounts in MUNIS.

	OCT 2017 - SEP 2018	OCT 2018 - SEP 2019	OCT 2019 - SEP 2020
6 Month Assistance	27	15	29
Yearly Assistance	12	8	8
One Time Assistance	1	2	1
Total	40	25	38

Department of Public Utilities

Utility Assistance Program (UAP)

- Donations are currently made 3 ways. Monthly donations of set amounts that are applied to a customers utility bill, an additional amount added to a utility payment made via drop box or mail in or in person, or the one time "Donate Now" button.
- In April of 2020 the "Donate Now" button was introduced to the DPU website. Since then, the public has donated \$3,091 through this avenue.
- Scheduled monthly donations total \$185 a month from 26 customers.

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Department of Public Utilities

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Contact Info



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DONATE NOW
UTILITIES ASSISTANCE PROGRAM

If you'd like to help others who may be having trouble paying their utility bills, please consider donating to the Utilities Assistance Program (UAP). "Donate Now" will take you to our Paymentus bill payment portal, where you can now click on a Utilities Assistance Program button to make a donation. You do not have to be a current LAC DPU customer to donate. Thank you for helping our community!

> [Learn more about the UAP or request assistance.](#)



**RULES AND REGULATIONS
GENERAL RULES (GR)
RULE GR-18
UTILITIES ASSISTANCE PROGRAM (UAP)**

GR-18.01 GENERAL

The purpose of the UAP is to provide assistance to qualified low income residential customers of the Utility during the periods of October 1 through March 31, or year-round for citizens over age 65 or account holders qualified through the Social Security Administration for Supplemental Security Income (SSI), or one-time assistance to account holders who demonstrate need due to unforeseen and unusual circumstances. Funding is provided voluntarily from customers.

To qualify for monthly assistance, the household income of the applicant must be below 50% of the median household income for the Los Alamos Census Designated Place (CDP), which includes all of Los Alamos County. The Department will verify income levels by requesting copies of tax returns, pay stubs, or other suitable documentation. Applicants should be aware that documents submitted may be subject to release under the inspection of public records act (IPRA). Personal Identifier Information and tax information will be redacted to the extent allowable under IPRA Regulations before release.

GR-18.02 AMOUNT OF ASSISTANCE PROVIDED

Assistance is always limited by the amount of contributions. The Utility shall attempt to distribute assistance based on need. Assistance provided will be up to 30% of the customer's average bill for consumption of water, gas, electric and sewer during the previous winter months of October through March, with a maximum of \$125.00 assistance per month and a minimum of \$15.00 assistance per month for those who qualify. The monthly credit will be limited by the customers total bill for utilities services for each individual month. If the customer does not have previous winter use history at the subject residence staff will estimate appropriate assistance based on relevant comparative information.

GR-18.03 ONE-TIME PAYMENTS FOR IMMEDIATE FINANCIAL HARDSHIP

A single lump sum assistance credit may be applied to a qualified customer's bill if they have a demonstrated need due to unforeseen circumstances (e.g., layoff, illness, major household repairs, etc.) and are in danger of their utility services being turned off for non-payment. A brief statement of income and anticipated expenses, a statement of need or hardship as to why available resources are not sufficient to pay the utilities bill, and details of other assistance resources sought or expended will be required. Lump sum payments will generally only be granted once per incident and only after all other assistance programs have been pursued. The maximum amount will be \$350.00. Each individual case will be judged on its own merit. Staff will make a recommendation for final approval by the Deputy Utilities Manager for Finance and Administration after review of the hardship documentation provided to ensure compliance with the requirements stated in this provision.

GR-18.04 PROCEDURE FOR ALLOCATING ASSISTANCE

The annual assistance period will be October 1 through the following March 31 of each year, or October 1 through the following September 30 for year-round assistance. A new application will be required each year. In September the Utility will determine eligibility for winter or year-round assistance and calculate the maximum allocation for each applicant. One-time assistance payments will be considered as applications are received, if funds are available. Applications received during an annual assistance period will be considered for the remainder of the current assistance period if funds are available. If the total allocation thus calculated exceeds projected funds available, the allocations will be reduced on a pro-rata basis. In no case will assistance payments exceed contributed funds available at the time the assistance payment is credited to the customer's account.

**UTILITY ASSISTANCE PROGRAM
 APPLICATION AND DECLARATION STATEMENT**

APPLICANT INFORMATION:

Name: _____

Marital Status: S M D W Spouse's Name: _____

Service Address: _____

Utility Account #: _____ Home Phone #: _____

Work Phone #: _____ Type of Residence: _____

Los Alamos County Resident Since (date): _____

Family Member(s) Living in the Household:

_____	_____
_____	_____
_____	_____

.....
 Please list and include ALL sources of income, including benefits, for ALL household members living with you:

<u>NAME</u>	<u>SOURCE OF INCOME</u>	<u>AMOUNT</u>

ENERGY ASSISTANCE PROGRAM - APPLICATION AND DECLARATION STATEMENT

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MONTHLY SOURCE OF INCOME:

Social Security:	Yes _____	No: _____	Amount: _____
Welfare:	Yes _____	No: _____	Amount: _____
Food Stamps:	Yes _____	No: _____	Amount: _____
V.A. Benefits:	Yes _____	No: _____	Amount: _____
Military Allotment:	Yes _____	No: _____	Amount: _____
Pension/Retirement:	Yes _____	No: _____	Amount: _____
Educational Grants, Scholarships, and/or Loans:	Yes _____	No: _____	Amount: _____
Worker's Compensation:	Yes _____	No: _____	Amount: _____
Unemployment Benefits:	Yes _____	No: _____	Amount: _____
Real Estate/ Contract Payments:	Yes _____	No: _____	Amount: _____
Child Support:	Yes _____	No: _____	Amount: _____
Other Unearned Income:	Yes _____	No: _____	Amount: _____

EMPLOYMENT:

Occupation: _____ Employer: _____

Hourly Wage: \$ _____ Gross Annual Income (include all sources): \$ _____

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MONTHLY EXPENSES:

Rent or Mortgage:	\$ _____
Auto Payment:	\$ _____
Utilities:	\$ _____
Child Care:	\$ _____
Food:	\$ _____
Phone:	\$ _____
Gasoline:	\$ _____

ENERGY ASSISTANCE PROGRAM - APPLICATION AND DECLARATION STATEMENT

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Total Monthly Income: \$ _____

Total Monthly Expenses: \$ _____

Remaining Income: \$ _____

State any extenuating circumstances, which you feel, would qualify you for assistance:

****Attach copies of your two most recent paycheck stubs or federal income tax returns, and/or alternate source of income verification for the past 12 months.****

I, _____, understand that all information given by me on this application is subject to investigation, and any false statement on this form made knowingly by me constitutes as fraud and would automatically disqualify me for further assistance.

I certify that I have read this application and the information contained is true to the best of my knowledge, and that I am without sufficient funds or source of income to solely pay for the utilities service provided to me by Los Alamos County, and I do not foresee any future possibility of being able to solely pay for this service.

I hereby authorize the Board of Public Utilities and/or its agents to request, from any source, information or documentation regarding my assets, obligations, or any other information which bears directly upon my eligibility for utilities assistance.

I understand that contributions to the Los Alamos County utilities assistance program are made voluntarily by county residents, and that the availability of funds for assistance depends entirely on the level of contributions. I acknowledge the fact that the County assumes no responsibility for outstanding debts, nor does the County guarantee any specific amount of financial assistance to me.

Applicant's Signature

Los Alamos County Representative Signature