



UPDATE

Newsletter of the League of Women Voters of Los Alamos
Volume 75, Number 5, September 2022

League of Women Voters of Los Alamos

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Calendar

September 15	Lunch with a Leader, LAC Deputy Manager Anne Laurent, Zoom, noon-1 p.m.
September 22	Board Meeting, Zoom, noon
September 29	County Council Candidate Forum, Zoom, 6:30-8:30 p.m.
October 3	2 nd Candidate Forum, Zoom 6:30-8:30 p.m.

Lunch with a Leader: **Anne Laurent**

The speaker for the September 15 Lunch with a Leader program will be Los Alamos County Deputy Manager Anne Laurent. The meeting will be via Zoom from noon to 1 p.m.

Before coming to Los Alamos, Laurent worked in Arizona and Michigan as an architect and as project and facilities manager. She came here in 2008 to serve first as the Capital Projects and Facility Director and later as the Community and Economic Development Director. During those years she oversaw the construction of many of our community's largest projects, including the Municipal Building, Pajarito Cliffs Site, Justice Center, Animal Shelter, White Rock Visitor Center, Nature Center, White Rock Branch Library,

Youth Activity Center, and the Golf Course Clubhouse.

She left to work in Park City, Utah, but returned to Los Alamos in 2019 to serve as Public Works Director. She was appointed to her current position last year.

Laurent will explain her responsibilities as deputy manager and discuss the Community Services Department, which covers a very large array of important amenities. She will review the results of the recent Community Services survey and explain the next steps planned for the proposed mountain bike and other projects.

Karyl Ann Armbruster

Co-President's Message: Read More, Whine Less

If you read the Observer Reports written by June and Craig Martin, you will notice how often they describe a discussion about one of the issues that people complain about. Most of us happily recognize the services provided by our County government, but even the contented and grateful among us sometimes become exasperated when we're confronted by irritating proposals.

This month's newsletter provides some interesting examples of recent topics of debate. I'm paraphrasing the typical whines and suggesting that you read about the complexities of these issues. Then ask yourself what you would do or how you would vote.

On the topic of Trinity Drive you might hear: "What's this crazy 'road diet' idea? The traffic jams have never been so bad!" Read the Council discussion on August 23 to find out what's happening there and also on Canyon Road—which is another source of whining.

On increased fees for household waste: "Now that we're not shipping our green leaves and branches out of town and saving money by composting them, why don't our fees go down? Why are our rates going up?" Read the discussion about bear carts and other new ideas in the August 9 Environmental Services Division.

On letting the Community Development Director make "minor" decisions (for projects under 50,000 square feet) without going to the public for a hearing or comment: "Even if a change in permitting is very small, my neighbors and I want a chance to know it's happening AND I want to keep my right to object!" This whine got some support from the councilors, but check on what they said and why this change was suggested in the first place. (August 23 report.)

On vehicles stored outside the house or garage: "So you say that the ancient sports car sitting on your front drive is a hobby? To me, it's an eyesore, and you can't even drive it." Many whines about inoperable vehicles, weeds, outdoor furniture, and sidewalk maintenance showed up in the discussion of the nuisance code. Read how the August 30 Council meeting grappled with these issues.

We live in a democracy, where citizen voices are heard and respected. It's fascinating to see how difficult some decisions are and how our councilors and staff work to incorporate many of the citizen "whines." The reports from June and Craig contain a wealth of information usually not printed anywhere else*. If you're deterred by the length, you can always check the bold subtitles to find the topics that interest you.

Becky Shankland

* – Note that references to any articles published by the LA Reporter and LA Daily Post are also given by Craig and June



Figure 2- Barbara Calef and Akkana Peck lead the LWVLA contingent in the Rodeo Parade, followed by Mark and Lynn Jones.

Photo by Maire O'Neill



Figure 1. Jody Benson encourages voters.

Photo by Maire O'Neill.

Observer Corps Reports – County Council Special Session August 1 and 19

At the conclusion of a public hearing held on August 1 and 19, County Council affirmed the Planning and Zoning (P&Z) Commission's approval of an application by Denise Matthews for a Special Use Permit to operate a daycare at her residence in the La Senda neighborhood in White Rock. After five hours of deliberation in closed session, the decision was reached by a vote of 6–1, with Chair Ryti and Councilors Hand, Izraelevitz, Lepsch, Reagor and Scott in support and Councilor Derkacs in opposition, to "find that the decision of the Planning and Zoning Commission was in accordance with adopted County plans, policies and ordinances and that the facts on which the decision was based are supported by the record and that the decision was not arbitrary, capricious, or a manifest abuse of discretion." See details in the March and April 2022 issues of the LWVLA Updates¹.

