



LOS ALAMOS

# County of Los Alamos

Los Alamos, NM 87544  
www.losalamosnm.us

## Agenda - Final County Council - Regular Session

*Denise Derkacs, Council Chair; Theresa Cull, Vice-Chair;  
Melanee Hand; Suzie Havemann; Keith Lepsch; David Reagor;  
and Randall Ryti, Councilors*

---

Tuesday, June 11, 2024

6:00 PM

Council Chambers - 1000 Central Avenue

---

**NOTE:** This meeting is in person and open to the public. However, for convenience, the following Zoom meeting link and/or telephone call in numbers may be used for public viewing and participation:

<https://us02web.zoom.us/j/84587518059>

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 301 715 8592  
or +1 312 626 6799 or +1 929 205 6099

Webinar ID: 845 8751 8059

1. OPENING/ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. STATEMENT REGARDING CLOSED SESSION

June 11, 2024 Closed Session Motion

4. PUBLIC COMMENT

*This section of the agenda is reserved for comments from the public on items that do not require action by the Council or are not otherwise on the agenda.*

5. APPROVAL OF AGENDA

6. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

- A. [18862-24](#) Recognition of Los Alamos Deputy Police Chief Oliver Morris on His Retirement (Accepted by Deputy Police Chief Oliver Morris)

**Presenters:** Anne Laurent and Dino Sgambellone

**7. CITIZEN PETITION**

- A.** [18850-24](#) Citizen Petition Regarding/Requesting Four Actions to Improve Road and Pedestrian Safety in White Rock

**Presenters:** Citizens of Los Alamos

**Attachments:** [A - Citizen Petition regarding road and pedestrian safety in White Rock](#)

**8. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA****9. CONSENT AGENDA**

*The following items are presented for Council approval under a single motion unless any item is withdrawn by a Councilor for further Council consideration in the agenda section entitled "Business."*

Approval of the Consent Agenda

**Consent Motion -**

*I move that Council approve the items on the Consent Agenda as presented and that the motions in the staff reports be included for the record; or,*

*I move that Council approve the items on the Consent Agenda and that the motions contained in the staff reports, as amended be included for the record.*

- A.** [AGR1047-24](#) Approval of Amendment No. 1 to Services Agreement No. AGR 23-955 with Modern Mechanical Ice Systems, LLC formerly known as American Arena, LLC, to Increase the Compensation Amount by \$440,000.00 for a Total Not-to-Exceed Compensation Amount of \$890,000.00 Plus Applicable Gross Receipts Tax for Temporary Chiller Services

**Presenters:** Sara Rhoton, Capital Projects & Facilities Manager and Eric Martinez, Deputy Public Works Director

**Attachments:** [A – AGR 23-955 Amercian Arena](#)  
[B – AGR 23-955-A1 Modern Mechanical](#)

- B.** [18852-24](#) Approval of County Council Minutes for the April 29, 2024 Special Session, the May 7, 2024 Regular Session, the May 21, 2024 Work Session, and the May 28th Regular Session.

**Presenters:** Naomi Maestas, County Clerk

**Attachments:** [A - Council Meeting Minutes for April 29, 2024](#)  
[B - Council Meeting Minutes for May 7, 2024](#)  
[C - Council Meeting Minutes for May 21, 2024](#)  
[D - Council Meeting 5-28-2024 Minutes](#)

C. [18821-24](#) Approval of Budget Revision 2024-69 DPU Year-End

**Presenters:** Karen Kendall, Deputy Utilities Manager - Finance and Erika Thomas, Budget and Performance Manager

**Attachments:** [A - 2024-69 Budget Revision](#)

D. [18835-24](#) Approval of Budget Revision 2024-67 to Budget Carryover Funds for the Wayfinding Project

**Presenters:** Erika Thomas, Budget and Performance Manager and Melissa Dadzie, Chief Financial Officer

**Attachments:** [A - Budget Revision 2024-67](#)

E. [18843-24](#) Board/Commission Appointment(s) - Los Alamos County Health Council

**Presenters:** Lori Padilla, Jessica Strong and Keith Lepsch

**Attachments:** [A LACHC Board Roster.](#)  
[B- Application Packet Leticia Luketich Martinez](#)  
[C -Interview Panel Recommendations](#)

## 10. PUBLIC HEARING(S)

A. [CO0685-24b](#) Incorporated County of Los Alamos Code Ordinance No. 02-355 Modifications to Chapter 6, Animal Code

**Presenters:** Dino Sgambellone, Police Chief

**Attachments:** [A - Incorporated County of Los Alamos Code Ordinance No. 02-355.pdf](#)  
[B - Chapter 6, Animals, in its entirety, for reference.pdf](#)  
[C - Chief's Council Report.pdf](#)  
[D - Publication Notice.pdf](#)  
[E - Animal Control Administrative Policies DRAFT](#)

## 11. BUSINESS

A. [18676-24](#) Strategic Planning and Performance Dashboard Update

**Presenters:** Anne Laurent, County Manager

**Attachments:** [A - Management Action Plan Dated March 29, 2024](#)

- B. [18801-24](#) Consideration of Diversity Equity and Inclusion (DEI) Board/Task Force

**Presenters:** Theresa Cull, County Council Vice Chair

**Attachments:** [A - Councilor Cull Presentation](#)

## 12. COUNCIL BUSINESS

### A. *General Council Business*

- 1) [18608-24](#) Consideration and Possible Approval of Council's Review Committee Report and Recommendations on Boards and Commissions Work Plans for Calendar Year 2024

**Presenters:** Denise Derkacs, Council Chair, Suzie Havemann, Councilor and David Reagor, Councilor

**Attachments:** [A - Art in Public Places 2024 Work Plan](#)  
[B - Environmental Sustainability Board 2024 Work Plan](#)  
[C - Historic Preservation Advisory Board 2024 Work Plan](#)  
[D - Library Board 2024 Work Plan](#)  
[E - Lodgers' Tax Advisory Board 2024 Work Plan](#)  
[F - Los Alamos County Health Council 2024 Work Plan](#)  
[G - Parks and Recreation Board 2024 Work Plan](#)  
[H - Personnel Board 2024 Work Plan](#)  
[I - Planning and Zoning 2024 Work Plan](#)  
[J - Transportation Board 2024 Work Plan](#)

### B. *Appointments*

### C. *Board and Commission Vacancy Report*

- 1) [18374-24](#) Board and Commission Vacancy Report

**Presenters:** County Council - Regular Session

**Attachments:** [A - BCC Vacancy Report June 7, 2024.pdf](#)

### D. *Board, Commission and Working Group Reports*

### E. *County Manager's Report*

### F. *Council Chair Report*



**G. Approval of Councilor Expenses****H. Preview of Upcoming Agenda Items**

*Note: This report shows tentative Council agenda items and is for planning purposes only. All items on the report are subject to changes such as item title, meeting date and/or being removed or not considered by Council.*

**1) [18663-24](#) Tickler Report of Upcoming Agenda Items**

**Presenters:** County Council - Regular Session

**Attachments:** [A - Tickler Report dated June 7, 2024.pdf](#)

**13. COUNCILOR COMMENTS****14. ADJOURNMENT**

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the County Human Resources Division at 662-8040 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes can be provided in various accessible formats. Please contact the personnel in the Office of the County Manager at 663-1750 if a summary or other type of accessible format is needed.



# County of Los Alamos

## Staff Report

June 11, 2024

Los Alamos, NM 87544  
www.losalamosnm.us

---

**Agenda No.:**

**Index (Council Goals):**

**Presenters:**

**Title**

June 11, 2024 Closed Session Motion

**Recommended Action**

**The following statement should be included in the minutes:**

**"The matters discussed in the Closed Session of County Council held on June 11, 2024 that began at 4:00 pm were limited only to the topics specified in the notice of the closed session, and no action was taken on any matter in the closed session."**



# County of Los Alamos

Los Alamos, NM 87544  
www.losalamosnm.us

## Staff Report

June 11, 2024

---

**Agenda No.:** A.  
**Index (Council Goals):** Quality of Life - Public Safety  
**Presenters:** Anne Laurent and Dino Sgambellone  
**Legislative File:** 18862-24

---

### Title

Recognition of Los Alamos Deputy Police Chief Oliver Morris on His Retirement (Accepted by Deputy Police Chief Oliver Morris)

### Body

**WHEREAS**, Deputy Police Chief Oliver Morris was hired by the Los Alamos Police Department as an officer in 2004. He was promoted to patrol sergeant in 2010, detective sergeant in 2011, operations commander in 2015, and deputy police chief in 2022, and after a celebrated 20-year career with the Los Alamos Police Department, he has elected to retire; and

**WHEREAS**, early in his career, Deputy Chief Morris generously volunteered to participate in the Special Olympics New Mexico (SONM) Law Enforcement Torch Run and is currently the regional coordinator for all North Region Law Enforcement Agencies involved in the Torch Run; and

**WHEREAS**, in February 2024, after 20 years of dedication to the Special Olympic Athletes, Deputy Chief Morris was recognized by Special Olympics New Mexico with the annual "Flame of Hope" award, the highest honor bestowed on a New Mexico officer; and

**WHEREAS**, Deputy Chief Morris served as the first full-time School Resource Officer at Los Alamos Middle School, where he promoted safety, security, and fostered improved relationships between the Police Department and students; and

**WHEREAS**, Deputy Chief Morris had the distinct privilege to attend and graduate from the FBI National Academy, completing the grueling "Yellow Brick Road" fitness challenge at Quantico, Virginia, in 2019; and

**WHEREAS**, Deputy Chief Morris has excelled in various positions within the Los Alamos Police Department, including being awarded Supervisor of the Year in 2014, joining the Bomb Squad, assisting with evacuations and security during the Las Conchas Fire, and implementing improved case clearance rates in the detective section, which had a significant impact on residential burglaries, larcenies, white-collar crime, and combating illegal drug activity; and

**WHEREAS**, Deputy Chief Morris has been a member of the Los Alamos Rotary Club for eight years, serving as past president and completing several community and regional projects such as the PEEC Nature Center Rotary Treehouse, delivery of supplies to the Navajo Nation during

---

COVID, and "Peace Glow" to raise money for relief efforts for the Ukrainian people; and

**WHEREAS**, Deputy Chief Morris has been active in our community, serving as a board member of Los Alamos Medical Center, a food and track coach at the Los Alamos Middle School, a judge for the Los Alamos Public School's spelling bee, and a member of the Los Alamos Public Safety Association and High Desert Church; and

**WHEREAS**, Deputy Chief Morris is known for his motto, "Be a problem solver, not a report taker," which encourages his fellow officers to listen to the community's concerns and find solutions. Community policing has always been at the forefront of his career, and he believes that engaging with the community is the best way to maintain an effective police agency.

**NOW, THEREFORE**, on behalf of the Council of the Incorporated County of Los Alamos, I do hereby recognize

**Los Alamos Deputy Police Chief Oliver Morris**

We are honored and privileged that he chose to dedicate more than 20 years of service to Los Alamos County. He is a compassionate individual, an exemplary role model, and a Los Alamos community hero. We wish him all the best in his retirement.



# County of Los Alamos

Los Alamos, NM 87544  
www.losalamosnm.us

## Staff Report

June 11, 2024

---

**Agenda No.:** F.  
**Index (Council Goals):**  
**Presenters:** Citizens of Los Alamos  
**Legislative File:** 18850-24

---

### Title

Citizen Petition Regarding/Requesting Four Actions to Improve Road and Pedestrian Safety in White Rock

### Recommended Action

**I move that Council acknowledge the petition, thank the petitioners for their recommendation(s)/request(s) and take no further action.**

**OR**

**I move that Council acknowledge the petition, thank the petitioners for the recommendation(s)/request(s) and request that staff investigate/research the matter (in collaboration with the petitioners?) and return to Council with information, options and/or a recommendation for action within \_\_\_\_ days.**

**OR**

**I move that Council acknowledge the petition, thank the petitioners for their recommendation/request and take the action requested (or another specific action that Council determines it wishes to take).**

### County Manager's Recommendation

The County Manager does not make a recommendation with regard to this Petition.

### Body

On May 22, 2024, Mr. Richard Skolnik submitted a petition on behalf of eighteen (18) people, at least five (5) of whom are registered voters of Los Alamos County. The petition (shown in Attachment A) requested "the County to make four way stops at Sherwood and Grand Canyon; and Rover and Grand Canyon; put flashing lights at the crosswalks at the above two corners; put a stoplight at Sherwood and Route 4; (and) make Aragon and Grand Canyon a four way stop.

As provided for in the Los Alamos County Code, the Council shall place on the agenda of its next regular meeting the subject of any written request signed by five or more qualified voters of the County and presented to the county clerk at least ten (10) days prior to that meeting. This item is being placed on the Council agenda for acknowledgement and possible discussion and/or action.

### Attachments

A - Citizen Petition regarding Road and pedestrian safety in White Rock

---





LOS ALAMOS

# LOS ALAMOS COUNTY CITIZENS' PETITION

See: Los Alamos County Charter  
Article II, Section 202.2  
Procedure and Agenda

County Clerk's Office Only

Date Stamp

Initials

5/22/24

RS

COUNTY CLERK MAY 12 PM 1:23

### Petition Contact Person/Organization

Name: Richard Skolnik Phone: 703-627-6646 Alt. Phone: \_\_\_\_\_  
Address: 390 Richard Ct. E-Mail/Fax reston.richard@gmail.com

### Subject of Petition Please include both the subject and the requested Council action.

Please see the attached for the request to get the County to: make four way stops at Sherwood and Grand Canyon + River and Grand Canyon; put flashing lights at the crosswalks at the above two corners; put a stoplight at Sherwood and Route 4; make Aragon and Grand Canyon a four way stop.

### Signatories

(STAFF USE)  
Registration  
Verified By

Name	Address	Signature	
1. Richard Skolnik	390 Richard Ct., White Rock	Richard Lee Skolnik	RS
2. Sophia Skolnik	390 Richard Ct White Rock	Sophia Skolnik	RS
3. Shane Fogarty	467 Brighton Dr White Rock	Shane Fogarty	RS
4. Charles A. Liggett	11 Village Pl	Charles A. Liggett	RS
5. Kristie McClellan	121 Piedra Loop	Kristie McClellan	RS

(Please list additional signatories in back)

### County Manager STAFF USE ONLY

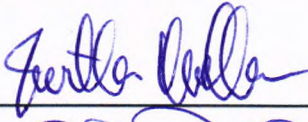


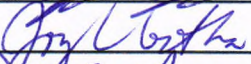
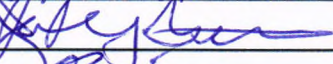

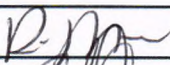
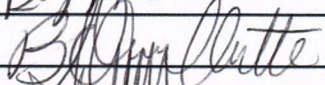

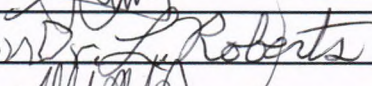
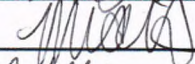
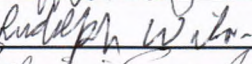
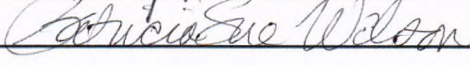
Staff Report Title (Suggested) \_\_\_\_\_

Set to Acknowledge on \_\_\_\_\_ Set by \_\_\_\_\_  
(Date of Council Meeting)

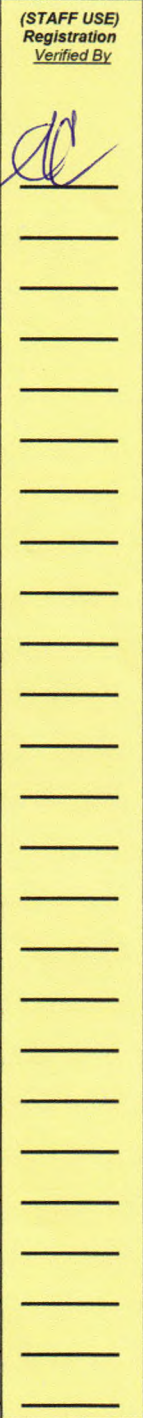
Set To Consider (If Applicable) \_\_\_\_\_ Set by \_\_\_\_\_  
(Date of Council Meeting)



**Signatories continued**

<u>Name</u>	<u>Address</u>	<u>Signature</u>
6. Jonathan McClellan	121 Piedra Loop	
7. Lisa McClellan	121 Piedra Loop	
8. Rollin Tyler Jones	113A La Senda	
9. Joy Getha	701 Meadow Ln	
10. Johnny Getha	701 Meadow Ln	
11. Biley McMullen	386 Richard Ct.	
12. Rosa Moreno	385 Grand Canyon Dr.	
13. Brittany Ouellette	389 Richard Ct.	
14. Scott Ouellette	389 Richard Ct.	
15. Lisa B. Roberts	423 Grand Canyon Dr.	
16. Michelle Watkins	127 Mirador Blvd.	
17. Rudolph WILSON	2 MAYA LN.	
18. Patricia S. Wilson	2 Maya Ln	
19.		
20.		
21.		
22.		
23.		
24.		
25.		
26.		
27.		
28.		
29.		
30.		

(STAFF USE)  
Registration  
Verified By





Those of us who have signed Richard Skolnik's petition are requesting the County as expeditiously as possible to improve road and pedestrian safety in White Rock by implementing the following:

Make Sherwood and Grand Canyon a four-way stop and put flashing lights up to make people more aware of the pedestrian crosswalk. This is a major route for students leaving Pinon Elementary School and there is usually no crossing guard at the intersection. Motor vehicles regularly ignore people entering the crosswalk.

Make Rover and Grand Canyon a four-way stop and put flashing lights to make people more aware of the pedestrian crosswalk. This is also a major route for students leaving Pinon Elementary School and there is no crossing guard at the intersection. Motor vehicles regularly ignore people entering the crosswalk. In addition, vehicles needing to cross Rover must creep out to almost the end of the crosswalk on both sides of Grand Canyon to be able to see oncoming cars on Rover, given both foliage and the way the intersection is designed. (We invite the County staff to come and see this with us, if they have any questions about it).

Make Grand Canyon and Aragon a four way stop. When the lab exits, vehicular traffic increases and it is difficult to cross that intersection. In addition, it has been the site of several crashes.

Put up a traffic light at Sherwood and Route 4. Right now, along the whole stretch of the Mirador subdivision, the only place to cross Route 4 is at either Grand Canyon or Rover. This is the kind of discouragement to pedestrian safety that one normally sees in low-or middle-income countries but this is not acceptable in White Rock. The best planned communities have underpasses from places like Mirador to the other side of Grand Canyon.



# County of Los Alamos

## Staff Report

June 11, 2024

Los Alamos, NM 87544  
www.losalamosnm.us

---

**Agenda No.:**

**Index (Council Goals):**

**Presenters:**

**Title**

Approval of the Consent Agenda

**Recommended Action**

**I move that Council approve the items on the Consent Agenda as presented and that the motions in the staff reports be included for the record; or,**

**I move that Council approve the items on the Consent Agenda and that the motions contained in the staff reports, as amended, be included for the record.**



# County of Los Alamos

Los Alamos, NM 87544  
www.losalamosnm.us

## Staff Report

June 11, 2024

---

<b>Agenda No.:</b>	A.
<b>Index (Council Goals):</b>	Quality Excellence - Infrastructure Asset Management; Quality of Life - Open Space, Parks, and Recreation
<b>Presenters:</b>	Sara Rhoton, Capital Projects & Facilities Manager and Eric Martinez, Deputy Public Works Director
<b>Legislative File:</b>	<b>AGR1047-24</b>

---

### Title

Approval of Amendment No. 1 to Services Agreement No. AGR 23-955 with Modern Mechanical Ice Systems, LLC formerly known as American Arena, LLC, to Increase the Compensation Amount by \$440,000.00 for a Total Not-to-Exceed Compensation Amount of \$890,000.00 Plus Applicable Gross Receipts Tax for Temporary Chiller Services

### ..Recommended Motion

**I move that Council approve Amendment No. 1 to Services Agreement No. AGR 23-955 with Modern Mechanical Ice Systems, LLC formerly known as American Arena, LLC, to increase the compensation amount by \$440,000.00 for a total not-to-exceed compensation amount of \$890,000.00 plus applicable gross receipts tax for temporary chiller services.**

### ..County Manager's Recommendation

The County Manager recommends that Council approve the motion as presented.

### Body

On August 8, 2023, County Council approved agreement AGR23-955 (Attachment A) with American Arena LLC for Installation of a Temporary Chiller System at the Ice Rink in the amount of \$450,000 plus gross receipts tax. The agreement provided the necessary labor, materials, and equipment for installation of the temporary chiller. The work also included demolition and removal of existing equipment reducing future costs associated with placement of the long-term ice making equipment.

The work began on September 15, 2023, and the temporary chiller was successfully completed on time to begin ice making operations on October 27, 2023. This progression of events enabled the County to provide a successful 2023-2024 ice skating season to the public.

Since the beginning of the ice melting issues during the 2022-2023 season, the Public Works Department has been actively working on the long-term replacement of the chiller. To acquire a best value and reliable long-term replacement, the County contemplated packaging the chiller replacement, a programmed floor replacement, and the evaluation and possible addition of a shade structure as one project. However, the timeline for such a large project would place the installation of a long-term chiller out several years. To expedite delivery, the County has programmed the long-term chiller replacement as a stand-alone project. The Public Works

---

Department has prepared a Request for Proposals (RFP) to publicly solicit bid proposals from qualified chiller design-builders specializing in ice rinks. This RFP is currently under review and is expected to be advertised in early June.

The continued use of the temporary chiller system through Amendment No. 1 (Attachment B) will allow for the upcoming ice skating season, from November 2024 to March 2025, to continue unimpeded as the timeline to install the long-term replacement chiller will extend beyond the 2024-2025 ice season. In an effort to reduce costs, the County obtained a 26% reduction in monthly rental fee for the six months the temporary chiller during the time no ice making is taking place. Given this fee reduction, the County can continue the temporary chiller services for an average monthly fee that is slightly lower than that for the 2023-2024 ice season. Moreover, keeping the temporary chiller on site eliminates the need and costs associated with repeated large crane operations. This measure also reduces disruptions to traffic and carbon emissions associated with fuel consumption of heavy equipment mobilization/demobilization.

Council should note the original agreement provided the County the option to extend temporary chiller services through an amendment with Council approval.

#### **Alternatives**

Council could choose to not approve Amendment No. 1. However, this would result in a significant reduction or even the suspension of the 2024-2025 ice skating season.

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

Funding in the amount of \$990,000 for the temporary and long-term ice rink equipment replacement is currently budgeted and available in the Major Facilities Maintenance (MFM) Fund.

The amendment provides for up to 17 months of temporary chiller rental services and an approximate \$50,000 contingency should the County require additional rental time or services. Any unspent funds will remain in the MFM Fund.

#### **Attachments**

A - AGR-23-955 American Arena

B - AGR-23-955-A1 Modern Mechanical



**INCORPORATED COUNTY OF LOS ALAMOS  
SERVICES AGREEMENT**

This **SERVICES AGREEMENT** ("Agreement") is entered into by and between the **Incorporated County of Los Alamos**, an incorporated county of the State of New Mexico ("County"), and **American Arena, LLC**, a Minnesota limited liability corporation ("Contractor"), to be effective for all purposes August 9, 2023 ("Effective Date").

**WHEREAS**, County requires a temporary ice chiller installed at the Ice Rink located at 4475 West Road, Los Alamos, New Mexico 87544 (the "Site") for the winter season, generally between November and March of the next year ("Ice Season"); and

**WHEREAS**, Section 31-3(b)(4) of Code of Ordinances allows procurement of goods, services, or construction items under existing contracts and that are with a person that has a current contract issued under a cooperative purchasing agreement with another public entity thereof; and

**WHEREAS**, this procurement is made per Section 31-3(b)(4), using prices for labor, materials and equipment for American Arena, LLC found in the Sourcewell Contract 120320-AMR; and

**WHEREAS**, County requested a quote from Contractor as provided for in the Sourcewell Contract, and Contractor provided a quote to County that complies with the pricing terms of the Sourcewell Contract; and

**WHEREAS**, the County Council approved this Agreement at a public meeting held on August 8, 2023; and

**WHEREAS**, Contractor shall provide the Services, as described below, to County.

**NOW, THEREFORE**, for and in consideration of the premises and the covenants contained herein, County and Contractor agree as follows:

**SECTION A. SERVICES:**

1. General: Contractor shall provide all labor, materials and equipment to successfully remove existing chiller from the Site, and to procure, install, connect, start up a temporary chiller at the Site ("Project," "Services," or "Work"). The function of the temporary chiller is to provide skateable ice during the Ice Season. Contractor shall be responsible for obtaining any and all permits, submittal of design and drawings, if applicable for permitting, provision of all safety equipment, and shall provide for the proper disposal of waste materials. Contractor and any subcontractors shall hold the current applicable New Mexico contractor's license in order to perform the Services. To accomplish the above listed job scope, Contractor may utilize New Mexico licensed subcontractors of the following trades: Refrigeration Technician, Mechanical Engineer, Electrician, Rigger, Crane Operator, and Certified Welder. Within five (5) business days following removal of ice by the County, Contractor shall shut down and remove the temporary chiller from the Site.

2. Project Process: Contractor shall:
- a) Provide County Project Manager with a Project Schedule within two (2) weeks of the Effective Date of this Agreement which shall include, at minimum, Contractor's schedule for start of Services and completion of installation of the temporary chiller at the Site, which shall be no later than October 27, 2023.
  - b) Produce drawings necessary to obtain a construction permit within thirty (30) calendar days following the Effective Date of this Agreement. Contractor shall ensure that special attention will be paid to designing the temporary system to accommodate a future new permanent system at the Site.
  - c) Size the temporary chiller to maximize the available space and to ensure the electrical transformer and the electrical power panel which service the building are adequately sized for the temporary chiller in accordance with all manufacturer specifications and requirements.
  - d) If engineer drawings are required for construction permit, produce drawings that will be sealed by a licensed professional engineer registered to practice in the State of New Mexico.
  - e) Submit the Project work scope and specification to the appropriate agency for permitting. Contractor shall do so as the General Contractor with a GB-98 License with the State of New Mexico.
  - f) Coordinate the clearing of the outdoor space south of and next to the chiller room to ensure the space is empty of existing equipment, including the air-cooled condenser and old transformer.
    - i. Contractor shall remove the air-cooled condenser which requires a licensed electrician, mechanical contractor, rigger and crane operator.
    - ii. Contractor shall furnish and operate equipment to remove old transformer from current location onto a truck furnished by the County.
  - g) Remove existing chiller from chiller room, which may require a traffic control plan:
    - i. Remove and properly dispose of the refrigerant from the existing chiller which requires a licensed refrigeration technician.
    - ii. Disassemble heavy and bulky components from the existing chiller skid.
    - iii. Remove existing chiller equipment from inside the chiller room, which requires a licensed crane operator and a rigger.
    - iv. Furnish the equipment to remove the existing chiller.
    - v. Manage and execute the proper disposal of the existing chiller.
  - h) Coordinate with County Project Manager for delivery of the temporary chiller in preparation for the Ice Season.
  - i) Conduct a virtual pre-installation meeting/conference with County, which shall occur not later than fourteen (14) calendar days prior to the installation start date identified in the County-approved Project Schedule, unless otherwise agreed to in writing by County.
  - j) Prepare to receive the temporary chiller. This shall include:
    - i. Draining the secondary refrigerant from the ice rink floor to a point where the mains can be cut. This work shall be done by a licensed mechanical contractor.
    - ii. Cutting and installing a T-fitting and valving to receive the temporary chiller cooling system. The T-fitting must allow for installation of the new chiller system, and if needed in the future to connect to a temporary chiller system. This work shall be done by a certified welder.
    - iii. Insulating the finished piping.

- k) Coordinate the delivery of the temporary chiller and pump skid (the metal frame upon which equipment is mounted, transported, and installed).
  - l) Receive and place the temporary chiller equipment at the Site. This work requires a licensed riggers and crane operator.
  - m) In accordance with all manufacturer specifications and requirements, Contractor shall:
    - i. Connect the temporary chiller and pump skid to the building power and to the ice rink refrigeration mains. Access from the outdoor temporary chiller to the indoor mains will require two (2) holes to be core drilled through the mechanical building's exterior concrete wall. Contractor shall attempt to use the existing holes for the condenser wiring when connecting the temporary chiller to the building electrical. This work requires licensed mechanical and electrical contractors along with a core driller.
    - ii. Install a temporary expansion tank to remove air from the secondary refrigerant loop. This work requires a licensed welder and mechanical subcontractor.
    - iii. Fill the system with calcium chloride to replace the removed secondary refrigerant. This requires a licensed mechanical subcontractor.
  - n) Provide onsite training to County staff and County's mechanical maintenance contractor in the temporary chiller operation and potential trouble shooting. Training will consist of a minimum of two (2), and up to four (4) hours.
  - o) Provide labor for startup of the temporary chiller.
  - p) Provide remote monitoring of the temporary chiller twenty-four hours per day, seven days per week (24/7). Provide diagnostics and resolution of chiller performance and alerts. Provide performance and alert notifications to County Ice Rink staff through email communications.
  - q) Provide, if determined necessary and upon request by County, onsite troubleshooting, maintenance and support of the temporary chiller and its operation.
  - r) At the end of the Ice Season and within five (5) business days following removal of ice by the County, Contractor shall:
    - i. Disconnect the electrical and coolant lines from the temporary chiller to the building, which shall require the use of licensed mechanical and electrical subcontractors.
    - ii. Drain the calcium chloride from the temporary chiller system to allow for equipment removal, which shall require the use of a licensed mechanical subcontractor.
    - iii. Remove the temporary equipment, which shall require the use of a licensed riggers and crane operator.
    - iv. Remove the temporary chiller and pump skids.
    - v. Remove and replace existing fencing and ice rink dashers as needed to accomplish the removal of the equipment.
  - s) Additional Services: County may, at its sole option through Amendment of the Agreement, approved by County Council, require additional services including services for Ice Seasons beyond the 2023-2024 Ice Season.
- 3. County agrees to provide the following:**
- a) Remove all ice rink related storage items in the fenced in area prior to the start of the Project.
  - b) Ensure the chiller room is prepared for installation of the temporary chiller system. Provide clear and safe access to the secondary refrigerant mains and electrical panels for Contractor.



- c) Following removal of old transformer from its current location and placement on to County truck by Contractor, County will manage and coordinate the proper disposal of the old transformer.
- d) Upon successful installation of the temporary chiller system by Contractor, County will make and paint the ice.
- e) Operate the temporary chiller in accordance with manufacturer's recommendations, as provided by Contractor.

## **SECTION B. CONTRACTOR RESPONSIBILITIES**

1. Contractor shall be responsible for the supervision, coordination, and successful completion of the Work including the construction means, methods, techniques, sequences, and procedures utilized.
2. Contractor shall obtain and pay for all necessary permits, licenses and renewals pertaining to the Work.
3. Contractor shall pay all applicable taxes for the Work provided by the Contractor.
4. Contractor shall regularly remove debris and waste materials resulting from Contractor's Work from the Site. Contractor shall make reasonable efforts to minimize and confine dust and debris. After completion of the Work, Contractor shall remove from the Site all construction equipment, tools, surplus materials, waste materials, and debris and leave the Site broom clean.
5. Contractor shall be solely responsible for safety precautions in connection with the Project. Subcontractors are not relieved of their responsibility for the safety of persons or property in association with their work, nor for compliance with applicable safety laws and regulations.

## **SECTION C. WARRANTIES, REPRESENTATIONS, AND OTHER OBLIGATIONS**

1. Contractor warrants to County that materials and equipment furnished under this Agreement will be of good quality to reliably perform its function.
2. Contractor shall provide all protective coverings necessary to protect existing and adjacent finishes while performing its work. Contractor shall be responsible for any damage to existing and adjacent finishes by its employees, subcontractors, and vendors and shall repair any such damage.
3. All work shall be in strict compliance with the national, state, and local building codes. Any work involving disconnecting or switching of electrical service to a work area shall utilize LOCKOUT/TAGOUT identification practices.
4. Safety shall be Contractor's main concern. Contractor shall comply with and enforce onsite all local, state, and federal laws governing safety, health, and sanitation. County may periodically inspect Contractor's compliance and enforcement of such laws. Contractor, not County, shall be responsible for any fines set forth for such violations of codes, OSHA standards, or any other governing agency having jurisdiction at the Site. Contractor shall provide all needed safeguards, safety devices and protective equipment. Contractor shall take any actions necessary to protect the life and health of the employees on the job, the safety of County employees working in the area, the safety of the public, and the property of County in connection with the performance of work under this Agreement.



5. Contractor shall furnish County with a performance bond no later than fourteen (14) calendars from the Effective Date of this Agreement, in an amount equal to One Hundred Percent (100%) of the contract price of this Agreement, as may be adjusted by any Change Order as provided herein.
6. Contractor shall furnish County with a payment (labor and materials) bond no later than fourteen (14) calendar days from the Effective Date of this Agreement, in an amount equal to One Hundred Percent (100%) of the contract price of this Agreement as may be adjusted by any Change Order provided herein.
7. County shall provide reasonable access “to,” “from,” and “at” work Site during Project.
8. Contractor shall immediately report any damage to property or injury to a person to County.
9. Contractor shall comply with the Approved Wage Rate Decision Number: LA-23-1442-B, attached as Exhibit B, attached hereto and made a part hereof for all purposes.
10. Contractor shall perform the work at times established, pursuant to the Project Schedule, and approval by County’s Project Manager. Contractor agrees that County operations may be active at the Site from 7:00 a.m. to 7:00 p.m., seven (7) days per week, with heavy equipment, staff, and public in and around the Site, and warrants that Contractor shall take reasonable steps to minimize interference in County operations in Contractor performance under this Agreement. Contractor acknowledges the work is on and around public areas where youth and adult recreational activities regularly occur.
11. Contractor warrants and agrees that the terms and conditions provided for herein are reasonable, and that in executing this Agreement, Contractor has taken into consideration the average climatic and economic conditions and other factors prevailing in the location where this Agreement is to be performed.

**SECTION D. TERM:** The term of this Agreement shall commence August 9, 2023, and shall continue through August 8, 2024, unless sooner terminated, as provided herein.

**SECTION E. COMPENSATION:**

1. **Amount of Compensation.** County shall pay compensation for performance of the Services in an amount not to exceed FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000.00), which amount does not include applicable New Mexico gross receipts taxes (“NMGRT”). Compensation shall be paid in accordance with the rate schedule set out in Exhibit A.
2. **Reimbursable Expenses.** County shall pay compensation for approved reimbursable expenses at actual cost with no markup according to the rates provided in Exhibit A, “Compensation Rate Schedule”. Reimbursable expenses shall be paid as follows:
  - a. **Permitting Fees:**  
County shall reimburse Contractor for permit fees paid by Contractor at actual cost.
  - b. **Per Diem:**  
County shall compensate Contractor in accordance with County policy for overnight stays if required and approved by the Project Manager. County shall not reimburse for meals unless incurred as part of approved overnight stays.

c. Mileage:

County shall compensate Contractor at the current Federal Rate. The rate shall apply from the Contractor's point of operation to the County specific project site and/or between County-specific project sites.

- 3. Monthly Invoices.** Contractor shall submit itemized monthly invoices to County's Project Manager showing amount of compensation due, amount of any NMGRT, and total amount payable. Payment of undisputed amounts shall be due and payable thirty (30) days after County's receipt of the invoice.

**SECTION F. TAXES:** Contractor shall be solely responsible for timely and correctly billing, collecting and remitting all NMGRT levied on the amounts payable under this Agreement.

**SECTION G. STATUS OF CONTRACTOR, STAFF, AND PERSONNEL:** This Agreement calls for the performance of services by Contractor as an independent contractor. Contractor is not an agent or employee of County and shall not be considered an employee of County for any purpose. Contractor, its agents, or employees shall make no representation that they are County employees, nor shall they create the appearance of being employees by using a job or position title on a name plate, business cards, or in any other manner, bearing County's name or logo. Neither Contractor nor any employee of Contractor shall be entitled to any benefits or compensation other than the compensation specified herein. Contractor shall have no authority to bind County to any agreement, contract, duty, or obligation. Contractor shall make no representations that are intended to, or create the appearance of, binding County to any agreement, contract, duty, or obligation. Contractor shall have full power to continue any outside employment or business, to employ and discharge its employees or associates as it deems appropriate without interference from County; provided, however, that Contractor shall at all times during the term of this Agreement maintain the ability to perform the obligations in a professional, timely, and reliable manner.

**SECTION H. STANDARD OF PERFORMANCE:** Contractor agrees and represents that it has and shall maintain the personnel, experience, and knowledge necessary to qualify it for the particular duties to be performed under this Agreement. Contractor shall perform the Services described herein in accordance with a standard that meets the industry standard of care for performance of the Services.

**SECTION I. DELIVERABLES AND USE OF DOCUMENTS:** All deliverables required under this Agreement, including material, products, reports, policies, procedures, software improvements, databases, and any other products and processes, whether in written or electronic form, shall remain the exclusive property of and shall inure to the benefit of County as works for hire; Contractor shall not use, sell, disclose, or obtain any other compensation for such works for hire. In addition, Contractor may not, with regard to all work, work product, deliverables, or works for hire required by this Agreement, apply for, in its name or otherwise, any copyright, patent, or other property right, and acknowledges that any such property right created or developed remains the exclusive right of County. Contractor shall not use deliverables in any manner for any other purpose without the express written consent of County.

**SECTION J. EMPLOYEES AND SUB-CONTRACTORS:** Contractor shall be solely responsible for payment of wages, salary, or benefits to any and all employees or contractors retained by Contractor in the performance of the Services. Contractor agrees to indemnify, defend, and hold harmless County for any and all claims that may arise from Contractor's relationship to its employees and subcontractors.

**SECTION K. INSURANCE:** Contractor shall obtain and maintain insurance of the types and in the amounts set out below throughout the term of this Agreement with an insurer acceptable to County. Contractor shall assure that all subcontractors maintain like insurance. Compliance with the terms and conditions of this Section is a condition precedent to County's obligation to pay compensation for the Services, and Contractor shall not provide any Services under this Agreement unless and until Contractor has met the requirements of this Section. County requires Certificates of Insurance, or other evidence acceptable to County, stating that Contractor has met its obligation to obtain and maintain insurance and to assure that subcontractors maintain like insurance. Should any of the policies described below be cancelled before the expiration date thereof, notice shall be delivered in accordance with the policy provisions. General Liability Insurance and Automobile Liability Insurance shall name County as an additional insured.

1. **General Liability Insurance:** ONE MILLION DOLLARS (\$1,000,000.00) per occurrence; ONE MILLION DOLLARS (\$1,000,000.00) aggregate.
2. **Workers' Compensation:** In an amount as may be required by law. County may immediately terminate this Agreement if Contractor fails to comply with the Worker's Compensation Act and applicable rules when required to do so.
3. **Automobile Liability Insurance for Contractor and its Employees:** ONE MILLION DOLLARS (\$1,000,000.00) combined single limit per occurrence; ONE MILLION DOLLARS (\$1,000,000.00) aggregate on any owned, and/or non-owned motor vehicles used in performing Services under this Agreement.
4. **Property, Fire, and All Risk Insurance:** Contractor shall purchase and maintain until final payment, property insurance for the Project at the Site to the full insurable value thereof. This insurance shall insure against the perils of "all-risk" insurance for physical loss and damage, and shall include damages, losses, and expenses arising out of or resulting from any insured loss or incurred in the repair or replacement of any insured property (including but not limited to fees and charges of engineers, architects, attorneys, and other professionals). If not covered under the "all-risk" insurance, Contractor shall purchase and maintain similar property insurance on portions of the Work stored on and off the site or in transit when such portions of the Work are to be included in an Application for Payment.

**SECTION L. RECORDS:** Contractor shall maintain, throughout the term of this Agreement and for a period of six (6) years thereafter, records that indicate the date, time, and nature of the services rendered. Contractor shall make available, for inspection by County, all records, books of account, memoranda, and other documents pertaining to County at any reasonable time upon request.

**SECTION M. DUTY TO ABIDE:** Contractor shall abide by all applicable federal, state, and local laws, regulations, and policies and shall perform the Services in accordance with all applicable laws, regulations, and policies during the term of this Agreement.

**SECTION N. NON-DISCRIMINATION:** During the term of this Agreement, Contractor shall not discriminate against any employee or applicant for an employment position to be used in the performance of the obligations of Contractor under this Agreement, with regard to race, color, religion, sex, age, ethnicity, national origin, sexual orientation or gender identity, disability, or veteran status.

**SECTION O. CHOICE OF LAW:** The interpretation and enforcement of this Agreement shall be governed by and construed in accordance with the laws of the State of New Mexico.

**SECTION P. VENUE, FORUM NON-CONVENIENS, EXCLUSIVE STATE JURISDICTION:** County and Contractor knowingly, voluntarily, intentionally, and irrevocably agree that any and all legal proceedings related to this Agreement, or to any rights or any relationship between the parties arising therefrom, shall be solely and exclusively initiated, filed, tried, and maintained in the First Judicial District Court of the State of New Mexico. County and Contractor each expressly and irrevocably waive any right otherwise provided by any applicable law to remove the matter to any other state or federal venue, consents to the jurisdiction of the First Judicial District Court of the State of New Mexico in any such legal proceeding, waives any objection it may have to the laying of the jurisdiction of any such legal proceeding. County and Contractor also agree that this term is a material inducement for each to enter this Agreement, and that both County and Contractor warrant and represent that each have had the opportunity to review this term with legal counsel.

**SECTION Q. WAIVER OF JURY TRIAL:** In the event of any action or proceeding, (including without limitation, any claim, counterclaim, cross-claim or third party claim) arising out of or, relating to this Agreement, or the transaction contemplated by this Agreement, County and Contractor KNOWINGLY, VOLUNTARILY, INTENTIONALLY, AND IRREVOCABLY WAIVE ANY RIGHT TO A JURY TRIAL, and agree that a court shall determine and adjudicate all issues of law and fact with a jury trial being expressly waived. County and Contractor also agree that this waiver of a jury trial was a material inducement for each to enter this Agreement, and that both County and Contractor warrant and represent that each have had the opportunity to review this jury waiver with legal counsel.

**SECTION R. INDEMNITY:** Contractor shall indemnify, defend, and hold harmless County, its Council members, employees, agents, and representatives, from and against all liability, claims, demands, actions (legal or equitable), damages, losses, costs, or expenses, including attorney fees, of any kind or nature, to the extent that the liability, claims, demands, actions, damages, losses, costs, and expenses are caused by, or arise out of, the acts or omissions of the Contractor or Contractor's officers, employees, agents representatives, and subcontractors in the performance or breach of the Services under this Agreement.

**SECTION S. FORCE MAJEURE:** Neither County nor Contractor shall be liable for any delay in the performance of this Agreement, nor for any other breach, nor for any loss or damage arising from uncontrollable forces such as fire, theft, storm, war, or any other force majeure that could not have been reasonably avoided by exercise of due diligence.

**SECTION T. NON-ASSIGNMENT:** Contractor shall not assign this Agreement or any privileges or obligations herein, and shall not novate this Agreement to another without the prior written consent of the [County Manager/County Utilities Manager].

**SECTION U. LICENSES:** Contractor shall maintain all required licenses including, without limitation, all necessary professional and business licenses, throughout the term of this Agreement. Contractor shall require and shall assure that all of Contractor's employees and subcontractors maintain all required licenses including, without limitation, all necessary professional and business licenses.

**SECTION V. PROHIBITED INTERESTS:** Contractor agrees that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of its services hereunder. Contractor further agrees that it shall not employ any person having such an interest to perform services under this Agreement. No County Council member or other elected official of County, or manager or employee of County shall solicit, demand, accept, or agree to accept, a gratuity or offer of employment contrary to Section 31-282 of the Los Alamos County Code.

**SECTION W. TERMINATION:**

1. **Generally.** The County Manager may terminate this Agreement with or without cause upon ten (10) days prior written notice to Contractor. Upon such termination, Contractor shall be paid for Services actually completed to the satisfaction of County at the rate set out in Section C. Contractor shall render a final report of the Services performed to the date of termination and shall turn over to County originals of all materials prepared pursuant to this Agreement.
2. **Funding.** This Agreement shall terminate without further action by County on the first day of any County fiscal year for which funds to pay compensation hereunder are not appropriated by County Council. County shall make reasonable efforts to give Contractor at least ninety (90) days advance notice that funds have not been and are not expected to be appropriated for that purpose.

**SECTION X. NOTICE:** Any notices required under this Agreement shall be made in writing, postage prepaid to the following addresses, and shall be deemed given upon hand delivery, verified delivery by telecopy (followed by copy sent by United States Mail), or three (3) days after deposit in the United States Mail:

County:

Miguel Jimenez, Project Manager  
Incorporated County of Los Alamos  
101 Camino Entrada Building 1  
Los Alamos, New Mexico 87544

Contractor:

Mike McDevitt, CEO  
American Arena LLC  
1353 Larc Industrial Boulevard  
Burnsville, Minnesota 55337

With a copy to:

County Attorney's Office  
1000 Central Avenue, Suite 340  
Los Alamos, New Mexico 87544

**SECTION Y. INVALIDITY OF PRIOR AGREEMENTS:** This Agreement supersedes all prior contracts or agreements, either oral or written, that may exist between the parties with reference to the services described herein, and expresses the entire agreement and understanding between the parties with reference to said services. It cannot be modified or changed by any oral promise made by any person, officer, or employee, nor shall any written modification of it be binding on County until approved in writing by both authorized representatives of County and Contractor. In the event of any conflict between the terms, conditions, and provisions of this Agreement, and the terms, conditions and provisions of any exhibits or attachments, the terms, conditions and provisions of this Agreement shall control and take precedence.

**SECTION Z. NO IMPLIED WAIVERS:** The failure of County to enforce any provision of this Agreement is not a waiver by County of the provisions, or of the right thereafter, to enforce any provision(s).

**SECTION AA. SEVERABILITY:** If any provision of this Agreement is held to be unenforceable for any reason: (i) such provision shall be reformed only to the extent necessary to make the intent of the language and purpose of the Agreement enforceable; and (ii) all other provisions of this Agreement shall remain in effect so long as the substantive purpose of the Agreement is possible.

**SECTION AB. CAMPAIGN CONTRIBUTION DISCLOSURE FORM:** A Campaign Contribution Disclosure Form is attached as Exhibit C. Contractor must submit this form with this Agreement, if applicable.

**SECTION AC. LEGAL RECOGNITION OF ELECTRONIC SIGNATURES:** Pursuant to NMSA 1978 § 14-16-7, this Agreement may be signed by electronic signature.

**SECTION AD. DUPLICATE ORIGINAL DOCUMENTS:** This document may be executed in two (2) counterparts, each of which shall be deemed an original.

**SECTION AE. NEGOTIATED TERMS:** This Agreement reflects negotiated terms between the parties, and each party has participated in the preparation of this Agreement with the opportunity to be represented by counsel, such that neither party shall be considered to be the drafter of this Agreement or any of its provisions for the purpose of any statute, case law, or rule of interpretation or construction that would or might cause any provision to be construed against the drafter of this Agreement.

**IN WITNESS WHEREOF**, the parties have executed this Agreement on the date(s) set forth opposite the signatures of their authorized representatives to be effective for all purposes on the date first written above.

**ATTEST**

*Naomi D. Maestas*

\_\_\_\_\_  
**NAOMI D. MAESTAS**  
**COUNTY CLERK**



**INCORPORATED COUNTY OF LOS ALAMOS**

BY: *Anne Laurent* for 8/9/2023  
\_\_\_\_\_  
**STEVEN LYNNE** **DATE**  
**COUNTY MANAGER**

**Approved as to form:**

*Kathryn S. Thwait*

for

\_\_\_\_\_  
**J. ALVIN LEAPHART**  
**COUNTY ATTORNEY**

**AMERICAN ARENA, LLC, A MINNESOTA LIMITED LIABILITY CORPORATION**

BY: *Mike McDevitt* 8/15/2023  
\_\_\_\_\_  
**MIKE McDEVITT** **DATE**  
**CHIEF EXECUTIVE OFFICER**

Exhibit A  
Compensation Rate Schedule  
AGR23-955

Design and Engineering	\$29,412.00
Temporary Chiller Rental (2023-2024 Ice Season)	\$104,706.00
Temporary Chiller Installation & Removal (2023-2024 Ice Season)	\$165,830.00
Removal of Existing Chiller System	\$82,353.00
<b>SUBTOTAL</b>	<b>\$382,301.00</b>
Construction Permit Allowance* (2023-2024 Ice Season)	\$2,000.00
Onsite Technician Allowance* at \$180/hour plus reimbursable travel costs (Optional, upon County request only)	\$3,500.00
<b>CONTRACT PRICE (Section C paragraphs 5 &amp; 6)</b>	<b>\$387,801.00</b>
Performance, Labor & Material Bonds (2023-2024 Ice Season)	\$10,858.43
<b>TOTAL (excluding applicable NMGR)</b>	<b>\$398,659.43</b>
Contingency (For unforeseen items authorized at County's sole option)	\$51,340.57
<b>TOTAL NOT TO EXCEED AMOUNT (excluding NMGR)</b>	<b>\$450,000.00</b>
*Reimbursable Expense per SECTION E. COMPENSATION	

Travel Expense Guidelines:

Contractor's travel expenses shall be charged at actual cost, copies of all travel expenses must accompany invoices submitted to County, and shall only include the following:

1. The most economical means of transportation shall be used, commercial airlines coach fare rates;
2. Business-related tolls and parking fees;
3. Rental car, taxi service or shuttle services;
4. Mileage shall be reimbursed at the standard mileage rate for business miles driven as established from time to time by the Internal Revenue Service;
5. Hotel or motel lodging;
6. Meals, per Los Alamos County Travel Policy, currently \$60.00 per diem;
7. Internet connectivity charges;
8. Any other reasonable costs directly associated with conducting business with County.
9. If reimbursement for lodging or airfare is sought and no receipt is furnished by Contractor showing the actual cost, the travel expense shall be deemed unreasonable and unreimbursable.

Travel Expenses not allowed are as follows:

1. Entertainment; in-room movies, games, etc. and
2. Alcoholic beverages, mini bar refreshments or tobacco products.



**LABOR RELATIONS DIVISION**

401 Broadway NE  
Albuquerque, NM 87102  
Phone: 505-841-4400  
Fax: 505-841-4424

226 South Alameda Blvd  
Las Cruces, NM 88005  
Phone: 575-524-6195  
Fax: 575-524-6194

**WWW.DWS.STATE.NM.US****Wage Decision Approval Summary**

1) Project Title: Ice Rink Temporary Chiller  
Requested Date: 05/12/2023  
Approved Date: 05/15/2023  
Approved Wage Decision Number: LA-23-1442-B

**Wage Decision Expiration Date for Bids: 09/12/2023**

2) Physical Location of Jobsite for Project:  
Job Site Address: 4475 West Rd  
Job Site City: Los Alamos  
Job Site County: Los Alamos

3) Contracting Agency Name (Department or Bureau): Los Alamos County  
Contracting Agency Contact's Name: Miguel Jimenez  
Contracting Agency Contact's Phone: (505) 662-1430 Ext.

4) Estimated Contract Award Date: 07/11/2023

5) Estimated total project cost: \$160,000.00

- a. Are any federal funds involved?: No
- b. Does this project involve a building?: Yes - Los Alamos County Zamboni Building - Refrigeration
- c. Is this part of a larger plan for construction on or appurtenant to the property that is subject to this project?: Yes - Eventually, the existing refrigeration system will be replaced permanently.
- d. Are there any other Public Works Wage Decisions related to this project?: No
- e. What is the ultimate purpose or functional use of the construction once it is completed?: Cool the ice rink slab to make ice for the ice season (skating and hockey)

6) Classifications of Construction:

<b>Classification Type and Cost Total</b>	<b>Description</b>
<b>General Building (B) Cost: \$160,000.00</b>	Installation, start up, shut down and removal of a temporary chiller at the ice rink

**Exhibit C**  
**CAMPAIGN CONTRIBUTION DISCLOSURE FORM**  
**AGR23-955**  
**American Arena, LLC**

Any prospective contractor seeking to enter into a contract with the Incorporated County of Los Alamos must file this form disclosing whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official during the two (2) years prior to the date on which prospective contractor submits a proposal or, in the case of a sole source or small purchase contract, the two (2) years prior to the date prospective contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds TWO HUNDRED FIFTY DOLLARS (\$250.00) over the two (2) year period.

THIS FORM MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

**“Applicable public official”** means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

**“Campaign Contribution”** means a gift, subscription, loan, advance or deposit of money or other things of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official’s behalf for the purpose of electing the official to either statewide or local office. “Campaign Contribution” includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

**“Contract”** means any agreement for the procurement of items of tangible personal property, services, professional services, or construction.

**“Family member”** means a spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law of:  
(a) a prospective contractor, if the prospective contractor is a natural person; or  
(b) an owner of a prospective contractor.

**“Pendency of the procurement process”** means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

**“Person”** means any corporation, partnership, individual, joint venture, association or any other private legal entity.

**“Prospective contractor”** means a person who is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person qualifies for a sole source or a small purchase contract.

**“Representative of a prospective contractor”** means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

DISCLOSURE OF CONTRIBUTIONS: (Report any applicable contributions made to the following - COUNTY COUNCILORS: Theresa Cull; Denise Derkacs; Melanee Hand; Susie Havemann; Keith Lepsch; David Reagor; and Randal Ryti.)

<b>Contribution Made By:</b>			
<b>Relation to Prospective Contractor:</b>			
<b>Name of Applicable Public Official:</b>			
<b>Contribution(s) Date(s)</b>	<b>Contribution Amount(s):</b>	<b>Nature of Contribution(s):</b>	<b>Purpose of Contribution(s):</b>
	\$		
	\$		
	\$		
	\$		
	\$		

(Attach extra pages if necessary)

Please check the box next to the applicable statement.

	<b>CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250.00) WERE MADE</b> to an applicable public official by me, a family member or representative, and I have disclosed those contributions.
X	<b>NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250.00) WERE MADE</b> to an applicable public official by me, a family member or representative.

*Mike McDewitt* \_\_\_\_\_ 8/15/2023  
 Signature Date  
 CEO  
 \_\_\_\_\_  
 Title (position)

**AMENDMENT NO. 1  
INCORPORATED COUNTY OF LOS ALAMOS  
SERVICES AGREEMENT NO. 23-955**

This **AMENDMENT NO. 1** is entered into by and between the **Incorporated County of Los Alamos**, an incorporated county of the State of New Mexico ("County"), and **Modern Mechanical Ice Systems, LLC**, a Minnesota limited liability corporation ("Contractor"), formerly known as American Arena, LLC, to be effective for all purposes June 12, 2024.

**WHEREAS**, County and Contractor entered into Agreement No. AGR23-955 for a temporary ice chiller and related services at the Ice Rink located at 4475 West Road; and

**WHEREAS**, County wishes to extend the temporary chiller rental services through the 2024-2025 ice season; and

**WHEREAS**, American Arena, LLC changed its name to Modern Mechanical Ice Systems, LLC on January 1, 2024, Minnesota Secretary of State filing date February 6, 2024, with no change to ownership; and

**WHEREAS**, both parties wish to amend the Agreement to extend the term, increase the compensation, and update the notice contact information; and

**WHEREAS**, the County Council approved this Amendment No. 1 at a public meeting held on June 11, 2024.

**NOW, THEREFORE**, in consideration of the above, County and Contractor agree as follows:

- I. Delete **SECTION D. TERM** in its entirety and replace with the following:  
**SECTION D. TERM:** The term of this Agreement shall commence August 9, 2023, and shall continue through August 31, 2025, unless sooner terminated, as provided herein. At County's sole option, the County Manager may renew this Agreement for a total term of seven years.
  
