



County of Los Alamos

1000 Central Avenue
Los Alamos, NM 87544

Agenda - Final Board of Public Utilities

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

Wednesday, June 17, 2026

5:30 PM

Municipal Building, Council Chambers

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

Members of the public may also participate remotely and provide public comment via Zoom:

Link ~ <https://us06web.zoom.us/j/82180323960> | Webinar ID ~ 821 8032 3960

Phone one-tap:

+12532050468,,82180323960# US

+12532158782,,82180323960# US (Tacoma)

Join via audio:

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+1 719 359 4580 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 646 876 9923 US (New York)

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+1 689 278 1000 US

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+1 305 224 1968 US

PUBLIC COMMENT:

Oral comments are accepted during the periods identified on the agenda and after initial board discussion on a business item, prior to accepting a main motion on an item. Public comments are limited to three minutes per person. For those participating over Zoom, please use the raise hand function. If you are participating by phone enter *9 to raise your hand. Please submit written comments to the board at bpu@lacnm.us.

1. **CALL TO ORDER**
2. **PUBLIC COMMENT**
3. **APPROVAL OF AGENDA**

- 3.a. [21056-26b](#) Statement Regarding Closed Session on 6/3/26

Presenters: Board of Public Utilities

4. **CONSENT AGENDA**

MOTION: I move that the Board of Public Utilities approve the items on the Consent Agenda as (PRESENTED -or- AMENDED) and that the motions in the staff reports be included in the minutes for the record.

- 4.a. [21292-26](#) Approval of Board of Public Utilities Meeting Minutes - May

Presenters: Board of Public Utilities

Attachments: [A - Draft BPU Work Session Minutes - 5/6/26](#)

[B - Draft BPU Regular Session Minutes - 5/20/26](#)

- 4.b. [21783-26a](#) Approval of NMFA Binding Letter of Commitment for the Denver Steels Phase II Water Service Line Replacement Project in the Amount of \$525,000.00

Presenters: James Martinez, Deputy Utility Manager-Engineering

Attachments: [A - NMFA Binding Letter of Commitment](#)

[B - Form 4700-4 JM](#)

- 4.c. [21806-26a](#) Approval of Budget Revisions 26-87 to Increase the Transfer from Water Distribution to Water Production for the Cost of Water

Presenters: Joann Gentry, Deputy Utility Manager-Finance & Admin.

Attachments: [A- Budget Revision 2026-87](#)

[B - FY2026 Cost of Water Budget Projection](#)

- 4.d. [AGR1223-26](#) Approval of General Services Agreement No. AGR27-804 with Kutak Rock, LLP in the Amount Not to Exceed \$150,000 plus Applicable Gross Receipts Tax for the Purpose of Providing Legal Services in Connection with the Incorporated County of Los Alamos Utilities Operations

Presenters: Philo Shelton, Utilities Manager

Attachments: [A - AGR27-804 Kutak Rock](#)

5. **PRESENTATIONS (none)**

6. **PUBLIC HEARINGS (none)**

7. **DEPARTMENT BUSINESS**

- 7.a. [21691-26](#) DPU Rate Comparisons with National Data Collected by APPA and AWWA
- Presenters:** Philo Shelton, Utilities Manager
- Attachments:** [A - APPA Statistical Report](#)
[B - AWWA Residential Service Charges](#)
- 7.b. [21808-26](#) Discussion and Possible Action on One Year Rate Increase for Gas Services
- Presenters:** Joann Gentry, Deputy Utility Manager-Finance & Admin.
- Attachments:** [A - LAC Code Ordinance 02-385 - Gas Rates](#)
[B - Gas Rate Ordinance Presentation](#)
- 7.c. [21508-26](#) Electric Distribution Undergrounding Discussion
- Presenters:** Dennis Astley, Deputy Utility Manager-Electric Distribution
- Attachments:** [A - ED Undergrounding Presentation](#)
- 7.d. [21421-26](#) Review of 10-year Budget Plan and Reserve Policies
- Presenters:** Joann Gentry, Deputy Utility Manager-Finance & Admin.
- Attachments:** [A - Cash Reserve Guideline Presentation](#)
[B - Financial Guidelines](#)

8. **BOARD BUSINESS**

- 8.a. Chair's Report
- 8.b. Board Member's Reports
- 8.c. Utilities Manager's Report
- 8.d. County Manager's Report
- 8.e. Council Liaison's Report
- 8.f. Environmental Sustainability Board Liaison's Report
- 8.g. General Board Business
- 8.g.1. [21584-26b](#) Discussion and Possible Support of the Council Charter Review of Utilities Profit Transfer; Council Procedures for Filling Partial Terms of

Elected Officials; and Party Affiliation Requirements for Boards and Commission Members

Presenters: Philo Shelton, Utilities Manager and Robert Gibson, Chair-Board of Public Utilities

Attachments: [A - County Charter](#)

- 8.g.2. [21201-26c](#) Approval of the Board of Public Utilities Annual Presentation to County Council

Presenters: Robert Gibson, Chair-Board of Public Utilities

Attachments: [A - BPU Presentation to County Council_Final Draft](#)

- 8.h. Board Expenses

9. **STATUS REPORTS**

- 9.a. [21293-26](#) Status Reports - May 2026

Presenters: Philo Shelton, Utilities Manager

Attachments: [A - Electric Reliability Report](#)
[B - Accounts Receivables Report](#)
[C - Risk & Safety Report](#)

10. **UPCOMING AGENDA ITEMS**

- 10.a. [21294-26](#) Tickler File for July - September 2026

Presenters: Philo Shelton, Utilities Manager

Attachments: [A - Tickler File Jul-Sept 2026](#)

11. **PUBLIC COMMENT**

12. **ADJOURNMENT**

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Human Resources at 505-662-8040 as soon as possible.

Complete Board of Public Utilities agenda packets, past agendas, videos, legislation and minutes can be found online at <https://losalamos.legistar.com>. Learn more about the Board of Public Utilities at <https://ladpu.com/BPU>.



County of Los Alamos

Staff Report

June 17, 2026

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: 3.a.

Index (Council Goals):

Presenters: Board of Public Utilities

Legislative File: 21056-26b

Title

Statement Regarding Closed Session on 6/3/26

Body

Pursuant to § 10-15-1 (H)(2) of the New Mexico Open Meetings Act, NMSA 1978, the Board of Public Utilities met in closed session on June 3, 2026 at 8:15 p.m. to discuss information pertaining to limited personnel matters: Utilities Manager Performance Review

Recommended Action

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



County of Los Alamos

Staff Report

June 17, 2026

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: 4.a.
Index (Council Goals):
Presenters: Board of Public Utilities
Legislative File: 21292-26

Title

Approval of Board of Public Utilities Meeting Minutes - May

Recommended Action

I move that the Board of Public Utilities approve the minutes for the May 6 and May 20, 2026 meetings as presented.

Body

Draft minutes are sent to members after each meeting for their review. Members may then send changes to be incorporated prior to final approval of the minutes at the next regular meeting.

Attachments

- A - Draft BPU Work Session Minutes - 5/6/26
- B - Draft BPU Regular Session Minutes - 5/20/26



County of Los Alamos

1000 Central Avenue
Los Alamos, NM 87544

Minutes

Board of Public Utilities Work Session

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

Wednesday, May 6, 2026

5:30 PM

Municipal Building, Room 330

Public Participation ~ in person or <https://us06web.zoom.us/j/87563449773>

1. CALL TO ORDER

This work session of the Incorporated County of Los Alamos Board of Public Utilities was held on Wednesday, May 6, 2026. Chair Robert Gibson called the meeting to order at 5:37 p.m. Members of the public were notified of the ability to attend and provide public comment either in person or over Zoom.

The following board members were in attendance:

Present: 5 - Members Hollingsworth, Nakhleh, Gibson, Shelton and Laurent

Remote: 1 - Member Stromberg

Absent: 1 - Member Heavner

Others present in Chambers:

Vice Chair Ryn Herrmann, Council Liaison

Mr. Alvin Leaphart, County Attorney

Mr. Clay Moseley, Deputy Utility Manager - GWS Services

Mr. Dennis Astley, Deputy Utility Manager - Electrical Distribution

Mr. Ben Olbrich, Deputy Utility Manager - Power Supply

Ms. Joann Gentry, Deputy Utility Manager - Finance & Administration

Ms. Cathy D'Anna, Public Relations Manager

Ms. Abbey Hayward, Public Relations Manager

Ms. Kathy Casados, Executive Assistant

Ms. Nicholas Nelson, Power System Supervisor

Mr. Perry Rutherford, IM Technical Support Specialist

Dr. Lisa Shin, Citizen

Mr. Stephen Blair, Citizen

Mr. Bob Griffin, Citizen

Ms. Karen Thick, Citizen

Ms. Shriram Srinivasan, Citizen

Ms. Lori Galea, Citizen

Mr. Jason Chappel

Mr. David Hampton

Zoom participants:

- 1. Mr. James Martinez, Deputy Utility Manager - Engineering**
- 2. Mr. Juan Rael, Deputy County Manager**
- 3. Mr. Bill Starkovich**
- 4. CCNS**
- 5. Ms. Chelly Young**
- 6. Ms. Jennifer Young**
- 7. Ms. Maire O'Neill**
- 8. Ms. Nina N.**
- 9. Ms. Paige R.**

2. PUBLIC COMMENT

Chair Gibson provided an opportunity for public comment items not otherwise on the agenda; there was none.

No action was taken on this item.

3. APPROVAL OF AGENDA

Chair Gibson called for amendments to the agenda, discussion or a motion. He mentioned that the agenda had been revised and re-published on Saturday, May 2, which was within Open Meetings Act requirements. Chair Gibson then requested that item 4.c. be pulled off the Consent Agenda.

Member Nakhleh moved and Member Hollingsworth seconded that the Board approve the agenda as revised and amended.

The motion passed by the following vote:

YES - 4: Members Hollingsworth, Nakhleh, Gibson, and Stromberg

NO - 0:

ABSENT - 1: Member Heavner

3.a.

Action to Suspend Procedural Rules for Work Session

Chair Gibson called for discussion or a motion.

Member Hollingsworth moved and Member Nakhleh seconded that the Board of Public Utilities suspend their procedural rules for the May 6, 2026 work session so that formal action may be taken.

The motion passed by the following vote:

YES - 4: Members Hollingsworth, Nakhleh, Gibson, and Stromberg

NO - 0:

ABSENT - 1: Member Heavner

4. CONSENT AGENDA

Chair Heavner called for amendments to the consent agenda, discussion or a motion.

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

The motion passed by the following vote:

YES - 4: Members Hollingsworth, Nakhleh, Gibson, and Stromberg

NO - 0:

ABSENT - 1: Member Heavner

- 4.a.** Award of Bid No. IFB 26-21 for the Purpose of the Jemez Mountain Fire Protection Phase III Project with Dub-L-EE, LLC in the Amount of \$3,904,195.98, plus a 15% Contingency and Applicable NMGR
- I move that the Board of Public Utilities recommend the award of Bid No. IFB 26-21 for the Purpose of the Jemez Mountain Fire Protection Phase III Project with the base bid amount of \$3,904,195.98 from the lowest responsive bidder, Dub-L-EE, LLC and a 15% contingency in the amount of \$585,629.40, for a total project amount of \$4,489,825.38, plus applicable NM Gross Receipts Tax and forward to County Council for approval.**
- 4.b.** Re-Approval of a Purchase Order for the Purchase of a UV Disinfection System from Trojan Technologies in the Amount of \$184,800.00, plus Applicable Gross Receipts Tax for the Los Alamos Wastewater Treatment Plant
- I move that the Board of Public Utilities approve the purchase of a UV Disinfection System from Trojan Technologies in the amount of \$184,800.00, plus applicable gross receipts tax for the Los Alamos Wastewater Treatment Plant.**
- 4.d.** Approval of Budget Revision No. 26-69 in the Amount of \$550,000.00 and Approval for the Placement of an Order for a Vacuum Excavator Truck ("Vactor") in the Amount of \$549,720.28
- I move that the Board of Public Utilities recommend approval of Budget Revision No. 26-69 in the amount of \$550,000.00. I further move that the Board recommend the placement of an order for a Vactor in the amount of \$549,720.28 plus applicable NM Gross Receipts Tax and forward to Council for approval.**
- 4.e.** Approval of Task Order No.13, AGR 23-58 for the Repair of an 18" Water Transmission Line with Brad Parker Construction in the Amount of \$219,336.06 Plus NM GRT and Approval of Budget Revision No. 2026-58
- I move that the Board recommend the approval of Task Order No.13, AGR 23-58 for the repair of an 18" Water Transmission Line with Brad Parker Construction in the amount of \$219,336.06 plus applicable NM Gross Receipts Tax and forward to Council for approval.**
- I further move that the Board recommend the approval of Budget Revision No. 2026-58 in the amount of \$234,827.00 and forward to Council for approval.**
- 4.f.** Approval of the Reinstatement of Contract for IFB 25-31 for the Bayo NP Booster Station Rehabilitation Project including the two prior change orders in the Amount of \$1,427,586.41 plus NMGR and Approval of Change Order No. 3 with TLC Company, Inc. in the amount of \$34,983.25

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

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

DEPARTMENT BUSINESS

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

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

1. Member Hollingsworth
2. Member Nakhleh

Chair Gibson then called for further discussion or a motion.

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

The motion passed by the following vote:

YES - 4: Members Hollingsworth, Nakhleh, Gibson, and Stromberg

NO - 0:

ABSENT - 1: Member Heavner

5. PUBLIC HEARINGS

- 5.a. Incorporated County of Los Alamos Code Ordinance No. 02-379; An Ordinance Amending Chapter 40, Article III, Sections 40-151, and 40-152 of the Code of the Incorporated County of Los Alamos Pertaining to Gas Service Rates

Ms. Joann Gentry Deputy Utility Manager - Finance & Administration presented. Copies of the code ordinance and presentation slides were included in the meeting packet. Chair Gibson provided an opportunity for comments and questions from the Board.

The following individuals spoke:

1. Member Nakhleh
2. Member Hollingsworth
3. Mr. Moseley
4. Mr. Shelton
5. Ms. Laurent
6. Member Gibson

Chair Gibson provided an opportunity for public comment. There were none in person. The following individuals commented remotely over Zoom:

1. Ms. Paige Ramsey

Chair Gibson then provided an opportunity for further comments from the Board. The following individuals spoke:

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

Member Nakhleh moved and Member Hollingsworth seconded that the Board of Public Utilities recommend that Council adopt Incorporated County of Los Alamos Code Ordinance No. 02-379; An Ordinance Amending Chapter 40, Article III, Sections 40-151, and 40-152 of the Code of the Incorporated County of Los Alamos Pertaining to Gas Service Rates.

The motion passed by the following vote:

YES - 4: Members Hollingsworth, Nakhleh, Gibson and Stromberg

NO - 0:

ABSENT: Member Heavner

6. DEPARTMENT BUSINESS

6.a. Recognition of Cathy D'Anna, Public Relations Manager

Chair Gibson presented Ms. D'Anna with a Certificate of Appreciation. Mr. Shelton presented Ms. D'Anna with a Leadership Coin and a DPU "Essential Piece." key chain. Ms. D'Anna also spoke.

No action was taken on this item.

6.b. Overview of the ECA Budget Process and Presentation of the DOE/LAC Resource Pool Budget for Fiscal Years 2027 & 2028

Mr. Ben Olbrich, Deputy Utility Manager - Power Supply presented. A copy of his revised presentation is **attached** to these minutes.

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

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

No action was taken on this item.

6.c. Biannual Review of DPU Rules & Regulations - Fee Schedule

Ms. Joann Gentry, Deputy Utility Manager - Finance & Administration presented.

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

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

No action was taken on this item.

7. BOARD BUSINESS

8.a. Discussion and Possible Action Regarding the July 15, 2026 BPU Regular Meeting

Chair Gibson introduced this topic. He notified board that based on schedules submitted by members there would not be a quorum for the scheduled regular meeting on July 15, 2026. He asked the board to consider rescheduling for another date. The following members spoke:

1. Member Hollingsworth
2. Member Gibson
3. Member Nakhleh
4. Member Stromberg.

Chair Gibson then called for further discussion or a motion.

Member Nakhleh moved and Member Hollingsworth seconded that the Board of Public Utilities reschedule the July 15, 2026 Regular Meeting to July 22, 2026.

The motion passed by the following vote:

YES - 4: Member Stromberg, Hollingsworth, Nakhleh and Gibson

NO - 0:

ABSENT - 1: Member Heavner

8.b. Planning for the Annual Board of Public Utilities Presentation to Council

Member Gibson reviewed the outline that was provided in the meeting packet. He opened the floor for suggestions from the Board. The following individuals spoke:

1. Member Hollingsworth
2. Mr. Shelton

No action was taken on this item.

8. PUBLIC COMMENT

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

No action was taken on this item.

9. ADJOURNMENT

The meeting adjourned at 7:49 p.m.

APPROVAL

Board of Public Utilities Chair

Date Approved by the Board

Minutes transcribed by: Kathy Casados, Executive Assistant

ATTACHMENTS (in agenda order)

4.c. Revised Motion

6.b. Revised Presentation



BOARD OF PUBLIC UTILITIES

ADDITIONAL MEETING DOCUMENTS

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

MEETING DATE	May 6, 2026 – Work Session
AGENDA ITEM	Agenda No.: 4.c. Legislative File: 21641-26a Award of Bid No. 26-31 for the Trinity Drive/NM-502 ADA and Safety Improvements Project to HASSE Contracting Company Inc. in the Amount of \$1,320,550.00 plus Applicable NM GRT
ATTACHMENTS	Staff Report
NEW OR REVISED? Is this a revision that is different from what was in the agenda packet, or is it something entirely new?	REVISED Title and Recommended Action
RECOMMENDED ACTION If you have a new or revised recommended motion for the Board, enter it here.	On Consent Agenda: <i>I move that the Board of Public Utilities recommend the Award of Bid No. 26-31 for the Trinity Drive/NM-502 ADA and Safety Improvements Project in the amount of \$1,200,500.00 plus a 10% contingency in the amount of \$120,050.00, for a total project amount of \$1,320,550.00, plus applicable NMGRT to HASSE Contracting Company Inc. and forward to County Council for approval.</i>
ADDITIONAL INFORMATION Please VERY BRIEFLY explain the purpose of this information or document.	N/A



County of Los Alamos

Staff Report

May 06, 2026

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.:	4.c.
Index (Council Goals):	DPU FY26 - 1.0 Provide Safe and Reliable Utility Services; Quality Excellence- Effective, Efficient, and Reliable Services
Presenters:	James Martinez, Deputy Utility Manager-Engineering
Legislative File:	21641-26a

Title *(Revised 5/5/26)*

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

Recommended Action *(Revised 5/5/26)*

I move that the Board of Public Utilities recommend the Award of Bid No. 26-31 for the Trinity Drive/NM-502 ADA and Safety Improvements Project in the amount of \$1,200,500.00 plus a 10% contingency in the amount of \$120,050.00, for a total project amount of \$1,320,550.00, plus applicable NMGR to HASSE Contracting Company Inc. and forward to County Council for approval.

Utilities Manager's Recommendation

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

Body

The Trinity Drive Road and Utility Project (RFP 26-31) was advertised on March 26, 2026. Following the bid opening on April 16, 2026, two bids were received. Hasse Contracting Company Inc. was identified as the lowest responsive bidder.

This project involves replacing the main water feed to the Justice Building and businesses on the south side of Trinity Drive and replacing fire hydrants. Scope of work also includes replacing five clusters of unresponsive steel gas valves and installing two electrical crossings for future connectivity. These upgrades are critical for ensuring utility reliability in a key business center, improving safety for DPU staff, and reducing long-term operations and maintenance (O&M) costs.

Alternatives

If the Board does not award the project, staff will continue to allocate staff resources to pipelines/ conduits and valve maintenance and pursue less desirable means to keep the system operational.

Fiscal and Staff Impact/Planned Item

The project has been budgeted through Capital Improvement Project (CIP) funds.

Attachments

A - Construction Plans



BOARD OF PUBLIC UTILITIES

ADDITIONAL MEETING DOCUMENTS

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

MEETING DATE	May 6, 2026 – Work Session
AGENDA ITEM	Agenda No.: 6.b. Legislative File: 21206-26a Overview of the ECA Budget Process and Presentation of the DOE/LAC Resource Pool Budget for Fiscal Years 2027 & 2028
ATTACHMENTS	A - ECA Budget Process FY27 and FY28
NEW OR REVISED? Is this a revision that is different from what was in the agenda packet, or is it something entirely new?	REVISED
RECOMMENDED ACTION If you have a new or revised recommended motion for the Board, enter it here.	N/A
ADDITIONAL INFORMATION Please VERY BRIEFLY explain the purpose of this information or document.	N/A

Power Pool Combined Resources Expenditures FY 2027

Resource Cost	Jul-26	Aug-26	Sep-26	Oct-26	Nov-26	Dec-26	Jan-27	Feb-27	Mar-27	Apr-27	May-27	Jun-27	Total	Total MWh	Cost per MWh
Demand															
Los Alamos	893,008	893,008	893,008	893,008	893,008	893,008	893,008	893,008	893,008	893,008	893,008	893,008	10,716,094		
Department of Energy	485,222	478,586	462,661	454,698	451,012	462,956	505,424	460,302	447,031	492,153	460,302	497,461	5,657,808		
Total	1,378,229	1,371,594	1,355,669	1,347,706	1,344,020	1,355,964	1,398,432	1,353,310	1,340,039	1,385,161	1,353,310	1,390,469	16,373,902		\$7,215,139
Energy															
Los Alamos	1,897,173	1,897,173	1,897,173	1,897,173	1,897,173	1,897,173	1,897,173	1,897,173	1,897,173	2,656,643	2,656,643	2,656,643	25,044,486		
Department of Energy	70,462	70,462	70,462	70,462	70,462	70,462	70,462	70,462	70,462	70,462	70,462	70,462	845,539		
Total	1,967,635	1,967,635	1,967,635	1,967,635	1,967,635	1,967,635	1,967,635	1,967,635	1,967,635	2,727,105	2,727,105	2,727,105	25,890,026		
MW Demand															
LAC Billing Demand	22	21	18	14	17	19	20	19	17	18	16	22			
DOE Billing Demand	79	78	79	78	78	79	61	60	58	60	74	84			
Total Billing Demand	100	99	97	92	95	98	81	79	76	77	90	105			
LAC Billing Demand	22	21	18	14	17	19	20	19	17	18	16	22			
DOE Billing Demand	79	78	79	78	78	79	61	60	58	60	74	84			
Total Billing Demand	100	99	97	92	95	98	81	79	76	77	90	105			
Total Resource Cost	3,345,864	3,339,228	3,323,303	3,315,340	3,311,655	3,323,599	3,366,066	3,320,944	3,307,673	4,112,266	4,080,415	4,117,574	42,263,928	563,893	\$ 74.95
Los Alamos Demand %	21.50%	20.90%	18.43%	15.28%	17.76%	18.99%	24.95%	24.26%	22.98%	22.79%	17.38%	20.47%			
Los Alamos Energy %	24.14%	23.07%	20.37%	20.47%	23.46%	21.99%	23.02%	21.35%	21.34%	20.06%	22.71%	20.44%	0		
Department of Energy Demand %	78.50%	79.10%	81.57%	84.72%	82.24%	81.01%	75.05%	75.74%	77.02%	77.21%	82.62%	79.53%			
Department of Energy Energy %	75.86%	76.93%	79.63%	79.53%	76.54%	78.01%	76.98%	78.65%	78.66%	79.92%	77.29%	79.56%			
Los Alamos Power Cost															
Demand	296,251	286,655	249,823	205,968	238,669	257,480	348,848	328,264	307,982	315,619	235,266	284,595			
Energy	474,940	454,020	400,871	402,725	461,588	432,602	482,898	420,176	419,884	547,678	619,387	557,460			
Customer															
Total	771,190	740,675	650,695	608,693	700,237	690,082	801,707	748,440	727,866	863,297	854,654	842,055	8,999,591	123,401	\$ 72.93
Department of Energy Power Cost															
Demand	1,081,979	1,084,939	1,105,845	1,141,738	1,105,352	1,098,484	1,049,583	1,025,046	1,032,057	1,089,542	1,118,044	1,105,874			
Energy	1,492,695	1,513,614	1,566,763	1,564,909	1,506,066	1,535,033	1,514,776	1,547,459	1,547,751	2,179,427	2,107,718	2,169,645			
Customer															
Total	2,574,674	2,598,553	2,672,608	2,706,647	2,611,418	2,633,517	2,564,360	2,572,504	2,579,807	3,248,968	3,225,761	3,275,519	33,264,337	440,492	\$ 75.52
Net Due to Los Alamos	2,018,990	2,049,506	2,139,486	2,181,488	2,089,944	2,100,099	1,988,474	2,041,740	2,062,315	2,686,354	2,694,988	2,707,596	26,760,989		
Distribution Expense	(2,046)	(2,046)	(2,046)	(2,046)	(2,046)	(2,046)	(2,046)	(2,046)	(2,046)	(2,046)	(2,046)	(2,046)	(24,552)		
Net Adjusted due Los Alamos	2,016,944	2,047,460	2,137,440	2,179,442	2,087,898	2,098,053	1,986,428	2,039,694	2,060,269	2,684,308	2,692,952	2,705,550	26,736,437		
DOE TOTAL															\$ 75.46

100



County of Los Alamos

Minutes

Board of Public Utilities

1000 Central Avenue
Los Alamos, NM 87544

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

Wednesday, May 20, 2026

5:30 PM

Municipal Building, B&C Rm #110

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

1. CALL TO ORDER

This regular meeting of the Incorporated County of Los Alamos Board of Public Utilities was held on Wednesday, May 20, 2026. Vice Chair Matt Heavner called the meeting to order at 5:30 p.m. Members of the public were notified of the ability to participate and provide public comment in-person, remotely, or via email.

The following board members were in attendance:

Present - 6: Members Heavner, Stromberg, Nakhleh, Hollingsworth, Shelton and Laurent

Remote - 0:

Absent - 1: Member Gibson

Others in attendance in Chambers:

Vice Chair Ryn Herrmann, Council Liaison

Mr. Alvin Leaphart, County Attorney

Ms. Cristella Valdez, Assistant County Attorney

Mr. James Martinez, Deputy Utility Manager - Engineering

Mr. Clay Moseley, Deputy Utility Manager - GWS Services

Mr. Dennis Astley, Acting Deputy Utility Manager - Electrical Distribution

Mr. Ben Olbrich, Deputy Utility Manager - Power Supply

Mr. Richard Valerio, Business Operations Manager - Finance & Administration

Ms. Abbey Hayward, Public Relations Manager

Ms. Kathy Casados, Executive Assistant

Mr. Jeddediah Bedo, IM Technical Support Specialist

Ms. Marlene Wilden, Reporter, Exchange Monitor

Mr. Tom McCrory, Citizen / EM-LA

Mr. David Powell, Citizen

Mr. Tom Messing, N3B

Mr. Joel Hebdon, N3B

Ms. Stephanie Fountain, N3B

Mr. Brian Hancer, N3B

Ms. Kristin Henderson, N3B

Ms. Stephanie Gallagher, N3B

Mr. Tahir Rana, DOE

Ms. Catherine Lepp, NMED

Ms. Caitlin Martinez, NMED GWQB

Zoom participants:
Sue Barns, ESB Liaison
Randall Ryti, Council Chair
Alaa Aly
Alexander Tafoya
Amanda Kennedy
Becky
ccns
Dan Jones
David Hampton
Edwin Worth
Gina Joiner
Jeff
Jeffrey Silvera
Jen Payne
Joe Ritchey
Kylian Robinson
Linsey Hurst, Local 7076
Lt. Gov/Envir. Director San I Pueblo
Maire O'Neill
Matt
mlbishopllc
Peter Dillon
Robert Reine (DOE)
Seattle
Shelly Wilson
Siona Briley
terrymichalske 147

2. PUBLIC COMMENT

Vice Chair Heavner provided an opportunity for public comment on the Consent Agenda or those not otherwise included on the agenda.

The following individuals spoke:

1. David Powell
2. Tom McCrory

3. APPROVAL OF AGENDA

Vice Chair Heavner called for amendments to the agenda, discussion or a motion.

Member Hollingsworth moved and Member Nalhleh seconded that the Board approve the agenda as presented.

The motion passed by the following vote:

YES - 4: Members Hollingsworth, Nakhleh, Stromberg, and Heaver

NO - 0:

ABSENT: Member Gibson

3.a. Statement Regarding Closed Session

Vice Chair Heavner requested a member volunteer to read the statement.

Member Hollingsworth moved and Member Stromberg seconded that the Board of Public Utilities approve the following statement for inclusion in the minutes: "The matters discussed in the closed sessions on May 6, 2026 were limited only to those topics specified in the notice of the closed session, and no action was taken on any matter during the closed session."

The motion passed by the following vote:

YES - 4: Members Hollingsworth, Nakhleh, Stromberg, and Heaver

NO - 0:

ABSENT: Member Gibson

4. CONSENT AGENDA

Vice Chair Heavner called for amendments to the consent agenda, discussion or a motion.

Member Stromberg moved and Member Nakhleh seconded that the consent agenda be approved as presented.

The motion passed by the following vote:

YES - 4: Members Hollingsworth, Nakhleh, Stromberg, and Heaver

NO - 0:

ABSENT: Member Gibson

4.a. Approval of Board of Public Utilities Meeting Minutes for April

I move that the Board of Public Utilities approve the minutes of the April 1 and April 15, 2026 meetings as presented.

4.b. Award of Bid No. 26-61 for the Tank Piping Upgrades Phase 2 Project to NM Underground Utilities, Inc. in the Amount of \$607,890.00 plus Applicable NMGR

I move that the Board of Public Utilities recommend the award of Bid No. 26-61 for the Tank Piping Upgrades Phase 2 Project with the base bid amount of \$528,600.00 plus a 15% contingency in the amount of \$79,290.00, for a total project amount of \$607,890.00, plus applicable NM gross receipts tax to NM Underground Utilities, Inc. and forward to County Council for approval.

4.c. Approval of Changes to the Department of Public Utilities Rules & Regulations - Fee Schedule

I move that the Board of Public Utilities approve the changes to the Department of Public Utilities Rules & Regulations - Fee Schedule as presented.

5. PRESENTATIONS

5.a. Presentation by DOE EM Los Alamos Field Office (EM-LA) and N3B: Update on the Hexavalent Chromium Campaign and Current Status on the Interim Measures

Ms. Stephanie Gallagher, EM-LA Public Affairs introduced the presenters. Mr. Joel Hebdon, N3B Deputy Program Manager for Environmental Remediation, introduced the

topic. Mr. Brian Harcek, EM-LA Director, Quality and Regulatory Compliance, presented. Vice Chair Heavner provided an opportunity for comments and questions from the Board. The following individuals spoke:

1. Member Nakhleh
2. Member Stromberg

No action was taken on this item.

6. PUBLIC HEARINGS

- 6.a. Incorporated County of Los Alamos Code Ordinance No. 02-380; An Ordinance Amending the Department of Public Utilities' Water Service Rate Schedules, Chapter 40, Article III, Sections 40-171, 40-173 and 40-175, and adding new Sections 40-176, 40-177, and 40-178 to the Incorporated County of Los Alamos Code

Mr. Richard Valerio, Business Operations Manager presented. Copies of the code ordinance and presentation slides were included in the meeting packet. Vice Chair Heavner provided an opportunity for comments and questions from the Board. The following individuals spoke:

1. Member Nakhleh

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

Member Nakhleh moved and Member Hollingsworth seconded that the Board of Public Utilities recommend Council adopt Incorporated County of Los Alamos Code Ordinance No.02-380; an Ordinance Amending the Department of Public Utilities' Water Service Rate Schedules, Chapter 40, Article III, Sections 40-171, 40-173 and 40-175, and adding new Sections 40-176, 40-177, and 40-178 to the Incorporated County of Los Alamos Code.

The motion passed by the following vote:

YES - 4: Members Hollingsworth, Nakhleh, Stromberg, and Heaver

NO - 0:

ABSENT: Member Gibson

7. DEPARTMENT BUSINESS

- 7.a. Approval of Department of Energy / Los Alamos County Electric Resource Pool Budget for Fiscal Years 2027 and 2028

Mr. Ben Olbrich, Deputy Utility Manager - Power Supply presented. Vice Chair Heavner provided an opportunity for comments and questions from the Board. The following individuals spoke:

1. Member Heavner

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

Member Stromberg moved and Member Nakhleh seconded that the Board of Public Utilities recommend approval of the 2027-28 Resource Pool budget as presented and forward to the County Council for their review and approval.

The motion passed by the following vote:

YES - 4: Members Hollingsworth, Nakhleh, Stromberg, and Heaver

NO - 0:

ABSENT: Member Gibson

7.b. Approval of Budget Revision 2026-73

Mr. Richard Valerio, Business Operations Manager presented. Vice Chair Heavner provided an opportunity for comments and questions from the Board; there were none. He then called for Public Comment, there was none. He then called for further discussion or a motion.

Member Hollingsworth moved and Member Nakhleh seconded that the Board of Public Utilities approve Budget Revision 2025-64 as presented and forward to Council for consideration and approval.

The motion passed by the following vote:

YES - 4: Members Hollingsworth, Nakhleh, Stromberg, and Heaver

NO - 0:

ABSENT: Member Gibson

8. BOARD BUSINESS

8.a. Chair's Report

Vice Chair Heavner reported:

1. Council reappointed him to the BPU for another five year term.
2. On May 14 he, Mr. Shelton and Mr. Olbrich attended the Foxtail Fox ground breaking in Farmington

No action was taken on this item.

8.b. Board Member's Reports

Member Nakhleh reported that he attended the Boards & Commissions meeting on May 14th.

No action was taken on this item.

8.c. Utilities Manager's Report

Mr. Philo Shelton reviewed his report which was included in the meeting packet. Vice Chair Heavner provided an opportunity for comments or questions from the board. The following individuals spoke:

1. Member Nakhleh

Mr. Dennis Astley provided an update on the power outage that occurred over the weekend: Vice Chair Heavner provided an opportunity for comments or questions from the board. The following individuals spoke:

1. Member Nakhleh

2. Member Hollingsworth
3. Member Stromberg

No action was taken on this item.

8.d. County Manager's Report

Ms. Anne Laurent provided these highlights from the recent Council Meetings and Work Sessions:

1. The Atomic Fiber Broadband Groundbreaking was a success. Four internet providers will provide service to County customers.
2. The Longview Drive realignment project was approved by Council; work will take place in the summer.
3. The first summer concert is scheduled for May 22.
4. The Trinity Drive realignment project from Oppenheimer to 20th Street is progressing.
5. The EV charger installation at Mesa Public Library is delayed for two weeks due to early voting.
6. A groundbreaking ceremony for Fire Station 4 is planned.

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

1. Member Stromberg
2. Member Hollingsworth

No action was taken on this item.

8.e. Council Liaison's Report

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

No action was taken on this item.

8.f. Environmental Sustainability Board Liaison's Report

Ms. Sue Barns reported that the ESB recently

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

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

No action was taken on this item.

8.g. General Board Business

There was none.

No action was taken on this item.

8.h. Board Expenses

There were none.

No action was taken on this item.

9. STATUS REPORTS

9.a. Status Reports for April

Mr. Shelton commented that April data was not available from Risk so it will be presented at the June regular meeting.

Chair Gibson opened the floor for comments and questions on the status reports. The following individuals spoke:

1. Member Stromberg
2. Mr. Moseley
3. Member Nakhleh
4. Mr. Shelton

No action was taken on this item.

10. UPCOMING AGENDA ITEMS

10.a. Tickler File for June -September

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

1. Member Nakhleh

No action was taken on this item.

11. PUBLIC COMMENT

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

No action was taken on this item.

12. ADJOURNMENT

The meeting adjourned at 7:42 p.m.

APPROVAL

Board of Public Utilities Chair

Date Approved by the Board

Minutes transcribed by: Kathy Casados, Executive Assistant

ATTACHMENTS

(in agenda order):

8.c. Utilities Manager Report 5/20/26

Utilities Manager's Report
May 20, 2026

1. The Primary Elections continue. For June 3rd BPU Work Session, we will be meeting in Room 330.
2. For White Rock Sub-Station, Sambros completed rerouting the conduits to allow for the caisson installations. R&M Construction is getting rebar cages delivered and drilling of the caissons will plan for the end of next week. For the tie line, the installation is complete and the only remaining item is programming the recloser control that we are waiting for to receive information from our consultant.
3. For Elk Ridge, the old gas distribution system has been cut, capped and purged. Even after months of notices and door hangers, there were two homes that did not complete their cutovers, and DPU staff were told their plumbers are getting inspections completed and will get their connections completed to the new system.
4. New Mexico Gas is planning to hydrotest 7 to 8 miles of high-pressure gas line from Santa Fe to Los Alamos. This will require NM Gas to set up what they call a virtual pipeline. Basically, liquified natural gas will be trucked daily from Texas and released at an upstream station from Los Alamos while hydrotesting occurs. LANL's combustion turbine will need to remain offline during this period because of the volume of gas that it uses. The virtual pipeline will be in operation from mid-June to mid-August. Staff will work to schedule additional power that the CT was planned to provide.
5. Recruitment status: The current vacancies are Electrical Distribution Engineering Manager, Senior Engineer, Associate Engineer, Management Analyst, Energy and Water Conservation Coordinator, GWS Superintendent, GWS Trainee, and Engineering Aid for utility locates.
6. The plumbers and pipefitting union's contract expires on June 30, 2026, and negotiations are complete and the terms are being written up into an agreement. Staff will bring this to BPU on June 3rd and Council on June 9th.
7. For the ECA, Kutak Rock has the last rounds of edits from Los Alamos to review and then they will turn these redlines over by week end back to DOE/NNSA for a final review. After this step, we will be bringing the ECA to BPU hopefully at the June 17th meeting for approval.
8. The sub-grant agreement for the Jemez Fire Protection Project was received today. This work will cover the electrical underground lines and removal of the overhead lines.
9. Attended the groundbreakings for Atomic Fiber and Foxtail Flats. These are major milestones in implementing these two large projects. DPU has received the \$17 million letter of credit required as part of the construction of Foxtail Flats. This project is well underway with mobilization of equipment required for installation of the solar panels.

10. Wrote a letter of support to San Ildefonso Services on a \$10 million federal grant to construct a test geothermal well across from Totavi Gas Station in Guaje Canyon. If the well proves feasible then we could pursue a PPA with San Ildefonso to serve local RTC power to meet future power needs.
11. For Chromium Plume, The Environment Department missed our published deadline for their presentation, and I ask to move to June 3rd work session. The interim measure remains turned off.
12. For the NMED's sanitary survey items, all is complete except for the Sycamore housekeeping curb to prevent undermining at the tank base. NMED has additional questions that need to be addressed before a solution can be implemented.
13. For PFAS class action lawsuit, staff provided well pumping data to the law firm. There is training to attend early next month.
14. Held a water production tabletop exercise with LANL. This tabletop exercise was a productive discussion and helped identify where our procedures differ and how we need to better communicate and coordinate going forward.
15. Held a water needs meeting with NNSA/DOE. SWEIS with expanded supercomputing and water needs for the Chromium plume has basically all LANL's water rights allocated and potentially more to allocated to meet this expanded mission. We will be analyzing this with the 40-yr water plan and DPU continues to work to receive federal funding for a well at Overlook Park.
16. The extended electrical outage on May 8th to 9th in Los Alamos was primarily due to an underground fault across from the Aquatics Center parking lot. This over current situation caused a cascading event of multiple outages throughout Los Alamos. Dennis Astley has been investigating the cause of the cascading effect further with our consultant. I will ask him to report what he has learned to date.



County of Los Alamos

Los Alamos, NM 87544
www.losalamosnm.us

Staff Report

June 17, 2026

Agenda No.: 4.b.

Index (Council Goals): Quality Excellence - Effective, Efficient, and Reliable Services; DPU FY26 - 1.0 Provide Safe and Reliable Utility Services

Presenters: James Martinez, Deputy Utility Manager-Engineering

Legislative File: 21783-26a

Title

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

Recommended Action

I move that the Board of Public Utilities recommend Approval of the New Mexico Finance Authority (NMFA) Binding Letter of Commitment and EPA Form 4700-4 for DWL-6651 and Authorization to Submit Documents Required By the Terms and Conditions of the Letter.

Utilities Manager's Recommendation

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

Body

The County is currently constructing the Denver Steels Project - Phase II, funded under DWSRF Loan No. 6651. During active construction, the on-site contractor identified multiple existing galvanized water service lines that are severely corroded and actively leaking. While replacing these lines is vital for public health and system integrity, this specific scope of work is ineligible for financial reimbursement under the terms of the existing DWSRF Loan No. 6651 agreement. This dedicated Lead Service Line Replacement (LSLR) funding that also applies to replacing galvanized service lines will allow the current on-site contractor to immediately replace the failing infrastructure, avoiding mobilization delays and reducing overall project costs. The targeted scope of work includes installing new PEX service lines from original residential meter location to the new meter location at the property line.

Alternatives

If not approved, this will halt the immediate replacement of leaking lines. The County or homeowners would bear higher future replacement costs, and public health risks from corroded lines would persist. Any further delay of the project will increase contractor standby costs and miss the current construction window.

Fiscal and Staff Impact

The original project financing consisted of a \$2,102,000.00 repayable Drinking Water loan and a \$625,000.00 fully subsidized grant (totaling \$2,727,000.00). With the approved \$525,000.00 loan increase for galvanized service line replacements, the total repayable loan obligation becomes \$2,627,000.00. This brings the County's total financial package to \$3,252,000.00 for Phase II of the Denver Steels Waterline & Service Line Replacement project.

..Attachment

A - NMFA Binding Letter of Commitment
B - EPA Form 4700-4



Public Water System Binding Commitment Letter for DWL-6651
Drinking Water State Revolving Loan Fund Program

May 28, 2026

Los Alamos County
1000 Central Avenue
Los Alamos, NM 87544
Attn: James Martinez, james.martinez@lacnm.us

The New Mexico Finance Authority's Board of Directors approved the request from Los Alamos County to increase the DW-6651 by \$525,000 at its May 28, 2026, meeting and we are pleased to issue this Binding Commitment for the following project:

1. Project Description: Lead Service Line Replacement
2. Total Assistance Amount: \$3,252,000; \$2,102,000 DW loan; \$525,000 DWL loan; \$625,000 subsidy
3. Terms of Assistance:
 - a) Interest Rate: 0.01%
 - b) Administration Fee: 0.25%
 - c) Cost of Issuance: \$27,000 (on the original \$2.7mil loan only)
 - d) Loan Term 22 Years; 20-year repayment and 2-year interim period
4. Pledge Revenue and Coverage: Net System Revenue, 1.93x (1.20x required coverage)

The applicant is a qualified public water supply system under federal law, 42 U.S.C. 300j-12, and applicable state law, Sections 6-21A-1, *et seq.*, NMSA 1978, organized and existing under the Laws of New Mexico. The applicant will finance the project described in the application, subject to the following terms and conditions of this Binding Commitment Letter.

