



LOS ALAMOS

# County of Los Alamos

## Minutes

### Board of Public Utilities

1000 Central Avenue  
Los Alamos, NM 87544

*Robert Gibson, Chair; Eric Stromberg, Vice-chair*  
*Matt Heavner, Charles Nakhleh and Jennifer Hollingsworth, Members*  
*Philo Shelton, Ex Officio Member*  
*Anne Laurent, Ex Officio Member*  
*Suzie Havemann, Council Liaison*

Wednesday, January 15, 2025

5:30 PM

Municipal Building, Council Chambers

Public Participation: in person or <https://us06web.zoom.us/j/85828927209>.

## 1. CALL TO ORDER

This regular session of the Incorporated County of Los Alamos Board of Public Utilities was held on Wednesday, January 15, 2025 at 1000 Central Avenue in Council Chambers. Board Chair Robert Gibson called the meeting to order at 5:33 pm. Members of the public were notified of the ability to participate and provide public comment in-person or over Zoom.

The following board members were in attendance:

Present - 7: Members Gibson, Stromberg, Heavner, Nakhleh, Hollingsworth, Shelton, and Laurent

Absent - 0

### 1.a. Statement Regarding Closed Session

[19599-25](#)

Joint Closed Session of the County Council and Board of Public Utilities - December 10, 2024

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Member Gibson moved and Member Stromberg seconded that the following statement be included in the minutes:

"The matters discussed in the Closed Session of County Council and the Board of Public Utilities Board Joint Session held on December 10, 2024 that began at 5:00 pm and the Closed Session of the County Council held on December 10, 2024 at 5:30 p.m. 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."

The motion passed by the following vote:

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YES - 5: Members Hollingsworth, Heavner, Nakhleh, Stromberg and Gibson

NO - 0:

## 2. PUBLIC COMMENT

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

1. Mr. Steve Tobin - he distributed a document to the board that is attached to the minutes.

No action was taken on this item.

**3. APPROVAL OF AGENDA**

Chair Gibson asked board members for amendments to the agenda or a motion. He then proposed that item 8.a.1 be moved up in the agenda to take place after approval of the agenda. Board members agreed.

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**Member Stromberg moved and member Hollingsworth seconded that the agenda be approved as amended.**

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

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**YES - 5: Members Hollingsworth, Heavner, Nakhleh, Stromberg and Gibson**

**NO - 0:**

**8.a.1. [19367-25](#)**

Introduction of Council Liaison to the BPU

Chair Gibson introduced Council Vice Chair Suzie Havemann. According to the Municipal Code Sec.8-13. Council liaisons *"The council vice-chair will serve as liaison to the board of public utilities."* Vice Chair Havemann shared some background information about herself.

**No action was taken on this item.**

**4. CONSENT AGENDA**

Chair Gibson called for discussion or a motion. There was no discussion. He then provided an opportunity for public comment; there was none.

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**Member Hollingsworth moved and Member Stromberg seconded that the Board of Public Utilities approve the items on the Consent Agenda as presented and that the motions in the staff reports be included in the minutes for the record.**

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

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**YES - 5: Members Hollingsworth, Heavner, Nakhleh, Stromberg and Gibson**

**NO - 0:**

**4.a. [19370-25](#)**

Approval of Board of Public Utilities Meeting Minutes - December 2024

**I move that the Board of Public Utilities approve the meeting minutes as presented.**

**4.b. [19414-25a](#)**

Award of Bid No. IFB 25-27 for the Purpose of Jemez Mountain Fire Protection Project Phase 4 with File Construction LLC.

**I move that the Board of Public Utilities approve the Award of Bid No. IFB 25-27 for the Purpose of the Jemez Mountain Fire Protection Project Phase 4 with File Construction LLC. in the Amount of \$2,294,157.82 and a contingency in the amount of \$229,416.00, for a total of \$2,523,573.82, plus Applicable Gross Receipts Tax and forward to Council for approval.**

**4.c. [19563-25a](#)**

Budget Revision No. 2025-31 for the DHSEM Grant for Water Production Generators

I move that the Board of Public Utilities recommend Budget Revision 2025-31 in the amount of \$387,486 and include the attached budget revision in the minutes for the record, and forward to Council for approval.

