



# 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, August 27, 2024

6:00 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. Anne Laurent, County Manager, listed the county employees in attendance via Zoom.

**The following Councilors were in attendance:**

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

#### 2. PLEDGE OF ALLEGIANCE

Led by: All.

#### 3. PUBLIC COMMENT

Ms. Jody Benson commented on the new public e-comment feature.

#### 4. APPROVAL OF 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.**

## 5. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

- A. Proclamation Declaring September 2024 as "National Recovery Month In Los Alamos" (Accepted by Los Alamos County's Social Services Manager Jessica Strong)

Councilor Cull presented the Proclamation to Jessica Strong.

Ms. Jessica Strong, Los Alamos County's Social Services Manager, spoke.

## 6. PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA

Mr. Morrie Pongratz commented on item 7.B.

## 7. CONSENT AGENDA

Councilor Reagor asked a question on item 7.A.

Mr. Troy Hughes, Fire Chief, spoke.

### **Consent Motion:**

**A motion was made by Councilor Cull, seconded by Councilor Ryti, 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. Contract for General Services, Amended Agreement No. AGR 21-46-A1 in the Amount of \$4,015,866.50, plus Applicable Gross Receipts Tax, for the Purpose of FedRamp fire inspection, Pre-Incident Plan and Records Management Software as a Solution

**I move that Council approve contract for general services, amended Agreement No. AGR 21-46-A1 with Locality Media, Inc. dba First Due in the amount not to exceed \$4,015,866.50, plus applicable gross receipts tax, for the purpose of FedRamp fire inspection, Pre-Incident Plans, and Records Management Software as a Solution.**

- B. Approval of Children Youth and Families Department Grant Agreement No. 25-690-3000-79539, MOA25-911, and Amendment No. 1 for AGR24-59 with the Los Alamos Juvenile Justice Advisory Board

**I move that Council approve Children Youth and Families Department Grant Agreement 25-690-3000-79539, in a form acceptable to the County Attorney, MOA25-911 between the County and Los Alamos Juvenile Justice Advisory Board, and Amendment No. 1 to AGR24-59 for an increase the compensation amount to reflect the additional funds of \$682,479.00 from the CYFD Grant Agreement for total revised amount of \$2,814,099.00 through fiscal year 2027, plus applicable gross receipts tax.**

- C. Approval of Expenditure of Arts in Public Places Funds in an Amount Not To Exceed \$3,000 for the Repair and Associated Costs of the Small Sculpture "Crane Unfolding", by Kevin Box

**I move that Council approve the expenditure of the Arts in Public Places fund in an amount not to exceed \$3,000 for the repair and associated costs for the sculpture called "Crane Unfolding".**

- D. Grant of Easement Within Los Alamos County Tract A-19-B, Within the Ramon Vigil Grant, In the Vicinity of the Community of White Rock

**I move that Council approve a Grant of Easement Within Los Alamos County Tract A-19-B, Within the Ramon Vigil Grant, In the Vicinity of the Community of White Rock.**

- E. Board/Commission Appointments - Lodgers' Tax Advisory Board

**I move that Council nominate and appoint Dana Even to fill one (1) of the two (2) Lodging representatives vacancies on the Lodgers' Tax Advisory Board for the vacant term beginning on December 2, 2022 and ending on December 1, 2025.**

- F. Approval of Budget Revisions 2025-04, 2025-05, and 2025-07 to Budget Funds for the Cemetery Fund, a Grant for the Clerks Office, and Carryover Funds for the Police Department

**I move that Council approve Budget Revision 2025-04, 2025-05 and 2025-07 as summarized on Attachment A, B and C and that the attachments be made part of the minutes of this meeting.**

- G. Approval of the Revised FY25 Salary Plan with New Position added and Positions Un-archived and Re-graded

**I move that Council approve the revised FY25 Salary Plan Job Class Order as summarized on Attachment A with the new, un-archived and re-graded job descriptions.**

- H. Approval of Expenditure of Arts in Public Places Funds to Replace Two Outdoor Plaques for the Oppenheimer and Groves Statues and the Pollyanna Statue

**I move that Council approve the expenditure from the Arts in Public Places fund not to exceed \$900 to replace two outdoor plaques for the Oppenheimer and Groves statues and the Pollyanna statue.**

**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.**

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

- A. Incorporated County of Los Alamos Ordinance No. 02-348 an Ordinance Repealing and Replacing in its Entirety Article III, Chapter 14, of the County Code Pertaining to Cemeteries

**Councilor Ryti introduced, without prejudice, Incorporated County of Los Alamos Ordinance No. 02-343 an Ordinance Repealing and Replacing in its Entirety Article II, Chapter 14, of the County Code Pertaining to Cemeteries.**

## 9. BUSINESS

### A. Adoption of the Los Alamos Affordable Housing Plan

Mr. Dan Osborn, Housing and Special Project Manager, presented.  
Mr. Carlos Gemora, Senior Land Use Planner, Sites Southwest, spoke.

Public comment:  
None.

**A motion was made by Councilor Cull, seconded by Councilor Havemann, that Council adopt the Los Alamos County Affordable Housing Plan as presented, including the additional changes discussed tonight.**

**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. PUBLIC HEARING(S)

### A. Incorporated County of Los Alamos Code Ordinance No. 02-360, An Ordinance of the Incorporated County of Los Alamos Amending Article VII of Chapter 14, Affordable Housing

Mr. Dan Osborn, Housing and Special Project Manager, presented.  
Mr. Alvin Leaphart, County Attorney, spoke.

Public comment:  
Mr. Phil Gursky spoke.

**A motion was made by Councilor Ryti, seconded by Councilor Lepsch, that Council amend Incorporated County of Los Alamos Code Ordinance No. 02-360, as presented in Attachment F, to be considered and voted upon at the September 10th Council meeting.**

**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 Resolution No. 24-26: A Resolution Authorizing the Utilities Manager and the Deputy Utilities Manager - Finance & Administration, to Execute Documents with the New Mexico Environment Department on Behalf of the Incorporated County of Los Alamos Relating to the Jemez Mountain Fire Protection Project Pipeline Construction, Special Appropriation Project SAP 24-12399-GF

Mr. James Alarid, Deputy Utilities Manager – Engineering, presented.

Public comment:  
Ms. Jody Benson spoke.



**A motion was made by Councilor Ryti, seconded by Councilor Cull, that Council adopt Incorporated County of Los Alamos Resolution No. 24-26: A Resolution Authorizing the Utilities Manager and the Deputy Utilities Manager - Finance & Administration, to Execute Documents with the New Mexico Environment Department on Behalf of the Incorporated County of Los Alamos Relating to the Jemez Mountain Fire Protection Project Pipeline Construction, Special Appropriation Project SAP 24-I2399-GF.**

**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 Resolution No. 24-27, A Resolution Authorizing the County Council Chair or Los Alamos County Utilities Manager to Approve Submission of Completed Applications and Necessary Documents for 2025 Applications to the Water Trust Board for Funding Water System Projects (San Ildefonso Road Waterline & Townsite Transmission Waterlines)

Mr. James Alarid, Deputy Utilities Manager – Engineering, presented.

Public comment:  
None.

**A motion was made by Councilor Ryti, seconded by Councilor Havemann, that Council adopt Incorporated County of Los Alamos Resolution No. 24-27, A Resolution Authorizing the County Council Chair or Los Alamos County Utilities Manager to Approve Submission of Completed Applications and Necessary Documents for 2025 Applications to the Water Trust Board for Funding Water System Projects.**

**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.** New Liquor License Application, Restaurant A Liquor License, filed by Applicant, Wolf and Mermaid Enterprises, LLC dba Wolf and Mermaid Enchanted Cafe, 181 Central Park Square, Los Alamos, NM 87544

Ms. Anne Laurent, County Manager, spoke.

Public comment:  
None.

**A motion was made by Councilor Havemann, seconded by Councilor Ryti, that Council approve New Liquor License and Application, filed by Wolf and Mermaid Enterprises, LLC dba Wolf and Mermaid Enchanted Cafe, 181 Central Park Square, 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.**

- E. Public Hearing for County Council to consider the Planning and Zoning Commission's recommendation of approval in Case No. REZ-2024-0018 for a Minor Zone Map Amendment for the property commonly known as the North Road Inn

Hearing Procedures:

Chair Derkacs introduced this Public Hearing item at 7:11 p.m. and explained the procedures.

Council Disclosure:

Chair Derkacs polled the Council for potential Conflicts of Interest or ex-parte communication.

Identification of Parties:

Mr. Philip Gursky, representative for the Applicant, Northern New Mexico Capital Investments, LLC., on behalf of property owner Five Oaks Investments, LLC.

Ms. Desirae Lujan, Senior Planner, representative for Los Alamos County's Community Development Department.

Councilor Lepsch left during the discussion of this item, at 7:21 p.m.

Chair Derkacs tendered Attachments A, B, C, D, E, and F to the staff report for this agenda item as well as the recording of the June 26<sup>th</sup>, 2024 meeting of the Planning and Zoning Commission identified in the staff report for this item into the record of this proceeding.

Public comment:

No public comment was allowed during this Quasi-Judicial proceeding.

Opening Statements:

Ms. Desirae Lujan, Senior Planner, representing Los Alamos County's Community Development Department, spoke.

Mr. Philip Gursky, representative for the Applicant, spoke.

Motion for a Closed Session:

None.

**A motion was made by Councilor Ryti, seconded by Councilor Reagor, that the County Council approve the recommendation of the Planning and Zoning Commission in Case No. REZ-2024-0018; adopt the Findings of Fact and Conclusions of Law made by the Planning and Zoning Commission as the County Council's Findings of Fact and Conclusions of Law, and I further move to authorize the Chair of the County Council to sign a final order prepared by county staff that is consistent with this motion.**

**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.**

The Public Hearing for this item was adjourned by Chair Derkacs at 7:30 p.m.

## 11. BUSINESS - 2

### A. Presentation, Update, and Possible Action on the Bear Resistant Roll Cart and Dumpster Programs

Mr. Armando Gabaldon, Environmental Services Manager, presented.

Mr. Eric Martinez, Deputy Public Works Director, spoke.

Ms. Anne Laurent, County Manager, spoke.

Public comment:

Mr. James Robinson spoke.

Ms. Jody Benson spoke.

**A motion was made by Councilor Reagor, seconded by Councilor Havemann, that Council approve Option A with regards to the bear resistant roll cart program.**

**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.**

**Councilor Derkacs called for a recess at 8:44 p.m. The meeting was reconvened at 8:57 p.m.**

### B. Approval of Services Agreement No. AGR 24-61 with Northland Products, Inc. in an Amount Not to Exceed \$3,000,000 plus applicable Gross Receipts Tax for the Purchase of Bear Resistant Rollout Carts

Mr. Eric Martinez, Deputy Public Works Director, presented.

Public Comment:

Mr. James Robinson spoke.

**A motion was made by Councilor Ryti, seconded by Councilor Cull, that Council approve Services Agreement No. AGR 24-61 with Northland Products, Inc. in an Amount Not to Exceed \$3,000,000 plus applicable Gross Receipts Tax for the Purchase of Bear Resistant Rollout Carts.**

**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.**

## 12. COUNCIL BUSINESS

### A. General Council Business

None.

### B. Appointments

None.

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

None.

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

Councilor Havemann reported on the Art in Public Places Board meeting.

Councilor Ryti reported on the Parks and Recreation Board meeting, the Environmental Sustainability Board meeting, and a briefing to the Federal Workgroup from the National Nuclear Security Administration (NNSA).

Councilor Hand reported on the Library Board meeting.

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

#### **1) County Manager's Report for July 2024**

Ms. Anne Laurent, County Manager, reported on electrical upgrades to the Golf Course building to accommodate electric golf carts, the Department of Finance Administration (DFA) approval of the 2025 fiscal year budget, and informing the public about e-comments for Council meetings. She noted that COVID numbers are up and that the vendor for wastewater testing would no longer publish relevant statistical information for free. She also spoke about the skate park in White Rock, and about outreach reference parking issues due to road work on Bathtub Row, and the early suspension of Bandelier shuttle service.

Ms. Linda Matteson, Deputy County Manager, reported on the e-comments feature for Council meetings, and the wastewater testing vendor.

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

Chair Derkacs reported on a meeting with the County Manager, a meeting with the County Attorney, a weekly agenda setting meeting, a ribbon cutting for Beef and Leaf Café, a Friday Night Concert, the County Fair and Parade, the Chamber of Commerce Director's retirement event, the joint meeting for the Los Alamos Public Schools and UNM – Los Alamos, a meeting with the County's Economic Development staff, a National Nuclear Security Administration (NNSA) briefing on Supercomputing plans, and a tour of the new Pinon School construction.

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

None.

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

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

Councilor Derkacs highlighted topics at upcoming meetings and encouraged members of the public to use the e-comment feature.

### 13. COUNCILOR COMMENTS

Councilor Hand commented on attending the New Mexico Municipal League Conference in Clovis, the North Central New Mexico Economic Development District Board of Directors meeting, and the upcoming North Central Regional Transportation District Board meeting.

Councilor Ryti commented on attending the Energy Communities Alliance (ECA) Executive Board Meeting, the New Mexico Municipal League Self Insurers Fund Board of Trustees meeting, and a Technical Work Group meeting. He also commented on a media advisory from Nuclear Watch New Mexico, the Main Street Futures meeting, a Summer Youth Film premier, the Coalition for Sustainable Communities New Mexico's annual meeting, and the Bear Festival.

Councilor Cull commented about attending a ribbon cutting for a food truck in White Rock parked in front of the former McDonald's Building, the new location for the White Rock Farmer's Market, a new sleep center located at the Medical Center, a business that caters to elementary age youth, the Rodeo booth and the pie contest.

Councilor Reagor commented about the pie tasting at the Rodeo and Fair.

### 14. ADJOURNMENT

The meeting adjourned at 9:33 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

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Denise Derkacs, Council Chair

Attest:

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Naomi D. Maestas, County Clerk

Meeting Transcribed by: Casey Salazar, Deputy Clerk

## August 27, 2024 Council Regular Session

### Agenda item: 7.E #19081-24 Board/Commission Appointments – Lodgers' Tax Advisory Board

*We wanted to update Council on the resignation of Mike Wheeler from the Lodgers' Tax Advisory Board, effective August 23, 2024. Therefore, please see the updated staff report below. There is not change to the "Recommended Action."*

#### Body (Revised)

The purpose of this item is to fill one of ~~three~~ four vacancies on the Lodgers' Tax Advisory Board: two (2) Lodging representative vacancies, ~~one (1) tourism business representative~~, and one (1) Community at Large as prescribed by County Code, Chapter 8.

The Board began the recruitment process and advertised over the last three months. State law states the Board consists of: two members who are owners or operators of lodgings subject to the occupancy tax within the municipality; two members who are owners or operators of industries located within the municipality that primarily provide services or products to tourists; and one member who is a resident of the municipality and represents the general public. An application for the Lodging representative was received from Ms. Dana Even, General Manager of Holiday Inn Express & Suites, who was interviewed on August 8, 2024. Ms. Even's application states that she is currently serving on the Tourism Implementation Task Force (TITF), however that committee was sunsetted and the work of the TITF has been assumed by the LTAB.

One lodging business vacancy represents a term vacated by Matthew Allen April 16, 2024, which expires on December 1, 2025

One lodging business vacancy represents a term vacated by Trevor Shuman July 11, 2024 that expires December 1, 2025.

~~One tourism business representative vacancy represents a term vacated by Mike Wheeler that expires December 1, 2025.~~

One Community At-Large Representative vacancy represents a term vacated by Jennifer Jenson that expired December 1, 2024.

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 five (5) member board has three-year terms beginning December 2 and ending December 1. It is currently composed as follows:

Jen Olsen, Tourism Business Representative 1 [D]

~~Mike Wheeler, Tourism Business Representative 2 [D]~~

[vacant], Lodging Business Representative 1

[vacant], Lodging Business Representative 2

[vacant], Tourism Business Representative 2

[vacant], Community At-Large Representative 1

Los Alamos County Council  
Regular Session  
August 27, 2024  
Item 7.F  
Attachment A

Budget Office Revision 2025-04

Council Meeting date: 07/30/2024

	Fund & Department	Org	Object	Revenue (decrease)	Expenditures (decrease)	Transfers In(Out)	Fund Balance (decrease)
1	Cemetery Fund/CSD	01852120	8369		\$ 200,000		\$ (200,000)
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
Description: Will use to purchase two Columbariums/F-80 double sided precast niche units; Mahogany granite niche covers to match existing niche covers; freight; concrete slabs/pads; stone/façade for columbariums; and landscaping/grounds for columbariums. There is a sufficient fund balance to cover these expenses.							
Fiscal Impact: -\$200,000							

Chelsea Ashcroft 7/16/2024  
Date

County Manager Approval If

Cory Styron  
Signature

Erika Thomas  
Signature



Los Alamos County Council  
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Item 7.F  
Attachment B

Budget Revision 2025 - 05

Council Meeting Date: 08/27/24

	Fund & Department	Org	Object	Revenue (decrease)	Expenditures (decrease)	Transfers In(Out)	Fund Balance (decrease)
1	General Fund/Clerk's Office	01114010	3479	\$ 50,000			
2	General Fund/Clerk's Office	01114010	8571		\$ 50,000		
3	General Fund/Clerk's Office	01114010	8839		\$ 45,000		
4							
5							
6							
7							
8							
9							
10							
<b>Description:</b> To budget for the Election Security Grant that was received by the Secretary of State's Office. Carryover request from FY 2024 for office reconfiguration to accommodate existing staff.							
<b>Fiscal Impact:</b> \$45,000							

Tessa Jo Mascarenas

Naomi Maestas

Erika Thomas

## Certificate Of Completion

Envelope Id: 6742E0FC91804B12977969A69FF43C06

Status: Completed

Subject: Complete with DocuSign: 2025 Budget Revision 8.27.24.xlsx

Source Envelope:

Document Pages: 1

Signatures: 3

Envelope Originator:

Certificate Pages: 2

Initials: 0

Tessa Jo Mascarenas

AutoNav: Enabled

tessajo.mascarenas@lacnm.us

Envelopeld Stamping: Enabled

IP Address: 198.99.209.78

Time Zone: (UTC-07:00) Mountain Time (US & Canada)

## Record Tracking

Status: Original

Holder: Tessa Jo Mascarenas

Location: DocuSign

8/7/2024 9:27:24 AM

tessajo.mascarenas@lacnm.us

## Signer Events

### Signature

### Timestamp

Tessa Jo Mascarenas

*Tessa Jo Mascarenas*

Sent: 8/7/2024 9:30:33 AM

tessajo.mascarenas@lacnm.us

Viewed: 8/7/2024 9:30:42 AM

Senior Management Analyst

Signed: 8/7/2024 9:30:48 AM

Security Level: Email, Account Authentication  
(None)

Signature Adoption: Pre-selected Style  
Using IP Address: 198.99.209.78

## Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Naomi Maestas

*Naomi Maestas*

Sent: 8/7/2024 9:30:48 AM

naomi.maestas@lacnm.us

Resent: 8/14/2024 10:23:31 AM

Los Alamos County Clerk

Resent: 8/19/2024 10:11:43 AM

Security Level: Email, Account Authentication  
(None)

Signature Adoption: Pre-selected Style  
Using IP Address: 69.254.135.137

Viewed: 8/19/2024 12:02:44 PM

Signed: 8/19/2024 12:02:50 PM

## Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Erika Thomas

*Erika Thomas*

Sent: 8/19/2024 12:52:52 PM

erika.thomas@lacnm.us

Viewed: 8/19/2024 12:53:12 PM

Erika Thomas

Signed: 8/19/2024 12:53:25 PM

Security Level: Email, Account Authentication  
(None)

Signature Adoption: Pre-selected Style  
Using IP Address: 67.0.202.82

## Electronic Record and Signature Disclosure:

Not Offered via DocuSign

## In Person Signer Events

### Signature

### Timestamp

## Editor Delivery Events

### Status

### Timestamp

## Agent Delivery Events

### Status

### Timestamp

## Intermediary Delivery Events

### Status

### Timestamp

## Certified Delivery Events

### Status

### Timestamp

## Carbon Copy Events

### Status

### Timestamp

## Witness Events

### Signature

### Timestamp

Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	8/7/2024 9:30:33 AM
Envelope Updated	Security Checked	8/19/2024 12:52:51 PM
Certified Delivered	Security Checked	8/19/2024 12:53:12 PM
Signing Complete	Security Checked	8/19/2024 12:53:25 PM
Completed	Security Checked	8/19/2024 12:53:25 PM
Payment Events	Status	Timestamps

Los Alamos County Council  
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August 27, 2024  
Item 7.F  
Attachment C

Budget Revision 2025 - 07

Council Meeting Date: 08/27/2024

	Fund & Department	Org	Object	Revenue (decrease)	Expenditures (decrease)	Transfers In(Out)	Fund Balance (decrease)
1	General Fund - PD/ Emergency Management	01165710	8839		\$ 37,000		\$ (37,000)
2							
3							
4							
5							
6							
7							
8							
9							
10							
Description: PD Carryover for Emergency Management to outfit office. This is carryover funds from FY2024							
Fiscal Impact: \$37,000							

Desiree Miranda-Mendonca

8/9/2024

Dino Spambellone

8/12/2024

Erika Thomas

8/9/2024

nature

County Manager Approval if Required

Los Alamos County  
FY25 Salary Plan Job Class Order

Effective August 27, 2024

Job Code	FY24 Benchmark Job	Occupational Job Families and Job Classes	PROPOSED					Change In Grade	Exempt/ Non-	
			Current Grade	New Grade	Minimum	Midpoint	Maximum			
asterisk=benchmarked job, red=new change										
Executive Management/At-Will Series										
101	*	Deputy County Manager	308	308	\$159,250	\$209,282	\$259,314		EX	
400	*	Police Chief	306	306	\$144,444	\$189,825	\$235,205		EX	
460	*	Fire Chief	306	306	\$144,444	\$189,825	\$235,205		EX	
500	*	Public Works Director	305	305	\$137,566	\$180,786	\$224,005		EX	
299	*	Administrative Services Director	305	305	\$137,566	\$180,786	\$224,005		EX	
300	*	Community Services Director	304	304	\$131,015	\$172,177	\$213,338		EX	
170	*	Community Development Director	304	304	\$131,015	\$172,177	\$213,338		EX	
Elected Office Series										
Assessor's Office										
771	*	Chief Deputy Assessor	211	211	\$93,110	\$122,363	\$151,615		EX	
773		Chief Appraiser	206	206	\$72,953	\$95,873	\$118,793		EX	
774	*	Appraiser	122	122	\$55,765	\$73,285	\$90,806		NE	
776		Sr. Assessment Specialist	120	120	\$50,581	\$66,472	\$82,363		NE	
777	*	Assessment Specialist	118	118	\$45,878	\$60,292	\$74,706		NE	
779		Apprentice Appraiser	116	116	\$41,613	\$54,687	\$67,760		NE	
Attorney's Office										
701	*	Deputy County Attorney	303	303	\$124,776	\$163,978	\$203,179		EX	
702	*	Assistant County Attorney	301	301	\$113,176	\$148,732	\$184,289		EX	
703		Associate County Attorney	212	212	\$97,765	\$128,480	\$159,195		EX	
710		Sr. Paralegal	208	208	\$80,431	\$105,701	\$130,970		EX	
712	*	Paralegal	206	206	\$72,953	\$95,873	\$118,793		EX	
707		Sr. Legal Assistant	124	124	\$61,481	\$80,797	\$100,113		NE	
708	*	Legal Assistant	122	122	\$55,765	\$73,285	\$90,806		NE	
Clerk's Office										
751	*	Chief Deputy Clerk	211	211	\$93,110	\$122,363	\$151,615		EX	
755	*	Elections Manager	126	126	\$67,783	\$89,079	\$110,375		NE	
752		Sr. Deputy Clerk	124	124	\$61,481	\$80,797	\$100,113		NE	
753	*	Deputy Clerk	122	122	\$55,765	\$73,285	\$90,806		NE	
Municipal Court										
761	*	Court Administrator	207	207	\$76,601	\$100,668	\$124,734		EX	
765	*	Probation Officer	123	123	\$58,554	\$76,950	\$95,346		NE	
762		Sr. Court Clerk	122	122	\$55,765	\$73,285	\$90,806		NE	
763	*	Court Clerk	118	118	\$45,878	\$60,292	\$74,706		NE	
766		Court Program Coordinator	122	122	\$53,605	\$70,447	\$87,288		NE	
767		Compliance Coordination Specialist	0	202	\$60,018	\$78,874	\$97,731		EX	
Administrative Services Series										
Public Information										
111	*	Public Information Officer	212	212	\$97,765	\$128,480	\$159,195		EX	
112		Assistant Public Information Officer	208	208	\$80,431	\$105,701	\$130,970		EX	
604		Public Relations Manager	210	210	\$88,676	\$116,536	\$144,395		EX	
113		Sr. Visual Information Specialist	124	124	\$61,481	\$80,797	\$100,113		NE	
114	*	Visual Information Specialist	122	122	\$55,765	\$73,285	\$90,806		NE	
116	*	Social Media Coordinator	124	124	\$61,481	\$80,797	\$100,113		NE	
Management Support										
104		Assistant to County Manager	213	213	\$102,653	\$134,904	\$167,155		EX	
203	*	Broadband Manager	302	302	\$118,835	\$156,169	\$193,504		EX	
109	*	Sustainability Manager	211	211	\$93,110	\$122,363	\$151,615		EX	
105		Intergovernmental Affairs Manager	301	301	\$113,176	\$148,732	\$184,289		EX	
107	*	Business & ERP Manager	213	213	\$102,653	\$134,904	\$167,155		EX	
261	*	Budget & Performance Manager	212	212	\$97,765	\$128,480	\$159,195		EX	
903		Sr. Management Analyst	210	210	\$88,676	\$116,536	\$144,395		EX	
904	*	Management Analyst	207	207	\$76,601	\$100,668	\$124,734		EX	
Administrative Support										
906	*	Office Manager	203	203	\$63,019	\$82,818	\$102,617		EX	
907	*	Sr. Office Specialist	120	120	\$50,581	\$66,472	\$82,363		NE	
908		Office Specialist	117	117	\$43,694	\$57,421	\$71,149		NE	
905	*	Executive Assistant	124	124	\$61,481	\$80,797	\$100,113		NE	
909		Payroll & Administrative Specialist	121	121	\$53,110	\$69,796	\$86,481		NE	

ATTACHMENT A

Los Alamos County  
FY25 Salary Plan Job Class Order

Effective August 27, 2024

Job Code	FY24 Benchmark Job	Occupational Job Families and Job Classes	PROPOSED					Change In Grade	Exempt/ Non-
			Current Grade	New Grade	Minimum	Midpoint	Maximum		
asterix=benchmarked job, red=new change									
<b><u>Information Technology</u></b>									
200	*	Chief Information Officer	303	303	\$124,776	\$163,978	\$203,179		EX
201	*	IT Program Manager	214	214	\$107,786	\$141,650	\$175,513		EX
204		IT Project Manager	213	213	\$102,653	\$134,904	\$167,155		EX
219	*	Database Administrator	212	212	\$97,765	\$128,480	\$159,195		EX
211		Sr. Systems Administrator	211	211	\$93,110	\$122,363	\$151,615		EX
215		Sr. Application Analyst/Developer	210	210	\$88,676	\$116,536	\$144,395		EX
212	*	Systems Administrator	209	209	\$84,453	\$110,986	\$137,519		EX
235	*	Technical Services Manager	209	209	\$84,453	\$110,986	\$137,519		EX
230	*	Security Analyst	209	209	\$84,453	\$110,986	\$137,519		EX
216	*	Application Analyst/Developer	207	207	\$76,601	\$100,668	\$124,734		EX
224		Sr. IT Infrastructure Coordinator	127	127	\$71,172	\$93,533	\$115,893		NE
236		Sr. Technical Support Specialist	126	126	\$67,783	\$89,079	\$110,375		NE
237	*	Technical Support Specialist	123	123	\$58,554	\$76,950	\$95,346		NE
238		Technical Support Specialist Trainee	121	121	\$53,110	\$69,796	\$86,481		NE
225	*	IT Infrastructure Coordinator	122	122	\$55,765	\$73,285	\$90,806		NE
239		IT Intern	115	115	\$39,631	\$52,083	\$64,534		NE
<b><u>Records Management</u></b>									
202	*	RIM Program Manager	212	212	\$97,765	\$128,480	\$159,195		EX
227		Sr. RIM Specialist	123	123	\$58,554	\$76,950	\$95,346		NE
229	*	RIM Specialist	120	120	\$50,581	\$66,472	\$82,363		NE
<b><u>Financial Management</u></b>									
240	*	Chief Financial Officer	303	303	\$124,776	\$163,978	\$203,179		EX
241	*	Deputy Chief Financial Officer	214	214	\$107,786	\$141,650	\$175,513		EX
242	*	Accounting Operations Manager	212	212	\$97,765	\$128,480	\$159,195		EX
258	*	Payroll Manager	210	210	\$88,676	\$116,536	\$144,395		EX
255		Payroll Coordinator	206	206	\$72,953	\$95,873	\$118,793		EX
256	*	Payroll Specialist	124	124	\$61,481	\$80,797	\$100,113		NE
245		Sr. Accountant	206	206	\$72,953	\$95,873	\$118,793		EX
246	*	Accountant	203	203	\$63,019	\$82,818	\$102,617		EX
251	*	P Card Administrator	124	124	\$61,481	\$80,797	\$100,113		NE
252	*	Accounts Payable Coordinator	121	121	\$53,110	\$69,796	\$86,481		NE
253		Sr. AP Coordinator	123	123	\$58,554	\$76,950	\$95,346		NE
263	*	Finance & Budget Analyst	208	208	\$80,431	\$105,701	\$130,970		EX
262		Sr. Finance & Budget Analyst	210	210	\$88,676	\$116,536	\$144,395		EX
<b><u>Procurement &amp; Supply Management</u></b>									
275		Sr. Supply Specialist	118	118	\$45,878	\$60,292	\$74,706		NE
276	*	Supply Specialist	116	116	\$41,613	\$54,687	\$67,760		NE
270	*	Chief Purchasing Officer	213	213	\$102,653	\$134,904	\$167,155		EX
272		Sr. Buyer	204	204	\$66,170	\$86,959	\$107,748		EX
271		Deputy Chief Purchasing Officer	211	211	\$93,110	\$122,363	\$151,615		EX
273	*	Buyer	123	123	\$58,554	\$76,950	\$95,346		NE
278	*	Procurement Contract Manager	209	209	\$84,453	\$110,986	\$137,519		EX
281	*	Procurement Operations Manager	208	208	\$80,431	\$105,701	\$130,970		EX
<b><u>Human Resources &amp; Risk Management</u></b>									
130	*	Human Resources Manager	303	303	\$124,776	\$163,978	\$203,179		EX
131		Deputy Human Resources Manager	212	212	\$97,765	\$128,480	\$159,195		EX
132		Compensation Manager	210	210	\$88,676	\$116,536	\$144,395		EX
133	*	Benefits & Pension Manager	210	210	\$88,676	\$116,536	\$144,395		EX
135	*	Risk Manager	210	210	\$88,676	\$116,536	\$144,395		EX
134	*	Organizational Development Manager	210	210	\$88,676	\$116,536	\$144,395		EX
146		Recruitment Manager	210	210	\$88,676	\$116,536	\$144,395		EX
141		Safety Coordinator	208	208	\$80,431	\$105,701	\$130,970		EX
143		HR Analyst 3	127	127	\$71,172	\$93,533	\$115,893		NE
144		HR Analyst 2	124	124	\$61,481	\$80,797	\$100,113		NE
145	*	HR Analyst 1	121	121	\$53,110	\$69,796	\$86,481		NE
136		Sr. Risk Management Specialist	125	125	\$64,555	\$84,837	\$105,119		NE
137	*	Risk Management Specialist	122	122	\$55,765	\$73,285	\$90,806		NE

ATTACHMENT A

Los Alamos County  
FY25 Salary Plan Job Class Order

Effective August 27, 2024

Job Code	FY24 Benchmark Job	Occupational Job Families and Job Classes	PROPOSED					Change In Grade	Exempt/ Non-
			Current Grade	New Grade	Minimum	Midpoint	Maximum		

asterisk=benchmarked job, red=new change

Community & Economic Development Series

Community Development

180		Housing and Special Projects Manager	212	212	\$97,765	\$128,480	\$159,195		EX
181	*	Housing Program Coordinator	207	207	\$76,601	\$100,668	\$124,734		EX
182	*	Chief Building Official	212	212	\$97,765	\$128,480	\$159,195		EX
185		Building Safety Manager	208	208	\$80,431	\$105,701	\$130,970		EX
172	*	Planning Manager	210	210	\$88,676	\$116,536	\$144,395		EX
173		Principal Planner	209	209	\$84,453	\$110,986	\$137,519		EX
174	*	Sr. Planner	207	207	\$76,601	\$100,668	\$124,734		EX
175	*	Associate Planner	203	203	\$63,019	\$82,818	\$102,617		EX
171	NEW	Housing Specialist		203	\$63,019	\$82,818	\$102,617		EX
183		Sr. Building Inspector	125	125	\$64,555	\$84,837	\$105,119		NE
189		Sr. Plans Examiner	125	125	\$64,555	\$84,837	\$105,119		NE
177		Sr. Permit Technician	122	122	\$55,765	\$73,285	\$90,806		NE
188	*	Plans Examiner	122	122	\$55,765	\$73,285	\$90,806		NE
184	*	Building Inspector	122	122	\$55,765	\$73,285	\$90,806		NE
187	*	Code Compliance Officer	122	122	\$55,765	\$73,285	\$90,806		NE
176		Assistant Planner	120	120	\$50,581	\$66,472	\$82,363		NE
179	*	Permit Technician	120	120	\$50,581	\$66,472	\$82,363		NE

Economic Development

121	*	Economic Development Administrator	214	214	\$107,786	\$141,650	\$175,513		EX
122	*	Economic Development Program Mgr	208	208	\$80,431	\$105,701	\$130,970		EX
124	*	Marketing Specialist	205	205	\$69,479	\$91,307	\$113,136		EX