- II. Delete **SECTION E. COMPENSATION** in its entirety and replace with the following:  
**SECTION E. COMPENSATION:**
  1. **Amount of Compensation.** County shall pay compensation for performance of the Services in an amount not to exceed EIGHT HUNDRED NINETY THOUSAND DOLLARS AND NO CENTS (\$890,000.00), which amount does not include applicable New Mexico gross receipts taxes ("NMGRT"). Compensation shall be paid in accordance with the rate schedule set out in Exhibit A-1, attached hereto and made a part hereof for all purposes.
  2. **Monthly Invoices.** Contractor shall submit itemized monthly invoices to County's Project Manager showing amount of compensation due, amount of any NMGRT, and total amount payable. Payment of undisputed amounts shall be due and payable thirty (30) days after County's receipt of the invoice.

III. Delete **Exhibit “A” Rate Schedule** in its entirety and replace with **Exhibit “A-1,”** attached hereto and made a part hereof for all purposes.

IV. Delete **SECTION X. NOTICE** in its entirety and replace with the following:

**SECTION X. NOTICE:** Any notices required under this Agreement shall be made in writing, postage prepaid to the following addresses, and shall be deemed given upon hand delivery, verified delivery by telecopy (followed by copy sent by United States Mail), or three (3) days after deposit in the United States Mail:

County: Miguel Jimenez, Project Manager Incorporated County of Los Alamos 101 Camino Entrada Building 1 Los Alamos, New Mexico 87544	Contractor: Mike McDevitt, CEO Modern Mechanical Ice Systems, LLC 1353 Larc Industrial Boulevard Burnsville, Minnesota 55337
--	--

With a copy to:  
County Attorney’s Office  
1000 Central Avenue, Suite 340  
Los Alamos, New Mexico 87544

Except as expressly modified by this Amendment, the terms and conditions of the Agreement remain unchanged and in effect.

**IN WITNESS WHEREOF**, the parties have executed this Amendment No. 1 on the date(s) set forth opposite the signatures of their authorized representatives to be effective for all purposes on the date first written above.

**ATTEST**

**INCORPORATED COUNTY OF LOS ALAMOS**

\_\_\_\_\_  
**NAOMI D. MAESTAS**  
COUNTY CLERK

**BY:** \_\_\_\_\_  
**ANNE W. LAURENT** **DATE**  
COUNTY MANAGER

**Approved as to form:**

\_\_\_\_\_  
**J. ALVIN LEAPHART**  
COUNTY ATTORNEY

**MODERN MECHANICAL ICE SYSTEMS LLC, A**  
**MINNESOTA LIMITED LIABILITY CORPORATION**

**BY:** \_\_\_\_\_  
**MIKE McDEVITT** **DATE**  
CHIEF EXECUTIVE OFFICER

Exhibit A-1  
 Compensation Rate Schedule  
 AGR23-955-A1

	<b>2023-2024 Ice Season</b>	<b>Amended 2024-2025 Ice Season (17 Months)</b>	<b>Cumulative Amount</b>
Design and Engineering	\$29,412.00	-	\$29,412.00
Temporary Chiller Rental	\$104,706.00	<b>\$375,654.61</b>	\$480,360.61
Temporary Chiller Installation & Removal	\$165,830.00	-	\$165,830.00
Removal of Existing Chiller System	\$82,353.00	-	\$82,353.00
<b>SUBTOTAL</b>	<b>\$382,301.00</b>	<b>\$375,654.61</b>	<b>\$757,955.61</b>
Construction Permit Allowance*	\$2,000.00	-	\$2,000.00
Onsite Technician Allowance* at \$180/hour plus reimbursable travel costs (Optional, upon County request only)	\$3,500.00	<b>\$3,140.00</b>	\$6,640,000.00
Performance, Labor & Material Bonds	\$10,858.43	<b>\$10,858.43</b>	\$21,716.86
<b>TOTAL (excluding applicable NMGR)</b>	<b>\$398,659.43</b>	<b>\$389,653.04</b>	<b>\$788,312.47</b>
Contingency (For unforeseen items authorized at County's sole option)	\$51,340.57	<b>\$50,346.96</b>	\$101,687.53
<b>TOTAL NOT TO EXCEED AMOUNT (excluding NMGR)</b>	<b>\$450,000.00</b>	<b>\$440,000.00</b>	<b>\$890,000.00</b>
*Reimbursable expense per SECTION E. COMPENSATION			

Contingency amounts are reflected in SECTION E. COMPENSATION in the event any unforeseen additional expenses are authorized at County's sole option.

Travel Expense Guidelines:

Contractor's travel expenses shall be charged at actual cost, copies of all travel expenses must accompany invoices submitted to County, and shall only include the following:

1. The most economical means of transportation shall be used, commercial airlines coach fare rates;
2. Business-related tolls and parking fees;
3. Rental car, taxi service or shuttle services;
4. Mileage shall be reimbursed at the standard mileage rate for business miles driven as established from time to time by the Internal Revenue Service;
5. Hotel or motel lodging;
6. Meals, per Los Alamos County Travel Policy, currently \$60.00 per diem;
7. Internet connectivity charges;

8. Any other reasonable costs directly associated with conducting business with County;
9. If reimbursement for lodging or airfare is sought and no receipt is furnished by Contractor showing the actual cost, the travel expense shall be deemed unreasonable and unreimbursable.

Travel Expenses not allowed are as follows:

1. Entertainment; in-room movies, games, etc.; and
2. Alcoholic beverages, mini bar refreshments or tobacco products.



# County of Los Alamos

Los Alamos, NM 87544  
www.losalamosnm.us

## Staff Report

June 11, 2024

---

**Agenda No.:** B.

**Index (Council Goals):**

**Presenters:** Naomi Maestas, County Clerk

**Legislative File:** 18852-24

---

### **Title**

Approval of County Council Minutes for the April 29, 2024 Special Session, the May 7, 2024 Regular Session, the May 21, 2024 Work Session, and the May 28th Regular Session.

### **Recommended Action**

**I move that Council approve the County Council Minutes for the April 29, 2024 Special Session, the May 7, 2024 Regular Session, the May 21, 2024 Work Session, and the May 28th Regular Session.**

### **Clerk's Recommendation**

The County Clerk recommends that Council approve the minutes as presented.

### **Attachments**

- A - County Council Minutes for April 29, 2024
- B - County Council Minutes for May 7, 2024
- C - County Council Minutes for May 21, 2024
- D - County Council Minutes for May 28, 2024





# County of Los Alamos

Los Alamos, NM 87544  
www.losalamosnm.us

## Minutes

### County Council – Special Session

*Denise Derkacs, Council Chair; Theresa Cull, Council Vice-Chair,  
Melanee Hand, Suzie Havemann, Keith Lepsch,  
David Reagor, and Randall Ryti, Councilors*

---

Monday, April 29, 2024

5:00 PM

Council Chambers – 1000 Central Avenue

---

**1. OPENING/ROLL CALL**

Councilor Derkacs, called the meeting to order at 5:00 p.m.

**The following Councilors were in attendance:**

**Present: 7 - Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann,  
Councilor Lepsch, Councilor Ryti and Councilor Reagor**

**2. PLEDGE OF ALLEGIANCE**

Led by: All

**3. PUBLIC COMMENT**

None.

**4. APPROVAL OF AGENDA**

**A motion was made by Councilor Ryti, seconded by Councilor Hand, that the Agenda be approved as presented.**

**The motion passed with the following vote:**

**The motion passed with the following vote:**

**Yes: 7 - Councilor Derkacs, Councilor Cull, Councilor Hand,  
Councilor Havemann, Councilor Lepsch, Councilor Ryti, and Councilor Reagor**

**5. BUSINESS**

- A. Possible Approval of the Collective Bargaining Agreement Between The Incorporated County of Los Alamos and The International Brotherhood of Electrical Workers (IBEW) Local 611 (Public Works)

Ms. Linda Matteson, Deputy County Manager, presented.

Public comment:

None.

**A motion was made by Councilor Ryti, seconded by Councilor Hand, that Council approve the Collective Bargaining Agreement between the Incorporated County of Los Alamos and The International Brotherhood of Electrical Workers (IBEW) Local 611 (Public Works) and direct the County Manager to execute the Agreement on behalf of the County.**

**The motion passed with the following vote:**

**Yes: 7 - Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Lepsch, Councilor Ryti, and Councilor Reagor**

**6. ADJOURNMENT**

The meeting adjourned at 5:10 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

---

Denise Derkacs, Council Chair

Attest:

---

Naomi D. Maestas, County Clerk

Meeting Transcribed by: Marie Pruitt, Deputy Clerk



# County of Los Alamos

## Minutes

### County Council – Regular Session

*Denise Derkacs, Council Chair, Theresa Cull, Council Vice-Chair,  
Melanee Hand, Suzie Havemann, Keith Lepsch,  
David Reagor, and Randall Ryti, Councilors*

---

Tuesday, May 7, 2024

6:01 PM

Council Chambers – 1000 Central Avenue

---

#### 1. OPENING/ROLL CALL

The Council Chair, Denise Derkacs, called the meeting to order at 6:01 p.m.

Council Chair Derkacs made opening remarks regarding the procedure of the meeting.

Ms. Linda Matteson, Deputy County Manager, listed the county employees in attendance via Zoom.

**The following Councilors were in attendance:**

**Present: 3 – Councilor Derkacs, Councilor Hand, and Councilor Reagor**

**Online: 3 – Councilor Cull, Councilor Lepsch and Councilor Ryti**

**Absent: 1 – Councilor Havemann**

#### 2. PLEDGE OF ALLEGIANCE

Led by: All.

#### 3. APPROVAL OF AGENDA

A motion was made by Councilor Hand, seconded by Councilor Reagor, that Council approve the agenda as presented.

The motion passed with the following vote:

**Yes: 6 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Lepsch,  
Councilor Reagor, and Councilor Ryti**

**Absent: 1 – Councilor Havemann**

#### 4. PUBLIC COMMENT

None.

## 5. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

### A. Proclamation Declaring the Month of May as “Bike Month” and May 16, 2024, as “Bike to Work Day”.

Councilor Reagor presented the Proclamation to Juan Rael, Public Works Director.

Mr. Juan Rael spoke.

### B. Proclamation declaring the Month of May as "Motorcycle Awareness Month" in Los Alamos County.

Councilor Reagor presented the Proclamation to Richard Sturgeon.

Mr. Richard Sturgeon spoke.

### C. Proclamation Declaring the Week of May 19 - 25, 2024, as Emergency Medical Services Week.

Chair Derkacs presented to Acting EMS Chief Manuel Pacheco.

Mr. Manuel Pacheco spoke.

### D. Proclamation Declaring the Month of May as “Building Safety Month”.

Councilor Hand presented the Proclamation to David Martinez, Chief Building Official.

Mr. Paul Andrus spoke.

### E. Proclamation Declaring the week of May 19 - 25, 2024 as “Public Works Week”.

Councilor Hand presented the Proclamation to Juan Rael, Public Works Director.

Mr. Juan Rael spoke.

## RECESS

Councilor Derkacs called for a recess at 6:28 p.m. The meeting reconvened at 6:33 p.m.

## 6. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA

None.

## 7. CONSENT AGENDA

- A. Approval of Agreement AGR 24-957 with San Bar Construction Company for On-Call Services for Reflectorized Pavement Markings for Public Works Traffic and Streets Division in an Amount Not to Exceed \$500,000 Plus Applicable Gross Receipts Tax

**I move that Council approve Agreement AGR 24-957 with San Bar Construction Company for On-Call Services for Reflectorized Pavement Markings for Public Works Traffic and Streets Division in an amount not to exceed \$500,000 plus applicable gross receipts tax.**

- B. Approval of Amendment No. 1 to Services Agreement No. AGR22-18a with All-Rite Construction, Inc.; AGR22-18c with GME General Building, LLC; AGR22-d with Pluma, LLC; and AGR22-18e with R and M Construction LLC for On-Call Facility Construction Services in an Aggregate Amount Not to Exceed \$10,000,000.00 Excluding Applicable Gross Receipts Tax

**I move that Council approve Amendment No. 1. to Services Agreement No. AGR22-18a with All-Rite Construction, Inc.; AGR22-18c with GME General Building, LLC; AGR-22-18d with Pluma, Inc.; and AGR22-18e with R and M Construction LLC for On-Call Facility Construction Services in an Aggregate Amount Not to Exceed \$10,000,000.00 Excluding Applicable Gross Receipts Tax. 2024-42.**

- C. Approval of Amendment No. 1 to Services Agreement No. AGR23-54 with Delta Airport Consultants, Inc. to Clarify Task Order Pricing for On-Call Professional Engineering, Architectural, Planning and Project Management Services for Los Alamos County Airport

**I move that Council approve Amendment No. 1 to Agreement No. AGR23-54 with Delta Airport Consultants, Inc. to clarify task order pricing for on-call professional engineering, architectural, planning and project management services for Los Alamos County Airport.**

- D. Approval of Budget Revision 2024-60 Uniper Settlement

**I move that Council approve Budget Revision 2024-60 as summarized in attachment A and that the attachment be made a part of the minutes of this meeting.**

- E. Approval of Sunset Date for Tourism Implementation Task Force

**I move that Council sunset the Tourism Implementation Task Force as of May 7, 2024.**

- F. Approval to Submit 2026-2030 Capital Outlay Infrastructure Capital Improvement Plan (ICIP) for Senior Centers to the New Mexico Department of Finance and Administration (DFA)

**I move that Council approve the submission of the 2026 Capital Outlay Infrastructure Capital Improvement Plan (ICIP) to the New Mexico Department of Finance and Administration (DFA).**

- G. Approval of County Council Minutes for the April 22, 2024, Regular Session

**I move that Council approve the County Council Minutes for the April 22, 2024, Regular Session.**

- H. Approval of the Submission of the 2025 Capital Outlay Grant Application to the Aging & Long-Term Services Department (ALTSD)

**I move that Council approve the submission of the 2025 Capital Outlay Grant Application to Aging and Long-Term Services Department (ALTSD).**

**Consent Motion:**

A motion was made by Councilor Derkacs, seconded by Councilor Hand, that Council approve the items on the Consent Agenda as presented and that the motions in the staff reports as amended be included for the record.

**Approval of the Consent Agenda:**

The motion passed with the following vote:

**Yes: 6 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Lepsch, Councilor Reagor, and Councilor Ryti**

**Absent 1 – Councilor Havemann**

**8. INTRODUCTION OF ORDINANCE(S)**

- A. Incorporated County of Los Alamos Code Ordinance No. 02-355 Modifications to Chapter 6, Animal Code

**Councilor Hand introduced, without prejudice, Incorporated County of Los Alamos Code Ordinance No. 02-355 and ask the staff to assure that it is published as provided in the County Charter.**

- B. Incorporated County of Los Alamos Code Ordinance 02-357 - A Code Ordinance Amending Chapter 26 (Municipal Court), Article I, Section 6 to Abolish the Corrections Fee, the Mandatory Judicial Education Fee, and the Mandatory Court Automation Fee to Comply with Amendments to State Law that Take Effect July 1, 2024

**Councilor Hand introduced, without prejudice, Incorporated County of Los Alamos Ordinance No. 02-357 A Code Ordinance Amending Chapter 26, Municipal Court, Article I, Section 6 to Abolish the Corrections Fee, the Mandatory Judicial Education Fee, and the Mandatory Court Automation Fee to Comply with Amendments to State Law that Take Effect July 1, 2024 and ask the staff to assure that it is published as provided in the County Charter.**

- C. Incorporated County of Los Alamos Code Ordinance 02-358 - A Code Ordinance Amending Chapter 38, Traffic and Vehicles, Article V, Section 293, to Abolish Certain Fee Assessments Associated with a Conviction for Operating a Motor Vehicle Under the Influence of Intoxicating Liquor or Drugs to Comply with Amendments to State Law that Take Effect July 1, 2024

**Councilor Reagor introduced, without prejudice, Incorporated County of Los Alamos Code Ordinance 02-358 - A Code Ordinance Amending Chapter 38, Traffic and Vehicles, Article V, Section 293, to Abolish Certain Fee Assessments Associated with a Conviction for Operating a Motor Vehicle Under the Influence of Intoxicating Liquor or Drugs to Comply with Amendments to State Law that Take Effect July 1, 2024 and ask the staff to assure that it is published as provided in the County Charter.**

- D. Incorporated County of Los Alamos Code Ordinance 02-353 - A Code Ordinance Amending Chapter 20, Article IV, Regarding the Deposit and Investment of County Funds

**Councilor Ryti introduced, without prejudice, Incorporated County of Los Alamos Code Ordinance No. 02-353: A Code Ordinance Amending Chapter 20, Article IV, Regarding the Deposit and Investment of County Funds and ask the staff to assure that it is published as provided in the County Charter.**

- E. Incorporated County of Los Alamos Ordinance No. 732; An Ordinance Authorizing the Execution and Delivery of a Loan Agreement (“Loan Agreement”) By and Between the Incorporated County of Los Alamos, New Mexico (the “Governmental Unit”) and the New Mexico Finance Authority, Evidencing a Special Limited Obligation of the Governmental Unit to Pay a Principal Amount of No More Than \$2,020,000, Together with Interest, Expenses, and Administrative Fees Thereon, for the Purpose of Financing the Costs of Construction of a Water Booster Station, Electrical and Mechanical Upgrades to Several Booster Stations and Related Appurtenances of the Project; Providing for the Pledge and Payment of the Principal, Administrative Fees and Interest Due Under the Loan Agreement Solely From the Net Revenues of the Joint Utility System of the Governmental Unit; Setting an Interest Rate for the Loan; Approving the Form of and Other Details Concerning the Loan Agreement; Ratifying Actions Heretofore Taken; Repealing All Action Inconsistent with This Ordinance; and Authorizing the Taking of Other Actions in Connection with the Execution and Delivery of the Loan Agreement

**Councilor Hand introduced, without prejudice, Incorporated County of Los Alamos Ordinance No. 732; An Ordinance Authorizing the Execution and Delivery of a Loan Agreement (“Loan Agreement”) By and Between the Incorporated County of Los Alamos, New Mexico (the “Governmental Unit”) and the New Mexico Finance Authority, and asked staff to assure that it is published as provided in the County Charter.**

- F. Introduction of Incorporated County of Los Alamos Ordinance No. 733 An Ordinance Authorizing the Incorporated County of Los Alamos (County) to Submit an Amendment No. 2, to the New Mexico Environment Department (NMED) Clean Water State Revolving Fund (CWSRF) for the Purpose of Increasing the Funding of Loan Number CWSRF 110 by \$1,200,000 for the Bayo Lift Station Elimination Project

**Councilor Reagor introduced, without prejudice, Incorporated County of Los Alamos Ordinance No. 733 An Ordinance Authorizing the Incorporated County of Los Alamos (County) to Submit an Amendment No. 2, to the New Mexico Environment Department (NMED) Clean Water State Revolving Fund (CWSRF), for the Purpose of Increasing the Funding of Loan Number CWSRF 110 and asked staff to assure that it is published as provided in the County Charter.**

## 9. PUBLIC HEARING(S)

- A. Incorporated County of Los Alamos Ordinance No. 731, an Ordinance Authorizing the Incorporated County of Los Alamos (Borrower) to Enter Into a Loan Agreement With the New Mexico Environment Department (NMED) for the Purpose of Obtaining Project Loan Funds in the Principal Amount of \$800,000 Plus (0.01%) Accrued Interest; and Loan Subsidy Grant Funds in the Amount of \$200,000 for a Total Funded Amount of \$1,000,000; Designating the Use of the Funds for the Bayo Non-potable Booster Station Refurbishment As Approved by NMED; Declaring the Necessity for the Loan; Providing That the Loan Will Be Payable and Collectible Solely From the Borrower’s Pledged Revenues Defined Below; Prescribing Other Details Concerning the Loan and the Security Therefore

Mr. James Alarid, Deputy Utility Manager - Engineering, presented.

Public comment:

None.

A motion was made by Councilor Hand, seconded by Councilor Reagor, that Council adopt Incorporated County of Los Alamos Ordinance No. 731, an Ordinance Authorizing the Incorporated County of Los Alamos (Borrower) to Enter Into a Loan Agreement With the New Mexico Environment Department (NMED) for the Purpose of Obtaining Project Loan Funds in the Principal Amount of \$800,000 Plus (0.01%) Accrued Interest; and Loan Subsidy Grant Funds in the Amount of \$200,000 for a Total Funded Amount of \$1,000,000; Designating the Use of the Funds for the Bayo Non-potable Booster Station Refurbishment As Approved by NMED; Declaring the Necessity for the Loan; Providing That the Loan Will Be Payable and Collectible Solely From the Borrower's Pledged Revenues Defined Below; Prescribing Other Details Concerning the Loan and the Security Therefore; she further moved that, upon passage, the Ordinance be published in summary form.

The motion passed with the following vote:

**Yes: 6 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Lepsch, Councilor Reagor, and Councilor Ryti**

**Absent 1 – Councilor Havemann**

- B. Incorporated County of Los Alamos Resolution No. 24-08 - A Resolution Making Certain Findings and Determinations Pursuant to the Metropolitan Redevelopment Code and Designating the East Downtown Los Alamos County Metropolitan Redevelopment Area.

Ms. Helen Ganahl, Community Planner, presented.  
Mr. Paul Andrus, Community Development Director, spoke.  
Ms. Sobia Sayeda, Planning Manager, spoke.  
Ms. Anne Laurent, County Manager, spoke.  
Mr. Alvin Leaphart, County Attorney, spoke.  
Mr. Juan Rael, Public Works Director, spoke.

## **RECESS**

***Councilor Derkacs called for a recess at 7:57 p.m. The meeting reconvened at 8:12 p.m.***

Public comment:

Mr. John Tauxe spoke.  
Mr. George Chandler spoke.  
Mr. Robert Gibson spoke.  
Ms. Barbara Carlos spoke  
Ms. Sandy Walters spoke.  
Ms. Lisa Shin spoke.  
Ms. Susie Schillaci spoke.  
Ms. Laura McDaniel spoke.



A motion was made by Councilor Hand, seconded by Councilor Cull, that Council adopt Incorporated County of Los Alamos Resolution No. 24-08, a Resolution making certain findings and determinations pursuant to the Metropolitan Redevelopment Code, and designating the East Downtown Los Alamos County Metropolitan Redevelopment Area.

The motion passed with the following vote:

**Yes: 5 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Lepsch, and Councilor Ryti**

**No: 1 – Councilor Reagor**

**Absent 1 – Councilor Havemann**

## **10. COUNCIL BUSINESS**

### **A. General Council Business**

None.

### **B. Appointments**

None.

### **C. Boards and Commission Vacancy Report**

#### **1) Board and Commission Vacancy Report**

Councilor Cull mentioned that they will be interviewing DPU candidates for an upcoming vacancy starting next week or the week after.

### **D. Board, Commission, and Working Group Reports**

Councilor Hand reported she attended the Transportation and Library Board meetings.

Councilor Ryti reported on the Parks and Recreation Board meeting, and mentioned the Environmental Sustainability Board did not meet due to lack of Quorum.

Councilor Cull reported the Los Alamos High School Eco club and a presentation by the New Mexico Economic Development and Los Alamos National Lab on the chromium plume presented at the Board of Public Utilities meeting.

### **E. County Manager's Report**

County Manager Anne Laurent reported on recognition of Team Oppenheimer and the Los Alamos Chamber and Development Cooperation Board. She recognized Victoria De Vargas and Stephanie Stancil for all the employees meeting mandatory training requirements, and recognition of Leadership Los Alamos Academy Class Number 13. She reported Early Voting has begun in the Council Chamber and introduced Public Works Department update on the Golf Course Project.

Mr. Harold Anthony String, Project Manager for Golf Course Project, presented.

**F. Council Chair Report**

Chair Derkacs reported on the Kickoff Brunch for the First International Film Festival, presented.

**G. Approval of Councilor Expenses**

None.

**H. Preview of Upcoming Agenda Items**

1) Tickler Report of Upcoming Agenda Items

Chair Derkacs noted that the public hearing on the Chapter 6 Animal Code will be held on June 11, 2024. There will be an update on the County Dashboard and a final report from the Nuisance Code Implementation Review Task Force at the May 21, 2024, Council Meeting.

Councilor Ryti thanked Councilor Cull for requesting a discussion of the charter, board, or taskforce for Diversity Equity and Inclusion Racial Equity and said it may be coming back for Council review.

Councilor Hand reported on the North Central Regional Transit District Board and Finance Sub-Committee budget meeting, the North Central New Mexico Economic Development District meeting, and the Firefighter for a Day event.

Councilor Reagor noted that he attended Firefighter for a Day event and said that he wished people who advocate for the Metropolitan Redevelopment Area would speak at Council Meetings.

Councilor Ryti reported on National Association of Counties Committee on Environment Energy Land Use meeting, the Resilient Counties meeting, Main Street Futures meeting, the EM Cleanup Forum, the Earth Day event, the Energy Community Alliance forum, Technical Workgroup Day meeting, and his trip to the Nuclear Forum. He commented on the Golf Course renovation project and Social Services.

**11. COUNCILOR COMMENTS**

None.

**12. ADJOURNMENT**

The meeting adjourned at 9:20 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

\_\_\_\_\_  
Denise Derkacs, Council Chair

Attest:

\_\_\_\_\_  
Naomi D. Maestas, County Clerk

Meeting Transcribed by: Marie Pruitt, Deputy Clerk

Los Alamos County Council  
 Regular Session  
 May 7, 2024  
 Item 7.D

**Budget Revision 2024-60**

**BPU Meeting Date: April 17, 2024**

**Council Meeting Date: May 7, 2024**

	<b>Fund &amp; Department</b>	<b>Org</b>	<b>Object</b>	<b>Revenue (decrease)</b>	<b>Expenditures (decrease)</b>	<b>Transfers In(Out)</b>	<b>Fund Balance (decrease)</b>
1	Joint Utilities Fund - Electric Production	51185195	6949	\$ 58,000,000	\$ -	\$ -	\$ 58,000,000
2	Joint Utilities Fund - Electric Production	51185195	6115	\$ 470,000	\$ -	\$ -	\$ 470,000

**Description:** The purpose of this budget revision is to budget for increase the budget for Other Judgement Settlements (6949) and Interest Income for FY2024 associated with the Uniper Settlement.

**Fiscal Impact:** The net fiscal impact to the Joint Utilities Fund is an increase in revenue and Fund Balance by \$58,470,000.

*Karen Kendall*

04/10/2024

Preparer

Date

*Erika Thomas*

Budget & Performance Manager

**May 7, 2024, County Council – Regular Session For DAIS**

**9. PUBLIC HEARING(S)**

**B. RE0592-24**

**Incorporated County of Los Alamos Resolution No. 24-08 - A Resolution Making Certain Findings and Determinations Pursuant to the Metropolitan Redevelopment Code, and Designating the East Downtown Los Alamos County Metropolitan Redevelopment Area**

**Revised Motion**

**I move that Council adopt Incorporated County of Los Alamos Resolution No. 24-08, as amended, a Resolution making certain findings and determinations pursuant to the Metropolitan Redevelopment Code and designating the East Downtown Los Alamos County Metropolitan Redevelopment Area.**

**INCORPORATED COUNTY OF LOS ALAMOS RESOLUTION NO. 24-08**

**A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS  
PURSUANT TO THE METROPOLITAN REDEVELOPMENT CODE, AND  
DESIGNATING THE EAST DOWNTOWN LOS ALAMOS COUNTY  
METROPOLITAN REDEVELOPMENT AREA**

**WHEREAS**, Section 3-60A-8 NMSA 1978 of the Metropolitan Redevelopment Code (Sections 3-60A-1 through 3-60A-48 NMSA 1978) states, in relevant part: "A [municipality] shall not prepare a metropolitan redevelopment plan for an area unless the [governing body] has, by resolution, determined the area to be... a blighted area... and designated the area as appropriate for a metropolitan redevelopment project..."; and

**WHEREAS**, the Los Alamos County ("County"), Los Alamos MainStreet, and New Mexico MainStreet and its employees, have for some time engaged in a study of blighted areas and have submitted their findings and recommendations concerning the East Downtown Los Alamos County area in the Designation Report included in packets for the May 7, 2024, County Council meeting, a copy of which is attached hereto as Exhibit B; and

**WHEREAS**, pursuant to Section 3-60A-8 NMSA 1978 of the Metropolitan Redevelopment Code, the County Council caused to be published twice in the Los Alamos Daily Post, a newspaper of general circulation in Los Alamos County, a notice containing the time, date, place, and purpose of the hearing, a general description of the proposed East Downtown Los Alamos Metropolitan Redevelopment Area; and

**WHEREAS**, the boundaries of the East Downtown Los Alamos Metropolitan Redevelopment Area are explicitly delineated in Exhibit A; and

**WHEREAS**, the County Council held a public hearing on this Resolution on May 7, 2024; and

**WHEREAS**, the County Council has considered the findings and determinations of the Designation Report and all comments made at the public hearing concerning the conditions that exist in the proposed East Downtown Los Alamos County Metropolitan Redevelopment Area.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Incorporated County of Los Alamos that:

**Section 1.** The County Council finds and determines that there are blighted areas in East Downtown Los Alamos County, as delineated in Exhibit B, attached hereto, due to deteriorated structures, sites and other declining improvements, unsafe conditions, long term consequences of obsolete and impractical planning and platting, and low levels of commercial activity that substantially impair and arrest the sound growth and economic well-being of the area and the County.

**Section 2.** The County Council finds and determines that these blighted areas would benefit from a metropolitan redevelopment project or projects, that the designation of a Metropolitan Redevelopment Area is appropriate and necessary in the interests of public health, safety, and welfare of the residents of Los Alamos County, and it hereby designates the East

**Section 2.** The County Council finds and determines that these blighted areas would benefit from a metropolitan redevelopment project or projects, that the designation of a Metropolitan Redevelopment Area is appropriate and necessary in the interests of public health, safety, and welfare of the residents of Los Alamos County, and it hereby designates the East Downtown Los Alamos County Metropolitan Redevelopment Area.

**Section 3.** The County Council designates the boundaries of the East Downtown Los Alamos Metropolitan Redevelopment Area to be as delineated in Exhibit B.

**Section 4.** If any section paragraph, sentence, clause, word or phrase of this Resolution is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this resolution. The County Council hereby declares that it would have passed this Resolution and each section, paragraph, sentence, word, or phrase thereof irrespective of any provisions being declared unconstitutional or otherwise invalid.

**PASSED AND ADOPTED** this 7<sup>th</sup> day of May 2024.

**COUNCIL OF THE INCORPORATED  
COUNTY OF LOS ALAMOS, NEW MEXICO**

---

**Denise Derkacs,  
Council Chair**

**ATTEST:**

---

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

Exhibit A: MRA Boundary  
Exhibit B: MRA Designation Report



### MRA Boundary

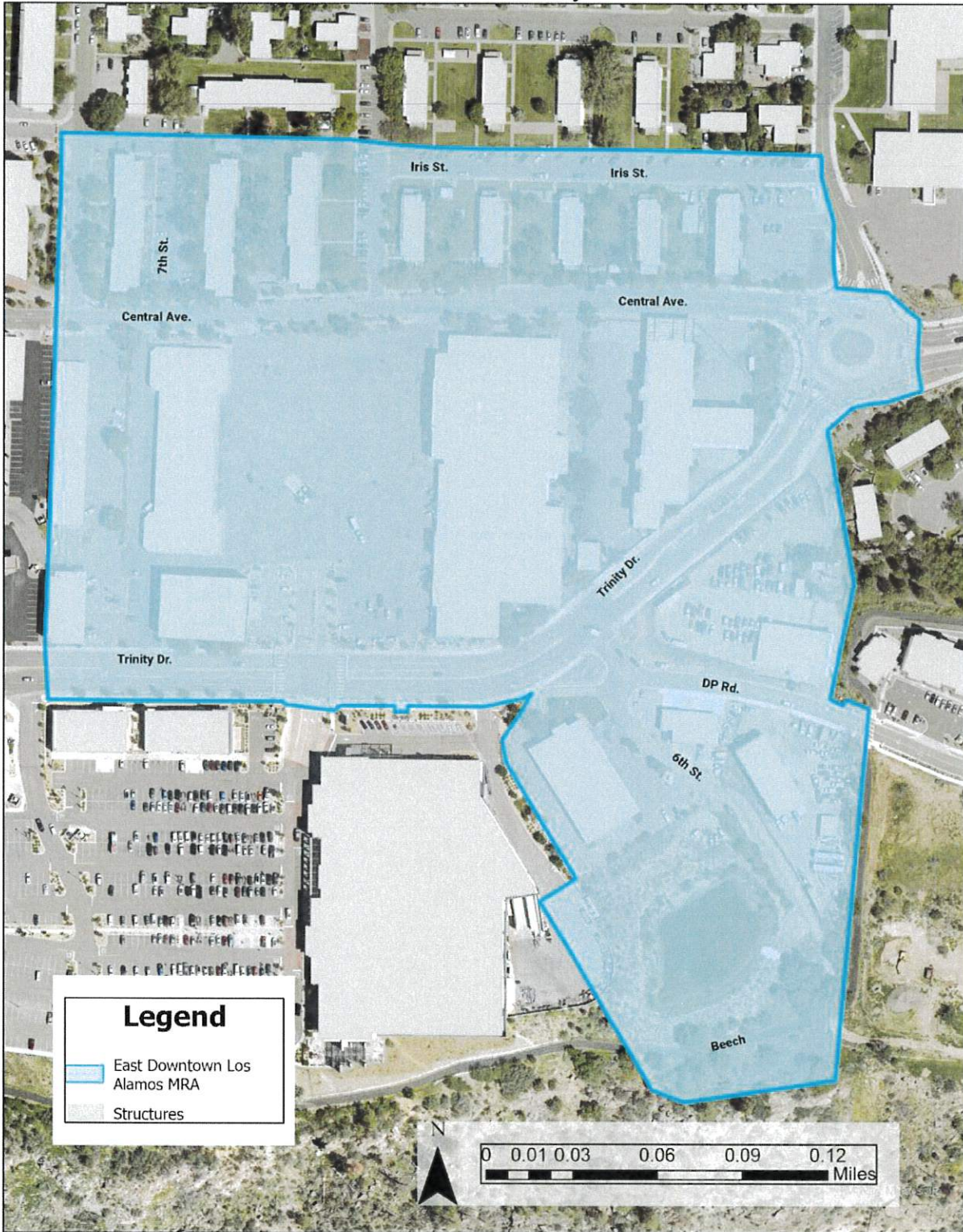


Exhibit A

**APPLICABLE METROPOLITAN REDEVELOPMENT CODE**

**Findings and Declarations of Necessity [NM Stat § 3-60A-2 (2020)]**

A. It is found and declared that there exist in the state slum areas and blighted areas that constitute a serious and growing menace, injurious to the public health, safety, morals and welfare of the residents of the state; that the existence of these areas contributes substantially to the spread of disease and crime, constitutes an economic and social burden, substantially impairs or arrests the sound and orderly development of many areas of the state and retards the maintenance and expansion of necessary housing accommodations; that economic and commercial activities are lessened in those areas by the slum or blighted conditions, and the effects of these conditions include less employment in the area, lower property values, less gross receipts tax revenue and reduced use of buildings, residential dwellings and other facilities in the area; that the prevention and elimination of slum areas and blighted areas and the prevention and elimination of conditions that impair sound and orderly development is a matter of state policy and concern in order that the state shall not continue to be endangered by these areas that contribute little to the tax income of the state and its local governments and that consume an excessive proportion of its revenues because of the extra services required for police, fire, accident, hospitalization or other forms of public protection, services and facilities.

**Definition of Blight [NM Stat §3-60-8]**

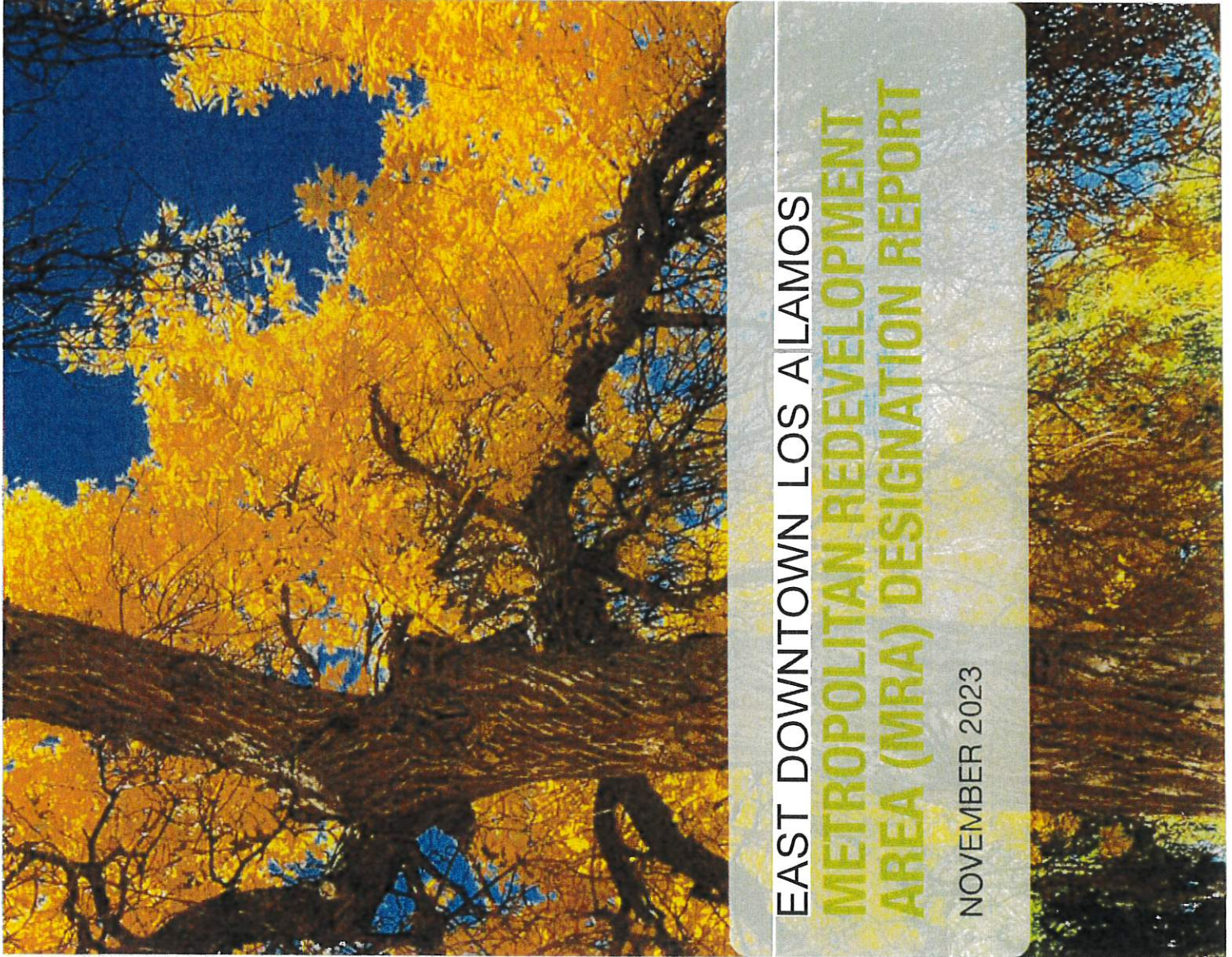
As used in the Community Development Law [ 3-60-1 to 3-60-37 NMSA, 1978] "blighted area" means an area, other than a slum area, which is found by the local governing body by reason of the presence of a substantial number of slum, deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivisions or obsolete platting, or the existence of conditions which endanger life or property, or any combination of such factors to substantially impair or arrest the sound growth of the municipality, retard the provision of housing accommodations or constitute an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use.

**Findings of Necessity by Local Government [NM Stat§ 3-60A-7 (2020)]**

No municipality shall exercise any of the powers conferred upon municipalities by the Redevelopment Law [3-60A-5 through 3-60A-13, 3-60A-14 through 3-60A-18 NMSA 1978] until after its local governing body shall have adopted a resolution finding that

- A. one or more slum areas or blighted areas exist in the municipality; and
- B. the rehabilitation, conservation, slum clearance, redevelopment or development, or a combination thereof, of and in such area or areas is necessary in the interest of the public health, safety, morals or welfare of the residents of the municipality.





# METROPOLITAN REDEVELOPMENT AREA (MRA) DESIGNATION REPORT

NOVEMBER 2023

Prepared for  
THE COUNTY OF LOS ALAMOS,  
NEW MEXICO



Prepared by



This page intentionally left blank





# ACKNOWLEDGEMENTS

Denise Derkacs, Chair, Los Alamos County Council  
 Theresa Cull, Vice Chair, Los Alamos County Council  
 Melanee Hand, Councilor, Los Alamos County Council  
 Suzi Havemann, Councilor, Los Alamos County Council  
 Keith Lepsch, Councilor, Los Alamos County Council  
 David Reagor, Councilor, Los Alamos County Council  
 Randall Ryti, Councilor, Los Alamos County Council  
 Jacquelyn Connolly, Executive Director, Los Alamos Main Street and Creative Director  
 Dan Ungerleider, Economic Development Administrator, Los Alamos County

# TABLE OF CONTENTS

---

**INTRODUCTION**  
 Purpose of MRA Designation. . . . . 3  
 Boundaries of proposed Los Alamos MRA . . . . . 5  
 Summary of findings. . . . . 8

**EXISTING CONDITIONS ASSESSMENT**  
 Existing Conditions . . . . . 9  
 Existing Land Use. . . . . 11  
 Vacant & Underutilized Properties . . . . . 13  
 Deteriorating Structures. . . . . 15  
 Deteriorating Infrastructure . . . . . 17

**SOCIAL AND ECONOMIC CONDITIONS**  
 Housing Overview. . . . . 19  
 Business Activity. . . . . 20

**CONCLUSIONS.**  
 Applicable Code . . . . . 23

---

## Introduction

This report provides justification for the designation of a Metropolitan Redevelopment Area (MRA) with intent to facilitate revitalization in East Downtown Los Alamos. The proposed MRA aligns with the 2021 Los Alamos Downtown Master Plan's identification of the downtown boundary, which is as follows: East Iris Street (St.) to the north, 9th St. to the west, Trinity Drive (Dr.), 7th St. and Canyon Rim Trail to the south, and DP Road (Rd.), Trinity Dr., and East Rd. to the west.

An MRA designation in this area is intended to address the low economic activity, housing shortage, disproportionate number of vacant commercial properties, and blighted conditions present in East Downtown Los Alamos. Additionally, underground petrol tanks on the far eastern side of the proposed MRA necessitate testing and environmental remediation prior to redevelopment of that parcel. Los Alamos will benefit from financial and technical assistance that is available for physical and economic improvements within an MRA designation.

East Downtown Los Alamos has experienced decline, despite its location in an affluent county, due to a variety of factors including underinvestment by property owners, a fluctuating market base shaped by the Los Alamos National Laboratory's large commuter workforce, a housing shortage, and issues with the visual appearance and functionality of the area's streetscape and infrastructure.

Once the resolution to designate the MRA boundary is adopted by the Town, the next phase of the process is to develop an MRA Plan that will identify catalytic projects that address these factors. The 2021 Los Alamos Comprehensive Plan identified as the top priorities for this area:

- Redevelopment of the Mari Mac Village Shopping Center
- Creation of a Parking District to encourage a "Park Once and Walk" strategy for downtown
- Surface parking lot infill
- Multi-family housing development
- Pedestrian and cyclist improvements
- Creation of through streets for increased connectivity

The development of an MRA, which encourages public private partnerships (P3s) by enabling public investment of funds in private development projects, is a key strategy to accomplish these goals and support downtown revitalization



Figure 1. vacant lot in the NE corner of the proposed Los Alamos MRA



## PURPOSE OF MRA DESIGNATION

The East Downtown Los Alamos MRA Designation Report is the culmination of an assessment of an approximately 55 acre area of downtown Los Alamos in which numerous vacant and underutilized commercial buildings and surface parking lots exhibit conditions of deterioration and blight. This report evaluates the area to support designation of an MRA. MAA designation, followed by the development of an MRA plan, are the first steps in providing Los Alamos County with the tools needed to facilitate the redevelopment of this targeted area.

The New Mexico Metropolitan Redevelopment Code (§3-60A-1 to §3-60A-48 NMMSA 1978) provides municipalities with the authority to implement strategies and projects to correct conditions that "substantially impair or arrest sound and orderly development" within the city. These powers can only be used within designated Metropolitan Redevelopment Areas (MAAs) after the adoption of an MRA plan.

The powers granted to municipalities in New Mexico through the Metropolitan Redevelopment Act are intended to enable municipalities to promote economic activity in areas designated as MRAs, where growth and development are hindered by physical, economic, and other conditions. The Metropolitan Redevelopment Act provides a number of tools for municipalities to help eliminate conditions of blight in designated areas, including the ability to acquire land, assist in land assembly, offer financial incentives, and provide public improvements to encourage and promote industry, trade, or other economic activity.

The MRA designation, to be followed by an MAA Plan, will assist the community in achieving the following goals:

- Improvement and expansion of commercial building stock
- Expansion of commercial activity
- Improvement and expansion of available housing stock to address housing shortage
- Improvement of economic conditions through coordinated public and private investment
- Elimination of detrimental public health and welfare conditions

### Definition of Blight

"Blighted area" means an area within the area of operation other than a slum area that, because of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivision or lack of adequate housing facilities in the area or obsolete or impractical planning and platting or an area where a significant number of commercial or mercantile businesses have closed or significantly reduced their operations due to the economic losses or loss of profit due to operating in the area, low levels of commercial or industrial activity or redevelopment or any combination of such factors, substantially impairs or arrests the sound growth and economic health and well-being of a municipality or locale within a municipality or an area that retards the provisions of housing accommodations or constitutes an economic or social burden and is a menace to the public health, safety, morals or welfare in its present condition and use.

NM Stat §3-60A-4-F (2020)

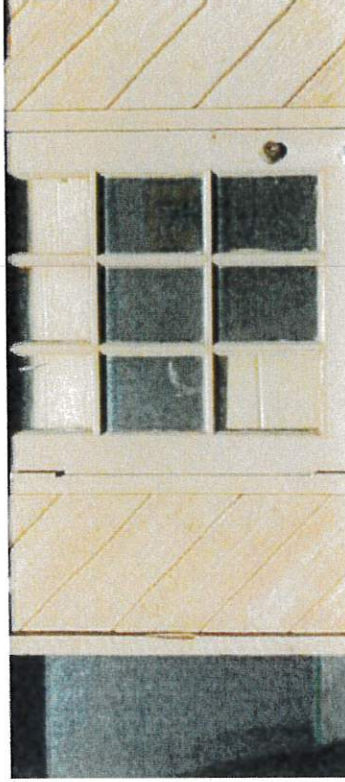


Figure 2. Vacant buildings throughout the proposed MRA offer opportunities for renovation, redevelopment

## BOUNDARIES OF PROPOSED LOS ALAMOS MRA

The proposed Los Alamos MRA, visualized in Figure 3 as a blue polygon, represents approximately 55 acres, made up of 19 parcels. The proposed MRA boundary was selected to include the greatest concentration of vacant and distressed commercial properties within the downtown boundaries identified in the 2021 Downtown Los Alamos Master Plan.

Beginning at the intersection of Iris St. and 4th St and heading South to follow the parcel lines along 4th St., the legal description of the proposed MRA boundary, inclusive of ROW is:

1. Follows parcel lines South along 4th St to the roundabout at Central Ave.
2. From Central Ave., follows parcel lines south to intersect DP Rd.
3. From DP Rd., follows Canyon Rim Trail and Beech St., south and west
4. From Canyon Rim Trail and Beech St., follows parcel lines north to meet 7th St
5. North along 7th St. to meet Trinity Or.
6. West along Trinity Drive
7. Follows parcel lines north from Trinity Dr. to Central Ave.
8. From Central Ave., follows the parcel lines from just west of 9th St. North to Iris St.
9. Follows parcel lines East along Iris St., intersecting 7th St. and 6th St
10. Concludes at Iris St. and 4th St.

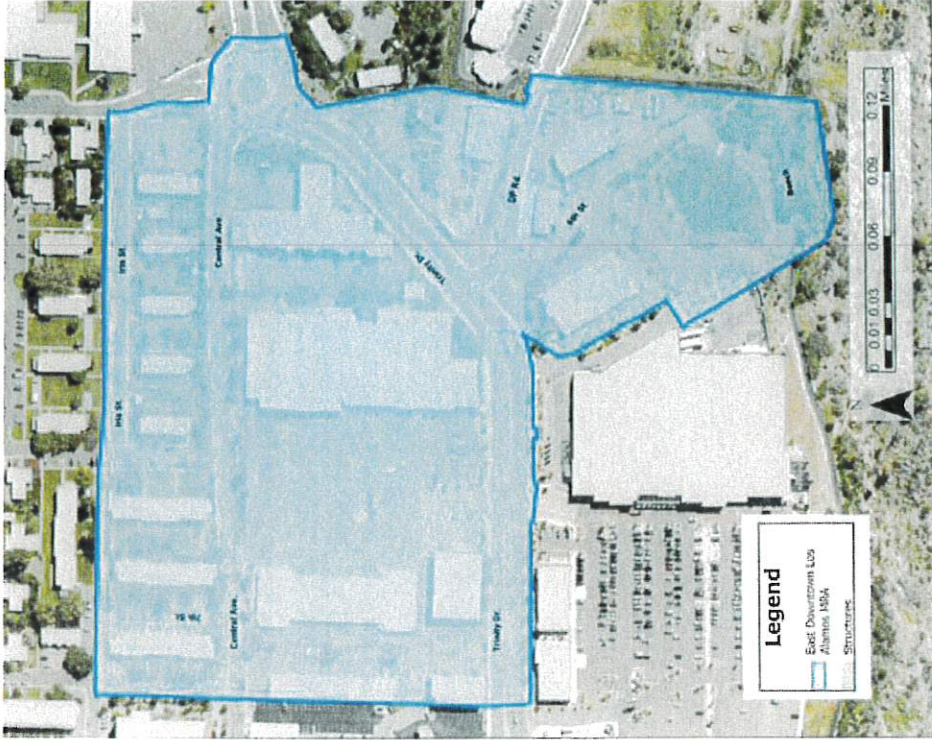


Figure 3. Proposed MRA Designation boundaries



## SUMMARY OF FINDINGS

Assessments were conducted in May and December 2023 to document the physical conditions of buildings and lots within the proposed MRA. The assessments, combined with business and housing data, demonstrate that the properties included in the proposed MRA boundary exhibit a combination of factors that contribute to blight. Because current conditions within the area inhibit sound development, the redevelopment of the proposed MRA is necessary and in the interest of the prosperity of the residents of downtown Los Alamos and of Los Alamos County more broadly.

The analysis summarized below shows that the following conditions have inhibited new development and redevelopment in the proposed MRA Area, impairing sustained, thoughtful growth and economic health in what is otherwise an affluent county.

### HIGH LEVELS OF VACANT OR UNDERUTILIZED PROPERTIES

There are numerous vacant storefronts within the proposed East Downtown Los Alamos MRA. These include grocery, restaurant, and retail and service-oriented commercial spaces. Vacant properties are found in the highest concentration in the former Mari Mac Shopping Village.

### LOW LEVELS OF COMMERCIAL ACTIVITY AND REDEVELOPMENT

Stakeholders report that, for years, commercial properties throughout the Mari Mac Village Shopping Center have had persistent challenges attracting and retaining tenants. In 2014, the shopping center's anchor business, Smith's Food and Drug, owned by Kroger, relocated to a larger building across Trinity Drive. Rental or sale of the building to tenants perceived as competing with Smith's has historically been disallowed. Neighboring businesses have been detrimentally impacted by the continued presence of vacancies and majority empty parking lots.

### DETERIORATING STRUCTURES AND BUILDINGS

Many of the buildings in the proposed MRA are in poor condition, out-of-date, or otherwise in disrepair and will need improvements and infrastructure updates to attract new tenants. The poor condition of the buildings contributes to ongoing, low levels of commercial activity, and creates a disincentive for private investment. Multifamily housing constructed in the 1950s and in need of renovation is included in the Northern segment of the proposed MRA.

### DETERIORATING INFRASTRUCTURE

Within the proposed MRA, there is a general deterioration of public infrastructure. This includes poor pavement conditions in side streets and surface parking lots, narrow sidewalks not in compliance with ADA requirements, unmaintained landscaping and amenities, and drainage issues.



Figure 4. & 5. Extensive underutilized and vacant commercial properties are present throughout the MRA



Figure 6. Extensive underutilized and deteriorating surface parking lots are present throughout the MRA

## Existing Conditions Assessment

In May and December 2023, assessments conducted by the New Mexico MainStreet consultant team Groundwork Studio assessed physical conditions in the proposed East Downtown Los Alamos MRA. These determinations build on observations and recommendations made in the 2021 Los Alamos Downtown Master Plan.

The following narrative summarizes the predominate physical conditions of the proposed MRA which may contribute to blight and disinvestment. Additional information on land use and housing in Los Alamos is also included to support the creation of a Metropolitan Redevelopment Area (MRA) District and MRA Plan.



Figure 7. Amenities outside vacant commercial properties display evidence of neglect and disuse

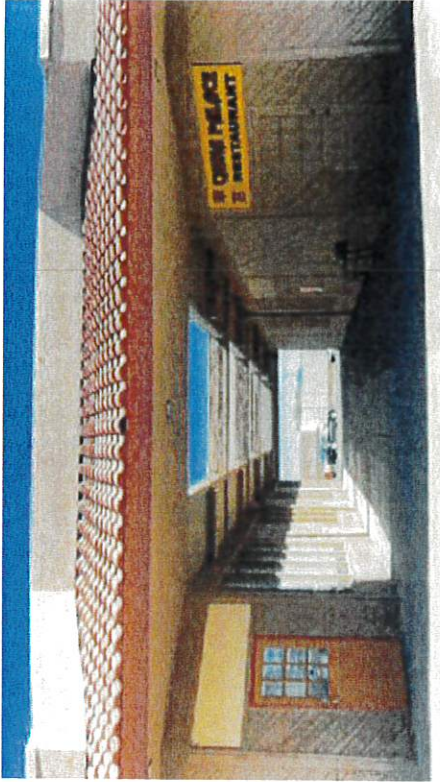


Figure 8. Vacant buildings throughout the MRA offer opportunity for redevelopment



Figure 9. Deteriorating parking lots are prevalent throughout the MRA



### EXISTING LAND USE

The proposed Los Alamos MRA boundary prioritizes an area with a high number of commercial vacancies. Commercial development in the area is concentrated between Central Ave to the North and Trinity Drive to the South. Existing land use within the proposed MRA is primarily commercial with large dedicated parking fields. Despite this, retail, office, and business activity in the 55-acre area remains low. Subsequently, there are few amenities available to residents of the Multi-family housing in the NE portion of the MRA.

Land use within the proposed MRA designation is primarily commercial but in recent years Los Alamos County has made zoning changes to accommodate future land-use goals. Zoning changes to all but the parcel between 6th St and DP Road allow mixed-use development throughout the entirety of the proposed MRA. Mixed-use zoning makes possible the development of housing downtown, as well as the creation of amenities and retail that can serve area residents.



Figure 10. Entirely vacant building in the Mari Mac Shopping Center

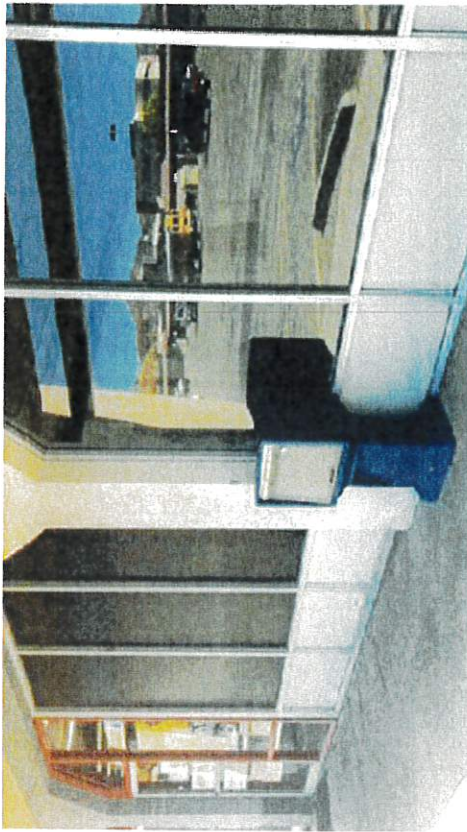


Figure 11. One of two large vacant units 111 the former Smith's building



Figure 12. Area possibly requiring brownfield remediation to the NE of the proposed MRA



## VACANT AND UNDERUTILIZED PROPERTIES

The Proposed MRA contains a high proportion of vacant lots and buildings. Of the seven commercial buildings within the MRA, most are subdivided into multiple units, many of which are vacant. Two out of four units in the former Smith's building are vacant. The adjacent I-shaped building, former home to restaurant China Palace and other businesses, is entirely vacant.

