

INCORPORATED COUNTY OF LOS ALAMOS ORDINANCE NO. 758

AN ORDINANCE PROPOSING AMENDMENT TO ARTICLE V, SECTION 509, OF THE CHARTER OF THE INCORPORATED COUNTY OF LOS ALAMOS TO BE SUBMITTED TO THE ELECTORATE FOR ADOPTION OR REJECTION AT A GENERAL ELECTION ON NOVEMBER 3, 2026, PERTAINING TO PRIORITY OF BUDGETED EXPENDITURES

WHEREAS, the Incorporated County of Los Alamos, New Mexico has elected to be governed by a County Charter (“Charter”); and

WHEREAS, the County Council Chair established a Charter Council Working Group to evaluate and recommend potential changes to the Charter of the Incorporated County of Los Alamos; and

WHEREAS, after review and deliberation, the Charter Council Working Group presented its recommendations to the Council at the Regular Meeting held on June 9, 2026; and

WHEREAS, on June 9, 2026, the County Council voted affirmatively to formally propose an amendment to Section 509 of the Charter, as set forth herein.

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE INCORPORATED COUNTY OF LOS ALAMOS that the following provisions be adopted and proposed to the electorate as potential changes to the Los Alamos County Charter and proposed to the voters at the general election on November 3, 2026:

Section 1. The County Council proposes that the electorate adopt the amendment to Article V, Section 509, of the Charter of the Incorporated County of Los Alamos, as follows:

Section 509. Priority of Budgeted Expenditures.

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

1. There shall first be set aside the funds required for current operations.
2. There shall next be set aside the funds required to redeem and pay interest on any bond issue for the utility which shall become due and payable during the next fiscal year.
3. There shall next be provided an adequate reserve to finance replacements required by normal depreciation of the utility plant or equipment as provided in the Schedule of Funds. These reserves may not be used by the County for financing County operations.

4. There shall be paid to the General Fund those amounts set forth in the budget as payments to be made to the County in lieu of franchise fees and taxes that would be normally assessed against privately owned gas and electric utilities.
5. There shall next be a provision for additions and improvements foreseen as necessary to meet future requirements for the utility systems as provided in the Schedule of Funds.

~~[6. All remaining operating profits shall be transferred to the County General Fund.]~~

Section 2. The above proposed amendment recommended for adoption by the County Council shall be submitted to the electorate, along with any other proposed amendments to the Charter relating to structure of government, as a single ballot question for adoption or rejection on the election ballot and shall be filed with the County Clerk not less than sixty (60) days prior to the November 3, 2026 election.

Section 3. The full text of the above proposed amendment shall be published at least twenty (20) days prior to the November 3, 2026, election and such publication shall indicate that the amendment is being submitted to the electorate for adoption or rejection at the November 3, 2026 election. The full text of the proposed amendment shall be posted at each voting place.

Section 4. Should any section, paragraph, clause or provision of this Ordinance, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 5. This Ordinance shall become effective thirty (30) days after publication of its notice of adoption. If adopted by the majority of voters, the amendment to the Charter shall be effective thirty (30) days after certification of the election results by the County Council.

ADOPTED this 7th day of July 2026.

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

**Randall T. Ryti,
Council Chair**

ATTEST: (SEAL)

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