Community Services Series

Library

311	*	Library Manager	212	212	\$97,765	\$128,480	\$159,195		EX
315		Sr. Librarian	207	207	\$76,601	\$100,668	\$124,734		EX
316	*	Librarian	205	205	\$69,479	\$91,307	\$113,136		EX
325		Program Specialist	122	122	\$55,765	\$73,285	\$90,806		NE
317		Sr. Library Specialist	121	121	\$53,110	\$69,796	\$86,481		NE
319	*	Library Specialist	119	119	\$48,172	\$63,307	\$78,441		NE
321	*	Library Associate	117	117	\$43,694	\$57,421	\$71,149		NE
327		Community Services Monitor	115	115	\$39,631	\$52,083	\$64,534		NE

Parks & Recreation

330	*	Recreation Superintendent	210	210	\$88,676	\$116,536	\$144,395		EX
332	*	Recreation Program Manager	208	208	\$80,431	\$105,701	\$130,970		EX
362	*	Head Golf Professional	203	203	\$63,019	\$82,818	\$102,617		EX
352	*	Aquatics Coordinator	122	122	\$55,765	\$73,285	\$90,806		NE
363		Asst Golf/Ice Rink Professional	121	121	\$53,110	\$69,796	\$86,481		NE
341	*	Customer Service Supervisor	120	120	\$50,581	\$66,472	\$82,363		NE
354		Lifeguard Supervisor	120	120	\$50,581	\$66,472	\$82,363		NE
334	*	Recreation Specialist	120	120	\$50,581	\$66,472	\$82,363		NE
337		Sr. Recreation Leader	118	118	\$45,878	\$60,292	\$74,706		NE
344		Customer Service Associate 3	118	118	\$45,878	\$60,292	\$74,706		NE
338	*	Recreation Leader	117	117	\$43,694	\$57,421	\$71,149		NE
355		Sr. Lifeguard	117	117	\$43,694	\$57,421	\$71,149		NE
342		Customer Service Associate 2	116	116	\$41,613	\$54,687	\$67,760		NE
356	*	Lifeguard	115	115	\$39,631	\$52,083	\$64,534		NE
343	*	Customer Service Associate 1	114	114	\$37,744	\$49,602	\$61,461		NE
358		Lifeguard Trainee	114	114	\$37,744	\$49,602	\$61,461		NE

Parks & Recreation Maintenance

371	*	Parks Superintendent	210	210	\$88,676	\$116,536	\$144,395		EX
379		Open Space Specialist	206	206	\$72,953	\$95,873	\$118,793		EX
365	*	GC/Ice Maintenance Superintendent	204	204	\$66,170	\$86,959	\$107,748		EX
372		Assistant Parks Superintendent	206	206	\$72,953	\$95,873	\$118,793		EX
366		GC/Ice Maintenance Asst Superintend	120	123	\$50,581	\$66,472	\$82,363	3	NE
367	*	GC Maintenance Mechanic	119	119	\$48,172	\$63,307	\$78,441		NE
357	*	Aquatics Maintenance Specialist	118	118	\$45,878	\$60,292	\$74,706		NE
375		Parks Maintenance Construction Specialist 3	121	121	\$53,110	\$69,796	\$86,481		NE
376	*	Parks Maintenance Construction Specialist 2	118	118	\$45,878	\$60,292	\$74,706		NE
377		Parks Maintenance Construction Specialist 1	116	116	\$41,613	\$54,687	\$67,760		NE

ATTACHMENT A

Los Alamos County  
FY25 Salary Plan Job Class Order

Effective August 27, 2024

Job Code	FY24 Benchmark Job	Occupational Job Families and Job Classes	PROPOSED					Change In Grade	Exempt/ Non-	
			Current Grade	New Grade	Minimum	Midpoint	Maximum			
asterix=benchmarked job, red=new change										
380	*	Arborist	121	121	\$53,110	\$69,796	\$86,481		NE	
378	*	Irrigation Specialist	118	118	\$45,878	\$60,292	\$74,706		NE	
373		Parks District Supervisor	126	126	\$67,783	\$89,079	\$110,375		NE	
<u>Social Services</u>										
391	*	Social Services Manager	209	209	\$84,453	\$110,986	\$137,519		EX	
393	*	Case Coordination Specialist	202	202	\$60,018	\$78,874	\$97,731		EX	
396		Health Care Specialist	119	119	\$48,172	\$63,307	\$78,441		NE	
<b>Public Safety Series</b>										
<u>Police Command</u>										
401		Deputy Police Chief	303	303	\$124,776	\$163,978	\$203,179		EX	
402	*	Police Commander	215	215	\$113,176	\$148,732	\$184,289		EX	
441		Emergency Services Commander	215	215	\$113,176	\$148,732	\$184,289		EX	
<u>Police Administration</u>										
409	*	Victim Assistant	118	118	\$45,878	\$60,292	\$74,706		NE	
443		Deputy Emergency Manager	210	210	\$88,676	\$116,536	\$144,395		EX	
444	*	Emergency Management Coordinator	207	207	\$76,601	\$100,668	\$124,734		EX	
442	*	Emergency Management Specialist	203	203	\$63,019	\$82,818	\$102,617		EX	
410		Unarchive Records Specialist 1		120	\$50,581	\$66,472	\$82,363		NE	
411		Unarchive Records Specialist 2		121	\$53,110	\$69,796	\$86,481		NE	
412	NEW	Records Specialist 3		122	\$55,765	\$73,285	\$90,806		NE	
<u>Emergency Communications</u>										
421	*	Emergency Communications Center Manager	212	212	\$97,765	\$128,480	\$159,195		EX	
423	*	Dipatch Shift Supervisor	126	126	\$67,783	\$89,079	\$110,375		NE	
422		Deputy Emergency Communications Center Mgr	208	208	\$80,431	\$105,701	\$130,970		EX	
423		Dipatch Shift Supervisor	126	126	\$67,783	\$89,079	\$110,375		NE	
426		Emergency Communications Specialist 3	124	124	\$61,481	\$80,797	\$100,113		NE	
424	*	Emergency Communications Specialist 2	122	122	\$55,765	\$73,285	\$90,806		NE	
425		Emergency Communications Specialist 1	120	120	\$50,581	\$66,472	\$82,363		NE	
<u>Detention</u>										
431	*	Detention Administrator	212	212	\$97,765	\$128,480	\$159,195		EX	
433		Detention Sergeant	128	128	\$74,731	\$98,210	\$121,688		NE	
434	*	Detention Corporal	124	124	\$61,481	\$80,797	\$100,113		NE	
435		Detention Officer	119	119	\$48,172	\$63,307	\$78,441		NE	
<u>Animal Control</u>										
445	*	Animal Shelter Manager	123	123	\$58,554	\$76,950	\$95,346		NE	
448		Sr. Animal Control Officer	119	119	\$48,172	\$63,307	\$78,441		NE	
449	*	Animal Control Officer	117	117	\$43,694	\$57,421	\$71,149		NE	
<u>Fire Command</u>										
461		Deputy Fire Chief	303	303	\$124,776	\$163,978	\$203,179		EX	
462	*	Fire Battalion Chief	215	215	\$113,176	\$148,732	\$184,289		EX	
<u>Fire Administration</u>										
485		Security/Administrative Services Mgr	212	212	\$97,765	\$128,480	\$159,195		EX	
480		Fire Technology Manager	211	211	\$93,110	\$122,363	\$151,615		EX	
484		Fire Technology Specialist	121	121	\$53,110	\$69,796	\$86,481		NE	
<b>Public Works Series</b>										
<u>Airpoprt</u>										
509	*	Airport Manager	209	210	\$88,676	\$116,536	\$144,395		EX	
510		Deputy Airport Manager	0	208	\$80,431	\$105,701	\$130,970		EX	
<u>Public Works Engineering</u>										
501		Deputy Public Works Director	303	303	\$124,776	\$163,978	\$203,179		EX	
505	*	County Engineer	215	215	\$113,176	\$148,732	\$184,289		EX	
506		County Surveyor	210	210	\$88,676	\$116,536	\$144,395		EX	
<u>Capital Projects</u>										
503	*	Capital Projects & Facilities Manager	213	213	\$102,653	\$134,904	\$167,155		EX	
511	*	Facilities Manager	209	209	\$84,453	\$110,986	\$137,519		EX	
512	*	Facilities Maintenance Superintendent	205	206	\$72,953	\$95,873	\$118,793		EX	
514		Construction Foreman	123	124	\$61,481	\$80,797	\$100,113		NE	
515	*	Sr. Construction Specialist	120	121	\$53,110	\$69,796	\$86,481		NE	
516		Construction Specialist	117	118	\$45,878	\$60,292	\$74,706		NE	
517		Mechanical & Plumbing Apprentice	118	119	\$48,172	\$63,307	\$78,441		NE	
518	*	Mechanical & Plumbing Journeyman	121	122	\$55,765	\$73,285	\$90,806		NE	
519		Mechanical & Plumbing Foreman	124	125	\$64,555	\$84,837	\$105,119		NE	

ATTACHMENT A



Los Alamos County  
FY25 Salary Plan Job Class Order

Effective August 27, 2024

Job Code	FY24 Benchmark Job	Occupational Job Families and Job Classes	PROPOSED					Change In Grade	Exempt/ Non-	
			Current Grade	New Grade	Minimum	Midpoint	Maximum			
asterix=benchmarked job, red=new change										
<b>Facilities Management</b>										
521	*	Facilities Services Manager	206	206	\$72,953	\$95,873	\$118,793		NE	
523		Lead Custodian	117	117	\$43,694	\$57,421	\$71,149		NE	
526	*	Custodian	114	114	\$37,744	\$49,602	\$61,461		NE	
527		Custodian Trainee	113	113	\$35,947	\$47,240	\$58,534		NE	
<b>Environmental Services</b>										
531	*	Environmental Services Manager	209	209	\$84,453	\$110,986	\$137,519		EX	
532		Environmental Services Superintendent	206	206	\$72,953	\$95,873	\$118,793		EX	
535	*	Administrative Scale Operator	118	118	\$45,878	\$60,292	\$74,706		NE	
539	*	Environmental Services Technician	114	114	\$37,744	\$49,602	\$61,461		NE	
538		Sr. Enviromental Services Technician	116	116	\$41,613	\$54,687	\$67,760		NE	
<b>Fleet</b>										
541	*	Fleet Manager	210	210	\$88,676	\$116,536	\$144,395		EX	
542		Fleet Supervisor	206	206	\$72,953	\$95,873	\$118,793		EX	
544	*	Fleet Shop Foreman	125	125	\$64,555	\$84,837	\$105,119		NE	
546		Fleet Mechanic 3	123	123	\$58,554	\$76,950	\$95,346		NE	
547		Fleet Mechanic 2	121	121	\$53,110	\$69,796	\$86,481		NE	
548	*	Fleet Mechanic 1	117	117	\$43,694	\$57,421	\$71,149		NE	
<b>Traffic &amp; Streets</b>										
571	*	Traffic & Streets Mgr/Traffic Engineer	213	213	\$102,653	\$134,904	\$167,155		EX	
572	*	Traffic Manager	208	208	\$80,431	\$105,701	\$130,970		EX	
574	*	Street Maintenance Superintendent	207	207	\$76,601	\$100,668	\$124,734		EX	
575		Asst Street Maintenance Superintend	126	126	\$67,783	\$89,079	\$110,375		NE	
577	*	Transportation Safety Specialist	123	123	\$58,554	\$76,950	\$95,346		NE	
586		Sign/Marking Tech 3	119	119	\$48,172	\$63,307	\$78,441		NE	
587		Sign/Marking Tech 2	117	117	\$43,694	\$57,421	\$71,149		NE	
588	*	Sign/Marking Tech 1	115	115	\$39,631	\$52,083	\$64,534		NE	
<b>Transit</b>										
551	*	Transit Manager	210	210	\$88,676	\$116,536	\$144,395		EX	
552	*	Transit Supervisor	207	207	\$76,601	\$100,668	\$124,734		EX	
561		Sr. Transit CS Rep/Dispatcher	121	123	\$58,554	\$76,950	\$95,346		NE	
562	*	Transit CS Rep/Dispatcher	119	121	\$53,110	\$69,796	\$86,481		NE	
555		Transit Operator Lead	121	123	\$58,554	\$76,950	\$95,346		NE	
556		Transit Operator 2	119	121	\$53,110	\$69,796	\$86,481		NE	
557	*	Transit Operator 1	117	119	\$48,172	\$63,307	\$78,441		NE	
558		Transit Operator Trainee	115	117	\$43,694	\$57,421	\$71,149		NE	
<b>Labor &amp; Equipment</b>										
922	*	Lead Equipment Operator	124	124	\$61,481	\$80,797	\$100,113		NE	
923		Sr. Equipment Operator	122	122	\$55,765	\$73,285	\$90,806		NE	
924	*	Equipment Operator	119	119	\$48,172	\$63,307	\$78,441		NE	
925		Equipment Operator Trainee	117	117	\$43,694	\$57,421	\$71,149		NE	
927	*	Laborer	114	114	\$37,744	\$49,602	\$61,461		NE	
929	*	Student (Casual)	810	810	\$13,041	\$15,758	\$19,266		EX	
<b>Engineering &amp; Projects</b>										
931	*	Sr. Engineer	214	214	\$107,786	\$141,650	\$175,513		EX	
932	*	Engineering Project Manager	212	212	\$97,765	\$128,480	\$159,195		EX	
507	*	Project Manager	210	210	\$88,676	\$116,536	\$144,395		EX	
508		Senior Project Manager	212	212	\$97,765	\$128,480	\$159,195		EX	
933	*	Engineering Associate	208	208	\$80,431	\$105,701	\$130,970		EX	
934		Engineering Assistant	204	204	\$66,170	\$86,959	\$107,748		EX	
937		Sr. Engineering Aide	122	122	\$55,765	\$73,285	\$90,806		NE	
938	*	Engineering Aide	120	120	\$50,581	\$66,472	\$82,363		NE	
939		Engineering Intern	115	115	\$39,631	\$52,083	\$64,534		NE	
<b>Utilities Series</b>										
<b>Utility Management</b>										
641	*	Deputy Utility Mgr - GWS	303	303	\$124,776	\$163,978	\$203,179		EX	
621	*	Deputy Utility Mgr - Power Supply	303	303	\$124,776	\$163,978	\$203,179		EX	
601	*	Deputy Utility Mgr - Finance and Admn	303	303	\$124,776	\$163,978	\$203,179		EX	
611		Deputy Utility Mgr - Engineering	303	303	\$124,776	\$163,978	\$203,179		EX	
631	*	Deputy Utility Mgr - Electrical	303	303	\$124,776	\$163,978	\$203,179		EX	
<b>Operations Support</b>										
603	*	Business Operations Manager	212	212	\$97,765	\$128,480	\$159,195		EX	
605		Water & Energy Conservation Coord	206	206	\$72,953	\$95,873	\$118,793		EX	
609	*	Data Analyst	124	124	\$61,481	\$80,797	\$100,113		NE	

ATTACHMENT A

Los Alamos County  
FY25 Salary Plan Job Class Order

Effective August 27, 2024

Job Code	FY24 Benchmark Job	Occupational Job Families and Job Classes	PROPOSED					Change In Grade	Exempt/ Non-	
			Current Grade	New Grade	Minimum	Midpoint	Maximum			
asterix=benchmarked job, red=new change										
612		SCADA Superintendent	212	212	\$97,765	\$128,480	\$159,195		EX	
608		Sr. Data Analyst	127	127	\$71,172	\$93,533	\$115,893		NE	
613	*	SCADA System Specialist	132	132	\$90,836	\$119,374	\$147,913		NE	
614		SCADA System Technician	130	130	\$82,391	\$108,276	\$134,161		NE	
615	*	GIS System Specialist	207	207	\$76,601	\$100,668	\$124,734		EX	
657	*	Meter Reader Supervisor	122	122	\$55,765	\$73,285	\$90,806		NE	
610	*	Billing & Customer Service Supervisor	122	122	\$55,765	\$73,285	\$90,806		NE	
606		Sr. Billing & Service Specialist	119	119	\$48,172	\$63,307	\$78,441		NE	
607	*	Billing & Service Specialist	117	117	\$43,694	\$57,421	\$71,149		NE	
<u>Electric Production</u>										
622	*	Power System Supervisor	214	214	\$107,786	\$141,650	\$175,513		EX	
626		H-E Plant Supervisor	214	214	\$107,786	\$141,650	\$175,513		EX	
623		Sr. Power System Operator	132	132	\$90,836	\$119,374	\$147,913		NE	
624	*	Power System Operator	130	130	\$82,391	\$108,276	\$134,161		NE	
627		Sr. H-E Maintenance Technician	130	130	\$82,391	\$108,276	\$134,161		NE	
628	*	H-E Maintenance Technician	127	127	\$71,172	\$93,533	\$115,893		NE	
625		Power System Operator Apprentice	122	122	\$55,765	\$73,285	\$90,806		NE	
629		H-E Maintenance Tech Apprentice	120	120	\$50,581	\$66,472	\$82,363		NE	
630		Electric Production Resource Coordinator	0	212	\$97,765	\$128,480	\$159,195		EX	
<u>Electric Distribution</u>										
632		Electrical Engineering Manager	214	214	\$107,786	\$141,650	\$175,513		EX	
633	*	Lineman Supervisor	131	131	\$86,510	\$113,690	\$140,869		NE	
<u>Gas, Water &amp; Sewer</u>										
642	*	GWS Superintendent	210	210	\$88,676	\$116,536	\$144,395		EX	
645		GWS Supervisor	126	126	\$65,157	\$85,628	\$106,099		NE	
<u>Wastewater</u>										
681	*	WWTP Superintendent	210	210	\$88,676	\$116,536	\$144,395		EX	
682	*	WWTP Supervisor	126	126	\$67,783	\$89,079	\$110,375		NE	
<u>Water Supply</u>										
661	*	Water Systems Superintendent	210	210	\$88,676	\$116,536	\$144,395		EX	
675	*	Water Systems Supervisor	126	126	\$67,783	\$89,079	\$110,375		NE	

ATTACHMENT A

**AMENDED**

**INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE 02-360**

**AN ORDINANCE OF THE INCORPORATED COUNTY OF LOS ALAMOS  
AMENDING ARTICLE VII OF CHAPTER 14, AFFORDABLE HOUSING**

**WHEREAS**, the Incorporated County of Los Alamos, New Mexico (“County”) is a home rule county possessing the full power of local self-government pursuant to Article X, Sections 5 and 6 of the New Mexico Constitution, NMSA 1978, Chapters 3, 4 and 5, and County’s Home Rule Charter; and

**WHEREAS**, the State Legislature, in Chapter 6, Article 27 NMSA 1978, Sections 1 through 9, “The Affordable Housing Act,” has granted counties or municipalities the power to provide housing assistance grants pursuant to Article 9, Section 14 of the constitution of New Mexico if the governing body enacts an ordinance authorizing such grants and stating the requirements and purposes of the grants; and

**WHEREAS**, County may donate, provide, or pay all or a portion of the costs of acquisitions, development, construction, financing, operating or owning affordable housing; and

**WHEREAS**, County has, through this Ordinance, adopted specific language authorizing County to provide housing assistance grants within the County pursuant to Chapter 14 of the Los Alamos County Code of Ordinances (“County Code”) and pursuant to the Affordable Housing Act; and

**WHEREAS**, to create a thriving and vibrant community, the County Council desires to provide more diverse housing options, particularly to low or moderate income households; and

**WHEREAS**, updated analysis of the County’s housing market indicates that the County continues to struggle to provide diverse affordable housing options to its residents and prospective residents under the current definition of “affordable” in Chapter 14 of the County Code; and

**WHEREAS**, on August 27, 2024, County Council of the Incorporated County of Los Alamos, New Mexico adopted an amended Affordable Housing Plan for the County that provides updated market analysis, as well as recommendations, and strategies that better reflect the character and needs of the housing market; and

**WHEREAS**, the County Council deems it to be in the best interest of the County, its residents and those who wish to be residents to amend Chapter 14 of the County Code to broaden the eligibility requirements and scope for affordable housing within the County to increase the current market supply and demand for affordable housing, and to update the means by which County can contribute and support the development of affordable housing.

[this section intentionally left blank]

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF THE COUNTY OF LOS ALAMOS, NEW MEXICO:**

**Section 1.** Article VII of Chapter 14 of the County Code of Ordinances is hereby amended as follows:

**DIVISION 1. GENERALLY**

**Sec. 14-251. Purpose; generally.**

There is hereby created a county affordable housing program which is to provide assistance to qualified recipients in acquiring, developing, managing, ~~or~~ improving, or otherwise providing affordable housing within the county and to:

- (a) Establish procedures to ensure that all housing assistance grantees are qualifying grantees as defined in this article and who meet the requirements of the Act ~~and the rules~~ both at the time of the award and throughout the term of any grant or loan under the program;
- (b) Establish an application and award timetable for state housing assistance grants or loans to permit the selection of the qualifying grantee(s) by the county;
- (c) Create an evaluation process to determine:
  - (1) The financial and management stability of an applicant;
  - (2) The demonstrated commitment of the applicant to the community;
  - (3) A cost-benefit analysis of the project proposed by the applicant including how the contribution will reduce the housing costs to persons of low or moderate income;
  - (4) The benefits to the community of a proposed project;
  - (5) The type or amount of assistance to be provided;
  - (6) The scope of an affordable housing project;
  - (7) Any substantive or matching contribution by the applicant to the proposed project;
  - (8) A performance schedule for the qualifying grantee with performance criteria; and
  - (9) Any other rules or procedures which the county believes are necessary for a full review and evaluation of an applicant and the application or which the MFA believes is necessary for a full review of the county's evaluation of the applicant.
- (d) Require long-term affordability of the county's affordable housing projects so that a project cannot be sold shortly after completion and taken out of the affordable housing market;
- (e) Require that a grant or loan for a project must impose a contractual obligation on the qualifying grantee that all of the affordable housing units in any project be occupied by persons of low or moderate income;
- (f) Provide for adequate security against the loss of public funds or property in the event that the qualifying grantee abandons or otherwise fails to complete a project;
- (g) Require review and approval of a housing grant project budget by the county and/or the MFA before any expenditure of grant funds or transfer of granted property;
- (h) Require that a condition of grant or loan approval be proof of compliance with all applicable State and local laws, rules and ordinances;

- (i) Provide definitions for "affordable" and "affordable housing" and for "low-income" and "moderate-income" setting out requirements for verification of income levels;
- (j) Provide the county with a mechanism for implementing a valid affordable housing program;
- (k) Establish a procedure and associated application for the purpose of waiving applicable county permit fees that are directly connected to projects that will result in the provision of affordable housing as defined under this chapter and article and the Affordable Housing Act, NMSA 1978, §§ 6-27-1 through 6-27-9, or as may be amended; and
- (l) Require that the county enter into a contract with the qualifying grantee consistent with the Act, which contract shall include remedies and default provisions in the event of unsatisfactory performance, and that subject the recipient of a contribution to the jurisdiction of the New Mexico courts to enforce compliance with the Act, the rules, and any agreement(s) between the recipient and the county.
- (m) Require that all housing programs and assistance are in compliance with the Act and the rules, as amended, and require compliance with the Act and the rules in the provision of all contributions and by the recipients of contributions.

#### **Sec. 14-252. Definitions.**

The following words, terms, and definitions shall have the following meanings with this article and division where applicable or otherwise specified:

- (a) *Act* or *AHA* shall mean the Affordable Housing Act, NMSA 1978, §§ 6-27-1 through 6-27-9, or as may be amended from time to time.
- (b) *Affordable* shall mean consistent with minimum rent and/or income limitations set forth in the Act and in guidelines established by MFA.
- (c) *Affordable housing* means residential housing primarily for persons or households of low or moderate income. ~~with incomes 80 percent per cent of the county median family income, adjusted for family size, as calculated annually by HUD.~~
- (d) *Affordable housing funds* shall mean any or all funds awarded or to be awarded, loaned or otherwise distributed under the Act.
- (e) *Affordable housing plan* or *plan* shall mean a plan pursuant to an affordable housing program that contemplates one or more affordable housing projects, which may be developed in one or more phases.
- (f) *Affordable housing program* or *program* shall mean any programs the county and/or the MFA establish pursuant to the Act.
- (g) *Affordable housing project* or *project* shall mean any work or undertaking, whether demolition or site preparation, new construction, acquisition of existing residential housing, remodeling, improvement, rehabilitation or conversion and resale, land donation, homeowner down payment or closing cost assistance, which may be undertaken in one or more phases, as part of an affordable housing plan, as approved by the county and/or the MFA for the primary purposes as allowed by the Act.
- (h) *Affordable housing provider* shall mean an individual or entity that satisfies the requirements of a qualifying grantee and has been approved by the county and/or the MFA to participate in an affordable housing program.
- (h) ~~*Affordability period* shall mean that amount of time represented by the term of a mortgage or other legal document during which only a qualified recipient or builder may~~

~~hold title to or lease of real property for the development of which the county has provided affordable housing assistance in the form of an award, loan, donation, or otherwise conveyed form. The affordability period shall increase incrementally with the fair market value amount of county assistance provided. For the purposes of this chapter and article, affordability period, unless otherwise provided, shall be:~~

- ~~(1) From \$1.00 to \$14,999.99, then the affordability period shall be not less than five years.~~
- ~~(2) From \$15,000.00 up to and including \$40,000.00, then the affordability period shall be not less than ten years.~~
- ~~(3) From \$40,000.00 up to and including \$100,000.00, then the affordability period shall be not less than 15 years.~~
- ~~(4) Greater than \$100,000.00, then the affordability period shall be not less than 20 years.~~

(i) Affordability period means that amount of time represented by the term of a mortgage during which only a qualified recipient or builder may hold title to or lease of real property conveyed by the county under authority of this chapter and article and shall not be less than the following time periods:

- (1) With a donation or discount from \$1.00 to \$14,999.99, then the affordability period shall be five years;
- (2) With a donation or discount from \$15,000.00 up to and including \$40,000.00, then the affordability period shall be ten years;
- (3) With a donation or discount from \$40,001.00 up to and including \$100,000.00, then the affordability period shall be 15 years;
- (4) With a donation or discount from \$100,001.00 up to and including \$200,000.00, then the affordability period shall be 20 years;
- (5) With a donation or discount from \$200,001.00 up to and including \$300,000.00, then the affordability period shall be 25 years; and
- (6) With a donation or discount greater than \$300,001.00, then the affordability period shall be 30 years.

~~(j)~~ (i) Applicant shall mean, subject to further qualifications, an individual, a governmental housing agency, regional housing authority, a for-profit venture, syndicate, or association or a nonprofit organization meeting the appropriate criteria of the county and/or the MFA.

~~(j)~~ (k) Application shall mean an application to participate in one or more affordable housing programs under the Act submitted by an applicant to the county.

~~(k)~~ (l) Builder shall mean an individual or entity licensed as a general contractor to construct residential housing in the State that satisfies the requirements of a qualifying grantee and has been approved by the county and/or the MFA to participate in an affordable housing program. The term builder shall also include an individual or entity that satisfies the requirements of a qualifying grantee and has been approved by the county and/or the MFA to participate in an affordable housing program, who is not licensed as a general contractor in the State, provided such individual or entity contracts with a general contractor licensed in the State to construct residential housing.



- (h)(m) *Building* shall mean a structure capable of being renovated or converted into affordable housing or a structure that is to be demolished and is located on land donated for use in connection with an affordable housing project.
- (m)(n) *County permit fee waiver* shall mean the approval to waive certain county building, planning and utility permit fees when associated with an eligible affordable housing activity. Waivers shall be granted only after the project has been deemed eligible by application and can be documented as part of an approved county affordable housing program or a housing project meeting the definition of affordable housing. Individual homeowners can apply to the county for the waiver or proof of eligibility can also be determined through verification of income provided by an acceptable third party documentation, ~~including but not limited to income verification provided by Habitat for Humanity, the Los Alamos Housing Partnership, or other~~ or affordable housing providers that meets the criteria as an eligible entity under AHA rules.
- (n)(o) *County* shall mean the Incorporated County of Los Alamos, New Mexico., ~~a New Mexico municipal corporation.~~
- (o)(p) *Congregate housing facility* shall mean residential housing designed for occupancy by more than four persons of low or moderate income living independently of each other. The facility may contain group dining, recreational, health care or other communal living facilities and each unit in a congregate housing facility shall contain at least its own living, sleeping, and bathing facilities.
- (p)(q) *Contribution* shall mean any provision of assistance for affordable housing, including and Affordable Housing Grant or affordable housing funds, made by a state, county, municipality or the MFA.
- (r) *Discount* is that amount of money equal to the difference between the fair market value of the property and the cash received by the county at the time of sale of the property, which difference is represented by the promissory note payable to the county by a builder or qualified recipient and which difference is intended to be forgiven by the county at the end of the affordability period in accordance with this chapter and article and the program rules and regulations in order to assist low or moderate income qualified recipients in obtaining affordable housing in the county.
- (s) *Donation* is that amount of money equal to the fair market value of the property as represented by the promissory note payable to the county by the builder or qualified recipient and which is intended to be forgiven by the county at the end of the affordability period in accordance this chapter and article and the program rules and regulations in order to assist qualified recipients of below 120 percent area median income as defined by HUD obtaining affordable housing in the county.
- (q)(t) *Federal government* shall mean the United States of America and any agency or instrumentality, corporate or otherwise, of the United States of America.
- (r)(u) *"Household"* shall mean one or more persons occupying a housing unit.
- (s)(v) *Housing assistance grant* means the donation by the county of land for construction of affordable housing; an existing Building for conversion or renovation as affordable housing; the costs of acquisition, development, construction, financing and operating or owning affordable housing, infrastructure or the costs of infrastructure necessary to support affordable housing or interest rate write downs for affordable housing rehabilitation loans; the waiving of applicable building permit fees for housing development or rehabilitation activities that are determined by the county to low or

moderate income homeowners or renters upon submission and approval of a county-administered application.

~~(t)~~(w) *HUD* shall mean the United States Department of Housing and Urban Development.

~~(u)~~ *Infrastructure* shall mean infrastructure improvements and infrastructure purposes.

~~(v)~~(x) *Infrastructure improvement* includes, but is not limited to:

- (1) Sanitary sewage systems, including collection, transport, storage, treatment, dispersal, effluent use and discharge;
- (2) Drainage and flood control systems, including collection, transport, diversion, storage, detention, retention, dispersal, use and discharge;
- (3) Water systems for domestic purposes, including production, collection, storage, treatment, transport, delivery, connection and dispersal;
- (4) Areas for motor vehicle use for road access, ingress, egress and parking;
- (5) Trails and areas for pedestrian, equestrian, bicycle or other non-motor vehicle use for access, ingress, egress and parking;
- (6) Parks, recreational facilities and open space areas for the use of residents for entertainment, assembly and recreation;
- (7) Landscaping, including earthworks, structures, plants, trees and related water delivery systems;
- (8) Electrical transmission and distribution facilities;
- (9) Natural gas distribution facilities;
- (10) Lighting systems;
- (11) Cable, internet or other telecommunications ~~lines~~ and related equipment;
- (12) Traffic control systems and devices, including signals, controls, markings and signs;
- (13) Inspection, construction management and related costs in connection with the furnishing of the items listed in this subsection; ~~or~~
- (14) Heating, air conditioning and weatherization facilities, systems or services, and energy efficiency improvements that are affixed to real property.

~~(w)~~(y) *Infrastructure purpose* shall mean:

- (1) Planning, design, engineering, construction, acquisition or installation of infrastructure, including the costs of applications, impact fees and other fees, permits and approvals related to construction, acquisition or installation of the infrastructure, provided the county may determine it appropriate to reduce or waive building and planning permit fees, sewer, water, electric and gas hookup fees and other fees with respect to an affordable housing project for which affordable housing funds and/or housing assistance grants are awarded, loaned, donated or otherwise distributed under the Act and the county's approved affordable housing plan;
- (2) Acquiring, converting, renovating or improving existing facilities for infrastructure, including facilities owned, leased or installed by the ~~owner~~ qualified grantee.



- (3) Acquiring interests in real property or water rights for infrastructure, including interests of the ~~owner~~ qualified grantee; or
- (4) Incurring expenses incident to and reasonably necessary to carry out the purposes specified in this subsection.
- ~~(x)~~(z) *Low income household* means a household earning less than 80 percent of the county's area median income, as calculated by the United States Department of Housing and Urban Development or the actual AMI for Los Alamos County.
- ~~(y)~~(aa) *MFA* shall mean the New Mexico Mortgage Finance Authority.
- ~~(z)~~(bb) *MFA Act* shall mean the Affordable Housing Act, Affordable Housing Act, NMSA 1978, §§ 6-27-1 through 6-27-9, and as may be amended.
- ~~(aa)~~(cc) *Moderate income household* means a household earning between 80 and 120 percent of the county's Area Median Income, as calculated by the United States Department of Housing and Urban Development or the actual AMI for Los Alamos County.
- ~~(bb)~~(dd) *Mortgage* shall mean a mortgage, mortgage deed, deed of trust or other instrument creating a lien, subject only to title exceptions as may be acceptable to the county and/or MFA on a fee interest in real property located within the State or on a leasehold interest that has a remaining term at the time of computation that exceeds or is renewable at the option of the lessee until after the maturity day of the mortgage loan.
- ~~(cc)~~(ee) *Mortgage lender* shall mean any bank or trust company, mortgage company, mortgage banker, national banking association, savings bank, savings and loan association, credit union, building and loan association and any other lending institution; provided that the mortgage lender maintains an office in the State, is authorized to make mortgage loans in the State and is approved by the county and/or the MFA and either the Federal Housing Authority, Veterans' Affairs, Federal National Mortgage Association (now known as Fannie Mae), or Federal Home Loan Mortgage Corporation.
- ~~(dd)~~(ff) *Mortgage loan* shall mean a financial obligation secured by a mortgage, including a mortgage loan for a project.
- ~~(ee)~~(gg) *Multiple family housing project* shall mean residential housing that is designed for occupancy by more than four persons or families living independently of each other or living in a congregate housing facility, at least 60 percent of whom are persons of low or moderate income, including without limitation persons of low or moderate income who are elderly and handicapped as determined by the county and/or MFA, provided that the percentage of low or moderate -income persons and families shall be at least the minimum, if any, required by Federal tax law.
- ~~(ff)~~(hh) *Multi-family housing program* shall mean a program involving a congregate housing facility, a multiple family housing project or a transitional housing facility.
- ~~(gg)~~(ii) *Persons of low income* shall mean persons and families within the State who earn ~~less than~~ 80 percent or less of the county area median income, as calculated by the United States Department of Housing and Urban Development or the actual AMI for Los Alamos County.
- ~~(hh)~~(jj) *Persons of moderate income* shall mean person and families within the State who earn between 80 and 120 percent of the county area median income, as calculated by the United States Department of Housing and Urban Development or the actual AMI for Los Alamos County.