This commitment requires that the applicant submit the documents listed below to the Finance Authority no later than 60 days from the commitment date:

1. Signed Binding Commitment Letter;
2. EPA Form 4700-4;
3. Unique Entity # (register at Federal website, Sam.gov) or active registration;
4. Submitted documentation for the NMFA to complete the environmental review process (PER, Categorical Exclusion Checklist, maps, Environmental Information Document, plans and specifications, prior environmental clearance etc.);
5. Any additional information requested by the Finance Authority.

Upon receipt of the documents, the Finance Authority's closing attorney will prepare a Financing Schedule and initiate the closing process. The applicant will engage an attorney to review the closing documents on its behalf.

If the conditions set forth above are not satisfied, the commitment can be extended at the sole discretion of the Finance Authority for additional 30-day increments, during which time the applicant must submit the remaining documentation. Failure on the applicant's part to submit the above documentation may result in termination of the Finance Authority's commitment

The following documents will be required before funds can be disbursed:

1. Completed State Environmental Review Process (NMFA will submit project documents to an environmental consultant);
2. Have an active account on Sam.gov;
3. Approval of engineering procurement and contract by the Finance Authority and/or NMFA's contracted engineering review group;
4. Agreement to submit the service line inventory to the appropriate regulatory agency for review; and
5. Any additional information requested by Finance Authority.

Closing and funding of the loan has been approved by the Finance Authority's Board of Directors, subject to the terms and conditions set out in this commitment. The project is expected to be completed within two years from the closing date of the loan.



Marquita D. Russel, Chief Executive Officer
New Mexico Finance Authority

Date

The undersigned hereby accepts and acknowledges the foregoing commitment and agrees to the terms and conditions thereof.

Signature of Authority, Los Alamos County

Date

Title of Signatory

Preaward Compliance Review Report for All Applicants and Recipients Requesting EPA Financial Assistance

Note: Read Instructions before completing form.

This collection of information is approved by OMB under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. (OMB Control No. 2030-0020). Responses to this collection of information are required to obtain an assistance agreement (40 CFR Part 30, 40 CFR Part 31, and 40 CFR Part 33 for awards made prior to December 26, 2014, and 2 CFR 200, 2 CFR 1500, and 40 CFR Part 33 for awards made after December 26, 2014). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The public reporting and recordkeeping burden for this collection of information is estimated to be 0.5 hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden to the Regulatory Support Division Director, U.S. Environmental Protection Agency (2821T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

I. A. Applicant/Recipient (Name, Address, City, State, Zip Code)

Name: Incorporated County of Los Alamos
Address: 1000 Central Avenue, Suite 130
City: Los Alamos
State: New Mexico Zip Code: 87544

B. Unique Entity Identifier (UEI):

C. Applicant/Recipient Point of Contact

Name: James Martinez Phone: 505.709.8183 Email: james.martinez@losalamosnm.gov
Title: Deputy Utilities Manager - Engineering

II. Is the applicant currently receiving EPA Assistance? ☐ Yes ☒ No

III. List all pending civil rights lawsuits and administrative complaints filed under federal law against the applicant/recipient that allege discrimination based on race, color, national origin, sex, age, or disability. (Do not include employment complaints, unless covered by 40 C.F.R. Parts 5 and 7.)

N/A

IV. List all civil rights lawsuits and administrative complaints decided against the applicant/recipient within the last year that alleged discrimination under federal law based on race, color, national origin, sex, age, or disability and enclose a copy of all decisions. Please describe all corrective actions taken. (Do not include employment complaints, unless covered by 40 C.F.R. Parts 5 and 7.)

N/A

V. List all civil rights compliance reviews of the applicant/recipient conducted under federal nondiscrimination laws by any federal agency within the last two years and enclose a copy of the review and any decisions, orders, or agreements based on the review. Please describe any corrective action taken. (40 C.F.R. § 7.80(c)(3))

N/A

VI. Is the applicant requesting EPA assistance for new construction? If no, proceed to VII; if yes, answer (a) and/or (b) below.

☐ Yes ☒ No

a. If the grant is for new construction, will all new facilities or alterations to existing facilities be designed and constructed to be readily accessible to and usable by persons with disabilities? If yes, proceed to VII; if no, proceed to VI(b).

☐ Yes ☐ No

b. If the grant is for new construction and the new facilities or alterations to existing facilities will not be readily accessible to and usable by persons with disabilities, explain how a regulatory exception (40 C.F.R. 7.70) applies.

The grant funding will be utilized to install all new water service lines for all residences within the Denver Steels Phase II neighborhood.

VII. Does the applicant/recipient provide initial and continuing notice that it does not discriminate on the basis of race, color, national origin, sex, age, or disability in its program or activities? (40 C.F.R. 5.140 and 7.95)

☒ Yes ☐ No

a. Do the methods of notice accommodate those with impaired vision or hearing?

☒ Yes ☐ No

b. Is the notice posted in a prominent place on the applicant's/recipient's website, in the offices or facilities or, for education programs and activities, in appropriate periodicals and other written communications?

☒ Yes ☐ No

c. Does the notice identify a designated civil rights coordinator?

☒ Yes ☐ No

- VII. Does the applicant/recipient maintain demographic data on the race, color, national origin, sex, age, or disability status of the population it serves? (40 C.F.R. 7.85(a)) ☒ Yes ☐ No
- VIII. Does the applicant/recipient have a policy/procedure for providing meaningful access to services for persons with limited English proficiency? (Title VI, 40 C.F.R. Part 7, *Lau v Nichols* 414 U.S. 563 (1974)) ☒ Yes ☐ No
- X. If the applicant is an education program or activity, or has 15 or more employees, has it designated an employee to coordinate its compliance with 40 C.F.R. Parts 5 and 7? Provide the name, title, position, mailing address, e-mail address, fax number, and telephone number of the designated coordinator.

Bernadette Martinez, Human Resources Manager, Los Alamos County Human Resources Division, 1000 Central Ave, Suite 230, Los Alamos, NM 87544, bernadette.martinez@losalamosnm.gov, (505) 662-8040

- XI. If the applicant is an education program or activity, or has 15 or more employees, has it adopted grievance procedures that assure the prompt and fair resolution of complaints that allege a violation of 40 C.F.R. Parts 5 and 7? Provide a legal citation or applicant's/recipient's website address for, or a copy of, the procedures.

Los Alamos Personnel Rules & Regulations, XII Employee Development & Welfare Activities, Rule 1203 Discrimination and Harassment Section (b) Harassment Policy and Procedure – Index No. 1120 (See attached)

For the Applicant/Recipient

I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law. I assure that I will fully comply with all applicable civil rights statutes and EPA regulations.

A. Signature of Authorized Official

B. Title of Authorized Official

C. Date

For the U.S. Environmental Protection Agency

I have reviewed the information provided by the applicant/recipient and hereby certify that the applicant/recipient has submitted all preaward compliance information required by 40 C.F.R. Parts 5 and 7; that based on the information submitted, this application satisfies the preaward provisions of 40 C.F.R. Parts 5 and 7; and that the applicant has given assurance that it will fully comply with all applicable civil rights statutes and EPA regulations.

A. Signature of Authorized EPA Official

B. Title of Authorized Official

C. Date

General. Recipients of Federal financial assistance from the U.S. Environmental Protection Agency must comply with the following statutes and regulations.

Title VI of the Civil Rights Acts of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Act goes on to explain that the statute shall not be construed to authorize action with respect to any employment practice of any employer, employment agency, or labor organization (except where the primary objective of the Federal financial assistance is to provide employment). Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act provides that no person in the United States shall on the ground of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under the Federal Water Pollution Control Act, as amended. Employment discrimination on the basis of sex is prohibited in all such programs or activities. Section 504 of the Rehabilitation Act of 1973 provides that no otherwise qualified individual with a disability in the United States shall solely by reason of disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Employment discrimination on the basis of disability is prohibited in all such programs or activities. The Age Discrimination Act of 1975 provides that no person on the basis of age shall be excluded from participation under any program or activity receiving Federal financial assistance. Employment discrimination is not covered. Age discrimination in employment is prohibited by the Age Discrimination in Employment Act administered by the Equal Employment Opportunity Commission. Title IX of the Education Amendments of 1972 provides that no person in the United States on the basis of sex shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. Employment discrimination on the basis of sex is prohibited in all such education programs or activities. Note: an education program or activity is not limited to only those conducted by a formal institution. 40 C.F.R. Part 5 implements Title IX of the Education Amendments of 1972. 40 C.F.R. Part 7 implements Title VI of the Civil Rights Act of 1964, Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act, and Section 504 of The Rehabilitation Act of 1973.

Items "Applicant" means any entity that files an application or unsolicited proposal or otherwise requests EPA assistance. 40 C.F.R. §§ 5.105, 7.25.

"Recipient" means any State or its political subdivision, any instrumentality of a State or its political subdivision, any public or private agency, institution, organizations, or other entity, or any person to which Federal financial assistance is extended directly or through another recipient, including any successor, assignee, or transferee of a recipient, but excluding the ultimate beneficiary of the assistance. 40 C.F.R. §§ 5.105, 7.25.

"Civil rights lawsuits and administrative complaints" means any lawsuit or administrative complaint alleging discrimination on the basis of race, color, national origin, sex, age, or disability pending or decided against the applicant and/or entity which actually benefits from the grant, but excluding employment complaints not covered by 40 C.F.R. Parts 5 and 7. For example, if a city is the named applicant but the grant will actually benefit the Department of Sewage, civil rights lawsuits involving both the city and the Department of Sewage should be listed. "Civil rights compliance review" means: any federal agency-initiated investigation of a particular aspect of the applicant's and/or recipient's programs or activities to determine compliance with the federal non-discrimination laws. Submit this form with the original and required copies of applications, requests for extensions, requests for increase of funds, etc. Updates of information are all that are required after the initial application submission. If any item is not relevant to the project for which assistance is requested, write "NA" for "Not Applicable." In the event applicant is uncertain about how to answer any questions, EPA program officials should be contacted for clarification.



County of Los Alamos

Los Alamos, NM 87544
www.losalamosnm.us

Staff Report

June 17, 2026

Agenda No.: 4.c.

Index (Council Goals):

Presenters: Joann Gentry, Deputy Utility Manager-Finance & Admin.

Legislative File: 21806-26a

Title

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

Recommended Action

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

Utilities Manager's Recommendation

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

Body

The purpose of this budget revision is to make budget modifications necessary for year-end to properly distribute the cost of water transfer from Water Distribution to Water Production due to water production costs. Budget Revision 2026-73 previously increased the cost of water transfer budget by \$750,000 from \$4,200,000 to \$4,950,000. The budget revision incorporated budget estimates for April 2026 through June 2026. Actuals through May 2026 exceeded the budget estimates. Budget Revision 2026-87 will increase the cost of water transfer budget by an additional \$70,000 to cover June 2026. Since drought conditions persist, DPU is selling additional water than what was projected and hence the need for this budget revision.

Alternatives

If the budget revision is not approved, the Water Distribution Fund will exceed the FY2026 approved budget for the cost of water transfer to Water Production.

Fiscal and Staff Impact

The net fiscal impact to the Joint Utilities Fund is an increase to transfers in of \$70,000 and an increase to transfers out of \$70,000, resulting in a zero net impact to fund balance.

Attachments

A - Budget Revision 2026-87

B - FY2026 Cost of Water Budget Projection

Budget Revision 2026 - 87

BPU Meeting Date: June 17, 2026

Council Meeting Date: June 30, 2026

	Fund & Department	Org	Object	Revenue (decrease)	Expenditures (decrease)	Transfers In(Out)	Fund Balance (decrease)
1	Joint Utilities Fund - Water Production	54285610	7699			\$ 70,000	\$ -
2	Joint Utilities Fund - Water Distribution	54185440	7699			\$ (70,000)	\$ -
3							\$ -
4							\$ -
5							\$ -
6							\$ -
7							\$ -
8							\$ -
9							\$ -
10							\$ -
Description: The purpose of the budget revision is to increase the transfer from Water Distribution to Water Production for the cost of water. Actuals through May 2026 have exceeded budget estimates.							
Fiscal Impact: The net fiscal impact to the Joint Utilities Fund is an increase to transfers in of \$70,000 and an increase to transfers out of \$70,000, resulting in a zero net impact to fund balance.							

Jean Gentry 6/9/2026

Preparer Date

Phil Sutton

Department Director Signature

[Signature]

Budget Manager/Analyst Signature

County Manager Approval if Required

Budget Revision 2026-87

Water Distribution

	FY2026 Budget	FY2026 Actual (July - May)	FY2026 Projected (June)	FY2026 Total Projected	FY2026 Remaining	Remaining Percentage
Cost of Water	\$ 4,950,000	\$ 4,308,074	\$ 710,000	\$ 5,018,074	\$ (68,074)	-1%

Note: Budget Revision 2026-87 Increase to Cost of Water - \$70,000



County of Los Alamos

Staff Report

June 17, 2026

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: 4.d.
Index (Council Goals): DPU FY26 - N/A
Presenters: Philo Shelton, Utilities Manager
Legislative File: AGR1223-26

Title

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

Recommended Action

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

Utilities Manager's Recommendation

The Utilities Manager and County Attorney recommend approving the General Services Agreement as presented.

Body

The County has been using Kutak Rock, LLP for legal services as requested by the County Attorney in connection with the County's utilities operations. Kutak Rock is currently supporting DPU in renewing the Energy Coordination Agreement with the Department of Energy. Their current agreement expires on June 30, 2026 and AGR27-804 will run from July 1, 2026 to June 30, 2031 with no lapse of service.

Alternatives

Solicit new bids for outside legal services and potentially need to bring a new provider up to speed on current legal matters being administered by Kutak Rock.

Fiscal and Staff Impact

The term of this \$150,000 agreement is for seven years. The approved FY27 budget will cover the estimated expenses associated with wrapping up the renewal of the ECA.

Attachments

A - AGR27-804_ Kutak Rock

AGR27-804



INCORPORATED COUNTY OF LOS ALAMOS PROFESSIONAL SERVICES AGREEMENT

This **PROFESSIONAL SERVICES AGREEMENT** (this "Agreement") is entered into by and between the **Incorporated County of Los Alamos**, an incorporated county of the State of New Mexico ("County"), and **Kutak Rock, LLP**, a Limited Liability Partnership ("Contractor"), to be effective for all purposes on July 1, 2026.

WHEREAS, Contracts for legal services are exempt from the competitive solicitation requirements of County's Procurement Code; and

WHEREAS, Contractor shall provide the Services, as described below, to County; and

WHEREAS, the Board of Public Utilities approved this Agreement at a public meeting held on June 17, 2026.

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

SECTION A. SERVICES: Contractor shall provide legal advice and counsel to County in matters as requested by the County Attorney or Utilities Manager on matters affecting electric, gas, water or sewer utilities, including financial assessment agreements, contracts, conveyances, leases, bonds or other legal issues. Contractor shall provide County with all related and support services required to furnish such legal advice and counsel.

SECTION B. TERM: The term of this Agreement shall commence July 1, 2026, and shall continue through June 30, 2031, unless sooner terminated, as provided herein.

SECTION C. COMPENSATION:

- 1. Amount of Compensation.** County shall pay compensation for performance of the Services in an amount not to exceed ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) which amount does not include applicable New Mexico gross receipts taxes (NMGRT). Compensation shall be paid in accordance with the rate schedule set out in Exhibit A, attached hereto and made a part hereof for all purposes.
- 2. Monthly Invoices.** Contractor shall submit itemized monthly invoices to the County Attorney showing the amount of compensation due, amount of any NMGRT, and total amount payable. Payment of undisputed amounts shall be due and payable thirty (30) days after County's receipt of the invoice.

SECTION D. TAXES: Contractor shall be responsible for payment of any State of New Mexico gross receipts taxes levied on the amounts payable under this Agreement.

SECTION E. STATUS OF CONTRACTOR, STAFF, AND PERSONNEL: This Agreement calls for the performance of Services by Contractor as an independent contractor. Contractor is not an agent or employee of County and shall not be considered an employee of County for any purpose.

Contractor, its agents, or employees shall make no representation that they are County employees, nor shall they create the appearance of being employees by using a job or position title on a name plate, business cards, or in any other manner, bearing County's name or logo. Neither Contractor nor any employee of Contractor shall be entitled to any benefits or compensation other than the compensation specified herein. Contractor shall have no authority to bind County to any agreement, contract, duty, or obligation. Contractor shall make no representations that are intended to, or create the appearance of, binding County to any agreement, contract, duty, or obligation. Contractor shall have full power to continue any outside employment or business, to employ and discharge its employees or associates as it deems appropriate without interference from County; provided, however, that Contractor shall at all times during the term of this Agreement maintain the ability to perform the obligations in a professional, timely, and reliable manner.

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

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

SECTION H. EMPLOYEES AND SUB-CONTRACTORS: Contractor shall be solely responsible for payment of wages, salary or benefits to any and all employees or contractors retained by Contractor in the performance of the Services. Contractor agrees to indemnify, defend and hold harmless County for any and all claims that may arise from Contractor's relationship to its employees and subcontractors. No Services shall be performed under this Agreement by a subcontractor except with the express prior written consent of County.

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

2. **General Liability Insurance:** ONE MILLION DOLLARS (\$1,000,000.00) per occurrence; ONE MILLION DOLLARS (\$1,000,000.00) aggregate.
3. **Workers' Compensation:** In an amount as may be required by law. County may immediately terminate this Agreement if Contractor fails to comply with the Worker's Compensation Act and applicable rules when required to do so.
4. **Automobile Liability Insurance for Contractor and its Employees:** ONE MILLION DOLLARS (\$1,000,000.00) combined single limit per occurrence; ONE MILLION DOLLARS (\$1,000,000.00) aggregate on any owned, and/or non-owned motor vehicles used in performing Services under this Agreement.
5. **Professional Liability Insurance:** ONE MILLION DOLLARS (\$1,000,000.00). Professional Liability Insurance shall provide coverage for Services provided hereunder during the term of this Agreement and for a period of at least five (5) years thereafter.

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

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

SECTION L. APPLICABLE LAW: In any lawsuit or legal dispute arising from the operation of this Agreement, Contractor agrees that the laws of the State of New Mexico shall govern. Venue shall be in the First Judicial District Court of New Mexico in Los Alamos County, New Mexico.

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

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

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

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

SECTION Q. INDEMNITY: Contractor is skilled in the professional calling necessary to the services and duties agreed to be performed and County relies upon the skills and knowledge of Contractor. Contractor agrees to indemnify County, any of its departments, agencies, officers, or employees from all expenses (including attorney's fees) from claims of wrongful act or omission by Contractor or any others for whose acts Contractor is legally liable arising out of or resulting in any way from the performance of professional services for County. Contractor's duty to indemnify County, its agents, officers and employees from any liability, whether arising in contract or tort, shall be limited to the percentage extent such wrongful act or omission of Contractor, its employees or subcontractors or others for which Contractor is legally liable resulted in the imposition of liability on County, department, agency, officer or employee.

SECTION R. FORCE MAJEURE: Neither County nor Contractor shall be liable for any delay in the performance of this Agreement, nor for any other breach, nor for any loss or damage arising from uncontrollable forces such as fire, theft, storm, war, or any other force majeure that could not have been reasonably avoided by exercise of due diligence; provided, however, that the Party failing to perform shall (i) as soon as possible, inform the other Party of the occurrence of the circumstances preventing or delaying the performance of its obligations, and describe at a reasonable level of detail the circumstances causing such delay, and (ii) exert reasonable efforts to eliminate, cure, or overcome any of such causes and to resume performance of its Services with all possible speed. In such event, the non-performing Party may be excused from any further performance or observance of the obligation(s) so affected for as long as such circumstances prevail and such Party continues to use its best efforts to recommence performance or observance whenever and to whatever extent possible without delay.

SECTION S. NON-ASSIGNMENT: Contractor shall not assign this Agreement or any privileges or obligations herein and shall not novate this Agreement to another without the prior written consent of the County Manager.

SECTION T. LICENSES: Contractor shall maintain all required licenses including, without limitation, all necessary professional and business licenses, throughout the term of this Agreement. Contractor shall require and shall assure that all of Contractor's employees and subcontractors maintain all required licenses including, without limitation, all necessary professional and business licenses.

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

SECTION V. TERMINATION:

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

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

County:

County Attorney
Incorporated County of Los Alamos
1000 Central Avenue, Suite 340
Los Alamos, New Mexico 87544

Contractor:

Kutak Rock, LLP
1133 Connecticut Avenue NW
Suite 1200
Washington, D.C. 20036

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

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

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

SECTION AA. CAMPAIGN CONTRIBUTION DISCLOSURE FORM: A Campaign Contribution Disclosure Form is attached as Exhibit B. Contractor must submit this form with this Agreement,

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

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

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

SECTION AE. CONFIDENTIAL INFORMATION: Any confidential information of one party that is provided to the other party during the term of this Agreement shall be kept confidential and shall not be made available to any individual or organization in accordance with the Confidential Information Disclosure Statement in Exhibit C. The Confidential Information Disclosure Statement shall be completed by Contractor as a condition precedent and submitted as part of this Agreement. Its terms shall govern as if fully set forth herein.

SECTION AF. AMENDMENTS. Any amendments or changes to this Agreement shall be in writing and shall be approved by both parties.

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

ATTEST

INCORPORATED COUNTY OF LOS ALAMOS

MICHAEL D. REDONDO
COUNTY CLERK

BY: _____
PHILO S. SHELTON III, P.E. **DATE**
UTILITIES MANAGER

Approved as to form:

Cristella Valdez for
J. ALVIN LEAPHART
COUNTY ATTORNEY

KUTAK ROCK, LLP

BY: _____
SETH D. KIRSHENBERG **DATE**
PARTNER

Exhibit A
COMPENSATION RATE SCHEDULE
AGR27-804

Fees for Services shall be based on time actually spent rendering Services satisfactory to the County, exclusive of travel time, at the following hourly rates beginning July 1, 2026, and thereafter the rates shall raise at 3% per year:

Barry Steinberg	\$650.00
Naomi Barnes	\$550.00
Seth D. Kirshenberg	\$650.00
Lauren Irish	\$395.00

Reimbursable expenses shall be limited to and paid at the following rates:

- Commercial Messenger/Delivery Services – Actual Charge
- Facsimile – Actual Phone Charge
- Photocopies - .10 per copy or actual costs for large copying projects completed outside the Contractor's Office
- LEXIS, WESTLAW, DIALOG, NM Legal Net Computerized Legal Research – Actual cost with approval of the County Attorney
- Long Distance Telephone Calls – Actual Cost
- Postage – Actual out-of-the ordinary postage costs (i.e., Fedex or similar express mail)
- Travel Costs – Actual Cost

In Process

Exhibit B
CAMPAIGN CONTRIBUTION DISCLOSURE FORM
AGR27-804

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

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

The following definitions apply:

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

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

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

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

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

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

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

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

DISCLOSURE OF CONTRIBUTIONS: (Report any applicable contributions made to the following
- COUNTY COUNCILORS: Theresa Cull; Melanee Hand; Susie Havemann; Ryn Herrmann; Beverly Neal-Clinton; David Reagor; and Randal Ryti.)

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

Please check the box next to the applicable statement.

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

Kutak Rock, LLP
Seth D. Kirshenberg, Partner

Date

Exhibit C
Confidential Information Disclosure Statement
AGR27-804

The Incorporated County of Los Alamos is a governmental entity subject to certain disclosure laws including, but not limited to, the New Mexico Inspection of Public Records Act, NMSA 1978, §§ 14-2-1, et seq. Nothing in this Agreement is intended to diminish or expand the application of any applicable disclosure laws to any proprietary or confidential information.

This Confidential Information Disclosure Statement ("Statement") defines obligations and waivers related to Confidential Information disclosed pursuant to the above referenced Agreement between County and Contractor. County and Contractor agree with the following:

1. Statement Coordinator – Each party designates the following person as its Statement Coordinator for coordinating the disclosure or receipt of Confidential Information:

	Contractor	County
Name:	Kutak Rock, LLP	County Attorney's Office Incorporated County of Los Alamos
Title:	Seth D. Kirshenberg, Partner	J. Alvin Leaphart, County Attorney
Address:	1133 Connecticut Avenue NW Suite 1200	1000 Central Avenue Suite 340
City/State/Zip:	Washington, D.C. 20036	Los Alamos, New Mexico 87544
Email:	seth.kirshenberg@kutakrock.com	alvin.leaphart@losalamosnm.gov

2. Definitions:

- a) **Confidential Information** - any form of information, in any format, disclosed by the Discloser to the Recipient and identified in writing as confidential.
- b) **Discloser** - the party disclosing Confidential Information.
- c) **Exception** – An exception is satisfied if the Confidential Information disclosed: (i) was in Recipient's possession prior to receipt from Discloser, (ii) is publicly known or readily ascertainable by legal means, (iii) is lawfully received by Recipient from a third party without a duty of confidentiality, (iv) is disclosed by Discloser to a third party without a duty of confidentiality on the third party, (v) is independently developed or learned by Recipient, or (vi) is disclosed by Recipient with Discloser's prior written approval.
- d) **Recipient** – the party receiving Confidential Information.

3. Obligations – Recipient shall protect and ensure its participating subcontractors, agents, or associates shall protect all Confidential Information by using the same degree of care, but no less than a reasonable degree of care, to prevent the unauthorized use, dissemination, or publication of the Confidential Information as Recipient uses to protect its own information of a like nature. If any person or entity requests or demands, by subpoena or otherwise, all or any portion of the Confidential Information provided by one party to another, the party receiving such request shall immediately notify the Discloser of such request or demand. The party receiving the request or demand shall independently determine whether the information sought is subject to disclosure under applicable law including the New Mexico Inspection of Public Records Act. If the party receiving the request or demand determines that the information is subject to disclosure, it shall notify the Discloser of its intent to permit the disclosure with sufficient time to permit the Discloser to invoke the jurisdiction of an appropriate court or administrative body to raise any legitimate objections or defenses it may have to the disclosure. In the absence of an appropriate order prohibiting the disclosure, the party receiving the request or demand shall permit and proceed with the disclosure without incurring any duty, obligation or liability to the Discloser.



County of Los Alamos

Staff Report

June 17, 2026

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: 7.a.

Index (Council Goals): DPU FY26 - 1.0 Provide Safe and Reliable Utility Services; DPU FY26 - 2.0 Achieve and Maintain Excellence in Financial Performance

Presenters: Philo Shelton, Utilities Manager

Legislative File: 21691-26

Title

DPU Rate Comparisons with National Data Collected by APPA and AWWA

Body

American Public Power Association (APPA) collects national data on electric rates that is summarized in the 2026 Public Power Statistical Report (Attachment A). On Page 11 of this report, the information is from 2024 where the average residential rate is 14.3 cents per kilowatt-hour, monthly sales average 867 kilowatt-hour per month, an average monthly bill is \$123.78. To compare this with DPU using FY 25 rates that includes the last half of calendar year 2024, DPU would be 14.13 cents per kilowatt-hour, and using the same average sales of 867 kilowatt-hour per month, equates to an average monthly bill of \$122.51 plus the monthly service charge of \$12.60 for a total of \$135.11 per month.

American Water Works Association (AWWA) collects national data on water and wastewater rates that is referenced in the 2025 AWWA Utility Benchmarking Performance Management for Water and Wastewater that benchmarks data from 2024 for 75 key performance indicators. On pages 86-88 this report (Attachment B), the information is also from 2024 for water and wastewater rates. The water data is presented on an average usage of 7,500 gallons or 1,000 cubic feet with a median cost of \$51.77 per month (Table 3-4A). To compare this with DPU using FY 25 rates that includes the last half of calendar year 2024, DPU would be \$56.48 for water purchased plus a monthly service charge of \$16.69 for a total of \$73.17 month. The wastewater data presented on aggregate data for residential wastewater service charges (Table 3-4E) has a median of \$45.41/month and in using FY 25 rate DPU is \$50.77 per month.

American Public Gas Association (APGA) does not collect rate data as part of their benchmarking program.

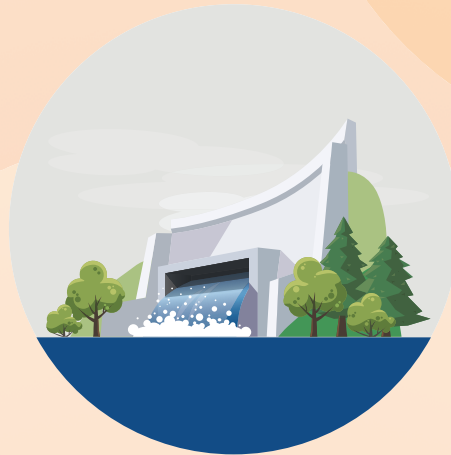
Attachments

A - APPA Statistical Report

B - AWWA Residential Service Charges

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PUBLIC POWER IN FOCUS: STATISTICS THAT DEFINE OUR INDUSTRY

Across the electric utility industry, countless metrics track generation, capacity, sales, usage, reliability, and workforce trends. These data points highlight what makes public power unique and valuable nationwide. Today, more than 55 million Americans receive electricity from a public power utility — serving roughly 2,000 communities in every state except Hawaii, as well as in American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands.

The Public Power Statistical Report brings together essential charts, tables, and visualizations that APPA members rely on to benchmark their performance and understand industry trends. This resource helps members communicate how public power compares to — and stands apart from — the broader electric utility sector.

Key advantages of public power, as shown in this year's data, include:

- **Lower electricity rates for customers.** In 35 of the 45 states with available data, residential customers of public power utilities paid the lowest rates based on average revenue per kilowatt-hour.
- **Superior reliability.** Public power utilities restore service faster than other utility types — customers experienced an average of 72 minutes less outage time not during major events like hurricanes per year than customers of IOUs and 114 minutes less outage time than customers of cooperatives.
- **A diverse energy mix.** Approximately 41% of electricity generated by public power facilities in 2024 came from non-carbon-emitting sources. While this is on par with the overall national average, this excludes the additional renewable supply obtained through power purchase agreements, where public power sources most of its solar and wind energy. Public power's owned capacity increased by the most megawatts for natural gas facilities, but by the highest proportions for wind and solar assets, which increased by 11% and 10%, respectively.

The data also reveal other trends. Just over 20 gigawatts of storage came online in 2025, and a similar amount of storage capacity is under construction as of January 2026. While other utility types saw their energy storage totals increase significantly from year to year, public power had a more muted increase (7MW, or 5%) in its storage capacity from 2023 to 2024.

Unless otherwise noted, the data in this report covers all 1,998 public power utilities, including those in U.S. territories. Since 2020, the Energy Information Administration has allowed smaller utilities (under 200,000 MWh in sales) to file a short form (EIA-861S) instead of the detailed EIA-861. This means about 75% of public power utilities report limited data on customer classes, rates, and sales. These utilities must submit the full form every eight years, with the next cycle in 2027.

While this report provides a high-level view of the industry, additional resources — such as detailed reliability and safety data — are available on our website and through APPA programs. Members can also access other statistical reports, including salary and wage data and financial and operating ratios, through our product store.

For questions about industry data, where to find it, or how to use it, contact us anytime at Statistics@PublicPower.org.



GENERATION AND CAPACITY

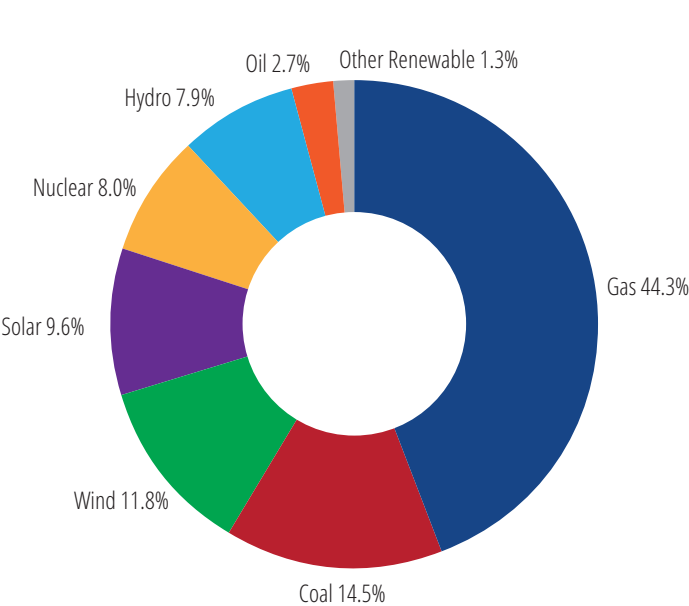
U.S. Electric Generating Capacity by Fuel Type, 2024

Source: Energy Information Administration Form EIA-860, 2024 and Hitachi Energy Velocity Suite, December 2025 for U.S. Territories. Energy storage is not included in the generating capacity total percentages, but storage megawatts are instead reported as standalone additions for comparison.

All Utility Types

Nameplate capacity, in megawatts.

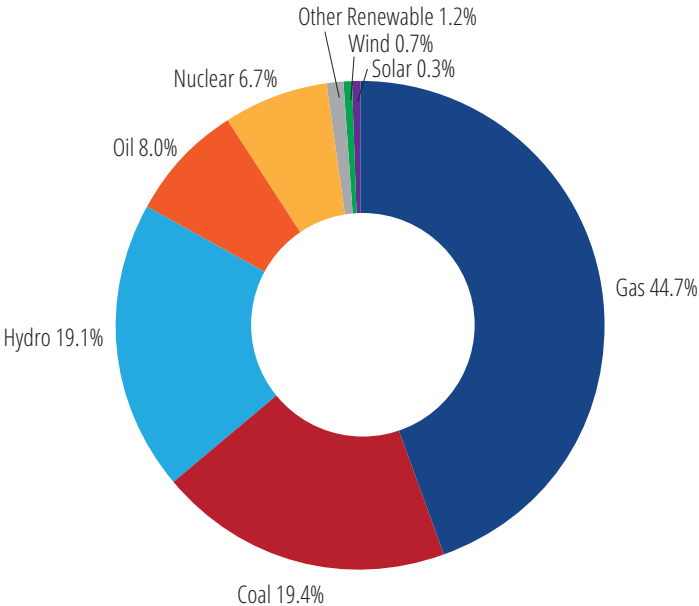
Fuel Type	MW	Percent
Gas	576,862	44.3%
Coal	188,593	14.5%
Wind	153,718	11.8%
Solar	124,665	9.6%
Nuclear	103,581	8.0%
Hydro	102,307	7.9%
Oil	34,665	2.7%
Other Renewable	16,932	1.3%
Other	501	0.0%
Energy storage	27,353	



Public Power

Nameplate capacity, in megawatts. Data reflect joint ownership.

Fuel Type	MW	Percent
Gas	56,113	44.7%
Coal	24,311	19.4%
Hydro	24,023	19.1%
Oil	9,985	8.0%
Nuclear	8,389	6.7%
Other Renewable	1,537	1.2%
Wind	834	0.7%
Solar	331	0.3%
Other	2	0.0%
Energy Storage	146	



Public power utilities added 1,916 MW to their owned capacity from 2023 to 2024.

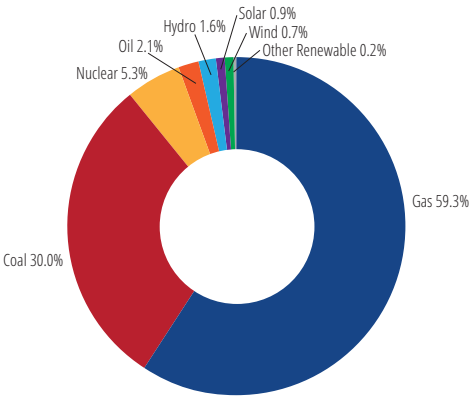
GENERATION AND CAPACITY

U.S. Electric Generating Capacity by Utility and Fuel Types, 2024

Source: Energy Information Administration Form EIA-860, 2024. Nameplate capacity, in megawatts. Data reflect joint ownership. Energy storage is not included in the generating capacity total percentages, but storage megawatts are instead reported as standalone additions for comparison.

Cooperative

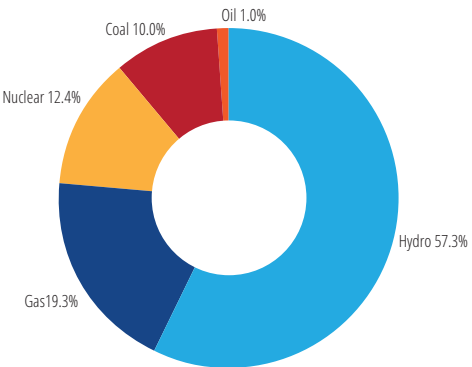
Fuel Type	MW	Percent
Gas	38,278	59.3%
Coal	19,404	30.0%
Nuclear	3,395	5.3%
Oil	1,341	2.1%
Hydro	1,062	1.6%
Solar	568	0.9%
Wind	426	0.7%
Other Renewable	126	0.2%
Energy Storage	333	



Federal Power Agencies

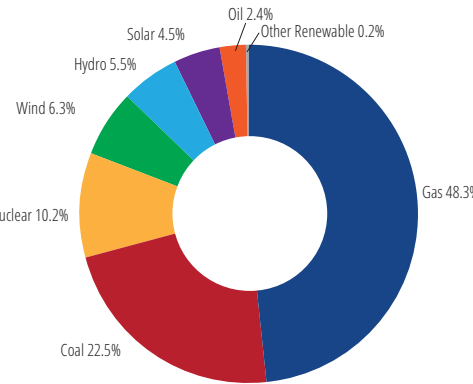
Fuel Type	MW	Percent
Hydro	40,932	57.3%
Gas	13,781	19.3%
Nuclear	8,835	12.4%
Coal	7,150	10.0%
Oil	687	1.0%
Other Renewable	27	0.0%
Wind	24	0.0%
Solar	8	0.0%
Energy Storage	84	

Federal power agencies include Power Marketing Administrations, U.S. Bureau of Indian Affairs, Tennessee Valley Authority, U.S. Army Corps of Engineers, and Marine Corps Air Ground Combat Center.



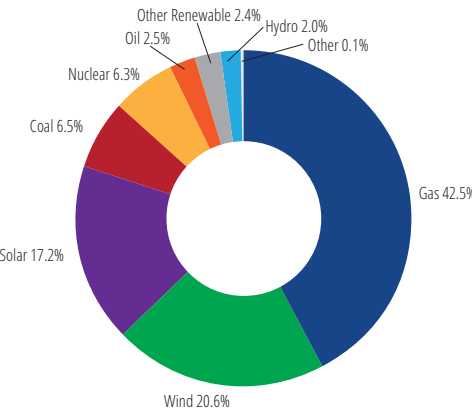
Investor-Owned Utilities

Fuel Type	MW	Percent
Gas	211,712	48.3%
Coal	98,430	22.5%
Nuclear	44,525	10.2%
Wind	27,784	6.3%
Hydro	24,267	5.5%
Solar	19,775	4.5%
Oil	10,633	2.4%
Other Renewable	825	0.2%
Energy Storage	2,251	



Non-Utility Generators

Fuel Type	MW	Percent
Gas	257,585	42.5%
Wind	124,650	20.6%
Solar	103,991	17.2%
Coal	39,298	6.5%
Nuclear	38,437	6.3%
Oil	15,282	2.5%
Other Renewable	14,417	2.4%
Hydro	12,025	2.0%
Other	499	0.1%
Energy Storage	24,540	



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GENERATION AND CAPACITY

Generating Capacity Additions by Fuel Type, 2017-2025

Source: Hitachi Energy Velocity Suite, January 2026.

Fuel Type	MW	Share
Solar	138,491.65	44.54%
Natural Gas	84,903.70	27.31%
Wind	80,542.39	25.91%
Nuclear	2,214.00	0.71%
Hydro	1,792.25	0.58%
Distillate Fuel Oil	1,251.25	0.40%
Geothermal	624.50	0.20%
Wood/Wood Waste Solids	413.05	0.13%
Waste Heat	136.24	0.04%
Biomass Gases	103.32	0.03%
Wood Waste Liquids	75.00	0.02%
Landfill Gas	70.80	0.02%
Blast Furnace Gas	70.00	0.02%
Liquified Natural Gas	50.63	0.02%
Biomass Liquids	50.00	0.02%
Other	42.90	0.01%
Liquified Propane Gas	21.00	0.01%
Coal	17.00	0.01%
Biomass Other	13.34	0.00%
Other Gas	9.70	0.00%
Waste	8.19	0.00%
Biomass Solids	6.40	0.00%
Waste Oil and Other Oil	3.00	0.00%
Propane	1.80	0.00%
Jet Fuel	1.30	0.00%
Total	310,913.41	

Plants Under Construction by Regional Transmission Organization, 2025

Source: Hitachi Energy Velocity Suite, January 2026.

Fuel Type	MW	Share
Non-RTO	25,566.90	33.23%
Midcontinent ISO	17,288.49	22.47%
ERCOT	13,948.90	18.13%
PJM	9,369.64	12.18%
New York ISO	3,571.55	4.64%
California ISO	3,349.20	4.35%
Southwest Power Pool	2,799.30	3.64%
New England ISO	1,042.38	1.35%

Plants Under Construction by Fuel Type, 2025

Source: Hitachi Energy Velocity Suite, January 2026.

Fuel Type	MW	Share
Solar	43,914.17	57.08%
Wind	17,396.03	22.61%
Natural Gas	14,228.10	18.49%
Nuclear	680.00	0.88%
Geothermal	464.80	0.60%
Other Gas	50.00	0.06%
Waste Heat	39.88	0.05%
Biomass Gases	38.20	0.05%
Biomass Solids	36.00	0.05%
Hydro	31.72	0.04%
Distillate Fuel Oil	23.95	0.03%
Waste	20.00	0.03%
Agriculture Byproduct	5.00	0.01%
Biomass Other	4.60	0.01%
Landfill Gas	3.00	0.00%
Other	0.92	0.00%
Total	76,936.38	
Energy Storage	23,809.83	

GENERATION AND CAPACITY

Energy Storage by Development Stage, 2025

Source: Hitachi Energy Velocity Suite, January 2026. Energy storage totals do not include pumped hydro and systems under 1 MW.

Development Stage	MW
Currently Operational	48,923.13
Under Construction	18,507.72
Permitted	23,988.21
Pending Application	72,387.47
Proposed	98,465.73

More than 20 GW of energy storage became operational over the last year.

Energy Storage Additions, 2017-2025

Source: Hitachi Energy Velocity Suite, January 2026. Energy storage totals do not include pumped hydro and systems under 1 MW.

