



LOS ALAMOS

County of Los Alamos

Minutes

Board of Public Utilities

1000 Central Avenue
Los Alamos, NM 87544

*Robert Gibson, Chair; Eric Stromberg, Vice-chair;
Matt Heavner; Charles Nakhleh, and, Steve Tobin, Members;
Philo Shelton, Ex Officio Member
Steve Lynne, Ex Officio Member
Theresa Cull, Council Liaison*

Wednesday, February 7, 2024

5:30 PM

Municipal Bldg, Council Chambers

Public Participation: In person or <https://us06web.zoom.us/j/89412512522>

1. CALL TO ORDER

This work session of the Incorporated County of Los Alamos Board of Public Utilities was held on Wednesday, February 7, 2024 at 1000 Central Ave., Council Chambers. Board Chair Robert Gibson called the meeting to order at 5:30 p.m. Members of the public were notified of the ability to attend and provide public comment either in person or over Zoom. The following board members were in attendance:

Present 5 - Members Gibson, Stromberg, Nakhleh, and Tobin

Remote 2 - Members Stromberg and Heavner

2. PUBLIC COMMENT

Chair Gibson opened the floor for public comment on any item.; there was none.

3. APPROVAL OF AGENDA

Chair Gibson called for discussion or a motion on approval of the agenda.

Member Tobin moved and Member Nakhleh seconded that the agenda be approved as presented. The motion passed by the following vote:

Yes: 5 - Members Heavner, Nakhleh, Tobin, Stromberg, and Gibson

4. PRESENTATIONS

- 4.A. [18038-24a](#) Foxtail Flats Solar Presentation of Power Purchase Agreement and Energy Storage Agreement

Mr. Philo Shelton, Utilities Manager - Power Supply introduced Mr. Noah Eckert, CEO of Rise Clean Energy, who presented first. Mr. Eckert is also a key member of D. E. Shaw Renewable Investments ("DESRI"), a leading renewable energy company that develops, owns, and operates utility-scale solar, wind, and battery storage projects throughout the United States. A copy of Mr. Eckert's slides is attached to these minutes for the record.

Mr. Olbrich summarized that this was intended to be an informational presentation to describe how these proposed electric generation resources are in alignment with the goals and resource requirements of the Los Alamos Power Pool; how they follow the preferred generation portfolio established by the 2022 Integrated Resource Plan, and the key features and terms of the agreements. Mr. Olbrich's slides were included in the meeting packet.

Mr. Thomas Wyman, Associate County Attorney presented. He reviewed the draft contracts that were provided in the meeting packet and responded to legal questions from the board.

Mr. Eckert, Mr. Olbrich, and Mr. Wyman responded to board member inquiries and provided clarifying information as appropriate.

Member Tobin spoke.
Member Nakhleh spoke.
Member Heavner spoke.
Member Stromberg spoke.
Member Gibson spoke.
Mr. Shelton spoke.

No action was taken on this item.

4.B. [17995-24](#) Annual Asset Management Teams (AMT) Presentation

Mr. James Alarid, Deputy Utility Manager - Engineering presented. He reported that the Department of Public Utilities (DPU) held its Asset Management Governance Team Meeting on December 20, 2023. In this meeting each of the seven asset management teams (AMTs) presented to the DPU management team a summary of ongoing issues, regulatory developments, market impacts, upcoming challenges, budget variances, upcoming capital budgets and upcoming operational budget highlights. This meeting kicks off the budget preparation process. This year staff will be presenting to BPU a two year budget for fiscal years 2025 and 2026 in February and March. A compilation of all the AMT's presentations was included in the meeting packet. Mr. Alarid presented a high level summary of the AMT presentations and how these recommendations will flow up into the two year budget process.

The seven asset management teams are:

- Water Production/Non-Potable Water
- Water Distribution
- Electric Production
- Electric Distribution
- Wastewater Treatment
- Wastewater Collection
- Gas Distribution

Member Tobin spoke.
Mr. Marez provided clarifying information for the Electric Distribution AMT.
Mr. Shelton provided clarifying information for the Electric Distribution AMT.
Member Stromberg spoke.
Member Gibson spoke.
Mr. Moseley provided clarifying information for the Water Distribution AMT.

No action was taken on this item.

4.C. [16944-24](#) Quarterly Transactional Survey Report

Ms. Cathy D'Anna, Public Relations Manager reported that In DPU's Transactional Survey for the fourth quarter of calendar 2023, there was a 37% higher response rate than in the previous quarter with 56 people taking the survey. With this final report for 2023, there is a year's worth of data (241 responses) to compare against the full year for 2022. Starting in 2024, we will switch to six-month reporting intervals to enlarge the data sets for greater confidence. Great Blue is working on a live reporting mechanism so that results can be pulled at any time.

Highlights from the survey include the following:

* We continue to see most of our responses--a full 83%--coming from property owners rather than renters. Similarly, we get very few responses from commercial customers, at just 2% for both 2022 and 2023.

