



UPDATE

Newsletter of the League of Women Voters of Los Alamos
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League of Women Voters of Los Alamos
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Calendar

February 15	LWVNM Legislative Reception, Rio Chama Steakhouse, 5:30 p.m.
February 16	League Day at the Legislature
February 23	Board Meeting, Zoom, noon
February 27	Fund Drive Party, 1577 Camino Medio on North Mesa, 6:30 p.m.

No Lunch with a Leader This Month

CHANGE! Yes, there is a change for February...an easy one to remember...we will NOT be having Lunch with a Leader because February 16 is League Day at the Legislature and many of us will be there! BUT on March 16, Angelica Gurule will be speaking with us in her relatively new role as the County's Sustainability Manager. She has had extensive experience with LARES (Los Alamos Resiliency, Energy and Sustainability Task Force). Her main focus is to help Los Alamos work on climate action strategies and reduce its greenhouse gas emissions.

Annual Fund Drive Party on Monday, February 27

Every year we gather for the annual **Fund Drive Party** where we stuff envelopes with a copy of a letter asking non-member residents of the community to make donations to the League. This is an opportunity to catch up on local news and have fun getting to know fellow League members. Ellen Mills will host at her lovely home at 1577 Camino Medio on North Mesa. We'll meet at 6:30 p.m.

We send these letters to Friends of the League, who have supported our work over the years. We are glad to have suggestions for additional people who might wish to support us. So, having our League's newer members is always helpful.

Traditionally this has been a dessert party. So please let Ellen Mills know if you can attend and what you'd like to bring. (efmillsnm@gmail.com) She can let you know if there's an overlap of offerings. And if you don't have time to bake, don't worry — we always have plenty of food! Just bring yourself and your ideas.

Co-President's Message: Can We Make Our Political System Less Polarized?

George Washington, in his Farewell Address, expressed a hope that the United States would not develop political parties, fearing the polarization they might bring. He observed that the spirit of party, if not restrained, “agitates the community with ill-founded jealousies and false alarms, kindles the animosity of one part against another, foment occasionally riot and insurrection.” The Civil War was the clearest example of what he feared, but our recent January 6 insurrection now brings his argument up to date.

The current partisanship has poisoned our political and social systems in many ways. With a divided government, it's nearly impossible to pass legislation; our media is so polarized that people consume only the publications they agree with; families are split apart; and former acquaintances avoid each other in the grocery store. Worse, the political language has hardened: it's apparently acceptable for Steve Bannon to proudly say, “Trump is going to do some crazy sh—” (quoted by Jill Lepore, *The New Yorker*, 1.16.2023).

Is there an escape from such divisions? If society is to solve problems, the parties need to be able to talk to each other. As Harold Macmillan said, “Jaw, jaw is better than war, war.” Honest debate, rather than stubborn repetition, can result in better legislation. Most European countries have multi-party governments, so issues are more fully debated from different perspectives. But our current two-party system instead encourages unyielding divisions.

Where have we seen civility and consensus in the Congress? Occasionally there will be consensus on an issue: defense spending passes almost unanimously because its purpose is to demonstrate our strength to foreign powers. After the events of 9/11, Congress passed the PATRIOT Act (98-1 in the Senate; 357-66 in the House) to counter perceived terrorists. But as the threat of invasion waned, it gradually lost support, and disappeared entirely by 2020.

During the Nixon administration, many acts to protect the environment were passed, evidently because the entire Congress acknowledged public health threats to the whole population. Nixon famously said, “I [am] convinced that the 1970's absolutely must be the years when America pays its debt to the past by reclaiming the purity of its air, its waters, and our living environment.” A series of environmental laws was passed: NEPA (National Environmental Protection Act), creating the Environmental Protection Agency, passed in 1970 with little opposition and the Clean Air Act passed 375-1. Evidently partisan politics yielded to support for universal public health. So, Congress is sometimes able to unify over the common good.

The League has a tradition of working toward consensus when addressing issues. Our “jaw-jaw” procedures are sometimes ponderous and lengthy, but in the process, we reach a better understanding of a problem. Of course, we're not constrained by financial considerations, by the opinions of our constituents, or by the practicalities of our ideas. Nevertheless, a League of Congressional Voters conducting respectful debate and consensus-building might improve our political proceedings.

Becky Shankland

League Days at the Legislature

February 15 & 16, 2023

Legislative Reception – February 15

Rio Chama Steakhouse, President's Room, 414 Old Santa Fe Trail, 5:30 – 7:30pm

Speaker: Senator Jeff Bingaman

League Day – Thursday, February 16

Schedule of Events:

- 8:00 Pick up information packets from the League table in the Hall of History, ground floor of the state capitol (the Roundhouse).
- 8:30 Attend committee hearings or visit with legislators.
- 10:00 Program at New Mexico State Land Office, 310 Old Santa Fe Trail (a short distance down the street from the Roundhouse).
- 10:00 **Welcome from Stephanie Garcia Richard, State Land Commissioner.**
- 10:15 Explanation of packet contents, answer questions from League members.
- 10:30 **Ethics Legislation and Independent Redistricting Commission: Jeremy Farris, Executive Director of the New Mexico State Ethics Commission.**
- 11:15 **Taxes and Funding for Essential Services: Amber Wallin, MPA, Executive Director, New Mexico Voices for Children.**
- 12:00 Lunch with fellow League members.
- 1:00 Meet with legislators as individuals or in groups and attend Committee hearings or House & Senate sessions. Watch your advocates working.