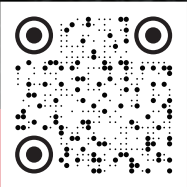
Online Year	MW
2025	18,936.46
2024	10,953.35
2023	7,488.97
2022	4,424.08
2021	3,581.99
2020	790.40
2019	274.66
2018	293.60
2017	174.20
Total	46,917.70

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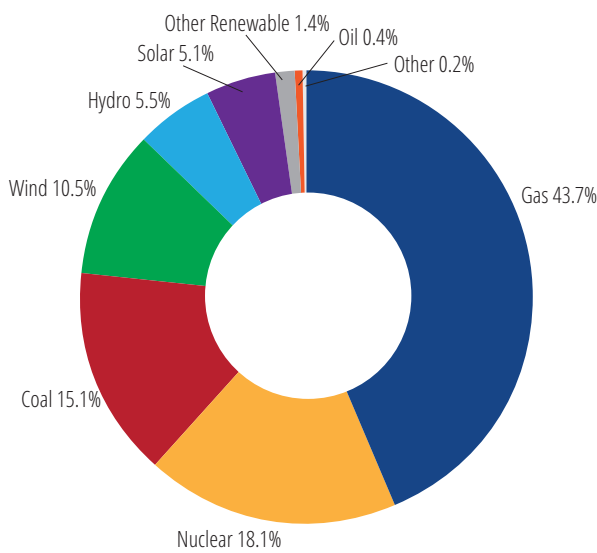
GENERATION AND CAPACITY

U.S. Electric Generation by Fuel Type, 2024

All Utility/Owner Types

Source: Energy Information Administration Form EIA-923, 2024. Includes states and Puerto Rico only. Generation, in gigawatt-hours

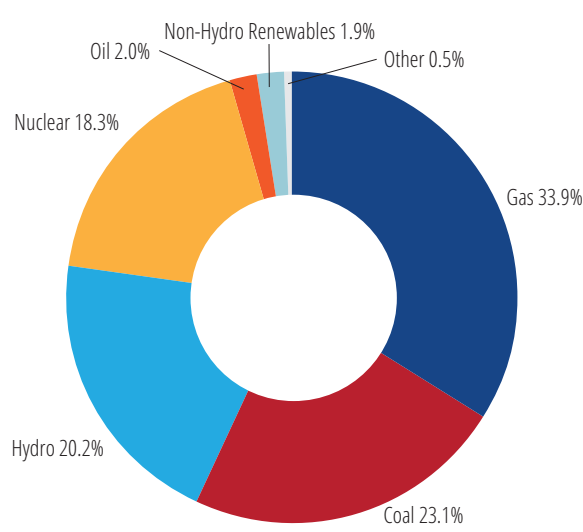
Fuel Type	GWh	Percent
Gas	1,880,747	43.7%
Nuclear	781,865	18.1%
Coal	652,156	15.1%
Wind	451,904	10.5%
Hydro	237,044	5.5%
Solar	219,834	5.1%
Other Renewable	61,829	1.4%
Oil	15,084	0.4%
Other	8,170	0.2%



Public Power

Source: Hitachi Energy Velocity Suite, December 2024. Includes states and Puerto Rico only. Generation, in gigawatt-hours.

Fuel Type	GWh	Percent
Gas	117,333	33.9%
Coal	80,011	23.1%
Hydro	69,969	20.2%
Nuclear	63,448	18.3%
Oil	6,864	2.0%
Non-Hydro Renewables	6,557	1.9%
Other	1,645	0.5%



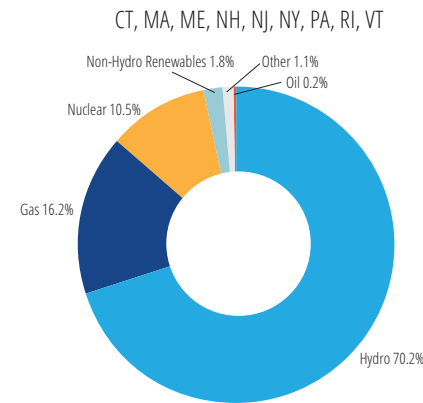
In 2024, approximately **41%** of the electricity generated from public power facilities was from non-carbon emitting sources.

GENERATION AND CAPACITY

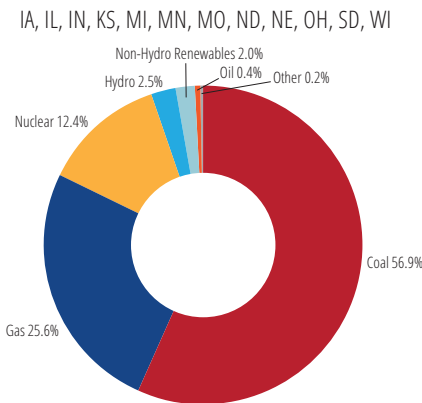
Generation by Public Power Utilities by Region, 2024

Source: Hitachi Energy Velocity Suite, December 2025..

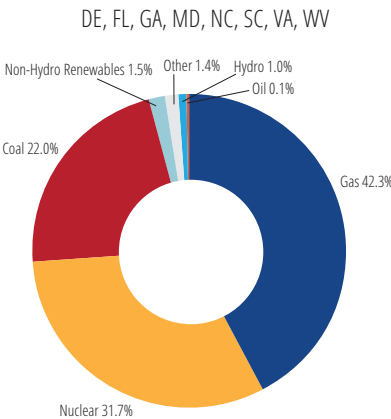
New England - Mid Atlantic



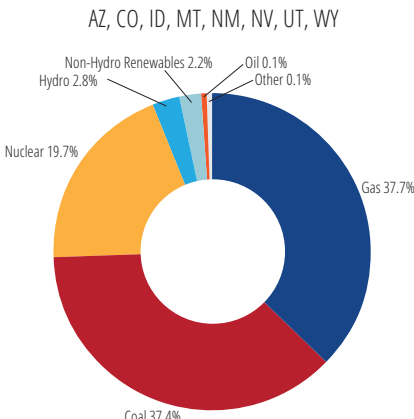
East North Central - West North Central



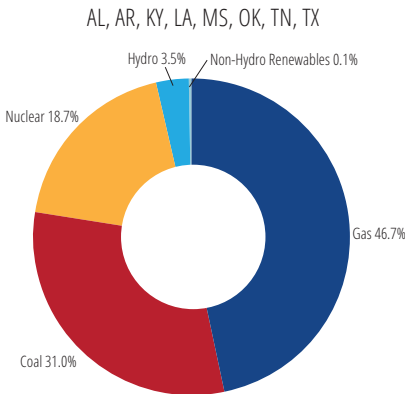
South Atlantic



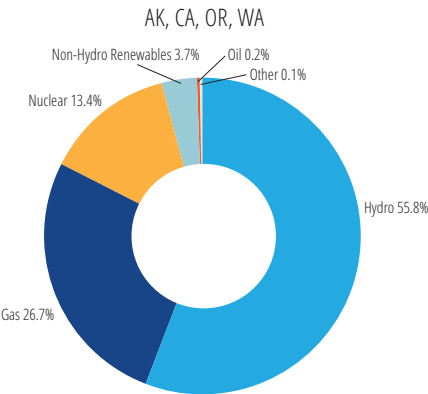
Mountain



East South Central - West South Central



Pacific



GENERATION AND CAPACITY

Renewable Capacity by Owner Type, 2024

Source: Energy Information Administration Form EIA-860, 2024, including adjustments for joint ownership.

Fuel Type	Cooperative		Federal		IOU		Public Power		Non-Utility		Total
	MW	Percent	MW	Percent	MW	Percent	MW	Percent	MW	Percent	MW
Wind	426.4	0.3%	24.4	0.0%	29,629.8	18.4%	833.6	0.5%	130,033.6	80.8%	160,947.8
Solar	580.8	0.4%	7.8	0.0%	20,711.2	16.0%	331.3	0.3%	108,129.8	83.3%	129,760.9
Hydro	1,061.6	1.0%	40,931.8	40.0%	24,266.7	23.7%	24,022.7	23.5%	12,024.6	11.8%	102,307.4
Biomass fuels	122.7	0.9%	26.7	0.2%	794.6	5.9%	1,486.4	11.1%	10,998.4	81.9%	13,428.8
Geothermal	3.7	0.1%		0.0%	38.1	1.0%	128.3	3.3%	3,740.3	95.7%	3,910.4
Total	2,195.2	0.5%	40,990.7	10.0%	75,440.4	18.4%	26,802.3	6.5%	264,926.7	64.6%	410,355.2

Public power utilities procure most of their renewable energy through power purchase agreements, usually with non-utility generators, and from the Power Marketing Administrations, rather than through direct ownership.

Generation from Renewable Energy by Fuel Type, 2024

Source: Energy Information Administration Form EIA-923, 2024. In gigawatt-hours and as a percent of all renewable generation.

Fuel Type	GWh	Percent
Wind	451,904	46.6%
Hydro	237,044	24.4%
Solar	219,834	22.6%
Biomass Fuels	46,422	4.8%
Geothermal	15,407	1.6%
Total	970,611	

Wind and solar contributed 84,701 more gigawatt-hours of electricity to the grid in 2024 than they did in 2023.

PUBLIC POWER CUSTOMERS PAY LESS

Households across the U.S. are concerned about the rising cost of living, including increasing electricity bills. Nationwide, residential rates increased 25.7% between 2020 and 2024, however, the increase has been primarily driven by investor-owned utilities, whose residential rates increased 27.2% in that time frame, compared to a 14.4% increase for cooperatives and an 11.7% increase for public power. From 2017 to 2024, the average public power utility residential rate increased by 2.2 cents per kilowatt-hour, whereas residential customers of IOUs saw their rates increase by 3.5 cents per kilowatt-hour. In 35 out of 45 states with comparable data, public power customers have the lowest average residential rates.

While it's helpful to look at the average rates, customers will typically be more focused on the affordability of their monthly bill. Public power utilities have long maintained a tradition of providing electricity at lower prices compared to other utility providers.

National Average Monthly Bill by Utility Type, 2024

Source: Energy Information Administration Form EIA-861, 2024

	Investor-Owned Utility	Cooperative	Public Power
Average residential rate per kilowatt-hour (in cents)	16.8	13.5	14.3
Monthly sales (kilowatt-hours per customer)	830.90	1,107.80	867.04
Average monthly customer bill (extrapolated)	\$139.42	\$149.18	\$123.78

In 2024, public power utility residential customers had average electricity bills that were 13% lower than those for customers of investor-owned utilities, and 21% lower than the average bill for a residential customer of a rural electric cooperative. Public power residential customers use less electricity on average than cooperative customers, and slightly more than IOU customers. Not including customer charges and other fees, public power customers paid an average of \$16 less than IOU residential customers per month and \$25 less than cooperative residential customers per month. Over the year, that adds up to \$188 to \$305 less that public power customers paid to their electric utility.

Although the comparative rate data may be skewed by Energy Information Administration reporting requirements, which excludes utilities with less than 200,000 MWh in annual sales from needing to provide sales and revenue by customer class, it is likely that full reporting would only further favor public power. Nearly three-quarters of public power utilities qualify to complete the shorter form, while about one-quarter of electric cooperatives (and only a handful of IOUs) report on the shorter form. Based on historical data, public power utilities who report annual data on the short form tend to have lower residential rates than those who report on the longer form, while cooperatives who report on the short form tend to have higher rates than those who report on the long form.

Public power residential customers pay **\$188 to \$305** less per year than customers of other utility types.

SALES AND REVENUE

Utility Sector Rate Comparison by State, 2024

Source: Energy Information Administration Forms EIA-861 and EIA-861S, 2024. Residential, commercial, and industrial rates only include utilities that completed Form EIA-861. Total rates include utilities that completed Forms EIA-861 and EIA-861S.

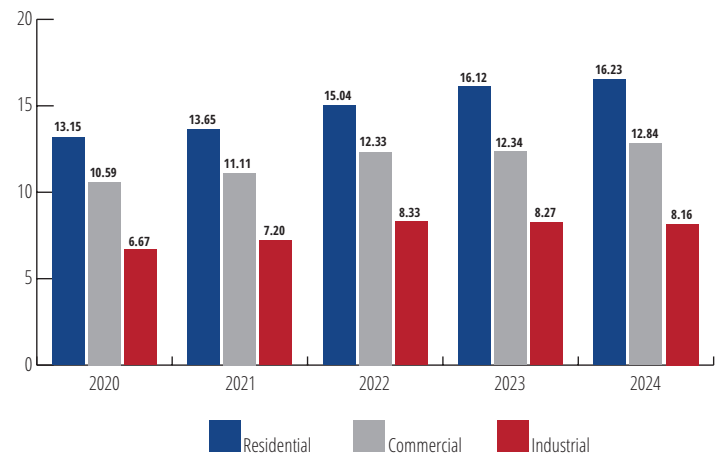
In cents per kilowatt-hour. Table reflects full-service (bundled) sales for EIA-861 utilities and all sales for EIA-861S utilities.

	Residential			Commercial			Industrial			Total				Residential			Commercial			Industrial			Total		
	Public	IOU	Co-op	Public	IOU	Co-op	Public	IOU	Co-op	Public	IOU	Co-op		Public	IOU	Co-op	Public	IOU	Co-op	Public	IOU	Co-op	Public	IOU	Co-op
Alabama	11.9	16.8	14.5	11.6	14.8	13.2	6.7	8.0	7.9	10.7	12.8	13.2	Montana	-	14.1	10.7	-	13.3	8.6	-	9.2	8.2	8.1	13.2	10.3
Alaska	12.5	16.3	25.8	12.0	18.4	20.8	10.4	11.1	19.8	20.8	17.5	22.8	Nebraska	11.4	13.1	-	8.2	13.2	-	7.0	13.1	-	9.0	13.2	-
Am. Samoa	42.4	-	-	40.8	-	-	39.3	-	-	41.1	-	-	Nevada	10.6	15.2	14.2	10.7	10.9	12.2	11.3	10.0	6.1	11.5	12.5	9.3
Arizona	13.5	16.3	13.0	10.9	13.5	11.4	7.5	8.2	9.9	11.5	13.8	12.2	New Hampshire	-	22.7	23.8	-	20.1	22.1	-	19.2	16.9	15.9	22.1	23.3
Arkansas	9.5	12.7	12.7	9.0	10.0	12.2	7.4	6.5	6.5	8.8	9.4	10.3	New Jersey	17.8	19.2	-	17.4	15.3	-	13.5	9.4	-	15.7	17.5	15.2
California	21.0	35.1	13.2	19.6	27.0	13.7	15.3	29.1	11.9	19.3	30.5	19.2	New Mexico	13.5	13.9	15.1	12.1	10.2	12.6	7.8	4.8	7.6	11.4	8.7	11.1
Colorado	13.8	15.2	15.0	10.4	11.9	11.9	9.1	7.9	9.2	11.4	12.2	12.3	New York	23.2	24.5	-	20.7	21.4	-	4.8	11.4	-	19.8	23.0	13.4
Connecticut	18.6	29.5	-	16.2	23.1	-	11.6	20.5	-	15.5	28.1	-	North Carolina	12.0	14.6	13.7	10.9	10.4	11.4	7.4	7.8	7.1	10.8	11.6	12.7
Delaware	16.5	17.2	14.2	14.2	16.5	13.8	11.2	8.9	18.6	13.8	17.0	14.2	North Dakota	-	11.8	11.2	-	7.2	7.2	-	8.1	7.2	8.3	8.5	7.8
District of Columbia	-	16.6	-	-	20.0	-	-	-	-	-	17.8	-	Northern Mariana Islands	29.0	-	-	17.2	-	-	-	-	-	21.3	-	-
Florida	13.1	14.4	13.3	10.4	11.1	11.8	8.3	8.5	8.5	11.4	12.8	12.5	Ohio	13.2	17.2	16.2	12.0	15.3	14.3	9.6	11.9	10.3	11.5	16.6	14.5
Georgia	13.0	15.5	12.8	7.7	11.6	10.8	6.4	7.1	7.8	8.8	11.7	11.8	Oklahoma	12.1	12.2	12.4	10.9	8.3	11.3	5.1	5.7	6.9	8.0	8.8	10.7
Guam	34.8	-	-	34.9	-	-	-	-	-	34.9	-	-	Oregon	10.7	16.3	11.0	8.8	12.2	7.2	6.4	9.1	6.6	8.4	13.2	8.0
Hawaii	-	44.1	-	-	39.0	-	-	34.0	-	-	38.4	-	Pennsylvania	12.0	17.3	15.6	11.7	13.9	13.4	12.0	8.8	10.3	14.2	16.4	14.9
Idaho	9.2	11.8	11.0	7.5	9.4	8.7	5.8	7.9	5.5	7.8	9.6	9.3	Puerto Rico	22.5	-	-	24.6	-	-	23.7	-	-	23.6	-	-
Illinois	12.7	15.1	15.9	12.2	12.2	13.7	9.7	6.4	10.6	12.3	13.7	14.7	Rhode Island	16.5	28.3	39.7	19.5	23.2	40.9	16.5	25.9	-	16.7	26.9	40.3
Indiana	12.1	14.8	15.1	11.4	12.5	12.6	10.4	7.9	8.0	11.5	11.1	12.6	South Carolina	11.9	14.4	14.6	10.4	11.0	9.5	5.3	7.2	7.8	8.8	11.0	12.0
Iowa	11.8	13.6	13.4	7.5	10.7	9.7	6.8	6.6	7.7	9.3	9.1	10.7	South Dakota	10.4	13.4	13.1	9.5	11.5	11.5	7.8	8.2	8.5	9.8	11.5	11.0
Kansas	14.3	13.9	13.7	11.7	11.0	10.9	6.8	8.2	7.0	10.5	11.5	10.9	Tennessee	12.4	12.8	12.4	12.0	13.8	12.5	6.6	9.3	6.6	11.2	11.5	11.6
Kentucky	12.5	12.6	13.1	11.4	11.6	11.4	8.0	7.6	6.0	10.8	10.8	9.8	Texas	12.5	13.3	12.7	10.1	9.5	10.0	7.7	5.5	8.0	10.9	8.9	10.9
Louisiana	10.0	11.7	12.1	8.7	10.4	12.8	5.5	5.4	9.3	9.3	8.4	11.7	Utah	11.7	12.5	9.5	10.1	9.2	8.5	6.7	7.8	9.4	10.5	9.9	9.2
Maine	13.1	24.3	17.1	13.3	20.7	15.6	10.7	18.9	13.2	12.4	23.2	18.2	Vermont	18.9	22.1	23.3	17.8	19.2	18.5	13.7	10.8	12.9	17.4	18.3	20.8
Maryland	9.8	18.0	15.2	10.9	15.8	13.0	6.8	14.4	11.1	10.0	17.5	14.4	Virgin Islands	33.1	-	-	43.5	-	-	41.6	-	-	38.4	-	-
Massachusetts	16.5	32.2	-	16.1	24.8	-	15.2	24.5	-	16.6	30.1	-	Virginia	13.4	14.6	13.8	11.5	9.2	6.9	8.6	9.3	9.0	11.9	11.0	9.6
Michigan	16.5	19.6	18.4	14.8	14.5	14.7	9.6	8.3	9.8	12.9	14.9	15.7	Washington	10.6	13.8	10.1	8.2	13.1	8.7	5.9	9.6	7.1	8.7	13.1	9.2
Minnesota	14.7	16.6	14.6	11.1	12.7	11.1	9.8	9.0	8.7	11.6	12.4	12.8	West Virginia	-	15.1	-	-	11.6	-	-	7.8	-	12.3	11.0	16.5
Mississippi	11.9	13.6	13.4	11.4	12.1	13.1	6.6	7.5	8.3	10.8	11.1	12.3	Wisconsin	12.4	17.9	16.1	10.7	12.9	12.2	8.0	8.6	8.3	10.2	13.0	13.9
Missouri	12.7	12.9	12.8	10.8	10.0	11.4	8.8	7.7	7.2	11.1	10.8	11.8	Wyoming	12.6	13.9	9.3	9.9	9.7	7.5	-	7.8	7.9	11.9	9.2	8.8

SALES AND REVENUE

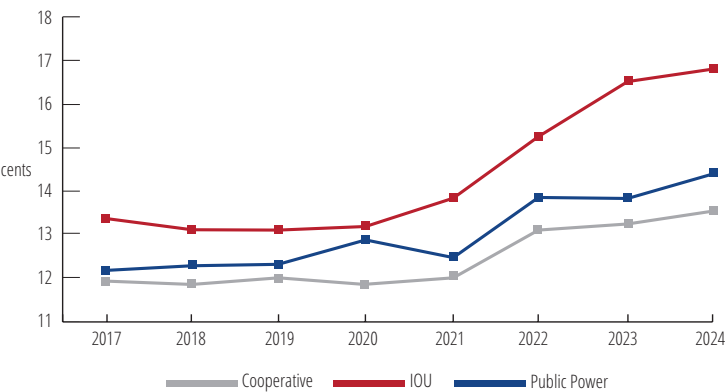
Average Retail Rates by Customer Class, All Utility Types, 2020-2024

Source: Energy Information Administration Form EIA-861, 2024. Average revenue per kilowatt-hour, in cents.



Residential Average Revenue per Kilowatt-Hour, 2017-2024

Source: Energy Information Administration Form EIA-861, 2017-2024



Average residential rates have increased 3.38 cents per kilowatt-hour since 2020, largely driven by increases in IOU rates.

Electric Revenue from Sales to Ultimate Customers, 2024

Source: Energy Information Administration Forms EIA-861 and EIA-861S, 2024. In millions of dollars.

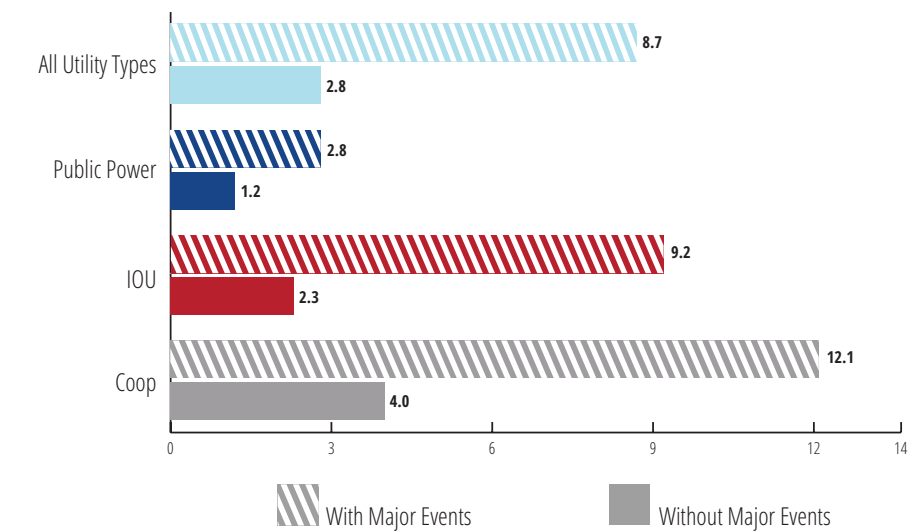
Utility Type	Full-Service Sales	Energy-Only Sales	Delivery-Only Sales	Total	Percent of Total
Public Power Utilities	\$74,493	\$1,141	\$57	\$75,691	14.3%
Investor-Owned Utilities	\$268,710	\$3	\$42,058	\$310,772	58.5%
Cooperatives	\$59,064	\$94	\$20	\$59,178	11.1%
Federal Power Agencies	\$1,322	\$0	\$0	\$1,322	0.2%
Behind the Meter	\$2,612	\$0	\$0	\$2,612	0.5%
Community Choice Aggregator	\$0	\$8,795	\$0	\$8,795	1.7%
Power Marketers	\$31,222	\$41,366	\$0	\$72,588	13.7%
TOTAL	\$437,423	\$51,400	\$42,135	\$530,957	

Energy-only revenue is from a utility's sales of energy outside of its service territory. Delivery-only revenue represents revenue the utility receives from the delivery portion of unbundled (retail choice) sales made to customers in the utility's service territory. Total revenue shows the amount each sector receives from both bundled (full-service) and unbundled (retail choice) sales to ultimate customers.

RELIABILITY

Average Duration of Electric Outages by Utility Type, 2024

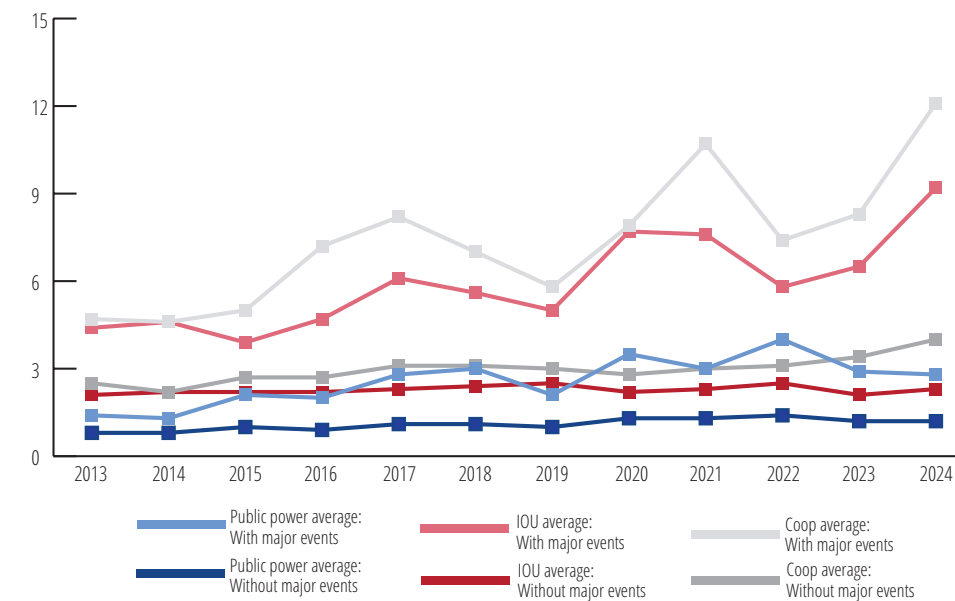
Source: Energy Information Administration Form EIA-861, 2024. System average interruption duration index (SAIDI), IEEE standard, in hours.



Public power customers experienced the shortest average outage time – getting power back over **1.5 hours sooner** outside of major events compared to customers of other utility types.

Average Duration of Electric Outages by Utility Type, 2013-2024

Source: Energy Information Administration Form EIA-861. System average interruption duration index (SAIDI), IEEE standard, in hours.



From 2013-2024, public power customers experienced an average of **72 minutes** less outage time not during major events per year than customers of IOUs and **114 minutes** less outage time than customers of coops.

RELIABILITY

Average Duration of Electric Outages by Utility Type and Region, 2024

Source: Energy Information Administration Form EIA-861, 2024. System average interruption duration index (SAIDI), IEEE standard, in hours.

New England - Mid Atlantic

CT, MA, ME, NH, NJ, NY, PA, RI, VT

	Without Major Events	With Major Events
Coop	8.1	16.5
IOU	2.0	6.7
Public Power	1.1	1.4
All Utility Types	5.1	2.0

East North Central - West North Central

IA, IL, IN, KS, MI, MN, MO, ND, NE, OH, SD, WI

	Without Major Events	With Major Events
Coop	2.3	4.2
IOU	1.8	5.1
Public Power	0.8	1.8
All Utility Types	1.8	3.7

South Atlantic

DE, FL, GA, MD, NC, SC, VA, WV

	Without Major Events	With Major Events
Coop	6.6	29.9
IOU	3.2	25.3
Public Power	1.2	5.8
All Utility Types	4.9	23.3

Mountain

AZ, CO, ID, MT, NM, NV, UT, WY

	Without Major Events	With Major Events
Coop	3.1	5.1
IOU	1.8	3.2
Public Power	0.6	1.0
All Utility Types	2.1	3.5

East South Central - West South Central

AL, AR, KY, LA, MS, OK, TN, TX

	Without Major Events	With Major Events
Coop	4.3	10.6
IOU	3.0	13.2
Public Power	1.5	3.1
All Utility Types	3.3	8.6

Pacific

AK, CA, OR, WA

	Without Major Events	With Major Events
Coop	3.4	9.2
IOU	3.1	7.2
Public Power	1.9	3.5
All Utility Types	2.5	5.6

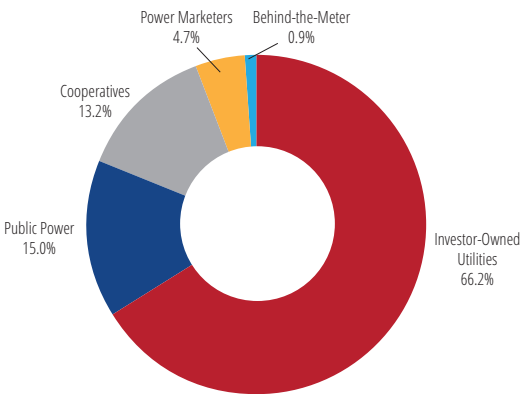
INDUSTRY STATISTICS

Number of Customers by Utility Type, 2024

Source: Energy Information Administration Forms EIA-861 and EIA-861S, 2024.

	Full-Service Customers	Delivery-Only Customers	Total	Percent
Investor-Owned Utilities	94,975,617	17,474,665	112,450,282	66.2%
Public Power	25,472,381	633	25,473,014	15.0%
Cooperatives	22,502,653	5,815	22,508,468	13.2%
Power Marketers	8,017,964		8,017,964	4.7%
Behind-the-Meter	1,469,361		1,469,361	0.9%
Federal Power Agencies	41,988		41,988	0.0%
TOTAL	152,479,964	17,481,113	169,961,077	

Delivery-only customers represent the number of customers in a utility's service territory that purchase energy from an alternative supplier. Behind-the-meter entities install, own, and/or operate systems (usually solar PV), and sell, under a long-term power purchase agreement or lease, all the production from the system to the homeowner or business with which there is a net metering agreement.

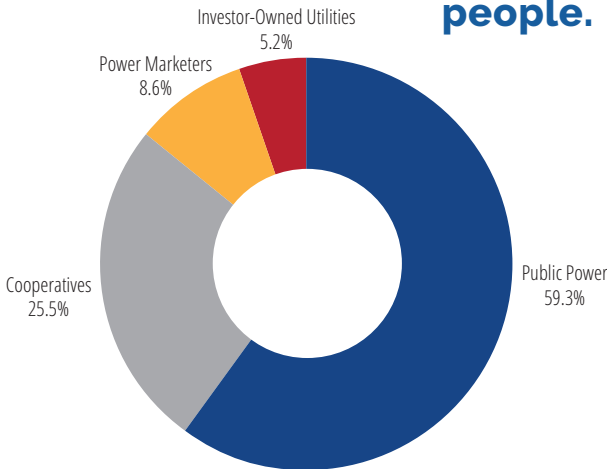


Based on the average number of people per household in 2024, per the U.S. Census Bureau, public power utilities provide electricity to more than **55 million** people.

Number of Providers by Utility Type, 2024

Source: Energy Information Administration Forms EIA-861 and EIA-861S, 2024.

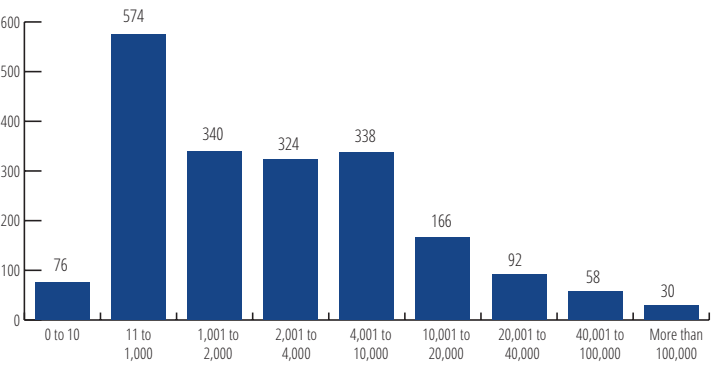
Utility Type	Number	Percent
Public Power	1,998	59.3%
Cooperatives	859	25.5%
Investor-Owned Utilities	174	5.2%
Power Marketers	290	8.6%
Community Choice Aggregators	26	0.8%
Behind-the-Meter	13	0.4%
Federal Power Agencies	11	0.3%
TOTAL	3,371	



INDUSTRY STATISTICS

Distribution of Public Power Utilities by Customer Count, 2024

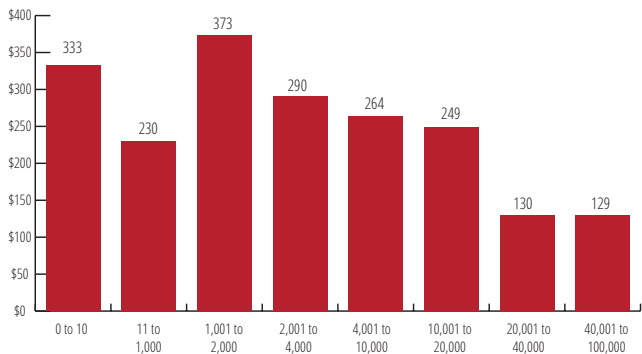
Source: Energy Information Administration Forms EIA-861 and EIA-861S, 2024.



Organizations with less than 10 customers include joint action agencies and other wholesale utilities.

Distribution of Public Power Utilities by Revenue Class, 2024

Source: Energy Information Administration Forms EIA-861 and EIA-861S, 2024. Revenue in millions. Includes joint action agencies.





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INDUSTRY STATISTICS

100 Largest Public Power Utilities by Generation, 2024

Source: Energy Information Administration Form EIA-861, 2024. Net generation in megawatt-hours. Utilities in bold did not appear in the top 100 in 2023.

1	Salt River Project	AZ	32,746,812	51	Western Minnesota Municipal Power Agency	MN	1,264,901
2	CPS Energy	TX	29,481,316	52	WPPI Energy	WI	1,261,069
3	New York Power Authority	NY	27,412,956	53	Minnesota Municipal Power Agency	MN	1,249,452
4	Santee Cooper (South Carolina Public Service Authority)	SC	20,396,807	54	San Francisco (Hetch Hetchy Water & Power), City of	CA	1,216,531
5	Los Angeles Department of Water & Power	CA	19,359,904	55	Utah Municipal Power Agency	UT	1,212,965
6	Nebraska Public Power District	NE	13,946,357	56	Lincoln Electric System	NE	1,158,494
7	Lower Colorado River Authority	TX	13,633,965	57	Utah Associated Municipal Power Systems	UT	1,032,860
8	MEAG Power	GA	12,661,011	58	Michigan Public Power Agency	MI	1,011,079
9	Puerto Rico Electric Power Authority	PR	12,531,348	59	Metropolitan Water District of Southern California	CA	1,008,374
10	JEA	FL	11,789,496	60	Holland Board of Public Works	MI	997,428
11	Energy Northwest	WA	10,239,416	61	Dalton Utilities	GA	901,186
12	Florida Municipal Power Agency	FL	8,957,242	62	Kansas City Board of Public Utilities	KS	784,577
13	American Municipal Power	OH	8,830,628	63	Jonesboro City Water & Light	AR	772,702
14	Grant County, Public Utility District No. 2 of	WA	7,890,721	64	Placer County Water Agency	CA	765,003
15	Omaha Public Power District	NE	7,547,931	65	Northern Municipal Power Agency	MN	667,482
16	Sacramento Municipal Utility District	CA	7,264,859	66	Virgin Islands Water & Power Authority	VI	654,170
17	Chelan County Public Utility District No. 1	WA	7,255,782	67	Lafayette Public Power Authority	LA	646,012
18	North Carolina Municipal Power Agency No. 1	NC	7,108,230	68	Springfield City Water, Light & Power	IL	611,680
19	Southern California Public Power Authority	CA	6,972,331	69	Muscataine Power & Water	IA	560,637
20	Austin Energy	TX	6,627,018	70	Roseville Electric	CA	560,499
21	Grand River Dam Authority	OK	5,730,178	71	Brownsville Public Utilities Board	TX	559,179
22	Intermountain Power Agency	UT	5,685,474	72	Fremont Department of Utilities	NE	533,704
23	Orlando Utilities Commission	FL	4,971,340	73	Hastings, City of	NE	483,781
24	California Department of Water Resources	CA	4,689,957	74	Modesto Irrigation District	CA	475,280
25	Seattle City Light	WA	4,533,707	75	Burbank Water and Power	CA	468,620
26	Silicon Valley Power	CA	3,610,774	76	NMPP Energy: Municipal Energy Agency of Nebraska	NE	467,905
27	Indiana Municipal Power Agency	IN	3,530,041	77	Pend Oreille County, Public Utility District No. 1 of	WA	466,094
28	Douglas County, Public Utility District No. 1 of	WA	3,502,380	78	Tri-Dam Project	CA	463,216
29	Colorado Springs Utilities	CO	3,200,175	79	Kings River Conservation District	CA	450,755
30	Tallahassee Electric Utility, City of	FL	2,984,545	80	Farmington, City of	NM	438,972
31	Missouri Joint Municipal Electric Utility Comm	MO	2,872,313	81	Snohomish County, Public Utility District No. 1 of	WA	427,447
32	Lakeland Electric	FL	2,640,999	82	Rochelle Municipal Utilities	IL	421,307
33	Turlock Irrigation District	CA	2,598,586	83	South Feather Water and Power Agency	CA	419,826
34	Illinois Municipal Electric Agency	IL	2,598,407	84	Louisiana Energy and Power Authority	LA	407,372
35	Springfield, City Utilities of	MO	2,544,344	85	West Memphis, City of	AR	369,958
36	Oklahoma Municipal Power Authority	OK	2,332,586	86	Vernon, City of	CA	367,888
37	Piedmont Municipal Power Agency	SC	2,310,864	87	Grand Island, City of	NE	359,689
38	Tacoma Public Utilities	WA	2,140,141	88	Toledo Bend Project	TX	351,281
39	Northern California Power Agency	CA	2,012,231	89	Lehi City	UT	339,165
40	Long Island Power Authority	NY	1,841,930	90	Merced Irrigation District	CA	314,473
41	Gainesville Regional Utilities	FL	1,815,532	91	Ames, City of	IA	305,987
42	Platte River Power Authority	CO	1,754,003	92	Redding, City of	CA	291,806
43	Massachusetts Municipal Wholesale Electric Co.	MA	1,679,698	93	Eugene Water & Electric Board	OR	286,178
44	Guam Power Authority	GU	1,655,806	94	Independence Power & Light	MO	270,194
45	Sikeston Board of Municipal Utilities	MO	1,592,418	95	Holyoke Gas & Electric	MA	261,412
46	Clark Public Utilities	WA	1,561,663	96	Central Nebraska Public Power & Irrigation District	NE	258,988
47	Yuba County Water Agency	CA	1,508,739	97	Denton Municipal Electric	TX	246,657
48	Southern Minnesota Municipal Power Agency	MN	1,485,210	98	Idaho Falls Power	ID	238,124
49	Lansing Board of Water & Light	MI	1,390,764	99	Altus Municipal Authority	OK	221,627
50	IID Energy	CA	1,275,903	100	Farmington, City of	MO	201,594

INDUSTRY STATISTICS

100 Largest Public Power Utilities by Electric Revenues, 2024

Source: Energy Information Administration Form EIA-861, 2024. Revenues from sales to ultimate customers and sales for resale. Revenues in thousands of dollars. Utilities in bold did not appear in the top 100 in 2023.

1	Los Angeles Department of Water & Power	CA	\$4,830,685	51	Illinois Municipal Electric Agency	IL	\$312,815
2	Salt River Project	AZ	\$4,404,168	52	Missouri Joint Municipal Electric Utility Comm	MO	\$312,606
3	Long Island Power Authority	NY	\$4,137,095	53	Eugene Water & Electric Board	OR	\$291,112
4	Puerto Rico Electric Power Authority	PR	\$4,066,804	54	Glendale Water & Power	CA	\$291,031
5	CPS Energy	TX	\$3,324,313	55	Platte River Power Authority	CO	\$287,365
6	New York Power Authority	NY	\$1,995,759	56	Gainesville Regional Utilities	FL	\$282,747
7	Sacramento Municipal Utility District	CA	\$1,913,688	57	Kansas City Board of Public Utilities	KS	\$277,848
8	Santee Cooper (South Carolina Public Service Authority)	SC	\$1,880,992	58	Michigan Public Power Agency	MI	\$266,370
9	Nashville Electric Service	TN	\$1,488,673	59	Massachusetts Municipal Wholesale Electric Co.	MA	\$264,854
10	Memphis Light, Gas and Water Division	TN	\$1,477,600	60	Cowlitz County, Public Utility District No. 1 of	WA	\$247,386
11	Austin Energy	TX	\$1,475,260	61	Pasadena Water and Power Department	CA	\$246,912
12	Omaha Public Power District	NE	\$1,440,175	62	Virgin Islands Water & Power Authority	VI	\$240,004
13	JEA	FL	\$1,402,210	63	Piedmont Municipal Power Agency	SC	\$239,879
14	Seattle City Light	WA	\$1,233,414	64	Utah Associated Municipal Power Systems	UT	\$238,162
15	American Municipal Power	OH	\$1,018,446	65	Kissimmee Utility Authority	FL	\$234,209
16	Nebraska Public Power District	NE	\$997,993	66	Southern Minnesota Municipal Power Agency	MN	\$226,028
17	Southern California Public Power Authority	CA	\$954,050	67	Alabama Municipal Electric Authority	AL	\$222,049
18	MEAG Power	GA	\$915,419	68	Fayetteville Public Works Commission	NC	\$219,267
19	Orlando Utilities Commission	FL	\$861,294	69	BrightRidge	TN	\$219,266
20	Snohomish County, Public Utility District No. 1 of	WA	\$820,066	70	Lenoir City Utilities Board	TN	\$209,482
21	Lower Colorado River Authority	TX	\$777,186	71	Roseville Electric	CA	\$206,900
22	Silicon Valley Power	CA	\$724,477	72	Lafayette Utilities System	LA	\$205,483
23	IID Energy	CA	\$675,509	73	CDE Lightband	TN	\$204,480
24	Knoxville Utilities Board	TN	\$647,915	74	San Francisco (Hetch Hetchy Water & Power), City of	CA	\$203,787
25	EPB - Chattanooga Electric Power Board	TN	\$630,400	75	New Braunfels Utilities	TX	\$201,749
26	Grant County, Public Utility District No. 2 of	WA	\$595,846	76	Denton Municipal Electric	TX	\$198,806
27	Huntsville Utilities	AL	\$592,072	77	Bryan Texas Utilities	TX	\$198,800
28	Colorado Springs Utilities	CO	\$570,020	78	Burbank Water and Power	CA	\$196,649
29	North Carolina Eastern Municipal Power Agency	NC	\$566,037	79	Vernon, City of	CA	\$194,339
30	Guam Power Authority	GU	\$542,778	80	Cleveland Public Power	OH	\$193,423
31	Florida Municipal Power Agency	FL	\$538,136	81	Dalton Utilities	GA	\$192,411
32	Energy Northwest	WA	\$514,549	82	Springfield City Water, Light & Power	IL	\$190,755
33	Chelan County Public Utility District No. 1	WA	\$514,492	83	Sevier County Electric System	TN	\$188,826
34	Grand River Dam Authority	OK	\$499,877	84	Brownsville Public Utilities Board	TX	\$188,578
35	North Carolina Municipal Power Agency No. 1	NC	\$484,908	85	Missouri River Energy Services	SD	\$185,680
36	Clark Public Utilities	WA	\$477,044	86	Greenville Utilities Commission	NC	\$181,445
37	Modesto Irrigation District	CA	\$474,709	87	Northern California Power Agency	CA	\$176,325
38	Tacoma Public Utilities	WA	\$471,641	88	Rochester Public Utilities	MN	\$174,984
39	Indiana Municipal Power Agency	IN	\$469,894	89	Lubbock Power & Light	TX	\$174,183
40	WPPI Energy	WI	\$430,526	90	Oklahoma Municipal Power Authority	OK	\$171,410
41	Turlock Irrigation District	CA	\$379,209	91	Utah Municipal Power Agency	UT	\$171,337
42	Riverside Public Utilities, City of	CA	\$376,296	92	Minnesota Municipal Power Agency	MN	\$169,535
43	Anaheim Public Utilities	CA	\$371,421	93	Douglas County, Public Utility District No. 1 of	WA	\$168,698
44	Lincoln Electric System	NE	\$359,816	94	Athens, City of	AL	\$164,870
45	Lakeland Electric	FL	\$356,188	95	Fort Collins Utilities	CO	\$163,203
46	Lansing Board of Water & Light	MI	\$354,627	96	Riviera Utilities	AL	\$160,607
47	Intermountain Power Agency	UT	\$350,363	97	Palo Alto, City of	CA	\$159,576
48	Tallahassee Electric Utility, City of	FL	\$327,637	98	Independence Power & Light	MO	\$156,057
49	Springfield, City Utilities of	MO	\$327,339	99	Jackson Energy Authority	TN	\$155,490
50	Garland, City of	TX	\$321,022	100	Redding, City of	CA	\$148,758

INDUSTRY STATISTICS

100 Largest Public Power Utilities by Electric Customers Served, 2024

Source: Energy Information Administration Form EIA-861, 2024. Ultimate customers served. Utilities in bold did not appear in the top 100 in 2023.

