



SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lt. Governor

NEW MEXICO
ENVIRONMENT DEPARTMENT

Construction Programs Bureau

Harold Runnels Building
1190 St. Francis Drive
PO Box 5469
Santa Fe, New Mexico 87502-5469
Phone (505) 827-2806 Fax (505) 827-2837
www.env.nm.gov/construction-programs/



BUTCH TONGATE
Cabinet Secretary

BRUCE YURDIN
Acting Deputy Secretary

December 18, 2018

Mr. Kevin Powers, Attorney
Los Alamos County
1000 Central Avenue, Suite 340
Los Alamos, NM 87544

RE: Conference Call December 17, 2018

Dear Mr. Powers:

Included with this letter is a copy of Los Alamos County Ordinance 687 authorizing loan CWSRF 083. Two clauses in the recitals are highlighted. As discussed in our telephone conference 12/17/2018, the New Mexico Environment Department (NMED) Construction Programs Bureau (CPB) believes the first highlighted clause is irrelevant to the subject of Ordinance 687 and the second highlighted clause contains information that is irrelevant and incorrect. Loan CWSRF 083 is independent from the Subordination Agreement signed by Los Alamos and NMED in 2014. We request Ordinance 687 be amended and the two subject clauses be removed.

Because Ordinance 687 authorizes loan CWSRF 083 NMED CPB is amenable to proceeding with the loan agreement execution while the Ordinance is amended to remove the highlighted clauses.

Draft copies of the Interim Loan Agreement and Promissory note are included. Please review and send us any changes in "track changes" prior to signature. If you have any questions, please let us know.

Thank you,

Rhonda Holderman
Financial Manager, Loans and Grants

cc: Judi Kahl, P.E., NMED CPB Bureau Chief
Jennifer Hower, NMED General Counsel
Gail Craven, NMED CPB Loan Manager
Robert Westervelt, Los Alamos County Utilities

ATTACHMENT C

