



# UPDATE

Newsletter of the League of Women Voters of Los Alamos  
Volume 75, Number 8, December, 2022

**League of Women Voters of Los Alamos**

**P. O. Box 158, Los Alamos, NM 87544**

[www.LWVLosAlamos.org](http://www.LWVLosAlamos.org)

Co-Presidents: Barbara Calef [bfcalef@gmail.com](mailto:bfcalef@gmail.com) and  
Rebecca Shankland [rebecca.shankland@gmail.com](mailto:rebecca.shankland@gmail.com)  
Newsletter: Bob Williams [rawbits2@gmail.com](mailto:rawbits2@gmail.com)

---

## Calendar

December 8	Board Meeting, Zoom, noon
December 15	Lunch with a Leader, Congresswoman Teresa Leger Fernandez, Zoom, noon
January 5	Legislative Preview, Fuller Lodge, 7 p.m. (6:30 for refreshments)
January 7	LWVNM Advocacy Workshop, Zoom, 10-noon
January 12	LWVNM Legislative Prep (introduction to League issues for the session), Zoom, 5:30 p.m.
January 17	NM Legislature convenes at noon
January 26	Board Meeting, Zoom, noon

---

## Remembering Diane Albert

We read with horror of the death of Diane Albert, who was apparently shot by her husband, who then killed himself, in their home in Los Ranchos on November 26. Albert, who was a metallurgist at LANL at the time, served as president of LWVLA in 1996-97. She later participated in a workshop called "Running and Surviving" and helped run a candidate forum in Española.

After four years on the County Council, Albert moved to Albuquerque to attend law school. While a student, she was the secretary of the LWVNM Board from 2005-07 and treasurer from 2007-09. After graduation, she became a patent attorney and was the municipal judge of Los Ranchos at the time of her death.

## ***Help Needed!***

LWVLA is looking ahead to our Annual Meeting on April 20 when we elect a new board. We will have a new president, Felicia Orth. We are fortunate that many current board members have expressed willingness to continue to serve. However, we desperately need some new blood to fill the following positions. Never fear, the current board members will be available to answer questions and offer assistance.



### **First Vice President**

- Assist the president. Act as president-in-training.

### **Treasurer**

- Report on income and expenses each month.
- Provide a list of donors for the fund drive.
- File required reports with IRS and NM.
- Collect mail from the post office box.
- Provide the Membership Director with membership forms for updating the membership spreadsheet.

**Voter Guide Director** (The Voter Guide Director could have a team of assistants, including the former director, to divide the responsibilities.)

- Arrange for the *LA Daily Post* to publish the Voter Guide (VG) if there is to be a printed version. The LWVLA board approves the proposed quote.
- Work with the state-wide VG editors' team to establish state-wide candidate questions. LWVLA will determine a set of questions to propose to LWVNM along with other Leagues' suggestions.
- Work with LWVLA board to determine questions for local candidates.
- Populate the VOTE411 website with all the local candidate information from the NM Secretary of State (SOS) website.
- Enter the local races and the questions for each local office into VOTE411 once they are determined.
- Send the invitation letters with the questions to the candidates using the VOTE411 email function. This invites them to answer the questions on the VOTE411 website. As the deadline approaches, send reminder emails and ultimately make telephone calls.
- Once the deadline has passed, trigger VOTE411 to make all candidate info available to the public. (This may be done by the LWVNM Voter Guide editor, who is overseeing the state-wide VOTE411 effort.)
- For the printed copy of the Voter Guide, edit the MS Word file of the VOTE411 information (with assistance from other volunteers).
- Send the information to the *LA Daily Post* and edit the proofs.
- Distribute the hard copy to the County Clerk's office and libraries.

If you are interested in or would like to know more about any of these jobs, please contact Ellen Mills ([efmillsnm@gmail.com](mailto:efmillsnm@gmail.com)) or Barbara Calef ([bfcalf@gmail.com](mailto:bfcalf@gmail.com)).

## ***Co-President's Message:***

### **U. S. Government – Democracy or Plutocracy?**

In this season of charitable giving, it's hard to remember what the recent season of political campaign fund-raising was like. In October and early November, with a nearly intolerable crescendo just before November 6, we were inundated with panicked letters and e-mails pleading that our candidates would not win without our financial support.