Additional details on the discussions at this public hearing are provided in the article by Carol Clark published in the *Los Alamos Daily Post* on August 19, 2022².

June Fabryka-Martin and Craig Martin

Observer Corps Reports – County Council Special Session August 2 and 5

At the conclusion of a public hearing held on August 2 and 5, County Council approved the request by Transcor Development Corporation to amend the Los Alamos County Official Zoning Map to rezone two parcels on Canyon Road as Mixed-Use. The two parcels at 2100 and 2202 Canyon Road, 4.75 + acres combined, are locally known as the "old Boy Scout Property." Consistent with its rezoning decision, Council also approved amending the Comprehensive Plan and its associated Future Land Use Map. Each motion passed by a vote of 4–1, with Chair Ryti and Councilors Hand, Lepsch and Scott in support and Councilor Derkacs in opposition. Councilors Izraelevitz and Reagor were absent. Council's approval was counter to the P&Z Commission's recommendation to deny the proposed rezoning. See the May 2022 issue of the LWVLA Update³.

The County Community Development Department supported the zoning change in part because of the proximity of the property to downtown to which it would be linked by the planned Urban Trail. However, the P&Z Commission recommended denial by a vote of 4–1, based largely on testimony provided by Philip Gursky representing the Jewish Center. The Center opposed the zone change on the basis that the character of the neighborhood could be fundamentally altered in the absence of limitations on the scope and scaling of businesses allowed on the parcels under the mixed-use zoning and if a buffer zone was not

¹ <https://my.lwv.org/sites/default/files/leagues/los-alamos/lwvlaupdate-2204-w.pdf>, p. 7 and https://my.lwv.org/sites/default/files/leagues/wysiwyg/%5Bcurrent-user%3Aog-user-node%3A1%3Atitle%5D/lwvlaupdate-2204-w_1_2.pdf, p. 12.

² <https://ladailypost.com/council-upholds-pz-approval-for-worms-and-wildflowers-daycare-special-use-permit/>

³ https://my.lwv.org/sites/default/files/leagues/wysiwyg/%5Bcurrent-user%3Aog-user-node%3A1%3Atitle%5D/lwvlaupdate-2205-e-m66_0.pdf pp. 14-15 INOPERATIVE

provided at the boundary between the development and the Jewish Center's property.

Testimony at Council hearing.

During testimony at the Council hearing, Transcor announced that a covenant agreement had been signed with the Jewish Center that limited the type and amount of commercial use on the property. Gursky testified that the terms in this privately-negotiated agreement ameliorated the concerns of the Jewish Center, which thereby withdrew its objections to the rezoning application. Gursky also stated that the covenant between the two private parties runs with the property in perpetuity and would transfer with any change in ownership.

Additional details on the discussions at this public hearing are provided in the article by Kirsten Laskey published in the *Los Alamos Daily Post* on August 25, 2022⁴.

June Fabryka-Martin and Craig Martin

Observer Corps Reports – County Council August 9

The session was attended by Council Chair Ryti and Councilors Derkacs, Hand, Izraelevitz, Reagor, and Scott. Councilor Lepsch was absent. Our observer report is based upon discussion during the meeting and documentation provided in the full agenda packet.

Public hearing on terminating the Economic Development Project for public support of TNJLA LLC.

Council approved 5–1, Chair Ryti in opposition, to terminate the economic

development agreement between Los Alamos County and TNJLA LLC. Council's approval of the Waiver and Release Agreement fully unencumbers the property a year earlier than would have been provided for in the original Project Participation Agreement (PPA) and enables future planning for the site to move ahead.

The County and TNJLA entered into the PPA in November 2019. The County agreed to transfer County-owned property located on the 20th Street Extension to TNJLA conditioned upon TNJLA securing a construction financing commitment sufficient for developing an extended-stay hotel facility including a 250- to 300-person banquet-style event center, and a minimum of 1,800 square feet of stand-alone food and beverage space on adjacent properties. However, TNJLA was unable to secure construction financing commitment and consequently requested that the County terminate the agreement. In the Waiver and Release Agreement TNJLA agreed to release the County from any and all rights and obligations it has or could exercise under the PPA, in exchange for which the County agreed to pay \$17,000 in consideration of all claims and demands against the County to the date of the agreement. The amount is approximately what TNJLA paid the County in planning fees. Chair Ryti voted against the ordinance terminating the PPA because he was "concerned about the length of time that has elapsed since the site plan was approved in January 2021 with basically no progress on this project for 18 months."