Note: This space is waiting to be filled by a skillfully-“written” essay generated by that precursor to Idiocracy, ChatGPT.

2023 Legislative Preview

The League and AAUW held our first in-person meeting in three years and it was a success! Dozens of residents ventured into the Pajarito Room at Fuller Lodge to interact with their legislators. With Margo Batha moderating, the legislators and Think New Mexico's Kristina Fisher set out their goals for the Winter 2023 Session.



*Rep. Christine Chandler and Sen. Leo Jaramillo.
Photo by Felicia Orth*

Representative Christine Chandler spoke first. As the chair of the Interim Revenue Stabilization and Tax Policy Committee, she spent the summer in meetings with the goal of modernizing the tax code and promoting equity and fairness. As chair of the House Taxation and Revenue Committee (HTR) and member of the Legislative Finance Committee, she is working on the budget and tax package for the session. (The following week Rep. Chandler was appointed chair of the House Judiciary Committee. She is also a member of the HTR and the House Rules and Order of Business Committees.) Currently there is a \$3.5 billion excess over last year's budget. As she said, "It's a blessing and a curse to have so much money because it's a big responsibility to ensure that we develop recurring expenses

that are responsible but not so many or so high that we could be in a very difficult position when the oil and gas boom starts to peter out, and it will."

Chandler said that they are looking at a decrease in the Gross Receipts Tax, a round of rebates, and changes in the personal income tax rates to make them more progressive and more equitable. The bills she is sponsoring include:

- paid family and medical leave;
- increasing the minimum wage to \$16/hour in 2024 and establishing an indexing system;
- student loan bill of rights;
- eliminating co-pay for diagnostic breast exams;
- eliminating pre-publication requirement for changing one's name;
- tax credit for large-scale renewable energy storage.



*Sen. Jaramillo speaking; Rep. Chandler on the left,
Margo Batha standing. Photo by Felicia Orth*

Senator Leo Jaramillo asked for a moment of silence for the shooting deaths the previous evening in Los Alamos. Although he does not live here, the senator said that Los Alamos is his second home. Not only does he work at LANL, he is also involved in many community activities, including playing Mother Ginger in "The Nutcracker." In the Senate, he is chair of the Land Grant Committee, vice-chair of the Rules Committee, and a member of the Tax, Business, and Transportation Committee. Bills that he is sponsoring include:

- free school breakfast and lunch programs;
- reducing catalytic converter theft;
- acequia disaster fund;
- amendment to utilities bill;
- protect individual information in case of an IPRA (Inspection of Public Records Act) request;
- funding to bring water to the ski hill.

He is also requesting capital outlay funds for UNMLA, LAPS, and improving the softball fields.

Senator Roberto (Bobby) Gonzales announced that this is his 26th year in the legislature. He has been focused on finance and serves on the Senate Finance Committee. He, too, commented that with 3.66 billion “new” dollars, the state has never been in such a good position. “The floodgates are open... The hard part is when we have to say no.” Noting that every agency must present to Senate Finance, he said it will be a priority to raise salaries to reduce the high number of vacancies in the government.

As a former educator, Senator Gonzales is also focused on the schools. He wants to ensure that the remedies approved in response to the Yazzie-Martinez suit are effective. He is also concerned about the decline in student attendance. The answer, he said, is to provide rigor and relevance; he supports formulating a curriculum based on outdoor education.

Other legislation he mentioned includes providing malpractice insurance for doctors “to keep them here,” and using the General Fund to finance capital outlay projects without requiring bonds. In response to questions, he supports raising the gas tax to fund road maintenance.

All three legislators support the efforts to modernize the legislature by providing full-time year-round staff and by passing constitutional amendments to pay the legislators a salary and lengthen the sessions.

The League has been advocating for a constitutional amendment to create an independent redistricting commission for years. This year’s legislation, HJR 1, was filed the day before the forum. None of the legislators had read the bill, but they all praised the 2021

redistricting process during which an independent committee held numerous public meetings and provided the legislators with maps to approve or alter. If the constitutional amendment passes, the legislature will no longer have a role in redistricting.



Kristina Fisher addressing the audience. Sen. Gonzales is on the right. Photo by Felicia Orth

Think New Mexico (TNM) Associate Director Kristina Fisher explained the eight educational reforms for which TNM is seeking legislative approval this session. Briefly, they are:

1. extend learning time;
2. improve teacher training with more clinical experience;
3. better principal training;
4. revamping curriculum: require financial literacy; foreign language AND career and tech education class;
5. upgrade school boards with better training and pay;
6. overhaul public education: bring up standards and up-to-date curricula
7. replace the major year-end state assessment with shorter interim tests that help teachers promote student learning
8. move more dollars to the classroom.