1	Puerto Rico Electric Power Authority	PR	1,511,847	51	Denton Municipal Electric	TX	66,609
2	Los Angeles Department of Water & Power	CA	1,510,995	52	Sevier County Electric System	TN	63,506
3	Salt River Project	AZ	1,166,094	53	Naperville Department of Public Utilities	IL	62,990
4	Long Island Power Authority	NY	1,161,788	54	New Braunfels Utilities	TX	60,463
5	CPS Energy	TX	962,272	55	Rochester Public Utilities	MN	60,133
6	Sacramento Municipal Utility District	CA	666,235	56	Silicon Valley Power	CA	59,389
7	Austin Energy	TX	562,004	57	Athens, City of	AL	59,121
8	JEA	FL	531,883	58	Independence Power & Light	MO	58,789
9	Seattle City Light	WA	512,498	59	Riviera Utilities	AL	58,270
10	Nashville Electric Service	TN	463,455	60	Benton PUD	WA	57,827
11	Memphis Light, Gas and Water Division	TN	423,338	61	Ocala Utility Services, City of	FL	57,035
12	Omaha Public Power District	NE	413,414	62	Grant County, Public Utility District No. 2 of	WA	55,943
13	Snohomish County, Public Utility District No. 1 of	WA	382,062	63	Brownsville Public Utilities Board	TX	54,712
14	Orlando Utilities Commission	FL	282,182	64	Virgin Islands Water & Power Authority	VI	54,457
15	Colorado Springs Utilities	CO	260,682	65	Cowlitz County, Public Utility District No. 1 of	WA	53,716
16	Clark Public Utilities	WA	239,896	66	Guam Power Authority	GU	53,559
17	Huntsville Utilities	AL	220,576	67	Columbia Water & Light	MO	53,276
18	Knoxville Utilities Board	TN	219,297	68	Burbank Water and Power	CA	53,155
19	Santee Cooper (South Carolina Public Service Authority)	SC	216,494	69	Florence Utilities	AL	52,289
20	Tacoma Public Utilities	WA	203,185	70	Chelan County Public Utility District No. 1	WA	50,137
21	EPB - Chattanooga Electric Power Board	TN	200,605	71	College Station, City of	TX	47,049
22	IID Energy	CA	164,802	72	Grays Harbor County, Public Utility District No. 1 of	WA	45,587
23	Lincoln Electric System	NE	153,069	73	Farmington, City of	NM	45,107
24	Lakeland Electric	FL	136,543	74	Redding, City of	CA	44,465
25	Modesto Irrigation District	CA	133,517	75	Edmond, City of	OK	44,461
26	Anaheim Public Utilities	CA	123,665	76	High Point, City of	NC	44,195
27	Springfield, City Utilities of	MO	121,603	77	Longmont Power & Communications	CO	43,741
28	Tallahassee Electric Utility, City of	FL	120,220	78	Navajo Tribal Utility Authority	AZ	43,308
29	Riverside Public Utilities, City of	CA	113,373	79	Danville Department of Utilities	VA	42,984
30	Gainesville Regional Utilities	FL	104,509	80	Marietta Board of Lights & Water	GA	42,506
31	Eugene Water & Electric Board	OR	99,939	81	Loveland Water & Power	CO	42,375
32	Lansing Board of Water & Light	MI	99,649	82	Central Lincoln People's Utility District	OR	41,527
33	Turlock Irrigation District	CA	95,746	83	Taunton Municipal Lighting Plant	MA	40,690
34	Nebraska Public Power District	NE	94,662	84	Jonesboro City Water & Light	AR	40,667
35	Kissimmee Utility Authority	FL	91,561	85	Greenville Light & Power System	TN	40,569
36	Glendale Water & Power	CA	90,990	86	Rock Hill, City of	SC	40,379
37	Fayetteville Public Works Commission	NC	85,435	87	North Little Rock, City of	AR	40,137
38	CDE Lightband	TN	85,314	88	Provo City Power	UT	40,057
39	BrightRidge	TN	84,109	89	Dickson Electric System	TN	38,982
40	Fort Collins Utilities	CO	79,990	90	Jackson Energy Authority	TN	38,719
41	Lenoir City Utilities Board	TN	77,358	91	Alameda Municipal Power	CA	37,226
42	Garland, City of	TX	76,337	92	Wilson Energy	NC	36,751
43	Greenville Utilities Commission	NC	74,118	93	Columbia Power & Water Systems	TN	36,577
44	Cleveland Public Power	OH	73,666	94	Mason County Public Utility District No. 3	WA	36,407
45	Lafayette Utilities System	LA	72,343	95	Beaches Energy Services	FL	35,976
46	Springfield City Water, Light & Power	IL	71,179	96	Greer Commission of Public Works	SC	35,307
47	Roseville Electric	CA	70,475	97	Lewis County, Public Utility District No. 1 of	WA	34,766
48	Bryan Texas Utilities	TX	68,685	98	Pinal County, Electrical District No. 3 of (ED3)	AZ	34,526
49	Kansas City Board of Public Utilities	KS	68,637	99	Bristol Tennessee Essential Services	TN	34,442
50	Pasadena Water and Power Department	CA	67,059	100	Cleveland Utilities	TN	34,348

INDUSTRY STATISTICS

100 Largest Public Power Utilities by Megawatt-Hour Sales, 2024

Source: Energy Information Administration Form EIA-861, 2024. Sales to ultimate customers and sales for resale. Utilities in bold did not appear in the top 100 in 2023.

1	Salt River Project	AZ	44,779,806	51	Missouri River Energy Services	SD	3,526,614
2	New York Power Authority	NY	39,976,877	52	Lakeland Electric	FL	3,517,254
3	CPS Energy	TX	35,799,040	53	Utah Associated Municipal Power Systems	UT	3,465,231
4	Santee Cooper (South Carolina Public Service Authority)	SC	27,139,703	54	Dalton Utilities	GA	3,349,102
5	Los Angeles Department of Water & Power	CA	21,392,185	55	Alabama Municipal Electric Authority	AL	3,286,360
6	Long Island Power Authority	NY	17,817,501	56	Turlock Irrigation District	CA	3,258,674
7	Nebraska Public Power District	NE	17,751,542	57	Eugene Water & Electric Board	OR	3,172,301
8	Puerto Rico Electric Power Authority	PR	17,229,804	58	Massachusetts Municipal Wholesale Electric Co.	MA	3,163,244
9	Omaha Public Power District	NE	17,092,221	59	Michigan Public Power Agency	MI	3,070,446
10	American Municipal Power	OH	15,718,537	60	Tallahassee Electric Utility, City of	FL	3,064,984
11	Sacramento Municipal Utility District	CA	14,852,465	61	Oklahoma Municipal Power Authority	OK	2,889,095
12	Lower Colorado River Authority	TX	14,479,848	62	Southern Minnesota Municipal Power Agency	MN	2,866,209
13	MEAG Power	GA	14,412,345	63	Lafayette Utilities System	LA	2,747,077
14	Austin Energy	TX	14,200,699	64	Utah Municipal Power Agency	UT	2,728,645
15	Southern California Public Power Authority	CA	13,705,331	65	Anaheim Public Utilities	CA	2,728,313
16	Memphis Light, Gas and Water Division	TN	12,944,365	66	Lansing Board of Water & Light	MI	2,678,853
17	JEA	FL	12,933,695	67	Piedmont Municipal Power Agency	SC	2,592,359
18	Nashville Electric Service	TN	12,102,761	68	Denton Municipal Electric	TX	2,562,612
19	Chelan County Public Utility District No. 1	WA	11,942,463	69	NMPP Energy: Municipal Energy Agency of Nebraska	NE	2,194,381
20	Seattle City Light	WA	10,806,658	70	Bryan Texas Utilities	TX	2,181,645
21	Energy Northwest	WA	10,239,416	71	Kansas City Board of Public Utilities	KS	2,170,862
22	Grand River Dam Authority	OK	9,358,425	72	Riverside Public Utilities, City of	CA	2,141,863
23	Grant County, Public Utility District No. 2 of	WA	9,301,596	73	Fayetteville Public Works Commission	NC	1,989,106
24	Florida Municipal Power Agency	FL	9,004,576	74	Brownsville Public Utilities Board	TX	1,967,913
25	Snohomish County, Public Utility District No. 1 of	WA	8,837,190	75	BrightRidge	TN	1,957,630
26	Orlando Utilities Commission	FL	8,292,230	76	Sikeston Board of Municipal Utilities	MO	1,933,258
27	North Carolina Municipal Power Agency No. 1	NC	7,624,411	77	Gainesville Regional Utilities	FL	1,905,833
28	North Carolina Eastern Municipal Power Agency	NC	7,512,074	78	Benton PUD	WA	1,884,142
29	Missouri Joint Municipal Electric Utility Comm	MO	7,343,347	79	Lenoir City Utilities Board	TN	1,874,592
30	Indiana Municipal Power Agency	IN	6,597,756	80	Kissimmee Utility Authority	FL	1,822,374
31	Knoxville Utilities Board	TN	5,881,448	81	Kansas Municipal Energy Agency	KS	1,800,241
32	WPPI Energy	WI	5,822,225	82	Greenville Utilities Commission	NC	1,765,409
33	EPB - Chattanooga Electric Power Board	TN	5,803,767	83	California Department of Water Resources	CA	1,758,883
34	Intermountain Power Agency	UT	5,685,474	84	New Braunfels Utilities	TX	1,745,413
35	Clark Public Utilities	WA	5,610,942	85	CDE Lightband	TN	1,666,439
36	Tacoma Public Utilities	WA	5,550,856	86	Sevier County Electric System	TN	1,657,826
37	Huntsville Utilities	AL	5,414,760	87	Jackson Energy Authority	TN	1,646,901
38	Colorado Springs Utilities	CO	5,118,518	88	Louisiana Energy and Power Authority	LA	1,624,949
39	Silicon Valley Power	CA	4,700,784	89	Springfield City Water, Light & Power	IL	1,609,877
40	Platte River Power Authority	CO	4,447,744	90	Sandersville, City of	GA	1,570,000
41	Springfield, City Utilities of	MO	4,188,417	91	San Francisco (Hetch Hetchy Water & Power), City of	CA	1,567,822
42	Cowlitz County, Public Utility District No. 1 of	WA	4,137,795	92	Athens, City of	AL	1,566,998
43	Modesto Irrigation District	CA	4,100,864	93	Guam Power Authority	GU	1,556,351
44	Garland, City of	TX	4,039,992	94	Cleveland Public Power	OH	1,545,537
45	Douglas County, Public Utility District No. 1 of	WA	4,034,957	95	Northern Wasco County People's Utility District	OR	1,530,602
46	Northern California Power Agency	CA	4,030,968	96	Yuba County Water Agency	CA	1,508,739
47	Minnesota Municipal Power Agency	MN	3,981,982	97	Muscatine Power & Water	IA	1,487,599
48	Lincoln Electric System	NE	3,873,043	98	Jonesboro City Water & Light	AR	1,487,181
49	Illinois Municipal Electric Agency	IL	3,710,581	99	Pend Oreille County, Public Utility District No. 1 of	WA	1,483,249
50	IID Energy	CA	3,703,098	100	Fort Collins Utilities	CO	1,459,862

PUBLIC POWER DATA BY STATE AND TERRITORY, 2024

Source: Energy Information Administration Forms EIA-861 and EIA-861S, 2024.

State/Territory	Public Power Utilities	Ultimate Customers	Sales to Ultimate Customers (MWh)	Revenue from Sales to Ultimate Customers (In thousands of dollars)	Generation (MWh)
Alabama	37	631,170	17,440,698	1,864,065	40,381.0
Alaska	34	28,757	578,819	120,509	271,814.0
American Samoa	1	12,684	168,067	69,100	189,367.0
Arizona	29	1,290,447	37,167,845	4,288,874	32,749,104.0
Arkansas	15	216,625	6,165,475	542,295	1,432,716.0
California	59	3,450,403	61,736,411	11,885,963	56,456,476.0
Colorado	30	508,732	9,040,309	1,032,876	4,982,085.0
Connecticut	9	76,656	1,735,223	269,598	3,350.0
Delaware	9	77,096	2,058,144	283,129	15,237.0
Florida	33	1,613,934	38,394,582	4,364,561	33,156,397.0
Georgia	53	360,970	16,806,079	1,480,854	13,598,717.0
Guam	1	53,559	1,556,351	542,778	1,655,806.0
Idaho	11	52,414	1,285,111	100,117	238,124.0
Illinois	42	280,479	6,262,458	768,519	3,671,954.0
Indiana	73	271,133	7,591,581	871,065	3,530,046.0
Iowa	134	221,947	5,791,651	540,109	1,065,399.0
Kansas	118	245,064	7,197,625	758,200	999,153.0
Kentucky	29	216,595	5,992,195	644,841	59,737.0
Louisiana	24	171,695	4,900,640	453,718	1,239,096.0
Maine	5	17,276	238,510	29,460	-
Maryland	5	35,402	696,191	69,428	-1,779.0
Massachusetts	43	427,140	7,276,007	1,211,293	2,226,387.0
Michigan	42	319,101	7,315,032	941,227	3,626,689.0
Minnesota	125	404,174	9,677,210	1,119,963	4,795,613.0
Mississippi	24	137,350	3,591,232	386,525	-
Missouri	85	455,559	10,668,611	1,186,075	7,505,217.0
Montana	1	1,058	16,768	1,359	-
Nebraska	143	1,106,571	34,204,078	3,082,185	24,901,814.0
Nevada	7	35,420	825,314	94,572	-
New Hampshire	5	12,788	189,916	30,175	-
New Jersey	9	64,433	1,198,029	187,911	136,829.0
New Mexico	7	87,260	1,848,876	210,939	463,290.0
New York	51	1,328,975	22,165,487	4,379,111	29,339,694.0
North Carolina	74	673,475	16,466,327	1,779,460	7,153,123.0
North Dakota	12	11,327	303,445	25,203	-
Northern Mariana Islands	1	17,555	275,901	58,653	189,341.0
Ohio	86	395,580	9,827,768	1,127,531	8,919,432.0
Oklahoma	63	212,817	8,581,649	684,185	8,284,391.0
Oregon	18	325,387	9,868,942	830,218	386,797.0
Pennsylvania	36	87,070	1,601,961	227,799	33,439.0
Puerto Rico	1	1,511,847	17,229,804	4,066,804	12,531,348.0
Rhode Island	1	4,984	55,101	9,209	-
South Carolina	23	421,214	14,159,169	1,245,050	22,709,707.0
South Dakota	36	64,776	1,584,278	154,495	-
Tennessee	60	2,443,584	66,796,017	7,503,632	-
Texas	77	2,191,947	57,217,813	6,243,095	51,262,365.0
Utah	43	305,907	5,833,734	613,231	8,551,816.0
Vermont	15	59,759	767,410	133,616	166,983.0
Virgin Islands	1	54,457	624,446	240,004	654,170.0
Virginia	17	166,511	4,201,613	498,185	8,895.0
Washington	42	1,958,841	50,548,719	4,391,171	38,134,122.0
West Virginia	2	4,191	60,275	7,430	-
Wisconsin	83	310,132	7,477,059	764,859	1,570,600.0
Wyoming	14	38,153	654,326	77,560	183,222.0
TOTAL	1,998	25,472,381	605,916,282	74,492,783	389,088,464

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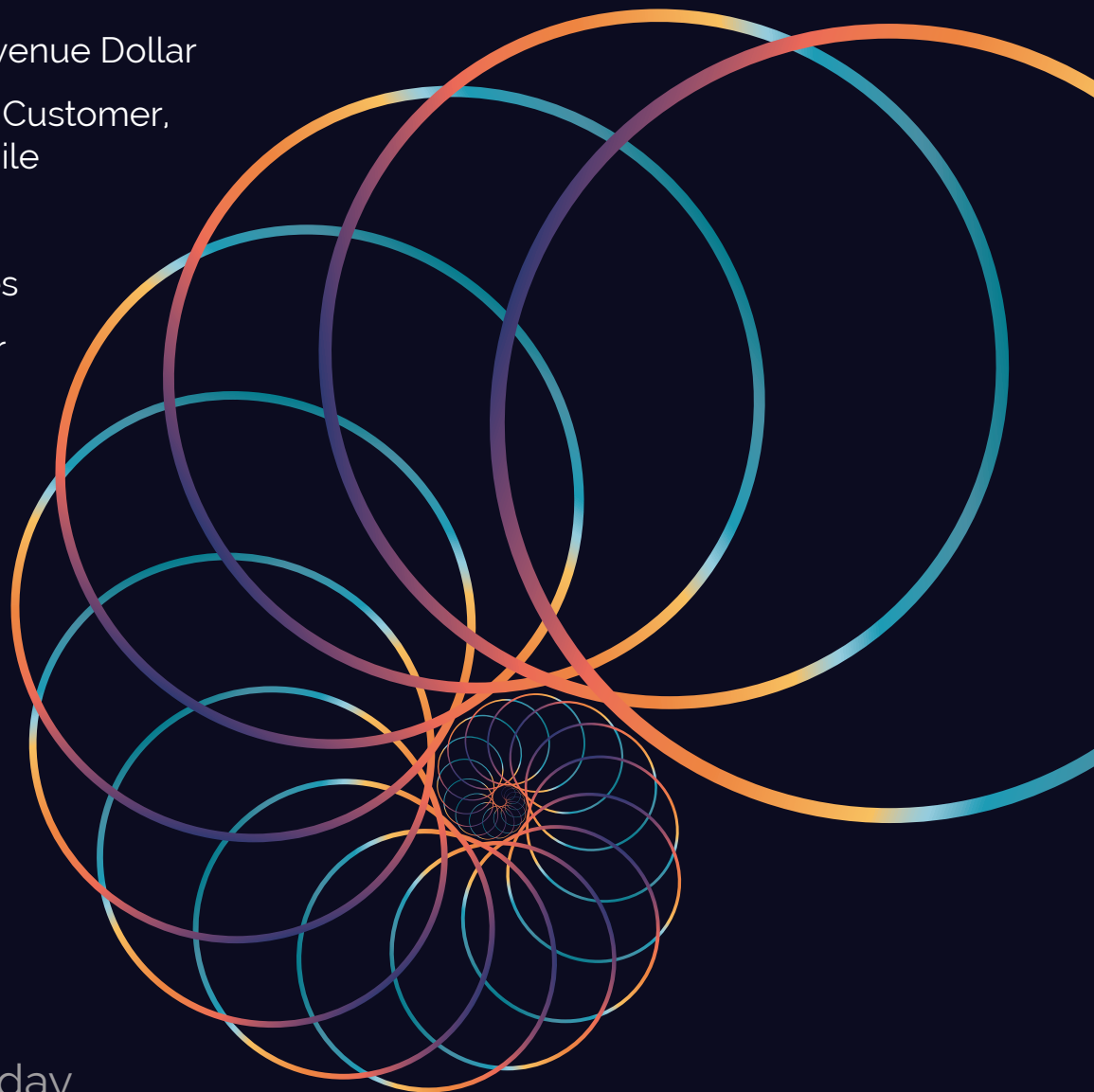
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RESIDENTIAL SERVICE CHARGES

This family of indicators allows utilities to compare the residential charges for water, wastewater, or stormwater services based on either a defined quantity of water use or an average residential bill. Utilities report their billed amounts per the following criteria:

For residential water service (5/8 in. or 3/4 m):

- Amount billed for 7,500 gal/month (1,000 ft³ = 7,480 gal)
- Average residential water bill amount for one month of service

For residential wastewater service:

- Amount billed for wastewater service using 7,500 gal/month
- Average residential wastewater bill amount for one month of service
- Average monthly usage

For residential stormwater service:

- Amount billed for typical residential customer, including any surcharges and taxes

For combined utilities that could not segregate individual water or wastewater service costs:

- Total monthly bill amount for residential water and wastewater service for a customer using 7,500 gal/month
- Average residential combined water and wastewater bill for one month of service

Respondents included any additional costs added to the bill for residential service, such as taxes, fees, and/or surcharges. If billing were quarterly, utilities calculated the fee for 22,500 gal and divided by three. If there were more than one rate zone, utilities were instructed to calculate the weighted average of charges for all zones.

Tables 3-4A through 3-4G present aggregate data by service type for the residential cost of water, wastewater, or stormwater service performance indicators as collected in the FY24 dataset. From the perspective of full-cost pricing, this is a set of indicators in which the designation of “top” and “bottom” quartiles is subjective based on utility priorities.

Water Service

Table 3-4A Aggregate data for residential water service charges—amount billed for 7,500 gal/month

	75th percentile	Median	25th percentile	Sample size
Water utilities	\$35.46	\$51.77	\$63.55	44
Combined utilities—water operations	\$39.41	\$48.87	\$63.86	92

**Table 3-4B Aggregate data for residential water service charges—
average residential water bill amount for one month of service**

	75th percentile	Median	25th percentile	Sample size
Water utilities	\$29.07	\$44.00	\$61.25	42
Combined utilities—water operations	\$28.78	\$39.44	\$53.43	85

Table 3-4C Aggregate data for residential water service charges—average monthly usage (gal)

	75th percentile	Median	25th percentile	Sample size
Water utilities	4,000	5,236	7,472	43
Combined utilities—water operations	4,363	5,000	7,000	85

Wastewater Service

Table 3-4D Aggregate data for residential wastewater service charges—amount billed for 7,500 gal/month

	75th percentile	Median	25th percentile	Sample size
Wastewater utilities	\$52.45	\$61.91	\$90.88	10
Combined utilities—wastewater operations	\$49.22	\$65.53	\$81.08	92

**Table 3-4E Aggregate data for residential wastewater service charges—
average residential wastewater bill amount for one month of service**

	75th percentile	Median	25th percentile	Sample size
Wastewater utilities	\$37.45	\$45.41	\$61.58	10
Combined utilities—wastewater operations	\$32.78	\$43.83	\$57.80	86

Table 3-4F Aggregate data for residential wastewater service charges—average monthly usage (gal)

	75th percentile	Median	25th percentile	Sample size
Wastewater utilities	4,189	4,488	5,236	9
Combined utilities—wastewater operations	3,655	4,500	5,245	84

Stormwater Service

Table 3-4G Aggregate data for residential stormwater service charges—average residential bill amount for one month of service

	Top quartile	Median	Bottom quartile	Sample size
Wastewater utilities—stormwater operations	NA	NA	NA	3
Combined utilities—stormwater operations	\$5.95	\$7.52	\$11.28	39



County of Los Alamos

Los Alamos, NM 87544
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Staff Report

June 17, 2026

Agenda No.:	7.b.
Index (Council Goals):	Quality Excellence - Effective, Efficient, and Reliable Services; Quality Governance - Fiscal Stewardship; DPU FY26 - 1.0 Provide Safe and Reliable Utility Services; DPU FY26 - 2.0 Achieve and Maintain Excellence in Financial Performance
Presenters:	Joann Gentry, Deputy Utility Manager-Finance & Admin.
Legislative File:	21808-26

Title

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

Recommended Action

I move that the Board of Public Utilities direct the Utilities Manager to bring a one year gas services rate increase, LAC Code Ordinance 02-385 as presented on July 22, 2026.

Utilities Manager's Recommendation

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

Body

On June 9, 2026 Council Council rejected the proposed two year gas service recommended by BPU. The Council Chair directed the the Utilities Manager to get back with BPU for a one year recommendation on a gas service rate increase. At this same meeting, County Council considered and recommended to the County Manager to draft an ordinance to amend the Utilities Charter section to remove profit transfer paragraph. Once this ordinance is adopted, this change will go to this November's election and depending on the outcome of the election it could change how DPU recommends gas and electric rates. Therefore, there is a reason to proceed with a one year rate increase for gas services.

In addition, Council ask to pull together more information that would support the recommended rate increase. A recent budget-to-actual analysis was completed through May 2026. FY2026 sales revenue is projected at \$5.6 million, with a net loss of about \$760,000. Based on the U.S. Energy Information Administration (eia.gov), the average cost of gas in calendar year 2025 for the State of New Mexico was \$1.15 per therm delivered to residential customers.

Alternatives

As noted above, rate increases will be necessary to support essential operations, infrastructure replacement, and the restoration of cash reserves. Without taking action, DPU would be forced to curtail maintenance and replacement activities, which would ultimately impact system reliability.

Attachments

- A - LAC Code Ordinance 02-385 - Gas Rates
- B - Gas Rate Ordinance Presentation

INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE NO. 02-385

AN ORDINANCE AMENDING CHAPTER 40, ARTICLE III, SECTIONS 40-151 AND 40-152 OF THE CODE OF THE INCORPORATED COUNTY OF LOS ALAMOS PERTAINING TO THE NATURAL GAS SERVICE RATE SCHEDULE

WHEREAS, the Incorporated County of Los Alamos ("County") is an incorporated county of the State of New Mexico as provided in Article 10, Section 5, of the New Mexico Constitution; and

WHEREAS, pursuant to the County Charter, Section 500, there is a Department of Public Utilities ("Department") charged with the duty to operate County owned electric, gas, water and sewer systems; and

WHEREAS, pursuant to the County Charter, Section 502, the Department head shall be known as the "Utilities Manager" who shall conduct the business of the Department subject to the policies established by the Board of Public Utilities ("BPU"); and

WHEREAS, pursuant to the County Charter, Section 504, the Department's utility systems shall be operated on a compensatory basis, and the utility rates and charges shall be just, reasonable, and comparable to those in neighboring communities, and shall be uniform for all consumers of the same class; and

WHEREAS, the Department Utilities Manager has determined the current gas utility rates will not meet the requirement for the gas utility to operate on a compensatory basis unless the gas rates are increased to cover the projected revenue requirements adopted in the Department's fiscal year 2027 budget and fiscal year 2028 projections; and

WHEREAS, pursuant to County Charter, Section 203.1(d), any change in County utility rates shall be by ordinance; and

WHEREAS, pursuant to Section 4.6(a) of the *Board of Public Utilities Procedural Rules* (ed. 09/18/2024), the Utilities Manager is responsible for preparing and presenting proposed utility rate ordinances to the BPU; and

WHEREAS, pursuant to County Charter, Section 504, the rates to be paid by consumers for utility services shall be proposed by the BPU, to the County Council, and shall become effective on the date of adoption by the County Council; and

WHEREAS, pursuant to Section 4.6(b) of the *Board of Public Utilities Procedural Rules*, the Utilities Manager shall introduce a draft of the proposed gas rate increase ordinance to the BPU and present the budget and operational reasons for the proposed increase to the BPU at a public meeting, prior to a final public hearing on the proposed increase to the natural gas rate ordinance; and

WHEREAS, pursuant to Section 4.6(b) of the *Board of Public Utilities Procedural Rules*, a revised rate ordinance presented to the BPU after rejection of the original rate ordinance by the County Council need not be submitted in advance of the public hearing but may be acted upon by the BPU when submitted; and

WHEREAS, the final proposed gas rate ordinance is a revision of a proposed gas rate ordinance (No. 02-379) that was rejected by the County Council at its June 9, 2026, Regular Meeting; and

WHEREAS, the Utilities Manager presented the final proposed increased gas rate ordinance to the BPU on July 22, 2026, for a public hearing; and

WHEREAS, on July 22, 2026, the BPU approved the final proposed increased gas rate ordinance and recommended forwarding it to the County Council; and

WHEREAS, on August 4, 2026, the County Council, pursuant to County Charter, Section 203.2.1 introduced the proposed gas rate ordinance; and

WHEREAS, on August 25, 2026, the County Council, pursuant to County Charter, Section 203.2.2 held a public hearing on the proposed increase to the natural gas rate ordinance; and

WHEREAS, the natural gas rate schedule shall be amended as follows, with strike through-text deleted and underline-text added.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE INCORPORATED COUNTY OF LOS ALAMOS:

Section 1. Section 151 of Chapter 40 of the Code of the Incorporated County of Los Alamos is hereby amended as follows:

Sec. 40-151. - Gas rate schedules 7A and 7E.

- (a) *Residential service schedule 7A.* The residential rate applies to customers in a single dwelling or in a single dwelling unit of a multiple dwelling or apartment for domestic purposes only.
- (b) *General commercial and industrial service schedule 7E.* The commercial and industrial rate applies to customers for use in or in connection with any commercial, business or industrial activities, including multiple dwelling units where service for more than one unit is taken through a master meter, and to other customers not otherwise specifically falling within another class.
- (c) *Service charge.*
 - (1) Per meter rated 250 CFH or less: [~~\$11.08 per month after September 30, 2023; \$13.00 per month after September 30, 2024; \$14.25 per month after September 30, 2025;~~] \$15.53 per month after August 31, 2026.
 - (2) Per meter rated more than 250 CFH: [~~\$33.24 per month after September 30, 2023; \$39.00 per month after September 30, 2024; \$41.25 per month after September 30, 2025;~~] \$44.96 per month after August 31, 2026.
- (d) *Gas consumption charge.* (One therm is equal to 100,000 British Thermal Units (BTU))
 - (1) The gas consumption charge for schedules 7A and 7E shall be made up of two components: fixed cost recovery, and a variable cost of gas component.
 - i. The fixed cost recovery shall be [~~\$0.27] \$0.48 per therm [(one therm is equal to 100,000 British Thermal Units (BTU)) after September 30, 2023; \$0.32 after September 30, 2024; \$0.34 after September 30, 2025.] after August 31, 2026.~~
 - ii. The variable cost of gas rate shall be calculated each month based on the projected cost of gas for the billing month plus an adjustment for any prior over or under collection for gas purchases and/or gas transportation costs, provided, however that the variable cost of gas rate shall not be lower than \$0.11 per therm per month.

- (2) The projected cost of gas shall be at the rate as stated on the San Juan Index or any recognized index that may replace the San Juan Index.
- (3) Should the variable cost of gas exceed \$4.00 per therm, the billed rate to consumers shall not reflect the cost of gas over that amount until the rate is approved by an ordinance of the council.

Section 2. Section 152 of Chapter 40 of the Code of the Incorporated County of Los Alamos is hereby amended as follows:

Sec. 40-152. - Gas rate schedules 7L and 7N.

(a) Applicability.

- (1) *Schedule 7L:* Interdepartmental service—Incorporated County of Los Alamos.
- (2) *Schedule 7N:* Schools service—Los Alamos Public Schools.

(b) Service charge.

- (1) Per meter rated 250 CFH or less: [~~\$11.08 per month after September 30, 2023; \$13.00 per month after September 30, 2024; \$14.25 per month after September 30, 2025;~~] \$15.53 per month after August 31, 2026.
- (2) Per meter rated more than 250 CFH: [~~\$33.24 per month after September 30, 2023; \$39.00 per month after September 30, 2024; \$41.25 per month after September 30, 2025;~~] \$44.96 per month after August 31, 2026.

(c) Gas consumption charge. (One therm is equal to 100,000 British Thermal Units (BTU))

- (1) The gas consumption charge for schedules 7L and 7N shall be made up of ~~three~~ two components: fixed cost recovery, and a variable cost of gas component. [~~and an extraordinary gas cost recovery fee.~~]
 - i. The fixed cost recovery shall be [~~\$0.24~~] \$0.43 per therm [~~(one therm is equal to 100,000 British Thermal Units (BTU)) after September 30, 2023; \$0.28 after September 30, 2024; \$0.30 after September 30, 2025;~~] after August 31, 2026.
 - ii. The variable cost of gas rate shall be calculated each month based on the projected cost of gas for the billing month plus an adjustment for any prior over or under collection for gas purchases and/or gas transportation costs, provided, however that the variable cost of gas rate shall not be lower than \$0.11 per therm per month.
- (2) The projected cost of gas shall be at the rate as stated on the San Juan Index or any recognized index that may replace the San Juan Index.
- (3) Should the variable cost of gas exceed \$4.00 per therm the billed rate to consumers shall not reflect the cost of gas over that amount until the rate is approved by an ordinance of the Council.

Section 3. Effective Date. This ordinance shall become effective upon adoption with the amended gas ordinance being applied for all billings on or after August 31, 2026.

Section 4. 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 5. **Repealer.** All ordinance 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.

ADOPTED this 25th day of August 2026.

**COUNCIL OF THE INCORPORATED
COUNTY OF LOS ALAMOS**

**Randall T. Ryti,
Council Chair**

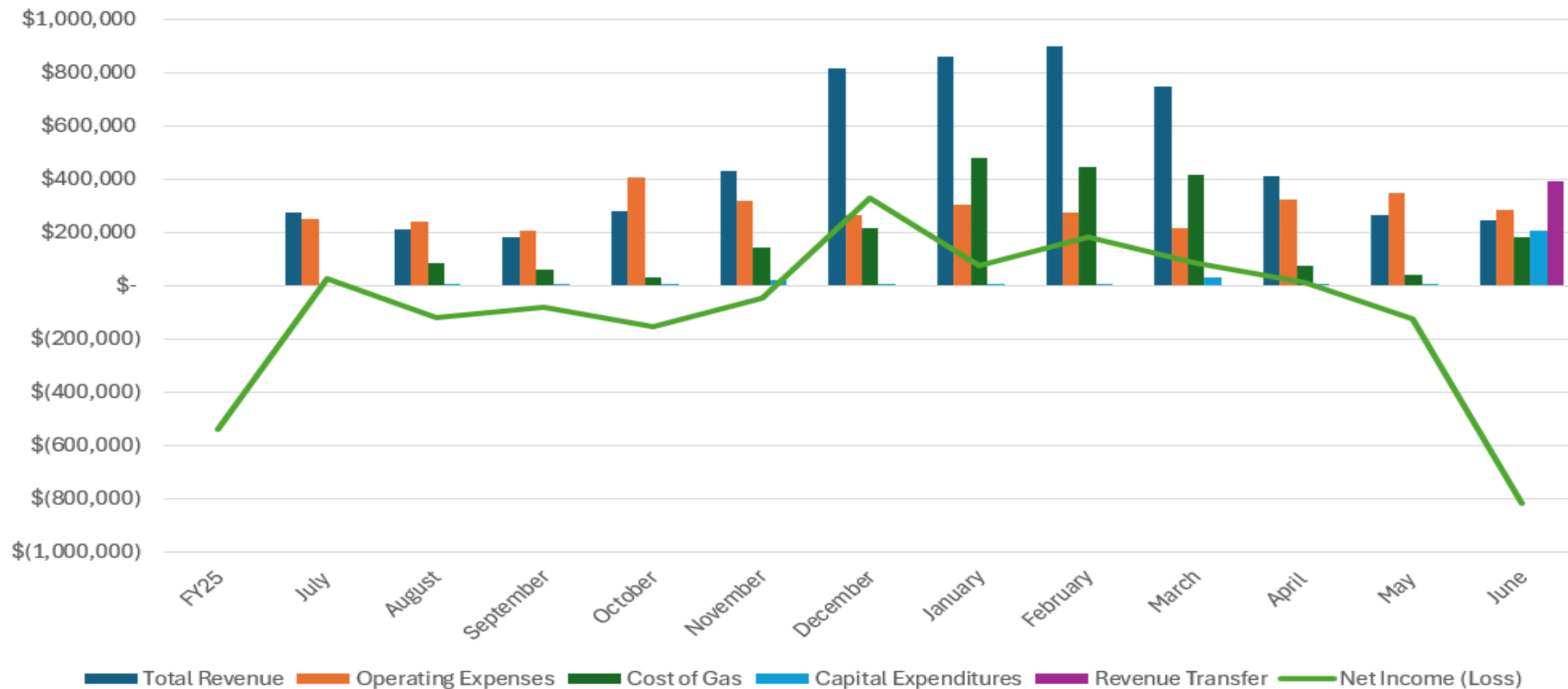
ATTEST:

**Michael D. Redondo,
Los Alamos County Clerk**

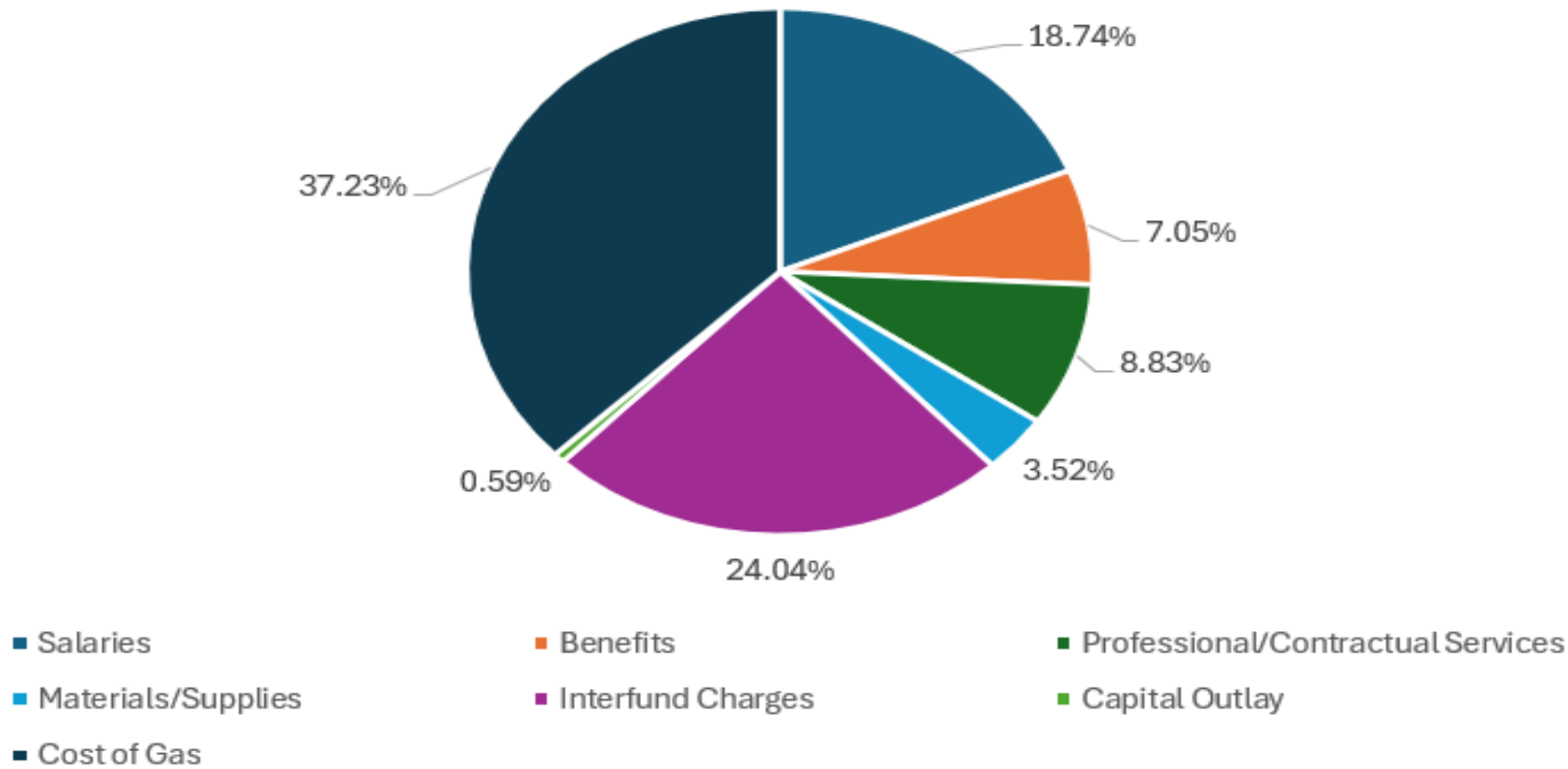
Gas

Incorporated County of Los Alamos Code Ordinance 02-379

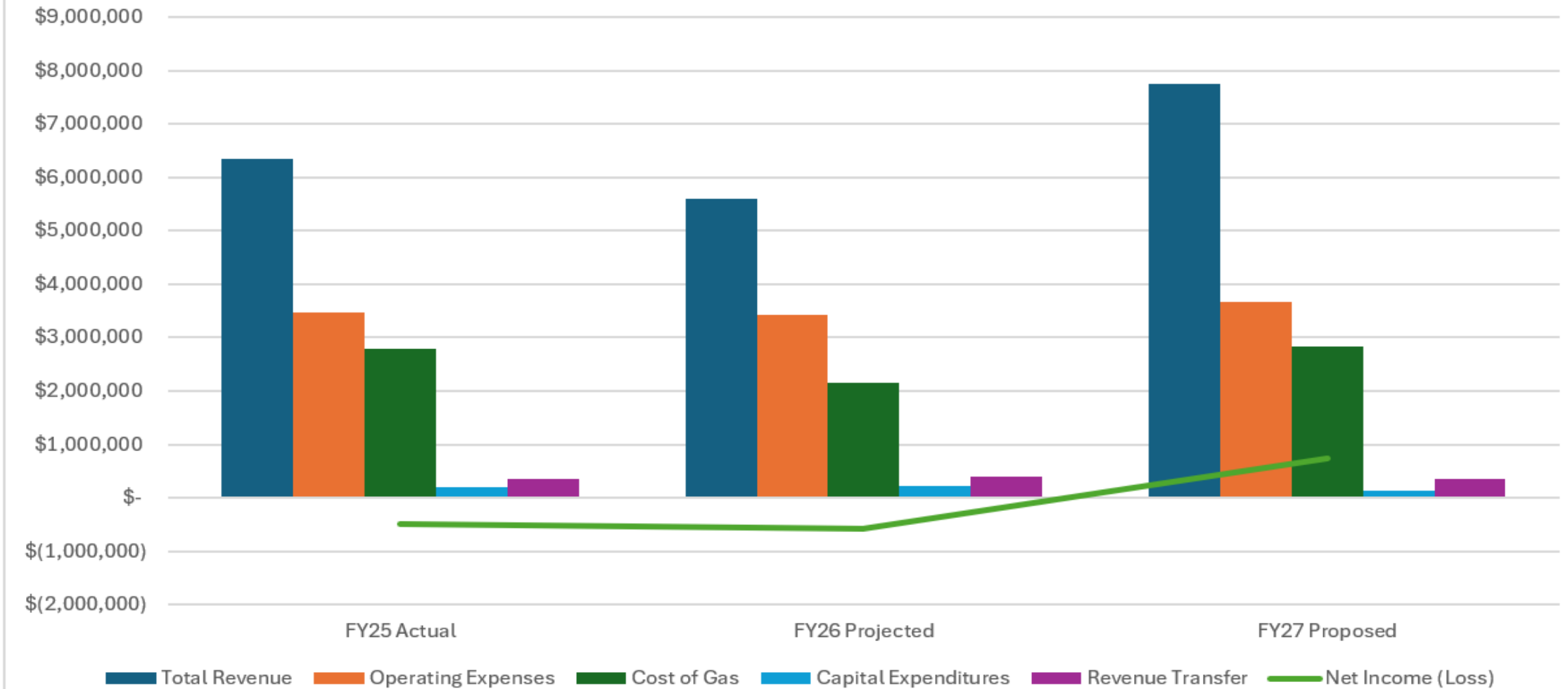
FY2026 Gas Fund



FY2026 Gas Fund Expenditures by Type

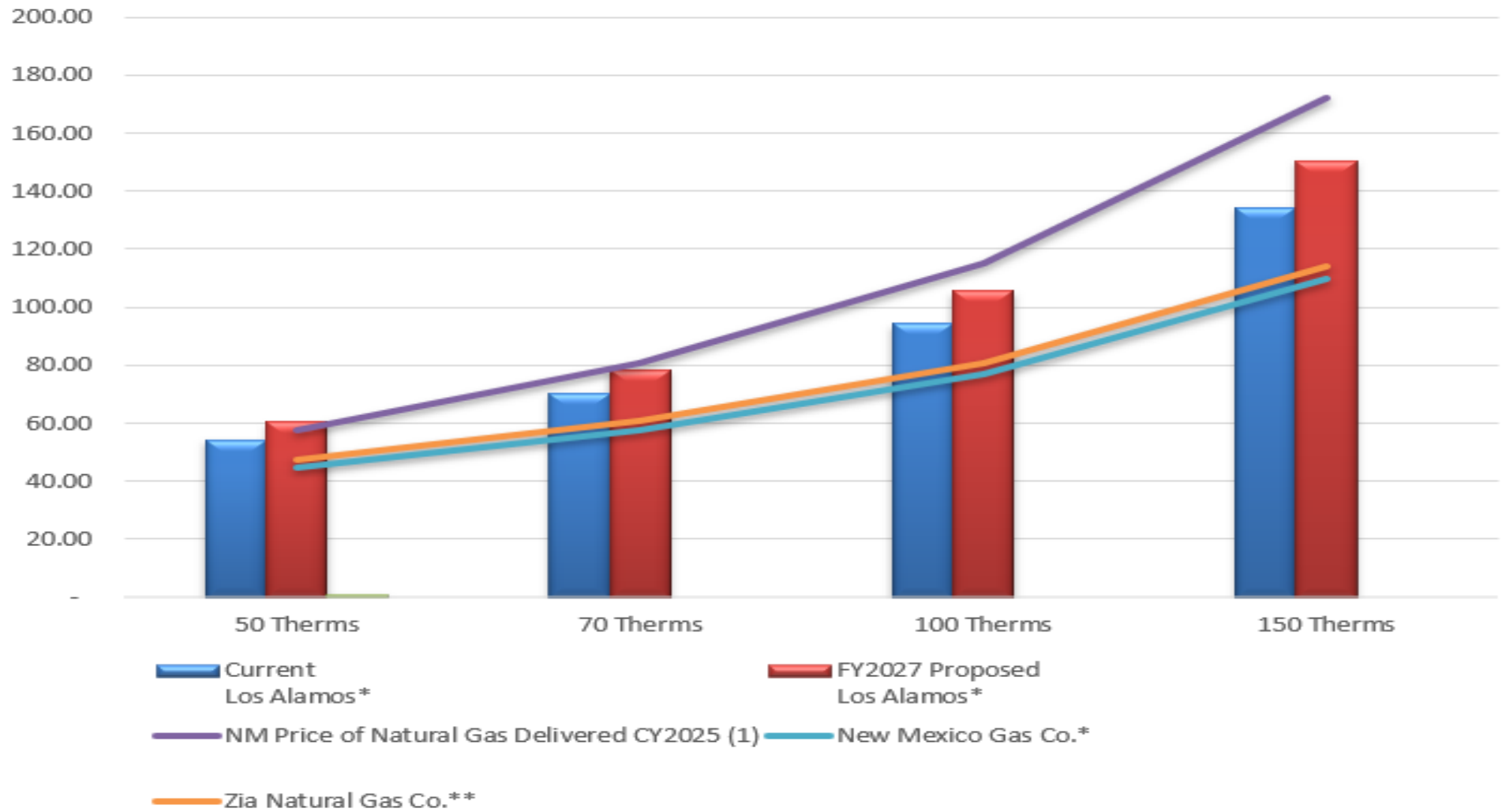


Gas Fund FY2025-FY2027



FY 2027 Projections is a 5-year average of 6,800,000 therms sold

NM Communities Residential Gas Rate Comparison



Questions?