Vacant and underutilized properties can have negative effects on neighboring businesses and residences. Underutilized properties indicate lots that have buildings or structures which are partially occupied for temporary uses and community space but do not have commercial viability without major improvements. High rates of vacancy and non-commercial use can have negative impacts on local property values, create a burden on town resources, and discourage reinvestment in the area. Businesses have closed and many of these properties have struggled to attract and retain tenants for years.



Figure 13. petrol tanks remain underground at the former gas station within the proposed MRA



Figure 14. Map indicating vacant units and demolished buildings within the proposed MRA boundaries

## DETERIORATING STRUCTURES

Throughout the proposed MRA, aging and deteriorating buildings need repair, rehabilitation and possible removal. Both the commercial buildings and multifamily housing are of a post World War II aesthetic and may include inadequate floor layouts, or internal issues such as outdated electrical, telecommunications, and other equipment that limits their commercial viability as attractive spaces for new tenants. Rehabilitation of these buildings may involve expensive upgrades that current owners may not be ready to invest, given current market conditions.

The poor condition of these buildings contributes to ongoing, low levels of commercial activity in East Downtown Los Alamos and creates a disincentive to new private investment. It should be noted that not every property within the MRA exhibits blight conditions, however there is a concentration of these types of properties, and without action, the area will likely experience further disinvestment and deterioration.



Figure 15. Deteriorating buildings are prevalent throughout the proposed MRA

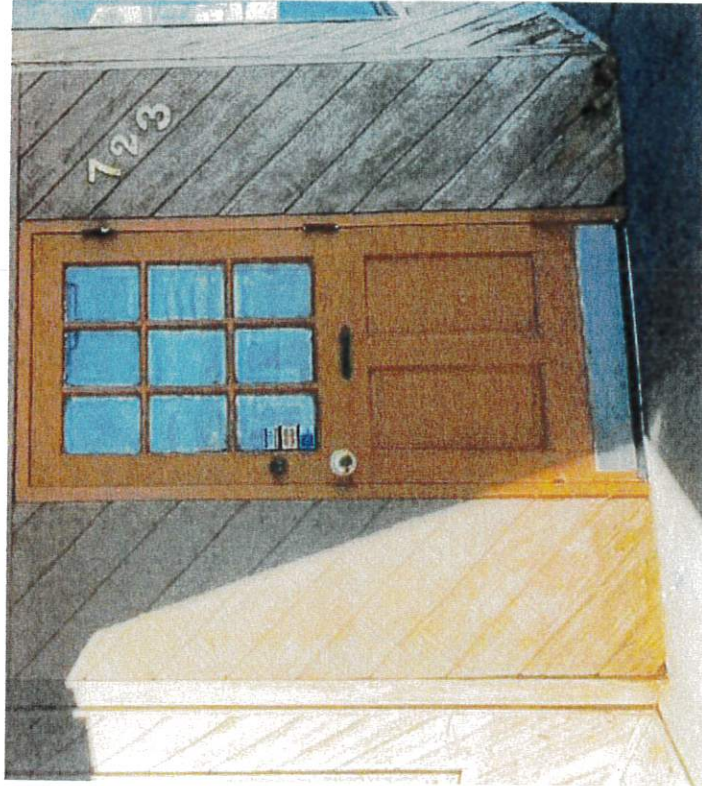


Figure 16. Deteriorating wood paneling is prevalent in the proposed MRA



## DETERIORATING INFRASTRUCTURE

Deteriorating infrastructure and poor vehicular, cyclist, and pedestrian circulation constrain access throughout the proposed MRA. Pedestrian and cyclist connectivity is limited by non-continuous streets, underutilized alleyways, narrow sidewalks, and sprawling parking lots. Weeds are growing in sidewalk seams and edges in several locations. Present throughout but not representative of the entire proposed MRA, there are damaged and/or non-ADA compliant sidewalks, weeds growing in cracks in walkways and roads, drainage issues, and unmaintained landscaping. Recent infrastructure investments in the roundabout at the intersection of Trinity Dr and Central Ave, inclusive of widened sidewalks and ADA compliant curb ramps with Truncated Dome Pads, offer a great example of improvements that could be extended throughout the MRA to improve the pedestrian experience and promote economic activity.



Figure 17. Deteriorating pavement on roadways and side streets is present throughout the proposed MRA



Figure 18. Deteriorating pavement on roadways and side streets is present throughout the proposed MRA

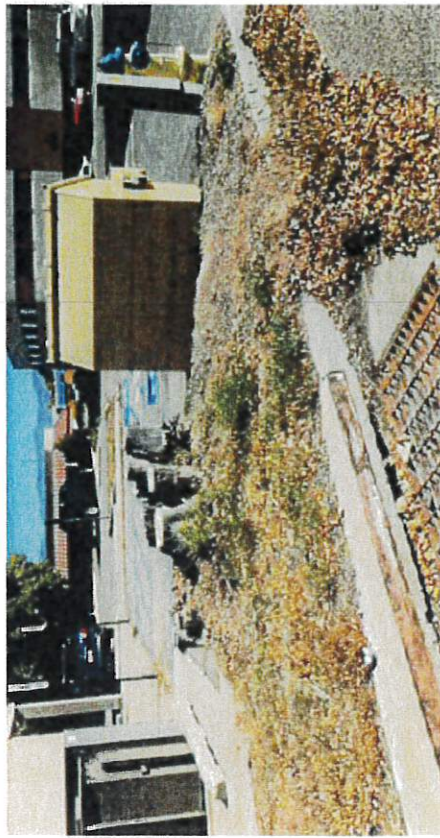


Figure 19. Unmaintained and deteriorating infrastructure are present throughout the proposed MRA



## HOUSING OVERVIEW

According to the 2019 Los Alamos Housing Needs Analysis Report, "more than 3,700 housing units in the county" are greater than 50 years old (20). In addition to the physical conditions present within the proposed Los Alamos MRA, the area is impacted by a county-wide housing shortage of 3,000 units (anecdotal, 2019 Los Alamos Housing Needs Analysis, 76). Insufficient housing to meet local need contributes to the applicability of an MRA designation for East Downtown Los Alamos.

According to the Downtown Los Alamos 2021 Master Plan, 56% of the Los Alamos National Lab (LANL)'s employees commute to work in the county while maintaining residences in a different county. Los Alamos has a low poverty rate compared to the rest of the State of New Mexico and 50% higher educational attainment than the state at large. The growing LANL workforce indicates that the County need for increased housing is in fact dire, and, despite high Area Median Income (AMI), inclusion of affordable housing for retail and service workers is an important consideration. Mixed-use housing developments create an opportunity for dynamic mixed-income housing development.



Figure 20. Multi-family housing facilities in need of renovation and repair

## BUSINESS ACTIVITY & REGIONAL ECONOMY

Outside of Los Alamos National Labs (LANL), the Los Alamos downtown environment has historically proliferated and maintained office parks and service-oriented businesses. As Los Alamos County attempts to capitalize on nuclear technology-related tourism following the 2023 release of the Oppenheimer movie, they must contend with the lacking density of goods and services to draw regional residents or travelers. A source of revenue that could be further tapped but the proposed MRA are the visitors to nearby outdoors attractions such as the neighboring Valles Caldera National Preserve. Were Downtown Los Alamos to focus on mixed-use development that includes housing, amenities, and retail targeting locals and visitors, they might be able to sustain successful economic development within the proposed MRA.

At present, the cost of redeveloping deteriorating buildings with large footprints and the proposed MRA's accompanying and surrounding infrastructure cannot be carried strictly by private developers. Redevelopment in this context is out of reach for both small business owners and larger developers. Private re-development that has not occurred in the past decade is now even further out of reach due to the rising cost of building materials and contractor services. Public-Private partnerships (P3s) are likely the only way that redevelopment can occur in the proposed MRA. An MRA designation makes P3's possible by creating an exemption to the State of New Mexico Anti-Donation Clause.

LANL is by far the largest employer within the Los Alamos Townsite. According to the American Community Survey 68.7 percent of the workforce is employed in management, business, science, and arts occupations. An additional 14.1 percent are employed in service occupations, 10.9 percent are employed in sales and office occupations, 3.6 percent in production, transportation, and material moving occupations and 2.7 percent in natural resources construction and maintenance occupations (American Community Survey). According to the New Mexico Finance Authority, in 2020, retail trade accounted for only four percent (4%) of GRT-based revenues by NA/VCS sector (Los Alamos Downtown Master Plan, 15). Infill development within the proposed MRA could capture a greater share of sales by travelers while also providing a greater diversity of goods, services and employment opportunities to Town residents.

## Conclusions

This report demonstrates the existing conditions in the proposed Los Alamos MRA meet the criteria for "blighted" area designation as defined by the Metropolitan Redevelopment Code (NM Stat§ 3-60A (2020)).

The area may be designated as "blighted" due to the combination of factors detailed in this report and summarized below.

- A high level of vacant, abandoned and underutilized lots and buildings
- A substantial number of buildings which are deteriorated or deteriorating
- Infrastructure and site improvements show signs of deterioration
- Low levels of commercial activity and redevelopment are present throughout the area

Analysis of the existing conditions leads to the conclusion that these blight conditions inhibit economic activity, discourage private investment, and lessen opportunities for gross receipts tax and other revenue for the County.

Based on the findings of this report, the designation of the East Downtown Los Alamos Metropolitan Redevelopment Area will assist the community in pursuing its goals of downtown revitalization. After adoption of the MRA designation, a Metropolitan Redevelopment Area Plan should be carried out.



Figure 20. Tenacious and hopeful growth in a vacant lot within the proposed MRA

**APPLICABLE METROPOLITAN REDEVELOPMENT CODE**

**Findings and Declarations of Necessity [NM Stat § 3-60A-2 (2020)]**

A. It is found and declared that there exist in the state slum areas and blighted areas that constitute a serious and growing menace, injurious to the public health, safety, morals and welfare of the residents of the state; that the existence of these areas contributes substantially to the spread of disease and crime, constitutes an economic and social burden, substantially impairs or arrests the sound and orderly development of many areas of the state and retards the maintenance and expansion of necessary housing accommodations; that economic and commercial activities are lessened in those areas by the slum or blighted conditions, and the effects of these conditions include less employment in the area, lower property values, less gross receipts tax revenue and reduced use of buildings, residential dwellings and other facilities in the area; that the prevention and elimination of slum areas and blighted areas and the prevention and elimination of conditions that impair sound and orderly development is a matter of state policy and concern in order that the state shall not continue to be endangered by these areas that contribute little to the tax income of the state and its local governments and that consume an excessive proportion of its revenues because of the extra services required for police, fire, accident, hospitalization or other forms of public protection, services and facilities.

**Definition of Blight [NM Stat §3-60-8)**

As used in the Community Development Law [ 3-60-1 to 3-60-37 NMSA 1978] "blighted area" means an area, other than a slum area, which is found by the local governing body by reason of the presence of a substantial number of slum, deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivisions or obsolete platting, or the existence of conditions which endanger life or property, or any combination of such factors to substantially impair or arrest the sound growth of the municipality, retard the provision of housing accommodations or constitute an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use.

**Findings of Necessity by Local Government [NM Stat§ 3-60A-7 (2020)**

No municipality shall exercise any of the powers conferred upon municipalities by the Redevelopment Law [3-60A-5 through 3-60A-13, 3-60A-14 through 3-60A-18 NMSA 1978] until after its local governing body shall have adopted a resolution finding that

- A. one or more slum areas or blighted areas exist in the municipality; and
- B. the rehabilitation, conservation, slum clearance, redevelopment or development, or a combination thereof, of and in such area or areas is necessary in the interest of the public health, safety, morals or welfare of the residents of the municipality.

**May 7, 2024, County Council – Regular Session For DAIS**

**8. INTRODUCTION OF ORDINANCE(S)**

**A. CO0685-24**

**Incorporated County of Los Alamos Code Ordinance No. 02-355 Modifications to Chapter 6, Animal Code**

**Body:**

**Reads:** Proposed Public Hearing Scheduled for May 28, 2024

**Should be:** Proposed Public Hearing is scheduled for June 11, 2024:





# County of Los Alamos

## Minutes

Los Alamos, NM 87544  
www.losalamosnm.us

### County Council – Work Session

*Denise Derkacs, Council Chair; Theresa Cull, Council Vice-Chair,  
Melanee Hand, Suzie Havemann, Keith Lepsch,  
David Reagor, and Randall Ryti, Councilors*

---

Tuesday, May 21, 2024

6:00 PM

White Rock Fire Station – 129 NM-4

---

#### 1. OPENING/ROLL CALL

The Council Chair, Denise Derkacs, called the meeting to order at 6:00 p.m.

Council Chair Derkacs made opening remarks regarding the meeting procedure.

Ms. Linda Matteson, Deputy County Manager, listed the county employees in attendance via Zoom.

##### **The following Councilors were in attendance:**

**Present: 6 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann,  
Councilor Reagor, and Councilor Ryti**

**Remote: 1 – Councilor Lepsch**

#### 2. PLEDGE OF ALLEGIANCE

Led by: All.

#### 3. PUBLIC COMMENT

None.

#### 4. APPROVAL OF COUNCIL AGENDA

A motion was made by Councilor Cull, seconded by Councilor Ryti, that Council approve the agenda as presented.

The motion passed with the following vote:

**Yes: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann,  
Councilor Lepsch, Councilor Reagor, and Councilor Ryti**

#### MEETING PAUSED DUE TO TECHNICAL ISSUES

*Councilor Derkacs called for a pause at 6:07 p.m. The meeting resumed at 6:09 p.m.*

## 5. PRESENTATIONS, PROCLAMATIONS AND REGULATIONS

### A. Briefing Presentation to Council by Rachel Adler, Chair, of the Planning and Zoning Commission

Ms. Rachel Adler, Chair of Planning and Zoning Commission, presented.  
Ms. Sobia Sayeda, Planning Manager, spoke.  
Mr. Paul Andrus, Community Development Director, spoke.  
Ms. Anne Laurent, County Manager, spoke.  
Mr. Alvin Leaphart, County Attorney, spoke.

**No action taken.**

## RECESS

***Councilor Derkacs called for a recess at 6:50 p.m. The meeting reconvened at 6:59 p.m.***

### B. Final Report from Nuisance Code Implementation Review Task Force

Mr. Philip Gursky, Chairman of the Nuisance Code Implementation Review Task Force, presented.  
Mr. Robert Day, Board Member of the Nuisance Code Implementation Review Task Force, spoke.  
Mr. Paul Andrus, Community Development Director, spoke.  
Mr. Alvin Leaphart, County Attorney, spoke.

Public Comment:  
None

**No action taken.**

## 6. BUSINESS

### A. Action to Suspend Council Rules for Work Session

**A motion was made by Councilor Ryti, seconded by Councilor Hand, that Council suspend their procedural rules for this work session, May 21, 2024, so that formal action may be taken.**

**The motion passed with the following vote:**

**Yes: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Lepsch, Councilor Reagor, and Councilor Ryti**

**B. Transportation Discussion Including Traffic Safety and Speeding Enforcement, Transit Staffing and Priorities, and Complete Streets Design Objectives**

Deputy Chief Oliver Morris presented.  
Commander Daniel Roberts, Operations Commander spoke.  
Mr. Juan Rael, Public Works Director, spoke.  
Mr. James Barela, Transit Manager, spoke.  
Ms. Linda Matteson, Deputy County Manager, spoke.

Public Comment:  
None.

**RECESS**

***Councilor Derkacs called for a recess at 8:57 p.m. The meeting reconvened at 9:08 p.m.***

**A motion was made by Councilor Cull, seconded by Councilor Reagor, that Council move up Item 7.A, 18713-24 and put off the other business items until after item 7.A.**

**The motion passed with the following vote:**

**Yes: 6 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Reagor, and Councilor Ryti**

**Absent: 1 – Councilor Lepsch**

**7. PUBLIC HEARING(S) (heard out of order)**

**A. New Liquor License Application, Restaurant A Liquor License, filed by Applicant, Pig and Fig Bakery and Cafe LLP dba Beef and Leaf Cafe, Los Alamos, NM 87544**

Mr. Alvin Leaphart spoke.

Public comment:  
None.

**A motion was made by Councilor Havemann, seconded by Councilor Cull, that Council approve New Liquor License and Application, filed by Applicant Pig and Fig Bakery and Cafe LLP dba Beef and Leaf Cafe, Los Alamos, NM 87544.**

**The motion passed with the following vote:**

**Yes: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Lepsch, Councilor Reagor, and Councilor Ryti**

## 6. BUSINESS (continued)

- B. Transportation Discussion Including Traffic Safety and Speeding Enforcement, Transit Staffing and Priorities, and Complete Streets Design Objectives (continued)

Ms. Anne Laurent, County Manager, spoke.

Public Comment:  
None

**No action taken.**

- C. Approval of County Council Minutes for the April 22, 23, and 29, 2024 Budget Meetings

**A motion was made by Councilor Ryti, seconded by Councilor Cull, that Council approve the County Council Minutes for the April 22, 23, and 29, 2024 Budget Meetings.**

**The motion passed with the following vote:**

**Yes: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Lepsch, Councilor Reagor, and Councilor Ryti**

- D. Presentation on Initial Evaluation of Transit Center Sites in Los Alamos and White Rock

Mr. Juan Rael, Public Works Director, spoke.  
Ms. Barb Berastegui, Project Manager, Stantec, presented.  
Mr. Keith Wilson, Project Manager, spoke.  
Ms. Anne Laurent, County Manager, spoke.

Public comment:  
Ms. Maire O'Neill spoke.

**No action taken.**

**E. Delegation of Authority from County Manager for Surveyor**

Ms. Anne Laurent, County Manager, presented.

Public comment:  
None.

**A motion was made by Councilor Ryti, seconded by Councilor Cull, Council approve the County Manager's Delegation of the Duties of the Surveyor of Los Alamos County to Jason Romero as provided in the attached Delegation and Designation of Surveyor Authority, and further moved that this action supersedes any and all prior delegations to Jason Romero.**

**The motion passed with the following vote:**

**Yes: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Lepsch, Councilor Reagor, and Councilor Ryti**

**F. Delegation of Authority from County Manager for Treasurer**

Public comment:  
None.

**A motion was made by Councilor Ryti, seconded by Councilor Hand, that Council approve the County Manager's Delegation of the duties of the Treasurer of Los Alamos County to Melissa Dadzie as provided in the attached Delegation and Designation of Treasurer Authority.**

**The motion passed with the following vote:**

**Yes: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Lepsch, Councilor Reagor, and Councilor Ryti**

**8. ADJOURNMENT**

The meeting adjourned at 10:16 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

\_\_\_\_\_  
Denise Derkacs, Council Chair

Attest:

\_\_\_\_\_  
Naomi D. Maestas, County Clerk

Meeting Transcribed by: Marie Pruitt, Deputy Clerk



County Manager's Office

DELEGATION AND DESIGNATION OF SURVEYOR AUTHORITY

The County Manager's Office is established under the Los Alamos County Charter ("Charter"). Section 302 of the Charter requires the County Manager to be responsible for the duties of the Surveyor of the County and authorizes the County Manager to delegate her duties only upon formal approval of Council.

Therefore, I, Anne W. Laurent, County Manager, upon Council approval on May 21, 2024, hereby delegate to Jason Romero the following authority pursuant to Section 302 of the County Charter:

Authority is hereby granted to Jason Romero to perform the duties of the County Surveyor, as detailed in the County Code of Ordinances and the County Surveyor Job Description and Classification.

In addition, I authorize the County Surveyor to designate the County Engineer as an Acting County Surveyor who shall have all the authority of the County Surveyor during temporary absences of the County Surveyor.

This delegation is not subject to sub-delegation without the County Manager's prior and expressed written consent, and only upon formal approval of Council. This delegation shall remain in full force and effect until the withdrawal of such delegation of authority in writing by the County Manager or until Jason Romeo is no longer employed as the County Surveyor.

**COUNTY COUNCIL**

Denise Derkacs  
Council Chair

Theresa Cull  
Council Vice Chair

**COUNCILORS**

Melanee Hand  
Suzie Havemann  
Keith Lepsch  
David Reagor  
Randall Rytli

**COUNTY MANAGER**

Anne W. Laurent

\_\_\_\_\_  
ANNE W. LAURENT, COUNTY MANAGER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DENISE DERKACS, COUNTY COUNCIL CHAIR

\_\_\_\_\_  
DATE

Attest:

\_\_\_\_\_  
NAOMI D. MAESTAS, COUNTY CLERK





**DELEGATION AND DESIGNATION OF TREASURER AUTHORITY**

The County Manager's Office is established under the Los Alamos County Charter ("Charter"). Section 302 of the Charter requires the County Manager to be responsible for the duties of the Treasurer of the County and authorizes the County Manager to delegate her duties only upon formal approval of Council.

Therefore, I, Anne W. Laurent, County Manager, upon Council approval on May 21, 2024, hereby delegate to Melissa Dadzie the following authority pursuant to Section 302 of the County Charter:

Authority is hereby granted to Melissa Dadzie, Chief Financial Officer, to perform the duties of the County Treasurer, as detailed in the County Code of Ordinances, in addition to those duties and responsibilities of the County's Chief Financial Officer, as detailed in the County Code of Ordinances and in the Chief Financial Officer's Job Description and Classification.

In addition, I authorize the Chief Financial Officer to designate the Deputy Chief Financial Officer as an Acting Chief Financial Officer who shall have all the authority of the Chief Financial Officer during temporary absences of the Chief Financial Officer.

This delegation is not subject to sub-delegation without the County Manager's prior and expressed written consent and only upon formal approval of Council. This delegation shall remain in full force and effect until the withdrawal of such delegation of authority in writing by the County Manager or until Melissa Dadzie is no longer employed as the County's Chief Financial Officer.

- COUNTY COUNCIL**
- Denise Derkacs  
Council Chair
- Theresa Cull  
Council Vice Chair
- COUNCILORS**
- Melanee Hand
- Suzie Havemann
- Keith Lepsch
- David Reagor
- Randall Ryti
- COUNTY MANAGER**
- Anne W. Laurent

\_\_\_\_\_  
ANNE W. LAURENT, COUNTY MANAGER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DENISE DERKACS, COUNTY COUNCIL CHAIR

\_\_\_\_\_  
DATE

Attest:

\_\_\_\_\_  
NAOMI D. MAESTAS, COUNTY CLERK





# County of Los Alamos

## Minutes

### County Council – Regular Session

*Denise Derkacs, Council Chair, Theresa Cull, Council Vice-Chair,  
Melanee Hand, Suzie Havemann, Keith Lepsch,  
David Reagor, and Randall Ryti, Councilors*

---

Tuesday, May 28, 2024

6:00 PM

White Rock Fire Station – 129 NM-4

---

#### 1. OPENING/ROLL CALL

The Council Chair, Denise Derkacs, called the meeting to order at 6:00 p.m.

Council Chair Derkacs made opening remarks regarding the procedure of the meeting.

Ms. Linda Matteson, Deputy County Manager, listed the county employees in attendance via Zoom.

**The following Councilors were in attendance:**

**Present: 5 – Councilor Derkacs, Councilor Havemann, Councilor Lepsch, Councilor Reagor and Councilor Ryti**

**Remote: 1 – Councilor Cull**

**Absent: 1 – Councilor Hand**

#### 2. PLEDGE OF ALLEGIANCE

Led by: All.

#### 3. STATEMENT REGARDING CLOSED SESSION

Councilor Ryti read the following statement for inclusion in the minutes: “The matters discussed in the closed session held on May 28, 2024 that began at 4:30 p.m. were limited only to those topics specified in the notice of the closed session, and no action was taken on any matter in that closed session.”

#### 4. PUBLIC COMMENT

None.

**Councilor Hand arrived via Zoom during the discussion of this item at 6:03 p.m.**



## 5. APPROVAL OF AGENDA

A motion was made by Councilor Havemann, seconded by Councilor Ryti, that Council approve the agenda as presented with postponement of item 10.A.

The motion passed with the following vote:

**Yes: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann  
Councilor Lepsch, Councilor Reagor, and Councilor Ryti**

## 6. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

- A. **Proclamation declaring the Second Week of June "Annual LGBTQ+ Pride Week" in Los Alamos County (accepted by Friends of Los Alamos Pride)**

Councilor Ryti presented the Proclamation to Friends of Los Alamos Pride.

- B. **Proclamation Recognizing the 10th Anniversary of the First Born Program® of Los Alamos (Accepted by Executive Director Ellen Specter and Board President Karen Holmes)**

Councilor Havemann presented the Proclamation to Executive Director Ellen Specter and Board President Karen Holmes.

Ms. Ellen Specter, Executive Director, spoke.

Ms. Karen Holmes, Board President, spoke.

## 7. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA

None.

## 8. CONSENT AGENDA

### **Consent Motion:**

**A motion was made by Councilor Ryti, seconded by Councilor Cull, that Council approve the items on the Consent Agenda as presented and that the motions in the staff reports as amended be included for the record.**

- A. **Approval of Service Agreement No. AGR 24-41a with New Mexico Fire Protection and AGR 24-41b with API Life Safety USA, LLC d/b/a Western States Fire Protection for Fire System Inspections, Maintenance and Repair Services in an Amount Not to Exceed \$925,000.00 Plus Applicable Gross Receipts Tax Per Agreement Over a Seven Year Period**

**I move that Council approve Service Agreement No. AGR 24-41a with New Mexico Fire Protection and AGR 24-41b with API Life Safety USA, LLC d/b/a Western States Fire Protection for Fire System Inspections, Maintenance and Repair Services in an Amount Not to Exceed \$925,000.00 Plus Applicable Gross Receipts Tax Per Agreement Over a Seven Year Period.**

- B. Approval of Amendment No. 4 to AGR19-47 with Bohannon Huston for the Purpose of Engineering Services for the White Rock Water Resource Reclamation Facility

**I move that Council approve Amendment No. 4 to AGR19-47 with Bohannon Huston in the amount of \$72,275.00, for a total agreement amount of \$2,621,279.16, plus applicable gross receipts tax, for the purpose of Engineering Services for the White Rock Water Resource Reclamation Facility.**

- C. Approval of DOE/LAC Resource Pool Budget for Fiscal Years 2025 & 2026

**I move that Council approve the 2025-2026 Resource Pool Budget as presented.**

- D. Appointment to Fill the Two Vacancies of the Board of Registration

**I move that Council appoint Lisa Hampton and Greg White to fill the two vacancies of the County's Board of Registration for the term of July 1, 2023 to June 30, 2025.**

- E. Board/Commission Appointment(s) - Los Alamos County Health Council

**I move that Council appoint Jyl Dehaven to the Los Alamos County Health Council for a term beginning on May 28, 2024 and ending on January 6, 2026.**

- F. Removal of Date Certain Deadline from the Approval of Providing Grant Matching Funds for San Ildefonso Services' Connect New Mexico Grant Application in the Amount of \$2,000,000 with a Total Project Amount of \$6,000,000 for a New Middle Mile Fiber Optic Line Connecting White Rock to Pojoaque

**I move that Council approve removing the requirement that the written agreement between the County and the Pueblo de San Ildefonso be complete by May 31, 2024. I further move that Council reaffirm the commitment to grant matching funds to the Pueblo de San Ildefonso for their grant application in the amount of \$2,000,000 (two million dollars) for a New Middle Mile Fiber Optic Line connecting White Rock to Pojoaque contingent upon execution and approval of a written agreement between Los Alamos County and the Pueblo de San Ildefonso.**

**Approval of the Consent Agenda:**

**The motion passed with the following vote:**

**Yes: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Lepsch, Councilor Reagor, and Councilor Ryti**

## 9. PUBLIC HEARING(S)

- A. Incorporated County of Los Alamos Code Ordinance 02-357 - A Code Ordinance Amending Chapter 26 (Municipal Court), Article I, Section 6 to Abolish the Corrections Fee, the Mandatory Judicial Education Fee, and the Mandatory Court Automation Fee to Comply with Amendments to State Law that Take Effect July 1, 2024

Mr. Alvin Leaphart, County Attorney, presented.

Public comment:

None.

**A motion was made by Councilor Lepsch, seconded by Councilor Ryti, that Council adopt Incorporated County of Los Alamos Ordinance No. 02-357 A Code Ordinance Amending Chapter 26, Municipal Court, Article I, Section 6 to Abolish the Corrections Fee, the Mandatory Judicial Education Fee, and the Mandatory Court Automation Fee to Comply with Amendments to State Law that Take Effect July 1, 2024 and ask the staff to assure that it is published as provided in the County Charter.**

**The motion passed with the following vote:**

**Yes: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Lepsch, Councilor Reagor, and Councilor Ryti**

- B. Incorporated County of Los Alamos Code Ordinance 02-358 - A Code Ordinance Amending Chapter 38, Traffic and Vehicles, Article V, Section 293, to Abolish Certain Fee Assessments Associated with a Conviction for Operating a Motor Vehicle Under the Influence of Intoxicating Liquor or Drugs to Comply with Amendments to State Law that Take Effect July 1, 2024

Mr. Alvin Leaphart, County Attorney, spoke.

Public comment:

None.

**A motion was made by Councilor Havemann, seconded by Councilor Ryti, that Council adopt Incorporated County of Los Alamos Code Ordinance 02-358 - A Code Ordinance Amending Chapter 38, Traffic and Vehicles, Article V, Section 293, to Abolish Certain Fee Assessments Associated with a Conviction for Operating a Motor Vehicle Under the Influence of Intoxicating Liquor or Drugs to Comply with Amendments to State Law that Take Effect July 1, 2024 and ask the staff to assure that it is published as provided in the County Charter.**

**The motion passed with the following vote:**

**Yes: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Lepsch, Councilor Reagor, and Councilor Ryti**

- C. Incorporated County of Los Alamos Code Ordinance 02-353: A Code Ordinance Amending Chapter 20, Article IV, Regarding the Deposit and Investment of County Funds

Ms. Melissa Dadzie, Chief Financial Officer, presented.

Ms. Helen Perraglio, Administrative Services Director, spoke.

Public comment:

None.

**A motion was made by Councilor Ryti, seconded by Councilor Lepsch, that Council adopt Incorporated County of Los Alamos Code Ordinance No. 02-353 A Code Ordinance Amending Chapter 20, Article IV, Regarding the Deposit and Investment of County Funds; I further move that, upon passage, the Ordinance be published in summary form.**

**The motion passed with the following vote:**

**Yes: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Lepsch, Councilor Reagor, and Councilor Ryti**

- D. Incorporated County of Los Alamos Ordinance No. 732; An Ordinance Authorizing the Execution and Delivery of a Loan Agreement (“Loan Agreement”) By and Between the Incorporated County of Los Alamos, New Mexico (the “Governmental Unit”) and the New Mexico Finance Authority, Evidencing a Special Limited Obligation of the Governmental Unit to Pay a Principal Amount of No More Than \$2,020,000, Together with Interest, Expenses, and Administrative Fees Thereon, for the Purpose of Financing the Costs of Construction of a Water Booster Station, Electrical and Mechanical Upgrades to Several Booster Stations and Related Appurtenances of the Project; Providing for the Pledge and Payment of the Principal, Administrative Fees and Interest Due Under the Loan Agreement Solely From the Net Revenues of the Joint Utility System of the Governmental Unit; Setting an Interest Rate for the Loan; Approving the Form of and Other Details Concerning the Loan Agreement; Ratifying Actions Heretofore Taken; Repealing All Action Inconsistent with This Ordinance; and Authorizing the Taking of Other Actions in Connection with the Execution and Delivery of the Loan Agreement**

Mr. James Alarid, Deputy Utility Manager - Engineering, presented.

Public comment:

None.

**A motion was made by Councilor Havemann, seconded by Councilor Ryti, that Council adopt Incorporated County of Los Alamos Ordinance No. 732; An Ordinance Authorizing the Execution and Delivery of a Loan Agreement (“Loan Agreement”) By and Between the Incorporated County of Los Alamos, New Mexico (the “Governmental Unit”) and the New Mexico Finance Authority, and ask staff to assure that it is published as provided in the County Charter.**

**The motion passed with the following vote:**

**Yes: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Lepsch, Councilor Reagor, and Councilor Ryti**

- E. Incorporated County of Los Alamos Ordinance No. 733 An Ordinance Authorizing the Incorporated County of Los Alamos (County) to Submit an Amendment No. 2, to the New Mexico Environment Department (NMED) Clean Water State Revolving Fund (CWSRF) for the Purpose of Increasing the Funding of Loan Number CWSRF 110 by \$1,200,000 for the Bayo Lift Station Elimination Project

Mr. James Alarid, Deputy Utility Manager, presented.

Public comment:

None.

A motion was made by Councilor Ryti, seconded by Councilor Lepsch, that Council adopt Incorporated County of Los Alamos Ordinance No. 733 An Ordinance Authorizing the Incorporated County of Los Alamos (County) to Submit an Amendment No. 2, to the New Mexico Environment Department (NMED) Clean Water State Revolving Fund (CWSRF), for the Purpose of Increasing the Funding of Loan Number CWSRF 110 and ask staff to assure that it is published as provided in the County Charter.

The motion passed with the following vote:

Yes: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Lepsch, Councilor Reagor, and Councilor Ryti

## 10. BUSINESS

- A. Strategic Planning and Performance Dashboard Update

Los Alamos County contracted for a performance tracking dashboard software with AchieveIt on August 28, 2023. These dashboards can be embedded into the County's new website. Over the past nine months, staff has been working with the AchieveIt team on initial system set-up and user training, and now entering updated Management Action Plan (MAP) items and assigning metrics to track and measure. This presentation is an update about the progress. The goal is to have Council's 2024 Strategic Leadership Plan dashboard live and on the website by July 1, 2024, the start of fiscal year 2025. The Council's Strategic Leadership Plan includes five goals and 22 priorities. From these goals and priorities, staff identified 107 action items in the MAPs that will advance the Council's goals and priorities. Staff will review the selected metrics and display graphic options for the dashboard at the meeting.

Discussion of this item was postponed to the next Council Meeting.

**B. Consideration and Possible Approval of the updated Deposit and Investment Policy**

Ms. Melissa Dadzie, Chief Financial Officer, presented.  
Ms. Helen Perraglio, Administrative Services Director, spoke.

Public comment:  
None.

**A motion was made by Councilor Lepsch, seconded by Councilor Ryti, that Council approve the updated deposit and investment policy as attached.**

**The motion passed with the following vote:**

**Yes: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Lepsch, Councilor Reagor, and Councilor Ryti**

**11. COUNCIL BUSINESS**

**A. General Council Business**

None.

**B. Board/Commission Appointments - Board of Public Utilities**

1) Councilor Cull presented.

Public Comment:  
None.

**A motion was made by Councilor Ryti, seconded by Councilor Havemann, to nominate David North, Josip Loncaric, Jennifer Hollingsworth, Chris Rose, and Joshua Muck to fill one vacancy on the Board of Public Utilities and move that Council appoint one nominee to the vacant position as follows: by roll call vote, Councilors vote for one nominee, and the nominee with the highest total of four or more votes will be appointed to fill the term for Position UT2 beginning July 1, 2024 and ending June 30, 2029.**

**By roll call vote, Councilors will vote for one (1) nominee and the one [1] with the highest votes total of four or more will be appointed to fill the term beginning on July 1, 2024, and ending June 30, 2029.**

**Councilors Derkacs, Cull, Hand, Lepsch, Havemann, and Ryti voted for:  
Jennifer Hollingsworth**

**Councilor Reagor voted for:  
Chris Rose**

**After a roll call vote, Ms. Jennifer Hollingsworth was appointed to the term beginning on July 1, 2024, and ending on June 30, 2029.**

### **C. Boards and Commission Vacancy Report**

None.

### **D. Board, Commission, and Working Group Reports**

Councilor Havemann reported she attended the Art in Public Places Board's prior meeting and Historical Preservation Advisory Board's next meeting will be June 4.

Councilor Ryti reported on the Parks and Recreation Board meeting and the Environmental Sustainability Board meeting.

Councilor Reagor reported the Planning and Zoning Commission meeting.

Councilor Hand reported on the Transportation Board and Library Board meetings.

### **E. County Manager's Report**

County Manager Anne Laurent reported on the Splash Pad, Summer Concert Series, and the Table Exercise Emergency Response with the lab. She also reported on the Golf Course renovations and Community Services having a site visit from Commission for Accreditation of Park and Recreation Agencies.

Councilor Lepsch commented on the Golf Course Renovations.

### **F. Council Chair Report**

Chair Derkacs reported on the Senate Arms Committee meeting and the Memorial Day Observation at Guaje Pines Cemetery, the presentation meetings with the Senate Armed Services Committee, the Senate Appropriations Committee, and a Proclamation for Older Americans during the Health Fair at the Betty Ehart Senior Center.

### **G. Approval of Councilor Expenses**

None.

### **H. Preview of Upcoming Agenda Items**

#### 1) Tickler Report of Upcoming Agenda Items

Councilor Derkacs presented an overview of upcoming agenda items including a Public Hearing on the proposed Chapter 6 Animal Control Ordinance, Council will consider citizen's petition for additional safety measures in White Rock, an update on the Performance Management Board from County Manager, Anne Laurent. On June 18, there will be a presentation from the Department of Energy. The strategic goals of economic vitality meetings will be in Los Alamos.

**I. COUNCILOR COMMENTS**

Councilor Ryti reported on the Energy Communities Alliance Nuclear Forum, the Main Street Futures meeting, the Coalition of Sustainable Communities New Mexico meeting, the Council booth, the National Association of Counties Department of Environment, Energy, and Land Use policy statements.

**J. ADJOURNMENT**

The meeting adjourned at 7:30 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

---

Denise Derkacs, Council Chair

Attest:

---

Naomi D. Maestas, County Clerk

Meeting Transcribed by: Marie Pruitt, Deputy Clerk



## INCORPORATED COUNTY OF LOS ALAMOS INVESTMENT POLICY Updated May 24, 2005

### I. SCOPE

This policy applies to the investment of funds of the Incorporated County of Los Alamos (the County).

### II. GENERAL OBJECTIVES

1. Investment goals. County funds shall be invested by the investment officer in an effort to:

- a. Maximize investment returns while minimizing risk;
- b. Maintain a level of liquidity to ensure meeting unanticipated cash needs;
- c. Allow for diversification of the county's portfolio;
- d. Recognize the impact of the county's investment program on the local economy; and
- e. Minimize the amount of money in non-interest-bearing accounts.

2. Criteria for investment selection. The criteria for selecting investments shall be in the following order of priority safety, liquidity, and total return :

a. **Safety.** Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to minimize credit risk and interest rate risk.

i. Credit Risk. The County will minimize credit risk, the risk of loss due to the failure of the security issuer or backer, by:

- Limiting investments to securities as authorized in the County Code;
- Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisers with which the County will do business; and
- Diversifying the investment portfolio so that potential losses on individual securities will be minimized.

ii. Interest Rate Risk. The County will minimize the risk that the market value of securities in the portfolio will fall due to changes in the general level of interest rates, by:

- Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations and also satisfying requirements for cash reserves, thereby avoiding the need to sell securities on the open market prior to maturity.

b. **Liquidity.** The investment portfolio shall remain sufficiently liquid to meet all cash flow requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the portfolio of operating investments should consist largely of securities with active secondary or resale markets (dynamic liquidity).

c. **Total Return .** Return on investment is of secondary importance compared to the safety and liquidity objectives described above. Within the constraints of prudent safety and liquidity parameters listed above, the portfolio shall be designed with the objective of attaining a market rate of return. Total returns will be maximized within these constraints.

3. Trading Restrictions. Securities shall not be sold prior to maturity with the following exceptions:

- a. A security with declining credit may be sold early to minimize loss of principal;

- b. A security swap would improve the quality, total return , or target duration in the portfolio; or
- c. Liquidity needs of the portfolio require that the security be sold.

### III. SAFEKEEPING, CUSTODY, AND TRADING

1. **Authorized Financial Dealers and Institutions.** The finance division will maintain a list of financial institutions authorized to provide investment services and a list of approved security broker/dealers selected by creditworthiness. All financial institutions and broker/dealers who desire to become qualified for investment transactions must supply each of the following:

- a. Audited financial statements,
- b. Proof of National Association of Securities Dealers (NASD) certification,
- c. Proof of New Mexico state registration,
- d. Completed broker/dealer questionnaire, and
- e. Certification of having read and understood and agreeing to comply with the County’s investment policy.

An annual review of the financial condition and registration of qualified financial institutions and broker/dealers will be conducted by the investment officer.

2. **Internal Controls.** The investment officer is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the County are protected from loss, theft or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that the cost of a control should not exceed the benefits likely to be derived and that the valuation of costs and benefits requires estimates and judgments by management. An annual independent review by an external auditor shall assure compliance with policies and procedures.

The internal controls shall address the following points:

- a. Control of collusion,
- b. Separation of transaction authority from accounting and recordkeeping,
- c. Custodial safekeeping,
- d. Avoidance of physical delivery securities wherever possible,
- e. Clear delegation of authority to subordinate staff members,
- f. Written confirmation of transactions for investments and wire transfers, and
- g. Development of a wire transfer agreement with the lead bank and third-party custodian.

3. **Authorized Signatures.** The finance division will maintain a list of all authorized signatories for all authorized County bank and investment accounts. The County Council will approve this list at least annually or whenever a signature is added or deleted from the master list which ever is sooner.

4. **Trading Procedures .** The investment officer shall, whenever possible, obtain a minimum of three verbal or electronic bids/offers to obtain the best price for the County on all securities trades.

- a. To encourage local investing, at least one local Los Alamos broker will be included on all trades if available.
- b. Tie bids/offers will be decided by a coin toss, unless one of the tie firms proposed the trade or is a local broker.
- c. Brokers proposing a securities trade shall be protected if the trade is executed and will win any ties.
- d. Local brokers will win any remaining ties.
- e. Best price and execution will not be compromised.

f. The winner on all trades will be included on the competing list for the following trade unless, in the judgment of the staff, the firm does not have good capabilities in the sector related the subsequent trade.

g. Bond exchanges will be managed under the following guidelines:

- i. Recognizing the value of original ideas, proposed bond exchanges will not be shopped among other brokerage firms.
- ii. If uncertainty exists concerning the levels of the bid or offer prices on the proposed exchange, the level(s) should be checked with at least one other firm.
- iii. If a higher bid or offer is found, the proposing firm shall be given the opportunity to improve their bid or offer. The proposing firm shall win any ties.

A bid/offer form will be completed which will include date, type of investment, purchase date, maturity date, amount to be invested, institution name, contact name, investment type, face value, discount, and cost. Authorization for all investments shall be in writing.

#### IV. AUTHORIZED INVESTMENTS

Authorized investments are defined in Section 20-403 of the County Code.

#### V. INVESTMENT PARAMETERS

1. **Diversification.** The investments shall be diversified by:

- a. limiting investments to avoid overconcentration in securities from a specific issuer or business sector (excluding U.S. Treasury securities),
- b. limiting investment in securities that have higher credit risks,
- c. investing in securities with varying maturities, and
- d. continuously investing a portion of the portfolio in readily available funds to ensure that appropriate liquidity is maintained in order to meet ongoing obligations.

e. To maintain adequate diversification, the investment portfolio shall not have more than 20% of the portfolio invested in securities of a single issuer with the following exceptions:

- i. U.S. Government Obligations, deposits with the New Mexico State Treasurer's Local Government Investment Pool, and investments with the New Mexico State Investment Council's Long-term Investment Funds;
- ii. Repurchase agreement associated with required debt service reserves that are collateralized in accordance with code section 20-406; and
- iii. Deposits in a local qualified financial institution that are 100% collateralized in accordance with Section 20-403 of the County Code. This exception recognizes the impact of the county's investment program on the local economy.

2. **Maximum Maturities.** To the extent possible, the investment officer shall attempt to match the investment maturities with the anticipated cash flow requirements of the County. Unless designated as long-term funds or matched to a specific cash flow, the County will not invest its pooled investment funds directly in securities maturing more than five (5) years from the date of purchase, other than the portion of the pooled funds determined to be long-term in nature.

3. **Long-term Investments.** The County has institutional balances that are inherently or explicitly long-term in nature, including balances in the general county pooled investments (no more than 50% of the total), the capital projects permanent fund, the cemetery fund, and the utility decommissioning account. These funds, reserve funds and other funds with longer-term investment horizons may be invested in securities exceeding five (5) years if the maturity of such investments are made to coincide as nearly as practicable

with the expected use of funds. The intent to invest in securities with longer maturities shall be disclosed in writing to the County Council.

Investments in the New Mexico State Investment Council’s long-term investment funds shall be made in accordance with the following asset allocation guidelines:

	<u>Target Weight</u>	<u>Target Range</u>
Fixed Income (Bonds)	30%	15-45%
Core Bond Fund	20%	10-35%
High Yield Bond Fund	10%	5-20%
Domestic Equity	55%	35-75%
Large Cap. Active and Index Funds	40%	20-60%
Mid/Small Cap. Active Fund	15%	5-30%
International Equity	15%	5-25%
Non-U.S. Active Fund	12%	5-20%
Emerging Markets Fund	3%	0-10%

It is recognized that economic and market conditions will cause the asset allocations to fluctuate within the target ranges.

4. **Collateralization.** New Mexico state law require that all certificates of deposit, money market, checking accounts, and any other investments not backed by the full faith and credit of the United States Government, other than investments in the New Mexico State Investment Council long-term investment funds, be secured by pledged collateral of at least 50 percent of the current market value. This collateral will be pledged in the name of the County and held by a third party institution, Federal Reserve Bank, or by a trust institution within the same bank as approved by the investment officer. The institution will issue safekeeping receipts to the County for securities held by a third party. The County will require that at all times, pledged collateral will be equal to, or greater than, 50 percent of the current market value of the County's applicable investments.

5. **Local Preference for Investing.** The investment officer will, whenever possible, try to invest funds which benefit the local economy on a competitive bid basis. The County code allows preference be given to local qualified financial institutions whenever competing bids from out-of-town qualified financial institutions do not exceed the highest bid from the local financial institutions.

## VI. REPORTING

1. **Methods.** The investment officer shall prepare an investment report at least quarterly, including a management summary that provides an analysis of the status of the current investment portfolio and transactions made over the reporting period . This management summary will be prepared in a manner which will allow the County to ascertain whether investment activities during the reporting period have conformed to the investment policy. The report should be provided to the County Administrator and the County Council. The report will include the following:

- a. Listing of individual securities held at the end of the reporting period.
- b. Changes from the previous report.
- c. Schedule of collateral.
- d. The cost and market value of individual securities.
- e. Average weighted yield to maturity of portfolio on investments as compared to applicable benchmarks.
- f. Listing of investment by maturity date.
- g. Percentage of the total portfolio which each type of investment represents.

2. **Performance Standards.** The investment portfolio will be managed in accordance with the parameters specified within this policy. A set of appropriate benchmarks shall be selected to use in evaluating portfolio performance on a regular basis.

## VII. POLICY CONSIDERATIONS

1. **Exemption.** Any investment currently held that does not meet the guidelines of this policy shall be exempted from the requirements of this policy. At maturity or liquidation, such monies shall be reinvested only as provided by this policy.

2. **Amendments.** This policy shall be reviewed by the investment officer on an annual basis and be revised to reflect changes in policy required by a changing investment market, changes required by federal, state or local laws, or changes to administrative policy. Any changes must be approved by the County Council.

first adopted by the Council, December 20, 1993  
updated by Council action, July 10, 1995  
updated by Council action, October 3, 2000  
updated by Council action May 24, 2005



INCORPORATED COUNTY OF LOS ALAMOS  
DEPOSIT AND INVESTMENT POLICY

~~Updated May 24, 2005~~

~~I. SCOPE~~

2024 Draft

**TABLE OF CONTENTS**

I. INTRODUCTION .....3

II. POLICY STATEMENT.....3

III. GOVERNMENT AUTHORITY.....3

IV. SCOPE .....3

V. GENERAL OBJECTIVES.....4

VI. IDENTIFICATION OF STRATEGY.....5

VII. STANDARDS OF CARE .....5

VIII. AUTHORIZED FINANCIAL DEALERS, ADVISORS AND INSTITUTIONS.....6

IX. SAFEKEEPING, CUSTODY AND CONTROLS.....7

X. AUTHORIZED INVESTMENTS .....8

XI. INVESTMENT PARAMETERS .....11

XII. GUIDELINE MEASUREMENTS .....13

XIII. REPORTING.....14

XIV. BUSINESS CONTINUITY.....14

XV. POLICY ADOPTION.....15

**I. INTRODUCTION**

The Incorporated County of Los Alamos (County) is governed by a Charter, and a Municipal Code of Ordinances, and applicable state and federal laws. The County exercises powers of a county and a municipal corporation under the constitution and laws of the State of New Mexico. Section 103 of the County Charter provides for maximum self-government and home-rule powers as provided in Article X, Section 6, of the Constitution of the State of New Mexico and in the Municipal Charter Act.

**II. POLICY STATEMENT**

The County has unrestricted general funds, debt service funds, capital project funds and permanent funds. It is imperative that the County forecast cash flow needs to ensure that liabilities can be paid in a timely manner. Managing deposits and investments requires the County to protect these financial assets from material loss by minimizing market risk, interest rate fluctuations, credit risk and liquidity. Once sufficient liquidity is ensured and risk is minimized, the County focuses on maximizing total return on invested assets.

**III. GOVERNING AUTHORITY**

The deposit and investment of County funds is addressed in the Municipal Code Chapter 20, Article IV – “Deposit and Investment of County Funds”. The Investment Officer is defined under Section 20-402 as the Chief Financial Officer or designee.

The County’s deposits and investments shall be operated in conformance with County Code, New Mexico State law, and applicable Federal law; specifically, this deposit and investment policy is written in conformance with §6-10-10, NMSA 1978. All funds within the scope of this policy are subject to all applicable laws. Any amendments to state law shall be incorporated into this policy as appropriate for the County Investment program.

**IV. SCOPE**

This policy applies to the ~~investment of funds~~ deposits and investments of the ~~Incorporated County of Los Alamos (the County).~~

**H. GENERAL OBJECTIVES**

1. Investment goals. County funds shall be invested by the investment officer in an effort to:

- a. Maximize investment returns while minimizing risk;
- b. Maintain a level of liquidity to ensure meeting unanticipated cash needs;
- c. Allow for diversification of the county's portfolio;
- d. Recognize the impact of the county's investment program on the local economy; and
- e. Minimize the amount of money in non-interest bearing accounts.

2. Criteria for investment selection. The criteria for selecting investments shall be in the following order of priority safety, liquidity, and total return:

a. Safety.

General Funds: Most cash belonging to all funds (excluding certain segregated and restricted cash and investment balances) is pooled into one common account to optimize investment opportunities. Each fund whose monies are deposited in the pooled cash account has equity therein. Interest earned on the



investment of these monies is allocated to substantially all of the County's funds based upon relative equity at year-end. Funds that are solely funded by transfers from the general fund and certain grant funds may not receive interest income. Significant negative balances incurred in pooled cash at year-end are treated as interfund receivables of the General Fund and interfund payables of the deficit fund, except where the deficit fund has liquid investments to offset the deficit in pooled cash. In such cases, the investments are shown net of the pooled cash deficit.

Capital Projects Permanent Funds: The Capital Projects Permanent Fund accounts for amounts set aside by the County Council and the County Charter for capital projects. These amounts are designated for long-term investing. The real value of the fund principal is required by County Charter to be maintained at an annual level that keeps pace with the implicit price deflator for the gross domestic product (GDP). The permanent fund has a portion of fund balance Restricted for Income Stabilization in accordance with County Code Sec. 20-361. This arrangement establishes a cushion in the fund, to allow market fluctuations affect the stabilization balance without impacting the real value of principal.

Cemetery Funds: The Cemetery Fund is a permanent fund set aside for the perpetual care of the Guaje Pines Cemetery. Sixty percent of all funds received from the sale of cemetery spaces is maintained in the perpetual fund and is designated for long-term investing.

Utility Funds: Utility funds shall be invested according to this deposit and investment policy.

Unexpended Bond Proceeds: Federal income laws generally restrict the ability to earn arbitrage in connection with tax-exempt bonds. Every attempt shall be made to eliminate or minimize negative arbitrage.

## V. GENERAL OBJECTIVES

All funds shall be invested in a manner that is in conformance with applicable federal, state and other legal requirements. In addition, the objectives of the investment activities, in order of priority, will be Safety, Liquidity, and Return. Details on these objectives are as follows:

a. Safety: Safety of principal is the foremost objective of the ~~investment program~~ investments. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall investment portfolio. The objective ~~will~~shall be to minimize credit risk and interest rate risk.

i. ~~i.~~ Credit Risk. The County ~~will~~shall minimize credit risk, and the risk of loss due to the failure of the security issuer or backer, by:

- Limiting investments to ~~—~~securities as authorized in ~~the County Code~~Section X. "Authorized Investments" of this policy ;
- ~~•~~Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisers with which the County ~~will do~~does business; and
- ~~•~~Diversifying the investment portfolio so that potential losses on individual securities will be minimized.

ii. ~~ii.~~ Interest Rate Risk. The County ~~will~~shall minimize the risk ~~that~~of the decline of market value of securities ~~in the portfolio will fall~~ due to changes in the general level of interest rates, by:

- Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations ~~and~~while also satisfying requirements for cash reserves, thereby avoiding the need to sell securities on the open market prior to maturity.

~~b. b.~~ **Liquidity:** The investment portfolio shall remain sufficiently liquid to meet all cash flow requirements that may be reasonably anticipated. This is accomplished by structuring the investment portfolio so that securities mature concurrent with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the investment portfolio of operating investments should consist largely of securities with active secondary or resale markets (dynamic liquidity).

~~c. c.~~ **Total Return on Investment:** Return on investment is of secondary importance compared to the safety and liquidity objectives described above. Within the constraints of prudent safety and liquidity parameters listed above, the investment portfolio shall be designed with the objective of attaining a market rate of return. Total returns ~~will~~shall be maximized within these constraints.

~~3. Trading Restrictions. Securities shall not be sold prior to maturity with the following exceptions:~~

#### VI. IDENTIFICATION OF STRATEGY

~~a. i. A security with declining credit may be sold early to minimize loss of principal;~~

~~b. A security swap would improve the quality, total return, or target duration in the portfolio; or  
c. Liquidity needs of the portfolio require~~**Funds: Investments that the security be sold.**

#### ~~III. SAFEKEEPING, CUSTODY, AND TRADING~~

~~1. Authorized Financial Dealers are needed for ongoing disbursements for the operations and Institutions. The finance division project funds of the County.~~

Investment Funds: Intermediate to Short Duration Portfolio of allowable investments that is funded by excess liquidity balances of the County.

Permanent Funds: Longer-term Portfolio that is invested to achieve optimal investment returns over longer term investment horizons.

#### VII. STANDARDS OF CARE

a. Delegation of Authority: The ultimate responsibility and authority for the investment of County funds resides with the governing body – the Los Alamos County Council. The County hereby designates the Chief Financial Officer, as the Investment Officer, to manage the investment program and ensure compliance with this deposit and investment policy, designate eligible investment institutions, review periodic investment reports and monitor investment transactions.