- ~~(hh)~~(kk) *Policies and procedures* shall mean policies and procedures of the MFA, including but not limited to, mortgage loan purchasing, selling, servicing and reservation procedures, which the MFA may update and revise from time to time as the MFA deems appropriate.
- ~~(ii)~~(ll) *Public service agencies* shall include, but are not limited to, any entities that support affordable housing and which believe that the program or project proposed by the applicant is worthy and advisable, but which are not involved, either directly or indirectly, in the affordable housing program or project for which the applicant is applying.
- ~~(jj)~~(mm) *Qualifying grantee* means an individual who is qualified to receive assistance pursuant to the Act and is approved by the county and/or the MFA; or a governmental housing agency, regional housing authority, corporation, a limited liability company, partnership, joint venture, syndicate, association or a nonprofit organization that is organized under State or local laws and can provide proof of such organization; if a non-profit organization, has no part of its net earnings inuring to the benefit of any member, founder, contributor, or individual; and is approved by the county and/or the MFA.
- ~~(nn)~~ *Qualifying recipient* means a person or persons of low or moderate or very low income who is qualified to receive a deferred payment homebuyer assistance loan from the county pursuant to the Act, MFA Rules, this Code Ordinance, and is approved by the county and/or the MFA or designated party as a qualifying recipient.
- ~~(kk)~~(oo) *Recertification* shall mean the recertification of applicants and/or qualifying grantees participating in any affordable housing programs or in any programs under the Act as determined necessary from time to time by the county and/or MFA.
- ~~(ll)~~(pp) *Rehabilitation* shall mean the substantial renovation, demolition or reconstruction of an existing single-family residence or a multi-family housing project, which complies with requirements established by county and/or the MFA. Rehabilitation shall not include routine or ordinary repairs, improvements or maintenance, such as interior decorating, remodeling or exterior painting, except in conjunction with other substantial renovation or reconstruction.
- ~~(mm)~~(qq) *Residential housing* shall mean any building, structure or portion thereof that is primarily occupied, or designed or intended primarily for occupancy, as a residence by one or more households and any real property that is offered for sale or lease for the construction or location thereon of such a building, structure or portion thereof. "Residential housing" includes congregate housing, manufactured homes and housing intended to provide or providing transitional or temporary housing for homeless persons.
- ~~(nn)~~(rr) *Residential use* shall mean that the structure or the portion of the structure to benefit from the affordable housing funds or housing assistance grant, is designed primarily for use as the principal residence of the occupant or occupants and shall exclude vacation or recreational homes.
- ~~(oo)~~(ss) *RFP* shall mean any request for proposal made by the county.
- ~~(pp)~~(tt) *Rules* shall mean the rules issued pursuant to NMSA 1978, §§ 58-18-1 through 58-18-27 (the "Mortgage Finance Authority Act") and pursuant to the Affordable Housing Act, NMSA 1978, §§ 6-27-1 through 6-27-9 (the "Act").
- ~~(qq)~~(uu) *State* shall mean the State of New Mexico.

~~(rr)~~(vv) *Transitional housing facility* shall mean residential housing that is designed for temporary or transitional occupancy by persons of low or moderate income or special needs.

**Sec. 14-253. Program solicitations, applications, review criteria, and awards.**

With the exception of housing assistance grants involving funding from the State which shall be governed as specified below, the following requirements shall apply to all housing assistance grants and/or affordable housing funds awarded, loaned, or otherwise distributed by the county under the Act and ~~the~~ any applicable county programs to a qualifying grantee:

- (a) *Request for proposals.* The county, in its discretion, may issue one or more RFPs to solicit applications from applicants or may otherwise identify a qualifying grantee for the use of any affordable housing funds or housing assistance grants to be awarded, loaned, donated, or otherwise distributed under the Act.
- (b) *Applicant eligibility.* The following applicants are eligible under the Act to apply for affordable housing funds or a housing assistance grant to provide housing or related services to persons of low or moderate income in the community:
  - (1) All individuals who are qualified to receive assistance pursuant to the Act, the rules, and this chapter and article that are approved by the county and/or the MFA;
  - (2) All regional housing authorities and any governmental housing agencies;
  - (3) All for-profit organizations, including any corporation, limited liability company, partnership, joint venture, syndicate or association;
  - (4) All non-profit organizations meeting the following requirements:
    - a. A primary mission of the nonprofit organization must be to provide housing or housing-related services to persons of low or moderate income;
    - b. The non-profit organization must have received its 501(c)(3) designation prior to submitting an application; and
    - c. Have no part of its net earnings inuring to the benefit of any member, founder, contributor, or individual other than a person of low or moderate income.
  - (5) All non-individual applicants must:
    - a. Be organized under State or local laws and provide proof of such organization, be authorized to conduct business in New Mexico and be approved by the county and/or the MFA, including but not limited to having a current county business registration;
    - b. Have a functioning accounting system that is operated in accordance with generally accepted accounting principles or that has designated, and
    - c. Contracted with an entity that will maintain such an accounting system consistent with generally accepted accounting principles;
    - d. Have among its purposes significant activities related to providing housing or services to persons or households of low or moderate income; and
    - e. Have no significant outstanding or unresolved monitoring findings from the county, the MFA, or its most recent independent financial audit, or if it has any such findings, it has a letter certifying from the county, the MFA, or auditor stating that the findings are in the process of being resolved.

(c) *Applications.*

- (1) Applications. Applicants wishing to apply for a housing assistance grant including the use of any affordable housing funds, or to participate in any affordable housing program are required to submit to the county the following (as applicable):
- a. One original application, together with all required schedules, documents, or such other information which may be required by the county or in any RFP which may have been issued by the county, must be included in the completed application;
  - b. A proposal describing the nature and scope of the affordable housing project proposed by the applicant and for which the applicant is applying for funds or a grant under the Act, and which describes the type and/or amount of assistance which the applicant proposes to provide to persons of low or moderate income. For proposed affordable housing projects to include land donation from the county, the applicant must indicate that all the housing units will be for households ~~below 60-AMI~~ of low or moderate income as defined by HUD;
  - c. Executive summary and project narrative(s) that address the evaluation criteria set forth in any RFP issued by the county for the affordable housing funds or the housing assistance grant for which the applicant is applying;
  - d. A proposed budget for the affordable housing project for which the applicant is applying for affordable housing funds or for a housing assistance grant;
  - e. Current independent financial audit;
  - f. If the applicant is a non-profit organization:
    1. Proof of current IRS tax status such as 501(c)(3) status;
    2. Documentation that confirms that no part of applicants' net earnings inures to the benefit of any member, founder, contributor or individual;
  - g. If an applicant is a legal entity, including a non-profit organization:
    1. A current annual budget for the applicant, including all sources and uses of funds not just those related to relevant programs and/or a current annual budget only for the program for which the applicant is applying for a housing assistance grant, or as otherwise may be required by the county and/or the MFA in its discretion;
    2. An approved mission statement that the applicant has among its purposes significant activities related to providing housing or housing-related services to persons or households of low or moderate income;
    3. A list of members of the applicant's current board of directors or other governing body, including designated homeless participation, where required by the county;
    4. Evidence (or a certification as may be allowed by the county) that the applicant has a functioning accounting system that is operated in accordance with generally accepted accounting principles, or has a valid contract with a designated entity that will maintain such an

accounting system consistent with generally accepted accounting principles;

5. Evidence that the applicant has no significant outstanding or unresolved monitoring findings from the county, the MFA, or its most recent independent financial audit; or if it has any significant outstanding or unresolved monitoring findings from the county, the MFA, or its most recent independent financial audit, it has a certified letter from the county, the MFA, or the auditor stating that the findings are in the process of being resolved;
  6. An organizational chart, including job titles and qualifications for the applicant's employees or as otherwise may be required by the county and/or the MFA in its discretion. Job descriptions may be submitted as appropriate; and
  7. Documentation that the applicant is duly organized under State or local law and certification that the applicant is in good standing with any State authorities, including the New Mexico Public Regulation Commission and/or the Secretary of State.
- h. Information as may be required by the county and/or the MFA in order for it to determine the financial and management stability of the applicant;
  - i. Information as may be required by the county and/or the MFA in order for it to determine the demonstrated commitment of the applicant to the community;
  - j. A completed cost-benefit analysis of the affordable housing project proposed by the applicant. Any cost-benefit analysis must include documentation that clearly evidences that there is or will be a direct benefit from the project proposed by the applicant to the community and/or to the purported beneficiaries of the project, consistent with the provisions of the Act;
  - k. Adequate information, as required by the county, regarding applicant's proposed affordable housing project. The information provided must clearly evidence the need for the subsidy, that the value of the housing assistance grant reduces the housing costs to persons of affordable housing rules checklist low or moderate income, and that there is or will be a direct benefit from the project proposed by the applicant to the community and/or to the purported beneficiaries of the project, consistent with the provisions of the Act;
  - l. Information supporting the benefits to the community of the affordable housing project proposed by the applicant;
  - m. If applicable, proof of substantive or matching funds or contributions and/or in-kind donations to the proposed affordable housing project in connection with the application for funds under the Act. Nothing contained herein shall prevent or preclude an applicant from matching or using local, private, or Federal funds in connection with a specific housing assistance grant or a grant of affordable housing funds under the Act;
  - n. Any certifications or other proof which the county may require in order for the county to confirm that the applicant is in compliance with all applicable Federal, State and local laws, rules and ordinances;

- o. A verification signed by the applicant before a notary public that the information provided, upon penalty of perjury, is true and correct to the best of the applicant's information, knowledge, and belief;
  - p. Certifications as may be required by the county and signed by chief executive officer, board president, or other authorized official of the applicant; ~~provided that the county at its discretion may waive any of the foregoing requirements if not deemed applicable.~~
  - q. ~~Applicant shall submit adequate information, as required by the county and/or MFA, of the Affordable Housing Project proposed by the Applicant. The information provided must clearly evidence the need for the subsidy, that the value of the housing assistance grant reduces the housing costs to Person of Low- or Moderate-income, and that there will be a direct benefit from the project proposed by the Applicant to the community and/or to the purported beneficiaries of the project, consistent with the provision of the Act.~~
- (2) Additional requirements for multi-family housing projects. For applicants who are submitting applications in connection with a multi-family housing program, the applicant must also submit to the county the following additional information:
  - a. A verified certificate that, among other things:
    - 1. Identifies every multi-family housing program, including every assisted or insured project of HUD, Rural Housing Services (RHS), FHA and any other state or local government housing finance agency in which such applicant or its principals has been or is a principal;
    - 2. Except as shown on such certificate, states that:
      - i. No mortgage on a project listed on such certificate has ever been in default, assigned to the Federal Government or foreclosed, nor has any mortgage relief by the mortgagee been given;
      - ii. There has not been a suspension or termination of payments under any HUD assistance contract in which the applicant has had a legal or beneficial interest;
      - iii. Such applicant has not been suspended, debarred or otherwise restricted by any department or agency of the Federal Government or any state government from doing business with such department or agency because of misconduct or alleged misconduct; and
      - iv. The applicant has not defaulted on an obligation covered by a surety or performance bond.
  - If such applicant cannot certify to each of the above, such applicant shall submit a signed statement to explain the facts and circumstances that such applicant believes will explain the lack of certification. The county or MFA may then determine if such applicant is or is not qualified.
  - b. The experience of the applicant in developing, financing and managing multi-family housing projects; and



- c. Whether the applicant has been found by the United States Equal Employment Opportunity Commission or the New Mexico Human Rights Commission to be in non-compliance with any applicable civil rights laws.
- (3) Additional requirements for mortgage lenders. If the applicant is a mortgage lender, the county shall consider, among other things:
  - a. The financial condition of the applicant;
  - b. The terms and conditions of any loans to be made;
  - c. The aggregate principal balances of any loans to be made to each applicant compared with the aggregate principal balances of the loans to be made to all other applicants;
  - d. The county's or MFA's assessment of the ability of the applicant or its designated service to act as originator and servicer of mortgage loans for any multi-family housing programs or other programs to be financed; and
  - e. Previous participation by the applicant in the MFA's programs and HUD, Federal housing authority, or rural housing service programs.
- (4) Submission procedure.
  - a. *Time, place and method of submission delivery.*
    - 1. If the county has issued an RFP, all applications must be received by the county no later than the deadline set forth in the RFP; otherwise, all applications must be received by the county by the deadline the county has established in connection with the respective award or grant. The county shall be allowed not less than 45 days in which to review any such applications or otherwise determine or confirm that an applicant is a qualifying grantee under the Act and consistent with the rules.
    - 2. Applications shall be submitted by applicants to the county in the form required by the county and shall contain all information which is required by this chapter, article, and division and any RFP which may have been issued.
  - b. *Additional factors.* The application procedures shall take into consideration:
    - 1. Timely completion and submission to the county of an application or other appropriate response to any solicitation by the county;
    - 2. Timely submission of all other information and documentation related to the program required by the county as set forth in this chapter and article or as set forth in the rules;
    - 3. Timely payment of any fees required to be paid to the county at the time of submission of the application; and
    - 4. Compliance with program eligibility requirements as set forth in the Act, the rules, and this article.
  - c. Submission format.
    - 1. County forms must be used when provided and no substitutions will be accepted; however, attachments may be provided as necessary.

2. An applicant's failure to provide or complete any element of an application, including all requirements of the county or as may be listed on any RFP may result in the rejection of the application prior to review.
  3. Illegible information, information inconsistent with other information provided in the application, and/or incomplete forms will be treated as missing information and evaluated accordingly.
  4. The county reserves the right to request further information from any applicant so long as the request is done fairly and does not provide any applicant an undue advantage over another applicant.
  5. The county, in its discretion, may cancel any RFP or reject any or all proposals in whole or part submitted by any applicant.
  6. The county shall not be responsible for any expenses incurred by an applicant in preparing and submitting an application. However, the county and/or the MFA may establish and collect fees from applicants who file applications. Notice that fees will be charged and the amount of any such fees shall be included by the county and/or the MFA in any RFP or otherwise shall be advertised as part of the application solicitation process.
- (5) Review by the county. On receipt of an application, the county shall:
- a. Determine whether the application submitted by the applicant is complete and responsive;
  - b. Determine whether the applicant is a qualifying grantee as defined in this article and in the Act;
  - c. Review and analyze whether the applicant has shown a demonstrated need for activities to promote and provide affordable housing and related services to persons of low or moderate income;
  - d. Determine whether the applicant has demonstrated experience related to providing housing or services to persons of low or moderate income, as well as experience and/or the capacity to administer the affordable housing program or project for which the applicant has applied;
  - e. Determine whether the applicant's proposal provides a plan for coordinating with other service providers in the community; whether the applicant's plan addresses how persons of low or moderate income in need of housing and/or housing related supportive services can receive supportive services and referrals to Federal, State and local resources; and, whether the applicant's plan addresses outreach efforts to reach the population to be served as identified by the county in any RFP or otherwise;
  - f. Determine whether the applicant has support from public service agencies, or such other support as may be required by the county and/or the MFA in its discretion, for its proposed services in the community;
  - g. Ascertain the amount of any matching funds or in-kind services specific to the program that may be utilized by the applicant in connection with the program;



- h. Ascertain whether any local, private, or Federal funds will be used by the applicant in connection with the specific grant for which the applicant is applying;
  - i. Ascertain whether the applicant has and can demonstrate the capability to manage the implementation of the program for which the applicant is applying;
  - j. If applicant is a prior recipient of either a housing assistance grant, affordable housing funds and/or other program funds, confirm that the applicant had no outstanding findings or matters of non-compliance with program requirements from the county or the MFA, as applicable or if it has any such findings, it has a certified letter from the county, the MFA, or auditor stating that the findings are in the process of being resolved;
  - k. If applicant is a prior recipient of either a housing assistance grant, affordable housing funds and/or other program funds, confirm that the applicant reasonably committed and expended the funds under the prior program and/or met anticipated production levels as set forth in any contract with the county or the MFA, as applicable, for those prior program funds;
  - l. Evaluate the applicant's proposal in part based upon the applicant's current financial audit;
  - m. Evaluate the applicant's proposed budget for the project for which the applicant is applying for affordable housing funds or a housing assistance grant, which proposed budget must be approved by the county and/or the MFA before applicant can be approved as a qualifying grantee and any expenditure of grant funds under the Act or granted property is transferred to the applicant;
  - n. On receipt of an application from a builder, the county will analyze the builder's ability to construct and sell sufficient residential housing units to persons of low or moderate income within the time or times as may be required by the county; and
  - o. Consider other factors it deems appropriate to ensure a reasonable geographic allocation for all affordable housing programs.
- (6) Certification by the county to the MFA. The county shall certify an Application to the MFA in writing upon:
- a. Completion of its review of the Application;
  - b. Determination that the Application is complete;
  - c. Determination that the requirement of the Act, the Rules and this Ordinance have been satisfied; and
  - d. Determination that the Applicant is a Qualifying Grantee.
- (7) Review by the MFA. The MFA upon its receipt of the certification from the county may, in its discretion, review the Application and any of the materials submitted by the Applicant to the county. The MFA may also request any additional information from the Applicant, which it may require in order to determine whether the Applicant is a Qualifying Grantee under the Act and the Application is complete. The MFA will notify the county of its determination of whether or not the Application is complete and that the requirements of the Act and the Rules have been satisfied

and the Applicant is a Qualifying Grantee. Unless the period is extended for good cause shown, the MFA shall act on an Application within forty-five (45) days of its receipt of any Application, which the MFA deems to be complete, and, if not acted upon, the Application shall be deemed to be Approved.

- (8) Notification of acceptance. The county, upon completion of its review of the application and an evaluation of the criteria for approval of the application as set forth in this chapter or article and in any RFP issued by the county and upon its determination that the applicant is a qualifying grantee, by written notice shall notify each applicant which has submitted an application of the approval or disapproval of its application. Upon approval of its application, the applicant shall be considered approved to participate in the affordable housing program. The county's and/or the MFA's determination of any application shall be conclusive.
- (9) The county may permit pre-qualification of applicants as qualifying grantees, as follows:
- a. The county may review information submitted by eligible applicant and certify in writing that applicant is a Potential qualifying grantee (PQG);
  - b. The county must then provide copy of certification to MFA, upon its request;
  - c. The county's certification shall be valid for up to one year, subject to the ability of PQG to certify in writing at time of application or response to RFP that there have been no material changes in any of the information or documentation provided by, or representations made by PQG to the county and upon which the county based its decision to certify the applicant as a PQG; and
  - d. Notwithstanding the foregoing, certification as PQG does not mean that the PQG will be chosen by the county as a qualifying grantee, or that MFA will determine that PQG is a qualifying grantee, or that any application submitted by PQG is complete or otherwise in compliance with the Act or rules, or that PQG will be awarded any affordable housing funds or housing assistance grants.
- (d) *Additional requirements.* Upon acceptance, the following additional requirements shall apply to any applicant, who is a qualifying grantee:
- (1) Contracted requirements. The qualifying grantee shall enter into one or more contracts with the county, which contract(s) shall be consistent with the Act and subject to the review of the MFA, in its discretion, and which contract(s) shall include remedies and default provisions in the event of the unsatisfactory performance by the qualifying grantee.
  - (2) Security provisions; collateral requirements. In accordance with the Act, the rules and this chapter and article, the county shall require the qualifying grantee to execute documents, which will provide adequate security against the loss of public funds or property in the event the qualifying grantee abandons or fails to complete the affordable housing project, and which shall further provide, as may be permitted by law, for the recovery of any attorney's fees and costs which the county and/or the MFA may incur in enforcing the provisions of this article, the rules, the Act and/or any agreement entered into by the county and the qualifying grantee, and which documents may include, but are not limited to the following: note, mortgage, loan agreement, land use restriction agreement, restrictive covenant agreements and/or any other agreement which the county may require in order to

allow for any funds which the qualifying grantee may receive under a housing assistance grant or affordable housing funds to be adequately secured and to allow the county and the MFA to ensure that such funds shall be utilized by the qualifying grantee in accordance with the Act, the rules and this chapter and article.

- (3) Performance schedule and criteria. The qualifying grantee shall be required in the contract to abide by a reasonable performance schedule and performance criteria that the county, in its discretion, may establish.
- (4) Examination of books and records. The qualifying grantee shall submit to and the county shall cause to be made such examinations of the books and records of each qualifying grantee as the county and/or the MFA deems necessary or appropriate to determine the qualifying grantee's compliance with the terms of the Act, the rules, this chapter and article and any contracts between the qualifying grantee and the county. The county and/or the MFA may require each qualifying grantee to pay the costs of any such examination.
- (5) Infrastructure cost reimbursement contracts.
  - a. Cost reimbursements. Payment to a qualifying grantee under cost reimbursable contract provisions shall be made upon the county's receipt from the qualifying grantee of certified and documented invoices for actual expenditures allowable under the terms of any agreement between the qualifying grantee and the county.
  - b. Cost reimbursements for units of service. Payment under any unit cost contract provisions shall be made upon the county's receipt from the qualifying grantee of a certified and documented invoice showing the number of units of service provided during the billing period.
  - c. Rate at which costs incurred. Under unit cost or cost reimbursable contracts, it is anticipated that costs will be incurred by the qualifying grantee at an approximate level rate during the term of any agreement between the qualifying grantee and the county. If the county determines that the qualifying grantee is underspending or overspending, then the county may reduce the budget and/or exercise such other budgetary fiscal controls it deems appropriate.
  - d. Invoices. qualifying grantees shall not submit invoices more than once a month, unless written approval is obtained in advance from the county. Failure to submit invoices within 20 days of the close of the month for which payment is sought may result in the non-availability of funds for reimbursement.
  - e. No dual application of costs. The qualifying grantee shall certify that any direct or indirect costs claimed by the qualifying guarantee will not be allocable to or included as a cost of any other program, project, contract, or activity operated by the qualifying grantee and which has not been approved by the county and/or the MFA in advance, in writing.
  - f. Prohibition of substitution of funds. Any affordable housing funds or other amounts received by qualifying grantee may not be used by qualifying grantee to replace other amounts made available or designated by the State or local governments through appropriations for use for the purposes of the Act.
  - g. Cost allocation. The qualifying grantee shall clearly identify and distribute all costs incurred pertaining to the affordable housing project by a methodology

and cost allocation plan at times and in a manner prescribed by, or acceptable to the county.

- (6) Additional information. Qualifying grantees shall provide the county with any and all information which the county reasonably may require in order for it to confirm that the qualifying grantees continue to satisfy the requirements of the Act, the rules and this chapter and article throughout the term of any contract and/or any affordability period or otherwise as may be required by the county or the MFA in its discretion. At a minimum, on an annual basis, the county shall certify to the MFA in writing that to the best of its knowledge the qualifying grantee is in compliance with applicable provisions of the Act, the rules and this chapter and article.
- (e) *Affordable housing requirements.* All affordable housing funds or housing assistance grants awarded under the Act are to be used by qualifying grantees for the benefit of persons of low or moderate income subject to the provisions of the Act and with particular regard to their housing related needs.
- (1) Single family property. Qualifying grantees shall agree that they shall maintain any single-family property which has been acquired, rehabilitated, weatherized, converted, leased, repaired, constructed, or which property has otherwise benefited from affordable housing funds, including but not limited to any loans which have been repaid with affordable housing funds and which loans previously were secured by such properties as affordable housing for so long as any or all of the affordable housing funds which have been awarded, loaned, or otherwise conveyed to the qualifying grantee are unpaid and outstanding or the affordability period, whichever is longer.
- (2) Multi-family property.
- a. Single apartment within a multi-family property. qualifying grantees shall agree that, if any single apartments are to be rehabilitated, weatherized, converted, leased, repaired, constructed, or otherwise are to benefit from affordable housing funds, those apartments shall be leased to persons of low or moderate income at the time of any such award. Qualifying grantees, who are the landlords and/or owners of such properties, shall further agree to contribute at least 60 percent of the cost of the rehabilitation, weatherization, conversion, lease, repair, and/or construction. Qualifying grantees also shall agree that the persons of low or moderate income, who are tenants of those apartments, shall be allowed to remain tenants for so long as there are no uncured defaults by those tenants under their respective leases and provided that there is no just cause for the landlord to terminate any lease agreement with those tenants.
- b. Multiple apartments. Qualifying grantees shall agree that, if multiple apartments or an entire multi-family property are to be acquired, rehabilitated, weatherized, converted, leased, repaired, constructed, or otherwise are to benefit from affordable housing funds, including but not limited to any loans which have been repaid with affordable housing funds and which loans previously were secured by such properties, they shall maintain not less than 60 percent of the housing units total occupancy as affordable housing for so long as any or all of the affordable housing funds which have been awarded, loaned, or otherwise conveyed to the qualifying grantee are unpaid and outstanding or the affordability period, whichever is longer.

- (3) Non-residential property. Qualifying grantees shall agree that they shall maintain any non-residential property which has been acquired, rehabilitated, weatherized, converted, leased, repaired, constructed, or which property has otherwise benefitted from affordable housing funds, including but not limited to any loans which have been repaid with affordable housing funds and which loans previously were secured by such properties, as a facility which provides housing related-services to persons of low or moderate income for so long as any or all of the affordable housing funds which have been awarded, loaned, or otherwise conveyed to the qualifying grantee are unpaid and outstanding or the affordability period, whichever is longer.
- (4) Housing assistance grant affordability requirements. Qualifying grantees shall agree that they shall maintain any land or buildings received as a housing assistance grant either as single-family or multi-family affordable housing in accordance with this chapter and article or as a facility which provides housing related-services to persons of low or moderate income in accordance with **Section 3.e.(3) Section 14-253(c)(5)(c)** (as applicable) for the duration of the affordability period. Qualifying grantees shall agree that they shall maintain any land or buildings for which they have received the costs of infrastructure or received other costs of construction and/or development as a housing assistance grant either as single-family or multi-family affordable housing or as a facility which provides housing related-services to persons of low or moderate income (as applicable) for the duration of the affordability period. In calculating the affordability period for housing assistance grants of either land or buildings, the fair market value of the land or buildings or the costs of infrastructure at the time of the donation by the state or the county shall apply.
- (5) Affordability period. The county, in its discretion, may increase the affordability period in any contract, note, mortgage, loan agreement, land use restriction agreement, restrictive covenant agreements and/or any other agreement which the county may enter into with any qualifying grantee or beneficiary of the affordable housing funds or of the housing assistance grant. See definition of affordability period in **section 2 Section 14-252** of this chapter and article. Notwithstanding the foregoing, in the discretion of the MFA, weatherization funds conveyed by the MFA and/or any other similar conveyances where an affordability period is not practical, shall not be subject to the affordability period requirements of **Section 3(e) Section 14-253(e)**; but nevertheless, any such conveyances may be subject to recapture on some prorated basis as determined by the county and/or the MFA.
- (f) *Consent to jurisdiction.* Each qualifying grantee shall consent to the jurisdiction of the courts of the State over any proceeding to enforce compliance with the terms of the Act, the rules and this chapter and article (and any agreement between the qualifying grantee and the county and/or the MFA).
- (g) *Recertification procedures.*
  - (1) The qualifying grantee must meet the requirements of the Act, the rules and this chapter and article both at the time of any award and throughout the term of any grant and contract related thereto.
  - (2) The county may establish procedures for certifying qualifying grantees from time to time.

- (3) Qualifying grantees that fail to satisfy the requirements for recertification shall cease to be eligible and shall be denied further participation in affordable housing programs until the requirements of the county and the MFA are satisfied.
- (h) *Compliance with the law.* Qualifying grantee shall provide the county with any certifications or other proof that it may require in order for the county and the MFA to confirm that the qualifying grantee and the qualifying grantee's proposed project are in compliance with all applicable Federal, State, and local laws, rules and ordinances. At a minimum, on an annual basis, the Qualifying Grantee shall provide the county with certifications and proof of compliance, and the county shall certify to the MFA in writing that the Qualifying Grantee is still in compliance with the Act and the rules.
- (i) *County grant requirements.*
- (1) The MFA shall have the power to create variations or extensions of affordable housing programs, or additional programs, that comply with the Act and the rules.
- (2) The county is authorized to make housing assistance grants under the Act. Upon determination that the county will make a housing assistance grant, including the use of any affordable housing funds, the county shall provide the MFA with the following:
- Documentation that confirms that the county has an existing valid affordable housing plan;
  - In the event the county determines that an ordinance will be required for the authorization of a housing assistance grant may be provided to MFA for review and approval.
- (3) Prior to the submission of the ordinance to the council, the council must approve the budget submitted by the applicant.
- (4) An ordinance authorizing the county to make a housing assistance grant and/or distribute affordable housing funds:
- Must authorize the grant, including use of affordable housing funds, if any;
  - Must state the requirements and purpose of the grant;
  - Must authorize the transfer or disbursement to the qualifying grantee only after a budget is submitted to and approved by the council;
  - Must require, as a condition of grant approval, proof of compliance with all applicable state and local laws, rules and ordinances;
  - Must contain provision stating that the contribution authorized by the ordinance is consistent with the county affordable housing plan or housing elements in the county strategic leadership plan; and
  - May provide for matching or using local, private or Federal funds either through direct participation with a Federal agency pursuant to Federal law or through indirect participation through the MFA.
- (5) The county, in its discretion, may also hold any award of affordable housing funds or any housing assistance grant made by the county in suspense pending the issuance by the county of any RFP or pending the award of the affordable housing funds or of the housing assistance grant by the county to the qualifying grantee without the issuance of an RFP by the county. Any award of affordable housing funds or a housing assistance grant by the county shall subject the qualifying



grantee of the award or grant to the oversight of the county and the MFA under applicable state laws, rules, or county ordinances.

- (j) School District and Public Post-Secondary Educational Institution Donations for Housing Projects. If a school district or a public post-secondary education institution intends to transfer land to the county to be further granted to a Qualifying Grantee as part or all of an Affordable Housing project, this transfer shall be subject to the limitation contained in the Act that the school district and the Commission enter into a contract that provides the school negotiated number of affordable housing units that will be reserved for employees of the school district. Any transfer of land by a public post-secondary education institution shall be subject to the additional limitations contained in the Act that:

a. The property transferred shall be granted to a Qualifying Grantee by the county and part of a grant for an Affordable Housing project; and

b. The governing board of the public post-secondary educational institution and the Commission enter into a contract that provides the public post-secondary educational institution with Affordable Housing units.

As used in this Section, “public post-secondary educational institution” means a state university or a public community college. The county, in its discretion, may also hold any Housing Assistance Grant made by any school district or public post-secondary educational institution in suspense pending the issuance by the county of any RFP or pending the award of the Housing Assistance Grant by the county to the Qualifying Grantee without the issuance of an RFP by the county. Any award of a Housing Assistance Grant by a school district or public post-secondary educational institution shall subject the Qualifying Grantee of the grant to the oversight of the county and the MFA under the Rules.

- (k) *State housing assistance grants.* All housing assistance grants from the State pursuant to the Act shall be appropriated to the Department of Finance and Administration for disbursement by the MFA to a qualifying grantee consistent with the rules adopted by the MFA for whatever program to which the grant is applicable and consistent with the Act. In the event that the MFA does not currently have a program in place which is consistent with the terms of any grant being made by the State, then the MFA, in its discretion may create a program to fulfill the terms of the grant and shall adopt rules consistent with the Act. Such rules may include provisions for matching or using local, private, or Federal funds in connection with a specific grant, but matching or using Federal funds shall not be prohibited.

#### **Sec. 14-254. Discrimination prohibited.**

The development, construction, occupancy and operation of an affordable housing program or an affordable housing project financed or assisted under the Act shall be undertaken in a manner consistent with principles of nondiscrimination and equal opportunity and the county shall require compliance by all qualifying grantees with all applicable Federal and State laws and regulations relating to affirmative action, non-discrimination, and equal opportunity.

#### **Sec. 14-255. Administration and Participation**

The county shall administer any affordable housing programs in accordance with provisions of the Act, the rules, this chapter and articles, any applicable state and Federal laws and regulations as each of which may be amended or supplemented from time to time. The county, in establishing, funding, and administering the affordable housing programs, and by making,

executing, delivering and performing any award, contract, grant or any other activity or transaction contemplated by the Act, shall not violate any provision of law, rule or regulation or any decree, writ, order, injunction, judgment, determination or award and will not contravene the provisions of or otherwise cause a default under any of its agreements, indentures, or other instruments to which it may be bound.

