** DRAFT - Pending Review & Approval by the BPU **

County of Los Alamos

Minutes

Board of Public Utilities

1000 Central Avenue
Los Alamos, NM 87544

Robert Gibson, Chair; Matt Heavner, Vice Chair
Eric Stromberg,, Charles Nakhleh and Jennifer Hollingsworth, Members
Philo Shelton, Ex Officio Member
Anne Laurent, Ex Officio Member
Ryn Herrmann, Council Liaison

Wednesday, June 17, 2026	5:30 PM	Municipal Building, Council Chambers

Public Participation ~ in person or https://us06web.zoom.us/j/82180323960

1. CALL TO ORDER

This regular meeting of the Incorporated County of Los Alamos Board of Public Utilities was held on Wednesday, June 17, 2026. Chair Gibson called the meeting to order at 5:34 p.m. Members of the public were notified of the ability to participate and provide public comment in-person, remotely, or via email.
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The following board members were in attendance:
Present - 4: Members Gibson, Heavner, Shelton and Laurent
Remote - 2: Members Hollingsworth and Stromberg (about 10 min. late)
Absent - 1: Member Nakhleh
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Others in attendance in Chambers:
Vice Chair Ryn Herrmann, Council Liaison
Ms. Cristella Valdez, Assistant County Attorney
Mr. James Martinez, Deputy Utility Manager - Engineering
Mr. Clay Moseley, Deputy Utility Manager - GWS Services
Mr. Dennis Astley, Deputy Utility Manager - Electrical Distribution
Ms. Joann Gentry, Deputy Utility Manager - Finance & Administration
Ms. Abbey Hayward, Public Relations Manager
Ms. Kathy Casados, Executive Assistant
Mr. Perry Rutherford, IM Technical Support Specialist
Mr. Ray Sauter, Citizen
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Zoom participants:
Ms. Carly Blair, ESB Liaison
Mr. Richard Valerio, Business Operations Manager
Ms. Lynette Brode
CCNS

2. PUBLIC COMMENT

Chair Gibson provided an opportunity for public comment on the Consent Agenda or those not otherwise included on the agenda.
The following individuals spoke:
1. Mr. Ray Sauter

3. APPROVAL OF AGENDA

Chair Gibson called for amendments to the agenda, discussion or a motion. Chair Gibson then requested that item 7.a. be removed from the agenda due to miscommunication on the topic.

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Member Heavner moved and Member Hollingsworth seconded that the agenda be approved as amended.

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The motion passed by the following vote:
YES - 3: Members Hollingsworth, Heavner and Gibson
NO - 0:
ABSENT - Members Nakhleh and Stromberg (late)

3.a. Statement Regarding Closed Session on 6/3/26

Chair Gibson called for a volunteer to read the statement.

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Member Heavner moved and Member Hollingsworth seconded that the Board of Public Utilities approve the following statement for inclusion in the minutes: "The matters discussed in the closed session on June 3, 2026 were limited only to those topics specified in the notice of the closed session, and no action was taken on any matter during the closed session."

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The motion passed by the following vote:
YES - 3: Members Hollingsworth, Heavner and Gibson
NO - 0:
ABSENT - Members Nakhleh and Stromberg (late)

4. CONSENT AGENDA

Chair Gibson called for amendments to the consent agenda, discussion or a motion. He noted that since the minutes for both of the May meetings were amended that the motion for the minutes and the motion to approve the consent agenda should state "as amended." The amended minutes are attached. There was no further discussion.

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Member Heavner moved and Member Hollingsworth seconded that the consent agenda be approved as amended and that the motions in the staff reports be included in the minutes for the record.

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The motion passed by the following vote:
YES - 3: Members Hollingsworth, Heavner and Gibson
NO - 0:
ABSENT - Members Nakhleh and Stromberg (late)

4.a. Approval of Board of Public Utilities Meeting Minutes - May

I move that the Board of Public Utilities approve the minutes for the May 6 and May 20, 2026 meetings as amended. (See attached.)

4.b. Approval of NMFA Binding Letter of Commitment for the Denver Steels Phase II Water Service Line Replacement Project in the Amount of $525,000.00

I move that the Board of Public Utilities recommend Budget Revision 2026-86 for the Denver Steels Phase II Water Service Line Replacement Project in the Amount of $ 525,000.00 and forward to Council for approval.

4.c. Approval of Budget Revisions 26-87 to Increase the Transfer from Water Distribution to Water Production for the Cost of Water

I move that the Board of Public Utilities approve Budget Revision 2026-87 as presented and forward to Council for consideration and approval.