County of Los Alamos

Staff Report

June 17, 2026

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: 7.c.

Index (Council Goals): Quality Excellence - Effective, Efficient, and Reliable Services; DPU FY26 - 1.0 Provide Safe and Reliable Utility Services

Presenters: Dennis Astley, Deputy Utility Manager-Electric Distribution

Legislative File: 21508-26

Title

Electric Distribution Undergrounding Discussion

Body

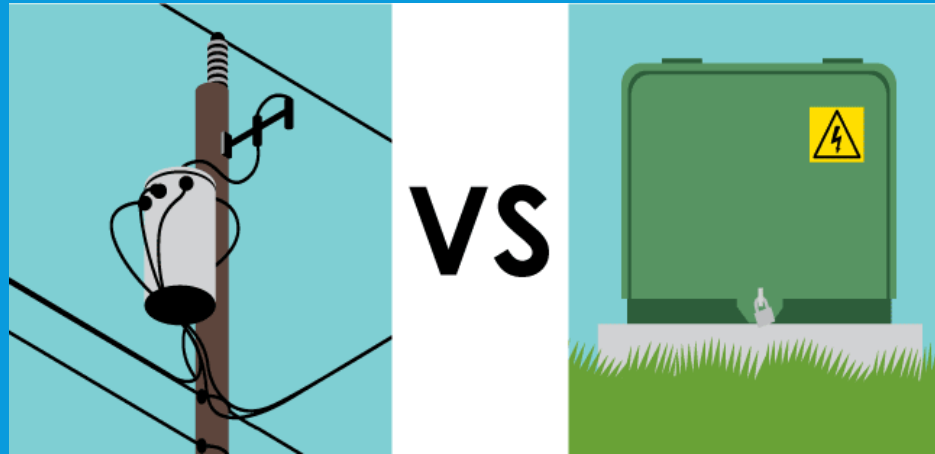
Chair Gibson requested that Dennis Astley, Deputy Utility Manager - Electric Distribution present to the Board on Undergrounding of Overhead Infrastructure Utilities.

Attachments

A - ED Undergrounding Presentation

LOS ALAMOS DEPARTMENT OF PUBLIC UTILITIES

Undergrounding of Overhead Infrastructure Utilities



ELECTRIFICATION STUDY

Scenario	2040 Model Year			2055 Model Year - Incremental Costs			Total Scenario Cost
	System Improvement Costs	Asset Replacement Costs	Total Financial Impact	System Improvement Costs	Asset Replacement Costs	Total Financial Impact	
Scenario 1	\$53.7M	\$119.8M	\$173.4M	\$14.1M	\$94.6M	\$108.7M	\$282.1M
Scenario 2	\$38.1M	\$125.3M	\$163.4M	\$15.1M	\$86.1M	\$101.3M	\$264.6M
Scenario 3	\$27.6M	\$125.3M	\$152.9M	\$8.3M	\$82.9M	\$91.2M	\$244.1M

The asset replacement costs are for the aging infrastructure and predominately caused by the older, direct buried cable and aging padmounted switches. These costs, except for the EA4 line, are independent of the costs that would be incurred by undergrounding the lines. The required transformer replacements for additional load would be included in the System Improvement Costs.

BENEFITS OF UNDERGROUND POWER LINES

- Aesthetics
- Less susceptible to weather conditions
- Less likely to have accidental contact
- No tree trimming required
- No pole inspection required

DISADVANTAGES TO UNDERGROUND POWER LINES



- Considerably more expensive to install
- Faults are more difficult to locate
- Faults are more difficult to repair
- Outages last longer due to difficulty to locate and repair
- Excavation for installation and repair can disrupt property
- Modification of the lines is more difficult to accomplish

WHITE ROCK

- White Rock has 25.5 miles of Overhead power line
- White Rock has 8.8 miles of Overhead single phase
- White Rock has 16.7 miles of 2 or 3 phase Overhead
- White Rock has 325 overhead secondary services



TOWNSITE

- Townsite has 44.84 miles of Overhead Power Line
- Townsite has 17.1 miles of Overhead Single Phase
- Townsite has 27.7 miles of Overhead 2 or 3 phase line
- Townsite has 1,647 Overhead Services

BIXBY BID

- Mobilization \$98,100
- Trenching \$21/ft
- 4" conduit \$13.80/ft
- Rock \$56.60/ft
- This bid came to \$117 per foot plus rock – excluding communications equipment
- This is only conduit installation and does not include transformers or conductor

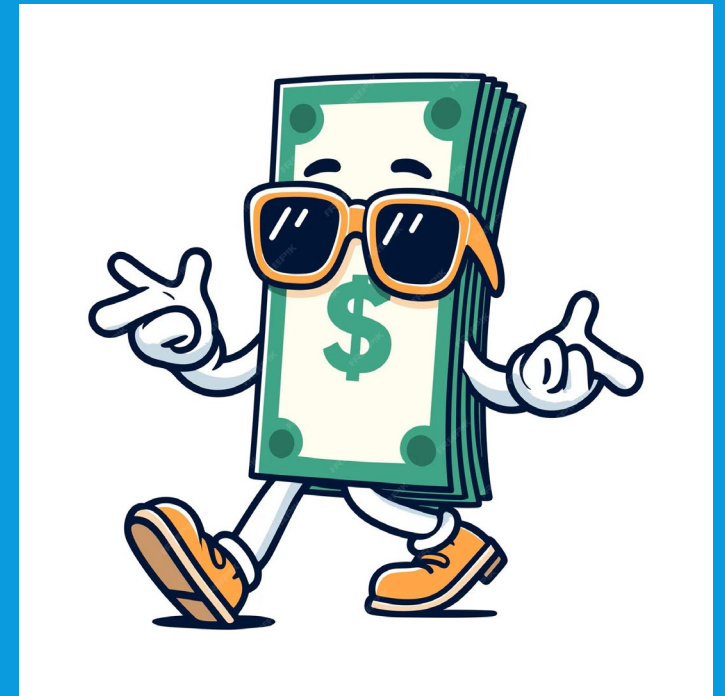
APPLYING AVERAGE COSTS FOR WHITE ROCK

- Install Conduit - \$617,760
- Rock Adder - \$298,848
- Conductor Cost - \$21,120
- Transformers at 23/mile - \$74,290
- Labor to install conductor - \$20,000
- Labor to install transformers - \$50,000
- Labor to retire OH line - \$15,000 (Higher for backyard line)



APPLYING AVERAGE COST FOR TOWNSITE

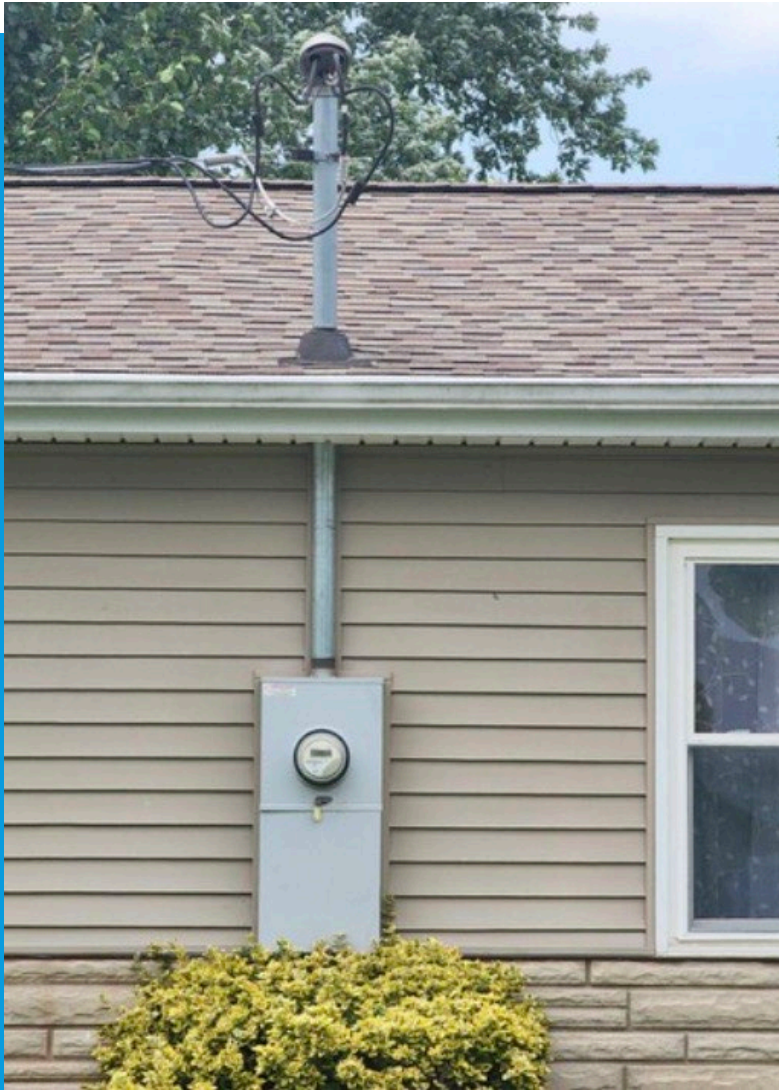
- Install Conduit - \$617,760
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- Transformers at 23/mile - \$74,290
- Labor to install conductor - \$20,000
- Labor to install transformers - \$50,000
- Labor to retire OH line - \$15,000 (Higher for backyard line)



SECONDARY SERVICES

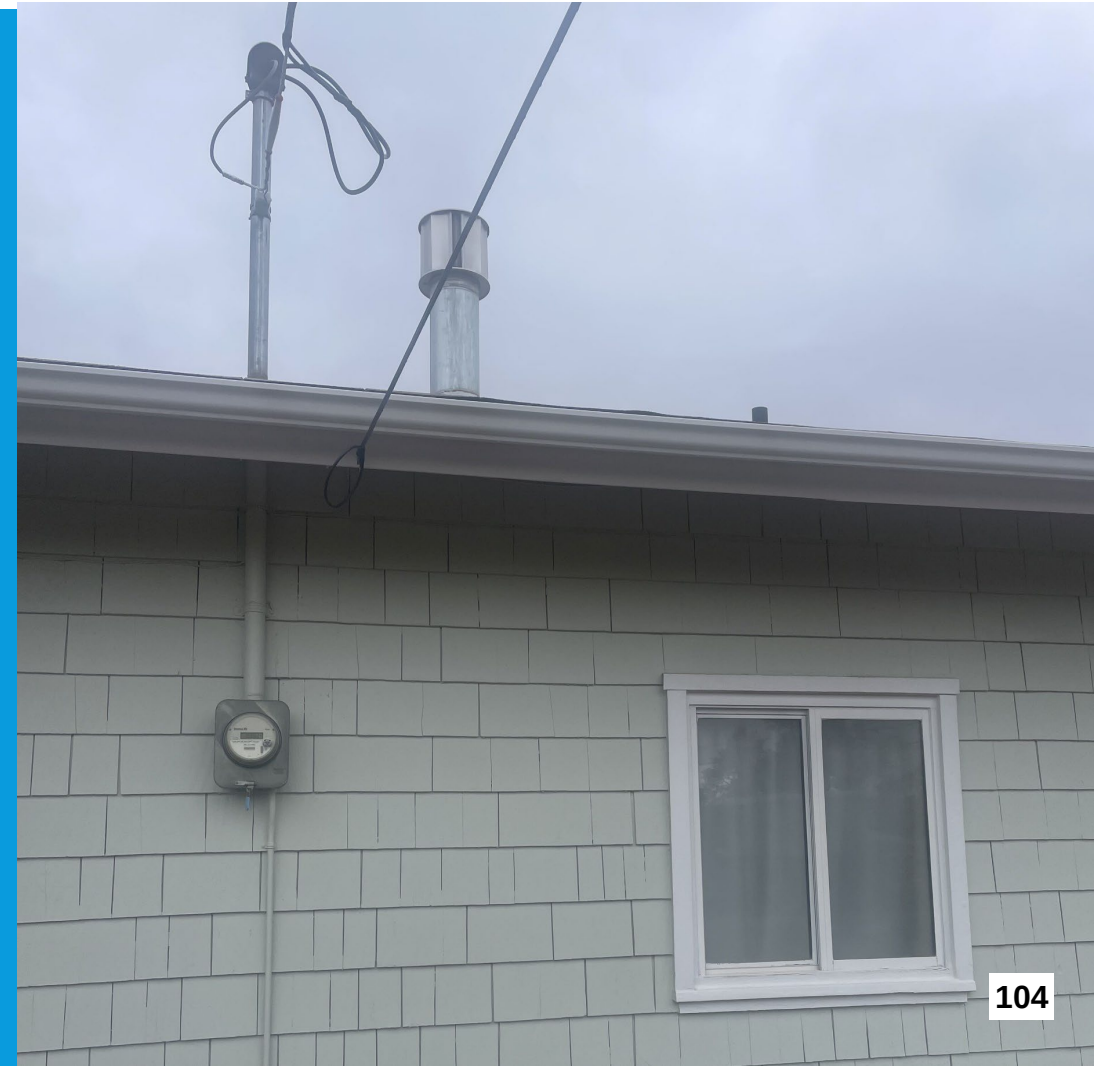
- There are 325 overhead secondary services in White Rock
- There are 1647 overhead secondary services in Townsite
- The electrification study estimated \$6,000 - \$10,000 to upgrade secondary services for homes
- For many overhead services upgrades, a total electrical upgrade to 200 Amperes would be necessary

OVERHEAD AND UNDERGROUND SECONDARY



SPECIAL CASES

- This service does not have a disconnect panel outside and will require a total electrical upgrade.
- The age of this install suggests there may be many more electrical upgrades that would be called for.



ESTIMATED COSTS

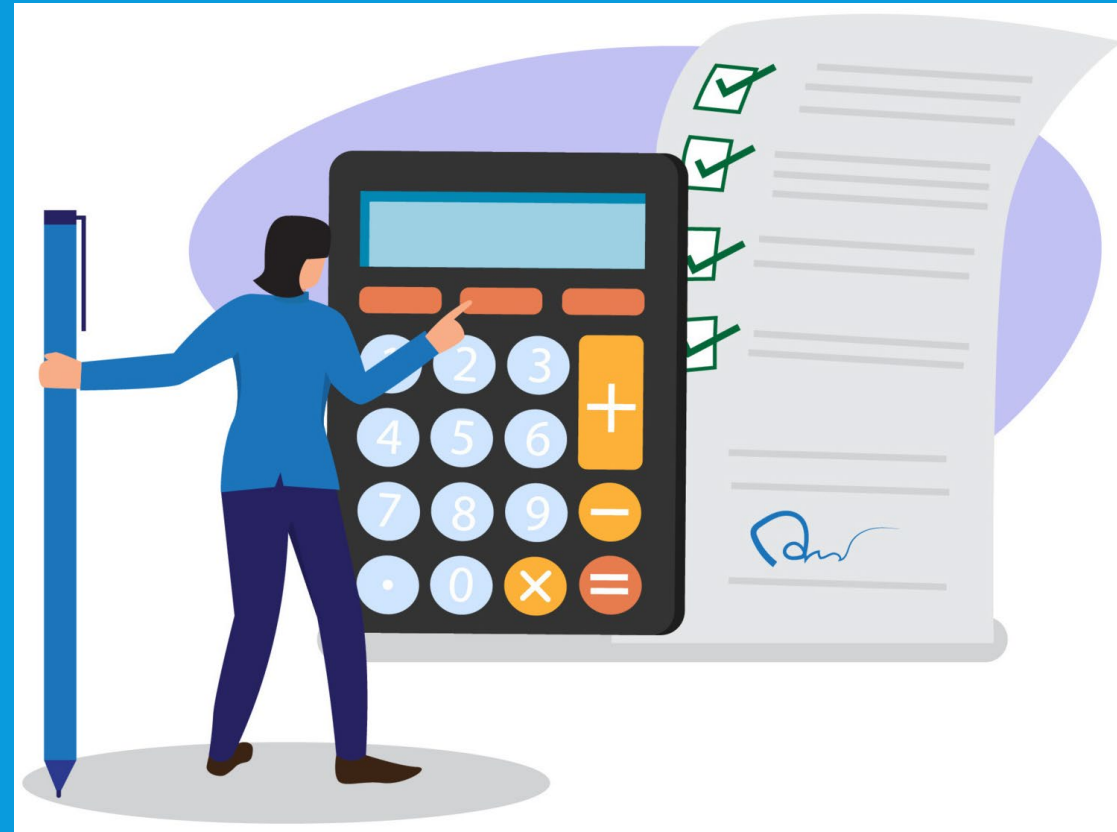
- White Rock Primary - \$1,097,018 per mile
- White Rock Secondary - \$2,600,000
- Townsite Primary - \$798,170 per mile
- Townsite Secondary - \$13,176,000



ESTIMATED COSTS

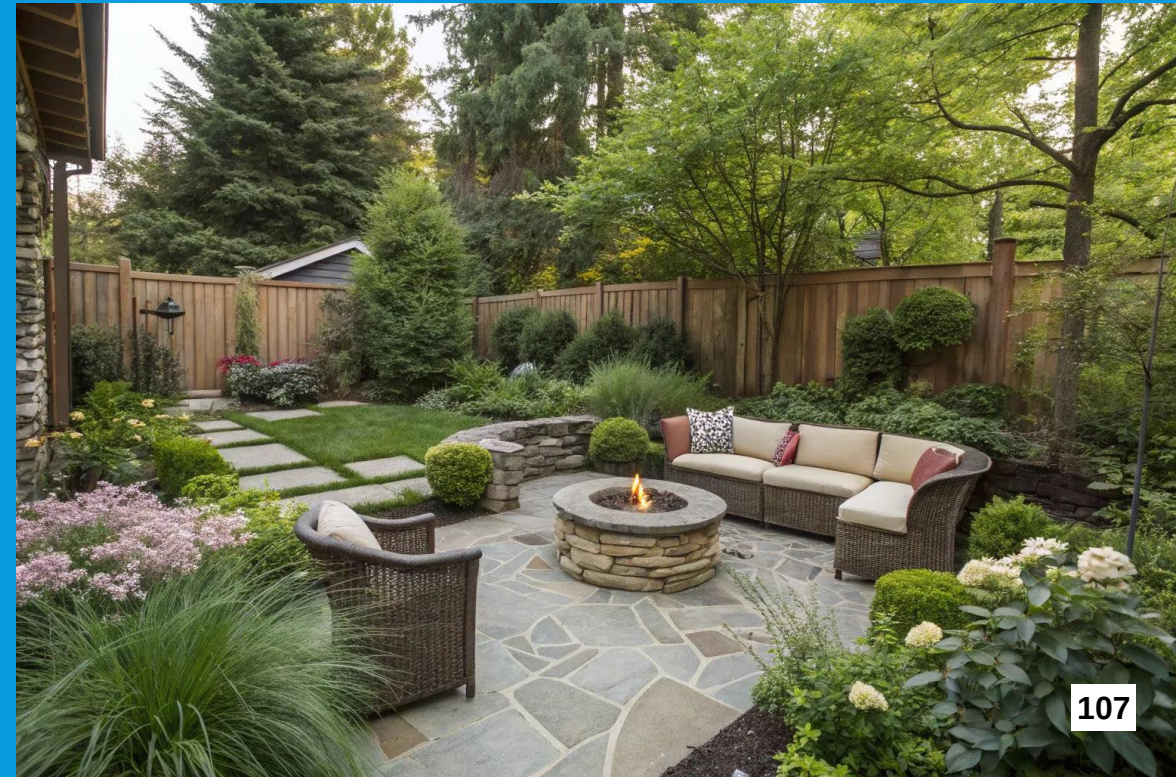
- WR Primary $1,097,018 * 25.5 = \$27,973,959$
- WR Secondary $325 * 8,000 = \$2,600,000$
- Townsite Primary $798,170 * 44.84 = \$35,789,942.80$
- Townsite Secondary $1,647 * 8,000 = \$13,176,000$

- Total Estimate $\$79,539,901.80$



ADDITIONAL CONSIDERATION

- If we underground line that is currently in the back yards, do we put the cable in the existing easement or along the street
- If we move streetside, most of the service entrances are at the rear of the home
- If we bury along the easement, we trench or bore in the back yards with fences, gardens and sheds as obstacles



ADDITIONAL CONSIDERATION

- Will Lumen agree to bury their service wires since landline telephone is losing customers
- Will Comcast agree to bury their service wires with so much video shifting to streaming video
- County fiber to the premise will be taking broadband customers from Lumen and Comcast making their return less profitable to support the cost of undergrounding their existing service

LUMEN[®]


COMCAST

LUMEN AND COMCAST DID NOT BURY



EQUIPMENT FOR TRENCHING IN ROCK



COST FOR OUR OWN TRENCHING CREW

- Excavator - \$200,000 for minimum 28 gal/min at 300 PSI
- Rock Head - \$35,000
- Service Truck - \$120,000
- Foreman
- Equipment Operator
- Crew (2)
- With benefits, the 4 person team is about \$1,800/day

ESTIMATED PRODUCTIVITY PER YEAR

- With vacation, sick leave, training, holidays there will be about 9 weeks of non-productive days per year
- Assume 200 feet of conduit per day – trench, lay, and cover
- Assume 500 feet of single phase cable in conduit per day
- 37 working days to lay conduit on Piedra Loop
- The Bixby bid (\$984,115) was low bid while the high bid was about \$3.5 M

PIEDRA LOOP COMPARISON

Description	Unit	quantity	Bixby	Extended	LAC	Extended
Mobilization			\$ 98,100.00			
Trenching	LF	7235	\$ 21.00	\$ 151,935.00		\$ 65,115.00
3 inch PVC	Ea	135	\$ 10.90	\$ 1,471.50	\$ 0.47	\$ 63.45
3 inch Elbow	Ea	6	\$ 688.80	\$ 4,132.80	\$ 38.85	\$ 233.10
4 inch PVC	LF	14623	\$ 13.80	\$ 201,797.40	\$ 0.56	\$ 8,188.88
4 " Galv 90	Ea	148	\$ 1,554.90	\$ 230,125.20	\$ 135.00	\$ 19,980.00
4" Galv 45	Ea	6	\$ 614.20	\$ 3,685.20	\$ 400.00	\$ 2,400.00
4" coupling	Ea	100	\$ 336.40	\$ 33,640.00	\$ 6.42	\$ 642.00
4" Slip to Thread	Ea	293	\$ 31.90	\$ 9,346.70	\$ 7.92	\$ 2,320.56
4" PVC Cap	Ea	14	\$ 296.90	\$ 4,156.60	\$ 3.67	\$ 51.38
4" aluminum riser	Ea	4	\$ 26,270.80	\$ 105,083.20	\$ 800.00	\$ 3,200.00
Ground Rod	Ea	26	\$ 246.90	\$ 6,419.40	\$ 25.90	\$ 673.40

LAC Material Cost is based on Home Depot costs rather than our inventory cost

DISCUSSION





County of Los Alamos

Staff Report

June 17, 2026

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: 7.d.

Index (Council Goals): Quality Governance - Fiscal Stewardship; DPU FY26 - 2.0 Achieve and Maintain Excellence in Financial Performance

Presenters: Joann Gentry, Deputy Utility Manager-Finance & Admin.

Legislative File: 21421-26

Title

Review of 10-year Budget Plan and Reserve Policies

Body

Presentation of alternatives to the current Financial Guidelines that were approved by the Board of Public Utilities on August 16, 2016.

The following changes will be presented as alternatives to the current guidelines.

- * Operating Reserve from 180 days to 90 days
- * Capital Expenditure Reserve to 180 days based on a 10-year average
- * Rate Stabilization Reserve to 20% of revenue

Attachments

- A - Cash Reserve Guideline Presentation
- B - Financial Guidelines

Financial Guidelines

Approved by Board of Public Utilities on August 17, 2016

June 17, 2026

Current Guidelines

- ❖ Operations Reserves – 180 days of budget Operations & Maintenance, excluding commodities
- ❖ Debt Service Reserves – As required by loan documents
- ❖ Retirement/Reclamation Reserve – Per agreements
- ❖ Capital Expenditure Reserve – Annual Depreciation plus 2.5%
- ❖ Rate Stabilization Reserve – 10-year historical average cost of the commodity times 12 months average projected consumption
- ❖ Contingency Reserve – Single largest equipment with potential for failure, set by DPU Asset Management Team

Loan Requirements

- ❖ New Mexico Finance Authority requires a Debt Coverage Ratio of 1.0
- ❖ New Mexico Environment Department requires a Debt Coverage Ratio of 1.2

FOCUS AREA - Financial Performance

GOAL - 2.0 Achieve and maintain excellence in financial performance.

2.1 Objective - Utilize revenues to provide a high level of service while keeping rates competitive with similar utilities.

2.2 Objective – Take advantage of favorable loan/grant opportunities.

2.3 Objective - Meet financial reserve targets within our 10-year financial policy, with a debt coverage ratio of 1.3 or greater every fiscal year.

2.4 Objective - Conduct cost of service studies for each utility at least every 5 years.

City of Issaquah, WA

- ❖ Population ~ 39,200
- ❖ Water, Sewer and Stormwater
- ❖ Enterprise Fund Reserve Target Levels
 - ❖ Capital Plan Reserve - Based on 5-Year CIP
 - ❖ Debt Coverage Ratio – 1.5 of net revenues to total debt service
 - ❖ Operating Reserve – 90 days of operating expenses
 - ❖ Debt Service – Amount needed to pay current and future debt (125% or as bond covenants)
 - ❖ Emergency Capital Repairs – Amount required to pay for unanticipated capital costs

City of Bainbridge Island, WA

- ❖ Population ~ 25,000
- ❖ Water, Sewer and Storm and Surface Water
- ❖ Enterprise Fund Reserve Target Levels
 - ❖ Capital Contingency Reserve – 1% of the utility systems' capital assets at net book value – emergency cash for equipment failure
 - ❖ Operating Reserve (water and sewer) – Minimum of 60 days of ongoing operating expenses at year end, provide cash for operations in case of seasonal variations in revenue or expenses
 - ❖ Operating Reserves (storm and surface water)- Minimum of 90 days of operating expenses, fees are due twice a year
 - ❖ Restricted Debt Reserve – Amount of debt due

- ❖ Chart #1 – Presented as originally included in budget, no changes.
- ❖ Chart #2 – Change Operating Reserves from 180 days to 90 days. Set Capital Expenditure Reserves to 180 days based on a 10-year average, following the Government Finance Officers Association (GFOA) examples.
- ❖ Chart #3 – Same adjustments as Chart #2, and revised Rate Stabilization Reserve to 20% of revenue.

The percentages shown represent each reserve as a percentage of annual revenue

Electric Production

RESERVE TARGET	14,847,137	13,375,347	13,757,782	13,721,326	13,649,216	14,735,948	14,496,038	14,456,249	14,463,538	13,774,526
Chart 1										
Line Item Calculation for Reserve Target										
Expenses except transmission, PP, Laramie, Debt Service	9,523,348	6,519,557	7,301,904	8,032,094	7,871,452	10,075,459	9,571,686	9,475,969	9,475,969	8,054,574
Operation Reserve 180 days	4,666,441	3,194,583	3,577,933	3,935,726	3,857,012	4,936,975	4,690,126	4,643,225	4,643,225	3,946,741
Capital Expenditures Reserve	245,300	251,433	257,718	264,161	270,765	277,534	284,473	291,585	298,874	306,346
Contingency Reserves	-	-	-	-	-	-	-	-	-	-
Debt Service Reserve	413,957	407,893	400,692	-	-	-	-	-	-	-
Retirement/Reclamation Reserve	9,521,438	9,521,438	9,521,438	9,521,438	9,521,438	9,521,438	9,521,438	9,521,438	9,521,438	9,521,438
Rate Stabilization Reserve	-	-	-	-	-	-	-	-	-	-
Total	14,847,136	13,375,346	13,757,781	13,721,325	13,649,215	14,735,947	14,496,037	14,456,248	14,463,537	13,774,525
Over/Short	(1,083,503)	427,286	83,851	159,307	270,418	(777,314)	(498,404)	(419,615)	(387,904)	340,108
	30%	17%	15%	14%	14%	12%	12%	12%	12%	14%
Chart 2										
Line Item Calculation for Reserve Target										
Expenses except transmission, PP, Laramie, Debt Service	9,523,348	6,519,557	7,301,904	8,032,094	7,871,452	10,075,459	9,571,686	9,475,969	9,475,969	8,054,574
Operation Reserve 90 days	2,380,837	1,629,889	1,825,476	2,008,024	1,967,863	2,518,865	2,392,922	2,368,992	2,368,992	2,013,643
Capital Expenditures Reserve 180 days Ave 10 yr	196,245	196,245	196,245	196,245	196,245	196,245	196,245	196,245	196,245	196,245
Contingency Reserves	-	-	-	-	-	-	-	-	-	-
Debt Service Reserve	413,957	407,893	400,692	-	-	-	-	-	-	-
Retirement/Reclamation Reserve	9,521,438	9,521,438	9,521,438	9,521,438	9,521,438	9,521,438	9,521,438	9,521,438	9,521,438	9,521,438
Rate Stabilization Reserve	-	-	-	-	-	-	-	-	-	-
Total	12,512,477	11,755,465	11,943,851	11,725,707	11,685,546	12,236,548	12,110,605	12,086,675	12,086,675	11,731,326
Over/Short	1,251,156	2,047,168	1,897,782	2,154,926	2,234,087	1,722,085	1,887,028	1,949,958	1,988,958	2,383,306
	25%	15%	13%	12%	12%	10%	10%	10%	10%	12%
Chart 3										
Line Item Calculation for Reserve Target										
Expenses except transmission, PP, Laramie, Debt Service	9,523,348	6,519,557	7,301,904	8,032,094	7,871,452	10,075,459	9,571,686	9,475,969	9,475,969	8,054,574
Operation Reserve 90 Days	1,904,670	1,303,911	1,460,381	1,606,419	1,574,290	2,015,092	1,914,337	1,895,194	1,895,194	1,610,915
Capital Expenditures Reserve 180 days Ave 10 yr	196,245	196,245	196,245	196,245	196,245	196,245	196,245	196,245	196,245	196,245
Contingency Reserves	-	-	-	-	-	-	-	-	-	-
Debt Service Reserve	413,957	407,893	400,692	-	-	-	-	-	-	-
Retirement/Reclamation Reserve	9,521,438	9,521,438	9,521,438	9,521,438	9,521,438	9,521,438	9,521,438	9,521,438	9,521,438	9,521,438
Rate Stabilization Reserve 20% - Sales to ED	1,868,907	2,293,531	2,681,274	3,197,648	3,302,990	3,121,174	3,173,953	3,198,211	3,425,242	2,680,205
Total	13,905,217	13,723,018	14,260,030	14,521,750	14,594,963	14,853,949	14,805,973	14,811,088	15,038,119	14,008,803
Over/Short	(141,584)	79,615	(418,397)	(641,117)	(675,330)	(895,316)	(808,340)	(774,455)	(962,486)	105,830
	28%	17%	16%	15%	15%	12%	13%	13%	13%	14%

Electric Distribution

RESERVE TARGET	14,626,522	15,138,967	15,436,560	15,109,727	15,278,365	15,646,661	15,821,944	15,370,827	16,068,686	16,621,036
Chart 1										
<i>Line Item Calculation for Reserve Target</i>										
Operation Reserve 180 days	3,984,414	4,134,579	4,258,616	4,386,375	4,517,967	4,653,506	4,793,111	4,936,905	5,085,012	5,237,563
Capital Expenditures Reserve	1,384,184	1,384,184	1,384,184	1,384,184	1,384,184	1,384,184	1,384,184	1,384,184	1,384,184	1,384,184
Contingency Reserves	618,000	618,000	618,000	618,000	618,000	618,000	618,000	618,000	618,000	618,000
Debt Service Reserve	1,155,372	1,480,230	1,616,191	1,123,813	1,122,830	1,317,437	1,314,722	681,237	681,237	1,553,092
Rate Stabilization Reserve	7,484,552	7,521,975	7,559,569	7,597,355	7,635,384	7,673,534	7,711,927	7,750,502	8,300,254	7,828,197
Total	14,626,522	15,138,967	15,436,560	15,109,727	15,278,365	15,646,661	15,821,944	15,370,827	16,068,686	16,621,036
Over/Short	(7,190,953)	(7,703,399)	(8,000,991)	(7,674,159)	(7,842,796)	(7,211,092)	(6,386,375)	(4,435,259)	(3,633,118)	(885,468)
	70%	68%	64%	59%	57%	56%	55%	51%	49%	52%
Chart 2										
<i>Line Item Calculation for Reserve Target</i>										
Operation Reserve 90 Days	2,032,864	2,109,479	2,172,764	2,237,947	2,305,085	2,374,238	2,445,465	2,518,829	2,594,394	2,672,226
Capital Expenditures Reserve 180 days Ave 10 yr Capital	1,013,565	1,013,565	1,013,565	1,013,565	1,013,565	1,013,565	1,013,565	1,013,565	1,013,565	1,013,565
Contingency Reserves	-	-	-	-	-	-	-	-	-	-
Debt Service Reserve	1,155,372	1,480,230	1,616,191	1,123,813	1,122,830	1,317,437	1,314,722	681,237	681,237	1,553,092
Rate Stabilization Reserve	7,484,552	7,521,975	7,559,569	7,597,355	7,635,384	7,673,534	7,711,927	7,750,502	8,300,254	7,828,197
Total	11,686,353	12,125,249	12,362,088	11,972,680	12,076,865	12,378,774	12,485,679	11,964,133	12,589,449	13,067,080
Over/Short	(4,250,785)	(4,689,680)	(4,926,520)	(4,537,111)	(4,641,296)	(3,943,205)	(3,050,110)	(1,028,564)	(153,881)	2,668,488
	56%	54%	51%	47%	45%	44%	43%	40%	38%	41%
Chart 3										
<i>Line Item Calculation for Reserve Target</i>										
Operation Reserve 90 Days	2,032,864	1,687,583	1,738,211	1,790,357	1,844,068	1,899,390	1,956,372	2,015,063	2,075,515	2,137,781
Capital Expenditures Reserve 180 days of 10 yr Capital	1,013,565	1,013,565	1,013,565	1,013,565	1,013,565	1,013,565	1,013,565	1,013,565	1,013,565	1,013,565
Contingency Reserves	-	-	-	-	-	-	-	-	-	-
Debt Service Reserve	1,155,372	1,480,230	1,616,191	1,123,813	1,122,830	1,317,437	1,314,722	681,237	681,237	1,553,092
Rate Stabilization Reserve 20% of Sales Revenue	4,154,494	4,467,535	4,804,154	5,117,857	5,400,649	5,590,462	5,786,986	5,990,410	6,607,776	6,418,934
Total	8,356,295	8,648,913	9,172,120	9,045,593	9,381,112	9,820,854	10,071,644	9,700,275	10,378,093	11,123,372
Over/Short	(920,727)	(1,213,345)	(1,736,552)	(1,610,024)	(1,945,544)	(1,385,286)	(636,076)	1,235,294	2,057,476	4,612,196
	40%	39%	38%	35%	35%	35%	35%	32%	31%	35%

Gas

RESERVE TARGET	2,597,533	2,625,601	2,680,517	2,737,080	2,795,340	2,855,348	2,917,156	2,980,819	3,046,391	3,113,931
Chart 1										
Line Item Calculation for Reserve Target										
Operation Reserve 90 days	919,616	933,937	961,955	990,814	1,020,539	1,051,155	1,082,690	1,115,170	1,148,626	1,183,085
Capital Expenditures Reserve	525,085	525,085	525,085	525,085	525,085	525,085	525,085	525,085	525,085	525,085
Contingency Reserves	270,000	270,000	270,000	270,000	270,000	270,000	270,000	270,000	270,000	270,000
Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
Rate Stabilization Reserve	-	-	-	-	-	-	-	-	-	-
Total	2,597,533	2,625,601	2,680,517	2,737,080	2,795,340	2,855,348	2,917,156	2,980,819	3,046,391	3,113,931
Over/Short	(1,597,533)	(1,625,601)	(1,680,517)	(1,487,080)	(545,340)	294,652	232,844	169,181	103,609	36,069
	34%	32%	32%	32%	32%	31%	31%	31%	31%	30%
Chart 2										
Line Item Calculation for Reserve Target										
Operation Reserve 180 days	1,802,448	1,830,516	1,885,432	1,941,995	2,000,255	2,060,263	2,122,071	2,185,734	2,251,306	2,318,846
Capital Expenditures Reserve 180 days Ave 10 yr Capital	855,050	855,050	855,050	855,050	855,050	855,050	855,050	855,050	855,050	855,050
Contingency Reserves	270,000	270,000	270,000	270,000	270,000	270,000	270,000	270,000	270,000	270,000
Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
Rate Stabilization Reserve	-	-	-	-	-	-	-	-	-	-
Total	2,927,498	2,955,566	3,010,482	3,067,045	3,125,305	3,185,313	3,247,121	3,310,784	3,376,356	3,443,896
Over/Short	(1,927,498)	(1,955,566)	(2,010,482)	(1,817,045)	(875,305)	(35,313)	(97,121)	(160,784)	(226,356)	(293,896)
	38%	36%	36%	36%	35%	35%	35%	34%	34%	33%
Chart 3										
Line Item Calculation for Reserve Target										
Operation Reserve 90 days	919,616	747,150	769,564	792,651	816,431	840,924	866,152	892,136	918,900	946,468
Capital Expenditures Reserve 180 days Ave 10 yr Capital	855,050	855,050	855,050	855,050	855,050	855,050	855,050	855,050	855,050	855,050
Contingency Reserves	270,000	270,000	270,000	270,000	270,000	270,000	270,000	270,000	270,000	270,000
Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
Rate Stabilization Reserve 20% of Revenue	3,787,724	3,977,111	4,096,424	4,219,317	4,345,896	4,476,273	4,610,561	4,748,878	4,891,344	5,038,085
Total	5,832,391	5,849,310	5,991,038	6,137,018	6,287,377	6,442,247	6,601,763	6,766,064	6,935,295	7,109,602
Over/Short	(4,832,391)	(4,849,310)	(4,991,038)	(4,887,018)	(4,037,377)	(3,292,247)	(3,451,763)	(3,616,064)	(3,785,295)	(3,959,602)
	75%	72%	72%	71%	71%	71%	70%	70%	69%	69%