#### **Sec. 14-256. Termination**

~~The Commission may repeal this Ordinance and terminate the county Affordable Housing Program and any or all contracts undertaken in its authority. Termination shall be by ordinance at a public hearing or in accordance with the terms of the contract. If an ordinance or contract is repealed or terminated, all contract provisions of the contract regarding termination shall be satisfied.~~

#### **Sec. 14-257. Repealer**

~~All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent with this Ordinance are repealed by the Ordinance but only to the extent of that inconsistency. This repealer shall not be construed to revive any bylaw, order, resolution or ordinance, or part thereof, previously repealed.~~

#### **Sec. 14-258. Severability**

~~If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to invalid or unenforceable, the invalidity or unenforceability of that section, paragraph, clause or provision shall not affect any of the remaining provisions of the Ordinance.~~

#### **Sec. 14-259. Effective Date**

~~This Ordinance shall be in full force and effect thirty (30) days after it is recorded with the County Clerk in accordance with Section 4-37-9 NMSA, 1978.~~

### **DIVISION 2. HOUSING REHABILITATION PROGRAM**

#### **Sec. 14-256. Authority.**

- ~~(a) *Loan origination.* The county is authorized to originate deferred payment loans directly to low or moderate income households and very low income households in accordance with the requirements of this county ordinance and those of any program rules, regulations and construction standards programs, projects, or partnerships approved by the council and the New Mexico Mortgage Finance Authority in furtherance of the Act and this ordinance. The deferred payment loans shall be made to income-qualified households under any qualifying housing rehabilitation programs, projects or partnerships.~~
- ~~(b) *Qualifying housing rehabilitation programs.*~~
- ~~(1) *Emergency repair program.* Origination of deferred payment loans to income-qualified households to fund improvements of urgent need which directly correct immediate health, safety or sanitation hazards to owner-occupied homes is authorized.~~



- ~~(2) *General housing repair program.* Origination of deferred payment loans to income qualified households to fund improvements necessary to bring owner-occupied homes into compliance with county building codes and rehabilitation standards is authorized. Aging-in-place improvements are allowable improvements under this program.~~
- ~~(3) *Energy conservation program.* Origination of deferred payment loans to income qualified households to fund improvements which will substantially reduce energy consumption and operating costs of owner-occupied homes is authorized.~~

#### **Sec. 14-257. Definitions.**

~~*Affordability period* means that amount of time represented by the term of a mortgage which secures a deferred payment loan made from county funds to a very low income household, or low income household holding title to a home they occupy and which shall equal the following time periods:~~

- ~~(1) With a deferred payment loan from \$1,500.00 to \$14,999.00, then the affordability period shall be ten years;~~
- ~~(2) With a deferred payment loan from \$15,000.00 to \$45,000.00, then the affordability period shall be fifteen years.~~

~~*Aging-in-place improvement* means a home modification which allows seniors to live in their homes independently regardless of age or ability.~~

~~*Deferred payment loan* is a non-amortizing loan, meaning that no payments are due during the loan term until the property is sold, vacated or where the title is otherwise transferred to a household who does not qualify for the program.~~

~~*Emergency repair* is an improvement determined to be necessary by the county building official to remove an immediate threat to the health, safety and welfare of the owner occupants of the home.~~

~~*Energy conservation improvement* means an improvement which reduces the amount of gas and electric consumed in the owner-occupied home, thereby lowering the home's operating costs.~~

~~*General repair* means an improvement determined to be necessary by the county building official to bring a home into compliance with the county building code, and an aging-in-place improvement.~~

~~*Loan review committee* is an advisory committee appointed by the county manager to work on the review and analysis of loan applications and to provide recommendations on deferred payment loan approvals to the county manager, who will make the final approvals.~~

~~*Low income household* means a household earning less than 80 percent of the Los Alamos County Area Median Income, as calculated by the United States Department of Housing and Urban Development, prior to its downward cap adjustment to the national low income limit.~~

~~*MFA* is the New Mexico Mortgage Finance Authority.~~

~~*Program* means the Los Alamos County Housing Rehabilitation Program.~~

~~*Seniors* refers to individuals at or over the age of 65 years old.~~

~~*Total subsidy* is the combination of financial assistance received by a recipient from the county, the MFA and Federal funding sources.~~

~~Very low income household means a household earning less than 50 percent of Los Alamos County Area Median Income, as defined by the United States Department of Housing and Urban Development.~~

**~~Sec. 14-258. Total subsidy available by program.~~**

- ~~(a) Emergency repair program provides zero percent deferred payment loans from county funds to very low income households and provides interest bearing deferred payment loans to low income households, up to a maximum program subsidy of \$24,999.00.~~
- ~~(b) General repair program provides zero percent deferred payment loans from county funds to very low income households and provides interest bearing deferred payment loans to low income households, up to a maximum program subsidy of \$45,000.00.~~
- ~~(c) Energy conservation program provides zero percent deferred payment loans from county funds to very low income households and provides interest bearing deferred payment loans to low income households, up to a maximum program subsidy of \$14,999.00.~~

**~~Sec. 14-259. Long term affordability controls.~~**

- ~~(a) County subsidy is provided in the form of a deferred payment loan, secured by a mortgage and note in the amount of the subsidy, which mortgage shall include restrictive covenants that require the recipient to maintain residency of the property during the affordability period.~~
- ~~(b) The terms of the promissory note and associated requirements will be detailed within program approved policies and procedures and will conform to all requirements of the New Mexico Affordable Housing Act and other applicable state laws.~~
- ~~(c) The mortgage securing the deferred payment loan is subordinate to all existing mortgages on the property, provided that the loan to value ratio of all the mortgages secured by the property is equal to or less than 100 percent, as determined by county assessor's most recent valuation of the property.~~

**~~Sec. 14-260. Applicant and property eligibility requirements.~~**

- ~~(a) County subsidy is only provided to residents of the county who are owner-occupants of the home, who are current with existing mortgage(s), all county property taxes and utility bills, and who have a homeowners insurance policy with coverages acceptable to the county.~~
- ~~(b) County subsidy is only provided to owners of homes whose value is less than the New Mexico Mortgage Finance Authority First Home purchase price limit for Los Alamos County. Value shall be established by county assessor's most recent valuation of the property.~~
- ~~(c) County subsidy is only provided to an applicant who has not received a county subsidy during the past ten years.~~

**~~Sec. 14-261. Establishment of loan review committee and loan approval.~~**

~~A loan review committee is established to serve as an advisory committee to the program. This committee shall consist of three or five members with knowledge of housing rehabilitation, construction and finance and shall provide review and analysis to the county manager for all proposed deferred payment loan approvals which use county funds. All loan applications will be reviewed against the standards mandated under the housing rehabilitation program policies and procedures, as approved by MFA, and other applicable Federal or state lending eligibility criteria. All loan reviews by the loan committee will be conducted with the assistance and oversight of county staff and/or contracted third party staff.~~

**Sec. 14-262. County and homeowner responsibility for program execution.**

- ~~(a) County is responsible for the following tasks: Accepting applications; maintaining a waiting list; making a preliminary determination of recipient eligibility for county, MFA and Federal assistance programs; recommending a total financing plan for the work; preparing and submitting applications for assistance under county, MFA and Federal assistance programs; evaluating and approving loan applications for county subsidy; preparing work write-ups and bid packages for distribution to contractors; preparing cost estimates and determining cost reasonableness of received bids; preparing a construction agreement between the selected contractor and the homeowner; and inspecting work and approving draw requests.~~
- ~~(b) Homeowner is responsible for the following: Making preliminary and final determination of work to be performed; selection of contractors from county approved subcontractor list to whom bid packages will be sent; selecting the contractor to perform the work; executing a construction agreement with selected contractor; and complying with the terms of any notes, mortgages and restrictive covenants executed as a condition of receiving subsidies from the county and/or other sources.~~

**Sec. 14-263. Funds available and received under program.**

- ~~(a) Total subsidy offered under this program is subject to the availability of county, MFA and Federal funds. Nothing in this article shall be construed as a promise or an obligation for the county to provide subsidy for any income qualifying household.~~
- ~~(b) Any funds received under this program shall be retained for the purpose of providing additional loans for housing rehabilitation under this program unless otherwise directed by council.~~

**Secs. 14-264—14-265. Reserved.**

**DIVISION 3. HOMEBUYER ASSISTANCE PROGRAM**

**Sec. 14-266. Authority.**

- ~~(a) Loan origination. The county is authorized to originate deferred payment loans directly to low income households and very low income households in accordance with the requirements of this division and the program rules and regulations approved by the council and the MFA. The deferred payment loans shall be made to income qualified residential households under this homebuyer assistance program.~~
- ~~(b) Qualifying homebuyer assistance program.~~
- ~~(1) Downpayment and closing costs assistance program. Origination of loans to income qualified residential households to assist with downpayment and closing costs.~~

**Sec. 14-267. Definitions.**

~~The following definitions apply to this division unless otherwise provided.~~

~~Affordable housing and affordable housing unit means residential housing located within the county for households of low and very low income.~~

~~Affordability period means that amount of time represented by the term of a mortgage which secures a deferred payment loan made from county funds to a very low income household or low income household holding title to a home they will purchase and occupy as their primary residence and which shall equal the following time periods:~~

- ~~(1) With a deferred payment loan up to \$14,999.00 then the affordability period shall be ten years;~~

- ~~(2) With a deferred payment loan from \$15,000.00 to \$25,000.00, then the affordability period shall be 15 years.~~

~~Deferred payment loan is a non-amortizing loan, meaning that no payments are due during the loan term until the property is sold, vacated, or where the title is otherwise transferred to another residential household who does not qualify for the program.~~

~~Eligible buyer means a household earning less than 80 percent of the Los Alamos County Area Median Income as calculated by the United States Department of Housing and Urban Development, prior to its downward cap adjustment to the national low income limit.~~

~~Loan review committee is a committee appointed by the county manager to work on the review and analysis of loan applications, provide recommendations on deferred payment loan approvals to the county manager who will make the final approvals, and to receive appeals from loan applicants regarding loan decisions.~~

~~Low income household means a household earning less than 80 percent of the Los Alamos County Area Median Income, as calculated by the United States Department of Housing and Urban Development, prior to its downward cap adjustment to the national low income limit.~~

~~MFA is the New Mexico Mortgage Finance Authority.~~

~~Program means the Los Alamos County Homebuyer Assistance Program.~~

~~Qualifying recipient means a person or persons of low or very low income who is qualified to receive a deferred payment homebuyer assistance loan from the county pursuant to the Act, MFA Rules, this Code Ordinance, and is approved by the county or designated party as a qualifying recipient.~~

~~Total subsidy is the combination of financial assistance received by a recipient in the home buyer assistance program only in the form of a deferred payment loan from the county and from other funding sources which may be in various forms.~~

~~Very low income household means a household earning less than 50 percent of Los Alamos County Area Median Income, as defined by the United States Department of Housing and Urban Development.~~

**~~Sec. 14-268. Total subsidy available by program.~~**

- ~~(a) The program provides zero percent deferred payment loans from county funds to very low income households and provides interest bearing deferred payment loans to low income households up to a maximum program subsidy per property of \$25,000.00. Sec. 14-269. Long term affordability controls.~~
- ~~(a) County subsidy is provided in the form of a deferred payment loan, secured by a mortgage and promissory note in the amount of the subsidy, and/or any other agreement(s) which the county may require.~~
- ~~(b) The covenants which the county may require include but are not limited to:~~
- ~~(i) Require the qualifying recipient or recipients to occupy the affordable housing unit as a primary residence.~~
- ~~(ii) Provide adequate security against the loss of public funds or property in the event the qualifying recipient fails to occupy affordable housing unit as a primary residence.~~
- ~~(c) The terms of the promissory note and associated affordability requirements will be detailed within the homebuyer assistance program approved policies and procedures and will~~

~~conform to all requirements of the New Mexico Affordable Housing Act and other applicable local, state, or Federal laws and ordinances.~~

- ~~(d) The mortgage securing the deferred payment loan will be, generally, subordinate to all pre-existing mortgages on the affordable housing unit, provided that the loan to value ratio of all the mortgages secured by the affordable housing unit is equal to 100 percent, as determined by the mortgage lender's appraisal.~~

**~~Sec. 14-269. Long term affordability controls.~~**

- ~~(a) County subsidy is provided in the form of a deferred payment loan, secured by a mortgage and promissory note in the amount of the subsidy, and/or any other agreement(s) which the county may require.~~
- ~~(b) The covenants which the county may require include but are not limited to:~~
- ~~(i) Require the qualifying recipient or recipients to occupy the affordable housing unit as a primary residence.~~
- ~~(ii) Provide adequate security against the loss of public funds or property in the event the qualifying recipient fails to occupy affordable housing unit as a primary residence.~~
- ~~(c) The terms of the promissory note and associated affordability requirements will be detailed within the homebuyer assistance program approved policies and procedures and will conform to all requirements of the New Mexico Affordable Housing Act and other applicable local, state, or Federal laws and ordinances.~~
- ~~(d) The mortgage securing the deferred payment loan will be, generally, subordinate to all pre-existing mortgages on the affordable housing unit, provided that the loan to value ratio of all the mortgages secured by the affordable housing unit is equal to 100 percent, as determined by the mortgage lender's appraisal.~~

**~~Sec. 14-270. Applicant and property eligibility requirements.~~**

- ~~(a) County subsidy is only provided to residents of the county who are qualified recipients and who have applied, been screened, and subsequently selected to participate in the program.~~
- ~~(b) County subsidy is only provided within the county to qualified recipients who intend to purchase a home whose value is less than the maximum value established in the program rules and regulations. Value shall be established by mortgage lender's appraisal of the property.~~

**~~Sec. 14-271. Establishment of loan review committee, loan approval, and budget.~~**

- ~~(a) A loan review committee is established to serve as an advisory committee to the program. This committee shall consist of three to five members with knowledge of affordable housing, homeownership programs, and finance and shall provide review and analysis to the county manager for all proposed deferred payment loan applications selected for approval and which use county funds. All loan applications will be reviewed against the standards mandated under the homebuyer assistance program policies and procedures, as approved by MFA, and other applicable Federal or state lending eligibility criteria. All loan reviews by the loan committee will be conducted with the assistance and oversight of county staff or designated agent.~~
- ~~(b) The loan review committee shall also receive and review appeals from applicants about the loan review committee's decisions against the homebuyer assistance program policies and procedures. All loan appeal reviews by the loan committee will be conducted with the assistance and oversight of county staff or designated agent.~~

- ~~(c) From time to time, and at least annually, staff who are designated to administer the homebuyer assistance program shall submit a budget to the county council for consideration and approval.~~

**~~Sec. 14-272. County and homeowner responsibility for program execution.~~**

~~The following are the minimal responsibilities of the parties in program execution:~~

- ~~(a) The county or designated agent is responsible for the following tasks: Accepting applications; maintaining a waiting list; making a preliminary determination of recipient eligibility for county and other assistance programs; recommending a total financing plan for the homebuyer; preparing and submitting applications for assistance under county and other assistance programs; evaluating and recommending loan applications for county subsidy; and preparing a mortgage note and other required agreements between the selected applicant and the county. Only the county manager may approve a loan application.~~
- ~~(b) Homeowner is responsible for the following: Completing the homebuyer assistance application; obtaining first mortgage private financing; completing any required homebuyer training program; selecting a home and securing a contract to purchase the home; and in coordination with the county or its agent, executing all required program documents and complying with the terms of any mortgage and promissory note, which mortgage shall include any other agreement(s) which the county may require. Sec. 14-273. Funds available under program.~~
- ~~(a) Total subsidy offered under this program is subject to the availability of county and other funding sources. Nothing in this division shall be construed as a promise or an obligation of the county to provide any subsidy for any income qualifying household, individual, or property.~~
- ~~(b) Any funds received by the county under this program for home buyer assistance program loan repayments shall be retained for the purpose of providing additional loans for homebuyer assistance under this program unless otherwise directed by council.~~

**~~Sec. 14-273. Funds available under program.~~**

- ~~(a) Total subsidy offered under this program is subject to the availability of county and other funding sources. Nothing in this division shall be construed as a promise or an obligation of the county to provide any subsidy for any income qualifying household, individual, or property.~~
- ~~(b) Any funds received by the county under this program for home buyer assistance program loan repayments shall be retained for the purpose of providing additional loans for homebuyer assistance under this program unless otherwise directed by council.~~

**~~Secs. 14-274 14-256—14-279. Reserved.~~**

**DIVISION 4 2. PUBLIC LAND DISCOUNT OR  
DONATION FOR AFFORDABLE HOUSING**

**Sec. 14-280. Authority.**

- (a) *Conveyance.* The county is authorized to convey improved or unimproved real property directly to qualified recipients or to a builder for subsequent resale or lease to a qualified recipient in accordance with the requirements of this chapter and article and the program rules and regulations approved by the county council . The county council shall adopt an ordinance authorizing a property conveyance to a builder for resale or lease to a qualified recipient or a property conveyance to a qualified recipient directly.



(b) *Donation and discount.*

- (1) A donation of the fair market value of the real property is only authorized under a sale to a builder for resale or lease to a qualified recipient whose income is below ~~60-~~ 120 percent area median income as defined by HUD, adjusted for household size, or under a sale directly to the qualified recipient whose income is below ~~60-~~ 120 percent area median income as defined by HUD adjusted for household size.
- (2) A discount of the fair market value of the real property is only authorized under a sale to a builder for resale or lease to a qualified recipient whose income is defined by HUD as low or moderate income, adjusted for household size, or under a sale directly to the qualified recipient whose income is defined by HUD as low or moderate income, adjusted for household size.
- (3) A donation of the fair market value of the real property is only authorized under a sale to a builder for lease to a qualified recipient whose income is defined by HUD below ~~60~~ 120 percent area median income, adjusted for household size.

**Sec. 14-281. Definitions.**

~~In addition to the other definitions in this article or chapter, the following definitions apply to this division unless otherwise provided.~~

- ~~(a) *Affordability period* means that amount of time represented by the term of a mortgage during which only a qualified recipient or builder may hold title to or lease of real property conveyed by the county under authority of this chapter and article and shall not be less than the following time periods:~~
- ~~(1) With a donation or discount from \$1.00 to \$14,999.99, then the affordability period shall be five years;~~
  - ~~(2) With a donation or discount from \$15,000.00 up to and including \$40,000.00, then the affordability period shall be ten years;~~
  - ~~(3) With a donation or discount from \$40,001.00 up to and including \$100,000.00, then the affordability period shall be 15 years;~~
  - ~~(4) With a donation or discount from \$100,001.00 up to and including \$200,000.00, then the affordability period shall be 20 years;~~
  - ~~(5) With a donation or discount from \$200,001.00 up to and including \$300,000.00, then the affordability period shall be 25 years; and~~
  - ~~(6) With a donation or discount greater than \$300,001.00, then the affordability period shall be 30 years.~~
- ~~(b) *Builder* shall mean an individual or entity licensed by the State of New Mexico Construction Industries Division as a general contractor to construct residential housing. The term "builder" shall also include an individual that satisfies the requirements of a qualified recipient or a non-profit or for-profit organization that agrees to sell or rent to a household(s) that satisfies the requirements of a qualified recipient, provided that such individual or organization contracts with a general contractor licensed in the State to construct residential housing.~~
- ~~(c) *Discount* is that amount of money equal to the difference between the fair market value of the property and the cash received by the county at the time of sale of the property, which difference is represented by the promissory note payable to the county by a builder or qualified recipient and which difference is intended to be forgiven by the~~

~~county at the end of the affordability period in accordance with this chapter and article and the program rules and regulations in order to assist low income qualified recipients in obtaining affordable housing in the county.~~

- ~~(d) *Donation* is that amount of money equal to the fair market value of the property as represented by the promissory note payable to the county by the builder or qualified recipient and which is intended to be forgiven by the county at the end of the affordability period in accordance this chapter and article and the program rules and regulations in order to assist qualified recipients of below 60 percent area median income as defined by HUD obtaining affordable housing in the county.~~
- ~~(e) *Program* is the land donation and land discount program authorized in this chapter and article.~~
- ~~(f) *Qualified recipient* is an individual or group of individuals who qualify as a household under HUD regulations whose income is less than 80 percent of the area median income, adjusted for household size, as defined by HUD in the granting of a discount by the county or whose income is less than 60 percent of the area median income, adjusted for household size, as defined by HUD in the granting of a donation by the county.~~

**Sec. 14-282. 14-281. Conveyance to builder.**

- (a) A ~~sale~~ conveyance of real property may be made by a quit claim deed to a builder upon payment to the county of the appraised value of the property less the donation or discount amount determined by the county. The builder shall execute a promissory note and a mortgage on the property securing the promissory note for the donation or discount amount. The builder shall pay in cash or certified funds for the appraised value of the property not included in the promissory note.
- (b) The mortgage will include restrictive covenants that the property will only be resold or leased to a qualified recipient during the affordability period.
- (c) If the real property is conveyed with improvements such improvements shall qualify as a fixture under New Mexico law.
- (d) A mortgage on the property being conveyed may only be subordinate to a mortgage securing a construction loan or remodel loan.
- (e) Before a conveyance may be made, the builder shall comply with all contractual and pre-approval requirements of the program to the county's satisfaction.
- (f) The builder shall resell or lease the property conveyed by the county under this program to qualified recipients in accordance with the program's rules and regulations.
- (g) Satisfaction of the promissory note and a release of the mortgage on the property shall only be made upon: i) payment in full of the promissory note payable to the county and conveyance of the property from the builder to a qualified recipient in accordance with the restrictive covenants and the program's rules and regulations; ii) acceptance by the county of a new promissory note and mortgage from the qualified recipient covering the donation or discount amount; and, iii) receipt by the county of any difference between the donation or discount amount granted to builder and the amount of the new promissory note granted to the qualified recipient. If the property was legally subdivided by the builder and conveyance of a subdivided lot is made to a qualified recipient, the county may issue a partial satisfaction of the promissory note and a partial release of the mortgage in accordance with the program's rules and regulations.



- (h) When the mortgage term expires and the builder is not otherwise in default of any provision of the note, mortgage or program contract with the county, the county shall indicate full satisfaction of the promissory note by forgiveness of the amount owed and release the mortgage on the property.

**Sec. 14-283. ~~14-282~~ Conveyance to qualified recipient.**

(a) *Sale to qualified recipient.*

- (1) A sale of real property may be made by a quit claim deed to a qualified recipient upon payment to the county of the appraised value of the property less the donation or discount amount determined by the county. The qualified recipient shall execute a promissory note and a mortgage on the property securing the promissory note for the donation or discount amount. The qualified recipient shall pay in cash or certified funds for the appraised value of the property not included in the promissory note.
- (2) The mortgage shall include restrictive covenants that the property shall only be resold or leased to a qualified recipient and that only a qualified recipient shall maintain residency on the property during the affordability period.
- (3) If the real property is conveyed with improvements such improvements shall qualify as a fixture under New Mexico law.
- (4) A mortgage on the property being conveyed may only be subordinate to a first purchase money mortgage.
- (5) Before a conveyance may be made, the qualified recipient shall have complied with all requirements of the program to the county's satisfaction as provided in the program's approved rules and regulations.
- (6) A promissory note is assumable by and mortgage is assignable to another qualified recipient during the term of the affordability period provided as the term in the mortgage with prior approval of the county.
- (7) When the mortgage term expires and the qualified recipient is not otherwise in default of any provision of the note or mortgage, the county shall indicate full satisfaction of the promissory note by forgiveness of the amount owed and release the mortgage on the property.

- (b) *Lease to qualified recipient.* A builder may lease or rent for one or more years the property only to a qualified recipient during the affordability period provided as the term of the mortgage. The lease or rental agreement may charge a monthly rental fee of no more than the affordable rent amount as determined in the program's rules and regulations.

**Sec. 14-284. ~~14-283~~. Funds received under program.**

Any funds received under this program shall be retained for the purpose of providing additional affordable housing under this program unless otherwise directed by council.

**Secs. 14-285 ~~14-284~~.—14-299. Reserved.**

**Section 2. 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 3. Effective Date.** This Code Ordinance shall become effective thirty (30) days after publication of notice of its adoption.

**Section 4. 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 10th day of September 2024.

**INCORPORATED COUNTY OF LOS ALAMOS**

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**Denise Derkacs,**  
**Council Chair**

**ATTEST:**

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



## DEVELOPMENT APPLICATION

### PROJECT INFORMATION

Title: North Road Inn Property

Project Address: 2127 45th Street, Los Alamos, NM

Description:

Tract B-1 of North Community No 1, comprised of multi family residential use, with a 14 unit Inn and an owners unit.

Check all application types, if applicable:

- |  |   |
|--|---|
| <input type="checkbox"/> Administrative Deviation ... \$25   | <input type="checkbox"/> Site Plan* ... \$500 plus<br>\$75 per/Million \$ estimated construction cost   |
| <input type="checkbox"/> Administrative Wireless Telecom ... \$250   | <b>Estimated Construction Cost:</b> _____   |
| <input type="checkbox"/> Encroachment Permit ... \$25  | <input type="checkbox"/> Major Site Plan Amendment* ... \$500   |
| <input type="checkbox"/> Temporary Use Permit ... \$25   | <input type="checkbox"/> Minor Site Plan Amendment ... \$250  |
| <input type="checkbox"/> Comprehensive Plan Adoption &<br>Amendment*... \$250  | <input type="checkbox"/> Major Zone Map Amendment* ... \$150<br><i>No fee if initiated by County Council<br/>or County Manager</i>            |
| <input type="checkbox"/> Conditional Use Permit* ... \$300   | <input checked="" type="checkbox"/> Minor Zone Map Amendment* ... \$150<br><i>No fee if initiated by County Council<br/>or County Manager</i> |
| <input type="checkbox"/> County Landmark or Historic District<br>Adoption/Amendment* ... \$250   | <input type="checkbox"/> Master Plans* (Major, Minor) ...\$250  |
| <input type="checkbox"/> Development Plan* ... \$500   | <input type="checkbox"/> Text Amendment* ... \$150<br><i>No fee if initiated by County Council<br/>or County Manager</i>                      |
| <input type="checkbox"/> Major Development Plan Amendment* ... \$500   | <input type="checkbox"/> Variance ... \$250<br><i>No fee if application is a part of a Site Plan review</i>                                   |
| <input type="checkbox"/> Minor Development Plan Amendment ... \$250  | <input type="checkbox"/> Administrative Wireless Telecommunication<br>Facility ... \$250  |
| <input type="checkbox"/> Summary Plat... \$100 plus \$25 lot; \$10 / acre for<br>non-residential   | <input type="checkbox"/> Discretionary Wireless Telecommunication<br>Facility* ... \$500  |
| <input type="checkbox"/> Sketch Plat, Subdivision*... \$250 plus<br>\$175/lot (1-10 lots)<br>\$125/lot (11-30 lots)<br>\$75/lot (30+ lots)       | <input type="checkbox"/> Small Wireless Facility ...\$250   |
| <input type="checkbox"/> Preliminary Plat, Subdivision* ... \$250 plus<br>\$175/lot (1-10 lots)<br>\$125/lot (11-30 lots)<br>\$75/lot (30+ lots) | <input type="checkbox"/> Major Historic Demolition* ... \$250   |
| <input type="checkbox"/> Final Plat, Subdivision* ... \$250 plus<br>\$175/lot (1-10 lots)<br>\$125/lot (11-30 lots)<br>\$75/lot (30+ lots)       | <input type="checkbox"/> Major Historic Property Alteration<br>Certification* ... \$250   |
| <input type="checkbox"/> Landscaping Plan ...\$500   | <input type="checkbox"/> Minor Historic Property Alteration Certificate ... \$250   |
| <input type="checkbox"/> Lighting Plan ...\$500  |   |

**\* Application reviews require a pre-application meeting.**



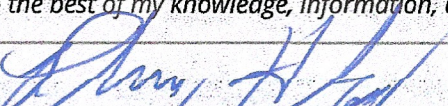
**PROPERTY & OWNER INFORMATION**

Property Address:	<u>2127 45th Street</u> <small>Address</small>	<u>Los Alamos</u> <small>City</small>	<u>NM</u> <small>State</small>	<u>87544</u> <small>ZIP</small>
Zoning District:	<u>RM-2</u>	Lot Size - Acres / Sq. Ft.: <u>0.38</u>		
Existing Structure(s) Sq. Ft.:	<u>4,900.00</u>	Lot Coverage: <u>30</u>		
Property Owner(s) Name: <u>Five Oaks Investments, IIC</u>				
Owner(s) Email: <u>nmassets@live.com</u>				
Owner(s) Phone(s)#: <u>505 412-0208</u>				
<input checked="" type="checkbox"/> Owner's Address same as Property Address				
Owner(s) Address:	<u>2127 45th Sttreet</u> <small>Address</small>	<u>Los Alamos</u> <small>City</small>	<u>NM</u> <small>State</small>	<u>87544</u> <small>ZIP</small>

**APPLICANT / OWNER'S AGENT INFORMATION**

<input type="checkbox"/> Applicant is same as Owner				
Applicant Name: <u>Northern New Mexico Capital Investments, LLC, Philip Gursky Representative</u>				
Applicant Address:	<u>1555 Sherman Ave, Suite 305</u> <small>Address</small>	<u>Evanston</u> <small>City</small>	<u>IL</u> <small>State</small>	<u>60201</u> <small>ZIP</small>
Applicant Email: <u>philipgursky2@gmail.com</u>				
Applicant Phone(s)#: <u>267 816-0299</u>				

**ASSOCIATED APPLICATIONS**

Application Type:	
Case Number:	
<i>I hereby certify and affirm, under penalty of perjury, that the information I have provide in this application is true and accurate to the best of my knowledge, information, and belief. [NMSA 1978, §30-25-1]</i>	
Signature: 	Date: <u>5/14/24</u>

**STAFF USE ONLY**

Date Received:	Staff:
Case No. #:	Meeting Date:

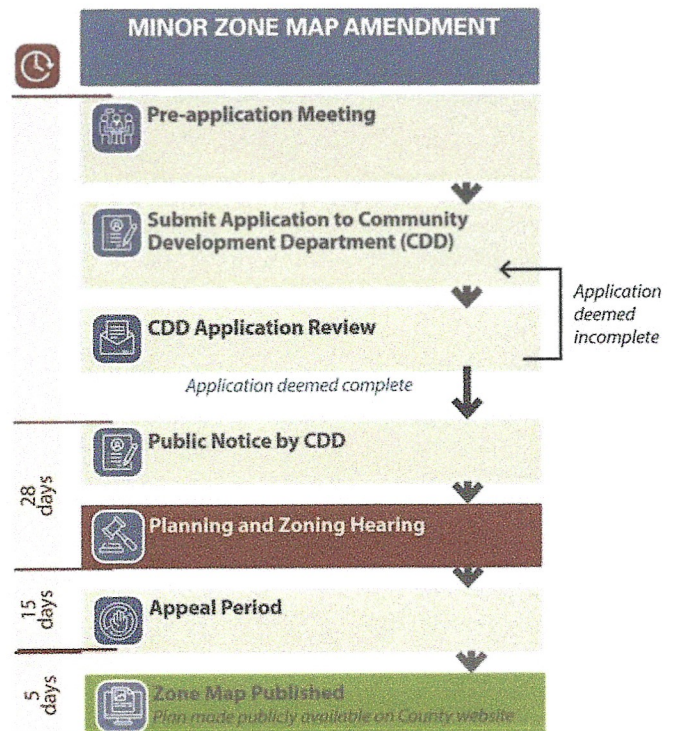
**SUBMITTALS**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Proof of Ownership or Letter of Authorization from Owner | <input checked="" type="checkbox"/> Complete Application - Date: <u>05/14/24</u>   |
| <input checked="" type="checkbox"/> Items from associated Application Checklist              | <input checked="" type="checkbox"/> Payment - Accepted upon verification of a complete application - Date: <u>05/14/24</u> |

## MINOR ZONE MAP AMENDMENT

Applicants for all development application reviews must complete this checklist and submit it with the Development Application. Refer to the referenced code sections for additional information. Contact the Planning Division with questions regarding these requirements: [planning@lacnm.us](mailto:planning@lacnm.us).

<b>PRE-APPLICATION MEETING</b>
Date Held: 05/24/2024
<b>APPLICATION APPLICABILITY</b>
Minor Zone Map Amendments are proposed amendments to a single tract, parcel or lot under common ownership; or the land or the land affected by the map amendment is predominantly owned by a single person or entity under common ownership.
<b>SITE PLAN</b>
Scaled site plan at a minimum of 1" = 100' that illustrates the following:
<input checked="" type="checkbox"/> Property Lines – all parcels to be rezoned
<input checked="" type="checkbox"/> All existing structures
<input checked="" type="checkbox"/> Existing easements
<input checked="" type="checkbox"/> Existing utilities
<b>ZONING</b>
Current: RM-2
Proposed: MFR-L
<b>USE</b>
Current: Multi-Family Residential (Inn)
Proposed: Multi-Family Residential
<b>COMPREHENSIVE PLAN UPDATE</b>
Will the text amendment require an update to the Future Land Use Map?
<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes
<b>ADDITIONAL SUBMITTALS</b>
Based on staff's review and Interdepartmental Review Committee's recommendation – additional submittals may be required and will be communicated to the applicant by the assigned Case Manager.



See Reverse.

Revision-Jan2023

Code Reference: 16-75 (h)



### DECISION CRITERIA 16-74-(h)(3)

- a. The proposed Zone Map Amendment is consistent with the health, safety and welfare of the County as shown by conformance with the goals and policies of the Comprehensive Plan and other adopted County plans or policies. Explain.

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☐ Staff finds that this criterion has been met

☐ Staff finds that this criterion has not been met – more information is needed

- b. The existing zone district designation is shown to be inappropriate of one or more of the following reasons: (1) It was established in error; (2) Changed conditions warrant the rezoning; or (3) A different zone is more advantageous to the community as articulated by conformance with each applicable goal and policy in the Comprehensive Plan, including the future land use map. Explain.

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☐ Staff finds that this criterion has been met

☐ Staff finds that this criterion has not been met – more information is needed

- c. The proposed zoning will not designate a zone district different from surrounding zone districts to one small area (i.e. create spot zone) unless one or more of the following criteria are met: (1) Granting such zoning accomplishes the goals and policies of the Comprehensive plan; (2) Unique characteristics specific to the site exist; or (3) the zoning serves as an appropriate transition between land uses of higher and lower intensity. Explain.

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☐ Staff finds that this criterion has been met

☐ Staff finds that this criterion has not been met – more information is needed

**DECISION CRITERIA 16-74-(h)(3)**

- d. The County's existing and proposed infrastructure and public improvements including, but not limited to utilities, streets, sidewalks, or trails have adequate capacity to serve the development made possible by the Zone Map Amendment. Explain.

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- ☐ *Staff finds that this criterion has been met*
- ☐ *Staff finds that this criterion has not been met – more information is needed*

- e. The establishment, maintenance, or operation of uses made possible by the Zone Map Amendment will not be detrimental to health, safety, or welfare of persons residing or working adjacent to or within the proximity of the subject property. Explain.

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- ☐ *Staff finds that this criterion has been met*
- ☐ *Staff finds that this criterion has not been met – more information is needed*

**Attach additional sheets, if needed.**

**a. The proposed Zone Map Amendment is consistent with the health, safety and welfare of the County as shown by conformance with the goals and policies of the Comprehensive Plan and other adopted County plans or policies. Explain.**

The proposed minor zone map amendment is consistent with the Comprehensive Plan in that the proposed zone amendment is to revise the zoning to support more residential housing in Los Alamos. See Section 3.1 Housing Page 57 in which the Comprehensive Plan provides:

*Housing is the key, not only to population growth, but to economic expansion. Increasing the availability of housing options, both affordable and market rate, to meet the diverse needs of the community is one of major goals of the 2016 Strategic Leadership Plan. (Comprehensive Plan page 58)*

The purchaser applicant intends to convert the short-term lodging to longer term workforce housing units to meet employment and development goals of the County. The footprint and residential nature of uses of the building on the site will remain the same.