Additional discussion of the rationale for Chair Ryti's vote are provided in the article by Kirsten Laskey, *Los Alamos Daily Post*, August 11, 2022⁵ and the article by Maire O'Neill, *Los Alamos Reporter*, August 22, 2022⁶

⁴ <https://ladailypost.com/council-approves-rezoning-land-parcels-off-canyon-road/>

⁵ <https://ladailypost.com/council-action-taken-tuesday-aug-9/>

⁶ <https://losalamosreporter.com/2022/08/22/ryti-votes-no-on-ordinance-terminating-leda-agreement-because-of-17000-payment-to-tnjla/>

Proposed increase for Environmental Services Division (ESD) fees.

ESD Manager Angelica Gurule reported that ESD's fees are insufficient to cover its rising expenses. ESD rates were last adjusted in 2018. Gurule discussed how revenues from ESD's service fees and rates compare with its operational costs and presented recommendations for rate adjustments. No action was taken.

ESD services.

The ESD operates as an Enterprise Fund, meaning the rates collected should cover the expenses of providing service such that ESD operates independently from the County's General Fund. ESD offers waste collection services, enhanced recycling services, household hazardous waste, and bear-resistant containers. Contributors to increasing operational expenses include hauling and tipping fees, equipment maintenance, repair and replacement, and labor. The new program of bear carts, both residential and commercial dumpsters, has recently been added, and replacement costs of these bear-proof disposal carts and dumpsters must now also be factored into ESD's operational costs.

Proposed rate increases.

ESD proposes to work with the Environmental Sustainability Board to gather public input on proposed changes to its fee structures and to provide recommendations to Council. The objective of the changes will be to cover costs including new services such as bear carts and food composting, while maintaining an ending working capital balance, and to adopt rate increases for the next five years to avoid yearly adjustments. ESD will then introduce an ordinance and conduct a public hearing on the proposed fee changes at a future Council meeting.

Funding projects through the State Infrastructure and Capital Improvement Plan (ICIP).

Council approved 5–1, with Councilor Reagor in opposition, prioritization of the top five projects to submit for funding through the State ICIP. Generally, a project must appear

on this list if the County expects to have any State funding considered for that project. Listing a project in the ICIP does not guarantee funding from the State, nor does this document constitute an application for funding.

Lynne commented on the rankings for the state's ICIP. First, the State's ICIP is a five-year plan. The top five projects for next year were chosen based on Council goals, discussions with County staff, necessity of the project, importance of the project based on previous discussions with Council and the Public, and potential for funding from the state. Being "shovel-ready" was an important consideration. The ICIP includes all Utility and all General County Capital Projects.

The five projects selected to top the list in this year's ICIP submission, in order of priority, are

- historic WAC building restoration,
- DP Road commercial development infrastructure and road construction,
- Jemez Mountain Regional Fire Protection (a new water tank and underground electric),
- Aspen School area water line, sewer line and road improvements, and
- White Rock non-potable water system expansion and improvements to the trail along the Cañada del Buey corridor for the new waterline.

Councilor Reagor explained he could not support the motion because he didn't have enough information on how the different projects were ranked.

Replacement of the County's Internet website.

As part of its Consent Agenda, Council unanimously approved a services agreement with Granicus, LLC for a project to replace the County's internet website, including services to redesign, enhance and host the municipal website for multiple years. The project is estimated to take a total of approximately 28 weeks to realize a successful "Go Live" date. The scope of work includes developing a visitor survey and outreach approach for the County to collect about 100 responses from the

community to identify their goals and needs during the design process.

Additional details on the discussions at this meeting are provided in the article by Kirsten Laskey, *Los Alamos Daily Post*, August 11, 2022⁷.

June Fabryka-Martin and Craig Martin

Observer Corps Reports – County Council August 23

The hybrid session was attended by Council Chair Ryti and Councilors Derkacs, Hand, Izraelevitz, Reagor, and Scott. Councilor Lepsch was absent. Our observer report is based upon discussion during the meeting and documentation provided in the full agenda packet.

Discussion about County boards, committees, and commissions (BCC).