4.d. Approval of General Services Agreement No. AGR27-804 with Kutak Rock, LLP in the Amount Not to Exceed $150,000 plus Applicable Gross Receipts Tax for the Purpose of Providing Legal Services in Connection with the Incorporated County of Los Alamos Utilities Operations

I move that the Board of Public Utilities approve Agreement No. AGR27-804 between the Incorporated County of Los Alamos and Kutak Rock, LLP in an amount not to exceed $150,000.00, plus Applicable New Mexico Gross Receipts Tax, for the Purpose of Providing Legal Services in connection with the Incorporated County of Los Alamos Utilities Operations and authorize the Utilities Manager to sign the agreement.

5. PRESENTATIONS (none)

6. PUBLIC HEARINGS (none)

7. DEPARTMENT BUSINESS

7.a. DPU Rate Comparisons with National Data Collected by APPA and AWWA

Chair Gibson requested that this item be removed from the agenda due to a miscommunication. The information that he was seeking was a cost comparison not a rate comparison.

No action was taken on this item.

7.b. Discussion and Possible Action on One Year Rate Increase for Gas Services

Ms. Joann Gentry, Deputy Utility Manager - Finance & Administration presented. Her presentation and other documentation were provided in the meeting packet. Chair Gibson provided an opportunity for comments and questions from the board. The following individuals spoke:

1. Member Heavner
2. Mr. Shelton
3. Member Hollingsworth
4. Member Stromberg
5. Member Gibson
6. Mr. Shelton
7. Mr. Moseley
8. Member Gibson
9. Member Hollingsworth
10. Mr. Moseley

Chair Gibson called for further discussion or a motion. Member Gibson proposed a revised motion: "I move that the Board of Public Utilities direct the County Manager to present LAC Code Ordinance 02-385 to the Board on July 22, 2026." Member Heavner seconded.

Chair Gibson called for public comment. The following individual spoke via Zoom:
1. Ms. Lynne Brode

Chair Gibson then called for board discussion. The following individuals spoke:
1. Member Heavner
2. Ms. Cristina Valdez, Assistant County Attorney
3. Member Gibson

Ms.Valdez asked Chair Gibson to claify whether he meant "Utilities Manager" not "County Manager" in his proposed revision. Member Gibson proposed a revision to his revised motion: "I move that the Board of Public Utilities direct the Utilities Manager to present LAC Code Ordinance 02-385 to the Board on July 22, 2026." Member Heavner seconded.

Chair Gibson then made a final call for discussion. The following individuals spoke:
1. Member Stromberg
2. Member Gibson
3. Member Stromberg
4. Member Gibson
5. Member Stromberg

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Member Gibson moved and member Heavner seconded that the Board of Public Utilities direct the Utilities Manager to present LAC Code Ordinance 02-385 to the Board on July 22, 2026."

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The motion passed by the following vote:
YES - 4: Members Stromberg, Hollingsworth, Heavner and Gibson
NO - 0:
ABSENT - Member Nakhleh

7.c. Electric Distribution Undergrounding Discussion

Mr. Dennis Astley, Deputy Utility Manager - Electric Production presented. His presentation was included in the meeting packet. Chair Gibson provided an opportunity for comments or questions from the board. The following individuals spoke:
1. Member Heavner
2. Member Stromberg
3. Member Hollingsworth
4. Member Gibson

No action was taken on this item.

7.d. Review of 10-year Budget Plan and Reserve Policies

Ms. Joann Gentry, Deputy Utility Manager - Finance & Administration presented. Chair Gibson provided an opportunity for comments and questions from the board. The following individuals spoke:
1. Member Heavner
2. Member Hollingsworth

3. Member Gibson
4. Mr. Shelton

No action was taken on this item.

8. BOARD BUSINESS

8.a. Chair's Report

Chair Gibson reported that:
1. He and Member Heavner swapped farmers market dates.
2. The DOE is telling DPU that the draft ECA will be ready in the next couple weeks. If so, the current extension ends in July. The BPU will need to schedule a special meeting, so he asked members to indicate their availability for the tentative date of July 8 at 3:00 p.m.: Member Hollingsworth - yes, Member Heavner - yes, Member Stromberg - yes, Member Gibson - yes. Member Nakhleh was absent
3. Mr. Nick Nelson offered a tour of lab's combustion turbine. Member Gibson stated that he is attending; Member Stromberg also expressed interest.
4. About a week ago he flew his own aircraft over the Foxtail Flats site. He provided a verbal account of view of the progress.

