



# County of Los Alamos

Los Alamos, NM 87544  
www.losalamosnm.us

## Agenda - Final County Council - Regular Session

*Geoff Rodgers, Council Chair;  
Kristin Henderson, Council Vice Chair;  
Fran Berting, Councilor; Steven Girrens, Councilor;  
David Izraelevitz, Councilor; Rick Reiss, Councilor;  
and Pete Sheehey, Councilor*

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Tuesday, December 9, 2014

7:00 PM

Council Chambers - 1000 Central Avenue  
TELEvised

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1. **OPENING/ROLL CALL**

2. **PUBLIC COMMENT**

*This section of the agenda is reserved for comments from the public on items that are not otherwise included in this agenda.*

3. **APPROVAL OF AGENDA**

4. **PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS**

5. **CONSENT AGENDA**

*The following items are presented for Council approval under a single motion unless any item is withdrawn by a Councilor for further Council consideration in the agenda section entitled "Business."*

December 9, 2014 Consent Motion:

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

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

A. [6677-14](#) Board/Commission Appointment(s) - Art in Public Places Board.

**Presenters:** County Council - Regular Session

**Attachments:** [A - Art in Public Places Board Member List](#)  
[B - Application Packet for Britton Donharl](#)  
[C - Application Packet for Elena Perez](#)

- B. [6675-14](#) Boards and Commission Luncheon Minutes from November 20, 2014.
- Presenters:** Libby Carlsten, Senior Management Analyst
- Attachments:** [A - B&C Luncheon Minutes 11-20-14](#)
- C. [6690-14](#) Grant of Perpetual Public Utility Easement and Temporary Construction Easements Contract No. DE-R052-M5NA70107 by the Department of Energy National Nuclear Security Administration to the Incorporated County of Los Alamos for the Los Alamos County Waterline Installation Project
- Presenters:** Jack Richardson, Deputy Utilities Manager - GWS Services
- Attachments:** [A - Contract No DE-R052-M5NA70107 Grant of Easements](#)  
[B - Legal Description Temporary Construction Easement 50 Ft](#)  
[C - Legal Description Temporary Construction Easement Yard](#)  
[D - Legal Description Public Utility Easement 30 Ft](#)  
[E – Project Vicinity Map](#)

## 6. PUBLIC HEARING(S)

- A. [CO0408-14b](#) Incorporated County of Los Alamos Code Ordinance No. 02-251, An Ordinance Amending Chapter 6, Article I, Section 6.2, Of The Code Of Ordinances Of The Incorporated County Of Los Alamos Relating To Chickens In Proximity To Human Habitation.
- Presenters:** Katie Thwaites, Assistant County Attorney
- Attachments:** [A - Notice of Publication](#)  
[B - Incorporated County of Los Alamos Code Ordinance 02-251](#)  
[C - Summary of Other Ordinances in New Mexico and Colorado](#)  
[D - Citizen Input Related to Chickens in Proximity to Human Habitation](#)

## 7. BUSINESS

- A. [AGR0350-14b](#) Reconsideration Of Contract For General Services, Agreement No. AGR15-4159 With Atlas Advertising, LLC In The Amount Of \$25,000.00 For Brand Logo Design Services, \$25,000.00 For Brand Implementation Plan Services And, Subject To Future County Council Approval, \$175,000.00 For Brand Execution

Services For A Possible Total Of \$225,000.00 plus Applicable Gross Receipts Tax.

**Presenters:** Harry Burgess, County Administrator and Kelly Stewart, Economic/Marketing Coordinator

**Attachments:** [A - AGR15-4159 Atlas Advertising for Brand Services](#)  
[B - Los Alamos County Branding Initiative Actions To Date](#)  
[C - Los Alamos Brandprint Study Results Summary \(April 2014\)](#)  
[D - Los Alamos Brandprint Final Report \(Apr 2014\)](#)  
[E - Branding Presentation to Council \(May 6 2014\)](#)

- B.**     [6617-14](#)     Discussion and Possible Authorization for Atomic City Transit to Provide Shuttle Services to Pajarito Mountain Ski Hill from December 2014 through March 2015.

**Presenters:**     Philo Shelton, Public Works Director

- C.**     [6606-14](#)     2015 State Legislative Agenda.

**Presenters:**     County Council - Regular Session

**Attachments:**   [Proposed FY 15 State Legislative Agenda](#)  
[NMAC 2015-Legislative-Priority-Book](#)  
[NMML 2014-2015-Annual-Resolutions](#)

**8.     COUNCIL BUSINESS**

- A.     *Appointments***
- B.     *Board, Commission and Committee Liaison Reports***
- C.     *Council Chair Report***
- D.     *General Council Business***
- E.     *Approval of Councilor Expenses***
- F.     *Preview of Upcoming Agenda Items***

**9.     COUNCILOR COMMENTS**

**10.    PUBLIC COMMENT**

## **11. ADJOURNMENT**

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





# County of Los Alamos

## Staff Report

December 09, 2014

Los Alamos, NM 87544  
www.losalamosnm.us

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**Agenda No.:**

**Index (Council  
Goals):**

**Presenters:**

**Title**

**December 9, 2014 Consent Motion:**

**Recommended Action**

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

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



# County of Los Alamos

Los Alamos, NM 87544  
www.losalamosnm.us

## Staff Report

December 09, 2014

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<b>Agenda No.:</b>	A.
<b>Index (Council Goals):</b>	* 2014 Council Goal – Quality Governance - Maintain Quality Essential Services and Supporting Infrastructure
<b>Presenters:</b>	County Council - Regular Session
<b>Legislative File:</b>	6677-14

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### Title

Board/Commission Appointment(s) - Art in Public Places Board.

### Recommended Action

**I nominate Elena Perez and Britton Donharl to fill two vacancies on the Art in Public Places Board and move that Council appoint the two nominees to the vacant position(s) as follows: Elena Perez to be appointed to a partial term ending March 24, 2015 and then for a full term ending March 24, 2017; Britton Donharl to be appointed to a full term beginning March 25, 2015 and ending March 24, 2017.**

### Body

The purpose of this item is to fill one current vacancy and one upcoming vacancy on the Art in Public Places Board.

The current vacancy represents an unexpired term vacated by the resignation of Anna Marie Solomon. The upcoming vacancy will represent an expired term for Ken Nebel, ending March 24, 2015. Mr. Nebel has served two full terms in succession and is not eligible for re-appointment.

The applicants for this position are: Elena Perez [D] and Britton Donharl [D]. The interview committee believes that both applicants are well qualified and will make good additions to the board. The membership options (one current vacancy and one upcoming vacancy) were discussed with the applicants. Both understand the options and are in agreement with the interview panel's recommendation to appoint Elena Perez to fill the current vacancy and to appoint Britton Donharl to the upcoming vacancy, beginning in March 2015.

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

This seven member board (5 regular members plus 2 provision members) has 2-year staggered terms. It is currently composed as shown on Attachment A.

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

### Attachments

A - Art in Public Places Board Member List

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B - Application Packet for Britton Donharl  
C - Application Packet for Elena Perez

## Art in Public Places Board

Run Date: 20-NOV-14

**Active**

Last Update: 20-NOV-14

Term Beg	Term Exp	Appt Date	BCID	Name and Address	Prt	Home Phone	Work Phone	Elig	V-Chair	Chair
12-FEB-14	11-FEB-16	28-JAN-14	APP1	Steve Foltyn 1 Mariposa Court	DTS	505-672-1644 sfoltyn@msn.com		N	N	N
25-MAR-13	24-MAR-15	04-JUN-13	APP2	Ken Nebel 1227 Big Rock Loop	DTS	505-662-2881 director@fullerlodgeartcenter.com	505-662-1635	N	Y	N
04-NOV-13	03-NOV-15	29-OCT-13	APP3	Susan Schillaci 1143 45th Street	D	505-662-5834 suzschillaci@gmail.com		Y	N	N
25-MAR-13	24-MAR-15	09-SEP-14	APP5	Vicky Carrejo 502 Paige Loop	R	505-412-0100 vckcrj50@gmail.com	505-665-9769	Y	N	N
04-NOV-13	03-NOV-15	09-SEP-14	APP6	John C Hopkins 1251 41st Street	D	505-662-0495 sw357nm@gmail.com	505-670-2662	N	N	N
04-NOV-13	03-NOV-15	29-OCT-13	APP7	Erin K McHugh 30 Verde Ridge	DTS	505-216-1741 muse99754@gmail.com	505-665-6935	N	N	N

### Department

Community Services

### Purpose

The Art in Public Places Board (APP) shall promote and encourage public programs to further the development and community awareness of the interest in public art and shall encourage the integration of art into the architecture of municipal structures, and shall visually enhance the community. Staff shall submit to the art in public places board for its review and recommendation all expenditures of the APP account which is created and set aside for the arts pursuant to Chapter 20 Article III.

### Authorization

Ordinance No. 02-78, Sec. 2, 10-3-2006

### Composition

5 regular members plus 2 provisional memberships

### Term

2-year staggered terms

### Meetings

4th Thursday

### Time

5:30 p.m.

### Location

Municipal Building Room #110

### Staff Liaison

Libby Carlsten, CSD Sr Management Analyst, 662-8261

### Administrative Support

Rebecca Andrus, Library Admin, 662-8240

### Council Liaison

2014 - Fran Berting - 662-5534 or 500-0334

### Serve Until Replaced

YES

**Attachment A**

# APPLICATION

RECEIVED

AUG 06

Initial: LC

## VOLUNTEER FOR LOS ALAMOS COUNTY BOARDS AND COMMISSIONS

(Please be aware that as a public entity, the County of Los Alamos is obligated to furnish this information to the public if so requested. Please also note that current LANL employees, if appointed to a Board or Commission, may be required by LANL to complete a 701 Form.)

NAME: **Britton Donharl**

DATE: **August 1, 2014**

REGISTERED TO VOTE IN LOS ALAMOS: YES X NO \_\_\_\_\_

### PARTY AFFILIATION AS REGISTERED:

Democrat X Republican \_\_\_\_\_ Independent \_\_\_\_\_ None of the Above/Other \_\_\_\_\_  
(Los Alamos County law mandates that no Board/Commission can have more than a simple majority of members from any one political party.)  
Verified (For LAC use) LC 8/6/14

ADDRESS: (Applicants are required to be residents of Los Alamos County)

228 Rover Blvd, Los Alamos, NM 87544

HOME PHONE: (505) 412-9434

WORK PHONE: \_\_\_\_\_

E-MAIL ADDRESS: lsewsweet@gmail.com (Please, no e-mail addresses ending in "lanl.gov")

CELL PHONE: (505) 412-9434 FAX: \_\_\_\_\_

BOARD OR COMMISSION ON WHICH YOU WISH TO SERVE:

Art in Public Places

### HOW DID YOU LEARN OF THIS BOARD/COMMISSION VACANCY?

Former and Current Board Members mentioned the vacancy and encouraged me to apply

DO YOU CURRENTLY SERVE ON ANY COUNTY BOARD OR COMMISSION?

Yes \_\_\_\_\_ No X

If yes, which one? [Los Alamos County Law prohibits residents from serving concurrently on more than one County board except as expressly approved in writing by the County Council before the appointment is made.]

County Charter Section 905.1 allows County employees to serve on Boards or Commissions as non-voting members only.

*Questions are on the next page. Please attach additional responses as needed.*

Please complete and return to:

County Administrator's Office  
1000 Central Ave, Suite 350  
Los Alamos, NM 87544  
663-1750  
662-8079 (fax)  
[www.losalamosnm.us](http://www.losalamosnm.us)

B&C application revised 6-28-13

Attachment B

1. Why would you like to serve on this particular Board?

I am currently transitioning to having both my children in elementary school (the older is going into 2nd grade, and the younger is starting kindergarten), and feel this is an opportune time to volunteer in situations that are close to my heart. I believe that placing art in public places is critical to providing not only the chance to create beauty in places frequented by community residents, but also to provide local artists a place to display their art in a public fashion. Art, whether in wall displays, three-dimensional sculpture, large-scale or small-scale, when placed in the public eye invites the community to start conversations, react to beauty and encourages personal reflection. I believe that as a community, we should all support public art and be supportive of local artists.

2. What volunteer or professional activities have you participated in that could apply to this appointment?

I have a background in art (BA Studio Arts-Painting, 1999) and am an artist myself (in between having been a full time mom the last 8 years). I have been a resident of White Rock for 11 years and have some familiarity with the county. Additionally, I was a teacher at Chamisa Elementary, and am familiar with working in small, committed groups to accomplish goals.

3. The time involved may be 10-15 hours per month or more. Are you able to serve the volunteer hours and attend training needed to perform your duties as an appointee?

Yes. I prefer daytime hours, but am not limited to days.

4. What would you like to accomplish during your tenure on this Board or Commission? (Please identify any special interests you have that led you to become interested in serving on this Board or Commission.)

Part of my interest in serving in this group is to become a better ambassador for the arts in our county. Even though I have lived here for over a decade, I will benefit from becoming more familiar with what is already on display around the county, as well as assisting in creating more opportunities for art in public places. Most often in our county, word-of-mouth information provides the best avenue to share and experience things like the arts, and I believe in spreading the word, so to speak. Of course, I hope to interact with others who care about art on public display, and interacting with the artists themselves will be delightful. An ultimate goal would be to help make Los Alamos county known for its commitment to public art.

5. Have you had any direct or indirect involvement with this Board or Commission, or with the County staff supporting this Board or Commission, or County Councilors? If so, please explain.

No.

6. Are there any issues or matters, financial, or otherwise, that you are now or might become involved in that may come before the Board or Commission for which you seek appointment?

No.





LOS ALAMOS COUNTY  
COUNTY ADMINISTRATOR'S OFFICE  
BOARD & COMMISSION INTERVIEW QUESTIONS

Bretton Kenhall  
Applicant's Name

APPB  
Board or Commission

Dawn Berting  
Interviewer Name

Aug. 14, 2014  
Date/Time of Interview

Interview Conducted:  
☒ Personally  
☐ Telephone

**NOTE TO INTERVIEW PANEL:** Please remember to use this interview as an opportunity to share Council's directives and guidance for B&C's.

#	Question/Documented Response
1	Please tell us a little about yourself and then describe your experience, education, and training that qualify you for this Board or Commission. <i>Youngest now in residence garden son in 2nd grade. 8 years as full time mom. Now has time. Moved here 11 yrs. Master in Ed'n. 3 yrs teaching. BA in studio art (painting) Now doing art - jury for recent Shiloh Lodge show. Coming back to art. has studio. wants to be part of board. (Kas, Nobel mentioned) want to promote important for community</i>
2	What do you believe are the greatest issues facing the County? What do you believe are the greatest issues facing the Board/commission you applied for? [Note to interview panel: If the answer to this question appears to be off base with Council's position, please explore a little more.] <i>County: How do you get information to community. Word of mouth largely the way she uses it. So that creates disconnect &amp; many. Each election is an ambassador - how to get people knowing what's going. Wants to be an ambassador. - for Board awareness part in community</i>
3	How do you perceive the role of County Boards and Commissions in local government? <i>Provide pieces - vital pieces - specialized areas that come together to center government of County. Boards need to know what each does so they can operate together.</i>
4	What specific skills do you feel are important for effective Board or Commission members? Which ones do you possess? <i>most important to life self-participation, showing up, being actively in communication w others - engaged. Being engaged in our fans but to other connections. So she makes sure to be engaged.</i>
5	What could you do, specifically, to foster a collaborative relationship between staff and the Board or Commission on which you would like to serve? <i>Learn more about staff's their roles so they can participate more appropriately. Understanding their job would help board members participate</i>



6	<p>Have you served on any Boards, Commissions or Committees (not only County B&amp;Cs – but also church groups, non-profit boards, school committees, etc.) within the last five years? What do you think was your greatest contribution during your tenure?</p> <p><i>Last five yrs not so much because of kids - PTO at Alamogordo &amp; other projects Spelling bee for 2 years when teaching. 10 yrs - lots of committees. Just moved to Ranon area, so will be in new PTO.</i></p>
7	<p>Are you familiar with the County Charter and County Code as they apply to the Board you are applying for?</p> <p><i>Looked up <sup>it</sup> said can't display! (remove 's' in https)</i></p>
8	<p>Are you willing to take the time to attend training sessions to become more knowledgeable about your duties and responsibilities in an advisory capacity?</p> <p><i>Yes</i></p>
9	<p>Are you aware that, as a member of a Los Alamos County Board or Commission, your written communications, including e-mails, are public records (even if produced on your personal computer), and as such are subject to the New Mexico Inspection of Public Records Act. If any of these public records are requested for review/inspection under the Act you may need to produce them. Is this a deterrent to your willingness to serve on this Board?</p> <p><i>not aware, not a deterrent</i></p>
10	<p>[Interview panel: Ask questions you think necessary for clarification of the written answers this applicant provided as part of their application.]</p> <p><i>not at this time</i></p>
11	<p>Do you have any questions for the interview panel?</p>

Notes:





LOS ALAMOS COUNTY  
COUNTY ADMINISTRATOR'S OFFICE  
BOARD & COMMISSION INTERVIEW QUESTIONS

BRITTAN DOWHART  
Applicant's Name

APPB  
Board or Commission

CAROLYN BESSERT  
Interviewer Name

AUG 14, 2014 9:45 AM  
Date/Time of Interview

Interview Conducted:  
☒ Personally  
☐ Telephone

**NOTE TO INTERVIEW PANEL:** Please remember to use this interview as an opportunity to share Council's directives and guidance for B&C's.

#	Question/Documented Response
1	Please tell us a little about yourself and then describe your experience, education, and training that qualify you for this Board or Commission. <i>Transitioning from stay-at-home mom. I'm looking to do other things. Moved to LA 11 years ago. Masters in Education. Bt in studio art (painting). Have gone back to doing art. Just joined at FLAC. Like to be involved in arts community, promoting etc.</i>
2	What do you believe are the greatest issues facing the County? What do you believe are the greatest issues facing the Board/commission you applied for? [Note to interview panel: If the answer to this question appears to be off base with Council's position, please explore a little more.] <i>Lots of issues - but one is how do you get info out to community. Much of it is face to face. So disconnect between those who feel lots going on &amp; those who don't. How to get people involved. See my participation on board as opportunity to participate in community &amp; help get word out.</i>
3	How do you perceive the role of County Boards and Commissions in local government? <i>Separate, disparate B/Cs, come together. B/Cs are the specialized areas, they can all function as emissaries to Council. Important B/Cs have good knowledge of each other.</i>
4	What specific skills do you feel are important for effective Board or Commission members? Which ones do you possess? <i>Participation "showing up". Being involved means being there. Bring your engaged. If not, can't roll it together. (I don't catch all notes but she has a good feel for this) I feel strongly about this so it is one of my strong points.</i>
5	What could you do, specifically, to foster a collaborative relationship between staff and the Board or Commission on which you would like to serve? <i>Learn more about the specific staff. More I know about people &amp; their role then can interact appropriately with them.</i>

6	Have you served on any Boards, Commissions or Committees (not only County B&Cs – but also church groups, non-profit boards, school committees, etc.) within the last five years? What do you think was your greatest contribution during your tenure? <i>Have been at home. Son was at Chama on PTO &amp; helped with specific projects. Ran spelling Bee. But when teaching in 10 years was on all sorts of committees.</i>
7	Are you familiar with the County Charter and County Code as they apply to the Board you are applying for? <i>Couldn't pull them up on web (county problem) She's got it now.</i>
8	Are you willing to take the time to attend training sessions to become more knowledgeable about your duties and responsibilities in an advisory capacity? <i>YES.</i>
9	Are you aware that, as a member of a Los Alamos County Board or Commission, your written communications, including e-mails, are public records (even if produced on your personal computer), and as such are subject to the New Mexico Inspection of Public Records Act. If any of these public records are requested for review/inspection under the Act you may need to produce them. Is this a deterrent to your willingness to serve on this Board? <i>NOW I am aware. No problem.</i>
10	[Interview panel: Ask questions you think necessary for clarification of the written answers this applicant provided as part of their application.] <i>Good to have copy of charter.</i>
11	Do you have any questions for the interview panel? <i>→ nice casual discussion on local art preference.</i>

Notes:

*Has great enthusiasm, well spoken. Concise.  
 I think would be a huge asset.  
 Seems very "aware" of the community visually  
 Able to ~~take~~ see big picture.*



LOS ALAMOS COUNTY  
COUNTY ADMINISTRATOR'S OFFICE  
BOARD & COMMISSION INTERVIEW QUESTIONS

BRITTON DONHARL  
Applicant's Name

APPB  
Board or Commission

CARLSTEN  
Interviewer Name

8/14/14 9:45  
Date/Time of Interview

Interview Conducted:  
☒ Personally  
☐ Telephone

**NOTE TO INTERVIEW PANEL:** Please remember to use this interview as an opportunity to share Council's directives and guidance for B&C's.

#	Question/Documented Response
1	Please tell us a little about yourself and then describe your experience, education, and training that qualify you for this Board or Commission. <u>CHILDREN ARE NOW IN SCHOOL : SHE IS TRANSITIONING FROM A FULL-TIME MOM TO DOING OTHER THINGS. MOVED TO LOS ALAMOS 11 YRS. AGO - HAS A MASTERS DEGREE : TAUGHT AT CHAMISA - HAS A BA IN VISUAL ARTS - IS NOW DOING ART : <del>AND</del> HAS A STUDIO : WANTS TO BE PART OF THE "ARTS COMMUNITY" - BE INVOLVED IN THE COMMUNITY</u>
2	What do you believe are the greatest issues facing the County? What do you believe are the greatest issues facing the Board/commission you applied for? [Note to interview panel: If the answer to this question appears to be off base with Council's position, please explore a little more.] <u>COUNTY - HOW TO GET INFORMATION OUT TO THE COMMUNITY?</u> <u>- PROBLEMS OF SMALL BUSINESS OWNERS - HOW TO LET PEOPLE KNOW WHAT'S GOING ON? HOW TO GET INVOLVED?</u> <u>BOARD - OPPORTUNITY TO SPREAD THE WORD ABOUT WHAT'S HAPPENING IN THE ART COMMUNITY</u>
3	How do you perceive the role of County Boards and Commissions in local government? <u>HELP THE FUNCTIONING OF THE COUNTY BY PROVIDING SPECIALIZED VIEWPOINTS TO THE COUNCIL : STAFF - IMPORTANT FOR B&amp;C'S TO WORK TOGETHER</u>
4	What specific skills do you feel are important for effective Board or Commission members? Which ones do you possess? - <u>"PARTICIPATION/SHOWING UP" IS IMPORTANT</u> <u>"BRING INVOLVED" MEANS "BRING THEIR"</u> <u>BRINGING KNOWLEDGE : ENTHUSIASM : BE ENGAGED IN THE PROCESS</u> <u>SHE FEELS THAT SHE HAS THE SKILLS NEEDED</u>
5	What could you do, specifically, to foster a collaborative relationship between staff and the Board or Commission on which you would like to serve? <u>WOULD LEARN MORE ABOUT STAFF : THEIR ROLES IMPORTANT TO GO TO THE RIGHT PERSON</u> <u>: COMMUNICATE WELL WITH THEM</u>

6	<p>Have you served on any Boards, Commissions or Committees (not only County B&amp;Cs – but also church groups, non-profit boards, school committees, etc.) within the last five years? What do you think was your greatest contribution during your tenure?</p> <p>NOT SO MUCH IN THE PAST 5 YRS - BECAUSE          HER CHILDREN WERE SMALL -          SERVED ON CHAMISA PTO : RAN THE "SPRING BREAK"          FOR 2 YRS. WHEN SHE WAS TEACHING, SHE SERVED ON</p>
7	<p>Are you familiar with the County Charter and County Code as they apply to the Board you are applying for? LOTS OF COMMITTEES</p> <p>COMPUTER DIFFICULTIES PREVENTED          HER FROM ACCESSING THE COUNTY WEB PAGE</p>
8	<p>Are you willing to take the time to attend training sessions to become more knowledgeable about your duties and responsibilities in an advisory capacity?</p> <p>YES</p>
9	<p>Are you aware that, as a member of a Los Alamos County Board or Commission, your written communications, including e-mails, are public records (even if produced on your personal computer), and as such are subject to the New Mexico Inspection of Public Records Act. If any of these public records are requested for review/inspection under the Act you may need to produce them. Is this a deterrent to your willingness to serve on this Board?</p> <p>NO</p>
10	<p>[Interview panel: Ask questions you think necessary for clarification of the written answers this applicant provided as part of their application.]</p>
11	<p>Do you have any questions for the interview panel?</p>

Notes:





Print Form

RECEIVED

NOV 10

Initial: LC

# APPLICATION

## VOLUNTEER FOR LOS ALAMOS COUNTY

### BOARDS AND COMMISSIONS

(Please be aware that as a public entity, the County of Los Alamos is obligated to furnish this information to the public if so requested. Please also note that current LANL employees, if appointed to a Board or Commission, may be required by LANL to complete a 701 Form.)

NAME: Elena Perez DATE: 11/4/14REGISTERED TO VOTE IN LOS ALAMOS: YES ☒ NO ☐

PARTY AFFILIATION AS REGISTERED:

Democrat ☒ Republican ☐ Independent ☐ None of the Above/Other \_\_\_\_\_

(Los Alamos County law mandates that no Board/Commission can have more than a simple majority of members from any one political party.)

✓ Verified (For LAC use) LC 11/10/14

ADDRESS: (Applicants are required to be residents of Los Alamos County)

1470 42nd StreetHOME PHONE: 505-412-7006 WORK PHONE: \_\_\_\_\_E-MAIL ADDRESS: ceperz@gmail.com (Please, no e-mail addresses ending in "lanl.gov")

CELL PHONE: \_\_\_\_\_

BOARD OR COMMISSION ON WHICH YOU WISH TO SERVE:

Art in Public Spaces Advisory Board

HOW DID YOU LEARN OF THIS BOARD/COMMISSION VACANCY?

Attended an event and realized the importance of it!

DO YOU CURRENTLY SERVE ON ANY COUNTY BOARD OR COMMISSION?

Yes ☐ No ☒

If yes, which one? (Los Alamos County Law prohibits residents from serving concurrently on more than one County board except as expressly approved in writing by the County Council before the appointment is made.)

County Charter Section 905.1 allows County employees to serve on Boards or Commissions as non-voting members only.

Questions are on the next page. Please attach additional responses as needed.

Send completed form to:  
County Administrator's Office  
1000 Central Ave., Suite 350  
Los Alamos, NM 87544  
Phone: 663-1750 Fax: 662-8079  
Email to LACBoards@lacnm.us

Attachment C

**1. Why would you like to serve on this particular Board?**

I would like to serve on the Art in Public Spaces Board to help bring all kinds of art to Los Alamos. I enjoy having art around our town and want to ensure others will have a positive art experience.

**2. What volunteer or professional activities have you participated in that could apply to this appointment?**

My background in Fine Art and Graphic Design would give the board and added perspective from a resident and art-appreciative professional. I have participated in site-specific projects involving architects and artists in Albuquerque while studying Fine Art. I worked as an artist submitting work for site-specific shows and as member of the team managing the project.

I have shown my personal artwork in Albuquerque and Santa Fe art spaces.

I am a parent of a very inquisitive and artistic child. Experiencing art through her has been a renewal of my art experience.

I have been a resident of Los Alamos for 33 years.

I will gladly submit a résumé upon request.

**3. The time involved may be 10-15 hrs. per month or more. Are you able to serve the volunteer hours and attend training needed to perform your duties?**

Yes, I am able to volunteer my time to attend meetings, perform Board duties, or attend recommended training.

**4. What would you like to accomplish during your tenure on the Board or Commission?**

I want to participate in making the decisions about which art pieces best represent Los Alamos. I think art can enrich our community and leave a positive impression on visitors. The pieces we have in the public areas of Los Alamos are an expression of our community. It is essential that we represent our history, our current state, and make a place for our future. I recently attended a reception for selection of artwork being proposed for the Municipal Building. I was struck by how important it was to me. I love being able to speak about the existing art pieces to my daughter, visiting relatives, and friends. I would like to offer my time and support to the Art in Public Spaces Advisory Board projects or special events.

**5. Have you had any direct or indirect involvement with this Board or Commission or with the County Staff supporting the Board or Commission or County Councilors? If so, please explain.**

I have attended meetings as a member of the public to give feedback and gain an understanding of how this Advisory Board operates. I have direct contact with Susie Schillaci as a neighbor, fellow parent, and friend.

**6. Are there any issue or matters, financial or otherwise, that you are now or might become involved in that may come before the Board or Commission for with you seek appointment?**

No, I am not aware of any interfering issues or matters that would come before my appointment to the Art in Public Spaces Advisory Board.



# LOS ALAMOS COUNTY

## COUNTY ADMINISTRATOR'S OFFICE

### BOARD & COMMISSION INTERVIEW QUESTIONS

Elena Perez  
Applicant's Name

APPB  
Board or Commission

Chris Gertson  
Interviewer Name

11/24/14 1:30 p.m.  
Date/Time of Interview

Interview Conducted:  
☒ Personally  
☐ Telephone

**NOTE TO INTERVIEW PANEL:** Please remember to use this interview as an opportunity to share Council's directives and guidance for B&C's.

#	Question/Documented Response
1	<p>Please tell us a little about yourself and then describe your experience, education, and training that qualify you for this Board or Commission.</p> <p><i>Been in LA 33 art BSA Bachelor of Fine Arts - Outgoing like to see art in town. Background in presentation. 10 years at LANK graphic design. Training HR</i></p>
2	<p>What do you believe are the greatest issues facing the County? What do you believe are the greatest issues facing the Board/commission you applied for? [Note to interview panel: If the answer to this question appears to be off base with Council's position, please explore a little more.]</p> <p><i>a) Budgeting / spending - don't know about big problems b) Excited about many upcoming projects</i></p>
3	<p>How do you perceive the role of County Boards and Commissions in local government?</p> <p><i>Represent what most citizens trying to voice. Comes to Council - back to the people</i></p>
4	<p>What specific skills do you feel are important for effective Board or Commission members? Which ones do you possess?</p> <p><i>Having appreciation for art, know the town and what people need to. Has longevity &amp; has perspective of a parent.</i></p>
5	<p>What could you do, specifically, to foster a collaborative relationship between staff and the Board or Commission on which you would like to serve?</p> <p><i>As another art citizen with art background. Ability to collaborate with other arts. Knowing how to make a presentation</i></p>



6	<p>Have you served on any Boards, Commissions or Committees (not only County B&amp;Cs – but also church groups, non-profit boards, school committees, etc.) within the last five years? What do you think was your greatest contribution during your tenure?</p> <p><i>Been volunteer mem at PEEC - brought materials. Once a week inventorying</i></p>
7	<p>Are you familiar with the County Charter and County Code as they apply to the Board you are applying for?</p> <p><i>Not yet. Learning more. Has seen Board purpose.</i></p>
8	<p>Are you willing to take the time to attend training sessions to become more knowledgeable about your duties and responsibilities in an advisory capacity?</p> <p><i>Yes</i></p>
9	<p>Are you aware that, as a member of a Los Alamos County Board or Commission, your written communications, including e-mails, are public records (even if produced on your personal computer), and as such are subject to the New Mexico Inspection of Public Records Act. If any of these public records are requested for review/inspection under the Act you may need to produce them. Is this a deterrent to your willingness to serve on this Board?</p> <p><i>Not a deterrent</i></p>
10	<p>Currently, a few boards or commissions are "live streaming" their meetings (T-Board, Parks and Recreation Board, and the Planning and Zoning Commission.) In the future, this may be required of all boards. If you're applying for one of the boards currently streaming or if it becomes a requirement for all B&amp;Cs to stream, is this - or will this - be a deterrent to your willingness to serve?</p> <p><i>Not a deterrent</i></p>
11	<p>[Interview panel: Ask questions you think necessary for clarification of the written answers this applicant provided as part of their application.]</p>
12	<p>Do you have any questions for the interview panel?</p> <p><i>Budget? Have 1 1/2 hr orientation Would be interested in helping inventorying our collection</i></p>

Notes:





**LOS ALAMOS COUNTY**  
**COUNTY ADMINISTRATOR'S OFFICE**  
**BOARD & COMMISSION INTERVIEW QUESTIONS**

Elena Perez  
Applicant's Name

APPR  
Board or Commission

Steve Foltyn  
Interviewer Name

Nov 24, 2014 1:30pm  
Date/Time of Interview

Interview Conducted:  
☒ Personally  
☐ Telephone

**NOTE TO INTERVIEW PANEL:** Please remember to use this interview as an opportunity to share Council's directives and guidance for B&C's.

#	Question/Documented Response
1	Please tell us a little about yourself and then describe your experience, education, and training that qualify you for this Board or Commission. long-term resident, artist/graphic designer, BFA from UNM background in making presentations experience with databases that may work for county collections
2	What do you believe are the greatest issues facing the County? What do you believe are the greatest issues facing the Board/commission you applied for? [Note to interview panel: If the answer to this question appears to be off base with Council's position, please explore a little more.] County - budget, but no big problems Board - lots of exciting projects
3	How do you perceive the role of County Boards and Commissions in local government? Board represents the voice of citizens to County Council
4	What specific skills do you feel are important for effective Board or Commission members? Which ones do you possess? candidate has appreciation for art & knows the county's attitudes toward public activities
5	What could you do, specifically, to foster a collaborative relationship between staff and the Board or Commission on which you would like to serve? have an art background as well as one in presentations & ability to work with artists

6	Have you served on any Boards, Commissions or Committees (not only County B&Cs – but also church groups, non-profit boards, school committees, etc.) within the last five years? What do you think was your greatest contribution during your tenure?  no Bs or Cs - volunteered @ PEEC
7	Are you familiar with the County Charter and County Code as they apply to the Board you are applying for?  not at this time
8	Are you willing to take the time to attend training sessions to become more knowledgeable about your duties and responsibilities in an advisory capacity?  yes
9	Are you aware that, as a member of a Los Alamos County Board or Commission, your written communications, including e-mails, are public records (even if produced on your personal computer), and as such are subject to the New Mexico Inspection of Public Records Act. If any of these public records are requested for review/inspection under the Act you may need to produce them. Is this a deterrent to your willingness to serve on this Board?  no
10	Currently, a few boards or commissions are “live streaming” their meetings (T-Board, Parks and Recreation Board, and the Planning and Zoning Commission.) In the future, this may be required of all boards. If you’re applying for one of the boards currently streaming or if it becomes a requirement for all B&Cs to stream, is this - or will this - be a deterrent to your willingness to serve?  no
11	[Interview panel: Ask questions you think necessary for clarification of the written answers this applicant provided as part of their application.]
12	Do you have any questions for the interview panel?

Notes:



**LOS ALAMOS COUNTY**  
**COUNTY ADMINISTRATOR'S OFFICE**  
**BOARD & COMMISSION INTERVIEW QUESTIONS**

ELENA PEREZ  
Applicant's Name

APPB  
Board or Commission

CARLSTEN  
Interviewer Name

11/24/14  
Date/Time of Interview

Interview Conducted:  
☒ Personally  
☐ Telephone

**NOTE TO INTERVIEW PANEL:** Please remember to use this interview as an opportunity to share Council's directives and guidance for B&C's.

#	Question/Documented Response
1	<p>Please tell us a little about yourself and then describe your experience, education, and training that qualify you for this Board or Commission.</p> <p>HAS LIVED IN LOS ALAMOS SINCE SHE WAS 8. LONG-TIME RESIDENT GRAPHIC ARTIST FOR CALN FOR 10 YRS. - TRYING TO GET BACK INTO DOING ART - FINE ARTS DEGREE (BFA) W/ MAJOR IN STUDIO ART - TOOK ARCHITECTURE CLASSES TOO - LOVED THE PROJECTS - HAS A BACKGROUND IN PREPARING PRESENTATIONS</p>
2	<p>What do you believe are the greatest issues facing the County? What do you believe are the greatest issues facing the Board/commission you applied for? [Note to interview panel: If the answer to this question appears to be off base with Council's position, please explore a little more.]</p> <p>COUNTY - BUDGETARY CONCERNS - HOW TO ALLOCATE RESOURCES BOARD - LOTS OF EXCITING PROJECTS - SIGNIFICANT WORKLOAD : HOW TO GET THE "WORD OUT" ABOUT THE WORK OF THE BOARD -</p>
3	<p>How do you perceive the role of County Boards and Commissions in local government?</p> <p>THEY REPRESENT THE CITIZENS - LIKES THE FACT THAT SO MANY PEOPLE SHE KNOWS ARE INVOLVED - LIKES THE CYCLE OF THE B&amp;C'S TAKING THINGS TO COUNCIL &amp; THEN SEEING RESULTS.</p>
4	<p>What specific skills do you feel are important for effective Board or Commission members? Which ones do you possess?</p> <p>APPRECIATION OF ART IS IMPORTANT FOR APPB : WHAT THE COMMUNITY WANTS - HAS A GOOD "FEEL" FOR LOS ALAMOS : THE COMMUNITY IN GENERAL</p>
5	<p>What could you do, specifically, to foster a collaborative relationship between staff and the Board or Commission on which you would like to serve?</p> <p>ANOTHER ART CITIZEN WHO WANTS TO BE INVOLVED - SHE THINKS THAT SHE HAS SKILLS THAT CAN HELP - CAN COLLABORATE WELL WITH ARTISTS : OTHER BOARD MEMBERS. SKILL IN PRESENTATIONS</p>

6	<p>Have you served on any Boards, Commissions or Committees (not only County B&amp;Cs – but also church groups, non-profit boards, school committees, etc.) within the last five years? What do you think was your greatest contribution during your tenure?</p> <p>- NOT ON ANY BOARDS OR COMMITTEES BUT HAS ACTIVELY VOLUNTEERED AT PERC TODDLER PROGRAMS &amp; PLANS TO CONTINUE</p>
7	<p>Are you familiar with the County Charter and County Code as they apply to the Board you are applying for?</p> <p>NOT REALLY - BUT IS LEARNING MORE AS SHE ASSOCIATES WITH THE BOARD</p>
8	<p>Are you willing to take the time to attend training sessions to become more knowledgeable about your duties and responsibilities in an advisory capacity?</p> <p>Yes</p>
9	<p>Are you aware that, as a member of a Los Alamos County Board or Commission, your written communications, including e-mails, are public records (even if produced on your personal computer), and as such are subject to the New Mexico Inspection of Public Records Act. If any of these public records are requested for review/inspection under the Act you may need to produce them. Is this a deterrent to your willingness to serve on this Board?</p> <p><del>Yes</del> No</p>
10	<p>Currently, a few boards or commissions are "live streaming" their meetings (T-Board, Parks and Recreation Board, and the Planning and Zoning Commission.) In the future, this may be required of all boards. If you're applying for one of the boards currently streaming or if it becomes a requirement for all B&amp;Cs to stream, is this - or will this - be a deterrent to your willingness to serve?</p> <p>No</p>
11	<p>[Interview panel: Ask questions you think necessary for clarification of the written answers this applicant provided as part of their application.]</p>
12	<p>Do you have any questions for the interview panel?</p> <p>- HOW DOES THE APPB BUDGET PROJECTS? - QUESTIONS ABOUT BOARD MEMBERSHIP</p>

Notes:





# County of Los Alamos

Los Alamos, NM 87544  
www.losalamosnm.us

## Staff Report

December 09, 2014

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<b>Agenda No.:</b>	B.
<b>Index (Council Goals):</b>	* 2014 Council Goal – Quality Governance - Maintain Quality Essential Services and Supporting Infrastructure
<b>Presenters:</b>	Libby Carlsten, Senior Management Analyst
<b>Legislative File:</b>	<b>6675-14</b>

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### **Title**

Boards and Commission Luncheon Minutes from November 20, 2014.

### **Recommended Action**

**I move Council approve the attached minutes from the B&C Luncheon on November 20, 2014.**

### **Administrator's Recommendation**

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

### **Attachments**

A - Minutes from the B&C Luncheon on November 20, 2014

**BOARD AND COMMISSION LUNCHEON  
B&C CHAIRS, STAFF LIAISONS, AND COUNCIL MEMBERS  
November 20, 2014 – Municipal Building – Room 110 - 11:45 a.m.**

Council member Rick Reiss called the meeting to order at 11:55 a.m. The following were present:

**County Councilors:**

Rick Reiss, Pete Sheehey, Steve Girrens, and Fran Berting

**B & C Chairs and/or members:**

Sarah Terrill, Environmental Sustainability Board; Anne Nobile, P&Z Commission; Mark Rayburn, Fuller Lodge Historic Districts Advisory Board; Michelle Grove, Library Board; Tim Neal, Board of Public Utilities; Chris Stubben, Parks and Recreation Board; Ken Nebel, Art in Public Places Board, and Khal Spencer, Transportation Board.

**Staff members:**

Randy Smith, Katie Thwaits, Libby Carlsten, Steven Thomas, Kelly Stewart, Angelica Gurule, and Anita Barela

**Meeting business:**

No County Council motions were made and no votes were taken. Four County Councilors were in attendance. No Board or Commission (B&C) had a quorum present at the meeting.

A short description of the meeting business:

- Councilor Reiss welcomed everyone and gave opening remarks about the importance of the work of Boards and Commissions in County government. He then asked everyone in attendance to introduce themselves.
- B&C Chairs (or designees) gave short updates on their B&C activities. Copies of these written summaries are provided as **Attachment A**.
- Angelica Gurule provided a brief description of the programs and services provided by the Environmental Services Division. She fielded questions about recycling.
- Councilor Reiss again acknowledged, on behalf of the entire Council, his appreciation for the efforts of all the Boards and Commissions.

The meeting adjourned at 1:00 p.m.

The next B&C luncheon is scheduled for **Thursday, January 15, 2015** in the Council Chambers of the Municipal Building.

**Submitted by:** Libby Carlsten, Senior Management Analyst, Community Services Department

## **Transportation Board Report**

*11-20-2014 B&C Luncheon*

- 1) Reviewed the draft Transit Study and Updated 5-Year Plan .
- 2) Presentation on the NM502 60% design
- 3) We have three new members appointed. We currently have six members and one vacancy.
- 4) Continued to monitor construction on Central Avenue regarding signage and traffic guidance symbols, like the use of "sharrows."

## **Utility Board Report**

Four hour meeting on November 19, discussion items included:

- Utility Department won a prestigious Quality New Mexico Award
- Photo voltaic systems - and incentives for putting PV systems on private residences
- Proposed electric rate changes will be going to Council soon

Attachment A  
B&C Luncheon Minutes  
11/20/14

## **P&Z Quarterly Summary, presented 11 20 2015**

### **P&Z Meetings**

Aug 27 cases: Unitarian church, Teen Center

Sept 24 cases: Golf course restaurant special use permit, Comp plan discussion

Oct 8 case: Ski Hill Tract subdivision

Oct 29 cases: Replatting of Ski Hill Tracts, Site Plan for gym at Entrata

Nov 12 agenda: Amendments to Los Alamos Development Code, including heliports and kennels.

### **Board of Adjustment Meetings**

Sept 29 : Application for fence height waiver

Oct 13: Application for a fence height waiver was denied. This is being appealed to the County Council.

Nov 10: 3 applications for waivers, 2 for setbacks

### **People**

The planning department continues to be short staffed.

P&Z has openings for 2 commissioners.

There are no applications or cases pending. We expect to meet next in late January.

**Attachment A  
B&C Luncheon Minutes  
11/20/14**



**Library Board Report  
Boards and Commissions Luncheon  
11/20/2014**

Over the past two months, the Library Board has focused on the following:

- 1.) Continued to monitor and provide insight into the White Rock Branch Library project. Key activities have included:
  - a. Providing input into various aspects of technology within the building.
  - b. Providing input into issues related to furniture and furnishings.
  - c. Providing input into issues related to meeting rooms and other public spaces.
  - d. Discussing public art in the building.
  - e. Hearing presentations from the project manager regarding the status of the project and holding discussions on recent developments.
- 2.) In December, site tours will be held in addition to additional meetings with the project manager.
  - a. Opening day for the new WRBL is currently scheduled for April, 2015.
- 3.) The Library Board reviewed the library's technology plan and provided a variety of input and recommendations.
- 4.) Construction on the library's expansion space, which will add 3,000 square feet to the youth services area of the library is scheduled to begin in January, 2015. The Library Board has received multiple updates on this project over the past year and provided a variety of input.
- 5.) The Library signed a contract with SirsiDynix in November for a new Library Catalog and Integrated Library System – the underlying software which runs most aspects of library operations. Benefits to patrons will include improved searching, better integration of e-books and e-resources, and increased staff efficiency. Through a RFP process, the system was able to be obtained at a five-year cost of almost no additional dollars above current maintenance costs. The Library Board received updates and provided input throughout this process. Go live date is scheduled for March, 2015.
- 6.) Library Board members continued to serve as liaisons to a variety of other Boards and organizations including the Art in Public Places Board, the White Rock Master Plan Implementation Committee, and the Friends of the Los Alamos County Libraries.
  - a. One notable recent activity of the Friends was the donation of \$30,000 toward an Opening Day Collection for the White Rock Branch Library, which staff have been working to effectively plan and implement.
- 7.) New Board members Ginny White and Tim Langworthy received their initial orientations by library staff and have begun participating in Library Board activities. The Board is now back to its full contingent of five members.

**Attachment A  
B&C Luncheon Minutes  
11/20/14**

Art in Public Places has been extremely busy over the last 2 months.

~We've accepted and initiated 2 new board members, and are currently recruiting for one new vacancy to the board.

~We held a dedication for the artwork at the White Rock Visitor's Center with 2 of the 4 artists present, and a good showing of public support and interest.

~We've been working hard and moving forward on several projects including large native pottery along State Route 4 in White Rock, an installation at the entrance to the new Nature Center, continual work on artwork in the Municipal Building, continual upkeep and data entry for the collection, and creating a vision for Golf Course and White Rock Branch Library public art.

~We held a field trip on Saturday, November 15 to Shidoni, the Glenn Green Gallery, and galleries along Canyon Road and Delgado Street to brainstorm ideas for the Golf Course and Nature Center. We had 9 attendees, half from APPB.

~We held a special meeting on November 17 to hear presentations from the 5 semi-finalists for the west plaza of the Municipal Building, and are right on track to making some solid decisions early next year.

~Richard Swenson's donated whale was installed at the Aquatic Center on November 13.

NOV 19 2014/BOARDS, COMMISSIONS, COMMITTEES LUNCHEON

LTAB Update

**J. METRICS**

- 6) **Lodgers' Tax revenues:** 5.9% increase over same period FY14
- 7) **Visitor Center Attendance:** up 14.9% at WRVC & up 3% at LAVC
- 8) **Earned Media Placement:** 22 million impressions
- 9) **Website Traffic (VisitLosAlamos.org):** Sessions have decreased in total amount, but increased in length of time spent on the site and number of pages viewed per session
- 10) **Facebook "Likes" to Date:** 624
- K. RFP** for Visitor Center Operations and Management issued Nov 19; proposals due Dec 5; contract approval at Dec 16 council meeting; contractor in place by Jan 1.
- L. LOCAL BUSINESS DISPLAY CASE** at White Rock Visitor Center to be in place by end of 2014.
- M. New VISITOR GUIDE** printed/distributed by end of 2014.
- N. AMBASSADOR TRAINING PROGRAM**
- O. STATE TOURISM CAMPAIGN:** Morrie Pongratz named as finalist for "New Mexico True Hero."
- P. Officially endorsed the BRAND SERVICES CONTRACT** to be reconsidered by Council on Dec 9.
- Q. Submitting letter endorsing MANHATTAN PROJECT NATIONAL HISTORIC PARK** to key legislators.
- R. Developing LODGING PACKAGES** for Pajarito Mountain ski season, Feb 2015 LAHS Speech and Debate Tournament.

## **Los Alamos County Environmental Sustainability Board Report**

**November 20<sup>th</sup>**

- The Environmental Sustainability Plan- discussion on coordination and inclusion, how best to reach the goals along with how the goals should be measured
  - Services offered by the County
  - Public outreach possibilities
- Recycling – 56% of all materials received are recycled, includes concrete and asphalt
- Composting – ongoing discussion on how to increase participation in composting program
  - Discussion on offering an organic composting program for use in gardens
- Quarterly Pickup Discussion on how to improve and
- Business Recycler of the Year
- Plastic Bag Ban discussion at next ESB meeting – November 20<sup>th</sup>, tonight

### **Parks and Recreation Board notes for November 20, 2014 B&C lunch**

On September 25, the PRB toured the new golf course building and received an update on the still unfunded phase II improvement project from Ted Ball and Steve Wickliffe

At the October meeting, the board viewed the second annual presentation on a splashpad in Overlook Park by Brittany Carpenter and passed a motion recommending a phase I CIP in FY16. The board also supported the recommended golf course fees and received an update on the Open Space Management Plan and future public process from Craig Martin.

On November 4, the PRB toured the aquatic center and was updated on the extensive improvements in the equipment, boiler and pump rooms.

At the November meeting, the board was updated by Tom Long on the Pajarito Ski Hill plans and also viewed a presentation on the Los Alamos Trail App by Katie Watson from PEEC, which will be available near the opening of the new nature center next April.

**Attachment A  
B&C Luncheon Minutes  
11/20/14**

November 18, 2014

B & C report

Fuller Lodge/Historic Districts Advisory Board  
Mark Rayburn, chair

Items of note:

- A. Craig Martin made a presentation and recommended that Ashley Pond be declared a Wildlife Area. There are many others in the County, even some yards. The requirements are easy and with little effort most can qualify.
- B. Pueblo Canyon Rim Trail stone sculptures (carvings), recommended to be put included as historic.
  - 1. This recommendation opened the door to further understanding of our operational limitations in our new role since the Historic Ordinance was passed.
    - a. We are currently working on new wording in the Ordinance so that the HDA Board can make recommendations and some suggestions having to recuse ourselves from voting following a hearing.
- C. "Thank You" letter was written to LA County for their excellent work on the Manhattan Loop Sewer Project and their collaboration with the FL/HDAB. It was noted by our board that digging a trench for a sewer line across Graduation Point would be devastating to the history of Los Alamos and mar that historic area.
  - 1. FL/HDAB would like to thank LAC for its hard and thoughtful work in proceeding with the Manhattan Loop Sewer Project, both quickly and diligently, to find a path forward that would not impact Graduation Point, an important historic site.
  - 2. We suggested that LA County commend those involved for their efforts in preserving this historic site in Los Alamos, and that LAC get some public credit for this exceptional work by submitting an article to the regional news outlets.

Attachment A  
B&C Luncheon Minutes  
11/20/14



# County of Los Alamos

Los Alamos, NM 87544  
www.losalamosnm.us

## Staff Report

December 09, 2014

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<b>Agenda No.:</b>	C.
<b>Index (Council Goals):</b>	* 2014 Council Goal – Quality Governance - Maintain Quality Essential Services and Supporting Infrastructure
<b>Presenters:</b>	Jack Richardson, Deputy Utilities Manager - GWS Services
<b>Legislative File:</b>	<b>6690-14</b>

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### Title

Grant of Perpetual Public Utility Easement and Temporary Construction Easements Contract No. DE-R052-M5NA70107 by the Department of Energy National Nuclear Security Administration to the Incorporated County of Los Alamos for the Los Alamos County Waterline Installation Project

### Recommended Action

**I move that Council accept and execute the Grant of Perpetual Public Utility Easement and Temporary Construction Easements as outlined in Contract No.**

**DE-R052-M5NA70107 by the Department of Energy National Nuclear Security Administration to the Incorporated County of Los Alamos**

### Utilities Manager Recommendation

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

### Body

The Otowi Booster One Replacement Project includes the replacement of a failed water pipeline along Hwy 502 from the bottom of Pueblo Canyon to the top of the mesa. The new pipeline will connect a new booster station structure in Pueblo Canyon to the existing booster station (Otowi Booster Two) located at the Santa Fe - Los Alamos county line. A portion of the pipeline will reside on DOE - NNSA land. These easement documents provide for a permanent pipeline easement, a temporary pipeline construction easement and a temporary construction yard easement. Any closures or limitations on NM502 during the actual construction project will be coordinated to minimize impacts on traffic flow.

Placing the Otowi Booster One station back in service will allow the DPU to begin operation of Otowi Well One. Otowi Booster One station will also provide for future water transfers between the White Rock and Los Alamos Town site water systems helping to improve emergency water operations capabilities.

### Alternatives

Not accepting the easement will stop the project from being constructed and placed on line. The project would have to be re-designed so as to be routed solely on County land - which would delay the project, be a longer pipeline, and create higher operation and maintenance costs for the station.

### Fiscal and Staff Impact/Planned Item

DPU staff administered the easement acquisition process without any fiscal impact.

### Attachments

- 
- A - Contract No. DE-R052-M5NA70107 Grant of Easements
  - B - Legal Description Temporary Construction Easement 50 Ft
  - C - Legal Description Temporary Construction Easement Yard
  - D - Legal Description Public Utility Easement 30 Ft
  - E - Project Vicinity Map



**DEPARTMENT OF ENERGY  
NATIONAL NUCLEAR SECURITY ADMINISTRATION**

**PERPETUAL PUBLIC UTILITY EASEMENT  
AND TEMPORARY CONSTRUCTION EASEMENTS**

**PROJECT:** Los Alamos County Waterline Installation Project

The **UNITED STATES OF AMERICA**, acting by and through the **DEPARTMENT OF ENERGY/NATIONAL NUCLEAR SECURITY ADMINISTRATION (DOE/NNSA)**, known as the “**Grantor**,” having determined that the granting of this instrument on the terms and conditions herein stated is not incompatible with the public interest, hereby grants to the Incorporated County of Los Alamos, New Mexico, its successors and assigns, designated as the “**Grantee**”:

1. A perpetual public utility easement (public utility easement) for right-of-way across Government-owned facilities, together with ingress and egress, for the purpose of construction, installation, operation, maintenance, and/or repair, and/or replacement of an underground waterline that connects the new Otowi Booster Station No.1, to be constructed on County property, to the existing Otowi Booster Station #2, and a temporary construction easement for the installation of the waterline. The new waterline will be installed using open trenching plus horizontal directional drilling beneath the cliff face along Highway 502. This perpetual easement contains 3.1991 acres, more or less, as shown on Attachment A, which is made part of this Easement Agreement.

2. Two temporary construction easements over, under, in, along, across and upon the property described on the attached and incorporated Attachments B and C for use in the initial construction and installation of the improvements and other construction purposes reasonably related to the initial construction of the improvements. Attachment B describes a wider temporary easement along the path of the perpetual easement, and contains 5.3319 acres, more or less. Attachment C describes a construction laydown area, and contains .8762 acres more or less.

**THESE EASEMENTS** are granted subject to the following terms and conditions:

**1. TERM/TERMINATION RIGHTS**

Perpetual Public Utility Easement. The Public Utility Easement shall be effective upon execution by DOE/NNSA, and shall be granted for an indefinite term in perpetuity, from the effective date of this Easement. This Easement may be terminated by written notice from Grantor to the Grantee (i) should a national emergency be declared by the President of the United States or Congress impacting Los Alamos National Laboratory, (ii) for non-use for a continuous twenty-four (24) month period, or (iii) abandonment.

Temporary Construction Easement. The Temporary Construction Easement shall commence on the effective date of this Agreement and shall automatically terminate and expire 14 months after the date construction of the waterline is completed. The Grantee shall submit plans and specifications for the waterline to the Grantor for examination and approval for adherence with the terms of the easement before beginning installation, and shall comply with the approved plans. Upon the expiration of the term of the Temporary Construction Easement, all of the rights and benefits of Grantee in, to and under this Agreement, with respect to the Temporary Construction Easement only, shall automatically terminate and be of no further force and effect.

## **2. CONSIDERATION**

This Easement is made in the best interest of DOE/NNSA and provides a benefit to DOE/NNSA and the general public; therefore, consideration has been waived.

## **3. AUTHORIZED REPRESENTATIVES**

The Grantor's representative shall be the Realty Officer, Office of Infrastructure & Capital Planning, NNSA Albuquerque Complex, SC-4, PO Box 5400, Albuquerque, NM 87185-5400; telephone (505) 845-4252. The Grantee's representative shall be the Utility Manager, or designee, 1000 Central Avenue, Suite 130, Los Alamos, New Mexico, 87544; telephone (505) 663-3420.

Any changes in the designated representatives or in their respective addresses shall be given in writing to the other.

## **4. NOTICE**

No notice, order, direction, determination, requirement, consent, or approval under this Easement shall be of any effect, within the restriction of this Easement, unless provided in writing to the authorized representative at the address set out in Condition 3.

## **5. PROVISIONS OF EASEMENT GRANTED**

The installation and/or operation and maintenance of the facilities shall be accomplished without cost or expense to the Grantor under the general supervision and subject to the approval of the representative having immediate jurisdiction over the property, designated as the Grantor's "local representative." The said work shall be accomplished in such a manner as not to conflict with the rights of the Grantor or any other existing utilities already present, nor to endanger personnel or property of the Grantor on Government-owned land.

## **6. PROTECTION OF PROPERTY**

All portions of the facilities shall at all times be protected and maintained in good order and condition by and at the sole expense of the Grantee. Any property of the Grantor damaged or destroyed by the Grantee incident to the use and occupation of the premises shall be promptly repaired or replaced by the Grantee to the satisfaction of the Grantor or



in lieu of such repair or replacement the Grantee shall, if so agreed to by the Grantee and Grantor, pay to the Grantor money in an amount a reasonable amount sufficient to compensate for the loss sustained by the Grantor by reason of damages to or destruction of the Grantor's property.

**7. TRANSFER/ASSIGNMENTS**

The conditions of this easement shall extend to and be binding upon and shall inure to the heirs, representatives, successors, and assigns of the Grantee. The Grantee shall neither transfer nor assign this Easement or any property on the premises, nor sublet the premises or any part of the property, nor grant any interest, privilege, or license whatsoever in connection with this Easement without the express and prior written permission of the Grantor.

**8. OFFICIALS NOT TO BENEFIT**

No member of or Delegate to Congress, or Resident Commissioner shall be admitted to any share or part of this Easement or to any benefit arising from it. However, nothing contained within this Easement shall be construed to extend to any incorporated company if the Easement be for the corporation's general benefit.

**9. NON-DISCRIMINATION**

Usage of the premises or facilities will be operated in a nondiscriminatory manner to the end that no person shall, on the ground of race, color, religion, sex, age, handicap, or national origin, be excluded from using the premises or facilities under the Easement.

**10. COVENANT AGAINST CONTINGENT FEES**

The Grantee warrants that no person or selling agency has been employed or retained to solicit or secure this Easement upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by the Grantee for the purpose of securing business. For breach or violation of this warranty the Grantor shall have the right to annul this Easement without liability or, in its discretion, to require the Grantee to pay the full amount of such commission, percentage, brokerage, or contingent fee. (Licensed Real Estate agents or brokers having listings on property for rent, in accordance with general business practices and who have not obtained such licenses for the sole purpose of effecting this Easement, may be considered as bona fide employees or agencies with the exception contained in this Condition).

**11. ENVIRONMENT**

The Grantee shall not unlawfully pollute the air, ground or water or create a public nuisance. The Grantee shall use all reasonable means available to protect the environment and natural resources from damage arising from this Easement or activities incident to it and, where damage nonetheless occurs, the Grantee shall be liable to repair the damaged resources. The Grantee shall not create, use, store, treat, or dispose of any toxic or hazardous material on the premises



without prior Grantor written approval which shall not be unreasonably withheld. For the purpose of this Condition, hazardous materials shall include but not be limited to substances defined as “hazardous substances” or “toxic substances” in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. Sec. 9061 et seq.; Hazardous Materials Transport Act, 49 U.S.C. Sec. 1802; and Resource Conservation and Recovery Act, 42 U.S.C. Sec. 6901 et seq. and in the regulations adopted and publications promulgated pursuant to said laws. The Grantee shall at no cost to the Government promptly comply with present and future Federal, State, and local laws, ordinances, regulations, or instructions controlling the quality of the environment. This does not affect the Grantee’s right to contest their validity or enjoin their applicability. The Grantee shall not be responsible for hazardous materials or pollution caused by others including the Grantor. If the Grantee discovers contamination on the premises, the Grantee shall immediately cease all activities and notify the Grantor’s representative.

The Grantee shall have no liability or responsibility and the Grantor shall retain liability (including liability to third parties) and responsibilities for environmental remediation, impacts, claims, liabilities or damages arising under any laws, regulations or permits caused by or resulting from any generation, manufacture, presence, release, discharge, use, storage, handling, or disposal of any hazardous material on or from any part of the premises or from on any part of the Grantor’s property regardless of when the condition is discovered, except to the extent caused by Grantee.

## **12. CULTURAL ITEMS**

The Grantee shall not remove or disturb, or cause or permit to be removed or disturbed, any historical, archaeological, architectural, or other cultural artifacts, relics, vestiges, remains or objects of antiquity. In the event such items are discovered on the premises, the Grantee shall immediately notify the Grantor’s representative and protect the site and the material from further disturbance until the Grantor gives clearance to proceed.

## **13. LAWS, ORDINANCES, REGULATIONS**

Grantee shall comply with all applicable laws, ordinances, and regulations of the State, county and municipality wherein the premises are located with regard to construction, sanitation, licenses or permits to do business, and all other matters affecting the premises. Grantor agrees that the Grantee is subject to laws of the Incorporated County of Los Alamos and State of New Mexico, as applicable, and such laws shall govern.

## **14. GRANTEE RESPONSIBILITY**

The Grantee shall supervise the facilities and cause them to be inspected at reasonable intervals and shall use reasonable efforts to immediately repair any damage found as a result of the inspection or when requested by the Grantor’s representative to repair any defects. Upon completion of the installation of the facility and/or the repairs, the Grantee, at the Grantee’s own expense shall remove construction debris, revegetate for erosion control and grade to the original contour of the land. Grantee shall comply with such rules and regulations regarding Government security, ingress, egress, safety, sanitation, etc. as may be prescribed from time to time by the Grantor.

**15. GRANTOR RESERVATIONS**

The Grantor reserves to itself the right to construct, use, and maintain across, over and/or under the right-of-way granted any necessary electric transmission, telephone, telegraph, water, gas, gasoline, oil, sewer lines, and other facilities in such manner as not to create any unreasonable interference with the use of the right-of-way granted within this Easement.

**16. THIRD-PARTY RESERVATIONS**

This Easement is granted subject to such other rights that may be outstanding to third-parties in, on, over, and/or across the Easement area.

**17. HOLD HARMLESS AND INDEMNITY**

- a. The Grantor shall not be responsible for damages or property or injuries to persons which may arise from or be incident to the use and occupation of the Premises nor shall it be responsible for damages to the property or injuries to the persons of the Grantee, its agents, employees, or representative or others who may be on the Premises at their invitation, arising from Grantee activities.
- b. The Grantor shall be solely responsible for the claims or damages arising from injury to persons or property caused by the action of the Grantor, its employees, agents, or contractors during its activities on the Premises or arising from any neglect or fault of the Grantor or the agents and the employees of the Grantor in using the Premises, or arising from the failure of the Grantor to comply and conform with all Federal and State Laws.
- c. The Grantee agrees that to the extent authorized by the New Mexico Tort Claims Act, Section 41-4-1 through 41-4-27 NMSA 1978, the Grantee will be responsible for related claims and damages arising from injury to persons or property caused solely by the actions of the Grantee, its employees, agents, or contractors during its operation on the Premises. Grantor recognizes that the New Mexico Tort Claims Act, Sections 41-4-1 through 41-4-27 NMSA 1978, prohibits Grantee from indemnifying Grantor.
- d. The Grantee does not assume any liability or responsibility for environmental remediation, impacts and damage caused by the Grantor's use of toxic or hazardous waste, substances or materials on any portion of the Premises. Grantee has no obligation under this Easement to undertake the defense of any such claim or action, whether in existence now or brought in the future, alleging environmental impacts and damage arising out of the use of or release of any toxic or hazardous waste, substance, or materials caused by Grantor. The Grantor shall retain liability for damages for exposure and responsibility for remediation which is caused by or arises from the presence of any hazardous waste in, on or



under the Premises on or prior to time Grantee first began operations on the property.

**18. BOUNDARY OR SURVEY MONUMENTATION**

The Grantee shall not disturb, obliterate or destroy any land boundary or survey monument on the premises without prior approval from the Grantor's representative.

**19. WETLANDS AND FLOODPLAINS**

All activity within any flood plain or jurisdictional wetlands must comply with applicable Federal, State and local laws, rules or ordinances governing land use in floodplains or wetlands.

**20. GRANTEE'S PLANS AND SPECIFICATIONS**

The Grantee shall submit final plans and specifications of proposed construction, including horizontal directional drilling plans, to the Grantor's local representative and obtain his/her approval prior to commencement of construction.

**21. TIMBER**

After the initial construction and installation of the facilities, the Grantee shall notify and obtain written approval from the Grantor prior to cutting any additional trees of a eight (8) inch diameter, four (4) feet in height within the right-of-way on the premise. The Grantee will remove and dispose of any trees that it cuts on the premise.

**22. REMOVAL/RELOCATION OF FACILITIES**

In the event all or any portion of the premises occupied by the facilities shall be needed by the Grantor pursuant to Section 1 above, the Grantee shall remove the facilities and appurtenant improvements, upon notice to do so, to such other location (s) on the premises as may be reasonably designated by the Grantor. In the event the facilities shall not be removed or relocated within ninety (90) days after the Grantor's notice, the Grantor may cause the same to be done at the expense of the Grantee, provided in lieu of taking such action, the Grantee may wholly remove its facilities from the lands of the Grantor. In this event, the easement rights set out within this document shall cease but the restoration obligation set out in Condition 24 shall remain.

**23. RESTORATION**

Upon expiration or termination of the Public Utility Easement pursuant to Section 1 above, the Grantee shall, without expense to the Grantor and within such time as the Grantor may reasonably indicate, abandon or remove the facilities from the premises and restore the premises to a condition reasonably satisfactory to the Grantor. In the event the Grantee shall fail, neglect, or refuse to abandon or remove the facilities and restore the premises, the Grantor shall have the option either to take over the facilities as the property of the Grantor, without compensation therefore, or to remove the facilities and



perform the restoration work at the expense of the Grantee, and in no event shall the Grantee have any claim for damages against the Grantor or its officers or agents on account of the taking over of the facilities or on account of its abandonment or removal.

**24. GRANTEE PERFORMANCE**

The failure of the Grantor to insist in any one or more instances upon strict performance of any of the terms, covenants, or conditions of this Easement shall not be construed as a waiver or relinquishment of the Grantor's right to the future performance of any such terms, covenants, or conditions and the Grantee's obligations with respect to any such future performance shall continue in full force and effect.

**25. GRANTOR'S LIMITATIONS TO GRANT**

It is understood that this instrument is effective only insofar as the rights of the Grantor in the premises are concerned and that the Grantee shall obtain such permission as may be necessary on account of any other existing rights.

**26. AMENDMENT**

This Easement may not be amended or superseded except by an agreement in writing executed by the Grantor and Grantee.

**IN WITNESS WHEREOF**, all parties accept the terms and conditions of this Easement and cause this Easement to be signed on their behalf by their duly authorized representatives.

**GRANTEE:**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**GRANTOR: Department of Energy/NNSA**

By: \_\_\_\_\_

Title: Certified Realty Specialist  
NNSA Realty Officer

Date: \_\_\_\_\_

**LEGAL DESCRIPTION**

**TEMPORARY CONSTRUCTION EASEMENT**

**within Section 18, T.19N., R.7E., N.M.P.M.**

**Santa Fe County, New Mexico**

A parcel of land lying situate within Section 18, Township 19 North, Range 7 East of the New Mexico Principal Meridian, Santa Fe County, New Mexico; said parcel is a 50 foot wide temporary construction easement having sidelines 25 feet on either side of the following described centerline:

Beginning at the most Easterly point of said centerline herein described, being a point on the Southerly line of Tract A-18-A; whence, the 1927 General Land Office brass cap marking the section corner for Sections 17, 18, 19 and 20, T.19N., R.7E., N.M.P.M. bears S 43° 34' 20" E, 518.84 feet distant; thence, along said centerline herein described,

N 78° 38' 42" W, a distance of 884.75 feet to a point of curvature; thence,

Southwesterly, 107.83 feet along a curve to the left through a central angle of 30°52'36" having a radius of 200.09 feet (chord = S85°55'00"W, 106.53') to a point of reverse curvature; thence,

Southwesterly, 124.92 feet along a curve to the right through a central angle of 19°02'56" having a radius of 375.73 feet (chord = S80°00'10"W, 124.34') to a point of tangency; thence,

S 89° 31' 38" W, a distance of 575.89 feet to a point of curvature; thence,

Northwesterly, 134.43 feet along a curve to the right through a central angle of 3°50'58" having a radius of 2,000.89 feet (chord = N88°32'53"W, 134.41') to a point of tangency; thence,

N 86° 37' 24" W, a distance of 130.19 feet to a point of curvature; thence,

Southwesterly, 196.44 feet along a curve to the left through a central angle of 9°33'35" having a radius of 1,177.37 feet (chord = S88°35'48"W, 196.21') to a point of reverse curvature; thence,

Northwesterly, 410.50 feet along a curve to the right through a central angle of 29°15'00" having a radius of 804.10 feet (chord = N81°33'29"W, 406.06') to a point of reverse curvature; thence,

Northwesterly, 100.26 feet along a curve to the left through a central angle of 4°40'18" having a radius of 1,229.59 feet (chord = N69°16'08"W, 100.23') to a point of tangency; thence,

N 71° 36' 17" W, a distance of 348.90 feet to an angle point; thence,

N 70° 09' 09" W, a distance of 589.31 feet to an angle point; thence,

N 70° 43' 35" W, a distance of 551.91 feet to an angle point; thence,

N 71° 18' 58" W, a distance of 489.80 feet to the termination point of said centerline herein described, being a point on the Westerly line of Santa Fe County; whence, for a tie, the 1927 General Land Office brass cap marking the section corner for Sections 17, 18, 19 and 20, T.19N., R.7E., N.M.P.M. bears S 75° 22' 43" E, 5,018.37 feet distant.

The sidelines of said easement shall be shortened or lengthened so as to originate on said Southerly line of Tract A-18-A and so as to terminate on said Westerly line of Santa Fe County.

Said Parcel contains approximately 232,256 square feet or 5.3319 acres, more or less.

**Surveyor's Certification**

I, Coyote M. Sparrow, New Mexico Professional Surveyor No. 17823, do hereby certify that this Legal Description was prepared by me or under my supervision, meets the minimum requirements for surveys in New Mexico, and is true and accurate to the best of my knowledge and belief.



Coyote M. Sparrow, N.M.P.S. No. 17823



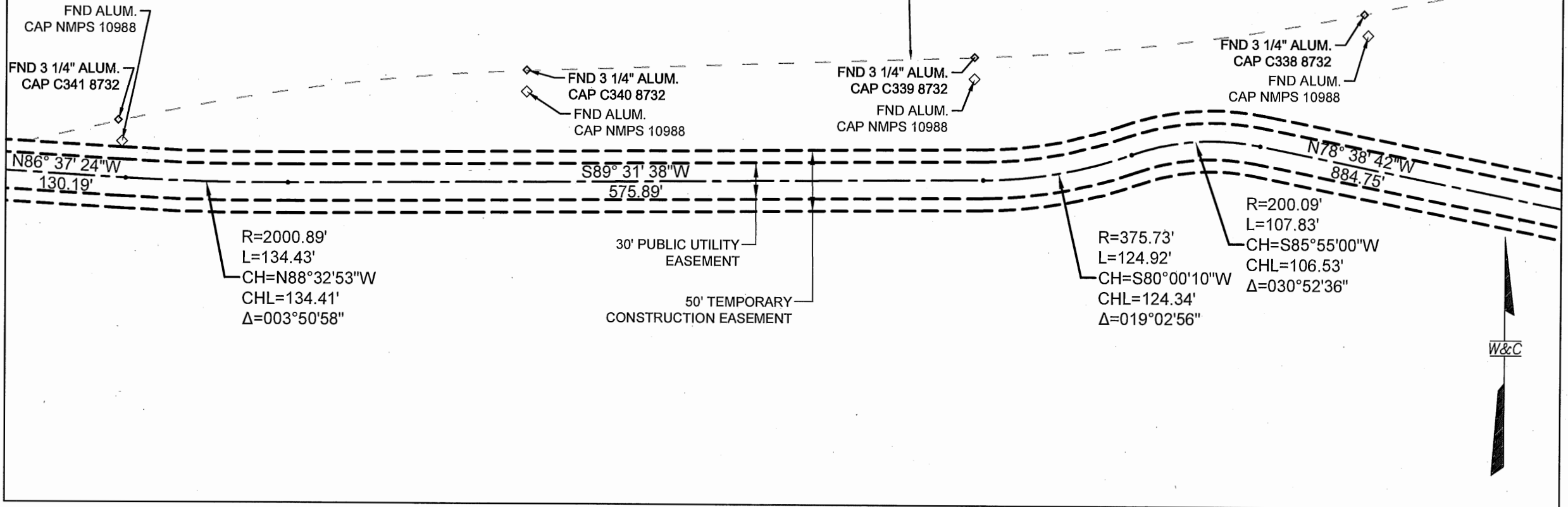
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Date



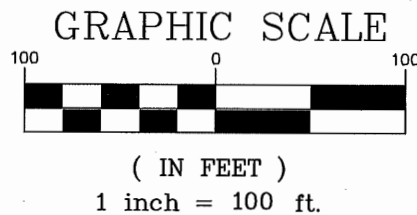
TRACT A-18-A  
BOOK: 763, PAGE: 25  
DOC#1717463  
SEPTEMBER 9, 2013

## NM 502 EASEMENT



### NOTES:

1. BEARINGS ARE NEW MEXICO STATE PLANE GRID BEARINGS



## EXHIBIT

### 30' PUBLIC UTILITY EASEMENT AND 50' TEMPORARY CONSTRUCTION EASEMENT

SECTION 18, T.19N., R.7E., N.M.P.M.  
SANTA FE COUNTY, NEW MEXICO  
OCTOBER 2014

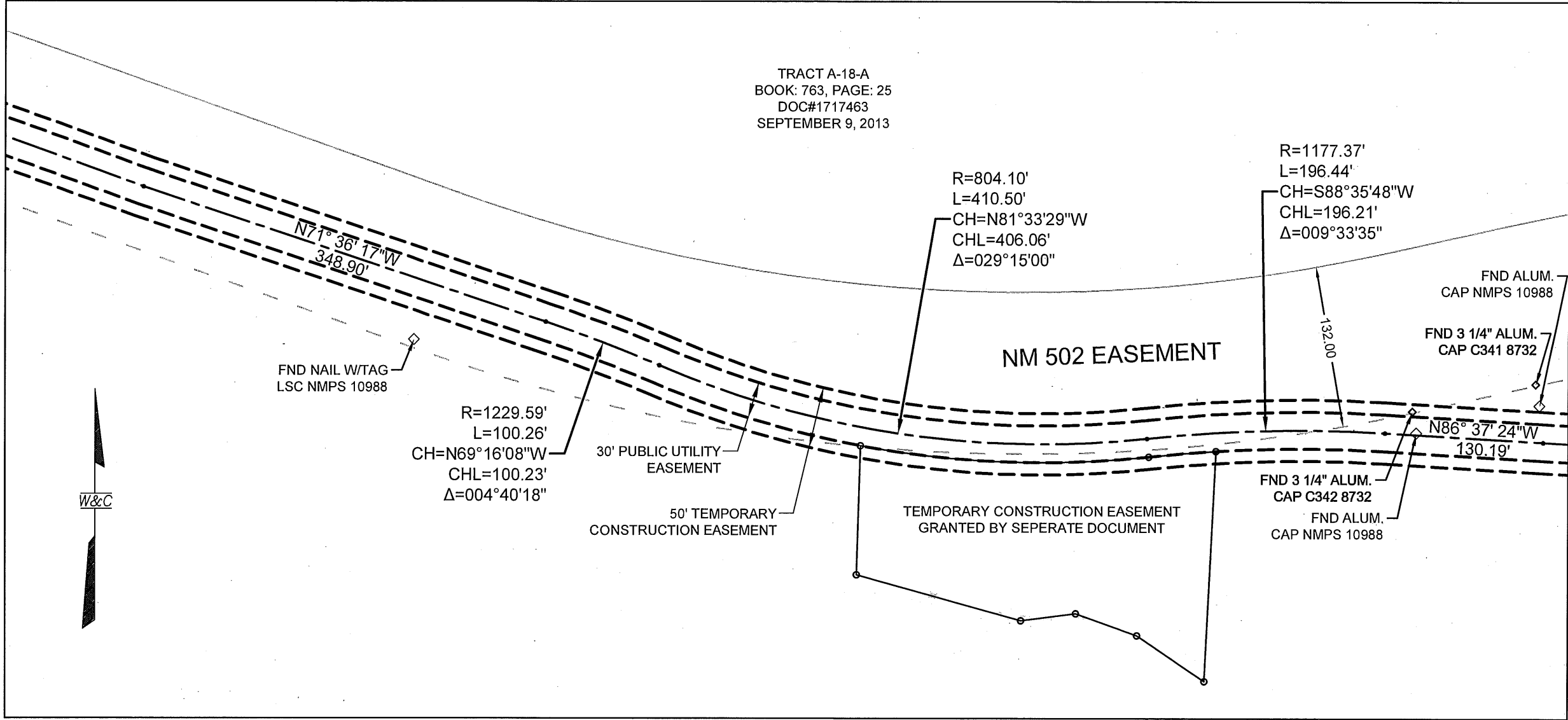
**WILSON**  
& COMPANY

4900 LANG AVENUE N.E.  
ALBUQUERQUE, NEW MEXICO  
87109

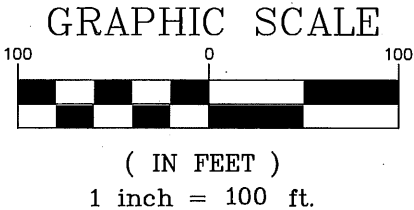
(505) 348-4000



TRACT A-18-A  
BOOK: 763, PAGE: 25  
DOC#1717463  
SEPTEMBER 9, 2013



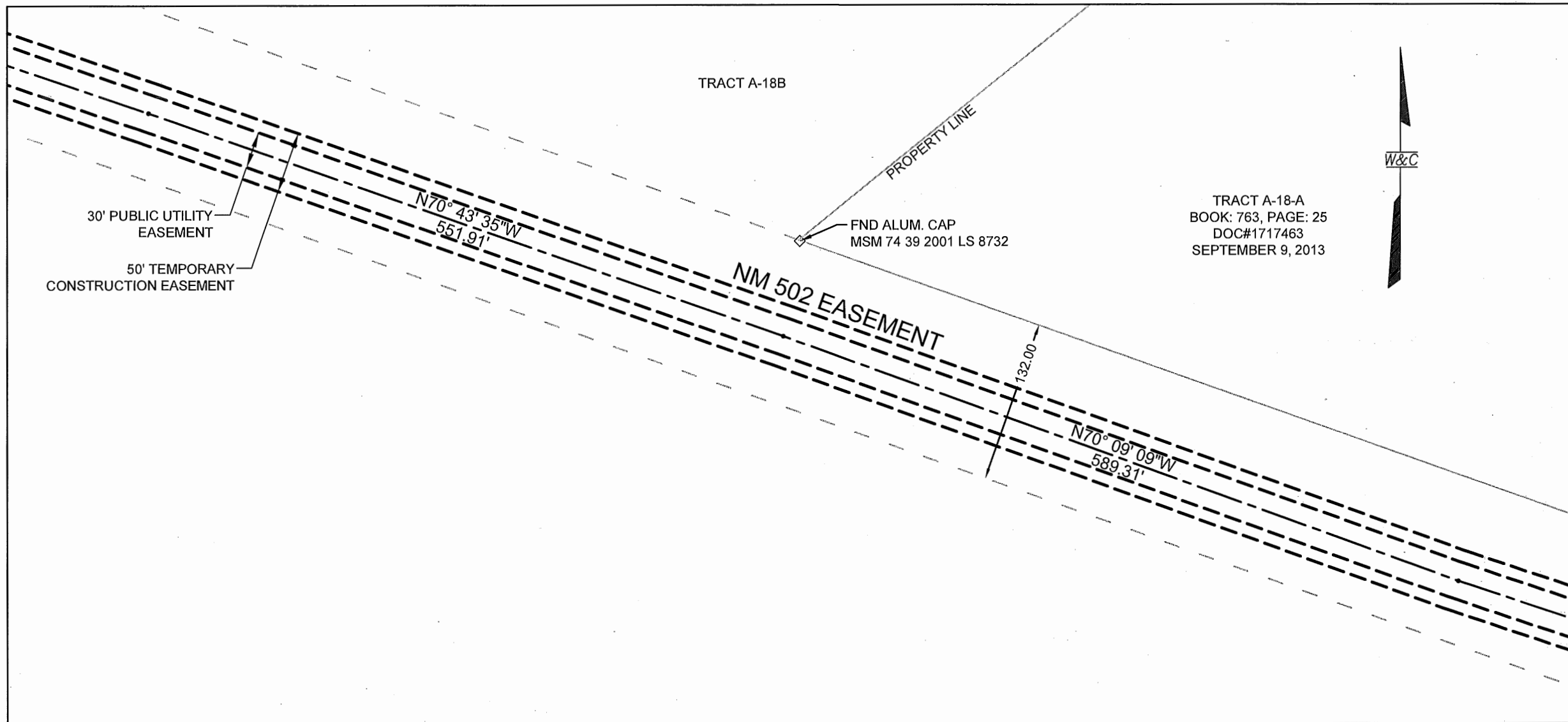
NOTES:  
1. BEARINGS ARE NEW MEXICO  
STATE PLANE GRID BEARINGS



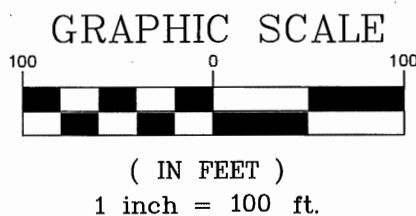
**EXHIBIT**  
**30' PUBLIC UTILITY EASEMENT AND**  
**50' TEMPORARY CONSTRUCTION EASEMENT**

SECTION 18, T.19N., R.7E., N.M.P.M.  
SANTA FE COUNTY, NEW MEXICO  
OCTOBER 2014

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87109  
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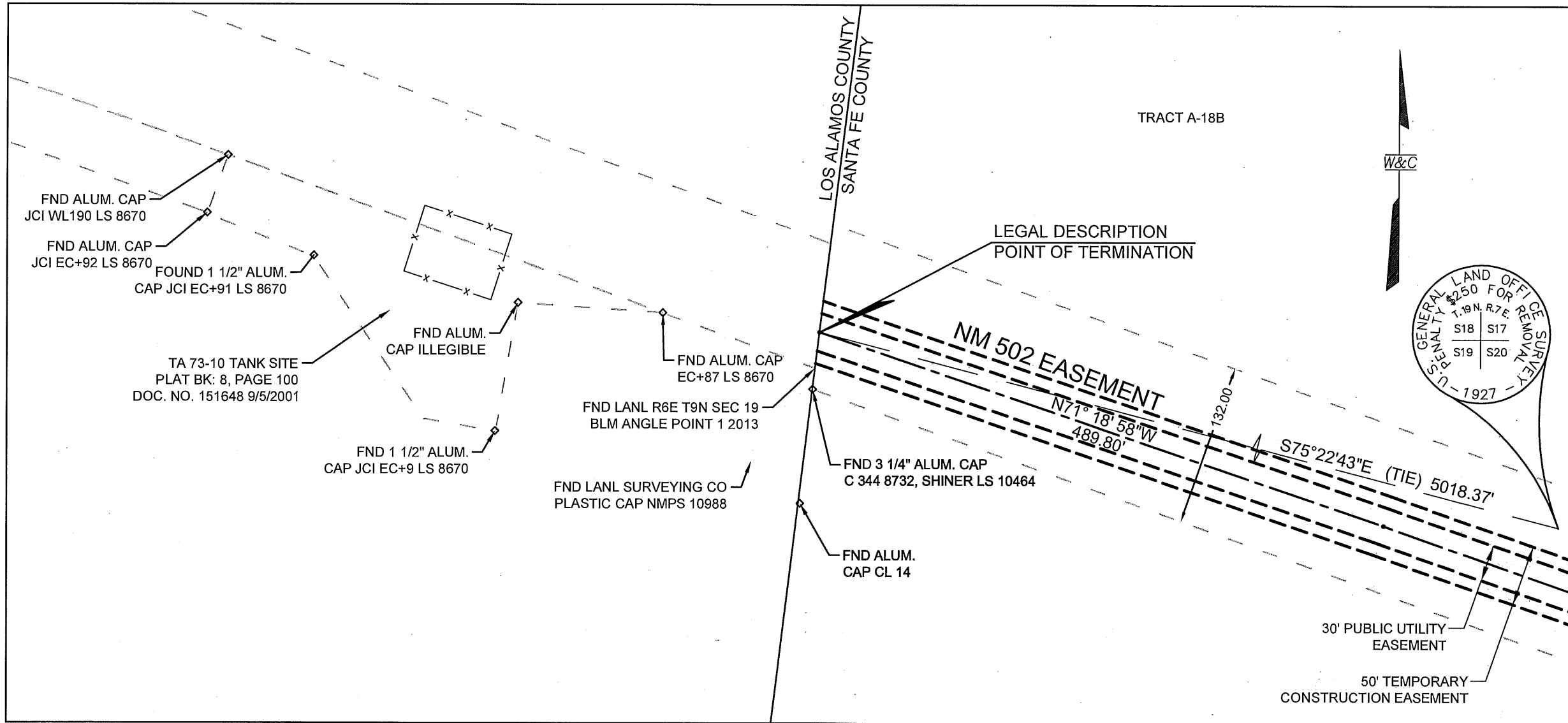


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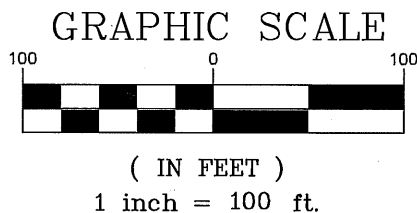
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**30' PUBLIC UTILITY EASEMENT AND**  
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SECTION 18, T.19N., R.7E., N.M.P.M.  
SANTA FE COUNTY, NEW MEXICO  
OCTOBER 2014

**WILSON**  
**& COMPANY**  
4900 LANG AVENUE N.E.  
ALBUQUERQUE, NEW MEXICO  
87109  
(505) 348-4000



NOTES:

1. BEARINGS ARE NEW MEXICO STATE PLANE GRID BEARINGS



**EXHIBIT**  
**30' PUBLIC UTILITY EASEMENT AND**  
**50' TEMPORARY CONSTRUCTION EASEMENT**

SECTION 18, T.19N., R.7E., N.M.P.M.  
SANTA FE COUNTY, NEW MEXICO  
OCTOBER 2014

**WILSON**  
& COMPANY

4900 LANG AVENUE N.E.  
ALBUQUERQUE, NEW MEXICO

87109

(505) 348-4000

**LEGAL DESCRIPTION**

**TEMPORARY CONSTRUCTION EASEMENT**

**within Section 18, T.19N., R7E., N.M.P.M.**

**Santa Fe County, New Mexico**

A parcel of land lying situate within Section 18, Township 19 North, Range 7 East of the New Mexico Principal Meridian, Santa Fe County, New Mexico, said parcel designated as a temporary construction easement, being more particularly described as follows:

Beginning at the most Northwesterly corner of said parcel herein described; whence, the 1927 General Land Office brass cap marking the section corner for Sections 17, 18, 19 and 20, T.19N., R.7E., N.M.P.M. bears S 79° 16' 18" E, 2,774.47 feet distant; thence, from said point of beginning,

238.48 feet along a curve to the left, said curve having a radius of 819.10 feet, delta of 16° 40' 54", chord bearing of S87° 50' 32" E and a chord length of 237.64 feet, to a point of reverse curvature; thence

55.78 feet along a curve to the right to the Northeast corner of said parcel herein described, said curve having a radius of 1162.37 feet, delta of 2° 44' 58", chord bearing of N85° 11' 30" E and a chord length of 55.77 feet, to an angle point; thence,

S 02° 51' 16" W, a distance of 188.51 feet to the Southeast corner of said parcel herein described; thence,

N 56° 02' 45" W, a distance of 67.13 feet to an angle point; thence,

N 70° 23' 39" W, a distance of 53.29 feet to an angle point; thence,

S 82° 44' 34" W, a distance of 45.66 feet to an angle point; thence,

N 74° 32' 38" W, a distance of 140.68 feet to the Southwest corner of said parcel herein described; thence,

N 01° 41' 17" E, a distance of 105.50 feet to the most Northwesterly corner of said parcel herein described, the point of beginning and containing an area of 38,166 Square Feet or 0.8762 Acres, more or less.