The League of Women Voters has long fought against the role of money, especially Big Money provided by wealthy individuals and corporations, in politics. Our position reads:

**We work to ensure that our government serves the people, not wealthy special interests, by promoting transparency, limiting SuperPACs, and eliminating dark money.**

After surviving the recent campaign of 2022, I find myself asking several questions about the role of money.

- What is the result of nasty, *ad hominem* political ads? We noticed an appalling number of those in the governor's race. First, we wonder whether these ads worked: I don't know how one measures their effect when one candidate is already well-known as the current governor and the other candidate has high name recognition as a TV weatherman. But whether these attack ads worked or not, it's clear that the level of political discourse was damaged. Ugly photos of opponents, nasty minutiae about their personal lives — should these determine how we vote and what we see as important issues?
- Does the money donated result in candidates or issues winning? FollowTheMoney.org (now OpenSecrets.org) is a remarkable website where one can see a plethora of examples by state and issue — the answer is that slightly more often than not, money prevails. But is money the reason they prevailed? Who knows. Lindsay Feldt wrote a tidy little article for *Searchlight New Mexico* (#38, 11-8-22) about oil and gas entities' spending in campaign 2022. Fossil fuel companies spent \$865,000 for Ronchetti and \$247,000 for Lujan Grisham. So, even though in this case the winner was not the one who received the most money, do those donations still influence candidates' thinking and distort the political landscape? Do we want our politicians to vote according to who gives them money?
- How much money is spent on political campaigns? And what else could it do? This year the largest amount ever was spent in a midterm election, 17 billion dollars (NPR 11-10-22 from data compiled by OpenSecrets). Of course, that money supports political workers and organizers, newspapers, the post office, ad writers, and other workers. But one wishes that it could support hungry children, child-care workers, endangered species, clean air, or any number of the good causes to which we all contribute at the end of the year.

As the amount of money spent on political advertising spirals up and the level of discourse spirals down, the only bright light I saw this year was the refreshing ad by NM Land Commissioner candidates Stephanie Garcia Richard and Jefferson Byrd, paid for by NM First, a non-partisan organization. Together, they asked us to support secure elections and the peaceful transfer of power. It was witty, engaging, and uplifting — and each candidate got equal time. Let's work toward campaign finance reform with public, non-partisan financing of campaigns to keep our political system democratic, not bought and paid for by plutocrats.

*Becky Shankland*

# ***Advocacy Workshop***

## ***Prepare for the 2023 Legislative Session***

**The League of Women Voters of New Mexico  
Presents:**

**Effective Citizen Advocacy at the Legislature  
Special Focus on the Budget and Taxes**

**Saturday, January 7, 2023, 10 a.m. to Noon\*  
Webinar on Zoom**

Learn tips from legislators and an experienced lobbyist about how to interact with legislators, speak at hearings, and advocate for your cause

### **Speakers:**

- **Senator Mark Moores** (R-Albuquerque) – Member of Senate Rules & Judiciary
- **Representative Kristina Orteza** (D-Taos) – Member House Government, Elections & Indian Affairs and House Energy, Environment & Natural Resources
- **Linda Siegle**, Long time lobbyist –  
Ms. Linda Siegle is president of a consulting company focused on lobbying the legislature for non-profit agencies and strategic planning. She is a former member of the Santa Fe County Health Policy Commission and has served as chair of various state councils and committees.  
Ms. Siegle is an elected Board of Trustee on the Santa Fe Community College Board

**Note: This is training on the legislative process. Questions about positions on specific issues will not be permitted.**

## ***Lunch with a Leader: Congresswoman Teresa Leger Fernandez***



What a treat we have to look forward to at Lunch with a Leader on December 15! This will again be via Zoom from noon to 1 and our leader will be our Congresswoman Teresa Leger Fernandez. She is an attorney and has represented the 3rd congressional district since 2020. She was born in Las Vegas, NM and was educated in West Las Vegas until she went to college at Yale and then Stanford Law School. She has accomplished much since she graduated from one of the first classes of Head Start in Las Vegas!

Leger Fernandez returned to NM after law school and founded a social impact law firm. She has represented tribes, minority-owned businesses, and community organizations on issues including civil rights, affordable housing, and community development. She has served as counsel to several Native American tribes and their business enterprises, promoting economic development as well as defending sovereignty, voting rights, and sacred sites.

She has been on the board of a local housing nonprofit for 20 years, helping thousands of families buy an affordable home

or improve their homes. She has been vice chair of MALDEF (Mexican American Legal Defense and Educational Fund), the nation's preeminent Latino civil rights legal organization defending voting rights, education, and immigrant rights.