The Investment Officer may designate personnel under the Investment Officer supervision to administer the policy, place investments, maintain accounting records, and prepare investment reports. The Investment Officer shall review this deposit and investment policy every two years. Any revisions to the policy shall be presented to County Council for approval.

b. Prudence: The prudence which is to be used by the Investment Officer investing and depositing County funds shall be in accordance with the provisions of § 6-8-10, NMSA 1978 which states,

"Investments shall be made with judgement and care; under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation but for investment, considering the probable safety of their capital as well as the probable income to be derived." As part of the Prudent Person Rule, the Investment Officer shall also be subject to the provisions of § 45-7-601 through § 45-7-612, NMSA 1978 (the "Uniform Prudent Investor Act").

- c. **Ethics:** The Investment Officer and any and all investment officials shall refrain from personal business activity that could conflict with the proper execution of the County's deposit and investment policy or which could affect or impair their ability to make impartial decisions on behalf of the County.

### VIII. AUTHORIZED FINANCIAL DEALERS, ADVISORS AND INSTITUTIONS

The Finance Division of the Administrative Services Department will maintain a list of financial institutions authorized to provide investment services and and a list of approved security broker/dealers selected by creditworthiness. All financial institutions and that are approved for investment purposes in accordance with the criteria noted below. Additions or deletions to/from the list will be made at the County's discretion. The Finance Division shall maintain proof of all the necessary credentials and licenses held by employees of the broker/dealers who desire to become qualified for investment transactions will have contact with the County, including but not limited to the Financial Industry Regulatory Authority (FINRA), Securities and Exchange Commission (SEC), etc. If an Investment Advisor is contracted to manage the broker/dealer transaction then section b. will apply.

- a. **Broker/Dealers:** The Investment Officer shall determine which broker/dealer firms and registered representatives are authorized for the purposes of investing funds within the scope of this policy. The following minimum criteria must supply each of the following: be met prior to authorizing investment transactions.

a. ~~Audited financial statements,~~

b.i. ~~Proof of National Association of Securities Dealers (NASD) Financial Industry Regulatory Authority (FINRA) certification, and~~

e.ii. ~~Proof of New Mexico state registration, and~~

d. ~~Completed broker/dealer questionnaire, and~~

iii. ~~Minimum of five (5) years of current and continuous employment history involving fixed income securities, and~~

e.iv. ~~Certification of having read and understood and agreeing to comply with the County's deposit and investment policy.~~

The Investment Officer may impose more stringent criteria.

If

An annual review of the financial condition and registration of qualified financial institutions and broker/dealers will be conducted by the investment officer.

2. ~~an investment advisor firm is retained by the County to execute transactions on behalf of the County, the investment advisor may be granted the authority to execute investment trades and transactions from their approved list of authorized broker/dealers and financial institutions as long as they use due diligence similar to that of the County. The investment advisor shall provide its authorized broker/dealers and financial institutions list to the County annually.~~

- b. **Investment Advisors:** Investment advisors may be utilized to manage County funds and must meet the following broker/dealer criteria:

- i. The firm must be registered with the Securities and Exchange Commission (SEC) or be licensed by the state of New Mexico, and
- ii. All investment advisor firm representatives conducting investment advice/transactions on behalf of the County must be registered representatives with FINRA, and
- iii. All investment advisor firm representatives conducting investment advice/transactions on behalf of the County must be licensed by the state of New Mexico, and
- iv. The investment advisor shall comply with the County's deposit and investment policy, and such obligation shall be included in the County's contract with the investment advisor, and
- v. The investment advisor must notify the County immediately if any of the following issues arise while providing services under a County contract:

- Pending investigations by securities regulators,
- Significant changes in net capital,
- Pending customer arbitration cases,
- Regulatory enforcement actions, or
- Any other issues which come to the attention of the investment advisor that may negatively affect the contractual relationship of the investment advisor or with the County

**c. Financial Institutions:** In selecting financial institutions for the deposit of County money or collateral, the Investment Officer will consider, among other things, the creditworthiness of the institutions. The Investment Officer will monitor the financial institutions' credit characteristics and financial history throughout the period in which County funds or collateral are deposited and will report the results of such monitoring to the County Manager, as appropriate. Each depository will be required at all times to collateralize County deposits and investments in compliance with this Policy.

**d. Competitive Transactions:** The County shall transact all securities purchases and sales on a competitive pricing basis, based on the following criteria:

- i. At least three pricing sources will be documented on each transaction.
- ii. If only one dealer owns the security, comparable securities may be used to document the pricing.
- iii. Electronic trading is the preferred option for the purchase or sale of a security.
- iv. The County's investment advisor under contract that is providing investment management services shall maintain documentation of competitive pricing execution on each transaction. The investment advisor shall retain documentation and provide to County upon request.
- v. A Local Financial Institution may be considered in the event the competitive bids warrant similar yields to market.

## **IX. SAFEKEEPING, CUSTODY AND CONTROLS**

**a. Safekeeping of Securities:** All investment securities other than local financial institution Certificates of Deposit purchased by the County shall be held in third-party safekeeping by an institution acceptable to the County. All securities shall be kept and recorded based on the terms of the custodial contract.

All trades of marketable securities shall be executed on a delivery vs payment (DVP) basis or contracted settlement per custodian agreement to ensure that securities are deposited in the County's safekeeping institution prior to the release of funds. The County shall have online access through the safekeeping bank for verification of the account holdings and transactions.

**b. Internal Controls**—: The ~~investment officer~~Investment Officer is responsible for ~~establishing~~documenting and maintaining ~~ana system of~~ internal ~~control structure~~controls designed to ensure that the assets of the County are protected from loss, theft or misuse. The internal ~~control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that the cost of a control should not exceed the benefits likely to be derived and that the valuation of costs and benefits requires estimates and judgments by management. An annual independent review by an external auditor shall assure compliance with policies and procedures.~~controls and compliance thereof shall be reviewed by independent auditors on an annual basis. The Investment Officer shall review the systems of controls periodically to ensure such controls are effective and that the County is complying with such controls.

The internal controls shall address the following points:

- ~~a. Control of collusion,~~
- ~~i. Separation~~Compliance with this deposit and investment policy constraints and requirements,  
~~and~~
- ~~ii. Clear delegation of authority, and~~
- ~~b.iii. Segregation of transaction authority from duties and separation of responsibilities for trade execution, accounting and recordkeeping, and~~
- ~~e. iv. Custodial safekeeping, and~~
- ~~d. Avoidance of physical delivery securities wherever possible,~~
- ~~e. Clear delegation of authority to subordinate staff members,~~
- ~~v. Timely reconciliation of custodial reports, and~~
- ~~vi. Appropriate security for online transactions and access to bank accounts and bank data, and~~
- ~~vii. Review, maintenance and monitoring of security procedures both manual and automated, and~~
- ~~viii. Dual controls over entry and authorizations of wire and automated clearing house (ACH) transfers, and~~
- ~~f. ix. Written confirmation of transactions for investments and wire transfers, and,~~
- ~~g. Development of a wire transfer agreement with the lead bank and third party custodian.~~

~~3.~~

**c. Accounting Method**: The County shall comply with all required legal provisions and applicable Generally Accepted Accounting Principles (GAAP). The GAAP are those contained in the pronouncements of authoritative bodies including but not limited to, the Governmental Accounting Standards Board (GASB); the American Institute of Certified Public Accountants (AICPA); and the Financial Accounting Standards Board (FASB).

**d. Pooling of Funds**: Except for cash in certain restricted and special funds, the County may consolidate balances from all funds to maximize investment earnings. Investment income shall be allocated to the various funds based on their respective cash equity and in accordance with GAAP.

**e. Authorized Signatures**—: The ~~finance division will~~Finance Division shall maintain a list of all authorized signatories for all authorized County bank and investment accounts. The County Council ~~will~~shall approve this list at least annually or whenever a signature is added or deleted from the master list, which ever is sooner.

## X. AUTHORIZED INVESTMENTS

~~4. Trading Procedures. The investment officer shall, whenever possible, obtain a minimum of three verbal or electronic bids/offers to obtain the best price for the County on all securities trades.~~

- ~~a. To encourage local investing, at least one local Los Alamos broker will be included on all trades if available.~~
- ~~b. Tie bids/offers will be decided by a coin toss, unless one of the tie firms proposed the trade or is a local broker.~~
- ~~c. Brokers proposing a securities trade shall be protected if the trade is executed and will win any ties.~~
- ~~d. Local brokers will win any remaining ties.~~
- ~~e. Best price and execution will not be compromised.~~
- ~~f. The winner on all trades will be included on the competing list for the following trade unless, in the judgment of the staff, the firm does not have good capabilities in the sector related the subsequent trade.~~
- ~~g. Bond exchanges will be managed under the following guidelines:~~
  - ~~i. Recognizing the value of original ideas, proposed bond exchanges will not be shopped among other brokerage firms.~~
  - ~~ii. If uncertainty exists concerning the levels of the bid or offer prices on the proposed exchange, the level(s) should be checked with at least one other firm.~~
  - ~~iii. If a higher bid or offer is found, the proposing firm shall be given the opportunity to improve their bid or offer. The proposing firm shall win any ties.~~

~~A bid/offer form will be completed which will include date, type of investment, purchase date, maturity date, amount to be invested, institution name, contact name, investment type, face value, discount, and cost. Authorization for all investments shall be in writing.~~

#### IV. AUTHORIZED INVESTMENTS

~~Authorized~~The County's authorized asset classes and investment types are prescribed under Chapter 6, Article 10 of the New Mexico Statutes Annotated, NMSA 1978, Sections 6-10-10, 6-10-10-1, 6-10-16 and 6-10-36. All deposits and investments set forth in paragraphs a (i.-xiii.) below must have readily ascertainable market value and be easily marketable.

~~a. Allowable investments are defined in as follows:~~

- ~~i. **US Treasury Obligations:** Securities that are issued and backed by the full faith and credit of the United States government; and~~
- ~~ii. **US Agency Obligations:** issued by its agencies or instrumentalities, including securities issued by federal home loan banks, the federal home loan mortgage corporation, the federal national mortgage association, the federal farm credit banks funding corporation, the federal agricultural mortgage corporation or the government national mortgage association and that have a maturity date that does not exceed ten years from the date of purchase; and~~
- ~~iii. **Municipal Bonds:** Bonds or negotiable securities of the state of New Mexico, or a county, municipality or school district that has a taxable valuation of real property for the last preceding year of at least one million dollars (\$1,000,000) and that has not defaulted in the payment of any interest or sinking fund obligation or failed to meet any bonds at maturity at any time within five years last preceding and that have a maturity date that does not exceed ten years from the date of purchase; and~~

- iv. **Federally Insured Obligations:** Federally insured obligations, including brokered certificates of deposit, certificate of deposit account registry service issues, and federally insured cash accounts; and
- v. **State Investment Council Managed Funds:** Shares of pooled investment funds managed by the state Investment Officer, as provided in Subsection I of Section 6-8-7 NMSA 1978; provided that the County Council may allow reasonable administrative and investment expenses to be paid directly from the income or assets of these investments; and
- vi. **Commercial Paper:** Commercial paper rated "A1" or "P1", also known as "prime" quality, by a nationally recognized statistical rating organization, issued by corporations organized and operating within the United States and having a maturity at purchase of no longer than one hundred eighty days; and
- vii. **Money Market Funds:** Shares of an open-ended diversified investment company that: (a) is registered with the United States Securities and Exchange Commission; (b) complies with the diversification, quality and maturity requirements of Rule 2a-7, or any successor rule, of the United States Securities and Exchange Commission applicable to money market mutual funds; and assesses no fees to 12-b1 or any successor fee per SEC; and
- viii. **Repurchase ~~20-403~~ of Agreements:** Contracts that involve present purchase and resale at a specified time in the future of specific securities at specified prices at a price differential representing the interest income to be earned by the investor. The contract shall be fully secured by obligations of the United States or the securities of its agencies, instrumentalities or United States government sponsored enterprises having a market value of at least one hundred two percent of the contract. The collateral required for investment in the contracts provided for in this subsection shall be shown on the books of the financial institution as being the property of the investor and the designation shall be contemporaneous with the investment; and
- ix. **State LGIP:** The State of New Mexico Treasurer's investment pool was created under § 6.10.10.1, NMSA 1978. The Local Government Investment Pool provides for the pooled investments of New Mexico governmental bodies that is professionally managed to the State Treasurer's office. The LGIP must maintain a minimum rating of "AA" by a nationally recognized statistical rating organization; and
- x. **Certificate of Deposit:** Term Deposits issued as certificates of any bank or savings and loan association designated as a depository of public money shall deliver securities of the kind specified in Section 6-10-16 NMSA 1978 to a custodial bank described in Section 6-10-21 NMSA 1978 and shall deliver a joint safekeeping receipt issued by the custodial bank. The securities delivered shall have an aggregate value equal to one times (100% collateral) the amount of the funds received; and
- xi. **Bank Deposits:** Deposits may be made in noninterest-bearing checking accounts or in interest bearing accounts in one or more banks or savings and loan associations designated as checking depositories. In addition, deposits of funds may be in noninterest-bearing accounts in one or more credit unions designated as checking depositories located within the geographical boundaries of the governmental unit to the extent the deposits are insured by an agency of the United States. To be pledged in the name of Los Alamos County ~~Code~~, collateralization of all deposits must be at all times 100% collateralized in the amount of funds held.



**V.XI. INVESTMENT PARAMETERS**

**1. Diversification.** ~~The investments~~ It is the policy of the County to diversify its investment portfolios to the extent reasonably practical. Assets shall be diversified by:

- ~~a. limiting investments to avoid overconcentration in securities from to reduce the risk of loss resulting from an over-concentration of assets in a specific maturity, a specific issuer or business sector (excluding U.S. Treasury a specific class of securities);~~
- ~~b. limiting investment in securities that have higher credit risks;~~
- ~~c. investing in securities with varying Portfolio maturities, and~~
- ~~d. continuously investing a portion of the portfolio in readily available funds to ensure that appropriate liquidity is maintained in order to meet ongoing obligations.~~

~~e. To maintain adequate diversification, the investment portfolio shall not have more than 20% of the portfolio invested in securities of a single issuer with may be laddered to avoid undue concentration of assets in a specific maturity sector and to reflect cash flow requirements. The County may choose any variation of the following exceptions:~~

- ~~i. U.S. Government Obligations, deposits with the New Mexico State Treasurer's Local Government Investment Pool, and investments with the New Mexico State Investment Council's Long-term Investment Funds;~~ is limited to
  - ~~ii. Repurchase agreement associated with required debt service reserves that are collateralized in accordance with code section 20-406; and~~

~~iii. a. Deposits in a local qualified financial institution that are 100% collateralized in accordance with Section 20-403 of the County Code. This exception recognizes the impact of the county's investment program on the local economy of the amount of its investment.~~

**2. Total Portfolio Diversification Constraints:**

Issue Type	Maximum % Holdings	Maximum % per Issuer	Ratings S&P, Moody's or Equivalent NRSRO	Years to Maturity
US Treasury Obligations	100%	N/A	N/A	10 Years
US Agency Obligations	100%	35%	N/A	10 Years
Municipal Bonds	25%	5%	AA- / Aa3	10 Years
Federally Insured Products	25%	10%	FDIC Insured	N/A
SIC Managed Funds	50%*	N/A	N/A	N/A
Commercial Paper	20%	5%	A1 / P1	180 Days
Money Market Funds	20%	N/A	AAAm	N/A
Repurchase Agreements	10%	5%	N/A	3 Years
State LGIP	100%	N/A	AA / Aa2	N/A

**b. Maximum Maturities.** To the extent possible, the ~~investment officer~~ Investment Officer shall attempt to match the investment maturities with the anticipated cash flow requirements of the County. Unless designated as long-term funds or matched to a specific cash flow, the County will not invest its pooled investment funds directly in securities maturing more than ~~five (5)~~ ten (10) years from the date of purchase, other than the portion of the pooled funds determined to be long-term in nature.



**3. Total Portfolio Maturity Constraints:**

<b>Maturity Constraints</b>	<b>Minimum % of Total Portfolio</b>
Under 30 days	10%
Under 1 year	25%
Under 10 years	100%
<b>Maturity Constraints Excluding SIC Funds</b>	<b>Maximum of Total Portfolio in Years</b>
Weighted Average Maturity	3.0 Years
<b>Security Structure Constraint</b>	<b>Maximum % of Total Portfolio</b>
Callable Agency Securities	25%

**c. Long-term Investments.** The County has institutional balances that are inherently or explicitly long-term in nature, including balances in the general county pooled investments (~~(\*)no more than 5020%~~ of the ~~total~~SIC investments in General Funds), the capital projects permanent fund, the cemetery fund, and the utility decommissioning account. These funds, reserve funds and other funds with longer-term investment horizons may be invested in securities exceeding five (5) years if the maturity of such investments are made to coincide as nearly as practicable with the expected use of funds. The intent to invest in securities with longer maturities shall be disclosed in writing to the County Council.

Investments in the New Mexico State Investment Council’s long-term investment funds shall be made in accordance with ~~the following established strategic~~ asset allocation guidelines: It is recognized that economic and market conditions will cause the asset allocations to fluctuate within the target ranges.

	<del>Target Weight</del>	<del>Target Range of</del>
<u>Principal invested</u>		
Fixed Income (Bonds)	<del>30%</del>	15-45%
Core Bond Fund	<del>20%</del>	<del>10-35</del> 5%
High Yield Bond Fund	<del>10%</del>	<del>0-20%</del>
Domestic Equity	<del>55%</del>	35-75%
Large Cap. Active and Index Funds	<del>40%</del>	<del>20</del> 10-60%
Mid/Small Cap. Active Fund	<del>15%</del>	5-30%
International Equity	<del>15%</del>	5-25%
Non-U.S. Active Fund	<del>12%</del>	5-20%
Emerging Markets Fund	<del>3%</del>	0-10%

~~It is recognized that economic and market conditions will cause the asset allocations to fluctuate within the target ranges.~~

4.

**d. Collateralization.** New Mexico state law ~~require~~requires that all certificates of deposit, money market, checking accounts, and any other investments not backed by the full faith and credit of the United States Government, other than investments in the New Mexico State Investment

Council long-term investment funds, ~~must be secured by pledged collateral of at least collateralized at~~ 50 percent of the current market value. ~~The County requires that, at all times, pledged collateral be equal to, or greater than, 100 percent of the current market value of the County's applicable investments.~~ This collateral ~~will~~shall be pledged in the name of the County and held by a third party institution, Federal Reserve Bank, or by a trust institution within the same bank as approved by the ~~investment officer.~~Investment Officer. The institution ~~will~~shall issue safekeeping receipts to the County for securities held by a third party. ~~The County will require that at all times, pledged collateral will be equal to, or greater than, 50 percent of the current market value of the County's applicable investments.~~

## XII. GUIDELINE MEASUREMENTS

### a. Compliance.

- ii. If the investment portfolio falls outside of compliance with this deposit and investment policy or is being managed inconsistently with this policy, the Investment Officer shall bring the portfolio back into compliance in a prudent manner and as soon as prudently feasible.
- iii. All action and violations of this deposit and investment policy (transactions, actions to bring the portfolio back into compliance, and reasoning for actions taken to bring the portfolio back into compliance) shall be documented and reported to the County Manager in a timely manner.
- iv. Due to fluctuations in the aggregate surplus funds balance, maximum percentages for a particular issuer or investment type may be exceeded at a point in time. Securities need not be liquidated to realign the portfolio; however, consideration should be given to this matter when future purchases are made to ensure that appropriate diversification is maintained.

### b. Performance Standards. The investment portfolio shall be managed in accordance with the parameters specified within this policy.

- i. The County yields will be compared to the LGIP rates.
- ii. The investment portfolio shall be invested into a predetermined structure that shall be measured against a selected benchmark portfolio. The structure shall be based upon a chosen minimum and maximum effective duration and shall have the objective to achieve market rates of returns over long investment horizons. The purpose of the benchmark is to appropriately manage the risk in the portfolio given interest rate cycles. The core portfolio is expected to provide similar returns to the benchmark over interest rate cycles but may underperform or overperform in certain periods. The portfolio shall be positioned to first protect principal and then achieve market rates of return. The benchmark used shall be a 0-3 year or 0-5 year standard market index and comparisons shall be calculated monthly and reported quarterly.
- iii. When comparing the performance of the County's portfolio, all fees and expenses involved with managing the portfolio shall be included in the computation of the portfolio's rate of return.
- iv. The mark to market pricing will be calculated monthly and be provided in a monthly report.

### c. Monitoring and Portfolio Adjustment. This policy sets forth concentration constraints and minimum credit ratings for each type of security. These limits apply to the initial purchase of a security and do not

automatically trigger the sale of a security as the portfolio value fluctuates or in the event of credit rating downgrade. As a general practice, securities will be purchased with the intent to hold to maturity. However, it is acceptable for securities to be sold under the following circumstances:

i. A security with declining credit may be sold early to minimize loss of principal;

~~5. Local Preference for Investing. The investment officer will, whenever possible, try to invest funds which benefit the local economy on a competitive bid basis. The County code allows preference be given to local qualified financial institutions whenever competing bids from out of town qualified financial institutions do not exceed the highest bid from the local financial institutions.~~

ii. The portfolio duration or maturity buckets should be adjusted to better reflect the structure of the underlying benchmark portfolio;

iii. A security exchange that would improve the quality, yield and target maturity of the portfolio based on market conditions;

iv. A sale of a security to provide for unforeseen liquidity needs.

#### **VI.XIII. REPORTING**

a. 1. Methods. The ~~investment officer~~Investment Officer shall prepare an investment report at least ~~quarterly~~annually, including a management summary ~~that provides an analysis of the status of the current investment portfolio and transactions made over the reporting period. This.~~The management summary ~~will~~shall be prepared in a manner ~~which will~~to allow the County to ascertain whether investment activities during the reporting period have conformed to the deposit and investment policy. The report ~~should~~shall be provided to the County ~~Administrator~~Manager and the County Council. The report ~~will~~shall include the following:

~~a.i.~~ i. Listing of individual securities held at the end of the reporting period ~~, and~~

~~b.ii.~~ ii. Changes from the previous report ~~, and~~

~~e.iii.~~ iii. Schedule of collateral ~~, and~~

~~d.iv.~~ iv. The cost and market value of individual securities ~~, and~~

~~e.v.~~ v. Average weighted yield to maturity of portfolio on investments as compared to applicable benchmarks ~~, and~~

~~f.vi.~~ vi. Listing of investment by maturity date ~~, and~~

~~g.vii.~~ vii. Percentage of the total portfolio of which each type of investment represents.

~~2.~~

#### **XIV. BUSINESS CONTINUITY**

The Investment Officer shall implement procedures that maintain continuity of operations related to the investment program while also maintaining proper internal controls. Some examples include:

- Utilize Advisor to access investment data and monitor trades with brokers even when working remotely.
- Centralized investment software that allows personnel to access data for conducting daily funding and accounting of investment settlements.
- Report of daily transactions to and from safekeeping.
- Recording of deposits and withdrawals to and from LGIP.
- Journal entries of net investments and cash activity related to investments.
- Maintenance of written procedures and documentation that provide guidance and instruction in the absence of Investment Officer.

~~Performance Standards—The investment portfolio will be managed in accordance with the parameters specified within this policy. A set of appropriate benchmarks shall be selected to use in evaluating portfolio performance on a regular basis.~~

**VII.XV. POLICY CONSIDERATIONS ADOPTION**

1. ~~Exemption.~~ Any investment currently held that does not meet the guidelines of this policy shall be exempted from the requirements of this policy. At maturity or liquidation, such monies shall be reinvested only as provided by this policy.

2. ~~Amendments.~~ This policy shall be reviewed by the ~~investment officer on an annual basis~~ Investment Officer every two years and be revised to reflect changes in policy required by a changing investment market, changes required by federal, state or local laws, or changes to ~~administrative~~ County policy. Any changes must be approved by the County Council.

first adopted by the Council, December 20, 1993  
updated by Council action, July 10, 1995  
updated by Council action, October 3, 2000  
updated by Council action, May 24, 2005  
Updated by Council action on May 28, 2024.



INCORPORATED COUNTY OF LOS ALAMOS  
DEPOSIT AND INVESTMENT POLICY  
2024 Draft

## TABLE OF CONTENTS

I. INTRODUCTION .....	3
II. POLICY STATEMENT.....	3
III. GOVERNMENT AUTHORITY.....	3
IV. SCOPE .....	3
V. GENERAL OBJECTIVES.....	4
VI. IDENTIFICATION OF STRATEGY.....	4
VII. STANDARDS OF CARE .....	5
VIII. AUTHORIZED FINANCIAL DEALERS, ADVISORS AND INSTITUTIONS.....	5
IX. SAFEKEEPING, CUSTODY AND CONTROLS.....	7
X. AUTHORIZED INVESTMENTS .....	7
XI. INVESTMENT PARAMETERS .....	9
XII. GUIDELINE MEASUREMENTS .....	11
XIII. REPORTING.....	12
XIV. BUSINESS CONTINUITY.....	12
XV. POLICY ADOPTION.....	12

**I. INTRODUCTION**

The Incorporated County of Los Alamos (County) is governed by a Charter, and a Municipal Code of Ordinances, and applicable state and federal laws. The County exercises powers of a county and a municipal corporation under the constitution and laws of the State of New Mexico. Section 103 of the County Charter provides for maximum self-government and home-rule powers as provided in Article X, Section 6, of the Constitution of the State of New Mexico and in the Municipal Charter Act.

**II. POLICY STATEMENT**

The County has unrestricted general funds, debt service funds, capital project funds and permanent funds. It is imperative that the County forecast cash flow needs to ensure that liabilities can be paid in a timely manner. Managing deposits and investments requires the County to protect these financial assets from material loss by minimizing market risk, interest rate fluctuations, credit risk and liquidity. Once sufficient liquidity is ensured and risk is minimized, the County focuses on maximizing total return on invested assets.

**III. GOVERNING AUTHORITY**

The deposit and investment of County funds is addressed in the Municipal Code Chapter 20, Article IV – “Deposit and Investment of County Funds”. The Investment Officer is defined under Section 20-402 as the Chief Financial Officer or designee.

The County’s deposits and investments shall be operated in conformance with County Code, New Mexico State law, and applicable Federal law; specifically, this deposit and investment policy is written in conformance with §6-10-10, NMSA 1978. All funds within the scope of this policy are subject to all applicable laws. Any amendments to state law shall be incorporated into this policy as appropriate for the County Investment program.

**IV. SCOPE**

This policy applies to the deposits and investments of the County.

General Funds: Most cash belonging to all funds (excluding certain segregated and restricted cash and investment balances) is pooled into one common account to optimize investment opportunities. Each fund whose monies are deposited in the pooled cash account has equity therein. Interest earned on the investment of these monies is allocated to substantially all of the County’s funds based upon relative equity at year-end. Funds that are solely funded by transfers from the general fund and certain grant funds may not receive interest income. Significant negative balances incurred in pooled cash at year-end are treated as interfund receivables of the General Fund and interfund payables of the deficit fund, except where the deficit fund has liquid investments to offset the deficit in pooled cash. In such cases, the investments are shown net of the pooled cash deficit.

Capital Projects Permanent Funds: The Capital Projects Permanent Fund accounts for amounts set aside by the County Council and the County Charter for capital projects. These amounts are designated for long-term investing. The real value of the fund principal is required by County Charter to be maintained at an annual level that keeps pace with the implicit price deflator for the gross domestic product (GDP). The permanent fund has a portion of fund balance Restricted for Income Stabilization in accordance with County Code Sec. 20-361. This arrangement establishes a cushion in the fund, to allow market fluctuations affect the stabilization balance without impacting the real value of principal.

Cemetery Funds: The Cemetery Fund is a permanent fund set aside for the perpetual care of the Guaje Pines Cemetery. Sixty percent of all funds received from the sale of cemetery spaces is maintained in the perpetual fund and is designated for long-term investing.

Utility Funds: Utility funds shall be invested according to this deposit and investment policy.

Unexpended Bond Proceeds: Federal income laws generally restrict the ability to earn arbitrage in connection with tax-exempt bonds. Every attempt shall be made to eliminate or minimize negative arbitrage.

**V. GENERAL OBJECTIVES**

All funds shall be invested in a manner that is in conformance with applicable federal, state and other legal requirements. In addition, the objectives of the investment activities, in order of priority, will be Safety, Liquidity, and Return. Details on these objectives are as follows:

- a. **Safety:** Safety of principal is the foremost objective of the investments. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall investment portfolio. The objective shall be to minimize credit risk and interest rate risk.
  - i. **Credit Risk.** The County shall minimize credit risk and the risk of loss due to the failure of the security issuer or backer, by:
    - Limiting investments to securities as authorized in Section X. “Authorized Investments” of this policy ;
    - Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisers with which the County does business; and
    - Diversifying the investment portfolio so that potential losses on individual securities will be minimized.
  - ii. **Interest Rate Risk.** The County shall minimize the risk of the decline of market value of securities due to changes in the general level of interest rates, by:
    - Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations while also satisfying requirements for cash reserves, thereby avoiding the need to sell securities on the open market prior to maturity.
- b. **Liquidity:** The investment portfolio shall remain sufficiently liquid to meet all cash flow requirements that may be reasonably anticipated. This is accomplished by structuring the investment portfolio so that securities mature concurrent with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the investment portfolio of operating investments should consist largely of securities with active secondary or resale markets (dynamic liquidity).
- c. **Return on Investment:** Return on investment is of secondary importance compared to the safety and liquidity objectives described above. Within the constraints of prudent safety and liquidity parameters listed above, the investment portfolio shall be designed with the objective of attaining a market rate of return. Total returns shall be maximized within these constraints.

**VI. IDENTIFICATION OF STRATEGY**

**Liquidity Funds:** Investments that are needed for ongoing disbursements for the operations and project funds of the County.



**Investment Funds:** Intermediate to Short Duration Portfolio of allowable investments that is funded by excess liquidity balances of the County.

**Permanent Funds:** Longer-term Portfolio that is invested to achieve optimal investment returns over longer term investment horizons.

**VII. STANDARDS OF CARE**

- a. **Delegation of Authority:** The ultimate responsibility and authority for the investment of County funds resides with the governing body – the Los Alamos County Council. The County hereby designates the Chief Financial Officer, as the Investment Officer, to manage the investment program and ensure compliance with this deposit and investment policy, designate eligible investment institutions, review periodic investment reports and monitor investment transactions.

The Investment Officer may designate personnel under the Investment Officer supervision to administer the policy, place investments, maintain accounting records, and prepare investment reports. The Investment Officer shall review this deposit and investment policy every two years. Any revisions to the policy shall be presented to County Council for approval.

- b. **Prudence:** The prudence which is to be used by the Investment Officer investing and depositing County funds shall be in accordance with the provisions of § 6-8-10, NMSA 1978 which states, "Investments shall be made with judgement and care; under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation but for investment, considering the probable safety of their capital as well as the probable income to be derived." As part of the Prudent Person Rule, the Investment Officer shall also be subject to the provisions of § 45-7-601 through § 45-7-612, NMSA 1978 (the "Uniform Prudent Investor Act").
- c. **Ethics:** The Investment Officer and any and all investment officials shall refrain from personal business activity that could conflict with the proper execution of the County's deposit and investment policy or which could affect or impair their ability to make impartial decisions on behalf of the County.

**VIII. AUTHORIZED FINANCIAL DEALERS, ADVISORS AND INSTITUTIONS**

The Finance Division of the Administrative Services Department will maintain a list of financial institutions and a list of security broker/dealers that are approved for investment purposes in accordance with the criteria noted below. Additions or deletions to/from the list will be made at the County's discretion. The Finance Division shall maintain proof of all the necessary credentials and licenses held by employees of the broker/dealers who will have contact with the County, including but not limited to the Financial Industry Regulatory Authority (FINRA), Securities and Exchange Commission (SEC), etc. If an Investment Advisor is contracted to manage the broker/dealer transaction then section b. will apply.

- a. **Broker/Dealers:** The Investment Officer shall determine which broker/dealer firms and registered representatives are authorized for the purposes of investing funds within the scope of this policy. The following minimum criteria must be met prior to authorizing investment transactions.
  - i. Proof of Financial Industry Regulatory Authority (FINRA) certification, and
  - ii. Proof of New Mexico state registration, and
  - iii. Minimum of five (5) years of current and continuous employment history involving fixed income securities, and
  - iv. Certification of having read and understood and agreeing to comply with the County's deposit and investment policy.

The Investment Officer may impose more stringent criteria.

If an investment advisor firm is retained by the County to execute transactions on behalf of the County, the investment advisor may be granted the authority to execute investment trades and transactions from their approved list of authorized broker/dealers and financial institutions as long as they use due diligence similar to that of the County. The investment advisor shall provide its authorized broker/dealers and financial institutions list to the County annually.

**b. Investment Advisors:** Investment advisors may be utilized to manage County funds and must meet the following broker/dealer criteria:

- i. The firm must be registered with the Securities and Exchange Commission (SEC) or be licensed by the state of New Mexico, and
- ii. All investment advisor firm representatives conducting investment advice/transactions on behalf of the County must be registered representatives with FINRA, and
- iii. All investment advisor firm representatives conducting investment advice/transactions on behalf of the County must be licensed by the state of New Mexico, and
- iv. The investment advisor shall comply with the County's deposit and investment policy, and such obligation shall be included in the County's contract with the investment advisor, and
- v. The investment advisor must notify the County immediately if any of the following issues arise while providing services under a County contract:

- Pending investigations by securities regulators,
- Significant changes in net capital,
- Pending customer arbitration cases,
- Regulatory enforcement actions, or
- Any other issues which come to the attention of the investment advisor that may negatively affect the contractual relationship of the investment advisor or with the County

**c. Financial Institutions:** In selecting financial institutions for the deposit of County money or collateral, the Investment Officer will consider, among other things, the creditworthiness of the institutions. The Investment Officer will monitor the financial institutions' credit characteristics and financial history throughout the period in which County funds or collateral are deposited and will report the results of such monitoring to the County Manager, as appropriate. Each depository will be required at all times to collateralize County deposits and investments in compliance with this Policy.

**d. Competitive Transactions:** The County shall transact all securities purchases and sales on a competitive pricing basis, based on the following criteria:

- i. At least three pricing sources will be documented on each transaction.
- ii. If only one dealer owns the security, comparable securities may be used to document the pricing.
- iii. Electronic trading is the preferred option for the purchase or sale of a security.
- iv. The County's investment advisor under contract that is providing investment management services shall maintain documentation of competitive pricing execution on each transaction. The investment advisor shall retain documentation and provide to County upon request.
- v. A Local Financial Institution may be considered in the event the competitive bids warrant similar yields to market.

**IX. SAFEKEEPING, CUSTODY AND CONTROLS**

- a. **Safekeeping of Securities:** All investment securities other than local financial institution Certificates of Deposit purchased by the County shall be held in third-party safekeeping by an institution acceptable to the County. All securities shall be kept and recorded based on the terms of the custodial contract.

All trades of marketable securities shall be executed on a delivery vs payment (DVP) basis or contracted settlement per custodian agreement to ensure that securities are deposited in the County’s safekeeping institution prior to the release of funds. The County shall have online access through the safekeeping bank for verification of the account holdings and transactions.

- b. **Internal Controls:** The Investment Officer is responsible for documenting and maintaining a system of internal controls designed to ensure that the assets of the County are protected from loss, theft or misuse. The internal controls and compliance thereof shall be reviewed by independent auditors on an annual basis. The Investment Officer shall review the systems of controls periodically to ensure such controls are effective and that the County is complying with such controls.

The internal controls shall address the following points:

- i. Compliance with this deposit and investment policy constraints and requirements, and
  - ii. Clear delegation of authority, and
  - iii. Segregation of duties and separation of responsibilities for trade execution, accounting and recordkeeping, and
  - iv. Custodial safekeeping, and
  - v. Timely reconciliation of custodial reports, and
  - vi. Appropriate security for online transactions and access to bank accounts and bank data, and
  - vii. Review, maintenance and monitoring of security procedures both manual and automated, and
  - viii. Dual controls over entry and authorizations of wire and automated clearing house (ACH) transfers, and
  - ix. Written confirmation of transactions for investments and wire transfers.
- c. **Accounting Method:** The County shall comply with all required legal provisions and applicable Generally Accepted Accounting Principles (GAAP). The GAAP are those contained in the pronouncements of authoritative bodies including but not limited to, the Governmental Accounting Standards Board (GASB); the American Institute of Certified Public Accountants (AICPA); and the Financial Accounting Standards Board (FASB).
  - d. **Pooling of Funds:** Except for cash in certain restricted and special funds, the County may consolidate balances from all funds to maximize investment earnings. Investment income shall be allocated to the various funds based on their respective cash equity and in accordance with GAAP.
  - e. **Authorized Signatures:** The Finance Division shall maintain a list of all authorized signatories for all authorized County bank and investment accounts. The County Council shall approve this list at least annually or whenever a signature is added or deleted from the master list, which ever is sooner.

**X. AUTHORIZED INVESTMENTS**

The County’s authorized asset classes and investment types are prescribed under Chapter 6, Article 10 of the New Mexico Statutes Annotated, NMSA 1978, Sections 6-10-10, 6-10-10-1, 6-10-16 and 6-10-36. All deposits and investments set forth in paragraphs a( i. – xiii.) below must have readily ascertainable market value and be easily marketable.

- a. **Allowable investments** are as follows:
- i. **US Treasury Obligations:** Securities that are issued and backed by the full faith and credit of the United States government; and
  - ii. **US Agency Obligations:** issued by its agencies or instrumentalities, including securities issued by federal home loan banks, the federal home loan mortgage corporation, the federal national mortgage association, the federal farm credit banks funding corporation, the federal agricultural mortgage corporation or the government national mortgage association and that have a maturity date that does not exceed ten years from the date of purchase; and
  - iii. **Municipal Bonds:** Bonds or negotiable securities of the state of New Mexico, or a county, municipality or school district that has a taxable valuation of real property for the last preceding year of at least one million dollars (\$1,000,000) and that has not defaulted in the payment of any interest or sinking fund obligation or failed to meet any bonds at maturity at any time within five years last preceding and that have a maturity date that does not exceed ten years from the date of purchase; and
  - iv. **Federally Insured Obligations:** Federally insured obligations, including brokered certificates of deposit, certificate of deposit account registry service issues, and federally insured cash accounts; and
  - v. **State Investment Council Managed Funds:** Shares of pooled investment funds managed by the state Investment Officer, as provided in Subsection I of Section 6-8-7 NMSA 1978; provided that the County Council may allow reasonable administrative and investment expenses to be paid directly from the income or assets of these investments; and
  - vi. **Commercial Paper:** Commercial paper rated "A1" or "P1", also known as "prime" quality, by a nationally recognized statistical rating organization, issued by corporations organized and operating within the United States and having a maturity at purchase of no longer than one hundred eighty days; and
  - vii. **Money Market Funds:** Shares of an open-ended diversified investment company that: (a) is registered with the United States Securities and Exchange Commission; (b) complies with the diversification, quality and maturity requirements of Rule 2a-7, or any successor rule, of the United States Securities and Exchange Commission applicable to money market mutual funds; and assesses no fees to 12-b1 or any successor fee per SEC; and
  - viii. **Repurchase Agreements:** Contracts that involve present purchase and resale at a specified time in the future of specific securities at specified prices at a price differential representing the interest income to be earned by the investor. The contract shall be fully secured by obligations of the United States or the securities of its agencies, instrumentalities or United States government sponsored enterprises having a market value of at least one hundred two percent of the contract. The collateral required for investment in the contracts provided for in this subsection shall be shown on the books of the financial institution as being the property of the investor and the designation shall be contemporaneous with the investment; and
  - ix. **State LGIP:** The State of New Mexico Treasurer's investment pool was created under § 6.10.10.1, NMSA 1978. The Local Government Investment Pool provides for the pooled investments of New Mexico governmental bodies that is professionally managed to the State Treasurer's office. The LGIP must maintain a minimum rating of "AA" by a nationally recognized statistical rating organization; and

- x. **Certificate of Deposit:** Term Deposits issued as certificates of any bank or savings and loan association designated as a depository of public money shall deliver securities of the kind specified in Section 6-10-16 NMSA 1978 to a custodial bank described in Section 6-10-21 NMSA 1978 and shall deliver a joint safekeeping receipt issued by the custodial bank. The securities delivered shall have an aggregate value equal to one times (100% collateral) the amount of the funds received; and
- xi. **Bank Deposits:** Deposits may be made in noninterest-bearing checking accounts or in interest bearing accounts in one or more banks or savings and loan associations designated as checking depositories. In addition, deposits of funds may be in noninterest-bearing accounts in one or more credit unions designated as checking depositories located within the geographical boundaries of the governmental unit to the extent the deposits are insured by an agency of the United States. To be pledged in the name of Los Alamos County, collateralization of all deposits must be at all times 100% collateralized in the amount of funds held.

**XI. INVESTMENT PARAMETERS**

- a. **Diversification.** It is the policy of the County to diversify its investment portfolios to the extent reasonably practical. Assets shall be diversified to reduce the risk of loss resulting from an over-concentration of assets in a specific maturity, a specific issuer or a specific class of securities. Portfolio maturities may be laddered to avoid undue concentration of assets in a specific maturity sector and to reflect cash flow requirements. The County may choose any variation of the following, and is limited to 100% of the amount of its investment.

**Total Portfolio Diversification Constraints:**

Issue Type	Maximum % Holdings	Maximum % per Issuer	Ratings S&P, Moody's or Equivalent NRSRO	Years to Maturity
US Treasury Obligations	100%	N/A	N/A	10 Years
US Agency Obligations	100%	35%	N/A	10 Years
Municipal Bonds	25%	5%	AA- / Aa3	10 Years
Federally Insured Products	25%	10%	FDIC Insured	N/A
SIC Managed Funds	50%*	N/A	N/A	N/A
Commercial Paper	20%	5%	A1 / P1	180 Days
Money Market Funds	20%	N/A	AAA	N/A
Repurchase Agreements	10%	5%	N/A	3 Years
State LGIP	100%	N/A	AA / Aa2	N/A
Certificates of Deposit	20%	5%	LAC Required collateral	5 Years
Bank Deposits - Collateralized	100%	N/A	LAC Required collateral	N/A

- b. **Maximum Maturities.** To the extent possible, the Investment Officer shall attempt to match the investment maturities with the anticipated cash flow requirements of the County. Unless designated as long-term funds or matched to a specific cash flow, the County will not invest its pooled

investment funds directly in securities maturing more than ten (10) years from the date of purchase, other than the portion of the pooled funds determined to be long-term in nature.

**Total Portfolio Maturity Constraints:**

<b>Maturity Constraints</b>	<b>Minimum % of Total Portfolio</b>
Under 30 days	10%
Under 1 year	25%
Under 10 years	100%
<b>Maturity Constraints Excluding SIC Funds</b>	<b>Maximum of Total Portfolio in Years</b>
Weighted Average Maturity	3.0 Years
<b>Security Structure Constraint</b>	<b>Maximum % of Total Portfolio</b>
Callable Agency Securities	25%

- c. Long-term Investments.** The County has institutional balances that are inherently or explicitly long-term in nature, including balances in the general county pooled investments (\*no more than 20% of the SIC investments in General Funds), the capital projects permanent fund, the cemetery fund, and the utility decommissioning account. These funds, reserve funds and other funds with longer-term investment horizons may be invested in securities exceeding five (5) years if the maturity of such investments are made to coincide as nearly as practicable with the expected use of funds. The intent to invest in securities with longer maturities shall be disclosed in writing to the County Council.

Investments in the New Mexico State Investment Council’s long-term investment funds shall be made in accordance with established strategic asset allocation guidelines. It is recognized that economic and market conditions will cause the asset allocations to fluctuate within the target ranges.

	<u>Target Range of Principal invested</u>
Fixed Income (Bonds)	15-45%
Core Bond Fund	10-45%
High Yield Bond Fund	0-20%
Domestic Equity	35-75%
Large Cap. Active and Index Funds	10-60%
Mid/Small Cap. Active Fund	5-30%
International Equity	5-25%
Non-U.S. Active Fund	5-20%
Emerging Markets Fund	0-10%

- d. Collateralization.** New Mexico state law requires that all certificates of deposit, money market, checking accounts, and any other investments not backed by the full faith and credit of the United States Government, other than investments in the New Mexico State Investment Council long-term investment funds, must be collateralized at 50 percent of the current market value. The County requires that, at all times, pledged collateral be equal to, or greater than, 100 percent of the current market value of the County's applicable investments. This collateral shall be pledged in the name of the County and held by a third party institution, Federal Reserve Bank, or by a trust

institution within the same bank as approved by the Investment Officer. The institution shall issue safekeeping receipts to the County for securities held by a third party.

**XII. GUIDELINE MEASUREMENTS**

**a. Compliance.**

- ii. If the investment portfolio falls outside of compliance with this deposit and investment policy or is being managed inconsistently with this policy, the Investment Officer shall bring the portfolio back into compliance in a prudent manner and as soon as prudently feasible.
- iii. All action and violations of this deposit and investment policy (transactions, actions to bring the portfolio back into compliance, and reasoning for actions taken to bring the portfolio back into compliance) shall be documented and reported to the County Manager in a timely manner.
- iv. Due to fluctuations in the aggregate surplus funds balance, maximum percentages for a particular issuer or investment type may be exceeded at a point in time. Securities need not be liquidated to realign the portfolio; however, consideration should be given to this matter when future purchases are made to ensure that appropriate diversification is maintained.

**b. Performance Standards.** The investment portfolio shall be managed in accordance with the parameters specified within this policy.

- i. The County yields will be compared to the LGIP rates.
- ii. The investment portfolio shall be invested into a predetermined structure that shall be measured against a selected benchmark portfolio. The structure shall be based upon a chosen minimum and maximum effective duration and shall have the objective to achieve market rates of returns over long investment horizons. The purpose of the benchmark is to appropriately manage the risk in the portfolio given interest rate cycles. The core portfolio is expected to provide similar returns to the benchmark over interest rate cycles but may underperform or overperform in certain periods. The portfolio shall be positioned to first protect principal and then achieve market rates of return. The benchmark used shall be a 0-3 year or 0-5 year standard market index and comparisons shall be calculated monthly and reported quarterly.
- iii. When comparing the performance of the County's portfolio, all fees and expenses involved with managing the portfolio shall be included in the computation of the portfolio's rate of return.
- iv. The mark to market pricing will be calculated monthly and be provided in a monthly report.

**c. Monitoring and Portfolio Adjustment.** This policy sets forth concentration constraints and minimum credit ratings for each type of security. These limits apply to the initial purchase of a security and do not automatically trigger the sale of a security as the portfolio value fluctuates or in the event of credit rating downgrade. As a general practice, securities will be purchased with the intent to hold to maturity. However, it is acceptable for securities to be sold under the following circumstances:

- i. A security with declining credit may be sold early to minimize loss of principal;
- ii. The portfolio duration or maturity buckets should be adjusted to better reflect the structure of the underlying benchmark portfolio;



- iii. A security exchange that would improve the quality, yield and target maturity of the portfolio based on market conditions;
- iv. A sale of a security to provide for unforeseen liquidity needs.

### **XIII. REPORTING**

**a. Methods.** The Investment Officer shall prepare an investment report at least annually, including a management summary. The management summary shall be prepared in a manner to allow the County to ascertain whether investment activities during the reporting period have conformed to the deposit and investment policy. The report shall be provided to the County Manager and the County Council. The report shall include the following:

- i. Listing of individual securities held at the end of the reporting period, and
- ii. Changes from the previous report, and
- iii. Schedule of collateral, and
- iv. The cost and market value of individual securities, and
- v. Average weighted yield to maturity of portfolio on investments as compared to applicable benchmarks, and
- vi. Listing of investment by maturity date, and
- vii. Percentage of the total portfolio of which each type of investment represents.

### **XIV. BUSINESS CONTINUITY**

The Investment Officer shall implement procedures that maintain continuity of operations related to the investment program while also maintaining proper internal controls. Some examples include:

- Utilize Advisor to access investment data and monitor trades with brokers even when working remotely.
- Centralized investment software that allows personnel to access data for conducting daily funding and accounting of investment settlements.
- Report of daily transactions to and from safekeeping.
- Recording of deposits and withdrawals to and from LGIP.
- Journal entries of net investments and cash activity related to investments.
- Maintenance of written procedures and documentation that provide guidance and instruction in the absence of Investment Officer.

### **XV. POLICY ADOPTION**

This policy shall be reviewed by the Investment Officer every two years and be revised to reflect changes in policy required by a changing investment market, changes required by federal, state or local laws, or changes to County policy. Any changes must be approved by the County Council.

first adopted by the Council, December 20, 1993  
updated by Council action, July 10, 1995  
updated by Council action, October 3, 2000  
updated by Council action, May 24, 2005  
Updated by Council action on May 28, 2024.



# County of Los Alamos

Los Alamos, NM 87544  
www.losalamosnm.us

## Staff Report

June 11, 2024

---

<b>Agenda No.:</b>	C.
<b>Index (Council Goals):</b>	DPU FY2022 - 2.0 Achieve and Maintain Excellence in Financial Performance; Quality Governance - Fiscal Stewardship
<b>Presenters:</b>	Karen Kendall, Deputy Utilities Manager - Finance and Erika Thomas, Budget and Performance Manager
<b>Legislative File:</b>	18821-24

---

### Title

Approval of Budget Revision 2024-69 DPU Year-End

### Recommended Action

**I move that County Council approve Budget Revision 2024-69 as summarized in Attachment A and that the attachment be made a part of the minutes.**

### ..Utilities Manager's Recommendation

The Utilities Manager recommends that Council approve the motion as presented.

### ..Boards, Commission or Committee Recommendation

The Board of Public Utilities approved this request on June 5, 2024 and recommends that Council approve Budget Revision 2024-69 as presented.

### Body

The purpose of this budget revision is to make budget modifications necessary for year-end related to proper distribution of labor between Gas, Water and Sewer for GWS work performed; to pay off four loans with the state to free up pledged revenues and to properly distribute debt service expenditures between funds. See attachment A for details of the revision.

### Alternatives

If the budget revision is not approved, the Gas and Water Funds will be over-budget for labor and benefits.

### Fiscal and Staff Impact

The net impact on the Joint Utilities Fund is an increase of expenditures and a decrease in fund balance of \$86,921 for the early pay off of four loans. There is no net impact on the Joint Utilities Fund for the labor and debt service portions of the budget revision.

### Attachments

A - 2024-69 Budget Revision

### Budget Revision 2024-69

BPU Meeting Date: June 5, 2024

Council Meeting Date: June 25, 2024

	Fund & Department	Org	Object	Revenue (decrease)	Expenditures (decrease)	Transfers In(Out)	Fund Balance (decrease)
1	Joint Utilities Fund - Wastewater (early pay off of loans)	55185540	89xx	\$ -	\$ 9,975	\$ -	\$ (9,975)
2	Joint Utilities Fund - Water Production (early pay off of three loans)	54285665	89xx	\$ -	\$ 76,946	\$ -	\$ (76,946)
3	Joint Utilities Fund - Gas (correct labor allocation for GWS)	531xx	8111-82xx	\$ -	\$ 160,000	\$ -	\$ (160,000)
4	Joint Utilities Fund - Water Distribution (correct labor allocation for GWS)	541xx	8111-82xx	\$ -	\$ 80,000	\$ -	\$ (80,000)
5	Joint Utilities Fund - Water Production (correct labor allocation for GWS)	542xx	8111-82xx	\$ -	\$ 40,000	\$ -	\$ (40,000)
6	Joint Utilities Fund - Wastewater (correct labor allocation for GWS)	551xx	8111-82xx	\$ -	\$ (280,000)	\$ -	\$ 280,000
7	Joint Utilities Fund - Electric Distribution (correct labor allocation for GWS)	51285255	8961	\$ -	\$ 56,578	\$ -	\$ (56,578)
8	Joint Utilities Fund - Water Production (correct labor allocation for GWS)	54285665	8933	\$ -	\$ (161,793)	\$ -	\$ 161,793
9	Joint Utilities Fund - Wastewater (correct labor allocation for GWS)	55185540	89xx	\$ -	\$ 105,215	\$ -	\$ (105,215)

**Description:** The purpose of this budget revision is to make budget modifications necessary for year-end related to proper distribution of labor between Gas, Water and Sewer for GWS work performed; to pay off four loans with the state to free up pledged revenues and to properly distribute debt service between funds.

**Fiscal Impact:** The net fiscal impact to the Joint Utilities Fund is an increase in expenditures and decrease in fund balance by \$86,921.

*Karen Kendall*

05/31/2024

Preparer

Date

*Erika Thomas*

Budget & Performance Manager



# County of Los Alamos

Los Alamos, NM 87544  
www.losalamosnm.us

## Staff Report

June 11, 2024

---

**Agenda No.:** D.

**Index (Council Goals):** Quality Governance - Fiscal Stewardship

**Presenters:** Erika Thomas, Budget and Performance Manager and Melissa Dadzie, Chief Financial Officer

**Legislative File:** 18835-24

---

### **Title**

Approval of Budget Revision 2024-67 to Budget Carryover Funds for the Wayfinding Project

### **Recommended Action**

**I move that Council approve Budget Revision 2024-67 as summarized on Attachment A and the attachments be made part of the minutes of this meeting.**

### **County Manager's Recommendation**

The County Manager recommends that Council approve Budget Revision 2024-67 as requested.

### **Body**

The Community Development Division (CDD) was approved for additional funding in prior fiscal years (FY 21 and FY 22) for the Wayfinding Project. CDD is requesting to carry over \$450,800 to ensure completion of the project.

### **Alternatives**

Council could choose not to approve Budget Revision 2024-67, budget tied to the project would not be fulfilled.

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

Financial impact is summarized in the attached budget revision and grant summary.

### **Attachments**

A - Budget Revision 2024-67

## Budget Council Revision 2024-67

Council Date: 06/11/2024

	Fund & Department	Org	Object	Revenue (decrease)	Expenditures (decrease)	Transfers In(Out)	Fund Balance (decrease)
1	Community Development Division	01145110	8369		\$ 450,800		\$ (450,800)
2							\$ -
3							\$ -
4							\$ -
5							\$ -
6							\$ -
7							\$ -
8							\$ -
9							\$ -
10							\$ -
<b>Description: The purpose of this budget adjustment is to budget carryover funds for the Wayfinding Project that were approved in prior fiscal years but were not carried over.</b>							
<b>Fiscal Impact: \$450,800</b>							



# County of Los Alamos

Los Alamos, NM 87544  
www.losalamosnm.us

## Staff Report

June 11, 2024

---

**Agenda No.:** E.  
**Index (Council Goals):**  
**Presenters:** Lori Padilla, Jessica Strong and Keith Lepsch  
**Legislative File:** 18843-24

---

### Title

Board/Commission Appointment(s) - Los Alamos County Health Council

### Recommended Action

**I move that Council appoint Leticia Luketich Martinez to the Los Alamos County Health Council for a term beginning on June 11, 2024 and ending on January 6, 2026.**

### County Manager's Recommendation

The County Manager recommends that Council approve the action as requested.

### Body

The purpose of this item is to fill one (1) vacancy on the Los Alamos County Health Council Board.

The applicant for this position is:

Leticia Luketich Martinez [D]

Party affiliations are noted as [D] Democrat, [R] Republican, [I] Independent, [G] Green, [L] Libertarian, [DTS] Declined to State, and [N] Not Registered to Vote.

This 15 member board has 2-year staggered terms beginning in either January 7, 2023 or January 7, 2024 and ending January 6, 2025 or January 6, 2026. It is currently composed as follows:

Lori Padilla [D]  
Morris Pongratz [I]  
Jenn Bartram [D]  
Joyce Richins [D]  
Lindsay Smith [I]  
Mary Abigail (Abbie) Nelson [I]  
Gisel Martinez [D]  
Lisa Hampton [I]  
Celeste Raffin [I]  
Jyl DeHaven [N]

The nominee's party affiliation has been verified with the Clerk's Office.

---

Currently, four vacancies remain on the Los Alamos Health Council.

Appointing the nominee will not violate the County Charter restriction concerning political party majorities on Boards and Commissions.