Water Distribution

RESERVE TARGET	5,478,311	5,477,899	5,540,128	5,605,283	5,673,739	5,757,289	5,830,856	5,907,877	5,990,462	6,074,970
Chart 1										
Line Item Calculation for Reserve Target										
Operation Reserve 180 days	1,810,588	1,789,648	1,843,337	1,898,638	1,955,597	2,014,266	2,074,694	2,136,935	2,201,043	2,267,075
Capital Expenditures Reserve	655,087	655,087	655,087	655,087	655,087	655,087	655,087	655,087	655,087	655,087
Contingency Reserves	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
Debt Service Reserve	118,665	139,193	147,733	157,587	169,083	193,965	207,104	221,884	240,361	258,837
Rate Stabilization Reserve	2,693,971	2,693,971	2,693,971	2,693,971	2,693,971	2,693,971	2,693,971	2,693,971	2,693,971	2,693,971
Total	5,478,311	5,477,899	5,540,128	5,605,283	5,673,739	5,757,289	5,830,856	5,907,877	5,990,462	6,074,970
Over/Short	(5,478,311)	(5,477,899)	(5,540,128)	(5,605,283)	(5,673,739)	(5,757,289)	(5,830,856)	(5,407,877)	(4,990,462)	(4,574,970)
	67%	62%	59%	55%	53%	52%	51%	50%	49%	48%
Chart 2										
Line Item Calculation for Reserve Target										
Operation Reserve 90 Days	923,769	913,086	940,478	968,693	997,754	1,027,687	1,058,517	1,090,273	1,122,981	1,156,671
Capital Expenditures Reserve 180 days Ave 10 yr Capital	95,158	95,158	95,158	95,158	95,158	95,158	95,158	95,158	95,158	95,158
Contingency Reserves	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
Debt Service Reserve	118,665	139,193	147,733	157,587	169,083	193,965	207,104	221,884	240,361	258,837
Rate Stabilization Reserve	2,693,971	2,693,971	2,693,971	2,693,971	2,693,971	2,693,971	2,693,971	2,693,971	2,693,971	2,693,971
Total	4,031,564	4,041,408	4,077,341	4,115,409	4,155,967	4,210,781	4,254,751	4,301,287	4,352,472	4,404,637
	(4,031,564)	(4,041,408)	(4,077,341)	(4,115,409)	(4,155,967)	(4,210,781)	(4,254,751)	(3,801,287)	(3,352,472)	(2,904,637)
	49%	46%	43%	41%	39%	38%	37%	36%	36%	35%
Chart 3										
Line Item Calculation for Reserve Target										
Operation Reserve 90 Days	923,769	913,086	940,478	968,693	997,754	1,027,687	1,058,517	1,090,273	1,122,981	1,156,671
Capital Expenditures Reserve 180 days Ave 10 yr Capital	95,158	95,158	95,158	95,158	95,158	95,158	95,158	95,158	95,158	95,158
Contingency Reserves	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
Debt Service Reserve	118,665	139,193	147,733	157,587	169,083	193,965	207,104	221,884	240,361	258,837
Rate Stabilization Reserve 20% of Revenue	2,047,962	2,211,799	2,366,625	2,532,289	2,658,903	2,791,848	2,875,604	2,961,872	3,050,728	3,142,250
Total	3,385,554	3,559,236	3,749,994	3,953,726	4,120,898	4,308,658	4,436,383	4,569,187	4,709,228	4,852,916
	(3,385,554)	(3,559,236)	(3,749,994)	(3,953,726)	(4,120,898)	(4,308,658)	(4,436,383)	(4,069,187)	(3,709,228)	(3,352,916)
	41%	40%	40%	39%	39%	39%	39%	39%	39%	39%

Water Production

RESERVE TARGET	5,999,891	6,123,003	6,268,055	6,311,126	6,420,009	6,522,313	6,636,179	6,760,933	6,841,507	6,963,645
Chart 1										
Line Item Calculation for Reserve Target										
Operation Reserve 180 days	2,570,244	2,642,642	2,721,921	2,803,579	2,887,687	2,974,318	3,063,548	3,155,454	3,250,119	3,347,622
Capital Expenditures Reserve	1,937,724	1,937,724	1,937,724	1,937,724	1,937,724	1,937,724	1,937,724	1,937,724	1,937,724	1,937,724
Contingency Reserves	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000
Debt Service Reserve	991,924	1,042,638	1,108,410	1,069,824	1,094,599	1,110,272	1,134,908	1,167,755	1,153,665	1,178,299
Rate Stabilization Reserve	-	-	-	-	-	-	-	-	-	-
Total	5,999,891	6,123,003	6,268,055	6,311,126	6,420,009	6,522,313	6,636,179	6,760,933	6,841,507	6,963,645
Over/Short	(1,399,129)	(1,522,241)	(1,667,293)	(1,710,364)	(1,819,247)	(1,921,551)	(1,535,417)	(960,171)	(240,745)	137,117
	92%	87%	83%	78%	75%	73%	72%	71%	70%	69%
Chart 2										
Line Item Calculation for Reserve Target										
Operation Reserve 90 Days	1,311,349	1,348,287	1,388,735	1,430,398	1,473,310	1,517,509	1,563,035	1,609,926	1,658,224	1,707,971
Capital Expenditures Reserve 180 days Ave 10 yr Capital	269,696	269,696	269,696	269,696	269,696	269,696	269,696	269,696	269,696	269,696
Contingency Reserves	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000
Debt Service Reserve	991,924	1,042,638	1,108,410	1,069,824	1,094,599	1,110,272	1,134,908	1,167,755	1,153,665	1,178,299
Rate Stabilization Reserve	-	-	-	-	-	-	-	-	-	-
Total	3,072,969	3,160,620	3,266,842	3,269,917	3,337,604	3,397,477	3,467,638	3,547,376	3,581,585	3,655,966
Over/Short	1,527,793	1,440,142	1,333,920	1,330,845	1,263,158	1,203,285	1,633,124	2,253,386	3,019,178	3,444,797
	47%	45%	43%	40%	39%	38%	38%	37%	37%	36%
Chart 3										
Line Item Calculation for Reserve Target										
Operation Reserve 90 Days	1,311,349	1,348,287	1,388,735	1,430,398	1,473,310	1,517,509	1,563,035	1,609,926	1,658,224	1,707,971
Capital Expenditures Reserve 180 days Ave 10 yr Capital	269,696	269,696	269,696	269,696	269,696	269,696	269,696	269,696	269,696	269,696
Contingency Reserves	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000
Debt Service Reserve	991,924	1,042,638	1,108,410	1,069,824	1,094,599	1,110,272	1,134,908	1,167,755	1,153,665	1,178,299
Rate Stabilization Reserve 20% of Revenue	1,310,737	1,415,595	1,514,687	1,620,715	1,701,751	1,786,839	1,840,444	1,895,657	1,952,527	2,011,103
Total	4,383,705	4,576,216	4,781,529	4,890,632	5,039,355	5,184,316	5,308,082	5,443,033	5,534,111	5,667,068
Over/Short	217,057	24,546	(180,767)	(289,870)	(438,593)	(583,554)	(207,320)	357,729	1,066,651	1,433,694
	67%	65%	63%	60%	59%	58%	58%	57%	57%	56%

Wastewater

RESERVE TARGET	6,856,086	6,930,892	7,093,960	7,272,269	7,453,433	7,908,607	8,095,742	8,244,436	7,936,191	8,091,409
Chart 1										
Line Item Calculation for Reserve Target										
Operation Reserve 180 days	3,124,072	3,080,445	3,172,859	3,268,045	3,366,086	3,467,069	3,571,081	3,678,214	3,788,560	3,902,217
Capital Expenditures Reserve	1,001,102	1,001,102	1,001,102	1,001,102	1,001,102	1,001,102	1,001,102	1,001,102	1,001,102	1,001,102
Contingency Reserves	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000
Debt Service Reserve	2,230,912	2,349,344	2,419,999	2,503,122	2,586,245	2,940,436	3,023,559	3,065,120	2,646,528	2,688,089
Rate Stabilization Reserve	-	-	-	-	-	-	-	-	-	-
Total	6,856,086	6,930,892	7,093,960	7,272,269	7,453,433	7,908,607	8,095,742	8,244,436	7,936,191	8,091,409
Over/Short	(6,203,473)	(6,278,279)	(6,441,347)	(6,619,656)	(6,800,820)	(6,755,994)	(5,943,129)	(4,591,823)	(2,283,578)	61,204
	90%	84%	80%	76%	72%	72%	71%	69%	63%	61%
Chart 2										
Line Item Calculation for Reserve Target										
Operation Reserve 90 Days	1,593,914	1,571,656	1,618,806	1,667,370	1,717,391	1,768,913	1,821,980	1,876,640	1,932,939	1,990,927
Capital Expenditures Reserve 180 days Ave 10 yr Capital	30,135	30,135	30,135	30,135	30,135	30,135	30,135	30,135	30,135	30,135
Contingency Reserves	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000
Debt Service Reserve	2,230,912	2,349,344	2,419,999	2,503,122	2,586,245	2,940,436	3,023,559	3,065,120	2,646,528	2,688,089
Rate Stabilization Reserve 20%	-	-	-	-	-	-	-	-	-	-
Total	4,354,961	4,451,135	4,568,940	4,700,627	4,833,771	5,239,484	5,375,674	5,471,895	5,109,602	5,209,151
Over/Short	3,702,348	2,479,757	2,525,020	2,571,642	2,619,662	2,669,123	2,720,068	2,772,541	2,826,589	2,882,257
	57%	54%	51%	49%	46%	48%	47%	45%	40%	39%
Chart 3										
Line Item Calculation for Reserve Target										
Operation Reserve 90 Days	1,593,914	1,571,656	1,618,806	1,667,370	1,717,391	1,768,913	1,821,980	1,876,640	1,932,939	1,990,927
Capital Expenditures Reserve 180 days Ave 10 yr Capital	30,135	30,135	30,135	30,135	30,135	30,135	30,135	30,135	30,135	30,135
Contingency Reserves	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000
Debt Service Reserve	2,230,912	2,349,344	2,419,999	2,503,122	2,586,245	2,940,436	3,023,559	3,065,120	2,646,528	2,688,089
Rate Stabilization Reserve 20% of Revenue	1,528,233	1,650,492	1,782,532	1,925,134	2,079,145	2,183,102	2,292,258	2,406,871	2,527,214	2,653,575
Total	5,883,195	6,101,627	6,351,471	6,625,761	6,912,916	7,422,586	7,667,932	7,878,766	7,636,817	7,862,726
Over/Short	(5,230,582)	(5,449,014)	(5,698,858)	(5,973,148)	(6,260,303)	(6,269,973)	(5,515,319)	(4,226,153)	(1,984,204)	289,887
	77%	74%	71%	69%	66%	68%	67%	65%	60%	59%

Questions?

Utilities Financial Guidelines
Department of Public Utilities, Los Alamos County
Approved by Board of Public Utilities on Aug 17, 2016

I. Purpose

The Department of Public Utilities (DPU) operates the Los Alamos County-owned electric, gas, water, and sewer utility systems under jurisdiction and control of the Board of Public Utilities. This policy is intended to ensure adequate cash is available for effective and efficient operations of all County-owned utilities. For budgeting, rate-setting, and operational planning purposes, DPU shall adhere to the following guidance in regard to cash reserves. DPU shall first consider the terms of the Los Alamos County Charter (LAC Charter) and the Los Alamos County, NM Code of County Ordinances (County Code) in managing these cash reserves.

II. Background

- A. The LAC Charter, Article V, Section 509 Priority of Budgeted Expenditures states: “In order that the Department of Public Utilities can plan and utilize its proceeds for the maintenance, improvement and extension of the utilities system before any part of such proceeds is diverted to general County purposes, all funds derived from the operation of the utilities shall be managed and expended in accordance with the following policies. From the proceeds of the operation of the Department:
1. There shall first be set aside the funds required for current operation.
 2. There shall next be set aside the funds required to redeem and pay interest on any bond issue for the utility which shall become due and payable during the next fiscal year.
 3. There shall next be provided an adequate reserve to finance replacements required by normal depreciation of the utility plant or equipment as provided in the Schedule of Funds. These reserves may not be used by the County for financing County operations.
 4. There shall be paid to the General fund those amounts set forth in the budget as payment to be made to the County in lieu of franchise fees and taxes that would be normally assessed against privately owned gas and electric utilities.
 5. There shall next be a provision for additions and improvements foreseen as necessary to meet future requirements for the utility systems as provided in the Schedule of Funds.
 6. All remaining operating profits shall be transferred to the County General Fund.”
- B. The County Code, Chapter 40, Article II, Division 2., Section 40-65, Schedule of Funds states, “The schedule of funds, and any amendment of the schedule, as proposed by the board, shall be referred to the council for consideration for adoption. The schedule of funds shall prescribe the necessary yearly funding of reserves for replacements, additions and improvements, and other reserves authorized by Charter, bond

ordinances and bond indentures or other governing instrument and shall be consistent with the needs of the utilities systems. The replacement reserve shall cover (among other things) tools, equipment, vehicles and system replacements. The schedule of funds shall reflect separate reserve allocations for separate utility systems.” Currently vehicle replacement reserves are handled by the LAC Fleet Fund.

C. Fundamental Considerations

1. Operations and maintenance should be budgeted and covered through operating revenues.
2. DPU should have adequate cash reserves, achieved through operating revenues, to cover most unplanned or corrective maintenance that may be required for continued operations.
3. With the adoption of this policy, the users benefitting from a major utility system or plant replacement shall bear the costs of that system or plant. This is a shift from historical DPU practice in which customers did not contribute to major system replacement reserves when existing utility systems were transferred from the Department of Energy (DOE) to Los Alamos County (LAC). As a result of this shift in practice, large system replacements should be funded through debt financing. Customers benefitting from the new facilities will contribute to the cost through debt service. Examples of major utility system or plant replacements include wastewater treatment plants, replacements of large segments of the water distribution or wastewater collection systems, or electric substations.
4. For smaller capital projects, a capital replacement reserve should be funded. Examples of such projects include replacement of a single section of water line, and replacement of a motor control or switchgear. If the urgency or magnitude of a capital project or group of projects exceeds available reserves, and if funding through rates would result in unacceptable rate fluctuations, debt financing will be considered.
5. Rates should be just, reasonable and comparable to those in neighboring communities [LAC Charter, Article V, Section 504]. In determining comparability, consideration will be given to topography, age and complexity of systems.
6. Rates should also be non-discriminatory with consideration given to social necessity. The goal is to serve the interests of DPU, LAC, and utility customers. While rates can be used and designed to achieve specific conservation or other social goals, they should be carefully evaluated to avoid undesired consequences.
7. All debt must be funded with adequate coverage to achieve or maintain the best credit rating available to a public utility with the operational characteristics of DPU.
8. All statutory, contractual or prudent retirement obligations must be funded on a planned schedule to achieve appropriate funding levels at obligatory due dates.

III. Cash Reserve Guidelines

- A. For purposes of this policy, cash is defined as both unrestricted and restricted equity in pooled cash and investments, cash and cash equivalents, and investments.

- B. Rates will be established to cover budgeted operations and maintenance costs, projected commodities costs when and if a pass-through rate structure is not in place, and reserve requirements. To the extent practical, rates will be designed to recover costs according to cost drivers, with consideration for other political or social objectives identified in rate analysis.
- C. Rates will be just, reasonable and comparable to those in neighboring communities. [LAC Charter, Article V, Section 504.] In determining comparability, consideration will be given to topography, age and complexity of systems.
- D. Immediate implementation of this policy upon adoption may not be practical due to pre-existing deviations from the targets specified. Upon adoption by the Board of Public Utilities, DPU management will assess current cash balances, develop a plan and determine a time frame for implementation. The plan will be presented to the Board no later than the third regular Board meeting from the policy adoption date.
- E. In each of the utility sub funds:
 - 1. Operations Reserve: A target cash balance for operations will be established. This balance should equal 180 days of budgeted operations and maintenance expenditures as identified in the annual LAC budget book. A floor, or lowest acceptable balance, will also be established, equaling 90 days of budgeted operations and maintenance expenditures as identified in the annual LAC budget book.
 - a. This reserve may be utilized for correcting deposits to or from other reserves.
 - b. If the cash balance falls below target, DPU will initiate corrective action and determine the following:
 - i. Can the balance be expected to recover by the end of the subsequent fiscal year through the normal course of business?
 - ii. Is the curtailment of expenditures warranted?
 - iii. Is immediate rate action required?
 - c. If the cash balance falls below the floor, immediate action must be taken to first curtail expenditures and then, if necessary, adjust rates to restore cash to the floor level within 180 days.
 - 2. Capital Expenditures Reserve: A 10-year capital plan for projects not financed through debt will be maintained. An annuity will be included in the annual budget to ensure availability of funds for the capital plan. Through this capital plan and associated annuity, funds will accrue toward future planned capital expenditures, with a target minimum reserve in each sub fund equal to annual depreciation plus 2.5 percent to provide for inflationary or technology evolution pressures. Due to the long-term, future-focused nature of the capital plan as well as the opportunity for periodic adjustments as warranted, no funding floor is necessary.

3. Contingency Reserve: A contingency reserve will be established and maintained for each sub fund. The reserve will be equal to the replacement cost of the single largest piece of equipment with potential for failure, as defined by DPU's asset management team for that sub fund. In the event that a contingency reserve is used, the reserve amount will be restored from insurance, grant, or disaster recovery funds, if applicable, as soon as those funds become available. Otherwise DPU will establish a plan within 90 days to reestablish contingency reserves by the end of the subsequent fiscal year through curtailment of other expenditures or through rate actions.
4. Debt Service Reserve: Debt service reserves will be established to sufficiently fund all debt service requirements as required by the Charter, bond ordinances and bond indentures, or any other debt agreement (County Code, Chapter 40, Article II, Division 2., Section 40-63,(c)(2). The debt coverage ratio, based on total debt, is a key bond rating criteria. If the balance of this required reserve falls below required amounts, the reserve will be restored immediately by transfer of funds from the Operations Reserve [Cash Reserve Guidelines, Section III.E.1.a].
5. Retirement/Reclamation Reserve: Retirement/reclamation reserves will be funded to meet all statutory and contractual requirements and schedules and to satisfy prudent utility practices. If required by contractual agreements, reserves will be placed in trust funds set up for specified purposes. Otherwise, reserves will be accounted for as restricted and will not be available to supplement other reserves. When funding targets are based on future dates, monthly annuities designed to accumulate the required future fund balances will be established. When project cost analysis necessitates an adjustment to reserve requirements, funds will be transferred to or from the Operations Reserve [Cash Reserve Guidelines, Section III.E.1.a] to adjust the reserve accordingly.
6. Rate Stabilization Reserve: A rate stabilization reserve will be maintained when a pass-through rate mechanism for commodities is not in place. The rate stabilization reserve will be maintained with a target balance equal to the 10-year historical average cost of the commodity per unit times 12 months average projected consumption. A funding floor will be established equal to the 10-year historical average cost of the commodity per unit times 180 days average projected consumption. Should the cash balance drop below the target, DPU will initiate corrective action by determining the following:
 - a. Can the balance be expected to recover by the end of the subsequent fiscal year through the normal course of business?
 - b. Is the curtailment of expenditures warranted?
 - c. Is immediate rate action required?

- d. If the cash balance of the rate stabilization reserve falls below the floor, immediate action must be taken to first curtail expenditures and then, if necessary, adjust rates to restore cash to the floor level within 180 days.
 - 7. Consideration of the funding of these reserves, as projected in the Schedule of Funds, should take into account the following priority order:
 - a. Operating Reserve
 - b. Debt Service Reserve
 - c. Retirement/Reclamation Reserve
 - d. Capital Expenditure Reserve
 - e. Rate Stabilization Reserve
 - f. Contingency Reserve
 - 8. If excess cash balances exist in relation to targets, DPU will establish plans to spend down or adjust the excess cash within three fiscal years. The plans may include rate reductions, acceleration of the 10-year capital plan, or prudent increase in maintenance activities. When necessary, use of cash in one sub-fund may include transfer to another sub-fund only as a loan subject to a market rate of interest and with approval of both the Board of Public Utilities and the Los Alamos County Council.
 - 9. Rates will be established to cover budgeted operations and maintenance costs, projected commodities costs in the absence of a pass-through rate structure, and all reserve requirements. Rates will, to the extent possible, be designed to recover costs according to cost drivers, with consideration for other political or social objectives identified in rate analysis.
- F. Financing for each of the utility sub funds will adhere to the following:
- 1. Improvements to the system will be scheduled and budgeted with consideration of any rate impacts that may result. DPU will avail itself of below-market-rate loans or financing when available. DPU management will evaluate financing alternatives including phasing, deferral, or debt financing as project funding methods.
 - 2. Replacement projects of smaller subsystems will normally be funded from the capital annuity and replacement reserve. If the inclusion of the capital annuity in the annual budget would result in rate impacts that would force rates beyond pre-determined standards [Cash Reserve Guidelines, Section II.C.5-6; III, E, 9], DPU management will evaluate alternatives to total rate financing, including phasing or deferral of projects or debt financing.
 - 3. Large system replacements will be funded through debt financing. Examples of such replacements include a new wastewater treatment plant, a large segment of the

water distribution or wastewater collection system, or an electric substation. When cash reserves have already been established and are supported through rates, such as for water well replacements, those funding mechanisms for future plant replacements will be continued. This determination and funding method will be reviewed by the Board of Public Utilities and the Los Alamos County Council as part of the normal budget review process.

A handwritten signature in blue ink that reads "Karen Kendall". The signature is written in a cursive, flowing style.

**Reviewed by Karen Kendall, Deputy Utility Manager - Finance & Administration
7-18-2024**



County of Los Alamos

Los Alamos, NM 87544
www.losalamosnm.us

Staff Report

June 17, 2026

Agenda No.: 8.g.1.
Index (Council Goals): Quality Governance - Communication and Engagement
Presenters: Philo Shelton, Utilities Manager and Robert Gibson, Chair-Board of Public Utilities
Legislative File: 21584-26b

Title

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

Recommended Action

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

Board, Commission or Committee Recommendation

The Charter Council Working Group recommends changing the Charter language concerning party affiliation requirements for all Boards/Commission except Planning and Zoning Commission, Board of Public Utilities, and Personnel Board.

Body

The County Council have recently discussed possible changes to the Charter. Chair Randall Ryti formed a Council Working Group consisting of Councilors Theresa Cull, Melanee Hand, and David Reagor. The Council Working Group met and discussed the following Charter changes. On June 9, 2026, County Council considered revising the three sections below. Draft meeting minutes are not yet available for review, however, BPU can listen to the Council meeting in the link provided below. Once draft minutes are prepared by the County Clerk, staff will forward to BPU. Below includes all the items Council considered on June 9 and are included for completeness and the other two items are not germane to DPU. However, the motion above can be amended to include support for these two items should BPU desire to add support.

Section 305.3 Composition of Standing Boards and Commissions

Currently reads, "No more than a simple majority of the voting members of any standing board or commission shall be members of the same political party."

Comments: Board/commission might feel that they need to appoint someone who is less qualified just because of party affiliation or leave a position vacant because they can't find a qualified candidate of the "correct" party. Most boards/commissions are strictly advisory (except for Planning and Zoning, Board of Public Utilities, or Personnel Board); final decisions are made by Council. Chapter 8 of the County Code could be modified to encourage party balance when achievable.

Recommended change, “No more than a simple majority of the voting members of Planning and Zoning Commission, Board of Public Utilities, or Personnel Board shall be members of the same political party.”

Section 504 Rates and Charges

Fourth Sentence currently reads, “The Department of Utilities shall be operated on a compensatory basis.”

Comments: Is this true? Section 509 (Priority of Budgeted Expenditures) outlines how funds will be expended. Number 6 states, “All remaining operating profits shall be transferred to the County General Fund.” Does the term “profits” conflict with the fourth sentence?

Possible change to Section 509, “6. Any remaining funds shall be transferred to the County General Fund.”

Section 911 Filing of Vacancies

“When a vacancy occurs in the elective offices of Clerk, Assessor, or Sheriff, the County Council shall appoint a qualified person to fill such office for the remainder of the expired term.”

Comments: This statement is consistent with 200.4 (Vacancies) for County Councilors, except that 200.4 says, “if the vacancy occurs within (90) ninety calendar days prior to the expiration of the term, no such appointment shall be made.” Since there are 7 Councilors, Council would be able to continue to function with the vacancy. In the case of Clerk, Assessor, or Sheriff, there is only one position and failure to appoint means the position remains vacant. Rather than appointment, Council could request a special election for the vacant position, but this can be costly and take a lot of time. Based on these comments, no change is recommended.

Process to Make Charter Changes

For any individual potential charter change, the next step is to draft an ordinance that formally proposes the change. That ordinance will specify the actual new proposed charter language and will also specify the election date. After introduction, each ordinance will have a public hearing which will provide an additional opportunity for public input and for Council discussion and deliberation. If the ordinance is adopted by the Council, then the proposed change will be presented to the voters for adoption or rejection at an election. In general, Council must notify the Clerk’s office not less than 70 days before the proposed election date. The item could be placed on the ballot for a local or a general election. To be on the 2026 General Election (November 3), the ordinance would need to be effective and filed before August 25, 2026.

Alternatives

The Board could decide not to move forward with a recommendation to support Council’s recommended Charter changes.

Fiscal and Staff Impact/Unplanned Item

There is minimal fiscal and staff impact if the recommended Charter change would be considered as part of the General Election.

Attachments

A - County Charter

B- County Council Draft Meeting Minutes from 6/9/26 (see below note)

NOTE: Attachment B was not available at the time the meeting packet was published.

The Council Meeting video is available online at:

https://losalamos.granicus.com/player/clip/4793?view_id=2&redirect=true and the relevant agenda item is 11.C. at time stamp 3:04:34.

PART I CHARTER¹

ARTICLE I. POWERS OF THE COUNTY

100. Name and Boundaries.

The political subdivision presently existing and known as the County of Los Alamos shall exist and continue as a corporate and political entity by the name, the Incorporated County of Los Alamos, and shall have perpetual succession. Its boundaries shall be as they exist on the effective date of this Charter. The boundaries shall continue to be the same unless changed in the manner authorized by law.

101. Powers of County.

The County shall have all powers possible for a county or a municipal corporation under the constitution and laws of New Mexico as fully and completely as though they were specifically enumerated in this Charter.

(Ord. No. 558, § 1, 6-23-2010/Ref. 11-2-2010)

102. Construction.

The powers of the County under this Charter shall be interpreted liberally in favor of the County. The specific mention of particular powers in the Charter shall not be construed as limiting in any way the general powers stated in this article.

103. Home Rule.

The purpose of this Charter is to provide for maximum self-government and the greatest possible exercise of home-rule powers. As provided in Article X, Section 6, of the Constitution of the State of New Mexico and in the Municipal Charter Act the County may exercise all legislative powers and perform all functions not expressly denied by general law or by other provisions of this Charter. In the absence of the exercise of any such power, the County may act in the manner provided by law.

(Amendment No. 5, passed 1/20/76, additional section; Ord. No. 558, § 2, 6-23-2010/Ref. 11-2-2010)

¹Editor's note(s)—Printed herein is the Charter for the County of Los Alamos, New Mexico, as adopted by electors on December 10, 1968, and effective on December 10, 1968. Amendments to the original Charter are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original Charter. Obvious misspellings have been corrected without notation. For stylistic purposes, a uniform system of headings, catchlines and citations to state statutes have been used. Additions made for clarity are indicated by brackets.

ARTICLE II. THE COUNTY COUNCIL

200. General Provisions.

200.1. Membership and Qualifications. The governing body of the County shall be a Council of seven members elected by the qualified voters of the County at large. Only qualified voters who are residents of the County and are not otherwise employed by the County are eligible to hold the office of Councilor.

200.2. Forfeiture. A councilor shall forfeit his office if he (1) lacks any qualifications for the office, (2) violates any express prohibition of this Charter, (3) is convicted of a felony or a crime involving moral turpitude, or (4) is absent from all regular Council meetings for a period of ninety calendar days without being excused by the Council.

200.3. Judge of Qualification and Forfeiture. The Council shall be the judge of the qualification of its members and of the existence of grounds for forfeiture. A charge of forfeiture may be made by any Councilor at any regular meeting of the Council. A member against whom a charge of forfeiture has been made may request a public hearing within ten (10) days of the filing of the charge. Notice of a forfeiture hearing shall be published at least fourteen (14) days prior to the hearing. The Council shall not vote on the forfeiture charge sooner than ten (10) days after it is filed or prior to the public hearing, if one is requested. Decisions of the Council in matters of forfeiture are subject to review by the district court upon petition of the removed member.

200.4. Vacancies. When a vacancy occurs in the Council, it shall appoint a qualified person to serve for the remainder of the unexpired term. If the vacancy occurs within ninety (90) calendar days prior to the expiration of the term, no such appointment shall be made. If four or more vacancies exist, each vacant seat may be filled by majority vote of the remaining councilors who shall constitute a quorum for that purpose, Section 200.2 notwithstanding.

200.5. Compensation. Members of the Council shall be paid at a rate of compensation to be set by ordinance. Any ordinance changing compensation shall take effect for all Councilors on the first day of January following the general election after the ordinance is approved. The Council shall, by ordinance, provide for reimbursement of the actual and necessary expenses incurred by Councilors.

(Ord. No. 387, §§ 1—5, 1994; Ord. No. 560, § 1, 7-13-2010/Ref. 11-2-2010; Ord. No. 561, § 1, 6-23-2010/Ref. 11-2-2010)

201. Powers and Duties.

201.1. General. The Council shall, except as provided in this Charter, be vested with all power and authority and be charged with all the duties and obligations arising under the constitution and statutes of the State of New Mexico and imposed on counties and municipalities and on their governing bodies.

201.2. Bonds. The Council shall provide for a blanket bond at County expense for the bonding of County officers and of members of County boards which have the authority to invest funds.

202. Organization.

202.1. Council Chair. The Council shall annually elect from its members a Chair. The Chair shall be recognized as the head of county government for the purposes of emergency law, intergovernmental relations and ceremonial purposes. The Chair shall attend and preside at meetings of the Council, have equal voting rights with other members of the Council, present an annual state of county message, appoint members and officers of council

committees, assign, subject to Council approval, agenda items to committees, and perform other duties as specified by the Council.

202.2. Procedure and Agenda. The Council shall hold regular meetings at least twice a month at times and places prescribed by formal action of the Council. Special meetings may be held on the call of the Chair or of a majority of the Council members. All meetings of the Council shall be public except as otherwise provided by state law. The Council shall determine its own rules and order of business and shall provide for the keeping of minutes of its proceedings. The minutes shall be a public record. The Council shall place on the agenda of its next regular meeting the subject of any written request signed by five or more qualified voters of the County and presented to the county clerk at least ten (10) days prior to that meeting. The agenda for every Council meeting shall provide time for comments from the public. Voting, except on procedural motions, shall be by roll call of the entire Council and shall be recorded in the minutes. Except as otherwise provided by this charter, no action of the Council shall be valid unless adopted by the affirmative vote of at least four members. Four members shall be a quorum.

(Ord. No. 387, §§ 6, 7, 1994; Ord. No. 559, § 1, 6-23-2010/Ref. 11-2-2010; Ord. No. 568, § 1, 6-23-2010/Ref. 11-2-2010; Ord. No. 648, § 1, 7-29-2014)

203. Ordinances.

203.1. Actions Requiring Ordinances. In addition to those acts required by state law or by this Charter to be done by ordinance, those acts of the Council shall be by ordinance which:

- (a) establish a rule or regulation for the violation of which a penalty is or may be imposed;
- (b) levy taxes;
- (c) grant or renew a franchise;
- (d) set the rates charged by the County for utilities or waste removal;
- (e) authorize the borrowing of money;
- (f) convey or lease, or authorize the conveyance or lease, of any County-owned land.

All other acts of the Council may be done either by ordinance or by other formal action.

203.2. Procedure.

203.2.1. Introduction. An ordinance may be introduced by any member of the Council at any meeting of the Council. Every proposed ordinance shall be introduced in writing and shall be limited to one subject. The subject shall be clearly expressed in the title of the ordinance. The enacting clause of all ordinances shall be "Be it ordained by the governing body of the Incorporated County of Los Alamos ...".

203.2.2. Publication and Hearing. A notice of the proposed adoption of an ordinance shall be published once at least seven days before the Council meeting at which it is to be considered. The notice shall include the entire ordinance or a summary of it and shall state the time and place for a public hearing on the ordinance. If a summary is published, the notice shall state the times and places at which the entire ordinance is available for examination and/or purchase.

203.2.3. Adoption. After the public hearing, the Council may adopt the ordinance with or without amendment or reject it. If the ordinance is amended in any matter of substance, however, the Council may not adopt it until it has been considered by continuance of the meeting or at a future meeting not less than seven (7) days after the initial meeting. A notice of the adoption of the ordinance, including codifications or revisions to codifications, together with the ordinance either in its entirety or by a general summary of the subject matter contained in the ordinance, as directed by the governing body, shall be published and each adopted ordinance shall be promptly printed and made available to the public for examination and/or purchase. The Council may adopt all or part of any standard code of technical regulations by reference to the

code in adopting an ordinance. It shall not be necessary to publish the entire code, but copies of it shall be made available for examination and purchase by the public in the manner required for proposed and adopted ordinances.

203.2.4. Effective Date. Except as otherwise provided in this Charter, every adopted ordinance shall become effective thirty (30) days after the publication of the notice of its adoption or at any later date specified in the ordinance.

203.3. Emergency Ordinances. Notwithstanding the provisions of section 202.2 of this charter, in order to meet a public emergency that is an immediate danger to the public health or safety, the Council may adopt emergency ordinances by the affirmative vote of a majority of a quorum of councilors. No such ordinances shall levy taxes, grant or renew a franchise, convey or lease County lands, or set utility or waste removal rates. An emergency ordinance may be introduced and adopted at the same Council meeting and shall become effective upon adoption and shall stand repealed ninety days after adoption. An emergency ordinance shall be published within seven days after its adoption and shall be promptly printed and made available to the public for examination and/or purchase.

203.4. Resolutions. Every proposed resolution shall be published in full or in summary at least seven days before the Council meeting at which it is to be considered. If a summary is published, copies of the entire proposed resolution shall be made available to the public for examination and/or purchase at the Clerk's office.

203.5. Compilation and Codification. The Council shall provide for the compilation and codification of all County ordinances and resolutions having the effect of law. Such compilation shall be available to the public for examination and/or purchase.

(Ord. No. 387, §§ 8, 9, 1994; Ord. No. 559, §§ 1, 2, 6-23-2010/Ref. 11-2-2010)

ARTICLE III. ADMINISTRATION AND ORGANIZATION

300. County Manager.

The Council shall choose a County Manager for an indefinite term and fix compensation for the Manager. The County Manager shall serve at the discretion of the Council. Appointment shall be based on executive and administrative qualifications. The appointee shall establish residence in the County after appointment within a time specified by the Council. The County Manager shall designate other County staff to perform the duties of the County Manager during any temporary absences.

(Ord. No. 388, § 1, 1994; Ord. No. 649, § 1, 7-29-2014)

302. Duties and Powers of the County Manager.

The County Manager shall be the chief executive officer of the County. The County Manager shall be responsible to the Council for all operational requirements of the County and shall execute the vision, strategic goals and policies established by the Council. The County Manager shall be responsible for the performance of the duties of the Treasurer and the Surveyor of Los Alamos County. The County Manager shall also be responsible for those duties of a county clerk relating to orders for money. The County Manager may delegate duties only with the formal approval of the Council.

(Ord. No. 649, § 2, 7-29-2014)

303. Departments.

303.1. Creation. In addition to the departments created by this Charter, the Council may establish, by resolution, County departments it finds necessary to provide the services and functions required for the public good and shall prescribe the functions of the departments established. No function assigned by this Charter to a particular department is subject to change by the Council.

303.2. Administration. Each County department, except as provided in this Charter, shall be under the direction and supervision of the County Manager and shall be administered by an officer known as the department head. The County Manager shall appoint, suspend, or remove a department head only with the formal approval of the Council. The County Manager may serve as head of one or more departments and one person may serve as head of more than one department.

(Ord. No. 649, § 3, 7-29-2014)

304. Other County Officers—Compensation.

304.1. The offices of Clerk, Assessor, and Sheriff of the County shall be elective. Each of said officers shall be paid at a rate of compensation to be set by ordinance. Any ordinance changing compensation shall not go into effect during the term in which it was passed or during the final three months of a term of office of any said officers. The Council shall, by ordinance, provide for reimbursement of the actual and necessary expenses incurred by the Clerk, Assessor and Sheriff.

304.2. Duties of the Clerk. The Clerk shall be the clerk of the Council, shall maintain copies of all public records of the County, and shall be responsible for the performance of the duties assigned by state statutes to county clerks except for those duties of a clerk assigned to the County Manager by Section 302 of this Charter.

304.3. Duties of the Assessor. The Assessor shall be responsible for the duties assigned by state statutes to county assessors.

304.4. Duties of the Sheriff, Police Department and Peace Officers. The Council shall establish as a department of the County, [sic] a Police Department to be charged with conserving the peace and enforcing the laws of the State and the ordinances of the County. The Sheriff shall have those powers and duties assigned to sheriffs by state statutes, including the powers of a peace officer, but the Sheriff shall not duplicate or perform those duties in this Charter or by ordinance or resolution assigned or delegated to the County's Police Department.

(Amendment No. 1, passed 11/3/70, modification of original section; Amendment No. 4, passed 1/20/76, modification of original section; Ord. No. 388, § 3, 1994; Ord. No. 561, § 2, 6-23-2010/Ref. 11-2-2010; Ord. No. 649, § 4, 7-29-2014)

305. Standing Boards and Commissions and Ad Hoc Advisory Committees.

305.1. Creation. In addition to those boards otherwise created in this charter, the Council may create standing boards and commissions by ordinance and may create ad hoc advisory committees by council action. Members of standing boards and commissions and ad hoc advisory committees shall be appointed by the Council. No standing board or commission or ad hoc advisory committee created by the Council shall have any authority except as granted by the Council.

305.2. County Employees. Except for poll workers, who may serve as regular voting members of standing boards or commissions or ad hoc advisory committees, County employees serving on any standing board or commission or ad hoc advisory committee of the Council shall serve as non-voting members of such bodies.

305.3. Composition of Standing Boards and Commissions. No more than a simple majority of the voting members of any standing board or commission of the Council shall be members of the same political party.

305.4. Limitations. No person shall serve on the same standing board or commission for more than two terms in succession.

(Ord. No. 388, § 4, 1994; Ord. No. 562, § 1, 7-13-2010/Ref. 11-2-2010; Ord. No. 649, § 5, 7-29-14; Ord. No. 650, §§ 1, 2, 7-29-2014)

306. County Employment.

306.1. Non-discrimination. No person shall be discriminated against with respect to any County employment because of race, sex, country of origin, or religious or political beliefs.

306.2. Personnel Rules. The Council, by ordinance, shall establish a system of personnel administration providing that appointments and promotions of all County employees shall be made solely on the basis of merit. The ordinance shall provide for a Personnel Board as a standing board to serve in an appellate and advisory capacity in the administration of the personnel program. The Board shall report annually to the Council on the operation of the personnel system. The County may enter into collective bargaining contracts, but such contracts shall prohibit strikes against the County. The County may share with its employees the cost of insured benefit programs to the extent authorized by the Council.

306.3. Prohibited Political Activities. The Council shall prescribe in the personnel ordinance limitations on employee political activities, as are consistent with federal and state law.

306.4. Rights of Employees. County employees shall have the right to participate voluntarily in political activities at times other than their hours of work for the County.

(Ord. No. 562, § 2, 7-13-2010/Ref. 11-2-2010; Ord. 565, § 1, 6-23-2010/Ref. 11-2-2010)

307. County Attorney.

The Council shall appoint a County Attorney for an indefinite term and fix compensation for the position. The County Attorney shall serve at the discretion of the Council. The County Attorney shall be appointed on the basis of administrative and professional qualifications. The County Attorney shall be legal advisor to the Council, the County Manager, and the County departments, boards and commissions and shall represent the County in all legal proceedings.

(Ord. No. 388, § 5, 1994; Ord. No. 649, § 6, 7-29-2014)

308. Planning.

The Council shall adopt a comprehensive plan to guide the future physical development of the County. The initial adoption and any subsequent modifications of this plan shall take place only after public hearings.

ARTICLE IV. FINANCIAL PROCEDURES

400. Fiscal Year.

The fiscal year shall be set by ordinance.

(Ord. No. 389, § 1, 1994)

401. Accounting System.

The Council shall adopt by formal action an accounting system conforming to accepted accounting principles.

402. Budget Submission.

The County Manager shall annually prepare and submit to the Council a budget for the ensuing fiscal year. The budget shall be accompanied by a budget message giving comparisons with past years as well as projections for future revenues and expenditures.

(Ord. No. 389, § 2, 1994; Ord. No. 649, § 7, 7-29-2014)

403. Council Action on Budget.

403.1. Publication. The Council shall publish a general summary of the budget and a notice stating the times and places where copies of the message and budget are available for inspection by the public and the time and place for the initial public hearing on the budget, which shall not be less than two (2) weeks after publication.

403.2. Adoption. After the public hearing, the Council may adopt the budget with or without amendment. No amendment to the budget shall increase the authorized expenditures to an amount greater than the total of the estimated income and cash reserves, nor shall any amendment change expenditures required by law or for debt service or for estimated cash deficits. The budget as adopted shall be a public record. The Council shall adopt the budget for the ensuing fiscal year for timely submission under state law. If the Council fails to adopt a budget[,] the amounts appropriated for operation during the current fiscal year shall be deemed adopted for the ensuing year on a prorated month-to-month basis until the Council adopts a budget for the new fiscal year.

403.3. Changes. The Council may at any time, by formal action, increase or decrease maximum expenditures within the limitations cited in 403.2. The County Manager may at any time make transfers within each department, but shall report such transfer to the Council.

(Ord. No. 389, §§ 3, 4, 1994; Ord. No. 649, § 8, 7-29-2014)

404. Procurement Procedures.

The Council shall adopt rules and regulations for the purchase of supplies, materials, services, fixed assets and other items necessary for any County function. A petty cash account and rules governing its use may be established by the Council.