**Surveyor's Certification**

I, Coyote M. Sparrow, New Mexico Professional Surveyor No. 17823, do hereby certify that this Legal Description was prepared by me or under my supervision, meets the minimum requirements for surveys in New Mexico, and is true and accurate to the best of my knowledge and belief.



Coyote M. Sparrow, N.M.P.S. No. 17823

10-3-14

Date





**EXHIBIT**  
**TEMPORARY CONSTRUCTION EASEMENT**  
SECTION 18 T.19N., R.7E., N.M.P.M.  
SANTA FE COUNTY, NEW MEXICO  
OCTOBER 2014

W&C

**NM 502 EASEMENT**

50' TEMPORARY  
CONSTRUCTION EASEMENT  
GRANTED BY SEPARATE DOCUMENT

30' PUBLIC UTILITY  
EASEMENT GRANTED  
BY SEPARATE DOCUMENT

R=819.10'  
L=238.48'  
CH=S87°50'32"E  
CHL=237.64'  
Δ=016°40'54"

R=1162.37'  
L=55.78'  
CH=N85°11'30"E  
CHL=55.77'  
Δ=002°44'58"

LEGAL DESCRIPTION  
POINT OF BEGINNING

N01°41'17"E  
105.50'

N74°32'38"W  
140.68'

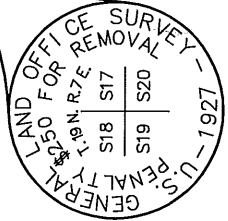
S82°44'34"W  
45.66'

N70°23'39"W  
53.29'

N56°02'45"W  
67.13'

S02°51'16"W  
188.51'

S79°16'18"E (TIE)  
2774.47'



( IN FEET )  
1 inch = 50 ft.

NOTES:  
1. BEARINGS ARE NEW MEXICO  
STATE PLANE GRID BEARINGS

**WILSON**  
**& COMPANY**  
4900 LANG AVENUE N.E.  
ALBUQUERQUE, NEW MEXICO  
87109

**LEGAL DESCRIPTION**

**PUBLIC UTILITY EASEMENT**

**within Section 18, T.19N., R.7E., N.M.P.M.**

**Santa Fe County, New Mexico**

A parcel of land lying situate within Section 18, Township 19 North, Range 7 East of the New Mexico Principal Meridian, Santa Fe County, New Mexico; said parcel is a 30 foot wide public utility easement having sidelines 15 feet on either side of the following described centerline:

Beginning at the most Easterly point of said centerline herein described, being a point on the Southerly line of Tract A-18-A; whence, the 1927 General Land Office brass cap marking the section corner for Sections 17, 18, 19 and 20, T.19N., R.7E., N.M.P.M. bears S 43° 34' 20" E, 518.84 feet distant; thence, along said centerline herein described,

N 78° 38' 42" W, a distance of 884.75 feet to a point of curvature; thence,

Southwesterly, 107.83 feet along a curve to the left through a central angle of 30°52'36" having a radius of 200.09 feet (chord = S85°55'00"W, 106.53') to a point of reverse curvature; thence,

Southwesterly, 124.92 feet along a curve to the right through a central angle of 19°02'56" having a radius of 375.73 feet (chord = S80°00'10"W, 124.34') to a point of tangency; thence,

S 89° 31' 38" W, a distance of 575.89 feet to a point of curvature; thence,

Northwesterly, 134.43 feet along a curve to the right through a central angle of 3°50'58" having a radius of 2,000.89 feet (chord = N88°32'53"W, 134.41') to a point of tangency; thence,

N 86° 37' 24" W, a distance of 130.19 feet to a point of curvature; thence,

Southwesterly, 196.44 feet along a curve to the left through a central angle of 9°33'35" having a radius of 1,177.37 feet (chord = S88°35'48"W, 196.21') to a point of reverse curvature; thence,

Northwesterly, 410.50 feet along a curve to the right through a central angle of 29°15'00" having a radius of 804.10 feet (chord = N81°33'29"W, 406.06') to a point of reverse curvature; thence,

Northwesterly, 100.26 feet along a curve to the left through a central angle of 4°40'18" having a radius of 1,229.59 feet (chord = N69°16'08"W, 100.23') to a point of tangency; thence,

N 71° 36' 17" W, a distance of 348.90 feet to an angle point; thence,

N 70° 09' 09" W, a distance of 589.31 feet to an angle point; thence,

N 70° 43' 35" W, a distance of 551.91 feet to an angle point; thence,

N 71° 18' 58" W, a distance of 489.80 feet to the termination point of said centerline herein described, being a point on the Westerly line of Santa Fe County; whence, for a tie, the 1927 General Land Office brass cap marking the section corner for Sections 17, 18, 19 and 20, T.19N., R.7E., N.M.P.M. bears S 75° 22' 43" E, 5,018.37 feet distant.

The sidelines of said easement shall be shortened or lengthened so as to originate on said Southerly line of Tract A-18-A and so as to terminate on said Westerly line of Santa Fe County.

Said Parcel contains approximately 139,354 square feet or 3.1991 acres, more or less.

**Surveyor's Certification**

I, Coyote M. Sparrow, New Mexico Professional Surveyor No. 17823, do hereby certify that this Legal Description was prepared by me or under my supervision, meets the minimum requirements for surveys in New Mexico, and is true and accurate to the best of my knowledge and belief.

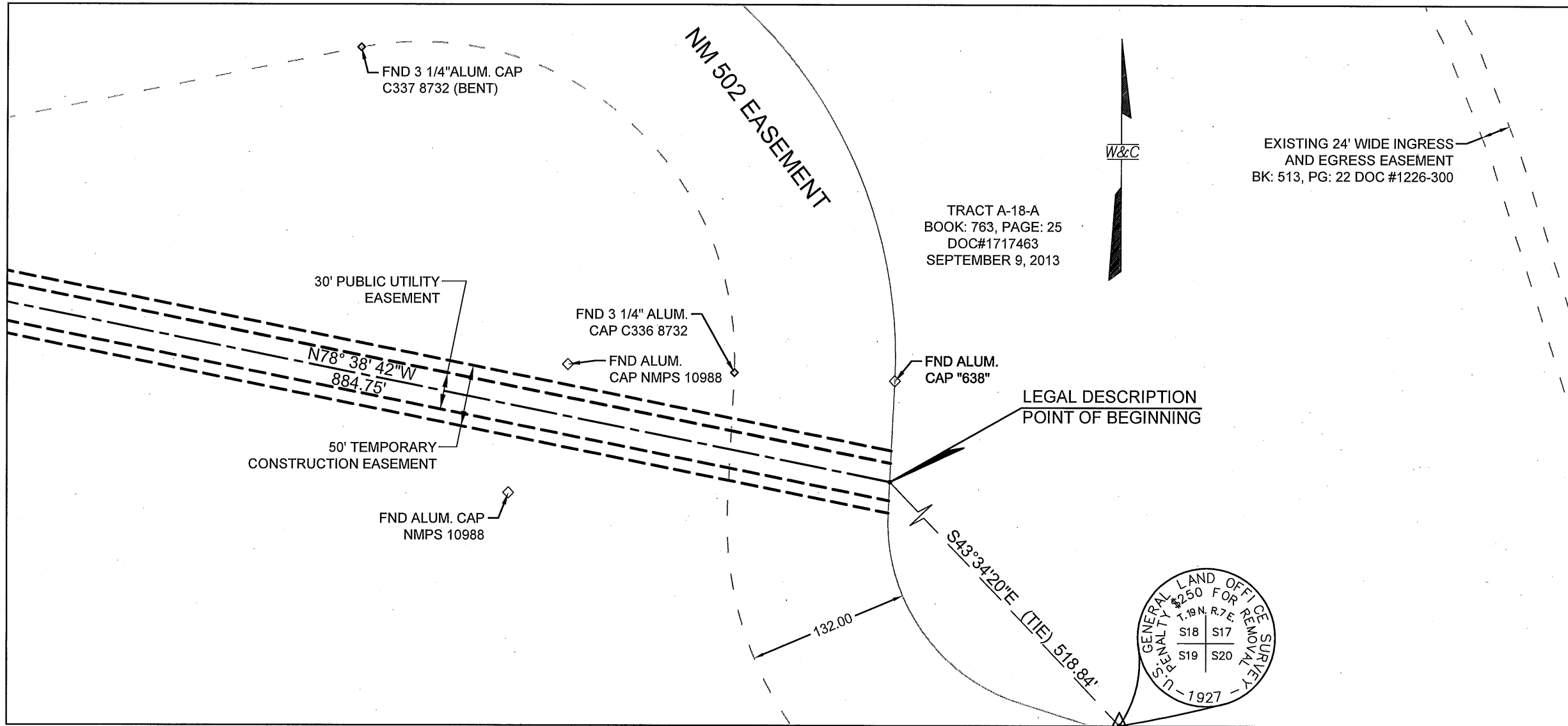


Coyote M. Sparrow, N.M.P.S. No. 17823



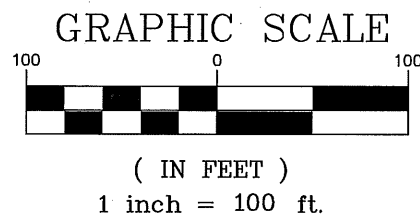
11-4-14

Date



**NOTES:**

1. BEARINGS ARE NEW MEXICO STATE PLANE GRID BEARINGS



**EXHIBIT**  
**30' PUBLIC UTILITY EASEMENT AND**  
**50' TEMPORARY CONSTRUCTION EASEMENT**

SECTION 18, T.19N., R.7E., N.M.P.M.  
SANTA FE COUNTY, NEW MEXICO  
OCTOBER 2014

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SHEET 2 OF 6

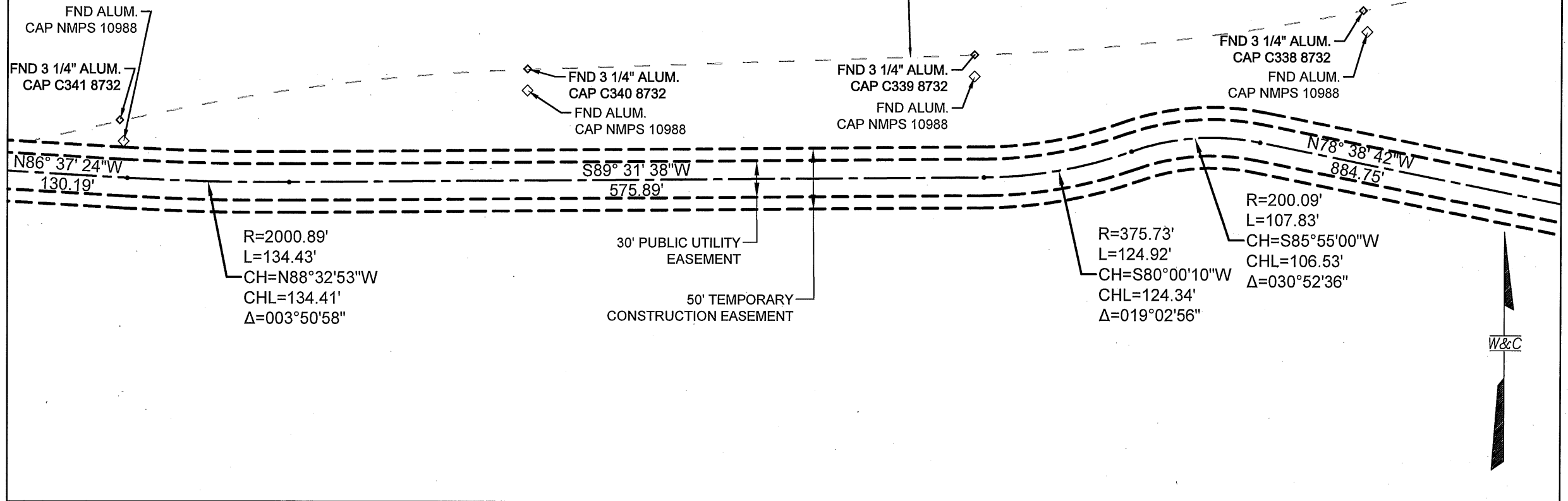
ATTACHMENT D

**WILSON**  
& COMPANY

4900 LANG AVENUE N.E.  
ALBUQUERQUE, NEW MEXICO  
87109  
(505) 348-4000

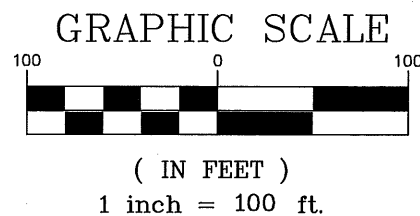
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BOOK: 763, PAGE: 25  
DOC#1717463  
SEPTEMBER 9, 2013

## NM 502 EASEMENT



### NOTES:

1. BEARINGS ARE NEW MEXICO STATE PLANE GRID BEARINGS



## EXHIBIT

### 30' PUBLIC UTILITY EASEMENT AND 50' TEMPORARY CONSTRUCTION EASEMENT

SECTION 18, T.19N., R.7E., N.M.P.M.  
SANTA FE COUNTY, NEW MEXICO  
OCTOBER 2014

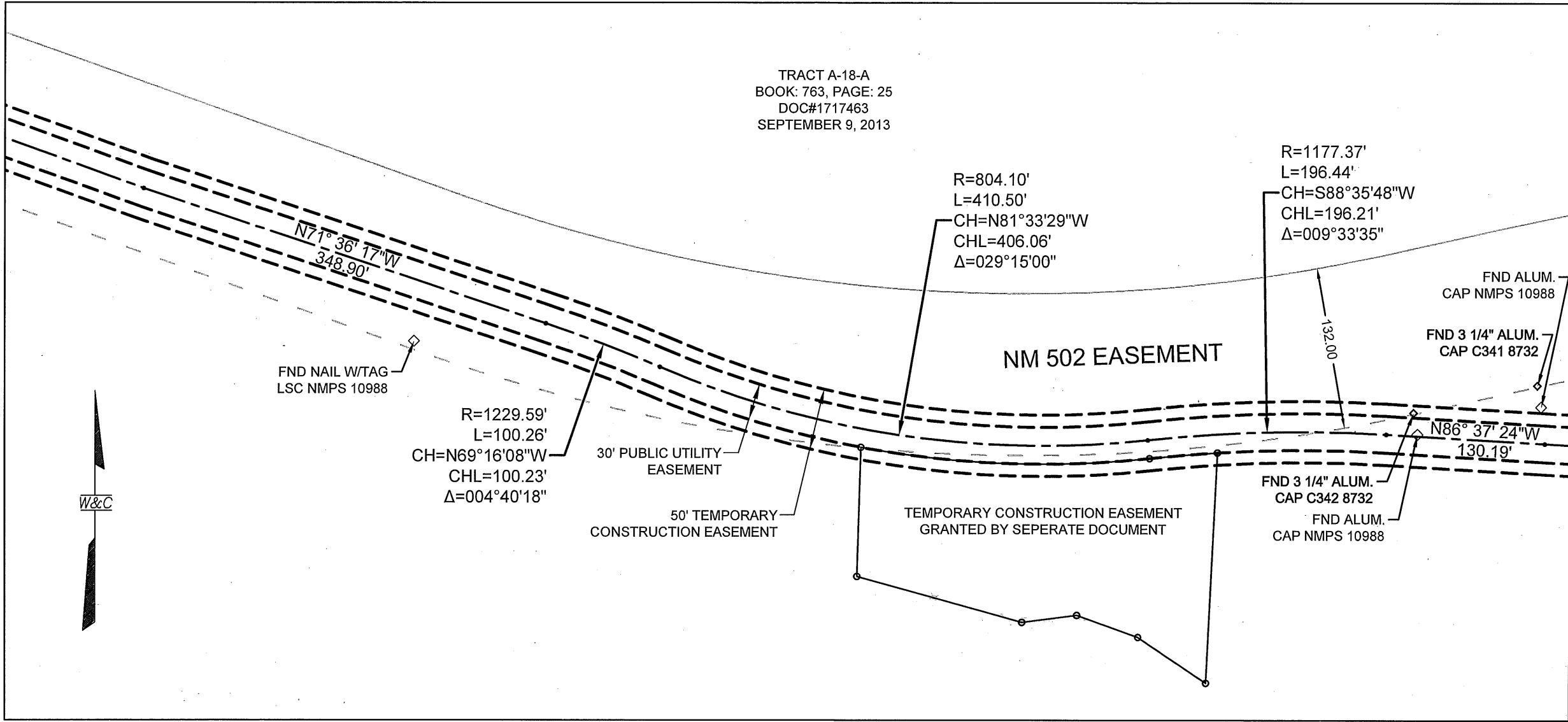
**WILSON**  
& COMPANY

4900 LANG AVENUE N.E.  
ALBUQUERQUE, NEW MEXICO  
87109

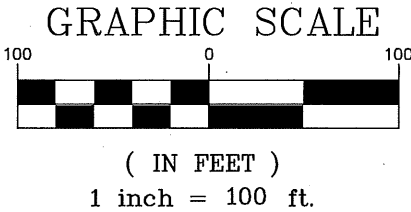
(505) 348-4000



TRACT A-18-A  
BOOK: 763, PAGE: 25  
DOC#1717463  
SEPTEMBER 9, 2013



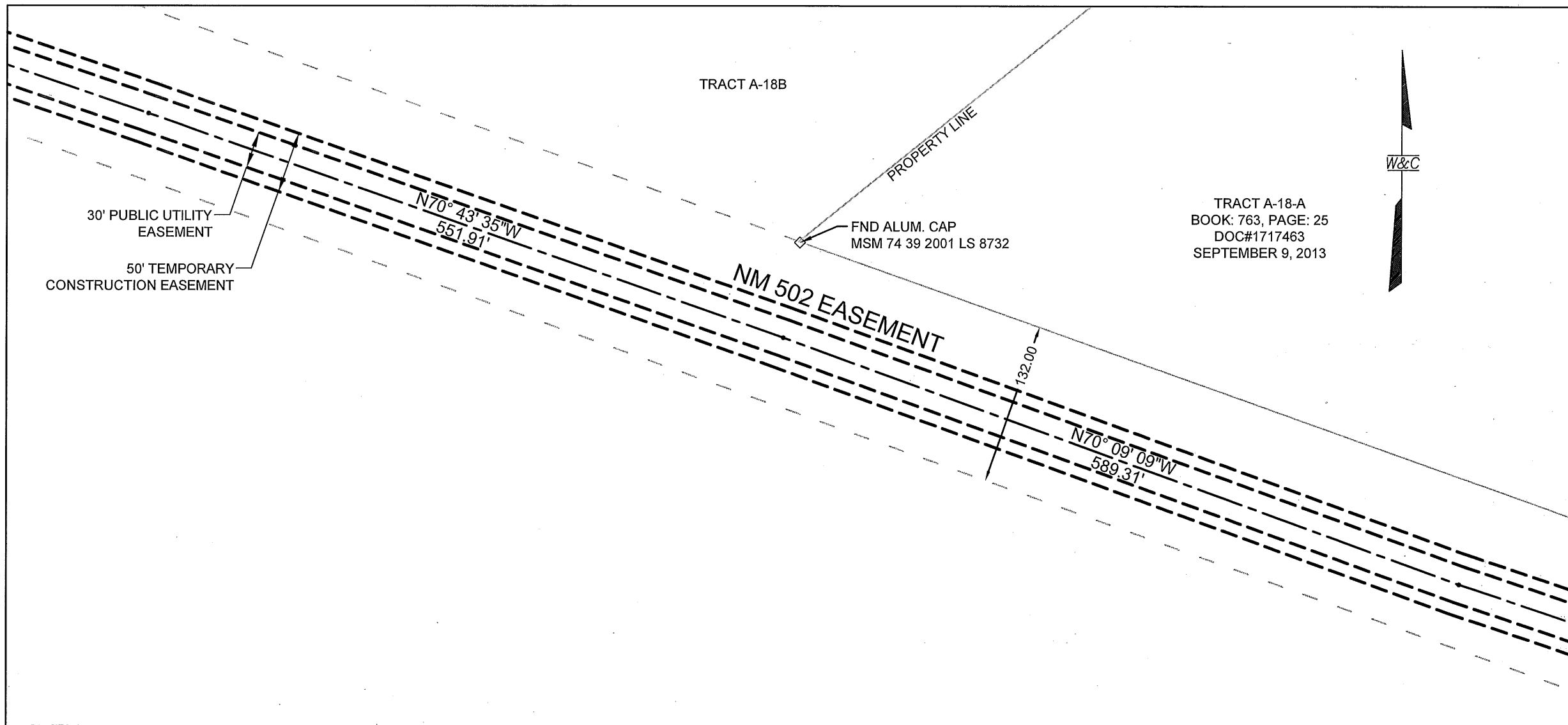
NOTES:  
1. BEARINGS ARE NEW MEXICO  
STATE PLANE GRID BEARINGS



**EXHIBIT**  
**30' PUBLIC UTILITY EASEMENT AND**  
**50' TEMPORARY CONSTRUCTION EASEMENT**

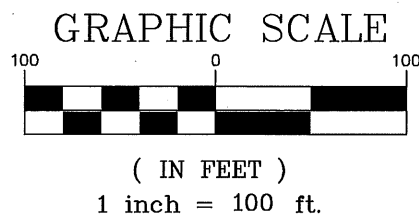
SECTION 18, T.19N., R.7E., N.M.P.M.  
SANTA FE COUNTY, NEW MEXICO  
OCTOBER 2014

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& COMPANY  
4900 LANG AVENUE N.E.  
ALBUQUERQUE, NEW MEXICO  
87109  
(505) 348-4000



**NOTES:**

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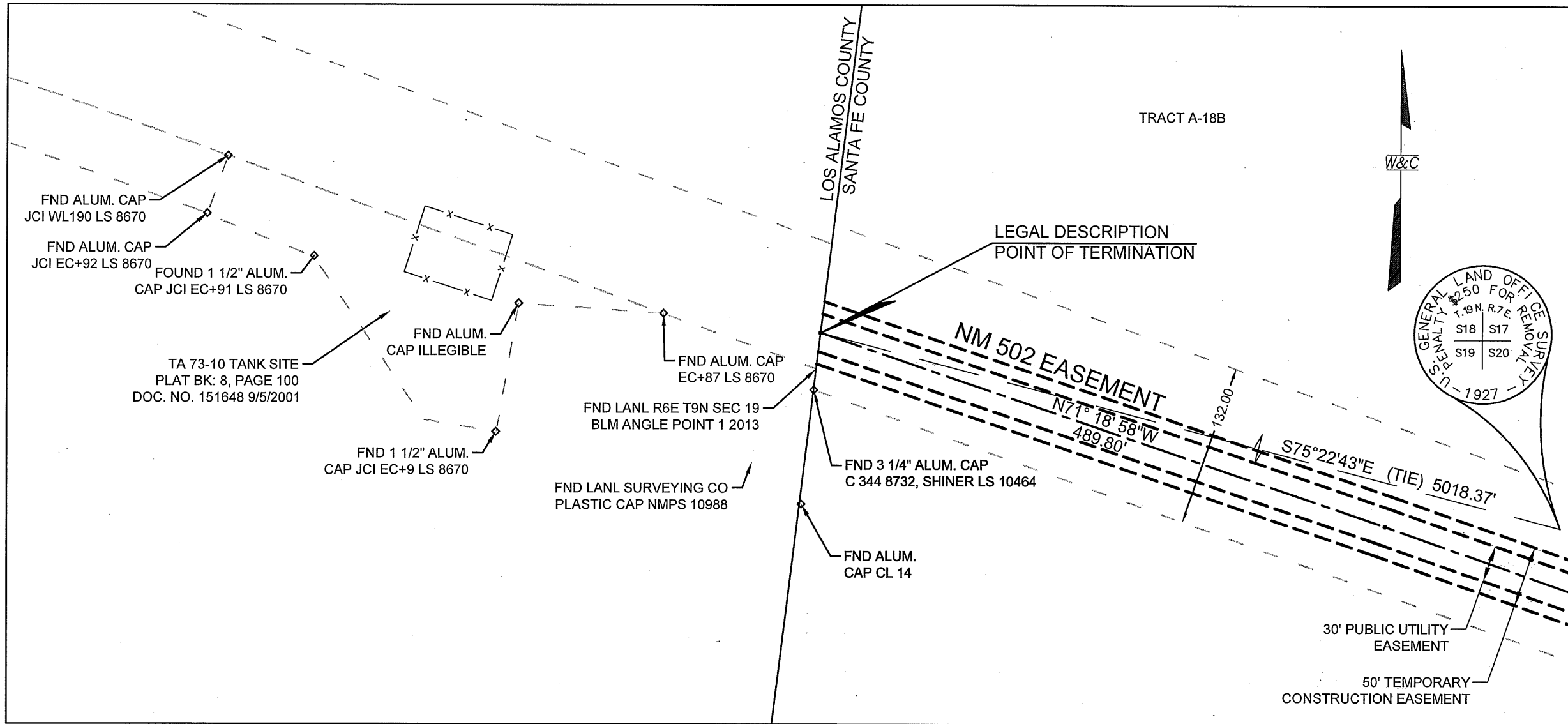
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**30' PUBLIC UTILITY EASEMENT AND**  
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SECTION 18, T.19N., R.7E., N.M.P.M.  
SANTA FE COUNTY, NEW MEXICO  
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**WILSON**  
& COMPANY

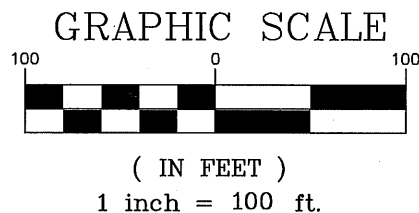
4900 LANG AVENUE N.E.  
ALBUQUERQUE, NEW MEXICO  
87109

(505) 348-4000



# NOTES:

1. BEARINGS ARE NEW MEXICO STATE PLANE GRID BEARINGS



## EXHIBIT 30' PUBLIC UTILITY EASEMENT AND 50' TEMPORARY CONSTRUCTION EASEMENT

SECTION 18, T.19N., R.7E., N.M.P.M.  
SANTA FE COUNTY, NEW MEXICO  
OCTOBER 2014

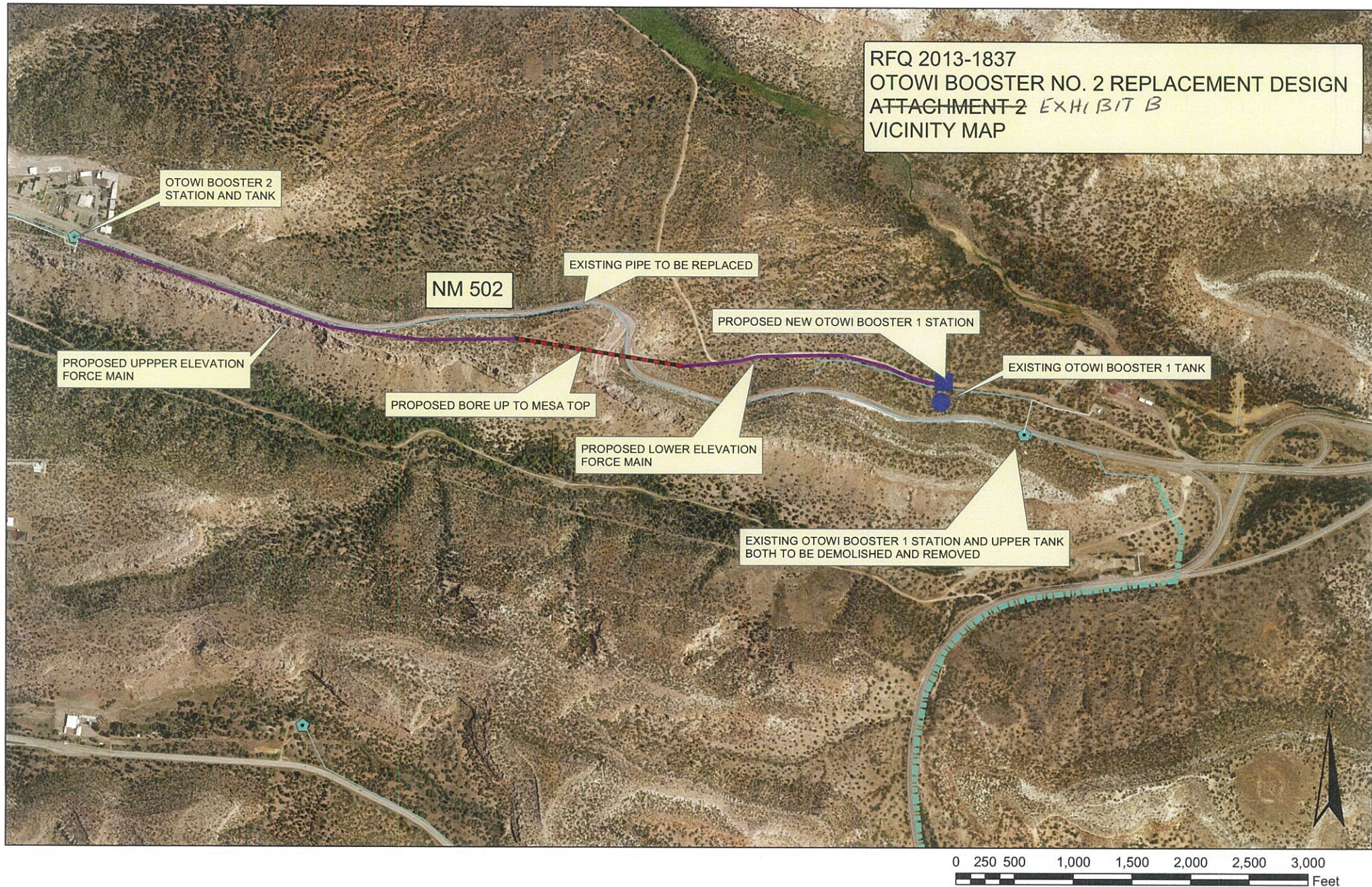
**WILSON**  
& COMPANY

4900 LANG AVENUE N.E.  
ALBUQUERQUE, NEW MEXICO

87109

(505) 348-4000





ATTACHMENT E





# County of Los Alamos

## Staff Report

December 09, 2014

Los Alamos, NM 87544  
www.losalamosnm.us

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<b>Agenda No.:</b>	A.
<b>Index (Council Goals):</b>	* 2014 Council Goal – Quality Governance - Maintain Quality Essential Services and Supporting Infrastructure
<b>Presenters:</b>	Katie Thwaites, Assistant County Attorney
<b>Legislative File:</b>	<b>CO0408-14b</b>

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**\* THIS ITEM WAS TABLED AT THE NOVEMBER 14, 2014 COUNCIL MEETING.**

### Title

Incorporated County of Los Alamos Code Ordinance No. 02-251, An Ordinance Amending Chapter 6, Article I, Section 6.2, Of The Code Of Ordinances Of The Incorporated County Of Los Alamos Relating To Chickens In Proximity To Human Habitation.

### Recommended Action

**I move that Council adopt Incorporated County of Los Alamos Code Ordinance No. 02-251, An Ordinance Amending Chapter 6 of the Code of Ordinances of the Incorporated County of Los Alamos, relating to chickens in proximity to human habitation; and ask staff to assure that it is published in summary form.**

### Body

Residents of the County have made requests for the Council to consider an amendment to the Code of Ordinances to allow the keeping of a small number of chickens in all residential districts.

Section 6-2 of the Code of Ordinances currently prohibits the keeping of chickens within the County, except in the residential agricultural districts (R-A) zone and in all other residential districts, excluding Pajarito Acres and La Senda, if chickens are kept within 200 yards of a residence regularly used for human habitation.

A review and summary of other such ordinances around the state of New Mexico and a few from Colorado are attached as Exhibit C.

The proposed amendment expands the current ordinance to permit the practice of keeping chickens within all residential districts in the County subject to certain conditions:

- Must be for residential, noncommercial purposes;
- Maximum of 6 on any lot;
- Must be at least 16 square feet of permeable land available for each chicken;
- Must have at least 2 square feet of shelter space per chicken;
- Adequate shelter must be provided;
- Shelter must be kept clean, dry, odor-free and in sanitary condition at all times;

- 
- Adequate fencing must be provided;
  - Chickens must have access to the sun during daylight hours and kept in secure shelter at night;
  - Cannot be kept closer than 35 feet to a dwelling unit on abutting property;
  - Cannot be kept in front, rear or side setbacks;
  - Cannot be kept closer than 100 feet to a water well;
  - Keeping and maintaining chickens must comply with all applicable health and safety laws;
  - All areas devoted to chickens must be constructed and maintained to discourage insects and rodents; and
  - No roosters are allowed.

#### **Alternatives**

Council could chose not to adopt this Ordinance resulting in the preservation of the status quo, which currently does not allow chickens to be kept in residential zones with the exception of Pajarito Acres and La Senda; and kept 200 yards from a residence regularly used for human habitation.

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

No discernable staff or fiscal impact with the approval of amendments.

#### **Attachments**

A - Notice of Publication

B - Incorporated County of Los Alamos Code Ordinance No. 02-251

C - Summary of other ordinances in New Mexico and Colorado

D - Citizen Input Related to Chickens in Proximity to Human Habitation

# INCORPORATED COUNTY OF LOS ALAMOS LEGAL NOTICE PUBLICATION FORM

THIS FORM WITH COPY TO BE PUBLISHED TO BE SUBMITTED TO THE CLERK'S OFFICE NO LATER THAN 5:00 PM  
ON WEDNESDAY BEFORE PUBLICATION ON THE FOLLOWING SUNDAY

Date: November 19, 2014

Publish: Ordinance No.: \_\_\_\_\_  
Resolution No.: \_\_\_\_\_  
Introduction: 10-Oct-14  
Public Hearing: 9-Dec-14  
(Date)  
Passed & Adopted on: \_\_\_\_\_  
(Date)  
Other: \_\_\_\_\_

Code Ordinance No.: 02-251

Publish at least 7 before public hearing, (or) \_\_\_\_\_ Publish after adoption.

Publish in (Summary) X or in (Full) \_\_\_\_\_

Publish: X \_\_\_\_\_  
(once) (twice) (three) (other)

Comments: Publish in local newspaper, post at Municipal Building and Library and White Rock Branch.

Submitting Department: Los Alamos County Council  
By: Geoff Rodgers, Council Chair

County Attorney: By: /s/Pauline Maestas

SUBMIT ORIGINAL COPIES OF ORDINANCES/RESOLUTIONS TO COUNTY ATTORNEY.

## 203 ORDINANCES

### 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. . . . If the ordinance is amended in any matter of substance, however, the Council may not adopt it until this has been subjected to the publication and hearing requirements for a newly introduced ordinance. A notice of adoption of the ordinance together with the entire ordinance shall be published . . . . 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/or purchase by the public in the manner required for proposed and adopted ordinances.

### 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.

Copy to Clerk's Office

Copy to CAO

Copy to Submitting Department

**INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE NO. 02-251**

**AN ORDINANCE AMENDING CHAPTER 6, ARTICLE I, SECTION 6.2, OF THE CODE OF ORDINANCES OF THE INCORPORATED COUNTY OF LOS ALAMOS RELATING TO CHICKENS IN PROXIMITY TO HUMAN HABITATION**

**WHEREAS**, Section 6-2 of the Incorporated County of Los Alamos Code of Ordinances currently prohibits the keeping of chickens within the Incorporated County of Los Alamos, except in the residential agricultural districts (R-A) zone and in all other residential districts, excluding Pajarito Acres and La Senda, if chickens are kept within 200 yards from a residence regularly used for human habitation; and

**WHEREAS**, residents of the Incorporated County of Los Alamos wish to keep and maintain chickens within all residential districts, without the 200 yard proximity limitation, for local, residential, and noncommercial food production; and

**WHEREAS**, residents of the County have made requests for the County Council to consider an amendment to the Code of Ordinances to allow the keeping of a small number of chickens;

**WHEREAS**, County Council has considered such request and as determined that, if properly regulated, the keeping of chickens by residents within all residential districts of the County will be potential benefit to such residents and will not create a nuisance to other residents; and

**WHEREAS**, Council has determined that the keeping of chickens within all residential districts of the County would be in the best interests of the citizens of the Incorporated County of Los Alamos.

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

**Section 1.** Section 6.2 of the Los Alamos County Code of Ordinances is amended to read as follows:

**Sec. 6-2. Proximity to human habitation.**

(a) In residential agricultural district (R-A) any animal, except swine and unaltered male goats, may be kept in accordance with the following:

- (1) All pet animals shall be kept in such a manner as to not constitute a nuisance to the surrounding area as follows:
  - a. No offensive noise or order shall be produced;
  - b. Areas devoted to pets or small animals, including accessory buildings and structures, shall be constructed and maintained to discourage the concentration and breeding of insects or rodents.



- (2) Livestock, may be kept not closer than 45 feet to any residence regularly used for human habitation. Also, livestock may not be kept or confined within 60 feet of the line separating the residential agricultural district from an adjacent residential district. Areas devoted to livestock, including accessory buildings and structures, shall be constructed and maintained to discourage the concentration and breeding of insects or rodents.

(b) In all residential districts excluding the residential agricultural (R-A) districts of Pajarito Acres and La Senda, animals may be kept in accordance with the following:

- (1) No livestock shall be kept within 200 yards of a residence regularly used for human habitation.
- (2) The prohibition against keeping livestock shall not apply to the keeping of chickens for residential, noncommercial purposes, which shall be allowed in accordance with the following:
- a. The maximum number of chickens on any lot is six (6) provided that there must be at least sixteen (16) square feet of permeable land area available for each chicken, plus at least two (2) square feet of shelter space per chicken;
  - b. Adequate shelter must be provided to protect chickens from the elements and to prevent wildlife and other predators from gaining entry. Shelter must be properly ventilated. Shelter must be kept in a clean, dry, odor-free and sanitary condition at all times;
  - c. Adequate fencing shall be provided to prevent chickens from escaping when not in their shelter;
  - d. During daylight hours, chickens shall have access to the sun within a secure fenced yard or adequate shelter. Chickens shall be kept within a secure shelter at night;
  - e. No chickens, shelter or fencing shall be kept:
    - i. closer than 35 feet to a dwelling unit on abutting property;
    - ii. in the required front, rear, and side setbacks; or
    - iii. closer than 100 feet to a water well.
  - f. The keeping and maintenance of chickens as provided in this section, shall comply with all applicable health and sanitation laws;
  - g. All areas devoted to chickens, including shelter, shall be constructed and maintained to discourage the concentration and breeding of insects or rodents; and
  - h. No roosters are allowed.

(23) All livestock, chickens and pet animals shall be kept in such a manner as to not constitute a nuisance to the neighborhood as follows:

- a. No offensive noise or odor shall be produced; and
- b. Areas devoted to small animals including accessory buildings and structures, shall be constructed and maintained to discourage the concentration and breeding of insects or rodents.

**Section 2. Effective Date.** This Ordinance shall become effective thirty (30) days after notice is published following its adoption.

**Section 3. 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 4. Repealer.** All ordinances or resolutions, or parts thereof, inconsistent herewith are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

**ADOPTED** this 28th day of October, 2014.

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

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**Geoff Rodgers  
Council Chair**

**ATTEST: (SEAL)**

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**Sharon Stover  
Los Alamos County Clerk**

## **New Mexico City/County Chicken Ordinances**

### **Albuquerque**

§9-2-4-3. Poultry limit is 15. No more than one rooster. Poultry is defined as any bird that is kept as a pet or any bird that is commonly used by humans for eggs or meat. Companion Birds are not considered Poultry in this article.

### **Alamogordo**

§7-01-010. Poultry is defined as any chicken, duck, goose, turkey or similar bird.

§7-01-020. Poultry is permitted in areas specifically zoned for such use.

§29-03-010. Raising of poultry is permitted in R-1 (Single-Family Dwelling District) only if noncommercial purposes and if done on a scale that would not be objectionable to surrounding residences because of noise or odor.

### **Belen**

§6.28.020. Unit of livestock means... fifteen chickens

§6.28.030. unlawful for any person to keep or maintain within city limits of Belen any commercial feed pens or pens for the feeding or fattening of any livestock, poultry or fowl.

§6.28.040. unlawful to keep or maintain within city limits of Belen one unit of livestock for less than 20,000 sq. ft. of land owned or controlled. May keep one additional unit of livestock for each additional 20,000 sq. ft. of land owned or controlled. Pen or enclosure must be kept at least 100 feet from another's dwelling house. Pen shall be fenced in manner that animals have access to all the space at all times and not enclosed in any portion thereof except for short periods of time.

§6.28.050. permit required

§6.28.060. pens, enclosures and premises must be clean and in sanitary condition at all times.

Duty of the ACO to make inspections and enforce section.

### **Bernalillo**

§7 A-1. Rural Agricultural Zone – Ranch, farm, dairy and rural residential activities. Display and sale of agricultural products including poultry raised on premises.

§9 R-1. Single-Family Residential Zone – lots not less than  $\frac{3}{4}$  acre. Agricultural activity including raising poultry on lots of 3 or more acres.

### Carlsbad

§56-3. Livestock is defined as animals including, but not limited to, horses, asses, mules, cattle, sheep, goats, swine, bison, poultry, rabbits, ratitae, camelids, members of the lama genus, or farmed cervidae. [poultry is not defined]

§56-42(b). Livestock (includes poultry) limited to rural residence district on lots with minimum of  $\frac{3}{4}$  acre. On lots greater than one acre, poultry and rabbits may be kept with max of 24. May be sold but retail stands or structures are not permitted. Killing or dressing for commercial purposes are prohibited. Max of 1 crowing fowl per acre of land. Must be fenced. Readily available supply of potable water at all times. Sufficient shade must be provided. Animal waste must be properly dispose of every 24 hours. A minimum of 40 sq. ft. of shall for each livestock animal.

### Clovis

§6.16.020. Poultry means chicken, turkeys, geese, duck, guineas and game birds.

§6.16.060. No one shall keep poultry within 100 feet of any residence or business.

§6.16.070, §6.16.100. On two or more acres of land, no person shall keep poultry in excess of 25, nor be processed for the purpose of sale.

Shall provide adequate and sanitary pens or shelters. Shall not run or fly at large and must be kept in secure pens and shelters. Shall be cleaned daily of all insanitary waste and maintained in sanitary condition at all times. Pens and shelters shall be sprayed with effective insecticide as often as necessary to kill all flies and prevent fly breeding. Pens and shelters shall be kept dry and free of wet areas, pools or stagnant water.

Duty of city sanitation officer to do monthly inspections of all poultry pens and shelters and where insanitary conditions exist, shall be duty of officer to enforce provisions of chapter.

No person shall feed garbage, slop or mashes to livestock or poultry but shall dispense only dry feed and clean water.

### Eunice

§10-2. Fowl – turkeys, geese, ducks, guineas, chickens and all other domestic fowl.

§10-111. It is unlawful to keep more than one fowl.

§102-140. Rural Residential Zone – on lots at least  $\frac{1}{2}$  acre, poultry is permitted so long as they do not constitute a nuisance, no offensive noise, odor or dust, areas devoted to poultry shall be constructed and maintained to discourage concentration and breeding of insect pests. All animals are confined within owner's property boundaries.



## Hobbs

### Rural and Open Space Planning Districts

§18.08.020. Poultry and fowl defined as chickens, ducks, geese, turkeys, peacocks, guinea fowl, game fowl and pheasants. Minimum size of district is 5.0 acres. Minimum size of parcel .50 acres for keeping poultry. No covered shelter, pen or enclosure shall be permitted less than 100 feet from any water well for domestic use. Keeping of poultry shall not be permitted in required front, side, and street side yard setbacks.

Special Use Permit required.

Free range chickens – maximum 40 per each 10,000 sq. ft. of pasture or yard area

Isolate chickens – maximum 20 per each 10,000 sq. ft. of pasture or yard area

Ducks – free range – maximum 15 per each 10,000 sq. ft. of pasture or yard area

Geese and turkeys – free range – maximum 8 per each 10,000 sq. ft. of pasture or yard area

Must be kept in secure pen or enclosure not less than 30 feet from any private residence, hotel, apt house, hospital or school. It may be within 20 ft. if such building is separated by a public alley and by a solid fence or wall at least 6 ft. high.

Environmental Superintendent has duty and authority to investigate.

## Las Cruces

§16-256. Livestock or poultry products is defined any product capable of use as human food which is wholly or partially made from meat.

§7-227. Rabbits, poultry, goats, sheep, miniature horses and the like:

Allowed on ½ acre or more. Open lot are not including dwelling unit shall be 2,000 sq. ft. for each animal, provided the total number of animals shall not exceed 100 regardless of size. Not kept closer than 35 ft. from adjoining dwelling. Not permitted in required front, side and street side yard setbacks. Shall be provided adequate enclosures to contain within boundaries of owner's property. Not closer than 100 ft. to a water well. Shall be maintained in clean, orderly and sanitary condition at all times. All manure removed at least once a week. All premises and facilities shall be treated weekly with biologically, ecologically, and environmentally approved pesticides for control of odors, insects and rodents. Areas adjacent to pen and where animals are kept shall be graded to drain away from such facilities so as to prevent ponding and insect harborage.

### Los Lunas

§6.04.010. Livestock is defined as horses, cattle, pigs, sheep, goats, rabbits and/or poultry. [poultry is not defined.]

§17.44.060. Poultry is permitted in AR (Agricultural Residential) and RR (Rural Residential) zones so long as they do not constitute a nuisance, no offensive noise, odor or dust, areas devoted to poultry shall be constructed and maintained to discourage concentration and breeding of insect pests. All animals are confined within owner's property boundaries. (Similar to Eunice ordinance above).

### Portales

§7-17. Permit required to house livestock (includes fowl –turkeys, chickens, ducks and geese). Only permitted in zones allowing livestock.

§410. Rural Agricultural Zone Poultry is permitted so long as they do not constitute a nuisance, no offensive noise, odor or dust, areas devoted to poultry shall be constructed and maintained to discourage concentration and breeding of insect pests. All animals are confined within owner's property boundaries. (Similar to Eunice and Los Lunas ordinance above).

### Rio Rancho

§90.29 Female and immature male chickens may be owned, housed and kept within city only on lots of ½ acre in E-1 (Estate Residential District) zone. No more than 5 adult chickens.

### Ruidoso

§54-31. Farming means an area which is used for growing, raising, producing and storage of agricultural products on a commercial basis, such as timber, livestock, poultry and foodstuffs, including the residence of those conducting and engaged in the operation. A farm shall not include commercial feedlots or sanitary landfills. [poultry is not defined.]

§54-96 Farming and ranching only allowed in AR (Agricultural Residential) Zone

### Sandoval

§6. Livestock is defined as all domestic or domesticated animals that by custom and practice in New Mexico have been used or raised on a farm or ranch for agricultural purposes and including horses, asses, mules, cattle, sheep, goats, swine, bison, poultry, ostriches, emus, llamas, rheas, camelids, farmed cervidae, and similar animals, including exotic animals in captivity. Livestock does not include canine or feline animals, or any animals not actually used for agricultural purposes. [poultry is not defined.]

§9(1). Only permitted in Rural Residential/Agricultural and Rio Rancho Estates Community Districts

### Silver City

§6-6 Unlawful to keep or harbor any fowl, game bird or livestock within town limits except chickens.

Chickens allowed by permit subject to: maximum of 3 female chickens, no roosters, must be for household and non-commercial use; must be kept in predator-proof enclosure no less than 4 sq. ft. per chicken which is easily accessed, cleaned and maintained by owner; must contain a “chicken house” or “coop” so each chicken has a location to roost; outdoor enclosure shall located in backyard and not be closer than 20 feet to any neighboring property line, including the Town’s right of way; chickens shall be given adequate care and not treated cruelly or inhumanely; chickens shall be fed dry feed, clean water or kitchen scraps in a feed container kept free of garbage and rotten scraps.

Chickens shall be kept on a lot containing single-family dwelling. May be kept on lot under one ownership with multiple-family dwellings if all residents and the owner consent in writing.

The following Cities/Counties did not have anything specific to chickens, poultry, fowl or the like:

Bayard

Bloomfield

Farmington

Santa Fe

T or C

Tucumcari

## **Colorado City/County Chicken Ordinances**

### **City/County of Denver**

§8-91 Permit required to maintain, possess or harbor any fowl such as chickens, geese, ducks or turkeys. A fowl license is required for the keeping of up to 8 ducks and/or chickens combined. Must be at least 16 sq. ft. of permeable land for each duck or chicken plus adequate enclosed shelter for all ducks and chickens. Adequate shelter must be provided to protect ducks or chickens from elements and prevent wildlife or other predators from gaining entry. Adequate fencing shall be provided to prevent escaping when not in shelters.

### **Steamboat Springs**

5 chicken hens or fewer per lot. No roosters. Coops shall meet minimum principle structure set back requirements. Coops must be neat and sanitary at all times and cleaned on a regular basis to prevent attraction of pest and offensive odors. Feed must be in bear-proof container if located outdoors. Not for commercial purposes.

### **Durango**

§4-2 Poultry allowed in Residential-Agricultural zone.

§10-1-30 Residential, noncommercial keeping of chickens allowed: if a parcel has more than 1 dwelling unit, all adult residents and owners of parcel must consent in writing to allowing chicken hens on property; no more than 6 chicken hens, ownership and keeping of roosters over six months old is prohibited; permit to keep chickens is required; chicken hens must be provided with a covered enclosure that is predator-resistant, properly ventilated, easily accessed for cleaning and maintenance, and provide not less than 2 sq. ft. per chicken to be kept in such enclosure; during daylight hours chicken hens must be provided access to sun; the covered enclosure and an outdoor enclosure that is adequately fenced to prevent escape and provide protection from predators; chickens must be placed in covered enclosure between hours of dusk and dawn to provide protection from predators; covered and outside enclosure may be located not less than 15 feet from abutting property line or 30 feet from an inhabited dwelling unit, whichever is greater.



# Chickens in Proximity to Human Habitation

*Should the County amend County Code, Chapter 6, Article 1, Section 6.2 to allow the keeping of a small number of chickens in all residential areas?*

All Statements sorted chronologically

As of November 14, 2014, 11:03 AM



*As with any public comment process, participation in Open Forum is voluntary. The statements in this record are not necessarily representative of the whole population, nor do they reflect the opinions of any government agency or elected officials.*

# Chickens in Proximity to Human Habitation

*Should the County amend County Code, Chapter 6, Article 1, Section 6.2 to allow the keeping of a small number of chickens in all residential areas?*

## Introduction

Editor's note: to access files referenced below in the PDF version, either switch to the HTML version of the Open Forum topic to download them, or, you can review hard copies of the documents at the reference desk of either public library or inside the west vestibule of the Municipal Building.

\*\*\*

Residents of the County have made requests for the Council to consider an amendment to the Code of Ordinances to allow the keeping of a small number of chickens in all residential districts.

Section 6-2 of the Code of Ordinances currently prohibits the keeping of chickens within the County, except in the residential agricultural districts (R-A) zone and in all other residential districts, excluding Pajarito Acres and La Senda, if chickens are kept within 200 yards from a residence regularly used for human habitation.

The proposed amendment expands the current ordinance to permit the practice of keeping chickens within all residential districts in the County subject to certain conditions:

- Must be for residential, noncommercial purposes;
- Maximum of 6 on any lot;
- Must be at least 16 square feet of permeable land available for each chicken;
- Must have at least 2 square feet of shelter space per chicken;
- Adequate shelter must be provided;
- Shelter must be kept clean, dry, odor-free and in sanitary condition at all times;
- Adequate fencing must be provided;
- Chickens must have access to the sun during daylight hours and kept in secure shelter at night;
- Cannot be kept closer than 35 feet to a dwelling unit on abutting property;
- Cannot be kept in front, rear or side setbacks;
- Cannot be kept closer than 100 feet to a water well;
- Keeping and maintaining chickens must comply with all applicable health and safety laws;
- All areas devoted to chickens must be constructed and maintained to discourage insects and rodents; and
- No roosters are allowed.

Did the County review ordinances from other communities? Yes. A review and summary of other such ordinances around the state of New Mexico and a few from Colorado are attached here and included as part of the staff report.

What's the next step? This item will be Introduced at the Council's Friday noon-time meeting on Oct. 10th in Council Chambers (Municipal Building, Rm 100). The public hearing will be Friday, Nov. 14th at noon in Council Chambers. Public comment is not accepted upon Introduction; members of the public who wish to make comments in person should plan to attend the Council meeting on Nov. 14. Friday Council meetings are limited to 1.5 hours and end promptly at 1:30 p.m.

What if I don't want to use Open Forum? Citizens who do not wish to use Open Forum can submit comments directly to the Council at [countycouncil@lacnm.us](mailto:countycouncil@lacnm.us)

# Chickens in Proximity to Human Habitation

*Should the County amend County Code, Chapter 6, Article 1, Section 6.2 to allow the keeping of a small number of chickens in all residential areas?*

What is the alternative? On Oct. 10th, Council could choose not to introduce this Ordinance, resulting in the preservation of the status quo, which currently does not allow chickens to be kept in residential zones with the exception of Pajarito Acres and La Senda, and other residential districts only if chickens are kept within 200 yards from a residence regularly used for human habitation. On Nov. 14th (the public hearing), Council could vote against the ordinance, which would maintain the status quo. Or, Council could direct the Attorney to make changes to the Ordinance (which, if substantial, would require the process to begin again for another legal notice publication period, introduction and then public hearing.)

What's different in this version versus the previous version published in September on Open Forum? The earlier version included the ability to keep all poultry in residential areas, such as turkeys and wild peacocks. The new version only applies to keeping chickens. It also had language about slaughtering that was removed in this new version.

Can I comment on this ordinance even if I commented on the earlier ordinance that was posted to Open Forum? Yes. This is an entirely NEW Open Forum topic - so your comments are welcome and encouraged.

I commented on the previous ordinance and my comments are still valid. What happened to my comments now that the previous Open Forum topic was closed? You can read all comments made on the previous version in this attached Open Forum Report. This report will go to Council to consider as additional comments as part of the Public Hearing on Nov. 14th.

## Chickens in Proximity to Human Habitation

Should the County amend County Code, Chapter 6, Article 1, Section 6.2 to allow the keeping of a small number of chickens in all residential areas?

As of November 14, 2014, 11:03 AM, this forum had:

Attendees: 369

All Statements: 65

Hours of Public Comment: 3.3

This topic started on October 7, 2014, 12:30 PM.

## Chickens in Proximity to Human Habitation

Should the County amend County Code, Chapter 6, Article 1, Section 6.2 to allow the keeping of a small number of chickens in all residential areas?

Name not available (unclaimed)

November 14, 2014, 10:33 AM

Absolutely not. Residential means residential, not housing for chickens or farming for profit or personal egg production. Golly, what next!

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Name not shown inside WESTERN (on forum)

November 14, 2014, 9:57 AM

What's all the fuss about? Chickens are pets, just like all the others we may love or simply tolerate in our neighborhoods. Chickens have a long historical presence here on the Pajarito Plateau. I imagine most pre-Manhattan Project residents raised chickens for food. My mom and my aunt used to regale us with wild stories of chicken coop adventures while living "behind the fence" in the 1940s. I grew up in Los Alamos; while hoof stock were not allowed, backyard chickens, ducks and geese were quite common. Our kids have grown up here in Los Alamos with backyard chickens, cats and dogs and the occasional snake or lizard. Before the Cerro Grande fire, while we lived in the "cancer cluster", environmental scientists from LANL collected eggs from our chickens and others in our neighborhood to check for cancer causing agents in the ground. Chickens are relatively harmless and pleasant backyard animals. Responsible pet owners can and should keep their coops clean and keep their chickens well cared for in the same manner that they should care for all animals.

I whole-heartedly support allowing backyard chickens in residential areas throughout Los Alamos County. Rather than a densely packed urban area, we are a somewhat sprawling community, and the urban chicken movement has shown that backyard chickens are an asset, not a detriment. The proposed ordinance seems restrictive. We don't limit cats and dogs to areas inside the setbacks or require them to be 35 feet from the nearest neighbor's dwelling. Requiring a specific number of square feet per chicken seems silly. Limiting chickens to 6 per yard is unnecessary. Chickens do not lower property values, nor do they attract coyotes, mountain lions, raccoons, etc. we already have all these animals in our town. In fact, these predators seem more interested in folks trash and cat or dog food than chickens which are generally kept in a varmint-proof enclosure. The aggressive deer and banded doves that have taken over my neighborhood are far more annoying and troublesome than my neighbors' chickens. Chickens are not noisy; their clucking is much quieter than dogs in my neighborhood, or even kids, cars and construction equipment. Even roosters are rarely annoying and can serve to protect the flock if a predator were nearby. My chickens and dogs have happily coexisted here in Los Alamos and the other chicken-friendly communities we have lived in.

I am dismayed by the negative and vitriolic opinions voiced by some over this issue. Let's use common sense! Please allow chickens with very limited regulation in backyards throughout the county. You will be glad you did.

1 Supporter

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Name not shown inside WHITE ROCK (on forum)

November 14, 2014, 8:48 AM

I am absolutely in favor of having backyard chickens!

They are very much like dogs and cats in their "companionship" appeal. In fact, they are less of a neighborhood nuisance than dogs or cats (of which I have both). Chickens don't bark at neighbors or kids or sirens or - a leaf. They don't wander the neighborhood killing birds and pooping in other peoples yards and



## Chickens in Proximity to Human Habitation

Should the County amend County Code, Chapter 6, Article 1, Section 6.2 to allow the keeping of a small number of chickens in all residential areas?

gardens ( even though it would do the garden a world of good). They don't cause public safety issues by running away or biting anyone. And you know what? They don't smell any worse than dogs or cats! If you don't clean up your dog poop for 3 weeks, how's your yard? If the cat box doesn't get emptied for 3 weeks ( or 3 days for that matter) how's it smell? I think people can use some common sense here.

When we choose to live in a community, we live with people and their pets. We live with their motorcycles, their teenage drummers, their minor announces that add spice to our lives. If we had the same restrictions for dogs and cats as are being proposed for chickens, can you imagine the uproar?

My chicken pen gets cleaned regularly, as does my dog poop and cat boxes. My chickens cluck once a day for less than 5 minutes while laying an egg ( really cute actually). Nice that a pet contributes to our dinner table. My neighbors don't seem to mind, and get eggs on occasion.

Let's use some common sense and treat this like we do the other pets in our lives.

2 Supporters

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Name not available (unclaimed)

November 14, 2014, 8:44 AM

I am absolutely in favor of having backyard chickens!

They are very much like dogs and cats in their "companionship" appeal. In fact, they are less of a neighborhood nuisance than dogs or cats (of which I have both). Chickens don't bark at neighbors or kids or sirens or - a leaf. They don't wander the neighborhood killing birds and pooping in other peoples yards and gardens ( even though it would do the garden a world of good). They don't cause public safety issues by running away or biting anyone. And you know what? They don't smell any worse than dogs or cats! If you don't clean up your dog poop for 3 weeks, how's your yard? If the cat box doesn't get emptied for 3 weeks ( or 3 days for that matter) how's it smell? I think people can use some common sense here.

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Let's use some common sense and treat this like we do the other pets in our lives.

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Name not shown inside WESTERN (on forum)

November 14, 2014, 8:12 AM

I support the keeping of chickens in LA County residential areas.

A vast array of pets are currently kept throughout our town, with livability purported to be among the highest in the country. Relative to other types of my neighbors' pets, chickens are among the more enjoyable, quiet, and pleasant (consider the simple yapping dog); a setback guideline is unnecessary & singles out chickens unfairly (again, the yapping dog at the fence or consider the wondering cat). We do live within the urban/wild(ish)land interface and already share this habitat with coyotes, skunks, rodents, bear, etc. How is it that chickens unfairly change this balance?

Let's be reasonable. Let's not over regulate on chickens.

1 Supporter

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Name not available (unclaimed)

November 14, 2014, 8:11 AM

## Chickens in Proximity to Human Habitation

Should the County amend County Code, Chapter 6, Article 1, Section 6.2 to allow the keeping of a small number of chickens in all residential areas?

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Let's be reasonable. Let's not over regulate on chickens.

---

Name not shown inside BARRANCA MESA (on forum)

November 14, 2014, 6:53 AM

We are strongly opposed to having the County Council amend the county code to all the keeping of chickens in all residential areas. We do not want to live in a rural area, and don't think it is reasonable to change the zoning to alter the life style of a neighborhood from the way it was when we decided to move there. This definitely lowers property values, especially if the coop is shabby and visible to neighbors. Even six chickens thirty-five feet away can be so noisy and malodorous that the enjoyment of neighboring outdoor space is adversely affected. Free feeding and having chickens loose in the yard can lead to rodent and snake problems, as well as having chickens unwanted paying visits to nearby houses. Enforcement of the proposed code with such subjective regulations would be difficult. As it is, there is a long delay between citation, court, and enforcement of the existing regulations. This is a bad idea to accommodate the wishes of people who want to enjoy a farm-like atmosphere in the close quarters of a residential neighborhood.

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Name not available (unclaimed)

November 13, 2014, 10:07 PM

We are strongly opposed to having the County Council amend the county code to all the keeping of chickens in all residential areas. We do not want to live in a rural area, and don't think it is reasonable to change the zoning to alter the life style of a neighborhood from the way it was when we decided to move there. This definitely lowers property values, especially if the coop is shabby and visible to neighbors. Even six chickens thirty-five feet away can be so noisy and malodorous that the enjoyment of neighboring outdoor space is adversely affected. Free feeding and having chickens loose in the yard can lead to rodent and snake problems, as well as having chickens unwanted paying visits to nearby houses. Enforcement of the proposed code with such subjective regulations would be difficult. As it is, there is a long delay between citation, court, and enforcement of the existing regulations. This is a bad idea to accommodate the wishes of people who want to enjoy a farm-like atmosphere in the close quarters of a residential neighborhood.

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Name not shown inside WHITE ROCK (on forum)

November 13, 2014, 5:57 PM

I'm so sick and tired of the few people in this community deciding how I should live my life for me! I personally don't have chickens but I have family that does and because of that I get fresh eggs something I enjoy and my sister in law has great results from her garden each year as well and that she thankfully shares that too!,,, I'm 4 months younger than her but I hope to grow up and be just like her unless my community tells me I can't. Which

## Chickens in Proximity to Human Habitation

Should the County amend County Code, Chapter 6, Article 1, Section 6.2 to allow the keeping of a small number of chickens in all residential areas?

I believe would be a disgrace to my county as Los Alamos is in the United states of America the land of the Free!!!!!!!!!! Yet My County Council believes this is a dictatorship County but boasts they want a family friendlier atmosphere if true stop taking sides with the rich countywide and telling me how I have to live up to someone else's values when I'm part of the poor in the county. And yes not all families and residents of Los Alamos make six figure annual income. and just because those that due think we should live a certain way doesn't make them right. Unless they are going to share there wealth with those that were not able for whatever reason to get Doctorate degrees.

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Barbara Calef inside WESTERN (on forum)

November 13, 2014, 4:06 PM

I do not own chickens, but enjoy seeing and hearing the chickens kept by some residents in my neighborhood. I agree with the comment that the required setbacks of the proposed ordinance are too restrictive. I wish that my neighbors with barking dogs would exchange their dogs for chickens! One barking dog is worse than five roosters.

3 Supporters

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Name not available (unclaimed)

November 13, 2014, 8:01 AM

OK, here is a form that needs a little common sense interjection and this is where I think I am qualified. First I did not know we had an Ordinance against chickens, so let's just rid of that Ordinance and let the feathers fall where they may!

However, if must have one please make it a friendly one. Please see my comments to each of the items below. When I look at the other poultry codes referenced for New Mexico and other Colorado cities, we should able to pull some items from these.

Must be for residential, noncommercial purposes; (You mean a kid cannot sell eggs to his/her neighbor, is there an Ordinance on lemonade stands? I hope not. No one in the county is going into the chicken business; there are too many other hurdles to go through to start a business. I know this seems a little silly but this is LA.)

- Maximum of 6 on any lot; (Who cares if it is 7 or 8, limit it to 15 or 20. The more you have, sooner or later you will put them in the pot. This will limit the amount you will want to keep!)
- Must be at least 16 square feet of permeable land available for each chicken; (delete)
- Must have at least 2 square feet of shelter space per chicken; (delete)
- Adequate shelter must be provided; (Keep, just says chickens must have room to feed and sleep, there is good reference material on this is.)
- Shelter must be kept clean, dry, odor-free and in sanitary condition at all times; (combine with the above))
- Adequate fencing must be provided; (Fencing is to keep the coyotes, lions, raccoons, foxes, cats, hawks, dogs out, it doesn't take much to keep a chicken in! I would suggest getting dog to keep these critters at bay. The coyotes are in town to feed on cats and other small pets, but that is another story. )
- Chickens must have access to the sun during daylight hours and kept in secure shelter at night; (Secure shelter! – do we chicken thieves!)
- Cannot be kept closer than 35 feet to a dwelling unit on abutting property; (This is again too restrictive. Again why not 8 or 10feet? I would not recommend attaching it to your home. Let common sense rule this.)
- Cannot be kept in front, rear or side setbacks; (Ok, but if this is the best room due to the 35' setback, allow folks to us it, if you can move it who cares!)

## Chickens in Proximity to Human Habitation

Should the County amend County Code, Chapter 6, Article 1, Section 6.2 to allow the keeping of a small number of chickens in all residential areas?

- Cannot be kept closer than 100 feet to a water well; (Where did they get this, there are no private water wells in the County. If we keep this ordinance, it should be written for the county not copied from somewhere else.)
  - Keeping and maintaining chickens must comply with all applicable health and safety laws; (Why not include, state, federal and international laws! Remove this catch all phrase. If there are other requirements you want folks to follow list them here or leave this out.)
  - All areas devoted to chickens must be constructed and maintained to discourage insects and rodents; and (blah, blah, this is already covered above)
  - No roosters are allowed. (This is the only one I would keep, again if you buy chicks you won't know your rooster until later, and then is no doubt - another one for the pot!)
- If folks want chickens, let them have chickens. There are plenty of good references out there for a family to how learn to raise chickens safely and in a humane manner, so let that be their guide. I would suggest to get rid of the original ordinance that bans chickens and let folks live free and dangerously – no more rules!

OK I am done

Mike Alexander

---

Laura Landis inside DENVER STEELS (unverified)

November 12, 2014, 4:16 PM

I feel strongly that chickens should be allowed in residential areas of Los Alamos County. There are animal nuisance ordinance in place to insure peaceful living conditions for everyone in the neighborhood. Therefore, taking away the rights of each family have pets that they enjoy and use to provide for themselves is unethical.

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Name not shown inside CLUBHOUSE / PONDEROSA (on forum)

November 12, 2014, 3:53 PM

I support the application to allow the keeping of a small number of chickens in all residential areas.

2 Supporters

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Name not available (unclaimed)

November 11, 2014, 3:43 PM

I am ok with it as well, provided there isn't a loud rooster right nearby. All across the country families are seeing the benefits of raising their own chickens for fresh eggs. Chickens of all breeds also make, great pets as well. I see no difference between pet rabbits.

---

Name not available (unclaimed)

November 10, 2014, 8:45 PM

I think chickens should be allowed in Los Alamos County. My choice for a pet may not be the same animal you would like for a pet. I have had chickens several times while living in Los Alamos. I have never had one complaint about my choice of chickens for pets. No complaints about smell or noise. I have also had dogs while

## Chickens in Proximity to Human Habitation

Should the County amend County Code, Chapter 6, Article 1, Section 6.2 to allow the keeping of a small number of chickens in all residential areas?

living in Los Alamos. My observations are that 6 chickens are quieter than 1 dog and they stay in their own yard better than cats. The litter from the coop, nest boxes and droppings make my garden a spectacular growing spot. I see no reason that there should be regulations about size of coops, use of property in the set backs, or requirements for enclosure fencing (kennels) for chickens alone. Why should some pets be treated differently than other pets? One really good thing about chickens is that when it gets dark they go in the coop and go to sleep. I agree that roosters bother neighbors and should not be allowed in town, however, I also think that there should be a "curfew" for dogs so their loving families have time to enjoy them inside and the neighbors don't hear barking throughout the night.

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Martinez (on forum)

November 10, 2014, 8:12 PM

I am so thankful that the county is listening to the people. I previously thought that chickens were allowed in all areas of Los Alamos County because so many people have chickens. I trust that the council take into consideration how minimal complaints must be regarding the current chicken population. Chickens are not the horrific animals that those against this ordinance are making them out to be.

The clucking of chickens is not that loud. They do not cluck without ceasing. They never cluck at night. Their clucking is very minimal. Their odor is almost nonexistent as long as their coop is cleaned periodically, which I do believe those who want chickens will diligently do. Every chicken owner I know does. Their eggs and manure are fantastic products. They are great pets.

I do hope that the maximum number allowed will be reconsidered. I agree with others that it is an arbitrary number. My neighbors have 7 dogs. I like my neighbors and they do their best, I believe, to manage their dogs the best they can. I don't know of a limit to the number of dogs or cats or wild rabbits running loose in a residence, why should chickens, which are mostly kept for their egg producing, be limited?

Lastly, if in fact negligent chicken owners arise, I trust that Los Alamos County Animal Control will do an excellent job.

4 Supporters

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Name not available (unclaimed)

November 10, 2014, 7:03 PM

Yes, people should definitely be allowed to have chickens in their back yards. I think the 35' ft rule is ridiculous, though. I know people who have 2 chickens within 6' of their house, and I don't see any problem with that what-so-ever.

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Erik Moro inside BARRANCA MESA (on forum)

November 9, 2014, 3:35 PM



## Chickens in Proximity to Human Habitation

Should the County amend County Code, Chapter 6, Article 1, Section 6.2 to allow the keeping of a small number of chickens in all residential areas?

I am in favor of the proposed amendment, which allows residents to keep chickens in residential areas of Los Alamos County. It is my opinion that Los Alamos County should seek to exercise wisdom, as it establishes the regulations it intends to uphold. It should be the County's goal neither to put into practice regulations it cannot reasonably enforce nor to establish regulations that are overly burdensome to those citizens who seek to keep chickens for personal use.

If Los Alamos County is inclined to formally permit the regulated practice keeping of chickens, they should focus on drafting quantifiable metrics (for example, the minimum proximity requirements) and not on subjective directives (such as having "adequate fencing" or "adequate shelter", or being sufficiently "clean" and "constructed... to discourage insects"). Naturally, the latter will be difficult to enforce and will become a source of contention, between neighbors and between citizens and governing officials. Further, the regulation of being "odor-free" is a bit absurd, as even clean, healthy chickens will smell like clean, healthy chickens. This is an example of a regulation that should not be put into place because it lays the foundation for an unnecessarily complicated and overly burdensome framework.

When the County sees it fit to declare a regulation based on a quantifiable metric, this should be done with great care. I have seen others post to this forum stating that the 35 foot minimum distance between the chickens and a neighboring property would preclude them from keeping chickens, and that, for those who have experience keeping chickens, this distance is larger than it needs to be. The maximum number of chickens per household is another example of a metric that should be set with great care, since a sensible maximum per household could vary tremendously, based on lot size, coop size, etc. Lastly, in general, it does not make sense for the county to declare a minimum square footage per chicken. This is the responsibility of the person keeping chickens, as it is in his/her best interest not to treat their flock poorly. This is based on the general principles of property rights.

2 Supporters

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Name not shown inside BARRANCA MESA (on forum)

November 5, 2014, 11:34 PM

No. Existing areas such as the County stables area on North Mesa could be used if a location near LA residences is needed. Reasons for not opening all residential areas include:

1. Property values of houses neighboring chicken coops in residential areas may be adversely affected, especially if coops are very large, unsightly or poorly made and if chickens range from the coop to external fences during the day.
2. Chickens often make loud squawking noises that are tough to control during the day when roused by neighbor's noises, a change in the pecking order, or when roosters are 'visiting'.
3. Within a yard (outside a coop), areas frequented by chickens may get odorous.
4. Bulleted conditions of the ordinance must be more quantitative and less subjective.
5. Compliance and enforcement of the existing chicken ordinance could be improved. Who has the responsibility to enforce the old and new rules? A responsible enforcement official needs to be identified as neighbors often hesitate to formally complain because of detrimental effects to neighborhood relationships.

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Name not shown inside BARRANCA MESA (on forum)

November 2, 2014, 8:37 PM

## Chickens in Proximity to Human Habitation

Should the County amend County Code, Chapter 6, Article 1, Section 6.2 to allow the keeping of a small number of chickens in all residential areas?

I am in favor of allowing chickens in Los Alamos, although I do believe the restrictions seem a bit overbearing. Six chickens seems like an arbitrary number if lot size isn't even considered. Chickens can be a great addition to any community. I believe the concerns raised really have more to do with bad pet owners (who would be bad pet owners regardless of pet species) and very little to do with chickens themselves.

3 Supporters

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Name not available (unclaimed)

November 2, 2014, 7:53 PM

Are you out of your mind? Nothing says hick more than having chicken coops in residential areas. As someone who used to live in the South and very near a chicken farm - permit me to warn you - they smell terrible. So, with this ridiculous proposal, each of my three neighbors can house six chickens, for a total of 18. If that seems unrealistic, keep in mind that there will be nothing you can do to prevent it and good luck trying to get the amendment repealed. I promise you that 18 chickens is enough to generate a horrendous smell and noise. If you support 6 chickens each, then all I want are two hogs in my backyard. Seems like a reasonable compromise.