Council held a lengthy discussion on various issues related to boards and commissions. There are currently thirteen standing BCCs and one Ad-hoc committee. Generally, the purpose of a BCC is to serve in an advisory capacity to the County Council, although some have statutory responsibilities as well. The list of topics discussed included the following:

- BCC member orientation;
- BCC handbook and the possible need to update it to reflect hybrid meetings;
- Updates to BCC application and interview questions to clarify the expectations, training, and time commitment for members;
- Procedure for appointing a substitute or temporary BCC member when a sitting member needs an extended leave of absence. County Manager Steven Lynne

suggested authorizing the BCC chair to reach out to a past member to fill in during such an extended absence.

- Recommendations for new BCCs, such as requests for task forces to be re-designated as BCCs. Councilor Derkacs suggested that more frequent use of task forces should be made and that, if necessary, a task force should simply be reconvened if its progress demonstrates a need for continuing effort.
- Review of BCC scope and level of staff support required for each BCC.

Chair Ryti expressed support for BCCs as a structured, cost-effective way to receive public input. Council agreed that staff should bring back specific proposals for discussion and action before the end of 2022.

Canyon Road construction activity and possible action:

Public Works Director Juan Rael updated Council on the status of the Canyon Road Project, detailing numerous measures proposed or taken to alleviate traffic congestion on Trinity Drive. Deputy Public Works Director Eric Martinez noted that Trinity Drive meets national standards for the capacity of a road diet except when Canyon Road is closed, which causes traffic on Trinity to exceed the capacity of the road diet, creating significant bottlenecks. “Canyon Road normally sees about 60% of the traffic volume on Trinity. That’s a pretty significant amount,” Martinez said.

- Due to the need to send out a re-bid, the Canyon Road Project was started later than expected and its timely completion is complicated by the number of utility crossings and installation of new storm drains.
- The timing of the traffic signal at the intersection of Trinity and Diamond was adjusted to better accommodate rush-hour traffic.

⁷ <https://ladailypost.com/council-action-taken-tuesday-aug-9/>

- When the signal-timing adjustment met with only limited success, Rael initiated discussions with the NM Department of Transportation (DOT) to change the traffic pattern on Trinity to two westbound lanes in the morning and two eastbound lanes in the evening. However, DOT cited safety concerns and turned down the proposal.
- Rael asked the contractor about expediting the work through extended hours or by bringing on additional crews but the contractor cited workforce issues across the state that severely curtailed its ability to hire more workers.
- Rael is exploring the possibility of keeping one lane of Canyon Road open by having the two contractor crews (utilities and concrete) work on the same side of the street, an approach which seems to have promise but that will require a change order on the contract. It might allow Canyon Road to open earlier, by the second or third week in October rather than November. He cautioned that the plan is not final but is being discussed.

Chair Ryti asked about either a temporary or permanent change on Trinity to revert back to the four-lane structure with no center turn lane. Rael stated that both proposals had significant issues. “To permanently change back to a four-lane configuration, DOT would require a resolution from Council reversing the resolution passed at their request when the road diet was instituted,” Rael said. Then staff would need to generate an engineering plan and contract for the restriping, but the Canyon Road project would likely have been completed by that time. Councilor Derkacs said that now was not the time to make any changes on Trinity, adding that “roadwork on the two main roads in Los Alamos would be a nightmare.”

Additional details on the complex discussions about these traffic issues are provided in the article by Kirsten Laskey, *Los Alamos Daily Post*, August 29, 2022⁸ and by Maire O’Neill, *Los Alamos Reporter*, August 25, 2022⁹

Chapter 16 Development Code update.

Will Gleason and Jessica Lawlis from the consulting firm Dekker/Perich/Sabatini updated Council on draft revisions to Chapter 16 of the County's Municipal Code, which is the County's zoning and development code that defines how properties in specific zoning districts can be used and developed. Module 1 of the code update focused on use regulations; Module 2 on development standards; and Module 3 on administration and code enforcement. Comments on each module are addressed in subsequent modules. Hence, Module 1 and 2 comments are addressed in Module 3. County staff and the project consultants requested Council input, guidance, and direction on Module 3 that could be incorporated into the next phases of development and public review.

Revisions in response to additional public comments on Modules 1 and 2.

Gleason summarized notable recent revisions to address additional public comments on Modules 1 and 2:

- Zone district name changes—To clarify the uses permitted on Public Lands (PL), the name of the PL district was changed to Institutional District (INS), which would include areas such as the Municipal Building and public utilities infrastructures.
- New parks and open space district—A new district, POS-RO, was created for intense recreational uses such as those at Pajarito Mountain Ski Area, as distinct from the POS-PO district, which applies to passive uses of parks and open space.