405. Disbursement Procedures.

Disbursements shall be made by check or checks drawn on a depository or depositories approved by the Council. Authorized signatures on all bank accounts shall be approved by the Council by formal action.

406. Indebtedness.

Indebtedness shall be limited as allowed counties and municipalities under the constitution and statutes of the State of New Mexico.

407. Audit.

The Council shall provide for an independent annual audit of all County accounts and may provide for more frequent audits as it deems necessary. These audits shall be made by a certified public accountant or firm of such accountants having no personal interest, direct or indirect, in the fiscal affairs of the County government or any of its offices. The Council may, without requiring competitive bids, designate such accountant or firm annually or for a period not exceeding three years. The same accountant or firm of accountants shall not be retained for more than six consecutive years.

408. Capital Projects Permanent Fund.

The council shall create by ordinance and maintain a special fund to be known as the capital projects permanent fund. The principal of the fund shall not be expended but shall be invested in accordance with ordinances adopted by the council. Investment of the fund under this Section 408 shall be made pursuant to standards not lower than those established for investment of state permanent funds. Any investment of the funds in bonds, notes or other obligations of the county shall be at a yield not lower than the yield on comparable municipal securities at the time of investment. Income from investments shall be added to principal in accordance with ordinances adopted by the council in amounts sufficient to maintain the real value of the principal.

Income from the fund not required to be added to principal shall be distributable income from the fund and shall be expended in accordance with ordinances adopted by the council solely to pay all or part of the cost of capital projects. The council may add amounts to the principal of the capital projects permanent fund from the general fund or other available resources in accordance with ordinances to be adopted by the council.

(Ord. No. 346, § 1, 1986; Ord. No. 564, § 1, 6-23-2010/Ref. 11-2-2010)

409. Reserved.

Editor's note(s)—Former section 409, concerning an expenditure fund for capital projects, was repealed by Ord. No. 444, which was adopted by the county council on June 27, 2000, and approved by the voters at the general election on November 7, 2000.

410. Reserved.

Editor's note(s)—Former section 410, concerning a government operations assistance permanent fund, was repealed by Ord. No. 444, which was adopted by the county council on June 27, 2000, and approved by the voters at the general election on November 7, 2000.

ARTICLE V. UTILITIES

500. Utilities Department.

There shall be a Department of Public Utilities which shall operate the County-owned electric, gas, water and sewer utility systems under jurisdiction and control of the Board of Public Utilities.

501. Board of Public Utilities.

501.1. Qualifications and Terms for Membership on the Board of Public Utilities. The Board of Public Utilities shall consist of five (5) members who shall be appointed by the Council. To be eligible for appointment and service on

the Board of Public Utilities, a proposed member (1) must have been a resident of the County of Los Alamos for not less than one (1) year prior to the date of his appointment; (2) must be registered to vote in the County of Los Alamos; (3) must not hold any public office or be an employee of the County government; and (4) must not conduct any business with the Department of Public Utilities except as a consumer. A Board member may be removed any time during his appointment if he lacks any qualification for membership; if he willfully and intentionally violates any express prohibition of this section; if he is convicted of a felony or of a misdemeanor involving moral turpitude; if he is absent without a reasonable excuse from all regular meetings of the Board of Public Utilities during any continuous period of ninety (90) days; if he removes his residence from the County; or if he votes on matters of substantial financial interest to himself. The Council shall appoint one member for a five-year term to begin on the first day of July each year. Vacancies shall be filled by the Council for any unexpired term. A member of the Board of Public Utilities shall hold office until a successor has been appointed. As approved by the Board of Public Utilities, members of the Board shall be entitled to reimbursement for reasonable expenses incurred in carrying out their duties.

501.2. Conflict of Interest. Any member of the Board of Public Utilities who has a financial interest, other than as a consumer, in the outcome of any policy, decision or determination of the Board of Public Utilities shall not vote on that issue.

501.3. Organization of the Board of Public Utilities. The Board of Public Utilities shall adopt and shall file with the Council procedural rules and regulations not inconsistent with this Charter. No action shall be taken by the Board of Public Utilities except by the affirmative vote of at least three members. Three members shall constitute a quorum for the business of the Board. The Board shall meet at least once a month. The meetings and records shall be public. The County Administrator and the Utilities Manager shall be ex officio but non-voting members of the Board of Public Utilities.

(Ord. No. 389, § 5, 1994)

502. Manager of the Department of Public Utilities.

The head of the Utilities Department shall be known as the Utilities Manager. The Board of Public Utilities shall appoint, suspend or remove the Utilities Manager only with the formal approval of the Council. The Manager shall be appointed solely on the basis of his professional qualifications. The Manager shall conduct the business of the Utilities Department subject to the policies established by the Board. All other officers and employees of the Utilities Department shall be appointed and removed by the Manager in accordance with the regulations of this Charter and the personnel ordinance.

503. Cooperation with Other County Departments.

The Utilities Department shall have the right to require the services of the various County offices and departments and shall reimburse such departments to the extent agreed to by the Board and the Administrator. The Utilities Department may provide its services to other County offices and departments and shall be reimbursed from non-utility funds to the extent agreed to by the Board and the Administrator. Utility commodities shall be sold to the County on a compensatory basis and the Department of Public Utilities shall be reimbursed for these commodities from non-utility funds.

504. Rates and Charges.

The rates to be paid by consumers for electricity, gas, water and sewer service shall be proposed by the Board of Public Utilities and shall become effective upon adoption by the County Council. The Board of Public Utilities shall hold a public hearing before a change in rates or charges is put up for adoption. Two weeks before the hearing[,], a notice of the hearing and the proposed change must be published. The Department of Utilities

shall be operated on a compensatory basis. The rates and charges shall be just, reasonable, and comparable to those in neighboring communities and shall be uniform for all consumers of the same class. Different rate schedules may be established for different classes of consumers. Charges for other services provided by the Department of Public Utilities shall be set by the Board of Public Utilities.

505. Accounting and Reporting.

The Department of Public Utilities shall, not later than forty-five (45) days or other time set by ordinance after receipt of the report of the annual audit required by this Charter, furnish the Board of Public Utilities and the Council its annual report which shall include balance sheets, prepared according to generally accepted accounting principles, showing the financial condition, as of the end of the previous fiscal year, of each utility in the Department and of the Department as a whole. Such reports shall be kept on file in the County Clerk's office and shall be public records. A summary of the annual report shall be sent to all consumers.

(Ord. No. 389, § 6, 1994)

506. Budget.

The Department of Public Utilities Manager shall formulate the proposed budget with the Board of Public Utilities for timely submission to the Council for adoption. The proposed budget shall include payments to be made to the County in lieu of the franchise fees and the taxes that would be normally assessed against privately owned gas and electric utilities. It shall also include a proposed Schedule of Funds which shall prescribe the necessary annual rates for funding from revenue the replacement reserves, extension reserves, and any other reserves required.

(Ord. No. 389, § 7, 1994)

507. Bond Issues.

Subject to applicable state statutes[,] the Council, on the recommendation of the Board of Public Utilities, may authorize the issuance and sale of revenue bonds and general obligation bonds to finance the acquisition, construction, improvements and extensions of the utilities.

508. Investment of Funds.

The Board shall have the right to invest the reserve and contingency funds of the Department in accordance with laws and statutes of the State of New Mexico governing investment of public funds by local governing boards and bodies.

509. Priority of Budgeted Expenditures.

In order that the Department of Public Utilities can plan and utilize its proceeds for the maintenance, improvement and extension of the utilities system before any part of such proceeds is diverted to general County purposes, all funds derived from the operation of the utilities shall be managed and expended in accordance with the following policies. From the proceeds of the operation of the Department:

1. There shall first be set aside the funds required for current operations.
2. There shall next be set aside the funds required to redeem and pay interest on any bond issue for the utility which shall become due and payable during the next fiscal year.

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3. There shall next be provided an adequate reserve to finance replacements required by normal depreciation of the utility plant or equipment as provided in the Schedule of Funds. These reserves may not be used by the County for financing County operations.
 4. There shall be paid to the General Fund those amounts set forth in the budget as payments to be made to the County in lieu of franchise fees and taxes that would be normally assessed against privately owned gas and electric utilities.
 5. There shall next be a provision for additions and improvements foreseen as necessary to meet future requirements for the utility systems as provided in the Schedule of Funds.
 6. All remaining operating profits shall be transferred to the County General Fund.

510. Management Audit.

Within two years of the adoption of this Charter and at least every five years thereafter, the Board of Public Utilities shall employ a qualified consultant to review, comment, and make recommendations as to the operation and condition of the County Utilities.

ARTICLE VI. NOMINATIONS AND ELECTIONS

600. County Elections.

600.1. General. Except as otherwise provided by this Charter, the provisions of the election code of the State of New Mexico applicable to county government shall apply to elections held under this Charter.

600.2. Plurality or Majority of Votes Cast Required for Election. The candidate who receives a plurality of the votes cast for the office sought shall be elected to that office. If more than one candidate is to be elected to an office, the candidates, in the number to be elected, receiving the largest pluralities shall be elected. Unless otherwise provided by this Charter, all other questions submitted to the voters shall be decided by a majority of the voters voting on the question. The resolution of tie votes shall be determined by lot.

600.3. Canvassing Committee. The returns of every election shall be canvassed and certified to the Council by a Canvassing Committee consisting of three persons to be appointed by the Council. No person shall be appointed to the Committee unless he is a resident and a registered voter of the County. No more than two of the members of the Committee shall be members of the same political party. No person who is a candidate at an election to be canvassed by the Committee shall serve on the Committee. The Committee shall serve at the pleasure of the Council.

(Ord. No. 390, §§ 1, 2, 1994; Ord. No. 563, § 1, 6-23-2010/Ref. 11-2-2010)

601. Reserved.

Editor's note(s)—Ord. No. 563, § 2, adopted June 23, 2010/November 2, 2010, repealed § 601, which pertained to nominations and derived from Ord. No. 446, § 1, 6-27-2000/Ref. 11-7-2000.

602. Multiple Candidacies.

No person's name shall appear more than once on the ballot at any one election as a candidate for office under this Charter.

603. Election Code.

The Council may adopt by ordinance an election code that shall be consistent with this Charter.

ARTICLE VII. INITIATIVE, REFERENDUM AND RECALL

700. Direct Legislation by Initiative.

Adult residents of the County have the right to propose ordinances through the petition process to the Council and, if the Council fails to adopt the proposed ordinance without change of substance, to adopt or reject it at a County election. Initiative shall not extend to:

- a. The budget;
- b. Outstanding bonds or bonds previously approved at an election;
- c. Appropriations;
- d. Levy of taxes;
- e. Capital projects;
- f. Utility and solid waste rates;
- g. Compensation of county officers and employees;
- h. Zone map amendments; or
- i. As otherwise provided by law.

700.1. Petition requirements.

1. An adult resident of the County, hereinafter referred to as "the petitioner," shall present each proposed ordinance to the Clerk on forms provided by the Clerk, prior to circulating the petition. The date the petition forms are first received by the petitioner from the Clerk shall be the issuing date of the petitions.
2. The Clerk shall issue petition forms to the petitioner.
3. The petition issued by the Clerk shall contain:
 - a. A heading which states that the petition is for the purpose of enacting an ordinance by initiative, and which sets forth, in full, the text of the proposed ordinance;
 - b. A place for the person signing the petition to sign his name and to print his name and address, as registered;
 - c. A statement on each page, signed and sworn to by the person circulating the petition, that the signatures were obtained in his presence, that each signature is genuine to the best of his knowledge and belief, and that the person signing had the opportunity, before signing, to become familiar with the full text of the petition; and
 - d. A statement on each page that any petitioner, petition, circulator or person knowingly providing, or causing to be provided, any false information on a petition, forging a signature, or signing a petition when that person knows that he or she is not a qualified voter in the County of Los Alamos shall be subject to prosecution, as provided by law.

700.2. *[Number of signatures required.]* As to the number of signatures required, an initiative petition shall be deemed sufficient if signed by registered voters in an amount equal to fifteen percent (15%) of the arithmetic mean of the number of voters in the previous two general elections.

700.3. *Filing and validation of completed petition.*

1. A completed initiative petition shall be filed with the Clerk within ninety (90) calendar days following the date on which the Clerk issued the petition for circulation.
2. The petitioner may file individual signature pages at any time. The petitioner may assert to the Clerk at any time that the petition has sufficient signatures.
3. The Clerk shall validate the signature pages within ten (10) business days of receipt, and shall promptly notify the petitioner of any rejected signatures and the reasons for the rejections
4. Within ten (10) business days of final submission or the deadline for filing, the Clerk shall determine whether the petition contains a sufficient number of valid signatures and shall notify the Council and the petitioner. If the petition does not contain a sufficient number of signatures, the Clerk shall reject the petition. The Clerk shall not accept a petition that is substantially similar to a rejected petition for a period of twelve (12) months from the date of notice of rejection.

700.4. *Council action.*

1. Following validation of sufficient signatures, the Clerk shall present the proposed ordinance to the Council at its next scheduled session. The Council shall, within thirty (30) calendar days, consider the proposed ordinance in accordance with its established procedures for legal reviews, publishing, hearing and enacting ordinances, except that no introduction beyond that of the Clerk shall be necessary.
2. If the Council fails to adopt the proposed ordinance, it shall enact an election resolution for the purpose of submitting the initiated ordinance to a vote in accordance with the election provisions of county and state law.
3. If the ordinance is approved by a majority of the ballots cast, it shall become effective upon certification of the election results, unless a later date is specified in the ordinance.
4. If the ordinance is disapproved by a majority of the ballots cast, the Clerk shall not accept a petition for a substantially similar proposed ordinance for a period of twelve (12) months from the date of the election at which it was disapproved.

700.5. *Notice.* All notices by either the Clerk or the petitioner, other than the Clerk's notice to the Council, shall be deemed complete if provided to the designated party in writing, delivered either in person or by other recognized delivery methods in which receipt is acknowledged, including electronic notifications.

(Ord. No. 598, § 1, 5-9-2012/Ref. 11-6-2012; Ord. No. 599, § 1, 5-9-2012/Ref. 11-6-2012; Ord. No. 600, § 1, 5-9-2012/Ref. 11-6-2012; Ord. No. 601, § 1, 5-9-2012/Ref. 11-6-2012; Ord. No. 602, § 1, 5-9-2012/Ref. 11-6-2012; Ord. No. 603, § 1, 5-9-2012/Ref. 11-6-2012)

701. Referendum.

Except as otherwise limited herein, the adult residents of the County shall have the right, through the petition process, to require the Council to reconsider any adopted ordinance. If the Council fails to repeal such an ordinance, said ordinance shall be subject to approval or rejection at a County election. The power of referendum shall not extend to:

- a. The budget;
- b. Appropriations;

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- c. The levy of taxes;
 - d. Capital projects already approved by election in accordance with State law or approved by inclusion in an adopted budget;
 - e. Utility and solid waste rates;
 - f. Compensation of county officers and employees;
 - g. Zone map amendments;
 - h. Recall and initiative ordinances; or
 - i. As otherwise prohibited by State law.

701.1. Petition requirements.

1. Within thirty (30) calendar days of adoption of the ordinance by the Council, a qualified voter, hereinafter referred to as "the petitioner," shall present the proposed reconsideration of the subject ordinance to the Clerk for approval, on forms provided by the Clerk, prior to circulating the petition. The date the petition forms are first received by the petitioner from the Clerk shall be the issuing date of the petitions.
2. The Clerk shall issue petition forms to the petitioner.
3. The petition issued by the Clerk shall contain:
 - a. A heading which states that the petition is for the purpose of referendum to repeal an ordinance, specifying the title, number and a brief description of the ordinance;
 - b. A place for the person signing the petition to write his name (printed), address as registered and signature;
 - c. A statement on each page, signed and sworn to by the person circulating the petition, that the signatures were obtained in his presence, that each signature is genuine to the best of his knowledge and belief, and that the person signing had the opportunity, before signing, to become familiar with the full text of the petition; and
 - d. A statement on each page that any petitioner, petition circulator or person knowingly providing, or causing to be provided, any false information on a petition, forging a signature, or signing a petition when that person knows that he or she is not a qualified voter in the County shall be subject to prosecution, as provided by law.

701.2. Number of signatures. A referendum petition shall be deemed sufficient if signed by registered voters in an amount equal to fifteen percent (15%) of the arithmetic mean of the number of voters in the previous two (2) general elections.

701.3. Filing and validation of completed petition.

1. A completed referendum petition shall be filed with the Clerk within sixty (60) calendar days following the date on which the Clerk issued the petition for circulation.
2. The petitioner may file individual signature pages at any time. The petitioner may assert to the Clerk at any time that the petition has sufficient signatures.
3. The Clerk shall validate the signature pages within ten (10) business days of receipt, and shall promptly notify the petitioner of any rejected signatures and the reasons for the rejections.
4. Within ten (10) business days of final submission or the deadline for filing, the Clerk shall determine whether the petition contains a sufficient number of valid signatures and shall notify the Council and

the petitioner. If the petition does not contain a sufficient number of signatures, the Clerk shall reject the petition.

701.4. Council action.

1. Following validation of sufficient signatures, the Clerk shall present the referred ordinance to the Council at its next scheduled session. Any such ordinance, other than an emergency ordinance, shall automatically be suspended as of the date of such meeting. The Council shall, within thirty (30) calendar days, consider the referred ordinance in accordance with its established procedures for legal reviews, publishing, hearing, and repealing ordinances, except that no introduction beyond that of the Clerk shall be necessary.
2. If the Council fails to repeal the proposed ordinance, it shall enact an election resolution for the purpose of submitting the ordinance to a vote in accordance with the election provisions of county and state law.
3. If the ordinance is approved by a majority of the ballots cast, it shall be effective upon certification of the election results, unless a later date is specified in the ordinance.
4. If the ordinance is disapproved by a majority of the ballots cast, it shall be deemed repealed upon certification of the election results.

701.5. Notice. All notices by either the Clerk or the petitioner, other than the Clerk's notice to the Council, shall be deemed complete if provided to the designated party in writing. All notices by either the Clerk or the petitioner, other than the Clerk's notice to the Council, shall be deemed complete if provided to the designated party in writing, delivered either in person or by other recognized delivery methods in which receipt is acknowledged including electronic notifications.

(Ord. No. 387, § 10, 1994; Ord. No. 605, § 1, 5-9-2012/Ref. 11-6-2012; Ord. No. 606, § 1, 5-9-2012/Ref. 11-6-2012; Ord. No. 607, § 1, 5-9-2012/Ref. 11-6-2012; Ord. No. 608, § 1, 5-9-2012/Ref. 11-6-2012; Ord. No. 609, § 1, 5-9-2012/Ref. 11-6-2012; Ord. No. 610, § 1, 5-9-2012/Ref. 11-6-2012)

702. Recall.

An elected official of the County is subject to recall by the voters of the County in accordance with the provisions of Article 10, Section 9 of the New Mexico Constitution providing for recall on the grounds of malfeasance or misfeasance in office or violation of the oath of office by the official concerned, and any State law applicable thereto.

(Ord. No. 612, § 1, 5-9-2012/Ref. 11-6-2012)

703. [Reserved.]

(Ord. No. 604, § 1, 5-9-2012/Ref. 11-6-2012; Ord. No. 611, § 1, 5-9-2012/Ref. 11-6-2012; Ord. No. 613, § 1, 5-9-2012/Ref. 11-6-2012)

Editor's note(s)—Charter § 703, pertaining to initiative, referendum and recall was repealed by Ord. No. 604 insofar as it related to initiative, Ord. No. 611 insofar as it related to referendum and Ord. No. 613 insofar as it related to recall.

704. [Reserved.]

(Ord. No. 604, § 1, 5-9-2012/Ref. 11-6-2012; Ord. No. 611, § 1, 5-9-2012/Ref. 11-6-2012; Ord. No. 613, § 1, 5-9-2012/Ref. 11-6-2012)

Editor's note(s)—Charter § 704, pertaining to initiative, referendum and recall was repealed by Ord. No. 604 insofar as it related to initiative, Ord. No. 611 insofar as it related to referendum and Ord. No. 613 insofar as it related to recall.

ARTICLE VIII. INCORPORATED COUNTY COURT

800. General Provisions.

There shall be a Court of the Incorporated County of Los Alamos having jurisdiction over all offenses and complaints under County ordinances. The Court shall have those additional powers and duties assigned to municipal courts by state statute and may issue subpoenas and warrants and punish for contempt.

801. Council Action.

The Council shall provide by ordinance for the qualifications, bond, and salary of the Judge of the Court. The Council may provide by ordinance or resolution for a system under which a person accused of specified offenses may admit his guilt and pay a penalty assessment for the offense without being required to make a Court appearance.

ARTICLE IX. GENERAL PROVISIONS

900. Charter Amendments.

900.1 Amendments. Amendments to this Charter may be proposed: (1) by council ordinance; (2) by initiative ordinance pursuant to section 700 of this charter as it applies to process; or (3) by report of a Charter Commission that has been created by ordinance. Any such ordinance shall contain a full text of the proposed amendment.

900.2. Election. The proposed amendment or amendments shall be submitted to the electorate for adoption or rejection at an election to be held pursuant to the relevant provisions of section 700 of this charter relating to the process for initiative elections.

900.3. Publication. The Council shall provide for publication in its election resolution according to the election and publication procedures of county and state law, provided, that the Council shall, at a minimum, cause to be published the date of the election and the full text of the proposed amendment or amendments at least 20 days prior to the date of the election. The full text of the proposed amendment or amendments shall also be posted at each voting place.

900.4. Adoption. If a proposed amendment is adopted by a majority of the voters voting on the question, it shall become effective 30 days after the certification of the election results by the County Council.

900.5. Separate ballot questions. When distinct proposed amendments to the Charter are not dependent on each other, and there is no direct, necessary or logical connection between the operation of each, those amendments shall be submitted separately to the voters.

(Ord. No. 391, §§ 1, 3, 1994; Ord. No. 614, § 1, 5-9-2012/Ref. 11-6-2012; Ord. No. 615, § 1, 5-9-2012/Ref. 11-6-2012; Ord. No. 616, § 1, 5-9-2012/Ref. 11-6-2012; Ord. No. 617, § 1, 5-9-2012/Ref. 11-6-2012; Ord. No. 618, § 1, 5-9-2012/Ref. 11-6-2012)

901. Separability.

If any provision of this Charter is held invalid, the other provisions of the Charter shall not be affected. If the application of the Charter or any of its provisions to any person or circumstances is held invalid, the application of the Charter or any of its provisions to other persons or circumstances shall not be affected.

902. Titles and Subtitles.

Titles and subtitles appearing before the articles and sections of this Charter are not intended to determine or restrict the meaning of its provisions. No provision of this Charter shall be construed or limited by reason of the content of titles and subtitles.

903. Seal.

The County shall have a seal which shall contain the word "SEAL" in the center and shall also contain the words "Incorporated County of Los Alamos, New Mexico" surrounding the word "SEAL".

904. Reserved.

Editor's note(s)—Ord. No. 566, § 1, adopted June 23, 2010/November 2, 2010, repealed § 904, which pertained to action against the county and derived from original charter adopted 12-10-68.

905. Reserved.

Editor's note(s)—Ord. No. 562, § 3, adopted July 13, 2010/November 2, 2010, repealed § 905, which pertained to committees and boards and derived from Ord. No. 391, § 4, 1994.

906. Elected Officials.

906.1. Term of Office of Councilors. All County Councilors shall be elected for a term of four years, and after having served two consecutive terms, shall be ineligible to hold any County elective office for a period of two years.

906.2. Term of Office of Other Elected Officials—Restrictions. There shall be no restrictions on the number of terms which a judge of the Court of the Incorporated County of Los Alamos, also known as the Judge of the municipal Court in and for Los Alamos County, may serve, but all other elected officials, except as provided in Section 906.1, shall be ineligible to hold any County elective office for a period of two years after having served two consecutive terms.

(Ord. No. 391, §§ 5, 6, 1994; Amendment No. 2, passed 11/3/70, modification of original section.)

907. Additional Petition Requirements.

907.1. Certification of Forms. In addition to other requirements as specified in this Charter, each petition shall be upon forms obtained from the County Clerk at no charge to the petitioner. The County Clerk shall certify on each page: (a) the date on which it was issued; (b) the purpose of the petition; (c) the date the petition is due; and (d) the County seal.

907.2. Name and Address. Each signature on the petition shall be followed by the address of the person signing. Only the signatures of resident, [and] qualified voters of the County shall be counted.

907.3. Affidavit. Each page[,] when filed shall contain an affidavit executed by the circulator stating: (1) he personally circulated the page; (2) the number of signatures on the page; (3) that all signatures were affixed in his presence; (4) that he believes them to be genuine signatures of the persons whose names they purport to be; and (5) that each signer had the opportunity before signing to read the full text of the petition.

907.4. [Reserved]

907.5. Petition Certification. Within 20 days after the petition is filed, the Council shall certify the petition as to its sufficiency with regard to this Charter. If a petition is certified as insufficient, the County Clerk shall specify the particulars of insufficiency, and shall promptly send a copy of the certificate to the petitioners by registered mail. The petition may be supplemented once, within ten days after receiving the copy of such a certificate. The supplemental petition shall be executed in the same manner as the original petition. If the supplemented petition is certified insufficient by the Council, it shall be considered a final determination of insufficiency.

(Ord. No. 445, § 1, 6-27-2000/ref. 11-7-2000; Ord. No. 604, § 1, 5-9-2012/Ref. 11-6-2012; Ord. No. 611, § 1, 5-9-2012/Ref. 11-6-2012; Ord. No. 613, § 1, 5-9-2012/Ref. 11-6-2012)

Editor's note(s)—Subsection 907.4, pertaining to initiative, referendum and recall was repealed by Ord. No. 604 insofar as it related to initiative, Ord. No. 611 insofar as it related to referendum and Ord. No. 613 insofar as it related to recall.

908. Final Day of Act.

If the last day for performing an administrative duty, filing a petition, a declaration or other similar act, falls on a Saturday, Sunday, or holiday, the next succeeding day on which the County or municipal office is open during regular business hours shall be the final day for such performance.

909. Definition: Publish and Publication—Defined.

Except as otherwise provided in this Charter, the term "publish" or "publication" shall have the meaning as prescribed in state law for legal notices and shall also include posting at the Municipal Building, the public library and its branches, and such other places as may be designated by ordinance.

(Ord. No. 391, § 7, 1994; Ord. No. 567, § 1, 6-23-2010/11-2-2010)

910. Conflict of Interest.

Any elected official, County employee, committee member or advisory board member who has a financial interest in the outcome of any policy, decision, or determination shall not vote or act on the issue in which he has such an interest.

911. Filling of Vacancies.

When a vacancy occurs in the elective offices of Clerk, Assessor, or Sheriff, the County Council shall appoint a qualified person to fill such office for the remainder of the unexpired term.

912. Authority to Enter.

All laws governing the County, for the purpose of public safety, health and welfare, and pertaining to the inspections and investigations required thereunder, shall in their adopting ordinances and in codes adopted by reference thereby, have an "Authority to Enter" section. Such action shall state the purpose of entry and direct that County inspectors may enter all buildings at any reasonable time for inspections, and shall further state:

"This authority to enter shall not include the interiors of private parties, dwellings or living quarters, or the portions of commercial premises used as dwellings, or the non-public portions of commercial premises, except upon obtaining a search warrant, or permission of the occupant thereof, or permission of the party responsible therefor in the event the premises are unoccupied. The provisions of this section do not apply in the event of explosion, fire, or like emergency."

(Amendment No. 3, passed 11/7/72, additional section.)

ARTICLE X. TRANSITIONAL PROVISIONS

1000. Rights and Privileges Preserved.

Nothing in this Charter, except as specifically provided, shall be construed to affect or impair the rights, privileges, and duties of persons who are County officers or employees at the time of its adoption.

1001. Adoption and Certification.

This Charter shall be submitted to the qualified voters of Los Alamos County, and if a majority of those voting vote for its adoption, it shall become effective on January 1, 1969. The Board of Commissioners of Los Alamos County shall cause true copies of the adopted Charter to be certified by the Clerk and made available to the public for examination and/or purchase.

1003. Transfer of Powers.

The powers and duties of any County department, office, or agency abolished by this Charter shall be transferred as designated in this Charter or, in the absence of a Charter provision, as designated by the Council.

1004. Property and Pending Matters.

All County property, records, and equipment in existence on December 31, 1968[,] shall be transferred as designated by the Council. All rights, claims, actions, orders, contracts, and legal or administrative proceedings shall continue except as modified by the provisions of this Charter.

1005. County and Municipal Laws.

Each County ordinance, resolution, and regulation that is in force when this Charter becomes effective is repealed to the extent it is inconsistent with this Charter. Each ordinance, resolution, and regulation shall continue in effect to the extent it is not inconsistent with this Charter.

1006. Abolition of Offices.

The offices of Treasurer and Surveyor of Los Alamos County are abolished as elective offices.

CHARTER COMPARATIVE TABLE AMENDMENTS

This table shows the location of the sections of the basic Charter and any amendments thereto.

Ordinance Number	Adoption Date	Referendum Date	Section	Section this Charter
	12-10-1968(Ord.)			Arts. I—X
1(Amd.)	11- 3-1970			304
2(Amd.)	11- 3-1970			906
3(Amd.)	11- 7-1972			912
4(Amd.)	1-20-1976			304
5(Amd.)	1-20-1976			103
346	1986		1	408
387	1994		1—5	200
			6, 7	202
			8, 9	203
			10	701
388	1994		1	300
			3, 4	304, 305
			5	307
389	1994		1	400
			2, 3	402, 403
			4	403
			5	502
			6, 7	505, 506
390	1994		1, 2	600
391	1994		1	900
			3	900
			4, 5	905, 906
			6	906
			7	909
445	6-27-2000		1	907
446	6-27-2000		1	601
558	6-23-2010	11- 2-2010	1	101
			2	103
559	6-23-2010	11- 2-2010	1	202.2
			2	203.2.1
				203.2.3
				203.3
560	7-13-2010	11- 2-2010	1	200.4
561	6-23-2010	11- 2-2010	1	200.5
			2	304.1—304.4
562	7-13-2010	11- 2-2010	1	305

Los Alamos County, New Mexico, Code of Ordinances
CHARTER COMPARATIVE TABLE AMENDMENTS

			2	306.2
			3 Rpld	905
563	6-23-2010	11- 2-2010	1	600
			2 Rpld	601
564	6-23-2010	11- 2-2010	1	408
565	6-23-2010	11- 2-2010	1	306.3
566	6-23-2010	11- 2-2010	1 Rpld	904
567	6-23-2010	11- 2-2010	1	909
568	6-23-2010	11- 2-2010	1	202.1
598	5- 9-2012	11- 6-2012	1	700
599	5- 9-2012	11- 6-2012	1	700.1
600	5- 9-2012	11- 6-2012	1	700.2
601	5- 9-2012	11- 6-2012	1	700.3
602	5- 9-2012	11- 6-2012	1	700.4
603	5- 9-2012	11- 6-2012	1	700.5
604	5- 9-2012	11- 6-2012	1	703
				704
				907.4
605	5- 9-2012	11- 6-2012	1	701
606	5- 9-2012	11- 6-2012	1	701.1
607	5- 9-2012	11- 6-2012	1	701.2
608	5- 9-2012	11- 6-2012	1	701.3
609	5- 9-2012	11- 6-2012	1	701.4
610	5- 9-2012	11- 6-2012	1	701.5
611	5- 9-2012	11- 6-2012	1	703
				704
				907.4
612	5- 9-2012	11- 6-2012	1	702
613	5- 9-2012	11- 6-2012	1	703
				704
				907.4
614	5- 9-2012	11- 6-2012	1	900.1
615	5- 9-2012	11- 6-2012	1	900.2
616	5- 9-2012	11- 6-2012	1	900.3
617	5- 9-2012	11- 6-2012	1	900.4
618	5- 9-2012	11- 6-2012	1	900.5
648	7-29-2014	11- 4-2014	1	202.1
649	7-29-2014	11- 4-2014	1	300
			2	302
			3	303.2
			4	304.2
			5	305.1
			6	307
			7	402
			8	403.3

Los Alamos County, New Mexico, Code of Ordinances
CHARTER COMPARATIVE TABLE AMENDMENTS

650	7-29-2014	11- 4-2014	1, 2	305.1, 305.2
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County of Los Alamos

Los Alamos, NM 87544
www.losalamosnm.us

Staff Report

June 17, 2026

Agenda No.: 8.g.2.

Index (Council Goals): Quality Governance - Communication and Engagement; DPU FY26 - 6.0
Develop and Strengthen Partnerships

Presenters: Robert Gibson, Chair-Board of Public Utilities

Legislative File: 21201-26c

Title

Approval of the Board of Public Utilities Annual Presentation to County Council

Recommended Action

I move that the Board of Public Utilities approve the Annual Presentation to Council and Chair Gibson's delivery of the presentation at the July 15, 2025 Council Work Session.

Utilities Manager's Recommendation

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

Body

On July 15, 2025, the Chair of the Board of Public Utilities is scheduled to deliver the Annual BPU Presentation to Council. This will be an overview of BPU & DPU initiatives and actions during FY2026. In preparation for the upcoming presentation, the Board discussed possible topics at the May 7 work session. Chair Gibson prepared a draft presentation and the BPU reviewed it at the June 4 work session. The final draft is attached for BPU's consideration and approval.

Alternatives

None.

Attachments

A - BPU Presentation to County Council_Final Draft



Presentation to County Council

Robert Gibson, Chair
July 14, 2026

Board Members



Member

Position

Term Ends

Robert Gibson

Chair

2028

Matt Heavner

Vice Chair

2031

Jennifer
Hollingsworth

Member

2029

Charlie Nakhleh

Member

2027

Eric Stromberg

Member

2030

Senior Management



Philo S. Shelton, III
Utilities Manager

Deputy Utility Managers



James
Martinez
Engineering
Division



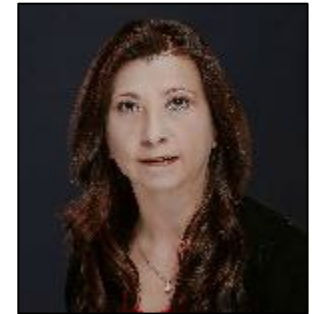
Ben
Olbrich
Electric
Production



Dennis
Astley
Electric
Distribution



Clay
Moseley
Gas, Water
and Sewer
Services



Joann
Gentry
Finance and
Administration

DPU from 100,000 ft.

- Department scope:
 - provide electricity, natural gas, water, and wastewater services
 - 107.65 employees; \$95M FY27 budget
- Basic responsibility: keep the lights on and all fluids flowing when and where they should.
- Routine operations and maintenance are by far the largest part of DPU's job.
- This report focuses on current and future major challenges.

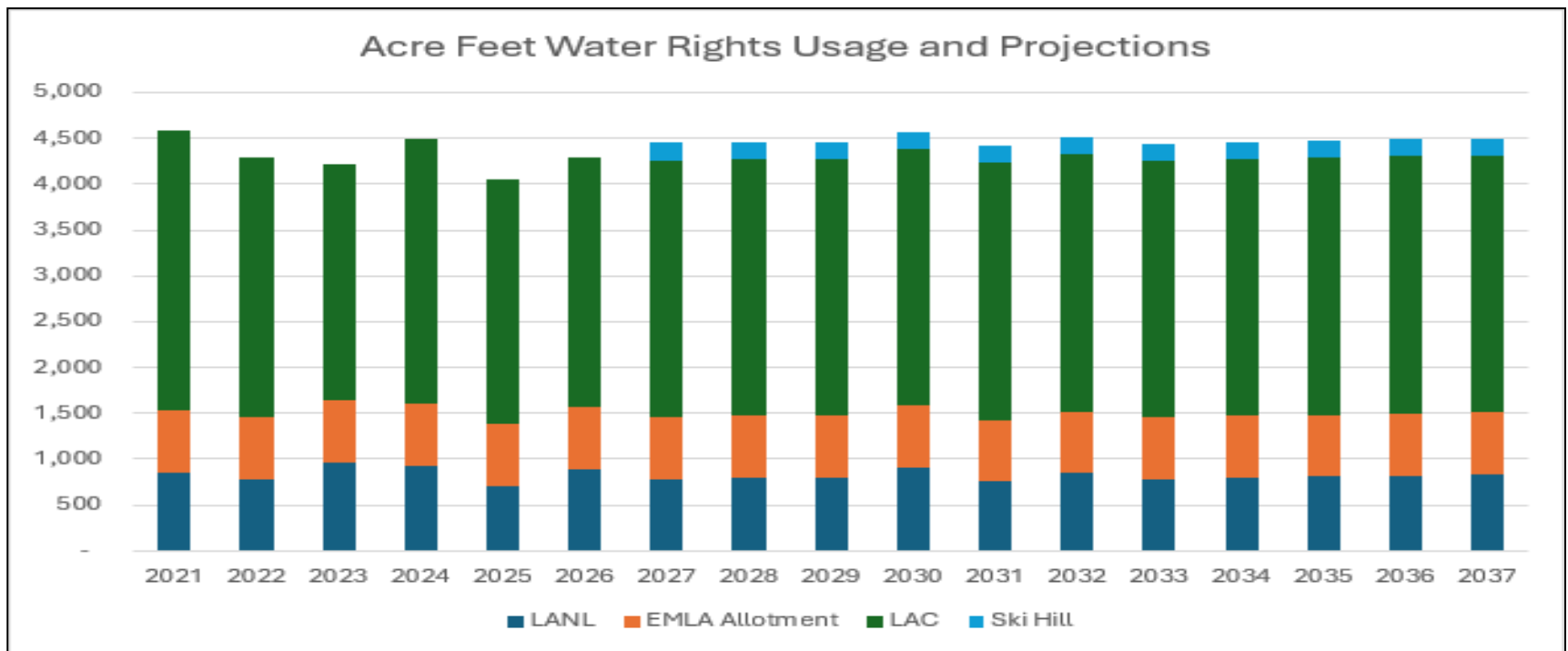


Wastewater

- No major issues; routine repairs and replacements are on-going
- More uses for non-potable effluent water could require more pipelines
- Blockages and back-ups
- PFAS litigation

Water

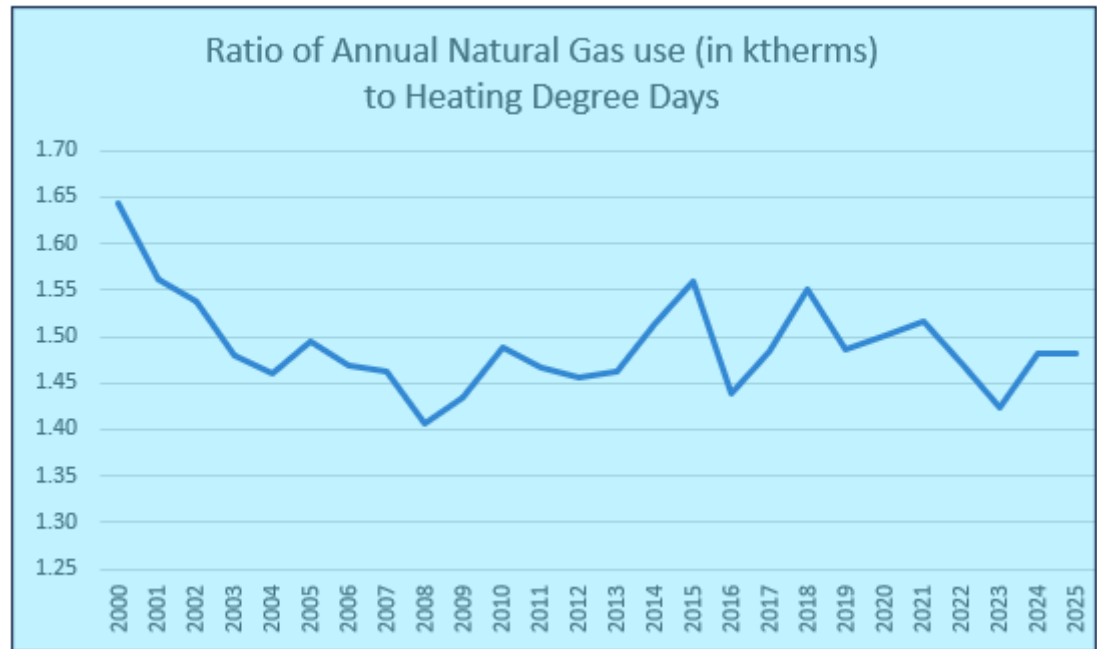
- Distribution system in good condition
- Jemez Mountain Fire Protection Project progressing
- Water rights and usage (past, present, and projected), LAC and LANL
- PM-3 out of service / Cr Plume
- Potential new well into San Juan - Chama water
- Federal funding needed
- Agreement w/DOE needed
- PFAS Litigation



Note: DPU administers 5441.3 AF of which 1662.4 AF are owned by LANL

Natural Gas

- System in good condition
- Elk Ridge neighborhood addition
 - Physically complete; new system operational
 - Transfer pending
- Goal: phase out natural gas by 2070
 - Milestone: 10% reduction by 2030
 - Little progress →
 - Focus on new construction
 - Continue education for existing properties



Electric - Supply

- Electric Coordination Agreement (ECA) Follow-on
- Demand projections (LARES and B&M): 2-3 times current use
- Goal: Carbon-neutral electrical provider by 2040
- Foxtail Flats
 - Solar: 170 MW solar @ \$37.88 / MWh
 - Storage: 320 MWh @ \$110.96 / MWh
 - Construction started
 - 70 MW PV by April 2027
 - Complete by June 2027
 - Business Plan development to follow ECA approval
- Other potential carbon-free sources and storage
- El Vado Dam rehabilitation
- Integrated Resources Plan (IRP) with dynamic updating
- Extended Day Ahead Market (EDAM) – Fall 2027

20 yr. fixed cost (no escalator)
Present avg. cost ~\$75/MWh

Electric - Transmission

- National and New Mexico problem
- LANL Electrical Power Capacity Upgrade (EPCU) Project “third transmission line”
 - Any two of three lines can fully supply LAC and LANL
 - Construction to start this fall
 - Approximately a two-year project

Electric - Distribution

- Current system reliable, but aging
- “Plug-In Solar” policy to be developed
- White Rock – LANL tie-line complete
- Renewal over next 20-30 years
 - Goals: extend lifetime, increase reliability, increase capacity
 - Current projects: Los Alamos Switch Station, White Rock Substation
 - Near-term projects: improve system models, EA-4 feeder line rebuild
 - Long-term projects: increase conductor and transformer capacity
 - Additional underground?



Organizational Challenges

- Financial

- Rate hike drivers: inflation >CPI, compliance, catching up
- Scrubbing of costs needed
- Review reserve policies

- Hiring

- Seven (7) current vacancies
- Acute in Electric Distribution
- Adds stress to current staff



Questions?

