



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, May 20, 2020

5:30 PM

1000 Central Avenue
Room 110

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, May 20th at 5:30 p.m. at 1000 Central Ave., Room 110. In the absence of the Chair, Board Vice-chair Carrie Walker called the meeting to order at 5:30 p.m.

Some Department of Public Utilities (DPU) staff presented to the BPU in room 110; however, all BPU members present 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 4 - Board Member Johnson, Board Member McLin, Board Member Tobin and Board Member Walker

Absent 1 - Board Member Taylor

2. PUBLIC COMMENT

Ms. Walker 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: 4 - Board Member Johnson, Board Member McLin, Board Member Tobin and Board Member Walker

Absent: 1 - Board Member Taylor

4. BOARD BUSINESS

4.A. Chair's Report

Ms. Walker 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.

With regards to the Utah Associated Municipal Power Systems (UAMPS) project management committee meetings that Mr. Shelton had attended, Mr. Tobin asked if those meetings were held primarily to discuss the Carbon Free Power Project (CFPP). Mr. Shelton reported that they were and that he will report back to the Board on the CFPP in the future when he has more information.

Mr. Tobin asked Mr. Shelton to elaborate on what is happening with the Public Service Company of New Mexico (PNM) transmission rates. Mr. Shelton reported that PNM had developed a proposed rate sheet, which he just received today. He needs some time to review the information and will report back to the Board at the June meeting.

4.D. County Manager's Report

Mr. Burgess reported on the following items:

1) Late last week, Mr. Burgess received a call from the Snow Group who has been preparing the Environmental Impact Statement (EIS) for the proposed ski hill waterline. The EIS is now complete and will be announced tomorrow, which will begin the public comment period. The next stage of the process is getting started now with a thirty-day review and comment period followed by a Forest Service review and consultation with the Pueblo. There are still a few steps to complete before considering the project for construction; however, this is an important milestone. Mr. Burgess noted that the Utilities staff has been assisting with this project, and leading it in many respects, as the County progressed through the EIS. Utilities staff will be further engaged if and when construction begins.

4.E. Council Liaison's Report

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

4.F. General Board Business

There was no general Board Business.

4.G. Approval of Board Expenses

There were no expenses.

4.H. Preview of Upcoming Agenda Items

There were no items to preview.

5. PUBLIC HEARING(S)

There were no public hearings scheduled.

6. CONSENT AGENDA

Mr. Johnson 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: 4 - Board Member Johnson, Board Member McLin, Board Member Tobin and Board Member Walker

Absent: 1 - Board Member Taylor

6.A [12989-20](#) 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 April 15th, 2020 as presented.

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

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.

7. BUSINESS

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

Presenters: Bob Westervelt

Deputy Utility Manager of Finance and Administration Mr. Bob Westervelt presented this item. The following is the substance of the item being considered.

In the past two years the Board has taken action to expand the availability of funds available to support the community through the Utilities Assistance Program (UAP). The UAP is funded entirely by voluntary donations from Los Alamos residents and customers. In the current COVID-19 situation, there remains a likelihood that there will be many residents with increasing financial need. Both the Board and the Council have expressed concern and a 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. Mr. Westervelt gave a presentation that provided an overview of the program history, current status, and recent activity.

The Board discussed this item and requested clarification where necessary.

The following actions were identified for follow-up:

1) At Ms. Walker's request, staff will review the process used to calculate the contributions given to customers per fiscal year to make sure they are accurate. Mr. Westervelt will report back to the Board at a later date.

8. PUBLIC COMMENT

There were no public comments.

9. ADJOURNMENT

The meeting adjourned at 6:33 p.m.

APPROVAL

Carrie Walker for Kathleen Taylor
Board of Public Utilities Chair Name

Carrie Walker
Board of Public Utilities Chair Signature

June 17, 2020
Date Approved by the Board

ATTACHMENT
OFFICER REPORTS
SUBMITTED AT THE MEETING

FINAL - APPROVED

Utility Manager's Report May 20, 2020

1. The response to COVID-19 Pandemic continues. The Municipal Building Office Suite was closed for a day and a half on May 19 and 20 while the office was sanitized due to a potential secondary contact by staff with a COVID-19 case. The direction from County Council last night was to reopen operations slowly. In the near term, I do not see altering our current operations. Employees who can work from home will continue to do so, and the small work groups and staggered work shifts all have proved to be an effective strategy to minimize contact between work groups to reduce the opportunity of virus spread.