**Attachments**

A - LACHC Board Roster

B - Application Packet Leticia Luketich Martinez

C - Interview Panel Recommendations



2024 Updated Current Roster						
Board #	Board Member	Status	Term	Start Date	End Date	Party Affiliation
1	Lori Padilla (Chair)	In 2nd Term	2	30-Mar-21	6-Jan-25	Democrat
2	Morris Pongratz	In 2nd Term	2	30-Mar-21	6-Jan-25	Independent
3	Jenn Bartram	In 1st Term	1	6-Apr-23	6-Jan-25	Democrat
4	Joyce Richins	In 1st Term	1	6-Apr-23	6-Jan-25	Democrat
5	Lindsay Smith	In 1st Term	1	14-Nov-23	6-Jan-25	Independent
6	Mary Abigail (Abbie) Nelson	In 2nd Term	2	6-Jan-24	6-Jan-26	Independent
7	Gisel Martinez	In 2nd Term	2	6-Jan-24	6-Jan-26	Democrat
8	Lisa Hampton	In 1st Term	1	7-Jan-24	6-Jan-26	Independent
9	Celeste Raffin	In 1st Term	1	27-Feb-24	6-Jan-26	Democrat
10	Jyl DeHaven	In 1st Term		28-May-24	6-Jun-26	No party affiliation

**General Information**

All County Board and Commission members must be residents of Los Alamos County. Lodgers’ Tax Advisory Board members, except the at-large community member, do not need to be residents if they are employed/represent an attraction or hotel.

Once a resident fills out and submits this application, an interview is scheduled with the B&C's County Council liaison, the relevant staff liaison, and the B&C Chair. After the interviews, the applicants' names are presented to the full Council during a regularly scheduled Council meeting, where a vote is taken regarding the appointment of each applicant. Each applicant will be notified if they are appointed or not.

Only on-line applications will be considered.

*If you are interested in applying for Labor Relations Board, please contact Mary Tapia at 505-662-8040.*

**Profile**

Board and Commission Application

Note: Please be aware that as a public entity, the County of Los Alamos, is obligated to furnish this information to the public if requested. Note also that current LANL employees, if appointed to a Board or Commission, may be required by LANL to complete a 701 form.

**Which Boards would you like to apply for?**

County Health Council : Submitted

Leticia  
First Name

A  
Middle Initial

Luketich Martinez  
Last Name

Street Address

Suite or Apt

City

State

Postal Code

Email Address

Primary Phone

Alternate Phone

**Registered to vote in Los Alamos?**

Yes  No

**Party affiliation as registered: (Select one of the following) \***

Democrat

**How long have you lived in Los Alamos County?**

13 years

**How did you learn of this Board/Commission vacancy?**

Online meetings

**Do you currently serve on any County Board or Commission?**

Yes  No

**If yes, which one? (Los Alamos County law prohibits residents from serving concurrently on more than one County board except as expressly approved in writing by the County Council before the appointment is made.)**

---

**Community Service**

**List boards, commissions, committees, and organizations on which you are currently serving or have served. Include any offices held.**

None

---

**Employment and Education**

**List your current and past employment experience.**

August 2019-present Certified Family Nurse Practitioner Las Clinicas Del Norte January 2013-present Home Health Nurse For Giving Home Healrh June 2018 - December 2018 Certified Family Nurse Practitioner El Centro Family Heath November 2013 - February 2015 Case Manager Care Coordinator 1 Blue Cross Blue Shield of NM August 2000 - May 2014 Emergency room nurse/supervisor Presbyterian Española Hospital

**List your current and past education including any professional or vocational licenses or certificates.**

2015-2017 Chamberlain College of Nursing Masters Degree FNP track 2008-2011 Northern NM College BSN Degree 1999-2000 Northern NM College Associates Degree in Nursing 2018-present AANP Certification 2018-present CFNP license NM 2018-present DEA license 2018-present Controlled substance license 2000-present NM Registered Nurse license

---

**Interests & Experiences**

**Why would you like to serve on this particular Board or Commission?**

I would like to help to improve the health and healthcare to people of all ages in our community

**What would you like to accomplish during your tenure on this Board or Commission? (Please identify any special interests you have that led you to become interested in serving on this Board or Commission.)**

Improve the healthcare and access to healthcare within Los Alamos County

**Have you had any direct or indirect involvement with this Board or Commission or with the County staff supporting this Board or Commission or County Councilors? If so, please explain.**

---

No

**What volunteer or professional activities have you participated in that could apply to this appointment?**

---

I am a Family Nurse Practitioner who works in Los Alamos County. I currently provide services to insured and uninsured patients as well as I provide care to inmates at the Los Alamos County jail

**The time involved may be 10-15 hours per month or more. Are you able to serve the volunteer hours and attend training needed to perform your duties as an appointee?**

---

Yes

**Are there any issue or matters, financial or otherwise, that you are now or might become involved in that may come before the Board or Commission for which you seek appointment?**

---

No

---

## **General**

**Have you ever worked for Los Alamos County?**

---

Yes  No

**If yes, please list dates and department.**

---

**Are you related to any employee of Los Alamos County?**

---

Yes  No

**If yes, please indicate name and relationship.**

---

Jeffrey Culin nephew, Justin Luketich Son

**Are you aware of any potential conflicts of interest in connection to your occupation or financial holdings in relation to your responsibilities as a member of the advisory body to which you seek appointment?**

---

Yes  No

**If yes, please indicate any potential conflicts.**

---

**Are you aware of the time commitment necessary to fulfill the obligations of the Board or Commission to which you seek appointment?**

---

Yes  No

**Can you commit to approximately 10-15 hours per month to this Board or Commission to prepare for and attend monthly meetings and training as needed?**

---

Yes  No

**Are you willing to participate in Board and Commission meetings that are recorded and may be live-streamed?**

---

Yes  No

**Are you willing to have your name listed on the County Boards and Commissions public webpage?**

---

Yes  No

If you have any questions, please contact Adrienne Lovato at 505-662-8293

# LOS ALAMOS

## County Manager's Office BOARD & COMMISSION INTERVIEW QUESTIONS

Leticia Martinez  
Applicant's Name

CHC  
Board or Commission

Jessica Strong  
Interviewer Name

Monday 5/20/24  
Date/Time of Interview 8:00am

Interview Conducted:  
 ZOOM  
 Telephone

**NOTE TO INTERVIEW PANEL: Please remember to use this interview as an opportunity to share Council's directives and guidance for B&C's.**

#	Question/Documented Response
1	<p>Please tell us a little about yourself and then describe your experience, education, and training that qualify you for this Board or Commission.</p> <p>Nurse for + Nurse Practitioner - Las Clinicas Del Abote El Centro - Espanola + Los Alamos - Lots of experience w/ patient care from babies - 100!</p>
2	<p>What do you believe are the greatest issues facing the County? What do you believe are the greatest issues facing the Board/commission you applied for? [Note to interview panel: If the answer to this question appears to be off base with Council's position, please explore a little more.]</p> <p>- Access to mental health care, access to pharmacies - Addiction issues - Access to providers/referrals that take MA/MC/Uninsured - Things for teens</p>
3	<p>How do you perceive the role of County Boards and Commissions in local government?</p> <p>- I perceive it as a bridge to the community - Facilitate issues with govt officials</p>
4	<p>What specific skills do you feel are important for effective Board or Commission members? Which ones do you possess?</p> <p>- Compassion + empathy - Be non-judgemental - Communication skills - Knowledge of health care issues</p>
5	<p>What could you do, specifically, to foster a collaborative relationship between staff and the Board or Commission on which you would like to serve?</p> <p>- Collaborate + advocate, assist with id'ing gaps - Teamwork</p>



6/11

6	<p>Have you served on any Boards, Commissions or Committees (not only County B&amp;Cs – but also church groups, non-profit boards, school committees, etc.) within the last five years? What do you think was your greatest contribution during your tenure?</p> <p>- Not in many years, since kids were in school</p>
7	<p>Are you familiar with the County Charter and County Code as they apply to the Board you are applying for?</p> <p>Yes</p>
8	<p>Are you willing to take the time to attend training sessions to become more knowledgeable about your duties and responsibilities in an advisory capacity?</p> <p>Yes</p>
9	<p>Are you aware that, as a member of a Los Alamos County Board or Commission, your written communications, including e-mails, are public records (even if produced on your personal computer), and as such are subject to the New Mexico Inspection of Public Records Act. If any of these public records are requested for review/inspection under the Act you may need to produce them. Is this a deterrent to your willingness to serve on this Board?</p> <p>No</p>
10	<p>Currently, a few boards or commissions are “live streaming” their meetings (for example, the T-Board, Parks and Recreation Board, and the Planning and Zoning Commission.) In the future, this may be required of all boards. If you’re applying for one of the boards currently streaming or if it becomes a requirement for all B&amp;Cs to stream, is this - or will this - be a deterrent to your willingness to serve?</p> <p>No</p>
11	<p><i>[Interview panel: Ask questions you think necessary for clarification of the written answers this applicant provided as part of their application.]</i></p> <p>- Explained sub-committees, maybe need addt</p>
12	<p>Do you have any questions for the interview panel?</p> <p>- Qs about schedule of CAC</p>

Notes:



Leticia Martinez - LAHC 5/20/24  
Interview - Zoom - Lori Padilla, LAHC Chair

- 1) Lived in WK 13 yr  
Nurse - 21  
NP - 6 yrs - Las Cruces
- 2) County Issues  
Access to health, mental/physical  
Medicare/Medicaid providers limited  
by spec docs  
Drug issues/stuff for kids to do  
Funding/limitations
- 3) Bridge to community people  
Facilitate with
- 4) Compassion, Empathy, <sup>Good</sup> Communicator  
Non-judgemental
- 5) Collaborate, Advocate, Assist w/ ID gap  
Team member, share experience
- 6) Not served on any boards
- 7) Yes familiar
- 8) Yes to training
- 9) No
- 10) No

Lori Padilla

Date: 5/20/2024

**Board or Commission:** Los Alamos County Health Council

**Interview Panel:**

Name : Jessica Strong, Los Alamos County Staff Liaison

Name: Lori Padilla, Los Alamos County Health Council Chair

Name: Keith Lepsch, Los Alamos County Council, Liaison to County Health Council

**Applicants Interviewed:**

Name: Leticia Luketich Martinez

Date of Interview: 5/20/24

Name:

Date of Interview:

Name:

Date of Interview:

**Interview Panel Recommendations:**

The interview panel for the Los Alamos County Health Council Board or Commission would like to recommend the following applicants for appointment:

Name : Leticia Luketich Martinez

(circle one: incumbent or **new applicant**)

Name :

(circle one: **incumbent** or new applicant)

(circle one: **incumbent** or new applicant)

**The interview panel for the Los Alamos County Health Council would like to recommend the following applicants to terms:**

Name : Leticia Luketich Martinez

to term ending 1/6/2026

**Other information for Council:**

The Los Alamos County Health Council currently has five (5) vacancies, any of which can be filled by someone that is has a registered party affiliation of Democrat, Republican, Independent, Green, Libertarian; or does not specify, or has not registered. This applicant is listed as Democrat.

Additional note: Councilor Keith Lepsch attended these interviews but was not able to complete the interview forms.



# County of Los Alamos

Los Alamos, NM 87544  
www.losalamosnm.us

## Staff Report

June 11, 2024

---

**Agenda No.:** A.  
**Index (Council Goals):** Quality of Life - Public Safety  
**Presenters:** Dino Sgambellone, Police Chief  
**Legislative File:** CO0685-24b

---

### Title

Incorporated County of Los Alamos Code Ordinance No. 02-355 Modifications to Chapter 6, Animal Code

### Recommended Action

**I move that Council adopt Incorporated County of Los Alamos Code Ordinance No. 02-355; and ask staff to assure that it is published in summary form.**

### County Manager's Recommendation

The County Manager recommends that Council adopt Incorporated County of Los Alamos Code Ordinance No. 02-355 as presented.

### Body

In 2018, residents of the County raised questions about the structure and model of County's Animal Shelter and operations, and questioned whether it met the high standards for the humane treatment of the animals and a high level of service to our citizens. On July 18, 2018, the County Council approved the adoption of the Animal Shelter Ad Hoc Advisory Committee, and on June 25, 2019, the Committee presented its report with recommendations to Council. One of the Committee's recommendations included a review and revision of the Animal Code Ordinance to reflect current practices of animal welfare, surrender, seizure, quarantine, and adoption.

On November 13, 2023, a Town Hall was conducted regarding amendments to the Chapter 6 Animal Code. At the Town Hall, residents were informed of the content of changes and how citizens could provide feedback on the proposed changes. A website was established for written comments on the ordinance which remained active through December 7th and the Ordinances were scheduled for discussion at the December 12th Council meeting. At the December 12, 2023 County Council meeting, Council rejected Ordinance No. 02-306. In addition, Council asked staff to provide a substantive response to the public comments that were received.

On March 19, 2024, at the Council meeting, staff presented their substantive responses to the public comments, and Council provided feedback on the proposed changes to the ordinance.

Staff has incorporated Council's feedback in Ordinance No. 02-355 and made revisions necessary to accomplish the goals and recommendations of Council, including changes to the adoption fee schedule and process. The amendments to Chapter 6 contained in Ordinance No. 02-355 generally include:

- 
1. Removal of all provisions of the Code that are Shelter policies, specifically Sections 6-7, 6-10, 6-14, 6-16, 6-17, 6-52, 6-83, and 6-84. Policies are proposed to be removed from the Code but will be included into the Shelter Policies developed by the Chief of Police and approved by the County Manager.
  2. Addition a definition of “Chief of Police” which places the authority and obligation of the Chief, or designee, to develop and promulgate rules and policies pertaining to the operation of the Shelter for review and approval by the County Manager.
  3. Revision of the definition of Keeper to eliminate the more than six day time threshold before control or custody of an animal can be established.
  4. Revision of Sec. 6-6 Unreasonable animal noise prohibited. (a) to read Except for noises made by livestock, it is unlawful for anyone to own, keep or harbor any animal that habitually howls, yelps, whines, barks, or makes other noises in a manner which unreasonably disturbs the public peace.
  5. Deletion of language from Sec. 6-12 Penalty. Related to disposition of dangerous animals to comply with state law.
  6. Revision of Sec. 6-15 Redemption of impounded animals. to clarify the redemption times of impounded animals, and payment of applicable fees and cost.
  7. Revisions to Sec. 6-19 (a)(5) clarifying the language regarding the failure to meet pet’s wellbeing.
  8. Addition of Sec. 6-21 establishing Ashley Pond as a Wildlife Protected Area Designation.
  9. Addition of Sec. 6-22 identifying the purpose of this Chapter.
  10. Revisions to Sec. 6-122 Redemption of impounded animals. to clarify the reimbursement of costs incurred by the County.
  11. Revisions to Sec. 6-123 Redemption of impounded exotic animals. to clarify the reimbursement of costs incurred by the County.
  12. Revisions to Sec. 6-124 Adoption of impound animals to remove the fee schedule from the ordinance but still require Council approval, and to modify the adoption process, including the sterilization requirements.

If this ordinance is approved, staff will return to Council with a proposed fee schedule.

#### **Alternatives**

Council could not approve this ordinance, or approve with additional changes. If Council chooses to make additional changes thereby amending the ordinance in any matter of substance, Council may not adopt it until it has been considered by continuance of the meeting or at a future meeting not less than seven (7) days after the initial meeting.

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

There is no additional fiscal impact if the ordinance is passed.

#### **Attachments**

- A - Incorporated County of Los Alamos Code Ordinance No. 02-355
- B - Chapter 6, Animals, in its entirety, for reference
- C - Chief's Council Report
- D - Publication Notice
- E - Animal Control Administrative Policies DRAFT (supplemental information subject to change and for reference only)

---

**INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE NO. 02-355**

**A CODE ORDINANCE AMENDING CHAPTER 6, ANIMALS, OF THE  
INCORPORATED COUNTY OF LOS ALAMOS CODE OF ORDINANCES**

**WHEREAS**, Chapter 6 of the Code of Ordinances of the Incorporated County of Los Alamos (“Code”) governs Animals; and

**WHEREAS**, In 2018, residents of the Incorporated County of Los Alamos (“County”) raised questions about the current structure and model of County’s Animal Shelter and operations, and questioned whether it met the high standards for the humane treatment of the animals and a high level of service to our citizens; and

**WHEREAS**, On July 18, 2018, the Council of the Incorporated County of Los Alamos (“Council”) approved the adoption of the Animal Shelter Ad Hoc Advisory Committee (“Committee”); and

**WHEREAS**, On June 25, 2019, the Committee presented its report with recommendations to Council. One of the Committee’s recommendations included a review and revision of the Animal Code Ordinance to reflect current practices of animal welfare, surrender, seizure, quarantine, and adoption; and

**WHEREAS**, On December 1, 2020, the Committee presented its Best Practices Guide to Council, which contained high-level recommendations on how animal control ordinances should be written, including provisions regarding cruelty to animals, spay and neuter regulations, and licensing requirements; and

**WHEREAS**, Revisions to the Code are necessary to accomplish the goals and recommendations of the Committee, including changes to the adoption fee schedule and process. However, much of what was sought to be revised was already included in the Code; the current Code has a prohibition on cruelty to animals and outlines the requirements for sterilization upon adoption and licensing; and

**WHEREAS**, Council finds the amendments to Chapter 6 address the issues raised by residents and stakeholders and determines that it is in the best interest of the County that the Animal Code be amended as provided below.

**BE IT ORDAINED BY THE GOVERNING BODY OF THE INCORPORATED COUNTY OF LOS ALAMOS:**

**Section 1.** Section 6-1 of the Code of the Incorporated County of Los Alamos is amended to read as follows:

Sec. 6-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Attack* means dangerous behavior toward any person or other domesticated animal resulting in physical injury.

*Bite* means a puncture, tear or indentation of the skin inflicted by the teeth of an animal.

*Chief of Police* means the Los Alamos County Chief of Police or designee. The Chief of Police shall have authority to develop and promulgate rules and policies pertaining to the operation of the Shelter for review and approval by the County Manager.

*Dangerous animal* means any animal that, without justification, attacks a person or another domestic animal causing physical injury or death, or behaves in a manner that a reasonable person would believe poses an unjustified imminent threat of serious injury or death to one or more persons or domestic animals and livestock. In the case of the animal being a dog, the dog's breed shall not be the sole consideration in determining whether or not it is dangerous.

*Designated voice and sight control area* means areas appropriately posted after designation by regulation of the parks division to be a voice and sight control area for dogs.

*Designated dog-training zone* means any area appropriately posted after designation by regulation of the parks division to be a dog-training zone.

*Dog pack* means three or more dogs running together.

*Dog park* means any fenced off-leash dog play area designated by parks for that purpose.

*Domestic or pet animal* means any animal commonly kept as a pet in family households in the United States, and any animals commonly kept for companion or commercial purposes or protection or for sale to others for such purposes including, but not limited to dogs, cats, rabbits, rodents, birds, reptiles, fish, and any other species of animals that are sold retained as a household pet but shall not include skunks, and any other species of wild or exotic animal that may be further restricted by law.

*Exotic animal* means an animal which is rare or different from ordinary domesticated animals and is not indigenous to the state and is not commonly found in pet stores.

*Keeper* means the owner or any person who keeps or has control or custody of an animal ~~for more than six days~~, provided that this term shall not apply to veterinarians or kennel owners temporarily maintaining on their premises animals owned by others.

*Livestock* means animals defined as livestock by the New Mexico Livestock Board.

*Menace* means the actions of a dog, not on the property of its keeper or person having charge of the dog, that is unprovoked, hostile or dangerous behavior toward a person or a domestic animal by growling, barking or doing some other act likely to cause fear in the person of bodily harm to the person or that person's domestic animal.

*Quarantine* means to detain or isolate an animal suspected of being infected with rabies.

*Shelter* means Los Alamos County Animal Shelter.

*Stray* means any animal without an identifiable keeper.

*Unattended dog* means not in the physical presence and within sight of a keeper who shall be a person of such age and maturity to be reasonably responsible therefor. An owner or keeper inside an enclosed structure shall not be considered to be in the physical presence of a dog not in the enclosed structure.

*Voice and sight control* means the keeper has the ability to control the dog by voice command and the dog must respond immediately to that command. Further, the dog must remain within sight of the keeper. Even in designated voice and sight control areas in Los Alamos, the dog must be on a leash unless it meets the requirements of voice and sight control.



*Wild animal* means any animal that is wild by nature and cannot normally be domesticated or controlled; including any animal regulated by the New Mexico Department of Game, the United States Fish and Wildlife, and/or the USDA.

*Working dog* means any dog, regardless of breed, that is being trained or used for the purpose of guarding, herding detection, search and rescue, dog sports, assistance of people as service dogs, or assistance of the police.

**Section 2.** Section 6-6 of the Code of the Incorporated County of Los Alamos is amended to read as follows:

Sec. 6-6. Unreasonable animal noise prohibited.

- (a) ~~No person shall own or keep any animal, licensed or not, which by barking or making of other noises, continuously for more than ten minutes, either day or night, causes annoyance to the neighborhood or to passersby except such noises made by livestock, whether from commercial or noncommercial activities on land which is properly zoned to allow keeping of livestock, and such sounds made in facilities licensed under and in compliance with the provisions of this Code. Except for noises made by livestock, it is unlawful for anyone to own, keep, or harbor any animal that habitually howls, yelps, whines, barks, or makes other noises in a matter which unreasonably disturbs the public peace.~~
- (b) It shall be affirmative defense under this section that the animal was intentionally provoked to make such noise.

**Section 3.** Section 6-7 of the Code of the Incorporated County of Los Alamos is deleted in its entirety.

~~Sec. 6-7. Impounding.~~

~~Any animal impounded may be redeemed by its owner or keeper under provisions of section 6-15. If the owner or keeper has not claimed the animal within a period of five days, the chief of police or a person designated by him shall notify the owner by mail that the animal will be declared abandoned. Such declaration of abandonment may be made ten days after sending such notice, and the animal may be disposed of under the provisions of section 6-16.~~

**Section 4.** Section 6-10 of the Code of the Incorporated County of Los Alamos is amended to read as follows:

Sec. 6-10. Bites; impounding.

- (a) Every case of an animal biting a person shall be reported to the animal control officer who may order the offending animal to be confined at any time during the ten days next following the bite. ~~Confinement shall be at the animal shelter, a veterinary hospital or an approved kennel; provided, however, that if the animal has a current rabies vaccination and the area involved is not under quarantine for rabies, the animal may be confined at the keeper's home. No animal shall be impounded if it has a current rabies vaccination and it is determined that the animal is not a dangerous animal or if it is a working dog and the bite occurred in service as such. No animal shall be placed for adoption during the ten-day period following a bite.~~
- (b) Any expenses incurred by the confinement of such animal shall be assumed by the keeper. ~~If the animal is confined and, after ten days next following the bite, no rabies is found to be present or suspected, the animal may be released to the keeper upon payment of any pickup fees and boarding fees which may be due.~~

~~(c) If at any time during the ten-day period the animal dies, its head shall be submitted to the state scientific laboratory for confirmation of rabies.~~

**Section 5.** Section 6-12 of the Code of the Incorporated County of Los Alamos is amended to read as follows:

Sec. 6-12. Penalty.

The penalty imposed for violation of this article shall include a fine not to exceed \$500.00 or imprisonment not to exceed 90 days. Every day of any violation of this section constitutes a separate offense. The municipal judge may suspend, in whole or in part, the execution of sentence or may place the defendant on probation for a period not to exceed one year on terms and conditions the municipal judge deems best to ensure the safety of the public. ~~concerning the disposition of an animal judicially determined to be dangerous, up to and including the animal's removal and banishment from the boundaries of the county or its humane destruction. In no case where an animal has bitten a person shall the animal be destroyed or removed from the jurisdiction of the municipal judge or the animal control officer for a period of at least ten days or until a rabies determination has been made. Section 6-6 shall be strictly complied with.~~

**Section 6.** Section 6-14 of the Code of the Incorporated County of Los Alamos is amended to read as follows:

Sec. 6-14. Impounding of animals at large and strays.

- ~~(a) It is the duty of any police officer and the animal control officer to impound or arrange for the impoundment of any animal found running at large, in violation of this chapter, and any pet or domestic animal which appears to be abandoned by its keeper or which appears to have become lost. Any citizen shall have the same authority as is granted in this section to a police officer and shall immediately inform a police officer of such impoundment.~~
- ~~(b) Animal control officers, in performance of their duties, may enter upon accessible private property, for the purpose of apprehending animals running at large and stray animals; provided, however, that except in cases of emergency, private property shall not be deemed to be accessible for this purpose if the property is the interior of a dwelling unit or if reasonable expectations of privacy are otherwise indicated.~~
- ~~(c) The animal control officer and police officers, upon impounding or receiving any animal, shall register such animal by entering the breed, color and sex of the animal, the license number, if known, and the time and place such animal was apprehended into the registry kept for this purpose.~~
- ~~(d) If the keeper of an impounded animal is known, a reasonable effort must be made to notify the keeper immediately. If the keeper of the animal is not known or cannot be contacted, notice of the impoundment shall be posted in a conspicuous place at the animal shelter.~~
- ~~(e) The animal control officer, upon impounding a wounded animal, may procure necessary veterinary care for the animal. Costs of such care shall become the obligation of the keeper.~~

**Section 7.** Section 6-15 of the Code of the Incorporated County of Los Alamos is amended to read as follows:

Sec. 6-15. Redemption of impounded animals.

All impounded animals shall be redeemed within the times prescribed in Shelter Policy. Unless the animal has been impounded for observation under this chapter, any impounded animal may be redeemed by its keeper immediately upon payment to the county of the applicable fees and costs. ~~of a pickup fee and a boarding fee as prescribed in sections 6-122 and 6-123.~~

**Section 8.** Section 6-16 of the Code of the Incorporated County of Los Alamos is amended to read as follows:

Sec. 6-16. Adoption of ~~u~~Unclaimed animals.

~~All impounded animals shall be redeemed within the times prescribed in this article. Any animal, except one impounded under section 6-10, not redeemed within the required period, shall become the property of the animal shelter, and may be placed for adoption upon payment of adoption fees as prescribed in this chapter or the animal may be humanely destroyed and properly disposed of. However, no such animal shall be placed for adoption during any quarantine period which may have been imposed by this chapter.~~

**Section 9.** Section 6-17 of the Code of the Incorporated County of Los Alamos is deleted in its entirety.

~~Sec. 6-17. Unwanted animals.~~

~~The Los Alamos County operated animal will accept any dog or cat, which the keeper no longer wants or cannot keep, and will place such animal for adoption for a period of five days after which time it may be humanely destroyed. The owner or keeper of the animal must be a resident of Los Alamos County.~~

**Section 10.** Section 6-19 of the Code of the Incorporated County of Los Alamos is amended to read as follows:

Sec. 6-19. Cruelty to animals.

(a) It is unlawful for the keeper of any dog, cat or other pet or animal to willfully or through negligence injure or mistreat such pet or animal, by

- 1) excessive beating, kicking or other physical abuse;
- 2) failure to provide food, water or veterinary care;
- 3) failure to provide clean shelter or other areas of confinement of adequate size;
- 4) exposure to extreme heat or cold; ~~or~~
- 5) other acts of cruel and inhumane treatment including, but not limited to, the possession of animals in a quantity such that the keeper is unable or fails to provide for the necessary health and wellbeing of the animals and, due to the failure or inability to provide such care, at least one animal experiences death, bodily injury, or other serious adverse health consequence.

(b) It is unlawful for any person to kill or injure any dog, cat or other pet or animal, by shooting, striking, kicking, poisoning or by any other means, except in defense of person or property, or as otherwise provided in this chapter. No person shall intentionally provoke, harass or taunt any dog, cat, pet or other animal which is on the premises of its keeper. However,

nothing in this subsection shall apply to a licensed veterinarian in the use of euthanasia when authorized by the pet's keeper or police officers in the performance of their duty.

- (c) It is unlawful for any person to cause, instigate or promote any fight in which two or more animals are engaged for the purpose of injuring, maiming or destroying themselves or another animal.
- (d) It is unlawful for any person to sell, offer for sale, barter or give away any live animal as a premium, prize, award, novelty or incentive to purchase merchandise. It is unlawful to color, stain or dye any chicken, duckling or fowl.
- (e) It is unlawful for any person to trap, for commercial or recreational use, furbearing animals using strangulation snares, steel-jaw traps or other body-gripping animal traps from all lands owned by the county. This subsection does not apply to trapping performed by government officials carrying out their official duties.

**Section 11.** A new Section 6-21 of the Code of the Incorporated County of Los Alamos is added as follows:

Section 6-21. Ashley Pond Wildlife Protected Area Designation

The County declares Ashley Pond as a Wildlife Protected Area within Los Alamos County. The recreational area between Trinity Drive / Central Avenue and Oppenheimer Drive / 20th Street is designated as the Ashley Pond Wildlife Protected Area. It is unlawful for anyone, other than the County or other governmental official, to desert, abandon, introduce or dispose of any animal, fish, bird, or reptile into the Ashley Pond Wildlife Protected Area. It is unlawful for any person, other than the County or other governmental official, to remove, catch, injure, maim, or kill any animal from the Ashley Pond Wildlife Protected Area.

**Section 12.** A new Section 6-22 of the Code of the Incorporated County of Los Alamos is added as follows:

Section 6-22. Purpose

The purpose of this Chapter is to provide for the rescue, rehabilitation and rehome of animals in crisis and to promote the ownership of healthy pets through education, advocacy and enforcement, and to inspire a community where the animal-human bond is celebrated and nurtured.

**Section 13.** Section 6-52 of the Code of the Incorporated County of Los Alamos is deleted in its entirety.

~~Sec. 6-52. License procedure; certificate.~~

~~No license shall be issued for any dog unless a certificate from a licensed veterinarian is presented to the county by the keeper showing that such animal has been vaccinated for rabies.~~

**Section 14.** Section 6-53 of the Code of the Incorporated County of Los Alamos is amended to read as follows:

Sec. 6-53. Dogs and cats brought to the county.

Any dog or cat ~~four~~ three months of age or older brought into the county shall be securely confined by its keeper until vaccinated against rabies, which vaccination shall be administered within one week after entry into the county unless the keeper has a certificate of vaccination issued by a veterinarian outside of the county, and such vaccination conforms to the requirements of this state. The keeper shall provide proof of current valid rabies vaccination certificate when requested by an animal control or police officer.

**Section 15.** Section 6-83 of the Code of the Incorporated County of Los Alamos is deleted in its entirety.

~~Sec. 6-83. Information.~~

~~Any person applying for a dog license shall furnish the following information on an application form provided by the county: name and address of keeper; and description of dog: breed, name, sex, date of birth, markings, estimated weight, certification, date of last rabies vaccination.~~

**Section 16.** Section 6-84 of the Code of the Incorporated County of Los Alamos is deleted in its entirety.

~~**Sec. 6-84. Procedure; dogs and cats affixing tags.**~~

~~The keeper shall cause the valid rabies tag to be affixed to the collar or harness of the dog or cat for which it was issued and to be worn there at all times when the animal is off the keeper's premises in accordance with 7.4.2.8 NMAC unless such animal is securely confined in a motor vehicle, or being kept at a kennel, veterinary hospital or training class. Animals participating in training, organized competitions or matches are not required to wear such tags during the time of the training or event. In all cases where the animal is not wearing the tag the keeper must have the tag or current valid rabies vaccination certificate in his or her possession at the time of the event.~~

**Section 17.** Article III of Chapter 6 of the Code of the Incorporated County of Los Alamos is modified as follows:

**ARTICLE III. LICENSE AND PERMIT FEES**

**Section 18.** Section 6-122 of the Code of the Incorporated County of Los Alamos is modified as follows:

Sec. 6-122. Redemption of impounded animals.

~~Redemption by the keeper of an impounded animal in accordance with section 6-10 shall be subject to reimbursement by the keeper for actual costs incurred by the County for pickup, boarding and care, including veterinary expenses. the following fees: pickup fee, \$20.00; boarding fee, \$5.00 for each calendar day, in whole or in part, of confinement.~~

**Section 19.** Section 6-123 of the Code of the Incorporated County of Los Alamos is modified as follows:

Sec. 6-123. Redemption of impounded exotic animals.

~~Redemption by the keeper of an impounded exotic animal shall be subject to reimbursement by the keeper for actual costs incurred by the county for pickup, and boarding, and care, including veterinary expenses.~~

**Section 20.** Section 6-124 of the Code of the Incorporated County of Los Alamos is modified as follows:

Sec. 6-124. Adoption of impounded animals.

~~(a) Animals may be adopted from the animal shelter as prescribed in this chapter upon payment of the following:~~

~~(1) \$35.00 for cats seven years and older;~~

- ~~(2) \$50.00 for cats six months to seven years;~~
- ~~(3) \$75.00 for cats less than six months;~~
- ~~(4) \$60.00 for dogs seven years and older;~~
- ~~(5) \$75.00 for dogs six months to seven years;~~
- ~~(6) \$100.00 for dogs less than six months.~~
- ~~(7) Adoption fees may be reduced by half where a determination has been made by animal control division director that adoptability has been compromised by:
  - ~~a. The animal's length of stay in the shelter;~~
  - ~~b. The animal's health condition(s); or~~
  - ~~c. The animal is part of a bonded pair, threesome or foursome.~~~~
- ~~(b) No unsterilized animal shall be released from the animal shelter to an adopting person unless a sterilization agreement has been signed and a sterilization deposit has been paid, as provided in subsections (d) and (e) of this section.~~
- ~~(c) In addition to the adoption fee charged, a sterilization deposit of \$25.00 shall be imposed on the adoption of each unsterilized animal from the animal shelter.~~
- ~~(d) Unsterilized animals less than six months of age shall be released only upon payment of the adoption fee and a sterilization deposit and after the adopting person has signed an agreement stating he will have the adopted animal sterilized when it is no older than six months of age.~~
- ~~(e) Unsterilized animals over the age of six months shall be released only upon payment of the adoption fee and a sterilization deposit and after the adopting person has signed an agreement stating he will have the animal sterilized within 30 days of the date of adoption.~~
- ~~(f) The sterilization deposit shall be reimbursed only upon presentation of a receipt from a veterinarian that the adopted animal has been sterilized within the timeframes provided in subsections (d) and (e).~~
- (a) Animals may be adopted from the Shelter as prescribed in this Chapter upon payment of fees charged by the Animal Shelter. These fees shall be established by the County Council through the adoption of a schedule of fees.
- (b) Adoption fees may be reduced or waived when a determination has been made by the Chief of Police or designee that adoptability has been compromised by:
  - 1) The animal's length of stay in the Shelter; or
  - 2) The animal's health condition(s); or
  - 3) The animal is part of a bonded pair, threesome or foursome; or
  - 4) Other circumstances impacting the adoption of an animal which stops or hinders a forever home; and
  - 5) Such reduction or waived fees shall be sufficiently documented by Shelter.
- (d) An unsterilized animal reclaimed by its owner or keeper shall be released from the Shelter without being sterilized upon payment of the twenty-five dollars (\$25.00) for the sterilization deposit and impoundment fees established by the County Council, and the owner shall sign an agreement stating the owner will sterilize the animal within thirty days after release or will

obtain a breeder permit or its equivalent. The sterilization deposit shall be reimbursed upon presentation by the owner of a receipt from a veterinarian that the animal has been sterilized.

- (e) Unsterilized animals less than six months of age shall be released upon adoption only upon payment of the adoption fee and a sterilization deposit established by County Council and after the adopting person has signed an agreement stating that the adopted animal will be sterilized when it is no older than six months of age.
- (f) Unsterilized animals over the age of six months shall be released upon adoption only upon payment of the adoption fee and a sterilization deposit established by County Council and after the adopting person has signed an agreement stating that the animal will be sterilized within 30 days of the date of adoption.

**Section 21. Severability.** Should any section, paragraph, clause or provision of this Ordinance, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

**Section 22. Effective Date.** This Code Ordinance shall become effective thirty (30) days after publication of notice of its adoption.

**Section 23. Repealer.** All other ordinances or resolutions, or parts thereof, inconsistent herewith are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

**PASSED AND ADOPTED** this 28th day of May 2024.

**INCORPORATED COUNTY OF LOS ALAMOS**

---

**Denise Derkacs,  
Council Chair**

**ATTEST:**

---

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



## Chapter 6 ANIMALS<sup>1</sup>

### ARTICLE I. IN GENERAL<sup>2</sup>

#### Sec. 6-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Attack* means dangerous behavior toward any person or other domesticated animal resulting in physical injury.

*Bite* means a puncture, tear or indentation of the skin inflicted by the teeth of an animal.

*Dangerous animal* means any animal that, without justification, attacks a person or another domestic animal causing physical injury or death, or behaves in a manner that a reasonable person would believe poses an unjustified imminent threat of serious injury or death to one or more persons or domestic animals and livestock. In the case of the animal being a dog, the dog's breed shall not be the sole consideration in determining whether or not it is dangerous.

*Designated voice and sight control area* means areas appropriately posted after designation by regulation of the parks division to be a voice and sight control area for dogs.

*Designated dog-training zone* means any area appropriately posted after designation by regulation of the parks division to be a dog-training zone.

*Dog pack* means three or more dogs running together.

*Dog park* means any fenced off-leash dog play area designated by parks for that purpose.

*Domestic or pet animal* means any animal commonly kept as a pet in family households in the United States, and any animals commonly kept for companion or commercial purposes or protection or for sale to others for such purposes including, but not limited to dogs, cats, rabbits, rodents, birds, reptiles, fish, and any other species of animals that are sold retained as a household pet but shall not include skunks, and any other species of wild or exotic animal that may be further restricted by law.

*Exotic animal* means an animal which is rare or different from ordinary domesticated animals and is not indigenous to the state and is not commonly found in pet stores.

---

<sup>1</sup>Cross reference(s)—Environment, ch. 18; removal of dead animals, § 32-13; application of chapter to persons propelling pushcarts, riding animals or driving animal-drawn vehicles, § 38-5.

State law reference(s)—Dogs and domesticated animals, NMSA 1978, § 77-1-1 et seq.

<sup>2</sup>Editor's note(s)—Secs. 1—11 of Ord. No. 02-076, adopted April 25, 2006, amended art. I in its entirety, in effect repealing §§ 6-1—6-16 and enacting similar new provisions in lieu thereof as §§ 6-1—6-20. Formerly, such provisions derived from the 1985 Code; Ord. No. 85-13, adopted in 1985; Ord. No. 85-99, adopted June 19, 1989; and Ord. No. 02-032, adopted June 24, 2003.

---

*Keeper* means the owner or any person who keeps or has control or custody of an animal for more than six days, provided that this term shall not apply to veterinarians or kennel owners temporarily maintaining on their premises animals owned by others.

*Livestock* means animals defined as livestock by the New Mexico Livestock Board.

*Menace* means the actions of a dog, not on the property of its keeper or person having charge of the dog, that is unprovoked, hostile or dangerous behavior toward a person or a domestic animal by growling, barking or doing some other act likely to cause fear in the person of bodily harm to the person or that person's domestic animal.

*Quarantine* means to detain or isolate an animal suspected of being infected with rabies.

*Stray* means any animal without an identifiable keeper.

*Unattended dog* means not in the physical presence and within sight of a keeper who shall be a person of such age and maturity to be reasonably responsible therefor. An owner or keeper inside an enclosed structure shall not be considered to be in the physical presence of a dog not in the enclosed structure.

*Voice and sight control* means the keeper has the ability to control the dog by voice command and the dog must respond immediately to that command. Further, the dog must remain within sight of the keeper. Even in designated voice and sight control areas in Los Alamos, the dog must be on a leash unless it meets the requirements of voice and sight control.

*Wild animal* means any animal that is wild by nature and cannot normally be domesticated or controlled; including any animal regulated by the New Mexico Department of Game, the United States Fish and Wildlife, and/or the USDA.

*Working dog* means any dog, regardless of breed, that is being trained or used for the purpose of guarding, herding detection, search and rescue, dog sports, assistance of people as service dogs, or assistance of the police. (Ord. No. 02-076, § 1, 4-25-2006; Ord. No. 02-247, § 1, 9-30-2014)

Cross reference(s)—Definitions, § 1-2.

## **Sec. 6-2. Proximity to human habitation.**

- (a) In residential agricultural district (R-A) any animal, except swine and unaltered male goats, may be kept in accordance with the following:
  - (1) All pet animals shall be kept in such a manner as to not constitute a nuisance to the surrounding area as follows:
    - a. No offensive noise or order shall be produced;
    - b. Areas devoted to pets or small animals, including accessory buildings and structures, shall be constructed and maintained to discourage the concentration and breeding of insects or rodents.
  - (2) Livestock, may be kept not closer than 45 feet to any residence regularly used for human habitation. Also, livestock may not be kept or confined within 60 feet of the line separating the residential agricultural district from an adjacent residential district. Areas devoted to livestock, including accessory buildings and structures, shall be constructed and maintained to discourage the concentration and breeding of insects or rodents.
- (b) In all residential districts excluding the residential agricultural (R-A) districts of Pajarito Acres and La Senda, animals may be kept in accordance with the following:
  - (1) No livestock shall be kept within 200 yards of a residence regularly used for human habitation.

- 
- (2) The prohibition against keeping livestock shall not apply to the keeping of chickens for residential, noncommercial purposes, which shall be allowed in accordance with the following:
- a. The maximum number of chickens on any lot is ten provided that there must be at least ten square feet of permeable land area available for each chicken, plus at least two square feet of shelter space per chicken;
  - b. Adequate shelter must be provided to protect chickens from the elements and to prevent wildlife and other predators from gaining entry. Shelter must be properly ventilated. Shelter must be kept in a clean, dry, odor-free and sanitary condition at all times;
  - c. Adequate fencing shall be provided to prevent chickens from escaping when not in their shelter;
  - d. During daylight hours, chickens shall have access to the sun within a secure fenced yard or adequate shelter. Chickens shall be kept within a secure shelter at night;
  - e. No chickens, shelter or fencing shall be kept:
    - i. Closer than 35 feet to a dwelling unit on abutting property;
    - ii. In the required front, rear, and side setbacks; or
    - iii. Closer than 100 feet to a water well.
  - f. The keeping and maintenance of chickens as provided in this section, shall comply with all applicable health and sanitation laws;
  - g. All areas devoted to chickens, including shelter, shall be constructed and maintained to discourage the concentration and breeding of insects or rodents; and
  - h. No roosters are allowed.
- (3) All livestock, chickens and pet animals shall be kept in such a manner as to not constitute a nuisance to the neighborhood as follows:
- a. No offensive noise or odor shall be produced; and
  - b. Areas devoted to small animals including accessory buildings and structures, shall be constructed and maintained to discourage the concentration and breeding of insects or rodents.

(Ord. No. 02-076, § 1, 4-25-2006; Ord. No. 02-251, § 1, 12-9-2014)

### **Sec. 6-3. Animals at large.**

- (a) No person shall allow any domestic animal to roam or stray or to be off the keeper's premises unless it is at all times under physical restraint of a responsible person of sufficient age and maturity to be able to physically restrain the animal.
- (b) All unattended domestic animals shall at all times be confined or physically restrained. Such confinement or restraint shall not allow the animal access beyond the boundaries of the premises available for the exclusive private use of the animal's keeper.
- (c) Except within the premises available for the exclusive private use of its keeper all domestic animals other than working dogs shall at all times be confined or physically restrained on a secure leash.
- (d) Domestic animals that are under voice and sight control in a designated area, animals that are classified as working dogs, and animals roaming within dog parks or training within a designated dog training zone or on a designated dog training field shall not be deemed animals at large and are expressly permitted to be off-leash under said conditions.

- 
- (e) Every animal in heat shall be confined to a building or other secure enclosure so that contact with male of the same species will be prevented except for intentional breeding purposes. Keepers who do not comply with this section may be required to place such animal in a boarding kennel or veterinary hospital at the keeper's expense.

(Ord. No. 02-076, § 1, 4-25-2006; Ord. No. 02-247, § 2, 9-30-2014)

#### **Sec. 6-4. Dogs—Voice and sight control.**

- (a) When in designated voice and sight control areas including R-A zoned areas of the county, the stable area, Los Alamos County Trail Network trails which are on county land and areas as further indicated in the attached maps, a dog shall at all times be under voice and sight control of its keeper if not confined or restrained by leash.
- (b) Keepers must have a leash for each dog under voice and sight control in their possession at all times.
- (c) No more than two dogs may be under voice and sight control per keeper at any time.
- (d) If a dog runs up to people, other dogs, horseback riders, cyclist, inappropriately chases wildlife, or will not consistently respond to its keeper immediately upon command, the dog must be leashed.
- (e) Dogs shall be leashed on all trails within 100 yards of trail heads regardless of the fact that the area is designated a voice and sight control area.
- (f) Voice and sight control requirements include:
  - (1) The dog must be attended by a responsible person of such age and maturity to be reasonably responsible therefore.
  - (2) The dog must never:
    - a. Charge, chase, or display aggression towards any person, or behave in a way that any reasonable person may find harassing or disturbing;
    - b. Charge, chase or display aggression towards any dog or other animal;
    - c. Charge, chase, or disturb wildlife or livestock;
    - d. Charge, chase, or display aggression towards cyclists, joggers, equestrians;
    - e. Fail to come to and stay with the keeper immediately upon command by that person regardless of the distraction; and
    - f. Leave its keeper's field of vision at any time.
- (g) The parks division shall formulate and issue regulations for designation of designated voice and sight control areas, dog-training zones and dog parks and shall post signs appropriate therefore.

(Ord. No. 02-076, § 2, 4-25-2006; Ord. No. 02-247, § 3, 9-30-2014)

Editor's note(s)—The maps indicated above have not been set out in the Code, but are on file in the office of the county clerk.

#### **Sec. 6-5. Animals at large; penalty.**

Any person violating the provisions of section 6-3 shall, upon conviction, be fined a minimum of \$25.00. A greater fine or other penalty may be imposed in accordance with section 1-8.

---

(Ord. No. 02-076, § 3, 4-25-2006)

**Sec. 6-6. Unreasonable animal noise prohibited.**

- (a) No person shall own or keep any animal, licensed or not, which by barking or making of other noises, continuously for more than ten minutes, either day or night, causes annoyance to the neighborhood or to passersby except such noises made by livestock, whether from commercial or noncommercial activities on land which is properly zoned to allow keeping of livestock, and such sounds made in facilities licensed under and in compliance with the provisions of this Code.
- (b) It shall be affirmative defense under this section that the animal was intentionally provoked to make such noise.

(Ord. No. 02-076, § 3, 4-25-2006; Ord. No. 02-247, § 4, 9-30-2014)

**Sec. 6-7. Impounding.**

Any animal impounded may be redeemed by its owner or keeper under provisions of section 6-15. If the owner or keeper has not claimed the animal within a period of five days, the chief of police or a person designated by him shall notify the owner by mail that the animal will be declared abandoned. Such declaration of abandonment may be made ten days after sending such notice, and the animal may be disposed of under the provisions of section 6-16.

(Ord. No. 02-076, § 4, 4-25-2006; Ord. No. 02-247, § 5, 9-30-2014)

**Sec. 6-8. Removal of excrement.**

- (a) It shall be unlawful for the keeper of any dog or cat to fail to promptly remove and dispose of in a sanitary manner excrement deposited by the dog or cat.
- (b) Animal excrement shall not be placed in storm sewers or street gutters, but shall be disposed of in a sanitary manner.
- (c) It shall also be unlawful under this section to permit excessive animal excrement to accumulate on any property to the degree that it becomes offensive or injurious to health or constitutes a nuisance.
- (d) Failure to remove and properly dispose excrement can result in fines up to \$500.00 and/or 90 days in jail as pursuant to section 1-8 of this Code.
- (e) Nothing in this section 6-8 is intended or shall be deemed to prohibit an owner or keeper of an animal from adequately providing by alternative arrangements for the removal of excrement by working dogs in performance of their duties or livestock at public events.

(Ord. No. 02-076, § 4, 4-25-2006)

**Sec. 6-9. Menacing behavior.**

- (a) It shall be unlawful for any owner or keeper to permit a dog or any other animal when not on the property of its keeper to menace the persons or domestic animals of others.
- (b) If a person is found guilty in municipal court of keeping or owning a menacing dog or other animal, in addition to any other court ordered mandates, the court may require as a condition of probation or a suspended sentence that the animal and its keeper attend training sessions, or specialized training

---

(Supp. No. 78)

Created: 2024-01-03 14:17:24 [EST]

---

conducted by an animal behaviorist, veterinary behaviorist or other recognized expert in the field. The court may mandate completion of the training or any other treatment deemed appropriate by an expert. The keeper of the dog or other animal shall be responsible for all costs associated with the evaluation and training ordered under this section.

- (c) Assault on working dogs.
- (1) No person shall knowingly cause, or attempt to cause, physical harm to a working dog.
  - (2) No person shall engage in any conduct that is likely to cause serious physical injury or death to a working dog.
  - (3) No person shall inhibit or restrict the ability of a working dog to assist the assisted or served person.
  - (4) In addition to any other sanction or penalty imposed for the offense under this section, whoever violates subsection (c)(1), (2), or (3) of this section is responsible for the payment of all of the following:
    - a. Any veterinary bill or bill for medication incurred as a result of the violation this section;
    - b. The cost of any damaged equipment that results from the violation;
    - c. If the violation did not result in the death of the working dog that was the subject of the violation and if, as a result of that dog being the subject of the violation, the dog needs further training or retraining to be able to continue in the capacity of a working dog, the cost of any further training or retraining of that dog; and
    - d. If the violation resulted in the death of the working dog that was the subject of the violation or resulted in serious physical harm to that dog to the extent that the dog needs to be replaced on either a temporary or a permanent basis, the cost of replacing that dog and of any further training of a new working dog.

(Ord. No. 02-076, § 4, 4-25-2006; Ord. No. 02-247, § 6, 9-30-2014)

### **Sec. 6-10. Bites; impounding.**

- (a) Every case of an animal biting a person shall be reported to the animal control officer who may order the offending animal to be confined at any time during the ten days next following the bite. Confinement shall be at the animal shelter, a veterinary hospital or an approved kennel; provided, however, that if the animal has a current rabies vaccination and the area involved is not under quarantine for rabies, the animal may be confined at the keeper's home. No animal shall be impounded if it has a current rabies vaccination and it is determined that the animal is not a dangerous animal or if it is a working dog and the bite occurred in service as such. No animal shall be placed for adoption during the ten-day period following a bite.
- (b) Any expenses incurred by the confinement of such animal shall be assumed by the keeper. If the animal is confined and, after ten days next following the bite, no rabies is found to be present or suspected, the animal may be released to the keeper upon payment of any pickup fees and boarding fees which may be due.
- (c) If at any time during the ten-day period the animal dies, its head shall be submitted to the state scientific laboratory for confirmation of rabies.

(Ord. No. 02-076, § 5, 4-25-2006; Ord. No. 02-247, § 7, 9-30-2014)

---

**Sec. 6-11. Reserved.**

Editor's note(s)—Ord. No. 02-247, § 8, adopted September 30, 2014, repealed § 6-11, which pertained to dangerous animals and derived from Ordinance No. 02-076, § 6, 4-25-2006. See Code Comparative Table.

**Sec. 6-12. Penalty.**

The penalty imposed for violation of this article shall include a fine not to exceed \$500.00 or imprisonment not to exceed 90 days. Every day of any violation of this section constitutes a separate offense. The municipal judge may suspend, in whole or in part, the execution of sentence or may place the defendant on probation for a period not to exceed one year on terms and conditions the municipal judge deems best to ensure the safety of the public concerning the disposition of an animal judicially determined to be dangerous, up to and including the animal's removal and banishment from the boundaries of the county or its humane destruction. In no case where an animal has bitten a person shall the animal be destroyed or removed from the jurisdiction of the municipal judge or the animal control officer for a period of at least ten days or until a rabies determination has been made. Section 6-6 shall be strictly complied with.

(Ord. No. 02-076, § 6, 4-25-2006)

**Sec. 6-13. Abandonment.**

No person shall abandon any animal within the county.

(Ord. No. 02-076, § 7, 4-25-2006)

**Sec. 6-14. Impounding of animals at large and strays.**

- (a) It is the duty of any police officer and the animal control officer to impound or arrange for the impoundment of any animal found running at large, in violation of this chapter, and any pet or domestic animal which appears to be abandoned by its keeper or which appears to have become lost. Any citizen shall have the same authority as is granted in this section to a police officer and shall immediately inform a police officer of such impoundment.
- (b) Animal control officers, in performance of their duties, may enter upon accessible private property, for the purpose of apprehending animals running at large and stray animals; provided, however, that except in cases of emergency, private property shall not be deemed to be accessible for this purpose if the property is the interior of a dwelling unit or if reasonable expectations of privacy are otherwise indicated.
- (c) The animal control officer and police officers, upon impounding or receiving any animal, shall register such animal by entering the breed, color and sex of the animal, the license number, if known, and the time and place such animal was apprehended into the registry kept for this purpose.
- (d) If the keeper of an impounded animal is known, a reasonable effort must be made to notify the keeper immediately. If the keeper of the animal is not known or cannot be contacted, notice of the impoundment shall be posted in a conspicuous place at the animal shelter.
- (e) The animal control officer, upon impounding a wounded animal, may procure necessary veterinary care for the animal. Costs of such care shall become the obligation of the keeper.

(Ord. No. 02-076, § 7, 4-25-2006)



---

### **Sec. 6-15. Redemption of impounded animals.**

Unless the animal has been impounded for observation under this chapter, any impounded animal may be redeemed by its keeper immediately upon payment to the county of a pickup fee and a boarding fee as prescribed in sections 6-122 and 6-123.

(Ord. No. 02-076, § 7, 4-25-2006; Ord. No. 02-247, § 9, 9-30-2014)

### **Sec. 6-16. Adoption of unclaimed animals.**

All impounded animals shall be redeemed within the times prescribed in this article. Any animal, except one impounded under section 6-10, not redeemed within the required period, shall become the property of the animal shelter and may be placed for adoption upon payment of adoption fees as prescribed in this chapter or the animal may be humanely destroyed and properly disposed of. However, no such animal shall be placed for adoption during any quarantine period which may have been imposed by this chapter.

(Ord. No. 02-076, § 7, 4-25-2006; Ord. No. 02-247, § 10, 9-30-2014)

### **Sec. 6-17. Unwanted animals.**

The Los Alamos County operated animal shelter will accept any dog or cat, which the keeper no longer wants or cannot keep, and will place such animal for adoption for a period of five days after which time it may be humanely destroyed. The owner or keeper of the animal must be a resident of Los Alamos County.

(Ord. No. 02-076, § 7, 4-25-2006)

### **Sec. 6-18. Interference with officers or county animal shelter.**

It is unlawful for an unauthorized person to take or let out any animals from the county animal shelter, or to take or attempt to take from any police officer or animal control officer any animal seized by the officer in compliance with this chapter, or in any manner interfere with or hinder such animal control officer or police officer in the discharge of duties under this chapter.

(Ord. No. 02-076, § 9, 4-25-2006)

### **Sec. 6-19. Cruelty to animals.**

- (a) It is unlawful for the keeper of any dog, cat or other pet or animal to willfully or through negligence injure or mistreat such pet or animal, by excessive beating, kicking or other physical abuse; failure to provide food, water or veterinary care; failure to provide clean shelter or other areas of confinement of adequate size; exposure to extreme heat or cold, or other acts of cruel and inhumane treatment.
- (b) It is unlawful for any person to kill or injure any dog, cat or other pet or animal, by shooting, striking, kicking, poisoning or by any other means, except in defense of person or property, or as otherwise provided in this chapter. No person shall harass or taunt any dog, cat, pet or other animal which is on the premises of its keeper. However, nothing in this subsection shall apply to a licensed veterinarian in the use of euthanasia when authorized by the pet's keeper or police officers in the performance of their duty.
- (c) It is unlawful for any person to cause, instigate or promote any fight in which two or more animals are engaged for the purpose of injuring, maiming or destroying themselves or another animal.

- 
- (d) It is unlawful for any person to sell, offer for sale, barter or give away any live animal as a premium, prize, award, novelty or incentive to purchase merchandise. It is unlawful to color, stain or dye any chicken, duckling or fowl.
  - (e) It is unlawful for any person to trap, for commercial or recreational use, furbearing animals using strangulation snares, steel-jaw traps or other body-gripping animal traps from all lands owned by the county. This subsection does not apply to trapping performed by government officials carrying out their official duties.