- 4.d. [AGR1088-25a](#) Approval of Services Agreement No. AGR 25-16a with Instrumentation and Control (IC) Solutions, LLC, for the Purpose of Furnishing Programmable Logic Controllers (PLCs) for the Water Production Supervisory Controls and Data Acquisition (SCADA) Replacement Project.

I move that the Board of Public Utilities recommend Services Agreement No. AGR 25-16a with IC Solutions, LLC, for the Purpose of Furnishing PLCs for the Water Production SCADA Replacement Project in the amount of \$950,000 plus applicable gross receipts tax, and forward to Council for approval.

- 4.e. [AGR1093-25a](#) Approval of Services Agreement No. AGR 25-16b with James Wilkinson, dba Elementyl Consulting, for the Purpose of Software Support Services for the Water Production Supervisory Controls and Data Acquisition (SCADA) Replacement Project

I move that the Board of Public Utilities recommend Services Agreement No. AGR 25-16b with Elementyl Consulting, for the Purpose of Software Support Services for the Water Production SCADA Replacement Project in the amount of \$446,060 plus applicable gross receipts tax, and forward to Council for approval.

## 5. PRESENTATIONS

- 5.a. [19372-25](#) Annual Asset Management Teams (AMT) Presentation

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

Chair Gibson provided an opportunity for comments and questions from the board and staff. The following individuals spoke:

1. Mr. Shelton
2. Member Nakhleh
3. Member Hollingsworth
4. Member Gibson
5. Member Stromberg
6. Mr. Marez

Chair Gibson provided an opportunity for public comment on this item, there was none.

**No action was taken on this item.**

- 5.b. [19573-25](#) Update on the New Mexico Municipal Energy Acquisition Authority (NMMEAA) Natural Gas Supply Agreement

Mr. Ben Olbrich, Deputy Utility Manager - Power Supply presented.

Chair Gibson provided an opportunity for comments and questions from the board and staff. The following individuals spoke:

1. Mr. Shelton
2. Member Gibson
3. Member Nakhleh
4. Member Hollingsworth

- 5. Member Heavner
- 6. Member Stromberg

Chair Gibson provided an opportunity for public comment on this item, The following individuals spoke:

- 1. Paul Parker

**No action was taken on this item.**

**6. PUBLIC HEARINGS (Ordinances & Resolutions)**

- 6.a. [RE0627-25a](#) Affirmation of the Incorporated County of Los Alamos Open Meetings Resolution No. 25-01

Chair Gibson called for discussion or a motion. There was no discussion.

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**Member Nakhleh moved and Member Stromberg seconded that the Board affirm Incorporated County of Los Alamos Resolution No. 25-01; A Resolution Establishing Minimum Standards of Reasonable Notice to the Public for all Meetings of the Council, County Boards, Commissions and Other Public Bodies Created by the State and Those Appointed by the Council (Collectively "Appointed County Committees.").**

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

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**YES - 5: Members Hollingsworth, Heavner, Nakhleh, Stromberg and Gibson**

**NO - 0:**

**7. DEPARTMENT BUSINESS**

- 7.a. [19130-25a](#) Award of Bid No. IFB 25-21 for the Purpose of Los Alamos WWTP Belt Press Replacement Project with Meridian Contracting, Inc.

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

Chair Gibson provided an opportunity for comments and questions from the board and staff. The following individuals spoke:

- 1. Member Nakhleh
- 2. Member Gibson
- 3. Member Hollingsworth

Chair Gibson provided an opportunity for public comment on this item, there was none. Chair Gibson then called for a motion.

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Member Hollingsworth moved and Member Nakhleh seconded that the Board of Public Utilities approve the Award of IFB 25-21 for the Purpose of Los Alamos WWTP Belt Press Replacement Project with Meridian Contracting, Inc., in the Amount of \$2,425,969.00 and a contingency in the amount of \$242,597.00, for a total of \$2,668,566.00, plus Applicable Gross Receipts Tax.