Leger Fernandez served as a White House Fellow in President Bill Clinton's administration and worked on affordable housing and community development initiatives as a White House liaison at the Department of Housing and Urban Development. In 2015 President Obama appointed her to serve as vice chair of the Advisory Council on Historic Preservation, and she has worked to revisit policies and programs to better reflect our country's racial, ethnic, and geographic diversity.

As the mother of three children and a cancer survivor, she understands the importance of coverage for preexisting conditions for all New Mexicans. She has championed policies that expand access to quality health care and fought any rollback protections in the Affordable Care Act.

*Karyl Ann Armbruster*

## ***Legislative Preview, Jan. 5***

The LWV-AAUW Legislative Preview will be held in person for the first time in three years! It will take place in Fuller Lodge on Thursday, January 5, from 7:00 to 9:00 p.m. Come at 6:30 for refreshments and to socialize.

Our legislators – Representative Christine Chandler, Senator Leo Jaramillo, and Senator Roberto Gonzales — will be speaking. In addition, Kristina Fisher will explain the education reform package that Think New Mexico will be promoting during the legislative session. All of the speakers will answer questions from the audience.

The 2023 New Mexico Legislative Session will begin in Santa Fe at noon on January 17 and continue for 60 days, ending at noon on March 18.

*Barbara Calef*

## ***Observer Corps Reports – County Council – Regular Session – November 15***

The session was attended in person by Council Chair Ryti and Councilors Derkacs, Hand, Izraelevitz, and Scott; Councilors Lepsch and Reagor attended via Zoom. Our observer report is based on discussion during the meeting and documentation in the agenda packet.

### **Financial Support to Rio Arriba County and the City of Española**

By unanimous vote, Council approved funds from the Regional Strategic Projects Fund for several projects in Rio Arriba County and the City of Española. Support for Rio Arriba County was allocated for enhancements to solid waste operations and to provide funds for construction of a nursing home and rehabilitation center that would provide 12 beds for Rio Arriba County residents in need. For Española, the approval will provide funds for design and engineering for construction of a cultural heritage museum and a convention center. Additional support will provide a match for improvements to the Frank Bond House Museum. A total of \$2.96 million will be paid as reimbursements to Rio Arriba and Española for their expenses.

### **Golf Course Improvements Project Services Agreement**

By unanimous vote, Council approved an additional \$16,630 to the County's contract with iConsult LLC to provide additional design work for Phase 2 of the Golf Course Improvements Project. The additional funds were required as a consequence of Council's agreement at a previous meeting to accept a citizen petition to include an additional option (Option E) for Phase 2 of the project. During the discussion, Chair Ryti announced that a request for consideration of an additional option (Option F) had been recently received from a group of residents. County Manager Lynne stated that Option F could not be included in the current funding request because of public notice requirements and

that, if Council wanted it to be considered, its vote would have to be postponed to a later date. Council decided against further delay and limited its approval of the funds to the inclusion of Option E in the consultant's design work.

### **Union Negotiations, Changes to Pay Rates, PERA Funding, and Stability Pay**

To address difficulties in recruiting and retaining County employees, Council approved a number of measures designed to improve the County's competitive position in relation to other regional employers. Council unanimously approved amendments to the collective bargaining agreements for the firefighters, police, electrical workers, and pipefitters that increased base pay, paid an additional portion of the required employee share of PERA contributions that were formerly covered by the employee, and increased stability pay. The same basic provisions were provided for non-union employees. Councilor Scott summed up that action by saying, "This represents a significant investment in our workforce."

See. <https://ladailypost.com/council-action-taken-nov-15-2022/>.

*June Fabryka-Martin and Craig Martin*

## ***Observer Corps Reports – County Council – Regular Session – November 29***

This session was attended by Council Chair Ryti and Councilors Derkacs, Hand, Izraelevitz, Lepsch, Reagor, and Scott. Our report is based upon discussion during the meeting and documentation in the agenda packet, some of which is quoted or paraphrased here.

### **Public Hearing on Chapter 18 Article II Nuisances**

Council heard a request from the Community Development Department (CDD) to amend the content of Chapter 18 Article II Nuisances by replacing it with a comprehensive update. Tonight's meeting was

a public hearing at which CDD Director Paul Andrus and County contractor Dekker/Perich/Sabatini (DPS) presented an overview of the draft update published on November 15, 2022. The overview included a list of the most frequent concerns expressed by the public and summarized how each of these concerns had been addressed in the draft code.