(Ord. No. 02-076, § 9, 4-25-2006; Ord. No. 02-247, § 11, 9-30-2014)

### **Sec. 6-20. Wild and exotic animals.**

No person shall receive, purchase, own or keep wild or exotic animals without first applying for and receiving from the New Mexico Department of Game and Fish, United States Fish and Wildlife, and/or USDA permit to do so.

(Ord. No. 02-076, § 11, 4-25-2006)

### **Secs. 6-21—6-50. Reserved.**

## ***ARTICLE II. DOGS AND CATS***

### ***DIVISION 1. GENERALLY***

### **Sec. 6-51. Vaccination of dogs and cats required.**

Any owner or keeper of a dog or cat four months of age or older shall have the animal vaccinated against rabies in accordance with applicable New Mexico Department of Health Regulations.

(Code 1985, § 7.12.050; Ord. No. 02-032, § 2, 6-24-2003; Ord. No. 02-076, § 12, 4-25-2006)

State law reference(s)—Similar provisions, NMSA 1978, § 77-1-3.

### **Sec. 6-52. License procedure; certificate.**

No license shall be issued for any dog unless a certificate from a licensed veterinarian is presented to the county by the keeper showing that such animal has been vaccinated for rabies.

(Code 1985, § 7.12.060)

### **Sec. 6-53. Dogs and cats brought to the county.**

Any dog or cat four months of age or older brought into the county shall be securely confined by its keeper until vaccinated against rabies, which vaccination shall be administered within one week after entry into the county unless the keeper has a certificate of vaccination issued by a veterinarian outside of the county, and such vaccination conforms to the requirements of this state.

(Code 1985, § 7.12.100; Ord. No. 02-076, § 13, 4-25-2006)

---

**Sec. 6-54. False and stolen documents.**

It is unlawful for any person to transfer rabies tags from one animal to another or to make use of a stolen certificate or tag.

(Code 1985, § 7.12.110; Ord. No. 02-076, § 13, 4-25-2006)

**Secs. 6-55—6-80. Reserved.**

*DIVISION 2. LICENSE*

**Secs. 6-81, 6-82. Reserved.**

Editor's note(s)—Sec. 14 of Ord. No. 02-076, adopted April 25, 2006, deleted the provisions of former §§ 6-81, 6-82, which pertained to requirements for license and duplicate copies of application constitutes, tags, and issuance, and derived from the 1985 Code.

**Sec. 6-83. Information.**

Any person applying for a dog license shall furnish the following information on an application form provided by the county: name and address of keeper; and description of dog: breed, name, sex, date of birth, markings, estimated weight, certification, date of last rabies vaccination.

(Code 1985, § 7.12.030; Ord. No. 02-032, § 3, 6-24-2003)

**Sec. 6-84. Procedure; dogs and cats affixing tags.**

The keeper shall cause the valid rabies tag to be affixed to the collar or harness of the dog or cat for which it was issued and to be worn there at all times when the animal is off the keeper's premises in accordance with 7.4.2.8 NMAC unless such animal is securely confined in a motor vehicle, or being kept at a kennel, veterinary hospital or training class. Animals participating in training, organized competitions or matches are not required to wear such tags during the time of the training or event. In all cases where the animal is not wearing the tag the keeper must have the tag or current valid rabies vaccination certificate in his or her possession at the time of the event.

(Code 1985, § 7.12.040; Ord. No. 02-076, § 15, 4-25-2006)

**Secs. 6-85—6-87. Reserved.**

Editor's note(s)—Sec. 16 of Ord. No. 02-076, adopted April 25, 2006, deleted the provisions of former §§ 6-85—6-87, which pertained to duplicate licenses, duration of license, and fees for license and derived from the 1985 Code; and Ord. No. 02-032, adopted June 24, 2003.

**Secs. 6-88—6-120. Reserved.**

### **ARTICLE III. LICENSE AND PERMIT FEES<sup>3</sup>**

#### **Sec. 6-121. Failure to display rabies tag.**

The fine for not having a rabies tag properly affixed to the animal as described in section 6-84 will result in a fine of \$25.00.

(Code 1985, § 7.16.010; Ord. No. 02-032, § 5, 6-24-2003; Ord. No. 02-076, § 18, 4-25-2006)

#### **Sec. 6-122. Redemption of impounded animals.**

Redemption by the keeper of an impounded animal in accordance with section 6-10 shall be subject to the following fees: pickup fee, \$20.00; boarding fee, \$5.00 for each calendar day, in whole or in part, of confinement.

(Ord. No. 74-64, § 1, 1982; Code 1985, § 7.16.030; Ord. No. 02-076, § 19, 4-25-2006; Ord. No. 02-247, § 12, 9-30-2014)

#### **Sec. 6-123. Redemption of impounded exotic animals.**

Redemption by the keeper of an impounded exotic animal shall be subject to reimbursement by the keeper for actual costs incurred by the county for pickup and boarding.

(Code 1985, § 7.16.040; Ord. No. 02-076, § 19, 4-25-2006)

#### **Sec. 6-124. Adoption of impounded animals.**

(a) Animals may be adopted from the animal shelter as prescribed in this chapter upon payment of the following:

- (1) \$35.00 for cats seven years and older;
- (2) \$50.00 for cats six months to seven years;
- (3) \$75.00 for cats less than six months;
- (4) \$60.00 for dogs seven years and older;
- (5) \$75.00 for dogs six months to seven years;
- (6) \$100.00 for dogs less than six months.

---

<sup>3</sup>Editor's note(s)—Sec. 17 of Ord. No. 02-076, adopted April 25, 2006, deleted the provisions of former §§ 6-121, 6-122 which pertained to license fees and duplication license fees and derived from the 1985 Code; and Ord. No 02-032, adopted June 24, 2003. Sec. 18 of the same ordinance enacted a new § 6-121 as set out herein and renumbered former §§ 6-123—6-125 as §§ 6-122—6-124. Sec. 20 of the same ordinance deleted the provisions of former § 6-126 which pertained to a permit fee for wild and exotic animals and derived from the 1985 Code.

- 
- (7) Adoption fees may be reduced by half where a determination has been made by animal control division director that adoptability has been compromised by:
- a. The animal's length of stay in the shelter;
  - b. The animal's health condition(s); or
  - c. The animal is part of a bonded pair, threesome or foursome.
- (b) No unsterilized animal shall be released from the animal shelter to an adopting person unless a sterilization agreement has been signed and a sterilization deposit has been paid, as provided in subsections (d) and (e) of this section.
- (c) In addition to the adoption fee charged, a sterilization deposit of \$25.00 shall be imposed on the adoption of each unsterilized animal from the animal shelter.
- (d) Unsterilized animals less than six months of age shall be released only upon payment of the adoption fee and a sterilization deposit and after the adopting person has signed an agreement stating he will have the adopted animal sterilized when it is no older than six months of age.
- (e) Unsterilized animals over the age of six months shall be released only upon payment of the adoption fee and a sterilization deposit and after the adopting person has signed an agreement stating he will have the animal sterilized within 30 days of the date of adoption.
- (f) The sterilization deposit shall be reimbursed only upon presentation of a receipt from a veterinarian that the adopted animal has been sterilized within the timeframes provided in subsections (d) and (e).
- (Ord. No. 02-093, § 1, 1-8-2008; Ord. No. 02-247, § 13, 9-30-2014)

**COUNCIL REPORT**  
**LOS ALAMOS POLICE DEPARTMENT**  
**ANIMAL SHELTER**



**Chief D. Sgambellone**

Chapter 6 and Wildlife Public Comment

Response and Recommendations

01/09/2024

## **BACKGROUND**

On November 13<sup>th</sup>, 2023, a Town Hall was conducted regarding recommended amendments to the Chapter 6 Animal Code and a Draft Ordinance prohibiting the feeding of waterfowl and wild animals. At the Town Hall, residents were informed of the content of each Ordinance and how citizens could provide feedback on the proposed changes. A website was established for written comments on both Ordinances which remained active through December 7<sup>th</sup> and the Ordinances were scheduled for discussion at the December 12<sup>th</sup> Council meeting.

At the December 12<sup>th</sup> Council meeting, Council directed staff to provide a substantive response to the public comments that were received. The following outlines the central concerns received, grouped into categories.

### **REVISION OF CHAPTER 6 SEC 6-6 UNREASONABLE ANIMAL NOISE PROHIBITED**

The majority of comments related to Animal Noise Prohibited concerned the use of the word, “unreasonable,” and whether or not that term is enforceable or could be abused by callers to the police, or the police themselves. The word, “unreasonable” (and/or “reasonable”) appears in County Code multiple times, including Chapters 6, 18, 28, 31, and 38. These words are not only used in existing code reference animals, but also with respect to vehicular noise, residential and business noise, noise related to working hours, and prohibited decibel levels.

Police Officers and Animal Control Officers are aware that the words, “reasonable and unreasonable,” can be subjective and consider this among many other factors when using discretion while handling calls. As with all matters of enforcement, the accused can ultimately plead their case to a Judge who will decide whether the conduct was reasonable or unreasonable. Additionally, the Los Alamos Police Department has historically shown a great deal of discretion regarding animal related calls. From 2019 through April 18<sup>th</sup>, 2023, there were a total of 21 citations issued by Animal Control Officers; 10 of those were written warnings rather than citations forwarded to court. Of the remaining 11, 10 of those citations issued were for roaming dogs and 1 was for excessive barking. The Animal Control Officers continue to be more focused on education and providing resources rather than citing.

However, the unenforceability of the current code on animal noise has been a significant factor with respect to citations. Citizens who endure chronic animal noise need a viable remedy and the Police Department needs to be able to meet that expectation. The proposed language is legally enforceable while still allowing for discretion by the Officer.

Another area of expressed concern was submitted regarding the regulation of livestock and chickens. However, this is covered in the existing code in Sec 6-2.

The last consideration came from Council regarding the phrase, “affirmative defense.” An affirmative defense is a fact or set of facts other than those alleged by the plaintiff or prosecutor which, if proven by the defendant, defeats or mitigates the legal consequences of the defendant's otherwise unlawful conduct. As it relates to this chapter, existing code allows for an affirmative



defense when the animal is provoked. This can become part of the discretionary consideration of the responding Officer, and therefore, is an important element of the code.

**RECOMMENDATION: Adopt the proposed changes to the Ordinance while maintaining the otherwise existing language to include the words, “unreasonable” and “affirmative defense.”**

### **REVISION OF CHAPTER 6 SEC 6-17 UNWANTED ANIMALS**

The majority of feedback received on this section includes the use of the phrase, “**MAY** accept any dog or cat,” as well as the euthanasia of animals after 5 days, and being designated as a no-kill shelter. The intent of proposed language was to maintain the department’s ability to control the animal population which had been threatened by people bringing in numerous dogs and cats from area shelters. Our practice clearly indicates a willingness and capacity to shelter unwanted animals from Los Alamos citizens in all other circumstances.

Secondly, the reference to the 5-day rule and euthanasia is in the existing code. The 5-day rule is designed to allow owners and keepers the ability to locate their missing dog or cat. After 5 days, the animal becomes the property of the County and may be euthanized, although that is not our practice. Annual euthanasia rates are published each year in our annual report. A euthanasia requires an acknowledgement by a licensed veterinarian that the animal’s condition warrants euthanasia and approval of the Chief of Police. There was some discussion regarding the phrase, “humanely destroyed,” versus, “euthanasia.” The Department does not take issue with either phrase, although, “humanely destroyed,” is in the existing code.

Lastly, a “no-kill shelter,” has been defined as a shelter that does not euthanize healthy or treatable animals based on time limits or capacity. There is usually a threshold of 90-95% associated with this term, meaning 90-95% of animals taken in by the shelter are not euthanized. The Los Alamos Shelter does not euthanize healthy and treatable animals and has always met this threshold as described above.

**RECOMMENDATION: Adopt the proposed changes to the Ordinance. Replace, “humanely destroyed,” with, “euthanized,” if so desired.**

### **SECTION 6-21 ASHLEY POND WILDLIFE PROTECTED AREA AND TO THE PROHIBITING FEEDING OF WATER FOWL AND WILD ANIMALS**

It appeared that the negative public feedback on feeding wildlife was well taken by Council, and as such, further discussion on this issue was postponed. With specific respect to adopting Ashley Pond as a Wildlife Protected Area, most of the comments were in support of an allowance for feeding the wildlife in this area. Several suggested the County install feeders with food that is appropriate for the Ashley Pond wildlife while adopting appropriate signage to discourage feeding the wildlife french fries, and other forms of potentially harmful human foods.

**RECOMMENDATION: Adopt Ashley Pond as a wildlife protected area within the Ordinance allowing for the feeding of fish, ducks, and geese with Veterinarian recommended food options**

**supplied by feeders. Consider as a policy decision installing appropriate signage to discourage feeding the Ashley Pond wildlife harmful food.**

### **SECTION 6-124 ADOPTION OF IMPOUNDED ANIMALS**

The majority of concerns in this section were related to the current procedures for sterilization. Some voiced concern regarding an allowance for breeders and exceptions when sterilization would compromise the animal's growth and well-being. There was discussion regarding the appropriateness of a \$25 deposit to ensure adopted animals would ultimately be sterilized and if a more substantial deposit would result in better compliance.

The New Mexico Pet Sterilization Act, 77-1-18 through 77-1-20, states that a sterilization deposit fee shall be **at least** \$25. While a more robust fee may result in better compliance, it may also result in the less fortunate of our community not being able to pay such a fee under circumstances that would require it. It would give those that could afford such a fee the ability to adopt animals prior to them reaching six months of age, while the less fortunate would have to wait if they couldn't afford a higher fee. At the same time, pet overpopulation is an on-going concern and there must be appropriate legal standards in place to discourage it.

The Department is not opposed to making an allowance for breeders and circumstances where sterilization would compromise the animal's growth and well-being. In fact, if the pet sterilization fee is increased, we would need language about breeder exemption to discourage individuals from claiming the exemption to avoid the sterilization fee. Therefore, additional language regarding the process for exemption is warranted. Additionally, the Department is not opposed to adding language regarding an exemption for sterilization that would compromise the animal's growth and well-being.

**RECOMMENDATION: Retain current language while raising the sterilization deposit fee to \$100. Add allowances for breeders and in circumstances where sterilization would compromise the animal's growth and well-being.**

#### **Recommended language:**

No person or animal organization may keep, harbor or maintain within the city limits any dog or cat over six months of age that has not been sterilized (commonly known as spayed or neutered) unless the owner has obtained an intact animal permit. The cost of the intact animal permit is the same as the sterilization fee. The intact animal permit may be issued with the following conditions:

- (1) *Medical exemption.* The owner provides a signed statement from a licensed veterinarian, stating that the dog or cat is medically unsuited to undergo the sterilization procedure, stating the specific medical grounds for the exemption. If the veterinarian's statement establishes such medical condition is likely to be chronic or permanent, the medical exemption shall be a permanent exemption, but may be revoked upon evidence the dog has been bred since the date of the veterinarian's statement, whether intentionally or

unintentionally. All costs associated with acquiring the veterinarian's statement of justification for the medical exemption shall be the responsibility of the animal's owner.

(2) *Temporary medical exemption.* When a temporary medical condition contraindicates sterilization, the owner shall provide a signed statement from a licensed veterinarian, stating the expected date as to when the sterilization may be safely performed, which date shall be the expiration date of the temporary medical exemption. After the period of the temporary medical exemption, sterilization shall be required unless a licensed veterinarian provides another temporary medical exemption and prognosis of when the surgery may be performed. All costs associated with acquiring the veterinarian's statement of justification for a temporary medical exemption shall be the responsibility of the animal's owner.

(3) *Competition/show exemption.* A dog or cat may be exempted from the sterilization requirement if it is a competition/show animal. A competition dog or cat is one which is used to show or to compete in contests recognized and registered by an approved breed registry, such as the American Kennel Club (AKC), United Kennel Club (UKC), or American Dog Breeders Association (ADBA). Recognition of a breed registry is at the sole discretion of Animal Shelter. In order for a dog or cat to qualify for an exemption as a competition/show animal, the owner must also demonstrate satisfaction of at least one of the following requirements:

(a) The animal has competed in at least one show or competition sanctioned by the national registry or approved by the Animal Shelter within the last year.

(b) The owner is a member of a purebred breed club recognized by the Animal Shelter, which maintains and enforces a code of ethics for breeding that includes restrictions on breeding animals with genetic defects and other veterinary problems that commonly threaten the breed.

(4) *Function-bred exemption.* Function-bred means any dog bred for a specific purpose and used by the breeder for a specific purpose such as hunting, herding, coursing, agility, retrieving, scent tracking, or pointing. These dogs may be of the sporting breeds or function-bred dog either of a registered pedigreed lineage or crossbred with a nonregistered pedigreed lineage for which the animal is bred specifically for its stated sport or functional purpose including but not limited to coursing hounds, sporting dogs, search and rescue dogs, sled dogs, service dogs, police K-9's, and scent hounds. In addition, one of the following requirements must be met:

(a) The dog owner must be able to produce a pedigree showing the dog's lineage for at least five years.

(b) The dog owner must be able to produce photographic evidence of participation in the activity for which the dog is bred.

(c) The dog owner must produce other evidence as required by the Animal Shelter on a case-by-case basis. This evidence may include but is not limited to the possession of the proper equipment used for the work or sport the dog is bred for.

**NOTICE OF CODE ORDINANCE 02-355  
STATE OF NEW MEXICO, COUNTY OF LOS ALAMOS**

Notice is hereby given that the Council of the Incorporated County of Los Alamos, State of New Mexico, has directed publication of Los Alamos County Code Ordinance 02-355. This will be considered by the County Council at an open meeting on Tuesday, June 11, 2024, at 6:00 p.m., at the Los Alamos County Municipal Building: 1000 Central Avenue, Los Alamos, New Mexico 87544. The full copy is available for inspection or purchase, during regular business hours, in the County Clerk's Office: 1000 Central Avenue, Suite 240.

**INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE 02-355  
A CODE ORDINANCE AMENDING CHAPTER 6, ANIMALS, OF THE INCORPORATED COUNTY OF  
LOS ALAMOS CODE OF ORDINANCES**

Council of the Incorporated County of Los Alamos

By: /s/ Denise Derkacs, Council Chair

Attest: /s/ Naomi D. Maestas, County Clerk

**Publication Date: Thursday, May 30, 2024**

401 Animal Intake			
Effective Date:	January 1, 2024	Rescinds: Amends:	All Prior
Distribution:	ALL PERSONNEL	Re-evaluation Date:	January 1, 2024
Related CALEA Standards:			

**I. PURPOSE**

The purpose of this General Order is to establish guidelines and standard procedures for receiving animals into the Los Alamos County Animal Shelter.

Further, the purpose of the Animal Shelter staff is to provide for the rescue, rehabilitation, and rehome of animals in crisis and to promote the ownership of healthy pets through education, advocacy, and enforcement, and to inspire a community where the animal-human bond is celebrated and nurtured.

**II. POLICY**

It is the policy of the Los Alamos County Police Department to provide care for animals that are picked up roaming within the County of Los Alamos, or that are given up for adoption by their owners who reside in Los Alamos County, or that are quarantined for any reason in the Los Alamos County Animal Shelter.

**III. DEFINITIONS**

**Impound:** means to take-up and confine an animal in a humane manner by Los Alamos County Animal Shelter.

**Owner Surrender:** means the relinquishment of all rights to an animal by the owner to the Los Alamos County Animal Shelter or Los Alamos County Animal Control Officer (ACO).

**Quarantine:** The strict confinement and isolation of an animal for any length of time in accordance with this Ordinance, State Law, or Federal Law, in order to observe for and control the spread of infectious or contagious diseases, such as rabies.

**IV. PROCEDURES**

A. Impounding Animals

1. The Los Alamos County Animal Shelter may impound animals, which the owner no longer wants or cannot keep, and will place such animal for adoption for a period of five days or longer, after which time it may be euthanized if approved by the Chief of Police or designee.

i. The shelter manager may use their discretion when to and how to accept animals. The staff of the Animal Shelter may refuse any intake, surrender, or adoption.

2. The owner or keeper of the animal must be a resident of Los Alamos County and show proof of residency. The administrator may deny the acceptance of unwanted animals if, in the opinion of the administrator, the owner has collected animals from outside of Los Alamos County for the purpose of bringing them to the Los Alamos Animal Shelter.

Deleted: Surrender

Formatted: Indent: Left: 0.75", No bullets or numbering

3. Animal Control Officers, in performance of their duties, may enter upon accessible private property, for the purpose of apprehending animals running at large and stray animals, provided that except in cases of emergency, private property shall not be deemed to be accessible for this purpose if the property is the interior of a dwelling unit or if reasonable expectations of privacy are otherwise indicated.

4. Impounded stray animals where the owner is unknown will be held for a period of five days at which time the animal shall be subject to the provisions of Chapter 6, Section 6-16 of the Municipal Ordinance. Impounded animals where the owner or keeper is known, to include animals that have owner identifying tags or microchips, but who have not claimed the impounded animals within ten days, the Chief of Police, or designee, shall attempt to notify the owner or keeper by certified mail that the animal will be declared abandoned. Such declaration of abandonment may be made ten days after sending such notice and the animal shall then be subject to the provisions of Chapter 6, Section 6-16 of the Municipal Ordinance.

5. No more than 12 animals per individual or household in a rolling calendar may be relinquished to the Los Alamos County Animal Shelter.

6. Once an animal has been abandoned, the animal may not be re-adopted by the owner, family of the owner, or members of the household.

B. The intake process for animals into the Shelter are (as applicable):

1. Secure medical treatment for the animal, if needed.
2. As soon as practical, the animal will be immunized, if needed.
3. All animals taken into the shelter will be placed in a kennel.
4. The animal will be given food and water.
5. Conduct scan/search of animal for identifying microchip prior to kennel placement.
6. Check for proof of sterility and/or a tattoo as soon as possible.
7. Cross reference any tag information to locate owners, and contact owners, if possible.
8. Treat the animal immediately if fleas and ticks are visible.
9. Place information (fact sheet/kennel card) regarding the animal on the kennel where the animal is placed.

C. The Animal Shelter RMS will be updated with every animal taken into the Shelter with the following information:

1. Animal Shelter ID Number
2. Date and time the animal was placed at the Shelter
3. Case and/or CFS
4. Name of person receiving or taking the animal
5. Description of animal to include:
  - a. Type or species of animal
  - b. Gender, if known
  - c. Breed, if known
  - d. Color(s)
  - e. Photo of animal
6. Location where animal was picked up roaming or where turned over to Animal Control
7. Rabies and microchip information
8. Reason animal taken in
9. Information of animal's owner, if surrendered by owner, and comments why the animal was turned in. Owners must provide driver's license or photo ID, DOB, address and phone number.
10. If a stray, name of person who found animal and where it was found. Individuals who bring in animals must provide driver's license or photo ID, DOB, address and phone number.

[401 Animal Intake](#)

Formatted: Indent: Left: 0.75", No bullets or numbering

11. Proof of sterility and if known who sterilized the animal
12. Disposition of animal (Adopted, placed in Foster Care, Claimed by Owner)
13. Date of disposition
14. Name, address and phone number of the owner or person adopting or providing foster care
15. Fees charged/collected
16. Name of individual releasing the animal
17. Animals name, if known
18. Additional comments and information
19. Other system information as required

#### D. Non-domesticated Animals

1. Employees will handle non-domesticated animals in a safe and humane manner. If assistance is needed, an Officer may call upon the services of an exotic or wildlife organization to assist in handling the animal. All Federal and State protected species will be handled by the specific organizations with jurisdiction over said animal, unless authority is given by the Agency to Animal Control. Protected species will only be handled at the discretion of the Officer or Supervisor after receiving authority from the appropriate Agency.
2. If means are not available to house a non-domesticated animal, employees should take necessary steps to take care of the animal in place when practical.
3. If employees are unfamiliar with the steps to safely handle and care for non-domesticated animals, Supervisor guidance shall be sought.
4. If a dog should come in contact with and kill a skunk, the skunk should be removed from the location, taken to the shelter and properly prepped for rabies testing. The ACO will then obtain information on the dog's rabies vaccine status. The proper rabies testing forms shall be filled out and the specimen shall be sent to SLD for testing. A Chief's report for a rabies exposure shall be written and a follow up with the results shall be submitted to both senior staff and the occupants of the home when status of results are returned.
5. If a bat is found to be in a home it is to be picked up and prepped for rabies testing. Name, DOB and a current phone number will be obtained for the occupants of the home. A Chief's report for a rabies exposure shall be written and a follow up with the results shall be submitted to both senior staff and the occupants of the home when status of results are returned.

#### E. Chemical Capture of Animals

1. If there is a need for utilizing chemical capture techniques and equipment and no employee has the proper training and equipment, another Department with proper training and equipment will be utilized.
2. The employee must complete an incident report that contains documentation pertaining to the procedure, including but not limited to medical observations and the situation that caused chemical capture to be the prudent course of action.

#### F. Quarantined animals

1. The Animal Shelter and Animal Control Officers shall follow state regulations regarding animals who bite another and have the possibility to transmit rabies. An animal that bites a person shall be confined securely at a place for a period of ten days. Animals who need to be quarantined will be separated from other animals, interaction with the public, and anywhere the risk of a disease transmission is possible.
2. Animals can be quarantined at the Animal Shelter or at the owner's residence.

[401 Animal Intake](#)

Deleted: in regard to

Deleted: quarantined.



- i. If an animal does not have a current rabies vaccination and the owner cannot provided documentation from a veterinary clinic, will be quarantined at the Animal Shelter.
- ii. Employees may consent to quarantining the animal on the owner's premises if the animals can be confined from other animals and the general public and has documentation of a rabies vaccination. The owner of the animal shall be required to enter into an indemnity agreement on a form approved and prescribed by the Shelter Manager before consent may be given for such home confinement.
- iii. If the animal is confined and, after ten days following the bite, no rabies is found to be present or suspected, the animal may be removed from quarantine released to the keeper upon payment of any fee which may be due. If the animal dies during the ten-day period, the animal's head shall be submitted to the state for rabies testing.

Formatted: Indent: Left: 1.15", No bullets or numbering

Approved by:



Dino Sgambellone  
Chief of Police

Table of Contents

<b>402 Adoption, Fostering, and Releasing of Animals from Animal Shelter</b>			
Effective Date:	January 1, 2024	Rescinds: Amends:	All Prior
Distribution:	ALL PERSONNEL	Re-evaluation Date:	January 1, 2024
Related CALEA Standards:			

**I. PURPOSE**

The purpose of this General Order is to provide consistency and accountability for the release, adoption, and fostering of animals from the Los Alamos Animal Shelter.

**II. POLICY**

It is the policy of the Los Alamos County Police Department to release animals from the Los Alamos Animal Shelter by adoption, fostering, reclaiming, or transferring out of the Animal Shelter.

**III. DEFINITIONS**

None at this time.

**IV. PROCEDURES**

- A. Animals may be released from the shelter for the following circumstances after rabies tag information is obtained, if possible:
  - 1. Animal was reclaimed.
  - 2. Animal has been adopted.
  - 3. Animal has been transferred.
  - 4. Animal has been fostered.
  - 5. Animal has been euthanized.
  
- B. The following procedures will be followed when the owner claims an animal:
  - 1. A positive identification of the owner and the animal being claimed is made.
  - 2. Pick up, sterility, and boarding fees are collected if applicable.
  - 3. A reclaim agreement is signed by the owner.
  - 4. Citations issued, at the discretion of the Animal Control Officer (ACO).
  - 5. The owner provides verification of current rabies. If animal is unvaccinated staff member will give owner appropriate time to acquire Rabies vaccine or a citation can be issued.
  - 6. Receipts for all money transactions is/are issued by the attending Staff Member.
  
- C. Shelter fees [are established by the County Council and](#) can include:
  - 1. Pickup fees
  - 2. Boarding fees per day
  - 3. Veterinarian fees are the responsibility of owners if owner is found or comes forward Sterility fees, which is refundable if sterility is completed within 30 days Adoption fees
  - 4. Medical service fees
  - 5. Other applicable fees

- D. Employees will issue numbered receipts so that fee transactions will be accountable. All fees collected will be turned into the County by the next business day.
- E. The following procedures will be followed for the adoption of animals from the Animal Shelter.
  - 1. Anyone adopting an animal from the shelter will be charged the adoption fee and other applicable fees, unless waived by the Chief of Police or designee. If fees are waived, they should be documented by a Chief's report and on a financial log.
  - 2. The employee, at their discretion, may refuse to allow an animal to be adopted if they believe the safety of the animal is in jeopardy, if there is reason to believe the individual would not properly care for the animal or has a known history of neglect or abuse, or if in the employee's opinion the animal placement would not be proper. Anyone under the age of eighteen may not adopt an animal.
  - 3. An adoption application must be filled out and processed.
  - 4. The proper adoption agreement shall be completed and signed by the adopter.
- F. The following procedures will be followed for any animal being fostered from the Los Alamos Animal Shelter:
  - 1. An animal may be placed in a foster home, if the animal has been unclaimed, or not adopted within ten days or at any time for the medical or social benefit of the animal.
  - 2. A list of foster caregivers will be maintained and approved by the Shelter staff.
  - 3. Volunteers may be asked to make foster arrangements, with final approval from the Shelter Staff.
  - 4. Prior to an animal being fostered, a foster contract will be completed and signed. An inspection of the residence will be conducted to ensure it is a safe environment for the animal.
  - 5. The long-term foster caregiver agrees not to return the animal to the shelter except when they can no longer care for the animal or upon request from shelter staff.

Approved by:



Dino Sgambellone  
Chief of Police

[Table of Contents](#)

<b>404 Shelter Animal Environment</b>			
Effective Date:	January 1, 2024	Rescinds: Amends:	All Prior
Distribution:	ALL PERSONNEL	Re-evaluation Date:	January 1, 2024
Related CALEA Standards:			

**I. PURPOSE**

The purpose of this General Order is set standards for a safe and sanitary environment for animals, employees, volunteers and the public at the Animal Shelter.

**II. POLICY**

It is the policy of the Los Alamos County Police Department that the Animal Shelter will be maintained in a clean and sanitary condition. All animals at the shelter will be checked on, fed and watered daily. It is the policy of the Los Alamos County Police Department to seek or provide emergency medical care for injured or sick animals while in our care. This care will be provided in cooperation with local organizations capable of providing licensed veterinarian services.

**III. DEFINITIONS**

None at this time.

**IV. PROCEDURES**

**A. Cleaning:**

**1. Housing Areas:**

- i. Each day an employee or volunteer/community service person will clean and disinfect all kennels, dishes, beds, litter boxes and feeding dishes. The bedding will be washed as appropriate. Kennels will be spot cleaned throughout the day.
- ii. Proper infection control will be utilized by employees for sick animals to help reduce the spread of infections and disease. Employees will wear proper PPE's when cleaning kennels and contents of kennels for animals who are sick.
- iii. Outside exercise areas will be kept clean on a daily basis.

**2. Portable kennels, transfer cages, and carriers:**

- i. After each use, each portable kennel, transfer cage, or carrier will be disinfected and rinsed thoroughly with disinfectant and water.

**3. Equipment/Facility:**

- i. All equipment including vehicles, toys, restraints, bedding, and other gear will be kept clean and properly maintained.
- ii. The facility will be kept clean at all times by any means including sweeping, mopping, dusting, and trash removal.

- iii. Staff shall ensure, to the degree possible, conditions leading to vermin and insects will be addressed.

**B. Feeding of animals**

1. Upon intake of an animal into the shelter, the animal will be given an appropriate amount and type of food and a full bowl of water.
2. All animals housed in the shelter will be given fresh food and water on a daily basis, unless prescribed by a veterinarian.
3. Animals will not be given any food that has not been approved by shelter staff.
4. All animals will be given appropriate food according to species.
5. All food will be kept in enclosed containers.

**C. Behavioral Assessments**

1. All dogs aged 8 weeks and older shall have a behavioral assessment conducted prior to adoption or foster.
2. Each dog will be reassessed using the SAFER behavioral testing every 2 months after the first initial test, or sooner if the animal is showing signs of behavioral concerns by staff.
3. Each of the dog's color temperament will be written on the animal's kennel card, the folder for the animal and on the behavioral board located in the dog kennels with the dog's most current behavioral assessment.
4. Prior to a dog being adopted or fostered staff must go over the dog's behavioral assessment with the individual taking custody of the animal.
5. Prior to meeting or greeting an animal with any sort of bite history, visitors will be briefed about the history of the animal.

**D. Enrichment**

1. Enrichment for animals will not be considered optional.
2. Each animal will have their daily enrichment logged on the enrichment board and recorded.
3. Physical Exercise will consist of a minimum of 15 minutes per day for dogs, this can be with human interaction such as a walk or with another dog as in a play group.
4. Cats will have a minimum of 2 hours a week of interactive play which will include cats in the intake room being taken out of their kennel and allowed to play.
  - i. An exception can be made if the animal is fearful of people.
5. The animals will have species specific enrichment that will include rotation of senses including but not limited to:
  - i. Olfactory Stimulation: Novel scents or extractions mixed with water may be used with animals but must be checked prior to use to ensure it is safe for the species.

- ii. Scents will be sprayed only in the air and never directly onto bedding. Essential oils will not be used with cats. Cat pheromone or cat nip may be used.
- iii. Auditory Stimulation: Books, music and biological significant sounds can be played for animals. Music and sounds will be turned off prior to staff leaving the facility for the night so as not to have the sound disrupt the animals sleeping.
- iv. Visual Stimulation: Bubbles, lava lamps, mobiles and aquariums may be used to visually stimulate the animals.
- v. Cognitive Stimulation: Feeding bowls, puzzle plates and lick mats may be used. This will provide animals with investigatory opportunities. Yard time for dogs will be provided. Dogs will be placed in a play group and staff will mark and document which animals can socialize with another based on their behavior and temperament. Cats will be provided with the opportunity to access the "catio".
- vi. Taste Stimulation: Kongs with peanut butter and other various dog treats will be provided, ice blocks with food and treats will be made and provided to dogs. Lick mats with various types of treats will be provided to cats.
- vii. Animals who are on a protective custody hold or who are on a bite quarantine will be provided with daily enrichment by staff only.
- viii. Staff must watch for over stimulation and individualize enrichment as needed.

**Approved by:**



Dino Sgambellone  
Chief of Police

**Table of Contents**

<b>405 Limits of Authority</b>			
Effective Date:	January 1, 2024	Rescinds: Amends:	All Prior
Distribution:	ALL PERSONNEL	Re-evaluation Date:	January 1, 2024
Related CALEA Standards:			

**I. PURPOSE**

The purpose of this General Order is to establish guidelines regarding the limits of authority and discretionary powers of Public Service Aides (ACO's).

**II. POLICY**

It is the policy of the Los Alamos County Police Department to provide fair and unbiased animal enforcement services to the citizens of Los Alamos County.

**III. DEFINITIONS:** None at this time.

**IV. PROCEDURES**

**A. Limits of Authority:**

1. ACOs of the Department have the authority to enforce the laws of the State of New Mexico, and the County of Los Alamos, in regard to animals. Such authority is limited by Department, County Charter, County Ordinance, New Mexico State Statute laws, and the U.S. Constitution.

**B. Discretion:**

1. One of the most critical aspects of the use of enforcement authority is in the area of discretion. The use of discretion can be a highly successful tool to resolve problems and conflicts, but only if used properly. If used incorrectly by employees, it possibly becomes an instrument of unprofessional, unethical, or illegal conduct.
2. ACOs differentiate between the effects of enforcement on community relations, the effectiveness and efficiency of the overall operation, and their role in society.
3. ACOs are allowed the use of discretion in many areas. For instance, whether or not to charge for minor violations, or release with a warning, or to settle minor disputes.
4. The Department recognizes limitations when using discretion. ACOs do not have any discretion when given a lawful order, when dealing with compliance to Department policy or when specific laws mandate actions. ACOs should confer with Supervisors when faced with discretionary situations that require assistance.

**C. Removal of animals from motor vehicles by Animal Control Officer or Los Alamos County Police Officer.**

1. An Animal Control Officer/ACO or Los Alamos County Police Officer who finds an animal in a motor vehicle in violation of this chapter may enter the motor vehicle if necessary to remove the animal. The officer removing the animal shall take the animal to an Animal Shelter or other place of safe keeping. If a vehicle is entered, left unsecured and cannot be re-secured, an animal control/ACO or peace officer shall stay with the vehicle until the owner arrives. In the event

the person having custody cannot be contacted, the officer shall leave in a prominent place in the motor vehicle a written notice bearing their name and office and the address where the animal may be claimed by the owner. The animal shall be surrendered to the owner if the owner claims the animal within five (5) days from the time the animal was impounded.

**Approved by:**



Dino Sgambellone  
Chief of Police

**Table of Contents**



406 Disposal of Dead Animals			
Effective Date:	January 1, 2024	Rescinds: Amends:	All Prior
Distribution:	ALL PERSONNEL	Re-evaluation Date:	January 1, 2024
Related CALEA Standards:			

**I. PURPOSE**

The purpose of this General Order is to establish procedures concerning the disposal of dead animals so as to avoid contamination of facility, equipment, live animals, and humans with diseases transmitted from animal carcasses.

**II. POLICY**

It is the policy of the Los Alamos County Police Department to dispose of dead animals in a safe manner to avoid contamination of live animals and humans with diseases transmitted from animal carcasses.

**III. DEFINITIONS:**

**Double bag:** Placing in a bag tying the first bag than place in a second and also tying that bag

**IV. PROCEDURES**

**A. General handling of all dead animals.**

1. The animal’s carcass should be picked up by an employee utilizing proper PPE’s.
2. Domesticated animals should be placed in a disposal bag which is tightly secured. The bag should be labeled or tagged with the animal’s species, a description, the date and location found and the microchip if known.
3. All domesticated animals will be placed in the chest freezer located in the back of the animal shelter for 5 days. If after the 5 days no owner is located the animal shall then be disposed of at the Eco Station.
  - i. A dead log shall be kept at the shelter for possible owners. It should have the date, time, description of animal, and location of pickup.
  - ii. If an animal’s death is due to euthanasia, it will be marked on the bag with red duct tape or a noticeable flag so it can be disposed of using cremation rather than the Eco Station. No animal shall be disposed of at the Eco Station if euthanasia is the cause of death.
4. If a pet owner is located or it is found that an animal is owned it will be the responsibility of the pet owner to properly dispose of their animal.
  - i. A case will be assigned, and a report taken for animal at large. Appropriate citations to the owner may be issued at the discretion of the Officer.
5. The dead animal will be placed in an empty compartment in the animal control truck. After disposal of the animal the kennel or bed of the truck should then be cleaned and disinfected.

6. All dead animals will be properly disposed of and examined if necessary.
7. All dead animals should be scanned for microchips to identify and contact pet owners.

**B. Livestock**

1. In the event that a large animal (livestock) is found or reported dead, the animal's owner should be identified and notified.
  - i. NM Livestock board should also be contacted and advised if animal is branded.
2. The Parks and Recreation division can be contacted to assist with the removal of the animal at the request of the owner.
3. The County landfill should be notified prior to transport, so that burial preparations can be made.
4. A case should be assigned, and a report taken describing the circumstances of the animal's death.
5. At the owner's request, or in the event that the owner cannot be contacted, the animal will be transported to the Los Alamos County Transfer Station, where it will be disposed of. The Transfer Station fees will be the responsibility of the owner.

**C. Wildlife**

1. In the event a big game animal, such as deer, elk, bear, mountain lion, or turkey, is found or reported dead, the New Mexico Department of Game and Fish will be notified, or Tribal authorities if on Tribal land.
  - i. If found on LANL property, LANL must be contacted and given time to take a sample for testing.
2. If the animal is in an area in which it is creating a hazard for traffic, the animal should be immediately moved to a safe area, until the arrival of the Game and Fish Officer.
3. In the event that a small animal, such as a rabbit, squirrel, skunk, mouse, bird or other such animal, is found or reported dead, the Officer will pick up and dispose of at the Eco Station.
4. The same safety precautions as described above, for general handling of dead animals, should be taken when dealing with these dead animals.

**Approved by:**



Dino Sgambellone  
Chief of Police

**Table of Contents**

409 Animal Trapping and Relocation			
Effective Date:	January 1, 2024	Rescinds: Amends:	All Prior
Distribution:	ALL PERSONNEL	Re-evaluation Date:	January 1, 2024
Related CALEA Standards:			

## I. PURPOSE

The purpose of this General Order is to try to prevent animals from creating a health hazard, causing any destruction to property or becoming a nuisance to the public.

## II. POLICY

It is the policy of the Los Alamos County Police Department to attempt the humane trapping and transport of domestic animals as well as to trap, transport and relocate unprotected species of wild animals so as to try and assure the safety of the public as well as the animal.

## IV. PROCEDURES

- A. The following procedures will be followed for trapping animals:
1. Upon the availability of the proper trap, a ACO will place a trap at a business or residence upon the request of the resident.
  2. Upon the successful trapping of the target animal(s), the ACO will relocate the animal, unless the animal is sick or otherwise restricted from relocation.
  3. If there are additional animals needing to be trapped, the ACO will return the trap and attempt to trap additional animals.
  4. If a trap has been set and an animal has not been trapped in a one -week period, the ACO may recover the trap.
  5. In the event that other residents are waiting for a trap to become available no one trap will remain at a location for more than a one -week period.
  6. Residents requesting trapping services will be responsible for monitoring the trap and notifying the Public Service Aids when an animal has been trapped.
  7. Traps will not be left at a residence in which the resident will be out of town.
  8. Residents using their own traps are responsible for relocation and release of trapped animals.
- B. For all the above situations, a trap agreement will be utilized. The agreement will cover the policies and procedures for use. An agreement should be made showing they are to be loaned out for no more than a week at a time, showing what time they should be opened, how they should be left and if an extension of time is needed, it can be made with ACO approval.

Approved by:



Dino Sgambellone  
Chief of Police

[Table of Contents](#)

<b>410 Euthanasia</b>			
Effective Date:	January 1, 2024	Rescinds: Amends:	All Prior
Distribution:	ALL PERSONNEL	Re-evaluation Date:	January 1, 2024
Related CALEA Standards:			

**I. PURPOSE**

The purpose of this general Order is to establish guidelines to determine what point a decision is made to euthanize the animal and to ensure that animals needing to be euthanized are done so in a humane manner.

**II. POLICY**

It is the policy of the Los Alamos County Police Department to euthanize animals that are determined to be un-adoptable, have a serious illness, have a serious/life-threatening injury, or are determined to be dangerous.

**IV. PROCEDURES**

A. All attempts will be made to place all healthy sociable animals in good homes by means of adoption or foster care. Animals that cannot be placed because of illness, injury, undue pain, suffering, based off a veterinarian’s recommendation or that are determined to be dangerous may be euthanized. When an animal is to be euthanized, the following procedures shall take place:

1. In Shelter:

- i. Shelter volunteers may be notified prior to the scheduling the euthanasia to ensure last minute accommodations have not been found for the animal.
- ii. Approval will be obtained from the Chief of Police or designee.
- iii. An appointment will be made with a local veterinarian.
- iv. The animal will be transported to the veterinarian and euthanized by the veterinarian.
- v. The carcass of animal will be placed in double plastic bags and or cremated by the veterinary clinic to avoid wildlife contamination. If the animal has an owner, the owner should make proper disposal arrangements with the veterinary clinic, or the animal should be returned to the owner if requested.
- vi. A Chief’s Report shall be completed. A chief’s report will document the approval or request describing why euthanasia is being sought. This will include the recommendation of any veterinarian. If approved, the email or documentation will be placed within the animal’s file.

2. Out of Shelter:

- i. During emergency situations, animals will be humanely euthanized. The Officer shall notify the CDC prior to firing their weapon. The officer shall notify proper authorities, will properly dispose of the carcass, and complete a Chief’s Report.
- ii. Within 1000 feet of a dwelling, a handgun should be utilized to dispatch the animal absent particularly large animals or unusual circumstances. In all cases, discharging a firearm shall require a proper shot assessment to include background, pedestrian and

vehicular traffic, the potential for ricochet, the type of round used, and overall scene safety. The incident shall be recorded on a body worn camera.

**Approved by:**



Dino Sgambellone  
Chief of Police

**Table of Contents**

<b>412 Volunteer Shelter Programs</b>			
Effective Date:	January 1, 2024	Rescinds: Amends:	All Prior
Distribution:	ALL PERSONNEL	Re-evaluation Date:	January 1, 2024
Related CALEA Standards:			

**I. PURPOSE**

The purpose of this General Order is to establish guidelines and procedures to enhance the quality of life for animals housed in the Los Alamos County Animal Shelter (Shelter); to find proper homes for all adoptable animals at the shelter; and to educate the public on responsible pet ownership.

**II. POLICY**

It is the policy of the Los Alamos County Police Department to utilize the efforts of the members of the Volunteer Shelter Program (VSP) for the benefit of the animals housed at the Shelter.

**III. DEFINITIONS**

**Volunteer Shelter Program Members** – means individuals at least eighteen (18) years of age that have signed a waiver of liability who without compensation or expectation of compensation, performs tasks at the direction of the Department or on behalf of the County of Los Alamos; or Individuals sixteen (16) to eighteen to (18) years of age that have signed a waiver of responsibility which is co-signed by their parent or legal guardian who without compensation or expectation of compensation, performs tasks at the direction of the Department or on behalf of the County of Los Alamos; parents must also sign a waiver of liability; or individuals under sixteen (16) years of age accompanied by a parent or legal guardian who have signed a waiver who without compensation or expectation of compensation, performs tasks at the direction of the Department or on behalf of the County of Los Alamos. The designation of intern may be applied to some volunteers at the discretion of shelter staff. Volunteers are not considered employees of Los Alamos County.

**Short Term Volunteer-** must meet the same requirements as VSP members but the term of volunteering is 60 Days or less.

**IV. PROCEDURES**

- A. All Volunteers must be approved by the Los Alamos County Animal Shelter prior to volunteering at the Shelter.
- B. Volunteer screening. All Volunteers must successfully complete the following:
  - 1. Complete and submit an application form approved by County and demonstrate an ability to be around animals.
  - 2. Receive, read and comply with relevant County policies and procedure manuals. Volunteers must sign and submit an acknowledgment and waiver form
- A. As requested by the Department, Volunteers may assist the Shelter staff with the following functions:
  - 1. Welfare of the animals;
  - 2. Provide supplies and care for the animals to enhance their quality of life;

3. Provide additional care for special needs animals such as those needing extended medical care; or special diets
  4. Socialization and obedience training;
  5. Grooming of animals;
  6. Promote the Shelter and assist in animal adoptions;
  7. Transportation of animals to other shelters, animal rescue groups and new owners;
  8. Pet education programs;
  9. Provide the public with educational information on responsible pet ownership, training and grooming;
  10. Provide new VSP members with training and animal handling, behavior assessment and grooming; and
  11. Offer clinics for the public on various other animal related topics of public interest.
- B. Approval of Short-term volunteers
1. Shelter Staff may approve the use of short-term volunteers at their discretion. Short term volunteers may typically include community service, Detainee's, and Interns.
    - i. Upon Department approval, the volunteer must sign a liability waiver. If, at any time, the volunteer is unable or unwilling to follow directives, Shelter Staff may remove them from volunteer status.
- C. Department Standards for Volunteers
1. Sign In & Out. When reporting to the Shelter or a Shelter sponsored event, Volunteers must sign in/out on the Volunteer Sign-in Sheet.
  2. Reporting an Accident or Incident. All accidents, injuries, illnesses, and near-misses must be reported immediately to the Shelter Manager or Chief of Police whether they are related to an animal or not. An incident form **MUST** be filled out (animal or non-animal related) and both the Shelter Manager or Chief of Police and the injured person must sign the completed form.
  3. Volunteers shall comply with all County policies and rules relating to the Shelter and animals at the Shelter.
  4. Volunteers must acknowledge and remember that the County has final say in all situations regarding the shelter and the animals impounded therein. Foster animals are property of the County Animal Shelter. All policies and established shelter procedures and requests from the County Animal Shelter staff must be strictly followed.
  5. Confidentiality. Volunteers may have access to records, staff discussions, and other information that may be confidential. Volunteers are not permitted to share such information with others, doing so could result in volunteer status being withdrawn.
  6. Professionalism. Volunteers must always maintain a professional and courteous demeanor with customers, staff, as well as with other volunteers. Volunteers shall not report for duty at the


Shelter or any Shelter sponsored event while under the influence of alcohol or drugs. Volunteers should educate themselves about the effects of prescription and nonprescription medications which may impair the ability to perform Volunteer work safely. Violence, threats, harassment, intimidation, and other disruptive behavior in the Shelter or County perpetrated by Volunteers, customers, co-workers, family, friends, or others doing business for or with County will not be tolerated. Any incident of threat or acts of physical violence witnessed shall be reported.

7. Visitors. Volunteers may not bring friends or children to the Shelter during their scheduled volunteer hours.
8. Media. Volunteers are not permitted to speak to the Media on behalf of the County Animal Shelter and must refer Media personnel to the County Animal Shelter Manager, or County Manager's Office.

D. Shelter Access Outside Normal Hours.

1. Access to the Shelter is prohibited for Volunteers unless prior approval in writing is granted by the Shelter Manager or Police Chief or designee. Outside normal hours' access is only granted under the following conditions:
  - i. The purpose of requesting after-hours access is for volunteer activities that cannot be performed or completed during regular Shelter hours. Volunteers may not use after-hours access for personal business or activities.
  - ii. A written request must be submitted and contain the names of those Volunteers seeking access outside normal hours, the purpose of their after-hours activities, and the reason why these activities cannot occur during normal hours.
  - iii. Volunteering outside normal hours without County staff member present is generally not permitted, but may be addressed on a case-by-case basis.
  - iv. If permission for after-hours access is granted, Volunteers agree to the following rules and expectations:
    - a. Entry doors may NOT be left open or ajar.
    - b. Only the approved individuals may be present in the approved areas.
    - c. The last person that leaves the Shelter must notify the Police Department Dispatch that they have vacated the Shelter.
    - d. All rules, restrictions, and directions received by the Shelter Manager, Police Chief or designee.
    - e. Those approved to be in the Shelter outside normal hours should limit their presence to their assigned area.

Approved by:

  
Dino Sgambellone  
Chief of Police

[Table of Contents](#)

Moved (insertion) [1]

Deleted: ¶

Moved up [1]: <#>Those approved to be in the Shelter outside normal hours should limit their presence to their assigned area.¶

Deleted: <#>Those with approved access before the Shelter has opened or after the Shelter has already closed may contact the Police Department for Shelter access.¶

Deleted: ¶

Formatted: Space After: 0 pt, Line spacing: single





# County of Los Alamos

Los Alamos, NM 87544  
www.losalamosnm.us

## Staff Report

June 11, 2024

---

**Agenda No.:** A.

**Index (Council Goals):** Quality Governance - Communication and Engagement

**Presenters:** Anne Laurent, County Manager

**Legislative File:** 18676-24

---

### **Title**

Strategic Planning and Performance Dashboard Update

### **Body**

Los Alamos County contracted for a performance tracking dashboard software with AchieveIt on August 28, 2023. These dashboards can be embedded into the County's new website. Over the past nine months, staff has been working with the AchieveIt team on initial system set-up and user training, and now entering updated Management Action Plan (MAP) items and assigning metrics to track and measure. This presentation is an update about the progress. The goal is to have Council's 2024 Strategic Leadership Plan dashboard live and on the website by July 1, 2024, the start of fiscal year 2025. The Council's Strategic Leadership Plan includes five goals and 22 priorities. From these goals and priorities, staff identified 107 action items in the MAPs that will advance the Council's goals and priorities. Staff will review the selected metrics and display graphic options for the dashboard at the meeting.