---

John Patchett (on forum)

November 2, 2014, 5:14 PM

I support chickens in residential areas preferably with less restrictions than proposed. Particularly, if a max chicken number must be set, let it be based on lot size. Are irresponsible chicken owners any worse for their neighbors than irresponsible dog or cat owners? Can we use the existing process for noise producing and/or ill maintained property rather than make chicken specific rules?

2 Supporters

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Name not shown (on forum)

October 31, 2014, 8:18 AM

We enjoy the sounds of our neighbor's chickens. They are sweet and have so much personality. They do have an egg song when they lay, but that does not last but for a few minutes. They sleep all night, and like dogs, and cats they make great pets. I am in favor of allowing residence to own and maintain chickens in their backyards. Chickens eat rodents, snakes, and bugs of all types. Any good pet owner does care for them and clean up after their chickens. There are many wonderful blogs about the many benefits of having backyard chickens. I recommend The Chicken Whisperer, he can be found on twitter and facebook. Chickens are wonderful pets and provide fresh eggs for many families.

3 Supporters

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Name not available (unclaimed)

October 31, 2014, 8:16 AM

I have lived next to chickens in Los Alamos county. There were more than 6 and there was a rooster until the owner also got tired of the rooster.

We were often woken up by the chickens and the rooster even though we tend to get up early (around 6 AM).

## Chickens in Proximity to Human Habitation

Should the County amend County Code, Chapter 6, Article 1, Section 6.2 to allow the keeping of a small number of chickens in all residential areas?

When the rooster was gone, we would have the chickens making noise in the coop, or out in their yard next to us, or escaped to our yard. The chicken coop was much further than 35 feet away from our house and we still heard the chickens and could smell the chickens.

The chickens would get into our yard and scratch around in the lawn and tear up our flower garden and poop where ever. Or the chickens would be in the street or in other neighbors' yards.

There is also a smell. How does the county decide when the smell is acceptable. The owner may not mind.

The county may not mind. But the neighbor may mind the smell. Everyone has different sensitivities to smells. What is a bad smell to one may not even register for another.

The chickens seemed to disappear due to coyote predation. Does the county want to encourage more reasons for coyotes to hang out around the town? I have not heard the coyotes howling below us in the canyon since the chickens all disappeared. I don't know if other things are part of that, but I wonder about any correlations.

I see this as another enforcement problem for the neighbors. Certainly there will be the law and the neighbors can call and complain about their neighbors, but why should there be more ordinances that require neighbors to complain about neighbors. Does the county have the manpower and money to pursue every problem?

Certainly the county knew about my neighbor's chickens because they found them outside his yard -- but what did the county do? I see this as another ordinance like the one where people are supposed to meet certain standards with their yards -- it's a good idea but the county doesn't have the money to enforce it, so the county relies on the neighbors to complain and bad feelings arise.

The county allows chickens in certain areas. If someone wants to live in the county and raise chickens then they have that option by moving to an area where that is allowed.

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Name not available (unclaimed)

October 28, 2014, 8:17 AM

Has this proposal been through P&Z? It is a land use issue. We need to rely on our boards to vet these types of issues before they go to council.

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Name not shown inside WESTERN (on forum)

October 27, 2014, 12:00 AM

I support chickens in Los Alamos. I am uncertain about the setback requirements and am not sure there should be a limit to 6 regardless of property size. I've had no issues with my neighbor's chickens and have even helped care for them on occasion which was a nice experience for me and my child. I have never noticed a smell or noise even when in their yard or the chicken pen. I have never seen any predators in our neighborhood. I do remember someone else in the neighborhood keeping chickens right next to a pathway and it being smelly - it seemed too small a pen, dank, and not well-kept - so it seems like this ordinance would cause that situation to be remedied. Perhaps for some issues like the setbacks and nearness to neighbors, could this be bypassed if say the neighbor agrees and signs a waiver or something? This could handle the case of a duplex or quad agreeing to keep chickens, as someone else brought up. Or is this already covered by the process where homeowners apply for an exemption and neighbors are notified of the application?

1 Supporter

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Name not shown inside BARRANCA MESA (on forum)

October 25, 2014, 6:27 PM

## Chickens in Proximity to Human Habitation

Should the County amend County Code, Chapter 6, Article 1, Section 6.2 to allow the keeping of a small number of chickens in all residential areas?

I am in favor of the ordinance, with perhaps some less restrictive restrictions.

I am not planning to have chickens, but several of my friends in different areas have them and I have visited their homes (and occasionally have been gifted with absolutely wonderful eggs). Their chickens are not noisy, smelly nor do they escape and bother the neighbors' gardens, so I know it is possible to keep chickens without being a nuisance. I have neighbors who have large dogs who complain and bark at us every time we are out in our back yard. I do not mind that much, because otherwise they are good neighbors, but sometimes I wish they had chickens instead.

3 Supporters

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Name not available (unclaimed)

October 23, 2014, 3:14 PM

I am in favor of raising a small number of hens within residential property. My children have long wanted chickens. We moved here from a semi-rural town that allowed backyard poultry. This is a common practice around the country and should be allowed here.

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Name not available (unclaimed)

October 20, 2014, 8:48 AM

Just for the record -- not all of us who live in Pajarito Acres are happy about having roosters waking us up at dawn every morning! Nor is it pleasant when neighbors add ducks and turkeys to their "chicken coops," especially when the wind blows their stink toward our houses.

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Coleen Meyer inside ASPEN / WALNUT (on forum)

October 19, 2014, 5:02 PM

I fully support chickens in Los Alamos. The restrictions in this proposal seem arbitrary and overly limiting, though. The set backs in particular do not take into consideration various lot sizes. Duplexes and quads are unfairly burdened by these limits. The number of chickens seems arbitrary. Existing noise ordinances and rules/laws that govern animal abuse issues should suffice to protect the animals.

3 Supporters

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Name not shown inside WHITE ROCK (on forum)

October 18, 2014, 10:11 PM

No, a residential area is for peace of mind. Chicken smell and cannot be trained to keep quiet. We already bought our houses with the present rules. A change robs us of current values.

I suggest,

Have a special place in town to keep chicken or other animals. We already have such a place in Los Alamos. either expand it, or create another place.

2 Supporters

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Name not shown inside QUEMAZON (on forum)

October 17, 2014, 4:27 PM

## Chickens in Proximity to Human Habitation

Should the County amend County Code, Chapter 6, Article 1, Section 6.2 to allow the keeping of a small number of chickens in all residential areas?

I DO NOT favor allowing chickens to be kept on residential lots. Our houses are very close together. I cannot imagine having 6 clucking chickens, their fenced-in pen, and their "temporary" manure (even if a "clean-up clause" is included), so close to my back yard and my outdoor deck where I relax and entertain visitors. What if two neighbors decide to keep 6 chickens each? What if three neighbors?

1 Supporter

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Name not available (unclaimed)

October 17, 2014, 1:14 PM

I fully support the amendment to allow residents to keep a small number of chickens when abiding by the rules set forth in the amendment.

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shawn w inside EASTERN AREA (on forum)

October 17, 2014, 11:37 AM

I fully support the proposed ordinance and would also support lessening the restrictions associated with standoff distances and number. I have spent time on a residential lot, outside of Los Alamos, with twenty or more chickens. If given an adequate amount of real estate, they are not overly odorous. The chickens in my neighborhood are not too noisy. I support local gardening and small scale non-intrusive farming activities within urban centers. A working knowledge of food production is important for every household. Do you know where your food comes from?

2 Supporters

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Zena Thomas inside BARRANCA MESA (on forum)

October 17, 2014, 8:48 AM

I am a supported of chickens in residential areas but request reconsideration of the restrictive number.

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Name not shown inside DOWNTOWN RESIDENTIAL S (on forum)

October 16, 2014, 7:12 PM

I'm in favor of this amendment change. Chickens are great. Not only that, if chickens were legal a greater kindness among neighbors would exist--have you ever experienced the joy a neighbor shows when they get fresh eggs? small business such as Pet Pangaea will benefit from sales of chicken feed, grit, and straw. Chickens give peace of mind to their owners in an anxious world. They are quiet--if the sun isnt shining, theyre down for the darkness and not a peep. They produce excellent fertilizer. With a bit of effort, extra eggs could go to LA Cares on their distribution day. I so hope this ordinance passes. SAVE THE CHICKENS OF LA! Pass this amendment. Please!?!

3 Supporters

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Name not available (unclaimed)

October 16, 2014, 3:25 PM

I have a neighbor in White Rock (not Pajarito Acres) with chickens and a rooster. They do make noise,



## Chickens in Proximity to Human Habitation

Should the County amend County Code, Chapter 6, Article 1, Section 6.2 to allow the keeping of a small number of chickens in all residential areas?

especially the rooster, but frankly it doesn't really bother me. BUT I have bird dogs, so every time the chickens make noise or come up to our fence (free range chickens) our dogs point the birds, run along the fence and often bark, sometime loudly and are hard to stop. With all of the concern recently over barking dogs, in this case I must ask who's fault it is that my dogs are barking at the chickens? They were bred to be bird dogs, chickens are birds...they are only doing what is instinctive! So to keep my dogs from barking the chickens must go!

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Name not shown inside NORTH MESA (on forum)

October 16, 2014, 2:42 PM

I oppose allowing chickens in residential areas. Raising farm animals is fine in rural areas, but LA doesn't really have many, if any, of these. While we have a combined city/county government, our environment is much more like a city. With all the recent hullabaloo about barking dogs, do we really want to add chickens?

2 Supporters

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Kenneth Coop inside WHITE ROCK (on forum)

October 16, 2014, 12:37 PM

Definitely no! I do not want to listen to my neighbors chickens or smell them. I was raised on a farm where we had chickens and can testify that they make plenty of noise and are smelly. Of course we benefited from raising them, which compensated us for those problems. If my neighbor raises chickens here, I don't benefit in any way---- I just get the negative part.

Perhaps the people pushing this ordinance should move to Pajarito Acres or off the hill if they want to farm. Or, more practically, support the local folks who need to make a living producing eggs and chickens, and leave me in peace.

2 Supporters

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Name not available (unclaimed)

October 16, 2014, 8:32 AM

While I'm not necessarily against it, I do wonder what happens after it passes. After all, people in this town can't handle dogs barking. What about chickens clucking, roosters crowing and flying feathers? We are not Stepford, but people seem to want to make us into one.

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Name not available (unclaimed)

October 15, 2014, 9:07 AM

The County code used to allow only 4 animals in Residential areas. I think this was a good policy and wish it was still in force. I have nothing against chickens or any animal if owners can keep them without disturbing their neighbors.

If the County allows more than this number, then it leads to more problems of coyotes, mice, etc.(Current code allows any number of cats or dogs in a residential area as long as noise ordinances are kept.)

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Robert Wingo inside BARRANCA MESA (on forum)

October 14, 2014, 4:22 PM

## Chickens in Proximity to Human Habitation

Should the County amend County Code, Chapter 6, Article 1, Section 6.2 to allow the keeping of a small number of chickens in all residential areas?

Absolutely, LAC Code should be updated for rearing of a reasonable number of chickens!

The impact of set back requirement is difficult to assess, as it is property specific (in some cases); however, the front set back requirement is appropriate (IMHO), as I'd not be interested in seeing a chicken coop nor chicken run in front yards.

35 ft from a neighbors home (dwelling unit) seems appropriate.

'Clean and odor free?' I'm guessing the drafters of said Code have never experienced the inside of a chicken coop, regardless of it's condition. Less restrictive descriptions may be appropriate.

In my experience, dogs and cats are a greater neighborhood nuisance than half a dozen hens.

3 Supporters

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Name not shown inside NORTH MESA (on forum)

October 13, 2014, 9:17 PM

There are aspects of this ordinance that has not been thought through. Why 6 chickens without regard to lot size or placement. This is TOTALLY ARBITRARY!!

I have 10 pet chickens. I have had as many as 12. My coop and yard are large enough for them. Since my lot backs on to county open land, my coop is not near any of my neighbors, and the only reason they even know I have chickens is because I have given them eggs.

I have my pet chickens both for the eggs and their entertainment value (they are pretty and charming). If the ordinance passes, what am I supposed to do with my 4 extra pet chickens? Is animal control going to be scouting in people's yards to count their chickens? What would animal control do with my 4 extra chickens?

Chickens only lay well for a few years, and don't live a really long time. Because of that, I buy new chicks every few years, anticipating that some of mine will be getting old and dying. Sometimes I have more chickens, sometimes I have fewer, but six is not a realistic number for keeping a producing flock, while still keeping the old ones as pets.

There has been a huge movement in the US toward allowing backyard chickens. They are great composters and help reduce food trash in the landfill. Contrary to what has been said, hens are not particularly loud, certainly much less so than the ravens that are everywhere here. I would hate to see Los Alamos being restrictive rather than progressive.

Someone suggested that all chicken lovers move to Pajarito Acres. I would love to, but unfortunately not everyone in Los Alamos has dual Lab incomes and not everyone can afford to move to Pajarito Acres.

Someone else suggested people keep their chickens at the stable area. I would love to see the county designate an area near the gardens for this, but until that happens, this is not a feasible option. The current lots that are for sale are selling for \$3500 to \$7000 for a lease. On top of that, in order to lease a stable lot, you must have an equine on the lot (horse, donkey, etc.). Spending thousands of dollars on a lot and buying an equine to

## Chickens in Proximity to Human Habitation

Should the County amend County Code, Chapter 6, Article 1, Section 6.2 to allow the keeping of a small number of chickens in all residential areas?

be able to have chickens is unrealistic. It is possible that one could find someone with a stable lot who would let one keep their chickens there, but it is certainly not guaranteed.

My chickens have not bothered my neighbors and I see no reason for all the restrictions in this ordinance. As it is, if someone's chickens are a problem (noise, stink), the county can already deal with them as a nuisance.

- Chicken Lover

3 Supporters

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Paul Richardson inside WHITE ROCK (on forum)

October 12, 2014, 10:59 AM

I'm against allowing chickens in all residential areas except for Pajarito Acres. If people want chickens they can move to Pajarito Acres or to adjacent counties where ranches and farms are available. This is not a farming community and we don't need chickens crowing, etc. 20 feet from our houses.

1 Supporter

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Name not available (unclaimed)

October 10, 2014, 9:08 PM

I think that No Name in Aspen/Walnut either misread or misunderstood my comment. I am happy with the proposed ordinance. I think it's great if property owners have the space and want to raise chickens. I have personal reasons why it wouldn't work for my comfort, but I never said that was a reason for banning, just as banning ponds on properties would be ridiculous.

I also don't think that having a healthy skepticism for people who don't like any conditions to ordinances or standards is being irrational. You are right that it's usually a few bad apples that spoil the bunch. I just think that having reasonable ordinances, in this case an ordinance concerning raising chickens, is very appropriate for safeguarding not only the resident who wants to raise the chickens but also the consideration of the neighbor who would like those chickens to be at an appropriate distance away from their own house.

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Name not shown inside ASPEN / WALNUT (on forum)

October 10, 2014, 10:59 AM

To the Name not shown in North Community. As far as coyotes and mountain lions in back yards, we should also ban back yard ponds as a famous and popular local wildlife trap cam focusing on activity at a pond has probably more activity than a properly fenced in and secured chicken coop.

I do agree about neighbors trashing houses, RVs etc, but like theses and other contentious issues like barking dogs, handguns & AR15s and junk cars, its usually the one bad apple that spoils it for the rest of us which is a knee jerk rather than a rational response.

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Name not available (unclaimed)

October 10, 2014, 10:56 AM

To the Name not shown in North Community. As far as coyotes and mountain lions in back yards, we should

## Chickens in Proximity to Human Habitation

Should the County amend County Code, Chapter 6, Article 1, Section 6.2 to allow the keeping of a small number of chickens in all residential areas?

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Name not shown inside NORTH COMMUNITY (on forum)

October 9, 2014, 7:03 PM

I'm amused at the people who are upset about the "restrictive" setbacks for chickens. The idea that they wouldn't be able to have chickens because their property setbacks are 10 ft. Well, Yeah! Not having chickens might be the sacrifice you'll have to make. Why should your neighbor have to make the sacrifice?

I'm all for the ordinance as written. I think it's great if people have the space and want to raise chickens. I might do it too if I weren't worried about luring more coyotes and mountain lions into my yard. I have children whom I want to keep safe, so that's MY sacrifice.

There are more than a few "neighbors" in Los Alamos who have no problem breaking codes, trashing their homes and property, parking boats and RVs as close to their neighbor's properties as they can, and generally showing contempt for the people who live around them. People who take exception to any kind of conditions in an ordinance get my guard up.

2 Supporters

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Name not shown inside ASPEN / WALNUT (on forum)

October 9, 2014, 4:49 PM

Please do not pass this ordinance. If you do, it is just one more example of the vocal minority influencing Council to further lessen the quality of life for the larger majority of our town. It is a very small portion of the population who want this to happen. We absolutely do not have to have chickens in our backyards to have happy, healthy, fulfilling lives and the Coop provides a great selection of humanely raised healthy chickens and eggs, even if they are a little pricey. Chickens are cute and they may have health benefits, but they are noisy (yes even hens), they stink, they attract skunks, raccoons, bugs, rodents and all sorts of other animals that become a nuisance. Even if you don't allow roosters, imagine sitting down in your living room to watch a serious movie with chickens clucking in the background all evening long. Picture trying to have a nice dinner party on your deck with the chickens clucking incessantly and the smell of chicken coop wafting over while you eat. If you think a skunk or barking dog is bothersome when you are trying to sleep, wait until you get a chicken coop (or two or three or four) next door to you or behind you. In my case that could possibly be up to 24 chickens very close to home. Chicken bodies may be cleaner than dogs and cats, but their waste stinks just the same, if not more, when it is concentrated in one location. The ordinance says that the coops need to be kept odor free and sanitary at all times, but that is extremely subjective. Odor free and sanitary can mean very different things to different people. Even one chicken can generate a lot of stinky waste in a coop. Make any argument you want for chickens, the bottom line is that chicken coops are just totally nasty and smell awful. If I wanted to live around livestock, I would live on a farm, not in a residential area. You know that dog in your neighborhood that never shuts up and barks all night long and no one ever does anything about it? Well, that's what will happen with the chickens. They'll be the new yappy dog in your neighborhood that wakes you up early in the morning and drives everyone crazy. (Yes, I do have a dog, love dogs and am tolerant of yappy dogs, but they CAN be a

## Chickens in Proximity to Human Habitation

Should the County amend County Code, Chapter 6, Article 1, Section 6.2 to allow the keeping of a small number of chickens in all residential areas?

nuisance.) Go take a look around Aspen school or in Western Area and tell me how well the nuisance codes are enforced. The code requiring a clean quiet chicken coop will NEVER be enforced. Please don't let the vocal minority get their way on this one. Allowing some people to have chickens in their backyards is simply not necessary for the overall good of this community. It benefits only a very few people and will be a huge nuisance to many more.

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Roena Morgan inside NORTH MESA (on forum)

October 9, 2014, 12:06 PM

I believe that the distance limitation is too strict. "Cannot be kept closer than 35 feet to a dwelling unit on abutting property" Most lots are unable to accommodate - this would definitely prohibit us or any of our neighbors from being able to have a small flock. Please change this to allow more homeowners the ability to participate.

4 Supporters

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Andrew Sutton inside WHITE ROCK (on forum)

October 8, 2014, 3:35 PM

The 35 ft from a neighbors abode seems very restrictive. Chicken owners are usually more responsible than people think as we rely on them as a source of eggs so they have a vested interest in taking care of them. Having to ensure our chickens are 35 ft from a neighbor AND not in a set back is a backdoor way of banning chickens in most residential areas under the guise of being accommodating. Our setbacks are 10ft! Try drawing that as a boarder around your property and see what you're left with! REWRITE THIS AMENDMENT or please explain how I got this wrong or what the purpose of these requirements are.

3 Supporters

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Marsha Boggs inside PAJARITO ACRES (on forum)

October 8, 2014, 2:46 PM

I support backyard chickens and people being as self-sustaining as they can be.

My question is:

Do these proposed ordinances in any affect the existing ordinances for the R-A zoned areas?  
This is unclear to me with the current wording.

R-A zoned areas should continue as they have in the past where higher numbers of chickens, including roosters, are allowed. People who buy in the R-A areas do so to be able to be able to live a more rural type of life. Please do not inadvertently pass something that will restrict the status quo of those in RA zoned areas.

2 Supporters

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Louis Borges inside PAJARITO ACRES (on forum)

October 8, 2014, 1:01 PM



## Chickens in Proximity to Human Habitation

Should the County amend County Code, Chapter 6, Article 1, Section 6.2 to allow the keeping of a small number of chickens in all residential areas?

Pajarito Acres should continue to be except from these new codes since we are in the agricultural districts (R-A) zone.

3 Supporters

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Name not available (unclaimed)

October 8, 2014, 9:29 AM

NO If he wants chickens, he can move back to turkey

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Neale Pickett inside DENVER STEELS (on forum)

October 8, 2014, 8:55 AM

I don't care much about chickens, but I should point out that, as written, this would prevent all of my neighbors (between Orange and Nickel) from having chickens. Our back lots are in a unique configuration: everybody's back yard is next to their neighbors' front yards. As such, they're just not large enough to keep anything 35 feet from adjoining dwellings.

If that's the intent of the proposed ordinance, I'm okay with it. Not every house in a city is set up for every agricultural activity. But if the intent is to hop on board with the recent upswing in urban chicken-raising, this is going to exclude some folks in my neighborhood and possibly downtown.

1 Supporter

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Name not available (unclaimed)

October 8, 2014, 8:50 AM

People don't even keep their cats and dogs at home and disciplined. The county seems helpless to do anything about that because neighbor does not want to be pitted against neighbor. There is no solution to the cat-dog solution, so the county will just add more friction to neighborhood problems and animal control. Civility--nonsense. If people want livestock, let them rent space at the stables or live on farms, not in residential areas.

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Name not shown inside WESTERN (on forum)

October 8, 2014, 8:18 AM

We very much enjoy our small flock of hens, and would comply with the amendments in order to keep them. Although I believe the way we keep them would already be in compliance with the proposed amendments. It's troubling that we're currently "breaking the law".

2 Supporters

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Jaclyn Sutton inside WHITE ROCK (on forum)

October 8, 2014, 7:58 AM

I WAS so excited to see that chickens would potentially be allowed in residential areas, but wait awhile... These amendment points make no sense:

- Cannot be kept closer than 35 feet to a dwelling unit on abutting property;

## Chickens in Proximity to Human Habitation

Should the County amend County Code, Chapter 6, Article 1, Section 6.2 to allow the keeping of a small number of chickens in all residential areas?

· Cannot be kept in front, rear or side setbacks

Based on this I will not be able to have chickens, and my mother's property in the Denver Steels (ie and pretty much anyone with the exception of Pajarito Acres) won't actually be able to have chickens in their backyard. Los Alamos County I ask for a rewrite! Fantastic, chickens are allowed if you have a couple acres to spare! You are forgetting the residential/urban aspects of backyard chicken ownership which is the entire point of this.

4 Supporters

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Name not available (unclaimed)

October 8, 2014, 5:51 AM

We very much enjoy our small flock of hens, and will comply with the amendments in order to keep them.

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colleen swavely inside PAJARITO ACRES (on forum)

October 7, 2014, 9:47 PM

I do not support the conditions as written for Chapter 6, Article 1, Section 6.2. I find some of the conditions set by the proposed amendment to be more stringent than required.

We have chickens and I did my research to determine how much enclosed and outside space they needed to stay healthy and safe before we got them. We spent quite a lot of time and effort building a coyote, bobcat, fox, racoon, roaming dog, whatever-proof enclosure for them. Different breeds of chickens require differing amounts of space. Someone keeping bantam chickens for instance does not need 16 square feet of permeable ground space per chicken, whereas larger breeds may. Why specify an amount of space per chicken? Responsible owners will do this anyway.

I feel any county code should only address things like proximity to neighbors (reasonable distances from housing and or property lines), maintenance (chickens shall have access to housing out of the weather and facility shall be maintained so as not to attract rodents and insects), and basic issues as identified in the current codes for dogs and cats (no roaming chickens). A quick on-line search of chicken codes in Santa Fe, NM and Austin, Tx provide some good examples of common sense codes for reference.

Please don't make these codes so restrictive that most of Los Alamos and White Rock can not have backyard chickens. Homeowners make their own decisions as to the size and type of pets they have inside their homes (and in some cases outside with outside dogs). Some will argue that backyard chickens are simply another type of pet in this regard.

4 Supporters

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Name not available (unclaimed)

October 7, 2014, 4:48 PM

Yes to the question of allowing, or not, chickens in residential areas.

Should there be setbacks from property lines, much like a 'shed' or other outbuilding constructed under the LAC permitting guidelines, and other similar guidelines?

## Chickens in Proximity to Human Habitation

Should the County amend County Code, Chapter 6, Article 1, Section 6.2 to allow the keeping of a small number of chickens in all residential areas?

It may not be appropriate for coops to be out in front of a residence, nor abutting a property line on a shared fence.

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Name not available (unclaimed)

October 7, 2014, 4:06 PM

The problem with this amendment is that for most places in Los Alamos there is no place to keep chickens 35 feet from a neighboring property. Being someone who lives in a residential area near chickens (a few doors down) I can say that multiple times I have wandered outside and smelled the pen full of chickens from down the street, and I probably live 35 yards away.

Allowing foul in residential areas means that this county code will for sure be violated in 99% of the cases. I (and many others) chose not to live in an area like pajarito acres because we did not want to live near "barn yard" animals. This is not to say that barn yard animals are bad, only that the smell and noise from them is a burden on neighbors in tight "residential" quarters

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Name not available (unclaimed)

October 7, 2014, 1:54 PM

There are chickens on Ridgcrest Ave in White Rock and they smell horrible, make noise crowing all the time and shouldn't be allowed in town. It's disgusting.

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Name not shown inside DENVER STEELS (on forum)

October 7, 2014, 1:04 PM

I am very pro-self sufficiency and home food-raising. That being said, I do have questions/concerns about the ordinance (I am not a lawyer, so forgive me if some questions are hyper-meticulous, non-applicable or are covered by other ordinances):

- 1) Does this ordinance prevent chicken habitat from abutting neighboring fences? I've seen several instances where chicken habitats were built backing into/adjacent/using existing shared neighboring fencing. (1.a.) No one should be put into a position where they have to manage someone else's chickens' debris because a shared fence line was incorporated into chicken habitat. (1.b.) No one should have to deal with someone else's chickens being so close to a shared fence line that their dogs must now be trained somehow to ignore them.
  - 2) Does the ordinance deal with fluid/lightweight debris run-off issues? Run-off from rain or snowmelt, water used for habitat cleaning, and excess dried manure should not end up in a neighbor's yard or public right-of-way.
  - 3) Does the ordinance deal with inevitable old-chicken slaughter? For example, "processing" is not permitted at the County-owned North Mesa Stables.
  - 4) Does the ordinance deal with liability for damage caused by the inevitable loose chicken (they can tear up gardens looking for grubs, love to pick at shiny objects, sit and poop on cars, etc.)?
  - 5) Does the ordinance deal with liability for a loose chicken being attacked by someone else's pet dog or cat?
- Thank you (a resident of the Denver Steels neighborhood)

## Chickens in Proximity to Human Habitation

Should the County amend County Code, Chapter 6, Article 1, Section 6.2 to allow the keeping of a small number of chickens in all residential areas?

1 Supporter

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Name not shown inside LA SENDA (on forum)

October 7, 2014, 12:30 PM

Why exclude chicken runs from rear setbacks? They are less smelly and less noisy than dogs. Plus chickens go quietly up into their shelter at dusk, so they never 'make a peep' at night. A chicken shelter SHOULD follow the exact same placement rules as a shed: 10 foot from all property lines- fenced run (for daylight hours) can be anywhere. Chickens thrive in a xeriscape section ( dry dirt area) - so it is not desirable to have their pen in the smack center of each back yard. Corners are better placement, as long as there are blind fences.

8 Supporters

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# County of Los Alamos

Los Alamos, NM 87544  
www.losalamosnm.us

## Staff Report

December 09, 2014

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<b>Agenda No.:</b>	A.
<b>Index (Council Goals):</b>	* 2014 Council Goal – Quality of Life – Market and Brand Los Alamos as a Scenic Destination Featuring Recreation, Science and History
<b>Presenters:</b>	Harry Burgess, County Administrator and Kelly Stewart, Economic/Marketing Coordinator
<b>Legislative File:</b>	<b>AGR0350-14b</b>

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**\*This item was approved for reconsideration by action taken at October 28, 2014 meeting.\***

### **Title**

Reconsideration Of Contract For General Services, Agreement No. AGR15-4159 With Atlas Advertising, LLC In The Amount Of \$25,000.00 For Brand Logo Design Services, \$25,000.00 For Brand Implementation Plan Services And, Subject To Future County Council Approval, \$175,000.00 For Brand Execution Services For A Possible Total Of \$225,000.00 plus Applicable Gross Receipts Tax.

### **..Prior Action**

**I move that Council Approve Contract for General Services, Agreement No. AGR15-4159 with Atlas Advertising, LLC in the amount of \$25,000.00 for brand logo design services, \$25,000.00 for brand implementation plan services and, subject to future County Council approval, \$175,000.00 for brand execution services for a possible total of \$225,000.00 plus applicable gross receipts tax.**

### **Board, Commission or Committee Recommendation**

The Lodgers' Tax Advisory Board voted to support this agreement and the creation and implementation of a brand for the Los Alamos County community.

### **Body**

During the summer of 2005, the Los Alamos Chamber of Commerce held a community contest designed to develop a theme that would communicate the pride the community wanted to reflect about how it viewed itself. The contest yielded ~330 entries and a screening committee selected the winning theme "Los Alamos, Where Discoveries Are Made". On August 30, 2005, the County Council unanimously adopted "Los Alamos...Where Discoveries Are Made" as the new community theme and authorized the placement of this theme on community promotional materials developed by County staff (excluding tourism promotional materials pending completion of strategic marketing plan) and downtown banners per the County Administrator's discretion. Since that time, the community theme has been placed on landscaping (rocks at the entrance of town), as well as County websites and marketing materials.

Since Council's acceptance of the Economic Vitality Strategic Plan in April 2010, the standing

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County Councils have consistently and publicly instructed staff to develop a brand for Los Alamos County, for the expressed purpose of growing and cultivating a sustainable economy.

In response, County staff has consulted experts in the field of international economic development marketing and place branding to identify a proven process for developing a brand for Los Alamos that will shine and deliver in the marketplace. The identified process includes the following steps:

- 1) research of target audiences (completed);
- 2) brand platform statement that defines our assets for those audiences (completed);
- 3) brand narrative to guide creative (completed);
- 4) strapline;
- 5) logo;
- 6) graphics standards manual;
- 7) implementation plan;
- 8) execution;
- 9) performance evaluation measurement, adjustment and execution.

In 2012, the County conducted a national solicitation and hired North Star Destination Strategies to develop a Brand Study for Los Alamos. Based on nine months of quantitative and qualitative research, insights and interpretation by place branding experts, the Brand Platform Statement (below), adopted by the County Council on May 6, 2014, encapsulates the assets that our target audiences--prospective employers, employees, residents--value most:

**For those who never stop questioning what's possible, Los Alamos County, in the elevated outdoors of northern New Mexico and home to the Los Alamos National Lab, is where some of the world's best brains power the breakthroughs that shape our world so you are challenged to think bigger and live brighter.**

While this statement may not include everything County residents have come to know and esteem, it does highlight the assets that have made Los Alamos unique and special since the first days of the Manhattan project. These are the qualities that set Los Alamos County apart from other communities vying for new residents, employees, retail and other economic development opportunities the County needs to achieve a sustainable future. The Brand Narrative (See Exhibit D) and the Brand Strapline--"Live Exponentially"--are the creative interpretations of the Brand Platform Statement approved by the Branding Review Committee and Council.

The current Brand Logo Design, Brand Implementation, and Brand Execution Services contract provides the County with the resources to complete the branding initiative's development, as well as the means to work with our partners to effectively market the County in a measurable way. The contract incorporates public participation as a vital input to each deliverable and the measures that define success.

Funding for Los Alamos County's branding initiative is phased and subject to Council approval. To date, \$50,000 has been spent on the necessary research, results interpretation and initial creative elements produced by North Star Destination Strategies. The cost of the



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next phase--Brand Logo Design and Brand Implementation Plan Development--as defined in the contract with Atlas Advertising (AGR15-4159) is \$48,500 for delivery of three logo options and an implementation plan, at which point the Council may make a selection and a decision to continue. Brand Execution--the actual rollout of the brand--totals \$175,000 but is phased over a five year period at \$35,000 per year, subject to annual budget approval by Council.

***Future Brand Initiative Steps Pending Council Direction:***

1. Pending Council's affirmation of approval of the County's contract with Atlas Advertising, LLC for Brand Services, Atlas will initiate the Brand Logo Design process for an amount not to exceed \$25,000, followed by Brand Implementation Plan development services, incorporating public input as defined in contract scope, and adjusting creative elements as prescribed, for an amount not to exceed \$23,500.
2. Atlas will present to Council three (3) options for a Brand Logo along with three versions of a Brand Implementation Plan defining how each Brand Logo will be applied to County assets and marketing elements.
3. If Council selects/approves a Brand Logo and Brand Implementation Plan, the contract provides Council the option to approve the Brand Execution phase at the same meeting. The Brand Execution phase provides funding for putting the brand into action as prescribed in the approved Brand Implementation Plan. Funding is \$35,000 per year for up to five years, contingent upon annual approval by Council.
4. Pending Council's approval of Brand Execution, Atlas will finalize the Brand Logo and Brand Implementation Plan, and Initiate Brand Execution, including establishment of benchmark Brand Performance Evaluation metrics and measures, as well as trademark status for all Los Alamos County brand elements (e.g., logo, strapline, etc.).
5. Year 1 of Brand Execution Services to include the launch/rollout of the Los Alamos Brand, as well as regular Brand Performance Evaluations and adjustments.
6. Brand Evaluation Checkpoint (1 year).
7. Future Brand Execution Years with annual Brand Performance Evaluation Checkpoints.

**Alternatives**

- \*The Council Could Affirm Approval of Contract AGR15-4159;
- \*The Council Could Take No Action For Contract AGR15-4159 (resulting in the continuation of the previously executed contract);
- \*The Council Could Request Amendment of Contract AGR15-4159 To Facilitate Completion of Separate Strapline Development Process (in accordance with Procurement guidelines);
- \*The Council Could Rescind Approval Of Contract AGR15-4159 And Direct County Administrator To Cancel the Agreement;
- \*The Council Could Rescind Approval Of Contract AGR15-4159 And Direct County Administrator To Initiate New Solicitation To Include Strapline Development Process.

**Fiscal and Staff Impact/Planned Item**

The branding logo design, implementation plan, and execution is a planned item in the Economic Development fund. If the direction received is to cancel the contract, the County

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will be liable for expenses incurred up to the date of cancellation.

**Attachments**

A - AGR15-4159 Atlas Advertising for Brand Services

B - Los Alamos County Branding Initiative Actions To Date

C - Los Alamos Brandprint Study Results Summary (Apr 2014)

D - Los Alamos Brandprint Final Report (Apr 2014)

E - Branding Presentation to Council (May 6 2014)



AGR15-4159

## INCORPORATED COUNTY OF LOS ALAMOS SERVICES AGREEMENT

This **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 **Atlas Advertising, LLC**, a Colorado limited liability company ("Contractor"), to be effective for all purposes October 13, 2014.

**WHEREAS**, the County Purchasing Agent determined in writing that the use of competitive sealed bidding was either not practical or not advantageous to County for procurement of the Services and County issued Request for Proposals No. 2015-1964 (the "RFP") on July 13, 2014, requesting proposals for Brand Logo Design, Implementation Plan and Execution services for Los Alamos County, as described in the RFP; and

**WHEREAS**, Contractor timely responded to the RFP by submitting a response dated August 5, 2014 ("Contractor's Response");

**WHEREAS**, based on the evaluation factors set out in the RFP, Contractor was the successful offeror for the services listed in the RFP;

**WHEREAS**, the County Council approved this Agreement at a public meeting held on October 10, 2014;

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

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

### **SECTION A. SERVICES:**

#### **1. Contractor Services.**

##### **a. Brand Logo Design Services**

##### **(1) Design/Production Process Plan**

- (a) Contractor shall work with Los Alamos to finalize objectives, goals, and design process with regard to logo development.
- (b) Atlas to travel to Los Alamos for facilitated sessions with the community and staff. Atlas to deploy online surveys.

- (2) Design Guide** -Contractor shall create a comprehensive Design Guide based on Los Alamos brand initiative(s) conducted, including the Council-approved Brandprint™ Report, Brand Platform, Written Concept and strapline, as well as input received from facilitated sessions and online surveys.

**(3) Logo Options**

- (a)** Contractor shall create three Brand Logo Options based on the elements presented in the Design Guide [see **(2)** above].
- (b)** The three (3) initial Brand Logo concepts will be subject to up to two (2) rounds of revisions.
- (c)** Contractor shall refine concepts based on client input.

**(4) Final Logo**

- (a)** Contractor shall finalize the Los Alamos logo and incorporate comments from the County Council.
- (b)** Contractor shall deliver files for various usage needs, including:
  - i. High resolution (print ready);
  - ii. Top and left orientation;
  - iii. Reversed; and
  - iv. Black and White.

**(5) Graphic Standards Sheet** - Contractor shall develop a Graphics Standards Sheet for use with all brand materials.

**(6) Client Coordination Meetings**

- (a)** Contractor shall consult and/or meet with Contract Manager, County staff, and Brand Review Committee as needed.
- (b)** Contractor shall prepare invoices for services rendered the previous month.

**(7) Presentation to Council**

- (a)** Atlas to travel to Los Alamos for in-person presentations of the creative work; Atlas to substantiate creative work with quantitative and qualitative research.
- (b)** Contractor shall respond to County Council and the general public any questions that may come from their public presentations(s).

**b. Brand Implementation Plan**

**(1) Process Plan**

- (a)** Contractor shall work with Los Alamos County to finalize objectives, goals, and design process.
- (b)** Contractor shall include a plan for ROI measurement.

**(2) Brand Criteria Report**

- (a)** Contractor team shall review all of the County's branding initiatives, identify key influencers and elements for a seamless brand rollout, and create a Brand Criteria Report that includes:
  - i. Research – Comprehensive review of all brand initiatives;
  - ii. Community Response – Utilizing Brandprint Report, identify effective methods for brand rollout; and
  - iii. Target Audiences – Consult with other organizations on optimal brand implementation and integration with existing campaigns, including, but not limited to: County policy, projects, initiatives, and programs (e.g. construction, recreation); physical/environmental enhancements; public sector employer; private sector; non-profits; civic organizations; education/schools; sports; community events; arts & culture; tourism; economic development; awards programs; sustainability; and health.
- (b)** Contractor shall develop preliminary brand implementation plan (Brand Criteria Report) based on Brandprint Report and previously created Brand Logo Options.

- (3) Draft Brand Implementation Plan (Phase 1)** - Contractor shall develop the strategic and creative approach, provide sample applications for the three logos developed during the Brand Design process, and deliver in a preliminary report.
- (4) Draft Brand Implementation Plan (Phase 2)**
  - (a)** Contractor shall expand upon the report created in phase 1, incorporate County comments, and customize around the selected Brand Logo.
  - (b)** Contractor shall provide specific metrics that assess the effectiveness of the branding campaign.
- (5) Client Coordination Meetings**
  - (a)** Contractor team will participate in one monthly coordination meeting, two group meetings (with Contract Manager, County staff, and/or Brand Review Committee), and two coordination calls or emails per week.
  - (b)** Contractor shall prepare invoices for services rendered the previous month.
- (6) Presentation to Council** - Contractor shall undergo presentation preparation (for up to four public presentations) and respond to questions as needed.
- c. Brand Execution Services: Contingent upon Council's approval of Brand Logo Design, and Brand Implementation Services on or before April 1, 2015, Contractor may proceed with the following Brand Execution Services:**
  - (1) Creative Execution Plan** - Contractor shall construct a Creative Execution Plan to define expectations for creative design and production of brand rollout elements.
  - (2) Graphics Standards Manual** - Based on the Graphic Standards Sheet, Contractor shall develop a Graphics Standards Manual to define use of all brand materials.
  - (3) Production Management Guide** - Contractor team shall create a Production Management Guide that includes contact information, schedules, and more for use by the County.
  - (4) Brand Application/Deliverables** - Contractor shall make necessary revisions to Brand Logo and place in designated media, which may include:
    - (a)** Signage (temporary)
    - (b)** Signage (permanent)
    - (c)** Print Media
    - (d)** Printed Materials
    - (e)** Audio
    - (f)** Video
    - (g)** Public Relations Materials
    - (h)** Stationery
    - (i)** Facilities Branding
    - (j)** Vehicle Branding
    - (k)** Uniforms Branding
    - (l)** Other (as designated by Brand Implementation Plan)
  - (5) Client Coordination Meetings**
    - (a)** The Contractor team shall participate in one orientation meeting, one monthly coordination meeting, and two meetings with Contract Manager, County staff, and/or Brand Review Committee for FY 2015.

- (b) The Contractor team shall participate in one monthly coordination meeting, two meetings with Contract Manager, County staff, and/or Brand Review Committee for FY 2016-2019, and two coordination calls or emails per week.
  - (c) Contractor shall prepare invoices for services rendered the previous month, including information related to services, costs, deliverables, and schedule status.
- (6) Presentation to Council** - Contractor shall undergo presentation preparation (for up to four public presentations) and respond to questions as needed.

**SECTION B. TERM:** The term of this Agreement shall commence on October 13, 2014 and shall continue through October 12, 2015 unless sooner terminated, as provided herein. At County's sole option the Agreement may be renewed for up to four (4) additional one-year terms for those services described in Section A.1.c. (Brand Execution) unless sooner terminated, as provided herein, under the same terms and conditions.

**SECTION C. COMPENSATION:**

1. **Amount of Compensation.** County shall, during the initial term of this Agreement and any extensions, pay compensation for the performance of the Services in an amount not to exceed TWO HUNDRED TWENTY-THREE THOUSAND FIVE HUNDRED DOLLARS (\$223,500.00), which amount does not include applicable New Mexico gross receipts taxes ("NMGR"). Compensation shall be paid as follows:
  - a. For services described in Section A.1.a. (Brand Logo Design) County shall pay compensation in an amount not to exceed TWENTY-TWO THOUSAND TWO HUNDRED FIFTY DOLLARS (\$22,250.00) in accordance with the Cost Schedule set out in Exhibit "A," page 1, attached hereto and made a part hereof for all purposes, which amount does not include applicable gross receipts taxes ("NMGR"), plus an additional amount not to exceed TWO THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$2,750.00) for on-call brand logo design services as described, and at the hourly rates set out in Exhibit "B" attached hereto and made a part hereof for all purposes. There shall be no reimbursable expenses associated with Brand Logo Design services.
  - b. For services described in Section A.1.b. (Brand Implementation), County shall pay compensation in an amount not to exceed TWENTY-THREE THOUSAND FIVE HUNDRED DOLLARS (\$23,500.00) in accordance with the Cost Schedule set out in Exhibit "A," page 1, attached hereto and made a part hereof for all purposes, which amount does not include NMGR. There shall be no reimbursable expenses associated with Brand Implementation services.
  - c. For services described in Section A.1.c. (Brand Execution), **if approved and authorized by Council on or before April 1, 2015**, County shall pay compensation in an amount not to exceed ONE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$175,000.00) in accordance with the Cost Schedule set out in Exhibit "A," page 2, attached hereto and made a part hereof for all purposes, which amount does not include NMGR. There shall be no reimbursable expenses associated with Brand Execution services.
2. **Monthly Invoices.** Contractor shall submit itemized monthly invoices to County's Project Manager showing amount of compensation due, amount of any NMGR, 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 remittance of the NMGRT 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 will 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 the 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 exceeds 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. Contractor shall not use deliverables in any manner for any other purpose without the express written consent of the 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.

**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 reasonably acceptable to County. Contractor shall assure that all subcontractors maintain like insurance. Compliance with the terms and conditions of this Section is a condition precedent to County's obligation to pay compensation for the Services and Contractor shall not provide any Services under this Agreement unless and until Contractor has met the requirements of this Section. Contractor shall provide Certificates of Insurance indicating that Contractor has met its obligation to obtain and maintain insurance and to assure that subcontractors maintain like insurance. General Liability Insurance and Automobile Liability Insurance shall name County as an additional

insured and provide that County will be notified no less than thirty (30) days in advance of cancellation.

1. **General Liability Insurance:** \$1,000,000 per occurrence; \$2,000,000 aggregate.
2. **Workers' Compensation:** In an amount as may be required by law. County may immediately terminate this Agreement if Contractor fails to comply with the Worker's Compensation Act and applicable rules when required to do so.
3. **Professional Liability Insurance:** Insurance with the following minimum coverage: one million Dollars (\$1,000,000.00) each occurrence and one million dollars (\$1,000,000.00) annual aggregate.
4. **Automobile Liability Insurance for Contractor and its Employees:** An amount at least equal to the minimum required by New Mexico law on any owned, and/or non-owned motor vehicles used in performing Services under this Agreement or the minimum required by law in the state of vehicle registration, whichever is greater.

**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. APPLICABLE LAW:** 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. 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 L. 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 M. INDEMNITY:** Contractor shall indemnify, hold harmless and defend County, its Council members, employees, agents and representatives, from and against all liabilities, damages, claims, demands, actions (legal or equitable), and costs and expenses, including without limitation attorneys' fees, of any kind or nature, arising from Contractor's performance hereunder or breach hereof and the performance of Contractor's employees, agents, representatives and subcontractors.

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

**SECTION O. NON-ASSIGNMENT:** Contractor may not assign this Agreement or any privileges or obligations herein without the prior written consent of County.

**SECTION P. 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 Q. 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 R. 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 Section C. Contractor shall render a final report of the Services performed to the date of termination and shall turn over to County originals of all materials prepared pursuant to this Agreement.
2. **Funding.** This Agreement shall terminate without further action by County on the first day of any County fiscal year for which funds to pay compensation hereunder are not appropriated by the 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 S. 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:**

Project Manager  
Incorporated County of Los Alamos  
Community & Economic Development  
1000 Central Avenue, Suite 150  
Los Alamos, New Mexico 87544

**Contractor:**

Guillermo Mazier  
Atlas Advertising, LLC  
920 Broadway  
Denver, Colorado 80203

**SECTION T. 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.

**SECTION U. CAMPAIGN CONTRIBUTION DISCLOSURE FORM:** A Campaign Contribution Disclosure Form was submitted as part of the Contractor's Response and is incorporated herein

by reference for all purposes. This Section acknowledges compliance with Chapter 81 of the Laws of 2006 of the State of New Mexico.

**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**

\_\_\_\_\_  
**SHARON STOVER**  
**COUNTY CLERK**

**BY:**\_\_\_\_\_  
**HARRY BURGESS** **DATE**  
**COUNTY ADMINISTRATOR**

**Approved as to form:**

\_\_\_\_\_  
**REBECCA W. EHLER**  
**COUNTY ATTORNEY**

**ATLAS ADVERTISING, LLC, A COLORADO LIMITED  
LIABILITY COMPANY**

**BY:**\_\_\_\_\_  
**DATE**

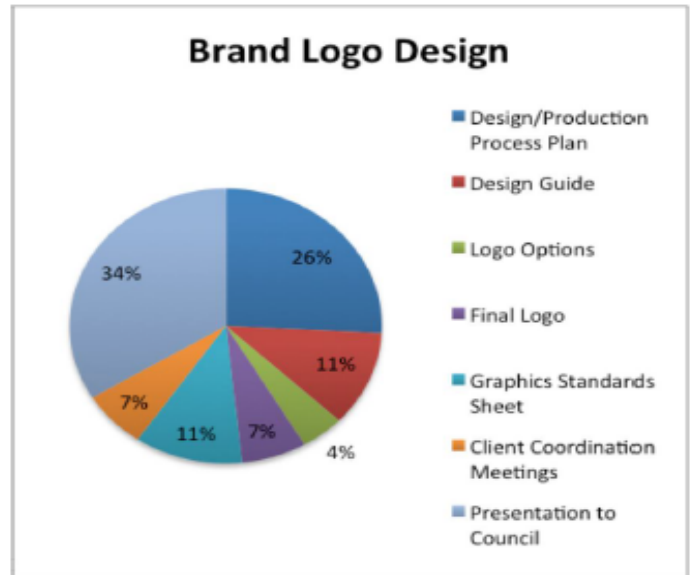
Exhibit "A"  
AGR15-4159  
Compensation Rate Schedule



## 5. Cost Proposal

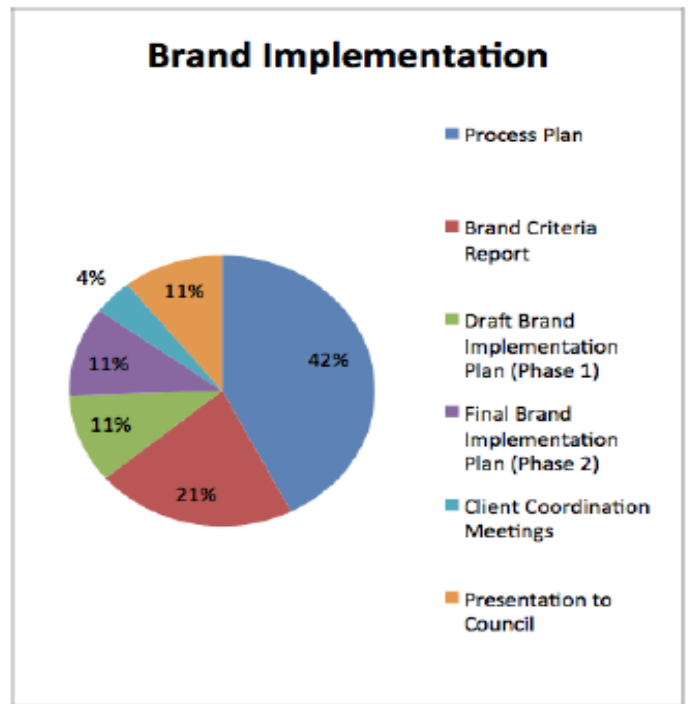
### Brand Logo Design Cost Schedule

<i>Brand Logo Design Deliverables</i>	<i>FY15 (up to 7 months) 10-13-14 to 5-15-15 Costs/Item</i>
Design/Production Process Plan	\$5,750
Design Guide	\$2,500
Logo Options	\$1,000
Final Logo	\$1,500
Graphics Standards Sheet	\$2,500
Client Coordination Meetings	\$1,500
Presentation to Council	\$7,500
<b>Total</b>	<b>\$22,250</b>



### Brand Implementation Cost Schedule

<i>Brand Implementation Deliverables</i>	<i>FY15 (up to 7 months) 11-24-14 to 6-30-15 Costs/Item</i>
Process Plan	\$10,000
Brand Criteria Report	\$5,000
Draft Brand Implementation Plan (Phase 1)	\$2,500
Draft Brand Implementation Plan (Phase 2)	\$2,500
Client Coordination Meetings	\$1,000
Presentation to Council	\$2,500
<b>Total</b>	<b>\$23,500</b>





## Brand Execution Cost Schedule

<i>Brand Execution Deliverables</i>	<i>FY15 (3-6 months) 5-15-15 – 6/30/2015 Costs/Item</i>	<i>FY16 (12 months) 7-1-15 – 6/30/2016 Cost/Item</i>	<i>FY17 (12 months) 7-1-16 – 6/30/2017 Cost/Item</i>	<i>FY18 (12 months) 7-1-17 – 6/30/2018 Cost/Item</i>	<i>FY19 (12 months) 7-1-18 – 6/30/2019 Cost/Item</i>
Creative Execution Plan	\$2,500	\$2,500	\$2,500	\$2,500	\$2,500
Graphics Standards Manual	\$0	\$0	\$0	\$0	\$0
Production Management Guide	\$0	\$0	\$0	\$0	\$0
Signage-Temporary	\$2,500	\$2,500	\$2,500	\$2,500	\$2,500
Signage-Permanent	\$3,500	\$3,500	\$3,500	\$3,500	\$3,500
Print Media	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
Printed Materials	\$3,500	\$3,500	\$3,500	\$3,500	\$3,500
Audio	\$0	\$0	\$0	\$0	\$0
Video	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500
Public Relations Materials	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000
Stationary	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000
Facilities Branding	\$500	\$500	\$500	\$500	\$500
Vehicle Branding	\$500	\$500	\$500	\$500	\$500
Uniforms Branding	\$500	\$500	\$500	\$500	\$500
Other (as designated by Brand Implementation Plan)	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000
Client Coordination Meetings	\$2,500	\$2,500	\$2,500	\$2,500	\$2,500
Presentation to Council	\$2,500	\$2,500	\$2,500	\$2,500	\$2,500
State any additional prices and services that you may offer:					
Total	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000

Total Overall: \$175,000



EXHIBIT "B"  
AGR15-4159

ON CALL SERVICE RATES



**On Call Services - Hourly Rates**

Agency Services – Brand Logo Design	Cost – Hourly Rates
Graphic Design	\$175
Strategic Planning	\$175
Client Coordination Meetings	\$105
Consultation (via phone- email)	\$225
Presentations	\$225
Administration	\$105
Total:	

## Los Alamos County Branding Initiative Actions To Date

**Apr 5 2010:** Council Accepted the Economic Vitality Strategic Plan (EVSP). Council accepted the mission, goals and objectives of the EVSP, including Goal 2. Diversify the Economic Base. Objective: Los Alamos doubles the amount of primary income derived from non-LANL sources. Potential Supporting Actions: Brand and promote Los Alamos in support of and consistent with this Economic Vitality Strategic Plan. Branding should effectively communicate a credible story of what is unique about our community (example ideas for branding themes could include, but should not be limited to "Energy City", "Science City," "Discovery City," "The Smartest Place to Be," or similar.)

**July 5, 2011:** Council adopted goals as part of a 20-year Strategic Leadership Plan. The plan included a shared vision for the community: *Los Alamos is a world-renowned community where discovery and innovation are inspired by its dramatic history and magnificent mountain setting. We offer extraordinary educational, recreational, and cultural opportunities in a vibrant, small-town atmosphere.* In support of the Vision, ten strategic focus areas were identified, along with actionable goals to help measure success. Goal statements reflect leadership priorities and direction that will define the basis for policy formulation, and revenue and resource generation and allocation. Under the focus area "Quality of Life", the corresponding goal is "Quality cultural and recreational amenities" for which the actionable goal is: *Market and brand Los Alamos as a scenic destination featuring recreation, science and history.*

**August 7, 2012:** Council approved ED budget. County Council approved the 2013-2017 Economic Development Plan and Budget which included a \$50,000 "Branding and Marketing" budget allocation to conduct a professional brand development process to establish a stable operating and marketing foundation and fill information gaps with targeted data

**October 28, 2012:** County issued an RFP for a Brand Study sponsored by the Los Alamos County Economic Development Division and funded with Economic Development Sustainability funds.

**November 27-29, 2012:** County Selected North Star Destination Strategies. Proposals were reviewed by a selection panel including Kelly Stewart, Greg Fisher, Julie Habiger, Charlie Kalogeros-Chattan and Kendra Henning and evaluated per criteria listed in the RFP, including research capability, expertise, evaluation capability and references, brand marketing development and cost. On November 29, 2012, based on the sum of the scores, North Star was selected as the winning bidder. The selection panel agreed that the selected contractor demonstrated the capabilities, expertise and qualifications to forego a formal interview.

**January 15, 2013:** Council approved the Brand Study contract with North Star. The contract included a term of January 1 through December 31, 2013, with one optional one-year renewal and funded from Economic Sustainability Funds in the amount of \$50,000 plus GRT and \$5,000 reimbursable expenses to cover the cost to implement its three-point Community Brandprint Process based on 1) the Vision of the Community; 2) the Competitive Situation; and 3) the Perception of Consumers and Influencers develop

## Los Alamos County Branding Initiative Actions To Date

the County's "most distinct promise" (a promise that can be embraced and delivered by our community); and that is compelling to people we want to come work, live, visit and play.

**Jan-Jun 2013:** North Star conducted in-market research of the Los Alamos Community. Research included: 1) Situation Analysis; 2) Research and Planning Audit; 3) Communications and Media Audit; 4) In-Market Interviews; 5) On-Line Community Survey; and 6) Resident Tapestry Research to understand and document Los Alamos existing conditions in terms of community perceptions, behaviors, assets and promotion.

**Jun-Sep 2013:** North Star conducted external consumer research. Research consisted of a mix of four different qualitative and quantitative pieces conducted to gather external perceptions of the County from regional residents, visitors and non-visitors, regional and state level professionals in economic development, tourism as well as site selectors and developers. Tapestry studies revealed shopping patterns, media preferences, behaviors, lifestyles, preferences and affluence levels of residents identified as most likely to visit or be attracted to Los Alamos County. Counties selected by North Star in consultation with the County were Santa Fe, Rio Arriba, Taos, Sandoval, and Bernalillo Counties. Other competitor counties in terms of geography, population, economic development/tourism target markets and national laboratory presence included: Bernalillo, Sandoval, Santa Fe and Albuquerque counties in New Mexico; Boulder and Jefferson counties in Colorado and Coconino County, AZ; and Oak Ridge, TN and Tri-Cities, WA.

**Jul-Nov 2013:** North Star evaluated research results, with the goal of identifying the collective community conscience, cohesive community identity, highest use of available resources, business and resident recruitment/retention and gross receipts—all of which are influenced by how a brand triggers behavior and usage.

**Dec 2013:** Once North Star completed the evaluation of the results and synthesized the insights, the branding process transitioned from objective to subjective. In order to allow for adequate time for the creative development and review process, the County executed the one-year extension provision of the contract with North Star. As prescribed by the Brandprint process, the County assembled a Branding Review Committee of community leaders representing interests involved in the economic development marketing process to participate in efficient and effective review and selection of the creative elements (e.g., Brand Platform Statement, Brand Narrative, Strapline, etc.). The Branding Review Committee was initially comprised of Harry Burgess, Julie Habiger, Kelly Stewart, Greg Fisher, Anne Laurent and Charlie Kalogeros-Chattan from the County, along with LACDC Executive Director Scott Randall, RE/MAX of Los Alamos owner and realtor Kendra Henning and LANL Communications Department Director Lisa Rosendorf. Committee members met December 17, 2013, January 10, 2014 and April 14, 2014.

**Dec 2013:** County Council reviewed, updated and reprioritized its 2011 strategic focus areas and corresponding goals. On February 4, 2014, Council adopted the updated

## Los Alamos County Branding Initiative Actions To Date

goals, retaining the goal to *Market and brand Los Alamos as a scenic destination featuring recreation, science and history*. Progress on this goal was reported by the County in Council's Annual Report published on-line in February 2014: *"Understanding that the County might be viewed differently by visitors and tourists outside the County, as well as businesses who may be looking to relocate or open a new business in the county, staff contracted a national marketing and branding study that will help guide overall Economic Development plans. Research and surveys were conducted summer 2013 by a professional marketing and branding firm as they sought to understand perceptions inside and outside the community. The firm is currently using the data gleaned from their research to develop a brand that will be presented to Council in early 2014."*

**Jan-Apr 2014:** Through a set of insight questions derived from the research, the North Star team developed the County's brand storyline," and then synthesized it down to a single sentence: the Brand Platform Statement. Based on the Brand Platform Statement, North Star developed four different written creative interpretations, each with its own conceptual narrative and "strapline" (the industry term for a tagline or slogan that is intended for broad and lasting implementation). The Brand Narrative uses descriptive language of Los Alamos' assets to help residents, businesses, influencers and consumers connect and embrace the Los Alamos experience. Based on the brand narrative and strapline selected by the Branding Review Committee, North Star developed a Brand Identity Guide, presenting distinct "looks" in the form of taglines and/or graphic images customized to the County's assets.

**Apr 2014:** North Star produced a Brandprint Study Results Summary for Council's review prior to North Star's presentation to Council on May 6. North Star also published the final Brandprint Report comprised of the research results and the Los Alamos branding elements selected by the Branding Review Committee.

**May 6, 2014:** Council approved Brandprint Report and strapline presented by North Star. Council accepted North Star's Brandprint Report, including the brand platform, the written narrative and the strapline, and directed staff to return within 12 months with brand logo design and implementation plan options for Council's consideration and possible selection.

**May 7-July 12, 2014:** County staff proceeded with the plan to initiate both the development of the Brand Implementation Plan and the Brand Logo Design concurrently, based on Council's direction. However, staff discovered that this approach was not possible due to several factors:

- North Star advised staff that the brand logo strongly influences the rollout of the brand and that it was more effective to develop the deliverables sequentially: brand logo design/selection first (6-8 week process); brand implementation plan second (6 weeks).
- North Star had completed their scope and was not eligible to bid on either project.
- Staff recognized the additional need for public involvement in the creation and selection of the Brand Logo Design.

## Los Alamos County Branding Initiative Actions To Date

- The County does not have the expertise and/or available staff resources required to complete the Brand Logo Design, the Brand Implementation Plan or the design, media planning and other tools required to execute the launch of the brand over the recommended 3-5 years.
- The contract must be structured to incorporate milestones contingent upon County Council approval and available funding.

In consideration of all of these factors, the Community and Economic Development Department worked with the County's Procurement, Legal, Communications and Public Relations Office and the County Administrator's Office to create a Request For Proposal (RFP) that invited experts in the different fields (graphic design and brand marketing) to bid on one or more sections of a 3-part contract for Brand Logo Design Services, Brand Implementation Plan Services and Brand Execution Services.

**July 13-14, 2014:** County advertised and distributed the Brand Services RFP in the Los Alamos Monitor and the Albuquerque Journal North and e-mailed the RFP to graphic design firms and marketing companies statewide and in the region.

**July 21, 2014:** County issued RFP Addendum 1 to the RFP distribution list, including corrections, clarifications and answers to questions received via e-mail from two prospective proposers.

**July 29, 2014:** County facilitated a non-mandatory pre-proposal conference attended by one proposer, Griffin and Associates.

**August 5, 2014:** County received two proposals, each bidding on all three sections of the RFP: Griffin and Associates, Inc., (Albuquerque, NM) and Atlas Advertising, LLC (Denver, CO).

**August 6-8, 2014:** The Brand Review Committee reviewed, evaluated and discussed proposals and determined that both proposers offered equal strengths in different areas and the committee recommended that interviews be conducted to collect additional information to make a decision. *NOTE: Brand Review Committee members had changed due to availability, but representation remained the same: County staff, plus representatives from the Lab (Communications Director Lisa Rosendorf), LACDC (Communications Manager Blake Jackson) and the public-at-large (Ryn Herrmann).*

**August 12, 2014:** Branding Review Committee interviewed both proposers. Interviews were conducted in person with the Griffin and Associates team and via conference call with the Atlas Advertising team. The Brand Review Committee requested clarification regarding the public participation process offered by each proposer in the development of the Brand Logo(s).

**August 22, 2014:** County staff issued an e-mail to both proposers requesting clarification regarding the level of public participation offered as part of the scope of services proposed for Brand Logo Design. Staff also conducted reference checks.

## **Los Alamos County Branding Initiative Actions To Date**

**August 25, 2014:** Brand Review Committee recommended award of contract to Atlas Advertising, LLC based on e-mail responses received from both proposers.

**Oct 10, 2014:** Council voted 6-1 to approve the Brand Services Contract with Atlas Advertising. Councilor Sheehey stated his preference that the contract be amended to facilitate reconsideration of the strapline, "Live Exponentially." The contract was finalized and signed by both parties with a start date of mid-November. Atlas and County staff begin scheduling an in-market visit to conduct a series of stakeholder interviews on Nov 19-20 as prescribed in the contract scope.

**Oct 28, 2014:** The Lodgers' Tax Advisory Board voted to support the Brand Services Contract as approved.

**Oct 28, 2014:** Council voted 4-2 to approve a motion to reconsider the Brand Service Contract at a future meeting, scheduled for Friday, December 5. Discussions during the meeting focused on a desire to ensure that contract services provided for participation by the local small business community.

**Nov 4, 2014:** County staff notified Atlas Advertising regarding Council's motion to reconsider the contract. Consequently, the decision was made to move back the initial stakeholder interviews until after the first of the year.

**Nov 25, 2014:** Council voted to reschedule the December 5<sup>th</sup> meeting to a regular council meeting time on Tuesday, December 9<sup>th</sup> to accommodate Councilor availability and to provide adequate time for Council and Public comment regarding all agenda items, including reconsideration of the Brand Services Contract.



## LOS ALAMOS COUNTY BRANDPRINT UPDATE

*April 2014*

The following document is meant to detail the individual research pieces conducted by North Star destination strategies on behalf of Los Alamos County, NM. A total of 8 research studies were completed with a primary goal of understanding the internal and external perceptions of Los Alamos County.

While North Star's process employs a combination of traditional research tools including online searches and surveys, telephone surveys and focus groups to collect data—opinions, perceptions, feedback, awareness, familiarity—to uncover what's most relevant and distinct about Los Alamos County, the nature of the data is essentially subjective. Therefore, small changes in percentage points in the research do not yield a great deal of change in the overall perception or opinion of Los Alamos County. The following is a recap of the research studies completed:

**Community Research:** The following research pieces were conducted to gather *internal* perceptions of the County from residents, stakeholders, and businesses.

- Communications & Materials Audit – a thorough collection of all research and communications pieces were given to North Star for review such as area visitor guides, Los Alamos County and organization websites, LACDC materials, local real estate guides, economic development material, and much more.
- In-Market Study – North Star traveled to Los Alamos County on March 12-14, 2013 to conduct Familiarization Tours of the area, one-one-one interviews with key stakeholders, and focus groups with area residents, businesses and organization leaders.
  - 6 Focus Groups or meetings (over 50 individuals were engaged in these meetings and focus groups) with County staff, Chamber businesses, area residents, culture and arts representatives, and more.
  - 9 One-on-one stakeholder meetings with County Councilors, White Rock representatives, Downtown and Chamber representatives.
  - *Quick summary of findings:* Conversations showed that the National Lab is the primary economic driver for the County although some worry that the County's economy relies too heavily on the Lab for future growth. Others mentioned the abundance of outdoor recreation and access to nearby attractions like Bandelier National Monument, Pajarito Ski Mountain, and the Valles Caldera as primary assets for the County. Quality education, safety, and strong culture and arts make Los Alamos County a great place to live. Some conversations highlighted the need to attract commuters to live in LAC but expensive housing and lack of entertainment, nightlife, and retail/restaurants keeps some from calling the County home.

- Online Community-Wide Survey – This survey was conducted as an extra research piece (not included in the contract) to reach the general population of Los Alamos County. North Star felt it was necessary to field this survey as part of the research. The Online Community Survey was promoted online, through social media, through traditional media channels, and through word-of-mouth.
  - A goal of 200 completed surveys is typical for this survey; however, North Star along with County Staff collected 703 surveys, a fantastic response rate!
  - Statistical Significance: +/- 3.62 at the 95% confidence level.
  - *Quick summary of findings:* Top adjectives were identified as educated, quirky, run-down, intelligent, and affluent. In fact, these adjectives were themes recurring in North Star's research. Interestingly, outdoor recreation scored higher than the National Lab as the County's greatest asset but both were identified as most important to the County's identity. Challenges revealed similar findings from the In Market Study but also revealed an over-analyzing of plans and decisions as being a hindrance to future development. Safety and educated workforce rated highest in community offerings and diversifying the economy was shown as a top opportunity for the area.
  
- Community Brand Barometer – The Brand Barometer measures the strength of the Los Alamos County brand according to resident satisfaction and advocacy for LAC as a place to live, visit and work. Also, the satisfaction levels are compared to national average scores.
  - The Brand Barometer question reads: "On a scale of 1 to 10, with 10 being highly likely, how likely would you be to recommend living, visiting, and conducting business in Los Alamos County to a friend or colleague?"
  - This is the 1<sup>st</sup> question on the Community Survey; therefore 703 responses were collected with a statistical significance of +/- 3.62 at the 95% confidence level.
  - *Los Alamos County scored third highest in North Star's community Brand Barometers for 2013 as a place to visit out of 50+ other communities. Los Alamos County scored 2.7x the National Average. Congratulations!*
  
- Community Tapestry Research – A resident profile was created to understand, in great detail, resident shopping patterns, media preferences, behaviors, lifestyles, preferences and affluence levels. A great deal of data was collected using the Tapestry system of geo-demographic research.
  - Resident Profile – the geographic boundaries of Los Alamos County were used to determine (with County approval) the different types of people who live in the County.
  - Using data pulled from various sources like shopper loyalty cards, credit card data, census information and more, Tapestry identifies the types of people who live at each address across the county and synthesizes information to paint a geo-demographic picture of the County.
  - Because the Tapestry data is considered secondary research, a statistical significance number cannot be provided. However, Tapestry is considered an industry-leading provider of geo-demographic research and is updated on an annual basis.
  - *Quick summary of findings:* The Resident Profile showed the County's residents as being highly affluent. The top five segments of the County's population show a focus on pursuing an active lifestyle with yoga, hiking, running and other outdoor activities a top priority. Additionally, travel, both international and domestic, are key behaviors as well as seeking personal growth through reading and going to museums.

**Consumer Research:** The following research pieces were conducted to gather *external* perceptions of the County from regional residents, visitors and non-visitors, regional and state level professionals in economic development, tourism as well as site selectors, developers and more.

- Community Tapestry Research – A regional profile was identified to comprehend, in great detail, regional resident's shopping patterns, media preferences, behaviors, lifestyles, preferences and affluence levels.
  - Regional Profile – along with County staff assistance, North Star identified a region of outsiders likely to visit or be attracted to Los Alamos County. The following counties were selected for the Regional Profile: Santa Fe, Rio Arriba, Taos, Sandoval, and Bernalillo Counties.
  - *Quick summary of findings:* Because the geographic area is much broader, the preferences and lifestyles vary greatly. The top five segments are slightly more affluent than the national average. For this profile, residents value convenience likely due to their fast paced lives. These residents are practical, pay careful attention to budgets and penny-pinching, and value time together as family and friends.
- Outside Perception Study – The purpose of this study was to gain insight from individuals who work in Los Alamos County but commute to the area for work, or work outside of Los Alamos County but have some familiarity with the area. Using county email databases and leveraging area contacts, North Star fielded an online study to gather perceptions from these individuals.
  - Due to privacy policies observed by the Lab, the Los Alamos Chamber of Commerce and other businesses/organizations, the online survey was made available via mass e-mail to many organizations, potentially impacting rate of response.
  - 79 responses were collected, primarily from the County's largest employer, the Los Alamos National Lab; thus, the results reflect the interests and perspectives of Lab employees that live outside Los Alamos County.
  - *Quick summary of findings:* Although a low response count was collected, this survey did shed some light on how employees at the National Lab view the County. These findings showed the majority of respondents come from Santa Fe and would describe the County as well-educated, quirky, and perhaps a bit condescending and physically run-down. Most prefer to live outside of Los Alamos County because it can be seen as expensive and lacking entertainment amenities. Respondents also revealed that spin-off businesses from the Lab as well as other scientific and national defense industries are well suited for the County, while others showed a need for outdoor recreation outfitters in the area. The area's proximity to a premier research facility and highly educated workforce are top strengths for the area to attract business growth. Some of this research was confirmed in the CAP Study, detailed below.

- Consumer Awareness and Perception Study (CAP STUDY) - The purpose of this study is to gain insight into consumer awareness, familiarity, visitation, and perceptions of the Santa Fe, NM and Albuquerque, NM areas.
  - An online survey was conducted in the above markets using a third-party survey distribution provider. 200 is the target number of respondents for this survey, and 210 surveys were collected.
  - Statistical Significance: +/-6.76 at the 95% confidence level.
  - *Quick summary of findings:* 82% of respondents were somewhat familiar with LAC while 18% were very familiar with the area. Reiterating themes of the research, outsiders are most likely to describe the County as educated/intelligent, affluent, quirky, and being an outdoor recreation destination. However, adjectives like arrogant or run-down were much further down in the list of adjectives, suggesting outsiders don't view the area in these ways. A "center for science and technology" and "educated, intelligent population" were the highest rated perceptions of the County. 96% of respondents had visited the County. Of those visitors, exploring area assets like Bandelier and Valles Caldera were top reasons for visiting along with conducting business. Additionally, the level of workforce education and quality of workforce were top rated business attributes for the County.
- Perception Study - The purpose of the Perception Study is to gain an in-depth understanding of the brand perceptions of Los Alamos County among important target audiences. From a list of roughly 25 contacts provided by County staff, telephone interviews were conducted and targeted regional economic development professionals, tourism industry contacts, competitor communities and developers.
  - Statistical significance cannot be given because this was a qualitative research piece. Therefore percentages were not included in the findings.
  - *Quick summary of findings:* Most respondents described the area as educated, full of scientists along with interesting and isolated. Others described the County as having the highest income level in the state and high tech. Many research themes were reiterated throughout the Perception Study; however, new perceptions were identified, like having lots of potential for the future and the County being a tourism hub for northern New Mexico. Outsiders see new opportunities as well for the County like "outside of the box" architecture, and developing interpretive material for tourists and visitors. When asked about the educated population in Los Alamos County, one respondent described the community as a "think tank."

**Competitor Research:** The following research piece was conducted to understand Los Alamos County competitors in greater detail. Throughout the surveys, North Star collected research pertaining to the County's competitors in addition to the analysis below.

- Competitive Analysis – This piece is conducted to better understand area competitor brands. By reviewing their online presence, straplines, brand elements, marketing messages, and visuals used, North Star then uses this information to ensure that the brand identity for Los Alamos County is distinct in the marketplace.
  - Economic Development and Tourism Competitors: These competitors were identified by County Staff as key competitor markets.
    - Bernalillo County, NM
    - Santa Fe County, NM
    - Sandoval County, NM
    - Boulder County, CO
    - Coconino County, AZ
    - Jefferson County, CO
  - National Lab Community Competitors: these communities were added to the list to better understand how communities with large national labs promote this asset.
    - Oak Ridge, TN
    - Tri-Cities, Washington

**REVIEW OF INSIGHTS:** Insights showed there is a defining characteristic of the area that sets the County apart in the marketplace. The presence of well-educated, intelligent individuals in the County with a great deal of brain power is a competitive advantage for the County. Furthermore, the County provides an ideal learning environment at the K-12 level that fosters future scientists, mathematicians, engineers and other highly trained professionals. In fact, “educated”<sup>2</sup> and “intelligent”<sup>2</sup> were descriptions that consistently ranked highest throughout the research. However, these intelligent residents, businesspeople, and consumers need a place to let loose and let off some steam. The outdoor recreation and surrounding assets like the Bandelier National Monument and others are fertile ground for these types of quality of life activities. And leveraging this access to outdoor recreation was a highlighted opportunity for the County in the future. Creating a strong brand identity that effectively captures the intelligent, active, healthy, and unique community in Los Alamos County will go a long way in impacting inside and outside perceptions of the area.

**BRAND PLATFORM STATEMENT:** North Star funnels strategic insights for the brand into a single sentence: the brand platform. The brand platform is used as a filter for the formation of creative concepts and implementation initiatives in the Imagination phase of this project. All communications, actions and product development should connect to the essence of this relevant and defining statement. This is NOT ad-copy and is not a creative statement.

<b>Target Audience</b>	For those who never stop questioning what’s possible,
<b>Frame-of-Reference</b>	Los Alamos County, in the elevated outdoors of northern New Mexico and home to the Los Alamos National Lab,
<b>Point-of-Difference</b>	is where some of the world’s best brains power the breakthroughs that shape our world
<b>Benefit</b>	so you are challenged to think bigger and live brighter.

**PLATFORM RATIONALE:**

- Los Alamos County is a place for critical thinkers, who use their minds to their advantage, and who aren’t afraid to think differently than their peers.
- This statement gives the positive impression that the County is a place of people who challenge the status quo, that consistently push the limits of their mind, body and soul. These types of individuals dream big, which connects to the Benefit statement in the Platform.
- The word “elevated” describes the type of outdoor recreation one can experience in Los Alamos County. Not only is the outdoor recreation in the area at high-altitude, the word elevate also describes the type of outdoor experience a visitor or resident can have in the County. An elevated experience is one that is better, more invigorating, and more authentic.
- The “brain power” in Los Alamos County describes the impact the community has on the area and the country.
- Historically, Los Alamos County has been a destination for outstanding breakthroughs in science. This tradition continues today; however, one can have a multitude of breakthroughs in the County. For example, a visitor can have a downhill skiing breakthrough. An athlete can hit a personal best on his recent 5-K. Or a business person or scientist can have a breakthrough that powers innovation and science in the region.
- The Los Alamos County community is a place that doesn’t back down from a challenge. In fact, the community embraces a challenge as an opportunity to grow and make an impact.
- In Los Alamos County, by thinking bigger, your life is brighter.



## CREATIVE DEVELOPMENT:

Using the Platform above, North Star, along with a small Creative Committee has worked to develop the foundational elements of the brand identity. Drawing inspiration from the Brand Platform a creative concept was born.

- The Creative Committee chose the Written Concept—a narrative that tells the story of Los Alamos brand—that will be presented at the May 6<sup>th</sup> Council meeting.
- The Creative Committee also selected the strapline, like a tagline or slogan, but with a larger, long-lasting purpose. The strapline is: ***Los Alamos County...Live Exponentially.***
- This strapline connects to the Brand Platform above while also providing a mechanism to connect to all facets of the community. Rationale for the strapline is below:
- This strapline centers on the word, “exponentially.” This word is ideal for Los Alamos County because:
  - “exponentially” gives the feeling that life in the County is elevated and raised, that life is great, and the County is for those that want the most out of life
  - “Exponentially” is an element found in science, mathematics, and engineering. This word is on-strategy and will resonate with key target audiences
  - “Exponentially” allows for a visual mechanism in the brand to help this concept come to life.
- Residents and businesspeople in Los Alamos County aren’t thrill seekers; however, they do push the status quo. They never stop questioning the boundaries of science, the boundaries of their personal life, and the boundaries of health, activity, leisure, and time with family. It’s an innate desire to learn and to grow, and this strapline encompasses this sentiment.
- This concept does a nice job of capturing the essence of the Platform benefit statement, think bigger and live brighter.
- Finally, this strapline is perfect for a community-wide branding effort because the word “live” can be substituted for various words to connect with all types of audiences. For instance the strapline can be tweaked as below in different ways, the possibilities are endless:
  - For a workforce development message: Los Alamos County...“Work Exponentially.”
  - For students in the local schools or for scientists at LANL: Los Alamos County... “Think Exponentially.”
  - For outdoor fun: Los Alamos County... “Play Exponentially.”
  - For trail runners: Los Alamos County... “Run Exponentially.”
  - For a local brewery: Los Alamos County... “Brew Exponentially.”
  - For local bands and music functions: Los Alamos County... “Jam Exponentially.”
  - Or, for local painters and artists: Los Alamos County... “Create Exponentially” or “Imagine Exponentially.”
- This strapline can be further tweaked to connect with existing events and assets, for instance, the “Los Alamos ScienceFest” (formerly known as the “Next Big Idea Festival”) now has a tagline: “Unleash Your Creative Genius—Exponentially!”



**LOS ALAMOS COUNTY, NM** Research Report

April 1, 2014

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### **ABOUT NORTH STAR DESTINATION STRATEGIES**

North Star Destination Strategies comprises over two dozen talented individuals dedicated to growing community brands through integrated marketing solutions. North Star offers communities a combination of research, strategy, creativity and action. This process – called Community BrandPrint – provides direction for the community's brand development, like a blueprint guides the construction of a home. And just like a blueprint, the priorities and targets of each Community BrandPrint are stated in clear and unambiguous language. The resulting brand personality is as revealing as an individual's fingerprint, and just as unique.

### **ABOUT THE BRANDPRINT PROCESS**

Through the Community BrandPrint process, North Star determines Los Alamos County's most relevant and distinct promise. From that promise, we create a strategic platform intended to generate a brand position in the minds of residents, visitors and businesses. We then develop a Brand Identity Package (creative expressions), all of which reinforce the strategic positioning of the brand.

This process is divided into four stages: Understanding, Insights, Imagination and Evaluation. The following report includes the Understanding, Insights and Evaluation phases of the work. The Imagination Phase of the work including the Brand Identity Package is presented under separate cover.

### BRANDING PARTNERS

Los Alamos County, NM contracted with North Star Destination Strategies to determine the community's true, unique and relevant brand position to help the area stand out in the marketplace. This Executive Summary represents a snapshot of the critical highlights from the Understanding and Insights phases of the Brand Print Process. Detailed research findings are compiled in the report that follows.

### UNDERSTANDING (*Research findings*)

North Star conducted more than a dozen pieces of research to identify what differentiates Los Alamos County from its neighbors and competitors. By examining the community (stakeholders, residents), consumers (visitors, regional and state officials in tourism and economic development) and the competition (neighboring and other communities), North Star determined a strategy for Los Alamos County to assert across all community assets to implement an effective, meaningful and relevant brand. Important findings are summarized below.