Council ultimately approved the draft Nuisance Code by a 4–3 vote. Councilors Derkacs, Izraelevitz, Lepsch, and Scott were in favor, while Councilors Hand, Reagor, and Ryti were opposed.

### *Background*

Chapter 18 Article II Nuisances (“Nuisance Code”) provides minimum standards for protecting health, safety, and welfare by establishing the conditions and maintenance of structures, premises, and property and the process for a means of abatement of public nuisances. The update to Article II is intended to provide more specific definitions, remove redundancies in the current Code, and modernize and clarify the County’s current standards and processes.

The update was initiated in July 2021. Following a preliminary technical code review by DPS, the County and DPS actively sought and received extensive input from the public and the Community Development Advisory Board (CDAB) by holding several public meetings, conducting community surveys and receiving comments via the project website. Comments received by DPS or CDD have been compiled by DPS in a comprehensive matrix that includes detailed responses. The matrix is posted at <https://www.lacchp18update.org/>

### *Citizen petition*

Before the hearing began, resident Aaron Walker presented a citizen petition regarding Chapter 18 and CDAB. The petition, signed by 48 people and verbally supported by many additional members of the public in attendance, requested that Council postpone voting on a revised nuisance code until substantive public feedback was received on the final draft and recommendations from CDAB were reviewed

in their entirety by Council. The petition also requested that the Council “obtain substantive feedback on the status and future of CDAB before making a decision to potentially restructure it.” Petitioners felt that staff and the Council seemed to be rushing to make these decisions.

During his presentation, Walker added that there was some confusion on the part of the public on why the draft code in the agenda packet differed from the “final draft code” published on the County website in October. “Which version of the code will be voted on tonight?” he asked.

Following Council discussion of the petitioners’ requests, Chair Ryti proposed a motion to review all of CDAB recommendations, develop a schedule for additional public input before adopting the ordinance, and to take no action to remove CDAB as a permanent County board (as is proposed in the ordinance scheduled for a hearing on December 6) until the code has been in effect for one year. Chair Ryti’s motion passed 4–3, with Councilors Hand, Lepsch, Reagor, and Ryti in support and Councilors Derkacs, Izraelevitz, and Scott in opposition. Councilor Izraelevitz said that the Council should not take action prior to holding the public hearing.

County legal staff then advised Council that it could not legally postpone the public hearing. Council was required to proceed because the hearing had been advertised and was part of the approved meeting agenda. The Council’s only legal options were to approve, reject, or take no action on the proposed draft Nuisance Code.

### *Public hearing presentation*

The hearing began with a presentation by the County’s consultants from DPS, Will Gleason and Jessica Lawlis, who explained that they sought to keep as much of the existing code as possible while reorganizing it to make the content more understandable, and to modernize the content, guided in part by the minimum requirements established for property maintenance by the International Property Maintenance Code (IMPC). The portion of the

Nuisance Code addressed at the hearing is 10 pages long. The consultants noted that very few sections are actually new and that the majority of the changes were to clarify language. They noted the difficulty to strike a balance between the rights of private property owners and the need to protect public health, safety, and welfare.

Key changes to standards in the existing code included:

- Section 18-40: New standards for sidewalks that require the property owner to ensure they are maintained in safe, passable, and unobstructed condition
- Section 18-41: Changes to standards by removing the broad term "weeds" and replacing it with the more narrowly-defined term "obstructive vegetation"
- Section 18-42: Clarification to section on accumulation of litter, garbage, and refuse to allow for compost piles
- Section 18-43: New standards to address movable or temporary structures such as PODs
- Section 18-48: Clarification to section on abandoned or inoperable vehicles to state it does not apply to vehicles within enclosed structures, or on the premise of a business where such activity is permitted.
- Section 18-48: Clarification to section on abandoned or inoperable vehicles to state that inoperable vehicles being actively restored are permitted to be stored in the front yard, provided parts are neatly stored out of public view and the vehicle is covered when not actively being restored
- Section 18-51: Clarification to section on exterior surfaces protective treatment to require that such surfaces be rated for exterior use
- Section 18-63: Codified administration and enforcement procedures to match existing processes
- Section 18-63: Clarification to notice requirements to include courtesy letter
- Section 18-64: Codified authority to enter with a warrant per IPMC