He further moved that the Board of Public Utilities approve Budget Revision 2025-30 in the amount of \$595,033.00 and include Budget Revision 2025-30 in the minutes, and forward to Council for approval.

The motion passed by the following vote:

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YES - 5: Members Hollingsworth, Heavner, Nakhleh, Stromberg and Gibson

NO - 0:

**8. BOARD BUSINESS**

8.a. Chair's Report

Chair Gibson reported that:

- 1. The Daily Post reported that Kit Carson received grant funding of \$231 million for their solar hydrogen project.
- 2. A settlement agreement was reached on the Quemazon easment issue. He commended Mr. Thomas Wyman, Assistant County Attorney for his efforts.

**No action was taken on this item.**

8.b. Board Member's Reports

There were none.

**No action was taken on this item.**

8.c. Utilities Manager's Report

Mr. Philo Shelton reviewed his report which was included in the meeting packet. Chair Gibson provided an opportunity for board questions. There were none.

**No action was taken on this item.**

8.d. County Manager's Report

Ms. Anne Laurent reported that:

- 1. County Council elected Theresa Cull as Chair and Suzie Havemann as Vice Chair at their January 7th meeting.
- 2. Council discussed an EV transition plan for fleet and county.
- 3. On Jan 14 Council endorsed FY26 budget guidance. There were higher revenues in GRT last year, but these will only be used for one-time spending.
- 4. The County Manager's Office (CMO) is currently recruiting for public works director - interviewing at the end of the month.
- 5. On January 16 she will present the 2024 County Annual Report at the Chamber Breakfast.
- 6. In March, CMO staff and Councilors will travel to Washington, DC for annual lobbying on federal priorities.
- 7. She stated that it may be worthwhile to have Mr. Jerry Smith and the selected contractor report to the BPU on the anticipated broadband schedule.

Chair Gibson provided an opportunity for questions or comments from the board. There were none.

**No action was taken on this item.**

8.e. Council Liaison's Report

Vice Chair Havemann reported that:

1. Council discussed a potential wildlife feeding ordinance and asked staff to return with a revised ordinance. There is interest in looking at the City of Ruidoso's ordinance for guidance.
2. Engagement with the small and local business community is a top priority for Council. They brainstormed on collaborations and decided to form a Working Group consisting of three councilors, community members and business owners to work on this issue.
3. Council is considering revisiting the issue of plastic bags. She shared that there was an idea proposed to charge a ten cent fee rather than an outright ban. Council requested that the ESB evaluate factors associated with single use plastic bags, engage local business owners and interested citizens, and report back to Council.
4. Council is revisiting the fees for property owners of vacant buildings.
5. Council is also revisiting instituting a mandated minimum wage.

Chair Gibson provided an opportunity for comments or questions from board. The following individuals spoke:

1. Member Stromberg
2. Member Nakhleh

**No action was taken on this item.**

8.f. Environmental Sustainability Board Liaison's Report

Mr. Deringer unexpectedly had an issue at work and was unable to attend.

**No action was taken on this item.**

8.g. General Board Business

8.g.1. [19368-25](#) Election of Board of Public Utilities Chair and Vice Chair for Calendar Year 2025

Chair Gibson explained that the board is required by Ordinance to elect a chair and vice-chair annually in January. He then reviewed the process to be followed which was also outlined in the meeting packet.

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Chair Gibson called for nominations for Chair:

1. Member Hollingsworth nominated Member Gibson; he accepted.
2. Member Stromberg nominated Member Nakhleh; he declined.

Member Heavner moved and Member Nakhleh seconded that the Board close nominations and reelect Member Gibson as Chair.

The motion passed by the following vote:

YES - 5: Members Hollingsworth, Heavner, Nakhleh, Stromberg and Gibson  
NO - 0:

\*\*\*\*\*

Chair Gibson called for nominations for Vice Chair:

- 1. Member Nakhleh nominated Member Stromberg; he accepted.
- 2. Member Hollingsworth nominated Member Heavner; he declined.
- 3. Member Heavner nominated Member Nakhleh; he declined.