No action was taken on this item.

8.b. Board Member's Reports

Member Stromberg commented that the Foxtail Flats website needs to be updated. Member Gibson and Mr. Shelton also commented.

No action was taken on this item.

8.c. Utilities Manager's Report

Mr. Philo Shelton reviewed his report which was distributed to Members prior to the meeting and is attached to these minutes. Chair Gibson provided an opportunity for comments or questions from the board. The following individuals spoke:
1. Member Stromberg
2. Member Heavner
3. Member Gibson
4. Mr. Astley

8.d. County Manager's Report

Ms. Anne Laurent provided these highlights from the recent Council Meetings and Work Sessions:
1. Fire Season - at the time of the meeting there was a fire three miles northeast of Chicoma Mountain north of Los Alamos. A press release was issued prior to the start of the BPU meeting.
2. An Economic Development Director has been hired.
3. She encouraged public engagement on the new website by using the "Have your say" icon on front page.
4. At the June 23 Council Work Session, there will be an announcement of LEDA participation agreements prior to introduction of an ordinance at the July 28th Regular Meeting.

8.e. Council Liaison's Report

Vice Chair Herrmann provided updates from the June 9th Council Meeting:
2. The UAPP Collective Bargaining Agreement was approved.
3. The new employee performance review process was approved.
4. Many ordinances were introduced: water rates, gas rates, bond sales for Fire Station 4.
5. There was a Proclamation banning fireworks, which let to extending the drone show on the 4th of July.
6. The DOE Electric Resource Pool Budget was approved.
7. On August 25th Los Alamos will host the LA Nuclear Forum.

8.f. Environmental Sustainability Board Liaison's Report

Ms. Carly Blair provided a synopsis of the May ESB meeting:
1. There was a presentation on the Ridwell Recycling Program.
2. Ms. Angelica Gurule presented the On Bill Financing Program.
3. Ms. Shannon Blair introduced the single use plastic bag ban.

The next ESB meeting is on June 18th and on the agenda:
1. David Hampton will present on possible action for the ESB single use plastic bag ban.
2. Ms. Angelica Gurule will provide an update on the Residential Sustainability Report.

No action was taken on this item.

8.g. General Board Business

8.g.1. Discussion and Possible Support of the Council Charter Review of Utilities Profit Transfer; Council Procedures for Filling Partial Terms of Elected Officials; and Party Affiliation Requirements for Boards and Commission Members

Mr. Philo Shelton, Utilities Manager introduced the topic and summarized the charter amendments recommended by Council at their last meeting. Chair Gibson provided additional information. Ms. Anne Laurent, County Manager reminded the Board that changes to the Charter require a vote of the people. If agreed, the Board would be recommending an ordinance be included on the November ballot. Chair Gibson provided an opportunity for comments and questions from the board. The following individuals spoke:
1. Member Heavner
2. Ms. Gentry

Chair Gibson provided an opportunity for public comment; there was none. He then called for further discussion or a motion.

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Member Heavner moved and Member Hollingsworth seconded that the Board support County Council's recommendation to have the County Manager draft an ordinance to formally propose the following change(s) to the Charter: remove paragraph "6. Any remaining funds shall be transferred to the County General Fund" in Section 509 of the Charter.

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The motion passed by the following vote:
YES - 4: Members Stromberg, Hollingsworth, Heavner and Gibson
NO - 0:
ABSENT - Member Nakhleh

8.g.2. Approval of the Board of Public Utilities Annual Presentation to County

Council

Chair Gibson reviewed his presentation. He provided an opportunity for comments and questions from the Board; there were none. He then called for further discussion or a motion.

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Member Heavner moved and Member Stromberg seconded that the Board of Public Utilities approve the Annual Presentation to Council and Chair Gibson's delivery of the presentation at the July 14, 2026 Council Work Session.

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The motion passed by the following vote:
YES - 4: Members Stromberg, Hollingsworth, Heavner and Gibson
NO - 0:
ABSENT - Member Nakhleh

8.h. Board Expenses

None.

9. STATUS REPORTS

9.a. Status Reports - May 2026

Chair Gibson opened the floor for comments and questions on the status reports. The following individuals spoke:
1. Member Gibson
2. Mr. Astley

No action was taken on this item.

10. UPCOMING AGENDA ITEMS

10.a. Tickler File for July - September 2026

Chair Gibson opened the floor for comments and questions on the tickler. The following individuals spoke:
1. Member Gibson
2. Member Stromberg

No action was taken on this item.

11. PUBLIC COMMENT

Chair Gibson provided an opportunity for public comment on any topic; there was none.