### *CDAB recommendations*

CDAB submitted 20 recommendations to Council, of which 17 had been approved by the majority of its members (seven unanimously) during review sessions held in July and September. Most of CDAB's approved recommendations were either incorporated into the final revised draft or else made moot by subsequent revisions. Two notable exceptions engendered spirited public comment before and during the hearing:

- reinstatement of a requirement in Section 18-48 for "an opaque cover designed to fit the motor vehicle" for inoperable vehicles and vehicles being restored if stored in the front yard. DPS explained that the proposal for the type of cover required on inoperable vehicles was very controversial and that the consultants had received conflicting guidance from CDAB and the Council.
- the provision in Section 18-61(c) that "each calendar day of a violation shall constitute a separate offense," as well as the absence of a cap on total possible fees. Provisions for penalties and continuing violations are set forth in Section 1-8(a) of the Municipal Code. DPS noted that the criminal part of the draft code remains unchanged from the existing code. CDD Director Andrus advised retaining the section as written because any changes could impact other parts of the Municipal Code as well. He recommended that Council address this issue as a separate item at a future meeting.

### *Public comments*

Public comments during the public hearing reiterated most of the concerns made prior to the hearing and in the presentation by Walker. Comments focused on perceived remaining ambiguities in the text, the inclusion of requirements not directly related to health and safety (such as covers for inoperable vehicles), the potential for inconsistent or uneven enforcement, and establishing excessive penalties for non-compliance, which are defined as criminal offenses because the County does not have a civil court. Another

frequent complaint was that not all CDAB recommendations had been adopted.

#### *Council questions and discussion*

Most of Council's questions and discussion followed up on concerns expressed during the presentation of the citizen petition and by other public comments made at the meeting.

Councilor Scott asked, "How many actual citations have been issued in the past two years" for criminal violations of the current nuisance code? County Attorney Katie Thwaits replied that two citations had been issued since 2020, with both cases being dismissed before proceeding to court.

Councilor Scott asked for the staff's perspective on the potential for unequal preferential treatment in code enforcement, to which CDD Director Andrus replied that the draft code is simple, more straightforward, and provides a lot of clarification that will make it easier to ensure that code enforcement is even, consistent, and fair. Furthermore, he said that staff undergoes training to ensure evenly consistent and fair enforcement.

Councilor Scott asked why not all of the CDAB recommendations were adopted, and whether it was usual for Council to accept every recommendation verbatim, without considering the broader picture and other public input. County Manager Lynne said the County takes input from various sources, boards, commissions, and the public, resulting in a mix of conflicting opinions for which it is often difficult to strike a balance. He noted that not even board or commission members are in complete agreement on all issues. Councilors Scott and Derkacs confirmed from their own experiences that members of these advisory bodies often hold inconsistent views on issues and that consensus can be difficult to achieve.

Councilor Reagor suggested that revision and preparation of a final draft be turned over to CDAB, but his proposal was not supported by other councilors. During public comment, the Chair of the CDAB, John Gustafson, also strongly recommended against asking CDAB to rewrite the ordinance. He gave kudos to the DPS team for being very receptive to CDAB input. While acknowledging that not all CDAB

recommendations were adopted, he emphasized that "We are an advisory board to Council, whereas Council gets input from other sources."

Councilor Derkacs asked whether extending the review period would get more public input differing from that already received. Andrus replied that he didn't feel like it would raise any new ideas that had not already been considered.

Councilor Lepsch asked for clarification on how the code changes could potentially take away security clearances at the Laboratory, following up on the suggestion by Walker that convictions for code violations might lead to issues with a resident's security clearance, which was a condition for eligibility for the Human Reliability Program (HRP) at the Laboratory. For these employees, losing a clearance could result in losing a job. Thwaits gave her opinion that a security clearance could be affected only if a conviction for a code violation affected the person's ability to do a job. Assistant County Attorney Powers explained that a code violation was more like a speeding ticket.

Following up on a concern expressed by resident Carol Bronstein, Councilor Scott asked whether the stables were subject to the nuisance code and, if not, whether their exemption should be explicitly stated in the code. Andrus said that Chapter 18 does not apply to the stables because the stables are owned by the County, not by those who lease the stable lots. Both Andrus and Thwaits felt that no additional wording was needed here.

