



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*

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Wednesday, February 19, 2025

5:30 PM

Municipal Building, Council Chambers

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

**1. CALL TO ORDER**

This regular meeting of the Incorporated County of Los Alamos Board of Public Utilities was held on Wednesday, February 19, 2025 at 1000 Central Avenue in Council Chambers. Board Chair Robert Gibson called the meeting to order at 5:30 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 - 6:** Members Gibson, Stromberg, Nakhleh, Heavner, Hollingsworth, and Shelton

**ABSENT - 0:**

**REMOTE - 1:** Member Laurent

Council Vice Chair Suzie Havemann (Liaison to BPU) was absent and Councilor Randall Ryti attended in her place.

**2. PUBLIC COMMENT**

Chair Gibson provided an opportunity for public comment on the Consent Agenda or those not otherwise included on the agenda. There was none.

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

**3. APPROVAL OF AGENDA**

Chair Gibson called for amendments to the agenda or a motion for approval.

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**Member Hollingsworth moved and member Nakhleh seconded that the agenda be approved presented.**

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

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

**NO - 0:**

**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 Heavner moved and Member Hollingsworth 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. [19377-25](#) Approval of Board of Public Utilities Meeting Minutes - January 2025  
  
I move that the Board of Public Utilities approve the minutes of the January 15, 2025 Regular Session as presented.
- 4.b. [19412-25a](#) Award of Bid No. IFB25-33 for the Purpose of Los Alamos Canyon Fiber Optic Extension for Water Production SCADA with TSI Tower Services, Inc.  
  
I move that the Board of Public Utilities approve the Award of Bid No. IFB25-33 for the Purpose of Los Alamos Canyon Fiber Optic Extension for Water Production SCADA with TSI Tower Services, Inc. in the Amount of \$329,688.76 and a contingency in the amount of \$80,000.00, for a total of \$409,688.76, plus Applicable Gross Receipts Tax and forward to Council for approval.
- 4.c. [19706-25a](#) Approval of Budget Revision 2025-36 for Grant Revenue & Labor  
  
I move that the Board of Public Utilities approve Budget Revision 2025-36 and forward to Council for approval.
- 4.d. [19827-25](#) Approval of Task Order No. 6, to AGR24-04c with DUB-L-EE, LLC for the Purpose of Western Area Backyard Sewer Improvements  
  
I move that the Board of Public Utilities approve Task Order No. 6, to AGR24-04c with DUB-L-EE, LLC for the Purpose of Western Area Backyard Sewer Improvements in the Amount of \$158,486.66 and a contingency in the amount of \$20,000.00, for a total of \$178,486.66, plus Applicable Gross Receipts Tax.
- 4.e. [AGR1106-25a](#) Approval of Services Agreement No. AGR 24-81 with Eaton Corporation in the amount of \$7,000,000.00, plus Applicable Gross Receipts Tax, for the Purpose of On-Call Utility Electrical Engineering Services, Electrical System Studies, Trainings, Equipment and System Compliance and Maintenance Services  
  
I move that the Board of Public Utilities approve Services Agreement No. AGR 24-81 with Eaton Corporation in the amount of \$7,000,000.00, plus Applicable Gross Receipts Tax, for the Purpose of On-Call Utility Electrical Engineering, Electrical System Studies, Trainings, Equipment and System Compliance and Maintenance Services, and forward to Council for approval.

**5. PRESENTATIONS**

- 5.a. [19376-25](#) Department of Public Utilities Annual Report - Fiscal Year 2024  
  
Mr. Shelton reported that Ms. D'Anna works with him and all of the Deputy Utility

Managers and other staff to gather, compile, and professionally format each report. Ms. Catherine D'Anna, Public Relations Manager was absent, but he wanted to recognize her and thank her for all of her hard work. Mr. Shelton provided an overview of the published report that was included in the packet and which will be available online on February 20th, <https://ladpu.com/FY2024AR>.

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

1. Member Heavner
2. Member Hollingsworth
3. Ms. Karen Kendall
4. Member Gibson
5. Mr. Shelton

Member Gibson thanked Mr. Shelton and DPU staff for their work on the annual report.

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

**5.b. [19401-25a](#) Presentation of the DPU FY2026 Budget**

Chair Gibson made some opening remarks. Mr. Shelton thanked Ms. Kendall, senior managers, and staff for their work on developing the budget. Ms. Karen Kendall, Deputy Utility Manager - Finance & Administration, presented. She introduced other key members of the budget development team: Mr. Richard Valerio, DPU - Business Operations Mgr, Ms. Joann Gentry, DPU - Business Operations Manger; and Ms. Reese Chavarria-Quam, Finance - Accounting Operations Manager. Copies of Ms. Kendall's presentation slides and supporting documents were provided in the meeting packet.