### **Attachments**

A - Management Action Plan Dated March 29, 2024

# Fiscal Year (FY) 2025 Management Action Plans

Goals	Priorities	No.	Objectives	Lead	Status
<b>1. Quality Governance</b>					
<p>Quality governance is participatory, consensus-oriented, transparent, accountable, effective, efficient, and responsive to present and future needs of stakeholders.</p>	<b>1.1 Communication and Engagement</b>				
	<p><i>Inform, engage, and solicit feedback from the community and boards and commissions on County projects, policies, and priorities to promote a culture of open communication and collaboration and foster exceptional customer service.</i></p>	1.1a	increase followers and subscribers to County social media and newsletter platforms by 10% annually	CMO	Active
		1.1b	report Los Alamos Now ap analytics monthly; collect customer feedback and identify areas for expanding and/or improving the ap usage	DPU	Active
		1.1c	execute National Community Survey Fall 2024	CMO	Pending
		1.1d	review website posted content monthly, calendars weekly, and keep information current	CMO	Active
		1.1e	complete and post on website Public Information and Involvement Plans for active projects and initiatives; review and update monthly	CMO	Active
		1.1f	hold six townhalls annually for Council discussion topics or projects and track attendance	CMO	Active
		1.1g	assess and propose monthly or annual County-wide reports that can be regularly posted on the County's sunshine page by July 1, 2024	ASD	Pending
		1.1h	feature one new topic monthly on "Have Your Say" website public feedback forum	CMO	Active
		1.1i	increase use of short video productions and podcasts to 10 annually	CMO	Active
	<b>1.2 Intergovernmental, Tribal, and Regional Relations</b>				
	<p><i>Collaborate and problem-solve with the County's major employers; community partner organizations; neighboring Pueblos; and regional, state, and national governmental entities.</i></p>	1.2a	identify local and regional projects for the Progress Through Partnering program annually	CMO	Active
		1.2b	coordinate, encourage and identify opportunities to implement and participate in regional, housing and transportation planning and construction projects	CDD	Active
		1.2c	build and maintain strong relationships and frequent communications with LANL, NNSA, DOE-EM, and their major contractors	CMO	Active
		1.2d	monitor state and federal legislation of interest to the County and promote the approved state and federal priorities each session	CMO	Active
1.2e		schedule annual meetings with neighboring Tribal Councils to coordinate on topics of mutual interest; send invitations to participate in community events and attend Tribal events	CMO	Active	

# Fiscal Year (FY) 2025 Management Action Plans

Goals	Priorities	No.	Objectives	Lead	Status
<i>Quality governance is participatory, consensus-oriented, transparent, accountable, effective, efficient, and responsive to present and future needs of stakeholders</i>	<b>1.3 Fiscal Stewardship</b>				
	<i>Maintain fiscal sustainability, transparency, and compliance with applicable budgetary and financial regulatory standards.</i>	1.3a	ensure that the annual audit is submitted to the Office of the State Auditor by December 1st and proper internal controls are in place each fiscal year to prevent audit findings	ASD	Active
		1.3b	apply for favorable grant opportunities and maintain compliance with the funding requirements; track grant award amounts received annually	ASD	Active
		1.3c	review financial policies encompassed in the budget document in 2024 for any recommended reserve requirement changes related to our long range financial plan by March 2024, maintain compliance with operational financial controls, and update the travel, investment and debt management policies by December 2024	ASD	Active
		1.3d	report competitive procurements and contracts monthly as either complete or in-progress and track average duration time from request to completion	ASD	Active
		1.3e	make timely re-payments of debt and present a long-term financial plan annually to Council that maintains favorable bond ratings and debt management	ASD	Active

# Fiscal Year (FY) 2025 Management Action Plans

Goals	Priorities	No.	Objectives	Lead	Status
<b>2. Operational Excellence</b>					
<p><i>Operational excellence involves having structures, processes, standards, and oversight in place to ensure that effective services are efficiently delivered within available resources and that services continuously improve.</i></p> <p><i>Evaluate the County's assets and infrastructure and prioritize funding to first maintain and protect those investments and second to inform new investments.</i></p>	<b>2.1 Effective, Efficient, and Reliable Services</b>				
	<p><i>Deliver customer-focused, accessible, reliable, and sustainable services to the community through sound financial management, collaborative decision-making, and efficient implementation.</i></p>	2.1a	complete the Chapter 16 Development Code update remaining clean-up items by July 2024	CDD	Active
		2.1b	support the work of the Nuisance Code Implementation Review (NCIR) task force regarding 2022 Chapter 18 code update by December 2024	CDD	Active
		2.1c	enhance cyber security end user awareness and upgrade network security systems to minimize risks of attack	ASD	Active
		2.1d	update department performance metrics to be included in the website performance dashboard Budget Book by March 2024	ASD	Active
		2.1e	implement efficient technology solutions for improved asset management that meet the needs of the various departments by December 2024	ASD	Active
		2.1f	complete update to land use and building permit guides (including checklists) for residential and commercial contractors and developers	CDD	Active
	<b>2.2 Infrastructure Asset Management</b>				
	<p><i>Evaluate the County's assets and infrastructure and prioritize funding to first maintain and protect those investments and second to inform new investments.</i></p>	2.2a	generate and publish technology maintenance and replacement schedules first quarter annually	ASD	Active
		2.2b	use recommendations from the multi-use trail and Integrated Master Plan, ADA Audit and Transition Plan for asset maintenance and replacement to improve seven facilities by December 2024	CSD	Active
		2.2c	implement 2024 scheduled Gas, Electric, Water and Sewer utility planned asset upgrades, replacement and major maintenance	DPU	Active
		2.2d	utilize right-of-way design and complete street plans and policies to implement 2024 scheduled Road and Street planned asset upgrades, replacement and major maintenance	PW	Active
		2.2e	utilize Facility Condition Assessment and adopted policies to implement 2024 scheduled Facilities planned asset upgrades, replacement and major maintenance	PW	Active
		2.2f	implement 2024 Fleet vehicle and equipment replacement and maintenance plans and schedules	PW	Active

# Fiscal Year (FY) 2025 Management Action Plans

Goals	Priorities	No.	Objectives	Lead	Status
<i>Operational excellence involves having structures, processes, standards, and oversight in place to ensure that effective services are efficiently delivered within available resources and that services continuously improve.</i>	<b>2.3 Employee Recruitment and Retention</b>				
	<i>Attract and employ diverse and highly qualified staff; retain staff through development opportunities, compensation, and benefits; and promote staff to address increasingly complex challenges.</i>	2.3a	reduce quantity and duration of vacant positions and report statistics quarterly	CMO	Active
		2.3b	update salary plan based on 2023 Market Study to offer market competitive incentives for hard to fill positions by July 2024	CMO	Complete
		2.3c	expand and customize recruitment outreach to reach high quality candidates and track average number of applicants received per recruitment quarterly	CMO	Active
		2.3d	provide convenient and timely access to effective staff mandatory training and report compliance quarterly	CMO	Active
		2.3e	grow participation in Leadership Academy and the mentoring program by 10% in 2024	CMO	Active
		2.3f	issue employee survey Summer 2024	CMO	Pending
		2.3g	review and update County's policies related to travel and training, cell phones, leave etc. to stay flexible with the market conditions by Summer 2024	ASD	Active

# Fiscal Year (FY) 2025 Management Action Plans

Goals	Priorities	No. Objectives	Lead	Status	
<b>3. Economic Vitality</b>					
<i>Economic vitality encompasses the ability of the community to diversify, develop, grow, and sustain the many elements necessary for a local economy to flourish.</i>	<b>3.1 Housing</b>				
	<i>Increase the capacity for new housing development and the amount and variety of housing types to meet the needs of a changing and growing population, particularly middle- and lower-income households.</i>	3.1a	continue to implement the Home Renewal and Home Buyer programs and report use statistics annually	CDD	Active
		3.1b	update the Affordable Housing Plan by December 2024	CDD	Active
		3.1c	solicit partnership opportunities that will produce new workforce, senior and/or student housing unit residential or mixed-use developments for the 20th Street and DP Road (A-8-a) properties	CDD	Active
		3.1d	support the public schools in evaluating their land for potential workforce housing and mixed-use development opportunities with a priority focus on North Mesa property	CDD	Active
	<b>3.2 Local Business</b>				
	<i>Encourage the retention of existing businesses, facilitate the startup of new businesses, and assist in opportunities for business growth.</i>	3.2a	distribute ARPA funds to eligible local businesses and complete award of funds by September 2024	CDD	Active
		3.2b	construct DP Road and utility infrastructure project in 2024	PW	Active
		3.2c	engage with local business owners and connect business needs with potential funding opportunities and support	CDD	Active
		3.2d	engage, support and provide opportunities for concessionaires on county-owned property	CDD	Active
	<b>3.3 Downtown Revitalization</b>				
	<i>Revitalize the downtown areas of Los Alamos and White Rock by facilitating development opportunities in accordance with the downtown master plans.</i>	3.3a	Update sign code	CDD	Pending
		3.3b	support redevelopment with the White Rock Metropolitan Redevelopment Area (MRA) through Private Public Partnerships and public infrastructure development	CDD	Active
		3.3c	design and construct Deacon Street project in coordination with adjacent property redevelopment	CDD	On Hold
		3.3d	encourage redevelopment of vacant or underutilized properties in accordance with the Downtown Master Plans and 2022 adopted Development Code	CDD	Active
	<b>3.4 Tourism and Special Events</b>				
	<i>Sponsor special events, support major employer and community events, and promote tourism by enhancing amenities, utilizing facilities and contract services, and encouraging overnight stays.</i>	3.4a	make progress implementing the Tourism Plan - specifically wayfinding and White Rock Visitor Center improvements	CDD	Active
		3.4b	promote the Fuller Lodge Historic District and walking tour (public) access long-term to the Manhattan Project National Historical Park Sites	CDD	Active
		3.4c	increase camping and ski tourism by constructing a new water line to the Pajarito Mountain in 2025	DPU	Active
		3.4d	partner and support ongoing annual and new seasonal events such as ScienceFest, summer concert series and recreation tournaments	CSD	Active
3.4e		install wayfinding signs	CDD	Active	

# Fiscal Year (FY) 2025 Management Action Plans

Goals	Priorities	No. Objectives		Lead	Status
<i>Economic vitality encompasses the ability of the community to diversify, develop, grow, and sustain the many elements necessary for a local economy to flourish.</i>	<b>3.5 Community Broadband</b>				
	<i>Provide community broadband as a basic essential service that will enable reliable high-speed internet services throughout the County at competitive pricing.</i>	3.5a	issue a procurement seeking an open access fiber to the home network operator and implementation partner	CMO	Complete
		3.5b	complete selection and agreement with a Community Broadband Network design/build/operate partner by August 2024	CMO	Active
3.5c		pursue "middle mile" second fiber line for high-speed broadband network	CMO	Active	

# Fiscal Year (FY) 2025 Management Action Plans

Goals	Priorities	No. Objectives	Lead	Status	
<b>4. Quality of Life</b>					
<p><i>Quality of life is a reflection of general well-being and the degree to which community members are healthy, comfortable, welcomed, included, and able to enjoy the activities of daily living.</i></p>	<b>4.1 Health, Wellbeing, and Social Services</b>				
	<p><i>Improve access to behavioral, mental, and physical health and social services and amenities to address identified issues and promote wellbeing in the region.</i></p>	4.1a	complete comprehensive Community Health Plan by October 2024	CSD	Active
		4.1b	procure and implement a closed loop referral system for social services with initial baseline date by July 2024.	CSD	Active
		4.1c	issue and manage social service contracts for a wide variety of community social, physical and mental health needs	CSD	Active
		4.1d	distribute ARPA funds to income eligible residents	CSD	Complete
		4.1e	update the Emergency Response Plan and Continued	PD	Complete
		4.1f	provide support for physical and emotional safe options for youth (Hawk Hangout and prevention programs)	CSD	Active
	<b>4.2 Diversity, Equity, and Inclusivity</b>				
	<p><i>Promote diversity, equity, and inclusivity through community awareness training, targeted events, and expanded opportunities for diverse interests.</i></p>	4.2a	establish a working group to evaluate and consider operational and community-wide DEI related education programs and in coordination with LAPS	CMO	Pending
		4.2b	Develop four to six new events or programs for a diverse and accessible community by July 2025	CSD	Active
		4.2c	implement and document progress made on ADA improvements to County facilities and programs	CSD	Active
		4.3d	continue organizational membership in Governmental Alliance on Race and Equity	CMO	Active
		4.3e	add staff training offerings included: Transgender Cultural Fluency and Working with our Pueblo Neighbors	CMO	Active
	<b>4.3 Mobility</b>				
	<p><i>Improve and expand access to, and all-ability accommodations for, alternative modes of travel including public transit, cycling, and walking amenities and services.</i></p>	4.3a	update Transit Master Plan to evaluate route efficiency and micro transit	PW	Complete
		4.3b	increase transit ridership	PW	Active
		4.3c	expand transit service - weekends	PW	Pending
		4.3d	design a centrally located downtown Townsite transit hub	PW	Active
		4.3e	complete designs and construction of the Urban Trail and Canyon Rim Trail in 2023/2024	PW	Active
		4.3f	incorporate complete street concepts into right-of-way design projects in support of multi-modal transportation options	PW	Active
		4.3g	evaluate and consider design and locations connector "nodes" from natural paths/trails into the non-motorized transportation paths	PW	Active



# Fiscal Year (FY) 2025 Management Action Plans

Goals	Priorities	No. Objectives	Lead	Status	
<p>Quality of life is a reflection of general well-being and the degree to which community members are healthy, comfortable, welcomed, included, and able to enjoy the activities of daily living.</p>	<b>4.4 Educational, Historical, and Cultural Amenities</b>				
	<p>Promote educational and cultural opportunities, in coordination with community partners, and provide for the preservation and restoration of historic buildings and the protection of archaeological sites.</p>	4.4a	renovate to preserve the Woman's Army Corp building for use and interpretation by the Manhattan Project National Historical Park	PW	Active
		4.4b	preserve the Baker House as an important asset within the Fuller Lodge National Register Historic District and consider options for public access and use	CDD	On Hold
		4.4c	evaluate, renew and continue the variety of literacy, arts and cultural programs offered by the libraries (review and add or modify at least three programs in FY25)	CSD	Active
		4.4d	partner with public schools on supplemental programming opportunities - for example Police Department's Safety Town and the Libraries' literacy programs	CSD	Active
		4.4e	support maintaining and enhancing the historic walking tours	CDD	Active
		4.4f	develop a County owned historic property inventory assessment and master plan (budget option)	CDD	Pending
		4.4g	evaluate and determine a baseline level for print and digital media items by December 2024.	CSD	Active
		4.4h	survey the community to determine if library collections are meeting the needs of the community	CSD	Active
	<b>4.5 Open Space, Parks, and Recreation</b>				
	<p>Manage County open space and maintain and improve parks and recreation facilities, trails, and amenities as defined by adopted plans and approved projects.</p>	4.5a	update open space and trail maintenance plan by December 2024	CSD	Active
		4.5b	Perform self-assessment of the CSD against the standards established by the Commission for Accreditation of Parks and Recreation Agencies with the desire to become accredited in October 2024	CSD	Active
		4.5c	execute projects funded in the CIP or small parks project programs	CSD	Active
	<b>4.6 Public Safety</b>				
	<p>Ensure overall community safety through proactive and sustained implementation of police, fire, hazard mitigation, and emergency response plans.</p>	4.6a	maintain low crime rates	PD	Active
		4.6b	offer crime prevention programs	PD	Active
		4.6c	maintain adequate fire response time objective	FD	Active
		4.6d	update emergency response plans and communication	PD	Complete
		4.6e	hold emergency response trainings and exercises	PD	Active

# Fiscal Year (FY) 2025 Management Action Plans

Goals	Priorities	No. Objectives	Lead	Status	
<b>5. Environmental Stewardship</b>					
<p><i>Environmental stewardship is the responsible use and protection of the natural environment through active participation in conservation efforts and sustainable practices in coordination with community and organizational partners.</i></p>	<b>5.1 Natural Resource Protection</b>				
	<p><i>Take actions to protect the wildlife and wildland interface, safeguard water, and mitigate tree loss in the community.</i></p>	5.1a	continue fire mitigation outreach, education, and prevention through contracted partnerships and implementation of the Wildland Protection Plan	FD	Active
		5.1b	continue evaluation and making improvements to the bear-proof carts and dumpster program	PW	Active
		5.1c	continue and expand 50 tree replacements annually on County parks and recreation facilities in coordination with arborist recommendations	CSD	Active
		5.1d	implement Bee City and draught tolerant landscaping improvements on County property	CSD	Active
	<b>5.2 Greenhouse Gas Reduction</b>				
	<p><i>Establish targets for achieving net-zero greenhouse gas emissions and integrate sustainability and resiliency practices into County policies and operations.</i></p>	5.2a	complete the Greenhouse Gas Inventory and Climate Action Plan in fall 2024	CMO	Active
		5.2b	consider more stringent energy efficiency and greenhouse gas reduction building codes	CDD	Pending
		5.2c	design and build a food waste composting facility	PW	Active
		5.2d	consider a green purchasing policy	CMO	Pending
		5.2e	review and update County's policies on sustainable building design and fleet replacement	CMO	Pending
		5.2f	expand community education and outreach	CMO	Pending
	<b>5.3 Carbon-Neutral Energy Supply</b>				
	<p><i>Achieve carbon neutrality in electrical supply by 2040 through diversified carbon-free electric sourcing, and phase out natural gas supply by 2070 through energy-efficient, all-electric buildings.</i></p>	5.3a	implementation of carbon neutral power purchase agreements - DPU goal is to have a carbon neutral energy supply by 2040	DPU	Active
		5.3b	promote targeted energy conservation programs	DPU	Active
		5.3c	incorporate County facility energy efficiency improvements and into CIP and MFM funded projects	PW	Active
	<b>5.4 Water Conservation</b>				
	<p><i>Reduce potable water use and increase non-potable water use and water harvesting for irrigation where suitable.</i></p>	5.4a	promote smart metering capabilities and early detection of possible water leaks	DPU	Active
		5.4b	offer water conservation educational materials and trainings for customers - DPU goal is a 12% water use reduction by 2030 (2020 baseline)	DPU	Active
		5.4c	complete new White Rock wastewater treatment facility for higher quality (1A) effluent water and expanded use for sports field and playfield irrigation	DPU	Active
	<b>5.5 Waste Management</b>				
	<p><i>Manage waste responsibly by diversion of solid waste from landfills through recycling, re-use, composting, and waste reduction programs and zero-waste education campaigns; and pursue efficient long-term solutions for disposal of solid waste.</i></p>	5.5a	increase waste diversion rates from the landfill	PW	Active
		5.5b	partner for sustainable management of construction waste	PW	Active
5.5c		promote safe disposal of household hazardous waste	PW	Active	
5.5d		promote waste reduction and recycling opportunities	PW	Active	
5.5e		implement food waste composting facilities and program	PW	Pending	



# County of Los Alamos

## Staff Report

June 11, 2024

Los Alamos, NM 87544  
www.losalamosnm.us

---

**Agenda No.:** B.

**Index (Council Goals):**

**Presenters:** Theresa Cull, County Council Vice Chair

**Legislative File:** 18801-24

---

### **Title**

Consideration of Diversity Equity and Inclusion (DEI) Board/Task Force

### **Recommended Action**

**I move that Council create a new citizen [Board/Task Force] to lead a conversation and make recommendations to Council about inequities and inclusion challenges and opportunities within the community.**

**I further move to direct the County Manager to return to Council with a draft [Ordinance/Charter] to establish the [Board/Task Force].**

### **County Manager's Recommendation**

The County Manager recommends that Council start with a Task Force for a year to better inform how a permanent Board's purpose could be best defined.

### **Body**

Councilor Cull will make a presentation (Attachment A) about moving forward on the Racial Equity and Inclusion (REI) Task Force's recommendation to create an active body of community volunteers to continue the conversation and develop recommendations related to inequity and inclusion issues within Los Alamos. REI's suggested topics included community training, guest speakers, and expanding access to outdoor and recreational activities (in coordination with the Parks and Recreation Board).

The main difference between a Board and a Task Force is creating a permanent body or a time bound body.

### **Alternatives**

Council could choose not to establish a new citizen Board or Task Force.

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

The staff liaison for this proposed new citizen Board or Task Force will be the new Management Analyst position within the County Manager's office.

### **Attachments**

A - Councilor Cull Presentation

# Consideration of DEI Board/Task Force

June 11, 2024

County Council Meeting

# Background/History

- Sep 8, 2020 – Racial Justice Action Advisory Council presentation of Aug 19, 2020, petition at County Council meeting
  - Petition asked for County Council partnership to promote increased racial equity in the community
  - Council formally condemned killings of George Floyd, Breonna Taylor and innumerable others
  - Council publicly declared black lives matter and committed to antiracism work
  - Council committed to further investigation and discussion with community members, groups, organizations, and County staff
- Dec 1, 2020 – Council meeting follow up discussion on petition recommendations
- Mar 31, 2021 – REI Task Force charter adopted and members approved
- March 2022 – Town Hall meetings
- July 2022 – REI Task Force final report and sunset

# REI Task Force Recommendations

1. Develop and implement an active body (board or commission) of community volunteers
2. County sponsored community training
3. Expand outdoor and recreational opportunities for the BIPOC community
4. County oversight on REI topics and trainings including a community speaker series

# Actions Taken

- Mar 29, 2022, County procured Government Alliance on Race and Equity (GARE) membership
  - Provides municipalities with training and collaboration space to promote racial equity
- 2023, Council decided NOT to establish active body (board or commission)
  - Concern re: numbers of boards/commissions and effort required by staff
- Actions to address other recommendations?

# Today's Recommendation

- County Council should reconsider the decision made in 2023 to not establish a board/commission
  - Racial equity is still a concern
  - Recent evidence of a need to address actions taken against marginalized groups in our community
  - Consider a broader theme of inclusivity
    - Race, culture, sexual orientation/gender identity, income, physical/mental ability, gender, etc.





# County of Los Alamos

Los Alamos, NM 87544  
www.losalamosnm.us

## Staff Report

June 11, 2024

---

**Agenda No.:** 1)  
**Index (Council Goals):** Quality Governance - Communication and Engagement  
**Presenters:** Denise Derkacs, Council Chair, Suzie Havemann, Councilor and David Reagor, Councilor  
**Legislative File:** 18608-24

---

### Title

Consideration and Possible Approval of Council's Review Committee Report and Recommendations on Boards and Commissions Work Plans for Calendar Year 2024

### Recommended Action

I move that Council thank all Board & Commission members for their dedication to public service and approve the 2024 Work Plans as submitted or amended from the following boards: Arts in Public Places Board, Transportation Board, Lodgers Tax Advisory Board, Planning and Zoning Commission, Personnel Board, Parks and Recreation Board, Library Board, LAC Health Council, Historic Preservation Advisory Board, and Environmental Sustainability Board; with the understanding that this approval does not represent formal Council budget approval of all projects, proposals, or potential recommendations listed in the Work Plans.

I further move that Council approve the continuation of B&C annual presentations to Council using the Calendar Year format and direct County Manager to notify the Board and Commission Chairpersons of this requirement and the approval of the 2024 Work Plans.

### County Manager's Recommendation

The County Manager recommends that Council approve the motion as presented.

### Board, Commission or Committee Recommendation

The three-member Council Work Plan Review Committee recommends that Council approve the motion as presented.

### Body

Members of the Council Board & Commission Work Plan Review Committee are: Councilors Suzie Havemann, David Reagor, and Theresa Cull.

Excluding the Board of Public Utilities (BPU), the Council Committee reviewed a Work Plan for each Board and Commission. The BPU does not submit a work plan, per se, because it is a board established in the Los Alamos County Charter that includes County Council oversight via budgetary and other mechanisms.

The B&C Work Plans were reviewed individually, and comparatively where appropriate. All B&Cs have been notified of the committee's recommendations, questions, and requests.

---

The B&C Work Plan Review Committee wishes to thank all boards and commissions for their hard work and recommends that the following plans be approved by the Council as submitted: Arts in Public Places Board, Transportation Board, Lodgers Tax Advisory Board, Planning and Zoning Commission, Personnel Board, Parks and Recreation Board, Library Board, LAC Health Council, Historic Preservation Advisory Board, and Environmental Sustainability Board

Copies of the Work Plans are attached to this agenda documentation.

**..Attachment**

- A - Art in Public Places 2024 Calendar Year Work Plan
- B - Environmental Sustainability Board 2024 Calendar Year Work Plan
- C- Historic Preservation Advisory Board 2024 Calendar Year Work Plan
- D - Library Board 2024 Calendar Year Work Plan
- E - Lodgers' Tax Advisory Board 2024 Calendar Year Work Plan
- F - LAC Health Council 2024 Calendar Year Work Plan
- G - Parks and Recreation Board 2024 Calendar Year Work Plan
- H - Personnel Board 2024 Calendar Year Work Plan
- I - Planning and Zoning 2024 Calendar Year Work Plan
- J - Transportation Board 2024 Calendar Year Work Plan



# 2024 Work Plan for Los Alamos County Boards and Commissions

**Board or Commission Name:**

**Date Prepared:**

**Date Approved by Council:**

**Prepared By:**

**Purpose:**

The purpose of the work plan is to provide a detailed outline of tasks, activities, timelines, and resources required by this Board or Commission to achieve its annual goals. The purpose of most boards is to gather public input, to review policy recommendations by staff when requested, and to make policy recommendations to the County Council.

**Process Timeline:**

November: County Council Strategic Planning

December: Boards and Commissions review and develop work plans (primary item on December agenda)

January: Finalize and submit work plans for Council review.

Due Date: February 1

**Time Frame:** This work plan will be accomplished in the following time frame:

January 1, 2024, through December 31, 2024.

**Members:** List members, term start and end dates, and term number.

Member	Start/End Dates	Term (1st or 2nd)

**Chairperson:**

**Department Director:**

**Work plan developed in collaboration with Department Director? (Y/N)**

**Staff Liaison:**

**Administrative Support:**

**Council Liaison:**

**Work plan reviewed by Council Liaison? (Y/N)**

**1.0 Previous Calendar Year Work Plan Highlights**

1.1 List the top five activities for the previous calendar year.

1.1.1

--

1.1.2

--

1.1.3

--

1.1.4

--

1.1.5

--

1.2 List the top five accomplishments for the previous calendar year.

1.2.1

--

1.2.2

--

1.2.3

--

1.2.4

--

1.2.5

--

1.3 List the lessons learned for the previous calendar year.

1.3.1

--

1.3.2

--

1.3.3

--

1.3.4

--

1.3.5

--

**2.0 Calendar Year 2024 Work Plan**

2.1 List any special projects or assignments given to this Board/Commission by Council or the Department Director.

2.1.1

--

2.1.2

--

2.1.3

--

2.1.4

--

2.1.5

--

2.2 List other projects and/or activities being proposed by this Board/Commission, in priority order.

2.2.1

--

2.2.1

--

2.2.2

--

2.2.3

--

2.2.4

--

2.2.5

--

2.3 List the guiding documents or plans used by this Board/Commission.

2.3.1

**3.0 Identify interfaces with County departments and/or other Boards/Commissions that are necessary to achieve this work plan.**

3.1

3.2

3.3

3.4

3.5

**4.0 List any special events this Board/Commission plans to participate in that will support this work plan.**

4.1

4.2

--

4.3

--

4.4

--

4.5

--

**5.0 List active Working Groups within this Board/Commission, if any, along with the purpose and member names of each one.**

5.1

--

5.2

--

5.3

--

5.4

--

5.5

--



## Attachment A

*Place an X in the column on the right if the Council priority is related to the work of the Board or Commission:*

<b>Quality Governance</b>	
Quality governance is participatory, consensus-oriented, transparent, accountable, effective, efficient, and responsive to the present and future needs of stakeholders.	
Communication and Engagement	
Inform, educate, and solicit feedback from the community and boards and commissions on County projects, policies, and priorities to promote a culture of open communication and collaboration and foster exceptional customer service.	
Intergovernmental, Tribal, and Regional Relations	
Collaborate and problem-solve with the County’s major employers; community partner organizations; neighboring Pueblos; and regional, state, and national governmental entities.	
Fiscal Stewardship	
Maintain fiscal sustainability, transparency, and compliance with applicable budgetary and financial regulatory standards.	
<b>Operational Excellence</b>	
Operational excellence involves having structures, processes, standards, and oversight in place to ensure that effective services are efficiently delivered within available resources and that services continuously improve.	
Effective, Efficient, and Reliable Services	
Deliver customer-focused, accessible, reliable, and sustainable services to the community through sound financial management, collaborative decision-making, and efficient implementation.	
Infrastructure Asset Management	
Evaluate the County’s assets and infrastructure and prioritize funding to first maintain and protect those investments and second to inform new investments.	
Employee Recruitment and Retention	
Attract and employ diverse and highly qualified staff; retain staff through development opportunities, compensation, and benefits; and promote staff to address increasingly complex challenges.	
<b>Economic Vitality</b>	
Economic vitality encompasses the ability of the community to diversify, develop, grow, and sustain the many elements necessary for a local economy to flourish.	
Housing	
Increase the capacity for new housing development and the amount and variety of housing types to meet the needs of a changing and growing population, particularly middle- and lower-income households.	
Local Business	
Encourage the retention of existing businesses, facilitate the startup of new businesses, and assist in opportunities for growth.	
Downtown Revitalization	
Revitalize the downtown areas of Los Alamos and White Rock by facilitating development opportunities in accordance with the downtown master plans.	
Tourism and Special Events	
Sponsor special events, support major employer and community events, and promote tourism by enhancing amenities, utilizing facilities and contract services, and encouraging overnight stays.	
Community Broadband	
Provide community broadband as a basic essential service that will enable reliable high-speed internet services throughout the County at competitive pricing.	

<b>Quality of Life</b>	
Quality of life is a reflection of general well-being and the degree to which community members are healthy, comfortable, welcomed, included, and able to enjoy the activities of daily living.	
Health, Wellbeing, and Social Services	
Improve access to behavioral, mental, and physical health and social services and amenities to address identified issues and promote wellbeing in the region.	
Diversity, Equity, and Inclusivity	
Promote diversity, equity, and inclusivity through community awareness training, targeted events, and expanded opportunities for diverse interests.	
Mobility	
Improve and expand access to, and all-ability accommodations for, alternative modes of travel including public transit, cycling, and walking amenities and services.	
Educational, Historical, and Cultural Amenities	
Promote educational and cultural opportunities, in coordination with community partners, and provide for the preservation and restoration of historic buildings and the protection of archaeological sites.	
Open Space, Parks, and Recreation	
Manage County open space and maintain and improve parks and recreation facilities, trails, and amenities as defined by adopted plans and approved projects.	
Public Safety	
Ensure overall community safety through proactive and sustained implementation of police, fire hazard mitigation, and emergency response plans.	
<b>Environmental Stewardship</b>	
Environmental stewardship is the responsible use and protection of the natural environment through active participation in conservation efforts and sustainable practices in coordination with community and organizational partners.	
Natural Resource Protection	
Take actions to protect the wildlife and wildland interface, safeguard water, and mitigate tree loss in the community.	
Greenhouse Gas Reduction	
Establish targets for achieving net-zero greenhouse gas emissions and integrate sustainability and resiliency practices into County policies and operations.	
Carbon-Neutral Energy Supply	
Achieve carbon neutrality in electrical supply by 2040 through diversified carbon-free electric sourcing and phase out natural gas supply by 2070 through energy-efficient, all-electric buildings.	
Water Conservation	
Reduce potable water use and increase non-potable water use and water harvesting for irrigation where suitable.	
Waste Management	
Manage waste responsibly by diversion of solid waste from landfills through recycling, re-use, composting, and waste reduction programs and zero-waste education campaigns; and pursue efficient long-term solutions for disposal of solid waste.	

**Board or Commission Name:**

**Date Prepared:**

**Date Approved by Council:**

**Prepared By:**

**Purpose:**

The purpose of the work plan is to provide a detailed outline of tasks, activities, timelines, and resources required by this Board or Commission to achieve its annual goals. The purpose of most boards is to gather public input, to review policy recommendations by staff when requested, and to make policy recommendations to the County Council.

**Process Timeline:**

November: County Council Strategic Planning

December: Boards and Commissions review and develop work plans (primary item on December agenda)

January: Finalize and submit work plans for Council review.

Due Date: February 1

**Time Frame:** This work plan will be accomplished in the following time frame:

January 1, 2024, through December 31, 2024.

**Members:** List members, term start and end dates, and term number.

Member	Start/End Dates	Term (1st or 2nd)

**Chairperson:**

**Department Director:**

**Work plan developed in collaboration with Department Director? (Y/N)**

**Staff Liaison:**

**Administrative Support:**

**Council Liaison:**

**Work plan reviewed by Council Liaison? (Y/N)**

**1.0 Previous Calendar Year Work Plan Highlights**

1.1 List the top five activities for the previous calendar year.

1.1.1

--

1.1.2

--

1.1.3

--

1.1.4

--

1.1.5

--

1.2 List the top five accomplishments for the previous calendar year.

1.2.1

--

1.2.2

--

1.2.3

--

1.2.4

--

1.2.5

--

1.3 List the lessons learned for the previous calendar year.

1.3.1

--

1.3.2

--

1.3.3

--

1.3.4

--

1.3.5

--

**2.0 Calendar Year 2024 Work Plan**

2.1 List any special projects or assignments given to this Board/Commission by Council or the Department Director.

2.1.1

--

2.1.2

--

2.1.3

--

2.1.4

--

2.1.5

--

2.2 List other projects and/or activities being proposed by this Board/Commission, in priority order.

2.2.1

--

2.2.1

--

2.2.2

--

2.2.3

--

2.2.4

--

2.2.5

--

2.3 List the guiding documents or plans used by this Board/Commission.

2.3.1

--

3.0 Identify interfaces with County departments and/or other Boards/Commissions that are necessary to achieve this work plan.

3.1

--

3.2

--

3.3

--

3.4

--

3.5

--

4.0 List any special events this Board/Commission plans to participate in that will support this work plan.

4.1

--

4.2

--

4.3

--

4.4

--

4.5

--

**5.0 List active Working Groups within this Board/Commission, if any, along with the purpose and member names of each one.**

5.1

--

5.2

--

5.3

--

5.4

--

5.5

--



## Attachment A

*Place an X in the column on the right if the Council priority is related to the work of the Board or Commission:*

<b>Quality Governance</b>	
Quality governance is participatory, consensus-oriented, transparent, accountable, effective, efficient, and responsive to the present and future needs of stakeholders.	
Communication and Engagement	
Inform, educate, and solicit feedback from the community and boards and commissions on County projects, policies, and priorities to promote a culture of open communication and collaboration and foster exceptional customer service.	
Intergovernmental, Tribal, and Regional Relations	
Collaborate and problem-solve with the County’s major employers; community partner organizations; neighboring Pueblos; and regional, state, and national governmental entities.	
Fiscal Stewardship	
Maintain fiscal sustainability, transparency, and compliance with applicable budgetary and financial regulatory standards.	
<b>Operational Excellence</b>	
Operational excellence involves having structures, processes, standards, and oversight in place to ensure that effective services are efficiently delivered within available resources and that services continuously improve.	
Effective, Efficient, and Reliable Services	
Deliver customer-focused, accessible, reliable, and sustainable services to the community through sound financial management, collaborative decision-making, and efficient implementation.	
Infrastructure Asset Management	
Evaluate the County’s assets and infrastructure and prioritize funding to first maintain and protect those investments and second to inform new investments.	
Employee Recruitment and Retention	
Attract and employ diverse and highly qualified staff; retain staff through development opportunities, compensation, and benefits; and promote staff to address increasingly complex challenges.	
<b>Economic Vitality</b>	
Economic vitality encompasses the ability of the community to diversify, develop, grow, and sustain the many elements necessary for a local economy to flourish.	
Housing	
Increase the capacity for new housing development and the amount and variety of housing types to meet the needs of a changing and growing population, particularly middle- and lower-income households.	
Local Business	
Encourage the retention of existing businesses, facilitate the startup of new businesses, and assist in opportunities for growth.	
Downtown Revitalization	
Revitalize the downtown areas of Los Alamos and White Rock by facilitating development opportunities in accordance with the downtown master plans.	
Tourism and Special Events	
Sponsor special events, support major employer and community events, and promote tourism by enhancing amenities, utilizing facilities and contract services, and encouraging overnight stays.	
Community Broadband	
Provide community broadband as a basic essential service that will enable reliable high-speed internet services throughout the County at competitive pricing.	

<b>Quality of Life</b>	
Quality of life is a reflection of general well-being and the degree to which community members are healthy, comfortable, welcomed, included, and able to enjoy the activities of daily living.	
Health, Wellbeing, and Social Services	
Improve access to behavioral, mental, and physical health and social services and amenities to address identified issues and promote wellbeing in the region.	
Diversity, Equity, and Inclusivity	
Promote diversity, equity, and inclusivity through community awareness training, targeted events, and expanded opportunities for diverse interests.	
Mobility	
Improve and expand access to, and all-ability accommodations for, alternative modes of travel including public transit, cycling, and walking amenities and services.	
Educational, Historical, and Cultural Amenities	
Promote educational and cultural opportunities, in coordination with community partners, and provide for the preservation and restoration of historic buildings and the protection of archaeological sites.	
Open Space, Parks, and Recreation	
Manage County open space and maintain and improve parks and recreation facilities, trails, and amenities as defined by adopted plans and approved projects.	
Public Safety	
Ensure overall community safety through proactive and sustained implementation of police, fire hazard mitigation, and emergency response plans.	
<b>Environmental Stewardship</b>	
Environmental stewardship is the responsible use and protection of the natural environment through active participation in conservation efforts and sustainable practices in coordination with community and organizational partners.	
Natural Resource Protection	
Take actions to protect the wildlife and wildland interface, safeguard water, and mitigate tree loss in the community.	
Greenhouse Gas Reduction	
Establish targets for achieving net-zero greenhouse gas emissions and integrate sustainability and resiliency practices into County policies and operations.	
Carbon-Neutral Energy Supply	
Achieve carbon neutrality in electrical supply by 2040 through diversified carbon-free electric sourcing and phase out natural gas supply by 2070 through energy-efficient, all-electric buildings.	
Water Conservation	
Reduce potable water use and increase non-potable water use and water harvesting for irrigation where suitable.	
Waste Management	
Manage waste responsibly by diversion of solid waste from landfills through recycling, re-use, composting, and waste reduction programs and zero-waste education campaigns; and pursue efficient long-term solutions for disposal of solid waste.	

**Board or Commission Name:**

**Date Prepared:**

**Date Approved by Council:**

**Prepared By:**

**Purpose:**

The purpose of the work plan is to provide a detailed outline of tasks, activities, timelines, and resources required by this Board or Commission to achieve its annual goals. The purpose of most boards is to gather public input, to review policy recommendations by staff when requested, and to make policy recommendations to the County Council.

**Process Timeline:**

November: County Council Strategic Planning

December: Boards and Commissions review and develop work plans (primary item on December agenda)

January: Finalize and submit work plans for Council review.

Due Date: February 1

**Time Frame:** This work plan will be accomplished in the following time frame:

January 1, 2024, through December 31, 2024.

**Members:** List members, term start and end dates, and term number.

Member	Start/End Dates	Term (1st or 2nd)

**Chairperson:**

**Department Director:**

**Work plan developed in collaboration with Department Director? (Y/N)**

**Staff Liaison:**

**Administrative Support:**

**Council Liaison:**

**Work plan reviewed by Council Liaison? (Y/N)**

**1.0 Previous Calendar Year Work Plan Highlights**

1.1 List the top five activities for the previous calendar year.

1.1.1

--

1.1.2

--

1.1.3

--

1.1.4

--

1.1.5

--

1.2 List the top five accomplishments for the previous calendar year.

1.2.1

--

1.2.2

--

1.2.3

--

1.2.4

--

1.2.5

--

1.3 List the lessons learned for the previous calendar year.

1.3.1

--

1.3.2

--

1.3.3

--

1.3.4

--

1.3.5

--

**2.0 Calendar Year 2024 Work Plan**

2.1 List any special projects or assignments given to this Board/Commission by Council or the Department Director.

2.1.1

--

2.1.2

--

2.1.3

--

2.1.4

--

2.1.5

--

2.2 List other projects and/or activities being proposed by this Board/Commission, in priority order.

2.2.1

--

2.2.1

--

2.2.2

--

2.2.3

--

2.2.4

--

2.2.5

--

2.3 List the guiding documents or plans used by this Board/Commission.

2.3.1

**3.0 Identify interfaces with County departments and/or other Boards/Commissions that are necessary to achieve this work plan.**

3.1

3.2

3.3

3.4

3.5

**4.0 List any special events this Board/Commission plans to participate in that will support this work plan.**

4.1

4.2

--

4.3

--

4.4

--

4.5

--

**5.0 List active Working Groups within this Board/Commission, if any, along with the purpose and member names of each one.**

5.1

--

5.2

--

5.3

--

5.4

--

5.5

--



## Attachment A

*Place an X in the column on the right if the Council priority is related to the work of the Board or Commission:*

<b>Quality Governance</b>	
Quality governance is participatory, consensus-oriented, transparent, accountable, effective, efficient, and responsive to the present and future needs of stakeholders.	
Communication and Engagement	
Inform, educate, and solicit feedback from the community and boards and commissions on County projects, policies, and priorities to promote a culture of open communication and collaboration and foster exceptional customer service.	
Intergovernmental, Tribal, and Regional Relations	
Collaborate and problem-solve with the County’s major employers; community partner organizations; neighboring Pueblos; and regional, state, and national governmental entities.	
Fiscal Stewardship	
Maintain fiscal sustainability, transparency, and compliance with applicable budgetary and financial regulatory standards.	
<b>Operational Excellence</b>	
Operational excellence involves having structures, processes, standards, and oversight in place to ensure that effective services are efficiently delivered within available resources and that services continuously improve.	
Effective, Efficient, and Reliable Services	
Deliver customer-focused, accessible, reliable, and sustainable services to the community through sound financial management, collaborative decision-making, and efficient implementation.	
Infrastructure Asset Management	
Evaluate the County’s assets and infrastructure and prioritize funding to first maintain and protect those investments and second to inform new investments.	
Employee Recruitment and Retention	
Attract and employ diverse and highly qualified staff; retain staff through development opportunities, compensation, and benefits; and promote staff to address increasingly complex challenges.	
<b>Economic Vitality</b>	
Economic vitality encompasses the ability of the community to diversify, develop, grow, and sustain the many elements necessary for a local economy to flourish.	
Housing	
Increase the capacity for new housing development and the amount and variety of housing types to meet the needs of a changing and growing population, particularly middle- and lower-income households.	
Local Business	
Encourage the retention of existing businesses, facilitate the startup of new businesses, and assist in opportunities for growth.	
Downtown Revitalization	
Revitalize the downtown areas of Los Alamos and White Rock by facilitating development opportunities in accordance with the downtown master plans.	
Tourism and Special Events	
Sponsor special events, support major employer and community events, and promote tourism by enhancing amenities, utilizing facilities and contract services, and encouraging overnight stays.	
Community Broadband	
Provide community broadband as a basic essential service that will enable reliable high-speed internet services throughout the County at competitive pricing.	

<b>Quality of Life</b>	
Quality of life is a reflection of general well-being and the degree to which community members are healthy, comfortable, welcomed, included, and able to enjoy the activities of daily living.	
Health, Wellbeing, and Social Services	
Improve access to behavioral, mental, and physical health and social services and amenities to address identified issues and promote wellbeing in the region.	
Diversity, Equity, and Inclusivity	
Promote diversity, equity, and inclusivity through community awareness training, targeted events, and expanded opportunities for diverse interests.	
Mobility	
Improve and expand access to, and all-ability accommodations for, alternative modes of travel including public transit, cycling, and walking amenities and services.	
Educational, Historical, and Cultural Amenities	
Promote educational and cultural opportunities, in coordination with community partners, and provide for the preservation and restoration of historic buildings and the protection of archaeological sites.	
Open Space, Parks, and Recreation	
Manage County open space and maintain and improve parks and recreation facilities, trails, and amenities as defined by adopted plans and approved projects.	
Public Safety	
Ensure overall community safety through proactive and sustained implementation of police, fire hazard mitigation, and emergency response plans.	
<b>Environmental Stewardship</b>	
Environmental stewardship is the responsible use and protection of the natural environment through active participation in conservation efforts and sustainable practices in coordination with community and organizational partners.	
Natural Resource Protection	
Take actions to protect the wildlife and wildland interface, safeguard water, and mitigate tree loss in the community.	
Greenhouse Gas Reduction	
Establish targets for achieving net-zero greenhouse gas emissions and integrate sustainability and resiliency practices into County policies and operations.	
Carbon-Neutral Energy Supply	
Achieve carbon neutrality in electrical supply by 2040 through diversified carbon-free electric sourcing and phase out natural gas supply by 2070 through energy-efficient, all-electric buildings.	
Water Conservation	
Reduce potable water use and increase non-potable water use and water harvesting for irrigation where suitable.	
Waste Management	
Manage waste responsibly by diversion of solid waste from landfills through recycling, re-use, composting, and waste reduction programs and zero-waste education campaigns; and pursue efficient long-term solutions for disposal of solid waste.	

**Board or Commission Name:**

**Date Prepared:**

**Date Approved by Council:**

**Prepared By:**

**Purpose:**

The purpose of the work plan is to provide a detailed outline of tasks, activities, timelines, and resources required by this Board or Commission to achieve its annual goals. The purpose of most boards is to gather public input, to review policy recommendations by staff when requested, and to make policy recommendations to the County Council.

**Process Timeline:**

November: County Council Strategic Planning

December: Boards and Commissions review and develop work plans (primary item on December agenda)

January: Finalize and submit work plans for Council review.

Due Date: February 1

**Time Frame:** This work plan will be accomplished in the following time frame:

January 1, 2024, through December 31, 2024.

**Members:** List members, term start and end dates, and term number.

Member	Start/End Dates	Term (1st or 2nd)

**Chairperson:**

**Department Director:**

**Work plan developed in collaboration with Department Director? (Y/N)**

**Staff Liaison:**

**Administrative Support:**

**Council Liaison:**

**Work plan reviewed by Council Liaison? (Y/N)**

**1.0 Previous Calendar Year Work Plan Highlights**

1.1 List the top five activities for the previous calendar year.

1.1.1

--

1.1.2

--

1.1.3

--

1.1.4

--

1.1.5

--

1.2 List the top five accomplishments for the previous calendar year.

1.2.1

--

1.2.2

--

1.2.3

--

1.2.4

--

1.2.5

--

1.3 List the lessons learned for the previous calendar year.

1.3.1

--

1.3.2

--

1.3.3

--

1.3.4

--

1.3.5

--

**2.0 Calendar Year 2024 Work Plan**

2.1 List any special projects or assignments given to this Board/Commission by Council or the Department Director.

2.1.1

--

2.1.2

--

2.1.3

--

2.1.4

--

2.1.5

--

2.2 List other projects and/or activities being proposed by this Board/Commission, in priority order.

2.2.1

--

2.2.1

--

2.2.2

--

2.2.3

--

2.2.4

--

2.2.5

--

2.3 List the guiding documents or plans used by this Board/Commission.

2.3.1

--

3.0 Identify interfaces with County departments and/or other Boards/Commissions that are necessary to achieve this work plan.

3.1

--

3.2

--

3.3

--

3.4

--

3.5

--

4.0 List any special events this Board/Commission plans to participate in that will support this work plan.

4.1

--

4.2

--

4.3

--

4.4

--

4.5

--

**5.0 List active Working Groups within this Board/Commission, if any, along with the purpose and member names of each one.**

5.1

--

5.2

--

5.3

--

5.4

--

5.5

--



## Attachment A

*Place an X in the column on the right if the Council priority is related to the work of the Board or Commission:*

<b>Quality Governance</b>	
Quality governance is participatory, consensus-oriented, transparent, accountable, effective, efficient, and responsive to the present and future needs of stakeholders.	
Communication and Engagement	
Inform, educate, and solicit feedback from the community and boards and commissions on County projects, policies, and priorities to promote a culture of open communication and collaboration and foster exceptional customer service.	
Intergovernmental, Tribal, and Regional Relations	
Collaborate and problem-solve with the County’s major employers; community partner organizations; neighboring Pueblos; and regional, state, and national governmental entities.	
Fiscal Stewardship	
Maintain fiscal sustainability, transparency, and compliance with applicable budgetary and financial regulatory standards.	
<b>Operational Excellence</b>	
Operational excellence involves having structures, processes, standards, and oversight in place to ensure that effective services are efficiently delivered within available resources and that services continuously improve.	
Effective, Efficient, and Reliable Services	
Deliver customer-focused, accessible, reliable, and sustainable services to the community through sound financial management, collaborative decision-making, and efficient implementation.	
Infrastructure Asset Management	
Evaluate the County’s assets and infrastructure and prioritize funding to first maintain and protect those investments and second to inform new investments.	
Employee Recruitment and Retention	
Attract and employ diverse and highly qualified staff; retain staff through development opportunities, compensation, and benefits; and promote staff to address increasingly complex challenges.	
<b>Economic Vitality</b>	
Economic vitality encompasses the ability of the community to diversify, develop, grow, and sustain the many elements necessary for a local economy to flourish.	
Housing	
Increase the capacity for new housing development and the amount and variety of housing types to meet the needs of a changing and growing population, particularly middle- and lower-income households.	
Local Business	
Encourage the retention of existing businesses, facilitate the startup of new businesses, and assist in opportunities for growth.	
Downtown Revitalization	
Revitalize the downtown areas of Los Alamos and White Rock by facilitating development opportunities in accordance with the downtown master plans.	
Tourism and Special Events	
Sponsor special events, support major employer and community events, and promote tourism by enhancing amenities, utilizing facilities and contract services, and encouraging overnight stays.	
Community Broadband	
Provide community broadband as a basic essential service that will enable reliable high-speed internet services throughout the County at competitive pricing.	

<b>Quality of Life</b>	
Quality of life is a reflection of general well-being and the degree to which community members are healthy, comfortable, welcomed, included, and able to enjoy the activities of daily living.	
Health, Wellbeing, and Social Services	
Improve access to behavioral, mental, and physical health and social services and amenities to address identified issues and promote wellbeing in the region.	
Diversity, Equity, and Inclusivity	
Promote diversity, equity, and inclusivity through community awareness training, targeted events, and expanded opportunities for diverse interests.	
Mobility	
Improve and expand access to, and all-ability accommodations for, alternative modes of travel including public transit, cycling, and walking amenities and services.	
Educational, Historical, and Cultural Amenities	
Promote educational and cultural opportunities, in coordination with community partners, and provide for the preservation and restoration of historic buildings and the protection of archaeological sites.	
Open Space, Parks, and Recreation	
Manage County open space and maintain and improve parks and recreation facilities, trails, and amenities as defined by adopted plans and approved projects.	
Public Safety	
Ensure overall community safety through proactive and sustained implementation of police, fire hazard mitigation, and emergency response plans.	
<b>Environmental Stewardship</b>	
Environmental stewardship is the responsible use and protection of the natural environment through active participation in conservation efforts and sustainable practices in coordination with community and organizational partners.	
Natural Resource Protection	
Take actions to protect the wildlife and wildland interface, safeguard water, and mitigate tree loss in the community.	
Greenhouse Gas Reduction	
Establish targets for achieving net-zero greenhouse gas emissions and integrate sustainability and resiliency practices into County policies and operations.	
Carbon-Neutral Energy Supply	
Achieve carbon neutrality in electrical supply by 2040 through diversified carbon-free electric sourcing and phase out natural gas supply by 2070 through energy-efficient, all-electric buildings.	
Water Conservation	
Reduce potable water use and increase non-potable water use and water harvesting for irrigation where suitable.	
Waste Management	
Manage waste responsibly by diversion of solid waste from landfills through recycling, re-use, composting, and waste reduction programs and zero-waste education campaigns; and pursue efficient long-term solutions for disposal of solid waste.	

**Board or Commission Name: Lodgers’ Tax Advisory Board**

**Date Prepared: March 11, 2024**

**Date Approved by Council:**

**Prepared By: Dan Ungerleider, Economic Development Administrator  
Ellyn Felton, Marketing Specialist**

**Purpose:**

The purpose of the work plan is to provide a detailed outline of tasks, activities, timelines, and resources required by this Board or Commission to achieve its annual goals. The purpose of most boards is to gather public input, to review policy recommendations by staff when requested, and to make policy recommendations to the County Council.

**Process Timeline:**

November: County Council Strategic Planning

December: Boards and Commissions review and develop work plans (sole item on December agenda)

January: Finalize and submit work plans for Council review.

Due Date: February 1

**Time Frame:** This work plan will be accomplished in the following time frame:

January 1, 2024, through December 31, 2024.

**Members:** List members, term start and end dates, and term number.

<b>Member</b>	<b>Start/End Dates</b>	<b>Term (1st or 2nd)</b>
Jennifer B Olsen	Dec 02, 2021, to Dec 01, 2024	1st
Jennifer Olsen	Dec 02, 2021, to Dec 01, 2024	1st
Matthew B Allen	Dec 02, 2022, to Dec 01, 2025	2nd
Michael Wheeler	Dec 02, 2022, to Dec 01, 2025	1st
Trevor J Shuman	Dec 02, 2022, to Dec 01, 2025	1st

**Chairperson:** Jennifer B Olsen

**Department Director:** Paul Andrus

**Work plan developed in collaboration with Department Director? (Y/N)**

**Staff Liaison:** Ellyn Felton, Marketing Specialist

**Administrative Support:** Anita Barela, ED Admin

**Council Liaison:** Councilor David Reagor

**Work plan reviewed by Council Liaison? (Y/N)**

## 1.0 Previous Calendar Year Work Plan Highlights

### 1.1 List the top five activities for the previous calendar year.

1.1.1

Conduct required meetings, reporting out Lodgers' Tax Revenue, Tourism Venue Visitation Statistics, community special event activities, and use of Lodgers' tax funds. This activity is required as established by Article II, Section 36-31 of the Los Alamos County Municipal Code.

### 1.2 List the top five accomplishments for the previous calendar year.

1.2.1

Project Oppenheimer – In preparation for the release of Christopher Nolan's film "Oppenheimer", volunteer members from the public, business community and non-for-profit organizations came together to maximize local activities and marketing to maximize the business and visitor experience during the expected increase in visitors resulting from the film. Topics discussed: Promotion and storytelling, conflict resolution, joint marketing campaigns, and increasing participation.

1.2.2

Ambassador Program – On behalf of the County, LACDC underwent a revamp and expansion of the existing ambassador program. This free program includes a 2-hour in-person class covering local history, destinations, programs and exhibits, and techniques for being an effective local ambassador.

1.2.3

White Rock Visitor Center Refresh – In preparation for the summer tourism season, the White Rock Visitor Center underwent a quick refresh, including the installation of new displays, brochure walls, maps, banners, and furniture. The washroom facilities were upgraded to accommodate the growing number of visitors.

1.2.4

Brochure Refresh – As noted above, most visitor information brochures were reviewed and updated to include current and relevant information. This activity sets the stage for the update to the County's Adventure Guide proposed for FY2025.

1.2.5-

Visitor Center Survey Kiosks – Digital Kiosks were installed in both visitor centers to collect visitor demographic and experience data. The data is now being used to understand trends and to develop focused marketing programs and activities to increase visitation and referrals.

### 1.3 List the lessons learned for the previous calendar year.

1.3.1

Meetings need to be succinct, organized, and with purpose, allowing for report and consideration of Tourism Implementation Task Force Work Group recommendations.

## 2.0 Calendar Year 2024 Work Plan

2.1 List any special projects or assignments given to this Board/Commission by Council or the Department Director.

2.1.1 Continue oversight and reporting of Lodgers' Tax expenditures and impacts on increasing overnight visitation/tourism.

2.2 List other projects and/or activities being proposed by this Board/Commission, in priority order.

2.2.1 Participate in County transit/transportation studies and project as they might impact tourism promotion activities and propose temporary and future options for visitors to better their experience by FY 2025.

2.2.1 Oversee the creation and development of the visitor itinerary application and publications, i.e. Visit Widget, for FY 2025,

2.2.3 Oversee the development of a Group Marketing Plan by FY 2025; identify tour operators, meeting planners, associations, and other hospitality functions for group trips looking to visit the County.

2.3 List the guiding documents or plans used by this Board/Commission.

- 2.3.1
- Article II, Section 36-31, Los Alamos County Municipal Code
  - 2019 Economic Vitality Action Plan
  - Tourism Implementation Plan

Reference: <https://www.losalamosnm.us/Government/Departments-and-Divisions/Community-Development/Economic-Development/Business-Resources/Economic-Vitality-Strategic-Plan>

**3.0 Identify interfaces with County departments and/or other Boards/Commissions that are necessary to achieve this work plan.**

3.1 Council, County Managers Office, Community Development Department, Community Services Department, and others as needed.

**4.0 List any special events this Board/Commission plans to participate in that will support this work plan.**

4.1

NA

**5.0 List active Working Groups within this Board/Commission, if any, along with the purpose and member names of each one.**

5.1

Tourism Implementation Task Force

## Attachment A

*Place an X in the column on the right if the Council priority is related to the work of the Board or Commission:*

<b>Quality Governance</b>	
Quality governance is participatory, consensus-oriented, transparent, accountable, effective, efficient, and responsive to the present and future needs of stakeholders.	
Communication and Engagement	
Inform, educate, and solicit feedback from the community and boards and commissions on County projects, policies, and priorities to promote a culture of open communication and collaboration and foster exceptional customer service.	x
Intergovernmental, Tribal, and Regional Relations	
Collaborate and problem-solve with the County’s major employers; community partner organizations; neighboring Pueblos; and regional, state, and national governmental entities.	x
Fiscal Stewardship	
Maintain fiscal sustainability, transparency, and compliance with applicable budgetary and financial regulatory standards.	x
<b>Operational Excellence</b>	
Operational excellence involves having structures, processes, standards, and oversight in place to ensure that effective services are efficiently delivered within available resources and that services continuously improve.	
Effective, Efficient, and Reliable Services	
Deliver customer-focused, accessible, reliable, and sustainable services to the community through sound financial management, collaborative decision-making, and efficient implementation.	
Infrastructure Asset Management	
Evaluate the County’s assets and infrastructure and prioritize funding to first maintain and protect those investments and second to inform new investments.	
Employee Recruitment and Retention	
Attract and employ diverse and highly qualified staff; retain staff through development opportunities, compensation, and benefits; and promote staff to address increasingly complex challenges.	
<b>Economic Vitality</b>	
Economic vitality encompasses the ability of the community to diversify, develop, grow, and sustain the many elements necessary for a local economy to flourish.	
Housing	
Increase the capacity for new housing development and the amount and variety of housing types to meet the needs of a changing and growing population, particularly middle- and lower-income households.	
Local Business	
Encourage the retention of existing businesses, facilitate the startup of new businesses, and assist in opportunities for growth.	x
Downtown Revitalization	
Revitalize the downtown areas of Los Alamos and White Rock by facilitating development opportunities in accordance with the downtown master plans.	
Tourism and Special Events	
Sponsor special events, support major employer and community events, and promote tourism by enhancing amenities, utilizing facilities and contract services, and encouraging overnight stays.	x
Community Broadband	
Provide community broadband as a basic essential service that will enable reliable high-speed internet services throughout the County at competitive pricing.	