⁸ <https://ladailypost.com/council-and-county-staff-discuss-options-on-traffic-issues-caused-by-canyon-road-construction/>

⁹ <https://losalamosreporter.com/2022/08/25/trinity-road-diet-to-stay-for-now-county-hopes-one-lane-on-canyon-road-may-be-opened/>

- Zone amendment process—A yearlong period is recommended for proposals to clean up mismatches of land use and zoning and “to work out the bugs” after the new development code is adopted.
- Changes to the lighting restriction—The Correlated Color Temperature (CCT) restriction for outdoor lighting was changed from 3000K to 2200K, and the consulting team has brought a lighting consultant onboard to work through the details of the lighting code.

Revisions to Module 3

Lawlis presented an overview of the structure and content of Module 3 and noted instances in which the proposed requirements or procedures differed significantly from those in the existing development code. However, Lawlis stressed that, for the most part, the contents of Module 3 remain consistent with existing requirements, with only minimal changes to clarify language.

Section 16-5-1 in Module 3 defines the authority and responsibilities of each review and decision-making body. Changes to these aspects in the existing code include the following:

- The proposed code revisions eliminate the Board of Adjustment, which is a 3-member sub-board of the Commission, and instead have those cases presented to the entire P&Z Commission.
- Appeals of P&Z decisions now go to Council but the proposed code revisions would allow appeals to go directly to District Court in accordance with state law.
- To reduce the number of requests for variance and to expedite smaller projects in the downtown area, the proposed changes give more discretion to the Community Development Director.

Section 16-5-2 begins with a Procedures Summary table that outlines the necessary notifications, meetings, and review and approval bodies for the most common types of applications. The table also provides links to the part of Section 16-5-3 that spells out the

specific procedures for each type of application.

- Section 16-5-3 establishes categories of decisions authorized in the Development Code and specifies the type of decision and procedure required for different steps in the development process that require various types of permits, plans, and plan amendments. Three categories of decisions are presented:
- Legislative decisions involve a change in land-use policy that does not concern a single tract. Such decisions require a public hearing.
- Quasi-judicial decisions involve the use of a discretionary standard, as specified in the Development Code, to an application for approval that is applicable to specific land in common ownership or to an area of land in which the predominant ownership is in a single ownership. Such decisions require a public hearing.
- Administrative decisions involve interpretation and application of nondiscretionary standards of the Development Code to an application. Such decisions do not require a public hearing.

Lawlis pointed out that two new requirements proposed in this section of specific procedures are standard across the country:

- A requirement for new applicants to organize neighborhood meetings for proposals to zoning changes or for development plan adoptions that will impact a large number of residents.
- A requirement that signs for development applications be placed in public view on the property in question.

Section 16-5-4 addresses nonconformities, which refers to buildings or activities that were legal when they were built but do not comply with the current Development Code. Section 16-5-5 addresses construction improvements, and Section 16-5-6 addresses procedures for violations, enforcement, and penalties.

Council questions and discussion

Councilor Scott and Derkacs requested details about public objections to the proposed broadened administrative approval authority of the Community Development Director, particularly for site plans within the Downtown District. Lawlis stated that P & Z Commissioners were concerned that this provision would limit opportunities for public comment on projects that would impact neighborhoods. Gleason said, "It's a balance between vetting projects and incentivizing projects to get approved projects in a more certain time frame." Most Councilors agreed that this provision would limit public comment and were not in favor of its inclusion in the revised code.

Councilor Izraelevitz expressed a desire for some public notification mechanism even for proposals that only required administrative approval, and Gleason stated they would work on such language to present in the final proposal. Councilors Hand, Derkacs, Izraelevitz, and Ryti favored the current process that directs that appeals of P & Z Commission decisions be brought to Council rather than sent to District Court, stating their desire to retain an eye on local interests in the appeal process.

Next steps.

Additional content on wireless telecommunication facilities, outdoor lighting, and accessory dwelling units is anticipated to be released in September 2022. Council review for adoption of the revised Chapter 16 is anticipated in late Fall 2022.

June Fabryka-Martin and Craig Martin

Observer Corps Reports – County Council August 30

The session was attended by Council Chair Ryti and Councilors Derkacs, Hand, Izraelevitz, Lepsch, Reagor, and Scott. Our observer report is based upon discussion during the meeting and documentation provided in the full agenda packet.

Public comment.