The session began at noon on January 17. Come to Santa Fe on February 16 to learn how these many proposals have fared so far!

Barbara Calef.

Observer Corps Reports – County Council – Regular Session – January 3

The hybrid session was attended by Council Chair Randall Ryti and Councilors Denise Derkacs, Melanee Hand, Keith Lepsch, and newly elected Councilors Theresa Cull and Suzie Havemann in person, with Councilor David Reagor attending via Zoom.

New Council Chair and Vice Chair

By unanimous vote, Council elected former vice chair Denise Derkacs as chair and newly elected Councilor Theresa Cull as vice chair for 2023.

Local news coverage:

Other business discussed at this first Council meeting in 2023 is summarized by Kirsten Laskey, *Los Alamos Daily Post*, January 5, 2023.

<https://ladailypost.com/council-action-taken-jan-3-2023/>

June Fabryka-Martin and Craig Martin

Observer Corps Reports – County Council Special Session – January 10

The hybrid session was attended in person by Council Chair Denise Derkacs and Councilors Theresa Cull, Melanee Hand, Suzie Havemann, Keith Lepsch, Randall Ryti, and David Reagor. Our observer report is based upon discussion during the meeting and documentation provided in the full agenda packet, some of which is quoted or paraphrased in this report.

Session objective: Discussion of 2023 Strategic Priorities

County Council meets annually to discuss the prior year's accomplishments and to establish strategic priorities for the subsequent calendar year. At this meeting:

- County staff led Council discussion on constructing a public dashboard which the public could access to track County progress on meeting the Council's strategic goals.
- Council discussed whether these were still the most important priorities for the community and what priorities should be incorporated for the 2023 Strategic Leadership Plan to maintain focus on important issues.

Public dashboard to track progress on County strategic goals

Deputy County Manager Anne Laurent described ideas proposed by staff for a public dashboard that the public could use to track the County's progress on implementing the Council's 2023 strategic goals: Quality Governance, Operational Excellence, Economic Vitality, Quality-Of-Life, and Environmental Sustainability. The dashboard will be rolled out with the launching of a newly configured County website. Users will be able to drill down for each goal to see progress at increasing levels of detail, such as specific actions.

Councilors were supportive of the idea of a public dashboard. Councilor Ryti said: "We currently have no metrics or time frames on our priorities and so I appreciate this as a direction to go in." Chair Derkacs added, "I do support this new framework. I think it will help us better organize our priorities and certainly enable us to better track the progress that we're making on them."

Progress on meeting the Council's 2022 strategic priorities

The *State of the County Annual Report* for 2022 was included in the agenda package. The report lists examples of progress made by the County on the seven priorities in the County's 2022 Strategic Leadership Plan. County Manager Steve Lynne recently presented a [summary of progress](#) to the

Chamber of Commerce in January 2023¹. A few highlights from the report are summarized below.

1. Enhancing communication — Actions initiated in 2022 to better inform and engage the public on County matters included making hybrid meetings routine for board, commission, task force and town hall meetings and increasing community outreach and mechanisms for public input.
2. Increasing the amount and types of housing options — Approximately 600 units are currently under development in the County, which include affordable housing, market rate apartments, townhomes, and unattached homes.

Projects underway on formerly County-owned lands

- a. Mirador Subdivision in White Rock: 161 units of market rate detached single family homes in Phase 1, and a mixed-use development (57 apartments and 11,000 square feet of commercial space) in Phase 2.
- b. Canyon Walk Apartments: 70 multifamily units constructed under the Low-Income Housing Tax Credit Program.
- c. The Bluffs Apartments: senior housing rental development of 64 units under the Low-Income Housing Tax Credit Program.
- d. The Hill Apartments: 149 market-rate apartments on 35th Street (at the old LASO site) east of the hospital.

Significant projects underway or being planned on privately-owned lands

- e. Arkansas Place in North Community: 44 market-rate townhouses.
- f. Arbolada on North Mesa: 85 homes.
- g. Ponderosa Estates Phase 3: 48 homes.
- h. Mountainview: 15 market rate units (10 townhomes for purchase and 5 apartments)
- i. Cañada Bonita: rezoning of the former

Visiting Nurses property on Canyon Road for mixed use (~150 apartments and commercial space).

- j. 2201 Trinity (Century Bank mixed use): 23 housing units and new bank and offices.

Workforce housing development –

Los Alamos Public Schools (LAPS) and the County continued public engagement to identify options and elements of a workforce housing development that would also provide a revenue stream for LAPS on its North Mesa property.