#### *Council votes on adoption of the draft Nuisance Code*

Councilor Scott proposed a motion to adopt the ordinance as written. The motion passed with a vote of 4–3. Explaining why she made the motion, Scott cited the extensive public review and comments, the thoughtful input from CDAB, and multiple public hearings as sufficient input on the revised code.

Three other councilors voted in favor of adopting the draft Nuisance Code as written. Councilor Derkacs felt that, based on survey results, a majority of the public wanted the

nuisance code to address more than just public health and safety but also address public welfare, including some aesthetic issues. She also expressed her concern that failure to adopt the draft Nuisance Code at this time would leave the current code in effect despite the fact that the existing code is acknowledged by all to have severe deficiencies. Councilor Izraelevitz said, “We don’t want to have a situation where we have paralysis because we cannot achieve the perfect code. The only way that we will know how close we came to the public will is by putting something out there and seeing what happens.”

Three councilors did not support an unmodified version of the ordinance. Councilor Reagor said that the showstoppers for him were that code violations were criminal offenses, and the need to determine whether unsafe conditions existed could put code inspectors in the position of being building inspectors. Chair Ryti said he would not support the ordinance until Council addressed a list of specific proposed changes that could address concerns raised by the public. Councilor Hand would not support a revised code before Council reviewed what CDAB recommendations did not get adopted and also wanted the code to establish caps on fines and penalties.

#### *Next steps*

Because Council approved the proposed ordinance, the revised code becomes applicable. However, in his closing comment, Chair Ryti said that he intends to bring up Chapter 18 for review as soon as possible after the new Council takes office in 2023.

#### *Closing public comments*

Public reactions to the adoption of the ordinance ranged from “livid” to disheartening to confusion over the Council’s decision to accept the citizen petition but then proceed to adopt the ordinance unchanged.

*June Fabryka-Martin and Craig Martin*

## ***Observer Corps Reports – County Council – Special Session – November 30***

The special 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 agenda, some of which is quoted or paraphrased in this report.

### **Public Hearing on Comprehensive Update to Chapter 16 Development Code**

Council heard a request from the Community Development Department (CDD) to amend the Chapter 16 Development Code by replacing it with a comprehensive update, including an updated Official Zoning Map. Tonight’s meeting was a public hearing and presentation of the draft update with a list of additional proposed modifications that arose primarily from comments received after the draft code had been published online.

Council’s action tonight resulted in unanimous approval of a revised draft Development Code that incorporated several changes characterized as “document cleanup,” as well as three of the four modifications recommended by the P&Z Commission following its public hearing on October 26.

Because Council modified the proposed text amendment during this hearing, it cannot adopt the ordinance until more than seven days have passed. Consequently, Council will vote on a revised draft code for adoption when the public hearing resumes on December 13. At that time, Council will also consider additional changes left unresolved at tonight’s hearing, in particular, establishment of minimum off-street parking requirements and the extent to which those requirements can be reduced for developments in mixed-use districts and for new businesses in downtown Los Alamos.

#### ***Background***

Chapter 16 is the County’s zoning code that defines how property in specific geographic zones can be used and developed. It has not

undergone a comprehensive update since its adoption in 1965. As background for its recommendation to Council, the P&Z Commission observed that the current code leaves some aspects of the County's zoning and development standards outdated while other updated sections lack cohesiveness and can be difficult to navigate. Introductory text in the proposed ordinance emphasizes that the current code does not reflect present social and economic realities and limits the County's ability to implement the vision and goals identified in the County's 2016 Comprehensive Plan.

The updated Development Code prepared by CDD and its consultant, Dekker/Perich/Sabatini (DPS), seeks to implement a code that is efficient and transparent, with standards that reflect national best practices adjusted to reflect our unique needs. Generally, the proposed amendment updates the zone and overlay districts and the standards for each zone and district. It also clarifies and streamlines administration and enforcement procedures related to the Development Code.

Will Gleason and Jessica Lawlis, planners with DPS, presented a brief overview of notable revisions to the draft code that implemented the motions made by Council during the workshops it held with the P&Z Commission on October 12-14. The DPS presentation included a list of possible amendments for Council consideration at the hearing (see Council discussion below).

### **Council Discussion and Public Comments (a partial list)**

#### *Airport overlay*

Councilor Scott asked about the rationale for incorporating an Airport Overlay in the Development Code as opposed to leaving it as administrative policy. Airport Manager Geoff Rodgers explained that the purpose was to trigger airspace review of any development proposed within the airport overlay as part of the Interdepartmental Review early in the process. The concern is potential penetration of airspace by vegetation and structures and to ensure that the proposed land use and

development will be compatible with FAA guidelines and standards.