Los Alamos County has held a unique place in the national historic conversation. Once completely a secret city and considered “off the grid,” the scientific discoveries, innovation, and technological advances that Los Alamos County contributed to national defense interests solidified the area's reputation as a place of breakthroughs, highly educated individuals, and impactful research. Although Los Alamos County is no longer a secret city, the science, engineering, and technological impact is still felt throughout the United States and the world. What was once a national defense mission at the National Lab, Los Alamos County now offers a wide spectrum of assets for a resident, visitor or business. But the heritage of science and discovery can still be felt today.

Research affirmed the Los Alamos National Lab as one of the premier assets in the County, especially as it pertains to economic development or business growth interests. The presence of highly educated, intelligent, and critical thinkers in the County make the Los Alamos area a hotbed for talent (a key site-selector message). The County should effectively claim these interests and assets as the word is spread about Los Alamos through branding and marketing efforts. But, as research showed, there is an asset that competes with the National Lab that presents Los Alamos County's greatest future opportunity. In various instances during North Star's research, outdoor recreation outscored the National Lab as the area's top asset. This doesn't diminish the Lab's impact in the County; on the contrary, it shows that internal and external perspectives see outdoor recreation as a priority for messaging and brand development. Your residents and visitors can enjoy high-altitude training on area trails and can head out on a snowy Saturday and hit the slopes at Pajarito Mountain.

The County's strong schools, excellent public safety and nearby assets like the Bandelier National Monument and the Valles Caldera make the Los Alamos area a strong destination as a place to live. In order to attract more residents to Los Alamos County, which is a significant opportunity for the area, a few challenges must continue to be addressed. Research showed County residents desire a comprehensive selection of entertainment options, restaurants and



retail variety. Furthermore, many view the housing stock in Los Alamos County as expensive and, in some instances, giving a run-down or neglected impression.

Other challenges that research identified included the desire for residents to have a place to gather in Downtown Los Alamos with lots of options for boutique shopping, eateries, merchants and nightlife. Also, many conversations mentioned a sense of “analysis paralysis” in Los Alamos County that keeps projects from gaining significant forward momentum.

As with any community, Los Alamos County can capitalize on several opportunities for future growth and improvement. Aside from the aforementioned opportunities of resident recruitment and retail/entertainment/restaurant growth, the greatest opportunity for the area is a focus on diversifying the local economy to withstand fluctuations at the National Lab. Also, many see tourism growth as an ideal opportunity for the County and would allow the area to increase foot traffic to local shops. Finally, creating an affordable environment for housing in Los Alamos County will go a long way in attracting potential residents.

All of these assets and future opportunities work to create an environment that residents, visitors, and businesses can enjoy. After thorough research, a variety of assets, impressions, and attributes make up the Los Alamos County community. But a defining characteristic of the area sets the County apart in the marketplace. The presence of well-educated, intelligent individuals in the County with a great deal of brain power is a competitive advantage for the County. Furthermore, the County provides an ideal learning environment at the K-12 level that fosters future scientists, mathematicians, engineers and other highly trained professionals. In fact, “educated” and “intelligent” were descriptions that consistently ranked highest throughout the research. Creating a strong brand identity that effectively captures the intelligent, active, healthy, and unique community in Los Alamos County will go a long way in impacting inside and outside perceptions of the area.

#### STRATEGIC BRAND PLATFORM

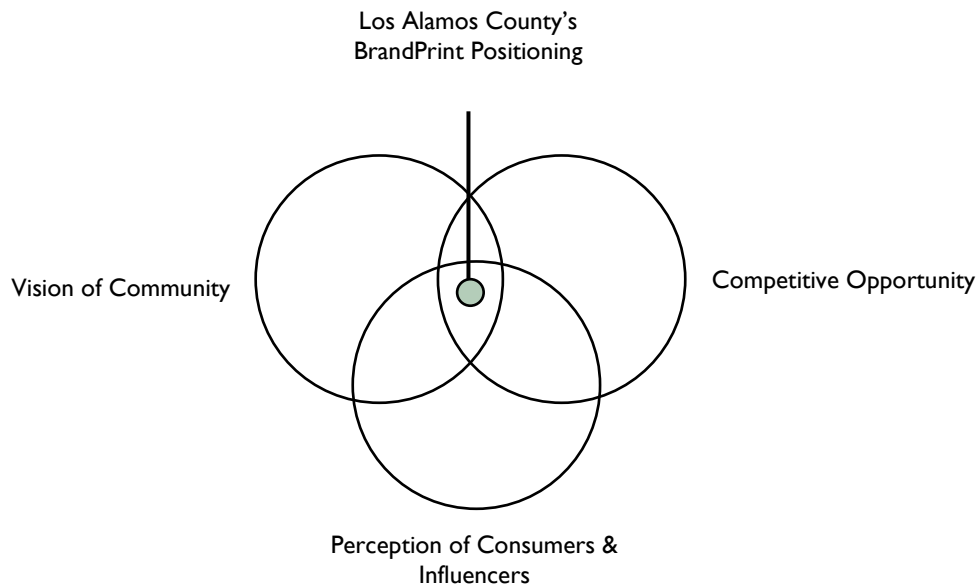
North Star funnels strategic insights for the brand into a single sentence: the brand platform. The brand platform is used as a filter for the formation of creative concepts and implementation initiatives in the Imagination phase of this project. All communications, actions and product development should connect to the essence of this relevant and defining statement.

<b>Target Audience</b>	For those who never stop questioning what’s possible,
<b>Frame-of-Reference</b>	Los Alamos County, in the elevated outdoors of northern New Mexico and home to the Los Alamos National Lab,
<b>Point-of-Difference</b>	is where some of the world’s best brains power the breakthroughs that shape our world
<b>Benefit</b>	so you are challenged to think bigger and live brighter.

### WHERE THE BRAND HAS BEEN AND WHY

This stage addresses the community's current brand positioning. We assess the environment; demographics and psychographics of residents; perceptions of visitors, residents and stakeholders; current communications and the competition. Most importantly, we gather input from Los Alamos County and its constituents.

We are looking for current attitudes regarding the brand. We are also trying to spot behavioral trends that exist around that brand. This stage is critical because it uncovers the relationship between three factors: the community's physical qualities, communication materials and the position the community holds in the minds of its consumers.



## IN-MARKET STUDY

### ***Purpose***

The purpose of the In-Market Study is to gain understanding of the perceptions and attitudes of Los Alamos County residents and stakeholders towards their community and to experience first-hand what makes it a unique destination for visitors, residents and businesses.

### ***Methodology & Results***

The following summary reflects observations and input received during the North Star Destination Strategies In-Market visit from March 12-14, 2013. The information is not meant to be all-inclusive, but rather highlight the most common themes experienced on the trip. This includes an area familiarization (FAM) tour, stakeholder focus groups, stakeholder one-on-one interviews and local community one-on-one perception interviews.



## MATERIALS REVIEWED

*This is a sampling of the materials reviewed as part of the Research and Materials Audit, prior to the In-Market Study.*

### Tourism Materials

- Fuller Lodge Historic Treasure brochure
- Historic Sculptures brochure
- National Park Service
  - Explore Bandelier flyer
- Valles Caldera National Preserve
  - Super Volcano brochure
- Historical Walking Tour map of Downtown Los Alamos brochure/map
- Pajarito Mountain Ski & Snowboard brochure/map
- Pajarito Mountain rate card (2012/2013)
- Museums brochure
- Puye Cliff Dwellings brochure
- Creative District flyer
- Jemez Adventure Recreation and Attraction map

#### Chamber of Commerce and Development Corporation

- Mind Your Business newsletter (March/April 2013)
- FyiLA.com flyer

#### Economic Development

- Economic Development Division Area Communications Collateral print off (February 2013)
- Economic Development print off from Los Alamos County website
- ESRI
  - Retail Market Place Profile print off (April 2012)
  - Executive Summary Report print off (April 2012)
  - Household Budget Expenditures (April 2012)
  - Retail Market Profile (2012)
- Census Quickfacts print off (2011)
- Labor Analysis Summary (2010)
- Economic Base Report
- Industry Overview Report
- Local Economic Development Act Report
- Downtown Los Alamos Architectural Standards Ordinance (2007)
- Northern New Mexico Region Economic Development Analysis (March 2012)
- Destination Development Incorporated Assessment (2010)

#### Miscellaneous

- Remax real estate folder
  - Real Estate Report (February 2013)
  - Leadership Los Alamos Economic Development Session report (January 2012)
  - Los Alamos County map
- “Community in Motion” folder
  - Another copy of: Historical Walking Tour Map of Downtown Los Alamos, Explore Bandelier flyer, and Pajarito Mountain Ski & Snowboard map/brochure
  - Concert Association (2012/2013)
  - National Laboratory Lecture Series brochure (2013)
  - Wine Tours notecard flyer
  - Tour the Atomic City postcard
  - Economic Vitality Update newspaper (Summer 2010)
  - Land Transfer and Economic Self-Sufficiency progress report (2007)
- “Community in Motion” Citizen Handbook (2009)
- Self Help, Inc nonprofit brochure
- Family Strengths Network nonprofit brochure
- Atomic City Transit postcard
- Ride Guide Atomic City Transit brochure/map

*The following highlights the conversations from the In-Market Visit.*

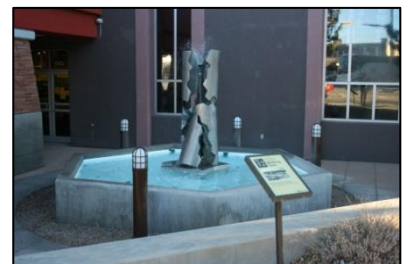
#### **MOST MENTIONED ASSETS**

- Los Alamos National Lab
- Outdoor recreation
- Good K-12 schools
- Highly educated (highest PhD per capita in the Country)
- Very wealthy
- Bradbury Science Museum
- Fuller Lodge
- Safety
- Hiking and biking capital of the region
- Eclectic and quirky residents
- Appreciation of the Arts and events



#### **MOST MENTIONED CHALLENGES**

- Expensive housing, very poor housing stock
- Getting commuters to live in the County
- Lack of entertainment, shopping and nightlife
- Struggling downtown with no sense of place
- Some outside perceptions that Los Alamos County is radioactive
- Most buildings are post-WWII
- Threat of fires
- Lack of outdoor recreation outfitters
- Residents don't spend their money
- Lack of tech transfer and spin off businesses from Lab
- Commercial rent is 50% higher in Los Alamos County
- Lack of young professionals
- Fear of using atomic identity
- Analysis paralysis



#### **MOST MENTIONED OPPORTUNITIES**

- Amplify outdoor recreation options
- Capturing commuters to live in the community
- Fixing housing situation
- Diversify economy
- Finding ways that art, science, outdoors and technology can intersect



## ONLINE COMMUNITY-WIDE SURVEY

### **Purpose**

The purpose of the Online Community-wide Survey is to gain a quantitative measure of the community's perceptions of Los Alamos County.

### **Methodology & Results**

North Star developed an online survey based on the results of In-Market conversations. All questions were multiple choice, allowing for a quantitative measure of resident perceptions. Community members were encouraged to participate after the survey was posted on County websites and publicized in local media. 703 survey responses were collected for this survey, allowing for a margin of error of +/- 3.62 at the 95% confidence level.

The graphs on the following pages highlight responses for each question on the corresponding survey, allowing side-by-side comparison of results. Please refer to the Research Report CD and **Appendix A** for a detailed list of all "Other" responses.

**Los Alamos County, NM Community Survey**

**2. If you had to pick a word/phrase to describe Los Alamos County, it would be...CHOOSE TWO ANSWERS**

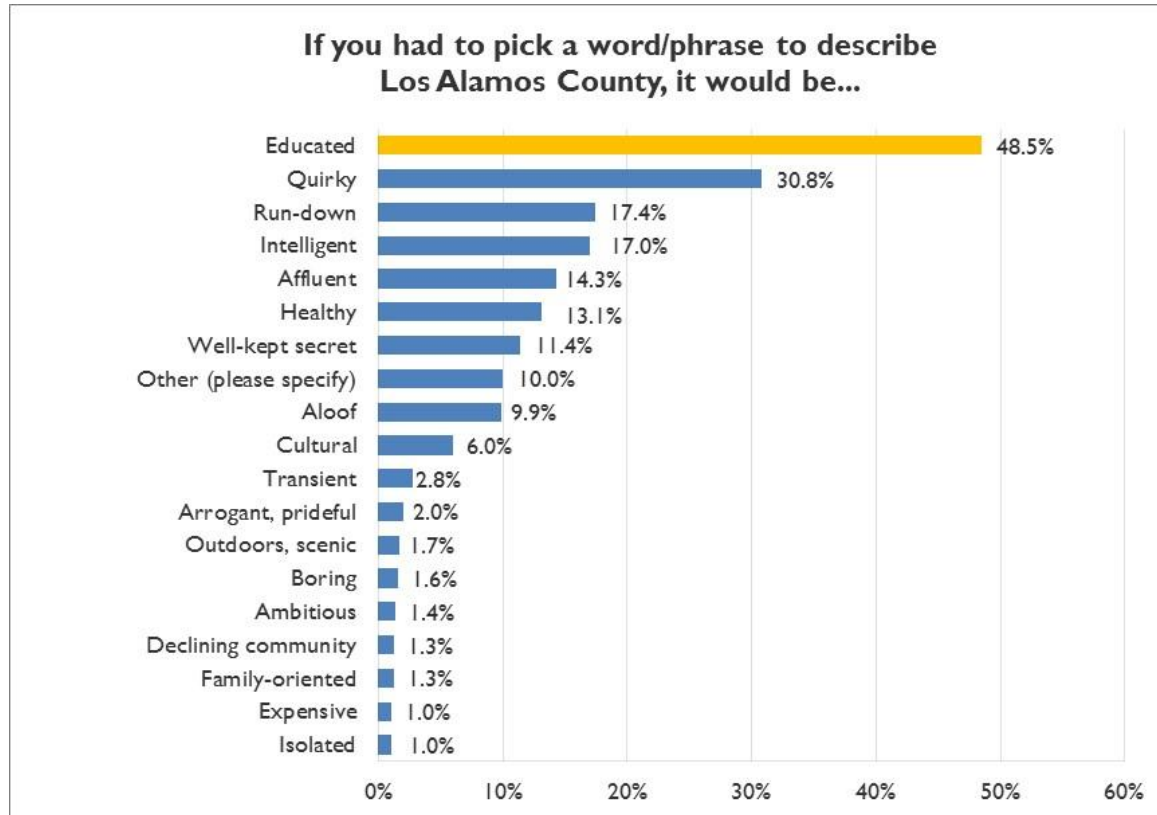
☐ Quirky  
☐ Healthy  
☐ Ambitious  
☐ Educated  
☐ Intelligent  
☐ Transient  
☐ Aloof  
☐ Run-down  
☐ Cultural  
☐ Affluent  
☐ Well-kept secret  
☐ Other (please specify) \_\_\_\_\_

**3. In your opinion, Los Alamos County's greatest asset is...CHOOSE TWO ANSWERS**

☐ Safety  
☐ Unique history  
☐ Arts and cultural assets  
☐ Outdoor recreation (skiing, biking, hiking, etc.)  
☐ Los Alamos National Laboratory  
☐ Good schools  
☐ Downtown Los Alamos  
☐ Highly educated scientists and professionals  
☐ Sciences and technology businesses and start ups  
☐ Affluence  
☐ Diversity  
☐ Other (please specify) \_\_\_\_\_

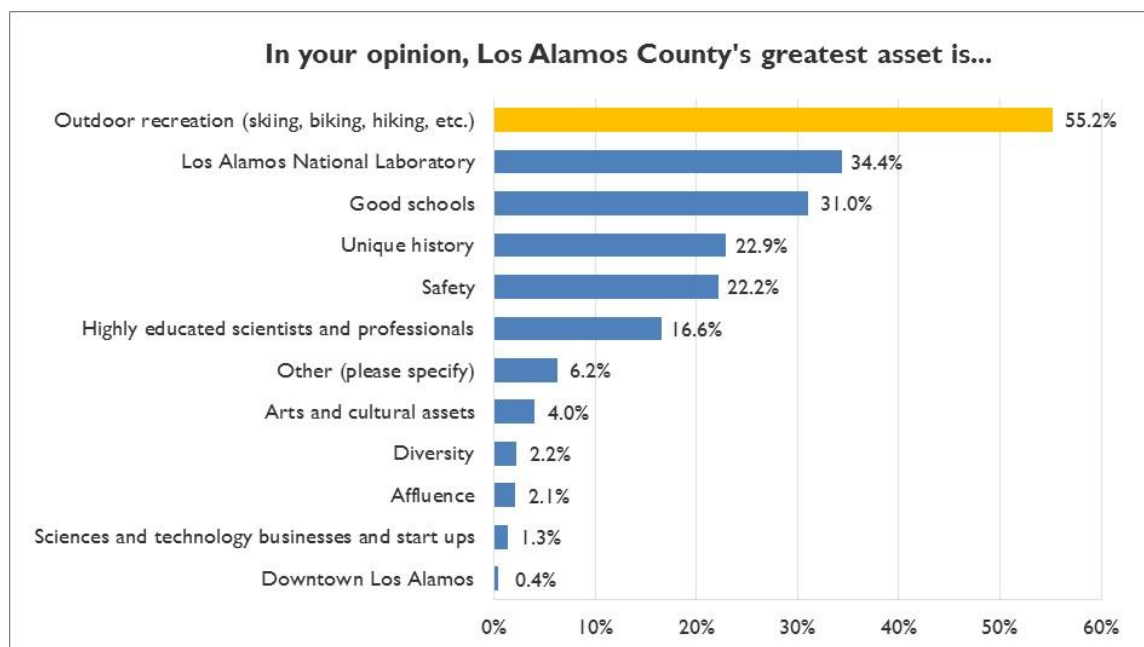
*Los Alamos County Online Community Survey*

**Describing Los Alamos County:** Being home to one of the premier science and research institutions in the country, a top description of “educated” is fitting.



Other: Historic, quiet, sheltered

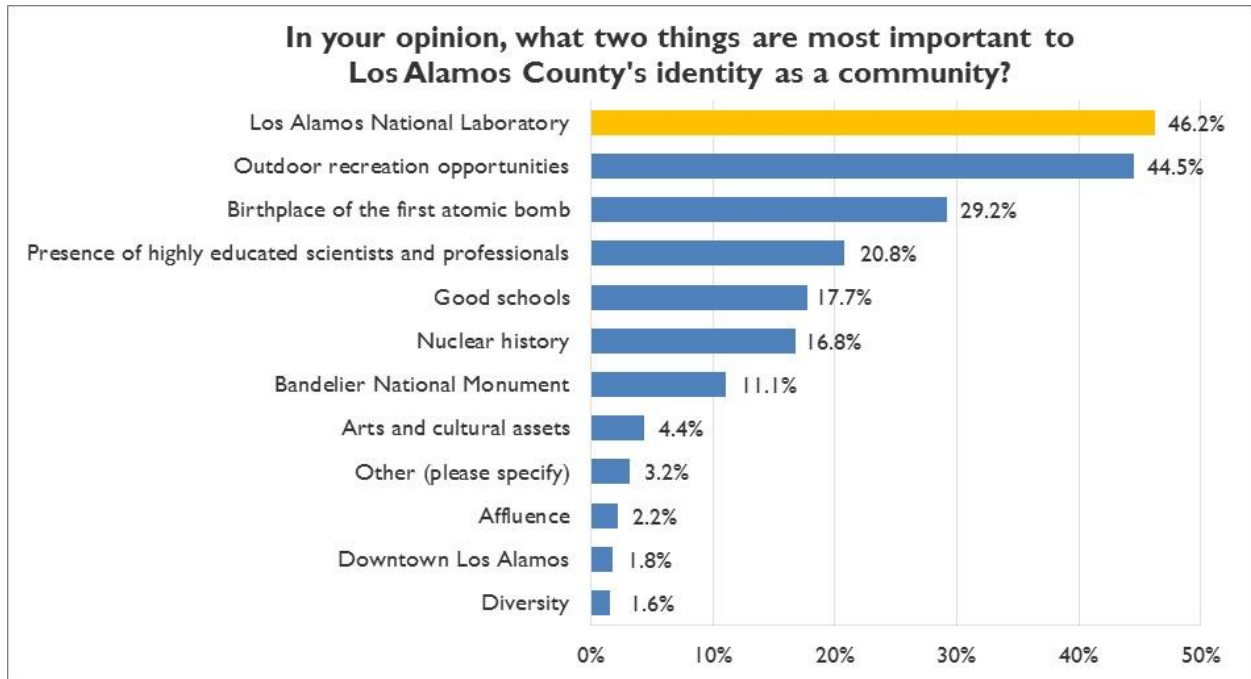
**Assets:** Residents view the County’s outdoor recreation as a preferred asset over the National Lab.



Other: Beauty/nature, location

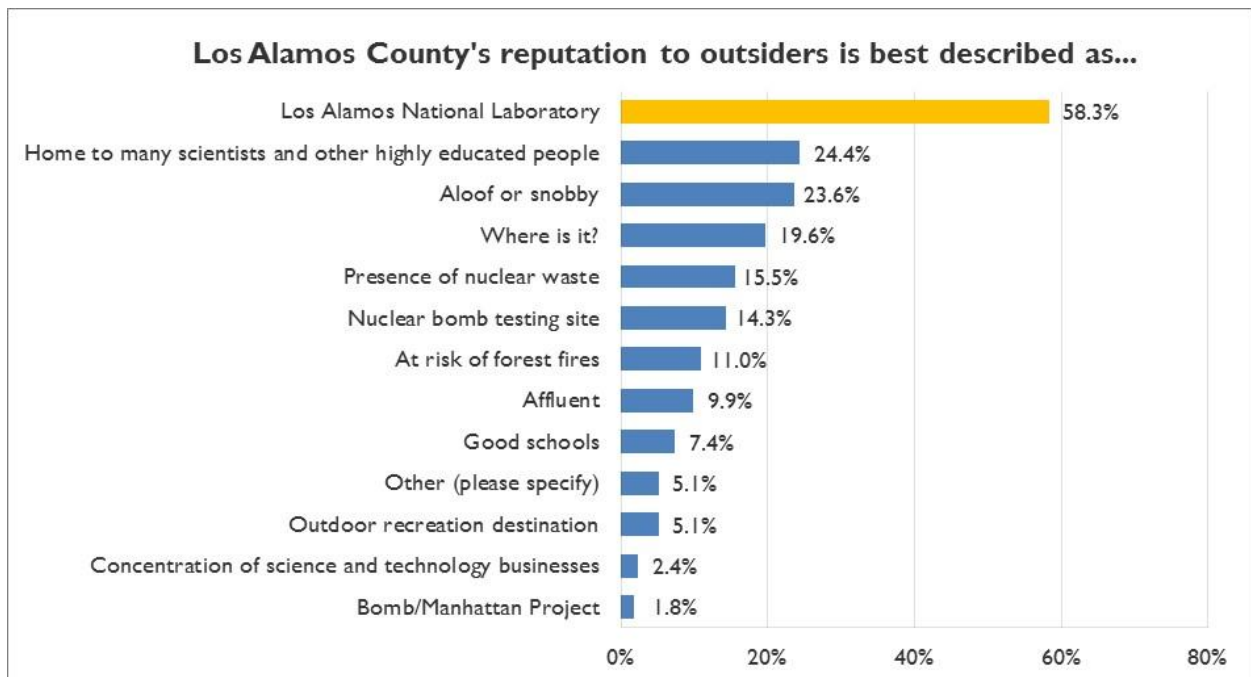


**Community Identity:** The Los Alamos National Laboratory is most important to Los Alamos County's identity followed closely by outdoor recreation, highlighting both as top reputation builders.



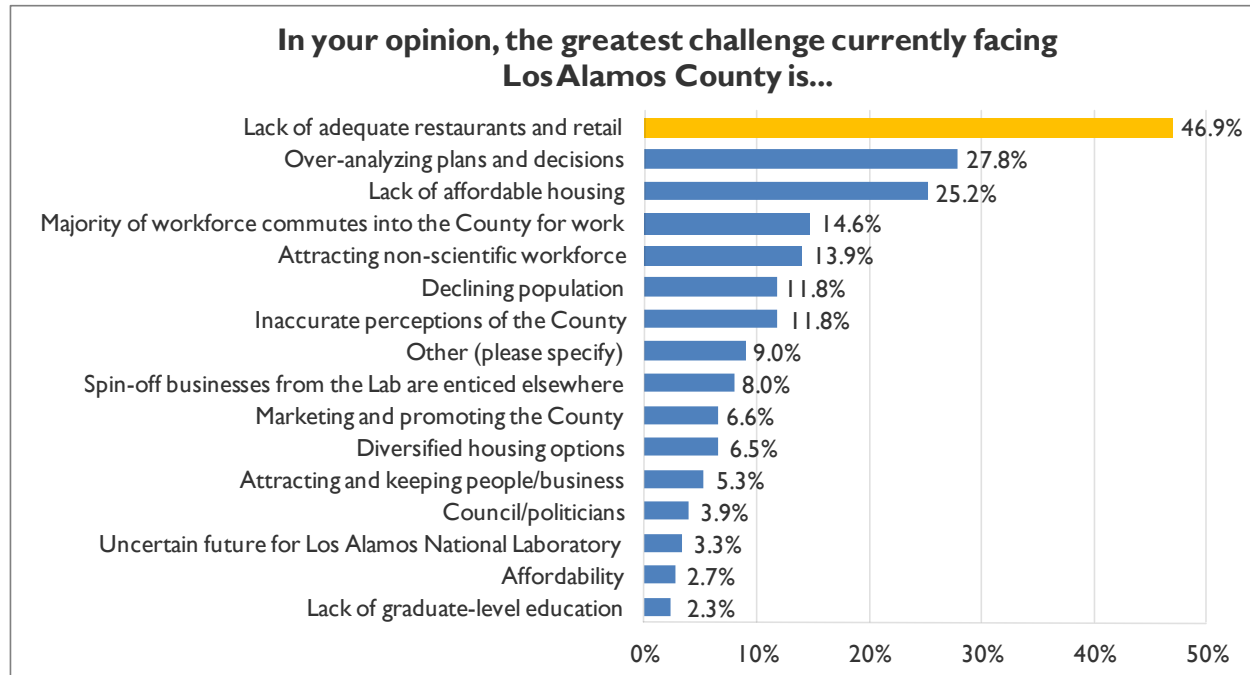
Other: Family friendly

**Outside reputation:** Residents believe that outsiders describe you as a haven for scientists and educated individuals.



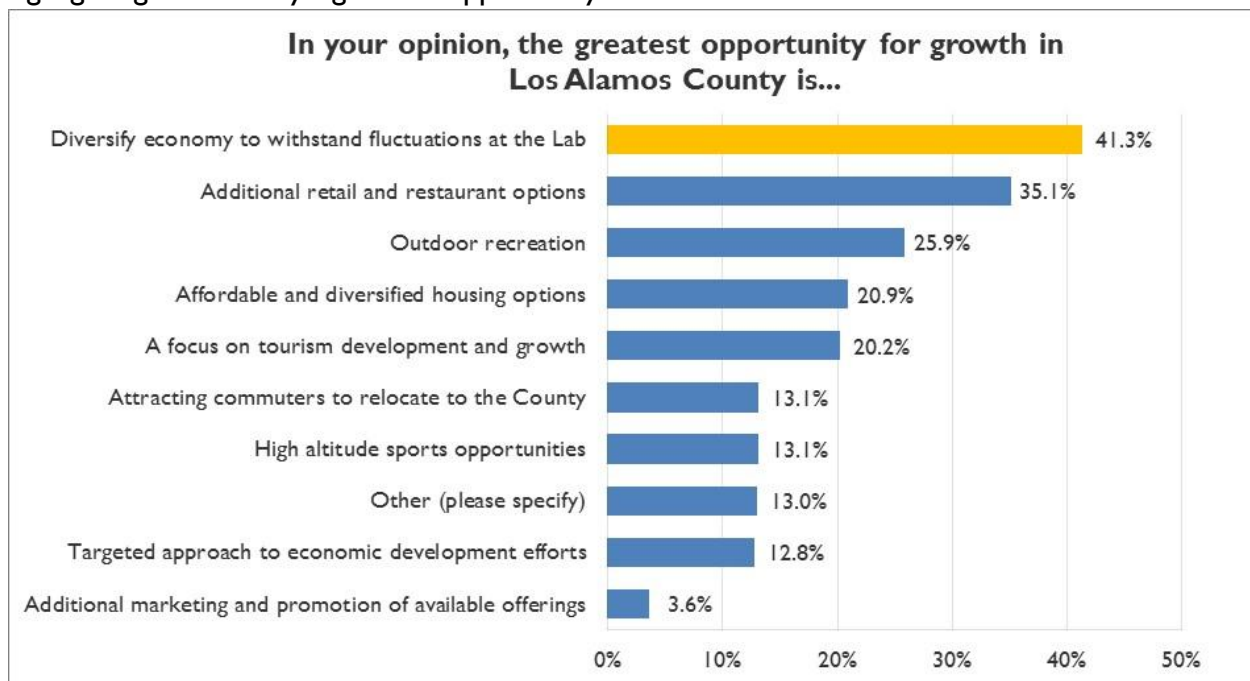
Other: Unkempt, uncultured, weird

**Challenges:** Research showed the lack of adequate shopping and dining as a top challenge for the County.



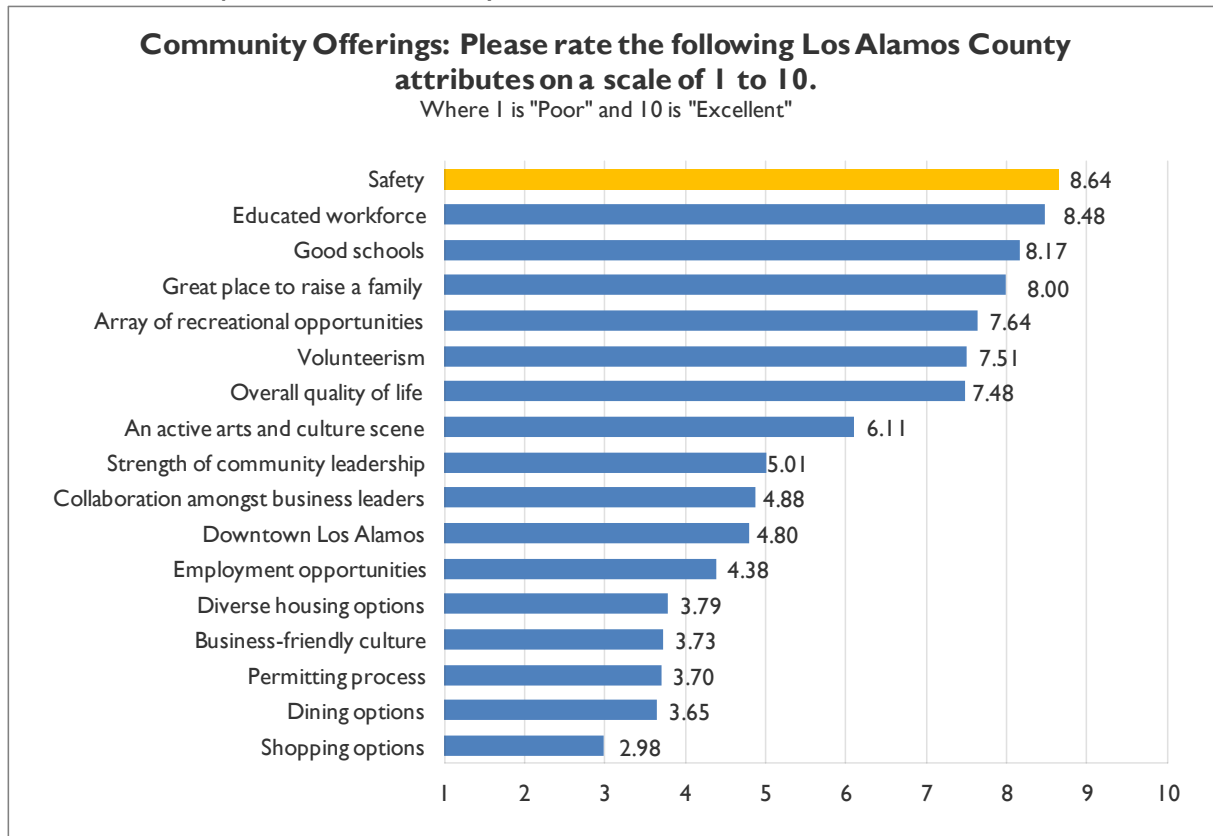
Other: Diversity, shuts down at night

**Opportunities:** Many see the County as solely relying on the Lab for economic growth, highlighting the County's greatest opportunity of economic diversification.



Other: Remove blight, market as retirement community

**Attributes:** Respondents rated safety and educated workforce as the best attributes.

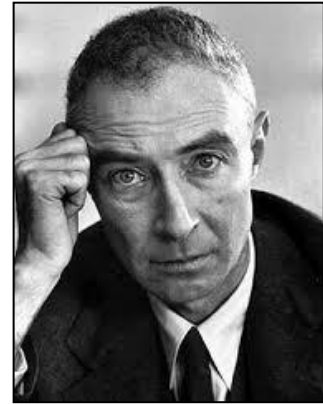
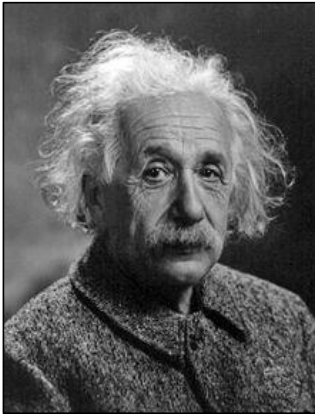


**In your own words, describe the impact the Los Alamos National Laboratory has on the Los Alamos County community.**

- *"There is no Los Alamos County without the Laboratory."*
- *"As LANL goes, so does the town. LANL has helped enhance LAC through employment and economy, but it is also a double-edged sword. LANL leases numerous buildings in the town site which drives up rent for independent retailers making it harder to diversify LAC (i.e. dining, shopping, activities)."*
- *"Fluctuations in LANL funding have a direct impact on the amount of funding to county programs. Jobs cut at the Lab means a negative impact on the community overall. There's a direct relationship between LANL prospering and Los Alamos County prospering."*

**If the Los Alamos County community were a famous person, who would it be?  
Why?**

- Albert Einstein
  - *"Brilliant, but not good at simple, everyday living tasks."*
- Lindsay Lohan
  - *"They seem to be incapable of connecting their decisions and actions with the outcomes."*
- J. Robert Oppenheimer
  - *"Smart, strong, hard working, working to help the County."*

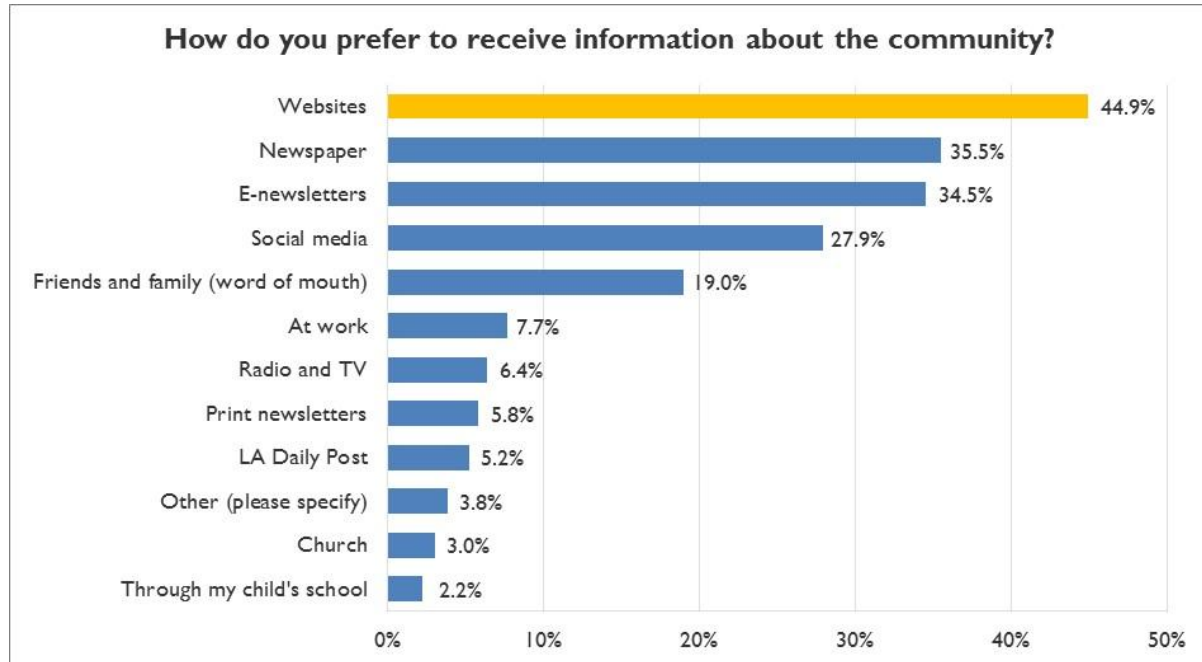


**If the Los Alamos County community were a consumer brand, what would it be?  
Why?**

- Apple
  - *"Because they have to invent it themselves even if they don't always get it right."*
- REI
  - *"Their products are generally high-tech, there is an outdoors focus, and they can be alternately perceived as high-end and/or snobby depending on the audience."*
- Microsoft
  - *"Solid product in its prime, but unable/unwilling to anticipate change, thus losing its edge in a competitive market."*

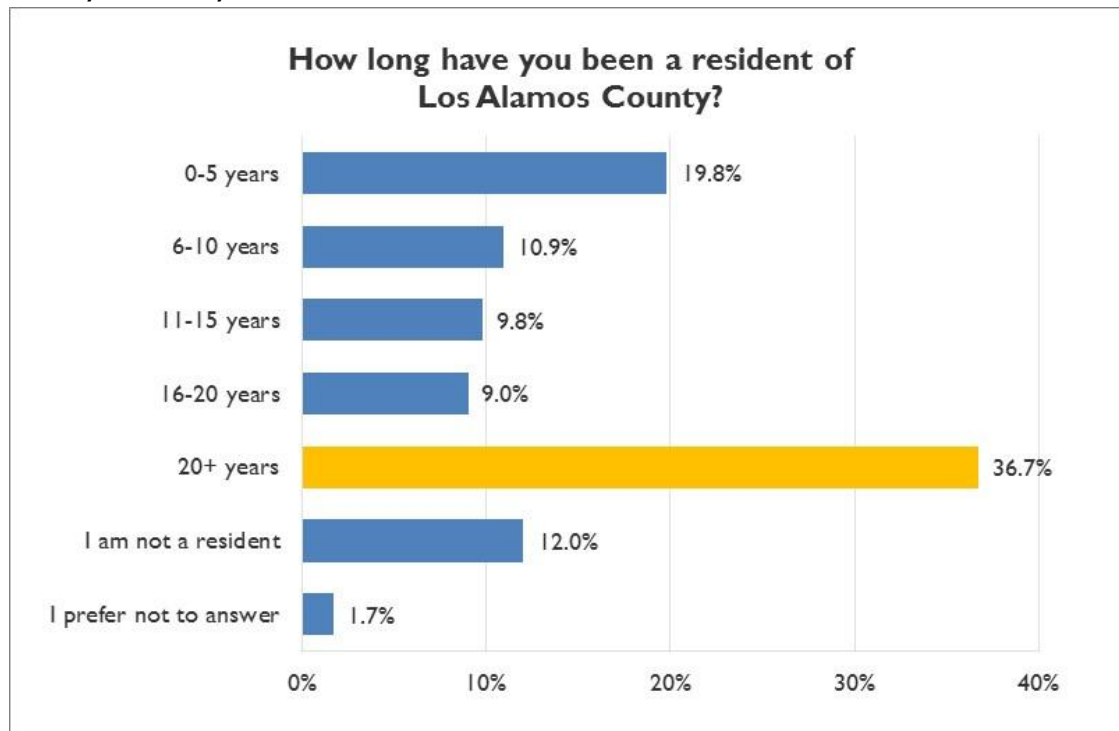


**Information:** Respondents prefer to receive information about the community on a website or news platform.

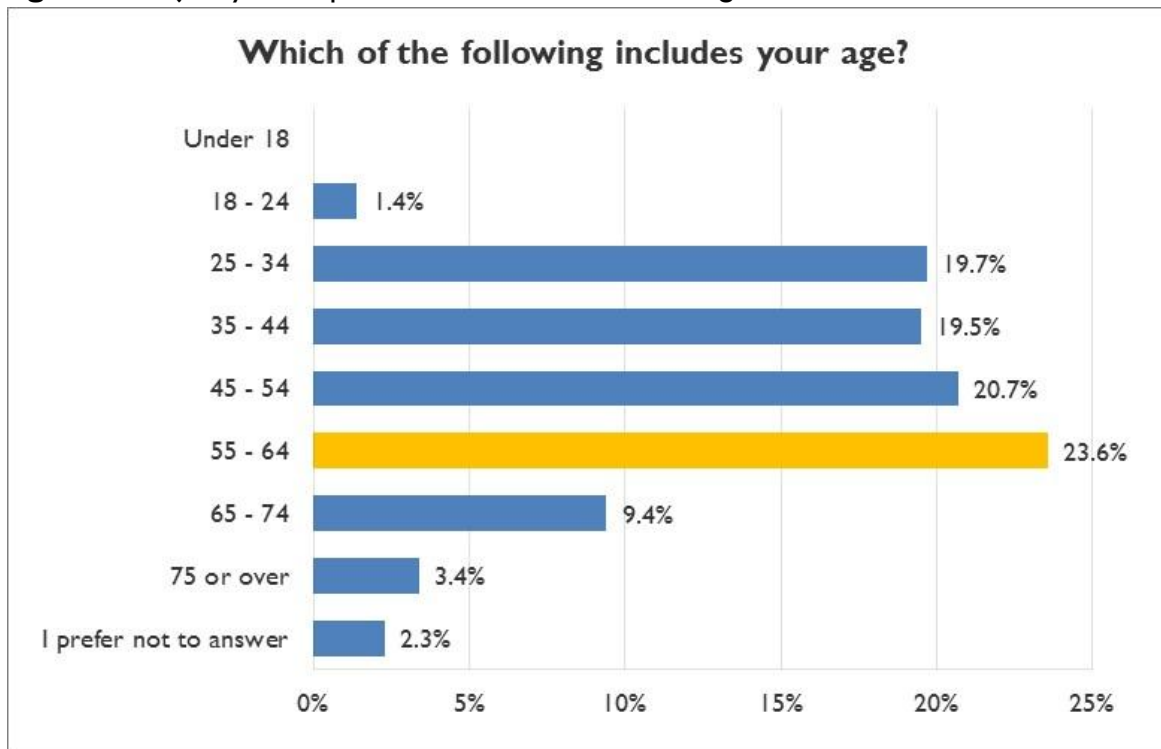


Other: Signs

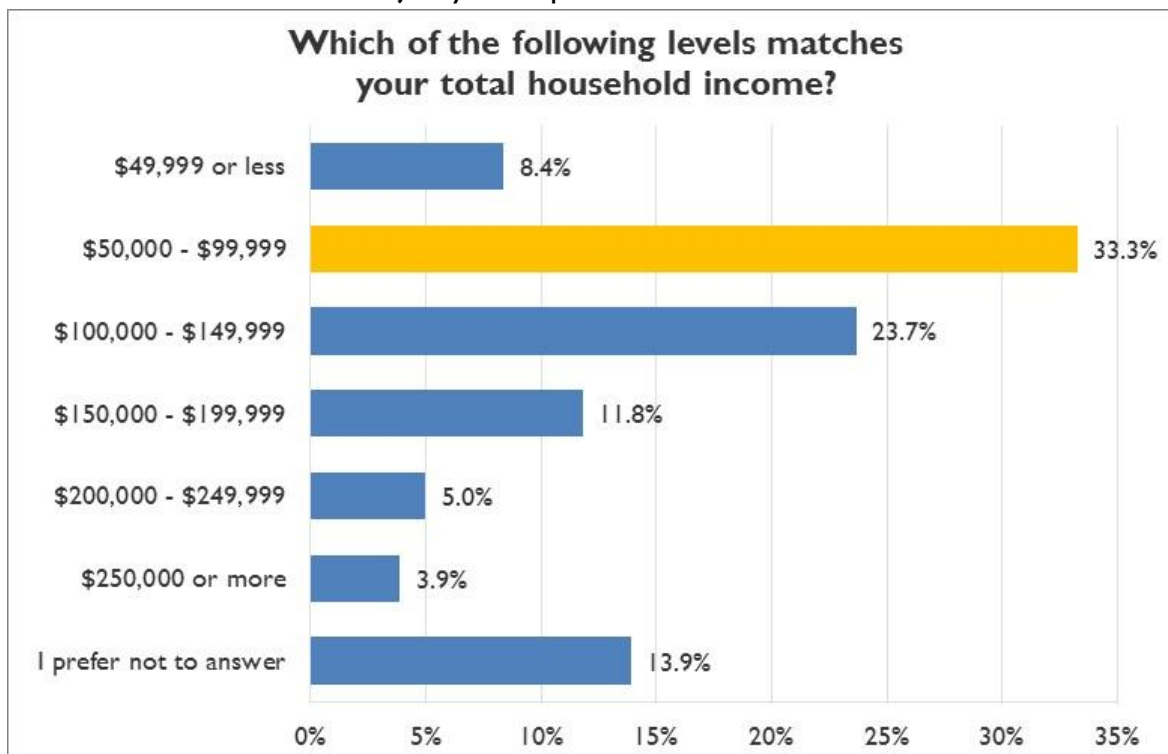
**Living in Los Alamos County:** The majority of respondents have lived in Los Alamos County for 20+ years.



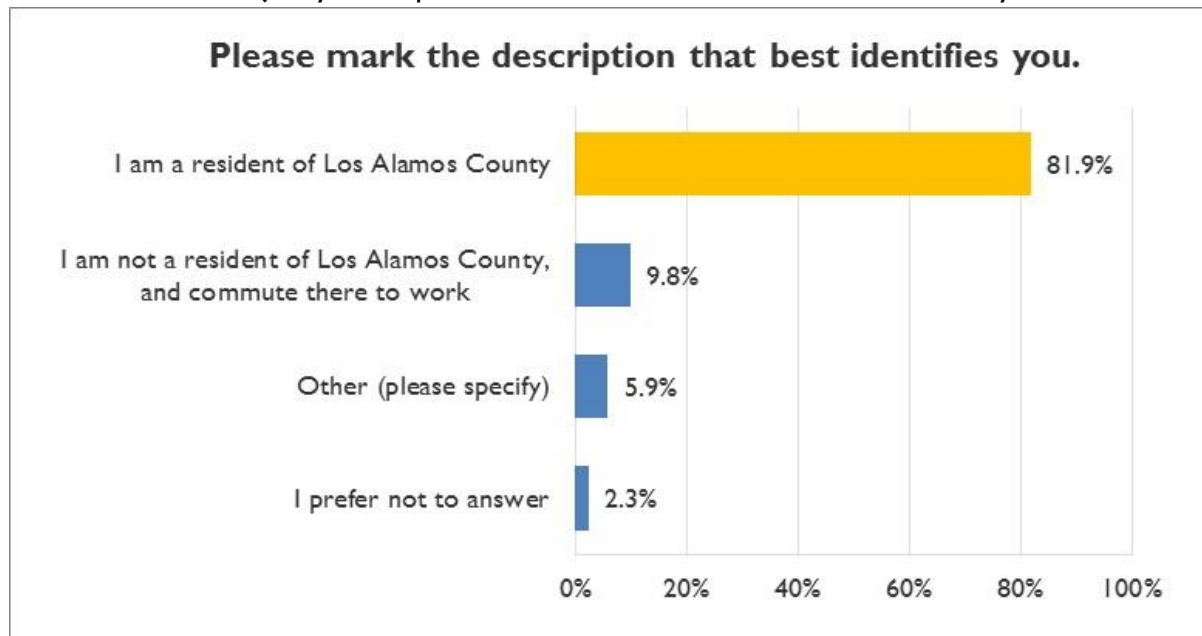
**Age:** The majority of respondents were between the ages of 55 and 64.



**Household income:** The majority of respondents have a HHI between \$50,000 and \$99,999.

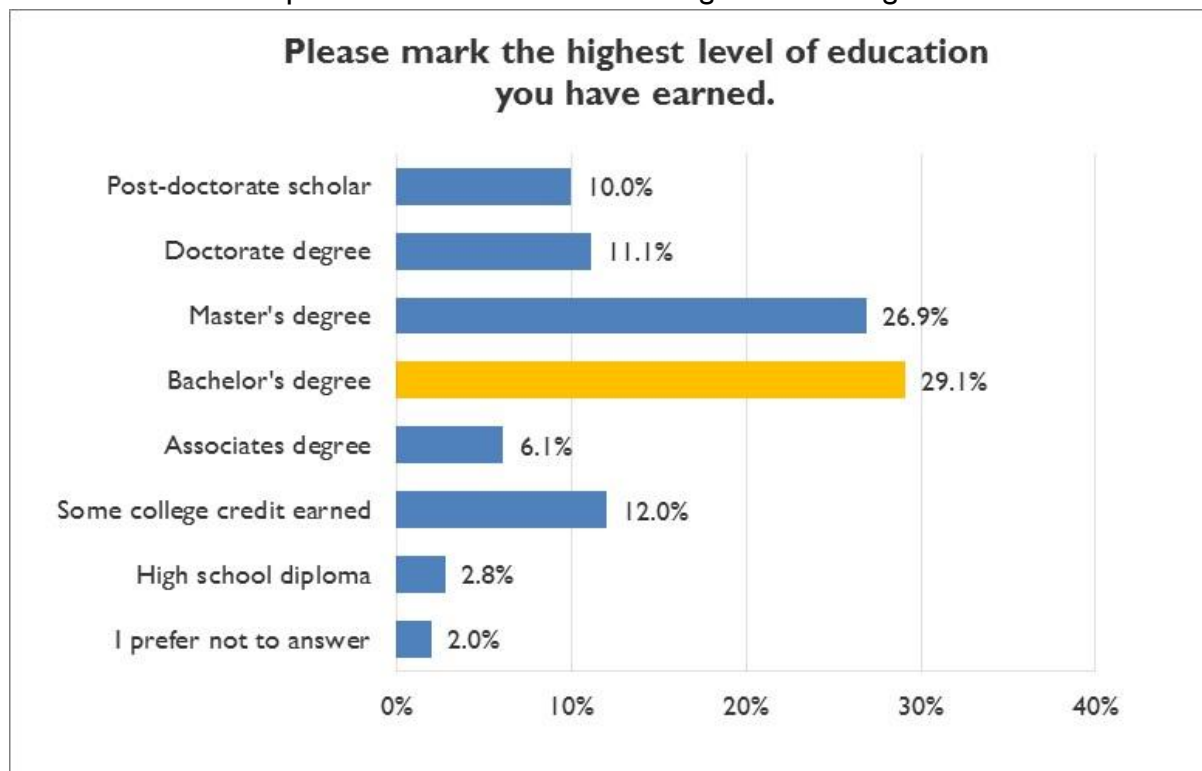


**Residents:** The majority of respondents are residents of Los Alamos County.



Other: Former resident

**Education:** Most respondents have some form of degree from a higher education institution.





## COMMUNITY BRAND BAROMETER

### **Purpose**

The Community Brand Barometer measures strength of the Los Alamos County brand according to:

- Resident satisfaction with and advocacy for Los Alamos County as a place to live, work and visit.
- Los Alamos County satisfaction / advocacy relative to the nation.

### **Methodology & Results**

Significant research\* on a wide variety of customer satisfaction metrics found that a single powerful question has the greatest ability both to measure current resident satisfaction and predict future community growth. That question, “Would you recommend your county to a friend or colleague as a place to live (or work or visit)?” is powerful because it surpasses the basic model of economic exchange, where money is spent for products or services. People who score their community high on the Brand Barometer actively recruit new residents, visitors and businesses through positive word-of-mouth marketing. It is very personal. By making a strong recommendation, they are willing to risk their own character, trustworthiness and overall reputation for no tangible reward.

The methodology for the Brand Barometer has been carefully developed and determined to be statistically significant. Participants in the community-wide surveys answered three questions:

- Would you recommend living in Los Alamos County to a friend or colleague?
- Would you recommend visiting Los Alamos County to a friend or colleague?
- Would you recommend conducting business in Los Alamos County to a friend or colleague?

Responses are measured on a 10-point scale with 1 being “Not at all likely” and 10 being “Extremely likely.” Results are presented on an individual respondent level as well as an aggregate Brand Advocacy Score. Scores are calculated with response percentages in the following categories:

- Promoters (9 or 10) – Loyal residents who will continue fueling your growth and promoting your brand.
- Passives (7 or 8) – Satisfied but unenthusiastic residents who are vulnerable to other opinions and brands.
- Detractors (1-6) – Unhappy residents who can damage your brand and impede growth through negative referrals.

$$\text{Brand Advocacy Score} = \% \text{ Promoters} - \% \text{ Detractors}$$

Los Alamos County’s Brand Advocacy Score can then be compared to a benchmark score that has been derived for the entire nation. North Star employs multiple survey methods through proprietary sources to determine national averages. Scores represent a stratified random sample of the entire U.S. population and are updated on a regular basis. You can use this information to track your own brand performance relative to national trends over time. In addition, you can repeat the Community Brand Barometer after a designated period and compare the results to your own benchmark score for an on-going metric of how community attitudes change over time and in response to specific events or activities.

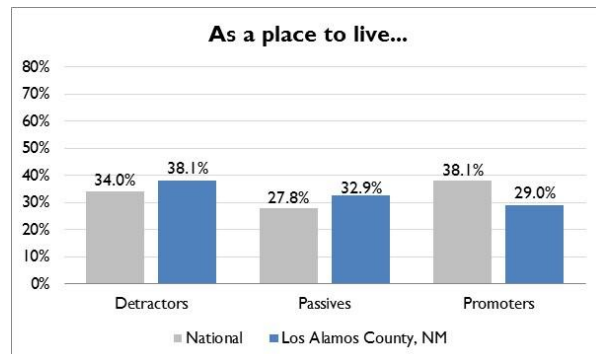
\*Research conducted by Satmetrix Systems, Inc., Bain & Company and Fred Reichheld, author of “The One Number You Need to Grow,” Harvard Business Review (Dec. 2003).

## BRAND BAROMETER RESPONSES

On a scale of 1 to 10 with 1 being "not at all likely" and 10 being "extremely likely," how likely would you be to recommend living, visiting or conducting business in Los Alamos County ...to a friend or colleague?

### Living

Living in Los Alamos County, NM		
1	6.97%	Detractors <b>38.12%</b>
2	3.13%	
3	4.69%	
4	4.13%	
5	12.94%	
6	6.26%	Passives <b>32.86%</b>
7	12.94%	
8	19.91%	Promoters <b>29.02%</b>
9	10.95%	
10	18.07%	

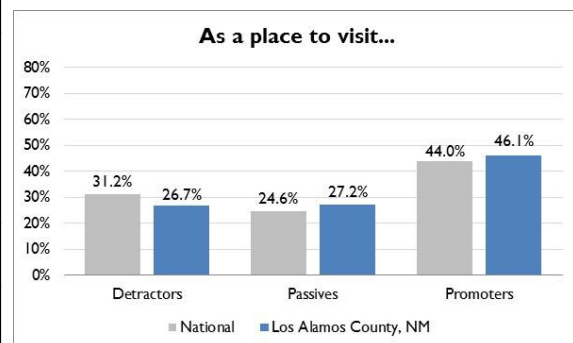


#### Observations:

- Nearly 30% of the Los Alamos County community acts as Promoters of the area. This represents a strong core group of ambassadors for the County.
- Just over 30% of respondents are Detractors of living in Los Alamos County. This is likely the group of residents concerned about housing affordability and access to dining and retail.

### Visiting

Visiting Los Alamos County, NM		
1	2.99%	Detractors <b>26.74%</b>
2	2.42%	
3	3.98%	
4	3.41%	
5	7.54%	
6	6.40%	Passives <b>27.17%</b>
7	9.67%	
8	17.50%	Promoters <b>46.09%</b>
9	14.79%	
10	31.29%	

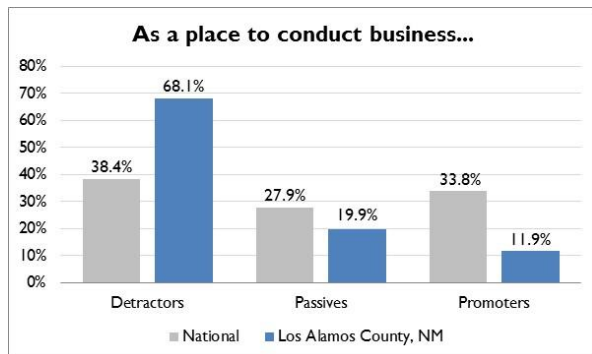


#### Observations:

- Close to half of Los Alamos County residents are Promoters of their community as a place to visit. This number shows an awareness among residents of what Los Alamos County has to offer to visitors, such as outdoor recreation.
- The Community Survey showed overwhelming support and interest for outdoor recreation opportunities. This is a primary visitor asset and likely explains the high percentage of Promoters in this category.

## Conducting Business

Conducting Business in Los Alamos County, NM		
1	9.96%	Detractors  <b>68.14%</b>
2	9.53%	
3	9.96%	
4	8.11%	
5	20.20%	
6	10.38%	Passives <b>19.91%</b>
7	9.67%	
8	10.24%	Promoters <b>11.95%</b>
9	4.41%	
10	7.54%	



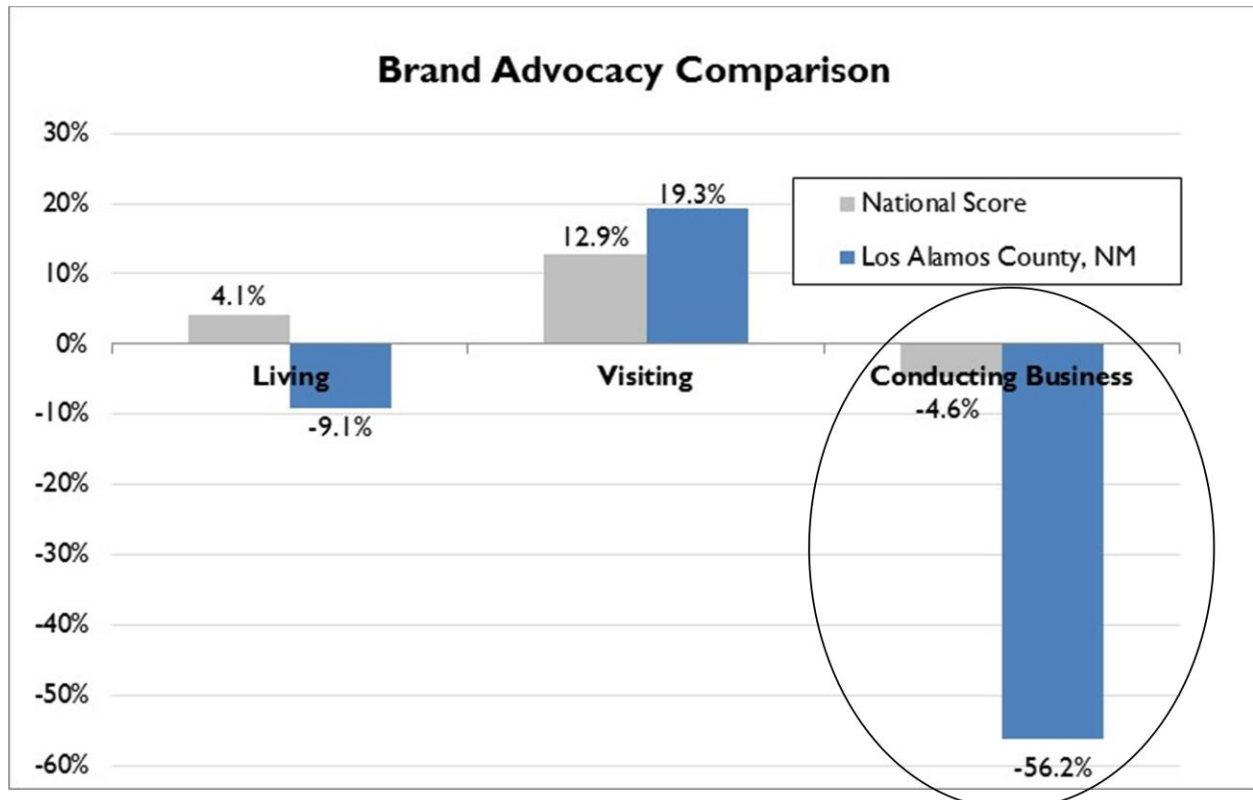
### Observations:

- Economic development and conducting business represent the greatest opportunity for brand satisfaction in Los Alamos County.
- In-Market conversations and the community survey showed there exists a great deal of concern about the County's dependence on the National Lab. Also, finding ways to address the rising cost of rent and business expenses will go a long way in converting these Detractors into Promoters.

## COMPARISON RESULTS | BRAND ADVOCACY SCORES

The chart below illustrates Brand Advocacy scores for Los Alamos County and at the national level in the categories tested – living, visiting and conducting business.

$$\text{Brand Advocacy Score} = \% \text{ Promoters} - \% \text{ Detractors}$$



NOTE: Often the Brand Advocacy Score represents the greatest opportunity for reputation improvement. However, the Conducting Business category results are often negatively influenced by pessimism toward the national economy.

## COMMUNITY TAPESTRY STUDY

### *An Introduction to Community Tapestry™*

For the past 30 years, companies, agencies and organizations have used segmentation to divide and group their markets to more precisely target their best customers and prospects. This targeting method is superior to using “scattershot” methods that might attract these preferred groups. Segmentation explains customer diversity, simplifies marketing campaigns, describes lifestyle and lifestage of the residents and consumers and incorporates a wide range of public and private data.

Segmentation systems operate on the theory that people with similar tastes, lifestyles and behaviors seek others with those same tastes (hence the phrase “like seeks like”). These behaviors can be measured, predicted and targeted. The Community Tapestry™ segmentation system combines the *who* of lifestyle demography with the *where* of local neighborhood geography to create a model of various lifestyle classifications or segments of actual neighborhoods, identifying distinct behavioral market segments.

Based on the foundation of proven segmentation methodology introduced more than 30 years ago, the Tapestry system classifies U.S. neighborhoods into 12 larger LifeMode groups and within those 12 larger groups, 65 more distinct market segments. Neighborhoods with the most similar characteristics are grouped together while neighborhoods showing divergent characteristics are separated.

Understanding your customers (residents and visitors), knowing customers’ shopping patterns, assessing the media preferences of customers, cross-selling to customers, and successfully retaining existing customers for a lifetime are just some activities that are supported by mining customer files. Some of these marketing activities include:

- Customer profiling
- Media targeting
- Direct mail
- Site analysis

The customer profiles reveal the demographics, lifestyles and product preferences of a community’s consumers. Consumers can be visitors, residents or businesses, anyone who actively buys or sells goods in the County. By understanding who its customers are, more appropriate responses can be formed to address their needs with better messaging, products and services.

Said simply, the more you can learn about your customers (in this case your residents and visitors), the better you can serve them, keep them and find more like them.

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## **Purpose**

A Community Tapestry Study was conducted to understand the target audience's lifestyle in detail. This included complete profiling reports for Los Alamos County residents and a Regional Profile, which consisted of a five county region, including Santa Fe, Rio Arriba, Taos, Sandoval, and Bernalillo Counties.

## **Methodology & Results**

Tapestry represents the fourth generation of market segmentation systems that began 30 years ago. This powerful tool classifies U.S. neighborhoods in several ways, including:

- LifeMode Groups:
  - 12 summary groups based on lifestyle and lifestage
  - Members share an experience (being born in the same time period, facing the same lifestage, having a certain level of affluence, etc.)
- Community Tapestry Segments:
  - 65 groups based on sociographic and demographic composition
  - Considers income, occupation, educational attainment, ethnic origin, household composition, marital/living arrangements, patterns of migration, mobility and communication, lifestyle and media patterns
  - Most distinct level of segmentation

The results from the Tapestry studies can be classified into two main reports:

- Who Report:
  - Profiles the demographic and lifestyle segmentation of the population
  - Classifies the population in each of the ways outlined above and indexes the population under study against national averages
- What Report:
  - Provides a detailed profile of the core population for 37 separate lifestyle and media groups in over 2,200 sub-categories
  - Each category is indexed against the average U.S. resident to determine whether a member of the population under study is more or less likely to exhibit the specific behavior

Key findings from the Community Tapestry reports are shown on the following pages.

For the comprehensive Tapestry Who and What reports, please refer to the Final Research Report CD. For further explanation of any data or methodologies used to analyze the Tapestry reports, please refer to an electronic copy of the Tapestry Handbook by following this link: <http://www.esri.com/library/brochures/pdfs/tapestry-segmentation.pdf>.

## COMMUNITY TAPESTRY SEGMENT BREAKDOWN BY LIFEMODE GROUP

The following chart lists all 65 Tapestry Segments under their respective LifeMode Group. The percentages listed are representative of the entire United States and not your community. As you read about Los Alamos County's Segments in the following pages, use the table below as a guide when matching those Segments with their corresponding LifeMode Groups.

For a detailed description of LifeMode groups as well as Tapestry Segments, see the handbook available at <http://www.esri.com/library/brochures/pdfs/tapestry-segmentation.pdf>

SEGMENT BREAKDOWN BY LIFEMODE GROUP	% of U.S. Pop.
<b>L1. High Society</b>	<b>12.7%</b>
01 Top Rung	0.7%
02 Suburban Splendor	1.7%
03 Connoisseurs	1.4%
04 Boomburbs	2.2%
05 Wealthy Seaboard Suburbs	1.4%
06 Sophisticated Squires	2.7%
07 Exurbanites	2.5%
<b>L2. Upscale Avenues</b>	<b>13.8%</b>
09 Urban Chic	1.3%
10 Pleasant-Ville	1.7%
11 Pacific Heights	0.6%
13 In Style	2.5%
16 Enterprising Professionals	1.7%
17 Green Acres	3.2%
18 Cozy and Comfortable	2.8%
<b>L3. Metropolis</b>	<b>5.3%</b>
20 City Lights	1.0%
22 Metropolitans	1.2%
45 City Strivers	0.7%
51 Metro City Edge	0.9%
54 Urban Rows	0.3%
62 Modest Income Homes	1.0%
<b>L4. Solo Acts</b>	<b>6.8%</b>
08 Laptops and Lattes	1.0%
23 Trendsetters	1.1%
27 Metro Renters	1.3%
36 Old and Newcomers	2.0%
39 Young and Restless	1.4%
<b>L5. Senior Styles</b>	<b>12.4%</b>
14 Prosperous Empty Nesters	1.8%
15 Silver and Gold	1.0%
29 Rustbelt Retirees	2.1%
30 Retirement Communities	1.5%
43 The Elders	0.6%
49 Senior Sun Seekers	1.2%
50 Heardand Communities	2.2%
57 Simple Living	1.4%
65 Social Security Set	0.6%
<b>L6. Scholars &amp; Patriots</b>	<b>1.4%</b>
40 Military Proximity	0.2%
55 College Towns	0.8%
63 Dorms to Diplomas	0.4%
<b>L7. High Hopes</b>	<b>4.1%</b>
28 Aspiring Young Families	2.4%
48 Great Expectations	1.7%

SEGMENT BREAKDOWN BY LIFEMODE GROUP	% of U.S. Pop.
<b>L8. Global Roots</b>	<b>8.2%</b>
35 International Marketplace	1.3%
38 Industrious Urban Fringe	1.5%
44 Urban Melting Pot	0.7%
47 Las Casas	0.8%
52 Inner City Tenants	1.5%
58 NeWest Residents	0.9%
60 City Dimensions	0.9%
61 High Rise Renters	0.7%
<b>L9. Family Portrait</b>	<b>7.8%</b>
12 Up and Coming Families	3.4%
19 Milk and Cookies	2.0%
21 Urban Villages	0.8%
59 Southwestern Families	1.0%
64 City Commons	0.7%
<b>L10. Traditional Living</b>	<b>8.8%</b>
24 Main Street, USA	2.6%
32 Rustbelt Traditions	2.8%
33 Midlife Junction	2.5%
34 Family Foundations	0.9%
<b>L11. Factories &amp; Farms</b>	<b>9.5%</b>
25 Salt of the Earth	2.8%
37 Prairie Living	1.0%
42 Southern Satellites	2.7%
53 Home Town	1.5%
56 Rural Bypasses	1.5%
<b>L12. American Quilt</b>	<b>9.3%</b>
26 Midland Crowd	3.7%
31 Rural Resort Dwellers	1.6%
41 Crossroads	1.5%
46 Rooted Rural	2.4%



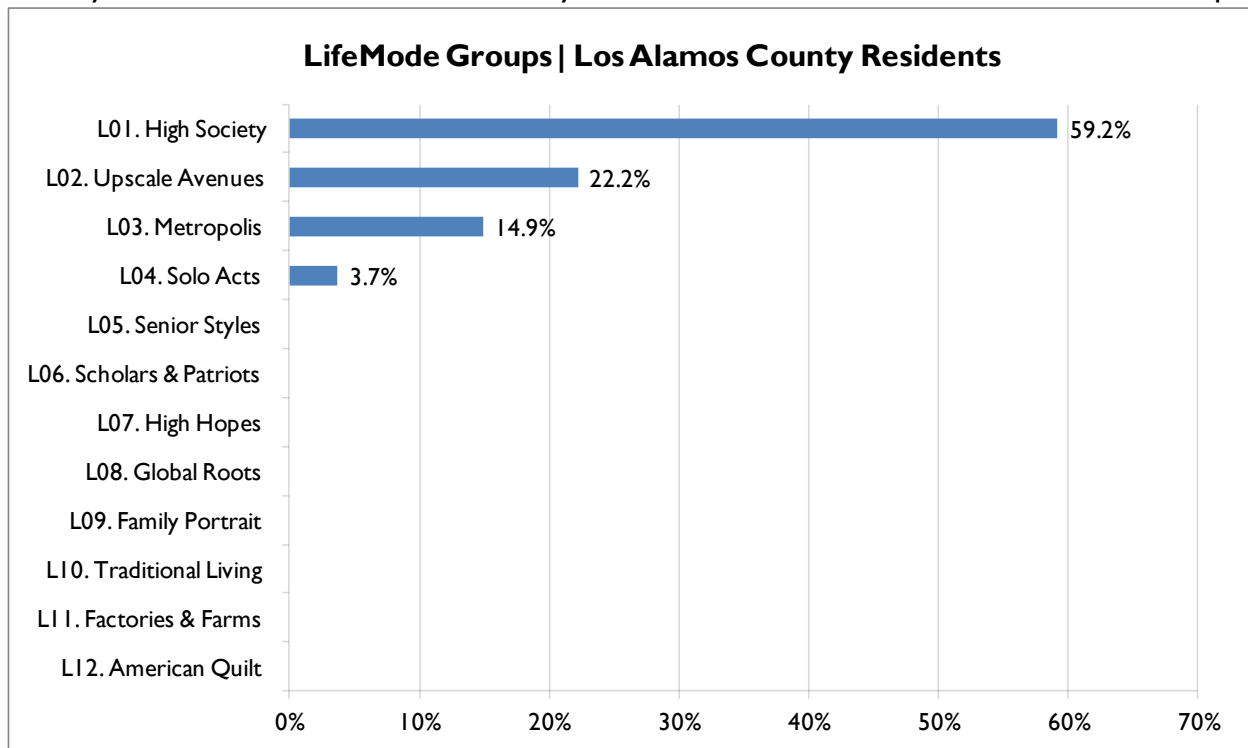


## COMMUNITY TAPESTRY WHO REPORT | LIFEMODE GROUPS

The charts below highlight some of the key findings about the Los Alamos County Resident Profile and the Regional Profile as they relate to LifeMode Groups. Remember, members in a LifeMode Group share an experience such as being born in the same time period, facing the same lifestage, having a certain level of affluence, etc.

The number in front of each LifeMode corresponds with the LifeMode Group designation outlined on the community Tapestry Poster. Please refer to the previously mentioned link for more in-depth information on each LifeMode Group. The indexing system you will see referenced below has the U.S. average sitting at 100. Therefore, any index above 100 indicates that Los Alamos County is delivering above the U.S. average in that LifeMode or Tapestry Segment.

Below you can see how Los Alamos County residents are divided into the 12 LifeMode Groups.



**Observations:** Los Alamos County residents represent four of the twelve LifeMode groups, suggesting a less diverse population. More than half of Los Alamos County residents fall into the *High Society* group.

Top Resident LifeMode Groups: The U.S. average sits at 100.

**High Society (59.2%) – Indexed 434 against the U.S. average**

- The markets in High Society are affluent and well educated.
- The median household income for this group, \$94,000, is almost twice that of the national median.

- Most households are married-couple families residing in affluent neighborhoods where the median home value approaches \$290,000.
- Residents of High Society are affluent and active—financially, civically, and physically. They participate in a wide variety of public activities and sports and travel extensively.
- Try the Internet or radio instead of television to reach these markets.

#### **Metropolis (22.2%) – Indexed 169 against the U.S. average**

- Many are well educated with above average earnings and are successful from years of hard work.
- Median household income is \$65,000+ and median net worth is \$153,000+.
- Prosperous domesticity also characterizes the lifestyle in Upscale Avenues.
- They invest in their homes; the owners work on landscaping and home remodeling projects, and the renters buy new furnishings and appliances.
- They play golf, lift weights, go bicycling, and take domestic vacations. Although they are partial to new cars, they also save and invest their earnings.

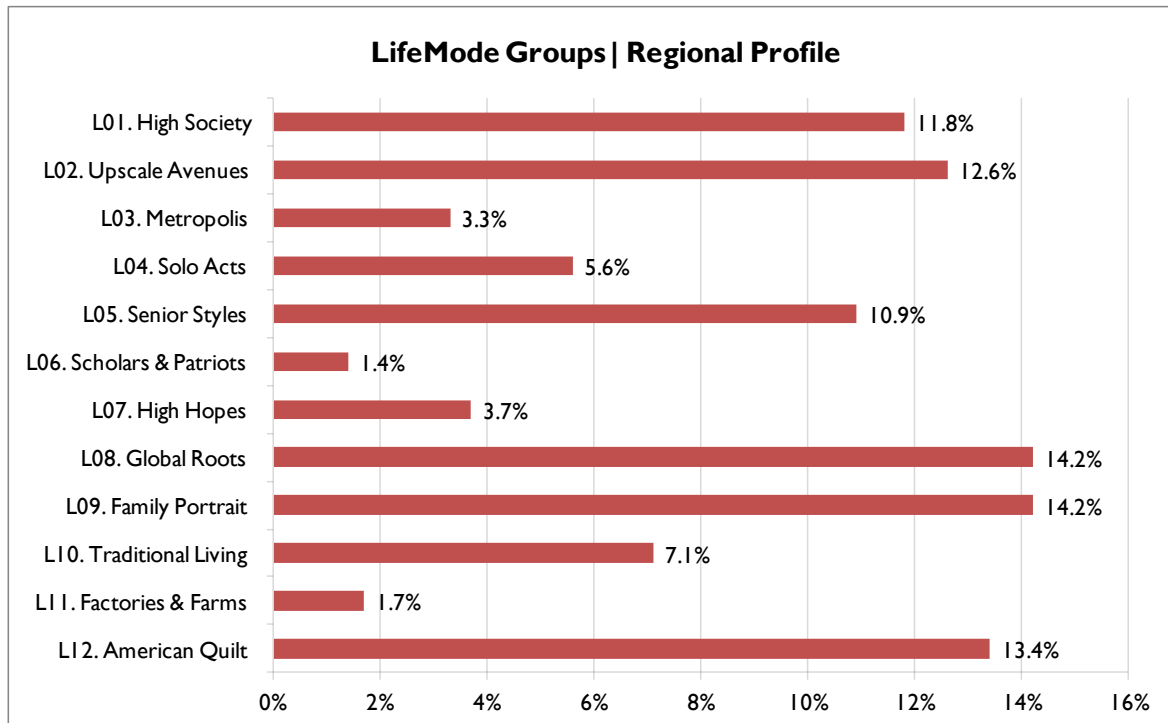
#### **Upscale Avenues (14.9%) – Indexed 284 against the U.S. average**

- Those living in larger cities tend to own fewer vehicles and rely more on public transportation; however, workers in most of the *Metropolis* Segments commute to service-related jobs.
- The median household income of the group is \$37,000.
- Their lifestyle is also uniquely urban and media oriented.
- They like music, especially urban and contemporary formats, which they listen to during their commutes. They watch a variety of TV programs, from news to syndicated sitcoms, and would rather see movies than read books.
- The *Metropolis* group reflects the segments' diversity in housing, age, and income. For example, ages among the segments range from Generation Xers to retirees; households include married couples with children and single parents with children.
- Employment status also varies from well-educated professionals to unemployed.

#### **Solo Acts (3.7%) – Indexed 66 against the U.S. average**

- Their incomes reflect their employment experience, ranging from a low median of \$39,800 among the newest households to approximately \$87,000 among established singles.
- Residents of the Solo Acts summary group segments are singles who prefer city life.
- Residents of this group tend to be well-educated, working professionals who are either attending college or already hold a degree.
- Solo Acts' residents are moving into major cities such as New York City; Chicago; Washington, D.C.; Boston; Los Angeles; and San Francisco.
- With considerable discretionary income and few commitments, their lifestyle is urban, including the best of city life—dining out, attending plays and concerts, and visiting museums—and, for a break from constant connectivity, extensive travel domestically and abroad.

The following chart examines the LifeMode breakout of your Regional Profile – a five county region, including Santa Fe, Rio Arriba, Taos, Sandoval, and Bernalillo Counties.



**Observations:** The Regional Profile represents every LifeMode group. This is typical because of the larger population sample. The two highest concentrations are in the *Global Roots* and *Family Portrait* groups.

Top Regional LifeMode Groups: The U.S. average sits at 100.

**Global Roots (14.2%) – Indexed 144 against the U.S. average**

- Ethnic diversity is the common thread among the eight segments in *Global Roots*.
- *Las Casas* and *NeWest Residents* represent a strong Hispanic influence in addition to a broad mix of cultural and racial diversity found in *Urban Melting Pot* and *International Marketplace*.
- Residents are young, earn modest incomes, and tend to rent in multiunit buildings.
- Their youth reflects recent immigration trends; half of all households have immigrated to the United States within the past ten years.
- Married couples, usually with children; single parents; and people who live alone are typical.
- Spending is high for baby products, children's clothing and toys.
- Residents are less likely than other groups to have home PCs but just as likely to use cell phones.

**Family Portrait (14.2%) – Indexed 136 against the U.S. average**

- Defined by youth, family and the presence of children
- The median age is less than 33 and median HHI is \$58,000+.
- The group is also ethnically diverse: more than 30 percent of the residents are of Hispanic descent.
- The neighborhoods are predominantly composed of homeowners who live in single-family homes.
- Most households include married couples with children who contribute to the group's large household size, averaging more than 3.1 persons per household.
- Their lifestyle reflects their youth and family orientation—buying infant and children's clothing and toys and visiting theme parks and zoos.

**American Quilt (13.4%) – Indexed 157 against the U.S. average**

- Live in small towns and rural areas and own modest houses.
- Work as skilled laborers in Manufacturing, agriculture, local government, service, construction, and farming industries.
- American Quilt includes the Rural Resort Dwellers segment, an older population that is retiring to seasonal vacation spots, and the Crossroads segment, a younger, family population that favors mobile homes.
- Households in American Quilt are also more affluent, with a median income of \$44,478, and more are homeowners.
- However, the rural lifestyle is also evident, with fishing and hunting (and power boats) and a preference for pickups and country music.

**Upscale Avenues (12.6%) – Indexed 96 against the U.S. average**

- See page 28 for full description.