3. Protecting our environment and improving our open spaces, recreational, and cultural amenities —

- a. *Trails and Community Services Department (CSD) facilities* – A contract to assist with trail maintenance was approved in December 2022. The CSD public survey completed in July is being used to prioritize maintenance needs. The Americans with Disabilities Act (ADA) audit is being used to help direct funding needed to address accessibility and inclusivity options for facility users.
- b. *Recreational facilities* – Projects to improve, construct or investigate the feasibility of multiple recreational facilities in 2022 included the Leisure Lagoon, golf course site improvements, multi-use gymnasium spaces at Pinon Elementary School and on North Mesa, and enhanced tennis court facilities.
- c. *Integrated trail and transportation strategy* – The County continued working with Los Alamos National Laboratory and its trail planning efforts as well as identifying key links with regional transportation to/from surrounding communities.
- d. *Purchase of historic buildings* – The Women's Army Corps (WAC) Dormitory on 17th Street was

¹ <https://ladailypost.com/steven-lynn-delivers-2023-state-of-county-report/>

- purchased by the County to preserve this historic World War II building and help create new opportunities for insights into the Manhattan Project.
- e. *Integrated pest management* – Council adopted integrated pest management as an overall County policy, including eliminating the use of glyphosate-based chemical pesticide controls.
 - f. *Food waste composting program* – Council approved the development of a food waste composting program and began distribution of bear-resistant dumpsters and roll-carts.
 - g. *Environmental sustainability* — Council adopted many of the recommendations in the Los Alamos Resiliency, Energy and Sustainability (LARES) task force report. The County hired a sustainability manager and is soliciting for a vendor to conduct a greenhouse gas baseline analysis and develop a Climate Action Plan.
4. Enhancing support and opportunities for the local business environment —
 - a. *Business permits and licenses* – In 2022, the County issued 41 commercial building permits, 691 residential building permits, and 164 new business licenses.
 - b. *Updates* – An updated Development Code and the White Rock Metropolitan Redevelopment Area (MRA) Plan were approved by Council.
 - c. *ARPA funding* – The County rolled out a small business recovery program using \$2 million received from the American Rescue Plan Act (ARPA) to provide COVID-19 relief to local businesses adversely impacted by the pandemic. Applications were received from 55 businesses, and the County has distributed \$225,000 in funds to date.
 5. Supporting social services availability — An Individual Assistance ARPA program was set up by the Social Services and Finance Divisions in 2022 to aid families experiencing food insecurity and difficulty paying rent, utilities, and household expenses resulting from the pandemic.
 6. Improving access to high quality broadband — The County Broadband Manager has been working with regional and State partners to investigate service options for broadband. A consulting firm was hired in 2022 to support these efforts. (See the follow-up discussion, including the path forward, in our observer report for the Council meeting on January 24, 2023).
 7. Investing in infrastructure —
 - a. *Renewable purchased power agreement* – The San Juan Generating Station shut down in September 2022. The County has partially replaced this production source with a mostly renewable purchased power agreement.
 - b. *County road and utility improvement* – Projects in design or construction phases in 2022 include those on Canyon Road, Sherwood Boulevard, Cumbres del Norte (North Mesa) Road, and DP Road Phase 2.
 - c. *Pedestrian and bicycle connections and safety improvement projects* – In 2022 this includes work on Trinity Drive Pedestrian and ADA Improvements and the Urban Trail Corridor. The land acquisition process is underway through obtaining easements for Canyon Rim Trail Phase 3.

Discussion of 2023 Strategic Priorities

Facilitated by Deputy County Manager Laurent, Council discussed the 2023 Strategic Goals and Priorities for reaching those goals. Preliminary strategic goals and priorities for 2023 are:

- *Quality Governance* – communication, community engagement, intergovernmental and regional relations, fiscal stewardship
- *Operational Excellence* – effective and efficient services, infrastructure asset management, services and availability, employee recruitment and retention

- *Economic Vitality* – housing, local business, tourism/special events, affordability, community broadband network
- *Quality of Life* – wellbeing, health, and social services; open space, parks and recreation; diversity, equity, and inclusivity; education, historical and cultural amenities; public safety; mobility (multimodal, public transportation)
- *Environmental Sustainability* – Energy policy of carbon-neutral generation (Carbon-free Power Project, solar, wind, and geothermal power sources); waste management (food composting, recycling); building construction and operations; public and alternative transportation; natural resources (wildlife protection, integrated pest management, tree preservation plan)

Staff will work with Council leadership to incorporate this information into the 2023 Strategic Plan. This updated draft plan will be brought back to Council for final discussion and potential approval at a meeting in February

June Fabryka-Martin and Craig Martin

Observer Corps Reports – Planning & Zoning Commission Public Hearing – January 11

The Planning & Zoning (P&Z) Commission conducted two public hearings in a hybrid meeting, attended by Chair Rachel Adler and Commissioners David Hampton, Benjamin Hill, Charlene Hutchison, and Neal Martin in person, with Commissioners Karen Easton, Stephanie Nakhleh, and Rodney Roberson attending via Zoom. Our observer report is based upon discussion during the meeting and documentation provided in the full agenda packet such as County staff reports, focusing on those aspects for which the LWV Los Alamos has adopted a position [see <https://my.lwv.org/new-mexico/los-alamos/positions>].

Public hearing on Special Use Permit (SUP) for car care business on DP Road

The P&Z Commission unanimously approved issuance of a Special Use Permit to Barbara Christensen, DBA Immaculate Auto Total Car Care, to expand the business from 99 DP Road to another building on the same property (101 DP Road), at which it would provide mechanical repair, auto detailing, and window tinting.