#### *Neighborhood protection standards*

Councilor Derkacs expressed concern that some of the changes introduced in the draft code could change the character of existing neighborhoods. Specifically, she mentioned reduction of setbacks from 25-ft to 15-ft in some residential districts and the density of ADUs that the code would allow. Lawlis explained that the proposed setbacks were based on what is already on the ground and thereby are consistent with the current character of those neighborhoods. With regard to Derkacs's suggestion to establish a cap on the density of ADUs, Lawlis pointed out that not all ADUs would be detached structures; some would be part of the existing dwelling unit.

#### *Outdoor lighting*

Councilors Scott and Ryti requested that a representative of the County Police Department elaborate on the department's safety concerns about a proposed requirement that outdoor lights be dimmed after 10 pm. Officer Chris Ross explained that night-time cameras were not always capturing sufficiently good quality images to allow identification of crime suspects, and that dimmer lights would exacerbate the problem. He acknowledged, however, that the concerns could be resolved by adding infrared cameras or higher-quality cameras, although at some monetary cost.

During public comment, residents Galen Gisler and Wendy Staples spoke in favor of retaining the current version of the proposed requirement that outdoor lights be dimmed after 10 pm, with Gisler citing numerous studies showing the benefits of doing so and that the alleged problems had been largely discredited.

#### *Sidewalks*

Councilor Scott asked how the code might deal with concerns raised by residents of the Western Area who felt that the proposed requirement for sidewalks on both sides of the street was incompatible with the neighborhood's character because its streets

were too narrow to accommodate two sidewalks. Councilor Derkacs made a similar comment that applying this requirement to La Senda and Pajarito Acres would change the character of those neighborhoods; those two areas currently do not have any sidewalks. Lawlis said resolution of this issue required direction from Council because there was no way to apply different standards to different neighborhoods. She also noted that the proposed requirement was consistent with current Public Works Construction Standards.

During public comment, resident Barbara Calef noted that having sidewalks in all neighborhoods would encourage walking and that, given the absence of streetlights in Pajarito Acres and La Senda, they would also ensure a safer environment for pedestrians. She added that she did not feel that sidewalks were needed on both sides of the road to serve those purposes.

#### *Storage facilities in White Rock*

Councilor Reagor noted the lack of a district in White Rock that would allow new self-storage facilities and vehicle storage. He suggested that such a district be created, perhaps carved out of the White Rock Town Center (WR-TC) district. Councilor Derkacs suggested an alternative, that these particular land uses be conditionally allowed in the WR-TC district.

#### *Parking requirements*

Councilor Derkacs said, "Parking is my #1 concern in this whole document," a concern shared by several other councilors. This resulted in extensive discussions on minimum parking requirements for mixed-use districts, multi-family districts, downtown Los Alamos, and the White Rock Town Center and on setting caps for the limits to which those minimum requirements could be reduced. These issues were left unresolved, with the intention to consider and vote on alternatives at the next meeting.

#### *Next steps*

The public hearing is scheduled to resume on December 13. Once Council has voted to adopt an updated Development Code, a future

public hearing will be held regarding additional updates to the County's Official Zoning Map to make it consistent with existing or intended uses of specific parcels in the County. The CDD and DPS are compiling a list of zoning changes needed, many of which were noted in the matrix of public comments received about the draft code and/or brought up at tonight's public hearing. Some of the changes involve rezoning of selected active and passive open space in the County, such as canyon bottoms, the Golf Course, Kwage Mesa, and the land adjacent to the Canyon Rim trail.

#### **Upcoming Public Hearing on the Future Status of CDAB**

Council is scheduled to hold a public hearing on December 6 regarding amending County Code Chapter 8 to remove the Community Development Advisory Board (CDAB) as a permanent board of the County.

*June Fabryka-Martin and Craig Martin*

### ***November Dinner with a Leader: LANL Director Thom Mason***



On November 16, the Defense Nuclear Facilities Safety Board (DNFSB) held a day-long public hearing in Santa Fe to gather information regarding legacy cleanup activities, nuclear safety, and increased production

activities at Los Alamos National Laboratory (LANL). Dinner with a Leader the following day was a more relaxed event. LANL Director Thom Mason explained the series of events that led to the plan to create a pit factory in Los Alamos. He told League members that, following the end of the Cold War, there were hopes that nuclear deterrence would become less important in global affairs. The Lab was focused on stockpile stewardship; the government did not want to do anything provocative.