Member Heavner moved and Member Nakhleh seconded that the Board close nominations and reelect Member Stromberg as Vice Chair.

The motion passed by the following vote:

YES - 5: Members Hollingsworth, Heavner, Nakhleh, Stromberg and Gibson

NO - 0:

\*\*\*\*\*

**The board should elect a Chair and Vice Chair using the method agreed upon at the January 20, 2021 meeting.**

8.h. Board Expenses (NONE)

**No action was taken on this item.**

**9. STATUS REPORTS**

9.a. [19371-25](#) **Monthly Status Reports for November & December 2024**

Chair Gibson provided an opportunity for comments or questions from the board. The following individuals spoke:

- 1. Member Gibson

**No action.**

**10. UPCOMING AGENDA ITEMS**

10.a. [19369-25](#) Tickler File for February - April 2025

Chair Gibson reviewed tickler items for the next meeting. He then provided an opportunity for comments or questions from the board. There were none. Chair Gibson then mentioned that he, Vice Chair Stromberg and Mr. Shelton plan to meet the fourth Friday of each month to review tickler items. Board members were encouraged to submit agenda items for the tickler at any time.

**No action.**

**11. PUBLIC COMMENT**

Chair Gibson provided any opportunity for public comment on any item. There was none.

**12. ADJOURNMENT**

The meeting adjourned at 8:25 pm.

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**APPROVAL**

*Robert B. Gibson*

Board of Public Utilities Chair

*February 19, 2025*

Date Approved by the Board

Minutes transcribed by: Kathy Casados, Executive Assistant

**ATTACHMENTS**

*(in agenda order)*

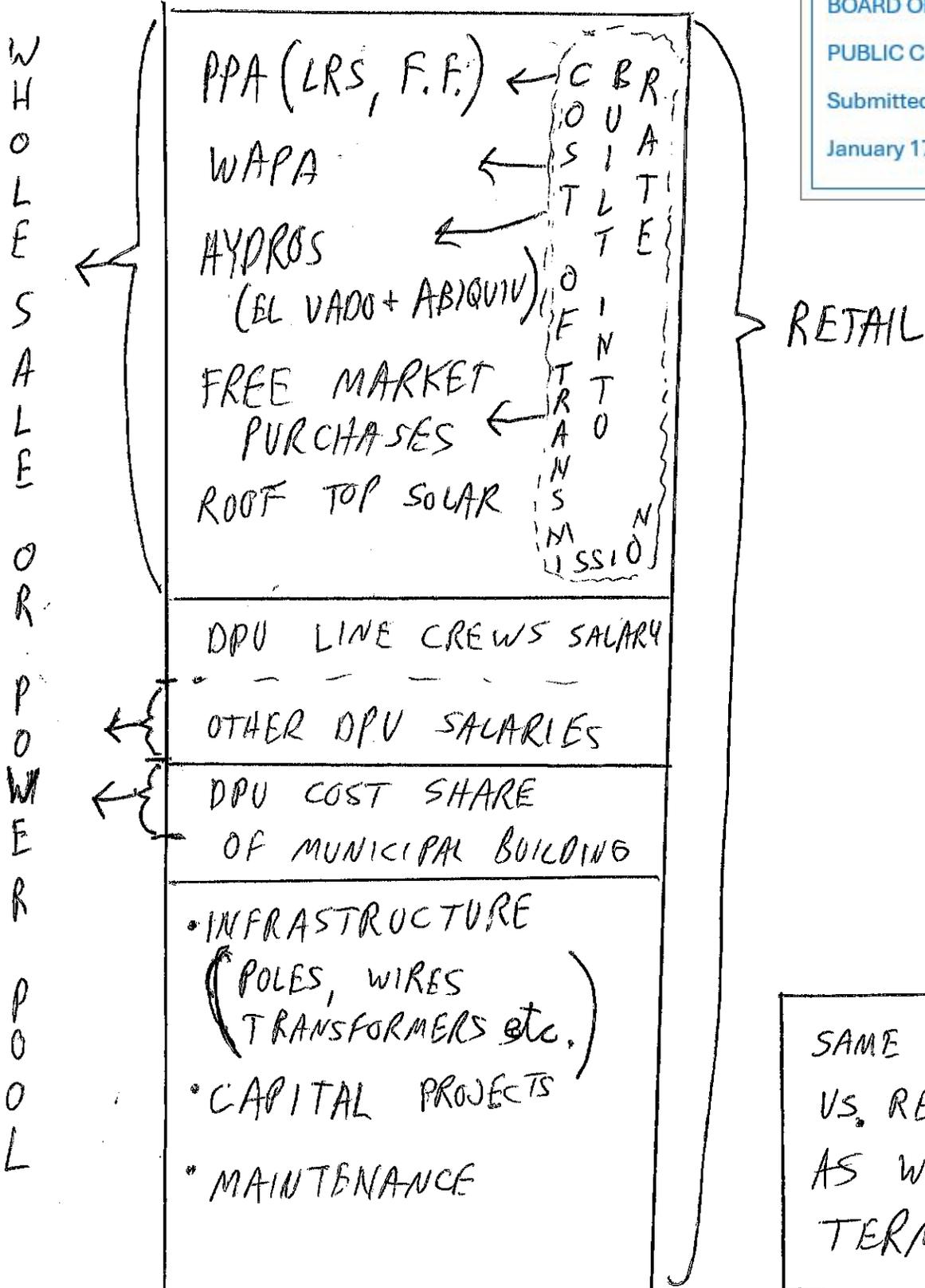
- 2. Public Comment by Steve Tobin - document distributed to BPU Members
- 4.c. Budget Revision 2025-31
- 8.c. Utilities Manager's Report 1/15/25