<b>Quality of Life</b>	
Quality of life is a reflection of general well-being and the degree to which community members are healthy, comfortable, welcomed, included, and able to enjoy the activities of daily living.	
Health, Wellbeing, and Social Services	
Improve access to behavioral, mental, and physical health and social services and amenities to address identified issues and promote wellbeing in the region.	
Diversity, Equity, and Inclusivity	
Promote diversity, equity, and inclusivity through community awareness training, targeted events, and expanded opportunities for diverse interests.	
Mobility	
Improve and expand access to, and all-ability accommodations for, alternative modes of travel including public transit, cycling, and walking amenities and services.	
Educational, Historical, and Cultural Amenities	
Promote educational and cultural opportunities, in coordination with community partners, and provide for the preservation and restoration of historic buildings and the protection of archaeological sites.	
Open Space, Parks, and Recreation	
Manage County open space and maintain and improve parks and recreation facilities, trails, and amenities as defined by adopted plans and approved projects.	
Public Safety	
Ensure overall community safety through proactive and sustained implementation of police, fire hazard mitigation, and emergency response plans.	
<b>Environmental Stewardship</b>	
Environmental stewardship is the responsible use and protection of the natural environment through active participation in conservation efforts and sustainable practices in coordination with community and organizational partners.	
Natural Resource Protection	
Take actions to protect the wildlife and wildland interface, safeguard water, and mitigate tree loss in the community.	
Greenhouse Gas Reduction	
Establish targets for achieving net-zero greenhouse gas emissions and integrate sustainability and resiliency practices into County policies and operations.	
Carbon-Neutral Energy Supply	
Achieve carbon neutrality in electrical supply by 2040 through diversified carbon-free electric sourcing and phase out natural gas supply by 2070 through energy-efficient, all-electric buildings.	
Water Conservation	
Reduce potable water use and increase non-potable water use and water harvesting for irrigation where suitable.	
Waste Management	
Manage waste responsibly by diversion of solid waste from landfills through recycling, re-use, composting, and waste reduction programs and zero-waste education campaigns; and pursue efficient long-term solutions for disposal of solid waste.	



**Board or Commission Name:**

**Date Prepared:**

**Date Approved by Council:**

**Prepared By:**

**Purpose:**

The purpose of the work plan is to provide a detailed outline of tasks, activities, timelines, and resources required by this Board or Commission to achieve its annual goals. The purpose of most boards is to gather public input, to review policy recommendations by staff when requested, and to make policy recommendations to the County Council.

**Process Timeline:**

November: County Council Strategic Planning

December: Boards and Commissions review and develop work plans (primary item on December agenda)

January: Finalize and submit work plans for Council review.

Due Date: February 1

**Time Frame:** This work plan will be accomplished in the following time frame:

January 1, 2024, through December 31, 2024.

**Members:** List members, term start and end dates, and term number.

Member	Start/End Dates	Term (1st or 2nd)

**Chairperson:**

**Department Director:**

**Work plan developed in collaboration with Department Director? (Y/N)**

**Staff Liaison:**

**Administrative Support:**

**Council Liaison:**

**Work plan reviewed by Council Liaison? (Y/N)**

**1.0 Previous Calendar Year Work Plan Highlights**

1.1 List the top five activities for the previous calendar year.

1.1.1

--

1.1.2

--

1.1.3

--

1.1.4

--

1.1.5

--

1.2 List the top five accomplishments for the previous calendar year.

1.2.1

--

1.2.2

--

1.2.3

--

1.2.4

--

1.2.5

--

1.3 List the lessons learned for the previous calendar year.

1.3.1

--

1.3.2

--

1.3.3

--

1.3.4

--

1.3.5

--

**2.0 Calendar Year 2024 Work Plan**

2.1 List any special projects or assignments given to this Board/Commission by Council or the Department Director.

2.1.1

--

2.1.2

--

2.1.3

--

2.1.4

--

2.1.5

--

2.2 List other projects and/or activities being proposed by this Board/Commission, in priority order.

2.2.1

--

2.2.1

--

2.2.2

--

2.2.3

--

2.2.4

--

2.2.5

--

2.3 List the guiding documents or plans used by this Board/Commission.

2.3.1

--

3.0 Identify interfaces with County departments and/or other Boards/Commissions that are necessary to achieve this work plan.

3.1

--

3.2

--

3.3

--

3.4

--

3.5

--

4.0 List any special events this Board/Commission plans to participate in that will support this work plan.

4.1

--

4.2

--

4.3

--

4.4

--

4.5

--

**5.0 List active Working Groups within this Board/Commission, if any, along with the purpose and member names of each one.**

5.1

--

5.2

--

5.3

--

5.4

--

5.5

--

## Attachment A

*Place an X in the column on the right if the Council priority is related to the work of the Board or Commission:*

<b>Quality Governance</b>	
Quality governance is participatory, consensus-oriented, transparent, accountable, effective, efficient, and responsive to the present and future needs of stakeholders.	
Communication and Engagement	
Inform, educate, and solicit feedback from the community and boards and commissions on County projects, policies, and priorities to promote a culture of open communication and collaboration and foster exceptional customer service.	
Intergovernmental, Tribal, and Regional Relations	
Collaborate and problem-solve with the County’s major employers; community partner organizations; neighboring Pueblos; and regional, state, and national governmental entities.	
Fiscal Stewardship	
Maintain fiscal sustainability, transparency, and compliance with applicable budgetary and financial regulatory standards.	
<b>Operational Excellence</b>	
Operational excellence involves having structures, processes, standards, and oversight in place to ensure that effective services are efficiently delivered within available resources and that services continuously improve.	
Effective, Efficient, and Reliable Services	
Deliver customer-focused, accessible, reliable, and sustainable services to the community through sound financial management, collaborative decision-making, and efficient implementation.	
Infrastructure Asset Management	
Evaluate the County’s assets and infrastructure and prioritize funding to first maintain and protect those investments and second to inform new investments.	
Employee Recruitment and Retention	
Attract and employ diverse and highly qualified staff; retain staff through development opportunities, compensation, and benefits; and promote staff to address increasingly complex challenges.	
<b>Economic Vitality</b>	
Economic vitality encompasses the ability of the community to diversify, develop, grow, and sustain the many elements necessary for a local economy to flourish.	
Housing	
Increase the capacity for new housing development and the amount and variety of housing types to meet the needs of a changing and growing population, particularly middle- and lower-income households.	
Local Business	
Encourage the retention of existing businesses, facilitate the startup of new businesses, and assist in opportunities for growth.	
Downtown Revitalization	
Revitalize the downtown areas of Los Alamos and White Rock by facilitating development opportunities in accordance with the downtown master plans.	
Tourism and Special Events	
Sponsor special events, support major employer and community events, and promote tourism by enhancing amenities, utilizing facilities and contract services, and encouraging overnight stays.	
Community Broadband	
Provide community broadband as a basic essential service that will enable reliable high-speed internet services throughout the County at competitive pricing.	

<b>Quality of Life</b>	
Quality of life is a reflection of general well-being and the degree to which community members are healthy, comfortable, welcomed, included, and able to enjoy the activities of daily living.	
Health, Wellbeing, and Social Services	
Improve access to behavioral, mental, and physical health and social services and amenities to address identified issues and promote wellbeing in the region.	
Diversity, Equity, and Inclusivity	
Promote diversity, equity, and inclusivity through community awareness training, targeted events, and expanded opportunities for diverse interests.	
Mobility	
Improve and expand access to, and all-ability accommodations for, alternative modes of travel including public transit, cycling, and walking amenities and services.	
Educational, Historical, and Cultural Amenities	
Promote educational and cultural opportunities, in coordination with community partners, and provide for the preservation and restoration of historic buildings and the protection of archaeological sites.	
Open Space, Parks, and Recreation	
Manage County open space and maintain and improve parks and recreation facilities, trails, and amenities as defined by adopted plans and approved projects.	
Public Safety	
Ensure overall community safety through proactive and sustained implementation of police, fire hazard mitigation, and emergency response plans.	
<b>Environmental Stewardship</b>	
Environmental stewardship is the responsible use and protection of the natural environment through active participation in conservation efforts and sustainable practices in coordination with community and organizational partners.	
Natural Resource Protection	
Take actions to protect the wildlife and wildland interface, safeguard water, and mitigate tree loss in the community.	
Greenhouse Gas Reduction	
Establish targets for achieving net-zero greenhouse gas emissions and integrate sustainability and resiliency practices into County policies and operations.	
Carbon-Neutral Energy Supply	
Achieve carbon neutrality in electrical supply by 2040 through diversified carbon-free electric sourcing and phase out natural gas supply by 2070 through energy-efficient, all-electric buildings.	
Water Conservation	
Reduce potable water use and increase non-potable water use and water harvesting for irrigation where suitable.	
Waste Management	
Manage waste responsibly by diversion of solid waste from landfills through recycling, re-use, composting, and waste reduction programs and zero-waste education campaigns; and pursue efficient long-term solutions for disposal of solid waste.	



**Board or Commission Name:**

**Date Prepared:**

**Date Approved by Council:**

**Prepared By:**

**Purpose:**

The purpose of the work plan is to provide a detailed outline of tasks, activities, timelines, and resources required by this Board or Commission to achieve its annual goals. The purpose of most boards is to gather public input, to review policy recommendations by staff when requested, and to make policy recommendations to the County Council.

**Process Timeline:**

November: County Council Strategic Planning

December: Boards and Commissions review and develop work plans (primary item on December agenda)

January: Finalize and submit work plans for Council review.

Due Date: February 1

**Time Frame:** This work plan will be accomplished in the following time frame:

January 1, 2024, through December 31, 2024.

**Members:** List members, term start and end dates, and term number.

Member	Start/End Dates	Term (1st or 2nd)

**Chairperson:**

**Department Director:**

**Work plan developed in collaboration with Department Director? (Y/N)**

**Staff Liaison:**

**Administrative Support:**

**Council Liaison:**

**Work plan reviewed by Council Liaison? (Y/N)**

**1.0 Previous Calendar Year Work Plan Highlights**

1.1 List the top five activities for the previous calendar year.

1.1.1

--

1.1.2

--

1.1.3

--

1.1.4

--

1.1.5

--

1.2 List the top five accomplishments for the previous calendar year.

1.2.1

--

1.2.2

--

1.2.3

--

1.2.4

--

1.2.5

--

1.3 List the lessons learned for the previous calendar year.

1.3.1

--

1.3.2

--

1.3.3

--

1.3.4

--

1.3.5

--

**2.0 Calendar Year 2024 Work Plan**

2.1 List any special projects or assignments given to this Board/Commission by Council or the Department Director.

2.1.1

--

2.1.2

--

2.1.3

--

2.1.4

--

2.1.5

--

2.2 List other projects and/or activities being proposed by this Board/Commission, in priority order.

2.2.1

--

2.2.1

--

2.2.2

--

2.2.3

--

2.2.4

--

2.2.5

--

2.3 List the guiding documents or plans used by this Board/Commission.

2.3.1

--

3.0 Identify interfaces with County departments and/or other Boards/Commissions that are necessary to achieve this work plan.

3.1

--

3.2

--

3.3

--

3.4

--

3.5

--

4.0 List any special events this Board/Commission plans to participate in that will support this work plan.

4.1

--

4.2

--

4.3

--

4.4

--

4.5

--

**5.0 List active Working Groups within this Board/Commission, if any, along with the purpose and member names of each one.**

5.1

--

5.2

--

5.3

--

5.4

--

5.5

--

## Attachment A

*Place an X in the column on the right if the Council priority is related to the work of the Board or Commission:*

<b>Quality Governance</b>	
Quality governance is participatory, consensus-oriented, transparent, accountable, effective, efficient, and responsive to the present and future needs of stakeholders.	
Communication and Engagement	
Inform, educate, and solicit feedback from the community and boards and commissions on County projects, policies, and priorities to promote a culture of open communication and collaboration and foster exceptional customer service.	
Intergovernmental, Tribal, and Regional Relations	
Collaborate and problem-solve with the County’s major employers; community partner organizations; neighboring Pueblos; and regional, state, and national governmental entities.	
Fiscal Stewardship	
Maintain fiscal sustainability, transparency, and compliance with applicable budgetary and financial regulatory standards.	
<b>Operational Excellence</b>	
Operational excellence involves having structures, processes, standards, and oversight in place to ensure that effective services are efficiently delivered within available resources and that services continuously improve.	
Effective, Efficient, and Reliable Services	
Deliver customer-focused, accessible, reliable, and sustainable services to the community through sound financial management, collaborative decision-making, and efficient implementation.	
Infrastructure Asset Management	
Evaluate the County’s assets and infrastructure and prioritize funding to first maintain and protect those investments and second to inform new investments.	
Employee Recruitment and Retention	
Attract and employ diverse and highly qualified staff; retain staff through development opportunities, compensation, and benefits; and promote staff to address increasingly complex challenges.	
<b>Economic Vitality</b>	
Economic vitality encompasses the ability of the community to diversify, develop, grow, and sustain the many elements necessary for a local economy to flourish.	
Housing	
Increase the capacity for new housing development and the amount and variety of housing types to meet the needs of a changing and growing population, particularly middle- and lower-income households.	
Local Business	
Encourage the retention of existing businesses, facilitate the startup of new businesses, and assist in opportunities for growth.	
Downtown Revitalization	
Revitalize the downtown areas of Los Alamos and White Rock by facilitating development opportunities in accordance with the downtown master plans.	
Tourism and Special Events	
Sponsor special events, support major employer and community events, and promote tourism by enhancing amenities, utilizing facilities and contract services, and encouraging overnight stays.	
Community Broadband	
Provide community broadband as a basic essential service that will enable reliable high-speed internet services throughout the County at competitive pricing.	

<b>Quality of Life</b>	
Quality of life is a reflection of general well-being and the degree to which community members are healthy, comfortable, welcomed, included, and able to enjoy the activities of daily living.	
Health, Wellbeing, and Social Services	
Improve access to behavioral, mental, and physical health and social services and amenities to address identified issues and promote wellbeing in the region.	
Diversity, Equity, and Inclusivity	
Promote diversity, equity, and inclusivity through community awareness training, targeted events, and expanded opportunities for diverse interests.	
Mobility	
Improve and expand access to, and all-ability accommodations for, alternative modes of travel including public transit, cycling, and walking amenities and services.	
Educational, Historical, and Cultural Amenities	
Promote educational and cultural opportunities, in coordination with community partners, and provide for the preservation and restoration of historic buildings and the protection of archaeological sites.	
Open Space, Parks, and Recreation	
Manage County open space and maintain and improve parks and recreation facilities, trails, and amenities as defined by adopted plans and approved projects.	
Public Safety	
Ensure overall community safety through proactive and sustained implementation of police, fire hazard mitigation, and emergency response plans.	
<b>Environmental Stewardship</b>	
Environmental stewardship is the responsible use and protection of the natural environment through active participation in conservation efforts and sustainable practices in coordination with community and organizational partners.	
Natural Resource Protection	
Take actions to protect the wildlife and wildland interface, safeguard water, and mitigate tree loss in the community.	
Greenhouse Gas Reduction	
Establish targets for achieving net-zero greenhouse gas emissions and integrate sustainability and resiliency practices into County policies and operations.	
Carbon-Neutral Energy Supply	
Achieve carbon neutrality in electrical supply by 2040 through diversified carbon-free electric sourcing and phase out natural gas supply by 2070 through energy-efficient, all-electric buildings.	
Water Conservation	
Reduce potable water use and increase non-potable water use and water harvesting for irrigation where suitable.	
Waste Management	
Manage waste responsibly by diversion of solid waste from landfills through recycling, re-use, composting, and waste reduction programs and zero-waste education campaigns; and pursue efficient long-term solutions for disposal of solid waste.	



**Board or Commission Name:**

**Date Prepared:**

**Date Approved by Council:**

**Prepared By:**

**Purpose:**

The purpose of the work plan is to provide a detailed outline of tasks, activities, timelines, and resources required by this Board or Commission to achieve its annual goals. The purpose of most boards is to gather public input, to review policy recommendations by staff when requested, and to make policy recommendations to the County Council.

**Process Timeline:**

November: County Council Strategic Planning

December: Boards and Commissions review and develop work plans (primary item on December agenda)

January: Finalize and submit work plans for Council review.

Due Date: February 1

**Time Frame:** This work plan will be accomplished in the following time frame:

January 1, 2024, through December 31, 2024.

**Members:** List members, term start and end dates, and term number.

Member	Start/End Dates	Term (1st or 2nd)

**Chairperson:**

**Department Director:**

**Work plan developed in collaboration with Department Director? (Y/N)**

**Staff Liaison:**

**Administrative Support:**

**Council Liaison:**

**Work plan reviewed by Council Liaison? (Y/N)**

**1.0 Previous Calendar Year Work Plan Highlights**

1.1 List the top five activities for the previous calendar year.

1.1.1

--

1.1.2

--

1.1.3

--

1.1.4

--

1.1.5

--

1.2 List the top five accomplishments for the previous calendar year.

1.2.1

--

1.2.2

--

1.2.3

--

1.2.4

--

1.2.5

--

1.3 List the lessons learned for the previous calendar year.

1.3.1

--

1.3.2

--

1.3.3

--

1.3.4

--

1.3.5

--

**2.0 Calendar Year 2024 Work Plan**

2.1 List any special projects or assignments given to this Board/Commission by Council or the Department Director.

2.1.1

--

2.1.2

--

2.1.3

--

2.1.4

--

2.1.5

--

2.2 List other projects and/or activities being proposed by this Board/Commission, in priority order.

2.2.1

--

2.2.1

--

2.2.2

--

2.2.3

--

2.2.4

--

2.2.5

--

2.3 List the guiding documents or plans used by this Board/Commission.

2.3.1

--

3.0 Identify interfaces with County departments and/or other Boards/Commissions that are necessary to achieve this work plan.

3.1

--

3.2

--

3.3

--

3.4

--

3.5

--

4.0 List any special events this Board/Commission plans to participate in that will support this work plan.

4.1

--

4.2

--

4.3

--

4.4

--

4.5

--

**5.0 List active Working Groups within this Board/Commission, if any, along with the purpose and member names of each one.**

5.1

--

5.2

--

5.3

--

5.4

--

5.5

--

## Attachment A

*Place an X in the column on the right if the Council priority is related to the work of the Board or Commission:*

<b>Quality Governance</b>	
Quality governance is participatory, consensus-oriented, transparent, accountable, effective, efficient, and responsive to the present and future needs of stakeholders.	
Communication and Engagement	
Inform, educate, and solicit feedback from the community and boards and commissions on County projects, policies, and priorities to promote a culture of open communication and collaboration and foster exceptional customer service.	
Intergovernmental, Tribal, and Regional Relations	
Collaborate and problem-solve with the County’s major employers; community partner organizations; neighboring Pueblos; and regional, state, and national governmental entities.	
Fiscal Stewardship	
Maintain fiscal sustainability, transparency, and compliance with applicable budgetary and financial regulatory standards.	
<b>Operational Excellence</b>	
Operational excellence involves having structures, processes, standards, and oversight in place to ensure that effective services are efficiently delivered within available resources and that services continuously improve.	
Effective, Efficient, and Reliable Services	
Deliver customer-focused, accessible, reliable, and sustainable services to the community through sound financial management, collaborative decision-making, and efficient implementation.	
Infrastructure Asset Management	
Evaluate the County’s assets and infrastructure and prioritize funding to first maintain and protect those investments and second to inform new investments.	
Employee Recruitment and Retention	
Attract and employ diverse and highly qualified staff; retain staff through development opportunities, compensation, and benefits; and promote staff to address increasingly complex challenges.	
<b>Economic Vitality</b>	
Economic vitality encompasses the ability of the community to diversify, develop, grow, and sustain the many elements necessary for a local economy to flourish.	
Housing	
Increase the capacity for new housing development and the amount and variety of housing types to meet the needs of a changing and growing population, particularly middle- and lower-income households.	
Local Business	
Encourage the retention of existing businesses, facilitate the startup of new businesses, and assist in opportunities for growth.	
Downtown Revitalization	
Revitalize the downtown areas of Los Alamos and White Rock by facilitating development opportunities in accordance with the downtown master plans.	
Tourism and Special Events	
Sponsor special events, support major employer and community events, and promote tourism by enhancing amenities, utilizing facilities and contract services, and encouraging overnight stays.	
Community Broadband	
Provide community broadband as a basic essential service that will enable reliable high-speed internet services throughout the County at competitive pricing.	

<b>Quality of Life</b>	
Quality of life is a reflection of general well-being and the degree to which community members are healthy, comfortable, welcomed, included, and able to enjoy the activities of daily living.	
Health, Wellbeing, and Social Services	
Improve access to behavioral, mental, and physical health and social services and amenities to address identified issues and promote wellbeing in the region.	
Diversity, Equity, and Inclusivity	
Promote diversity, equity, and inclusivity through community awareness training, targeted events, and expanded opportunities for diverse interests.	
Mobility	
Improve and expand access to, and all-ability accommodations for, alternative modes of travel including public transit, cycling, and walking amenities and services.	
Educational, Historical, and Cultural Amenities	
Promote educational and cultural opportunities, in coordination with community partners, and provide for the preservation and restoration of historic buildings and the protection of archaeological sites.	
Open Space, Parks, and Recreation	
Manage County open space and maintain and improve parks and recreation facilities, trails, and amenities as defined by adopted plans and approved projects.	
Public Safety	
Ensure overall community safety through proactive and sustained implementation of police, fire hazard mitigation, and emergency response plans.	
<b>Environmental Stewardship</b>	
Environmental stewardship is the responsible use and protection of the natural environment through active participation in conservation efforts and sustainable practices in coordination with community and organizational partners.	
Natural Resource Protection	
Take actions to protect the wildlife and wildland interface, safeguard water, and mitigate tree loss in the community.	
Greenhouse Gas Reduction	
Establish targets for achieving net-zero greenhouse gas emissions and integrate sustainability and resiliency practices into County policies and operations.	
Carbon-Neutral Energy Supply	
Achieve carbon neutrality in electrical supply by 2040 through diversified carbon-free electric sourcing and phase out natural gas supply by 2070 through energy-efficient, all-electric buildings.	
Water Conservation	
Reduce potable water use and increase non-potable water use and water harvesting for irrigation where suitable.	
Waste Management	
Manage waste responsibly by diversion of solid waste from landfills through recycling, re-use, composting, and waste reduction programs and zero-waste education campaigns; and pursue efficient long-term solutions for disposal of solid waste.	



**Board or Commission Name:**

**Date Prepared:**

**Date Approved by Council:**

**Prepared By:**

**Purpose:**

The purpose of the work plan is to provide a detailed outline of tasks, activities, timelines, and resources required by this Board or Commission to achieve its annual goals. The purpose of most boards is to gather public input, to review policy recommendations by staff when requested, and to make policy recommendations to the County Council.

**Process Timeline:**

November: County Council Strategic Planning

December: Boards and Commissions review and develop work plans (primary item on December agenda)

January: Finalize and submit work plans for Council review.

Due Date: February 1

**Time Frame:** This work plan will be accomplished in the following time frame:

January 1, 2024, through December 31, 2024.

**Members:** List members, term start and end dates, and term number.

Member	Start/End Dates	Term (1st or 2nd)

**Chairperson:**

**Department Director:**

**Work plan developed in collaboration with Department Director? (Y/N)**

**Staff Liaison:**

**Administrative Support:**

**Council Liaison:**

**Work plan reviewed by Council Liaison? (Y/N)**

**1.0 Previous Calendar Year Work Plan Highlights**

1.1 List the top five activities for the previous calendar year.

1.1.1

--

1.1.2

--

1.1.3

--

1.1.4

--

1.1.5

--

1.2 List the top five accomplishments for the previous calendar year.

1.2.1

--

1.2.2

--

1.2.3

--

1.2.4

--

1.2.5

--

1.3 List the lessons learned for the previous calendar year.

1.3.1

--

1.3.2

--

1.3.3

--

1.3.4

--

1.3.5

--

**2.0 Calendar Year 2024 Work Plan**

2.1 List any special projects or assignments given to this Board/Commission by Council or the Department Director.

2.1.1

--

2.1.2

--

2.1.3

--

2.1.4

--

2.1.5

--

2.2 List other projects and/or activities being proposed by this Board/Commission, in priority order.

2.2.1

--

2.2.1

--

2.2.2

--

2.2.3

--

2.2.4

--

2.2.5

--

2.3 List the guiding documents or plans used by this Board/Commission.

2.3.1

--

3.0 Identify interfaces with County departments and/or other Boards/Commissions that are necessary to achieve this work plan.

3.1

--

3.2

--

3.3

--

3.4

--

3.5

--

4.0 List any special events this Board/Commission plans to participate in that will support this work plan.

4.1

--

4.2

--

4.3

--

4.4

--

4.5

--

**5.0 List active Working Groups within this Board/Commission, if any, along with the purpose and member names of each one.**

5.1

--

5.2

--

5.3

--

5.4

--

5.5

--

## Attachment A

*Place an X in the column on the right if the Council priority is related to the work of the Board or Commission:*

<b>Quality Governance</b>	
Quality governance is participatory, consensus-oriented, transparent, accountable, effective, efficient, and responsive to the present and future needs of stakeholders.	
Communication and Engagement	
Inform, educate, and solicit feedback from the community and boards and commissions on County projects, policies, and priorities to promote a culture of open communication and collaboration and foster exceptional customer service.	
Intergovernmental, Tribal, and Regional Relations	
Collaborate and problem-solve with the County’s major employers; community partner organizations; neighboring Pueblos; and regional, state, and national governmental entities.	
Fiscal Stewardship	
Maintain fiscal sustainability, transparency, and compliance with applicable budgetary and financial regulatory standards.	
<b>Operational Excellence</b>	
Operational excellence involves having structures, processes, standards, and oversight in place to ensure that effective services are efficiently delivered within available resources and that services continuously improve.	
Effective, Efficient, and Reliable Services	
Deliver customer-focused, accessible, reliable, and sustainable services to the community through sound financial management, collaborative decision-making, and efficient implementation.	
Infrastructure Asset Management	
Evaluate the County’s assets and infrastructure and prioritize funding to first maintain and protect those investments and second to inform new investments.	
Employee Recruitment and Retention	
Attract and employ diverse and highly qualified staff; retain staff through development opportunities, compensation, and benefits; and promote staff to address increasingly complex challenges.	
<b>Economic Vitality</b>	
Economic vitality encompasses the ability of the community to diversify, develop, grow, and sustain the many elements necessary for a local economy to flourish.	
Housing	
Increase the capacity for new housing development and the amount and variety of housing types to meet the needs of a changing and growing population, particularly middle- and lower-income households.	
Local Business	
Encourage the retention of existing businesses, facilitate the startup of new businesses, and assist in opportunities for growth.	
Downtown Revitalization	
Revitalize the downtown areas of Los Alamos and White Rock by facilitating development opportunities in accordance with the downtown master plans.	
Tourism and Special Events	
Sponsor special events, support major employer and community events, and promote tourism by enhancing amenities, utilizing facilities and contract services, and encouraging overnight stays.	
Community Broadband	
Provide community broadband as a basic essential service that will enable reliable high-speed internet services throughout the County at competitive pricing.	

<b>Quality of Life</b>	
Quality of life is a reflection of general well-being and the degree to which community members are healthy, comfortable, welcomed, included, and able to enjoy the activities of daily living.	
Health, Wellbeing, and Social Services	
Improve access to behavioral, mental, and physical health and social services and amenities to address identified issues and promote wellbeing in the region.	
Diversity, Equity, and Inclusivity	
Promote diversity, equity, and inclusivity through community awareness training, targeted events, and expanded opportunities for diverse interests.	
Mobility	
Improve and expand access to, and all-ability accommodations for, alternative modes of travel including public transit, cycling, and walking amenities and services.	
Educational, Historical, and Cultural Amenities	
Promote educational and cultural opportunities, in coordination with community partners, and provide for the preservation and restoration of historic buildings and the protection of archaeological sites.	
Open Space, Parks, and Recreation	
Manage County open space and maintain and improve parks and recreation facilities, trails, and amenities as defined by adopted plans and approved projects.	
Public Safety	
Ensure overall community safety through proactive and sustained implementation of police, fire hazard mitigation, and emergency response plans.	
<b>Environmental Stewardship</b>	
Environmental stewardship is the responsible use and protection of the natural environment through active participation in conservation efforts and sustainable practices in coordination with community and organizational partners.	
Natural Resource Protection	
Take actions to protect the wildlife and wildland interface, safeguard water, and mitigate tree loss in the community.	
Greenhouse Gas Reduction	
Establish targets for achieving net-zero greenhouse gas emissions and integrate sustainability and resiliency practices into County policies and operations.	
Carbon-Neutral Energy Supply	
Achieve carbon neutrality in electrical supply by 2040 through diversified carbon-free electric sourcing and phase out natural gas supply by 2070 through energy-efficient, all-electric buildings.	
Water Conservation	
Reduce potable water use and increase non-potable water use and water harvesting for irrigation where suitable.	
Waste Management	
Manage waste responsibly by diversion of solid waste from landfills through recycling, re-use, composting, and waste reduction programs and zero-waste education campaigns; and pursue efficient long-term solutions for disposal of solid waste.	





## 2024 Work Plan for Los Alamos County Boards and Commissions

**Board or Commission Name:** Transportation Board

**Date Prepared:** 2/1/24

**Date Approved by Council:**

**Prepared By:** Board Members and PW Staff

**Purpose:**

The purpose of the work plan is to provide a detailed outline of tasks, activities, timelines, and resources required by this Board or Commission to achieve its annual goals. The purpose of most boards is to gather public input, to review policy recommendations by staff when requested, and to make policy recommendations to the County Council.

**Process Timeline:**

November: County Council Strategic Planning

December: Boards and Commissions review and develop work plans (primary item on December agenda)

January: Finalize and submit work plans for Council review.

Due Date: February 1

**Time Frame:** This work plan will be accomplished in the following time frame:

January 1, 2024, through December 31, 2024.

**Members:** List members, term start and end dates, and term number.

Member	Start/End Dates	Term (1st or 2nd)

**Chairperson:** David Hampton

**Department Director:** Juan Rael

**Work plan developed in collaboration with Department Director? (Y/N)**

**Staff Liaison:** Juan Rael

**Administrative Support:** Louise Romero

**Council Liaison:** Melanee Hand

**Work plan reviewed by Council Liaison? (Y/N)**

## **1.0 Previous Calendar Year Work Plan Highlights**

- 1.1 List the top five activities for the previous calendar year.
  - 1.1.1 Bicycle Working Group
  - 1.1.2 Roadway Project Review, ex. Cumbres Del Norte Roadway Improvements, Loma Linda, Rose Street, Bathtub Row, Trinity and Finch St.
  - 1.1.3 Urban Trail Project
  - 1.1.4 Public Engagement for projects, transit service, bicycle and pedestrian improvements including accessibility.
  - 1.1.5 Snow and Ice Control Plan
- 1.2 List the top five accomplishments for the previous calendar year.
  - 1.2.1 Innovative contracting for construction projects
  - 1.2.2 Bicycle Pilot Project at Diamond Dr. and West Road
  - 1.2.3 Coordination with other Boards, ex. Tourism, BPU, ESB
  - 1.2.4 Snow & Ice Control Plan
  - 1.2.5 Adopt a Road Program
- 1.3 List the lessons learned for the previous calendar year.
  - 1.3.1 Canyon Road Construction Traffic Management
  - 1.3.2 Regional Solutions Needed for Transit Challenges and Issues
  - 1.3.3 Greater need for alternative transportation, ex. Bicycling
  - 1.3.4 Increased stakeholder coordination, LANL, State, Tribal, Federal
  - 1.3.5 XXX

## **2.0 Calendar Year 2024 Work Plan**

- 2.1 List any special projects or assignments given to this Board/Commission by Council or the Department Director.
  - 2.1.1 Review of Airport Improvement Plan
  - 2.1.2 Bicycle Infrastructure Review

2.1.3 Snow & Ice Control Plan

2.1.4 Project Review, Public Engagement and Board Input

2.1.5 Bike to Work

2.2 List other projects and/or activities being proposed by this Board/Commission, in priority order.

2.2.1 Project Review, Public Engagement and Board Input

2.2.2 Investigate alternative transportation solutions.

2.2.3 Continued liaison with stakeholders for regional transportation needs

2.2.4 Enhanced accessibility for all forms of transportation and information systems

2.2.5 Pedestrian Improvements, Crossings and Ped Transportation Plan Update

2.2.6 Transit Center Study & Paved Trail Maintenance

2.3 List all the guiding documents or plans used by this Board/Commission.

2.3.1 Bicycle Transportation System Plan (2017)

Policy on the Design of Public Streets and Rights of Way ( Res. No. 10-32 Nov 2010)

Los Alamos County Comprehensive Transit Study/Updated Service Plan

Airport Master Plan (2013)

ADA Transition Plan (2017)

Complete Streets Checklist (2017)

Pedestrian Transportation Plan (1998) Update in progress

Snow & Ice Control Plan

**3.0 Identify interfaces with County departments and/or other Boards/Commissions that are necessary to achieve this work plan.**

3.1 Collaborate with Environmental Sustainability Board regarding the transportation component in the Environmental Sustainability Plan.

3.2 Continue collaboration with North Central Regional Transit District Board.

3.3 Maintain awareness and responsiveness to airport issues, including transportation to and from the airport.

3.4 Identify common and/or interrelated issues/opportunities of interest that may exist between the Transportation Board and other county Boards/Commissions and propose collaborative work sessions and training.

3.5 Facilitate implementation of road and parking lot design standards that minimize untreated storm water run-off.

**4.0 List any special events this Board/Commission plans to participate in that will support this work plan.**

- 4.1 Transit provides shuttle service to the community for the following events: Earth Day, Fourth of July Celebration, St. Patrick's Day, New Year's Eve, Senior Appreciation Night, Skiesta Shuttle, Ullr Fest, Science Fest, Summer Concert Series, and Safety Town to name a few.
- 4.2 The Airport Division participates in the following community events: Young Eagles, Public Airport Day, Taste of the Sky, and Santa Fly In.
- 4.3 The Engineering Division participates in the Annual Bike Month and Bike to Work Day Events in May of each year.
- 4.4 The Traffic & Streets Division provides traffic control for the following events: Holiday Light Parade, Fourth of July, ScienceFest, ChamberFest, Los Alamos County Rodeo, Triathlon, Summer Concert Series, Trick or Treat on Mainstreet, Loma Linda Trick or Treat, LAPS Homecoming Parade.

**5.0 List active Working Groups within this Board/Commission, if any, along with the purpose and member names of each one.**

- 5.1 Bicycle Work Group - Identify issues and increase bicycle solutions in the community.  
Members: David North, Herman Gephardt, Eddie Schoute.

## Attachment A

*Place an X in the column on the right if the Council priority is related to the work of the Board or Commission:*

<b>Quality Governance</b>	
Quality governance is participatory, consensus-oriented, transparent, accountable, effective, efficient, and responsive to the present and future needs of stakeholders.	
Communication and Engagement	
Inform, educate, and solicit feedback from the community and boards and commissions on County projects, policies, and priorities to promote a culture of open communication and collaboration and foster exceptional customer service.	
Intergovernmental, Tribal, and Regional Relations	
Collaborate and problem-solve with the County’s major employers; community partner organizations; neighboring Pueblos; and regional, state, and national governmental entities.	
Fiscal Stewardship	
Maintain fiscal sustainability, transparency, and compliance with applicable budgetary and financial regulatory standards.	
<b>Operational Excellence</b>	
Operational excellence involves having structures, processes, standards, and oversight in place to ensure that effective services are efficiently delivered within available resources and that services continuously improve.	
Effective, Efficient, and Reliable Services	
Deliver customer-focused, accessible, reliable, and sustainable services to the community through sound financial management, collaborative decision-making, and efficient implementation.	
Infrastructure Asset Management	
Evaluate the County’s assets and infrastructure and prioritize funding to first maintain and protect those investments and second to inform new investments.	
Employee Recruitment and Retention	
Attract and employ diverse and highly qualified staff; retain staff through development opportunities, compensation, and benefits; and promote staff to address increasingly complex challenges.	
<b>Economic Vitality</b>	
Economic vitality encompasses the ability of the community to diversify, develop, grow, and sustain the many elements necessary for a local economy to flourish.	
Housing	
Increase the capacity for new housing development and the amount and variety of housing types to meet the needs of a changing and growing population, particularly middle- and lower-income households.	
Local Business	
Encourage the retention of existing businesses, facilitate the startup of new businesses, and assist in their opportunities for growth.	
Downtown Revitalization	
Revitalize the downtown areas of Los Alamos and White Rock by facilitating development opportunities in accordance with the downtown master plans.	
Tourism and Special Events	
Sponsor special events, support major employer and community events, and promote tourism by enhancing amenities, utilizing facilities and contract services, and encouraging overnight stays.	
Community Broadband	
Provide community broadband as a basic essential service that will enable reliable high-speed internet services throughout the County at competitive pricing.	

<b>Quality of Life</b>	
Quality of life is a reflection of general well-being and the degree to which community members are healthy, comfortable, welcomed, included, and able to enjoy the activities of daily living.	
Health, Wellbeing, and Social Services	
Improve access to behavioral, mental, and physical health and social services and amenities to address identified issues and promote wellbeing in the region.	
Diversity, Equity, and Inclusivity	
Promote diversity, equity, and inclusivity through community awareness training, targeted events, and expanded opportunities for diverse interests.	
Mobility	
Improve and expand access to, and all-ability accommodations for, alternative modes of travel including public transit, cycling, and walking amenities and services.	
Educational, Historical, and Cultural Amenities	
Promote educational and cultural opportunities, in coordination with community partners, and provide for the preservation and restoration of historic buildings and the protection of archaeological sites.	
Open Space, Parks, and Recreation	
Manage County open space and maintain and improve parks and recreation facilities, trails, and amenities as defined by adopted plans and approved projects.	
Public Safety	
Ensure overall community safety through proactive and sustained implementation of police, fire hazard mitigation, and emergency response plans.	
<b>Environmental Stewardship</b>	
Environmental stewardship is the responsible use and protection of the natural environment through active participation in conservation efforts and sustainable practices in coordination with community and organizational partners.	
Natural Resource Protection	
Take actions to protect the wildlife and wildland interface, safeguard water, and mitigate tree loss in the community.	
Greenhouse Gas Reduction	
Establish targets for achieving net-zero greenhouse gas emissions and integrate sustainability and resiliency practices into County policies and operations.	
Carbon-Neutral Energy Supply	
Achieve carbon neutrality in electrical supply by 2040 through diversified carbon-free electric sourcing and phase out natural gas supply by 2070 through energy-efficient, all-electric buildings.	
Water Conservation	
Reduce potable water use and increase non-potable water use and water harvesting for irrigation where suitable.	
Waste Management	
Manage waste responsibly by diversion of solid waste from landfills through recycling, re-use, composting, and waste reduction programs and zero-waste education campaigns; and pursue efficient long-term solutions for disposal of solid waste.	



# County of Los Alamos

## Staff Report

June 11, 2024

Los Alamos, NM 87544  
www.losalamosnm.us

---

**Agenda No.:** 1)  
**Index (Council Goals):**  
**Presenters:** County Council - Regular Session  
**Legislative File:** 18374-24

---

### **Title**

Board and Commission Vacancy Report

### **Body**

Attachment A includes an overview of current Boards and Commissions vacancies for Council information and discussion.

### **Attachments**

A - BCC Vacancy Report June 7, 2024

# Boards and Commissions Vacancies as of June 7, 2024

## **Art in Public Places**

No Current Vacancies  
No Upcoming Vacancies

## **Board of Public Utilities**

No Current Vacancies  
1 Upcoming Vacancies                      Upcoming vacancy (Member able to reapply)

## **County Health Council**

3 Current Vacancies  
No Upcoming Vacancies                      3 vacancies

## **Environmental Sustainability**

No Current Vacancies  
5 Upcoming Vacancies                      Upcoming vacancies, 3 able to reapply

## **Historic Preservation**

No Current Vacancies  
No Upcoming Vacancies

## **Labor Management Relations**

No Current Vacancies  
3 Upcoming Vacancies                      3 upcoming vacancies

## **Library Board**

No Current Vacancies  
3 Upcoming Vacancies                      3 upcoming vacancies, 2 able to reapply

## **Lodgers Tax**

2 Current Vacancies                      2 vacancies after 2 resignations  
No Upcoming Vacancies

## **Parks and Recreation**

No Current Vacancies  
No Upcoming Vacancies

## **Personnel Board**

No Current Vacancy  
No Upcoming Vacancy



**Planning and Zoning**

2 Current Vacancies

No Upcoming Vacancies

2 vacancies - needs to be non Democrat Party registered

**Transportation Board**

3 Current Vacancies

No Upcoming Vacancies

3 vacancies



# County of Los Alamos

## Staff Report

June 11, 2024

Los Alamos, NM 87544  
www.losalamosnm.us

---

**Agenda No.:** 1)  
**Index (Council Goals):**  
**Presenters:** County Council - Regular Session  
**Legislative File:** 18663-24

---

### **Title**

Tickler Report of Upcoming Agenda Items

### **Body**

Attachment A is a report of the upcoming Council agenda items as of June 18, 2024. Note: This report shows tentative Council agenda items and is for planning purposes only. All items on the report are subject to changes such as item title, meeting date and/or being removed or not considered by Council.

### **Attachments**

A - Tickler Report dated June 7, 2024



LOS ALAMOS

# County of Los Alamos

Los Alamos, NM 87544  
www.losalamosnm.us

## Tickler

**Note: This report shows tentative Council agenda items and is for planning purposes only. All items on the report are subject to changes such as item title, meeting date and/or being removed or not considered by Council.**

Criteria: Agenda Begin Date: 06/18/2024, Agenda End Date: 07/09/2024

File Number	Title	
<b>Agenda Date: 06/18/2024</b>		
18052-24	<b>Briefing/Report (Dept,BCC) - Action Requested</b> Presentation and Possible Action on Espanola's Request for Regional Capital Funds Department Name: CC Drop Dead Date:	<b>Business</b> Length of Presentation: Sponsors: County Council - Regular Session
18568-24	<b>Briefing/Report (Dept, BCC) - No action requested</b> Overview of Council Strategic Goal-Economic Vitality Department Name: CMO Drop Dead Date:	<b>Business</b> Length of Presentation: Sponsors: Linda Matteson, Deputy County Manager
18849-24	<b>Briefing/Report (Dept,BCC) - Action Requested</b> Action to Suspend Council Rules for Work Session Department Name: CMO Drop Dead Date:	<b>Business</b> Length of Presentation: Sponsors: County Council - Work Session
18755-24	<b>Briefing/Report (Dept, BCC) - No action requested</b> Regional and Intergovernmental Report - Quarterly Update Department Name: CMO Drop Dead Date:	<b>Council Business</b> Length of Presentation: Sponsors: Danielle Duran and Anne Laurent
18322-24	<b>Briefing/Report (Dept, BCC) - No action requested</b> Briefing Presentation to Council by Patrick Moore, Chair, of the Historic Preservation Advisory Board Department Name: CDD Drop Dead Date:	<b>Presentation</b> Length of Presentation: Sponsors: Sobia Sayeda, Planning Manager and Patrick Moore, Chair of the Historic Preservation Advisory Board
18501-24	<b>Briefing/Report (Dept, BCC) - No action requested</b> Presentation by Jessica Kunkle, Manager of the Department of Energy Environmental Management, Los Alamos Field Office Department Name: CC	<b>Presentation</b> Length of Presentation:

File Number	Title	
	<b>Drop Dead Date:</b>	<b>Sponsors:</b> County Council - Work Session
18321-24	<b>Briefing/Report (Dept, BCC) - No action requested</b>	<b>Presentation</b>
	Briefing Presentation to Council by Stephanie Haaser, Chair, of the Arts in Public Places Advisory Board	
	<b>Department Name:</b> CSD	<b>Length of Presentation:</b>
	<b>Drop Dead Date:</b>	<b>Sponsors:</b> Stephanie Haaser and Cory Styron, Community Services Director

**Agenda Date: 06/25/2024**

18813-24	<b>Briefing/Report (Dept,BCC) - Action Requested</b>	<b>A - Closed Session</b>
	Discussion of the Purchase, Acquisition or Disposal of Real Property (Closed Session Pursuant to NMSA, 1978 10-15-1 (H) (8))	
	<b>Department Name:</b> CC	<b>Length of Presentation:</b>
	<b>Drop Dead Date:</b>	<b>Sponsors:</b> County Council - Closed Session
18880-24	<b>Briefing/Report (Dept,BCC) - Action Requested</b>	<b>Consent</b>
	Approval of Collective Bargaining Agreement (CBA) with the International Union of Police Associations (IUPA), AFL-CIO, Local No.14 for term July 1, 2024 to June 30, 2028	
	<b>Department Name:</b> CMO	<b>Length of Presentation:</b>
	<b>Drop Dead Date:</b>	<b>Sponsors:</b> Anne Laurent
AGR1049-24	<b>General Services Agreement</b>	<b>Consent</b>
	Approval of Agreement AGR 24-970 to Albuquerque Asphalt, Inc. for On-Call Services for Foamed Asphalt Stabilized Base for Public Works Traffic and Streets Division in an Amount Not to Exceed \$2,000,000 Plus Applicable Gross Receipts Tax	
	<b>Department Name:</b> PW	<b>Length of Presentation:</b>
	<b>Drop Dead Date:</b>	<b>Sponsors:</b> Eric Ulibarri, County Engineer and Juan Rael, Public Works Director
18857-24	<b>Briefing/Report (Dept,BCC) - Action Requested</b>	<b>Consent</b>
	Approval of County Council Minutes for the June 11, 2024 Regular Session.	
	<b>Department Name:</b> clerks	<b>Length of Presentation:</b>
	<b>Drop Dead Date:</b> 06/14/2024	<b>Sponsors:</b> Naomi Maestas
18858-24	<b>Briefing/Report (Dept,BCC) - Action Requested</b>	<b>Consent</b>
	Approval of for Children Youth and Families Department Grant Agreement No. 25-xxx-xxxx-xxxxx and Approval of MOA25-XXX with the Los Alamos Juvenile Justice Advisory Board.	
	<b>Department Name:</b> CSD	<b>Length of Presentation:</b>
	<b>Drop Dead Date:</b>	<b>Sponsors:</b> Jessica Strong
18864-24	<b>Briefing/Report (Dept,BCC) - Action Requested</b>	<b>Consent</b>
	Service Agreement Between the County of Los Alamos and Los Alamos Juvenile Justice Advisory Board, Inc. for the provision of juvenile justice programs and restorative justice.	

File Number	Title	
	<p>Department Name: CSD</p> <p>Drop Dead Date:</p>	<p>Length of Presentation:</p> <p>Sponsors: Jessica Strong and Cory Styron</p>
AGR1040-24	<p><b>General Services Agreement</b></p> <p>Approval of Services Agreement No. AGR XX-XX with [VENDOR], in an Amount Not to Exceed \$[AMOUNT], excluding NMGRT, for Micro Transit Software</p> <p>Department Name: PW</p> <p>Drop Dead Date:</p>	<p><b>Consent</b></p> <p>Length of Presentation:</p> <p>Sponsors: James Barela, Transit Manager and Juan Rael, Public Works Director</p>
18545-24	<p><b>Briefing/Report (Dept,BCC) - Action Requested</b></p> <p>Approval of the FY25 Salary Plan</p> <p>Department Name: CMO</p> <p>Drop Dead Date:</p>	<p><b>Consent</b></p> <p>Length of Presentation:</p> <p>Sponsors: Mary Tapia and Anne Laurent</p>
18550-24	<p><b>Briefing/Report (Dept,BCC) - Action Requested</b></p> <p>Approval of Amended Travel Policy</p> <p>Department Name: Finance</p> <p>Drop Dead Date:</p>	<p><b>Consent</b></p> <p>Length of Presentation:</p> <p>Sponsors: Melissa Dadzie, Chief Financial Officer</p>
18882-24	<p><b>Briefing/Report (Dept,BCC) - Action Requested</b></p> <p>Approval of Budget Revision 2024-72 to Budget Funds for Various Grants</p> <p>Department Name: ASD</p> <p>Drop Dead Date:</p>	<p><b>Consent</b></p> <p>Length of Presentation:</p> <p>Sponsors: Erika Thomas, Budget and Performance Manager and Melissa Dadzie, Chief Financial Officer</p>
18863-24	<p><b>Briefing/Report (Dept, BCC) - No action requested</b></p> <p>Update on Council LARES Working Group Recommendations</p> <p>Department Name: CMO</p> <p>Drop Dead Date:</p>	<p><b>Council Business</b></p> <p>Length of Presentation:</p> <p>Sponsors: Angelica Gurule</p>
18809-24	<p><b>Briefing/Report (Dept,BCC) - Action Requested</b></p> <p>Consideration and Possible Action on Salary Adjustments Resulting from the Council Closed Session Discussions of Limited Personnel Matters--Personnel Evaluations of Contract Employees.</p> <p>Department Name: CC</p> <p>Drop Dead Date:</p>	<p><b>Council Business</b></p> <p>Length of Presentation:</p> <p>Sponsors: County Council - Regular Session</p>
18664-24	<p><b>Briefing/Report (Dept, BCC) - No action requested</b></p> <p>Tickler Report of Upcoming Agenda Items</p> <p>Department Name: CC</p> <p>Drop Dead Date:</p>	<p><b>Council Business</b></p> <p>Length of Presentation:</p> <p>Sponsors: County Council - Regular Session</p>

<b>File Number</b>	<b>Title</b>	
<b>18726-24</b>	<b>Briefing/Report (Dept,BCC) - Action Requested</b> Consideration and Possible Approval of the FY2025 Through FY2029 State Infrastructure and Capital Improvement Plan (ICIP) Submission <b>Department Name:</b> CMO <b>Drop Dead Date:</b>	<b>Council Business</b>  <b>Length of Presentation:</b> <b>Sponsors:</b> Anne Laurent, County Manager, Danielle Duran and Erika Thomas
<b>18287-24</b>	<b>Briefing/Report (Dept, BCC) - No action requested</b> County Manager's Report for May 2024 <b>Department Name:</b> CMO <b>Drop Dead Date:</b>	<b>Council Business</b>  <b>Length of Presentation:</b> <b>Sponsors:</b> Anne Laurent, County Manager
<b>18837-24</b>	<b>Briefing/Report (Dept, BCC) - No action requested</b> Place Holder - Affordable Housing Plan Draft Overview <b>Department Name:</b> CDD <b>Drop Dead Date:</b>	<b>Presentation</b>  <b>Length of Presentation:</b> <b>Sponsors:</b> Paul Andrus, Community Development Director and Dan Osborn, Housing and Special Project Manager
<b>18453-24</b>	<b>Proclamation</b> Proclamation Designating July 2024 as Park and Recreation Month (Accepted by Wendy Parker, Parks Superintendent and Katherine Hudspeth, Recreation Superintendent for the Community Services Department) - PLACEHOLDER <b>Department Name:</b> CP&R <b>Drop Dead Date:</b>	<b>Proclamation</b>  <b>Length of Presentation:</b> <b>Sponsors:</b> County Council
<b>RE0597-24b</b>	<b>Resolution</b> Resolution 24-XX designating signatory authority for the administration Rural Infrastructure Grant Program (RIP) loan/grant agreement for the Water Production Electrical and Mechanical Upgrades Project. <b>Department Name:</b> DPU <b>Drop Dead Date:</b>	<b>Public Hearing</b>  <b>Length of Presentation:</b> <b>Sponsors:</b> James Alarid
<b>Agenda Date: 07/09/2024</b>		
<b>CO0693-24</b>	<b>Code Ordinance</b> Introduction of Incorporated County of Los Alamos Code Ordinance No. __-__; An Ordinance Amending Chapter 40, Article III, Sections 40-151 and 40-152 of the Code of the Incorporated County of Los Alamos Relating to Gas Rate Schedules <b>Department Name:</b> DPU <b>Drop Dead Date:</b>	<b>Code Ordinance</b>  <b>Length of Presentation:</b> <b>Sponsors:</b> Karen Kendall
<b>18865-24</b>	<b>Briefing/Report (Dept,BCC) - Action Requested</b> Approval of the Purchase of the Cisco Security Suite Software from Advanced Network Management, Inc. in the Amount of \$311,960.71, plus applicable Gross Receipts Tax for a thirty-six (36) month term. <b>Department Name:</b> ASD-IM	<b>Consent</b>  <b>Length of Presentation:</b> 5

File Number	Title	
	<b>Drop Dead Date:</b> 07/09/2024	<b>Sponsors:</b> John Roig, Chief Information Officer and Helen Perraglio, Administrative Services Director
<b>18866-24</b>	<b>Briefing/Report (Dept,BCC) - Action Requested</b>	<b>Consent</b>
	Approval of Purchase of dHCI Cluster Server Hardware Phase 2 to Consolidate and Standardize Application Infrastructure from Advanced Network Management (ANM) in the Amount of \$310,835.09 Including Shipping Plus Applicable New Mexico Gross Receipts Tax. <b>Department Name:</b> ASD-IM <b>Drop Dead Date:</b> 07/09/2024	<b>Length of Presentation:</b> 5 <b>Sponsors:</b> John Roig, Chief Information Officer and Helen Perraglio, Administrative Services Director
<b>18375-24</b>	<b>Briefing/Report (Dept, BCC) - No action requested</b>	<b>Council Business</b>
	Board and Commission Vacancy Report <b>Department Name:</b> CC <b>Drop Dead Date:</b>	<b>Length of Presentation:</b> <b>Sponsors:</b> County Council - Regular Session
<b>OR1022-24</b>	<b>Ordinance</b>	<b>Introduction of Ordinance</b>
	Introduction of Incorporated County of Los Alamos Ordinance No. 24-XX authorizing the execution of a Rural Infrastructure Grant Program (RIP) loan/grant agreement in the amount of \$2,000,000 for the Water Production Electrical and Mechanical Upgrades Project. <b>Department Name:</b> DPU <b>Drop Dead Date:</b>	<b>Length of Presentation:</b> <b>Sponsors:</b> James Alarid
<b>18715-24</b>	<b>Briefing/Report (Dept, BCC) - No action requested</b>	<b>Presentation</b>
	Draft Climate Action Plan Presentation to Council <b>Department Name:</b> CMO <b>Drop Dead Date:</b>	<b>Length of Presentation:</b> <b>Sponsors:</b> Angelica Gurule, Sustainability Manager
<b>RE0594-24</b>	<b>Resolution</b>	<b>Public Hearing</b>
	Approval of Incorporated County of Los Alamos Resolution No. XX-XX Endorsing the North Central Regional Transit District's FY2025 Budget Proposal, Approval of the FY2025 Los Alamos County Regional Service Plan and Direct Staff to Submit the FY2025 Los Alamos County Regional Service Plan to the North Central Regional Transit District Board of Directors <b>Department Name:</b> PW <b>Drop Dead Date:</b>	<b>Length of Presentation:</b> <b>Sponsors:</b> James Barela, Transit Manager and Juan Rael, Public Works Director
<b>RE0595-24</b>	<b>Resolution</b>	<b>Public Hearing</b>
	Incorporated County of Los Alamos Resolution No. XX to authorize the application to New Mexico Department of Transportation (NMDOT) for Federal Fiscal Year 2026 Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program for an estimated total amount of \$[amount] to fund an ACT Assist Replacement Vehicle for Atomic City Transit; committing to the local match in the amount of \$[amount] to fund the Section 5310 Transit Program for Federal Fiscal Year 2026. <b>Department Name:</b> PW <b>Drop Dead Date:</b>	<b>Length of Presentation:</b> <b>Sponsors:</b> James Barela, Transit Manager and Juan Rael, Public Works Director

File Number	Title
-------------	-------

<b>RE0596-24</b>	<b>Resolution</b>	<b>Public Hearing</b>
------------------	-------------------	-----------------------

Incorporated County of Los Alamos Resolution No. XX-XX to authorize the application to New Mexico Department of Transportation (NMDOT) for Federal Fiscal Year 2026 Section 5311 Enhanced Mobility of Seniors and Individuals with Disabilities Program for an estimated total amount of \$[amount] to fund an ACT Assist Replacement Vehicle for Atomic City Transit; committing to the local match in the amount of \$[amount] to fund the Section 5311 Transit Program for Federal Fiscal Year 2026.

<b>Department Name:</b> PW	<b>Length of Presentation:</b>
<b>Drop Dead Date:</b>	<b>Sponsors:</b> James Barela, Transit Manager and Juan Rael, Public Works Director

<b>RE0597-24</b>	<b>Resolution</b>	<b>Resolution</b>
------------------	-------------------	-------------------

Introduction of Resolution 24-XX designating signatory authority for the administration Rural Infrastructure Grant Program (RIP) loan/grant agreement for the Water Production Electrical and Mechanical Upgrades Project.

<b>Department Name:</b> DPU	<b>Length of Presentation:</b>
<b>Drop Dead Date:</b>	<b>Sponsors:</b> James Alarid