*Land Use Goals include:*

*2. Encouragement of existing businesses and their opportunities for growth. And*

*3. Support Infill development over expansion of current developed areas. (Comprehensive Plan Growth Goal, Land Use, page 71)*

The property will continue the more than 30-year history of the property by providing lodging and shorter to medium term housing. Conversion to promote resident housing in the location and leaving more dense downtown areas for more short-term hospitality lodging will support the existing neighborhood.

The property will support:

*1. Protect Existing Neighborhoods and Promote Neighborhood Stabilization while promoting creation of a variety of housing options for all segments of the Los Alamos community. (see Neighborhood Goals, page 66)*

**b. The existing zone district designation is shown to be inappropriate of one or more of the following reasons: (1) It was established in error; (2) Changed conditions warrant the rezoning; or (3) A different zone is more advantageous to the community as articulated by conformance with each applicable goal and policy in the Comprehensive Plan, including the future land use map. Explain.**

The adoption of the revised Chapter 16 has eliminated the use category of Inn, under which the property has been operating since after the Cerro Grande Fire. In 2005, the County adopted the new Inn land use designation which was allowed to operate as a conditional use in the R-3-L zone district (Later modified to NC-3-L). Historically, the property had been zoned R-3-L and it was appropriate to use the Special Use Permit to operate the North Road Inn and in the event use was changed to longer term residential use, the R-3-L zone was appropriate for that use.



The designation of the property as RM-2, combined with no longer having an “Inn” use for the property as residential (except by grandfathered use) means that a primary County goal of increased housing is not supported.

Further, the purchaser intends to submit the Tract B-1 and Lot 98B-1 for merger which would result in split use, as Lot 98B-1 is zoned MFR-L. Given the historical use of Tract B-1 and the need to have a single zone the property should be zoned MFR-L.

The current zoning was either “established in error” as incorrect over time and particularly after the adoption of the revised Chapter 16 or a different zone (MFR-L allowing workforce type multifamily rentals as contemplated) is “more advantageous to the community” as workforce housing is desperately needed.

Further, the conditions and increasing imbalance between residential housing needs and existing demand in the last 5 to 10 years warrant rezoning to MFR-L.

**c. The proposed zoning will not designate a zone district different from surrounding zone districts to one small area (i.e. create spot zone) unless one or more of the following criteria are met: (1) Granting such zoning accomplishes the goals and policies of the Comprehensive plan; (2) Unique characteristics specific to the site exist; or (3) the zoning serves as an appropriate transition between land uses of higher and lower intensity. Explain.**

All of the zoning to the East matches both multi-family densities (as opposed to duplexes) as well as zoning of that entire areas as MFR-L. The adjacent parcel to the North is zoned MFR-L.

The property is on the busy intersection of Urban Street and North Road, which is more appropriate for higher density housing. The rezone will facilitate more infill residential housing, a strong goal of all County Plans and the Comprehensive Plan in particular, as well as serving as a transition between more dense housing to the East and duplex housing to the West.

To revise the zoning on the parcel to MFR-L is not spot zoning within the meaning of the Development Code and NM law.

**d. The County’s existing and proposed infrastructure and public improvements including, but not limited to utilities, streets, sidewalks, or trails have adequate capacity to serve the development made possible by the Zone Map Amendment. Explain.**

No modification of the property requiring modification of the infrastructure or public improvements in contemplated or needed. No Site Plan is required as contemplated by Section 16-74-(i)(2) Subsections (c) and (d), in that any modifications will be to the interior or the façade.

Existing infrastructure and public improvements will remain, and use will remain the same.

**e. The establishment, maintenance, or operation of uses made possible by the Zone Map Amendment will not be detrimental to health, safety, or welfare of persons residing or working adjacent to or within the proximity of the subject property. Explain**

The current use of the Property is classified as non-conforming residential multi-family use, and is operated as an Inn, pursuant to Zoning and Special Use Permit decisions approved prior to adoption of the rewritten Development Code (Chapter 16 of the Los Alamos County Municipal

Ordinances). Changing the current RM-2 Zoning District to MFR-L is consistent with the current use. Further, prior zoning designations on this property of R-3-L and NC-3-L are virtually identical to the new MFR-L Zoning District.

The adoption of the proposed zoning amendment will not involve change of use, as the Property is grandfathered with 15 multifamily units (as well as use as an “Inn”, which use category no longer exists under the new Development Code.) There is no expansion of the footprint of the building proposed as apart of this rezone request.

Additional, review of Table 26, Section 16-14 of the Development Code, shows that, other than allowing a higher density of multi-family use in the MFR-L District, the only use difference between the RM-2 and the MFR-L zoning districts, is on a parcel 2 acres or larger, an owner could apply for a Conditional Use Permit for a Campground or RV Park. As this property is approximately 1/8 of the size necessary to apply for that use and inapplicable to the situation here, there are no differences between the RM-2 and the MFR-L Zoning Districts.

Accordingly, the current approved non-conforming use of the property will be the same before and after rezoning. This rezoning merely makes the zoning district changes created by occasioned by the rewrite of the Development Code, match the historical and current uses. Approval of this rezoning application “*will not be detrimental to health, safety, or welfare of persons residing and working adjacent to or within the proximity of the property.*” It will, rather, adopt a zoning district that conforms to the property use, consistent with neighboring property.

## WARRANTY DEED TO SUCCESSOR TRUSTEE

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THIS WARRANTY DEED Made this 1<sup>st</sup> day of January, 2010, by NRR, Inc., a Nevada Corporation as Trustee, under Trust: North Land Trust dated April 10th, 2006, Grantor, whose post office address is P.O. Box 824, Los Alamos, NM 87544 to  
<Five Oaks Investments, LLC, a New Mexico Limited Liability Company, Successor Trustee, under Trust North Land Trust, dated April 10, 2006, with full power and authority, to protect, conserve, sell, lease, encumber or otherwise manage and dispose of said property, Grantee, whose post office address is 223 N Guadalupe Street Suite 229, Santa Fe, NM 87501.

WITNESSETH, that the said first party, for and in consideration of the sum of \$10.00 in hand paid by the said second party, the receipt whereof, is hereby acknowledged does hereby grant, bargain and sell unto the said second party, his heirs and assigns forever, the following described lot, piece, or parcel of land, situate lying and being in the County of Los Alamos, State of New Mexico, to wit:

*Tract B-1, of the Plat of Tract B-1, Lots 98B-1 and B-2, a subdivision of Lot 98 and Tract B, North Community No. 1, as filed in the Los Alamos County Clerk on September 22, 2005, In Book 131, Page 805.*

Assessor's Parcel No. 1032113371332

Also known as: 2127 North Road, Los Alamos, Los Alamos County, New Mexico, 87544

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND THE GRANTOR hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple, and that grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whosoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2009 and mortgages of record, if any.

THE INTEREST of the beneficiaries under said trust is personal property. Persons dealing with the Trustee are not obligated to look to the application of purchase monies. The interest of the beneficiaries is solely in the rights, proceeds and avails of trust property, not in the title, legal or, equitable, of said real estate. The liability of the Trustee

## WARRANTY DEED TO SUCCESSOR TRUSTEE

THE INTEREST of the beneficiaries under said trust is personal property. Persons dealing with the Trustee are not obligated to look to the application of purchase monies. The interest of the beneficiaries is solely in the rights, proceeds and avails of trust property, not in the title, legal or, equitable, of said real estate. The liability of the Trustee under this deed and the trust agreement, is limited to the assets of the trust and the Trustee hereunder has no personal liability whatsoever.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

TWO WITNESSES

Denise Fell  
Print: Denise Fell

Maxine Montoya  
Print: Maxine Montoya

Grantor: [Signature]  
Pres NRR INC

STATE OF NEW MEXICO  
COUNTY OF LOS ALAMOS

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the state and county aforesaid to take acknowledgments personally, appeared Catherine Mockler, President, NRR, Inc., who is personally known to me or who has produced New Mexico Driver's License as identification and who executed the foregoing instrument and she acknowledged before me that she executed same.

WITNESS my hand and official seal this 5<sup>th</sup> day of April, 2012.

[Signature]  
Notary Public

Prepared by and return to:

Print Name LISA D ROMERO

My commission expires:

5/21/2015

COUNTY OF LOS ALAMOS  
STATE OF NEW MEXICO

Book 158 Page 348

This Instrument Was Filed For Record On 04/06/2012 11:17 AM  
And Was Duly Recorded as Instrument # 212463  
Of The Records Of Los Alamos County

Witness My Hand And Seal Of Office  
County Clerk, Los Alamos, NM  
Sheryl Nichols - Deputy



## Owner's Affidavit

*(Authorizing an agent to act on behalf of a property owner when making land development application)*

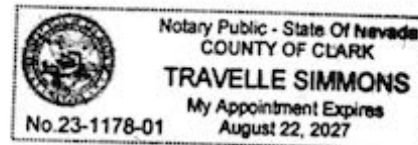
STATE OF NEW MEXICO       )  
  ) ss.  
COUNTY OF LOS ALAMOS    )

I, Cathrine Mockler, Managing Member of Five Oaks Investments, LLC, being duly sworn, depose and say that Five Oaks Investments, LLC, is the Owner of property located at 2127 45<sup>th</sup> Street and 2170 North Road, Los Alamos, NM 87544, legally described as Tract B-1 of Northern Community Unit No. 1, which constitutes property for which the owner's agent seeks approval of a Minor Zone Map Amendment through the County of Los Alamos, New Mexico.

Furthermore, I designate Northern New Mexico Capital Investments, LLC as our agent, with Philip Gursky as representative of the agent herein, to act on our behalf in all matters pertaining to this application.

Signed

  
Catherine Mockler Managing Member  
Five Oaks Investments, LLC  
2127 45<sup>th</sup> Street  
Los Alamos, NM 87544  
505 412-0208



Subscribed and sworn to before me this 16<sup>th</sup> day of May, 2024.

  
Notary Public

My Commission Expires: August 22, 2027

### Owner's Affidavit

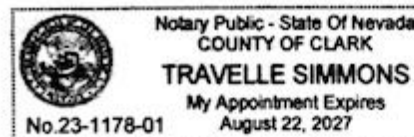
*(Authorizing an agent to act on behalf of a property owner when making land development application)*

STATE OF NEVADA                    )  
  ) ss.  
COUNTY OF CLARK                )

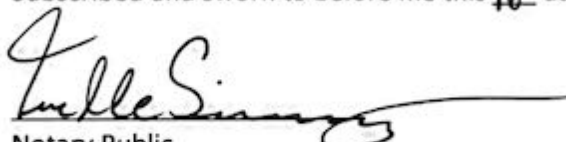
I, Cathrine Mockler, Managing Member of Five Oaks Investments, LLC, being duly sworn, depose and say that Five Oaks Investments, LLC, is the Owner of property located at 2127 45<sup>th</sup> Street and 2170 North Road, Los Alamos, NM 87544, legally described as Tract B-1 of Northern Community Unit No. 1, which constitutes property for which the owner's agent seeks approval of a Minor Zone Map Amendment through the County of Los Alamos, New Mexico.

Furthermore, I designate Northern New Mexico Capital Investments, LLC as our agent, with Philip Gursky as representative of the agent herein, to act on our behalf in all matters pertaining to this application.

Signed   
Catherine Mockler Managing Member  
Five Oaks Investments, LLC  
2127 45<sup>th</sup> Street  
Los Alamos, NM 87544  
505 412-0208



Subscribed and sworn to before me this 16<sup>th</sup> day of May, 2024.

  
Notary Public

My Commission Expires: August 22, 2027



# PERMIT FOR ENCROACHMENT ON EASEMENT OR RIGHT-OF-WAY

Los Alamos County Council  
Regular Session  
August 27, 2024  
Item 10.E  
Attachment A

Owner: CATHERINE MOCKLER  
Project Address: 2127 NORTH ROAD  
Subd.: NORTH COMMUNITY No 1 Lot No.: TRACT B

County Bldg. Permit No.:

Permission is hereby granted to encroach upon the easement or right-of-way as set forth on the attached sheet which is made a part hereof by this reference.

Any changes in the construction because of change in design, errors, field conditions other than shown on the application, or any other factors requiring construction other than shown on the drawings will require re-approval of this permit. Any changes as mentioned above, or otherwise, will require immediate cessation of the construction, pending such approval. Field conditions other than shown on the drawings, as well as failure to inform the County of Los Alamos of any changes, may be cause for cancellation of this permit.

This permit shall in no way limit or diminish any rights that the County of Los Alamos has in this or any other easement or right-of-way. In the event it is necessary or desirable for the County, its contractors or agents to perform any maintenance, repair, alteration, or construction work in any easement that results in damage to property or construction installed under this permit, the County shall require the owner or permittee to be financially responsible for replacement.

While it is contemplated that the owner or permittee is being granted this permit for the purposes of construction within the easement or right-of-way, the County reserves the right to require such construction to be removed at the owner's or permittee's expense when, in the opinion of the County, such removal is necessary or desirable for the purposes for which the easement or right-of-way is owned by the County, and the right to terminate the privilege granted by this permit.

The owner or permittee shall be responsible for any damage to County facilities if the damage results from any installation under this permit.

No provisions expressed or implied in the permit shall be construed to allow or sanction violations of any laws or ordinances covering buildings or other construction.

APPROVED ON THIS 20 DAY OF  
BY March 20 2002  
(COUNTY ENGINEER OR DESIGNEE)

ATTEST: Rita K Taylor  
CLERK OF LOS ALAMOS COUNTY



STATE OF NEW MEXICO  
COUNTY OF LOS ALAMOS SS.  
DOC. 154662  
DATE April 15 2002  
TIME 3:15 P M  
BOOK 102 PAGE 859  
COUNTY CLERK  
DEPUTY Rita K Taylor, Gdaria Mustafa

11/08/01

ATTACHMENT A

LAC BOOK 102 PAGE 0859

LAC BOOK 102 PAGE 0859



APPLICATION FOR PERMISSION TO ENCROACH ON UTILITIES AND/OR DRAINAGE EASEMENT,  
OR RIGHT-OF-WAY

Owner:

CATHERINE MOCKLER

Project Address:

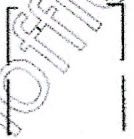
2127 NORTH ROAD

Subdivision:

NORTH COM No 1 Lot No.: TRACT B

Bldg. Permit #:

I hereby apply for permission to encroach on the following, as shown on the attached copy of survey:



Utilities Easement (\*Note: If Utilities is the only easement checked, utility department is only required signature.)

Drainage Easement

Right-of-Way

The purpose of the encroachment(s) is: allow steps & retaining wall in right-of-way.

I have read the attached "Permit for Encroachment on Easement or Right-of-Way" and if it is granted, I will abide by it.

APPLICANT SIGN

CATHERINE MOCKLER  
APPLICANT PRINT

STATE OF NEW MEXICO

) s.s.

COUNTY OF LOS ALAMOS

The foregoing instrument was acknowledged before me this 19 day of March, 2022 by Catherine Mockler

My commission expires: 3/31/24

Notary Public

ALL CONSTRUCTION SHALL MEET  
L.A.C. UTILITIES SPECIFICATIONS

Utilities Department Recommendations:

CONSTRUCTION SHALL NOT COVER  
OR ENCLOSE ANY UTILITY METERS

THE OWNER IS RESPONSIBLE FOR THE  
COSTS OF ALL UTILITY RELOCATIONS,  
EXTENSIONS AND NEW SERVICE EQUIPMENT.

County Engineer's Recommendations:

by property owner

improvements must be maintained

by City Engineer



# PROPOSED IMPROVEMENTS

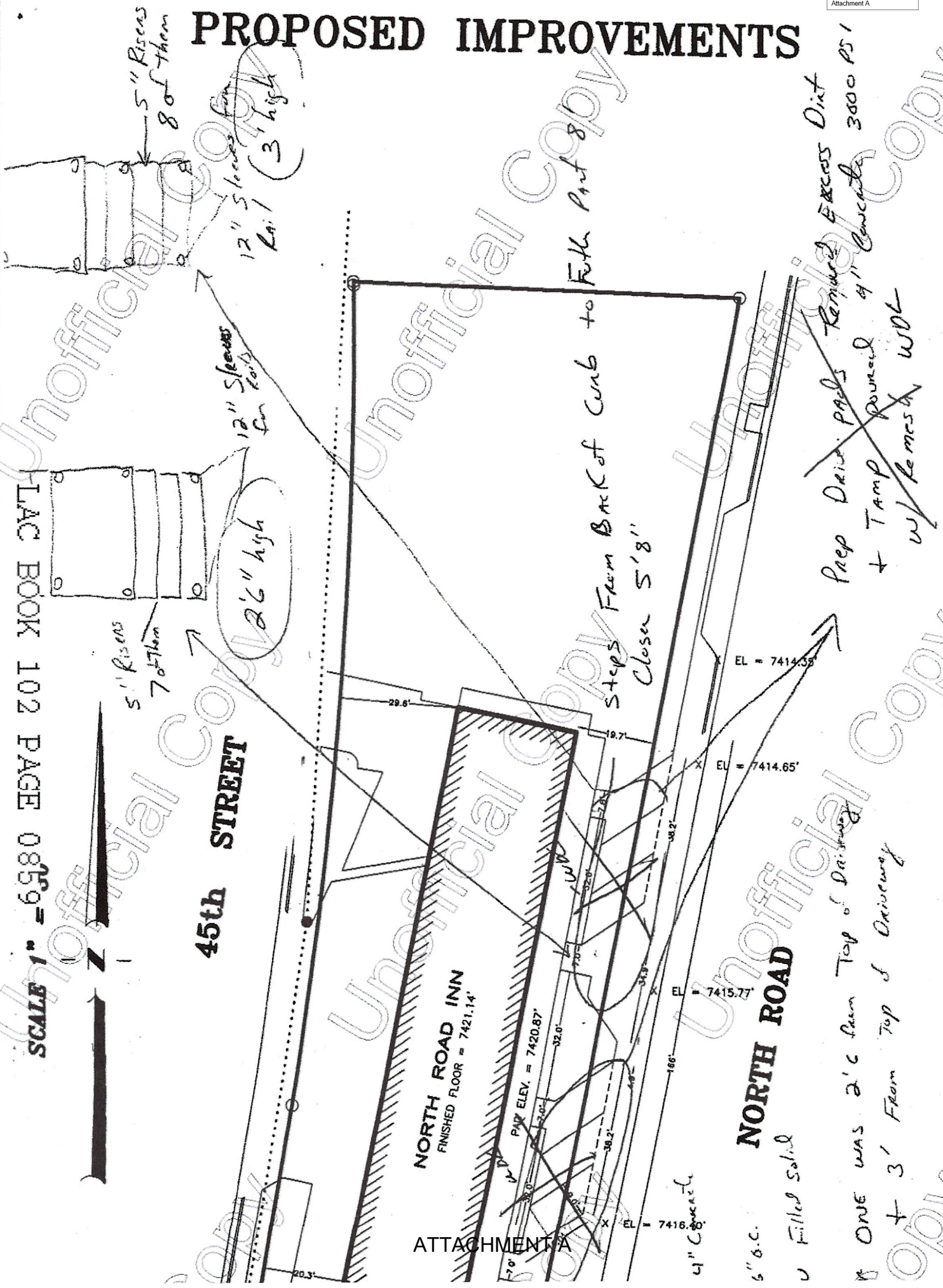
LAC BOOK 102 PAGE 0859 - 17755

45th STREET

NORTH ROAD INN  
FINISHED FLOOR = 7421.14'

NORTH ROAD

ATTACHMENT A





TRACT B-1, LOTS 98B-1 & 98B-2  
A SUBDIVISION OF LOT 98 & TRACT B,  
NORTH COMMUNITY NO. 1

COUNTY OF LOS ALAMOS, NEW MEXICO

OWNER'S CONSENT

KNOW ALL PERSONS BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S) HAVE MADE A SUBDIVISION OF TRACT B-1, LOTS 98B-1 & 98B-2, NORTH COMMUNITY NO. 1, LOS ALAMOS COUNTY, NEW MEXICO, SAID PLAT BEING FILED FROM RECORD IN THE OFFICE OF THE COUNTY CLERK, LOS ALAMOS COUNTY, NEW MEXICO, IN PLAT BOOK 31, PAGE 305 ON THE 23<sup>RD</sup> DAY OF SEPTEMBER 2005 THAT SAID SUBDIVISION IS MADE WITH FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE OWNERS AND PROPRIETORS.

*Catherine Mockler*  
CATHERINE MOCKLER, TRUSTEE OF THE MOCKLER FAMILY TRUST DATED AUGUST 3, 1994  
STATE OF NEW MEXICO }  
COUNTY OF SANTA FE }

THIS FOREGOING INSTRUMENT HAS ACKNOWLEDGED BEFORE ME THIS 19<sup>TH</sup> DAY OF SEPTEMBER 2005 BY CATHERINE MOCKLER.

*Deborah E. Lippin*  
NOTARY PUBLIC  
MY COMMISSION EXPIRES 8/28/06

LOS ALAMOS COUNTY APPROVAL BLOCK

THIS PLAT IS HEREBY APPROVED

*Labd Almid* 9-21-05  
COUNTY SURVEYOR  
*Dan P. Davis* 9-21-05  
COUNTY ENGINEER  
*John M. Co.* 9-21-05  
UTILITIES MANAGER

THIS PLAT IS HEREBY APPROVED THIS 22<sup>ND</sup> DAY OF Sept., 2005 BY THE LOS ALAMOS COUNTY PLANNING AND ZONING COMMISSION INCORPORATED COUNTY OF LOS ALAMOS.

*Bruce A. Crocker*  
CHAIRMAN LOS ALAMOS COUNTY PLANNING AND ZONING COMMISSION  
*Michelle K. Noonan*  
SECRETARY LOS ALAMOS COUNTY PLANNING AND ZONING COMMISSION

Right of Way and Utility Easement

15 Ft Building Set Back Line

SURVEYOR'S CERTIFICATE

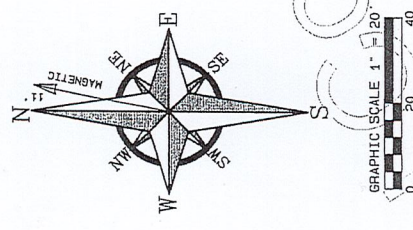
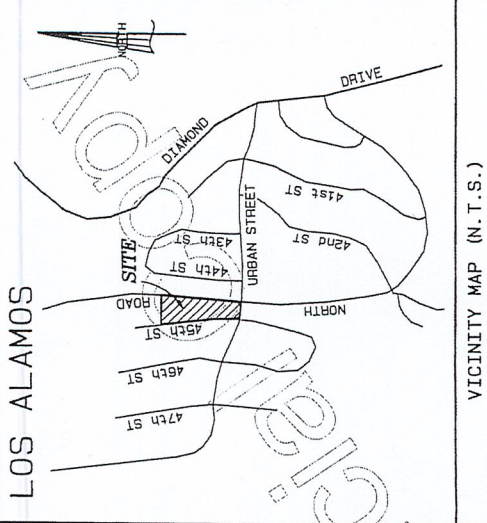
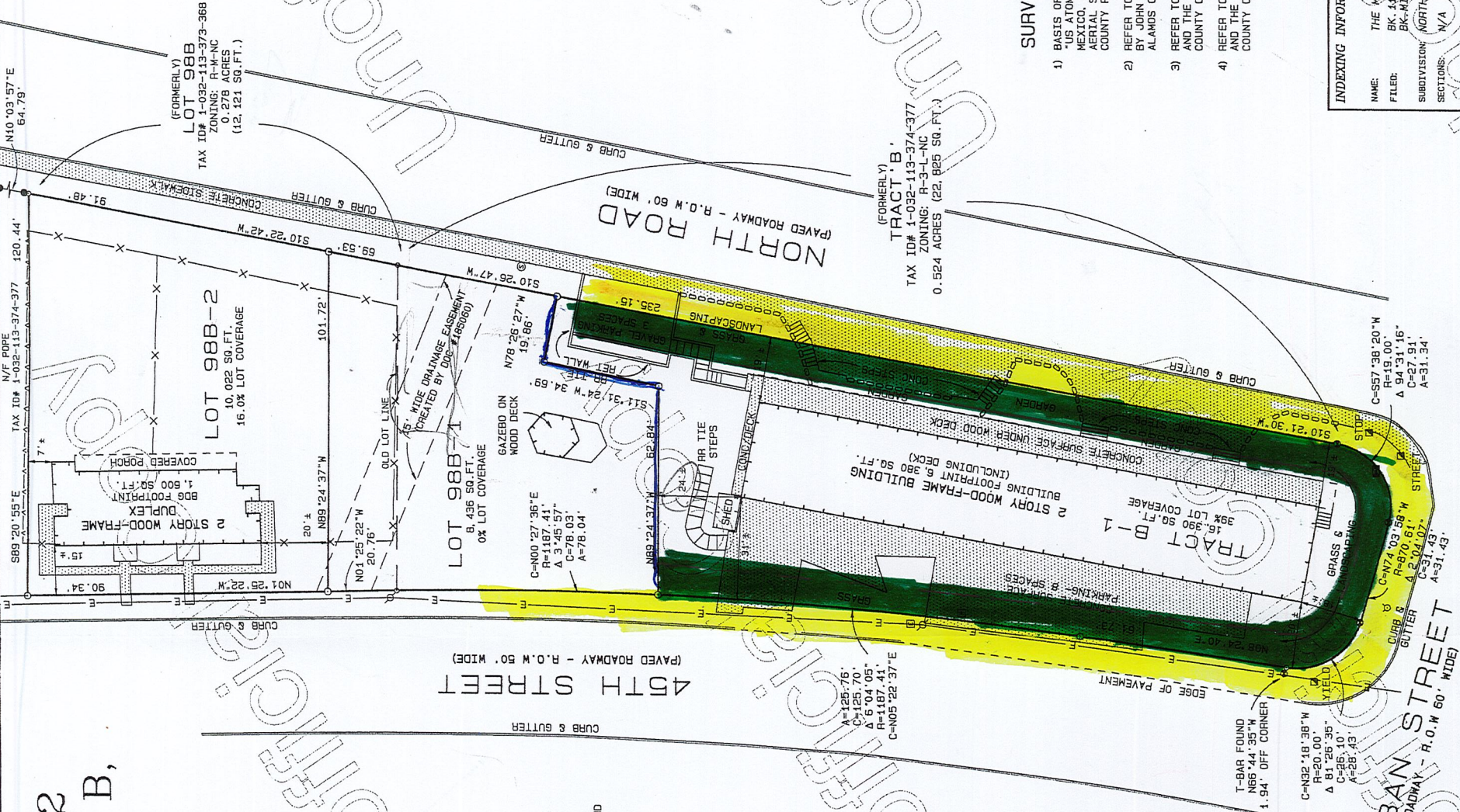
I, MITCHELL K. NOONAN, N.M.P.L.S. No. 6998 DO HEREBY CERTIFY THAT THIS BOUNDARY & DETAIL SURVEY PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION ON MAY 23, 2005, THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO; AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Michelle K. Noonan*  
MITCHELL K. NOONAN  
N.M.P.L.S. No. 6998



LEGEND:

- T-BAR MONUMENT FOUND
- 1/2" REBAR WITH CAP 3722 FOUND
- 1/2" REBAR WITH CAP 6998 SET
- CALCULATED POINT
- UTILITY POLE
- WATER METER
- ELECTRIC METER
- HYDRANT
- SIGN AS NOTED
- NORTH ROAD INN SIGN
- SANITARY MANHOLE
- BOUNDARY LINE
- EASEMENT LINE
- ADJOINER LINE
- OVERHEAD WIRES
- STONE RETAINING WALL
- CURB & GUTTER
- WIRE FENCE
- WOOD FENCE
- CONCRETE SURFACE



COUNTY OF LOS ALAMOS }  
STATE OF NEW MEXICO }  
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON THE 23<sup>RD</sup> DAY OF SEPTEMBER A.D. 2005, AT 4:01 O'CLOCK P.M. AND WAS DULY RECORDED IN PLAT BOOK 31, PAGE 305 OF THE RECORDS OF LOS ALAMOS COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE  
COUNTY CLERK, LOS ALAMOS COUNTY, N.M.  
*Just Oster* DEPUTY  
*NP Noonan* COUNTY CLERK

SURVEYOR'S NOTES:

- 1) BASIS OF BEARINGS IS TAKEN DIRECTLY FROM A PLAT OF SURVEY ENTITLED, "US ATOMIC ENERGY COMMISSION, LOS ALAMOS AREA OFFICE, LOS ALAMOS, NEW MEXICO, NORTH COMMUNITY NO. 1", SHEET 9-6, BY LIMBAUGH ENGINEERING & AERIAL SURVEYS, INC., DATED, JUL 16, 1965, RECORDED WITH THE LOS ALAMOS COUNTY RECORDS AT PLAT BOOK 1 PAGE 64.
- 2) REFER TO A PLAT ENTITLED, "A SUBDIVISION OF LOT 98-NORTH COMMUNITY NO. 1 BY JOHN R. MENDIUS NPLS #3722, DATED MARCH, 1986, RECORDED WITH THE LOS ALAMOS COUNTY CLERK'S OFFICE AT PLAT BOOK 6, PAGE 62.
- 3) REFER TO A GRANT DEED FOR TRACT 'B' BETWEEN CATHERINE MOCKLER (GRANTOR) AND THE MOCKLER FAMILY TRUST (GRANTEE) RECORDED WITH THE LOS ALAMOS COUNTY CLERK'S OFFICE AT MISC BOOK 44, PAGE 132-AS DOCUMENT 134401.
- 4) REFER TO A WARRANTY DEED BETWEEN JOHN H. & INA C. ACOMB, TRS. (GRANTORS) AND THE MOCKLER FAMILY TRUST (GRANTEE) RECORDED WITH THE LOS ALAMOS COUNTY CLERK'S OFFICE AT BOOK 116, PAGE 945.

INDEXING INFORMATION FOR COUNTY CLERK	
NAME:	THE MOCKLER FAMILY TRUST
FILED:	BK. 416, PG. 915 (LOT 98B)
SUBDIVISION:	BK-MISC 44, PG. 132 (TRACT B)
SECTION:	NORTH COMMUNITY NO. 1
	N/A





TRACT B-1, LOTS 98B-1 & 98B-2  
A SUBDIVISION OF LOT 98 & TRACT B,  
NORTH COMMUNITY NO. 1  
COUNTY OF LOS ALAMOS, NEW MEXICO

OWNER'S CONSENT

KNOW, ALL PERSONS BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S) HAVE MADE A SUBDIVISION AS SHOWN HEREON OF LOT 98 & TRACT B, NORTH COMMUNITY NO. 1, LOS ALAMOS COUNTY, NEW MEXICO. THE FOLLOWING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 19th DAY OF SEPTEMBER 2005 BY CATHERINE MCKLER, TRUSTEE OF THE MCKLER FAMILY TRUST DATED AUGUST 3, 1994 AND IN ACCORDANCE WITH THE DESIRES OF THE OWNERS AND PROPRIETORS.

Catherine Mckler, Trustee  
STATE OF NEW MEXICO }  
COUNTY OF SANTA FE }  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 19th DAY OF SEPTEMBER 2005 BY CATHERINE MCKLER.

Deborah E. Lippert  
NOTARY PUBLIC  
MY COMMISSION EXPIRES 8/28/06

LOS ALAMOS COUNTY APPROVAL BLOCK

THIS PLAT IS HEREBY APPROVED  
COUNTY SURVEYOR  
DATE 9-21-05  
COUNTY ENGINEER  
DATE 9-21-05  
UTILITIES MANAGER  
DATE 9-21-05

THIS PLAT IS HEREBY APPROVED THIS 22nd DAY OF Sept. 2005 BY THE LOS ALAMOS COUNTY PLANNING AND ZONING COMMISSION INCORPORATED COUNTY OF LOS ALAMOS

Sandra L. Cochran  
CHAIRMAN LOS ALAMOS COUNTY  
PLANNING AND ZONING COMMISSION  
SECRETARY LOS ALAMOS COUNTY  
PLANNING AND ZONING COMMISSION

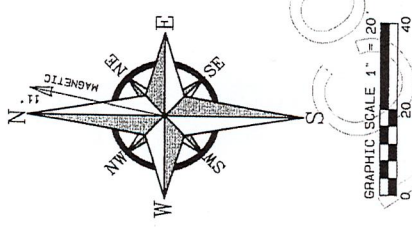
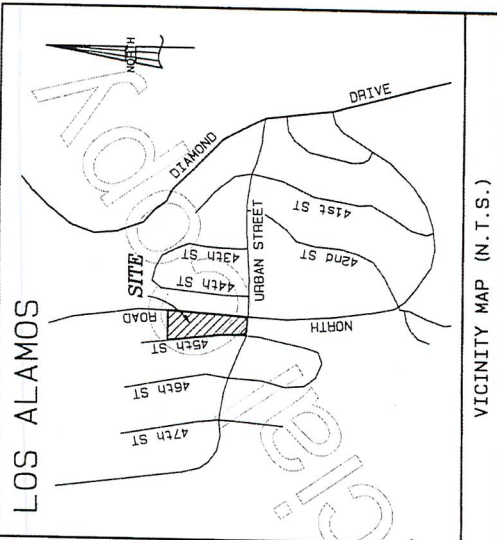
SURVEYOR'S CERTIFICATE

I, MITCHELL K. NOONAN, N.M.P.L.S. NO. 6998, DO HEREBY CERTIFY THAT THIS BOUNDARY & DETAIL SURVEY PLAT AND THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO; AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Mitchell K. Noonan  
N.M.P.L.S. NO. 6998

LEGEND:

- T-BAR MONUMENT FOUND
- 1/2" REBAR WITH CAP 3722 FOUND
- 1/2" REBAR WITH CAP 6998 SET
- CALCULATED POINT
- UTILITY POLE
- WATER METER
- ELECTRIC METER
- HYDRANT
- SIGN AS NOTED
- NORTH ROAD INN SIGN
- SANITARY MANHOLE
- BOUNDARY LINE
- EASEMENT LINE
- ADJOINER LINE
- OVERHEAD WIRES
- STONE RETAINING WALL
- CURB & GUTTER
- WIRE FENCE
- WOOD FENCE
- CONCRETE SURFACE



COUNTY OF LOS ALAMOS }  
STATE OF NEW MEXICO }  
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS  
FILED FOR RECORD ON THE 22nd DAY OF September  
A.D. 2005, AT 4:01 O'CLOCK P.M.  
AND WAS DULY RECORDED IN PLAT BOOK 131,  
PAGE 805, OF THE RECORDS OF LOS ALAMOS  
COUNTY.