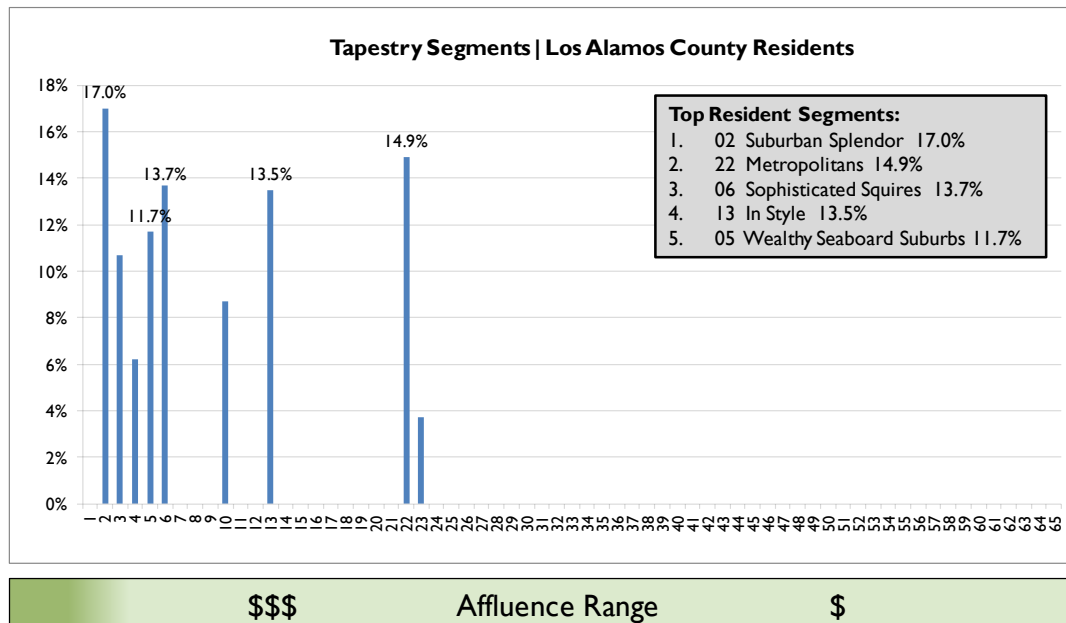
**High Society (11.8%) – Indexed 87 against the U.S. average**

- See page 27 for full description.

## COMMUNITY TAPESTRY WHO REPORT | COMMUNITY TAPESTRY SEGMENTS

Community Tapestry Segments are the most distinct level of segmentation within the Tapestry System, dividing members of a population into 65 groups based on sociographic and demographic composition. Tapestry Segments take into consideration things like income, occupation, educational attainment, ethnic origin, household composition, marital / living arrangements, patterns of migration, mobility, communication and lifestyle and media patterns.

The chart below illustrates delivery within all the Segments for Los Alamos County residents. The Segments are organized by level of affluence – Segment One is the most affluent and Segment 65 is the least affluent Segment.



**Observations:** Los Alamos County residents display a fairly homogenous group of Segments, all to the left of the chart in the more affluent categories.

Top Resident Segment Descriptions: The U.S. average sits at 100.

### **02 Suburban Splendor (17.0%) – Indexed 908 against the U.S. average**

- Maturing families, married with adolescent children and living in growing neighborhoods.
- Median age is 40 and median HHI is \$114,000.
- Homes feature the latest amenities and home design elements such as spas and hardwood flooring.
- Free time is devoted to family, travel and self-improvement pursuits such as physical fitness, reading, and visits to museums.
- Travel extensively domestically and internationally.
- Shop at high-end retailers such as Nordstrom, Lord & Taylor, etc.
- Technologically savvy and use the internet to check stocks and make purchases.

## **22 Metropolitans (14.9%) – Indexed 1,259 against the U.S. average**

- Favor city living in older neighborhoods populated by singles or childless couples.
- Median age is 37 and median HHI is \$53,486.
- As owners of older houses, they have house maintenance and remodeling which they prefer to contract out. Same holds true with their lawn maintenance.
- Active, urban lifestyles; travel frequently; participate in yoga, backpacking and snorkeling; go to museums, zoos and rock concerts; rent foreign DVDs.
- Very civically active through participation in environmental causes and working for political parties.
- Own and use a laptop computer, preferably Apple, and go online daily to download music and buy books, etc.

## **06 Sophisticated Squires (13.7%) – Indexed 501 against the U.S. average**

- Enjoy cultured country living in newer home developments on the fringe of urbanized areas.
- Mostly married-couple families; approximately 40% have children varying in age from toddler to over 18 years.
- Median age is 37 and median HHI is \$79,000.
- Sophisticated Squires drive SUV's and Minivan's. Cargo space is essential for the avid golfers and for DIY projects.
- Very health conscious; many own treadmills, join Weight Watchers, or take dietary supplements.
- They own all their own tools and supplies to complete lawn and household projects.
- Sophisticated Squires shop at suburban classics such as L.L. Bean, Lands' End and Eddie Bauer.

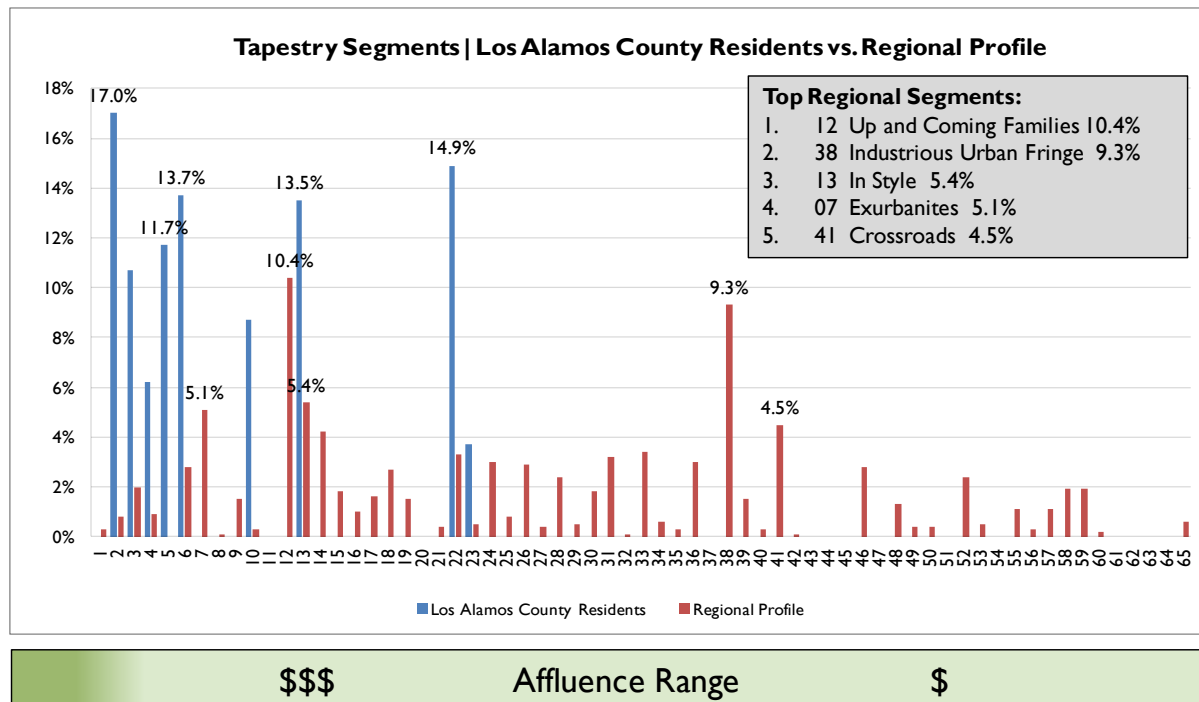
## **13 In Style (13.5%) – Indexed 633 against the U.S. average**

- Professional couples who live in the suburbs but favor the lifestyle of city dwellers.
- Median age is 37.8 and median HHI is \$65,000+.
- Physical fitness is an integral part of their lifestyle with many participating in Weight Watchers and exercise programs.
- They enjoy dining out at The Cheesecake Factory and Chili's Grill and Bar, watching E! and the Golf Channel, traveling domestically, and going to rock concerts and live theater shows.

## **05 Wealthy Seaboard Suburbs (11.7%) – Indexed 759 against the U.S. average**

- Primarily living along the California and New England Coasts, these residents are married with no children.
- Median HHI is \$90,000+ and the typical resident is in their 40s.
- Diet more than exercise, but do enjoy going to the beach, sailing, and skiing.
- Travel frequently and shop at upscale retailers and use the Internet for convenience over entertainment.
- Television viewing is more limited, but favorite networks include A&E and Bravo along with movie and sports channels.
- Donate to charities and write to representatives, but are not activists.

The following chart examines the Segment breakout of your Regional Profile compared to residents.



**Observations:** The Regional Profile represents a wider range of Segments than the Los Alamos County Profile. This is typical of a larger geographic area.

Top Regional Tapestry Segments: The U.S. average sits at 100.

### 12 Up and Coming Families (10.4%) – Indexed 222 against the U.S. average

- Young, affluent families with small children; own new single-family homes.
- 65% have attended college.
- Median age is < 32 and median HHI \$67,000.
- Fast food is a staple in the family diet. Leisure includes attending ball games, going to the zoo, etc.
- If these families travel, they only do so domestically.
- Since many are first time homeowners, they still purchase household basics.
- Up and Coming Families are starting or expanding their families so they purchase baby equipment, toys, etc.

### 38 Industrious Urban Fringe (9.3%) – Indexed 405 against the U.S. average

- Family is central; more than half of the households have children.
- Multigenerational households are relatively popular.
- Hispanics make up 57% of the residents. The median age, 29 years, is low because of the high number of children. The median HHI is \$39,000.
- They balance their budgets carefully. They shop at discount stores like Walmart, Kmart, and Target.



- Keeping in touch is a high priority, so they often have a second phone line and various phone services.
- They enjoy watching movies at home and at the theatre.

### **13 In Style (5.4%) – Indexed 256 against the U.S. average**

- See page 32 for full description.

### **07 Exurbanites (5.1%) – Indexed 208 against the U.S. average**

- Living beyond the urban fringe, Exurbanites prefer open space with affluence.
- Majority of residents are empty nesters, but the median age is 43. Median HHI is \$80,000+.
- Consult with financial planners and track investments on the Internet.
- Listen to public radio, donate to PBS, and remain active in their communities.
- Enjoy golf, boating, hiking, kayaking, vacations, and working on their homes and gardens.
- Practical shoppers favoring Old Navy, Target, and L.L. Bean.

### **41 Crossroads (4.5%) – Indexed 295 against the U.S. average**

- Neighborhoods are growing communities in small towns in the South, Midwest, and West.
- Married couples with and without children and single parents are the primary household types.
- Median age is 33.6 and median HHI is \$37,185.
- Their priorities are their families and their cars – they undertake maintenance themselves.
- Enjoy watching TV, especially cartoon channels for the kids and fishing or NASCAR racing for the adults.
- Read automotive, boating, and motorcycle magazines more frequently than the newspaper. They like to fish and go to the movies. Shop at discount stores like Wal-Mart and Kmart.
- Have pets such as cats, dogs, and birds.

## COMMUNITY TAPESTRY WHO REPORT | TOP TAPESTRY SEGMENTS

The charts below highlight the top Tapestry Segments for the Los Alamos County Resident Profile and for the Regional Profile. While the Regional Profile is represented in more segments, the two profiles only share two segments in common.

	<b>Los Alamos County Residents</b>		<b>Regional Profile</b>	
<b>1</b>	02 Suburban Splendor	17.0%	12 Up and Coming Families	10.4%
<b>2</b>	22 Metropolitans	14.9%	38 Industrious Urban Fringe	9.3%
<b>3</b>	06 Sophisticated Squires	13.7%	13 In Style	5.4%
<b>4</b>	13 In Style	13.5%	07 Exurbanites	5.1%
<b>5</b>	05 Wealthy Seaboard Suburbs	11.7%	41 Crossroads	4.5%
<b>6</b>	03 Connoisseurs	10.7%	14 Prosperous Empty Nesters	4.2%
<b>7</b>	10 Pleasant-Ville	8.7%	33 Midlife Junction	3.4%
<b>8</b>	04 Boomburbs	6.2%	22 Metropolitans	3.3%
<b>9</b>	23 Trendsetters	3.7%	31 Rural Resort Dwellers	3.2%
<b>10</b>			36 Old and Newcomers	3.0%

### Observations:

- Los Alamos County residents and the Regional Profile only share two similar segments, indicating distinct differences in lifestyles between the two profiles. Efforts to please Los Alamos County residents may not speak to the region as a whole.
- Several affluent segments make up a significant percentage of Los Alamos County residents. The Regional Profile represents an older, less affluent population.

## COMMUNITY TAPESTRY WHAT REPORT | UNDERSTANDING THE WHAT REPORT

The Los Alamos County Resident and Regional What Reports can be found in their entirety on the Research Report CD. The information below (and on the following pages) can be used as a guide to help you more fully understand the What Reports. When used correctly, this report will help you gain a much deeper understanding of the resident and regional populations and serve as a valuable tool for economic development.

We encourage you to familiarize yourself with the What Reports and challenge economic development entities to focus recruitment efforts on businesses frequented by populations with the same demographic composition as Los Alamos County.

As explained previously, the Tapestry What Report provides a detailed analysis of the audience under study for 37 separate Lifestyle and Media groups (see list below) in over 2,200 categories. Lifestyle and media groups are very broad (“Shopping”) while sub-categories are much more specific (“shopped at The Gap in the past 3 months”).

Complete list of all Tapestry Lifestyle and Media groups:

- Apparel
- Appliances
- Attitudes
- Automobiles
- Automotive/Aftermarket
- Baby Products
- Beverage/Alcohol
- Books
- Cameras
- Civic Activities
- Convenience Stores
- Electronics
- Financials
- Furniture
- Garden Lawn
- Grocery
- Health
- Home Improvement
- Insurance
- Internet
- Leisure
- Mail/Phone/Yellow Pages
- Watch
- Read
- Listen
- Personal Care
- Pets
- Restaurant
- Shopping
- Smoking
- Sports
- Telephone
- Tools
- Toys/Games
- Travel
- Video/DVDs
- Miscellaneous

## COMMUNITY TAPESTRY WHAT REPORT | READING THE WHAT REPORT CHARTS

All categories are indexed against the national average of people who exhibit that certain lifestyle trait. An index of 100 is average, thus anything above an index of 100 is above average and anything below an index of 100 is below average. The sample below is pulled from the Los Alamos County Resident What Report and can help you understand this indexing system.

As an example, your residents index 510 in shopping at Stop 'N Shop within the last six months. This means your residents are 5.1 times more likely to shop at Stop 'N Shop than the U.S. average.

Economic development entities in your community can use this information as a sales tool to recruit potential businesses with cold hard numbers. Let's return to the Stop 'N Shop example: If Los Alamos County currently has a Stop 'N Shop operating within its county limits, you are satisfying your residents' desire to shop at this grocery store. However, if for some reason Los Alamos County is without a Stop 'N Shop, you can use this information to entice Stop 'N Shop to open a location within the county limits. Businesses will be more likely to partner with Los Alamos County if they are given data to support such a decision.

Grocery	Index
Shopped at grocery store/6 mo: Stop 'N Shop	510
Shopped at grocery store/6 mo: Pathmark	377
Shopped at grocery store/6 mo: Whole Foods Market	343
Bought coffee beans/6 mo: gourmet/specialty shop	266
Used 3+ pounds whole coffee beans in last 30 days	212



**Note:** The brands mentioned in the What Reports that follow may not be present in the Los Alamos County area. Although these national brands may not be present in the area, seeking similar brands will be beneficial.

## COMMUNITY TAPESTRY WHAT REPORT | RESIDENT WHAT REPORT

Below you will find a summary of the What Report for Los Alamos County residents. The following pages contain selected charts that highlight some of your residents' key preferences. For all of the results from the Tapestry What Reports, refer to the Research Report CD.

### Summary of Resident What Report

#### ***Higher income levels and interest in culture and travel influence preferences:***

- **Grocery:** Residents are likely to shop at Stop 'N Shop, Pathmark, and Whole Foods Market.
- **Internet:** Residents are likely to use the Internet to trade/track investments, buy airline tickets, make travel plans, and order flowers.
- **Leisure:** Residents are likely to have gambled in Atlantic City, attended a classical music/opera performance, gone to a museum, or gone to a live theater in the last 12 months. They are also likely to be a member of a charitable organization.
- **Listen:** Residents are likely to listen to all news, public, classical, sports, and news/talk radio stations.
- **Read:** Residents are likely to read airline, travel, business/finance, and computer magazines. They are also likely to read the business/finance section of the newspaper.
- **Watch:** Residents are likely to watch The Office, Golf Channel, and CNBC.

### Example charts from the Resident What Report

Grocery	Index
Shopped at grocery store/6 mo: Stop 'N Shop	510
Shopped at grocery store/6 mo: Pathmark	377
Shopped at grocery store/6 mo: Whole Foods Market	343
Bought coffee beans/6 mo: gourmet/specialty shop	266
Used 3+ pounds whole coffee beans in last 30 days	212



Internet	Index
Internet last 30 days: traded/tracked investments	307
Ordered on Internet/12 mo: airline ticket	306
Ordered on Internet/12 mo: flowers	297
Spent on Internet orders last 12 months: \$500+	287
Internet last 30 days: made travel plans	283



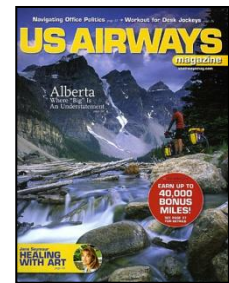
Leisure	Index
Gambled in Atlantic City in last 12 months	293
Attended classical music/opera performance/12 mo	273
Member of charitable organization	264
Went to museum in last 12 months	261
Went to live theater in last 12 months	247



Listen	Index
Radio format listen to: all news	501
Radio format listen to: public	344
Radio format listen to: classical	319
Radio format listen to: sports	296
Radio format listen to: news/talk	262



Read	Index
Read airline magazines	301
Read travel magazines	259
Read business/finance magazines	216
Read computer magazines	205
Read newspaper: business/finance section	201



Watch	Index
Watch TV aired once/wk: The Office	232
HH's cable/fiber optic co. offers Video on Demand	222
Watched last week: Golf Channel	221
HH has digital video recorder (DVR)	204
Watched last week: CNBC	184



## COMMUNITY TAPESTRY WHAT REPORT | REGIONAL PROFILE WHAT REPORT

Below you will find a summary of the What Report for the Regional Profile. The following page contains selected charts that highlight some of the regional residents' key preferences. For all of the results from the Tapestry What Reports, refer to the Research Report CD.

### Summary of Regional What Report

#### ***Higher income levels and cultural interests influence preferences:***

- **Grocery:** The regional profile is likely to shop at Safeway, Publix, Albertson's, and Whole Foods Market.
- **Internet:** The regional profile is likely to use the Internet to order airline tickets, trade/track investments, make travel plans, and order flowers.
- **Leisure:** The regional profile is likely to have gambled at a casino six or more times, attended a classical music/opera performance, and attended horse races in the last 12 months. They are also likely to be members of charitable organization and veterans club.
- **Listen:** The regional profile is extremely likely to listen to Hispanic radio stations. They are also likely to listen to classical, golf, public, and news/talk radio.
- **Read:** The regional profile is likely to read airline, boating, and travel magazines. They are also likely to read the editorial and travel section of the newspaper.
- **Watch:** The regional profile is likely to watch Golf Channel, The Simpsons, NBC Meet the Press, Medium, and golf.

### Example charts from the Regional What Report

Grocery	Index
Shopped at grocery store/6 mo: Safeway	169
Shopped at grocery store/6 mo: Publix	168
Shopped at grocery store/6 mo: Albertson's	154
Shopped at grocery store/6 mo: Whole Foods Market	133
Used 3+ pounds whole coffee beans in last 30 days	129



Internet	Index
Ordered on Internet/12 mo: airline ticket	144
Internet last 30 days: traded/tracked investments	140
Internet last 30 days: made travel plans	133
Ordered on Internet/12 mo: flowers	133
Spent on Internet orders last 12 months: \$500+	133





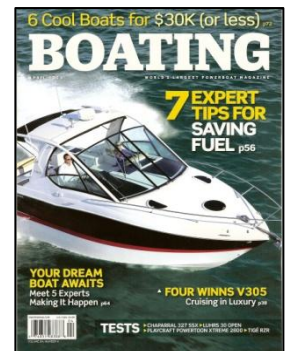
Leisure	Index
Gambled at casino 6+ times in last 12 months	151
Member of charitable organization	141
Attended classical music/opera performance/12 mo	140
Member of veterans club	140
Attended horse races in last 12 months	131



Listen	Index
Radio format listen to: Hispanic	336
Radio format listen to: classical	154
Radio listening: golf	145
Radio format listen to: public	144
Radio format listen to: news/talk	135



Read	Index
Read airline magazines	138
Read boating magazines	135
Read travel magazines	125
Read newspaper: editorial page	121
Read newspaper: travel section	121



Watch	Index
Watched last week: Golf Channel	148
Watch TV aired once/wk: The Simpsons	134
Watch TV aired once/wk: NBC Meet the Press	133
Watch TV aired once/wk: Medium	127
Watch on TV: golf	124



## **OUTSIDE PERCEPTION STUDY**

### ***Purpose***

The purpose of this study is to gain insight from individuals who live outside of Los Alamos County but commute to the area for work, or work outside of the Los Alamos County but have some familiarity with the area. Primarily the survey aims to collect the following types of information from respondents:

- Overall familiarity with the County and top-of-mind perceptions of Los Alamos County
- Outsider visitation trends (frequency and nature of visitation)
- Consumer visitation drivers (business, leisure, friends and family)
- Overall perception of the business/economic development climate in the County
- Strengths, weaknesses, and opportunities of the business sector
- Reasons for living outside of Los Alamos County and motivators for considering relocation to the County
- Reasons for not considering Los Alamos County as a place to live in the future
- Measurements of Los Alamos County's quality of life indicators

### ***Methodology & Results***

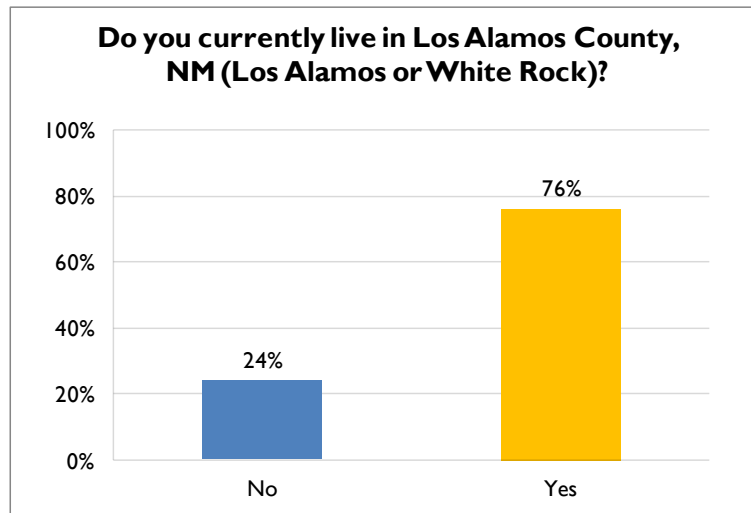
Representatives at Los Alamos County worked with local employers as well as regional and state level contacts to compile a comprehensive list of individuals to participate in the study. Local employers (including the Los Alamos National Lab) worked to provide Los Alamos County with a list of employees who live outside of the County but commute to the area for work. Regional and state level contacts were included in this list to increase the number of possible respondents. A total of 79 surveys were collected.

NOTE: The goal for this study was to collect 300 responses. Accessing employer databases and regional and state level contacts proved to be difficult for County representatives, thus the reason for the lower survey count. The majority of respondents to this survey were employees of the National Lab in the County, thus the results reflect these interests and perspectives.

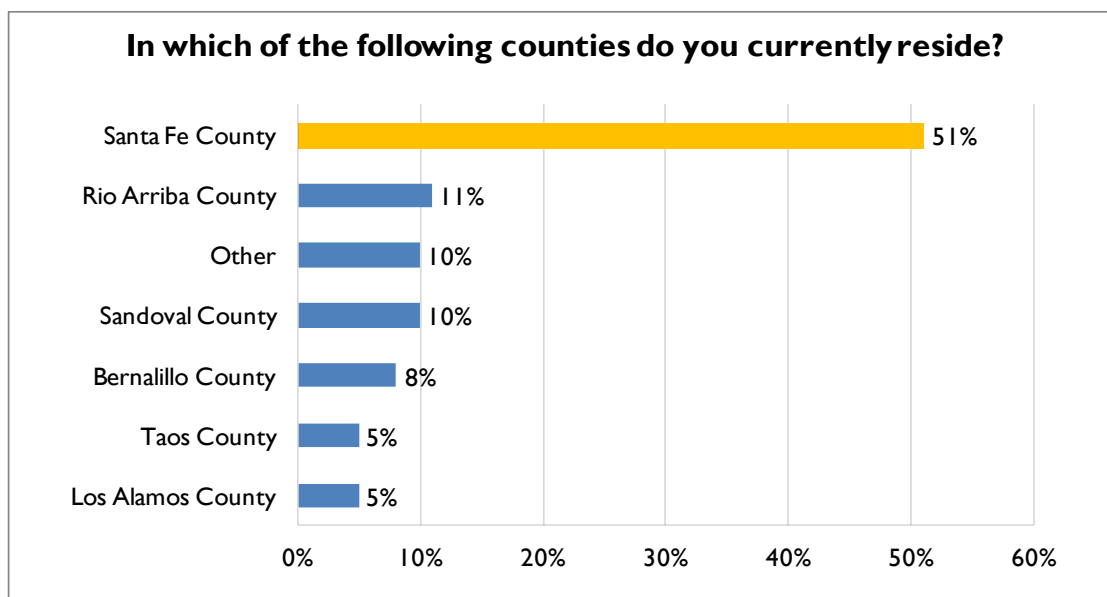
See **Appendix C** for unabridged Outside Perception Study results.

## RESPONDENT DESCRIPTOR

- Living in Los Alamos County was the terminating factor for the survey.
- 249 respondents said they lived in Los Alamos County, and therefore were terminated from the survey.
- 79 responses were collected.

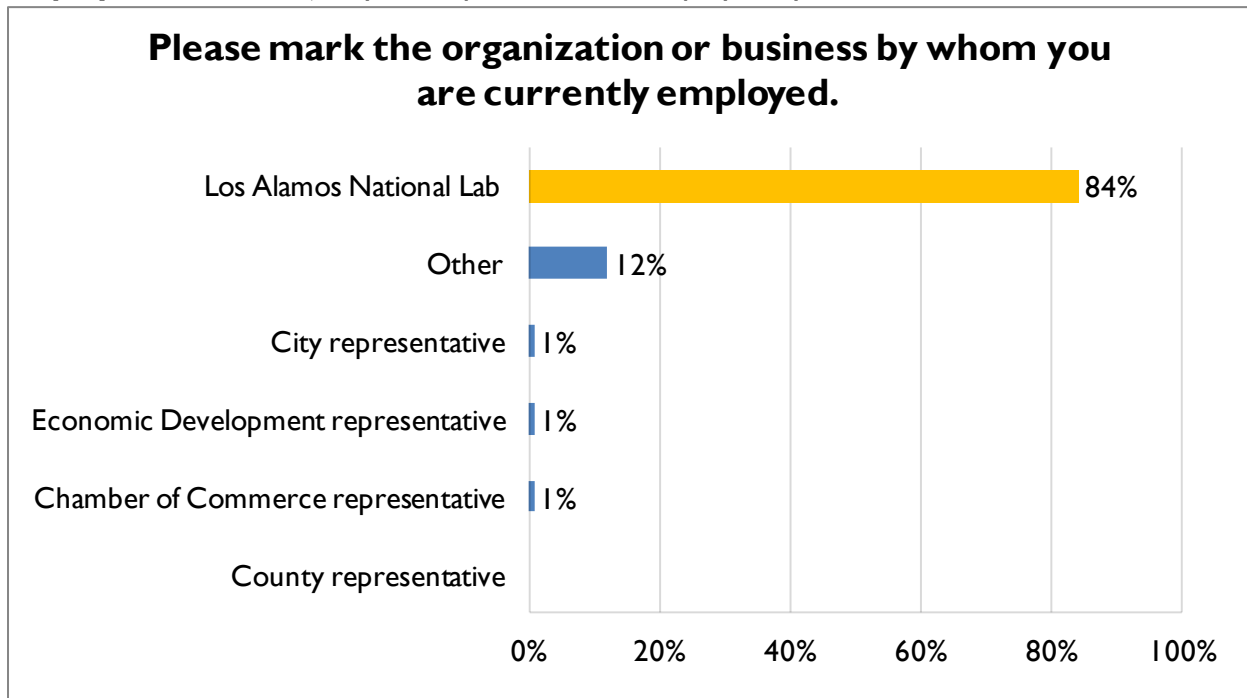


*Note: If a respondent lives in Los Alamos County, they were terminated from the survey, leaving only outside perspectives.*



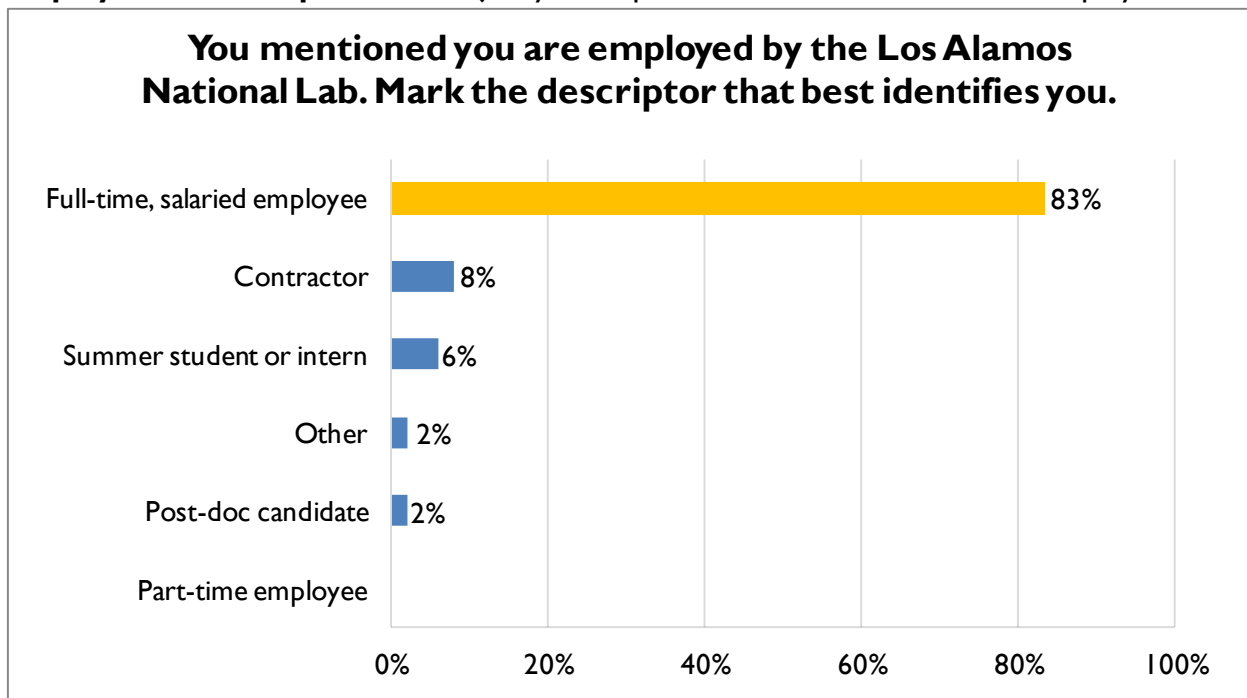
Other: Richland County, Jefferson County

**Employment:** The majority of respondents are employed by Los Alamos National Lab.



Other: Compa Industries, Inc., NSA, subcontractor, consultant

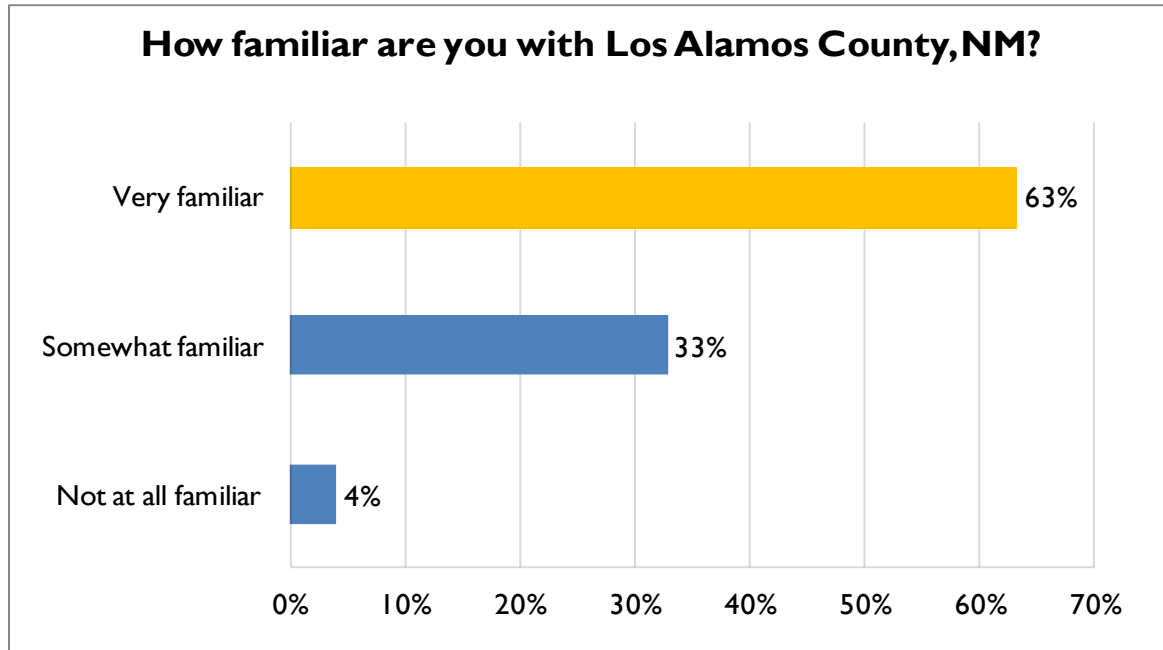
**Employment Descriptor:** The majority of respondents are full-time, salaried employees.



Other: Full time student

## RESPONDENT FAMILIARITY

If a respondent was not at all familiar with Los Alamos County, they were terminated from the survey.

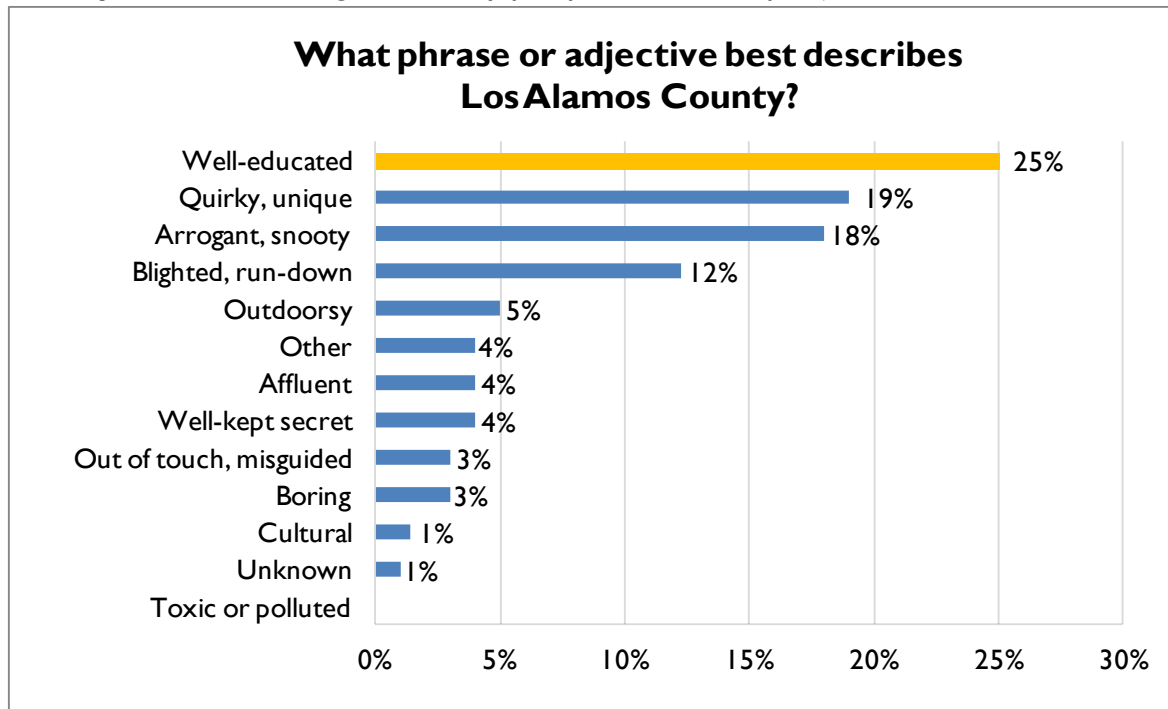


## TOP OF MIND PERCEPTION

**When you first think of Los Alamos County, NM, what comes to mind?**

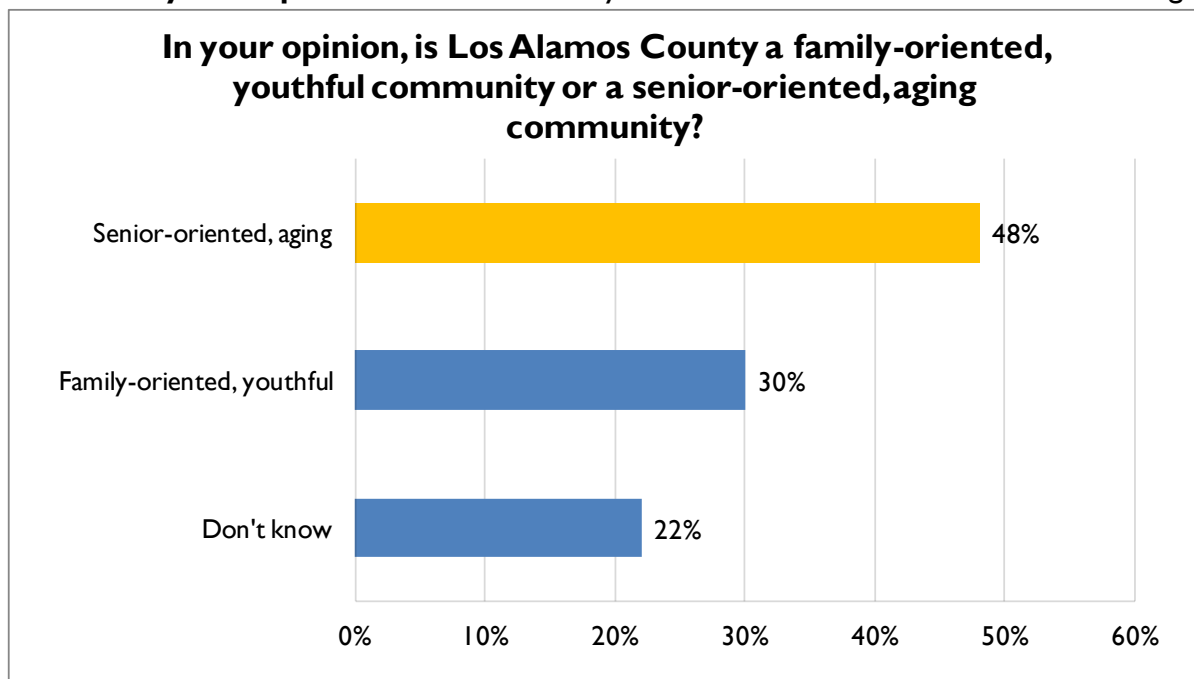
- Los Alamos National Laboratory
- Outdoor recreation

**Descriptions:** Reiterating community perspectives, the top adjectives are educated and quirky.



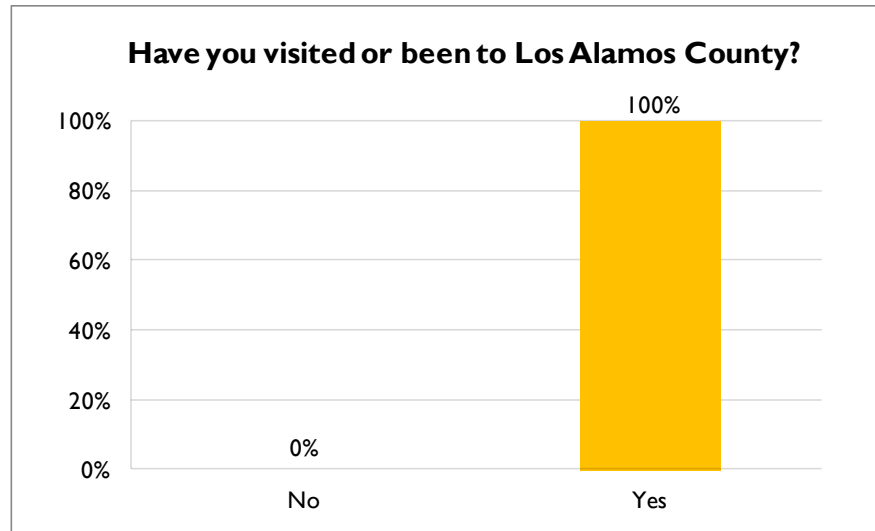
Other: Small town, family community, isolated

**Community descriptor:** Los Alamos County is best described as senior-oriented and aging.



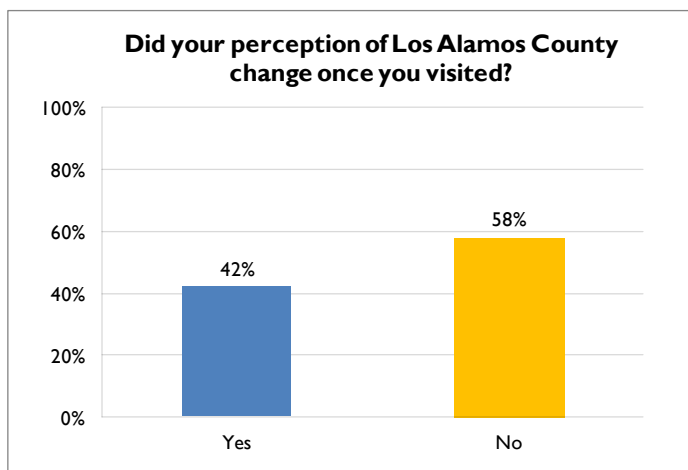
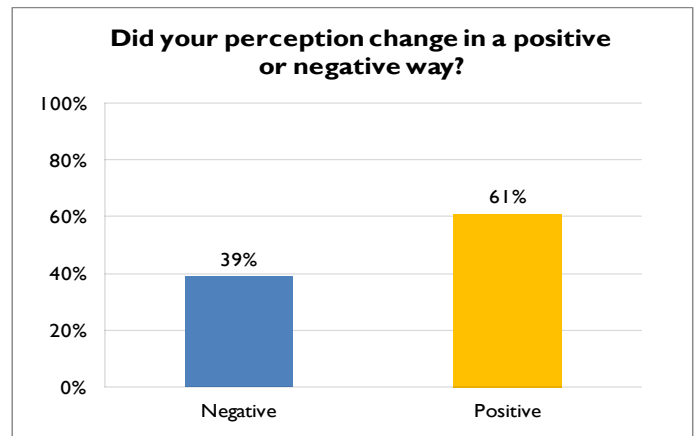
## VISITATION

If a respondent said they had visited the County, they were asked a series of visitation questions. Because the majority of respondents of this survey work at the Lab, a 100% visitation rate was given, meaning most everyone travels to Los Alamos County for work.



### What was your perception of Los Alamos County before you visited?

- *“My only thoughts of Los Alamos were tied to the Lab and radiation.”*
- *“Unique, beautiful outdoor scenery where exciting scientific discoveries are made.”*



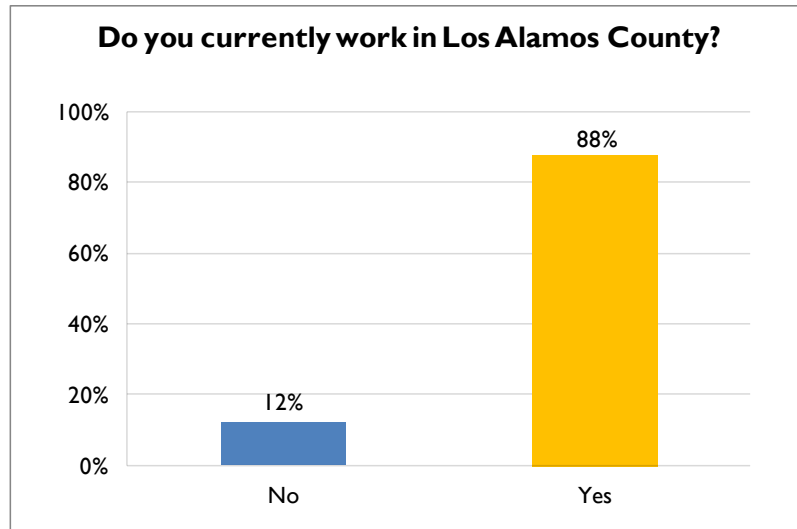
### What changed your perception?

- *“I was surprised to find the town was so close to the mountains and national forest; very easy to drive a short distance to the mountains.”*
- *“Diversity and tolerance are great human qualities where fostered and Los Alamos County is rich in both.”*
- *“There’s a surprising lack of commerce in the County.”*



## EMPLOYMENT

If a respondent said they currently work in the County, they were asked a series of business-related questions.



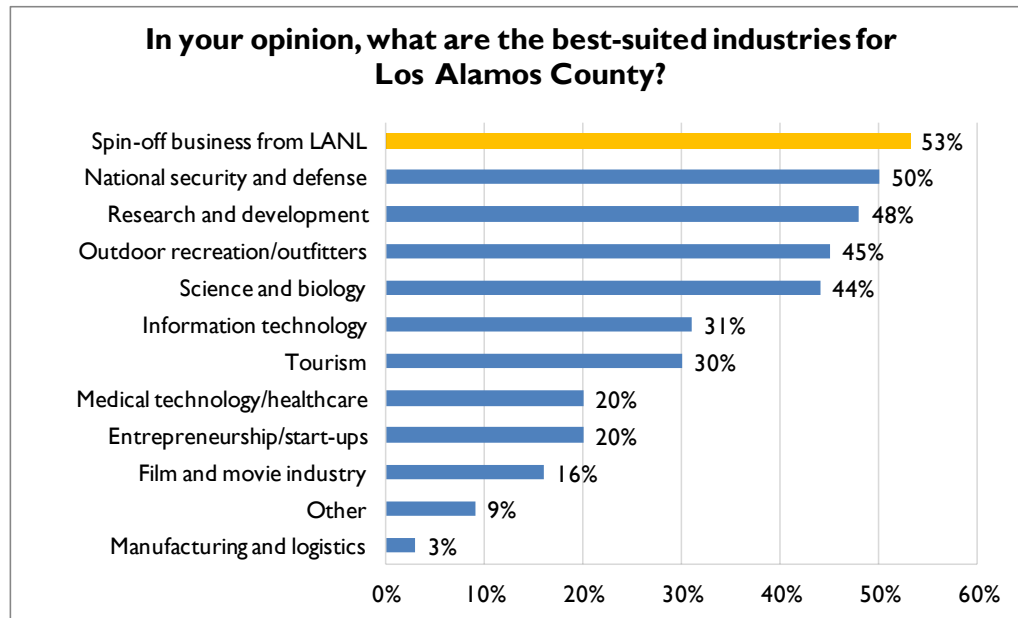
### Why do you prefer to live outside of Los Alamos County and commute to the County for work?

- It's expensive
  - *"Los Alamos is expensive to live in and I have to leave in order to buy anything."*
- Lack of entertainment amenities
  - *"I prefer to have a more city environment to live in - shopping and eating choices and places that don't close down at 8:00 PM and on weekends."*
- Unfriendly culture
  - *"The people who live here are self-absorbed, uncommunicative and unfriendly."*
  - *"I prefer a more inclusive and open community."*

### In your own words, describe the culture of the business community in Los Alamos County.

- It is centrally-focused on the Lab
  - *"I see the business community as existing to serve the laboratory or its employees. I have a hard time believing there is even a single business inside of Los Alamos County that could be viable without these demographics present."*
  - *"Mostly lab based. Everything else is there to address the basic needs of the locals."*
- It is struggling
  - *"Only a few own the business side of Los Alamos County so there is no growth."*
  - *"It's struggling to make it; it's not able to reinvest to grow."*
- It is an independent culture
  - *"The business is focused on government funding, especially nuclear. Little concept of business outside of that context."*

**Best-suited industries:** Spin-off businesses from LANL are the best-suited industries for Los Alamos County although capturing this tech-transfer was seen as a challenge in In-Market conversations.



Other: White collar jobs, retirement industries, restaurants

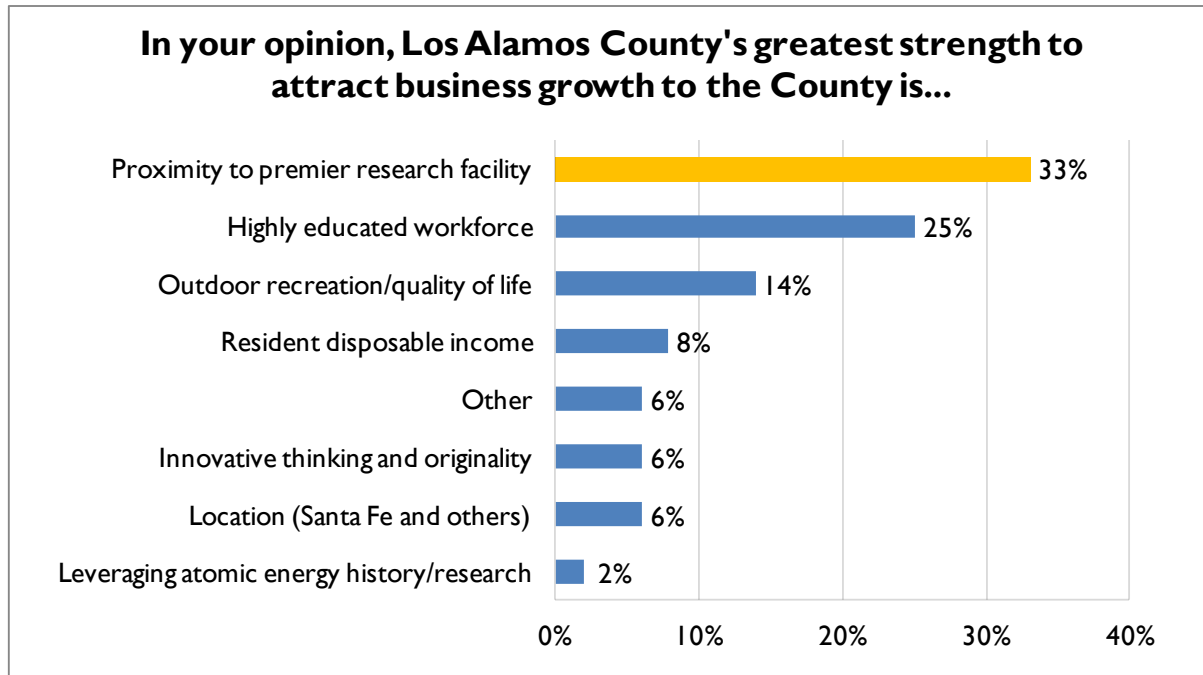
**Los Alamos County should START doing what to attract additional economic development and business growth to the community.**

- Encouraging new businesses
  - "We need more fair and equitable new business propositions."
  - "Develop less reliance on the Los Alamos National Lab to pay rent and taxes, and lower the rent so small businesses that want a chance to get started here can."
- Fostering affordability
  - "Offer financial incentives for small businesses and incentives for landlords to fix rental spaces."
- Bringing in entertainment amenities
  - "Bring in more events with an appeal to younger members of the community."
  - "Encourage more entertainment options."

**Los Alamos County should STOP doing what to attract additional economic development and business growth to the community.**

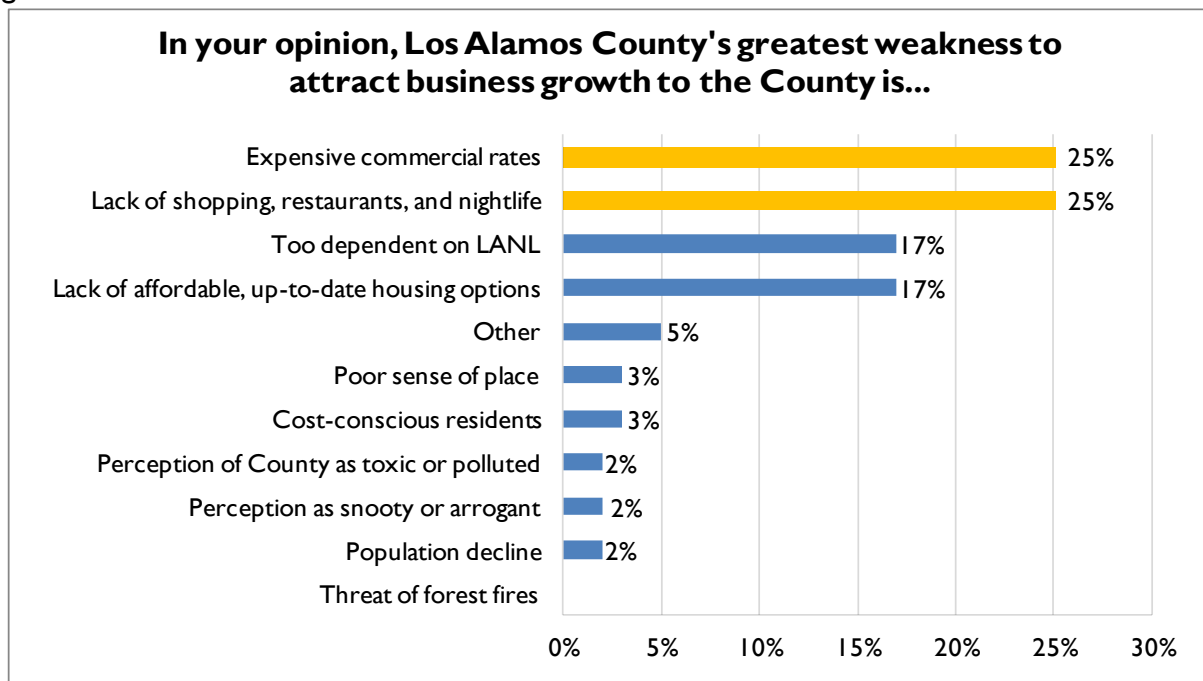
- Relying on Los Alamos National Laboratory
  - "Planning under an assumption that the Los Alamos National Laboratory will be a prime economic generator in Northern New Mexico."
  - "Relying on the National Laboratory to pay high rent on leased space."
- I don't know
- Discouraging business
  - "Preventing reasonable growth opportunities."
  - "Allowing current businesses to dictate which businesses should come to town."

**Ability to attract business:** Access to a premier scientific research facility as well as highly educated talent are top strengths and interests for economic development perspectives.



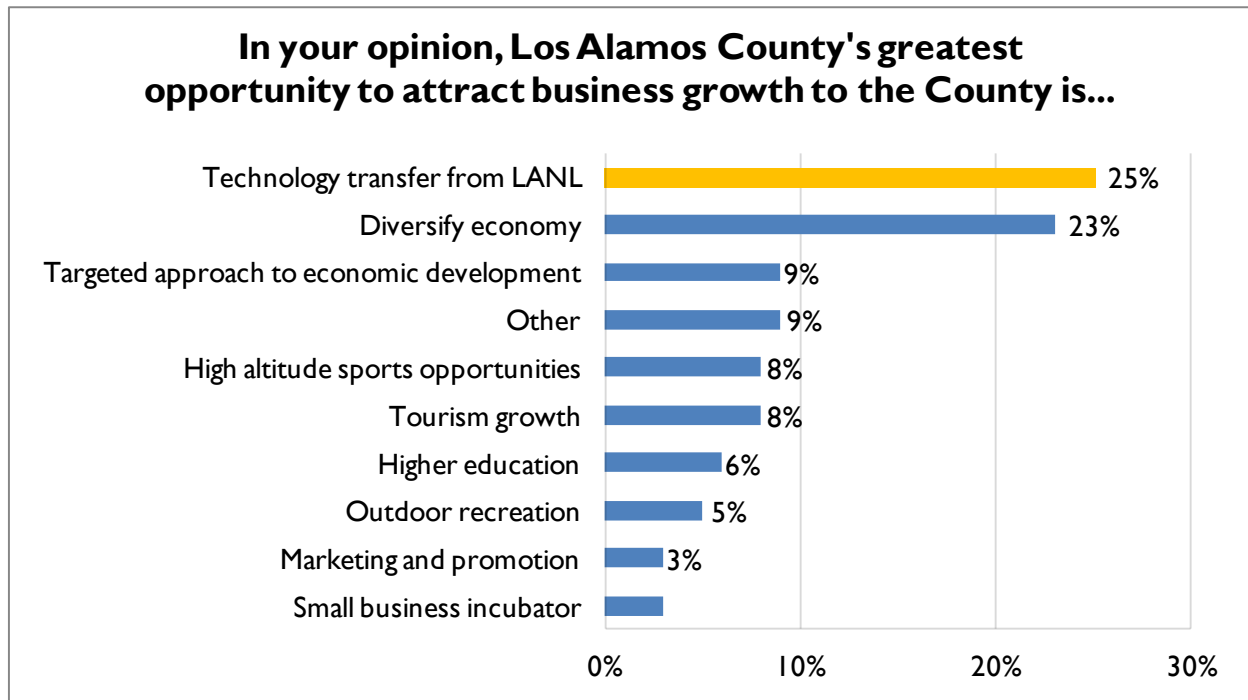
Other: Well-run government, lack of competition

**Weakness to attracting business:** Expensive commercial rates and lack of shopping, restaurants, and nightlife is Los Alamos County's greatest weakness in attracting business growth.



Other: County government interference, lack of entrepreneurial spirit/risk taking

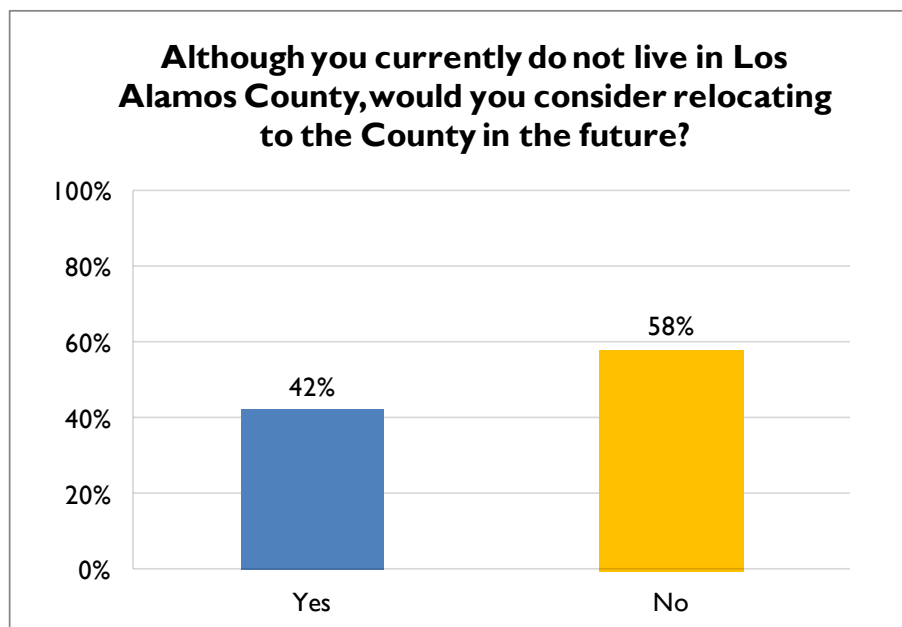
**Opportunity for attracting business:** Technology transfer from LANL is Los Alamos County's greatest opportunity for business growth. Also, this type of business is seen as the best-suited business as well.



Other: Real estate cost, daily growth of commuter population

## RELOCATION

If a respondent mentioned they lived outside of Los Alamos County, a series of questions were asked to get a greater understanding of relocation interests.



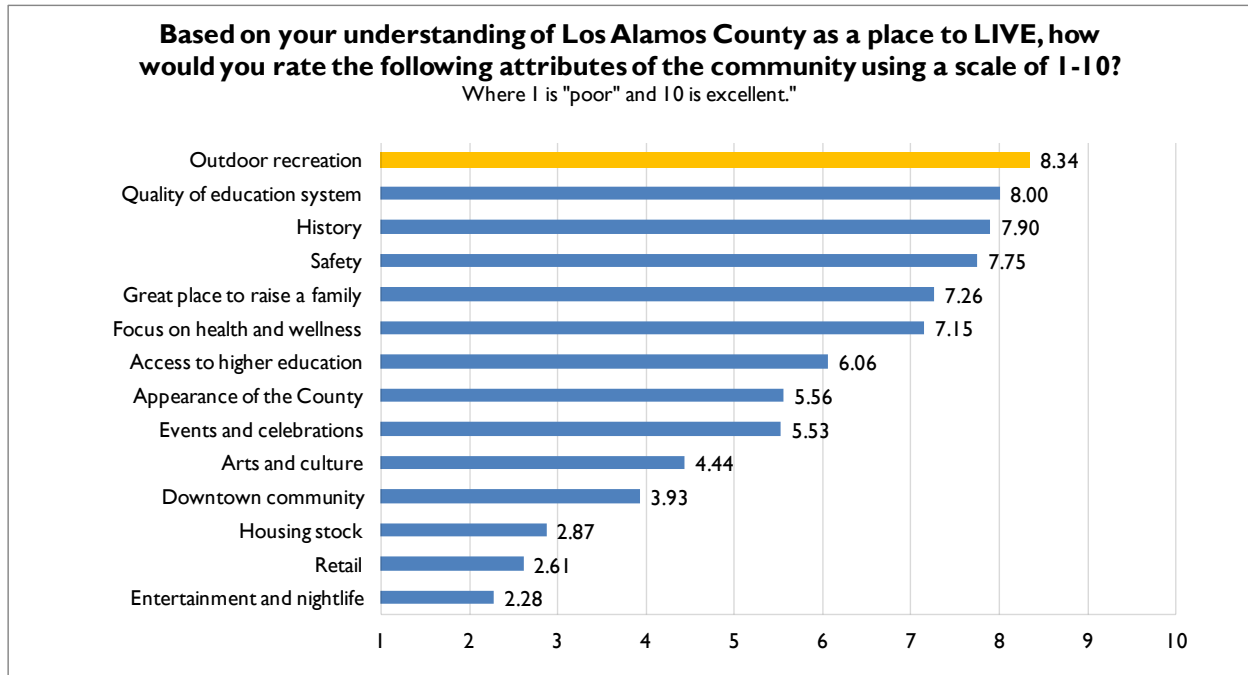
**You mentioned you **WOULD** consider relocating to Los Alamos County. What interests you about Los Alamos County that would make you consider relocating there?**

- Close to work and proximity to the Lab
  - *"The proximity to my job would make me consider relocating. It's a shorter, safer commute."*
- It is a family-oriented community
  - *"It's a good, safe community to raise children."*
- The outdoor recreation
  - *"Just the outdoor life – the mountains, for example."*
  - *"I'd move back for the good running trails."*

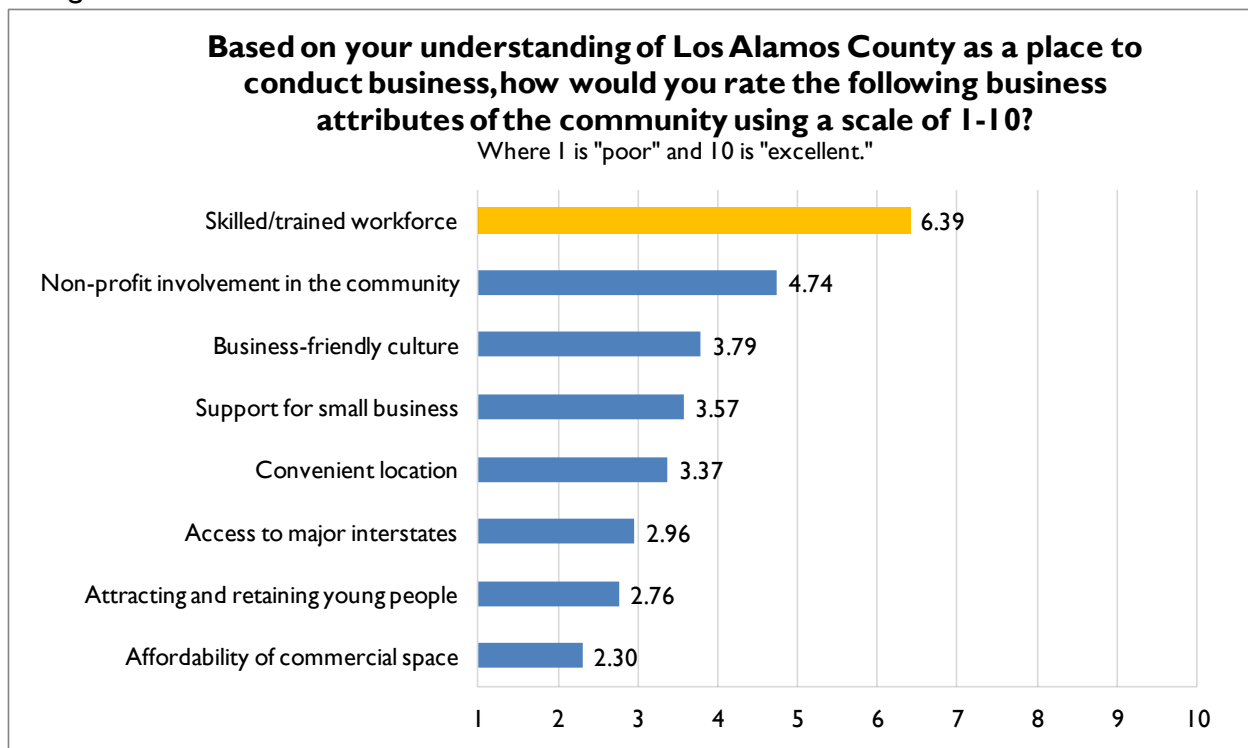
**You mentioned you **WOULD NOT** consider relocating to Los Alamos County. What detracts you from considering Los Alamos County as a place to live in the future?**

- Cost of living
  - *"It's too expensive – if not impossible – to purchase modern housing on a decent-sized lot in Los Alamos County."*
  - *"There is a limited and expensive real estate market."*
- Lack of amenities
  - *"There's nothing interesting to do culturally."*
  - *"The lack of restaurants, shopping, and cultural activities."*
- Too small
  - *"I don't see Los Alamos County ever having a bigger city vibe that's more my speed."*
  - *"Los Alamos County is too small for my liking."*

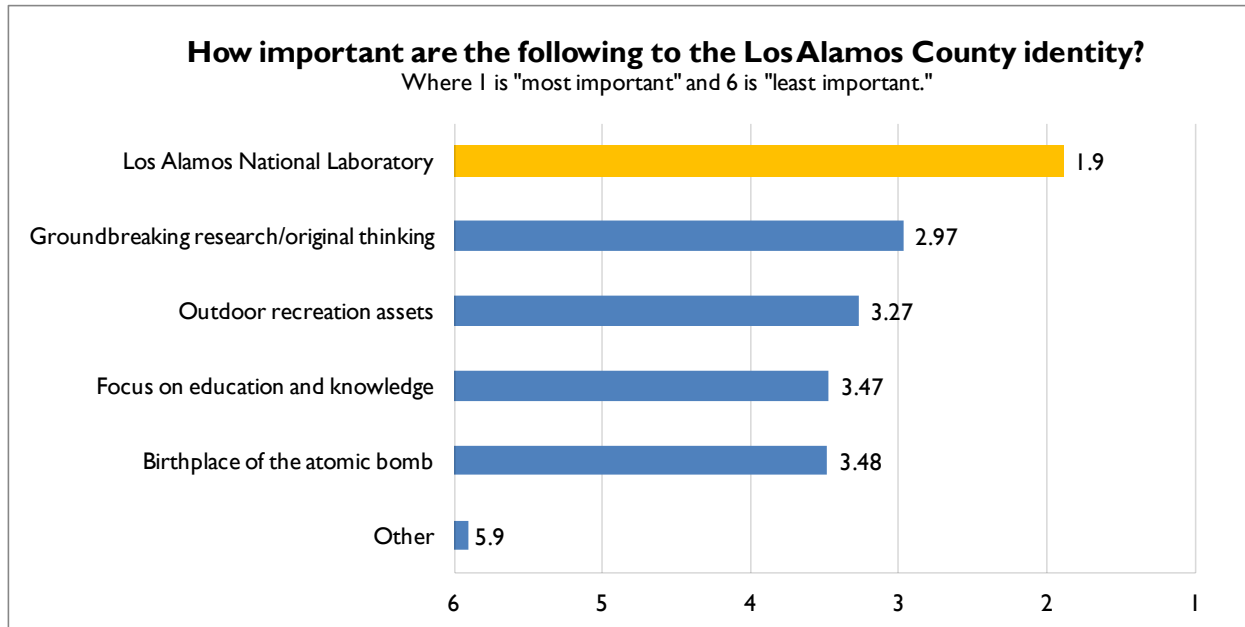
**Community attributes:** To further reiterate the great quality of life in Los Alamos County, outdoor recreation and quality education were top rated attributes.



**Business attributes:** Business attribute scores were lower compared to community attributes. This reveals an opportunity to inform your constituents about additional business strengths of the area.



**County identity:** Los Alamos National Laboratory is the most important aspect of the Los Alamos County identity – a natural choice given the majority of respondents work at the Lab.

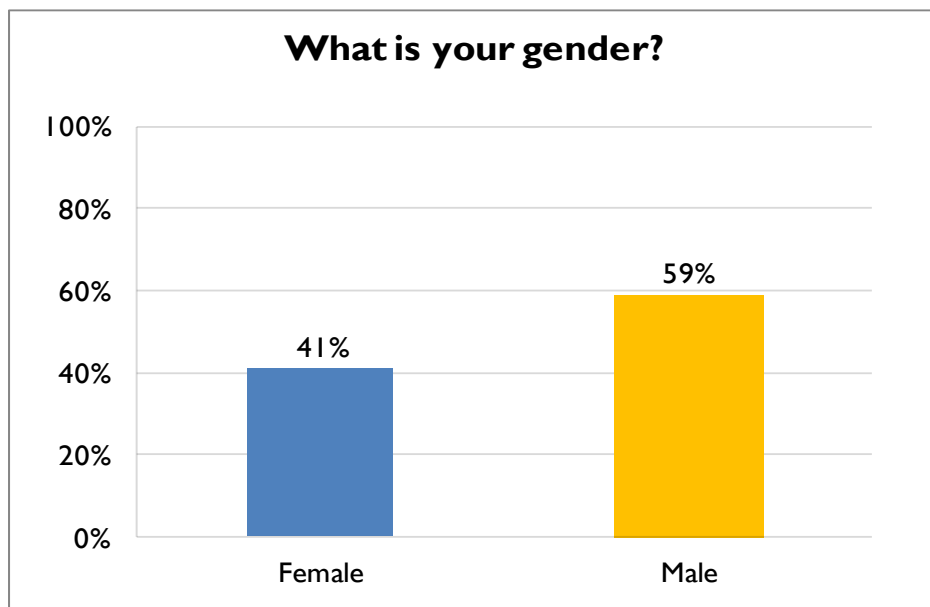
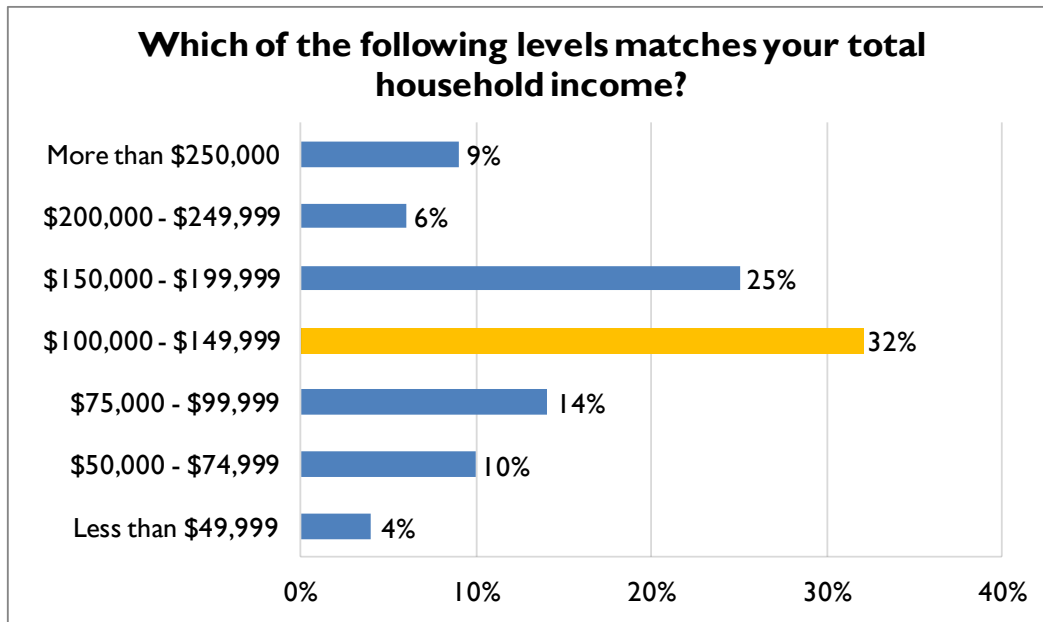


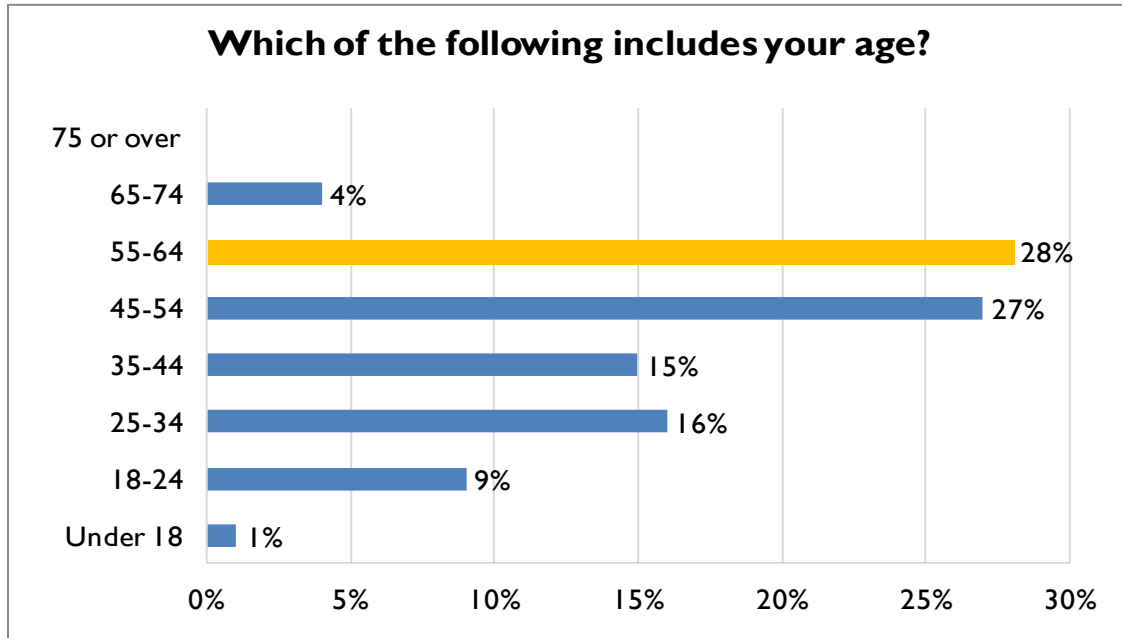
**In your opinion, how can Los Alamos County improve its reputation and increase awareness in Northern New Mexico and across the state?**

- Diversify the economy
  - *"Highlight the potential to tap into a market that's largely under populated with quality small businesses. The growth potential for a quality business is high."*
  - *"Successfully launch at least one high tech company from a tech transfer that grows to greater than 100 employees in northern New Mexico."*
- Positive advertising and marketing
  - *"Advertise the beauty and diversity."*
  - *"Create more positive news articles on LANL research; this is slowly changing, but needs to happen more."*
- Become more inclusive
  - *"There should be more contact and collaboration with neighbors."*
  - *"Continue to work with Northern NM communities on economic development that benefits the region and not solely Los Alamos County."*



## DEMOGRAPHICS





## **CONSUMER AWARENESS AND PERCEPTION STUDY (CAP STUDY)**

### ***Purpose***

The purpose of this study is to gain insight into consumer awareness, visitation, and perceptions of the Santa Fe, NM MSA and Albuquerque, NM MSA. The survey measures:

- Overall top-of-mind perceptions of Los Alamos County and immediate competitors
- Consumer visitation trends (frequency and nature of visitation)
- Consumer visitation drivers (business, leisure, friends and family)
- Strengths and weaknesses of Los Alamos County with identified community attributes
- Measurements of Los Alamos County quality of life indicators
- Measurement of Los Alamos County strengths and weaknesses as a place to do business

### ***Methodology & Results***

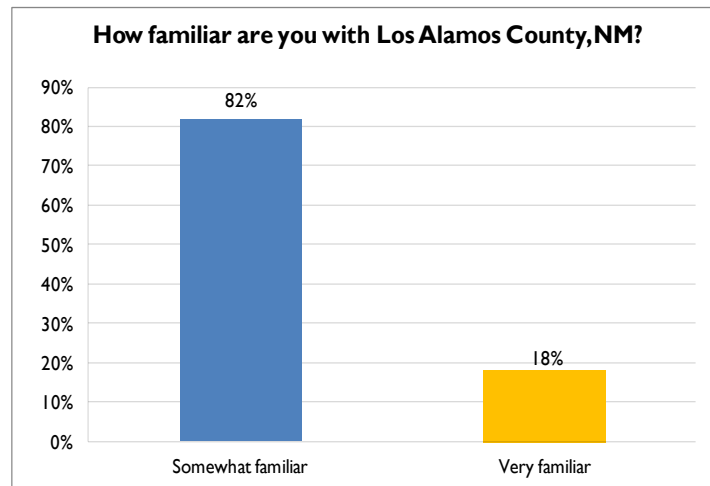
An internet study was conducted among respondents in the Santa Fe MSA (105 responses) and Albuquerque MSA (105 responses). A total of 210 surveys were collected, allowing for a margin of error of +/- 6.76 at the 95% confidence level.

See **Appendix B** for unabridged CAP Study results.

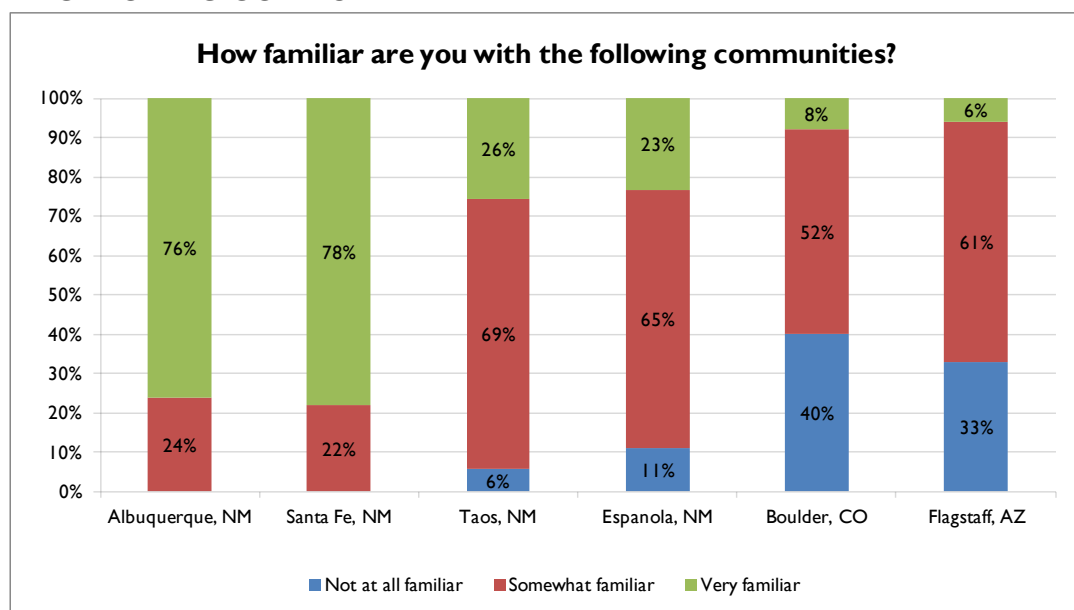
## FAMILIARITY WITH LOS ALAMOS COUNTY

### How familiar are you with Los Alamos County, NM?

- Lack of familiarity was the terminating factor for the survey.
- 126 respondents were not at all familiar with Los Alamos County, and therefore were terminated from the survey.
- The termination rate was 40%, which is average.
- Of those not terminated, 82% were somewhat familiar and 18% were very familiar (after termination for lack of familiarity).
- 210 responses were collected for the CAP Study.



