



# County of Los Alamos

## Council Meeting Staff Report

April 3, 2018

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<b>Agenda No.:</b>	A.
<b>Indexes (Council Goals):</b>	2018 Council Goal – Quality Governance – Operational Excellence – Maintain Quality Essential Services and Supporting Infrastructure Including Updated Enterprise Software and Permitting
<b>Presenters:</b>	Steve Cummins
<b>Legislative File:</b>	AGR0562-18

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### **Title**

Approval of Amendment No. 4 to Services Agreement No. AGR 12-3838 with John & Hengerer for a Revised Total Agreement Amount of \$395,000.00, plus Applicable Gross Receipts Tax for the Purpose of Providing Legal Services to the Incorporated County of Los Alamos Relating to Matters Pending Before the Federal Energy Regulatory Commission and/or Other Federal Agencies Involved in Energy Regulation

### **Recommended Action**

**I move that Council approve, Amendment No. 4 to Services Agreement No. AGR 12-3838 with John & Hengerer for a Revised Total Agreement Amount of \$395,000.00, plus Applicable Gross Receipts Tax for the Purpose of Providing Legal Services to the Incorporated County of Los Alamos Relating to Matters Pending Before the Federal Energy Regulatory Commission and/or Other Federal Agencies Involved in Energy Regulation.**

### **Utilities Manager's Recommendation**

The Utilities Manager recommends that Council approve the amendment as requested.

### **Board, Commission or Committee Recommendation**

The Board of Public Utilities recommends that Council approve the amendment as requested.

### **Body**

The John & Hengerer law firm continues to provide advice and represent the County on matters pending before the Federal Energy Regulatory Commission associated with electric transmission issues. The County uses this firm each year during the PNM formula rate true up in accordance with the 2012 Formula Rate Case settlement. The County Attorney's office has reviewed this contract amendment and agrees that the continued use of the services of this firm is in the best interests of Los Alamos County.

### **Alternatives**

Acquire alternative Counsel to represent the County at the FERC proceedings.

### **Fiscal and Staff Impact/Planned Item**

Approval of this amendment will increase the agreement's total compensation amount by \$100,000. The approved FY2018 and FY2019 budgets will cover the estimated expenses associated with these proceedings.

### **Attachments**

A - AGR12-3838-A4