But in the mid-2000s, the United States had “shifted gears to confront the global war on terror.” Then, at the Munich Conference on Security Policy in 2007 Vladimir Putin criticized the status quo, which he viewed as a unipolar system dominated by the United States. In 2012 China’s policy, which had focused on economic growth, became more confrontational.

Mason said that the essence of deterrence is that it must be credible. For example, two-way deterrence currently serves to contain the conflict in Ukraine, preventing the United States from military intervention and keeping the Russians from engaging in NATO territory. To maintain a credible threat, Congress has directed LANL to manufacture new pits to update the 1980s-era weapons.

In order to produce the new pits, LANL’s plutonium facility, which in the past served for research and development, must be re-purposed. Besides installing new equipment, many safety improvements are needed to modernize the facility. Additional plutonium will not be needed, Mason said, because the material in the old weapons can be recycled.

In addition to weapons production, the Lab is engaged in pursuing fundamental science, nuclear non-proliferation, exploration of Mars, and clean energy alternatives including hydrogen fuel cells and nuclear energy.

To achieve its objectives, the Lab workforce has grown to 15,000. That number includes sub-contractors, the security force, and 1,800 student interns as well as 12,000 full-time employees. The plan is for growth to continue over the next 2-3 years. Mason said that the

Lab works with educational institutions in the state to make sure they align degree programs with the skill sets the Lab needs such as safety engineers and radiation control technicians. They hired 2,077 employees last year, of whom 60% are from New Mexico.

The normal attrition rate is about 500-600 a year. Unfortunately, last year the Lab lost 1,100 employees. According to exit interviews, the most common reason for leaving is salary, but housing and childcare are often cited. In response the Lab is offering better salaries and benefits. They do not intend to offer child care but have made a commitment to work with local providers to increase capacity in the community.

Some of the pressure from the increase in size is alleviated by the discovery that much work can be done remotely. Thirty-five hundred employees work at least part-time from home. In addition, LANL has opened two offices in Santa Fe, where 20% of the employees live.

The Lab has a goal to achieve net zero emissions by 2050. They plan to electrify the vehicle fleet and are taking steps make the facilities more efficient. Completion of the new site-wide environmental impact statement will provide further guidance.

In response to questions, Mason said that the issue of commercial interim storage facilities for spent nuclear fuel is a social and political problem, not a scientific and engineering problem. His focus is on WIPP, where LANL sends its transuranic defense waste. In the last three years LANL shipped more waste than it produced.

Another question concerned the potential for land transfers from DOE to the County. Mason said that the options are severely limited because of the profusion of unexploded ordinance, historical artifacts, and cultural artifacts as well as the need for “stand-off distance.”

In closing, he said that we were way more fun than the Defense Board!

*Barbara Calef*

## ***LWVLA Board of Directors 2022-2023***

### **Officers:**

- Co-president: Barbara Calef
- Co-president: Rebecca Shankland
- 1<sup>st</sup> Vice-President: Felicia Orth
- 2<sup>nd</sup> 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
- Nominations: Ellen Mills & Leslie Wallstrom
- Website and Facebook: Madhavi Garimella and 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.)

## **In this issue**

	<b>Page</b>
<i>Calendar</i> .....	<i>1</i>
<i>Remembering Diane Albert</i> .....	<i>1</i>
<i>Help Needed!</i> .....	<i>2</i>
<i>Co-President's Message: U. S. Government - Democracy or Plutocracy?</i> .....	<i>3</i>
<i>Advocacy Workshop Prepare for the 2023 Legislative Session</i> .....	<i>4</i>
<i>Lunch with a Leader: Congresswoman Teresa Leger Fernandez</i> .....	<i>5</i>
<i>Legislative Preview, Jan. 5</i> .....	<i>5</i>
<i>Observer Corps Reports - County Council - Regular Session - November 15</i> ....	<i>6</i>
<i>Observer Corps Reports - County Council - Regular Session - November 29</i> ....	<i>6</i>
<i>Observer Corps Reports - County Council - Special Session - November 30</i> ....	<i>10</i>
<i>November Dinner with a Leader: LANL Director Thom Mason</i> .....	<i>12</i>
<i>LWVLA Board of Directors 2022-2023</i> .....	<i>14</i>

---