12. ADJOURNMENT

The meeting adjourned at 8:12 p.m.

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APPROVAL

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Board of Public Utilities Chair

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Date Approved by the Board

Minutes transcribed by: Kathy Casados, Executive Assistant

ATTACHMENTS
(in agenda order):

4.a. Revised BPU Minutes - May 2026
8.c. Utilities Manager Report - June 2026

BOARD OF PUBLIC UTILITIES
ADDITIONAL MEETING DOCUMENTS

Additional or revised information or documents are often distributed to members at the meetings. Whenever possible, this informational cover page will accompany those documents.

MEETING DATE	June 17, 2026
AGENDA ITEM	**4.a.** 21292-26 Approval of Board of Public Utilities Meeting Minutes - May
ATTACHMENTS	A - Draft BPU Work Session Minutes - 5/6/26 B - Draft BPU Regular Session Minutes - 5/20/26
NEW OR REVISED? Is this a revision that is different from what was in the agenda packet, or is it something entirely new?	REVISED
RECOMMENDED ACTION If you have a new or revised recommended motion for the Board, enter it here.	REVISED MOTION: I move that the Board of Public Utilities approve the items on the Consent Agenda as AMENDED and that the motions in the staff reports be included in the minutes for the record.
ADDITIONAL INFORMATION Please VERY BRIEFLY explain the purpose of this information or document.	Chair Robert Gibson suggested these changes on June 11, 2026, (after the BPU packet had been published).

plus NMGRT with a New Final Completion Date of June 30, 2026

I move that the Board of Public Utilities recommend the reinstatement of contract for IFB 25-31 for the Bayo NP Booster Station Rehabilitation Project including the two prior change orders in the amount of $1,427,586.41 plus NMGRT and approval of Change Order No. 3 with TLC Company, Inc. in the amount of $34,983.25 plus NM Gross Receipts Tax with a new final completion date of June 30, 2026 and forward to Council for approval.

DEPARTMENT BUSINESS

4.c. Award of Bid No. 26-31 for the Trinity Drive/NM-502 ADA and Safety Improvements Project to HASSE Contracting Company Inc. in the Amount of $1,320,550.00 plus Applicable NM GRT *(Revised 5/5/26)*

Mr. James Martinez, Deputy Utility Manager - Engineering presented. ~~A revised motion was provided to the Board and is attached to these minutes.~~ Chair Gibson provided an opportunity for comments and questions from the board. The following individuals spoke:
1. Member Hollingsworth
2. Member Nakhleh

Chair Gibson then called for further discussion or a motion.

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Member Hollingsworth moved and Member Nakhleh seconded that the Board of Public Utilities recommend the Award of Bid No. 26-31 for the Trinity Drive/NM-502 ADA and Safety Improvements Project in the amount of $1,200,500.00 plus a 10% contingency in the amount of $120,050, for a total project amount of $1,320,550.00, plus applicable NMGRT to HASSE Contracting Company Inc. and forward to County Council for approval.

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The motion passed by the following vote:
YES - 4: Members Hollingsworth, Nakhleh, Gibson, and Stromberg
NO - 0:
ABSENT - 1: Member Heavner

8.e. Council Liaison's Report

Vice Chair Herrmann provided updated on the recent Council meetings and Work Sessions. Vice Chair Heavner ~~Chair Gibson~~ provided an opportunity for comments and questions from the board. There were none.

No action was taken on this item.

8.f. Environmental Sustainability Board Liaison's Report

Ms. Sue Barns reported that the ESB recently
1. Heard a presentation on the statewide nm climate action plan.
2. Heard a presentation regarding marketing for the climate action plan.
3. Discussed a draft ordinance to ban single use plastic bags within 90 days.

Vice Chair Heavner provided an opportunity for comments and questions from the board. There were none.

No action was taken on this item.

8.g. General Board Business

There was none.

No action was taken on this item.

8.h. Board Expenses

There were none.

No action was taken on this item.

9. STATUS REPORTS

9.a. Status Reports for April

Mr. Shelton commented that April data was not available from Risk so it will be presented at the June regular meeting.
Vice Chair Heavner ~~Chair Gibson~~ opened the floor for comments and questions on the status reports. The following individuals spoke:
1. Member Stromberg
2. Mr. Moseley
3. Member Nakhleh
4. Mr.Shelton

No action was taken on this item.

10. UPCOMING AGENDA ITEMS

10.a. Tickler File for June -September

Vice Chair Heavner ~~Chair Gibson~~ opened the floor for comments and questions on the tickler. The following individuals spoke:
1. Member Nakhleh

No action was taken on this item.