## NEIGHBORING COMMUNITY FAMILIARITY



## When you think of the following communities, what comes to mind?

### LOS ALAMOS COUNTY

- Laboratory / science
- Intelligence / education
- Quaint / quirky

### ALBUQUERQUE

- Metropolitan
- Balloon fiesta
- Home/residential

### TAOS

- Art
- Skiing
- Pueblo

### FLAGSTAFF

- Grand Canyon
- Mountains
- Weather / snow

### SANTA FE

- Art / culture
- Capitol
- Home

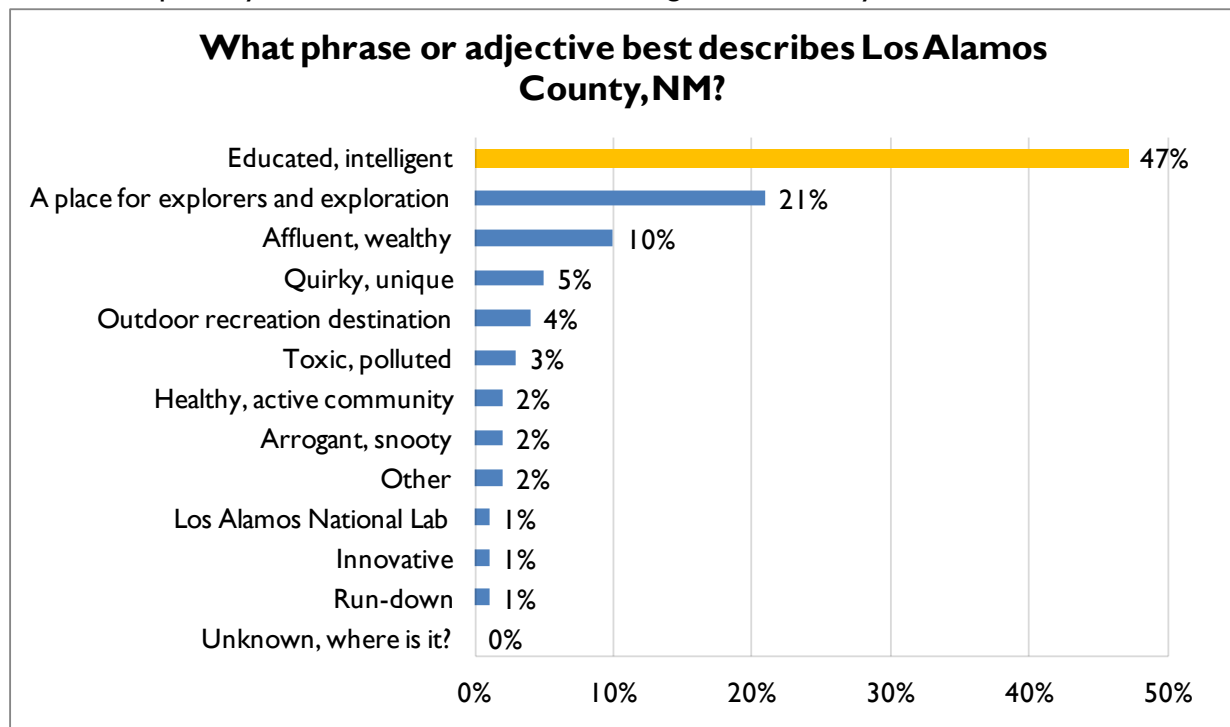
### BOULDER

- University
- Mountains

### ESPANOLA

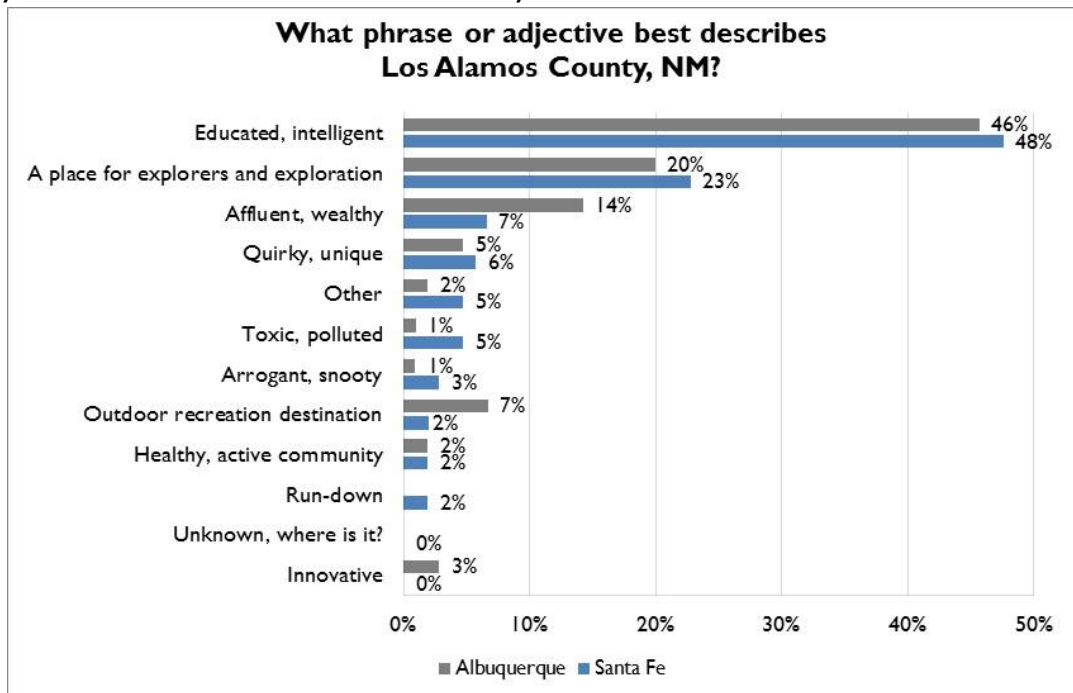
- Low Riders
- Drugs/crime

**Adjective:** Outsiders seemingly connect the presence of the National Lab and outstanding schools as a primary reason for the educated, intelligent community.

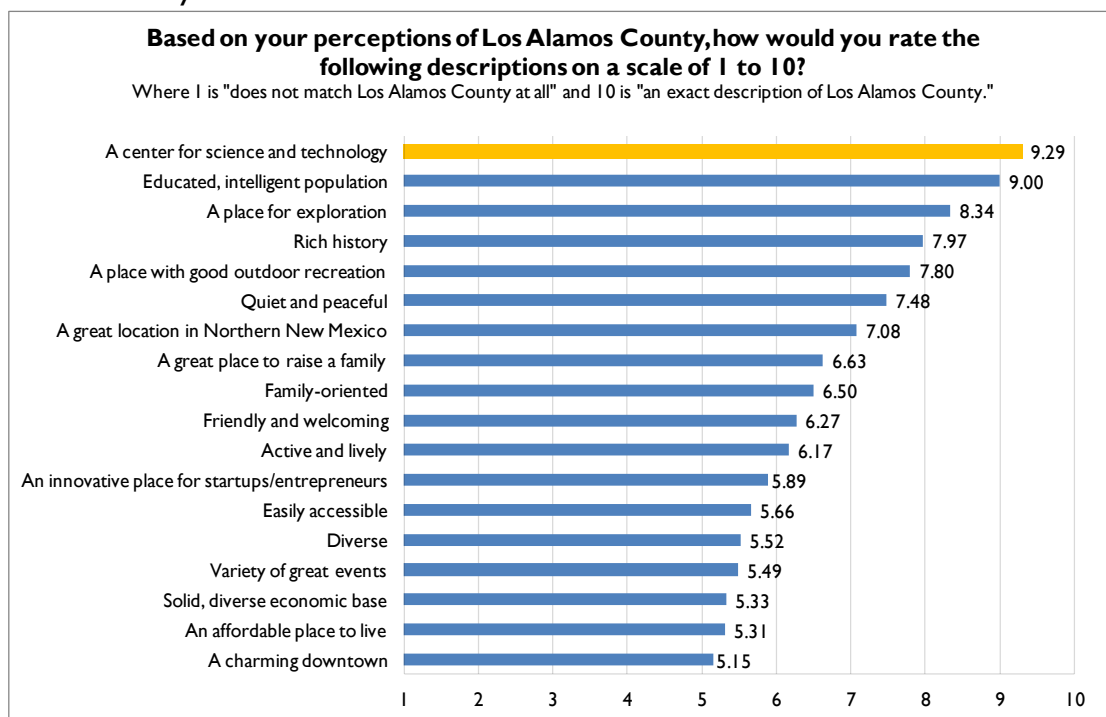


Other: Vital in national defense, military control

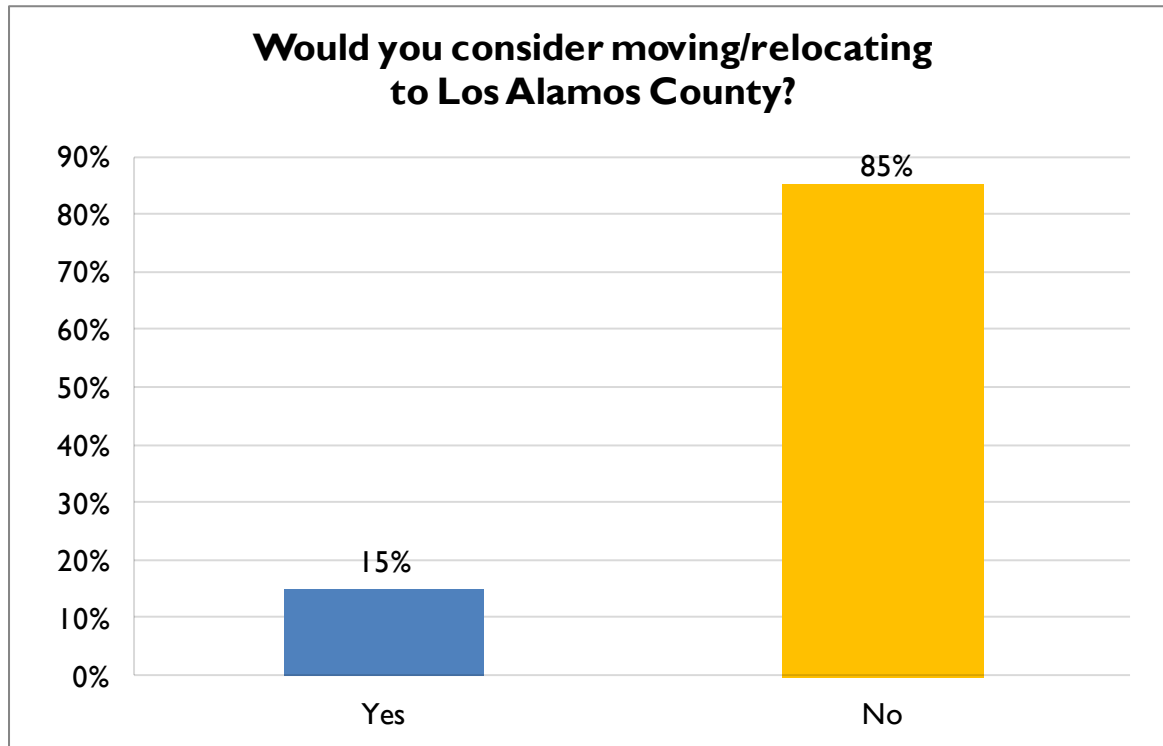
**Adjective by Market:** Those from Albuquerque are more likely to describe you as affluent over a place with outdoor recreation. Santa Fe respondents more closely associate Los Alamos County with the science assets and community.



**Description rating:** A center for science and technology is the highest rated description for Los Alamos County.



**Relocation:** The majority of respondents would not consider relocating to Los Alamos County.



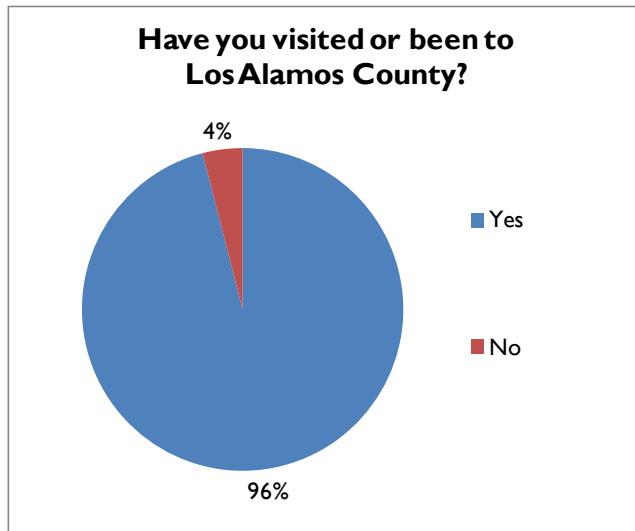
**Why WOULD you consider moving/relocating to Los Alamos County?**

- *"I lived there for 30 years and enjoyed it a lot. It's great to be 15 minutes from the ski hill and two minutes from the forest."*
- *"It would be nice to be surrounded by so many scientists."*
- *"The people, outdoor activities, education opportunities, minimal civic problems, safety, and comfort."*

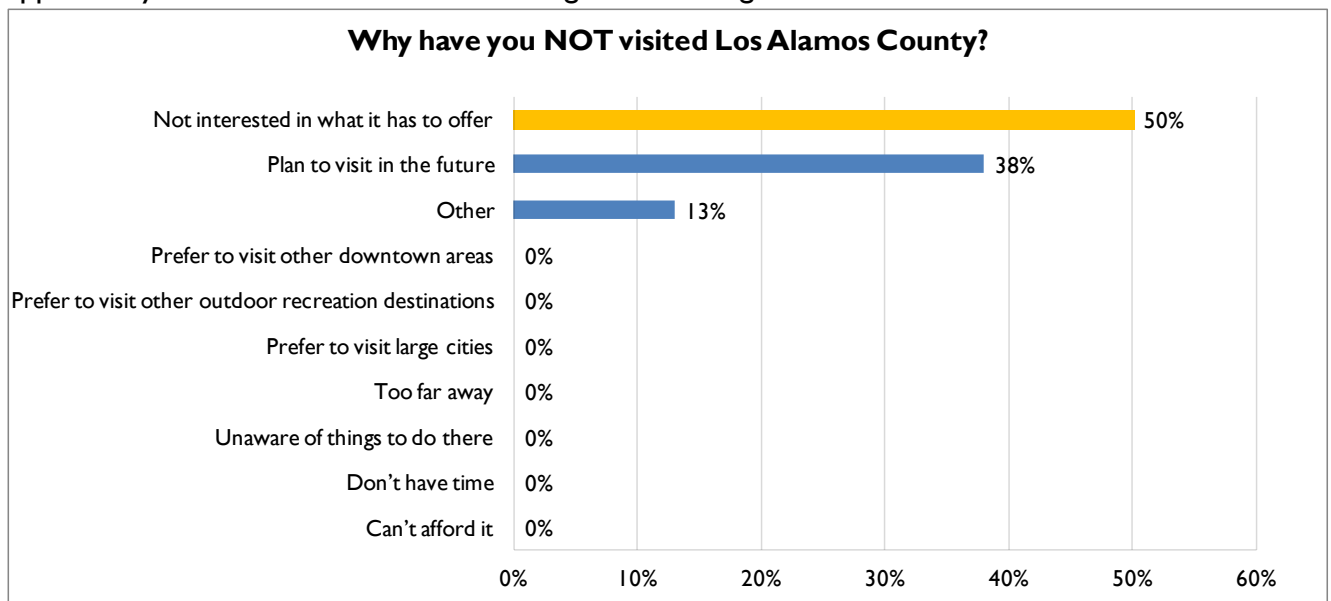
**Why WOULDN'T you consider moving/relocating to Los Alamos County?**

- *"It's expensive, reclusive, and there isn't enough independent business activity outside of the Lab."*
- *"I tend to judge the county by the town of Los Alamos, which I find flabby and depressing."*
- *"There aren't enough activities, and it's a one company town."*
- *"There's nothing to do there besides hiking. There's not one good restaurant."*
- *"It's too isolated and not a very strong community since the residents come from all over the world. There's not much to do in the town."*

## DESCRIBING LOS ALAMOS COUNTY

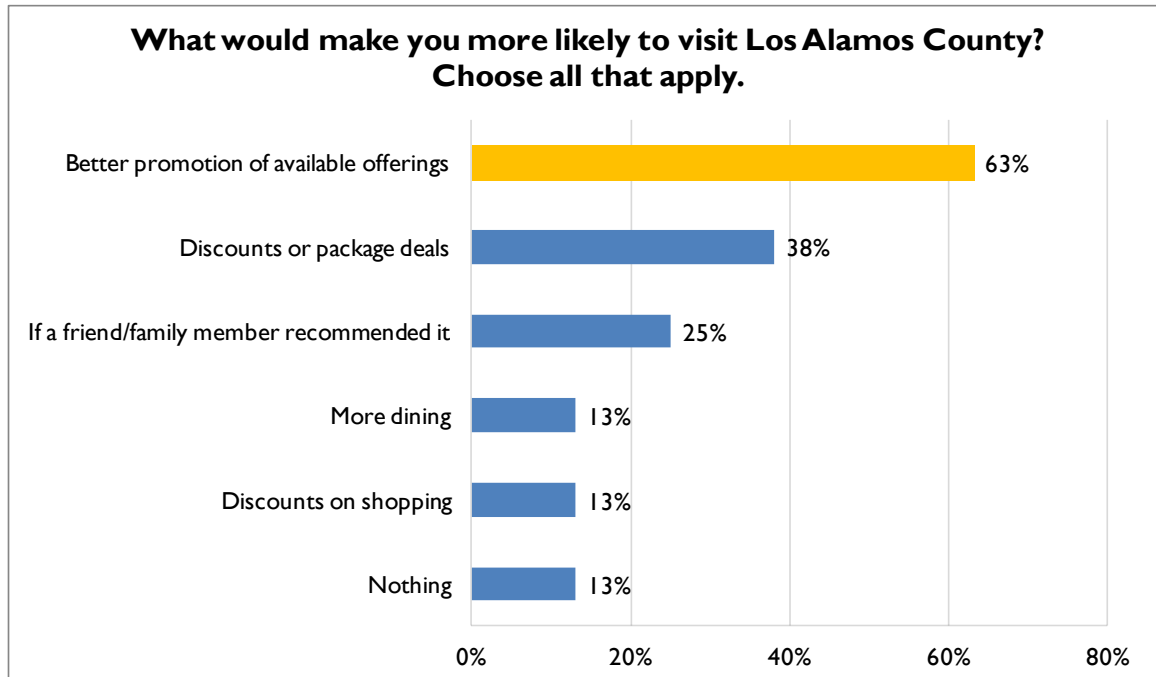


**Visitation:** The 37% of respondents who mention they plan to visit represent a great opportunity to affect visitation via marketing and branding.





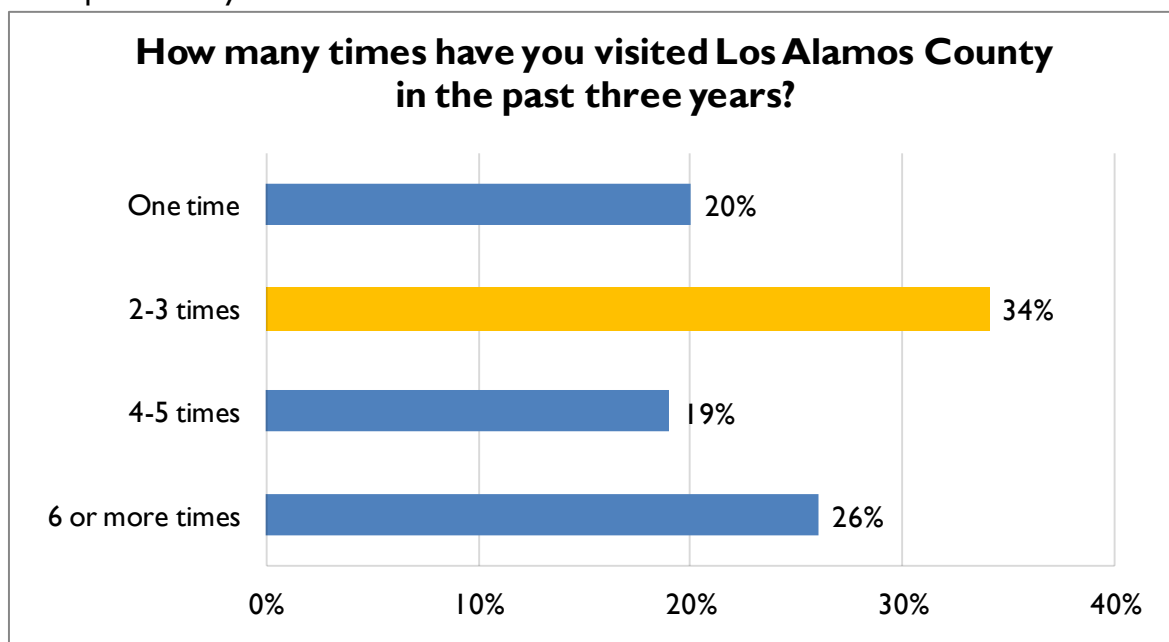
**Attracting visitation:** Better promotion of available offerings would make people more likely to visit Los Alamos County.



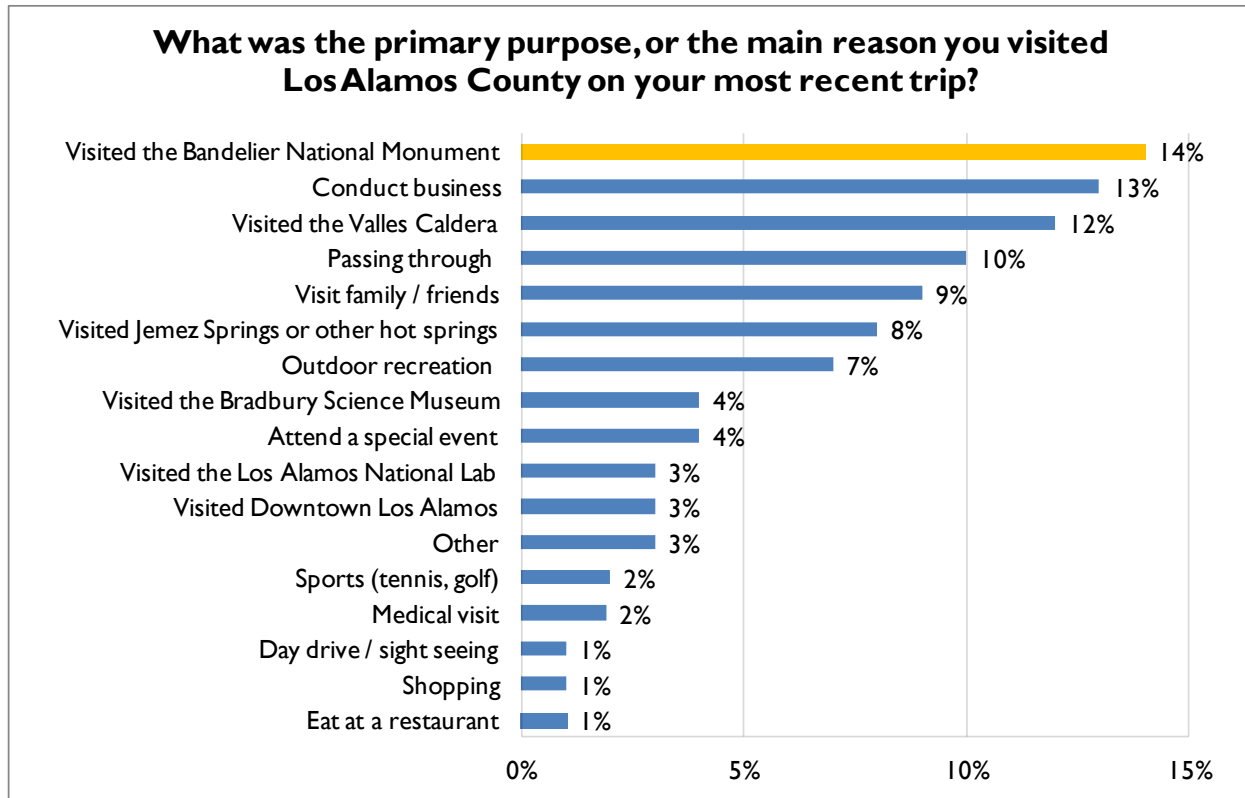
## VISITATION QUESTIONS

*The following questions were posed only to respondents who indicated that they have visited Los Alamos County, NM.*

**Visitation frequency:** The majority of respondents have visited Los Alamos County 2-3 times in the past three years.

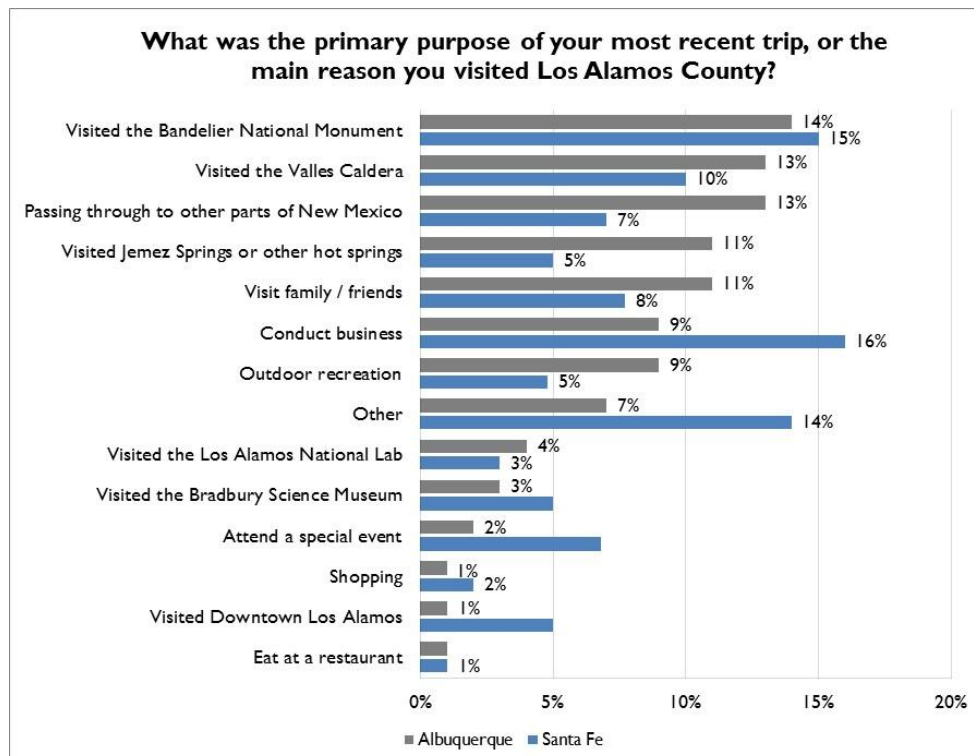


**Trip purpose:** As a primary purpose, outdoor recreation seems to be a top motivator for visitation given the outdoorsy nature of The National Monument and Valles Caldera.

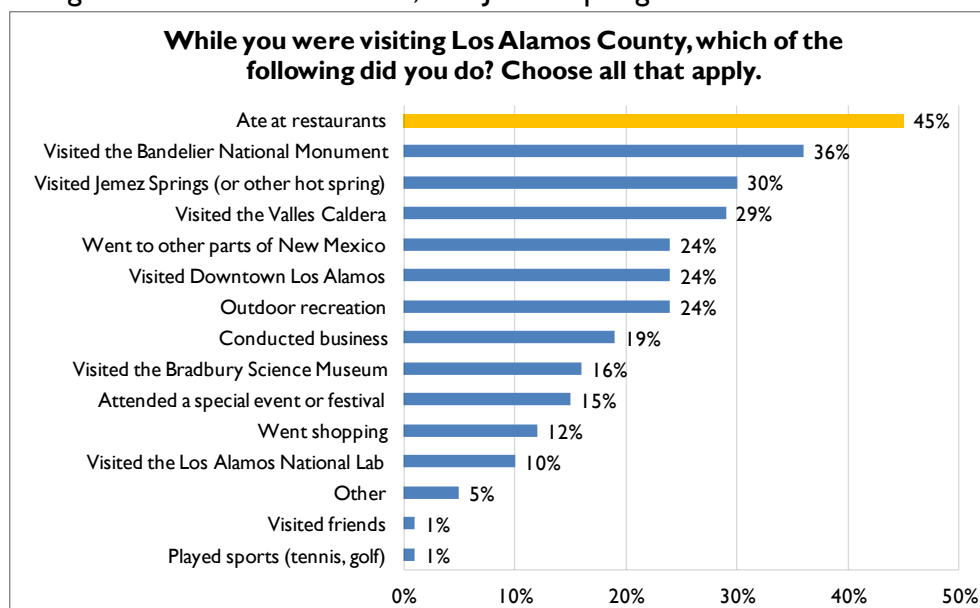


Other: Many of the above, cannot recall

**Trip purpose by market:** Santa Fe residents are much more likely to visit Los Alamos County for business and seeing a special event or downtown Los Alamos. Albuquerque visitors come to the area more prevalently to see the Valles Caldera, Jemez Springs and to visit friends and family.

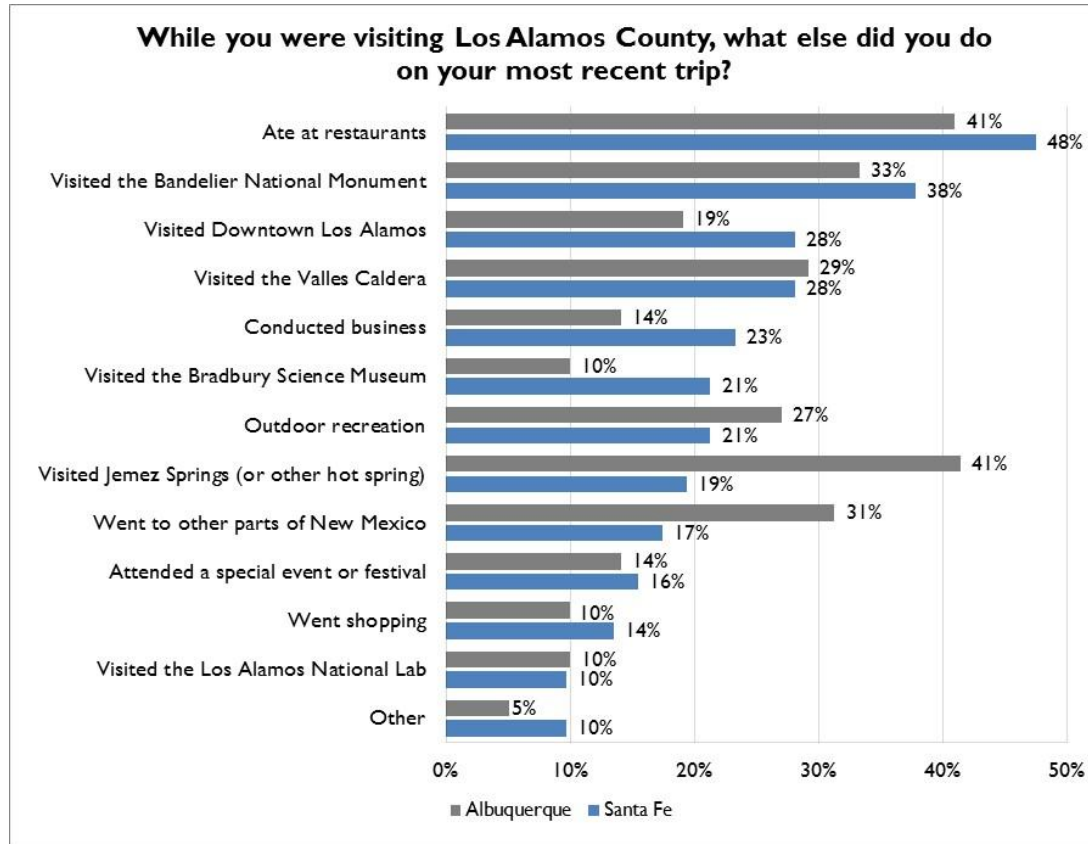


**Trip activity:** Aside from eating at restaurants, most visitors are also spending their time at some of the regional assets like Bandelier, and Jemez Springs.



Other: Nothing, went to church

**Trip activity by market:** Capturing the Albuquerque travelers who are passing through the area represent a great tourism opportunity.



#### TRIP FOLLOW-UP

**You mentioned you did some form of outdoor recreation while you were in Los Alamos County. In your opinion, what is special about the outdoor recreation in Los Alamos County versus other parts of Northern New Mexico?**

- "Beautiful hiking trails that are not crowded."
- "The long range vistas are pretty spectacular, and the sky overhead, which surrounds you on all sides."
- "Good skiing that is never crowded."

**You mentioned you went elsewhere in New Mexico on your visit. Where else did you go?**

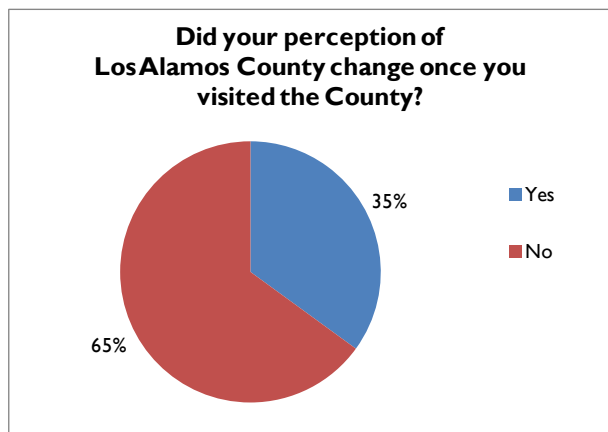
- Santa Fe (majority)
- Taos

**You mentioned you visited Downtown Los Alamos. In your opinion, what is missing from the downtown experience in Los Alamos that would encourage a repeat visit to the area?**

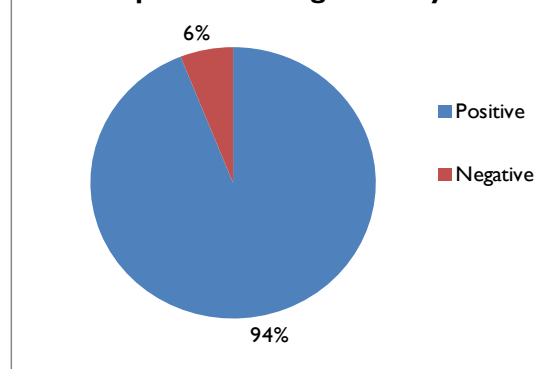
- Retail, restaurants, nightlife
- Nothing

### What was your perception of Los Alamos County before you visited?

- *"An isolated town of research scientists."*
- *"I didn't have one."*
- *"Isolated and selective."*
- *"Same as it is now: a beautiful small town centered around Los Alamos National Laboratory."*



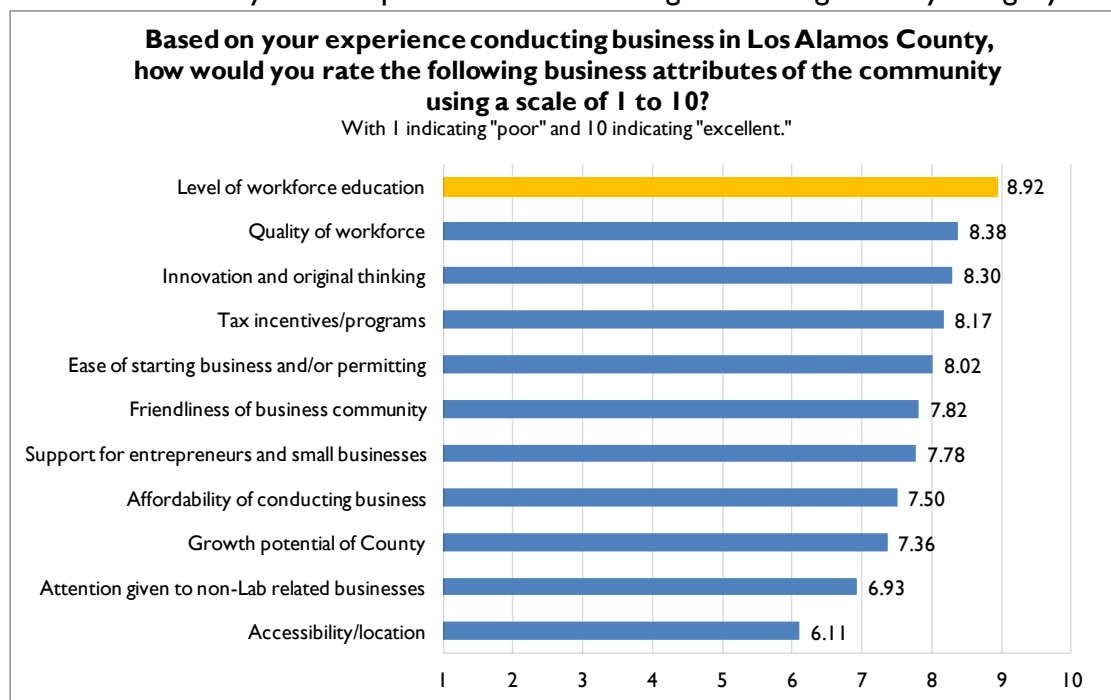
### Did your perception change in a positive or negative way?



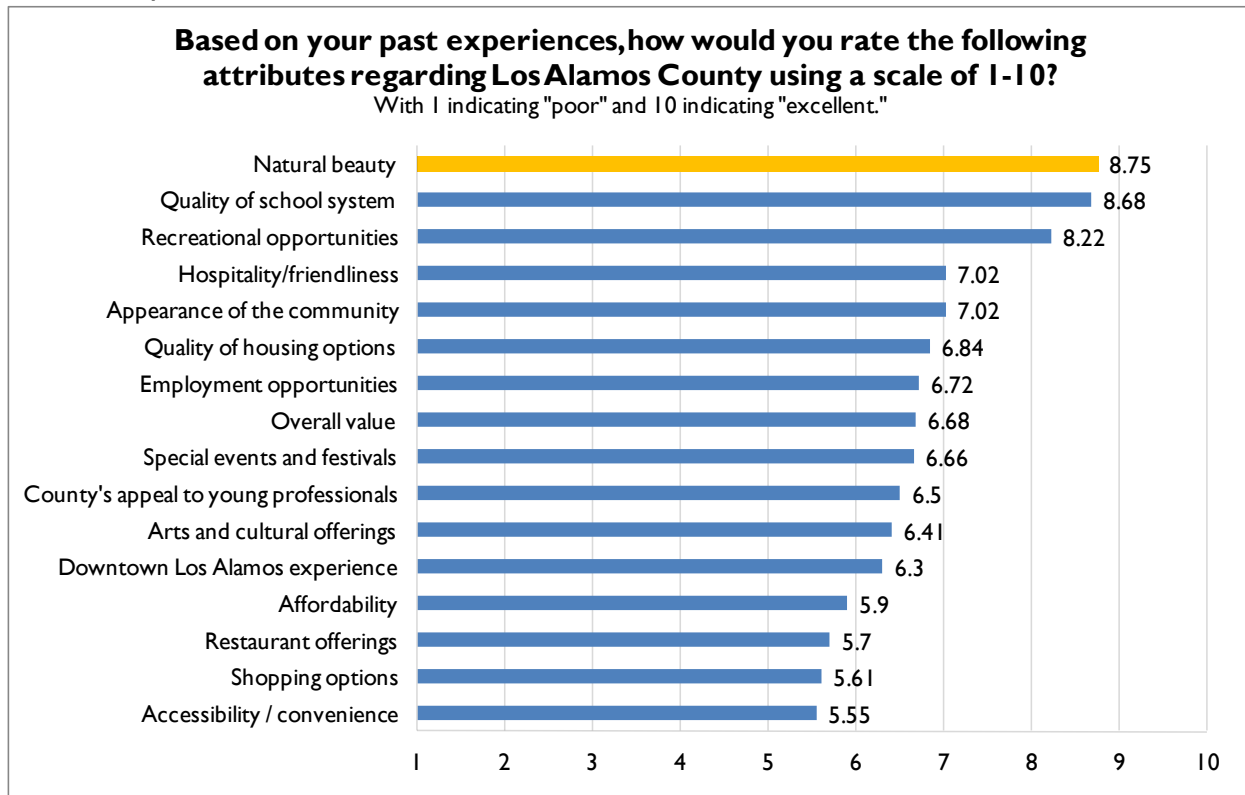
### What changed your perception?

- *"I didn't realize how pretty the area was and that it housed Bandelier, which is on the top of my list for my next trip."*
- *"I was only considering the Lab; I didn't take into consideration the scenery and that the Lab is just a small part of the County."*
- *"Seeing the outdoor recreation possibilities and greater diversity of people who live there."*

**Business attribute:** Compared to internal perspectives, the outside reputation of the business community is more positive with the ratings increasing in every category.



**County attribute:** Although outsiders view the County positively for natural beauty and other attributes, respondents also recognize the need for additional or improved restaurant and retail options.



**In your own words, describe the impact the Los Alamos National Lab has on the following areas.**

#### COUNTY IMPACT

- "Extremely strong - if not for the Lab, the County would be empty."
- "I would think it's major based on the number of employees it supports."
- "It's probably the determining economic force in the County."

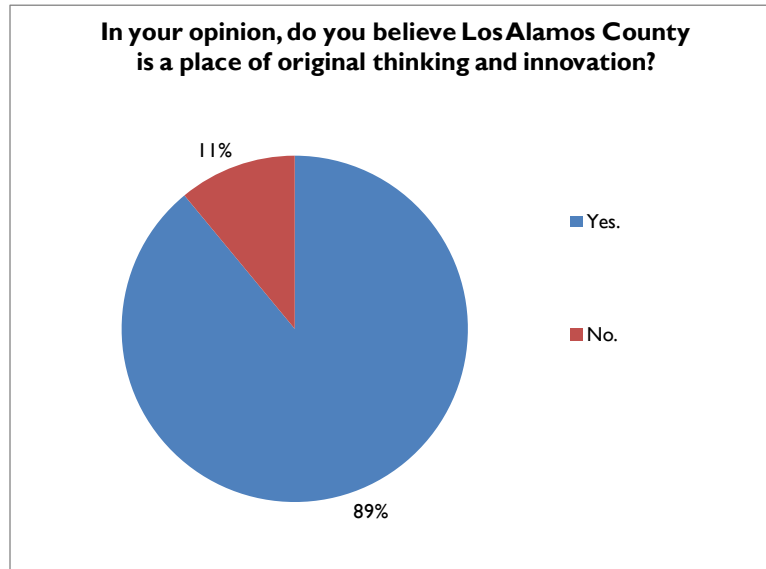
#### NEW MEXICO IMPACT

- "Big help to the state financially."
- "It's an economic impact drawing highly educated engineers and scientists to the state."
- "It's half the reason anyone lives in New Mexico."

#### NATIONAL IMPACT

- "A lot less than in the past."
- "It's a huge historic impact due to nuclear research."
- "A key component to national defense."

**Original thinking and innovation:** The majority of respondents consider the County to be a place of original thinking and innovation.



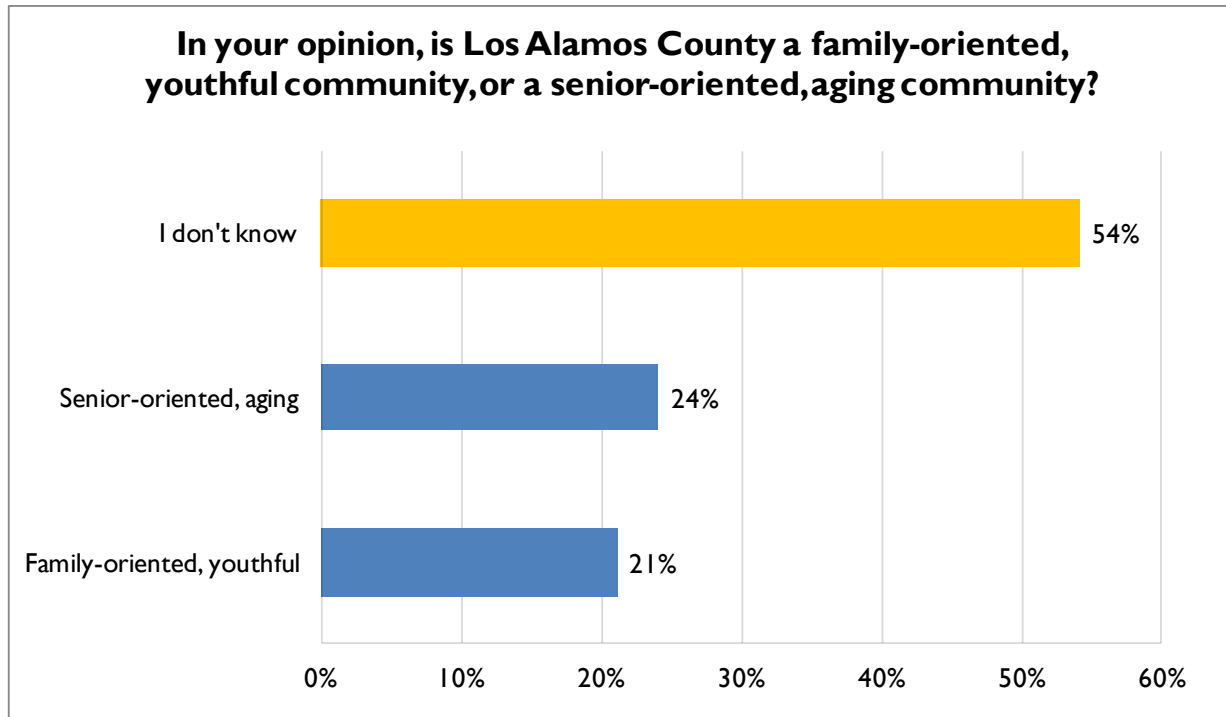
**Yes. Why?**

- *"There are so many minds there that want to think and perceive thinking as a good thing."*
- *"People are always coming up with new ideas. It's amazing, really."*

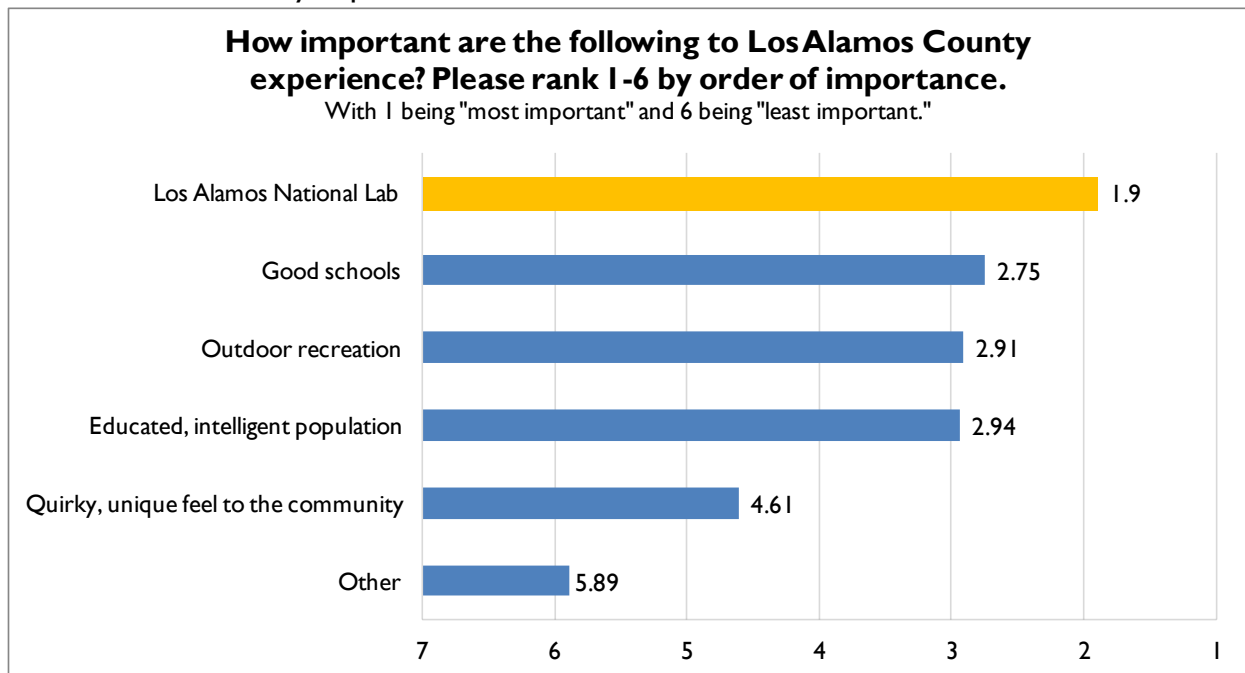
**No. Why?**

- *"Outside the Lab, it's very narrow in its thinking and not too friendly."*
- *"The Lab employees, though very intelligent, are basically government bureaucrats. There is no risk taking."*

**Community age:** Most respondents do not know if Los Alamos County is a youthful or aging community.



**Los Alamos experience:** Outsiders see the Los Alamos National Lab as most important to the Los Alamos County experience.



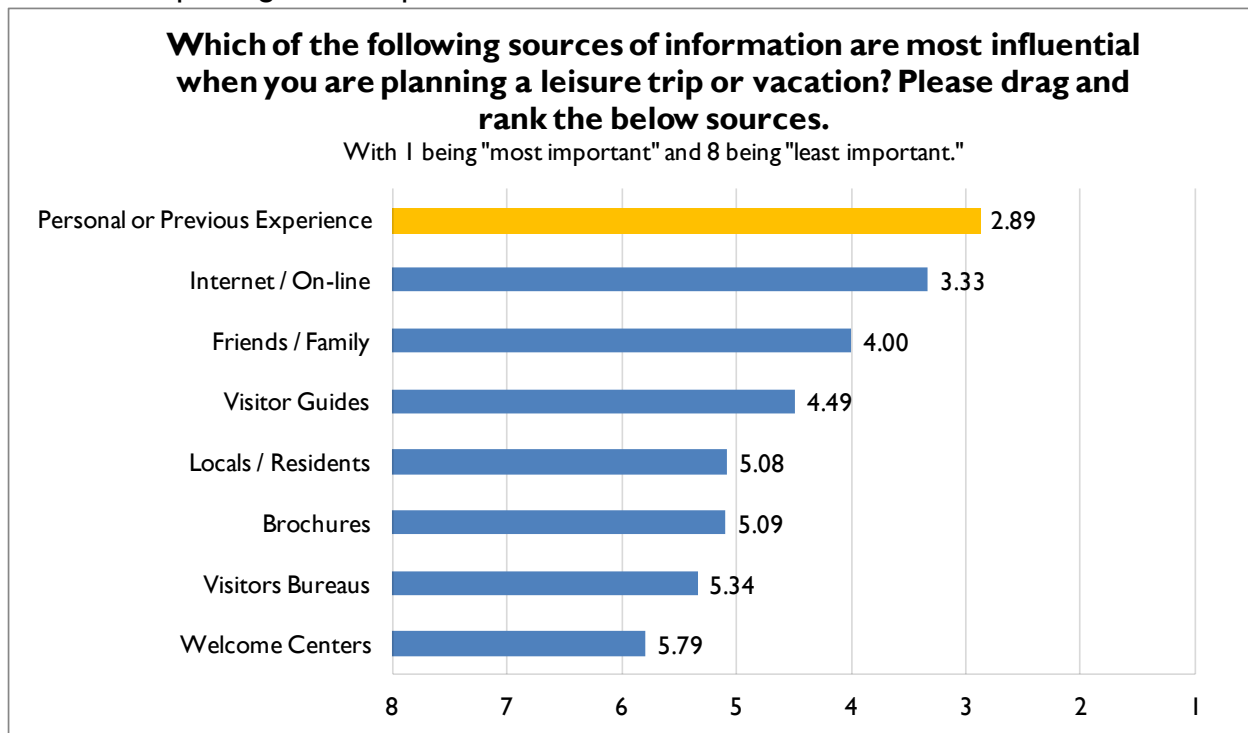
Other: Beautiful scenery, safety, history, proximity to Santa Fe



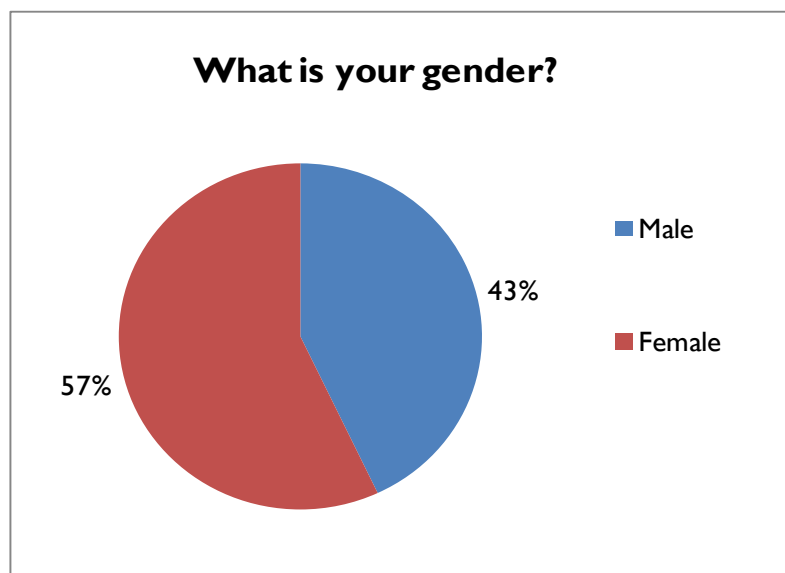
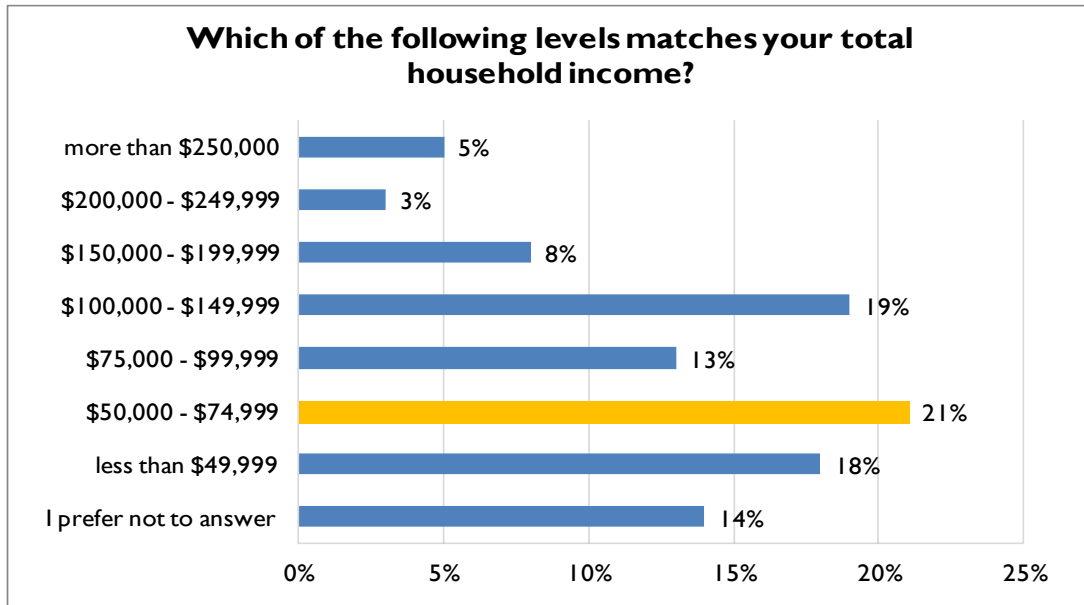
**In your opinion, how can Los Alamos County improve its reputation and increase awareness in New Mexico and across the state?**

- Advertising
  - *“Advertise the diversity of the experience: the museums, recreation, springs, historical sites, etc.”*
- I don’t know
  - *“I have no idea. It’s a very odd community. Hard to be cohesive with so many different cultures and backgrounds in one spot.”*
- Host more events
  - *“Have some major, prestigious arts festivals like the Santa Fe Chamber Music Festival or the Santa Fe Opera, with big names and high quality.”*
- Doing a fine job already
  - *“I think its reputation is fine. Maybe a bit conceited and elitist – try to change that.”*

**Trip planning:** Personal or previous experience is most influential when planning a leisure trip or vacation, speaking to the impact of word of mouth recommendations.



## DEMOGRAPHICS



## **PERCEPTION STUDY**

### ***Purpose***

The purpose of the Perception Study is to gain an in-depth understanding of the brand perceptions of Los Alamos County among important target audiences. What do these constituents of the brand have to say about the area as a place to live, visit or grow a business?

### ***Methodology & Results***

North Star consultants conducted perception interviews via telephone. The targeted audiences included state and regional economic development, tourism industry professionals, competitor communities as well as real estate developers and agents. Questions were phrased to gather qualitative information. An executive summary for the data is outlined below.

**If you had to describe Los Alamos County in ONE WORD, what one word would you use?**

- Scientists
- Educated
- Interesting
- Unique
- Isolated, insulated
- Company town
- Innovation
- Technology
- Mountainous
- Unanticipated

**Describe Los Alamos County to someone who has never heard of it before.**

- Highest income level in the state
- Educated residents and workforce (high IQ)
- High tech
- Beautiful, clean
- High altitude
- It's a community run by the Department of Energy and the government
- Home to LANL
- There's a mysterious element to that community
- Hiking and recreational
- Native American and Hispanic heritage
- You don't even know you are about to drive up to it; it comes out of nowhere

**In your opinion, what are the County's greatest assets?**

- Los Alamos National Lab
- The exemplary learning environment
- Access to educated talent pipeline
- The White Rock community, more affordable area
- Tremendous knowledge base
- Weather is beautiful, scenery is nice
- Historic role in atomic story
- Historic landmarks – like Bath House Row
- County of the future – lots of potential
- Historic museums, Fuller Lodge
- Bradbury Science Museum
- A tourism hub for the Northern New Mexico region
- Bandelier National Monument and Valles Caldera
- Parajito Mountain (Ski Hill)

**In your opinion, what are the County's greatest challenges?**

- Increasing the population base to attract retail and development
- Limited availability of land (government owned, restricted by mesas)
- High cost of land and commercial rent
- Poor quality housing (lack of affordable options)
- Lack of spin off businesses from the LANL
- The Lab's products don't translate into manufacturing jobs for the state
- Very secretive; no one knows what's happening there
- Poor amenities (entertainment, nightlife, restaurants, retail, etc.)
- Because of high household income, state not able to support/supplement funds
- Just have basic hotels; nothing high-end or edgy
- 60% of downtown is asphalt
- Downtown has a poor sense of place
- Retail leakage into Santa Fe and elsewhere

**In your opinion, what are the County's greatest opportunities?**

- Improve housing options (affordability and diversity of options)
- High-end, non-standard lodging
- Attract additional entertainment and nightlife
- Tech transfer and spin off firms from the LANL
- Diversify economy
- Diversity income levels to keep costs down
- Leverage outdoor recreational assets for tourism
- Tourism growth
- Encourage out-of-the-box architecture (don't just build typical New Mexico buildings)
- Mixed use facilities downtown
- Create a dynamic downtown with a strong sense of appeal
- White Rock community

- Long-term economic development plan
- State of the art performance venue
- Develop interpretive material for tourists
- Rim trail for mesas and canyons

**In your opinion, what makes Los Alamos County unique? What sets it apart?**

- Los Alamos National Lab
- High incomes/affluence
- Wonderful climate
- High desert location
- Urban center in a mountainous setting
- Gateway for outdoor recreation
- Science and technology
- The quirky feel to the community
- Small county

**What is the single most important message about Los Alamos County that should be told to outsiders?**

- The high concentration of skills and knowledge
- Los Alamos finds a way to welcome you
- The beautiful, clean environment
- Top secret work being done
- County is open and eager for new businesses
- Presence of high mesas
- Fascinating history
- People are theoretical and contemplative, very different

**What is the single most important aspect to the Los Alamos County identity?**

- Begin with the knowledge base in the County
- Attract development using scientific minds and well-educated individuals
- Great land that needs to be developed
- Knowledge and experience that impacted the history of our country

**In your opinion, do you consider Los Alamos County to have some of the best brains and sharpest minds in the country?**

- YES! (Virtually every respondent emphatically said YES to this question)
- High per capita of Ph.Ds
- This community is a think tank – many profound discoveries are made there
- This is effective for some new businesses looking for research and science

## **COMPETITIVE ANALYSIS**

### ***Purpose***

To better understand what Los Alamos County's competition is currently offering in terms of economic development and delivering the tourist experience.

### ***Methodology & Results***

North Star reviewed each of the following counties' communication materials to compile a short synopsis of their tourism and economic development attributes. The materials reviewed include but are not limited to the county's website, the CVB website, Chamber website, area attraction websites as well as other communication materials such as brochures and visitors guides.

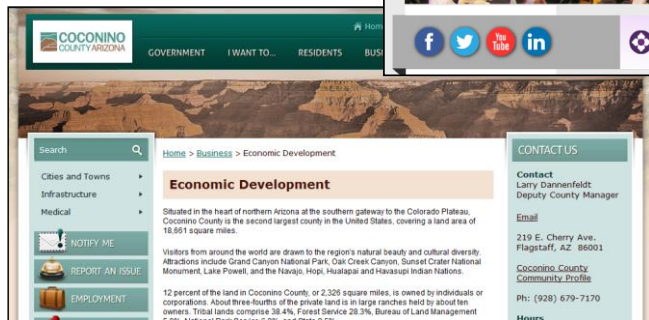
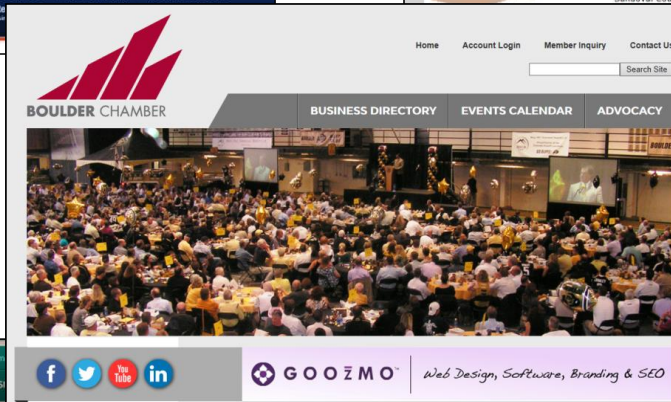
#### **ECONOMIC DEVELOPMENT AND TOURISM**

- Bernalillo County, NM
- Santa Fe County, NM
- Sandoval County, NM
- Boulder County, CO
- Coconino County, AZ
- Jefferson County, CO

#### **NATIONAL LAB COMMUNITY COMPETITORS**

- Oak Ridge, TN
- The Tri-Cities Area (Washington)

## COMPETITIVE ANALYSIS | ECONOMIC DEVELOPMENT VISUALS



## COMPETITIVE ANALYSIS | ECONOMIC DEVELOPMENT

### Bernalillo County, NM

Chamber Positioning Line:

- “*Business Building a World Class Community.*”

Marketing Messaging:

- Bernalillo County, New Mexico does not seem to have its own Chamber of Commerce. However, there are many Chambers located within Bernalillo County. Since Albuquerque is a large and prominent city located in Bernalillo County, North Star focused on the Greater Albuquerque Chamber of Commerce.
- This Chamber of Commerce website offers easy to use navigation, with a variety of well organized menus located in clear view on the homepage.
- The website highlights the great quality of life, including the educational system, transportation network, small business community, healthcare, sustainable environment, and natural beauty. It contains many tools for new and existing businesses but no business incentives.
- The homepage is visually appealing with a large scenic picture. There is an arrow located on the right side of the picture which allows the viewer to scroll through different aspects of the Chamber, each with a large, visually appealing picture.
- Other pages of the website continue to have a nature theme and have a scenic picture of the mountains across the top and a color palette of white, blues, and red.





## Sandoval County, NM

Chamber Positioning Line:

- “Business Building a World Class Community.”

Marketing Messaging:

- The Greater Sandoval County Chamber of Commerce website has many links on the left side of the homepage. One of the most helpful tools seems to be the business directory. However, once the viewer scrolls through the list, many categories are blank.
- The “Tools for Business Success” link on the homepage is the link with the most information. However it is unclear that this would be the case by just looking at the homepage. On this page there are many links for all kinds of business, from new businesses to existing businesses who are wanting to improve. This page also offers the option to switch from English to Spanish.
- The site has information on tax incentives, location, funding programs, new business information, and much more.
- There are links to the Sandoval County Small Business Development Center and Albuquerque Score, both tools for small businesses.
- The website tends to be link heavy and confusing. The color palette is earth tones, featuring colors that are present in the desert.



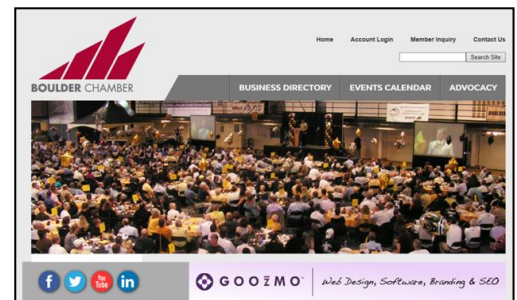
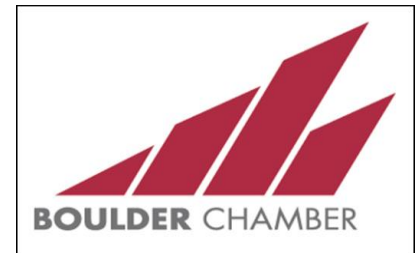
## Boulder County, CO

Chamber Positioning Line:

- “For a Bolder Business Community.”

Marketing Messaging:

- The Boulder Chamber’s website features many links for new businesses and potential members, as well as a “Business Directory” which is useful to residents. The website tends to be link heavy and unorganized, although it provides good information to those who look through it.
- The homepage readily features useful information such as the Chamber’s new plan for the community.
- At the very bottom of the left column there are links to other organizations in Boulder which are helpful for businesses and residents alike, such as the city of Boulder government website, the Boulder Economic Council and the Convention and Visitor Bureau.



- The website seems to be very up to date on current events and the economic situation.
- The color palette is maroon, gray, and white and appears very clean and sharp.
- The Boulder Economic Council website highlights the great quality of life offered in Boulder, from the weather to all the outdoor activities. It also emphasizes business resources and the area's top industries including aerospace, bioscience, renewable energy, software, data storage, outdoor recreation.

## Coconino County, AZ

### Chamber Positioning Line:

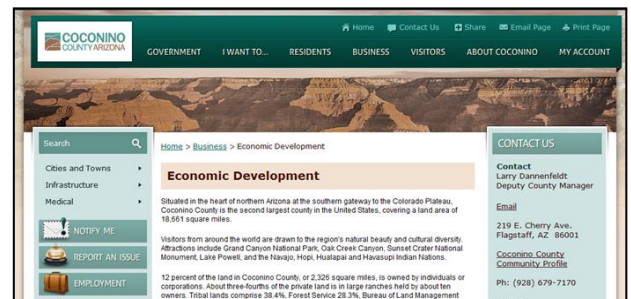
- None found.

### Marketing Messaging:

- Coconino County did not have its own Chamber of Commerce website, so North Star focused on the economic development section of the Coconino County government website.
- The "Economic Development" page features contact information on the right and a menu bar on the left. All links featuring lists of their respective category. The "Cities and Towns" page also offers a link to the "Community Profile" of each city.
- On the homepage of the "Economic Development" section, there

is a description of the County, emphasizing cultural diversity, location, natural beauty and the major city of Flagstaff as the county's economic, medical and transportation hub. Both Coconino County and the city of Flagstaff were named Enterprise Zones. Flagstaff is also known for its astronomy, astrogeology, and genomics.

- The color palette of the website is red earth tones, blues, and teals. In comparison to other economic development websites, this site has limited information mostly aimed to assist residents rather than new or existing businesses.



## Jefferson County, CO

Chamber Positioning Line:

- “Business. Economy. Community.”

Marketing Messaging:

- Although the West Chamber began as the Lakewood Chamber of Commerce, in 1990 it merged with the Wheat Ridge Chamber of Commerce to be the West Chamber Serving Jefferson County.
- On the left side of the website, there is a unique “Share” feature that remains fixed throughout navigating the website. It gives the option to share through Facebook, Twitter, Pinterest, and more.
- The top bar with many menus also travels with the viewer through the website. The menus offer a variety of information, however there are many different menus spaced very closely together along the top.
- The site focuses on the leaders and potential leaders in the community. It also highlights businesses that are doing well in the community and different financial incentives.
- The website features a palette of grays, blues and whites. The homepage is very clean and easy to read, but looks incomplete, with spaces for additional links on the right column and other unnecessary white spaces.



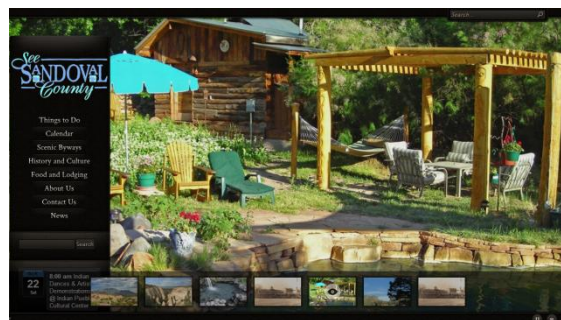
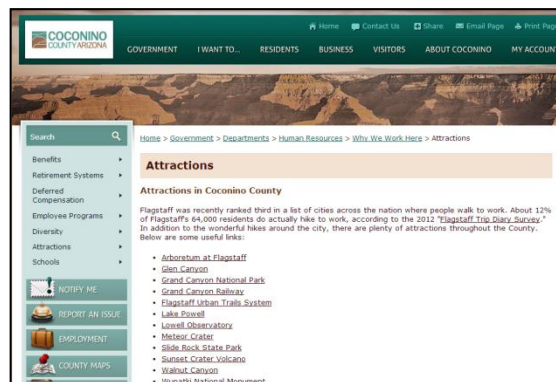
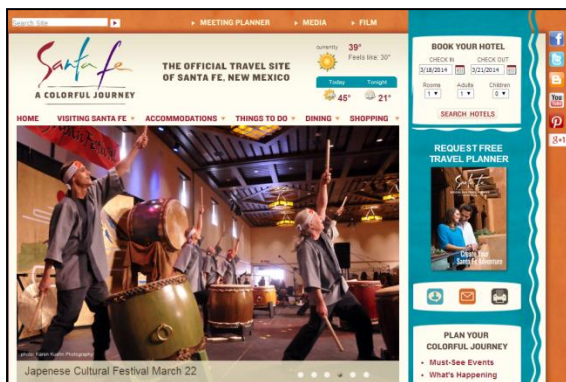
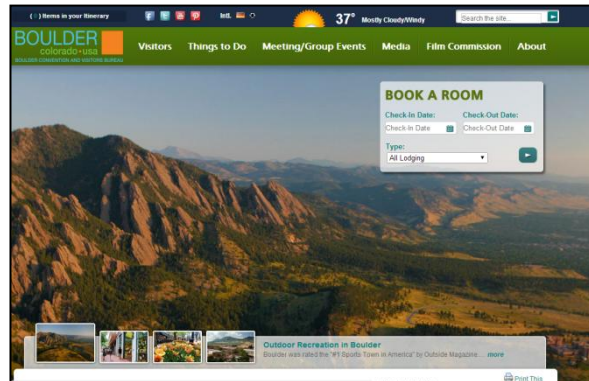
## ECONOMIC DEVELOPMENT SUMMARY

**What do these communities share in common? What differentiates them?**

- Many of the communities identified as competitor communities did not have their own Chamber of Commerce website. Therefore, for the analysis, either the economic development page of the county website was used or another Chamber of Commerce website which seemed to represent the County.
- The Greater Albuquerque Chamber of Commerce website is the most visually appealing, sophisticated, organized and easy to use.
- Four out of the five logos have a mountain type design. Two have earth tone and desert color palettes that remind the viewer of the location in the desert. The natural beauty of the area is highlighted on almost all of the websites.



## COMPETITIVE ANALYSIS | TOURISM VISUALS



## COMPETITIVE ANALYSIS | TOURISM

### Bernalillo County, NM

CVB Positioning Line:

- “It’s a Trip.”

Marketing Messaging:

- Bernalillo County, New Mexico does not seem to have its own CVB or tourism website. Using the County website to access the tourism section yields a 404 error.
- The Albuquerque CVB site, however, focuses on the region’s rich culture, heritage, and history. It emphasizes Native American culture and various museums. The site also highlights the wide variety of outdoor activities that the region offers.
- Based on the County website, Bernalillo County emphasizes community culture and the Sandia Mountains as their top assets. Furthermore, the front page features a rotating view of news and events.



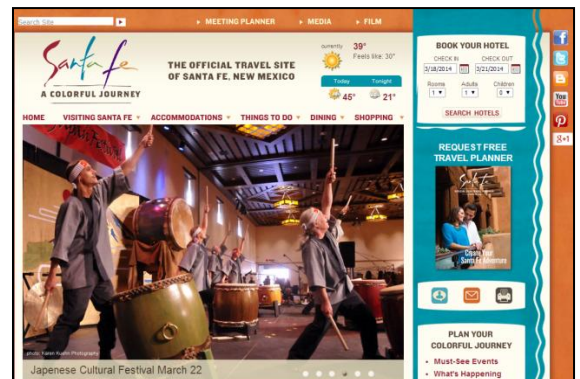
### Santa Fe County, NM

CVB Positioning Line:

- “A Colorful Journey.”

Marketing Messaging:

- The Santa Fe County CVB shares a website with its city. The homepage offers a multitude of links that are both organized and easy to use. The site also displays links for meeting planners, media, and film prospects at the top of the page.
- The site labels Santa Fe as a location that is a journey where legendary history meets culture. It highlights the diverse visual arts, award winning food and restaurants, and relaxing spas. Furthermore, it promotes the areas as a year-round destination.
- The color palette includes orange and blue, using designs similar to Native American pueblos. The front page features a scrolling slideshow of activities and awards. Overall, the site is visually appealing.
- Other pages of the website continue with the theme, offering the same color palette and hosting pictures or awards for every click.



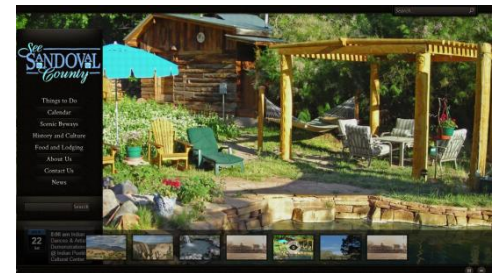
## Sandoval County, NM

CVB Positioning Line:

- “See Sandoval County.”

Marketing Messaging:

- The Sandoval County Convention and Visitors Bureau website has many links on the left side of the homepage. Besides the links, the homepage does not offer any marketing narrative to promote Sandoval County as a tourist destination.
- The “things to” link on the homepage provides the most information. However, the link directory is not optimally formatted. It is apparent that the links are supposed to highlight Sandoval County’s best assets, but this leads to additional, less relevant links once the buttons are scrolled over.
- The homepage is visually appealing and hosts a few large scenic pictures and a small area for event postings. Otherwise, it is sparse. On the other pages, the background changes to a desert tone. The navigation bar appears on every page, making it easy to navigate the site.
- While no asset is particularly promoted, the main assets of Sandoval County appear to be its landscapes and natural beauty, all of which can be seen along the County’s many scenic byways. Other assets include history, hot springs, and other activities such as hot air ballooning.
- The website is simple and easy to understand, but could use additional pictures or updates.



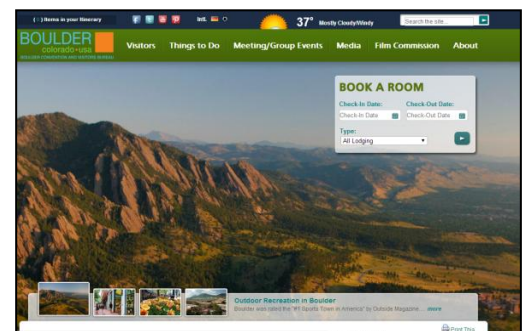
## Boulder County, CO

CVB Positioning Line:

- None found

Marketing Messaging:

- The Boulder County Convention and Visitor’s bureau shares a website with the city. It features a navigation bar that links to all aspects of the community and remains at the top of every page. The website is easy to navigate, and offers links for international users and movie production.
- The homepage features links for social media and to book rooms. The main area of the front page includes buttons named “Fresh Stories,” “For Foodies,” “Watch the Video,” and “Hot Events.”





- The homepage text emphasizes the area's skiing and their award for Foodiest Town in America. On top of this, the layout of the website promotes Boulder as a hip town and cultural center.
- The website is media savvy, using a high quality video to introduce all of the features of the area. Other important features of Boulder appear to be their emphasis on green culture, bike culture, and breweries.
- Links are not generic, making the site feel vibrant and fresh. Instead of "Things to Do," the site features link names such as "7 Ways to Sip and Savor Boulder" or "Boulder's Foodie Checklist."
- The colors used on the website are various shades of green, but uses pictures of the Rocky Mountains as a backdrop for every page.

## Coconino County, AZ

### CVB Positioning Line:

- *"The destination for all seasons."*

### Marketing Messaging:

- Coconino County did not have its own Convention and Visitors website, so North Star focused on the visitors section of the Coconino County government website and Flagstaff's CVB site.
- The site does not put emphasis on tourism. The visitors section is fairly unorganized and does not feature any statement from the CVB.
- The attractions listed on the site link out to those attractions' webpages. Main assets include national parks (which include parts of the Grand Canyon), Lowell Observatory, and Lake Powell.
- The Flagstaff CVB site heavily markets the community as a hub for outdoor activities. It emphasizes the area's mountains, extensive pine forest, snowboarding and skiing, camping, proximity to the Grand Canyon, and distinct four seasons.
- The Flagstaff site also emphasizes the region's history, including Native American culture and Route 66.



## Jefferson County, CO

### CVB Positioning Line:

- “Get Lost in Adventure.”

### Marketing Messaging:

- The Jefferson County Convention and Visitor’s Bureau website offers easy navigation and plenty of links to navigate the site. Besides tourist information, it includes information about each community and relocation offerings.
- The site gives no indication that it is the Jefferson County CVB site unless the user reads through it.
- The homepage is visually pleasing and hosts a slideshow of major assets. It is quite informative and features a rocky background likely taken at the County’s Red Rock venue. However, some links lead to visually unappealing lists.
- Other pages on the site use brown, earthy tones that complement the homepage well.
- The website emphasizes Jefferson County’s mix of urban amenities and Rocky Mountain adventures. Its major assets are Red Rocks Concert Venue, Coors Brewery, Bandimere Speedway, and the area’s various museums.



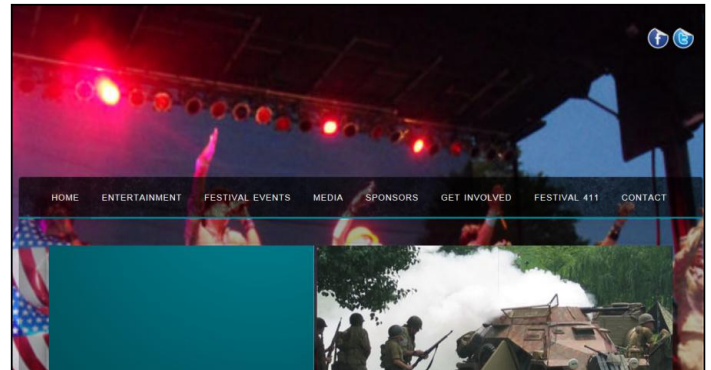
## TOURISM SUMMARY

### What do these communities share in common? What differentiates them?

- Every community used mountains as an asset to sell the community.
- Most communities placed an emphasis on outdoor living while still enjoying urban culture, but counties with smaller communities placed more focus on history and other attractions like spas.
- Boulder County and Santa Fe County both had well made websites, but were sharing their website with a city within the County. Furthermore, they both expressed an interest in hosting movie production. Jefferson County is the only county with a CVB website complete and separate of other entities.
- Most of the counties applied earthy tones to their color palette. Boulder’s website was the only site that did not have an earthy brown or orange.



## COMPETITIVE ANALYSIS | NATIONAL LABORATORY VISUALS

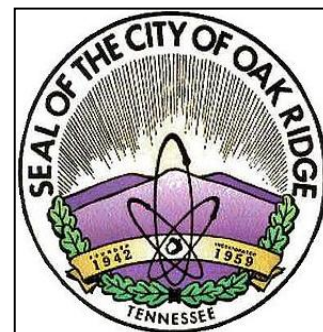


## COMPETITIVE ANALYSIS | NATIONAL LABORATORY COMMUNITIES

### Oak Ridge, TN

#### Marketing Messaging:

- Oak Ridge is home to the Oak Ridge National Laboratory, however if the viewer did not know this when looking at the city website, they may not realize the promotion of the “Secret City” is in fact the connection to the National Lab. The “Secret City Festival” is one of the featured events that appears predominately on the homepage, which features an atomic symbol. The festival also has its own website which can be accessed through the city website.
- The city’s seal also relates to the Lab through the use of an atomic symbol in the center of the image.
- The Convention and Visitor Bureau website urges the viewer to “Unlock the Secrets of America’s Secret City” as well provides information on the lab and its history.
- The Oak Ridge Chamber of Commerce website offers no clear information on the National Laboratory.
- The Oak Ridge Economic Partnership mentions the National Lab in the first sentence on the homepage. The lab also has its own page under the “Innovation” menu on the top toolbar.
- The Oak Ridge National Laboratory seems to be promoted more under the guise of tourism than economic development through promotion on the city and Convention and Visitors Bureau website.