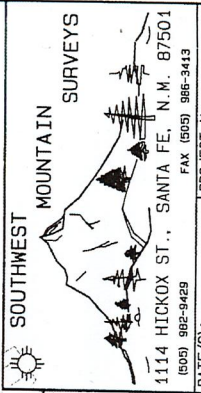
WITNESS MY HAND AND SEAL OF OFFICE  
COUNTY CLERK, LOS ALAMOS COUNTY, N.M.  
Janae Jester  
DEPUTY  
N.P. Noonan  
COUNTY CLERK

SURVEYOR'S NOTES:

- 1) BASIS OF BEARINGS IS TAKEN DIRECTLY FROM A PLAT OF SURVEY ENTITLED, "LOS ALAMOS COUNTY, LOS ALAMOS AREA OFFICE, LOS ALAMOS COUNTY, NEW MEXICO, NORTH COMMUNITY NO. 1, SHEET B-6, BY L. M. HARRIS, ENGINEER, AERIAL SURVEYS, INC., DATED, JUL 16, 1965, RECORDED WITH THE LOS ALAMOS COUNTY RECORDS AT PLAT BOOK 1 PAGE 64.
- 2) REFER TO A PLAT ENTITLED, "A SUBDIVISION OF LOT 98-NORTH COMMUNITY NO. 1 BY JOHN R. MENDEZ NMPLS #3722, DATED MARCH, 1996, RECORDED WITH THE LOS ALAMOS COUNTY CLERK'S OFFICE AT PLAT BOOK 6, PAGE 82.
- 3) REFER TO A GRANT DEED FOR TRACT 'B' BETWEEN CATHERINE MCKLER (GRANTOR) AND THE MCKLER FAMILY TRUST (GRANTEE) RECORDED WITH THE LOS ALAMOS COUNTY CLERK'S OFFICE AT MISC BOOK 44, PAGE 132 AS DOCUMENT 114401.
- 4) REFER TO A WARRANTY DEED BETWEEN JOHN H. & INA C. ACOME, TRS. (GRANTORS) AND THE MCKLER FAMILY TRUST (GRANTEE) RECORDED WITH THE LOS ALAMOS COUNTY CLERK'S OFFICE AT BOOK 116, PAGE 945.

INDEXING INFORMATION FOR COUNTY CLERK

NAME: THE MCKLER FAMILY TRUST  
FILED: BK. 116, PG. 945 (LOT 98B)  
SUBDIVISION: NORTH COMMUNITY NO. 1  
SECTIONS: N/A





## NEIGHBORHOOD MEETING

### 300-FT NOTICE OF NEIGHBORHOOD MEETING ("OFFER")

PROPERTY OWNER	MAILING ADDRESS	CITY/STATE/ZIP	RESPONDED	DATE OF RESPONSE
2071, 2073 NORTH RDS APT	2071 NORTH RD	LOS ALAMOS, NM, 87544		
2117 43RD ST CONDOS	2117 43RD ST	LOS ALAMOS, NM, 87544-3619		
2118 44TH ST CONDOS	2118 44TH ST	LOS ALAMOS, NM, 87544		
2123 45TH ST CONDOS	2123 45TH ST	LOS ALAMOS, NM, 87544		
2141 44TH ST CONDOS	2141 44TH ST	LOS ALAMOS, NM, 87544		
2141 45TH ST CONDOS	2141 45TH ST	LOS ALAMOS, NM, 87544		
2165 45TH ST CONDOMINIUM	2165 45TH ST	LOS ALAMOS, NM, 87544		
2166 44TH ST CONDOS	2166 44TH ST	LOS ALAMOS, NM, 87544		
2185 44TH ST CONDOS	2185 44TH ST	LOS ALAMOS, NM, 87544		
2191 45TH ST CONDOS	2191 45TH ST	LOS ALAMOS, NM, 87544		
2205 45TH ST CONDOS	2205 45TH ST	LOS ALAMOS, NM, 87544		
ARIAS MELISSA MEEK	2168 44TH STREET	LOS ALAMOS, NM, 87544		
BAKER DONALD D & DOLLY H REVOC TRUST	524 TOMASITA ST NE	ALBUQUERQUE, NM, 87123		
CHU VINCENT	2165 A 45TH ST	LOS ALAMOS, NM, 87544		
COLLINS ALLISON L	2117 B 43RD ST	LOS ALAMOS, NM 87544		
DE GROOT ETHAN & RON A	2118 A 44TH ST	LOS ALAMOS, NM, 87544		
DIXON DAVID ANDREW & JESICA LARSON	2072 46TH	LOS ALAMOS, NM, 87544		
DUECY CHARLES M & COURTNEY A	2117 D 43RD ST	LOS ALAMOS, NM 87544		
FIVE OAKS INVESTMENTS LLC	2122 45TH ST	LOS ALAMOS, NM, 87544		
GADD MILAN S	2190 46TH ST	LOS ALAMOS, NM, 87544		
GARCIA FRANCISCO J	1929 SUNSHINE TER SE	ALBUQUERQUE, NM, 87106		
GARCIA PHIL D	2141 B 44TH ST	LOS ALAMOS, NM, 87544		
GEDDES PAULA R	2117 C 43RD ST	LOS ALAMOS, NM 87544		
HEFT DAVID W & GERALDINE J REVOC LIVING TRUST	2205 A 45TH ST	LOS ALAMOS, NM 87544		
HOODLESS MICHAEL & BRIDGET	2166 B 44TH ST	LOS ALAMOS, NM, 87544		
HORN KAE LAN J	2141 D 44TH ST	LOS ALAMOS, NM, 87544		
HOTH EDWARD J & SHELLY W	2125 44TH ST	LOS ALAMOS, NM, 87544		
KEENEY BARRY E	PO BOX 667	LOS ALAMOS, NM 87544		
KOH AIK SIONG & TRACY	3765 A VILLA ST	LOS ALAMOS, NM, 87544	Yes	4/23/2024
KOH AIK-SIONG & TRACY	3765 A VILLA ST	LOS ALAMOS, NM, 87544	Yes	4/23/2024
KYRALA MICHAEL ENE M	2191 B 45TH ST	LOS ALAMOS, NM, 87544		

## NEIGHBORHOOD MEETING

LAUBSCHER BRYAN E	2073 NORTH ROAD	LOS ALAMOS, NM, 87544	
LOVATO JANET E	4298 B ALABAMA AVE	LOS ALAMOS, NM 87544	
LOWNES SARAH S	2163 44TH ST	LOS ALAMOS, NM, 87544	
LSYSTOM LEVI A	1840 COOPER PLACE	LOS ALAMOS, NM, 87544	
LYLES MARTHA H & ROBERT C	2166 A 44TH ST	LOS ALAMOS, NM, 87544	
MA XIA & MIAO QING	2118 C 44TH ST	LOS ALAMOS, NM, 87544	
MAES ROBERT P & TRICIA R REVOCABLE TRUST	2046 45TH ST	LOS ALAMOS, NM, 87544	
MARTINEZ-BARBER JAMIE J	2172 B 45TH ST	LOS ALAMOS, NM, 87544	
MATHENY JASON R	2084 46TH ST	LOS ALAMOS, NM, 87544	
MCBRIDE ALBERT & CONN EMILY S	2196 45TH ST	LOS ALAMOS, NM, 87544	
MCBRIDE MICHAEL A & REBECCA V REV TRUST	2185 C 44TH ST	LOS ALAMOS, NM, 87544	
MEDIN ZACHARY & CANDIA-ROJAS ROXANA	2185 A 44TH ST	LOS ALAMOS, NM, 87544	
MEDLIN ZACHARY & CANDIA-ROJAS ROZANA	2185 B 44TH ST	LOS ALAMOS, NM, 87544	
MIERA PAUL R	2118 B 44TH ST	LOS ALAMOS, NM, 87544	
MOCKLER CATHERINE	2071 NORTH RD	LOS ALAMOS, NM, 87544	
MOCKLER FAMILY TRUST	2122 45TH ST	LOS ALAMOS, NM, 87544	
NAKAOKA TYLER C & KENDRA D	2134 46TH ST	LOS ALAMOS, NM, 87544	
O'MALLEY DANIEL & ASHLEY	2156 46TH ST	LOS ALAMOS, NM, 87544	
PETERSON JOSEPH W & ANDREA ELLEN	2141 A 44TH STREET	LOS ALAMOS, NM, 87544	
PIETRYKOWSKI MICHAEL C	2165 45TH ST APT B	LOS ALAMOS, NM, 87544	
POPE ANGELA SANCHEZ-	2178 45TH ST	LOS ALAMOS, NM, 87544	Yes
PORTEOUS ANDREW B & GINN ASIA E	2123 A 45TH ST	LOS ALAMOS, NM, 87544	4/24/2024
RUDIN SVEN PETER & VU DUNG M REVOC TRUST	2060 46TH ST	LOS ALAMOS, NM, 87544	
SEALES JOHNNY D JR & ASHLEY L	2057 B 45TH ST	LOS ALAMOS, NM, 87544	
SHERRY-SCELZA ROBERTA TRUST	2118 D 44TH ST	LOS ALAMOS, NM, 87544	
TAPIA JOHN J & KAREN S	2 LA PUEBLA LN	ESPANOLA, NM 87532	
THOMPSON MICHAEL A & KELLY L	2110 46TH ST	LOS ALAMOS, NM, 87544	
VERNON LOUIS J & THEA M	1054 BIG ROCK LOOP	LOS ALAMOS, NM, 87544	
VOGEL GRAYSON & DUBOIS CHRISTINE	2170 46TH ST	LOS ALAMOS, NM, 875442725	
WALSH SEAN	2205 D 45TH ST	LOS ALAMOS, NM 87544	
WENBERG DALE & SIEW PING	2191 A 45TH ST	LOS ALAMOS, NM, 87544	Yes
WILLIMS MARY PATRICIA	2185 D 44TH ST	LOS ALAMOS, NM 87544	
ZERBE BRANDON S & SANDERS-JACKSON ASHLEY N	2123 B 45TH ST	LOS ALAMOS, NM, 87544	4/29/2024

## NEIGHBORHOOD MEETING

As a property owner, you must respond in favor or against a neighborhood meeting within 14 calendar days of the meeting offer being sent. Should property owners opt for a meeting, the representative will coordinate accordingly, and the meeting will be held. If all property owners decline the meeting or fail to respond within the stipulated timeframe, the applicant may proceed to apply for a rezone without the neighborhood meeting as outlined in Code Sec. 16-72(b)(2)(e).

Let us know if you would like to have a neighborhood meeting by responding in one of the following ways:

**By Phone:** Desirae J. Lujan  
Senior Planner, Community Development  
(505)662-8097

**By Email:** [planning@gmail.com](mailto:planning@gmail.com)  
Attn: North Road Inn

**By Mail:** Community Development Department  
c/o Desirae J. Lujan  
1000 Central Ave, Suite 150  
Los Alamos, NM 87544

Please do not hesitate to reach out should you require any further information.

Thank you in advance for your response and attention to this important issue.

## NEIGHBORHOOD MEETING

Neighborhood Meeting  
Minor Zoning Amendment Request  
North Road Inn Property  
2128 45<sup>th</sup> Street  
Los Alamos, NM 87544  
May 4, 2024 3:00 PM - 4:30 PM

### Attendee Sign In

Name

Email Address (not Required)

1. Philip Gursky
2. DALE Wenburg
3. Aik-Siong Koh
4. Tracy Koh
5. Angela Sanchez Lopez
6. Patty Williams
7. SOBIA SAYEDA
8. YOLY JONES
9. \_\_\_\_\_
10. \_\_\_\_\_

- Developer Rep  
[Signature]  
askoh@askoh.com  
tkkoh@askoh.com  
essangela@comcast.net  
Patty Williams  
SOBIA.SAYEDA@lacnm.us  
JONESYOLY@GMAIL.COM  
\_\_\_\_\_  
\_\_\_\_\_



## NEIGHBORHOOD MEETING

### Summary of Neighborhood Meeting for Proposed Minor Zone Map Amendment

North Road Inn, 2128 45<sup>th</sup> Street, Los Alamos, NM

Dear Desirae,

Pursuant to the requirements of Section 16-72-(b)(2) of the Development Code and following Notice to property owners within 300 Feet of the property as required by Section 16-72-(b)(2)(a) A Neighborhood Meeting was held regarding the proposed Minor Zoning Map Amendment at 3:00 PM on Sat, May 4, 2026 at the North Road Inn. A copy of the sign in sheet is attached to this summary.

Philip Gursky, representative of the purchaser presented the scope of the request, explaining the request will be made to change the zoning from RM-2 zoning to MFR-L zoning (Multifamily Residential-Low Density) to return the zoning to the historical zoning of the Property as a R-3-L and following the Cerro Grande finer NC-3-L with a Special Use Permit to operate an up to 15-unit Inn and to make the zoning with the next door lot, also being purchased. Phil Gursky informed the attendees, although there is no current requirement to set forth potential future use changes at this time, that the footprint of the property would remain the same with interior and façade renovations creating workforce housing studio units. Following the presentation of the proposed zoning change, attendees were invited to ask questions or express their concerns.

Among the questions and concerns raised were:

1. What use would the Developer be putting the property to. We responded that we would be converting the Inn use to workforce housing studio units. We indicated that the existing building would be remodeled inside and the exterior façade and decks would be repaired, updated and improved, but the footprint and structure of the existing building would not be changed.
1. Would the developer be seeking to add a third floor to the property. Develop indicated that have no plans to add another floor and even the feasibility hadn't been researched.
2. What impact would it have on parking. Both Phil Gursky and Sobia Sayeda, Head Planner for the County indicated that there are currently 15 spaces for 14 units, which meets County Standards. If the number of workforce studio units were to increase over the current lodging unit count, additional off-street parking spaces would be required to match Development Code Standards.

## NEIGHBORHOOD MEETING

3. Concern that there would be a potential increase in on street parking on 45<sup>th</sup> and North Road and additional traffic resulting. We noted their concerns and just reiterated that any additional units would require additional off-street spaces.

4. An attendee expressed concern that LANL summer student interns might double up occupancy creating more parking needs if each student had a vehicle. We pointed out that a large percentage of the summer interns do not have vehicles and the Studio units would not likely be suitable for more than one unrelated adult resident occupancy and, if so, be restricted to one resident by our form of lease.

5. Several questions were asked about the approval process. Sobia Sayeda explained for this zoning request there will be an internal County department review of the application to be sure it meets County Development standards and there would then be public hearings in front of both the Planning and Zoning Commission and the County Council. Similarly, Sobia explained, subsequent development changing the footprint of the existing building or any additional would require new Site plans and a similar review and public input process.

6. An attendee questioned what the was the current breakdown of zoning. It was explained that to immediately East of the Inn to Diamond Drive and vacant lot next door to the North are zoned MFR-L and the Property to the West of the Inn to 48th Street are zone RM-2 and this was done at the time of adoption of the new Development Code at the end of 2022.

Phil Gursky explained that as a zoning amendment request is merely intended to return zoning to conforming zoning district matching the historical density and use and that no future building permit or development plans will be introduced or approved at this time. And he reiterated that future changes to the footprint or size of the existing building or any proposed construction will require a new approval process with notice and an opportunity to be heard for all the neighbors.

Phil Gursky indicated that if there were additional questions they can be addressed in emails to either Sobia Sayeda at [sobia.sayed@lacnm.us](mailto:sobia.sayed@lacnm.us) or Desirae Lujan, the case Planning Department Case manager for this request at [desirae.lujan@lacnm.us](mailto:desirae.lujan@lacnm.us). Either of them would direct pertinent questions for him.

The meeting adjourned at approx. 4:30 pm.

Signed



Philip Gursky  
Representative  
Northern NM Capital Investments, LLC

April 18, 2024

MOCKLER CATHERINE  
OR CURRENT OWNER  
2071 NORTH RD  
LOS ALAMOS, NM, 87544

Dear Addressee,

**COUNTY COUNCIL**

Denise Derkacs  
Council Chair

Theresa Cull  
Council Vice Chair

**COUNCILORS**

Melanee Hand  
Suzie Havemann

Keith Lepsch  
David Reagor  
Randall T. Rytz

**COUNTY MANAGER**

Anne W. Laurent

We are writing to inform you of the vote for a neighborhood meeting. According to Sec. 16-72(b)(2) of the Los Alamos County Development Code, the County must offer at least one neighborhood meeting for all property owners within 300 feet of a project site before accepting an application. These guidelines are only for certain project types, with the goal of ensuring community involvement and transparency in development.

Northern New Mexico (NNM) Capital Investments, LLC., Representative on behalf of Five Oaks Investments, LLC., Property Owner, has tentatively scheduled a neighborhood meeting:

**Date:** Saturday, May 4, 2024

**Time:** 3 p.m.

**Location:** 2127 North Road

Community Room, North Road Inn (south entry at 45<sup>th</sup> Street)

The purpose of the meeting is to share information on the following project:

The rezone of the North Road Inn property, addressed as 2127 North Road, from current zone of Residential Mixed Use (RM-2) Zone District to Multi-Family Residential – Low Density (MFR-L) Zone District, which accommodates a variety of low-to-medium density options characterized by single-family, duplex, fourplex, townhouses, and small-scale multi-family dwelling types.

The current use and building footprint will be maintained. NNM Capital Investments intends to renovate the existing building within its current footprint and operate the property as a residential apartment building if the rezone application is approved.

## INTERDEPARTMENTAL REVIEW COMMITTEE

*Meeting Minutes*  
*Thursday, May 30, 2024*  
*10 AM*

**THE INTERDEPARTMENTAL REVIEW COMMITTEE MET TO REVIEW AND DISCUSS THE BELOW MENTIONED CASE FOR CONSIDERATION TO MOVE FORWARD TO THE PLANNING AND ZONING COMMISSION MEETING SCHEDULED FOR JUNE 26, 2024.**

**In Attendance:**

Sobia Sayeda, Planning Manager  
Desirae J. Lujan, Senior Planner  
James Alarid, Deputy Utility Manager - Engineering  
Eric Ulibarri, County Engineer  
Larissa Breen, Assistant Attorney (virtual attendance)  
Thomas Wyman, Assistant Attorney (virtual attendance)  
James Pepe, Fire Marshal  
David Martinez, Chief Building Official  
Ubaldo Barela, Management Analyst

**REZ-2024-0018 REZONING. NORTHERN NEW MEXICO CAPITAL INVESTMENTS, LLC, APPLICANT, ON BEHALF OF FIVE OAKS INVESTMENTS, LLC, IS REQUESTING APPROVAL OF A REZONING. THE APPLICATION PROPOSES CHANGING THE PROPERTY AT 2127 45<sup>TH</sup> STREET LOS ALAMOS, NEW MEXICO, FROM THE CURRENT RM-2 ZONE TO MFR-L.**

The rezoning application was submitted by Phil Gursky. The lot at 2127 45<sup>th</sup> Street Los Alamos, New Mexico is located near Urban Park and has been historically used as an Inn. The rezoning is proposed to allow for multi-family use, if approved the applicant would like to do a lot consolidation with the northern lot. The application is for a change of rezoning to 2127 North Road from RM-2 to MFR-L. They will use the lot for housing and long-term lease units. They want to match the zoning to the northern lot so they can be joined, and both used for multi-family use. The Inn currently comprises 14 units. Once the zoning is approved permits can be applied for renovation to begin.

RM-2 and MFR-L zoning are similar with low to medium density but make some conditional use changes. The lot will not be expanding its footprint and will not add new parking spaces. Units may be joined, and fewer units may be available once renovations take place. In MFR-L the number of units is not limited but there are setbacks and parking limits.

The Committee evaluated the decision criteria and communicated that it has been met. Site elements were mentioned; however, it was acknowledged that the application was solely for a rezone, and development standards would be demonstrated and assessed at the time of development.

**JAMES ALARID, DEPUTY UTILITY MANAGER - ENGINEERING, MOVED TO APPROVE THE REZONING OF THE NORTH ROAD INN PROPERTY BE MOVED FORWARD TO THE PLANNING AND ZONING COMMISSION FOR CONSIDERATION. SECONDED BY ERIC ULIBARRI, COUNTY ENGINEER. THE MOTION PASSED UNANIMOUSLY.**

## PROPERTY OWNERS WITHIN 300-FT

Property Owner	Or Current Owner	Mailing Address	City/State/ZIP
2071,2073 NORTH RDS APT	OR CURRENT OWNER	2071 NORTH RD	LOS ALAMOS, NM, 87544
2117 43RD ST CONDOS	OR CURRENT OWNER	2117 43RD ST	LOS ALAMOS, NM, 87544-3619
2118 44TH ST CONDOS	OR CURRENT OWNER	2118 44TH ST	LOS ALAMOS, NM, 87544
2123 45TH ST CONDOS	OR CURRENT OWNER	2123 45TH ST	LOS ALAMOS, NM, 87544
2141 44TH ST CONDOS	OR CURRENT OWNER	2141 44TH ST	LOS ALAMOS, NM, 87544
2141 45TH ST CONDOS	OR CURRENT OWNER	2141 45TH ST	LOS ALAMOS, NM, 87544
2165 45TH ST CONDOMINIUM	OR CURRENT OWNER	2165 45TH ST	LOS ALAMOS, NM, 87544
2166 44TH ST CONDOS	OR CURRENT OWNER	2166 44TH ST	LOS ALAMOS, NM, 87544
2185 44TH ST CONDOS	OR CURRENT OWNER	2185 44TH ST	LOS ALAMOS, NM, 87544
2191 45TH ST CONDOS	OR CURRENT OWNER	2191 45TH ST	LOS ALAMOS, NM, 87544
2205 45TH ST CONDOS	OR CURRENT OWNER	2205 45TH ST	LOS ALAMOS, NM, 87544
ARIAS MELISSA MEEK	OR CURRENT OWNER	2168 44TH STREET	LOS ALAMOS , NM, 87544
BAKER DONALD D & DOLLY H REVOC TRUST	OR CURRENT OWNER	524 TOMASITA ST NE	ALBUQUERQUE, NM, 87123
CHU VINCENT	OR CURRENT OWNER	2165 A 45TH ST	LOS ALAMOS, NM, 87544
COLLINS ALLISON L	OR CURRENT OWNER	2117 B 43RD ST	LOS ALAMOS, NM 87544
DE GROOT ETHAN & RON A	OR CURRENT OWNER	2118 A 44TH ST	LOS ALAMOS, NM, 87544
DIXON DAVID ANDREW & JESICA LARSON	OR CURRENT OWNER	2072 46TH	LOS ALAMOS, NM, 87544
DUECY CHARLES M & COURTNEY A	OR CURRENT OWNER	2117 D 43RD ST	LOS ALAMOS, NM 87544
FIVE OAKS INVESTMENTS LLC	OR CURRENT OWNER	2122 45TH ST	LOS ALAMOS, NM, 87544
GADD MILAN S	OR CURRENT OWNER	2190 46TH ST	LOS ALAMOS, NM, 87544
GARCIA FRANCISCO J	OR CURRENT OWNER	1929 SUNSHINE TER SE	ALBUQUERQUE, NM, 87106
GARCIA PHIL D	OR CURRENT OWNER	2141 B 44TH ST	LOS ALAMOS, NM, 87544
GEDDES PAULA R	OR CURRENT OWNER	2117 C 43RD ST	LOS ALAMOS, NM 87544
HEFT DAVID W & GERALDINE J REVOC LIVING TRUST	OR CURRENT OWNER	2205 A 45TH ST	LOS ALAMOS, NM 87544
HOODLESS MICHAEL & BRIDGET	OR CURRENT OWNER	2166 B 44TH ST	LOS ALAMOS, NM, 87544
HORN KAELAN J	OR CURRENT OWNER	2141 D 44TH ST	LOS ALAMOS, NM, 87544
HOTH EDWARD J & SHELLY W	OR CURRENT OWNER	2125 44TH ST	LOS ALAMOS, NM, 87544
KEENEY BARRY E	OR CURRENT OWNER	PO BOX 667	LOS ALAMOS, NM 87544
KOH AIK SIONG & TRACY	OR CURRENT OWNER	3765 A VILLA ST	LOS ALAMOS, NM, 87544
KOH AIK-SIONG & TRACY	OR CURRENT OWNER	3765 A VILLA ST	LOS ALAMOS, NM, 87544
KYRALA MICHAELNE M	OR CURRENT OWNER	2191 B 45TH ST	LOS ALAMOS, NM, 87544



Los Alamos County Council  
Regular Session  
August 27, 2024  
Item 10.E  
Attachment C

LAUBSCHER BRYAN E	OR CURRENT OWNER	2073 NORTH ROAD	LOS ALAMOS, NM, 87544
LOVATO JANET E	OR CURRENT OWNER	4298 B ALABAMA AVE	LOS ALAMOS, NM 87544
LOWNES SARAH S	OR CURRENT OWNER	2163 44TH ST	LOS ALAMOS, NM, 87544
LSYSTOM LEVI A	OR CURRENT OWNER	1840 COOPER PLACE	LOS ALAMOS, NM, 87544
LYLES MARTHA H & ROBERT C	OR CURRENT OWNER	2166 A 44TH ST	LOS ALAMOS, NM, 87544
MA XIA & MIAO QING	OR CURRENT OWNER	2118 C 44TH ST	LOS ALAMOS, NM, 87544
MAES ROBERT P & TRICIA R REVOCABLE TRUST	OR CURRENT OWNER	2046 45TH ST	LOS ALAMOS, NM, 87544
MARTINEZ-BARBER JAMIE J	OR CURRENT OWNER	2172 B 45TH ST	LOS ALAMOS, NM, 87544
MATHENY JASON R	OR CURRENT OWNER	2084 46TH ST	LOS ALAMOS, NM, 87544
MCBRIDE ALBERT & CONN EMILY S	OR CURRENT OWNER	2196 45TH ST	LOS ALAMOS, NM, 87544
MCBRIDE MICHAEL A & REBECCA V REV TRUST	OR CURRENT OWNER	2185 C 44TH ST	LOS ALAMOS, NM, 87544
MEDIN ZACHARY & CANDIA-ROJAS ROXANA	OR CURRENT OWNER	2185 A 44TH ST	LOS ALAMOS, NM, 87544
MEDLIN ZACHARY & CANDIA-ROJAS ROZANA	OR CURRENT OWNER	2185 B 44TH ST	LOS ALAMOS, NM, 87544
MIERA PAUL R	OR CURRENT OWNER	2118 B 44TH ST	LOS ALAMOS, NM, 87544
MOCKLER CATHERINE	OR CURRENT OWNER	2071 NORTH RD	LOS ALAMOS, NM, 87544
MOCKLER FAMILY TRUST	OR CURRENT OWNER	2122 45TH ST	LOS ALAMOS, NM, 87544
NAKAOKA TYLER C & KENDRA D	OR CURRENT OWNER	2134 46TH ST	LOS ALAMOS, NM, 87544
O'MALLEY DANIEL & ASHLEY	OR CURRENT OWNER	2156 46TH ST	LOS ALAMOS, NM, 87544
PETERSON JOSEPH W & ANDREA ELLEN	OR CURRENT OWNER	2141 A 44TH STREET	LOS ALAMOS , NM, 87544
PIETRYKOWSKI MICHAEL C	OR CURRENT OWNER	2165 45TH ST APT B	LOS ALAMOS, NM, 87544
POPE ANGELA SANCHEZ-	OR CURRENT OWNER	2178 45TH ST	LOS ALAMOS, NM, 87544
PORTEOUS ANDREW B & GINN ASIA E	OR CURRENT OWNER	2123 A 45TH ST	LOS ALAMOS, NM, 87544
RUDIN SVEN PETER & VU DUNG M REVOC TRUST	OR CURRENT OWNER	2060 46TH ST	LOS ALAMOS, NM, 87544
SEALES JOHNNY D JR & ASHLEY L	OR CURRENT OWNER	2057 B 45TH ST	LOS ALAMOS, NM, 87544
SHERRY-SCELZA ROBERTA TRUST	OR CURRENT OWNER	2118 D 44TH ST	LOS ALAMOS, NM, 87544
TAPIA JOHN J & KAREN S	OR CURRENT OWNER	2 LA PUEBLA LN	ESPANOLA, NM 87532
THOMPSON MICHAEL A & KELLY L	OR CURRENT OWNER	2110 46TH ST	LOS ALAMOS, NM, 87544
VERNON LOUIS J & THEA M	OR CURRENT OWNER	1054 BIG ROCK LOOP	LOS ALAMOS, NM, 87544
VOGEL GRAYSON & DUBOIS CHRISTINE	OR CURRENT OWNER	2170 46TH ST	LOS ALAMOS, NM, 875442725
WALSH SEAN	OR CURRENT OWNER	2205 D 45TH ST	LOS ALAMOS, NM 87544
WENBERG DALE & SIEW PING	OR CURRENT OWNER	2191 A 45TH ST	LOS ALAMOS, NM, 87544
WILLIMS MARY PATRICIA	OR CURRENT OWNER	2185 D 44TH ST	LOS ALAMOS, NM 87544
ZERBE BRANDON S & SANDERS-JACKSON ASHLEY N	OR CURRENT OWNER	2123 B 45TH ST	LOS ALAMOS, NM, 87544

## 300-ft Buffer Map





# DAILY POST

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Working Together. Working for you.



REZ-2024-0018

June 6, 2024 by [Submitted by Kirsten Laskey \(ladp admin\)](#)

### LEGAL NOTICE

Community Development

Department

Notice is hereby given that the Planning and Zoning Commission of the Incorporated County of Los Alamos, State of New Mexico, has directed publication of their scheduled meeting to be held on Wednesday, June 26, 2024, beginning at 5:30 PM, within the Municipal Building, Council Chambers, located at 1000 Central Ave, Los Alamos, NM 87544. Members of the public may, also, join to make public comment by pasting into their browser the following URL:  
<https://us06web.zoom.us/j/81885706651>

Or by phone: (US) +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782

Webinar ID: 818 8570 6651

A copy of the complete Agenda is available at least 72-hours prior for public inspection during regular business hours of 8 am-5 pm, within the Community Development Department at 1000 Central Ave, Suite 150, or online at <https://losalamos.legistar.com/Calendar.aspx>.

1. REZ-2024-0018. Philip Gursky, Northern New Mexico Capital Investments, LLC., on behalf of Five Oaks Investments, LLC., property owner, is requesting a zone map amendment to change the property, NC1 B1, zone district from Residential-Mixed (RM-2) to Multi-Family Residential-Low (MFR-L). The property is commonly known as the North Road Inn and is addressed as 2127 North Road, within the North Community 1 Subdivision.

Case Manager: Desirae J. Lujan, Senior Planner

S/ Paul Andrus

Community Development Director

"If you are an individual with a disability who needs 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 Human Resources Department at (505)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 County Administrator's Office at (505) 662-8080 if a summary or other type of accessible format is needed."

PUBLISHED IN THE LOS ALAMOS DAILY POST THURSDAY JUNE 6, 2024

ATTACHMENT C

Los Alamos County Council  
Regular Session  
August 27, 2024  
Item 10.E  
Attachment C



**ABOVE: Posting on 45<sup>th</sup> Street**

**BELOW: Posting on North Road**







Los Alamos County  
Community Development Department  
**PLANNING & ZONING COMMISSION STAFF REPORT**

**Public Hearing Date:** June 26, 2024  
**Subject:** Case No. REZ-2024-0018  
**Owners/Applicants:** Philip Gursky, Northern New Mexico Capital Investments, LLC.,  
on behalf of Five Oaks Investments, LLC., property owner  
**Case Manager:** Desirae J. Lujan, Senior Planner

**Professional Background:**

*Associates Architectural & Civil Drafting; 16 years in Planning and Land Use, Local Government, with five years in Case Management of Development Applications.*

**CASE NO. REZ-2024-0018.** Philip Gursky, Northern New Mexico Capital Investments, LLC., on behalf of Five Oaks Investments, LLC., property owner, is requesting a Minor Zone Map Amendment to change the property, NC1 B1, from its current Residential-Mixed (RM-2) Zone District to the Multi-Family Residential-Low (MFR-L) Zone District. The property is commonly known as the North Road Inn and is addressed as 2127 North Road, within the North Community 1 Subdivision. See Attachment A: Application Submittal. See location and vicinity maps below in **Figure A** and **B** respectively.