Applicant request

The property is zoned Heavy Commercial District (C-3) and is accessed from Trinity Drive. The application states that “The Comprehensive Plan calls for diverse businesses in that area. Mechanical repair has been on this property for over 26 years and provides a service which is much needed in our community. Expanding to the rear portion of 101 will decrease the wait times for all community members who own cars and prefer to shop local rather than taking their vehicles to Santa Fe or Española....”

Commission response

The Commission finds the request to conform with the Comprehensive Plan in the following areas: (a) Development and Redevelopment Goals are met by improving the quality and quantity of retail businesses, and (b) Growth Goals will be achieved by the facilitation of development that will increase growth in Los Alamos County by allowing retail and services to grow and expand as necessary.”

Conditions of approval

A portion of the Canyon Rim Trail abuts the property fence from north to south with existing trees next to the fence. One of the conditions of approval is that the line-of-sight triangle at the Canyon Rim trail crossing on DP Road remains clear of vegetation and debris for pedestrians on the trail who might need to cross DP Road.

Public Hearing on Final Subdivision Plat for a Planned Development of 85 Single Family Lots on San Ildefonso Road

The Commission unanimously approved the final plat submitted by Greg Gonzales, DBA Columbus Capital, for a planned development of 85 single family lots addressed as 659 San Ildefonso Road. The 17.1± acre property is within the North Mesa Community and is zoned “Planned Development Residential” (PD-5).

Subdivision plat.

The 85 lots in the proposed Arbolada subdivision consist of 67 single-family detached dwelling units and 18 low-rise multi-family housing units. The plat shows three sizes of lots, ranging from 0.1 to 0.33 acres. The largest lots provide buffering along the east property line on the edge of Pueblo Canyon and on the west to existing Public Land open space.

County Planning Manager Sobia Sayeda led the Commission through the staff report. The Departmental review concluded that the Applicant had met each of the eight subdivision criteria of the Chapter 16 Development Code. However, the Department also specified several conditions of approval based on comments from the County’s Interdepartmental Review Committee.

Consistency with Comprehensive Plan and County goals

The request for this single-family residential subdivision substantially conforms to the Comprehensive Plan through the promotion of a diverse economic base and encouragement of a variety of housing options.

Adjacent properties, land uses, and utilities

The staff report characterizes existing land uses in the area as residential, school, and County-owned vacant land. The site is bounded by the Broadview Estates Subdivision to the east, County open space to the west and south, and Mountain Vista Apartments to the north on the opposite side of San Ildefonso Road. Because the property is surrounded on three sides by existing utilities, the proposed

subdivision is considered an *infill project* surrounded by developed lands, where a full range of urban utilities and infrastructure is available. The property is also on an existing bus route. Fiber optic cable service is to be provided in the subdivision. Dark-skies compliant street lighting must be installed at the San Ildefonso Road intersections.

Drainage

Per County requirements, all drainage will be retained onsite. Excess runoff from new impervious areas will be mitigated by temporary detention in two ponding areas that discharge into Pueblo Canyon and in landscaped swales bordering some of the interior sidewalks. After completion of development, the County will be responsible for maintenance of the ponding areas. Maintenance of the landscaping and irrigation system in the HMO tracts and public right-of-way will be the responsibility of the Homeowners Association.

Open Space Amenities

The plat shows a total of 1.14 acres of open space scattered throughout the subdivision, comprising a 0.2-acre pocket park, irrigated landscaped strips bordering sidewalks on some of the interior streets, and two landscaped ponding areas, one with a small pocket park. Installation of park benches in these areas are part of the plan, as well as a small area for a lookout over Pueblo canyon. A pedestrian connection (walking easement) to the cul-de-sac in the Broadview Estates Subdivision on the east side of the site is required to be retained.

News Coverage

Maire O’Neill, “Planning and Zoning Commission Approves Arbolada Subdivision Final Plat,” *Los Alamos Reporter*, January 15, 2023

(<https://losalamosreporter.com/2023/01/15/planning-zoning-commission-approves-arbolada-subdivision-final-plat/>).

June Fabryka-Martin and Craig Martin

Observer Corps Reports – County Council – Regular Session – January 24

The hybrid session was attended in person by Council Chair Denise Derkacs and Councilors Theresa Cull, Melanee Hand, Suzie Havemann, Keith Lepsch, Randall Ryti, and David Reagor. Our observer report is based upon discussion during the meeting and documentation provided in the full agenda packet, some of which is quoted or paraphrased in this report.

Community Broadband Network Project

By unanimous vote, Council adopted a policy position that broadband is a basic essential service and directed the County Manager to pursue a procurement for an open access network operator to assist with the final network design, and potentially to build the infrastructure that would enable the fiber-to-the-premises (FTTP) Community Broadband Network (CBN) project to proceed.