Additional masks were obtained and distributed to the work group and now every DPU employee have been issued two masks. The Safety Committee nominated Heather Garcia as Safety Employee of the Quarter for sewing masks for all DPU employees and for first responders in the County. Congratulations Heather!

2. The "Donate Now" button has been installed and donations are nearly keeping up with demand for the Utility Assistance Program. To date 19 donations have been received that total to \$3,651.
3. The BPU interview committee members are Carrie Walker, Randall Ryti, Antonio Maggiore and me. We have interviewed all three candidates and County Council will interview them on June 9, 2020.
4. DPU received an Administrative Order from EPA regarding chlorine discharge sample results and thallium reporting limits and results. Staff prepared a detailed response and EPA has acknowledged a timely receipt of the same. Based on our call with EPA, the outcome we hope to receive from EPA is to accept our new chlorine testing method results and to continue testing for thallium under the corrected reporting limits.
5. County Council accepted DPU's budget for fiscal years 2021 and 2022. The profit transfer funds were directed to water production fund for Pajarito waterline replacement and SR-4 waterline replacement.
6. 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. Some good news is no spotted owls nested in the vicinity of this well. The Laboratory held a pre-meeting regarding the soil sample results and the report is due out shortly. Once the report is issued, staff will meet with the lab again to discuss next steps with NMED.

FINAL - APPROVED

7. Farmington/Enchant have submitted a proposal for turning over operations to them and a meeting is being held this Friday to discuss their proposal. As part of this transfer, Los Alamos County and the exiting owners are seeking a clean break to reduce costs and future cleanup liabilities.
8. Attended another LANL Cleanup Technical Working Group meeting and reviewed the Material Disposal Area C project. There are soil vapors of TCE emitting from this waste pile and to date no TCE was found in the groundwater.
9. Attended the project management committee (PMC) meeting with UAMPS, and DOE has a new multi-year funding proposal that will change terms of our current agreements. The PMC is planning to meet every two weeks until these proposed terms are mutually worked out and I anticipate a joint presentation to BPU and Council later in June. Regardless, UAMPS maintained it will give its members 60-days to consider this new request.
10. The DP Road Lift Station Project was reinitiated, and unfortunately additional waste was found, and the project is on hold again. We have been meeting with NNSA staff a few times a week to work out options on how to move forward.
11. I was informed the Water Rights Agreement is acceptable and NNSA is adding their customary contract numbers to this agreement. Staff has been working on the water sales agreement and LANL provided a 10-year usage projection. 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.
12. The Central Park Square Waterline replacement has been progressing well and should be completed by end of next week.
13. Attended the PNM transmission rate setting meeting and they are using the 2019 assumptions that were established this past year in setting these rates.
14. DPU managers have completed all employees' annual performance planning and appraisals.

FINAL - APPROVED

Council Liaison Report, Randall Ryti Vice Chair

May 21, 2020

April 20, 21, 27, 2020 Budget Hearings

Approved DPU budget and retainage of electric and gas profits for an infrastructure project.

May 1, 2020 Special Meeting

Reduced the number of polling places for June primary election. Eliminated LA Senior Center and UNMLA polling stations.

May 5, 2020 Regular Meeting

Consent agenda items included a contract for VoIP telephone software and hardware, approval of the CBA for the Firefighters, and the delay to the development agreement for the Hills Apartments on Trinity Drive.

Introduced Ordinance 700 for the lease for the Los Alamos Dog Obedience Club.

Passed Ordinance 02-304 regarding Local Economic Development Act.

Adopted the Pandemic Appendix to the Emergency Operations Plan.

May 19, 2020 Work Session

Discussed the current plans for re-opening County services and programs. Guidance from Council was to proceed slowly. Discussed the input received from the community for plans to re-open the business, social, and cultural amenities. Plans for Los Alamos County depend upon changes to the NMDOH Public Health Orders.

Potential Development

North Mesa Housing Feasibility Study (Los Alamos Public Schools property), report is nearly final, nine other projects are in various phases of planning or development.

DP Road parcels transferred from DOE and available for development. A-8-A and A-16-A. Seven other commercial properties are in various phases of planning or development.