# WHOLE SALE / RETAIL COMPOSITION

Robert

- GIVEN ~~THE~~ ~~THE~~ COST OF EACH ITEM SHIFTS IN TIME, THE PROPORTION OF EACH BLOCK SHIFTS IN TIME

BOARD OF PUBLIC UTILITIES  
 PUBLIC COMMENT DOCUMENT  
 Submitted by Steve Tobin  
 January 17, 2024 ~ 5:30 p.m.



SAME WHOLE SALE  
 VS. RETAIL PROPORTION  
 AS WITH RATE  
 TERM

RATE TERM ~ 80%  
 OF REVENUE

FIXED TERM ~ 20%  
 OF REVENUE

### Budget Revision 2025 - 31

BPU Meeting Date: Jan 15, 2025

Council Meeting Date: Jan 28, 2025

	<b>Fund &amp; Department</b>	<b>Org</b>	<b>Object</b>	<b>Revenue</b> (decrease)	<b>Expenditures</b> (decrease)	<b>Transfers</b> In(Out)	<b>Fund Balance</b> (decrease)
1	Joint Utilities Fund - Water Production	54285699	8369	\$ 290,607	\$ 387,476		\$ (96,869)
<p><b>Description:</b> The purpose of this budget revision is for the Department of Homeland Security and Emergency Management (DHSEM) Hazard Mitigation Grant for Emergency Generators.</p>							
<p><b>Fiscal Impact:</b> The net fiscal impact to the Joint Utilities Fund is an increase in revenue of \$290,607, expenditures of \$387,476 and a decrease in fund balance by \$96,869.</p>							

Karen Kendall                      1/2/2025  
 Preparer                                  Date