Robert Gibson, Chair
Board of Public Utilities
robert.gibson@losalamosnm.gov
505.412.3176

Philo Shelton, Utilities Manager
philo.shelton@losalamosnm.gov
505.662.8148

DPU Quarterly Report
www.ladpu.com/FY26Q3



Electric, Gas, Water, and Wastewater Services



County of Los Alamos

Staff Report

June 17, 2026

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: 9.a.

Index (Council Goals):

Presenters: Philo Shelton, Utilities Manager

Legislative File: 21293-26

Title

Status Reports - May 2026

Body

Each month the Board receives in the agenda packet informational reports on various items. No presentation is given, but the Board may discuss any of the reports provided.

Attachments

A - Electric Reliability Report

B - Accounts Receivables Report

C - Risk & Safety Report



Department of Public Utilities

Electric, Gas, Water, and Wastewater Services

Monthly Status Report

Electric Reliability

Dennis Astley

Deputy Utility Manager - Electric Distribution

Total # Accounts	9045	
Total Interruptions	33	
Sum Customer Interruption Durations	25127:29:00	
#Customers Interrupted	13292.0	
SAIFI	1.47	
SAIDI	2:46	
CAIFI	0.248%	
CAIDI	1:53	
ASAI	98.5771%	

- **SAIFI - System Average Interruption Frequency Index**
A measure of interruptions per customer (Per Year)

$$\text{SAIFI} = \frac{(\text{Total number of customer interruptions})}{(\text{Total number of customers served})}$$

- **SAIDI – System Average Interruption Duration Index**
A measure of outage time per customer if all customers were out at the same time (hours per year)

$$\text{SAIDI} = \frac{(\text{Sum of all customer outage durations})}{(\text{Total number of customers served})}$$

- **CAIDI – Customer Average Interruption Duration Index**
A measure of the average outage duration per customer (hours per interruption)

$$\text{CAIDI} = \frac{(\text{Sum of all customer outage durations})}{(\text{Total number of customer interruptions})} = \frac{\text{SAIDI}}{\text{SAIFI}}$$

- **ASAI – Average System Availability Index**
A measure of the average service availability (Per unit)
$$\text{ASAI} = \frac{(\text{Service hours available})}{(\text{Customer demand hours})} = \frac{8760 - \text{SAIDI}}{8760}$$

Electric Distribution Reliability Study Twelve Month Outage History				Prepared by Dennis G Astley Deputy Utility Manager								
Date	Call Rcd.	Circuit	Cause	Start Time	End Time	Duration	Minutes	Customers Affected (Meters)	Combined Customer Outage Durations	Total Outage H:M:S	Running Consumer Pain Index	Running SAIDI
5/5/2025	Utilities	15	WEATHER	3:26	7:15	3:49	229	16	61:04:00	61:04:00	0:00:24	0:00:24
5/8/2025	Utilities	14	URD Failure	9:07	10:00	0:53	53	20	17:40:00	78:44:00	0:00:31	0:00:31
6/8/2025	Utilities	WR2	URD Failure	5:00	8:00	3:00	180	15	45:00:00	123:44:00	0:00:49	0:00:49
6/8/2025	Utilities	WR2	URD Failure	5:00	10:00	5:00	300	20	100:00:00	223:44:00	0:01:29	0:01:29
6/8/2025	Utilities	WR2	URD Failure	5:00	13:00	8:00	480	5	40:00:00	263:44:00	0:01:45	0:01:45
6/19/2025	Utilities	WR1	OH Failure	16:00	17:30	1:30	90	10	15:00:00	278:44:00	0:01:51	0:01:51
7/16/2025	Utilities	16	Weather	9:25	10:15	0:50	50	10	8:20:00	287:04:00	0:01:54	0:01:54
7/22/2025	Utilities	13	OH Failure	12:25	13:20	0:55	55	1675	1535:25:00	1822:29:00	0:12:05	0:12:05
7/22/2025	Utilities	13	Transformer Failure	17:30	18:45	1:15	75	10	12:30:00	1834:59:00	0:12:10	0:12:10
7/28/2025	Utilities	15	Weather	16:05	18:00	1:55	115	1	1:55:00	1836:54:00	0:12:11	0:12:11
8/8/2025	Utilities	WR1	Transformer Failure	3:20	6:00	2:40	160	2612	6965:20:00	8802:14:00	0:58:23	0:58:23
8/12/2025	Utilities	WR2	Vehicle	10:00	11:00	1:00	60	961	961:00:00	9763:14:00	1:04:46	1:04:46
8/25/2025	Utilities	WR1	weather	19:22	20:10	0:48	48	949	759:12:00	10522:26:00	1:09:48	1:09:48
11/4/2025	Utilities	13	Contractor	15:30	16:30	1:00	60	21	0:00:00	10522:26:00	1:09:56	1:09:48
11/4/2025	Utilities	16	URD Failure	22:30	3:30	5:00	300	35	175:00:00	10697:26:00	1:11:06	1:10:58
12/11/2025	Utilities	ELK RIDGE	Unknown	7:29	9:20	1:51	111	175	323:45:00	11021:11:00	1:13:15	1:13:07
12/12/2025	Utilities	WR1	URD Failure	4:30	7:30	3:00	180	50	150:00:00	11171:11:00	1:14:15	1:14:06
12/16/2025	Utilities	14	Contractor	0:30	2:30	2:00	120	14	0:00:00	11171:11:00	1:14:26	1:14:06
12/18/2025	Utilities	ELK RIDGE	weather	3:45	5:45	2:00	120	20	40:00:00	11211:11:00	1:14:42	1:14:22
12/18/2025	Utilities	13	TREE	5:45	9:30	3:45	225	20	75:00:00	11286:11:00	1:15:12	1:14:52
12/22/2025	Utilities	17	Contractor	10:30	11:00	0:30	30	15	0:00:00	11286:11:00	1:15:15	1:14:52
1/1/2026	Utilities	16	Unknown	15:00	16:15	1:15	75	6	7:30:00	11293:41:00	1:15:17	1:14:55
1/28/2026	Utilities	WR2	URD Failure	9:00	10:00	1:00	60	14	14:00:00	11307:41:00	1:15:23	1:15:01
2/6/2026	Utilities	ELK RIDGE	OH Failure	9:30	10:00:00	0:30:00	30	20	10:00:00	11317:41:00	1:15:27	1:15:05
2/17/2026	Utilities	16	weather	10:30	12:00	1:30	90	7	10:30:00	11328:11:00	1:15:31	1:15:09
3/6/2026	Utilities	16	LANL Error	13:30	13:50	0:20	20	231	77:00:00	11405:11:00	1:16:02	1:15:09
3/11/2026	Utilities	16	WEATHER	13:44	14:24	0:40	40	40	26:40:00	11431:51:00	1:16:12	1:15:39
3/18/2026	Utilities	WR1	URD Failure	16:00	3:30	11:30	690	6	69:00:00	11500:51:00	1:16:40	1:15:50
3/31/2026	Utilities	Bandelier	URD Failure	10:05	16:00	5:55	355	4	23:40:00	11524:31:00	1:16:49	1:16:17
4/17/2026	Utilities	WR2	URD Failure	10:00	11:00	1:00	60	10	10:00:00	11247:27:00	1:16:53	1:14:37
4/22/2026	Utilities	ELK RIDGE	LANL Error	15:00	16:30:00	1:30:00	90	20	0:00:00	11247:27:00	1:17:05	1:14:37
5/8/2026	Utilities	13	URD Failure	21:32	22:36:00	1:04:00	64	4373	4664:32:00	16199:03:00	1:48:02	1:14:37
5/8/2026	Utilities	13	URD Failure	21:32	23:48:00	2:16:00	136	945	2142:00:00	18341:03:00	2:02:14	1:47:27
5/8/2026	Utilities	13	URD Failure	21:32	0:20:00	2:48:00	168	17	47:36:00	18388:39:00	2:02:33	2:01:40
5/8/2026	Utilities	13	URD Failure	21:32	1:02:00	4:30:00	270	305	1372:30:00	19761:09:00	2:11:40	2:01:59
5/8/2026	Utilities	13	URD Failure	21:32	2:38:00	6:00:00	360	102	612:00:00	20373:09:00	2:15:43	2:11:05
5/8/2026	Utilities	13	URD Failure	21:32	4:35:00	8:00:00	480	134	1072:00:00	21445:09:00	2:22:50	2:15:09
5/8/2026	Utilities	13	URD Failure	21:32	5:26:00	9:00:00	540	376	3384:00:00	24829:09:00	2:45:17	2:22:15
5/8/2026	Utilities	13	URD Failure	21:32	7:42:00	11:10:00	670	26	290:20:00	25119:29:00	2:47:12	2:44:42
5/25/2026	Utilities	EA4	Pole Fire	21:30	1:00:00	4:00:00	240	2	8:00:00	25127:29:00	2:47:15	2:46:38

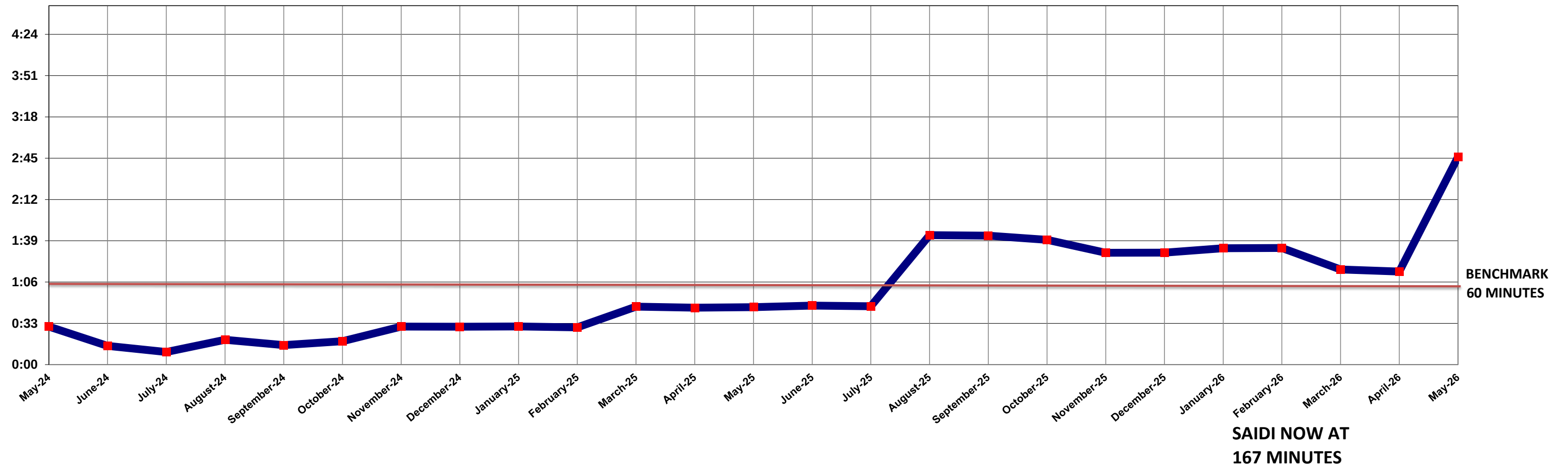
CIRCUIT SAIDI IS CALCULATED ACCORDING TO THE NUMBER OF CUSTOMERS IN EACH CIRCUIT RESPECTIVELY

<u>Running SAIDI</u> <u>Circuit 13</u>	<u>Running</u> <u>SAIDI Circuit</u> <u>14</u>	<u>Running</u> <u>SAIDI Circuit</u> <u>15</u>	<u>Running SAIDI</u> <u>Circuit 16</u>	<u>Running</u> <u>SAIDI Circuit</u> <u>17</u>	<u>Running</u> <u>SAIDI Circuit</u> <u>18</u>	<u>Running</u> <u>SAIDI Circuit</u> <u>EA4 & ELK</u> <u>RIDGE</u>	<u>Running</u> <u>SAIDI Circuit</u> <u>WR1</u>	<u>Running SAIDI</u> <u>Circuit WR2</u>	<u>Monthly SAIDI</u>	
	0:01:58	0:01:57							MAY	0:00:31
								0:02:49		
								0:06:15		
								0:02:30		
			0:00:16				0:00:56		JUNE	0:01:20
0:55:40										
0:00:27										
		0:00:04							JULY	0:10:20
							7:14:53			
								1:00:00		
0:00:00							0:47:24		AUGUST	0:11:25
			0:05:42						NOVEMBER	0:01:10
						1:57:44				
0:02:43						0:14:33				
									DECEMBER	0:03:54
			0:00:15							
								0:00:52	JANUARY	0:00:35
						0:03:38				
			0:00:21						FEBRUARY	0:00:08
			0:00:52							
							0:04:18			
						0:08:36			MARCH	0:00:47
								0:00:37	April	0:00:04
						0:00:00				
2:49:06	8:39:15	2:29:16	2:31:56	22:19:06	21:53:57				May	1:30:10
1:17:39										
0:01:44										
0:49:45										
0:22:11										
0:38:52										
2:02:41										
0:10:32										
9:11:21	8:41:13	2:31:17	2:39:22	22:19:06	21:53:57	2:24:31	8:07:32	1:13:03	<u>Total</u>	0:01:51
1655	539	1875	1842	209	213	165	1586	961	9045	
NUMBER OF CONSUMERS BY CIRCUIT										

EACH POINT IS A MONTHLY SAIDI HISTORY
60 MINUTES = LACDPU SAIDI BENCHMARK

SAIDI = STANDARD AVERAGE INTERRUPTION DURATION

SAIDI= $\frac{\text{Sum of all customer outage durations}}{\text{(Total number of customers served)}}$





Department of Public Utilities

Electric, Gas, Water, and Wastewater Services

Monthly Status Report

Accounts Receivables

Joann Gentry

Deputy Utility Manager - Finance & Administration

Los Alamos County Utilities Department
Active Receivables Over 90 Days Past Due
June 1, 2026

Account	Customer ID	Acct Type	Comments	90 - 119	120 +
3001964	2216587	RS	Transfer inactive account balance to active account	0.00	262.50
3006598	2218086	RS	Transfer inactive account balance to active account	0.00	265.23
3009385	2135528	RS	Transfer inactive account balance to active account	0.00	405.08
3009124	2216779	RS	Transfer inactive account balance to active account	0.00	448.90
3200365	2113838	RS	Transfer inactive account balance to active account	0.00	528.51
3200388	2004969	RS	Transfer inactive account balance to active account	0.00	661.49
3010031	2047958	CM	Electric Only - Disconnect for Non-Pay	26.96	627.92
3000101	2217357	RS	Utilities off - Sent to Collection Agency	51.92	1,280.19
3004258	2238686	RS	Utilities off - Lien on file	152.74	1,041.31
3003969	2012357	RS	Utilities off - Lien on file	152.74	2,846.19
3007154	2021905	RS	Utilities off - Lien on file	152.74	3,652.15
3006455	2020325	RS	Utilities off - Lien on file	227.94	1,127.86
3002412	2003472	RS	Utilities off - Lien on file	305.49	3,179.97
3200648	2216331	CM	Refuse only - Call to customer	336.00	336.00
3006139	2025374	RS	Disconnection - Utilities off - Lien on File	451.99	0.00
3009213	2215544	RS	Utilities off - Sent to Collection Agency	493.71	841.31
3005857	2018637	RS	Utilities off - Lien to be filed this month	602.52	218.13
17 Accounts				\$ 2,954.75	\$ 17,722.74
					\$ 20,677.49

Los Alamos County Utilities Department
Receivables More than 60 Days Inactive Accounts
June 1, 2026

YEAR	OUTSTANDING	# OF	OUTSTANDING	# OF	Jun 1 (TOTALS)	
	Jun 1 (DUE)	ACCOUNTS	Jun 1 (CREDITS)	ACCOUNTS		
FY22	\$ 35,768.08	91	\$ (6,257.17)	52	\$ 29,510.91	143
FY23	\$ 28,456.89	103	\$ (14,457.90)	100	\$ 13,998.99	203
FY24	\$ 19,289.95	56	\$ (8,993.42)	27	\$ 10,296.53	83
FY25	\$ 22,349.38	97	\$ (12,954.12)	96	\$ 9,395.26	193
FY26	\$ 19,635.94	83	\$ (18,590.66)	150	\$ 1,045.28	233
TOTAL	\$ 125,500.24	430	\$ (61,253.27)	425	\$ 64,246.97	855

YEAR	OUTSTANDING	# OF	OUTSTANDING	# OF	May 1 (TOTALS)	
	May 1 (DUE)	ACCOUNTS	May 1 (CREDITS)	ACCOUNTS		
FY22	\$ 35,768.08	91	\$ (6,257.17)	52	\$ 29,510.91	143
FY23	\$ 28,489.67	104	\$ (14,517.90)	101	\$ 13,971.77	205
FY24	\$ 19,289.95	56	\$ (8,993.42)	27	\$ 10,296.53	83
FY25	\$ 24,971.93	103	\$ (12,993.03)	97	\$ 11,978.90	200
FY26*	\$ 18,659.81	83	\$ (17,113.58)	137	\$ 1,546.23	220
TOTAL	\$ 127,179.44	437	\$ (59,875.10)	414	\$ 67,304.34	851

YEAR	Account Type	OUTSTANDING	# OF	OUTSTANDING	# OF
		Jun 1	ACCOUNTS	May 1	ACCOUNTS
FY22	Residential	\$ 20,142.47	131	\$ 20,142.47	131
	Commercial	\$ 9,368.44	12	\$ 9,368.44	12
FY23	Residential	\$ 6,063.10	180	\$ 6,035.88	182
	Commercial	\$ 7,935.89	23	\$ 7,935.89	23
FY24	Residential	\$ 15,255.98	77	\$ 15,255.98	77
	Commercial	\$ (4,959.45)	6	\$ (4,959.45)	6
FY25	Residential	\$ 5,801.91	177	\$ 8,385.55	184
	Commercial	\$ 3,593.35	16	\$ 3,593.35	16
FY26	Residential	\$ 3,622.38	217	\$ 4,123.33	204
	Commercial	\$ (2,577.10)	16	\$ (2,577.10)	16
TOTAL		\$ 64,246.97	855	\$ 67,304.34	851

*FY2026: A total of \$19,635.94 is due from customers, and \$18,590.66 should be refunded for overpayments and/or deposits applied to final accounts.

All other differences are due to payment on account or a balance transfer to their active account.



Monthly Status Report

Risk Management & Safety

Victoria DeVargas
LAC Risk Manager

DEPARTMENT OF PUBLIC UTILITIES CLAIMS					
Information Provided by the County Risk Manager					
YEAR	REPORT MONTH	BPU MTG DATE	TORT CLAIMS	WORKERS COMP	PROPERTY DAMAGE
2026	MAY	6/17/2026	NONE	NONE	NONE
2026	APR	5/20/2026	NONE	NONE	NONE
2026	MAR	4/15/2026	1) Claimant alleges damages due to a sewer back up. 2) Claimant alleges damages due to a sewer back up.	NONE	NONE
2026	FEB	3/18/2026	1) Claimant alleges water damage from increased water pressure.	NONE	1) GWS employee hit side of utility box on vehicle in Bayo Canyon.
2026	JAN	2/18/2026	1) Claimant alleges water damage from increased water pressure.	1) GWS employee fell and injured shoulder.	NONE
2025	DEC	1/14/2026	NONE	1) Employee hit on bike between job sites (ENG) 2) Employee potentially exposed to Asbestos while working with Los Alamos County (ENG)	NONE
2025	NOV	12/10/2025	1) Claimant alleges that water line break caused damage to plumbing.	NONE	NONE
2025	OCT	11/19/2025	NONE	NONE	1) GWS employee broke back window on county truck.
2025	SEP	10/22/2025	1) Claimant alleges that water leak repair clogged bathroom fixtures with sediment, had to hire a plumber to clear sediment and replace gaskets on fixtures.	1) GWS employee sustained high pressure injury from vactor hose.	NONE
2025	AUGUST	9/17/2025	1) Claimant alleges sewage back up. 2) Claimant alleges Wrongful Termination.	1) ED employees potentially exposed to asbestos.	NONE
2025	JULY	8/20/2025	1) Claimant alleges sewer line failed (GWS)	NONE	1) WP employee backed into County truck.
2025	JUNE	7/16/2025	NONE	NONE	NONE
2025	MAY	6/25/2025	NONE	NONE	NONE
2025	APR	5/21/2025	NONE	NONE	1) GWS employee backed into Fire Engine at PCS Warehouse 2) GWS employee hit canopy pillar while backing out of parking space 3) WWTP employee hit the conveyor arm with front end loader
2025	MAR	4/16/2025	1) Sonic Restaurant - awning damage (GWS)	NONE	NONE
2025	FEB	3/19/2025	1) Claimant alleges sewage backup into shower was caused by County (GWS)	NONE	1) GWS employee hit the awning at Sonic w/ Vactor Truck 2) ED employee broke back window of vehicle
2025	JAN	2/19/2025	1) Claimant alleges sewer clean out forced sewage back up into basement. (GWS) 2) Claimant alleges sewer back up on main line caused sewer leakage into crawl space. (GWS)	1) ED employee injured while operating ground tamper.	NONE
2024	DEC	1/15/2025	NONE	NONE	NONE
2024	NOV	12/4/2024	NONE	NONE	NONE
2024	OCT	11/20/2024	1) Claimant alleges leak at downstream fitting caused damage to residence (damage occurred 2/24)	NONE	NONE
2024	SEP	10/23/2024	1) Claimant reported sewage flooded basement	NONE	WP employee backed into pole at LANL.
2024	AUG	9/18/2024	1) Claimant stepped in uncovered water valve hole 2) Claimant states sewer back up in his basement 3) Claimant states water main leaked into basement causing her to fall	NONE	NONE

YEAR	REPORT MONTH	BPU MTG DATE	TORT CLAIMS	WORKERS COMP	PROPERTY DAMAGE
2024	JUL	8/12/2024	NONE	NONE	NONE
2024	JUN	7/17/2024	NONE	NONE	Update Resident backed into the side of small dump truck (GWS.)
2024	MAY	6/26/2024	1) GWS- Sewage back up into home. 2) GWS-Water line break that caused flooding into business.	NONE	
2024	APR	5/15/2024	1) ED- Claimant states they had damage to furnace and outlets 2) GWS- Claimant states water heater damage after water was shut off for line repair on County side	NONE	NONE
2024	MAR	4/17/2024	1) Claimant states a power surge caused damage to fixtures	1) WP employee sustained injuries from a Motor Vehicle	1) ED employee hit another county vehicle with front
2024	FEB	3/20/2024	NONE	NONE	NONE
2024	JAN	2/21/2024	NONE	NONE	1) Damage to tailgate of dump truck while GWS was loading asphalt.
2023	DEC	1/17/2024	1) Claimant found and removed plastic bucket debris found in their water pipes from main water lines.	1) WWTP employee smashed finger while operating equipment	NONE
2023	NOV	12/6/2023	NONE	WP employee injured his foot when a piece of concrete fell	NONE
2023	OCT	11/15/2023	NONE	NONE	NONE
2023	SEP	10/18/2023	Claimant states water pressure blew off faucet causing flooding in the residence.	NONE	NONE
2023	AUG	9/20/2023	Four claimants state backflow of sewage into their	NONE	Non-County owned truck hit power pole on the ski hill.
2023	JUL	8/16/2023	NONE	NONE	NONE
2023	JUN	7/19/2023	1) Claimant states alleged failure to detect and rectify a gas leak resulting in damages to residence/property. 2) Claimant states a backed up sewage line pushed sewage into their home resulting in damage to the residence.	NONE	Claim in which a Utilities employee reported that the toolbox slid in the truck he was driving, and it broke the truck's rear window.
2023	MAY	6/21/2023	NONE	A GWS employee alleges leg/ankle strain from being struck by the fender of a dual wheel truck after he allegedly responded to the driver's inquiry at a job site. This injury is reflected in the OSHA Incidence Rate spreadsheet.	A WWTP employee avoiding an oncoming car, misjudged clearance and slid off the road into a tree.
2023	APR	5/17/2023	1) County directed by homeowner to shut off only water service for the winter, but County shut off gas and electric also, causing freezing conditions and plumbing damage in the house 2) Claimant alleges a piece of asphalt left on street by County maintenance crew after repairs became embedded in her tire	NONE	1) A GWS employee allegedly struck a concrete slab causing significant damage to the underside and steering controls of the vehicle. 2) GWS unit 1216 was found with a broken rear left window where parked under shed behind Bldg. 5; glass on ground; unknown party caused damage.
2023	MAR	4/19/2023	Claimant resident's fence was on County right of way, and ED had to cut the fence in order to work on a transformer. No liability; we recommended denial.	NONE	NONE
2023	FEB	3/15/2023	NONE	NONE	Utilities Hydroelectric employee was plowing snow when he slid into a ditch due to hazardous conditions. Side mirror and wheel/rim were damaged.
2023	JAN	2/15/2023	Claimant reports sewer back-up related to County main back-up. County staff acknowledge responsibility.	NONE	LAPD reported a hit and run damage to a Utility box; no suspects.

LOS ALAMOS COUNTY - RISK MANAGEMENT

May 2026

MONTH	ADMIN	EL DIST	EL PROD	GWS	WA PROD	WWTP
	Hours Worked	Hours Worked	Hours Worked	Hours Worked	Hours Worked	Hours Worked
Jan - 2026	2894.0	1444.3	1646.5	2896.0	1080.0	1255.0
Feb - 2026	3458.8	1832.5	1799.5	3606.4	1242.0	1433.8
Mar - 2026	3239.5	1783.9	1756.5	3571.4	1235.0	1457.0
Apr - 2026	5333.5	2810.3	2851.3	5750.3	2058.8	2218.3
May - 2026	3536.5	1961.8	1849.0	3736.9	1440.3	1535.8
June - 2025	3619.0	1852.5	1811.8	3211.2	1408.3	1381.5
July - 2025	3869.0	1918.5	1930.5	3414.7	1469.5	1332.0
Aug - 2025	4018.8	2096.0	2022.0	3899.2	1429.0	1611.8
Sept - 2025	3427.8	1722.0	1891.8	4144.7	1397.5	1502.0
Oct - 2025	5360.5	2491.2	2804.5	5396.5	1900.5	2258.3
Nov - 2025	3546.8	1625.8	1671.5	3498.2	1106.8	1469.0
Dec - 2025	3026.8	1706.5	1666.3	3066.3	1139.0	1354.3
Total Hrs Worked ->	45330.8	23245.1	23701.0	46191.8	16906.6	18808.5
Number of Recordable Injury and Illness Cases*	2	10	0	2	0	0
OSHA Recordable Injury & Illness Incidence Rate	8.82	86.04	0.00	8.66	0.00	0.00
Number of OSHA Days Away Days Restricted (DART) cases	0	0	0	0	0	0
OSHA Days Away Days Restricted (DART) Rate	0.00	0.00	0.00	0.00	0.00	0.00

INJURY DATES:

8-26-25: (ED) employees (10) potentially exposed to asbestos on east gate duct bank project.
 9-16-25: (GWS) employee was holding small hose and sustained high pressure injury on his hands.
 12-2-25: (ENG) employee potentially exposed to asbestos while working with Los Alamos County.
 12-5-25: (ENG) employee hit by vehicle on bike between job sites.
 1-23-26: (GWS) employee fell and injured shoulder.

TOTAL UTILITIES PERFORMANCE: 14 INJURIES X 200,000 = 200,000/174,183.8 ACTUAL HOURS WORKED = 16.07 OSHA RECORDABLE INJURIES PER 100 FTE

NATIONAL PERFORMANCE, UTILITIES (NAICS 22): 1.9 OSHA RECORDABLE INJURIES PER 100 FTE

INJURIES REQUIRING MEDICAL ATTENTION BEYOND FIRST AID ARE REQUIRED TO BE CONSIDERED OSHA RECORDABLE INJURIES , RETAINED IN THIS RECORD FOR ONE YEAR, REGARDLESS OF HOW MINOR THEY MAY BE.



County of Los Alamos

Staff Report

June 17, 2026

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: 10.a.

Index (Council Goals):

Presenters: Philo Shelton, Utilities Manager

Legislative File: 21294-26

Title

Tickler File for July - September 2026

Attachments

A - Tickler File Jul-Sept 2026



County of Los Alamos

Los Alamos, NM 87544
www.losalamosnm.us

Combined Tickler

BPU & Council

File Number

Title

Agenda Date: 06/23/2026

21709-26	Briefing/Report (Dept, BCC) - No action requested	Presentation
	Briefing on the FoxTail Flats Ground Breaking	
	Department Name: DPU	Length of Presentation:
	Drop Dead Date:	Sponsors: Ben Olbrich, Deputy Utility Manager-Power Supply and Philo Shelton, Utilities Manager

Agenda Date: 06/30/2026

21381-26	Budget Item	Consent
	Approval of Budget Revision 2026-73	
	Department Name: DPU	Length of Presentation:
	Drop Dead Date:	Sponsors: Joann Gentry, Deputy Utility Manager-Finance & Admin. and Tara Mariano, Senior Budget Analyst

21758-26	Easement	Consent
	Vacation of Utility Easement Within A-8-A Property on DP Road	
	Department Name: DPU	Length of Presentation:
	Drop Dead Date:	Sponsors: James Martinez, Deputy Utility Manager-Engineering

21783-26	Briefing/Report (Dept,BCC) - Action Requested	Consent
	Approval of Budget Revision 2026-86 for the Denver Steels Phase II Water Service Line Replacement Project in the Amount of \$525,000.00	
	Department Name: DPU	Length of Presentation:
	Drop Dead Date:	Sponsors: James Martinez, Deputy Utility Manager-Engineering, Joann Gentry, Deputy Utility Manager-Finance & Admin. and Tara Mariano, Senior Budget Analyst

21806-26	Briefing/Report (Dept,BCC) - Action Requested	Consent
	Approval of Budget Revisions 26-xx for Budget Authority to Purchase Water in the Amount of \$24,000	
	Department Name: DPU	Length of Presentation:
	Drop Dead Date:	Sponsors: Joann Gentry, Deputy Utility Manager-Finance & Admin. and Tara Mariano, Senior Budget Analyst

File Number	Title	
CO0746-26b	Code Ordinance Incorporated County of Los Alamos Code Ordinance No. 02-380; An Ordinance Amending the Department of Public Utilities' Water Service Rate Schedules, Chapter 40, Article III, Sections 40-171, 40-173 and 40-175, and adding new Sections 40-176, 40-177, and 40-178 to the Incorporated County of Los Alamos Code Department Name: DPU Drop Dead Date:	Public Hearing Length of Presentation: Sponsors: Joann Gentry, Deputy Utility Manager-Finance & Admin.
Agenda Date: 07/14/2026		
21138-26	Briefing/Report (Dept,BCC) - Action Requested Briefing Presentation to Council by Robert Gibson, Chair of the Board of Public Utilities Department Name: DPU Drop Dead Date:	Presentation Length of Presentation: Sponsors: Robert Gibson, Chair-Board of Public Utilities
Agenda Date: 07/22/2026		
21572-26	Discussion Open Meetings Act Training Department Name: DPU Drop Dead Date:	Business Length of Presentation: Sponsors: County Attorney
21707-26a	Briefing/Report (Dept,BCC) - Action Requested Electric Coordination Agreement (ECA) between the Incorporated County of Los Alamos and the United States Department of Energy (DOE) Department Name: DPU Drop Dead Date:	Business Length of Presentation: Sponsors: Ben Olbrich, Deputy Utility Manager-Power Supply
21386-26	Briefing/Report (Dept, BCC) - No action requested Annual Update on the Wastewater System Department Name: DPU Drop Dead Date:	Business Length of Presentation: Sponsors: Clay Moseley, Deputy Utility Manager-GWS Services
21693-26	Briefing/Report (Dept,BCC) - Action Requested A Presentation on Future Department of Public Utilities Plug-in Solar Policy Department Name: DPU Drop Dead Date:	Business Length of Presentation: Sponsors: Philo Shelton, Utilities Manager
21287-26b	Briefing/Report (Dept,BCC) - Action Requested Discussion and Possible Approval of Changes to the Utilities Assistance Program Department Name: DPU Drop Dead Date:	Business Length of Presentation: Sponsors: Joann Gentry, Deputy Utility Manager-Finance & Admin.

File Number	Title	
21726-26a	Briefing/Report (Dept,BCC) - Action Requested Approval to Execute a Power Purchase Agreement in an Amount not to Exceed \$____ Plus Applicable Gross Receipts Tax, to Meet Forecasted Los Alamos Power Pool Load for the Months of _____ Department Name: DPU Drop Dead Date:	Business Length of Presentation: Sponsors: Ben Olbrich, Deputy Utility Manager-Power Supply
21056-26c	Closed Session Statement Regarding Closed Session on 6/7/i6 Department Name: DPU Drop Dead Date:	Closed Session Length of Presentation: Sponsors: Board of Public Utilities
21566-26	Minutes Approval of Board of Public Utilities Meeting Minutes Department Name: DPU Drop Dead Date:	Consent Length of Presentation: Sponsors: Board of Public Utilities
AGR1218-26	General Services Agreement Approval of Services Agreement No. AGR__ - ____ with [vendor] in the amount of \$[amount], plus Applicable Gross Receipts Tax, for the Purpose of the Long-Range Water Supply Plan for County of Los Alamos for the Term of _____ Department Name: DPU Drop Dead Date:	Consent Length of Presentation: Sponsors: James Martinez, Deputy Utility Manager-Engineering
AGR1219-26	General Services Agreement Approval of Services Agreement No. AGR__ - ____ with [vendor] in the amount of \$[amount], plus Applicable Gross Receipts Tax, for the Purpose of the Abiquiu and El Vado Condition Assessment for County of Los Alamos for the Term of _____ Department Name: DPU Drop Dead Date:	Consent Length of Presentation: Sponsors: James Martinez, Deputy Utility Manager-Engineering
CO0760-26.2	Code Ordinance Incorporated County of Los Alamos Code Ordinance No. 02-xxx; An Ordinance Amending Chapter 40, Article III, Sections 40-151, and 40-152 of the Code of the Incorporated County of Los Alamos Pertaining to Gas Service Rates Department Name: DPU Drop Dead Date:	Public Hearing Length of Presentation: Sponsors: Joann Gentry
21567-26	Status Report Status Reports Department Name: DPU Drop Dead Date:	Status Reports Length of Presentation: Sponsors: Philo Shelton, Utilities Manager
21568-26	Calendar Tickler File Department Name: DPU Drop Dead Date:	Tickler Length of Presentation: Sponsors: Philo Shelton, Utilities Manager

File Number	Title
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Agenda Date: 07/28/2026

21726-26 **Briefing/Report (Dept,BCC) - Action Requested** **Business**

Approval to Execute a Power Purchase Agreement in an Amount not to Exceed \$_____ Plus Applicable Gross Receipts Tax, to Meet Forecasted Los Alamos Power Pool Load for the Months of _____

Department Name: DPU

Length of Presentation:

Drop Dead Date:

Sponsors: Ben Olbrich, Deputy Utility Manager-Power Supply

21707-26 **Briefing/Report (Dept,BCC) - Action Requested** **Business**

Electric Coordination Agreement (ECA) between the Incorporated County of Los Alamos and the United States Department of Energy (DOE)

Department Name: DPU

Length of Presentation:

Drop Dead Date:

Sponsors: Ben Olbrich, Deputy Utility Manager-Power Supply and Philo Shelton, Utilities Manager

Agenda Date: 08/04/2026

CO0760-26 **Code Ordinance** **Introduction of Ordinance**

Introduction of Incorporated County of Los Alamos Code Ordinance No. 02-xxx; An Ordinance Amending Chapter 40, Article III, Sections 40-151, and 40-152 of the Code of the Incorporated County of Los Alamos Pertaining to Gas Service Rates

Department Name: DPU

Length of Presentation:

Drop Dead Date:

Sponsors: Joann Gentry

Agenda Date: 08/05/2026

21574-26 **Briefing/Report (Dept, BCC) - No action requested** **Business**

Transactional Survey Report: January - June 2026

Department Name: DPU

Drop Dead Date:

Length of Presentation:

Sponsors: Abbey Hayward, Public Relations Manager

21575-26a **Discussion** **Business**

Annual Review of the Board of Public Utilities Procedural Rules

Department Name: DPU

Length of Presentation:

Drop Dead Date:

Sponsors: Board of Public Utilities

21573-26 **Closed Session** **Call to Order**

File Number	Title	
	Statement Regarding Closed Session	
	Department Name: DPU	Length of Presentation:
	Drop Dead Date:	Sponsors: Board of Public Utilities
21210-26	Presentation	Presentation
	UNM & NMSU Pathways... Findings	
	Department Name: DPU	Length of Presentation:
	Drop Dead Date:	Sponsors: Philo Shelton, Utilities Manager
Agenda Date: 08/19/2026		
19438-26b	Briefing/Report (Dept, BCC) - No action requested	Business
	Foxtail Flats Business Plan	
	Department Name: DPU	Length of Presentation:
	Drop Dead Date:	Sponsors: Ben Olbrich, Deputy Utility Manager-Power Supply
21576-26	Discussion	Business
	Approval of the Board of Public Utilities Procedural Rules	
	Department Name: DPU	Length of Presentation:
	Drop Dead Date:	Sponsors: County Attorney
21569-26	Minutes	Consent
	Approval of Board of Public Utilities Meeting Minutes	
	Department Name: DPU	Length of Presentation:
	Drop Dead Date:	Sponsors: Board of Public Utilities
RE0681-26a	Resolution	Resolution
	Recommendation Regarding Incorporated County of Los Alamos Resolution No. 26-xx; A Resolution Removing Uncollectible Utility Accounts from the Incorporated County of Los Alamos Accounts Receivables List for - Fiscal Year 2022	
	Department Name: DPU	Length of Presentation:
	Drop Dead Date:	Sponsors: Joann Gentry, Deputy Utility Manager-Finance & Admin.
21570-26	Status Report	Status Reports
	Status Reports	
	Department Name: DPU	Length of Presentation:
	Drop Dead Date:	Sponsors: Philo Shelton, Utilities Manager
21571-26	Calendar	Tickler
	Tickler File	
	Department Name: DPU	Length of Presentation:
	Drop Dead Date:	Sponsors: Philo Shelton, Utilities Manager
Agenda Date: 08/25/2026		
RE0681-26	Resolution	Public Hearing

File Number	Title	
	Incorporated County of Los Alamos Resolution No. 26-xx; A Resolution Removing Uncollectible Utility Accounts from the Incorporated County of Los Alamos Accounts Receivables List for Fiscal Year 2022	
	Department Name: DPU	Length of Presentation:
	Drop Dead Date:	Sponsors: Joann Gentry, Deputy Utility Manager-Finance & Admin.
CO0760-26b	Code Ordinance	Public Hearing
	Incorporated County of Los Alamos Code Ordinance No. 02-xxx; An Ordinance Amending Chapter 40, Article III, Sections 40-151, and 40-152 of the Code of the Incorporated County of Los Alamos Pertaining to Gas Service Rates	
	Department Name: DPU	Length of Presentation:
	Drop Dead Date:	Sponsors: Joann Gentry and Philo Shelton
Agenda Date: 08/26/2026		
21577-26a	Discussion	SPECIAL SESSION
	Annual Strategic Planning for the Department of Public Utilities	
	Department Name: DPU	Length of Presentation:
	Drop Dead Date:	Sponsors: Board of Public Utilities
Agenda Date: 09/02/2026		
21577-26b	Briefing/Report (Dept, BCC) - No action requested	Business
	Strategic Planning Update	
	Department Name: DPU	Length of Presentation:
	Drop Dead Date:	Sponsors: Philo Shelton, Utilities Manager
20742-26	Briefing/Report (Dept, BCC) - No action requested	Business
	Discussion on Utility Data (after UNM Report)	
	Department Name: DPU	Length of Presentation:
	Drop Dead Date:	Sponsors: Philo Shelton, Utilities Manager
21065-26	Briefing/Report (Dept, BCC) - No action requested	Business
	Extended Day-Ahead Market (EDAM) Update by UAMPS	
	Department Name: DPU	Length of Presentation:
	Drop Dead Date:	Sponsors: Philo Shelton, Utilities Manager
21715-26	Status Report	Business
	DPU Quarterly Report - Fiscal Year 2026/Quarter 4	
	Department Name: DPU	Length of Presentation:
	Drop Dead Date:	Sponsors: Abbey Hayward, Public Relations Manager
Agenda Date: 09/16/2026		

File Number	Title	
21577-26c	Briefing/Report (Dept,BCC) - Action Requested Approval of DPU Mission, Vision and Values, and the FY27 Strategic Goals and Objectives Department Name: DPU Drop Dead Date:	Business Length of Presentation: Sponsors: Philo Shelton, Utilities Manager
21575-26b	Discussion Approval and Reaffirmation of the BPU Procedural Rules Department Name: DPU Drop Dead Date:	Business Length of Presentation: Sponsors: Board of Public Utilities
21387-26	Briefing/Report (Dept, BCC) - No action requested Department of Public Utilities Quarterly Report for Fiscal Year 2026 - Quarter 4 Department Name: DPU Drop Dead Date:	Business Length of Presentation: Sponsors: Abbey Hayward, Public Relations Manager
21625-26	Minutes Approval of Board of Public Utilities Meeting Minutes Department Name: DPU Drop Dead Date:	Consent Length of Presentation: Sponsors: Board of Public Utilities
21713-26a	Budget Item Approval of Budget Revision No. 2027-xx for DPU Budget Carryovers from FY2026 to FY2027 Department Name: DPU Drop Dead Date:	Consent Length of Presentation: Sponsors: Joann Gentry, Deputy Utility Manager-Finance & Admin.
21626-26	Status Report Status Reports Department Name: DPU Drop Dead Date:	Status Reports Length of Presentation: Sponsors: Philo Shelton, Utilities Manager
21627-26	Calendar Tickler File Department Name: DPU Drop Dead Date:	Tickler Length of Presentation: Sponsors: Philo Shelton, Utilities Manager
Agenda Date: 09/27/2026		
21694-26	Briefing/Report (Dept,BCC) - Action Requested PARKING LOT: Mozart Presentation Department Name: DPU Drop Dead Date:	Business Length of Presentation: Sponsors: Philo Shelton, Utilities Manager
20743-26	Presentation PARKING LOT: Possible Town Hall on the Climate Action Plan (Req. by Stromberg 9/17/25) Department Name: DPU	Business Length of Presentation:

File Number	Title
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Drop Dead Date:

Sponsors: Angelica Gurule, Sustainability Manager and Abbey Hayward, Public Relations Manager

20951-26

Briefing/Report (Dept, BCC) - No action requested

Business

PARKING LOT: 2026 Electric Coordination Agreement

Department Name: DPU

Length of Presentation:

Drop Dead Date:

Sponsors: Ben Olbrich, Deputy Utility Manager-Power Supply

Agenda Date: 09/29/2026

21713-26

Budget Item

Consent

Approval of Budget Revision No. 2027-xx for DPU Budget Carryovers from FY2026 to FY2027

Department Name: DPU

Length of Presentation:

Drop Dead Date:

Sponsors: Joann Gentry, Deputy Utility Manager-Finance & Admin. and Tara Mariano, Senior Budget Analyst