A long line of County employees from the Los Alamos Police and Fire Departments and the Department of Public Utilities spoke during public comment at the start of the meeting to convey a sense of urgency for the County to renegotiate compensation packages with the Fire, Police, Plumbers and Pipefitters, and Electrical Workers Unions. Speakers pointed out that their wages were not competitive with those offered by Los Alamos National Laboratory. Several noted that union wages were insufficient for single-worker families to afford a home and support a family in the County.

Racial Equity and Inclusivity (REI) Task Force.

Council unanimously approved to have the REI Task Force's recommendations included in the FY24 budget for consideration as budget options:

- Develop an active body (board or commission) of community volunteers to provide recommendations and policy advice to the county to meet the goals;
- Provide County-sponsored community training, particularly bystander intervention training;
- Expand outdoor and recreational opportunities for the community of black, indigenous, and people of color (BIPOC). Examples include offering "recreational scholarships" for low-income youth to use County recreational facilities and working with PEEC to provide programmatic support for unique cultural opportunities;

- Provide County oversight on REI topics and trainings, including a community speaker series.

With the charter adopted on March 30, 2021, the purpose of the REI Task Force was to serve as an advisory body to the County Council for the purpose of recommending how the County can promote equity, inclusivity, and a feeling of belonging for the benefit of all and the betterment of the community. The Task Force's final report and recommendations were presented by Task Force Vice-Chair Ashley Naughton. During discussion, Councilor Hand expressed reluctance to add yet another commission or board to the County and suggested incorporating the proposed scope into an existing commission or board.

Update on draft Chapter 18 County Nuisance Code.

Council received an update from County consultant Dekker/Perich/Sabatini on its work to revise County Code Chapter 18, which addresses nuisance codes. Its purpose is to promote the public's health, safety, and welfare by establishing minimum conditions and responsibilities for exterior maintenance of structures and property. Code revisions seek to clarify the language and eliminate often confusing, redundant, and contradictory aspects of the current code regarding property maintenance standards and code enforcement.

Council discussion and feedback on specific public concerns.

The consultant summarized major concerns expressed by the public and requested Council feedback on specific aspects. In offering their guidance, the councilors emphasized that their comments were to be construed as their personal opinions on how to achieve the community's desire for an acceptable balance between purely aesthetic considerations and the promotion of health, safety, and welfare. The public had raised concerns on both sides of the equation in written and spoken comments, with some advocating for continued regulation of aesthetic aspects of nuisances such as weeds, outdoor storage, and inoperable vehicles, and others feeling that the existing and proposed standards were too

onerous. The consultants noted that different communities draw the line differently, and that theories about property maintenance helping to reduce crime are controversial.

Maintenance responsibilities of sidewalks.

The consultants said that the code's draft language requiring property owner maintenance of sidewalks was consistent with most regional community practices (e.g., Rio Rancho, Santa Fe) and with the New Mexico Statutes Annotated. However, the councilors were in agreement that County residents should not be responsible for maintaining sidewalks (e.g., repairing holes, cracks and spalling), but only for keeping them clear and unobstructed.

Obstructive vegetation and weeds.

Council agreed that overhanging vegetation along sidewalks needs to be trimmed and generally supported a height limit of seven feet to accommodate people over six feet tall. Councilors were of mixed opinion on whether weed control should be reinstated into the draft code (this section had been removed) and, if so, for what reason. Many councilors noted how uncontrolled weeds could become a safety issue as trip hazards and blocking visibility. Councilors Derkacs and Izraelevitz supported adding noxious weed regulations.

Outdoor storage and furniture.

The matrix of public comments kept by the consultants includes numerous complaints that the draft code requirements for outdoor storage and furniture were too onerous and focused on aesthetics, unrelated to health and safety concerns. Several councilors agreed and stated a preference for the consultants' suggested alternative approach to strike this section and to instead address outdoor storage and furniture by adding the word "junk" to the section of the code addressing the accumulation of litter, garbage, and refuse. Councilor Scott suggested specifying a timeline for outdoor storage for those cases in which health and safety issues might arise from extended storage of certain materials. Councilor Izraelevitz did not see a reason to strike the language in question because he felt

that most people were reasonable in recognizing that the intent of the regulations was only to address long-term storage, not short term. Chair Ryti felt that outdoor furniture should be deemed allowable if in use and still functional, even if not rated specifically for outdoor use. Councilor Derkacs disagreed, saying that upholstered furniture attracts rodents.