### The Tri-Cities Area

#### Marketing Messaging:

- The Tri-Cities Area is home to the Pacific Northwest National Laboratory.
- On the Visitor and Convention Bureau website, there is a mention of the Lab under the description of Richland.
- Since the Lab was briefly mentioned under the description of Richland, North Star reviewed the city of Richland city website, where there is a link to a page about the Hanford Communities and the location of the National Lab, under the “Government” menu on the homepage. This page gives very limited information about the community, not even specifically the National Lab.
- The Tri-City Area Chamber of Commerce website does not seem to mention the Lab at all.
- None of the logos researched, including for the Tri-City Area’s Visitor and Convention Bureau, the Chamber of Commerce, or Richland, WA, have anything to do with the National Lab. They all contain suns and highlight the natural aspect of the region.



## NATIONAL LABORATORY COMMUNITIES SUMMARY

### **What do these communities share in common? What differentiates them?**

- Neither Oak Ridge nor the Tri-Cities Area heavily promotes their National Laboratories. The lack of promotion could work to Los Alamos County's advantage. Perhaps Los Alamos County can seize this opportunity to use their national laboratory as a way to promote economic development in their community.
- The Tri-Cities Area websites have color palettes of blue, orange, red and yellow and feature suns in their logos. The city of Oak Ridge website is blue, green and grey and features an atomic symbol in their city logo and their search bar logo.
- All of the websites are very sophisticated, have a good balance of photographs and text, and are visually appealing.

### WHERE THE BRAND SHOULD BE

The Insights portion of this process comprises the emotional and subjective sparks – gleaned from our intellectual and objective research – that point like a compass to the strategic position that best supports Los Alamos County’s goals.

Los Alamos County’s primary goals include:

- Assist the County and its partners in defining and deploying branding to promote a compelling and unified image of Los Alamos County.
- Define the strategic advantages of Los Alamos County from a competitive image standpoint over other communities in the region, nation and the world.
- Develop marketing approaches that would infuse strategic advantages into communications, both county and communitywide, in a consistent and positive manner.

With these objectives in mind, we need to focus the branding strategy in the markets that will be most receptive to the brand communications. Furthermore, the brand strategy must differentiate Los Alamos County in the region and increase awareness and regard within the community and beyond. This differentiation must remain in keeping with the personality perceived by stakeholders, visitors and prospective businesses alike.

Using the research gathered as fodder for thought, our insights come from asking numerous, provocative questions:

- What emotional attachments can the brand hold for the consumer?
- How does the brand fit into his or her lifestyle?
- How can the brand best be used to redefine perceptions?
- How can the brand stand out in the marketplace?

These insights will become the framework of our creativity on behalf of the brand.

## INSIGHTS ABOUT LOS ALAMOS COUNTY

*“If everyone is thinking alike, then somebody isn’t thinking.”*

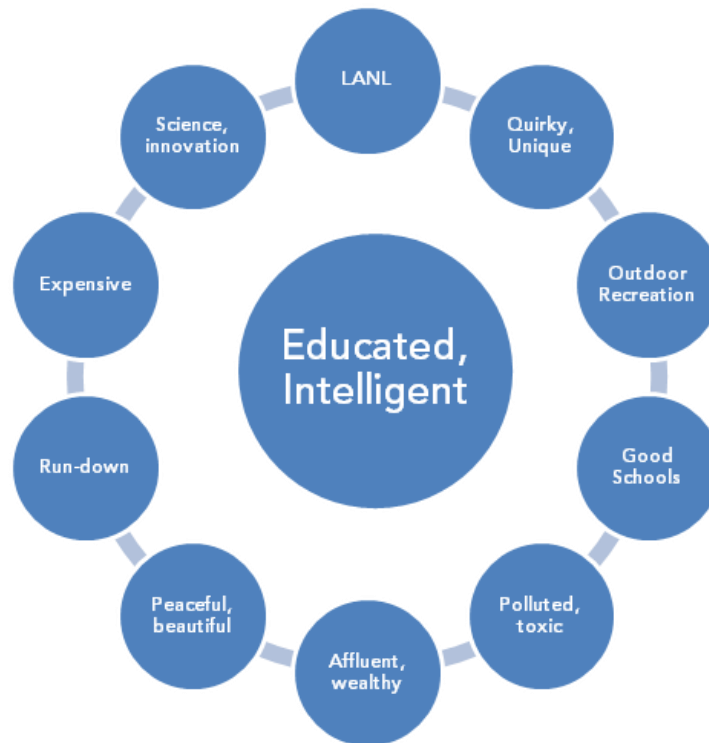
- George S. Patton

Throughout North Star’s research, a variety of thoughts and perceptions about the community were collected from individuals inside and outside the County. Here are some of the biggest perceptions gathered throughout our research that were shared by inside and outside perspectives.

- Los Alamos National Lab – One of the greatest assets of the community, and the reason for the County’s existence. The National Lab is the key economic development interest in the area.
- Quirky, unique – Many people spoke about the quirky, unique culture here. Many loved that about the community!
- Outdoor Recreation – A great asset for tourism in the county. Lots of people discussed the opportunity this has for the future. In North Star’s research, outdoor recreation was seen, at times, to be a greater asset than the National Lab.
- Good schools – Highly ranked in the state, the schools are known throughout the region for their excellence.
- Polluted, toxic – Some conversations mentioned that the area may be polluted due to the existence of nuclear research and other activities here. This is an inaccurate assessment of Los Alamos County, but being aware that outsiders have this perception of the area is important.
- Affluent, wealthy – Both internal and external voices commented on the areas affluence and wealth.
- Peaceful, beautiful – The setting in Los Alamos County is very desirable and makes for a great place to live, work and play.
- Run-down – Some individuals mentioned the declining aesthetics in the community, and how this is a great opportunity for improvement moving forward.
- Expensive – Some voices commented on the community’s higher cost of living, especially as it pertains to housing costs.
- Science, innovation – This is a science and innovation destination in New Mexico. This message should be told more often to outsiders to help them understand the importance of this community.

The goal is to build a distinct, unique community-wide brand that can connect, mainly, to economic development, but also tourism, community pride, business-development, arts and culture, and more. During all of North Star’s interviews, focus groups, surveys, and other conversations, we heard repeatedly about a certain aspect of the Los Alamos community that really sets you all apart.

And that is the level of education and intelligence in the community. All of these other attributes and perceptions make up the community as well, but what sets Los Alamos County apart is the highly intelligent, well-educated individuals and big brains that live and work here in the County.



North Star’s research shows the importance of the highly-educated and intelligent populous here. The phrase “educated” or “intelligent” was some of the top adjectives, attributes, and assets mentioned throughout North Star’s research.

The phrase “educated” or “intelligent” was the...

- #1 adjective to describe Los Alamos County in the Community Survey, Outside Perception Study, and the CAP Study and throughout the Perception Study.
- #2 rated attribute in the Community Survey.
- #2 rated perception in the CAP Study
- #1 rated business attribute in the CAP Study
- #2 asset in the Outside Perception Study.

*“There are tons of highly intelligent, well-educated individuals in Los Alamos County that are making a profound impact on our society that has to be the core of this community’s brand.”*

- Quote from North Star conversation

*“I’ve never seen a higher concentration of skills! And I work with communities all over the country. The smart, educated residents dominate the population, and that is highly unique.”*

- Quote from North Star conversation

A skilled, highly-trained, educated, and intelligent workforce is one of the primary interests of site selectors, economic development professionals, and individuals responsible for finding a location for new and relocating businesses.

But how is this intelligence meaningful for the County? How can we take this overarching asset and apply it to the whole community? Howard Gardner developed the theory of Multiple Intelligences in 1983 in his book “*Frames of Mind*.” He theorized that there were eight specific modalities or intelligences rather than a dominating single general intelligent ability. In other words, there are multiple ways to be intelligent...not just whether you are smart or not. For today’s discussion, we are going to synthesize some of these intelligences into just three.

*Emotional intelligence* – These are the individuals in the community who use emotion as a primary guiding force. They can relate to one another well, show compassion and heart and volunteer here in the community. Also, these individuals leverage their emotional intelligence to create beautiful art or moving music.

*Bodily intelligence* – We also heard about the beautiful scenery and enviable outdoor recreation in the County. These individuals with bodily intelligence are the outdoor enthusiasts. They go skiing on the weekends, take advantage of the high altitude to better their endurance and strength. And these are the people here that value fitness, health, and getting out and moving...taking advantage of the sunlight and beautiful climate.

*Logical intelligence* – Obviously this intelligence reigns supreme here in the County. These residents and professionals leverage their mental capacity to make a big impact on our world. They shape our nation’s discoveries and influence healthcare, science, manufacturing, biofuel and much, much more.

But, the beauty of this concept of multiple intelligences isn’t that you are singularly intelligent in just one of these areas. No, your aptitude for intelligence in these areas vary. For example, you can still be quite logically intelligent while still having a desire to get out and run on the trails – bodily intelligence, or play in a local band – emotional intelligence.

The outcome of these intelligences like physical fitness, volunteerism, beautiful music and stirring art, or highly evolved scientific discoveries, make up the *brain power* of this community. The outcomes and influences that are a result of the churning minds in the Los Alamos County community make up the power that is felt locally and globally by the brains here. *But, brain power is useless if it doesn’t make an impression, cause change, and influence decisions.* These changes can be personal change like a desire to make a difference in the community, local change like watching the children in school excel at science and math, and national change through taking new products to market to change cancer research and national security. This is the positive outcome of such a highly intelligent populous with a lot of brain power. Just like the atom is the basic unit of matter, an idea is a basic building block of intelligence. In this community, a simple idea can have a profound impact that changes an industry, or collects

enough attention to challenge the way we think. A simple idea in Los Alamos County can make you think bigger and live a brighter life.

However, there is one roadblock to branding Los Alamos County effectively. That is, few outsiders, and even some residents, actually know with absolute certainty what is happening in some of the scientific labs in the County. In other words, the outside perception of Los Alamos County is somewhat inaccurate. Anecdotally, most associate Los Alamos County with nuclear research, bombs and other historic activities. The County's identity as a secret city goes beyond the fact that this community was once off the grid. Nowadays, it describes the work of some brilliant minds far off in a room somewhere uncovering the next discovery that will change our world.

So the challenge becomes creating an identity and brand for the County that...

- Stays true to Los Alamos County and accurately depicts the community.
- Doesn't diminish the value of all of the hard work, critical thinking and innovation that happens here.
- And, says it in a meaningful, impactful way! Which can be done in a variety of different ways.

And this is where the creative part of this process can roam free. How the essence of the Los Alamos County community is considered and applied to create a brand that resonates is where the magic happens. Creativity is about emotion, it's about causing a feeling, stirring someone to make a change. And that's what building a brand is all about too...connecting with people's emotions to encourage an action.

*"The essential different between emotion and reason is that emotion leads to action while reason leads to conclusions."*

- Donald Calne, neurologist

This brand for Los Alamos County can have a tremendous impact on the community, by leveraging the intelligences of this community a forward thinking, progressive, and creative brand can be developed for the County.

After all, *"creativity is just intelligence having fun."* - Albert Einstein



## STRATEGIC BRAND PLATFORM

North Star funnels these strategic insights for the brand into a single sentence, the brand platform which can be used as a guide for creative expressions and implementation initiatives ensuring consistency and relevance.

<b>Target Audience</b>	For those who never stop questioning what's possible,
<b>Frame-of-Reference</b>	Los Alamos County, in the elevated outdoors of northern New Mexico and home to the Los Alamos National Lab,
<b>Point-of-Difference</b>	is where some of the world's best brains power the breakthroughs that shape our world
<b>Benefit</b>	so you are challenged to think bigger and live brighter.

### BRAND PLATFORM RATIONALE

#### ***For those who never stop questioning what's possible***

- Target Audience: A statement that reveals who will find Los Alamos County most attractive, often uncovers a characteristic of a group of people.
- Los Alamos County is a place for critical thinkers, who use their minds to their advantage, and who aren't afraid to think differently than their peers.
- Also, this Target Audience statement is individualistic, which is reflective of the community in Los Alamos County.
- By promoting Los Alamos County as a place for critical thinkers and intelligent people, this creates trust in the brand. Essentially, the brand promise will be experienced when someone visits or moves to the community.
- Additionally, this statement gives the positive impression that the County is a place of people who challenge the status quo, that consistently push the limits of their mind, body and soul. These types of individuals dream big, which connects to the Benefit statement in the Platform.

#### ***Los Alamos County, in the elevated outdoors of northern New Mexico and home to the Los Alamos National Lab,***

- Frame of Reference: An easy geographic identifier – where the County is in the region. Also, sometimes this includes prominent assets that are well known in the region.
- North Star heard throughout our research that Los Alamos County wouldn't exist today without the LANL. This is the community's greatest asset and most prominent identifier, nationally. Thus, it is included in the Frame of Reference.
- Outdoor recreation was seen as a primary asset that should be given top strategic priority. Because this asset is not unique to Los Alamos County it is included in the Frame of Reference as opposed to the Point of Difference.

- Additionally, the word “elevated” describes the type of outdoor recreation one can experience in Los Alamos County. Not only is the outdoor recreation in the area at high-altitude, the word elevate also describes the type of outdoor experience a visitor or resident can have in the County. An elevated experience is one that is a bit better, more invigorating, and more authentic.
- Finally, Los Alamos County has a significant impact on the northern New Mexico region, thus this regional identifier is included in the Platform.

***is where some of the world’s best brains power the breakthroughs that shape our world***

- Point of Difference: what is most relevant and distinct about Los Alamos County. What is the area’s competitive advantage in the marketplace?
- The high concentration of highly intelligent, educated, skilled individuals sets Los Alamos County apart from virtually any community in the country, its size.
- Insights explored the idea of Los Alamos County’s “brain power” – the impact the community has on the area and the country. Here the phrase “brain power” has been altered slightly to break up the common phrase.
- Historically, Los Alamos County has been a destination for outstanding breakthrough in science. This tradition continues today; however, one can have a multitude of breakthroughs in the County. For example, a visitor can have a downhill skiing breakthrough. An athlete can hit a personal best on his recent 5-K. Or a business person or scientist can have a breakthrough that powers innovation and science in the region.
- Having the “best brains,” “brain power,” and “breakthroughs” in the community is an effective economic development message, a key goal for this initiative.

***so you are challenged to think bigger and live brighter.***

- Benefit: what’s in it for a resident, visitor, or business. The takeaway once you’ve experienced the Los Alamos County community.
- The Los Alamos County community is a place that doesn’t back down from a challenge. In fact, the community embraces a challenge as an opportunity to grow and make an impact.
- In Los Alamos County, by thinking bigger, your life is brighter.
- This Benefit statement is also a call to action for newcomers, residents, and businesses. It’s a challenge to think bigger, don’t accept the status quo and to live a bright life full of energy, passion, and growth.

### HOW IS THE BRAND PERFORMING?

Evaluation yields new information which may lead to the beginning of a new planning cycle. Information may be gathered from concept pre-testing, campaign impact in the marketplace and tracking studies to measure a brand's performance over time.

Ideally, two basic questions will be answered: Have responses to the brand among target audiences changed in the way the BrandPrint intended? And have these changes resulted in consumer action that will achieve the desired objectives of the brand? Turnkey or do-it-yourself programs are recommended depending on the needs of the community.

To begin the process of brand evaluation, North Star has set up a schedule to discuss Los Alamos County's brand progress. This schedule begins immediately after the delivery of your BrandPrint.

- Immediately – North Star recommends that Los Alamos County focus efforts on growing its inquiry and visitor database for both visitors and business prospects. In addition, the County should continue to add to its resident database of email addresses. Los Alamos County should also establish an email database of the business community in the County.
- Six months – North Star's Research Director will conduct an assessment call to outline a plan for measuring brand performance moving forward
- One year – Los Alamos County will be contacted to determine specific measurement goals including re-measuring awareness and perception of the community amongst intended audiences.

Building your databases and keeping them current ensures future success measurements can be calculated. These leads will be the best data start point for future brand evaluation.

As stated above, North Star will consult with the community at the above times to evaluate your specific needs. Keep in mind that many of the research pieces in your BrandPrint were created to act as benchmarks by which future improvements can be measured. Based on what we now know of the community, likely recommendations for success measurements at Los Alamos County's one-year mark may include:

- Resident and Visitor Tapestry Profile Who and What Reports
- Community Brand Barometer
- Online Community-wide Survey
- Consumer Awareness and Perception Study

## **LOS ALAMOS COUNTY TAPESTRY PROFILE STUDY**

### ***Purpose***

A Community Tapestry Study is conducted to understand the target audience's lifestyle in detail. This included profiling reports for Los Alamos County residents and the Regional Profile – five county region including Santa Fe, Rio Arriba, Taos, Sandoval, and Bernalillo Counties.

### ***Methodology & Results***

Tapestry represents the fourth generation of market segmentation systems that began 30 years ago. This powerful tool classifies U.S. neighborhoods by lifestage and lifestyle in addition to traditional demographics.

The results from the Tapestry studies can be classified into two main reports:

- **Who Report:**
  - Profiles the demographic and lifestyle segmentation of the population
  - Classifies the population in each of the ways outlined above and indexes the population under study against national averages
- **What Report:**
  - Provides a detailed profile of the core population for 37 separate lifestyle and media groups in over 2,200 sub-categories
  - Each category is indexed against the average U.S. resident to determine whether a member of the population under study is more or less likely to exhibit the specific behavior (100 represents the national average)

Key findings from the Community Tapestry reports allow for greater understanding of your residents and consumer groups. The more you understand about your target audiences, the better you can target your message to them.

### ***Timing***

The Community Tapestry Study should be conducted every one-to-three years.

## LOS ALAMOS COUNTY COMMUNITY BRAND BAROMETER

### ***Purpose***

The Community Brand Barometer measures strength of the Los Alamos County brand according to:

- Resident satisfaction/advocacy with the brand as a place to live, work and visit
- Brand satisfaction/advocacy relative to the nation.

### ***Methodology & Results***

The methodology for the Brand Barometer has been carefully developed and determined to be statistically significant. Participants answer three questions:

- Would you recommend living in Los Alamos County to a friend or colleague?
- Would you recommend visiting Los Alamos County to a friend or colleague?
- Would you recommend conducting business in Los Alamos County to a friend or colleague?

Resident advocacy is one of the strongest measures of brand success. Successful brand implementation will energize the resident base, making them more likely to recommend their community to others.

### ***Timing***

The Community Brand Barometer should be conducted annually. The first Brand Barometer should be conducted no sooner than one year from brand introduction (when there is visible implementation of your brand in the community).

See **Appendix D** for additional information.

## **LOS ALAMOS COUNTY ONLINE COMMUNITY-WIDE SURVEY**

### ***Purpose***

The purpose of the Online Community-wide Survey is to gain a quantitative measure of the community's perceptions of Los Alamos County.

### ***Methodology & Results***

This qualitative survey is fielded online and is open to all residents of the community. The study measures the following:

- Overall top-of-mind perceptions of Los Alamos County
- Strengths and weaknesses of Los Alamos County
- Resident suggestions on what is missing from Los Alamos County
- Measurements of Los Alamos County quality of life indicators

Positive resident perceptions are a strong indicator of brand success. Successful brand implementation will energize the resident base, making them more likely think of the community in a positive light.

### ***Timing***

The Online Community-wide Survey should be conducted annually. The first survey should be conducted no sooner than one year from brand introduction (when there is visible implementation of your brand in the community).

## **CONSUMER AWARENESS AND PERCEPTION STUDY (CAP STUDY)**

### ***Purpose***

The purpose of this study is to gain insight into consumer awareness, visitation and perceptions of Los Alamos County.

### ***Methodology & Results***

This quantitative survey is fielded online outside of Los Alamos County's borders in order to obtain an outsider's perspective. The survey measures:

- Overall top-of-mind perceptions of Los Alamos County and immediate competitors
- Consumer visitation trends (frequency and nature of visitation)
- Consumer visitation drivers (business, leisure, friends and family)
- Strengths and weaknesses of Los Alamos County identified within community attributes
- Consumer suggestions on what is missing from Los Alamos County
- Measurements of Los Alamos County delivery of hospitality
- Measurements of Los Alamos County quality of life indicators

### ***Timing***

The CAP Study should be conducted annually. The first survey should be conducted no sooner than one year from brand introduction (when there is visible implementation of your brand in the community).



# **Los Alamos County, NM**

## **Final BrandPrint Presentation**

May 6, 2014



# North Star Goals:

- ▶ **Execute a comprehensive package of research to uncover what's most relevant and distinct about Los Alamos County**
- ▶ **Develop a strategic statement the County can use to effectively brand itself**
- ▶ **Craft a compelling message that highlights this strategy and all Los Alamos County has to offer**
- ▶ **Show how this message can come to life**



**“Your brand is what they say about you  
when you are not around.”**



**Branding is what you do about it.**

**But the term “brand” has a branding problem.**

**It has become only associated with a logo and tagline.**

**But, in reality, a brand encompasses so much more.**

# **Branding is about making an emotional connection...**

*“The essential difference between emotion and reason is that emotion leads to action while reason leads to conclusions.”*

*- Donald Calne*

# **Brands encompass:**

**Emotion**

**Experience**

**Trust**

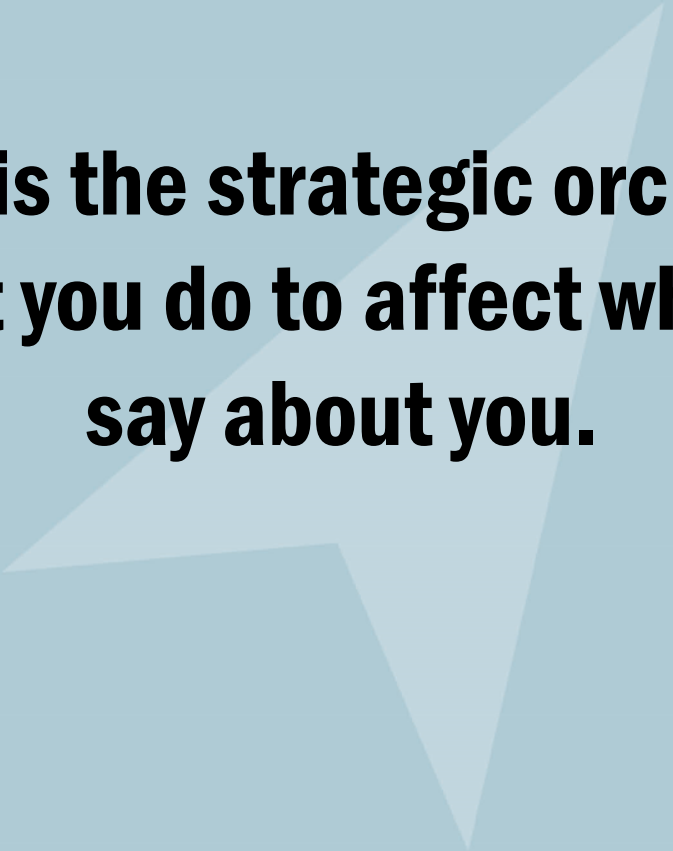
**Aspiration**

**Aesthetics**

**Reward**

**Knowing your target**

**Communicating consistently**



**Branding is the strategic orchestration  
of all that you do to affect what “they”  
say about you.**



# **How did we uncover the brand for Los Alamos County?**





**North Star's process moves from research to  
strategy to creativity.**

## Community

Research & Planning Audit  
Communication Audit  
Situation Analysis  
Familiarization Tour  
Stakeholders/Community  
Key Stakeholder Interviews  
Stakeholder Focus Groups  
Undercover Interviews  
Community Survey (additional  
to scope of work)  
Brand Barometer Study  
Geo-demography Profiling  
(Residents)

## Consumers

Geo-demography Regional  
Profiling  
Perception Study  
(Qualitative)  
Community stakeholders,  
regional stakeholders and  
tourism professionals  
Outside Perception Study  
Consumer Awareness &  
Perception Study  
(Quantitative)  
Visitors and Non-visitors

## Competition

In-Market Trip  
Research and Materials Audit  
Competitive Analysis  
Perception Study (Qualitative)  
Community stakeholders,  
regional stakeholders and  
tourism professionals  
Consumer Awareness &  
Perception Study (Quantitative)

# Research Summary

<p><b>Los Alamos County</b></p> <p><b>SWOT Analysis</b></p>	<p><b>Internal Descriptions</b></p> <p>Educated Quirky Intelligent Affluent Healthy Run-down Arrogant</p>	<p><b>External Descriptions</b></p> <p>Educated Intelligent Affluent Quirky Outdoor recreation</p> <p>Ranked much lower</p>
<p><b>ASSETS</b></p> <p>Los Alamos National Lab Outdoor recreation Highly educated population Strong school system Safety Nuclear history Diversity Volunteerism</p>	<p><b>CHALLENGES</b></p> <p>Lack of affordable housing Commuters living outside County Overanalyzing plans Lack of entertainment, restaurants, retail Some outside perception of radioactive, toxic</p>	<p><b>OPPORTUNITIES</b></p> <p>Promote outdoor rec. Restaurants &amp; retail Attract commuters to live in the County Economic diversification Tech transfer from Lab Diversify housing options</p>



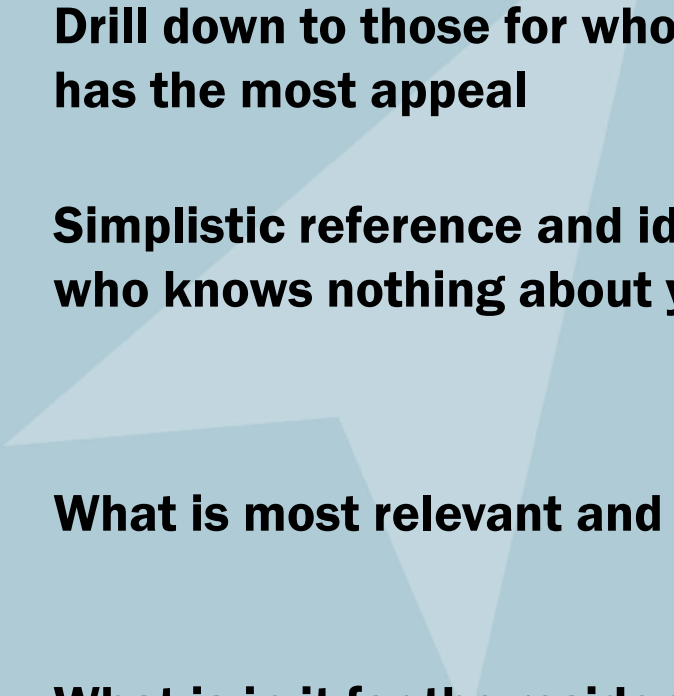
# **Los Alamos County Insights**

# Los Alamos County Brand Platform

Strategic Direction informed by research  
Internal Statement, for community stakeholders  
Not an emotional or creative statement

This is the foundational statement used to develop the  
creative pieces.

# Brand Platform Definition

- 
- Target Audience:** Drill down to those for whom your community has the most appeal
  - Frame-of-Reference:** Simplistic reference and identifier for someone who knows nothing about your community
  - Point-of-Difference:** What is most relevant and distinct about you
  - Benefit:** What is in it for the residents and businesses

# Los Alamos County Brand Platform

- Target Audience:* **For those who never stop questioning what's possible,**
- Frame of Reference:* **Los Alamos County, in the elevated outdoors of northern New Mexico and home to the Los Alamos National Lab,**
- Point-of-Difference:* **is where some of the world's best brains power the breakthroughs that shape our world**
- Benefit:* **so you are challenged to think bigger and live brighter.**

# Platform Rationale

## 🔺 For those who never stop questioning what's possible

- Target Audience: A statement that reveals who will find Los Alamos County most attractive, often uncovers a characteristic of a group of people.
- Los Alamos County is a place for critical thinkers, who use their minds to their advantage, and who aren't afraid to think differently than their peers.
- Additionally, this statement gives the positive impression that the County is a place of people who challenge the status quo, that consistently push the limits of their mind, body and soul. These types of individuals dream big, which connects to the Benefit statement in the Platform.
- The Target can connect to science, innovation, technology, engineering and more. But, it is meant to connect more broadly as well, for local school children, outdoor enthusiasts looking for that next personal best, for artists exploring their creativity and hoping for something truly unique just to name a few.



# Platform Rationale

## ✦ **Los Alamos County, in the elevated outdoors of northern New Mexico and home to the Los Alamos National Lab,**

- Frame of Reference: An easy geographic identifier – where you are in the region. Also, sometimes this includes prominent assets that are well known in the region.
- North Star heard throughout our research that Los Alamos County wouldn't exist today without the LANL. This is the community's greatest asset and most prominent identifier, nationally.
- Outdoor recreation was seen as a primary asset that should be given top strategic priority.
- Additionally, the word “elevated” describes the type of outdoor recreation one can experience in Los Alamos County. Not only is the outdoor recreation in the area at high-altitude, the word elevate also describes the type of outdoor experience a visitor or resident can have in the County.
- An elevated experience is one that is a bit better, more invigorating, and more authentic.

# Platform Rationale

✦ **is where some of the world's best brains power the breakthroughs that shape our world**

- Point of Difference: what is most relevant and distinct about Los Alamos County. What is the area's competitive advantage in the marketplace?
- The high concentration of highly intelligent, educated, skilled individuals sets Los Alamos County apart from virtually any community in the country, its size.
- Here the phrase “brain power” has been altered slightly to break up the common phrase.
- Los Alamos County has been a destination for outstanding breakthroughs in science. This tradition continues today; however, one can have a multitude of breakthroughs in the County. For example, a visitor can have a downhill skiing breakthrough. An athlete can hit a personal best on his recent 5-K. Or a business person or scientist can have a breakthrough that powers innovation and science in the region.
- Having the “best brains,” “brain power,” and “breakthroughs” in the community is an effective economic development message, a key goal for this initiative.

# Platform Rationale

✦ **so you are challenged to think bigger and live brighter.**

- Benefit: what's in it for a resident, visitor, or business. The takeaway once you've experienced the Los Alamos County community.
- The Los Alamos County community is a place that doesn't back down from a challenge. In fact, the community embraces a challenge as an opportunity to grow and make an impact.
- In Los Alamos County, by thinking bigger, your life is brighter.
- This Benefit statement is also a call to action for newcomers, residents, and businesses. It's a challenge to think bigger, don't accept the status quo and to live a bright life full of energy, passion, and growth.

# **So, we have a Brand Platform, now what?**

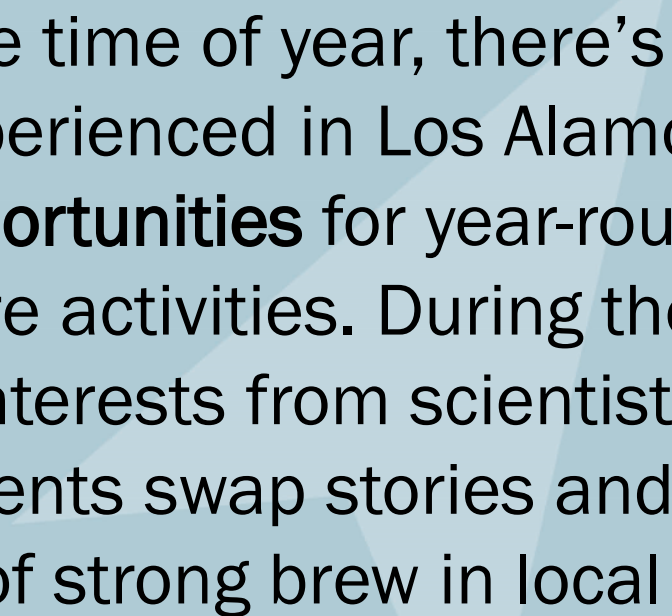
We begin to add lots of emotional language to the essence of that Platform, and breathe life into the brand through a written concept.

# Los Alamos County Written Concept

- Establishes the framework for the brand
- Strikes an emotional tone with consumers
- Shows you how assets can be communicated using the concept
- Some of the copy is aspirational in nature as well
- Phrases that connect to the strategy are bolded.

Like the **perfect equation**, the magic of Los Alamos doesn't come from any single **element or interaction**. Here, 7000 feet above sea level, the **power** of the Los Alamos experience is **raised to a higher level** by a unique combination of assets . . . the work opportunities, the otherworldly beauty of the landscape, the breadth of outdoor recreation, the cultural diversity and the **brainpower** of its people--from brilliant PhD's and practical parents to free-spirit artisans and entrepreneurs.

On any given day the enjoyment of your work is **multiplied** by the compelling conversation of your companions over dinner. The challenge of rugged outdoor activity is **increased immeasurably** by the simple beauty of the high desert around you. The intimacy in this close-knit community is intensified because everything you could want is found within miles. And the pleasure taken in raising a family is compounded by the fact that in Los Alamos learning is revered, schools are exceptional and safety is always a priority.



Regardless of the time of year, there's plenty to do. The four seasons experienced in Los Alamos **exponentially increase the opportunities** for year-round outdoor sports and leisure activities. During the winter, people of all ages and interests from scientists to politicians to high school students swap stories and ideas over steaming mugs of strong brew in local coffeehouses.



Locals who are **big thinkers at work become big adventurers** in their off-time, strapping on skis or a snowboard to tackle Pajarito Mountain. While visitors also seek out the slopes to enjoy the short lift-lines and access to 40 trails, a terrain park and some of the best tree and bump skiing in the state—all just five miles from downtown.

When spring thaws the snow, local creeks swell, snow boots are traded for fishing boots and the delicate arc of fly fishing lines fill the air. Socializing moves outside to patios and al fresco dining spots where on any given day one can overhear conversations ranging from quantum mechanics to fly fishing to John Coltrane in languages as diverse as Russian and Japanese. Outdoor activity **intensifies** as summer temperatures rise. Runners and cyclists **test their endurance with the added challenge of the higher elevation** in the hills and valleys of the area. In the fall, the Valles Caldera National Preserve hosts some of the best elk hunting in North America.

Meanwhile, some of the most important scientific research and exploration of our time is conducted at one-of-a-kind experimental facilities or with high performance computers that are among the fastest in the world. Here, we remain undistracted by the masses and random problems of larger urban areas. That work is memorialized in the Bradbury Science Museum, **a hub for scientific learning that delights the young and fascinates the young-at-heart.**

And if one prefers **science served up with the perspective of history**, the Bandelier National Monument is a 33,000 acre site offering exploration of humanity's culture, communications and progress over the last 11,000 years. **Stimulating company, and a thriving arts environment further elevate this one-of-a-kind cultural haven.** In fact, the all-around quality of life in Los Alamos County is so **exceptional** it has earned it a place on the top 10 lists published by National Geographic, U.S. News and World Report, Forbes and Smithsonian magazine.

In and around Los Alamos, it's common to rub elbows with **some of the greatest minds of our time**. As a result, over the years, the economic base of Los Alamos has naturally expanded into bio-technology and engineering, creating opportunities for collaboration with the Lab's health research and energy security industries. But other industries—including retail, professional services, manufacturing and agriculture—are targeting Los Alamos for expansion and relocation. Bottom line: when it comes to business opportunities **there is untapped potential here.**

It's no surprise then that the schools in Los Alamos are outstanding. They reflect the **community's high educational standards and commitment to creating a life-long learning environment.** There is participation by the Lab's engineers and scientists—many of whom are moms and dads **thrilled to share their enthusiasm for science, technology, engineering and math.** In Los Alamos, innovation is celebrated. Trial and error are part of the learning process.

Here in Los Alamos, we welcome those who are **looking for opportunities and experiences that are exponentially greater.** Because people don't just settle for the easy solution here – we continually strive, **attempt and achieve.** That is the heritage, and ongoing nature, of Los Alamos County, defining everyday life and the entire culture of the area. A unique place in the high desert – in the entire country – **where possibility is infinite and the probability for happiness is high.**

# Strapline



**Los Alamos County, NM...**  
***Live Exponentially.***



# Strapline Rationale: *Live Exponentially.*

- “Exponentially” is an ideal word to use for the strapline for these reasons:
  - It gives the feeling that life in the County is elevated and raised, that life is great, and the County is for those who want the most out of life.
  - An exponent is an element found in science and mathematics.
  - It allows for a visual mechanism in the brand identity to help this concept come to life.
- Residents and businesspeople aren’t thrill seekers, but they do challenge the status quo. They never stop questioning what’s possible and there’s an innate desire to learn and grow. This strapline captures this sentiment.

## Strapline Rationale: *Live Exponentially.*


- This strapline is perfect for a community-wide brand because the word “live” can be replaced to reinforce marketing messages to key audiences, like:
  - Workforce development: *Work Exponentially.*
  - Students: *Think Exponentially.*
  - Outdoor fun: *Play Exponentially.*
  - Trail runners: *Run Exponentially.*
  - Local brewery: *Brew Exponentially.*
  - Local bands and music: *Jam Exponentially.*
- The strapline can be tweaked further to connect with existing assets or events. For example, the Los Alamos ScienceFest now has a tagline: “Unleash Your Creative Genius.” You can tweak this to be “Unleash Your Creative Genius – Exponentially.” OR “Exponentially Unleash Your Creative Genius.”




## **How can this come to life visually?**

With these foundational pieces created, we can now visually explore what this should look like.

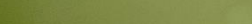
**The best way to show this is through the creation of a  
“Look.”**


[Menu](#)
[Find Content](#)
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## Instant Adaptability >

With a 2 in 1, switching between a tablet and a laptop is simple.



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[Privacy](#)
[Cookies](#)

[Newsroom](#)
[Chip Shot: Intel Celebrates Earth Day with Employee Global Photo Mosaic](#)
[Twitter](#)
[Facebook](#)
[USA \(English\)](#)



# **Los Alamos County Look**

A person wearing a helmet and an orange shirt is sitting on a rocky cliff, looking out over a vast canyon. In the background, there are mountains with patches of snow under a clear blue sky.

Breathtaking raised to the power of **you.**

Vit. restiam non pro dolupta nulparias si aut  
pratenditisi doluptatis dem ipieni nos sunt do-  
luptint adis eum reptiuntia nus ium voloria denis  
eaquam, eum facea dolumquia dolum aut rae  
volupta spicid unt mi, alicipsam

**Los Alamos County**  
Logo Here

**LIVE EXPONENTIALLY**

LosAlamosNM.us

**Moving  
photography**

**Clean design  
(not “flashy”)**

**Simple, but powerful  
headline**

**Body copy is  
secondary to the  
image/headline.**

**The strapline is  
featured at the  
bottom, screened out.**





Breathtaking raised to the power of **you.**

Vit. restiam non pro dolupta nulparias si aut  
pratenditisi doluptatis dem ipieni nos sunt do-  
luptint adis eum reptiuntia nus ium voloria denis  
eaquam, eum facea dolumquia dolum aut rae  
volupta spicid unt mi, alicipsam

**Los Alamos County**  
Logo Here

**LIVE EXPONENTIALLY**

LosAlamosNM.us

Headline implies that  
“YOU” raise the  
experience of  
whatever situation  
you find yourself in.

Such as outdoor  
recreation, business,  
etc.

To reiterate the  
strapline, the “YOU” is  
raised to imply an  
exponent.

# Outdoor Recreation Ad

Amazing raised to the power of **you.**

Vit restiam non pro dolupta nulparias si aut  
pratenditisi doluptatis dem ipieni nos sunt do-  
luptint adis eum reptiuntia nus ium voloria denis  
eaquam, eum facea dolumquia dolum aut rae  
volupta spicid unt mi, alicipsam

**Los Alamos County**  
**Logo Here**



# LIVE EXPONENTIALLY

LosAlamosNM.us



Business raised to the power of **you.**



Vit restiam non pro dolupta nulparias si aut  
pratenditisi doluptatis dem ipieni nos sunt do-  
luptint adis eum reptiuntia nus ium voloria denis  
eaquam, eum facea dolumquia dolum aut rae  
volupta spicid unt mi, alicipsam

**Los Alamos County**  
**Logo Here**

**LIVE EXPONENTIALLY**

LosAlamosNM.us

## Business Ad

With this concept you  
can incorporate fun,  
playful, quirky  
photography as well.

## Business Ad



Business raised to the power of **you.**

**Los Alamos County  
Logo Here**

Vit restiam non pro dolupta nul-  
parias si aut pratenditisi doluptatis  
dem ipieni nos sunt doluptint adis  
eum reptiuntia nus ium voloria de-  
nis eaquam, eum facea dolumquia  
dolum aut rae volupta spicid unt mi,

# LIVE EXPONENTIALLY

LosAlamosNM.us



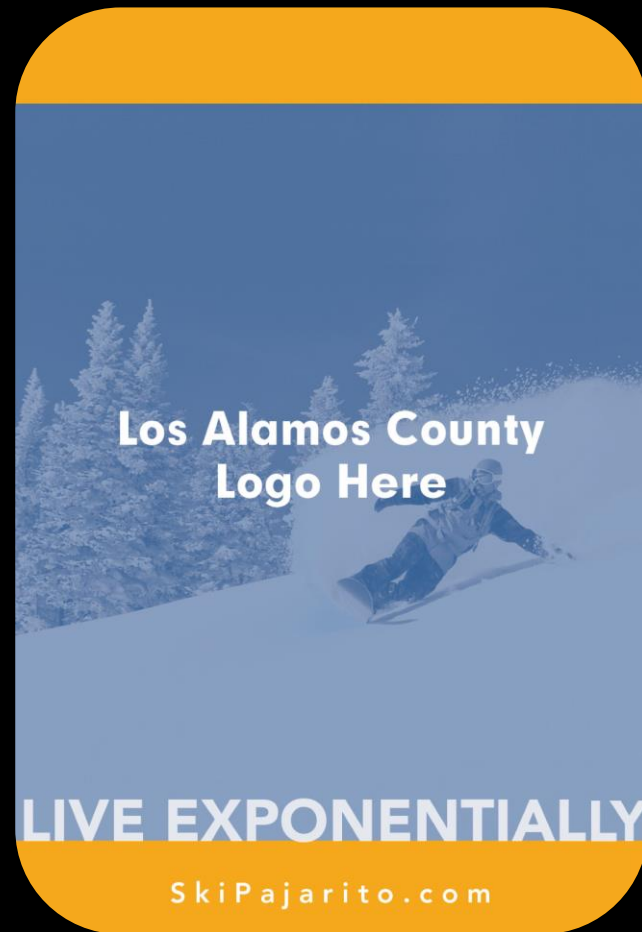
# Website Recommendation



Portal Site, no clutter

The Strapline concept has been used throughout the site.

## Branded Ski Pass



*“Exponential Ski Pass”*

An example of using the brand for local assets.



## Ski Pass – Mock Up





**How do you bring a community brand to life?**

# Columbus, Indiana

## *Strategic Brand Platform*

*Target Audience:* For people seeking a small and innovative Midwestern community

*Frame-of-Reference:* Columbus is an architecturally significant community within the Indianapolis, Louisville, and Cincinnati triangle

*Point-of-Difference:* where an environment of excellence creates an uncommon atmosphere

*Benefits:* that inspires you to shape your world.

# Columbus, IN

## Key Challenge

Form vs. function. Although modest in population at 40,000, Columbus, Indiana is ranked a surprising fifth in the U.S. for architecturally significant cities putting it in the same company as New York City, San Francisco, Chicago and Miami. Research showed that residents are well aware - and proud -- of Columbus' architectural status. But many don't see the connection between an interesting building and the things that matter most in their lives including jobs, safety, children and education. So how can a city with a reputation for design excellence optimize that advantage and still create a brand that's "of the people."



# Columbus, IN

## Critical Insight

More than just a pretty building. North Star's research revealed that Columbus' architecture is not just significant, it's memorable! Dazzling modern design combined with exemplary building standards turn common structures like schools, city hall, bridges and the fire stations into functional works of art people won't soon forget. Research also showed that the outstanding architecture of Columbus is not just about the buildings, it's about applying a standard of excellence to the everyday in a way that inspires greatness in all you do. Ultimately, Columbus doesn't just do buildings better, it strives to do everything better. And that's a connection hardworking residents can feel good about.

# it's okay to stare.



Discover a city with an unexpected abundance of art, architecture, and gardens. Have an experience you'll never forget.

**columbusindiana**  
unexpected.unforgettable.

800-468-4564 | [columbus.in.us](http://columbus.in.us)

advertising



**columbusindiana**  
unexpected.unforgettable.

# start here.

Kick off your fall and discover a city with an unexpected abundance of art, architecture, and outdoor festivals. Have an experience you'll never forget.



**columbusindiana**  
unexpected. **unforgettable.**

800-468-6564 | [columbus.in.us](http://columbus.in.us)



"Sun Garden Panels  
in Suspended Circle" by  
Dale Chihuly

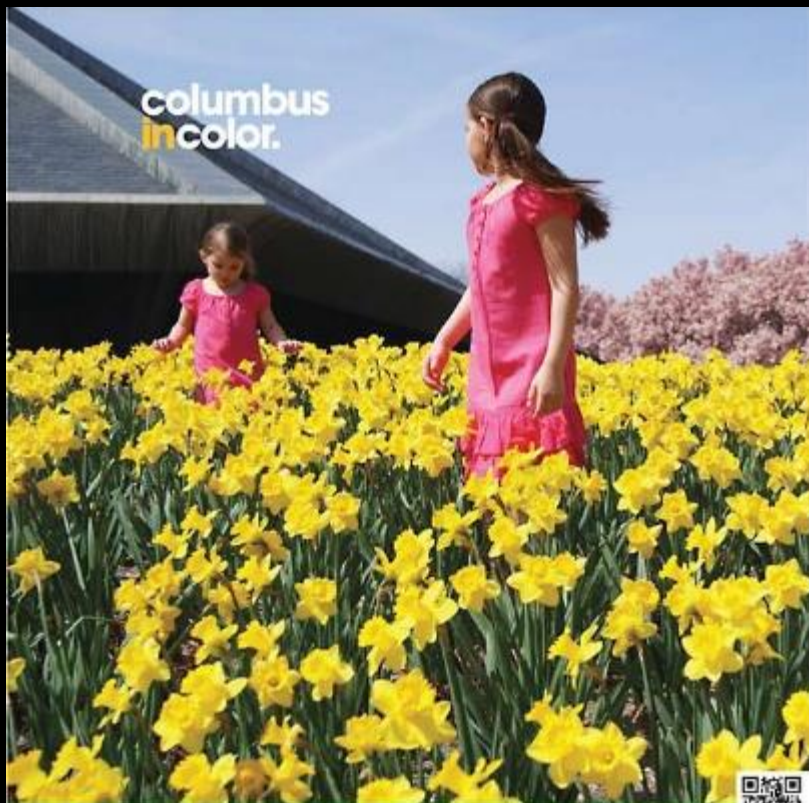


World-renown  
Architectural Treasures



Vibrant Red-leafed  
Sugar Maple

columbus  
in color.



Take a deep breath. That's the clear, fresh smell of sunshine in the air. Now is the best time to discover all things colorful in Columbus, Indiana. Experience the unexpected wealth of architectural and artistic expression all wrapped in the vibrant hues of fun. Make your first stop the Columbus Area Visitors Center—a hub of information that will help make your visit unforgettable.



columbusindiana  
unexpected unforgettable.

800-468-6564 | columbus.in.us



columbusindiana  
visitorscenter

July 13, 2007

Joe Myers  
Myers-Cordon Group  
111 S Rogers  
Bloomington, IN 474704

Dear Mr. Myers,

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Sincerely,

Lynn Lucas  
Executive Director

506 Fifth Street  
Columbus, Indiana 47201  
tel: 812 / 378-2622  
toll free: 800 / 468-6564  
fax: 812 / 372-7348  
www.columbus.in.us



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Executive Director

506 Fifth Street  
Columbus, Indiana 47201  
tel: 812 / 378-2622  
toll free: 800 / 468-6564  
fax: 812 / 372-7348  
www.columbus.in.us  
lynnlucas@bizglobal.net

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47201

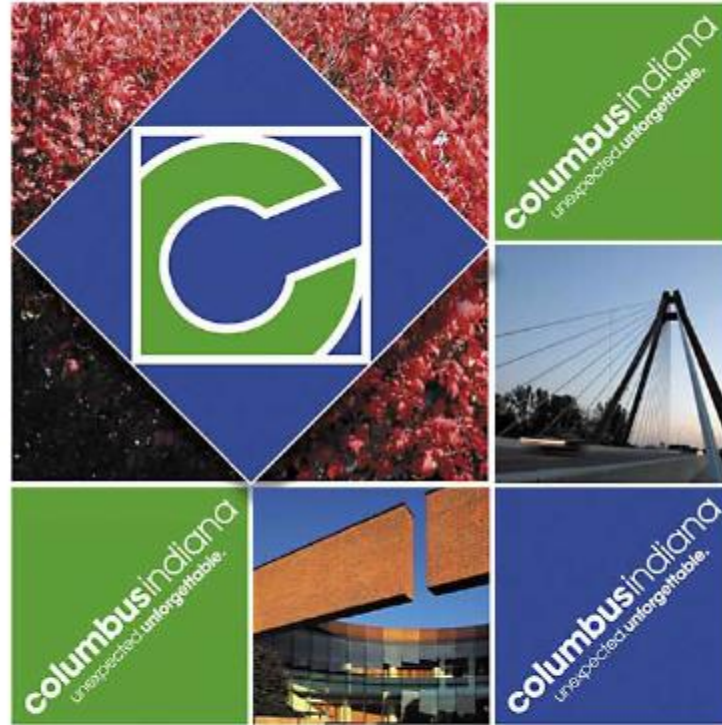
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SUMMER 2012

SPECIAL  
REPORT

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& SECURING  
INVESTMENTS

Advanced  
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to Drive U.S.  
Economic  
Engine

## 100 LEADING LOCATIONS for 2012

Which MSAs  
Rank Highest  
for Economic  
& Job Growth?



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More **mechanical engineers** per capita and **three times the national average** for engineering employment.

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# Columbus, IN Results:

- Columbus ranked at the top of Area Development's 2012 Leading Locations List
- In 2011 Columbus experienced: a 19.2% growth in tour sales income, the website had 172,799 visitors, and Columbus enjoyed a 18.5% increase in innkeeper's tax collections
- Lilly awarded a \$38-million dollar grant to fund workforce development (Advanced Manufacturing, Health, Hospitality and Tourism) Project to include Pelli-design for Advanced Manufacturing Center of Excellence.
- Dream It Do It initiative – also to support careers in manufacturing



# Columbus, IN Results:

- Columbus Chamber was named Indiana Chamber of the Year.
- Columbus Visitors Center was named National Association of Sports Commissions' Member of the Year in 2008.
- Columbus was recognized as one of America's Top 100 best places to live and launch a business by Fortune Small Business magazine in April 2008 issue.
- 2008 National Geographic Traveler ranked Columbus 11th out of 109 of the globe's most historic destinations – higher than any other U.S. city – calling it the “jewel in the region” which boasts "world-class mid-century modern architecture."



**Thank you Los Alamos County!**

**Questions?**



# County of Los Alamos

Los Alamos, NM 87544  
www.losalamosnm.us

## Staff Report

December 09, 2014

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<b>Agenda No.:</b>	B.
<b>Index (Council Goals):</b>	* 2014 Council Goal – Quality Governance - Maintain Quality Essential Services and Supporting Infrastructure
<b>Presenters:</b>	Philo Shelton, Public Works Director
<b>Legislative File:</b>	6617-14

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**\* THIS ITEM WAS TABLED AT THE NOVEMBER 14, 2014 COUNCIL MEETING.**

### Title

Discussion and Possible Authorization for Atomic City Transit to Provide Shuttle Services to Pajarito Mountain Ski Hill from December 2014 through March 2015.

### Recommended Action

**I move that Council authorize Atomic City Transit to provide shuttle services to Pajarito Mountain Ski Hill from December 2014 through March 2015 as described in the recommended Alternative \_\_\_\_.**

**I further move that the County Administrator direct staff to include the associated Budget Revision in the mid-year Budget Revisions to be presented to Council.**

### Body

At the request of Councilor Sheehey, staff is bringing forward options for providing bus service to Pajarito Mountain Ski Hill for Council's consideration. Using our past experience in providing similar service in 2013, staff has reviewed various options with respect to shuttle service being implemented on Saturdays, Sundays, and holidays, including the week between Christmas and New Year's Day (December 26 through January 4). Assuming there is enough snow for the ski hill to open, the County could begin the service on December 6 and continue through the last weekend in March 2015.

**Alternative A** service includes half-hour service from Sullivan Field parking lot starting at 8:00am and finishing at 4:45pm. White Rock and the downtown would be serviced through on demand Dial-a-Ride. The cost for this alternative is estimated to be \$113,600. Dial-a-Ride bus would be staged at the White Rock Visitor Center.

**Alternative B** service includes hourly service from Sullivan Field parking lot starting at 8:00am and finishing at 4:30pm. White Rock and the downtown would be serviced through on demand Dial-a-Ride. The cost for this alternative is estimated to be \$85,000. Dial-a-Ride bus would be staged at the White Rock Visitor Center.

**Alternative C** service includes half-hour service from Sullivan Field parking lot starting at 8:00am and finishing at 4:45pm. White Rock would have hourly service and the downtown would be serviced through on demand Dial-a-Ride. The cost for this alternative is estimated

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to be \$142,200.

**Alternative D** service would be provided through on demand Dial-a-Ride starting at 8:00am and finishing at 4:30pm. The cost for this alternative is estimated to be \$56,400.

The costs for each alternative given above includes costs for winter driving training, staffing, operation and maintenance of vehicles, fuel charges, signage, and special events at the Ski Hill. The minimum level of service Atomic City Transit can provide is Dial-a-Ride service in order to be in compliance with our federal grant assurances with Federal Transit Administration. Dial-a-Ride service requires a minimum staffing level of two employees, where one takes a reservation and one to drive the service. Since most transit employees do not live in Los Alamos, it is not feasible to just offer one trip in the morning, noon, and evening time frames. There are pre and post trip inspections that are required, and travel time to and from Pajarito Cliffs Site, where it would not be cost effective even if there were two employees who could work an intermittent work schedule.

Staffing would be provided by extending the terms of three current limited-term FTEs who were hired for the Bandelier Shuttle. Under the recommended alternative, employees would work two 10-hour shifts to operate the ski hill route and Dial-a-Ride Saturday and Sunday and work two additional 10-hour shifts during the week filling in for drivers taking annual or sick leave and performing much needed bus and shelter cleaning and detailing. If Council does not authorize the ski hill shuttle, these limited term employees' last day will be December 6, 2014. Another advantage of keeping the current limited term staff is Transit will not need to hire and train seven new employees and instead will only need to hire and train three new employees in order to provide the proposed continuation of Bandelier service. If Council does not approve the Bandelier shuttle service, the limited term employees will be released at the end of March 2015.

Due to federal grant requirements, Dial-a-Ride service must be provided and is included in the cost estimate. Atomic City Transit currently provides over 550 Dial-a-Ride trips per month Monday through Friday. Current Dial-a-Ride users have indicated a high desire for weekend Dial-a-Ride service and staff expects the weekend Dial-a-Ride service to be well utilized.

During January through March of 2013, Atomic City Transit did provide ski hill shuttle services on Friday through Sunday and holidays, with Friday having poor ridership counts mostly due to a poor snow year. The total passenger trips during this service was 3,082. The average daily use for Friday was 58; the average daily use for Saturday was 178 (including Skiasta); and the average daily use for Sunday was 99.

#### **Alternatives**

Council could choose any of alternatives A through D or choose to deny authorization to provide shuttle services to Pajarito Mountain Ski Hill this upcoming winter season.

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

If Council approves the ski hill shuttle services, staff will prepare a Budget Revision to be presented to Council as part of the mid-year Budget Revisions.



# County of Los Alamos

## Staff Report

December 09, 2014

Los Alamos, NM 87544  
www.losalamosnm.us

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**Agenda No.:** C.

**Index (Council Goals):**

**Presenters:** County Council - Regular Session

**Legislative File:** 6606-14

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### **Title**

2015 State Legislative Agenda.

### **Recommended Action**

**I move that Council adopt the 2015 State Legislative Agenda.**

### **Administrator's Recommendation**

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

### **Body**

Each year, Council adopts a State Legislative Agenda. This document is used as a guide for our intergovernmental efforts. The State Legislative Agenda provides direction from the County Council to staff and our legislative support contractor when working with various State officials and entities, providing for a consistent voice in our messaging. The 2015 Legislative Session commences on January 20 and is scheduled for 90 days.

As in the past, when setting the County's State Legislative Agenda, four broad sources are used for determining priority areas. These sources include:

- Regional, state, and national organizations identified priorities (see attached NMAC and NMML agendas);
- Staff recommended issues;
- County intergovernmental priorities; and
- Review of state and federal budgets.

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

This year's agenda includes maintaining the County's current GRT revenue receipts.

### **Attachments**

- A - Proposed 2015 State Legislative Agenda
- B - NMAC Legislative Priorities
- C - NMML Legislative Priorities

# DRAFT



## Los Alamos County FY 15 State Legislative Agenda

### Support

- a. Legislation supporting Los Alamos County's application for capital outlay funding to develop senior/affordable housing infrastructure.
- b. Legislation that enhances affordable housing programs.
- c. Funding for MainStreet/Arts and Cultural District programming and other statewide economic development initiatives.
- d. Legislation that allows the use of State General Funds for bridging the gap within the Safety Net Care pool.
- e. Legislation supporting changes to the Local Economic Development Act (LEDA) that would broaden the utility of the Act.
- f. Consensus legislative priorities of NMAC and NMML.

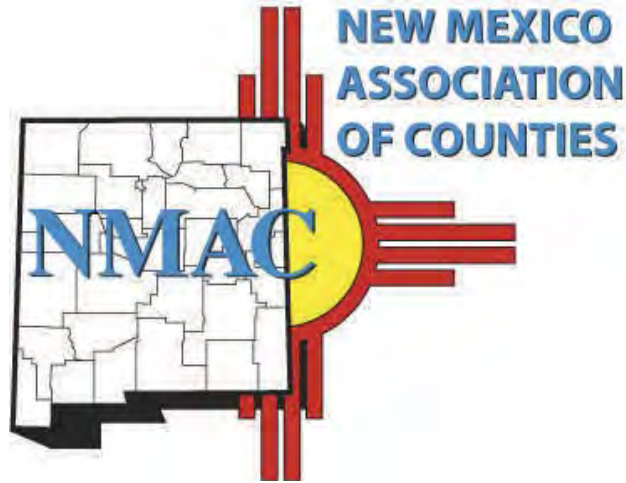
### Monitor

- a. Any changes to municipal revenue legislation, such as proposals for local governments to "swap" GRT distribution for State income tax distribution.
- b. Other legislation directly affecting Los Alamos County and/or its ability to serve its citizens.
- c. Legislation in support of Community Health Council funding.

### Oppose

- a. Changes to the state school funding formula that would adversely impact Los Alamos Public School District.
- b. Proposals that would reduce the County's receipt of general GRT revenue.
- c. Legislation that alters the authority of H-class counties.

# **New Mexico Association of Counties**



## **2015 NMAC Legislative Priorities**

**As approved by the  
NMAC Board of Directors**



## THE NEW MEXICO ASSOCIATION OF COUNTIES EXECUTIVE COMMITTEE 2014

Officers	District Representatives
Paula Garcia, President Mora County Commissioner	Liz Stefanics, District I Santa Fe County Commissioner
Sharon Stover, President Elect Los Alamos County Clerk	Van H. Robertson, District II Union County Commissioner
Clyde Ward, Vice President San Juan County Assessor	Danny Monette, District III Socorro County Commissioner
Wendell Bostwick, Past President Curry County Commissioner	Jake Lopez, District IV Roosevelt County Commissioner
Alvin Maestas, Treasurer Guadalupe County Commissioner	Brett A. Kasten, District V Grant County Commissioner
Steve Kopelman NMAC Executive Director	James Duffey, District VI Chaves County Commissioner

## THE NMAC BOARD OF DIRECTORS 2014

Maggie Toulouse Oliver, Bernalillo County	Carol Bowman-Muskett, McKinley County
Susan Griffin, Catron County	Paula Garcia, Mora County
James Duffey, Chaves County	Cathe Prather, Otero County
Edward J. Michael, Cibola County	Janie Hoffman, Quay County
Bill Sauble, Colfax County	Alfredo Montoya, Rio Arriba County
Matt Murray, Curry County	Jake Lopez, Roosevelt County
Rosalie Joiner, De Baca County	Clyde Ward, San Juan County
David Gutierrez, Doña Ana County	Elaine Estrada, San Miguel County
Glenn Collier, Eddy County	Orlando Lucero, Sandoval County
Brett A. Kasten, Grant County	Liz Stefanics, Santa Fe County
Alvin Maestas, Guadalupe County	Walter Armijo, Sierra County
Pete Callahan, Harding County	Danny Monette, Socorro County
Ed Kerr, Hidalgo County	Gabe Romero, Taos County
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Rhonda Burrows, Lincoln County	Van Robertson, Union County
Sharon Stover, Los Alamos County	Mary Andersen, Valencia County
Dora Madrid, Luna County	
<b>Ex-Officio members:</b>	
Christine Tenski, Probate Judge Affiliate	Danny Monette, WIR Board Member
Edward J. Michael, NACo Board Member (Urban)	Ron Lethgo, Multi-Line Representative
Janie Hoffman, NACo Board Member (Rural)	Robert Anaya, Workers' Compensation Representative
Liz Stefanics, NACo Board Member At-Large	Steve Kopelman, Executive Director
Walter Armijo, WIR Board member	

## 2015 NMAC LEGISLATIVE PRIORITIES

The following were selected as priorities by the NMAC Board of Directors for the 2015 session. They are listed with their originating entity: Affiliate, Policy or Executive Committee, and are not in numerical order.

- Page 4      • **Safety Net Care Pool**  
Reinstate sunset clause in SB268 so that counties obligation to fund the Safety Net Care Pool will expire at the end of 2018 to coincide with the expiration of the state Medicaid waiver with CMS. (Health Care Policy Committee)
- Page 5      • **Tax Roll Corrections**  
Authorizes the County Treasurer in conjunction with the County Assessor to make changes to the tax schedule and clarifies the authority and reasons necessary for tax schedule changes to correct obvious errors. (Assessors)
- Page 8      • **Delinquent Property Tax Payments**  
Authorize County Treasurers to receive all payments of property taxes, including those turned over to the Property Tax Division of the Taxation & Revenue Department for collection and placed on installment agreements. (Treasurers)
- Page 10     • **Job Creation and IRB Act Improvement**  
Allow counties to increase economic growth and job creation by expanding the list of projects eligible for an IRB, and removing the complaint process for certain IRB projects. (Managers and Executive Committee)
- Page 14     • **Restore Detention Facilities Funding**  
Restore funding for the County Detention Facilities Reimbursement Act to \$5 million. (Detention Administrators)
- Page 17     • **Keep Southwest Chief /Amtrak Service**  
Support the continuation of Amtrak's SW Chief and create reasonable funding alternatives. (Commissioners)
- Page 18     • **Public Lands Task Force (Memorial)**  
Create a task force to evaluate state and county dependence on federal revenue, conduct an inventory of federal land ownership within the state, and study the legal, economic and practical impact of a potential transfer of certain public lands from the federal government to the state. (Public Lands & Natural Resources Policy Committee)
- Page 20     • **Inmate Options (Memorial)**  
Study housing options and service delivery for detention inmates with special medical and mental health needs. (Commissioners)

## NEW MEXICO ASSOCIATION OF COUNTIES

1. Short Title or Subject	Restoring SNCP Sunset Clause + Extra Year
2. Affected Affiliates	Health Services, Managers, Commissioners
3. Impact on County Revenues/Finance	\$27 million per year
4. Legislation Resolution or Policy Statement Or Resolution for Congressional Delegation	Legislation Resolution
5. Requested as NMAC Legislative Priority	Yes

**WHEREAS**, The 2014 Legislature passed and the Governor signed SB 268, which included a three-year sunset that was intended to allow a pilot period and subsequent reassessment of funding for the new State Safety Net Care Pool (SNCP); and

**WHEREAS**, counties want time to assess the full impact of the Affordable Care Act and Medicaid expansion; and

**WHEREAS**, the Governor line-item vetoed some provisions of the bill, striking the three-year sunset clause, making county contributions to the SNCP a mandate in perpetuity, thereby significantly increasing that appropriation; and

**WHEREAS**, on August 7, 2014 the Board of Directors approved the resolution on SB 268 Hospital Funding as a priority, which among other things proposed to remove the county responsibility to fund the SNCP; and

**WHEREAS**, the Board of Directors now approves a long term goal to remove the county responsibility to fund the SNCP and substitutes the October 17, 2014 resolution for the August 7, 2014 resolution on SNCP funding for the 2015 legislation set forth herein.

**NOW THEREFORE BE IT RESOLVED** that the New Mexico Association of Counties support legislation as an NMAC 2015 priority, that would restore the sunset on the mandated county funding of the Safety Net Care Pool and with an extra year to coincide with the expiration of the Medicaid waiver through 2018.

Signed 

Date 10/17/2014

NMAC President

**NEW MEXICO ASSOCIATION OF COUNTIES**  
**ASSESSOR'S AFFILIATE RESOLUTION NUMBER, 3**

**Brief Title or Subject:** Tax Roll Corrections Authority and Responsibility

**Affected NMAC Affiliates and/or County Offices:** Assessors and Treasurers

**Type of Governmental Entity (Federal or State) & Whether Legislative or Regulatory:**  
State Entity, NM Taxation & Revenue Laws and Regulations (7-38-77 & 7-38-78)

**Impact on Government Revenues & Finances:** Financial Impact will be minimal.

**Submitted as NMAC Priority or Affiliate Initiative (please circle one)**

*WHEREAS, According to NMSA 1978, the County Treasurer has sole authority to make changes to the "Tax Schedule" after the County Assessor has delivered the tax schedule to the Treasurer, and;*

*WHEREAS, tax schedule changes most often arise due to valuation related errors identified and initiated by the Assessor's Office; and*

*WHEREAS, the majority of tax schedule changes must be processed first through the Assessor's database thus requiring the Assessor to share in the responsibility of tax schedule changes; and*

*WHEREAS, the Assessor is not named in NMSA 7-38-77 as having authority in correcting the tax schedule; and*

*WHEREAS, tax schedule corrections are a remedy for correcting errors made by the Assessor's and/ or the Treasurer's office and ultimately benefit the property owner; and*

*WHEREAS, clarification is needed to define which errors are allowed to be corrected in the tax schedule under mutual agreement by the Assessor and Treasurer; and*

**NOW THEREFORE BE IT RESOLVED THAT** the New Mexico Association of Counties support legislation that will change NMSA 7-38-77 and NMSA 7-38-78 to clarify the authority and reasons necessary for tax schedule changes.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_  
Affiliate Chair

Date: \_\_\_\_\_

**7-38-77. Authority to make changes in property tax schedule after its delivery to the county treasurer.**

After delivery of the property tax schedule to the county treasurer, the amounts shown on the schedule as taxes due and other information on the schedule shall not be changed except:

A. by the county treasurer to correct obvious clerical errors in:

- (1) the name or address of the property owner or other persons shown on the schedule;
- (2) the description of the property subject to property taxation; or
- (3) the mathematical computation of taxes;

B. by the county treasurer to cancel multiple valuations for property taxation purposes of the same property in a single tax year, but only if:

- (1) a taxpayer presents tax receipts showing the payment of taxes by him for any year in which multiple valuations for property taxation purposes are claimed to have been made;
- (2) a taxpayer presents evidence of his ownership of the property, satisfactory to the treasurer, as of January 1 of the year in which multiple valuations for property taxation purposes are claimed to have been made; and
- (3) there is no dispute concerning ownership of the property called to the attention of the treasurer, and he has no actual knowledge of any dispute concerning ownership of the property;

C. by the county treasurer, to correct the tax schedule so that it no longer contains personal property that is deemed to be unlocatable, unidentifiable or uncollectable, after thorough research with verification by the county assessor or appraiser, with notification to the department and the county clerk;

D. as a result of a protest, including a claim for refund, in accordance with the Property Tax Code [Articles 35 to 38 of Chapter 7 NMSA 1978], of values, classification, allocations of values determined for property taxation purposes or a denial of a claim for an exemption;

E. by the department or the order of a court as a result of any proceeding by the department to collect delinquent property taxes under the Property Tax Code;

F. by a court order entered in an action commenced by a property owner under Section 7-38-78 NMSA 1978;

G. by the department as authorized under Section 7-38-79 NMSA 1978;

H. by the department of finance and administration as authorized under Section 7-38-77.1 NMSA 1978; or

I. as specifically otherwise authorized in the Property Tax Code.

**History:** 1953 Comp., § 72-31-77, enacted by Laws 1973, ch. 258, § 117; 1974, ch. 92, § 27; 1981, ch. 37, § 79; 1995, ch. 65, § 1; 2000, ch. 32, § 1.

**7-38-78. Action by property owner in district court to change property tax schedule.**

A. After the delivery of the property tax schedule to the county treasurer for a particular tax year, a property owner may bring an action in the district court requesting a change in the property tax schedule in connection with any property listed on the schedule for property taxation in which the owner claims an interest. The action shall be brought in the district court for the county for which the property tax schedule in question was prepared.

B. Actions brought under this section may not directly challenge the value, classification, allocations of value determined for property taxation purposes or denial of any exemption claimed and must be founded on one or more of the following grounds:

- (1) errors in the name or address of the property owner or other person shown on the schedule;
- (2) errors in the description of the property for property taxation purposes;
- (3) errors in the computation of taxes;
- (4) errors in the property tax schedule relating to the payment or nonpayment of taxes;
- (5) multiple valuations for property taxation purposes for a single tax year of the same property on the property tax schedule; or
- (6) errors in the rate of tax set for any governmental unit in which the owner's property is located.

C. Actions brought under this section shall name the county treasurer as defendant, and if the action is brought under Paragraph (6) of Subsection B of this section shall also name the secretary of finance and administration as a defendant.

**History:** 1953 Comp., § 72-31-78, enacted by Laws 1973, ch. 258, § 118; 1974, ch. 92, § 28; 1981, ch. 37, § 80.

NEW MEXICO ASSOCIATION OF COUNTIES

TREASURERS' AFFILIATE, RESOLUTION #1

1. Short Title or Subject	County Treasurers as Agents of PTD for receiving payments on Installment Agreements
2. Affected Affiliates	Assessors, Managers Commissioners, Treasurers
3. Impact on County Revenues/Finance	Earlier & more Accurate receipt of payments made on Installment Agreements
4. Legislation Resolution or Policy Statement Or Resolution for Congressional Delegation	Legislation Resolution
5. Requested as NMAC Legislative Priority	Yes

**WHEREAS, NMSA 7-38-62 instills the responsibility and exclusive authority on the Tax and Revenue Department to collect delinquent taxes showing on the tax delinquency list; AND;**

**WHEREAS, PTD enters into Installment Agreements with delinquent tax payers as a means to collect those taxes; AND**

**WHEREAS, NM County Treasurers acknowledge the tracking of payments, the filing of injunctions or liens related to missed payments, and the enforcement of installment agreements, is a function that should remain under the authority, control, and within the jurisdiction of the Property Tax Division and the Legal Service Bureau of the Tax and Revenue Department; AND**

**WHEREAS, payments by delinquent taxpayers to the PTD creates an unnecessary, confusing and inefficient third tier of government to which taxpayers are required to make payments; AND**

**WHEREAS, the public's right to have updated and accurate information at the local level is compromised by the payment by delinquent tax payers to the state level where it is retained and not distributed for up to three years; AND**

**WHEREAS, county treasurers are equipped with resources, policies, and procedures already in place by which they are able to distribute payments received on behalf of Property Tax Division to them on a monthly basis, enabling the department to perform the necessary enforcement, negotiation, and tracking of all installment agreements;**

**NOW THEREFORE BE IT RESOLVED** that the New Mexico Association of Counties supports legislation that would amend State Statute 7-38-62 to authorize County Treasurers to receive all payments of property taxes, including for those properties that have been turned over to the Property Tax Division for collection and been placed on installment agreements..

Signed

Patrick Varela, Affiliate Chair

Date

June 19, 2014



**7-38-62. Authority of department to collect delinquent property taxes after receipt of tax delinquency list; use of penalties, interest and costs.**

After the receipt of the tax delinquency list, the department has the responsibility and exclusive authority to take all action necessary to collect delinquent taxes shown on the list. This authority includes bringing collection actions in the district courts based upon the personal liability of the property owner for taxes as well as the actions authorized in the Property Tax Code [Articles 35 to 38 of Chapter 7 NMSA 1978] for proceeding against the property subject to the tax for collection of delinquent taxes. Payment of delinquent taxes listed and any penalty, interest or costs due in connection with those taxes shall be made to the department if occurring after the receipt by the department of the tax delinquency list; however, the department may authorize county treasurers to act as its agents in accepting payments of taxes, penalties, interest or costs due. Penalties, interest and costs due received by the department under this section shall be retained by the department for use, subject to appropriation by the legislature, in the administration of the Property Tax Code.

**History:** 1953 Comp., § 72-31-62, enacted by Laws 1973, ch. 258, § 102; 1990, ch. 22, § 5.

**NEW MEXICO ASSOCIATION OF COUNTIES**  
**MANAGERS AFFILIATE AND EXECUTIVE COMMITTEE RESOLUTION**

**County Industrial Revenue Bond Improvements**

**WHEREAS**, counties understand the economic needs of their communities and play a critical role in local economic development; and

**WHEREAS**, New Mexico counties recognize the economic development incentives that are available to promote business and economic growth at the local level; and

**WHEREAS**, counties across the county compete both to retain existing jobs and businesses and to secure new jobs and businesses; and

**WHEREAS**, counties in New Mexico wish to maintain a competitive advantage over counties across the country in business retention, developing housing options, and recruiting new business and industry; and

**WHEREAS**, one of the foremost economic development tools available to counties in New Mexico is industrial revenue bonding; and

**WHEREAS**, under the New Mexico County Industrial Revenue Bond Act, Sections 4-59-1 to 16 NMSA 1978, there are a variety of projects that qualify for county-issued industrial revenue bonds (IRBs); and

**WHEREAS**, many projects that could contribute to economic and job growth, including the extractive phase of mining and skilled workforce housing, do not now qualify for county-issued IRBs; and

**WHEREAS**, currently Section 4-59-15, NMSA 1978, provides that an existing business within a county or within five miles of a proposed county IRB project may file a complaint with the State Board of Finance alleging direct or substantial competition with the proposed project; and

**WHEREAS** the IRB complaint provision creates uncertainty and significantly delays economic development efforts of counties throughout the state, and

**WHEREAS**, the inclusion of the IRB complaint process in the County IRB Act, but not in the Municipal IRB Act provides an unnecessary economic disadvantage for counties.

**NOW THEREFORE BE IT RESOLVED** that the New Mexico Association of Counties supports legislation that expands the list of eligible projects for IRBs to include housing development and

the extractive phase of mining and energy development, and that broadens the definition of "ingredients of construction" to include construction material and labor and associated professional services and contracting;

**BE IT FURTHER RESOLVED THAT** the New Mexico Association of Counties supports legislation that removes the authority of the State Board of Finance to consider a complaint of direct or substantial competition with existing businesses near or within a proposed county IRB project, by repealing Section 4-59-15, NMSA 1978.

Signed 

Affiliate Chair



Date 6.19.14

6/19/14

### **3.2.212.22 TANGIBLE PERSONAL PROPERTY IN PROJECTS FINANCED BY INDUSTRIAL REVENUE OR SIMILAR BONDS:**

A. For the purposes of this section, a “bond project” is an arrangement entered into under the authority of the **Industrial Revenue Bond Act**, the **County Industrial Revenue Bond Act** or similar act in which a private person agrees (i) to arrange for the constructing and equipping of a facility for a state or local government by acting as agent for the government in procuring construction services, other services, tangible personal property which becomes an ingredient or component part of a construction project and other tangible personal property necessary for constructing and equipping the facility, (ii) to lease the completed facility from the government and (iii) to buy the facility upon repayment of the bonds. The government agrees to own the facility, to finance the project in whole or in part through the issuance of bonds, to designate the private person as its agent in procuring the necessary property and services, to lease the facility to the private person and to sell the facility to the private person upon repayment of the bonds.

B. Receipts from the sale of tangible personal property to the private person who is acting as agent for the government with respect to the bond project are deductible under Section 7-9-54 NMSA 1978 if the tangible personal property is not an ingredient or component part of a construction project. To be deductible, the bond project tangible personal property must meet all of the following criteria:

(1) the cost of the tangible personal property does not increase the basis, as determined under the provisions of Section 1011 of the Internal **Revenue Code** in effect on the date the bond project commences, of the structure or other facility included in the definition of construction; and

(2) the tangible personal property is:

(a) not included in, or similar to, the list of structures and facilities specifically itemized in the definition of construction at Section 7-9-3 NMSA 1978; and

(b) classified for depreciation purposes as 3-year property, 5-year property, 7-year property, 10-year property or 15-year property by Section 168 of the Internal **Revenue Code** in effect on the date the bond project commences or, if the Internal **Revenue Code** is amended to rename or replace these depreciation classes, would have been classified for depreciation purposes as 3-year property, 5-year property, 7-year property, 10-year property or 15-year property but for the amendment.

C. A bond project commences when the governing body of the state or local government takes official action to enter into the arrangement, but no earlier than the adoption of an inducement resolution.

D. Receipts from the sale of tangible personal property which becomes an ingredient or component part of a construction project, whether the sale is to the private person acting as agent for the government or to the government itself, are not deductible under Section 7-9-54 NMSA 1978.

[2/22/95, 11/15/96; 3.2.212.22 NMAC - Rn & A, 3 NMAC 2.54.22, 5/31/01]

**4-59-15. Board of finance.**

If any representative of an existing business or enterprise located within the boundaries of the county or within five miles of the proposed project alleges, in a written complaint filed with the county governing body at a meeting at which an ordinance or resolution authorizing the issuance of bonds hereunder [sic], that the proposed project would directly and substantially compete with such an existing business or enterprise located within the boundaries of the county or within five miles of the proposed project, the bonds in connection with such project shall not be issued until the state board of finance has determined that the proposed project will not directly or substantially compete with an existing business or enterprise located within the boundaries of the county or within five miles of the proposed project.

**History:** 1953 Comp., § 15-60-15, enacted by Laws 1975, ch. 286, § 15.

**NEW MEXICO ASSOCIATION OF COUNTIES**  
**DETENTION ADMINISTRATORS AFFILIATE, RESOLUTION # 1**

1. Short Title or Subject	Detention Center Funding
2. Affected Affiliates	Commissioners, Managers, Finance, Attorneys
3. Impact on County Revenues/Finance	Revenue generating
4. Legislation Resolution or Policy Statement Or Resolution for Congressional Delegation	Legislative
5. Requested as NMAC Legislative Priority	Legislative Priority

WHEREAS, the County Detention Facility Reimbursement Act was passed unanimously by the Legislature in 2007, as a Legislative Finance Committee bill, was signed by the Governor, and funded at \$5 million; and

WEREAS THE Act specifies reimbursement by the state to counties for three specific categories of offenders in county jails: 1) parole violators, 2) inmates sentenced to prison and awaiting transport, and 3) offenders under supervision for both probation and parole violations; and

WHEREAS, the cost to counties for housing the three categories of offenders covered by the Act is currently \$4,718, 448, according to the New Mexico Sentencing Commission; and

WHEREAS, funding for the Act has been reduced to \$3.3 million and remained at that level for several years; and

WHEREAS, the cost to county government for detention centers is, on the average, at least one third of county budgets;

NOW THEREFORE BE IT RESOLVED THAT the New Mexico Association of Counties support an increase in the 2015 General Appropriations Act that would fund the County Detention Facilities Reimbursement Act at a level sufficient to reimburse counties for the actual cost of holding the three categories of prisoners specified under the Act.

Signed 

Affiliate Chair

Date 6-30-14

## **ARTICLE 3B**

### **County Detention Facility Reimbursement Act**

#### **33-3B-1. Short title.**

This act [33-3B-1 to 33-3B-4 NMSA 1978] may be cited as the "County Detention Facility Reimbursement Act".

History: Laws 2007, ch. 333, § 1.