An update of the County's CBN study project was presented by Jerry Smith (County Broadband Manager) and CTC Technology & Energy (CTC) consultants Ziggy Rivkin-Fish, Teles Fremin, and Freny Cooper. The presentation summarized key points in the draft Broadband Strategic Plan report prepared by CTC for the County, which is summarized below:

Availability of Broadband Service in the County

Broadband services.

Populated areas of the County are widely served by cable broadband but most residents do not have access to fiber service. These services consist of:

- Cable service – Comcast is the sole cable provider in the County and serves over 95% of County residents, delivering service of at least 100 Mbps download and 20 Mbps upload (100/20).

- Digital subscriber line (DSL) service – CenturyLink provides DSL services, with lower download speeds in some areas in and north of the Townsite, as well as south of White Rock.
- Fiber service in the County is limited. Los Alamos Net offers fiber services in small downtown areas of the Townsite, Quemazon, and Hawks Landing, and CenturyLink serves at least one new residential multi-dwelling unit in the Townsite. CenturyLink is likely connecting most new local developments to fiber instead of copper but the extent to which it may extend fiber to existing copper customers is unknown, nor has it made any indication that it intends to build fiber to existing DSL customers in the Townsite.

Fixed wireless services

Generally, these require direct line-of-sight between an antenna and customer premise and its spectrum bands do not have strong long-distance transmission qualities. Service areas claimed by fixed wireless providers should be considered best-case scenarios. Current technology does not seem to provide reliable, high-speed services that can compete with available wireline services in Los Alamos.

Cost and quality of Broadband Service in the County

Discussion group participants viewed local providers Comcast and CenturyLink as overly influential in the local market and as providing inadequate service, particularly their available upload speeds. A lack of competition may also contribute to low investment in network upgrades and less incentive to offer promotions to customers or lower the price of service.

Stakeholders and residents generally supported the creation of an open-access network to encourage competition between providers and were open to the County exploring a variety of business models for public-private partnerships to own and maintain such a network.

Cost Estimate for a State-Of-The-Art Fiber Network in the County

A fiber-to-the-premises (FTTP) network to serve the Townsite and White Rock would cost about \$34 million. Compared to a wireless solution, a state-of-the-art fiber network would represent a more future-proof investment for the County. Fiber optic cables are widely considered to be the gold standard for data transfer. They have enormous bandwidth capacity, which enables operators to offer symmetrical download and upload speeds. Once a premise is connected to fiber, there is no need for significant outside plant infrastructure investment for decades. This makes fiber networks significantly more scalable and future-proof than alternative infrastructures.

Funding Options

The County is unlikely to be eligible or competitive for federal or state funding for broadband infrastructure because those opportunities focus on unserved or underserved areas. However, the County could consider a range of business and partnership models to deploy an FTTP network. Los Alamos County represents a relatively attractive market for service providers because of its relatively densely populated areas and residents with higher income levels than in many comparable markets.

A private partner may be willing to provide some share of the capital needed to deploy an open-access network in return for partial County funding and/or future lease revenue. Some operators will only consider networks that they own themselves while others are open to managing a publicly owned infrastructure and taking on some of the risks of operations if they believe there is enough market potential to ensure sufficient revenue.

Summary Recommendations

The report recommended that the County establish appropriate partnerships and provide funding over the next three to five years to implement four recommendations:

- build fiber infrastructure to the premise,

- seek contracted services to maintain, operate, and potentially build the needed infrastructure,
- allow fiber access to interested and qualified Internet Service Providers (ISPs), and
- leverage county investments--such as fiber already in the ground--to meet the community goal of providing reliable high-speed broadband service throughout the community.

Outage on December 11, 2022

Following the presentation, Councilor Ryti asked County Manager Steve Lynne to speak about the loss of internet service on December 11, 2022. "We had a full day on December 11th where we had no communications whatsoever in the County," said Ryti. "I think this is good to hear within this topic because I think it is relevant to the discussion about having internet service when other communications are uncertain."

In the County Manager's report, the county-wide internet outage was attributed to a failure of Lumen communications cables in Santa Fe. In answer to Councilor Ryti's question, Lynne responded "obviously on that day when we all lost service, if we had had our own community network and an additional separate redundant reliable fiber path off the Hill, we may have been insulated from that type of incident. Part of what community broadband brings to us is that possibility and that potential mitigation."

Regarding what services were still operative on that day, Lynne pointed out that "during the outage it appears that our 911 system was fully functioning. ... I do know that the dispatch center received calls all day that day. I haven't heard about anyone not having the ability to make emergency calls but that's certainly something that needs, I think, a little more exploration on our part." Lynne said that the County is preparing an RFP for E 911 or Smart 911 services and that the next service agreement will address priorities for Code Red messaging.

Lynne added that "some folks were aware ... that the County's public WiFi was up and accessible. That's because that particular

service was through a different microwave connection through REDI Net."

The County has initiated several actions to address any future incidents of this nature. As one immediate conduit for getting messages out to the community, Lynne said that the County may start a promotional campaign raising the community's awareness about the County's access to the emergency radio operations on AM 1610. Lynne reported that "we now have pre-recorded messages in this instance that can be uploaded to that system without needing to actually physically go to the top of that radio tower at the top of the Ski Hill." The County is also considering the possibility of electronic signage throughout town.