Utilities Manager's Report
June 17, 2026

1. New Mexico is under a Red Flag Warning. PNM has disabled automatic reclosing on both transmission feeders serving the Los Alamos area as part of their wildfire risk mitigation measures. This action was taken in response to elevated fire weather conditions within PNM's service territory outside of Los Alamos County. While no Public Safety Power Shutoff (PSPS) is currently anticipated, disabling transmission line reclosing increases the likelihood of an unplanned outage should either transmission line experiences a fault. As a result, both Los Alamos National Laboratory and Los Alamos County are at an increased risk of an unplanned power outage until normal transmission system configuration is restored.

2. For White Rock Sub-Station, R&M Construction held a preconstruction meeting today to drill and construct caissons for the transformer foundation. The tie line recloser control is programmed and it is ready to go on-line should it be needed.

3. For Elk Ridge, there is one home that has yet to tie into the new system while the old system is completely abandoned.

4. New Mexico Gas has mobilized to hydrotest the 7 to 8 miles of high-pressure gas line from Santa Fe to Los Alamos. The virtual pipeline will be in operation from mid-June to mid-August.

5. Recruitment status: We currently have interviews scheduled for GWS Superintendent, Energy and Water Conservation Coordinator, and Senior Engineer. The remaining vacancies are Electrical Distribution Engineering Manager, Associate Engineer, Management Analyst, Water Operator, Two-Power System Operators, and Engineering Aid for utility locates.

6. The plumbers and pipefitting union's contract renewal received approval for a five-year contract until June 30, 2031.

7. The ECA is under final review by the DOE and their goal is to have the final version back to DPU by the end of the month. I have set up a tentative special meeting date and time of July 8 at 3 PM to review this agreement with the full Board.

8. The sub-grant agreement for the Jemez Fire Protection Project was approved by Council and submitted back to FEMA for signature. Once this agreement is signed then we can begin procurement of materials and go out for bids for the project. This work will cover the electrical underground lines and removal of the overhead lines.

9. Foxtail Flats solar panels and electric transmission line extension are under construction. Next week staff are meeting with the BESS contractor to discuss how we plan to discharge the battery as this vendor finalizes their designs.

10. For Chromium Plume, I worked with Council Chair Ryti on a list of questions to ask Deputy Secretary Walsh next week when he meets with him at an Energy Community Alliance meeting.

11. For the NMED's sanitary survey items, all is complete except for the Sycamore housekeeping curb to prevent undermining at the tank base. NMED is scheduling a site inspection to help determine a path forward.

12. For PFAS class action lawsuit, staff provided reformatted well pumping data to match their needs. Also, we were asked to obtain two more samples from wells PM-4 and 5.

13. As part of the review of SWEIS water needs, NNSA/DOE moved up the expansion of their reclaimed water facility to 2030, so their water needs fall just under their annual water right allotment. This has removed one argument for expanding water production with a new well, however, DPU still has lost capacity with PM-3 offline, and this is a major resiliency and redundancy resource need to the community. We are finalizing contract terms for the 40-yr water plan and will bring this contract to BPU in the regular July meeting. DPU continues to work to receive federal funding for a new well at Overlook Park.

14. For the extended electrical outage on May 8th to 9th, it was determined that some of the programming on the relays were missing. Staff are working on a task order with the on-call engineer, T&D, to receive an updated program to add to these relays.

15. DPU applied for a federal grant in the amount of $275,000 called The Natural Gas Distribution Infrastructure Safety and Modernization (NGDISM) grant program for the gas line replacement and upgrade along Central Ave. from 9th Steet to the round-about at Trinity.

16. UAMPS Projects: CFPP is still working to close out the project with the DOE. In the interim, a resolution was adopted to move the Bank of America line of credit over to Wells Fargo. For UAMPS members to quickly meet capacity needs as a result of joining EDAM, UAMPS is pursuing several BESS projects.

17. PNM has successfully completed full demolition and decommissioning of the San Juan Generating Station Facility, in accordance with the Demolition and Remediation Plan (DRP). PNM submitted the closure report to San Juan County to comply with San Juan County Ordinance 121. Decommissioning work was carried out in accordance with the DRP, including the removal and proper recycling or disposal of materials generated during demolition activities. All materials were transported and recycled or disposed of at PNM-approved facilities. The formal decommissioning and demolition process was completed over an approximately three (3) year period, from initial contractor mobilization through final completion. The mine reclamation work will continue through 2030.