#### **33-3B-2. Definitions.**

As used in the County Detention Facility Reimbursement Act:

A. "county detention facility" means a facility that is owned, operated or under contract of operation by a board of county commissioners and that is used for the incarceration of prisoners charged with or convicted of a violation of local, state, tribal, federal or international law;

B. "division" means the local government division of the department of finance and administration;

C. "dual supervision offender" means an individual who is serving a probation term and a parole term;

D. "eligible county" means a county that provides information to the New Mexico sentencing commission regarding costs incurred by the county for the incarceration of felony offenders;

E. "felony offender" means an individual who is convicted of a felony and sentenced to confinement in a correctional facility designated by the corrections department and who:

(1) has been released from confinement and is a dual supervision offender and:

(a) has violated parole or is charged with a parole violation;

(b) has violated probation or is charged with a probation violation; or

(c) while on probation or parole, is charged with a violation of local, state, tribal, federal or international law;

(2) has been released from confinement and is serving a parole term and:

(a) has violated parole or is charged with a parole violation; or

(b) while on parole, is charged with a violation of local, state, tribal, federal or international law; or

(3) is awaiting transportation and commitment to the corrections department following the revocation of parole or a sentencing hearing for a felony conviction; and

F. "fund" means the county detention facility reimbursement fund.

#### **33-3B-3. Incarceration of felony offenders in county detention facilities; rate of reimbursement.**

A. The distribution amount for each eligible county each fiscal year shall be derived by multiplying the total amount of money available in the fund for distribution pursuant to this section by the felony offender incarceration percentage for that county. The felony offender incarceration percentage shall be equal to a fraction:

(1) the numerator of which is the rolling average of the number of felony offenders incarcerated in an eligible county on June 30 of each of the three fiscal years immediately preceding the fiscal year in which the distribution is to be made pursuant to Section 4 [33-3B-4 NMSA 1978] of the County Detention Facility Reimbursement Act; and

(2) the denominator of which is the rolling average of the number of felony offenders incarcerated in all eligible counties on June 30 of each of the three fiscal years immediately



preceding the fiscal year in which the distribution is to be made pursuant to Section 4 of the County Detention Facility Reimbursement Act.

B. Annually, on or before December 1, the New Mexico sentencing commission shall:

- (1) determine the felony offender incarceration percentage for each eligible county;
- (2) calculate the distribution amount for each eligible county by applying the formula in Subsection A of this section; and
- (3) certify to the division the felony incarceration percentage and the distribution amount for each eligible county.

33-3B-4. County detention facility reimbursement fund created; distribution.

A. The "county detention facility reimbursement fund" is created in the state treasury. The fund consists of appropriations, gifts, grants, donations and bequests made to the fund. Money in the fund shall not revert or be transferred to any other fund at the end of a fiscal year, and income from investment of the fund shall be credited to the fund. The division shall administer the fund, and money in the fund is appropriated to the division to make distributions to counties in accordance with Subsection B of this section. Disbursements from the fund shall be by warrant of the secretary of finance and administration pursuant to vouchers signed by the director of the division. No money in the fund shall be expended by the division for the purpose of administering the fund.

B. Annually, on or before January 30 and to the extent money in the fund is available for such purposes, money in the fund shall be distributed by the state treasurer as follows:

- (1) an amount equal to seventy percent of the fund less thirty thousand dollars (\$30,000) to eligible counties in the amounts certified to the division in accordance with Section 3 [33-3B-3 NMSA 1978] of the County Detention Facility Reimbursement Act;
- (2) thirty thousand dollars (\$30,000) to the New Mexico sentencing commission to fund the annual calculation of the felony offender incarceration percentage and the distribution amount for each eligible county; and
- (3) the remainder of the fund to counties other than class A counties that are designated by the division as needing additional resources due to inadequate base revenues.

NEW MEXICO ASSOCIATION OF COUNTIES

Commissioners AFFILIATE, RESOLUTION # 1

1. Short Title or Subject	Maintain Southwest Chief Amtrak Service
2. Affected Affiliates	Commissioners, managers
3. Impact on County Revenues/Finance	Loss of \$29.3 million in direct economic benefits
4. Legislation Resolution or Policy Statement Or Resolution for Congressional Delegation	Legislation Resolution and resolution for congressional support
5. Requested as NMAC Legislative Priority	yes

**WHEREAS**, Amtrak's Southwest Chief serves northern New Mexico on its route between Chicago and Los Angeles on the host railroad line of Burlington Northern Santa Fe Railway (BNSF); and

**WHEREAS**, Fiscal Year 2012 revealed a total of 34,444 Amtrak boarding's and alighting's among the Raton, Las Vegas, and Lamy stations; and

**WHEREAS**, a Report of the Annual Economic Impact of Amtrak's Southwest Chief in New Mexico, dated November 11, 2013 and filed with the NM Interim Transportation Infrastructure Sub-Committee on November 12, 2013 assesses the annual visitor spending impact in the Lamy-Raton corridor at \$29.3 million in economic output, \$8.9 million in worker earnings and 368 jobs; and

**WHEREAS**, Amtrak's agreement with BNSF for use of the track expires in January of 2016; and

**WHEREAS**, Amtrak indicates it does not have sufficient funds to pay BNSF to maintain the line to 79 mph passenger rail standards; and

**WHEREAS**, Amtrak needs funding in place to remain on the current route or it shall begin relocation or discontinuance of the train by January 2016; and

**WHEREAS**, long distance passenger rail is a vital and necessary part of our national transportation system and economy; and


**WHEREAS**, the federal government has declined to provide the needed fiscal support to allow Amtrak to pay for the necessary capital investment and annual maintenance in New Mexico, Colorado, and Kansas; and

**WHEREAS**, New Mexico, Kansas, and Colorado support the Southwest Chief and seek State and Congressional support for additional funding;

**NOW THEREFORE BE IT RESOLVED** that the New Mexico Association of Counties support legislation that would:

1. Allow the continuation of Amtrak's Southwest Chief along its current and historic route; and
2. Create a Southwest Chief Rail Service Fund or other reasonable funding alternatives; and support
3. Efforts by the New Mexico Congressional Delegation in supporting and maintaining the Southwest Chief on its current route.

Signed   
Affiliate Chair

Signed   
Affiliate Chair

Date June 19, 2014

Attest:  B

**NEW MEXICO ASSOCIATION OF COUNTIES  
PUBLIC LANDS & NATURAL RESOURCES COMMITTEE, RESOLUTION # 2**

1. Short Title or Subject	Public Land Task Force
2. Affected Affiliates	Managers, Commissioners
3. Impact on County Revenues/Finance	Neutral
4. Legislation Resolution or Policy Statement Or Resolution for Congressional Delegation	Legislative
5. Requested as NMAC Legislative Priority	Yes

**WHEREAS**, the State of New Mexico encompasses approximately 77.6 million acres of land; and

**WHEREAS**, approximately 35% of New Mexico's land is federal lands administered by agencies such as the Bureau of Land Management, U.S. Forest Service, Bureau of Reclamation, National Park Service, U.S. Army Corps of Engineers, National Wildlife Reserve Areas, federal water resource development projects and military installations; and

**WHEREAS**, the State of New Mexico and its counties depend on federal revenues to support vital state, county and local budgets, programs, services and operations; and

**WHEREAS**, New Mexico counties received \$37,677,905 in Payments in Lieu of Taxes (PILT) in 2014 to provide general fund revenue; and

**WHEREAS**, New Mexico counties received \$5,054,742 in Federal Forest Reserve payments in 2014 from the Secure Rural Schools & Community Self Determination Act (SRS); and

**WHEREAS**, counties rely on federal funding through PILT and SRS to provide essential support for schools, road infrastructure, search and rescue operations, wildfire preparedness, county operations and other community services that protect the health, safety, and welfare of New Mexico citizens; and

**WHEREAS**, federal funds are also distributed to county governments as a pass-through from state agencies for county infrastructure, economic development, wildfire prevention and response, energy and natural resource investments, emergency management, E911, health care, and social programs; and

**WHEREAS**, there is increasing uncertainty regarding the federal commitment to funding these vital county and state programs, which makes it difficult to budget for necessary services; and

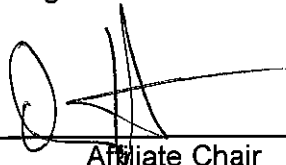
**WHEREAS**, there have been proposals for the State and counties to take a more active role in federal land management, including the potential for transfer of certain federal lands to the state; and

**WHEREAS**, the State of New Mexico and its counties have a vested interest in decisions on federal land management, natural resource exploration and development; and

**WHEREAS**, the State of New Mexico and its counties need an evaluation of the legal, economic and practical implications of any potential transfer of federal lands.

**NOW THEREFORE BE IT RESOLVED**, that the New Mexico Association of Counties supports legislation requesting the State of New Mexico to create a task force to: 1) study the legal, economic and practical framework surrounding the potential transfer of certain public lands from the federal government; 2) conduct an inventory of federal land ownership within the state; and 3) evaluate state and county dependence on federal revenue streams, and report and make recommendations to the appropriate legislative committee no later than November 1, 2015.

Signed



Affiliate Chair

Date

7/29/14

Attest: B

## **Potential Public Lands Stakeholders (Incomplete list)**

Native American Pueblos, Nations and Tribes

New Mexico Land Grants

New Mexico Acequia Association

New Mexico Farm Bureau

New Mexico Cattle Growers Association

New Mexico Conservancy Districts

New Mexico Soil and Water Conservation Districts

New Mexico Energy Minerals and Natural Resources Department & other appropriate  
state agencies and education institutions

United States Department of the Interior, Bureau of Indian Affairs

**NEW MEXICO ASSOCIATION OF COUNTIES**  
**COMMISSIONERS AFFILIATE, RESOLUTION #**

**3**

1. Short Title or Subject	Special Management Inmates
2. Affected Affiliates	Commissioner/Managers/Detention
3. Impact on County Revenues/Finance	Liability Reduction
4. Legislation Resolution or Policy Statement Or Resolution for Congressional Delegation	
5. Requested as NMAC Legislative Priority	Yes

**WHEREAS**, counties have been and continue to be subjected to significant liabilities (three cases totaling nearly \$20 million to date) related to allegations of cruel and unusual punishment in county detention facilities; and

**WHEREAS**, there is a complete lack of appropriate options to house special management inmates, and a lack of programing to meet legitimate medical/mental health needs in those facilities; and

**WHEREAS**, counties have found a similar lack of options for these inmates at the state level as well;

**NOW THEREFORE BE IT RESOLVED** that the New Mexico Association of Counties support legislation that would bring together the appropriate entities and agencies, to study possibilities for the establishment of housing options and service delivery for these inmates, and make recommendations to the appropriate legislative committee by November 1, 2014.

Signed Susan Flores  
Affiliate Chair

Date 6/27/14



# **2014-2015 ANNUAL RESOLUTIONS**

***Adopted By:  
NMML Membership  
August 28, 2014  
Albuquerque, NM***

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## **RESOLUTION 2014-1**

### **CONCERNING INCREASING THE JURISDICTIONAL AMOUNT OF PETTY MISDEMEANOR OFFENSES**

**Whereas**, municipal courts currently have jurisdiction over violations of several petty misdemeanors involving monetary limits, including worthless checks; and

**Whereas**, the maximum monetary values associated with issuing worthless checks has not been evaluated in many years; and

**Whereas**, readjustment upward of the maximum monetary values associated with the offense of issuing worthless checks would give municipal courts more latitude in dealing with this offense.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League supports legislation to increase the dollar value of the crime of issuing worthless checks to \$100.00.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

## **RESOLUTION 2014-2**

### **CONCERNING CONFIRMATION OF APPOINTIVE OFFICIALS AT THE ORGANIZATIONAL MEETINGS**

**Whereas**, Section 3-11-5, NMSA 1978, requires a municipality to in essence re-hire its employees after every election; and

**Whereas**, at every “organizational meeting” of the municipal governing body, having to confirm all employees is burdensome and impracticable; and

**Whereas**, municipalities have enacted ordinances that protect the rank and file employees and the requirement of having to re-hire and confirm each employee at every organizational meeting is not an economical use of resources.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League supports legislation to repeal Section 3-11-5, NMSA 1978.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

2014 CEDGOHR Committee Priority: **HIGH**

## RESOLUTION 2014-3

### CONCERNING INTERNATIONAL BUILDING CODE ON AIRPORTS

**Whereas**, municipal airport infrastructure varies greatly with that of other private commercial buildings; and

**Whereas**, the storage of aircraft is done in two forms, one in banks of individual structures back to back known as T-Hangars, and the second in larger buildings that are able to house a number of aircraft in the same area; and

**Whereas**, airports are limited in the amount of space available with access to ramp and taxiways and therefore, requires buildings to be in closer proximity; and

**Whereas**, the 2003 International Building Code (IBC) requires that aircraft hangar exterior walls less than 30 feet from property lines, lot lines or public way shall have a fire-resistant rating of not less than two hours or a sprinkler system; and

**Whereas**, the 2006 IBC was amended to exempt T-Hangars banks but it did not give any relief to the interpretation by the Construction Industries Division (CID) of “public way” thereby allowing the more restrictive and costly enforcement for hangars over 2000 square feet; and

**Whereas**, the majority of economic growth on airports consists of hangars of this size and the enforcement has caused a slow down or stoppage of development due to the extreme construction costs and land use requirement; and

**Whereas**, previously adopted Uniform Building Code was less stringent requiring only 15 feet separation; and

**Whereas**, this is a national problem and other states have amended the code to exempt or clarify the definition of public ways on airports to continue to attract industrial development on airports.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League urges the State Construction Industries Division to amend the 2009 or subsequent IBC to exempt internal airport properties from the definition of “public way” or to seek other appropriate legislation.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

2014 CEDGOHR Committee Priority: **MEDIUM**

## **RESOLUTION 2014-4**

### **CONCERNING PERSONNEL RECORDS AND THE INSPECTION OF PUBLIC RECORDS ACT**

**Whereas**, the Inspection of Public Records Act, NMSA Section 14-2-1 et seq. (the "Act"), requires government agencies, including municipalities, to generally make their records available to the public for inspection and copying; and

**Whereas**, the Act also recognizes there are records that for good legal or public policy reasons should be kept confidential and provides exceptions exempting these records from public disclosure; and

**Whereas**, the Inspection of Public Records Act contains a specific section exempting from disclosure the identities and applications of persons applying for the position of president of a public institution of higher learning but is silent as to information about applicants for other government positions; and

**Whereas**, the same policy reasons that prompted the legislature to recognize an exception for university presidents also apply to key municipal positions such as city manager; and

**Whereas**, the Act is also silent on what personal identifying and financial information of employees and customers of municipalities should be considered confidential and which should be considered public and subject to disclosure; and

**Whereas**, identity theft is a growing epidemic in the United States and the disclosure of personal identifying and financial information of applicants, employees and customers may aid those committing this crime.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League should seek the introduction of legislation that would exempt from disclosure, the names of individuals applying for high-ranking appointive positions with municipal governments until those individuals become finalists in the recruitment process; and

**Be It Further Resolved** that the legislation should also address what personal information of employees and customers of municipalities should be confidential and not subject to disclosure under the Act and which information should be released.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

2014 CEDGOHR Committee Priority: **MEDIUM**

## **RESOLUTION 2014-5**

### **CONCERNING THE RETURN TO WORK PROVISIONS OF THE PUBLIC EMPLOYEES RETIREMENT ACT**

**Whereas**, SB 207 was signed into law and became effective July 1, 2010; and

**Whereas**, SB 207 requires that public retirees, including retirees from all public law enforcement, fire service and EMS first responders, correctional agencies, water and wastewater and electric utility departments, wait a minimum of 12 months before they can return to work as a public employee or independent contractor; and

**Whereas**, current law forbids such employees from collecting their pensions when they do return to public employment; and

**Whereas**, law enforcement, fire service and EMS first responders, correctional institution agencies, water and waste-water departments throughout New Mexico have difficulties in finding eligible candidates who are qualified to serve in such vital positions as police officers, detention and court security officers, investigators, senior administrators such as municipal police chiefs, fire fighters and water and waste-water operators; and

**Whereas**, law enforcement, fire service and EMS first responder agencies and water and waste-water departments throughout New Mexico will lose invaluable knowledge, insight, professionalism and maturity by not being able to employ retired law enforcement personnel, fire service, water and waste-water operators and certified electric utility employees from jurisdictions within the state; and

**Whereas**, cities and smaller communities in New Mexico depend on the ability to employ retired law enforcement, fire service and EMS first responders, correctional personnel, water and waste-water operators and certified electric utility employees from other jurisdictions; and

**Whereas**, government entities and law enforcement, fire service and EMS first responder agencies invest thousands of dollars in specified training and cultivating personnel whose skills and professionalism are often invaluable to their organization at the time of retirement; and

**Whereas**, New Mexico's growing and maturing population demands qualified, dedicated and professionally-trained personnel in all fields of law enforcement, fire service, emergency response, water and waste-water and electric utilities; and

**Whereas**, New Mexico has a relatively small pool of applicants who are eligible, qualified and dedicated to serve behind the badge; and

**Whereas**, there is also a workforce shortage in the water and waste-water and electric utility fields; and

**Whereas**, there are varied levels of certification each with increasing levels of education that are required by federal and state mandates for electric, water and waste-water operators.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League urges the State of New Mexico to enact legislation that exempts law enforcement, fire service, EMS first responders, water and waste water operators, certified electric utility employees and correctional retirees from the new return to work law.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

2014 CEDGOHR Committee Priority: **HIGH**  
2014 PS Committee Priority: **HIGH #3**



## RESOLUTION 2014-6

### CONCERNING THE SALE, TRANSFER AND ISSUANCE OF LIQUOR LICENSES IN NEW MEXICO

**Whereas**, there are approximately 1440 Retailer and Dispenser licenses in New Mexico, and

**Whereas**, this exceeds the number of licenses allowed by statute, being 1 license for every 2000 in population, and keeps the State from issuing new Retailer and Dispenser licenses, and

**Whereas**, many communities have far more licenses than are allowed by this formula creating inequities and unfair competition among communities for certain types of businesses, including restaurants, drug stores and grocery stores; and

**Whereas**, these are the only state licenses treated as commodities and sold on the open market; and

**Whereas**, that has driven the price for existing licenses as high as \$750,000.00; and

**Whereas**, due to the escalation in price paid for Retailer and Dispenser licenses, licenses in communities outside the metropolitan areas of the state are being transferred to the communities within the metropolitan areas of the state resulting in the loss of jobs and business opportunity for communities outside of the metropolitan areas of the state; and

**Whereas**, none of the states surrounding New Mexico have such a restrictive form of licensing, resulting in greater economic opportunities in those states, and

**Whereas**, the sale of these licenses could be a significant form of revenue for the State of New Mexico; and

**Whereas**, the existing system benefits existing license holders and is detrimental to the development of economic opportunities within the State of New Mexico with a profound and disparate impact in communities outside of the metropolitan areas of the state.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League urges the New Mexico Legislature to study, review and make changes to the Liquor Control Act to provide a more fair, affordable, equitable and competitive environment in dealing with the sale, transfer and ownership of Retailer and Dispenser licenses in the state.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

2014 CEDGOHR Committee Priority: **HIGH**

## RESOLUTION 2014-7

### CONCERNING THE TIME LIMIT FOR MUNICIPALITIES IN A CLASS A COUNTY TO ACT ON ANNEXATION PETITIONS

**Whereas**, annexations to municipalities are authorized under the provisions of Sections 3-7-1 through 3-7-18, NMSA 1978, and annexation is a method by which municipalities provide areas for future growth, provide for orderly development, protect public health and safety, protect neighborhoods, protect and secure their tax base, create efficiencies in service delivery, and maximize the return on infrastructure investment and business incentives; and

**Whereas**, annexations are not to be entered into lightly as municipalities must carefully consider the impact of the proposed annexation on provision of services, including police and fire protection, solid waste collection, water and sewer service and other municipal services; and

**Whereas**, Section 3-7-17.1 NMSA 1978 provides the procedure for a municipality located in a Class A county to respond to a petition for annexation to the municipality, including a requirement that the municipality inform the board of county commissioners of the proposed annexation and give the county thirty (30) days in which to comment on the proposed annexation; and

**Whereas**, Section 3-7-17.1 NMSA 1978, also provides that the governing body must act by ordinance to approve or deny the petition in not less than thirty (30) days nor more than sixty (60) days after receiving the petition from petitioners; and

**Whereas**, in a recent opinion, the Court of Appeals ruled that the 60-day deadline to act continues to run during the time the county is reviewing and commenting on the proposed annexation; and

**Whereas**, the requirement for approval or disapproval of the annexation by the governing body within sixty (60) days after receiving the petition does not allow sufficient time for municipalities to notify the county, consider the county's comments, consider the projected costs of providing municipal services and other fiscal impacts on the municipality related to the proposed annexation, and to prepare, publish notice and adopt an ordinance.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League seeks legislation amending Section 3-7-17.1 NMSA 1978 to extend the time for a municipality in a Class A county to approve or disapprove an annexation petition from sixty (60) to one hundred eighty (180) days after receiving the petition.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

2014 CEDGOHR Committee Priority: **MEDIUM**

## **RESOLUTION 2014-8**

### **CONCERNING AMENDING THE MUNICIPAL ELECTION CODE TO AUTHORIZE VOTING CONVENIENCE CENTERS**

**Whereas**, the State Legislature amended the State Election Code in the 2011 Session in Senate Bill 337, Chapter 131 to authorize counties to consolidate precincts in order to allow for voting convenience centers; and

**Whereas**, the 2011 legislation also authorized municipalities to establish voting centers; and

**Whereas**, through the consolidation of precincts and districts and the use of ballot-on-demand systems, voting centers make the voting process more efficient, convenient and accessible to voters; and

**Whereas**, a few municipal clerks instituted voting centers for the 2012 municipal elections and found that some different election procedures were required related to the technology used for voting centers.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League seeks legislation to amend the Municipal Election Code to authorize the use of voting convenience centers.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

## **RESOLUTION 2014-9**

### **CONCERNING GRANTING LOCAL GOVERNMENTS THE OPTION OF DECRIMINALIZING THEIR ZONING LAWS**

**Whereas**, most zoning codes are enforced through criminal codes that may result in penalties and fines; and

**Whereas**, zoning codes are regulatory in nature and generally seek compliance rather than punishment like most criminal laws; and

**Whereas**, this option allows a local government to utilize a civil enforcement option for the resolution of a zoning violation; and

**Whereas**, most magistrate and municipal criminal courts currently have jurisdiction over infractions related to a zoning code but have limited resources; and

**Whereas**, most criminal court cases associated with zoning infractions are not considered in the same manner as other criminal charges; and

**Whereas**, cities and counties waste limited resources in prosecuting violations of zoning codes because the criminal procedure can be complex and strict with many technical pitfalls; and

**Whereas**, some criminal court cases related to zoning infractions are resolved by a paid fine, failure to remove the violation and causing the enforcement agency to start the process from the beginning; and

**Whereas**, allowing local governments to decriminalize their zoning laws will allow an independent hearing officer to adjudicate a zoning violation in a fair, impartial and efficient manner; and

**Whereas**, this option will ensure that a hearing will occur to adjudicate the violation in which both parties appear rather than have the violator to pay the fine and avoid a hearing; and

**Whereas**, the decriminalization of the zoning code will be available to all local governments, including county governments.

**Now, Therefore, Be it Resolved** that the New Mexico Municipal League supports legislation to grant local governments the option of decriminalizing their zoning laws.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

2014 CEDGOHR Committee Priority: **MEDIUM**

## **RESOLUTION 2014-10**

### **CONCERNING THE ELECTION PROCESS WHERE ALL CANDIDATES ARE UNOPPOSED**

**Whereas**, municipal government is led by officials who are required by the New Mexico Constitution, to be elected by the citizens of their respective communities; and

**Whereas**, the New Mexico Municipal Election Code provides that municipal officers be elected for four year terms on staggered cycles; and

**Whereas**, the New Mexico Municipal Election Code provides that in order to maintain the staggered terms of municipal officials, municipal election shall occur every two years; and

**Whereas**, the New Mexico Municipal Election Code provides that candidates that wish to appear on the ballot must declare their candidacy 56 days prior to the date set for the municipal election; and

**Whereas**, the New Mexico Municipal election Code provides that a write-in candidate for a municipal office must declare their candidacy 49 days prior to the election; and

**Whereas**, the New Mexico Municipal Election Code precludes running for office unless a candidate is either a declared candidate or a declared write-in candidate; and

**Whereas**, the officially recognized candidates for municipal officer are established 47 days prior to the election; and

**Whereas**, the New Mexico Municipal Election Code provides that no person may be elected as a write-in candidate unless that person has declared their candidacy and has been certified by the municipal clerk; and

**Whereas**, many New Mexico municipalities conduct elections where all the candidates for municipal offices are running unopposed; and

**Whereas**, the expense and procedure of conducting a municipal election must be completed, even if all the candidates for municipal office are running unopposed; and

**Whereas**, the cost of conducting municipal elections continues to rise.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League supports a change in the Constitutional and statutory requirements of holding municipal elections when all the candidates for municipal office are running without opposition and there are no questions on the ballot.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

## **RESOLUTION 2014-11**

### **CONCERNING 2014 BOND ISSUE FOR LIBRARIES**

**Whereas**, New Mexico public libraries provide books and other materials to meet the informational, educational, cultural and recreational needs of all New Mexicans; and

**Whereas**, the effectiveness of a library is determined by its ability to deliver current, accurate information in a timely manner through books and materials answering community needs; and

**Whereas**, advances in technology have made information resources increasingly accessible electronically; and

**Whereas**, the demand for library resources continues to rise while the cost of providing the resources is beyond local funding capacity; and

**Whereas**, publicly funded libraries have increased their effectiveness by sharing their resources electronically, enabling public, tribal, school and college libraries to coordinate the use of scarce library funds within the community and statewide; and

**Whereas**, the coming November 4, 2014 statewide election, GO Bond "B" will provide \$11 million for public, tribal, school and academic libraries; and

**Whereas**, public libraries have experienced a substantial growth in usage, yet many municipalities lack resources to support adequate funding for library collections.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League endorses the Library Acquisition GO Bond "B" on the November 4, 2014 ballot.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

## RESOLUTION 2014-12

### CONCERNING THE ADOPTION OF ENFORCEABLE WATER QUALITY PROTECTION REQUIREMENTS WITHOUT PUBLIC HEARING

**Whereas**, the New Mexico Environment Department (NMED) Ground Water Quality Bureau has developed: “Guideline: Above Ground Use of Reclaimed Domestic Wastewater, January 2007” (as a follow-on to two previously published guideline documents, i.e.: “NMED Policy for the Use of Domestic Wastewater Effluent for Irrigation, 1985” and “New Mexico Criteria for the Use of Domestic Wastewater for Surface Irrigation, 2003”) that includes definitions, standards, effluent limitations, monitoring, and other requirements; and

**Whereas**, the NMED “Guideline: Above Ground Use of Reclaimed Domestic Wastewater” dated January 2007 has never been presented to the New Mexico Water Quality Control Commission (NMWQCC) for public hearing, promulgation, and adoption as a regulation or standard; and

**Whereas**, the NMED “Guideline: Above Ground Use of Reclaimed Domestic Wastewater” dated January 2007 is incorporated by reference, as well as incorporated as specific permit conditions, in enforceable Ground Water Discharge Permits issued by NMED under NMWQCC Regulations; and

**Whereas**, the NMED practice of imposing enforceable requirements through guidelines and policies that are not subjected to public hearing violates the New Mexico Water Quality Act [74-6-6(A) NMSA 1978] and the New Mexico Environmental Compliance Act [74-7-5(A) NMSA 1978].

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League objects to the NMED practice of imposing enforceable requirements, through policies and guidelines, that have not been subjected to a NMWQCC public hearing for adoption as a regulation or standard, and urges the NMED Cabinet Secretary, the NMWQCC, the Governor of New Mexico, and the New Mexico Legislature to implement measures to halt the practice and ensure NMED compliance with New Mexico law (New Mexico Water Quality Act, [74-6-6(A) NMSA 1978]) and New Mexico regulations (Rulemaking Procedures – Environmental Improvement Board [20.1.1 NMAC] and Surface and Groundwater Protection [20.6.2 NMAC]) when implementing permits and other environmental protection requirements; and

**Be It Further Resolved** that the New Mexico Municipal League urges the NMED Cabinet Secretary to convene a “Working Group” to develop proposed regulations for presentation to the NMWQCC for public hearing, promulgation, and adoption regarding the use(s) of reclaimed domestic wastewater, in order to protect public health and the environment in New Mexico.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

2014 EENR Committee Priority: **MEDIUM**

## RESOLUTION 2014-13

### CONCERNING ENFORCEMENT OF PCB CRITERIA AND ANALYTICAL METHODS

**Whereas**, local governments take a leading role in promoting environmental responsibility in New Mexico including protecting New Mexico's most precious resource, clean water; and

**Whereas**, local governments understand and support the New Mexico Environment Department's (NMED's) vital contributions to preserving New Mexico's natural resources; and

**Whereas**, the manufacture of polychlorinated biphenyls (PCBs) was stopped in the U.S. in 1977 because of evidence that they accumulate in the environment and can cause harmful health effects; and

**Whereas**, the extensive use of PCBs prior to 1977 has left a legacy of PCBs, often at trace levels, in every county and municipality throughout New Mexico wherever there has been any amount of industrial activity, the presence of asphalt paving and use of oil sprays for dust control; and

**Whereas**, no current technology results in complete removal of all PCB contamination from the environment; and

**Whereas**, the New Mexico water quality criteria for PCBs was adopted by the New Mexico Water Quality Control Commission (NMWQCC) in 2000 and is currently being applied by NMED; and

**Whereas**, the NM Water Quality Control Commission (NMWQCC) "Standards for Intrastate and Interstate Surface Waters" at 20.6.4.10(C) NMAC states that "It is also recognized that contributions of water contaminants by diffuse nonpoint sources of water pollution may make attainment of certain criteria difficult. Revision of these criteria may be necessary as new information is obtained on nonpoint sources and other problems unique to semi-arid regions"; and

**Whereas**, PCB nonpoint source background level studies have begun in limited parts of the state and remain incomplete; and

**Whereas**, a dichotomy of opinion exists among environmental scientists and regulators as to the appropriateness of testing for PCBs by analyzing Aroclors, commercial mixtures of PCB compounds, or by analyzing Congeners, individual PCB compounds; and

**Whereas**, at 40CFR136.3 Table IC the U.S. Environmental Protection Agency (EPA) has adopted Aroclor testing as the appropriate type of testing for PCB concentration in ambient waters; and

**Whereas**, EPA withdrew the Congener method of PCB analysis (EPA Test Method 1668C) from rulemaking on April 17, 2012; and



**Whereas**, NMED has issued enforcement actions against local governments under the New Mexico Water Quality Act and the NMWQCC “Standards for Intrastate and Interstate Surface Waters” based upon the results of Congener testing for PCBs; and

**Whereas**, local governments, while willing to be good stewards of the environment, are unable to expend vast sums of public money to achieve what may be scientifically unsupportable and technically infeasible storm water quality necessary to ensure compliance with New Mexico water quality criteria for PCBs; and

**Whereas**, the New Mexico Municipal League (NMML) Policy 2.1.12 requests that state agencies examine the technical validity and fiscal impacts of environmental standards and regulations before implementing them.

**Now, therefore, Be It Resolved** that the NMML requests that NMWQCC re-examine existing PCB water quality criteria to ensure that the criteria are based on credible scientific data, are technically achievable, and are reasonably cost-effective to allow for the maximum beneficial use of public money directed toward maintenance of a cleaner environment for all New Mexicans; and

**Be It Further Resolved** that NMML requests that NMWQCC re-examine PCB testing methods in the context of current PCB research; and

**Be It Further Resolved** that enforcement actions pertaining to violations of PCB criteria based on detections using the Congener Method should be held in abeyance until scientifically-based criteria and analytical methods for PCBs are established.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

## **RESOLUTION 2014-14**

### **CONCERNING A REQUEST TO THE GOVERNOR TO IMMEDIATELY ESTABLISH A GOVERNOR'S WATER TASK FORCE**

**Whereas**, water is one of the most critical and far-reaching state issues affecting all of New Mexico's citizens and municipalities; and

**Whereas**, New Mexico's rich cultural heritage, its urban, rural and tribal ways of life, and its unique natural environment all depend on sound water stewardship; and

**Whereas**, most of New Mexico's residential water use depends on groundwater supplies that are being rapidly consumed in many areas; and

**Whereas**, ground water supplies are further limited due to water quality concerns; and

**Whereas**, surface water from lakes and streams in New Mexico have been allocated beyond actual supplies for specific uses; and

**Whereas**, the economy of the state is also fundamentally dependent on vulnerable surface and groundwater supplies in threats to both quality and quantity; and

**Whereas**, the on-going management of surface water for Interstate Compacts and Treaties requires New Mexico to comply with mandated downstream deliveries are at risk; and

**Whereas**, the Endangered Species Act requires the state to manage surface water in order to protect endangered species.

**Now, Therefore, Be It Resolved**, that the New Mexico Municipal League requests that Governor Martinez immediately establish an empowered Water Task Force consisting of Municipal, County and state Officials to include the State Engineer and Interstate Stream Commission, the State Environment Department, and other water stakeholders to examine and discuss New Mexico's water issues and challenges and to provide advice and multi sector cohesion in strategic water management policy recommendations to the Administration and the New Mexico Legislature.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

## RESOLUTION 2014-15

### CONCERNING ALTERNATIVE SOURCES OF WATER SUPPLY

**Whereas**, drought conditions, contamination, watershed damage due to fire hazards and other potential causes of water supply shortages may endanger the health, safety and welfare of a significant number of New Mexico's citizens; and

**Whereas**, water supply shortages have created or threaten to create problems greater in scope than municipal governments alone may resolve; and

**Whereas**, it is important to ensure a dependable water supply during emergencies and to ensure present and future domestic and industrial use; and

**Whereas**, a lack of dependable water supply impacts on retaining and encouraging the expansion of the state's present businesses, the attraction of new business and the promotion of the desirable economic growth of the entire state; and

**Whereas**, municipalities recognize the importance of comprehensive water emergency planning and the value of effectively sharing our current water resources through well-considered redundancy and interconnection planning; and

**Whereas**, there is an interest in promoting the cost-effective conservation and efficient use of natural resources, including existing drinking water supplies and in developing cost-effective and environmentally responsible alternative sources of water supply; and

**Whereas**, there is an abundance of brackish water available in New Mexico that could be an option to address our water shortage by assessing the cost and environmental impact for consideration of inland desalination demonstration projects in the state; and

**Whereas**, the U.S. Bureau of Reclamation has established the Brackish Groundwater National Desalination Research Facility to bring together researchers from other federal agencies, universities, the private sector, research organizations, and state and local agencies to work collaboratively in a partnership to pursue research into supply-enhancing technologies for brackish groundwater; and

**Whereas**, the State of New Mexico should encourage the development of wastewater reclamation for a variety of beneficial uses by providing for the funding of various projects; and

**Whereas**, the use of reclaimed wastewater as a substitute for potable water in some industrial, sanitation and irrigation applications could increase regional water supply system reliability while helping to preserve and protect our high-quality drinking water supplies.

**Now, Therefore, Be It Resolved,** that the New Mexico Municipal League requests the New Mexico State Legislature to consider, under the guidance of the State Engineer and the Interstate Stream Commission Director, an appropriate funding mechanism that results in developing statewide and other viable alternatives that provide for the sustainability of water supplies; and

**Be It Further Resolved,** that consideration be given to alternative sources of water supply including the expeditious development of clear guidance by the State Engineer and the Interstate Stream Commission Director for demonstration projects that promote inland desalination and by further development of reclaimed wastewater as a substitute for potable water; and

**Be It Further Resolved,** that the State Engineer and the Interstate Stream Commission Director include recommendations from the State Department of Environment, the New Mexico Municipal League and the Association of Counties; and

**Be It Further Resolved,** that the State Engineer and the Interstate Stream Commission Director present their findings to the Water and Natural Resources Legislative Interim Committee.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

## RESOLUTION 2014-16

### CONCERNING THE DEVELOPMENT OF NUMERIC NUTRIENT WATER QUALITY CRITERIA

**Whereas**, nutrients exist in all waters of the State but that excessive levels lead to impairment of designated uses; and

**Whereas**, the magnitude of nutrient concentration that constitutes an “excess” is difficult to determine and varies by location; and

**Whereas**, the water quality standard for nutrients is a narrative standard in New Mexico’s Standards for Interstate and Intrastate Surface Waters (20.6.4 NMAC) and this narrative criterion is challenging to assess because the relationships between nutrient levels and impairment of designated uses are not defined, and distinguishing nutrients resulting from “other than natural causes” is difficult; and

**Whereas**, in the *2012-2014 State of New Mexico Clean Water Act §303(d)/§305(b) Integrated Report*, the New Mexico Environment Department (NMED) has found that nutrient/eutrophication, temperature, and *E. coli* are the three most common causes of river and stream water quality impairments in New Mexico and that the vast majority of surface water quality impairments identified in New Mexico are due to nonpoint sources of water pollution; and

**Whereas**, as stated in a March 16, 2011 memo, the U.S. Environmental Protection Agency’s (EPA) position that numeric nutrient criteria are ultimately required for state water quality programs; and

**Whereas**, in the July 2012 Nutrient Reduction Strategy, NMED stated that they are not currently pursuing adoption of numeric nutrient water quality standards and will continue focusing nutrient reduction on points sources which are predominantly municipal wastewater treatment plant discharges; and

**Whereas**, the EPA issued the March 16 2011 memo from Nancy Stoner *Working in Partnership with States to Address Phosphorus and Nitrogen Pollution through Use of a Framework for State Nutrient Reductions* that includes eight recommended elements of a framework for nutrient reductions that address nutrient reduction holistically, without undue focus on the single point sources of nutrients.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League strongly encourages NMED to develop a meaningful nutrient reduction strategy and numeric nutrient criteria based on the *Working in Partnership with States to Address Phosphorus and Nitrogen Pollution through Use of a Framework for State Nutrient Reductions*, which will involve the interaction and coordination of all sources of nutrients to the states waters without undue emphasis on municipal point source discharges.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

2014 EENR Committee Priority: **MEDIUM**

## RESOLUTION 2014-17

### CONCERNING THE SUPPORT OF MUNICIPALITIES IN MEETING NUTRIENT WATER QUALITY PERMIT LIMITATIONS

**Whereas**, the NMML acknowledges that nutrients exist in all waters of the State but that excessive levels lead to impairment of designated uses; and

**Whereas**, the New Mexico Environment Department (NMED) has developed Total Maximum Daily Load (TMDL) documents with target nutrient levels that are not technologically achievable; and

**Whereas**, the target nutrient thresholds in the TMDLs are based on water quality values from pristine streams in the region (eco-region values); and

**Whereas**, the target values in TMDL waste load allocations must be both technologically achievable and neither over-nor under-protective; and

**Whereas**, the NMED and NMML have formed a Work Group that has evaluated alternative approaches to the implementation of TMDL waste load allocations for municipal point-source discharges that are scientifically based, environmentally sound, and consider the existing facility design, facility age and local economic factors; and

**Whereas**, the Nutrient Work Group has developed a revision to the Water Quality Management Plan that will provide an additional 20 years for qualifying municipal point sources to meet the TMDL target values.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League urges the Governor of New Mexico and the New Mexico Legislature to support municipalities in meeting nutrient target values in their point source discharges by identifying and planning for funding such necessary projects.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

## RESOLUTION 2014-18

### CONCERNING THE WATER CONSERVATION FEE

**Whereas**, 74-1-13 of the Environmental Improvement Act imposed a water conservation fee of three cents (\$.03) per thousand gallons of water produced on every public water supply system; and

**Whereas**, in 2013 the New Mexico Legislature passed and Governor Martinez signed House Bill (HB)415 amending Section 74-1-13 NMSA 1978 and removing the date and other restrictions determining which Safe Drinking Water Act monitoring and analyses could be funded by the Water Conservation Fee; and

**Whereas**, the three basic allowances for the use of the Water Conservation Fee remained the same under the amendment implemented through HB 415, which are compliance testing for public water systems, vulnerability assessments of drinking water sources, and certified operator training; and

**Whereas**, the water conservation fund is created in the state treasury; and

**Whereas**, money in the water conservation fund is appropriated to the department of environment for administration of a public water supply program to:

- (1) test public water supplies for the contaminants required to be monitored pursuant to the provisions of the federal Safe Drinking Water Act, as amended, and collect chemical compliance samples as required by those provisions of the federal act; and
- (2) perform vulnerability assessments which will be used to assess a public water supply's susceptibility to those contaminants; and
- (3) implement new requirements of the Utility Operators Certification Act [Chapter 61, Article 33 NMSA 1978] and provide training for all public water supply operators; and

**Whereas**, monitoring requirements of the federal Safe Drinking Water Act have been subsequently modified since July 1, 1992 so that annual and triennial monitoring for synthetic and volatile organic contaminants, inorganic contaminants, and radiological contaminants is no longer required at individual water sources, but rather at Entry Points to the Distribution System at which individual sources are blended to a single supply source to effectively reduce the number of monitoring events required; and

**Whereas**, the New Mexico Environment Department (NMED) has issued waivers to reduce or eliminate monitoring requirements for many contaminants; and

**Whereas**, the NMED has completed a source water vulnerability assessment for almost all public water systems, as required by U. S. Environment Protection Agency; and

**Whereas**, implementation of two key provisions of the water conservation fee statute; vulnerability assessments and utility operator certification and training, are no longer funded by the water conservation fee; and

**Whereas**, there is concern among New Mexico municipalities that while the water conservation fee fund appropriately provides services to the regulated community, demands on the water conservation fee have effectively been reduced since the inception of the fee.

**Now, Therefore, Be It Resolved** that the NM Municipal League requests that the water conservation fee remain unchanged from the original 1993 implementing legislation creating the fee; and

**Be It Further Resolved** that should NMED intend to further increase the fee, NMED should first evaluate the impacts of decreased monitoring, lack of full implementation of the current statute and increases in federal funding; and share the enabling legislation with the affected regulated community to reach a consensus prior to the legislation being introduced.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.



## RESOLUTION 2014-19

### CONCERNING STATE TAX POLICY AND ITS EFFECT ON LOCAL GOVERNMENTS

**Whereas**, both the state and local governments continue to be significantly impacted by the current economic downturn and that impact has resulted in significant declines in revenues available for the state and local governments to finance the services the citizens of New Mexico expect and need; and

**Whereas**, during the 2004 Legislative Session the Legislature passed and the Governor signed legislation to repeal the Gross Receipts Tax on food and certain medical services; and

**Whereas**, the Legislature recognized that its tax policy decision to repeal the Gross Receipts Tax on food and certain medical services would negatively impact the budgets of municipalities by causing a reduction in tax receipts to municipalities which resulted in the adoption of the “hold harmless” provision; and

**Whereas**, up to 75% of a municipality’s general fund revenue is derived from the Gross Receipts Tax; and

**Whereas**, the New Mexico Municipal League recognizes that gross receipts taxes are an unstable funding source whose levels are dependent on the health of the economy; and

**Whereas**, state law was amended in 2013 to repeal the hold harmless distribution made by the State to municipalities that have a population of over 10,000 and granted those municipalities the ability to impose up to 3/8% gross receipts tax to compensate those municipalities for revenues lost as the result of the State's elimination of gross receipts taxes on food and certain medical services; and

**Whereas**, municipalities derived up to 30% of their Gross Receipts Tax revenues from imposition of the Gross Receipts Tax on food and certain medical services; and

**Whereas**, the State's elimination of this source of gross receipts tax revenue will potentially cause a major decrease in vital municipal services, jeopardize current and future infrastructure and seriously impact the municipal workforce and local economies; and

**Whereas**, municipalities continue to take steps to balance their budgets such as implementing hiring freezes, forced furlough days for employees, reduced services to the community, facility closures and expenditure reductions like travel freezes, reduced energy consumption or overall cuts in departmental budgets; and

**Whereas**, state law related to a municipality's authority over its financial affairs is severely restricted and there is a need to amend state law to remove such restrictions in order to mitigate the impacts of current state tax policy; and

**Whereas**, long standing municipal tax policy states that “any shifting of tax sharing between the state and municipalities must guarantee municipalities at least the same revenue levels they derive from current tax policy.”

**Now, Therefore, Be it Resolved** that the New Mexico Municipal League calls on the New Mexico State Legislature to enact legislation, consistent with the *NMML Policy Statement*, during the 2015 Legislative Session to bring balance, equity and financial stability to local municipal governments and the residents they serve. Such legislation shall:

- Grant municipalities the authority to generate the revenue necessary to administer government and provide basic services.
- Guarantee municipalities, when there is any shifting of tax sharing between the state and municipalities, at least the same revenue levels they derive from current state tax policy.
- Authorize municipalities to enact taxes at the local level that are appropriate to their tax bases in the following areas:
  1. Gross Receipts Tax - Retain authority to enact at the local level;
  2. Ad Valorem Tax - Retain authority to impose millage for municipal general purpose government;
  3. Income Tax - Grant municipalities a share of the State income tax;
  4. Miscellaneous User Taxes - Grant municipalities the authority to levy local option taxes on sales of gasoline, cigarettes and alcohol, or, in the alternative, increase the municipal share of such current taxes;
- Provide added financial assistance or revenues each time the legislative, executive or judicial branches create new or expanded service requirements for municipalities by providing realistic funding levels for new and existing mandates.
- Develop an effective funding system to supplement or replace federal funding in those program areas which are the most essential to the well-being of New Mexico's citizens.
- Amend the confidentiality provisions of the New Mexico Tax Act to allow certain municipal officials access to currently confidential information regarding taxpayers in a municipality so that at least once every three years municipalities would have the ability to identify businesses that are not in compliance with State of New Mexico or municipal business registration statutes and ordinances which would further enhance the Taxation and Revenue Department's ability to enforce and collect taxes.

**Be It Further Resolved** that the New Mexico Municipal League urges the legislature and governor to examine tax expenditures such as credits exemptions and deductions for tax purposes that do not affect general purpose local governments; and

**Be it Further Resolved** that the legislature and the governor examine other budget balancing measures that do not affect general purpose local governments.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

2014 FIRT Committee Priority: **HIGH**

## **RESOLUTION 2014-20**

### **CONCERNING TELECOMMUNICATIONS FRANCHISE ORDINANCES**

**Whereas**, telecommunications technology has advanced to the point that traditional land line phones are rapidly being replaced by Cellular or Voice Over Internet Protocol (VOIP); and

**Whereas**, traditionally, New Mexico Municipalities have granted franchises to telecommunication companies; and

**Whereas**, municipalities in the state of New Mexico are receiving revenues under expired franchise ordinances which they have been unable to renegotiate; and

**Whereas**, in order to allow all forms of telecommunication providers to compete for consumers it is desirous to not disadvantage any single provider through a franchise system; and

**Whereas**, New Mexico municipalities are dependent on the income generated by current Franchise agreements.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League supports legislation to allow imposition of a statewide "Telecommunications Fee" not to exceed 5% on all telecommunication providers operating within a municipality.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

## **RESOLUTION 2014-21**

### **CONCERNING USE OF STATE GRANT MONIES TO DEFRAY THE COST OF ADMINISTRATION**

**Whereas**, municipalities can, and do rely, on State of New Mexico grants to fulfill many municipal needs; and

**Whereas**, local governments may be better able to implement projects within their jurisdictions; and

**Whereas**, those local governments need set policies and procedures in the delivery and administration of state grants; and

**Whereas**, the New Mexico Department of Finance and Administrative Services has stated its intention to alter its reimbursement policy after expenditures of state grant monies by local governments.

**Now, Therefore, Be it Resolved** that the New Mexico Municipal League seek clarification through legislation that would allow state grant monies to help defray the cost of administration of grants; and

**Be it Further Resolved** that the New Mexico Municipal League seek legislation that would clarify the propriety of utilizing bond proceeds to defray the cost of grant administration for projects that are funded through the issuance of debt.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

2014 FIRT Committee Priority: **HIGH**

## RESOLUTION 2014-22

### CONCERNING THE LOCAL GROSS RECEIPTS TAXES ON FOOD

**Whereas**, the First Session of the 51<sup>st</sup> Legislature enacted legislation to phase out the Hold Harmless Provisions for the loss of local gross receipts taxes on food and medical services; and

**Whereas**, those revenues accounted for a substantial portion of municipalities' general fund budget, in some cases as much as an estimated 40%; and

**Whereas**, municipalities opposed the repeal of gross receipts taxes when introduced in the 2004 session of the Legislature; and

**Whereas**, over 400,000 New Mexicans on the Food Stamp Program did not pay gross receipt taxes on the purchase of food; and

**Whereas**, New Mexicans were required to pay an additional ½ percent gross receipt tax on all other taxable purchases to help pay for the repeal of food taxes; and

**Whereas**, those same 400,000 New Mexicans could face an additional 3/8 or even 6/8 percent gross receipts tax on non-food and non-medical purchases for a total tax burden of 7/8 to 1 & ¼ percent GRT. Prior to the repeal of the GRT on food and certain medical services these New Mexicans were not paying GRT on food or certain medical services and will now continue to pay additional GRT on other purchases in a greater amount than they would have had the tax remained on food and certain medical services.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League support legislation to return food to the gross receipts tax base for only local gross receipts tax rates, including the 1.225 of the state rate, by shifting the 1.225 to the local GRT system; and

**Be It Further Resolved** that the legislation include a significant increase in the Low Income Tax Credit; and

**Be It Further Resolved** that such legislation would also repeal the Hold Harmless distribution whereby increasing the state general fund in one fiscal year rather than 17 years; and

**Be It Further Resolved** that the legislation would also repeal the new gross receipts authority of 3/8 percent for cities and counties.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

2014 FIRT Committee Priority: **HIGH**

## **RESOLUTION 2014-23**

### **CONCERNING HOME RULE MUNICIPALITY TAXING AUTHORITY**

**Whereas**, Article X, Section 6 of the New Mexico Constitution authorizes municipalities in the state of New Mexico to adopt Home Rule Charters; and

**Whereas**, Paragraph D. of Article X, Section 6 states that “No tax imposed by the governing body of a charter municipality, except a tax authorized by general law, shall become effective until approved by a majority vote in the charter municipality;” and

**Whereas**, §3-15-7 NMSA 1978 provides that a home rule charter “shall not authorize the levy of any tax not specifically authorized by the laws of the state;” and

**Whereas**, §3-18-2 NMSA 1978 prohibits any municipality from imposing an income tax, a tax on property measured on an ad valorem, per unit or other basis or any excise tax, including but not limited to sales taxes, gross receipts and excise taxes on any incident relating to tobacco, liquor, motor fuels and motor vehicles; and

**Whereas**, state law has severely restricted the ability of a home rule municipality to impose certain taxes, therefore, there is a need for the Legislature to take immediate action and amend state law to remove taxing limitations imposed on home rule municipalities and permit such municipalities to have the authority to benefit from such tax revenue sources.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League calls on the New Mexico State Legislature to take immediate action during the 2015 session to enact legislation that would remove the taxing limitations currently imposed on home rule municipalities in order to permit home rule municipalities to have increased taxing authority.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

2014 FIRT Committee Priority: **HIGH**

## **RESOLUTION 2014-24**

### **CONCERNING THE ENACTMENT OF A MUNICIPAL TELECOMMUNICATIONS TAX ACT BY THE NEW MEXICO STATE LEGISLATURE**

**Whereas**, up to 75% of a municipality's general fund revenue is derived from gross receipts taxes; and

**Whereas**, since the economic downturn of 2008, municipalities in the state of New Mexico continue to be negatively impacted, which has resulted in significant declines in revenue available for local governments; and

**Whereas**, the New Mexico Municipal League (NMML) recognizes that gross receipts taxes are an unstable funding source whose levels are dependent on the health of the economy; and

**Whereas**, NMSA 1978, §3-18-2 prohibits any municipality from imposing any excise tax, including but not limited to sales taxes, gross receipts and excise taxes on any incident relating to tobacco, liquor, motor fuels and motor vehicles; and

**Whereas**, the NMML recognizes that there is a need for the New Mexico State Legislature to enact legislation that would authorize municipalities to collect from telecommunications providers a municipal telecommunications tax on the telecommunications provider's gross receipts from telecommunications service.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League calls on the New Mexico State Legislature to enact a Municipal Telecommunications Tax Act using the Utah Act as a model.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

## **RESOLUTION 2014-25**

### **CONCERNING IRREVOCABLE TRUSTS SET UP BY MUNICIPALITIES AND COUNTIES**

**Whereas**, GASB 45 requires all public sector employers offering post-employment benefits, other than pensions, to reflect the costs of the benefits in their financial statements and to disclose the amount of any unfunded liability; and

**Whereas**, the cost of the OPEB liabilities include the accrual of the costs of the OPEB benefits over the career of an employee; and

**Whereas**, bond ratings could be negatively affected by the results of the GASB valuations and the unfunded recorded liabilities; and

**Whereas**, GASB 45 allows for a separate irrevocable trust to be set up to fund the liability and to increase the discount rate at which the funds can be invested thus reducing the overall liability; and

**Whereas**, the New Mexico State statute, NMSA 1978, Section 6-10-10 limits investments for municipalities and counties to fixed income securities and specific debt instruments which reduces the expected amount of return the trust is able to earn; and

**Whereas**, irrevocable trusts set up by municipalities and counties should be regulated by the New Mexico State Statute, NMSA 1978 Fiduciaries and Trusts Article 9A – Uniform Prudent Management of Institutional Funds, Section 46-9A-3 Standard of conduct in managing and investing an institutional fund NM Stat § 46-9A-3 (2013) rather than NMSA 1978, Section 6-10-10; and

**Whereas**, municipalities and counties that have set up irrevocable trusts for OPEB benefits would be able to increase investment earnings using the NMSA 1978 Fiduciaries and Trusts rule as opposed to NMSA 6-10-10.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League urges the legislature and governor to allow municipal and county trusts to be governed under NMSA 1978 Fiduciaries and Trusts Section 46-9A-3.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

2014 FIRT Committee Priority: **HIGH**



## **RESOLUTION 2014-26**

### **CONCERNING REVISIONS TO THE SALE OR LEASE OF PUBLIC PROPERTY SECTION FOR MONETARY THRESHOLDS**

**Whereas**, Section 3-54-1 NMSA 1978 contains monetary thresholds that are used to determine whether the sale and exchange of any municipal utility facilities or property in excess of the threshold shall be subject to referendum provisions; and

**Whereas**, reasonable and customary values for virtually all public real property assets have appreciated over the years, and said thresholds have not risen commensurately with appreciation levels; and

**Whereas**, raising the affected limits would result in a more efficient process.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League supports legislation to increase the monetary thresholds in the Municipal Sale or Lease of Property Section above the current rate of \$25,000.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

2014 PIC Committee Priority: **HIGH #2**

## **RESOLUTION 2014-27**

### **CONCERNING FUNDING FOR MUNICIPAL STREETS, ROADS, BRIDGES, AIRPORTS, RAIL AND TRANSIT**

**Whereas**, past investment plans have provided for more than one billion dollars for state highways; and

**Whereas**, other critical infrastructure projects still need to be addressed; and

**Whereas**, these projects are important for economic development within municipalities; and

**Whereas**, it is not enough to have an efficient state highway system, but rather it is essential that an effective, efficient transportation system be in place within municipalities in order to provide for the safe and efficient movement of people, goods and services; and

**Whereas**, transportation should be viewed not just as the state highway system, but as a complete network of state and municipal streets, roads, airports, bridges, rail and transit.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League supports continued funding for critical local projects where applicable, to follow, be guided by and adhere to current state transportation improvement plans established by Metropolitan Planning Organizations, DOT Aviation Division and Regional Planning Organizations; and

**Be It Further Resolved** that a comprehensive plan of investment for critical transportation projects be developed with municipal input and that such plan identify alternative funding resources necessary to finance such plan including matching funds and in-kind services in rural areas; and

**Be It Further Resolved** that municipalities, the Governor and the Legislature collaborate on the development of critical local transportation projects and a comprehensive investment plan.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

## RESOLUTION 2014-28

### CONCERNING MUNICIPAL PARTICIPATION IN THE DEVELOPMENT OF A STATE FREIGHT PLAN WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION

**Whereas**, freight is a vital component of the nation's and the state's transportation system; and

**Whereas**, the New Mexico Department of Transportation is (NMDOT) is developing a State Freight Plan as an element of the NMDOT Statewide Long Range Multimodal Transportation Plan; and

**Whereas**, State Freight Plans are encouraged under the new federal transportation law called the "Moving Ahead for Progress in the 21<sup>st</sup> Century Act" (MAP-21); and

**Whereas**, states that develop freight plans increase the potential for economic development and funding for identified freight projects; and

**Whereas**, municipalities statewide have many different interactions with freight movements and providers; and

**Whereas**, development of a State Freight Plan will require input from a wide range of stakeholders statewide.

**Now, Therefore, Be it Resolved** that the New Mexico Municipal League requests the New Mexico Department of Transportation to include the League and interested municipalities statewide as stakeholders, either directly or through Regional Transportation Planning Organizations, during the development of the State Freight Plan.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

2014 PIC Committee Priority: **LOW**

## **RESOLUTION 2014-29**

### **CONCERNING THE LAW ENFORCEMENT PROTECTION FUND**

**Whereas**, the Law Enforcement Protection Fund (LEPF) is a state dedicated fund from which annual distributions are made to municipal, county, tribal and university police departments; and

**Whereas**, two distributions are made to municipal departments, one on a rating using the population class of the municipality as the basis, and the second based on an amount per full-time certified officer; and

**Whereas**, the LEPF monies may be used for equipment, advanced training, matching funds for federal grants, and up to 50% of replacement salaries for officers attending basic training; and

**Whereas**, costs of equipment and training continue to increase and new technologies are necessary to continue to provide quality service and protection; and

**Whereas**, the number of demands and responsibilities placed on law enforcement continues to increase while most departments are functioning at less than their full quota of officers; and

**Whereas**, available federal monies and grants to police agencies have all but disappeared; and

**Whereas**, the current LEPF distributions from the State are \$20,000, \$30,000 and \$40,000 annually based on population and \$600 per officer; and

**Whereas**, LEPF distributions have not been increased since 2000.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League seeks legislation to increase the distributions from the Law Enforcement Protection Fund to a level that is sufficient for law enforcement needs.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

## RESOLUTION 2014-30

### CONCERNING AMENDING THE SEX OFFENDER REGISTRATION AND NOTIFICATION ACT

**Whereas**, the New Mexico Sex Offender Registration and Notification Act (SORNA), NMSA §29-11A-1 et seq., requires offenders convicted of certain sexual offenses in New Mexico to register with the sheriff of the county where the offender resides; and

**Whereas**, the New Mexico SORNA is not fully compliant with federal law (Title I of the Adam Walsh Child Protection and Safety Act of 2006, Public Law 109-248); and

**Whereas**, legislation to bring our state into federal compliance has been introduced over the past several years, including House Bill 179 (Rep. Herrell) in 2012, but has failed to pass; and

**Whereas**, the legislation needed for compliance includes the incorporation of a more comprehensive group of sex offenders and offenses for which registration is required, tighter and more extensive registration requirements, and expansion of the amount of information available to the public; and

**Whereas**, New Mexico has been losing critical federal funding because of its non-compliance with the federal law; and

**Whereas**, an additional consequence of our state's non-compliance is that New Mexico has become an attractive relocation destination for sex offenders from other states who wish to avoid registering as sex offenders in their new communities; and

**Whereas**, SORNA does not currently prevent sex offenders from living near elementary schools, neighborhood parks or other locations frequented by young children; and

**Whereas**, the continued presence of sex offenders near areas where children are found in large concentration poses an increased risk of harm to children.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League supports amendment of the Sex Offender Registration and Notification Act to bring New Mexico into full compliance with federal law; and

**Be It Further Resolved** that the amendments to SORNA also address the subject of registered offenders living or meeting in close proximity to schools, parks or other government owned facilities frequented by children.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

2014 PS Committee Priority: **HIGH #7**

## RESOLUTION 2014-31

### CONCERNING MUNICIPAL AUTHORITY TO REGULATE FIREWORKS

**Whereas**, Section 60-2C-1 et seq., NMSA 1978, the “Fireworks Licensing and Safety Act” comprises the State of New Mexico’s regulation of the sale and use of fireworks; and

**Whereas**, this Act, by requiring the State Fire Marshall to enforce its provisions, recognizes that fireworks and their associated dangers are matters directly relevant to fire control and public safety in general; and

**Whereas**, the current Act fails to adequately weigh the potential danger to citizens and financial costs of fires that may be caused by fireworks; and

**Whereas**, the extreme weather conditions experienced by our state have clearly shown that even one spark, no matter the cause, can result in catastrophic fires that have destroyed homes, threatened lives and tainted municipal watersheds; and

**Whereas**, the smoke generated from fires constitutes a known health threat for citizens, especially children and those with chronic respiratory and heart diseases, and has been linked to increased emergency department visits and hospitalizations; and

**Whereas**, the Fireworks Licensing and Safety Act grants certain limited powers to municipalities to restrict the sale and use of fireworks during extreme or severe drought conditions upon hearing and subsequent issuance of a proclamation; however, these powers are limited and do not cover all fireworks, and do not permit municipalities to ban the sale and use of all fireworks within their borders in the interest of public safety; and

**Whereas**, the state legislature has granted municipalities the power to define and abate nuisances, to pass ordinances providing for the health, safety and welfare of its inhabitants, and to take such actions as are necessary and proper to protect persons and property; thus recognizing that local government best knows of current and local conditions affecting public safety; and

**Whereas**, municipalities must be afforded the greatest latitude in the regulation of the sale and use of all types of fireworks and must be permitted the appropriate authority to take such actions as are necessary to protect the health, safety and welfare of its inhabitants and property.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League seeks legislation to grant municipalities the authority to enact ordinances at any time regulating the sale and use of any firework, up to and including a complete ban; and

**Be It Further Resolved** that the legislation also grant municipalities the option to issue an emergency proclamation at any time declaring extreme or severe drought conditions if the governing body determines such conditions exist; the proclamation shall describe the restrictions on the sale and use, up to and including a ban, of any firework deemed by the governing body as necessary for the protection of the health, welfare and safety of persons and property.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

## RESOLUTION 2014-32

### CONCERNING EMS FUNDING

**Whereas**, Emergency Medical Services (EMS) is the only health care that is universally available to all of New Mexico's residents and visitors regardless of ability to pay; and

**Whereas**, pre-hospital treatment and transport by volunteer and paid emergency medical responders are the two most crucial components of emergency medical care; and

**Whereas**, the citizens demand and deserve an increasing level of care, however funding for training and necessary equipment is not available; and

**Whereas**, the costs of providing healthcare, whether hospital, clinic, or pre-hospital based, continue to rise, while funding, including reimbursement from fees charged, continue to decline; and

**Whereas**, future access to this essential care will be dependent on adequate funding to ensure the best pre-hospital care is delivered through the providing of training, equipment, resources, medical direction, technical assistance, and quality improvement; and

**Whereas**, the current funding levels are inadequate and will prevent the future growth of EMS, and the decrease in providers and services will result in an increase in morbidity and mortality; and

**Whereas**, Fire and EMS services in New Mexico must have solid financial resources if they are to continue providing critical first response services in a consistent and reliable manner; and

**Whereas**, the majority of EMS first response services in New Mexico are provided by fire-based departments.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League supports an increase to the EMS Fund Act for use by local EMS providers in the state of New Mexico; and

**Be it Further Resolved**, that the New Mexico Municipal League supports utilizing a percentage of the Fire Protection Fund reversion money to supplement the EMS Fund Act so long as the funds are directly distributed to and utilized by the local EMS providers to enhance the level of EMS services provided and does not reduce the disbursement of Fire Fund monies to municipalities and counties; and

**Be it Further Resolved**, that the existing funding formula will continue to be used, but the funding base amount and maximum allowable fund award be raised to accommodate the increasing costs of providing pre-hospital services.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

2014 PS Committee Priority: **HIGH #5**

Attachment C



## RESOLUTION 2014-33

### CONCERNING DWI AND TRAFFIC ENFORCEMENT ON PUBLICLY ACCESSIBLE PRIVATE PROPERTY

**Whereas**, driving while intoxicated (“DWI”) and other traffic offenses can threaten the health, safety and welfare of every citizen of New Mexico; and

**Whereas**, DWI and traffic offenses can occur in a variety of means including alcohol intoxication and drug impairment; and

**Whereas**, DWI and traffic offenses can occur not only on public highways, roads, and streets but also in alleys and parking lots and other areas that are privately owned, but accessible to the general public; and

**Whereas**, the New Mexico Court of Appeals in the case of *Rio Rancho v. Young* imposed a requirement on local law enforcement officials to obtain the consent of the landowner prior to enforcing traffic laws, including DWI laws on private property; and

**Whereas**, the Court of Appeals based its decision on language contained in NMSA section 3-49-1(o) that states in relevant part: “A municipality may. . . . ; with the written consent of the owner, regulate the speed and traffic conditions on private property”; and

**Whereas**, this limitation on the ability of local law enforcement officials to enforce DWI and other traffic laws on private property that is accessible to the public is a threat to public health, safety and welfare.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League seek legislation to amend NMSA section 3-49-1(o) to remove the requirement that local law enforcement officials first secure the written permission of a landowner prior to enforcing DWI and traffic regulations on private property that is open to the public.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

2014 PS Committee Priority: **HIGH #2**

## **RESOLUTION 2014-34**

### **CONCERNING THE ENDORSEMENT OF EFFORTS TO MAINTAIN THE AMTRAK SOUTHWEST CHIEF PASSENGER SERVICE BETWEEN LAMY/SANTA FE, NEW MEXICO AND NEWTON, KANSAS**

**Whereas**, the Southwest Chief, one of Amtrak's premier passenger trains, serves southwestern Colorado, western Kansas and northern New Mexico as it lays between Chicago and Los Angeles on the host railroad line of Burlington Northern Santa Fe Railway (BNSF); and

**Whereas**, eastbound and westbound trains stop at Las Vegas daily and have in past years served over 636,350 passengers (63,630 local travelers and 572,510 out-of-state travelers); and

**Whereas**, the Chief and its famous predecessors (such as the Santa Fe Railroad's fabled "Super Chief") have served this route since the late 1880's and

**Whereas**, the train has consistently held the best on-time record for Amtrak's long distance trains and the train is ranked among the best Amtrak earners; and

**Whereas**, Amtrak has added an additional coach to the train in 2010 due to increased demand; and

**Whereas**, the train is a key economic contributor (New Mexico's past years' Financial Revenues: the Fiscal Impact has been approximately \$500 million...\$68.7 million in Lodging, \$85.9 million Food/Beverage, \$52 million Miscellaneous Retail and \$293 million in Direct/Indirect Impact of Visitors Spending) not only to Northern New Mexico, but also serves as a transportation link to New Mexico, the Southwestern states and the national route from Eastern to Western United States; and

**Whereas**, Amtrak provides a gateway to tourists from the west coast and Midwest, and most importantly Amtrak provides a transportation link to the citizens of Northern New Mexico that is of growing importance and will likely become critical as our citizens age and rising energy prices curtail the attractiveness of driving and flying; and

**Whereas**, the route of the Southwest Chief through Northern New Mexico, Colorado and Kansas is being threatened and the estimated cost to replace after abandonment would be in the Billions of dollars... track replacement alone is estimated at \$1 million per mile; and

**Whereas**, Burlington Northern Santa Fe wants Amtrak to pay the costs of improvement and the maintenance for the route that exceed its requirements for freight service; and

**Whereas**, Amtrak estimates the costs of improvement and the maintenance could amount to \$200 million over ten years including \$94 million in capital improvement costs to bring the line back up to standards across the three states; and

**Whereas**, Amtrak has indicated that it would like to undertake this improvement because the route is scenic and well-traveled, but current fiscal circumstances may impact its ability to do so; and

**Whereas**, in past years the Tax Impact has been approximately \$29 million... \$19.1 million in Gross Receipt Taxes, Hotel Taxes \$3.4 million, Property Tax: Santa Fe County \$2.3 million, San Miguel County \$.415 million, Mora County \$1.4 million and Colfax County \$2.2 million and there are other developments, (i.e. the Elk River Coal Mine) that will generate additional revenues in the next several years.

**Therefore Be It Resolved, That:**

- The New Mexico Municipal League calls upon all members of the Congressional Delegation for the State of New Mexico to support continuation of the Amtrak Southwest Chief route.
- The New Mexico Municipal League calls upon the members of the legislature of the State of New Mexico to support continuation of Amtrak Southwest Chief route.
- The New Mexico Municipal League calls upon the Governor of the State of New Mexico to support continuation of the Amtrak Southwest Chief route.
- The New Mexico Municipal League calls upon representatives of Amtrak to strongly endorse continuation of the Amtrak Southwest Chief route
- The New Mexico Municipal League endorses the continuation of the Amtrak Southwest Chief route.
- The New Mexico Municipal League recommends that all community and civic leaders along the route to connect with each other and their colleagues so that the three states can coordinate their efforts to protect the route of the Southwest Chief.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

## RESOLUTION 2014-35

### CONCERNING THE ESTABLISHMENT OF A STATE TRANSIT FUND TO SUPPORT MUNICIPAL AND REGIONAL TRANSIT CAPITAL AND OPERATIONAL NEEDS

**Whereas**, a key mission of governmental entities at all levels is the provision of adequate transportation facilities not only to enhance mobility options for constituents, but also to enhance commerce and promote safety; and

**Whereas**, transportation should not only be viewed as the state highway system, but as a complete network of state and municipal streets, roads, airports, bridges, rail and transit; and

**Whereas**, it is not enough to have an efficient state highway system, but rather an effective, efficient transportation system should be in place within municipalities to provide for the safe and efficient movement of people, goods and services; and

**Whereas**, public transit service has increased dramatically within the State of New Mexico in the past decade, with the number of passenger trips delivered growing from 9.7 million per year to 18.6 million per year; and

**Whereas**, this expansion has occurred, in large part, due to significant investments made by local governments throughout the State of New Mexico to provide transit services within their respective communities; and

**Whereas**, the level of federal funding for transit capital projects, including fleet replacement, has been significantly reduced for many communities in the current federal transportation act (MAP-21); and

**Whereas**, this reduction in federal capital funding results in more transit vehicles operating past their useful life, significantly higher maintenance costs, less reliable service to our customers and potentially, reduction in service levels when aging buses cannot be replaced; and

**Whereas**, the State of New Mexico is one of very few states that does not provide state transportation funds to public transportation providers that operate within its borders; and

**Whereas**, the New Mexico Legislature's Transportation Infrastructure Revenue Subcommittee recently completed a series of meetings held specifically to address the need to generate enhanced revenue for investment in transportation infrastructure statewide; and

**Whereas**, municipalities and regional transit districts that provide transit services throughout New Mexico would benefit greatly from the investment of state transportation funds, along with federal and local funds, in their systems.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League supports the efforts of the New Mexico legislature to enhance revenue for investment in transportation infrastructure across the state to include investment in public transportation fleets and associated public transportation infrastructure.

**Be It Further Resolved** that the New Mexico Municipal League requests the municipalities, the Governor and the Legislature to collaborate on the creation of a state public transit fund that provides a permanent, recurring source of critical funding for local and regional public transit operations and the creation of a state public transit capital fund that provides a dedicated source of recurring funding for vehicles and other public transportation capital projects.

**Be It Further Resolved** that the New Mexico Municipal League supports the efforts of the New Mexico Congressional delegation to restore adequate levels of capital funding to New Mexico transit providers in the reauthorization of MAP-21.

**Be It Further Resolved** that this resolution shall be delivered to respective members of New Mexico's Congressional delegation along with members of the New Mexico legislature serving on the House of Representatives Transportation and Public Works Committee and the Senate Corporations and Transportation Committee.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

## **RESOLUTION 2014-36**

### **CONCERNING MERGING THE NM MUNICIPAL ELECTION CODE WITH THE STATE ELECTION CODE**

**Whereas**, the Municipal Election Code is separate from the state Election Code; and

**Whereas**, the School Election Code was previously separate from the state Election Code; and

**Whereas**, in 1985 the School Election Code was merged into the state Election Code; and

**Whereas**, school elections continue to be held separate from other elections, but benefit from the modernizations taking place in the state Election Code; and

**Whereas**, school elections continue to be non-partisan; and

**Whereas**, the municipal election code does not contain a definition or requirement for voter identification, does not allow directly for voter convenience centers, and does not provide for provisional ballots, and often does not benefit when the state Election gets modernized; and

**Whereas**, merging the municipal election code into the state election code would allow municipalities to benefit from the definitions and procedures in the state Election Code while keeping municipal elections non-partisan and under the control of municipalities; and

**Whereas**, this difference between the two codes causes continuing confusion for the public and the poll workers.

**Now, Therefore, Be It Further Resolved**, that the New Mexico Municipal League urge the New Mexico Legislature to merge the Municipal Election Code into the state Election Code; and

**Be It Further Resolved**, that the New Mexico Municipal League invite the Municipal Clerks, the County Clerks and the Secretary of State to work together to merge the two codes, maintaining municipal elections as a non-partisan and controlled by municipalities.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

2014 Resolutions Committee

## **RESOLUTION 2014-37**

### **CONCERNING THE SUPPORT OF INTEREST AND FEE CAPS ON NON-BANK LENDING INSTITUTIONS IN NEW MEXICO**

**Whereas**, New Mexico had 656 licensed small loan companies many routinely charging 300% to 600% interest on loans lasting two weeks to unlimited duration at the end of 2013; and

**Whereas**, New Mexico small loan companies issued 396,000 loans with interest rates over 175% during 2012 according to New Mexico's Department of Regulation and Licensing; and

**Whereas**, New Mexicans were charged \$99 million in interest and fees on 175% APR and higher small loans in 2012, and it is unknown how much more was charged for loans under 175%; and

**Whereas**, the department of defense and 18 states have implemented interest rate caps ranging from 17% to 36%; and

**Whereas**, Consumer Financial Protection Bureau, Center for Responsible Lending and Pew Charitable Trust studies have all shown high interest lending traps borrowers and their families in crippling cycles of debt that lead to lost homes, vehicles, and chronic poverty; and

**Whereas**, studies conducted by the Insight Center for Economic Development and others show high cost loans reduce jobs by diverting consumer expenditures away from local businesses to pay exorbitant loans fees; and

**Whereas**, Pew Charitable Trust surveys indicate that two out of three borrowers who lose access to expensive credit as a result of interest rate caps report they are better off as a result; and

**Whereas**, regulations other than across the board interest rate caps have proven ineffective at limiting lending abuses because lenders modify their products to circumvent the law; and

**Whereas**, polling by the Public Policy Polling in January 2014 shows 86% of New Mexicans support interest rate caps of 36% or less.

**Now, Therefore, Be It Resolved**, the New Mexico Municipal League urges the New Mexico Legislature and the Governor to enact inflation indexed interest and fee caps of 36% or less across all loan products offered by small loan companies and non-chartered lenders.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

## RESOLUTION 2014-38

### CONCERNING THE DEVELOPMENT OF STATE ENGINEER GUIDELINES OR POLICIES REGARDING MUNICIPAL BEST MANAGEMENT PRACTICES FOR PRECIPITATION CAPTURE AND USE

**Whereas**, adequate water resources are a prerequisite to the health and economic wellbeing of New Mexico's communities; and

**Whereas**, water is a fragile and finite resource in New Mexico; and

**Whereas**, under New Mexico water law, all ground and surface water belongs to the public, but is subject to appropriation; and

**Whereas**, precipitation can be both a significant water resource and a significant water quality concern when storm water or melting snow runs off into New Mexico streams, rivers and lakes; and

**Whereas**, the New Mexico Office of the State Engineer encourages water conservation in all water sectors; and

**Whereas**, in accordance with a Rainwater/Snowmelt Harvesting Policy adopted November 24, 2004 ([http://www.ose.state.nm.us/wucp\\_policy.html](http://www.ose.state.nm.us/wucp_policy.html)), the New Mexico Office of the State Engineer supports the wise and efficient use of the state's water resources and encourages the harvesting, collection and use of rainwater from residential and commercial roof surfaces for on-site landscape irrigation and other on-site domestic uses; and

**Whereas**, in the same policy, the New Mexico Office of the State Engineer established that water harvested from roof tops may not reduce the amount of runoff that would have occurred from the site in its natural, pre-development state; and

**Whereas**, the NM Office of the State Engineer has stated that harvested water may not be appropriated for uses other than on-site landscape irrigation and domestic uses; and

**Whereas**, the USEPA has drafted a revised national storm water rule, and has drafted a municipal separate storm sewer system (MS4) permit for the middle Rio Grande watershed, both of which require MS4s to implement Best Management Practices (BMPs) to reduce pollutant discharges in urban runoff ; and

**Whereas**, storm water BMPs include the use of green infrastructure practices and low impact development approaches, which commonly utilize storm water detention, and storm water retention for on-site irrigation and/or infiltration; and

**Whereas**, the New Mexico Office of the State Engineer's Rainwater/Snowmelt Harvesting Policy, by restricting landscape irrigation and domestic uses to individual property sites, may impede the ability of municipalities to improve surface water quality and to encourage outdoor water conservation by managing storm water using green infrastructure BMPs; and



**Whereas**, the New Mexico Office of the State Engineer has met with the NMML Environmental Quality Association and has expressed a willingness to pursue resolution of any conflicts between the Rainwater/Snowmelt Harvesting Policy and USEPA BMP requirements for MS4s.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League, through its Environmental Quality Association, will work with the New Mexico Office of the State Engineer to develop storm water Best Management Practice guidance for New Mexico municipalities, defining municipal-scale BMPs that are consistent with NMOSE rules and policies. Based on this guidance, NMML will pursue the issuance of an NMOSE policy regarding municipal-scale precipitation capture through BMPs (provided that such BMPs do not reduce the volume of discharge that would have occurred from the natural, pre-development state), to allow for conservation of water resources, protection of water quality, and maintenance of adequate stream flow to meet downstream compact obligations.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

## RESOLUTION 2014-39

### CONCERNING LAW ENFORCEMENT AND MENTAL HEALTH PROFESSIONALS CRISIS INTERVENTION FOR THE MENTALLY ILL

**Whereas**, one of the greatest challenges first responders in New Mexico and across the nation is how to respond to people who have mental health disorders who are in crisis; and

**Whereas**, HJM 17 (2011) made recommendations to reduce the number of individuals with mental health disorders who require law enforcement intervention. New Mexico Law Enforcement agencies, Fire Personnel, EMS, and their supporting agencies are the first responders when dealing with a person who suffers from mental illness and in crisis; and

**Whereas**, New Mexico Law Enforcement Personnel currently receive basic training on how to assess and handle those suffering from Mental illness as part of the New Mexico Law Enforcement Academy training curriculum pursuant to HB 93; and

**Whereas**, one of the paramount challenges facing New Mexico Law Enforcement agencies is the lack of adequate support resources for effectively handling and de-escalating potentially deadly situations involving a person or persons in crisis, the first responder and the general public. Having these support options readily available is critical when first responders arrive on-scene to prevent further tragedy. The critical missing link is the availability of Crisis Intervention Teams comprised of specifically trained Law Enforcement Personnel and Mental Health Professionals who will engage in the crisis intervention process on scene as a team; and

**Whereas**, New Mexico Law Enforcement recognizes and has identified the lack of available professionals specifically trained in crisis intervention and dealing with the mentally ill, and has determined this to be a state wide issue which is not regionalized to a single urban, suburban or rural area. Law Enforcement agencies across the state face the same challenges in not having the readily available resource of an available Crisis Intervention Team to assist in de-escalating potentially deadly situations and bring about a safe resolution; and

**Whereas**, New Mexico Law Enforcement seeks to establish a collaborative partnership with Mental Health professionals, and develop regionally based Crisis Intervention Teams throughout New Mexico that can offer immediate assistance either telephonically, or in person, thereby incorporating a level of expertise and intervention which would provide an additional resource for de-escalating a potentially deadly situation and obtaining the proper emergency assistance needed for the person or persons in crisis; and

**Whereas**, New Mexico Law Enforcement proposes to partner with Mental Health Professionals state wide in developing regionalized teams to effectively handle potentially volatile situations involving those who suffer from mental illness and are in crisis. This partnership in creating Regional Crisis Intervention Teams will serve as an essential tool for first responders in de-escalating potentially deadly situations, and would make sure those who are in crisis get the appropriate medical care, that especially in rural areas, is often not available pursuant to Section 43-1-10 NMSA 1978; and

**Whereas**, existing Crisis Intervention Teams that exist in New Mexico's larger law enforcement agencies are available to use as a model and resource for the proposed regional Crisis Intervention Teams.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League seek legislation to provide funding and legislative statutory support to mandate Regional Crisis Intervention Teams that would be established and utilized to further support the Law Enforcement and First Responder mission of protecting and assisting a person or persons in crisis, protecting the remainder of the New Mexico Community from the potential negative effects of contacts with those in crisis, and furthering collaborative efforts that would mitigate the amount and severity of negative contacts with those in crisis, thus avoiding further tragic loss of life.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.

## **RESOLUTION 2014-40**

### **CONCERNING LODGERS TAX AUDITS COMPLIANCE**

**Whereas**, Counties and Municipalities have authority to impose a tax on lodging for the purpose of marketing their communities; and

**Whereas**, Counties and Municipalities have the authority to audit lodging establishments for tax compliance; and

**Whereas**, Counties and Municipalities have the right to lien and foreclose on properties for nonpayment of taxes; and

**Whereas**, Counties and Municipalities do not have the means to enforce these establishments to cooperate with the audit process.

**Now, Therefore, Be it Resolved** that the New Mexico Municipal League requests that the NM Legislature in its next session to find a means for Counties and Municipalities to penalize nonconformance with the required audit.

**Passed, Approved and Adopted** this 28th day of August at the City of Albuquerque, New Mexico.