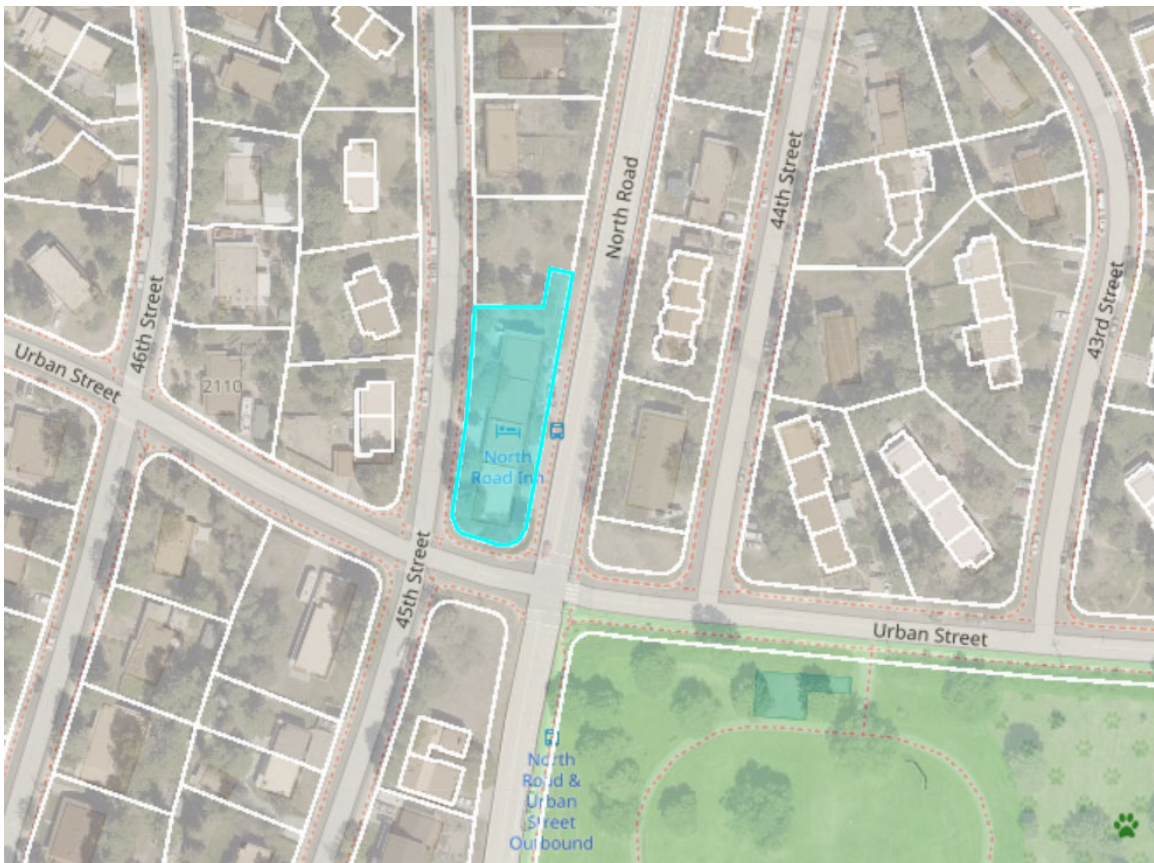
Image: North Road Inn, Google Earth, 2024



Figure A: Location Map



Figure B: Vicinity Map



## BACKGROUND:

- **1994** – Catherine Mockler purchases Tract B, 2127 North Road, Los Alamos, NM, and operates the North Road Inn, a non-conforming use within the R-3-L-NC (Multi-family Residential- Low Density- North Community) Zone District. A non-conforming use is, “a use existing on the date of adoption of this chapter which does not conform to the uses permitted in the zone district in which it is located.”
- **March 2005** – Ordinance No. 02-058 amended the Development Code to add definitions for “Inn”, “Laboratory, Research”, “Laboratory, Support” and “Loft”; and incorporating these newly defined uses into the Use Index Table. “Inn” was defined as:

*“An owner-occupied building that contains up to 15 units, plus the owner’s dwelling unit. Any or all of the units may contain a kitchen. Meal service by the owner is limited to breakfast.”*

This newly adopted use would be allowed in the General Commercial (C-1, C-2, C-3) and Downtown Zone Districts, and with a Special Use Permit within the Multi-Family Residential Zone Districts (R-3-L, R-3-H, R-3-H-40). The amendment allowed an opportunity for Catherine Mockler to submit a Special Use Permit to make the property a conforming use.

- **July 2005** – Catherine Mockler was granted approval for a subdivision of Lot 98 and Tract B, North Community 1, to create a third lot at 2127 North Road. Lot 98 was zoned Residential-Mixed-North Community (R-M-NC), and Tract B was zoned Multi-family Residential- Low Density- North Community (R-3-L-NC). To avoid split zoning of Lot 98 B-1, an application to rezone Lot 98 B-1 to Residential-Mixed-North Community (R-M-NC) was concurrently considered and recommended to County Council for approval.
- **September 2005** – After the subdivision was approved, creating Lot 98 B-1 from Lot 98B and Tract B, a rezone was subsequently approved through Ordinance No. 514. The Ordinance was intended to rezone the newly created lot from a split zone to Residential-Mixed-North Community (R-M-NC). However, the Official Zoning Map was mistakenly changed to reflect Lot 98 B-1 as R-3-L-NC Zone District and Tract B as R-M-NC Zone District, which was the opposite of the intent of the ordinance. Staff have conducted research and there are no county records indicating a Special Use Permit was applied for and issued for the North Road Inn following the zone change. Currently, it is a non-conforming use.

See Exhibit 1: Subdivision and Zoning of Tract B & Lot 98

- **January 23, 2023** – The Development Code was substantially rewritten, and Zone Districts were combined where similar, and renamed. For reference, Residential Mixed Zone Districts are now labeled as RM and Multi-Family Residential-Low as MFR-L. Due to the changes, a revised Zoning Map was approved with the Development Code.
- **May 2024** – Application submitted to rezone 2127 North Road from Residential Mixed (RM-2) to Multi-Family Residential – Low (MFR-L)



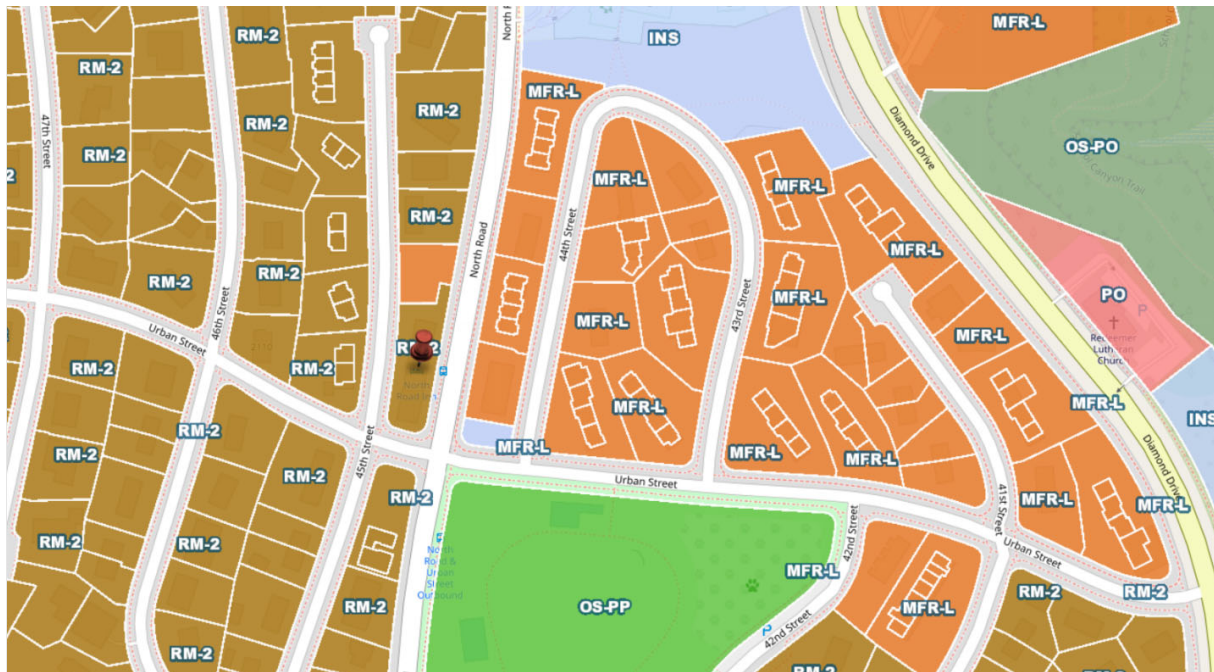
## SUMMARY:

The subject property is located near Urban Park in North Community 1 Subdivision. It fronts North Road on the east and is bounded on the south by Urban Street and by 45<sup>th</sup> Street on the west. The lot (0.36 acres) contains a two-story, 4,901 sq. ft. building that is in use as the North Road Inn. The applicant proposes to rezone the single lot from its current Residential Mixed (RM-2) Zone District to Multi-Family Residential – Low (MFR-L) Zone District. The zone map amendment would allow for future development of the building into a multi-family development. The applicant notes this conversion as a reason for his request but is not asking for approval to convert the building into a multi-family development as part of this application. If, and when the applicant is ready to convert the building, he will be required to submit a Site Plan application for a Multi-Family Development.

## ZONING:

The Residential Mixed (RM) Zone District is intended to accommodate a variety of low-to-medium density residential dwellings characterized by single-family, duplex, fourplex, and townhouse dwellings. The parcels west of North Road are mostly zoned RM-2, with MFR-L, OS-PP and INS to the east. The subject property, excluding public right-of-way, is adjacent to the proposed MFR-L zone in the north and east.

*Figure C: Vicinity Zoning Map*



The Multi-Family Residential-Low (MFR-L) Zone District has the same intentions of the RM-2 Zone District, in addition includes small-scale multi-family dwelling types. In comparing the two zone districts, there are more similarities than differences. As shown in Table 1, the only differences in dimensional standards are the rear setbacks and allowed maximum height for accessory structures, and Table 2, shows that Multi-Family Dwellings are allowed, while an option for Assisted Care Facility and Campground/RV Park would require a Condition Use Permit.

**Table 1: Zone District Dimensional Standards Comparison**

	RM-2	MFR-L
<b>Minimum Lot Area</b>		
Dwellings, Multi-Family	6,500 sq. ft.	6,500 sq. ft.
Duplex/Townhouse	10,000 (5,000 sq. ft./d.u.)	10,000 (5,000 sq. ft./d.u.)
Multi-Family	-	12,000 ft.
<b>Setbacks</b>		
Front, Minimum	15'	15'
Interior Side, Minimum	7.5'	7.5'
Attached Interior Side, Minimum	0'	0'
Street Side, Minimum	15'	15'
Rear, Minimum	20'	15'
<b>Height</b>		
Primary Building, Maximum	35'	35'
Accessory Structure, Maximum	15'	12'
<b>Density</b>		
Lot Coverage, Maximum	40%	40%

**Table 2: Zone District Permitted Use Comparison**

	RM-2	MFR-L
<b>Residential Uses</b>		
Dwelling, Multi-Family	Not Allowed	Permitted
Assisted Care Facility	Not Allowed	Conditional Use
<b>Commercial Uses</b>		
Campground/RV Park	Not Allowed	Conditional Use
<b>Accessory Uses</b>		
Recreational Vehicle Storage	Permitted	Not Allowed
<b>Temporary Uses</b>		
Real Estate Office or Model Home	Permitted	Not Allowed

**PRE-APPLICATION AND NEIGHBORHOOD MEETING:**

Prior to the submission of a Zone Map Amendment application, the applicant is required, pursuant to Section 16-72(b)(1), to attend a Pre-Application Meeting and to conduct a Neighborhood Meeting.

- **Pre-Application [16-72-(b)(1)]:**  
The applicant attended a pre-application meeting with county staff on **April 1, 2024**.
- **Neighborhood Meeting [16-72-(b)(2)]**
  - Property Owners (300-ft) were mailed notice of a Neighborhood Meeting on **April 28, 2024**.
  - The applicant held a Neighborhood meeting on **May 4, 2024**. A Summary of the meeting, a Sign-in Sheet, and Proof of Notice to property owners within 300', is included in Attachment A: Application Submittal.



### **INTERDEPARTMENTAL REVIEW COMMITTEE (IDRC) REVIEW:**

The Interdepartmental Review Committee (IDRC) reviewed the application for a Minor Zone Map Amendment on May 30, 2024, and voted to move the application request forward to the next scheduled Planning and Zoning Commission meeting. Site Plan elements did come up, but as the application at this time is for Minor Zone Map amendment only, the Committee agreed it would not be appropriate to consider and development standards until a Site Plan has been submitted for approval.

See Attachment B: IDRC Minutes

**PUBLIC NOTICE:** The *Los Alamos County Code of Ordinances, Chapter 16 – Development Code, Sec. 16-72(c) Notifications*, sets forth the requirements for proper notice to the public for a public hearing:

- **Published and Posted Notice [16-72(c)(4)]:**
  - Notice published in a newspaper of general circulation within the County at least 14-calendar days before the meeting or hearing. **Published June 6, 2024.**
  - The posting of at least one sign on a street abutting the property that is the subject of the application – visible from the street – for at least 14-calendar days before the public meeting or hearing. **Posted June 6, 2024.**
- **Mailed Notice [16-72-(c)(5)]:**
  - Mailed notice 14-days prior to the public hearing to all owners of record as identified in the records of the County Tax Assessor or occupants of properties within 300 ft., excluding public rights-of-way, of exterior lot lines of the subject property. **Mailed June 6, 2024.**

***The notices specified that the public hearing would be located at 1000 Central Ave, Los Alamos, NM, with an option for the public to provide comment virtually, via Zoom.***

As of June 21, 2024, staff have received one request to review the Application Packet for more information. No other questions or comments have been received.

See Attachment C: Public Notices

**MINOR ZONE MAP AMENDMENT:** Section 16-74(h) of the Los Alamos County Development Code states that an application for a Zone Map Amendment of the Official Zoning Map shall be approved if it meets all the following criteria:

- a. The proposed Zone Map Amendment is consistent with the health, safety, and welfare of the County as shown by conformance with the goals and policies of the Comprehensive Plan and other adopted County plans or policies.**

**Applicant Response:** The proposed minor zone map amendment is consistent with the Comprehensive Plan in that the proposed zone amendment is to revise the zoning to support more residential housing in Los Alamos. See Section 3.1 Housing Page 57 in which the Comprehensive Plan provides:

*Housing is the key, not only to population growth, but to economic expansion. Increasing the availability of housing options, both affordable and market rate, to meet the diverse needs of the community is one of major goals of the 2016 Strategic Leadership Plan. (Comprehensive Plan page 58)*

The purchaser applicant intends to convert the short-term lodging to longer term workforce housing units to meet employment and development goals of the County. The footprint and residential nature of uses of the building on the site will remain the same.

*Land Use Goals include:*

2. Encouragement of existing businesses and their opportunities for growth. And
3. Support Infill development over expansion of current developed areas. (Comprehensive Plan Growth Goal, Land Use, page 71)

The property will continue the more than 30-year history of the property by providing lodging and shorter to medium term housing. Conversion to promote resident housing in the location and leaving more dense downtown areas for more short-term hospitality lodging will support the existing neighborhood.

*The property will support:*

1. Protect Existing Neighborhoods and Promote Neighborhood Stabilization while promoting creation of a variety of housing options for all segments of the Los Alamos community. (see Neighborhood Goals, page 66)

**Staff Response:** In staff's expert opinion this criterion has been met because the rezone conforms to the Comprehensive Plan ("Plan") Goals and Policies by supporting the first core theme of ***Housing, Neighborhoods and Growth***.

***Housing*** - Housing Goals listed within the Plan include providing a variety of housing types, sizes, and densities, and promoting the development of housing stock that would accommodate downsizing households. The proposed zone map amendment expands the opportunity for more small unit housing by making multi-family developments an allowed use – supporting housing goals to increase the availability of housing options.

***Neighborhoods*** – Changing the zone district to MFR-L keeps the intent the same as neighboring properties and provides an opportunity to maximize the potential of the site. The Plan acknowledges the low inventory on vacant lots and encourages available infill lots to construct new housing options, or to redevelop, to make the best and most efficient use of existing infrastructure and utilities.

***Growth*** – To meet the desired and anticipated growth of the county, the Plan strives to make housing available to those who work in the County and want to live in the County. A Land Use Policy noted to support that goal is to support infill developments.

**b. The existing zone district designation is shown to be inappropriate for one or more of the following reasons:**

1. It was established in error;
2. Changed conditions warrant the rezoning; or
3. A different zone is more advantageous to the community as articulated by conformance with each applicable goal and policy of the Comprehensive Plan, including the future land use map.

**Applicant Response:** The adoption of the revised Chapter 16 has eliminated the use category of Inn, under which the property has been operating since after the Cerro Grande Fire. In 2005, the County adopted the new Inn land use designation which was allowed to operate as a conditional use in the R-3-L zone district (Later modified to NC-3-L). Historically, the property had been zoned R-3-L and it was appropriate to use the Special Use Permit to operate the North Road Inn and in the event use was changed to longer term residential use, the R-3-L zone was appropriate for that use.

The designation of the property as RM-2, combined with no longer having an “Inn” use for the property as residential (except by grandfathered use) means that a primary County goal of increased housing is not supported.

Further, the purchaser intends to submit the Tract B-1 and Lot 98B-1 for merger which would result in split use, as Lot 98B-1 is zoned MFR-L. Given the historical use of Tract B-1 and the need to have a single zone the property should be zoned MFR-L.

The current zoning was either “established in error” as incorrect over time and particularly after the adoption of the revised Chapter 16 or a different zone (MFR-L allowing workforce type multifamily rentals as contemplated) is “more advantageous to the community” as workforce housing is desperately needed.

Further, the conditions and increasing imbalance between residential housing needs and existing demand in the last 5 to 10 years warrant rezoning to MFR-L.

**Staff Response:** It is the staff’s expert opinion that this criterion has been met because in 2005 Tract B, 2127 North Road, was zoned Multi-Family Residential; however, the Zone Map was updated in error. As explained in “Background”, after the subdivision was approved creating Lot 98 B-1 from Lot 98 B and Tract B, a rezone was subsequently approved through Ordinance No. 514. The Ordinance was intended to rezone the newly created Lot, from a split zone to a Residential-Mixed Zone District (R-M-NC). However, the Official Zoning Map was mistakenly updated to reflect Lot 98 B-1 to R-3-L-NC (Multi-family Residential- Low Density- North Community) and Tract B to Residential-Mixed Zone District (R-M-NC). Approving this zone map amendment would correct the Zoning Map error.

**See Exhibit 1: Subdivision and Zoning of Tract B & Lot 98**

Additionally, an MFR-L Zone District is more advantageous to the community and further fulfills the goals and policies of the Comprehensive Plan (“Plan”) by creating the potential to maximize the use of an existing site to provide a variety of housing types, sizes, and densities. The Future Land Use Map (“FLUM”) was adopted by the Plan and is an expression of its goals and policies to direct future growth and change and depicts land use classifications with broad categories. Although the land use classifications do not directly correspond to zoning, it is intended to illustrate a preferred and anticipated land use. The subject property, and those surrounding it, are shown on the FLUM as Med-High Density (7-15 d.u./acre).

**Figure D: FLUM, Project Vicinity**



- c. The proposed zoning will not designate a zone district different from surrounding zone districts to one small area, i.e. create a spot zone, unless one or more of the following criteria are met:
1. Granting such zoning accomplishes the goals and policies of the Comprehensive Plan;
  2. Unique characteristics specific to the site exist; or
  3. The zoning serves as an appropriate transition between land uses of higher and lower intensity.
  4. The County's existing and proposed infrastructure and public improvements including, but not limited to utilities, streets, sidewalks, or trails have adequate capacity to serve the development made possible by the Zone Map Amendment.

**Applicant Response:** All of the zoning to the East matches both multi-family densities (as opposed to duplexes) as well as zoning of that entire areas as MFR-L. The adjacent parcel to the North is zoned MFR-L.

The property is on the busy intersection of Urban Street and North Road, which is more appropriate for higher density housing. The rezone will facilitate more infill residential housing, a strong goal of all County Plans and the Comprehensive Plan in particular, as well as serving as a transition between more dense housing to the East and duplex housing to the West.

To revise the zoning on the parcel to MFR-L is not spot zoning within the meaning of the Development Code and NM law.

No modification of the property requiring modification of the infrastructure or public improvements in contemplated or needed. No Site Plan is required as contemplated by Section 16-74-(i)(2) Subsections (c) and (d), in that any modifications will be to the interior or the façade.

Existing infrastructure and public improvements will remain, and use will remain the same.

**Staff Response:** It is the staff's expert opinion that this criterion has been met because as explained within Criterion A, the rezone conforms with the Comprehensive Plan. Also, as previously shown in Figure C: Vicinity Zoning Map, the proposed zoning exists on adjacent lots, excluding public rights-of-way, on the north and east sides. This contiguous zoning eliminates the creation of "spot zoning", maintains the neighborhood's intent and existing conditions, and relates to the Future Land Use Map.

**d. The establishment, maintenance, or operation of uses made possible by the Zone Map Amendment will not be detrimental to the health, safety, or welfare of persons residing or working adjacent to or within the proximity of the subject property.**

**Applicant Response:** The current use of the Property is classified as non-conforming residential multi-family use, and is operated as an Inn, pursuant to Zoning and Special Use Permit decisions approved prior to adoption of the rewritten Development Code (Chapter 16 of the Los Alamos County Municipal Ordinances). Changing the current RM-2 Zoning District to MFR-L is consistent with the current use. Further, prior zoning designations on this property of R-3-L and NC-3-L are virtually identical to the new MFR-L Zoning District.

The adoption of the proposed zoning amendment will not involve change of use, as the Property is grandfathered with 15 multifamily units (as well as use as an "Inn", which use category no longer exists under the new Development Code.) There is no expansion of the footprint of the building proposed as apart of this rezone request.

Additional, review of Table 26, Section 16-14 of the Development Code, shows that, other than allowing a higher density of multi-family use in the MFR-L District, the only use difference between the RM-2 and the MFR-L zoning districts, is on a parcel 2 acres or larger, an owner could apply for a Conditional Use Permit for a Campground or RV Park. As this property is approximately 1/8 of the size necessary to apply for that use and inapplicable to the situation here, there are no differences between the RM-2 and the MFR-L Zoning Districts.

Accordingly, the current approved non-conforming use of the property will be the same before and after rezoning. This rezoning merely makes the zoning district changes created by occasioned by the rewrite of the Development Code, match the historical and current uses. Approval of this rezoning application "*will not be detrimental to health, safety, or welfare of persons residing and working adjacent to or within the proximity of the property.*" It will, rather, adopt a zoning district that conforms to the property use, consistent with neighboring property.

**Staff Response:** It is the staff's expert opinion that this criterion has been met because should the zone change be approved, the properties to the north and east will have the same zone district and allowed uses. Differences between the two zone districts – as, previously listed in Table 2: "Zone District Permitted Use Comparison,"- are few and are not known to be detrimental to the health, safety, or welfare of persons residing or working adjacent to, or within the proximity of the subject property.

Furthermore, the allowance of multi-family development is the biggest difference, and pursuant to Los Alamos County, Development Code, a Site Plan application will be required and reviewed for conformance for the change of use. It is at that point where the applicant would have to demonstrate compliance with Use-Specific Standards for a Multi-Family Development, Development Standards (i.e. Access, Parking, Neighborhood Protections), and the Decision Criteria, such as mitigating any significant adverse impacts to properties within the vicinity.

## **DRAFT MOTION**

### **Motion Option 1:**

I move to recommend that the County Council **approve** Case No. **REZ-2024-0018**, a request from Philip Gursky, Northern New Mexico Capital Investments, LLC., on behalf of Five Oaks Investments, LLC., property owner. Approval would amend the zone district of the Property, NC1 B1, from its current Residential-Mixed (RM-2) Zone District to the Multi-Family Residential-Low (MFR-L) Zone District. The Property is commonly known as the North Road Inn and is addressed as 2127 North Road, within the North Community 1 Subdivision.

Approval is based on the Findings of Facts established at the hearing and conclusion that the Applicant has met the decision criteria for a Minor Zone Map Amendment pursuant to Section 16-74(h)(3) of the Los Alamos County Development Code and that the Commission is acting under the authority granted by Section 16-69(b)(1) of the Development Code.

I further move to authorize the Chair to sign a Final Order approving the application and Findings of Fact and Conclusions of Law for this case, based on this decision to be prepared by county staff.

### **Motion Option 2:**

I move to recommend that the County Council **deny** Case No. **REZ-2024-0018**, a request from Philip Gursky, Northern New Mexico Capital Investments, LLC., on behalf of Five Oaks Investments, LLC., property owner. The application proposes amending the zone district of the Property, NC1 B1, from its current Residential-Mixed (RM-2) Zone District to the Multi-Family Residential-Low (MFR-L) Zone District. The Property is commonly known as the North Road Inn and is addressed as 2127 North Road, within the North Community 1 Subdivision.

Denial is based on the Applicant failing to demonstrate that the application meets the Minor Zone Map Amendment decision criteria within Section 16-74-(h)(3) of the Los Alamos County Development Code, and that the Commission is acting under the authority granted by Section 16-69(b)(1) of the Development Code.

I further move to authorize the Chair to sign a Final Order approving the application and Findings of Fact and Conclusions of Law for this case, based on this decision to be prepared by county staff.

## **EXHIBITS:**

1 - Subdivision and Zoning of Tract B & Lot 98



TRACT B-1, LOTS 98B-1 & 98B-2  
A SUBDIVISION OF LOT 98 & TRACT B,  
NORTH COMMUNITY NO. 1  
COUNTY OF LOS ALAMOS, NEW MEXICO

OWNER'S CONSENT

KNOW ALL PERSONS BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S) HAVE MADE A SUBDIVISION AS SHOWN HEREIN OF LOT 98 & TRACT B, NORTH COMMUNITY NO. 1, LOS ALAMOS COUNTY, NEW MEXICO, SAID PLAT BEING FOR RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF LOS ALAMOS, NEW MEXICO, IN PLAT BOOK 81, PAGE 82, ON THE 22<sup>ND</sup> DAY OF SEPTEMBER, 2005, THAT SAID SUBDIVISION IS MADE WITH FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE OWNERS AND PROPRIETORS.

*Catherine Mockler*  
CATHERINE MOCKLER, TRUSTEE OF THE MOCKLER FAMILY TRUST DATED AUGUST 3, 1994

STATE OF NEW MEXICO } SS  
COUNTY OF SANTA FE }  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 9<sup>TH</sup>  
DAY OF SEPTEMBER, 2005 BY CATHERINE MOCKLER.

*Deborah E. Lippin*  
NOTARY PUBLIC  
MY COMMISSION EXPIRES 8/28/06

LOS ALAMOS COUNTY APPROVAL BLOCK

THIS PLAT IS HEREBY APPROVED

*Robert Alford*  
COUNTY SURVEYOR  
DATE 9-21-05

*Dee B. Davis*  
COUNTY ENGINEER  
DATE 9-21-05  
*Robert M. May*  
UTILITIES MANAGER  
DATE 9/21/05

THIS PLAT IS HEREBY APPROVED THIS 21<sup>ST</sup> DAY OF Sept., 2005 BY THE  
LOS ALAMOS COUNTY PLANNING AND ZONING COMMISSION INCORPORATED COUNTY  
OF LOS ALAMOS.

*Barbara L. Cochran*  
CHAIRMAN LOS ALAMOS COUNTY  
PLANNING AND ZONING COMMISSION  
*Michelle K. Noonan*  
SECRETARY LOS ALAMOS COUNTY  
PLANNING AND ZONING COMMISSION

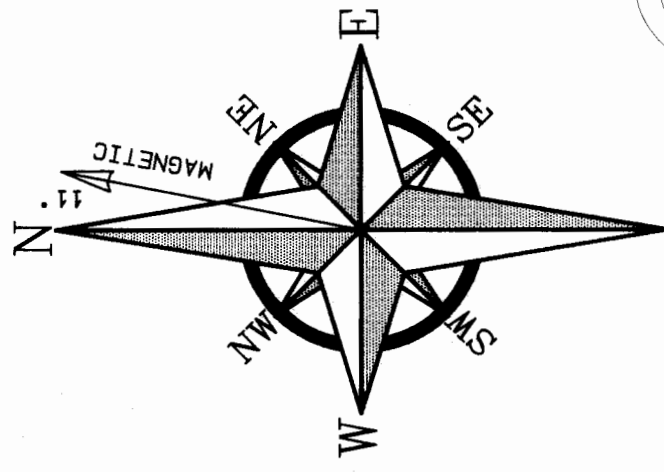
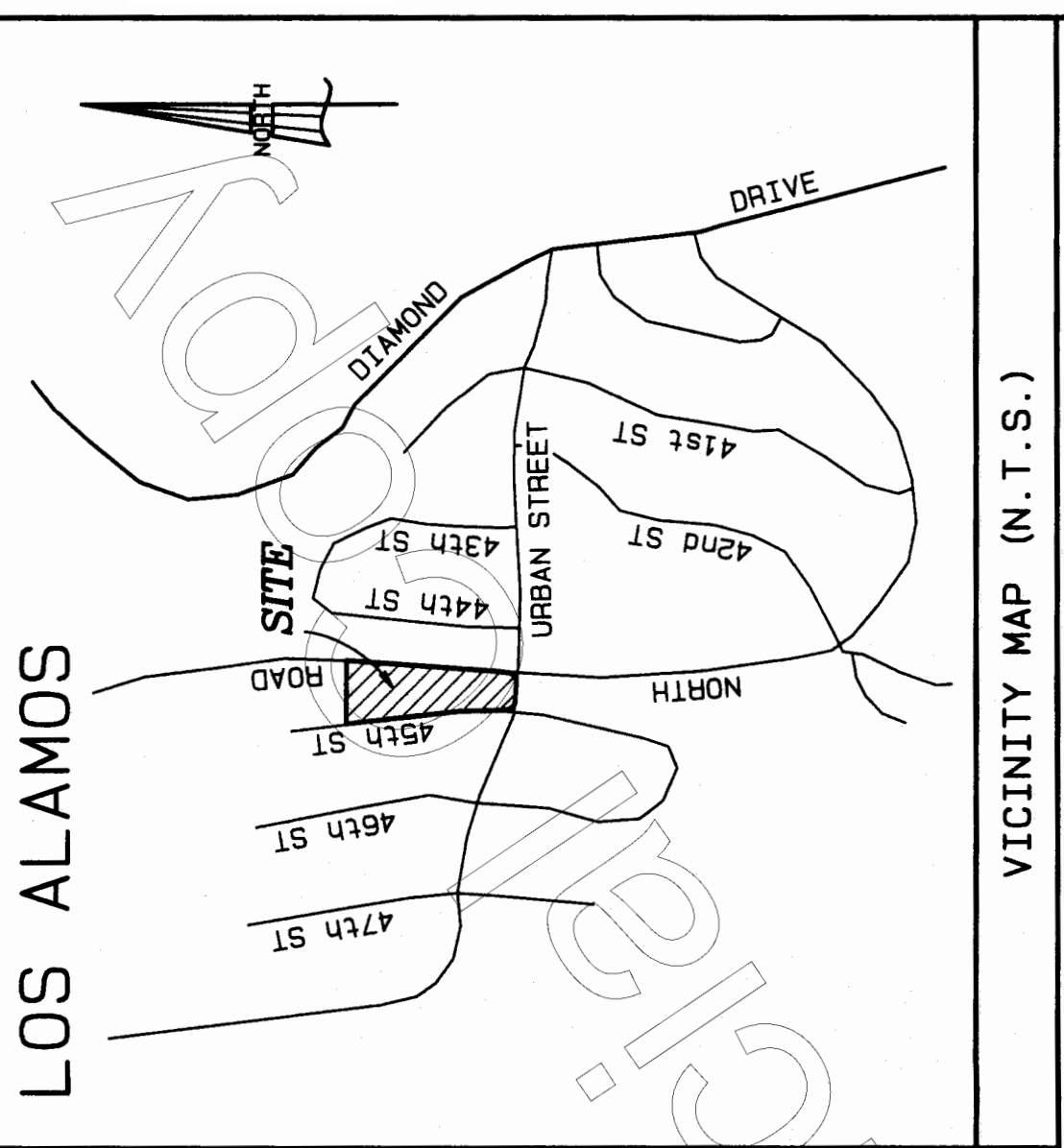
SURVEYOR'S CERTIFICATE

I MITCHEL K. NOONAN, N.M.P.L.S. No. 6998 DO HEREBY CERTIFY THAT THIS BOUNDARY & DETAIL SURVEY PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION ON MAY 23, 2005; THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO; AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Michelle K. Noonan*  
MITCHEL K. NOONAN  
N.M.P.L.S. No. 6998

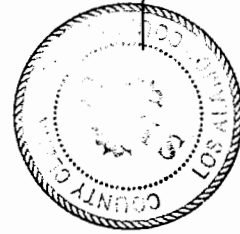
LEGEND:

- T-BAR MONUMENT FOUND
- 1/2" REBAR WITH CAP 3722 FOUND
- 1/2" REBAR WITH CAP 6998 SET
- CALCULATED POINT
- UTILITY POLE
- WATER METER
- ELECTRIC METER
- HYDRANT
- SIGN AS NOTED
- NORTH ROAD INN SIGN
- SANITARY MANHOLE
- BOUNDARY LINE
- - - EASEMENT LINE
- - - ADJOINER LINE
- E—E OVERHEAD WIRES
- oooooooooooooo STONE RETAINING WALL
- X—X CURB & GUTTER
- X—X WIRE FENCE
- - - - - WOOD FENCE
- CONCRETE SURFACE



COUNTY OF LOS ALAMOS } SS  
STATE OF NEW MEXICO }  
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS  
FILED FOR RECORD ON THE 22<sup>ND</sup> DAY OF SEPTEMBER  
A.D. 2005, AT 4:01 O'CLOCK P.M.  
AND WAS DULY RECORDED IN PLAT BOOK 81  
PAGE 82 OF THE RECORDS OF LOS ALAMOS  
COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE  
COUNTY CLERK, LOS ALAMOS COUNTY, N.M.



*Just Oster*  
DEPUTY  
*M. J. Hargrave*  
COUNTY CLERK

SURVEYOR'S NOTES:

- 1) BASIS OF BEARINGS IS TAKEN DIRECTLY FROM A PLAT OF SURVEY ENTITLED, "LOS ALAMOS COUNTY, NEW MEXICO, NORTH COMMUNITY NO. 1", SHEET B-5, BY LIMBAUGH ENGINEERING & AERIAL SURVEYS, INC., DATED JUL 16, 1985, RECORDED WITH THE LOS ALAMOS COUNTY RECORDS AT PLAT BOOK 1 PAGE 64.
- 2) REFER TO A PLAT ENTITLED, "A SUBDIVISION OF LOT 98-NORTH COMMUNITY NO. 1 BY JOHN C. MENDUS, N.M.P.L.S. No. 43722, DATED MARCH 1996, RECORDED WITH THE LOS ALAMOS COUNTY CLERK'S OFFICE AT PLAT BOOK 6, PAGE 82.
- 3) REFER TO A GRANT DEED FOR TRACT 'B' BETWEEN CATHERINE MOCKLER (GRANTOR) AND THE MOCKLER FAMILY TRUST (GRANTEE) RECORDED WITH THE LOS ALAMOS COUNTY CLERK'S OFFICE AT MISC BOOK 44, PAGE 132 AS DOCUMENT 114401.
- 4) REFER TO A WARRANTY DEED BETWEEN JOHN H. & INA C. ACOMB, TRS. (GRANTORS) AND THE MOCKLER FAMILY TRUST (GRANTEE) RECORDED WITH THE LOS ALAMOS COUNTY CLERK'S OFFICE AT BOOK 116, PAGE 915.