Lynne noted that some help in the future might be provided by activities already underway to enhance the County's network services, including installation of a new dish on the roof of the Municipal Building that provides a different level of service and a different access.

Lynne concluded that "there's certainly a recognition that within the County's emergency response plans, the appendix that we have there related to communications needs to be updated to more fully incorporate responses to these types of things."

2023 Los Alamos County Federal Priorities

Council unanimously adopted a Federal Agenda for 2023, which will be used as a guide for the County's intergovernmental efforts at the federal level requesting legislative and congressional support and funding for infrastructure projects.

Legislative Request for NNSA and EM Appropriations

These would fund and support Los Alamos National Laboratory (LANL) missions. Council asked for legislative support prioritizing environmental cleanup of key land transfer parcels, moving TRU waste from LANL Area G to WIPP, cleaning up the chromium plume and protecting the PM-3 Drinking Water well, and

funding clearance of munitions and explosives in Rendija Canyon.

Congressional Request to Create a New Land Transfer Law

This law would convey land to the County that could then be made available for development.

Funding request to secure funding for the County

The funds would support improved infrastructure projects such as the following:

- Jemez Mountain Fire Protection Project,
- Women's Army Corps Dorm renovation,
- construction and equipment for the new food composting facility,
- broadband infrastructure support,
- DOE's Advanced Small Modular Reactor program,
- DP Road commercial development infrastructure, and
- regional transit, transportation, and transit-oriented development projects

County Boards and Commission (BCCs)

Council discussed several items about the County's Boards and Commission at its August 23, 2022 Work Session [see the *LWVLA September Update*]. The topics discussed and associated staff recommendations are listed below:

Update to BCC application and interview questions:

Staff solicited feedback from Council for revising the application and interview questions, with the intent of implementing these changes in the first quarter of 2023.

BCC Handbook:

This orientation manual describes the role of BCCs and their relationships with Council, County staff, other BCCs and the community. It also contains the procedural rules for BCCs. The last update took place in 2020. Staff will review and update this handbook with regards to hybrid meetings and substitute member assignments. This handbook will be brought

back to Council for approval in the first quarter of 2023.

Substitute/temporary BCC Members:

The idea of possible substitute/temporary BCC members was discussed, which would allow BCCs to maintain their total membership even if one member needed to take an extended leave.

Recommendations for new Boards:

In general, staff is recommending no additional boards. The primary reasons for this are the current difficulties with board vacancies and impacts on staff time that would take away from service delivery.

Community Development Advisory Board (CDAB)

In December 2022, Council adopted an ordinance to remove CDAB as a permanent board of the County. At least one Councilor asked that this removal be discussed as part of this agenda item.

The staff report stated that one of the reasons that CDAB was created was to provide a mechanism to evaluate the enforcement process of Chapter 18 (the Nuisance Code). CDAB then participated in collecting and analyzing usage data and providing input on updated processes and mechanisms that contributed to rewriting Chapter 18. Now that the rewrite of Chapter 18 is complete, staff felt that any future review of Chapter 18 related issues would be more appropriately be considered by a limited-term task force or work group rather than a permanent County board.

Staff also pointed out that, in the past year, eight CDAB meetings were held, with several canceled due to lack of quorum. It has been difficult to fill vacancies on this board. If Council had not already removed CDAB as a permanent board, staff would have recommended its removal as part of this item.

Review of scope and support required for BCCs and possible considerations for realignment of current BCCs

In response to a question from Council, staff estimated that supporting a board, commission, committee, or task force required

approximately 12-17 hours per month of staff time, which translates to almost 3,000 hours of staff time in a year. Staff felt that overhead costs of supporting these bodies could be significantly reduced and these bodies might also operate more efficiently if they were converted to working groups. This would include the Tourism Implementation Task Force and subcommittees to the Parks and Recreation Board. Staff will return to Council for consideration and approval of a draft implementation plan for a transition to working groups.

BCC Member Orientation:

The orientation of new Board members is left to the staff liaison and Chair of the Board. Staff will perform a review of BCC member orientation and training to ensure completeness and appropriateness. This review will highlight training that is needed for all boards and what specific training is needed for certain BCCs. Staff will return to Council for consideration of approval of an updated training plan.

Community water and energy conservation outreach services

As part of the Consent agenda, Council approved the contract between Pajarito Environmental Education Center (PEEC) and the Department of Public Utilities (DPU) to assist in water and energy conservation outreach efforts with the Los Alamos County school systems and the community.

Local news coverage

Additional details on the BCC discussion at this meeting are provided in the article by Kirsten Laskey, *Los Alamos Daily Post*, January 26, 2023

<https://ladailypost.com/council-action-taken-jan-24-2023/a>

June Fabryka-Martin and Craig Martin

NEW!! – Council Vacancies and Agenda Tickler

Farewell to LWVLA Member Ed Birnbaum

The League was sad to learn of the recent death of our valued member Ed Birnbaum, who served on our Budget Committee and was the husband of Amy Birnbaum, our longtime Arrangements organizer.