\_\_\_\_\_  
 N/A  
 County Manager Approval if Required

James Alarid  
 Department Director Signature

Yvette Atencio  
 Budget Manager/Analyst Signature

**Utilities Manager's Report**  
**January 15, 2024**

1. For Elk Ridge, Yes Communities has retained an engineer for design of the replacement gas system. They had planned to survey the mobile home park this week and it was delayed by the snowstorm. Mr. Askins is on travel this week and he indicated he will coordinate a meeting with his engineer and DPU next week.
2. DPU interviewed for the Water Systems Electrical Technician vacancy, and we are in the process of checking references and making an offer. This will get DPU fully staffed. However, we have received a retirement notice from a Power System Operator, and DPU will be working to advertise this vacancy later this month.
3. For the Jemez Mountain Fire Protection, Los Alamos County has been working on the FEMA wildland fire mitigation grant for over a year now. At last week's meeting with DHSEM, the application appears to be moving forward on all aspects with environmental review except for the Benefit Cost Analysis (BCA) portion of the grant application. FEMA's BCA reviewer is a contractor out of Boston, MA and they adjusted the BCA model by including both Los Alamos and White Rock into the model inputs that is a very wide area and did not use our inputs for Circuit #13 that the Jemez Mountain Fire Protection Project used. I am told by our local representatives that wildland fire mitigation grant program is newer to FEMA and the BCA model inputs may not fit or work as well as they do for a flood in a community as an example. The state's modeler achieves a BCA output of greater than one which is needed to fund the grant, and the FEMA reviewer received an output less than one because they expanded the area of benefit. To date we have not received the BCA reviewer's model inputs to review what they did, and they say their inputs are under review. This week we provided FEMA additional information on who resides on all four communication towers on top of the mountain. We received a time extension until we can resolve the BCA modeling inputs and assumptions. In summary, everything hinges on the BCA model result of one or greater for a successful grant award.
4. Thomas Wyman, Assistant County Attorney, negotiated a fair market purchase of the electric easement at 1675 Serano for \$1,200. Next steps are for Council to accept the easement with payment to the owner at the same Fair Market Value. Thank you, Thomas!
5. DOE has new procurement software and may need to extend the current ECA by 6 months. I am told by my DOE purchasing representative that he is working to get a draft of the new ECA to review by the end of this month.
6. Attended the UAMPS annual Member's conference in December. I was elected Chair to the CFPP. This project should wrap up in March.

UAMPS Projects:

1. The Cove Fort 2 Study Project has filed for a Transmission Service Request (TSR) and the outcome of this request is due in February. After a favorable TSR outcome, a tour will be scheduled, and it will most likely occur towards the end of February or March.
  2. Rodatherm is still seeking additional grant funds and UAMPS is giving them another month to obtain their funding. If no grant funds are obtained or some other favorable financing terms, then this project may be significantly delayed or cancelled.
  3. UAMPS financial readiness assessment has begun with a large data request due the end of next week. UAMPS was supplied the 2024 ACFR to be approved at the next Council meeting.
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7. DPU has received the APWA accreditation and a representative from APWA will make a formal presentation at March's Work Session. As required by Charter, at least every five years thereafter, the Board of Public Utilities shall employ a qualified consultant to review, comment, and make recommendations as to the operation and condition of the County Utilities. BPU choose to employ the APWA accreditation process as the department's management audit. Again, I want to extend my gratitude to Cathy D'Anna and Abbey Hayward for championing the application to receive this accreditation.
  8. EM-LA and NMED will have a presentation by the independent technical review team on the chromium plume recommendations on Wednesday, January 29, 5:00 – 7:00 P.M. at SALA and there is also a remote option to attend.
  9. Electric Asset Transfer from LANL cost estimates are being finalized. Next, we will be scheduling a policy committee meeting to discuss the transfer of these asset. For the Vertical Switch Gear Project, LANL held a quarterly status meeting and presented the project cost increases as they finalized their designs and procured equipment. The project went from \$2,447,726 to \$2,990,311 that is an increase of \$542,585. Staff will need to bring back a budget revision to pay for these increased costs.
  10. Foxtail Flats LLC has submitted all the environmental documentation to BIA, however, the local Tribal Historical Preservation Office closed in December and there is not a timeline to reopen this office. The developer had on the schedule to receive approvals from BIA by February 2025, and it is most likely that the schedule will slip. Ben and I have asked for a meeting with the developer about how to manage this delay and stay on track.
  11. The UNM and NMSU survey/study on "The Pathway to Zero Natural Gas" was broken down into two contracts that saved \$25,000 in administrative costs. This brought these projects within my contract approval authority, and it will not need to come back to BPU for approval. We will be setting up focus groups and I will ask some board members if they want to join a focus group.
  12. The draft CPACE ordinance received a positive recommendation from ESB and it is moving to Council with an introduction on January 28 and the public hearing on February 25<sup>th</sup>.