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

1. Member Gibson
2. Mr. Shelton
3. Member Stromberg
4. Member Heavner
5. Member Nakhleh
6. Member Hollingsworth
7. Mr. Stephen Marez, DUM - Electric Distribution

Chair Gibson provided an opportunity for public comment; there was none. He then provided an opportunity for additional comments or questions from the board; there were none.

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

**RECESS: 8:05 - 8:15 p.m.**

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

- 6.a. [RE0632-25a](#) Affirmation of Incorporated County of Los Alamos Resolution No. 25-03; A Resolution Relating to the Natural Gas Supply Agreement Between the Incorporated County of Los Alamos and the New Mexico Municipal Energy Acquisition Authority, as Amended by a First Amendment and Second Amendment; Authorizing the Execution and Delivery of a Third Amendment**

to the Natural Gas Supply Agreement; Authorizing Action Necessary or Advisable to Obtain a Gas Discount Pursuant to the Supply Agreement, as Amended, Including the Execution and Delivery of Certificates and Agreements Relating to the Foregoing; Ratifying, Approving, and Confirming Prior Action Taken Related to the Foregoing; and Repealing Action Inconsistent Herewith

Mr. Ben Olbrich, Deputy Utility Manager - Power Supply presented. He also mentioned that Mr. George Majors of The Majors Group was participating via Zoom should the board have further questions. Copies of Mr. Olbrich's presentations slides and supporting documents were provided in the meeting packet.

Chair Gibson provided an opportunity for questions and comments from the board; there were none. Chair Gibson provided an opportunity for public comment on this item; there was none. Chair Gibson provided an opportunity for further discussion by the board; there was none. Chair Gibson then called for a motion.

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**Member Heavner moved and Member Nakhleh seconded that the Board of Public Utilities affirm Incorporated County of Los Alamos Resolution No. 25-03; A Resolution Relating to the Natural Gas Supply Agreement Between the Incorporated County of Los Alamos and the New Mexico Municipal Energy Acquisition Authority, as Amended by a First Amendment and Second Amendment; Authorizing the Execution and Delivery of a Third Amendment to the Natural Gas Supply Agreement; Authorizing Action Necessary or Advisable to Obtain a Gas Discount Pursuant to the Supply Agreement, as Amended, Including the Execution and Delivery of Certificates and Agreements Relating to the Foregoing; Ratifying, Approving, and Confirming Prior Action Taken Related to the Foregoing; and Repealing Action Inconsistent Herewith. He further moved that the Resolution be forwarded to Council with a recommendation for adoption. The motion passed by the following vote:**

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**YES - 4: Members Hollingsworth, Heavner, Nakhleh, and Gibson  
NO -1: Member Stromberg**

## **7. DEPARTMENT BUSINESS**

### **7.a. 19516-25 Review & Possible Approval of the Water & Energy Conservation Plan**

Ms. Abbey Hayward, Water & Energy Conservation Coordinator, presented. A copy of the updated plan was included in the meeting packet.

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

1. Member Heavner
2. Mr. Clay Moseley
3. Member Gibson

Chair Gibson provided an opportunity for public comment on this item; there was none. Chair Gibson provided an opportunity for further discussion by the board; there was none. Chair Gibson then called for a motion.

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**Member Nakhleh moved and Member Hollingsworth seconded that the Board of Public Utilities approve the 2025 update to the Water and Energy Conservation Plan as amended.**

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

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

**NO - 0:**

**ABSTAIN - 1: Member Stromberg**

7.b. [19423-25-b](#) Annual Review of Article V of the Charter

Mr. Thomas Wyman, Assistant County Attorney presented. A copy of the relevant section of the Charter was included in the meeting packet.

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

1. Member Stromberg
2. Ms. Kendall

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

7.c. [19392-25a](#) Approval of the Calculation of Revenue Transfer from Electric & Gas Funds for Operations during Fiscal Year 2024 and Approval of Budget Revision 2025-37

Ms. Karen Kendall, Deputy Utility Manager - Finance & Administration presented. Copies of Ms. Kendall's presentation slides and supporting documents were provided in the meeting packet.

