

INCORPORATED COUNTY OF LOS ALAMOS RESOLUTION NO. 19-30

**A RESOLUTION REPEALING INCORPORATED COUNTY OF LOS ALAMOS
COUNCIL RESOLUTION 97-07, A RESOLUTION ESTABLISHING A
METHODOLOGY FOR COMPUTING ELECTRIC AND GAS OPERATING
PROFITS FOR TRANSFER TO THE COUNTY GENERAL FUND**

WHEREAS, Incorporated County of Los Alamos ("County") is an incorporated county under the law of the State of New Mexico; and

WHEREAS, the pursuant to the New Mexico Constitution, the County is a Home-Rule jurisdiction and has adopted a governing charter; and

WHEREAS, County Charter Section 509 sets out the order to which the County's Department of Public Utilities ("DPU") and the County's Board of Public Utilities ("BPU") is to establish its budget to meet certain departmental expenditures; and

WHEREAS, Section 506 of the Charter, requires, among other things, that DPU and BPU provide in its budget a Schedule of Funds which prescribes the necessary annual rates to meet various reserves, including replacement and extension reserves; and

WHEREAS, the Council has established in the County Code of Ordinances ("Code"), in Chapter 40, Article II, Division 2 codes reflecting these Charter requirements; and

WHEREAS, one of the Charter requirements in Section 509, was to transfer any remaining operating profits to the County's General Fund; and

WHEREAS, the County, DPU, and the BPU, in 1997, set out in Resolution No. 97-07 a method for determining operating profits which are transferred to the County's General Fund; and

WHEREAS, the Council, DPU, and BPU now believe that such a requirement is not necessary and that the County, DPU, and BPU should instead focus on setting rates to be compensatory to the Charter Priority of Budgeted Expenditures pursuant to Sections 504, 506, and 509.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE INCORPORATED COUNTY OF LOS ALAMOS, that Resolution No. 97-07 of the County Council is hereby repealed in its entirety.

PASSED AND ADOPTED this _____ day of _____, 2020.

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

Council Chair

ATTEST:

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