* 45% of responses are from customers who live in 2-person households, and while 40% of respondents report earning more than \$100,000 annually, 34% of respondents declined to answer that question. In consideration of only those respondents who provided an income range, the percentage of people earning more than \$100k jumps to 61%, which is in line with the population given that the median income is more than \$123,000/year.

* Similar to 2022, the majority of people who took the survey had contact with someone from Customer Care.

* The top three reasons for contact in the 4th quarter were for: 1) payments or payment arrangements, 2) billing questions, and 3) water service related issues or questions. For the full calendar year, the top three reasons were: 1) billing questions, 2) payments or payment arrangements, and 3) an equal split between moves and water service related issues or questions. By percentage, the responses related to water service inquiries doubled from 2022.

* The overall ratings of service characteristics for 2023 stayed within a percentage point of those for 2022 and remained in the "good" range.

Ms. D'Anna responded to board member inquiries and provided clarifying information as appropriate. Ms. Karen Kendall provided clarifying information about responses related to water leaks.

No action was taken on this item.

5. BUSINESS

5.A. [18337-24](#) Action to Suspend Procedural Rules for Work Session

The 2023 Board of Public Utilities Procedural Rules identifies a Work Session as follows:

3.4.b. Work Sessions - work sessions will generally be held on the first Wednesday of each month at 5:30 p.m. The board may schedule work

sessions on a regular basis under the requirements of the annual Open Meetings Resolution. Board meetings designated as work sessions will be held for the primary purpose of discussing issues at length with staff in an informal setting without taking formal action, except for required procedural actions such as approving minutes from a prior meeting or adopting a statement for inclusion in the minutes regarding a closed session. Public comment will be taken only at the beginning and ending of the session, and by available written methods.

This action would suspend the rule for this work session and enable the board to take formal action on agenda items.

Member Nakhleh moved and Member Tobin seconded that the Board of Public Utilities suspend their procedural rules for the February 7, 2024 work session so that formal action may be taken. The motion passed by the following vote:

**Yes: 4 - Members Heavner, Nakhleh, Tobin, and Gibson
No: 1 - Member Stromberg**

5.B. [17978-24b](#)

Approval of BPU Revisions to Action Regarding DPU Relevant LARES Recommendations

Member Robert Gibson presented.

In January 2023, the BPU divided the LARES recommendations into three groups: (a) in process, (b) future and (c) educate. The BPU conducted its most recent review of the LARES recommendation on Nov. 1, 2023. The text below is a summary of the discussion from that evening.

Approval of the text was delayed due to action being taken by the County Council related to LARES. We are revisiting the topic on Jan 17th to bring the past work to an intermediate conclusion. We recognize that the LAC Sustainability Coordinator will play a central role in the LAC's possible implementation of the LARES recommendations. Understanding that LAC's response to the LARES recommendations is an ongoing process, the purpose of the BPU actions on Jan. 17, 2024 meeting is to review the below text, make requested modifications to document the work completed to date. Since the latest version of the BPU document was not attached to January's packet the item was delayed until February 7th work session.

The Action Plan for LARES approved by Council and a schedule of responsible parties to implement the Action Plan was included in the meeting packet.

Member Stromberg spoke.

Member Nakhleh moved and Member Tobin seconded that the Board of Public Utilities approve the Boards comments and/or instructions for the "In Process" LARES recommendations for the Utilities Manager to act upon. The motion passed by the following vote:

**Yes: 4 - Members Heavner, Nakhleh, Tobin, and Gibson
Abstain: 1 - Member Stromberg**

5.C. [16504-24](#) Schedule and Selection of Members to Attend Boards & Commissions Luncheons for the 2024 Calendar Year

Chair Gibson reported that Regular County Boards & Commissions luncheons are scheduled to give these groups an opportunity to work with one another and with Council representatives. Only one representative from each board or commission is asked to attend. Luncheons occur in each quarter on the second Thursday of March, May, September, and November. All luncheons will be held in Council Chambers from 11:30am to 1:00pm. Food and drinks are provided and each representative is asked to give a brief written update for their respective board or commission. The attending board member should submit their written BPU updates for each luncheon no later than the Wednesday morning prior to the luncheon and email to philo.shelton@lacnm.us and kathy.casados@lacnm.us.

Four board members volunteered to represent the BPU on these scheduled dates:

- March 14, 2024 - Member Gibson
- May 9, 2024 - Member Tobin
- September 12, 2024 - Member Heavner
- November 14, 2024 - Member Stromberg

No formal action was taken on this item.

6. PUBLIC COMMENT

Chair Gibson opened the floor for public comment on any items; there was none.

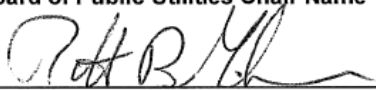
7. ADJOURNMENT

The meeting adjourned at 9:05 PM

APPROVAL

Robert Gibson

Board of Public Utilities Chair Name



Board of Public Utilities Chair Signature

March 20, 2024

Date Approved by the Board