Storage of inoperable vehicles parked outside and need for alternative language for defining hobby maintenance.

Councilors were divided about the extent to which inoperable vehicles need to be screened from view from any public street, sidewalk, or ground level of abutting properties. Councilor Hand pointed out that having an inoperable vehicle in the public eye is not a health and safety issue. “We need to be realistic,” she said. “The way the town was built, there were not convenient options for putting vehicles out of sight.” There is never enough space for storage, so “we need to be a little more understanding.” The majority of councilors supported retaining the draft language, although for different reasons.

Next steps.

The consultants anticipate having a revised version, incorporating public comments, ready for Council in September 2022, with a formal review/adoption process to begin in October 2022.

Recruitment, retention, and compensation issues.

County Manager Steven Lynne updated Council on negotiations between County administrators and the four unions within the County: Fire, Police, Plumbers and Pipefitters, and Electrical Workers, with follow-up meetings scheduled for the beginning of September.

Lynne said the County recognizes that these negotiations must be a high priority. The County is experiencing an increasingly volatile labor market in which recruitment and retention have become more difficult, primarily due to general labor shortages as a result of COVID, inflation, and relatively large compensation

changes by some of the County's labor competitors.

Lynne noted that the County has some discretion with recruitment and retention policies but that most solutions for staffing issues will involve financial aspects. Councilors Reagor and Scott mentioned focusing more attention on providing housing options for current staff and new hires as an additional recruitment and retention measure.

Although no action was requested from Council, councilors were united in urging the County administration to pursue negotiations with the collective bargaining units that would address their concerns aggressively and quickly.

Community Wildfire Plan.

Council unanimously approved acceptance of the Fire Department's 2022 Community Wildfire Protection Plan. Deputy Fire Chief Kelly Sterna presented highlights of the plan's recent revisions:

- higher levels of interagency cooperation that include joint projects on open space across boundaries of Bandelier National Monument, the Laboratory, Santa Fe National Forest, nearby Pueblos, and County Open Space;
- participation in the New Mexico Resource Mobilization Plan that allows County firefighters to be sent out of state to participate in wildland fire suppression and thereby gain on-the-ground experience for fighting wildland fire; and
- hosting Wildland Fire Day in conjunction with the annual Ashley Pond Easter Egg Hunt as an example of increased public education about wildfire to the community.

Councilor Hand expressed concern that prescribed fire remained a part of the Fire Department's plan despite recent prescribed fire accidents. Chief Sterna said that prescribed fire needs to be in the mix because of the magnitude of the problem but that, at present, the Department is not qualified to manage prescribed fire operations and has no current plans to conduct any prescribed burning. Councilor Hand also asked if trail

closures during extreme fire conditions could be addressed in the plan. Chief Sterna replied that the topic of trail closures was beyond the scope of the planning document and expressed his strong opinion that all adjoining jurisdictions should be following the same guidance.

Gas service rates.

By a vote of 5–2, with Councilors Reagor and Hand in opposition, Council approved an increase in gas rates spread over the next three years. Heather Garcia, Deputy Utilities Director-Finance, presented an ordinance that allows an 8% increase in gas rates, which have been stable since 2016. The increase addresses increased cost of the commodity, inflation, and supply chain issues. Councilor Reagor asked why the County and Los Alamos Public Schools are charged a lower gas-service rate than the general public. Garcia explained that the rate is lower because the Department of Public Utilities (DPU) does not have to pay profit transfers on those accounts. These profit transfers are used to finance improvement projects for the County's utility infrastructure.

Additional details on the discussions at this meeting are provided in the article by Kirsten Laskey, *Los Alamos Daily Post*, September 1, 2022¹⁰.

June Fabryka-Martin and Craig Martin

August Lunch with a Leader: Sara Mason

Sara Mason, Group Leader for the Citizens' Climate Lobby (CCL) of New Mexico, presented "The Climate Challenge" at the August Lunch with a Leader meeting. She was accompanied by Martha Martinez del Rio, a group leader from Silver City. Citizens' Climate Lobby is an international, nonpartisan, grassroots organization with over 200,000 supporters. The organization trains and supports volunteers to build relationships with their elected representatives in order to influence climate policy.



Figure 3. Sara Mason. Courtesy photo.

Mason noted that CCL has much in common with the League. Both organizations are concerned with empowering voters. CCL educates the public about the nature of climate change, potential solutions, and specific actions we can take "to maintain a livable world." Her PowerPoint presentation declared that 97% of scientists agree that global warming is real and is caused by increased greenhouse gases mostly due to human activity. The biggest driver is fossil fuels. Here in the Southwest a megadrought is underway. The 22-year period from 2000 to 2021 was the driest in at least 1200 years.