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

1. Member Heavner
2. Member Hollingsworth

Chair Gibson provided an opportunity for public comment on this item; there was none. Chair Gibson provided an opportunity for further discussion by the board; 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 recommend the transfer of revenues of 5% from the electric and gas funds during fiscal year 2025 to the general fund, and re-direct these amounts to be used within the joint utility system fund for purposes designated by Council in accordance with Incorporated County of Los Alamos Ordinance 02-324.

She further moved that the Board approve Budget Revision 2025-37 as summarized on Attachment D and that the attachment be made a part of the minutes of this meeting.

She further moved that these actions be forwarded to Council with a recommendation for approval.

She further moved that the Board of Public Utilities recommend Council extend the profit transfer redirection option per County Code Section 40-63(d) for an additional year to FY2030.

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. He attended the January 29th presentation by DOE/EM-LA regarding the Hexavalent Chromium Expert Technical Review at SALA Event Center.
2. He clarified how the Board should respond to public inquiries and stated some of his recommendations. Member Heavner posed a question regarding emails and public comment.

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

### **8.b. Board Member's Reports**

Chair Gibson provided an opportunity for board members to report. There were no individual reports.

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

### **8.c. Utilities Manager's Report**

Mr. Shelton reviewed his written report which is [attached](#) to the minutes. He provided summarized comments and Chair Gibson provided an opportunity for comments or questions from the board. The following individuals spoke:

1. Member Nakhleh

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

### **8.d. County Manager's Report**

Ms. Anne Laurent reported that:

1. Staff are working diligently on the FY2026 Budget. She thanked Ms. Kendall, Mr. Shelton and DPU staff for their work.
2. The County is planning two open houses for capital projects.
3. In March, she and Chair Cull as well as other senior staff and Councilors will be in Washington, D.C.

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

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

8.e. Council Liaison's Report

Vice Chair Havemann was absent and Councilor Ryti reported that:

1. He also attended the DOE/EM-LA presentation regarding the Hexavalent Chromium Expert Technical Review.
2. He reminded BPU members of the opportunity to attend the New Nuclear Forum in April.
3. On January 28th, Council passed an ordinance for low income tax credits, introduced the C-PACE ordinance, and approved consent item for JMFPP and contracts for SCADA.
4. At the February 1th Council Work Session there was a presentation by ENMLA and on Hexavalent Chromium and a discussion lead by Ms. Danielle Duran regarding relevant legislation, federal priorities.
5. Budget hearings will take place at the end of April.
6. Mentioned a Facebook comment about utility rates.
7. He attended a tour of "The Brain" in Albuquerque (a system that helps identify water leaks, HVAC settings, and has shown demonstrated savings for utility customers.)

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

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

8.f. Environmental Sustainability Board Liaison's Report

Mr. Deringer was absent and no written report was submitted.

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

8.g. General Board Business

8.g.1. [19612-25](#) Appointment of Board Member to County Audit Committee for 2025

Chair Gibson stated that he served on the audit committee in calendar year 2024. He then opened the floor for nominations or volunteers. Member Heavner stated that he was interested in serving. There were no other volunteers. Chair Gibson then called for a motion.

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**Member Gibson moved and Member Nakhleh seconded that the Board of Public Utilities nominate Member Matt Heavner to fill the vacant position on the County's Audit Committee and appoint him for remainder of Calendar Year 2025. He further recommended that the Utilities Manager notify the Chief Financial Officer of the nominee.**

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

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

8.h. Board Expenses (NONE)

No action was taken on this item.

**9. STATUS REPORTS**

**9.a. 19378-25 Status Reports - January 2025**

Chair Gibson stated that he hoped that board members had reviewed the reports which were included in the meeting packet. He then provided an opportunity for comments or questions from the board; there were none.

No action was taken on this item.

**10. UPCOMING AGENDA ITEMS**

**10.a. 19379-25 Tickler File for February through May 2025. This includes DPU items on BPU and Council agendas.**

Chair Gibson reviewed the upcoming agenda items for the March meetings. He provided an opportunity for questions or comments from the board and staff; there were none.

No action was taken on this item.

**11. PUBLIC COMMENT**

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

No action was taken on this item.

**12. ADJOURNMENT**

The meeting adjourned at 9:50 p.m.  
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**APPROVAL**

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Board of Public Utilities Chair

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Date Approved by the Board

Minutes transcribed by: Kathy Casados, Executive Assistant

**ATTACHMENTS**

- (in agenda order)
- 5.b. FY2026 Budget - Additional Attachments
- 7.c. Budget Revision 2025-37
- 8.c. Utilities Manager's Report 2/19/25