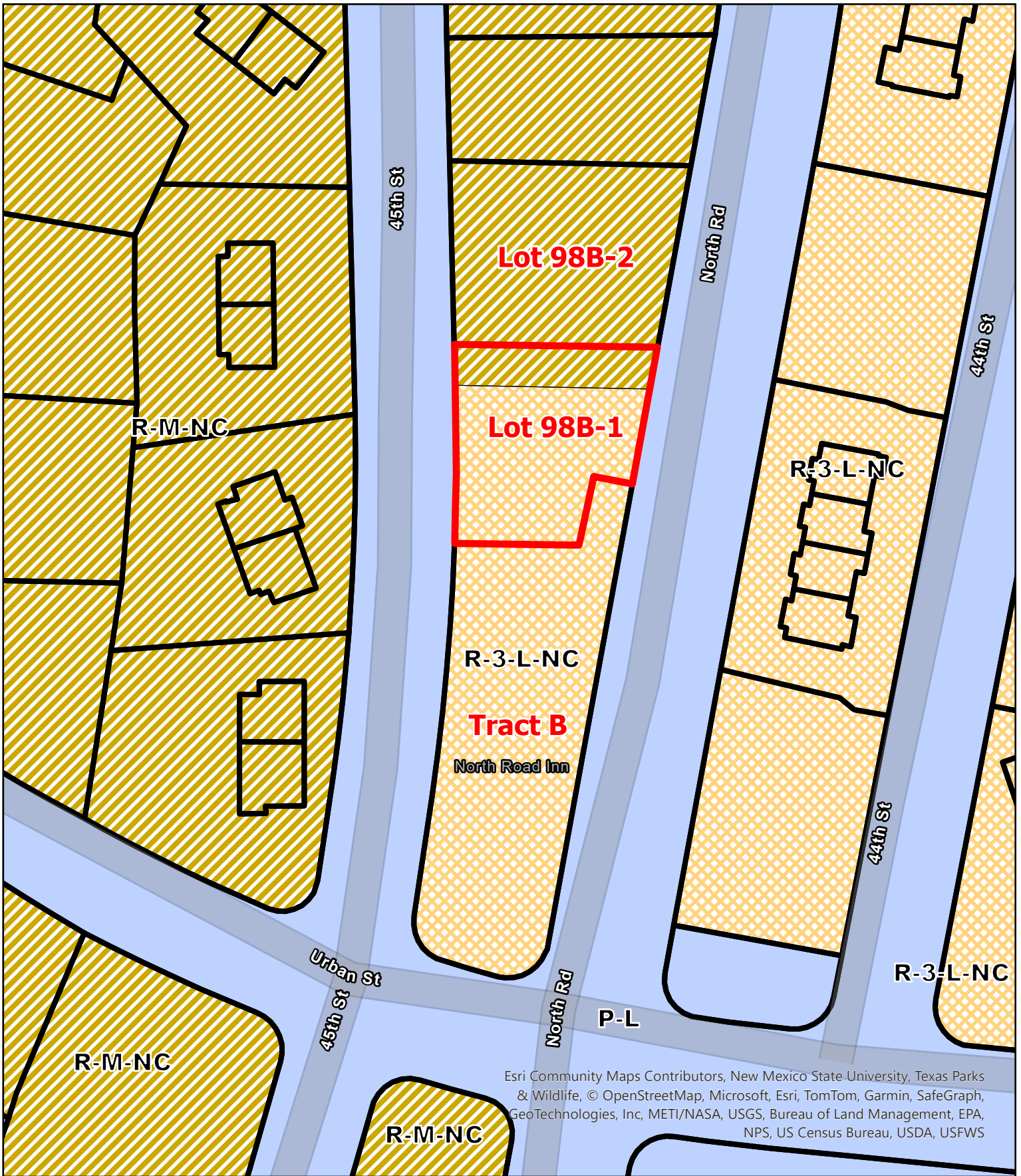
SOUTHWEST MOUNTAIN SURVEYS

INDEXING INFORMATION FOR COUNTY CLERK

NAME: THE MOCKLER FAMILY TRUST  
FILED: BK 116, PG 915 (LOT 98B)  
BK MISC 44, PG 132 (TRACT B)  
SUBDIVISION: NORTH COMMUNITY NO. 1  
SECTIONS: N/A

1114 HICKOX ST., SANTA FE, N.M. 87501  
(505) 982-9429  
DATE(S): MAY 23, 2005 PROJECT NO. C-1851



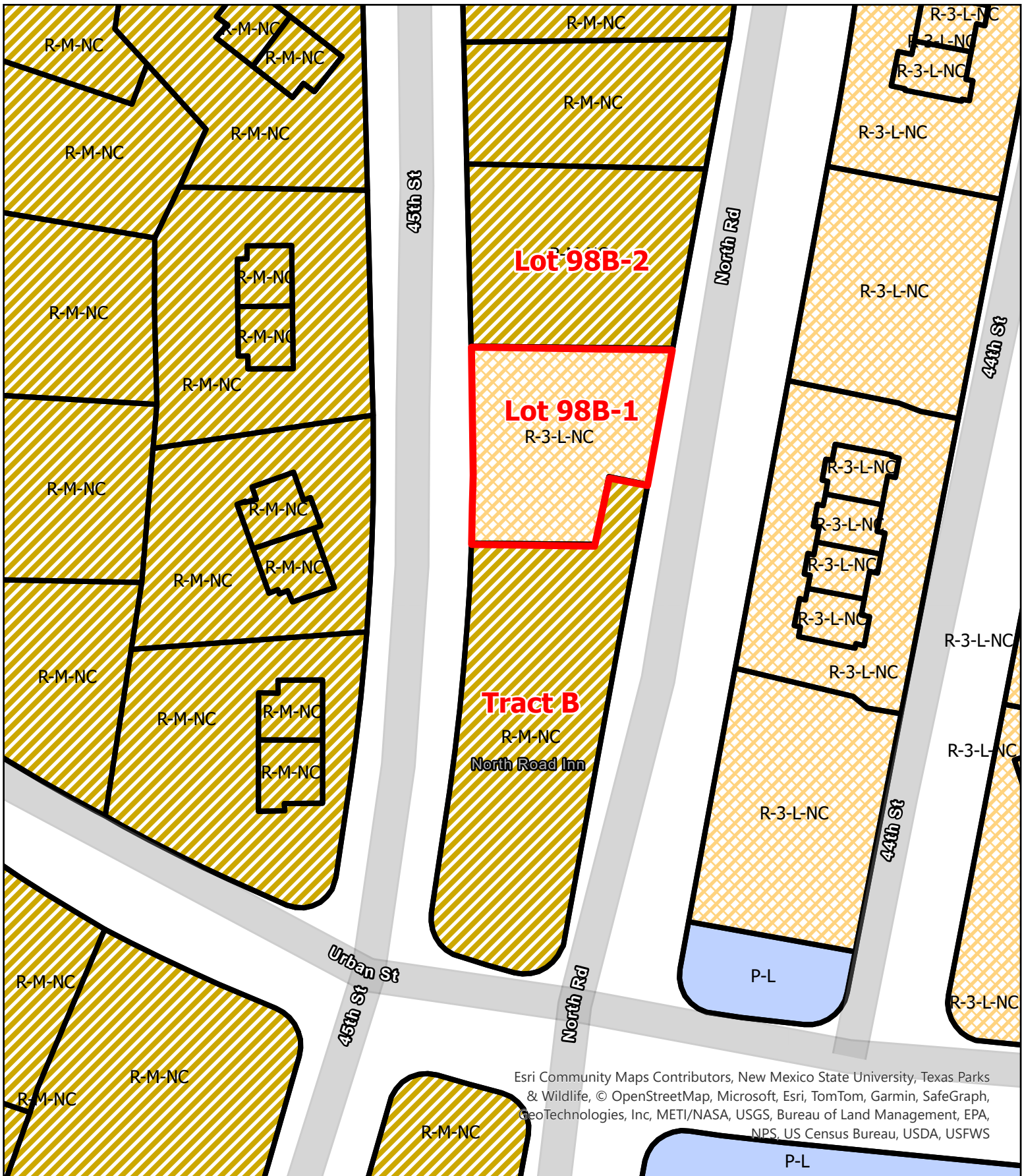


# 2005 Zoning of Lot 98B-1 & Tract B

Zoning after Subdivision and before rezone.

EXHIBIT 1





# 2005 Zoning of Lot 98B-1 & Tract B

Zoning after rezoning approved by the Board.

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**BEFORE THE PLANNING AND ZONING COMMISSION  
OF THE INCORPORATED COUNTY OF LOS ALAMOS, NEW MEXICO**

**Case No. REZ-2024-0018, a request for a Minor Zone Map Amendment to rezone the property, NC1 B1, from Residential-Mixed (RM-2) Zone District to the Multi-Family Residential-Low (MFR-L) Zone District, known as the North Road Inn and addressed at 2127 North Road, Los Alamos, New Mexico**

**RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION TO THE  
COUNTY COUNCIL ON APPLICATION REZ-2024-0018**

**NOW COMES**, the Planning and Zoning Commission (“Commission”) of the Incorporated County of Los Alamos (“County”) hereby makes the following recommendations to the County Council:

**I. RECOMMENDED FINDINGS OF THE COMMISSION**

The Commission recommends as follows:

1. On or about May 14, 2024, Philip Gursky, of Northern New Mexico Capital Investments, LLC, on behalf of property owner Five Oaks Investments, LLC (“Applicant”), submitted an application (“Application”) for a Minor Zone Map Amendment for the property commonly known as the North Road Inn addressed as 2127 North Road (“Property”). *See* Attachment A, Application.
2. The Application was assigned case number REZ-2024-0018. *See* PLANNING & ZONING COMMISSION STAFF REPORT by Desirae J. Lujan, Senior Planner (hereafter “CDD Staff Report”), Attachment D.

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3. A quorum of the Commission was present at the public hearing held on June 26, 2024.<sup>1</sup> The public hearing was open to the receipt of evidence and testimony given under oath, of which was subject to cross-examination in accordance with Section 16-72(f)(5) of the County Development Code<sup>2</sup>.

4. Present for the Applicant was Philip Gursky, of Northern New Mexico Capital Investments, LLC, on behalf of Property owner, Five Oaks Investments, LLC.

5. Present for the Los Alamos County Community Development Department (“CDD”) was CDD Staff Desirae J. Lujan, Senior Planner.

6. There was no one present in opposition to the Application.

7. Gregory White, 600 San Ildefonso Road, Los Alamos, New Mexico, was present and provided testimony. Mr. White acknowledged that he was not an affected party as he does not live in the neighborhood, but he provided comment on the notice requirements.

8. Evidence received by the Commission at the public hearing included: 1) Application; 2) Sworn testimony and presentation provided on behalf of Applicant through Philip Gursky; 3) Sworn testimony and presentation from CDD Staff Lujan; 4) CDD Staff Lujan’s Report with Attachments; and 5) Sworn testimony from Gregory White.

9. The Property’s legal description is NC1 B1 and is located within the North Community 1 Subdivision Residential-Mixed (RM-2) zoning district pursuant to the County’s adopted Zoning Map. *See* CDD Staff Report, Attachment D, page 48.

<sup>1</sup> The Video for this hearing is available at [June 26, 2024 Planning and Zoning Commission Meeting \(granicus.com\)](https://www.granicus.com/ViewVideo.php?id=111111). All citations to testimony are from this video and is in Hour:Minute:Second format.

<sup>2</sup> Available at [Municode Chapter 16](#).

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10. As provided in the evidence and testimony of CDD Staff Lujan, the Applicant proposes to rezone the Property from its current Residential Mixed (RM-2) Zone District to Multi-Family Residential-Low (MFR-L) Zone District. The Property has historically been Multi-Family Zone District. While investigating the history of the Property, CDD Staff Lujan testified that the Property was incorrectly rezoned in 2005 as a result of a map error, and this proposed rezone will correct that error. The proposed zone map amendment would allow for future development of the Property into a multi-family development. The Multi-Family Residential-Low (MFR-L) Zone district has the same intentions as the Residential Mixed (RM-2) Zone District. *See* CDD Staff Report, Attachment D, pages 50-51; *see also* Testimony of CDD Staff Lujan starting at 00:24:00.

11. As provided in the evidence and testimony of CDD Staff Lujan, notice of the public hearing was published in accordance with Section 16-72(c) of the County Development Code; notice was published in the *Los Alamos Daily Post* on June 6, 2024; notice of the proposed action and public hearing was mailed via U.S. Mail to the owners of real property within three hundred (300) feet of the Property on June 6, 2024; and the notice was posted at the Property on June 6, 2024. *See* Attachment C; *see also* CDD Staff Report, Attachment D, page 53; *see also* Testimony of CDD Staff Lujan at 00:27:31.

12. The Application was presented to the Interdepartmental Review Committee (“IDRC”) on or about May 30, 2024. Upon review of the Application, it was determined by the IDRC that the rezoning application met all the criteria and the rezone application along with supporting documents would move forward to the Planning and Zoning Commission as presented. *See* CDD Staff Report, Attachment D, page 53; *see also* IDRC Meeting Minutes, Attachment B.



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13. Pursuant to Section 16-74(h)(2)(a) of the County Development Code, Applicant attended a pre-application meeting with the County on April 2, 2024. *See* Testimony of Applicant at 00:11:45.

14. Pursuant to Section 16-74(h)(2)(a) of the County Development Code, Applicant noticed and conducted a Neighborhood Meeting on May 4, 2024. *See* Testimony of Applicant at 00:11:53 and Testimony of Mr. White at 00:33:33; *see also* Application, Attachment A, pages 37-41.

15. As required pursuant to Section 16-69(b)(1) of the County Development Code, the Commission has the review and recommendation authority for zone map amendments. The Commission shall recommend approval to County Council for application for a Minor Zone Map Amendment if it meets all of the decision criteria outlined in Section 16-74(h)(3) of the County Development Code.

16. Pursuant to Section 16-72(5)(c)(2) of the County Development Code, the Commission's decision shall take any one of the following actions pursuant to the applicable decision criteria: recommendation of approval of the application as presented if the request is in conformity with the criteria; recommendation of approval of the application with conditions; recommendation of denial of the application if the request is not in conformance with the decision criteria; or if the Commission is unable to arrive at a recommendation, the application shall be forwarded to without recommendation to the County Council for consideration.

17. The Commission, having received testimony and evidence of the Applicant, CDD Staff Lujan, and Mr. White during the public hearing, finds that the Applicant has met its burden and has demonstrated that the request for a Minor Zone Map Amendment at 2127 North Road has met

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the requirements of Section 16-74(h)(3) of the County Development Code. The Commission, in support of this finding, provides the following:

a. As to criterion (a) of Section 16-74(h)(3) of the County Development Code, the Commission finds that it was demonstrated by the testimony and evidence provided by the Applicant and CDD Staff Lujan that the proposed zone map amendment is consistent with the health, safety, and welfare of the County as shown by conformance with the goals and policies of the Plan and other adopted County plans or policies. The proposed zone amendment would support more residential housing in Los Alamos, and support infill development over expansion of current developed areas. Further, the proposed rezone conforms to the Plan's Goals and Policies by supporting the first core theme of Housing, Neighborhoods and Growth. The Applicant testified that it intends to convert the Property from short-term lodging to longer term workforce housing units to meet employment and development goals of the County. The proposed zone amendment will also protect existing neighborhoods and promote neighborhood stabilization while promoting creation of a variety of housing options for all segments of the Los Alamos community by continuing the more than thirty (30)-year history of the Property by providing lodging and shorter to medium term housing. The conversion will promote resident housing in at the Property and leaving more dense downtown areas for more short-term hospitality lodging will support the existing neighborhood. CDD Staff Lujan testified that she agreed that this criterion has been met because the proposed rezone conforms to the Plan's Goals and Policies by supporting the Plan's first core theme of Housing, Neighborhoods and Growth. The proposed zone map amendment expands the opportunity for more small unit housing by making multi-family developments an allowed use, supporting the housing goals to increase the availability of housing options. Changing

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the zone district to MFR-L keeps the intent the same as neighboring properties and provides an opportunity to maximize the potential of the Property. *See* Testimony of Applicant at 00:15:02 and Testimony of CDD Staff Lujan at 00:25:30; *see also* CDD Report, Attachment D, pages 53-54.

b. As to review criterion (b) of Section 16-74(h)(3) of the County Development Code, the Commission finds that it was demonstrated by the testimony and evidence provided by the Applicant and CDD Staff Lujan that the existing zone district designation is shown to be inappropriate for one or more of the following reasons: it was established in error; changed conditions warrant the rezoning; or a different zone is more advantageous to the community as articulated by conformance with each applicable goal and policy the comprehensive plan, including the future land use map. As provided by the Applicant, the adoption of the revised Chapter 16 has eliminated the use category of “Inn”, under which the Property has been operating since after the Cerro Grande Fire. Historically, the Property had been zoned R-3-L and it was appropriate to use the Special Use Permit to operate the North Road Inn, and in the event the use was changed to longer term residential use, the R-3-L zone was appropriate. The designation of the Property as RM-2, combined with no longer having an “Inn” use for the Property as residential (except by grandfathered use) means that a primary County goal of increased housing is not supported. Given the historical use of Tract B-1 and the need to have a single zone, the Property should be zoned MFR-L. The current zoning was either “established in error” as incorrect over time and particularly after the adoption of the revised Chapter 16, or a different zone (MFR-L allowing workforce type multifamily rentals as contemplated) is “more advantageous to the community” as workforce housing is desperately needed. Further, the conditions and increasing

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imbalance between residential housing needs and existing demand in the last 5 to 10 years warrant rezoning to MFR-L. CDD Staff Lujan testified that she agreed that this criterion has been met. In 2005, Tract B, 2127 North Road was rezoned Multi-Family Residential. After the subdivision was approved creating Lot 98 B-1 from 98 B and Tract B, a rezone was subsequently approved through Ordinance No. 514. The Ordinance was intended to rezone the newly created lot from Split Zone to a Residential-Mixed Zone District. However, the Zone Map was updated in error, the Official Zoning Map was mistakenly updated to reflect Lot 98 B-1 to R-3-L-NC (Multi-Family Residential-Low Density-North Community) and Tract B to Residential-Mixed Zone District (R-M-NC). Approving this zone map amendment would correct the Zoning Map error both from a historical perspective and a comprehensive use perspective. Additionally, an MFR-L Zone District is more advantageous to the community and further fulfills the goals and policies on the Plan by creating the potential to maximize the use of an existing site to provide a variety of housing types, sizes, and densities. Further, the Future Land Use Map (“FLUM”) was adopted by the Plan and is an expression of its goals and policies to direct future growth, change, and depicts land use classifications with broad categories. Although the land use classifications do not directly correspond to zoning, it is intended to illustrate a preferred and anticipated land use. The Property, and those surrounding it are shown on the FLUM as Med-High Density. *See* Testimony of Applicant at 00:13:15, 00:17:22, and Testimony of CDD Staff Lujan at 00:26:05; *see also* CDD Report, Attachment D, page 54-56.

c. As to review criterion (c) of Section 16-74(h)(3) of the County Development Code, the Commission finds that it was demonstrated by the testimony and evidence provided by the Applicant and CDD Staff Lujan that the proposed zoning will not designate a zone district different

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from surrounding zone districts to one small area, i.e. create a spot zone, unless one or more of the following criteria are met: granting such zoning accomplishes the goals and policies of the comprehensive plan; unique characteristics specific to the site exist; the zoning serves as an appropriate transition between land uses of higher and lower intensity; or the County's existing and proposed infrastructure and public improvements including, but not limited to utilities, streets, sidewalks, or trails have adequate capacity to serve the development made possible by the zone map amendment. As provided by the Applicant, all of the zoning to the east matches both multi-family densities as well as zoning in that entire area as MFR-L. The adjacent parcel to the north is zoned MFR-L. The Property is on a busy intersection of Urban Street and North Road, which is more appropriate for higher density housing. The proposed rezone will facilitate more infill residential housing, a strong goal of all County plans and the Plan, in particular, as well as serving as a transition between more dense housing to the east and duplex housing to the west. This is also an appropriate transitional zone. Existing infrastructure and public improvements will remain, and the use will remain the same. CDD Staff Lujan testified that she agreed that this criterion has been met and added that the proposed rezone conforms with the Plan. Additionally, as shown in the Vicinity Zoning Map, the proposed zoning exists on adjacent lots, excluding public rights-of-way, on the north and east sides. This contiguous zoning eliminates the creation of “spot zoning”, maintains the neighborhood’s intent and existing conditions, and relates to the FLUM. *See* Testimony of Applicant at 00:19:28, *see also* CDD Staff Report, pages 56-57.

d. As to review criterion (d) of Section 16-74(h)(3) of the County Development Code, the Commission finds that it was demonstrated by the testimony and evidence provided by the Applicant and CDD Staff Lujan that the establishment, maintenance, or operation of uses made



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possible by the zone map amendment will not be detrimental to the health, safety, or welfare of persons residing or working adjacent to or within the proximity of the subject property. As provided by the Applicant, the current use of the Property is classified as non-conforming residential multi-family use, and is operated as an “Inn” pursuant to Zoning and Special Use Permit decisions approved prior to adoption of the revised Chapter 16, Development Code. Changing the current RM-2 Zoning District to MFR-L is consistent with the current use. Prior zoning designations on this Property of R-3-L and NC-3-L are virtually identical to the new MFR-L Zoning District. The adoption of the proposed zoning amendment will not involve change in use, as the Property is grandfathered with 15 multi-family units. There is no expansion of the footprint of the building proposed as a part of this proposed rezone, no additional utilities requirements, no additional access easements, and no additional use. CDD Staff Lujan testified that she agreed that this criterion has been met and added that the properties to the north and east will have the same zone district and allowed uses. Differences between the two zone districts are few and are not known to be detrimental to the health, safety, or welfare of persons residing or working adjacent to, or within the proximity of the subject Property. Further, the allowance of a multi-family development is the biggest difference, and pursuant to the County Development Code, a Site Plan application will be required and reviewed for conformance for the change of use. It is at that point where the Applicant would have to demonstrate compliance with the Use-Specific Standards for a Multi-Family Development, Development Standards, and the Decision Criteria, such as mitigating any significant adverse impacts to properties within the vicinity. *See* Testimony of Applicant at 00:20:42, Testimony of CDD Staff Lujan at 00:25:37; *see also* CDD Report, Attachment D, pages 57-58.


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**II. RECOMMENDATION**

The Commission, pursuant to Section 16-72(f)(5)(c)(2), by majority vote, hereby finds that the Applicant has sufficiently demonstrated the request for a Minor Zone Map Amendment meets all requirements, and after full hearing and consideration, hereby recommends **APPROVAL** of Application REZ-2024-0018 to the County Council based upon the Commission's findings and conclusions above.

APPROVED on this date: 7/16/2024

  
\_\_\_\_\_  
Rachel Auier, Chair of the Planning & Zoning  
Commission for the Incorporated County of Los  
Alamos

IFB25-19

IFB Name: NM State Rd 4 – 16” Water Transmission Line Replacement – Fiber Conduit Installation

This project is funded in whole or part by funds made available under State of New Mexico Department of Environment Fund 89200 Capital Appropriation. Project SAP 22-G2352-STB.

Only one of the following submission methods is required:

Sealed Bids in one (1) clearly labeled unbound original, and one (1) paper copy subject to the conditions set forth in the Instructions to Bidders and in the other Solicitation Documents, will be received [Read More](#)

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## LEGAL NOTICE

Community Development

Department

Notice is hereby given that the Planning and Zoning Commission of the Incorporated County of Los Alamos, State of New Mexico, has directed publication of their scheduled meeting to be held on Wednesday, August 28, 2024, beginning at 5:30 PM, within the Municipal Building, located at 1000 Central Ave, Los Alamos, NM 87544.

Members of the public may, also, join to make public comment by pasting into their browser the following URL:

<https://us06web.zoom.us/j/81885706651>

Or by phone: (US) +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782

Webinar [Read More](#)

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## NOTICE OF INCORPORATED COUNTY OF LOS ALAMOS CASE NO. REZ-2024-0018

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 Case No. REZ-2024-0018. This will be considered by the County Council at a public hearing on Tuesday, August 27, 2024, 6:00 p.m., at the County Municipal Building, located at 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: [Read More](#)

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STATE OF NEW MEXICO

LOS ALAMOS COUNTY

FIRST JUDICIAL DISTRICT COURT

No.: D-132-PB-2024-00014

IN THE MATTER OF THE ESTATE OF

THOMAS KEITH THOMPSON, DECEASED.

## NOTICE TO CREDITORS

ALMA E. THOMPSON has been appointed Personal Representative of the ESTATE OF THOMAS KEITH THOMPSON, deceased. All persons having claims against this estate are required to present their claims within four months after the date of the first publication of this Notice or the claims will be forever barred. Claims must be presented either to the Personal Representatives Attorney, Philip J. Dabney, Esq. at 1505 15th St., [Read More](#)

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**PROPERTY OWNERS WITHIN 300-FT**

Property Owner	Or Current Owner	Mailing Address	City/State/ZIP	Certified Mail #
2071,2073 NORTH RDS APT	OR CURRENT OWNER	2071 NORTH RD	LOS ALAMOS, NM, 87544	7022 1670 0003 2574 6585
2117 43RD ST CONDOS	OR CURRENT OWNER	2117 43RD ST	LOS ALAMOS, NM, 87544-3619	7022 1670 0003 2574 6639
2118 44TH ST CONDOS	OR CURRENT OWNER	2118 44TH ST	LOS ALAMOS, NM, 87544	7022 1670 0003 2574 6646
2123 45TH ST CONDOS	OR CURRENT OWNER	2123 45TH ST	LOS ALAMOS, NM, 87544	7022 1670 0003 2574 6653
2141 44TH ST CONDOS	OR CURRENT OWNER	2141 44TH ST	LOS ALAMOS, NM, 87544	7022 1670 0003 2574 6660
2141 45TH ST CONDOS	OR CURRENT OWNER	2141 45TH ST	LOS ALAMOS, NM, 87544	7022 1670 0003 2574 6677
2165 45TH ST CONDOMINIUM	OR CURRENT OWNER	2165 45TH ST	LOS ALAMOS, NM, 87544	7022 1670 0003 2574 6684
2166 44TH ST CONDOS	OR CURRENT OWNER	2166 44TH ST	LOS ALAMOS, NM, 87544	7022 1670 0003 2574 6691
2185 44TH ST CONDOS	OR CURRENT OWNER	2185 44TH ST	LOS ALAMOS, NM, 87544	7022 1670 0003 2574 6707
2191 45TH ST CONDOS	OR CURRENT OWNER	2191 45TH ST	LOS ALAMOS, NM, 87544	7022 1670 0003 2574 6721
2205 45TH ST CONDOS	OR CURRENT OWNER	2205 45TH ST	LOS ALAMOS, NM, 87544	7022 1670 0003 2573 3905
ARIAS MELISSA M	OR CURRENT OWNER	2168 44TH ST	LOS ALAMOS, NM, 87544	7022 1670 0003 2573 3912
BAKER DONALD D & DOLLY H REVOC TRUST	OR CURRENT OWNER	524 TOMASITA ST NE	ALBUQUERQUE, NM, 87123	7022 1670 0003 2573 3929
CHU VINCENT	OR CURRENT OWNER	2165 A 45TH ST	LOS ALAMOS, NM, 87544	7022 1670 0003 2573 3943
COLLINS ALLISON L	OR CURRENT OWNER	2117 B 43RD ST	LOS ALAMOS, NM 87544	7022 1670 0003 2573 3950
DE GROOT ETHAN & RON A	OR CURRENT OWNER	2118 A 44TH ST	LOS ALAMOS, NM, 87544	7022 1670 0003 2573 3967
DIXON DAVID ANDREW & JESICA LARSON	OR CURRENT OWNER	2072 46TH	LOS ALAMOS, NM, 87544	7022 1670 0003 2573 3974
DUECY CHARLES M & COURTNEY A	OR CURRENT OWNER	2117 D 43RD ST	LOS ALAMOS, NM 87544	7022 1670 0003 2573 3981
FIVE OAKS INVESTMENTS LLC	OR CURRENT OWNER	2122 45TH ST	LOS ALAMOS, NM, 87544	7022 1670 0003 2573 3998
GADD MILAN S	OR CURRENT OWNER	2190 46TH ST	LOS ALAMOS, NM, 87544	7022 1670 0003 2573 4001
GARCIA FRANCISCO J	OR CURRENT OWNER	1929 SUNSHINE TER SE	ALBUQUERQUE, NM, 87106	7022 1670 0003 2573 4018
GARCIA PHIL D	OR CURRENT OWNER	2141 B 44TH ST	LOS ALAMOS, NM, 87544	7022 1670 0003 2573 4025
GEDDES PAULA R	OR CURRENT OWNER	2117 C 43RD ST	LOS ALAMOS, NM 87544	7020 1810 0001 0244 9713
HEFT DAVID W & GERALDINE J REVOC LIVING TRUST	OR CURRENT OWNER	2205 A 45TH ST	LOS ALAMOS, NM 87544	7022 2410 0002 8408 9065
HOODLESS MICHAEL & BRIDGET	OR CURRENT OWNER	2166 B 44TH ST	LOS ALAMOS, NM, 87544	7022 2410 0002 8408 9089
HORN KAE LAN J	OR CURRENT OWNER	2141 D 44TH ST	LOS ALAMOS, NM, 87544	7022 2410 0002 8408 9096
HOTH EDWARD J & SHELLY W	OR CURRENT OWNER	2125 44TH ST	LOS ALAMOS, NM, 87544	7022 2410 0002 8408 9102
KEENEY BARRY E	OR CURRENT OWNER	PO BOX 667	LOS ALAMOS, NM 87544	7022 2410 0002 8408 9119
KOH AIK SIONG & TRACY	OR CURRENT OWNER	3765 A VILLA ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6397 76
KOH AIK-SIONG & TRACY	OR CURRENT OWNER	3765 A VILLA ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6397 76
KYRALA MICHAEL ENE M	OR CURRENT OWNER	2191 B 45TH ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6397 69



LAUBSCHER BRYAN E	OR CURRENT OWNER	2073 NORTH RD	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6399 74
LOVATO JANET E	OR CURRENT OWNER	4298 B ALABAMA AVE	LOS ALAMOS, NM 87544	9589 0710 5270 1033 6398 51
LSYSTOM LEVI A	OR CURRENT OWNER	1840 COOPER PL	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6496 45
LYLES MARTHA H & ROBERT C	OR CURRENT OWNER	2166 A 44TH ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6496 52
MA XIA & MIAO QING	OR CURRENT OWNER	2118 C 44TH ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6496 69
MAES ROBERT P & TRICIA R REVOCABLE TRUST	OR CURRENT OWNER	2046 45TH ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6496 76
MARTINEZ-BARBER JAMIE J	OR CURRENT OWNER	2172 B 45TH ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6496 83
MATHENY JASON R	OR CURRENT OWNER	2084 46TH ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6496 90
MCBRIDE ALBERT & CONN EMILY S	OR CURRENT OWNER	2196 45TH ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6497 06
MCBRIDE MICHAEL A & REBECCA V REV TRUST	OR CURRENT OWNER	2185 C 44TH ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6497 13
MEDIN ZACHARY & CANDIA-ROJAS ROXANA	OR CURRENT OWNER	2185 A/B 44TH ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6497 20
MEDIN ZACHARY & CANDIA-ROJAS ROXANA	OR CURRENT OWNER	2185 B 44TH ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6497 20
MIERA PAUL R	OR CURRENT OWNER	2118 B 44TH ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6497 37
MOCKLER CATHERINE	OR CURRENT OWNER	2071 NORTH RD	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6497 44
MOCKLER FAMILY TRUST	OR CURRENT OWNER	2122 45TH ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6497 51
MORGAN TRUST	OR CURRENT OWNER	2163 44TH ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6497 68
NAKAOKA TYLER C & KENDRA D	OR CURRENT OWNER	2134 46TH ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6497 75
O'MALLEY DANIEL & ASHLEY	OR CURRENT OWNER	2156 46TH ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6497 82
PETERSON JOSEPH W & ANDREA E	OR CURRENT OWNER	2141 A 44TH ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6497 99
PIETRYKOWSKI MICHAEL C	OR CURRENT OWNER	2165 B 45TH ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6498 05
POPE ANGELA SANCHEZ-	OR CURRENT OWNER	2178 45TH ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6498 12
PORTEOUS ANDREW B & GINN ASIA E	OR CURRENT OWNER	2123 A 45TH ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6498 29
RUDIN SVEN PETER & VU DUNG M REVOC TRUST	OR CURRENT OWNER	2060 46TH ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6498 36
SEALES JOHNNY D JR & ASHLEY L	OR CURRENT OWNER	2057 B 45TH ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6498 43
SHERRY-SCELZA ROBERTA TRUST	OR CURRENT OWNER	2118 D 44TH ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6498 50
TAPIA JOHN J & KAREN S	OR CURRENT OWNER	2 LA PUEBLA LN	ESPANOLA, NM 87532	9589 0710 5270 1033 6498 67
THOMPSON MICHAEL A & KELLY L	OR CURRENT OWNER	2110 46TH ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6498 74
VERNON LOUIS J & THEA M	OR CURRENT OWNER	1054 BIG ROCK LP	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6498 81
VOGEL GRAYSON & DUBOIS CHRISTINE	OR CURRENT OWNER	2170 46TH ST	LOS ALAMOS, NM, 875442725	9589 0710 5270 1033 6399 81
WALSH SEAN	OR CURRENT OWNER	2205 D 45TH ST	LOS ALAMOS, NM 87544	9589 0710 5270 1033 6399 98
WENBERG DALE & SIEW PING	OR CURRENT OWNER	2191 A 45TH ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6400 00
WILLIAMS MARY PATRICIA	OR CURRENT OWNER	2185 D 44TH ST	LOS ALAMOS, NM 87544	9589 0710 5270 1033 6400 17
ZERBE BRANDON S & SANDERS-JACKSON ASHLEY N	OR CURRENT OWNER	2123 B 45TH ST	LOS ALAMOS, NM, 87544	9589 0710 5270 1033 6400 24

# ATTACHMENT F

Los Alamos County Council  
Regular Session  
August 27, 2024  
Item 10.E  
Attachment F