¹⁰ <https://ladailypost.com/council-action-taken-tuesday-aug-30/>

Climate change has exacerbated the wildfire season. In 2015 the acreage burned by wildfire was twice as great as it would have been without the drought. In the worst-case scenario, extreme heat is expected to increase the number of deaths to 850 a year and to cost \$11 billion by 2050.

Mason said that even modest efforts to curb global warming can reduce health impacts and reduced wages by half. She went on to describe what makes a good climate change solution. It must drive large-scale change quickly; look out for those who can least afford rising costs; use incentives; and be durable.

CCL recommends passage of the Energy Innovation and Carbon Dividend Act, which would institute a carbon fee on fossil fuels and return the funds to households as a dividend. They believe it would incentivize an explosion of clean energy while sending money to households to spend. The latest version of the bill was introduced in the House in 2021. CCL seeks volunteers to lobby members of Congress to support the bill.

During the Q&A following the presentation, Mason asked for suggestions from the audience. One listener noted that his rooftop was too shady for solar panels, but he thought the roof of Aspen School would be an excellent location for a photo-voltaic system. Let's get the students involved and speak to the School Board!

Barbara Calef

LWVLA Board of Directors 2022-2023

Officers:

- Co-president: Barbara Calef
- Co-president: Rebecca Shankland
- 1st Vice-President: Felicia Orth
- 2nd Vice-President: Ellen Mills
- Secretary: Rebecca Chaiken
- Treasurer: Rosmarie Frederickson

Directors:

- Lunch with a Leader: Karyl Ann Armbruster
- Publicity: Jody Benson
- Voter Services: Lynn Jones
- Newsletter Editor: Robert Williams
- Director at Large: Addie Jacobson
- Director at Large: Akkana Peck

Off-board Directors:

- Arrangements: Wendy Swanson
- County Council and P&Z Observers: June Fabryka-Martin and Craig Martin
- Membership: Jean Dewart & Dotty Reilly
- Nominations: Ellen Mills & Leslie Wallstrom
- Website and Facebook: Madhavi Garimella & Helena Whyte
- Video Editor: Eduardo Santiago



LEAGUE OF WOMEN VOTERS OF LOS ALAMOS

MEMBERSHIP FORM

Mail to: LWV Los Alamos / P.O. Box 158 / Los Alamos, NM 87544

Name: _____ Date: _____

Address: _____

Phone(s): _____ E-mail: _____

_____ Check here to receive our Newsletter Update as an electronic file, saving postage and paper.

_____ **OR** Check here if you prefer to have a hard copy of the newsletter mailed to you.

_____ Check here to receive occasional friendly reminders of upcoming events by e-mail.

Membership Categories: all checks for memberships and contributions should be payable to LWV-Los Alamos and all are now tax-deductible. Let us know if you'd like a tax-deduction statement.

_____ Single membership: \$45.

_____ Household membership (two or more people at the same address): \$70.

_____ Single Sustaining membership: \$75.

_____ Household Sustaining membership (two or more people at the same address): \$95.

_____ Student membership: \$0 (must be 16 or over).

_____ Contribution to support League work: \$ _____.

Interests and Ways to Help the League (check as many as apply)

Topics of Interest

- ___ Affordable Housing
- ___ Local Government
- ___ Education
- ___ Elections, Voting Rights
- ___ Water Issues
- ___ Land Use
- ___ Health Care
- ___ Money in Politics
- ___ Sustainability
- ___ Living Wage
- ___ Public Transportation
- ___ Environment
- ___ Other area of interest: _____

Ways to Help with League Activities

- ___ Voter Registration
- ___ Organize/provide refreshments at forums
- ___ Observer Corps: Council, DPU, P&Z, etc.
- ___ Write newsletter articles
- ___ Assist in developing the Voter Guide (editing, developing questions, data entry, etc.)
- ___ Assist with Lunch with a Leader
- ___ Website/Social Media – Technical assistance and content development
- ___ Advocate for League positions – Communicate with local, state, and federal leaders
- ___ Serve on LWV-Los Alamos Board (we need a Treasurer and a Lead for the Voter Guide)
- ___ Other ideas? (See the *March, 2022 Update* for details.)

The League of Women Voters, a nonpartisan political organization, encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.

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