Ed's great gift to our community was as a questioner and commentator. He always seemed to understand the implications of County and League proposals. He asked astute questions and wrote letters to the editor that helped the community assess the importance of issues being debated. His wisdom will be sorely missed

New Material!

Our wonderful Observer Corps team has added to their monthly report the two new items that follow. The "Tickler" is the list of tentative agenda items for the month. We are hoping the publication of "Board and Commission Vacancies" will induce more volunteers to help run our County government.

COUNCIL VACANCIES

County BCC Vacancies as of January 31, 2023

The County has 12 standing Boards and Commissions (BCCs). Their general purpose is to advise the County Council. All are listed here, with the number of vacancies for each.

➤ Art in Public Places Board	1
➤ Board of Public Utilities	0
➤ County Health Council	7
➤ Environmental Sustainability Board	1
➤ Historic Preservation Advisory Board	0
➤ Labor Management Relations Board	0
➤ Library Board	0
➤ Lodgers' Tax Advisory Board	3
➤ Parks and Recreation Board	4
➤ Personnel Board	1
➤ Planning and Zoning Commission	1
➤ Transportation Board	1

Terms range from 1-5 years. County residents who neither hold public office nor are employed by the County may apply online at the link below*.

* https://www.losalamosnm.us/government/boards___commissions



TICKLER – COUNCIL AGENDA



Tentative Council Agenda Items for February 2023

These are some salient items from the 2/7/23 County Council meeting for your planning purposes.

- Placeholder - Reframing the Pueblo Canyon conceptual trail project to a county-wide trails & non-motorized transportation plan*
- Bear cart survey results, dumpster discussion*
- Introduce the Short-Term Rental project – purpose, scope and input process*
- Presentation and possible adoption of Community Services Department Integrated Master Plan**
- Tennis complex project site selection**
- General Services Feral cattle capture contract*
- Introduction of Gas Rate Ordinance*
- Gas Rate Ordinance*

* - Action requested at 2/28/23 meeting

** - Action requested at 3/7/23 meeting

January Lunch with a Leader: Council Chair Denise Derkacs

Councilor Denise Derkacs was elected to lead the County Council at their meeting on January 3. She began her talk by listing the strategic priorities chosen by the Council on January 10. "The five overarching goals we agreed to are quality governance, operational excellence, economic vitality, quality of life, and environmental stewardship." The final plan will be approved on February 7. She remarked that a new website under development will enable the public to follow Council performance.

Transparency was the major topic at the meeting. In response to a request that she address the issue, Chair Derkacs reported that each January at the first meeting of the year, Council adapts a resolution establishing the minimum standards of notice to the public for all meetings of the Council as well as meetings of County boards, and other bodies created by the Council. The ten County working groups are not subject to the Open Meetings Act (OMA). Furthermore, she said, "All Council decisions are made by public vote and must pass with a majority of four affirmative votes." The councilors are not allowed to discuss upcoming votes with more than two other councilors, so they do not know in advance the outcome of a vote. She added, "Interestingly, these restrictions do not apply to our state legislators."

In addition to posting the agendas 72 hours in advance as required by the OMA, the tickler will now be included with the agenda packet. Derkacs asked what more would the public recommend to make the Council transparent? During the Q and A that followed her presentation, she received many suggestions.

Los Alamos Reporter journalist Maire O'Neill suggested that important issues currently included in the County Manager's Report be listed on the agenda so that the public would have notice that those items would be discussed. Chair Derkacs said that

she would look into this further and discuss it with the County Manager. June Fabryka-Martin requested that councilors be asked to explain their votes during the Council meetings. Derkacs replied that explanations were not required, but she agreed that it was a good idea.

O'Neill asked Derkacs if she believes there is a difference between transparency and publicity. She has found that while the County does publicize meetings, the County staff and councilors are unwilling to discuss current issues with her. She believes that transparency is when the government is willing to speak to press about why they are voting a certain way. Chair Derkacs said that she thought the OMA prevented councilors from speaking freely to the press lest the press receive responses from four councilors. However, she later consulted the County Attorney, who said the OMA does not restrict councilors from talking to the press except on matters discussed in closed sessions such as personnel issues or the sale or acquisition of real property or water rights.

Jean Dewart said that, even though she was on the Planning and Zoning Commission at the time, she was unaware until six months after the fact that a steering committee had been created to support the consultant hired to update the Development Code. "There was no public outreach to say the steering committee was going to be established and some people felt as if the County staff were picking their friends in the development community." She added that "I think it's because we have too narrow a view of public involvement. It's more than the 72-hour notice of an agenda. I would recommend some training in public involvement for our leading County staff."

Another issue Chair Derkacs addressed was public comment and feedback. The Council treats public comment and feedback in accordance with Council rules. Besides the specified times for public comment at meetings, protocol calls for the chair to respond to all emails to Council. When the Council receives a petition, they have four options: to acknowledge and take no further action; take the requested action; refer to a

committee; investigate the subject and set a future date for discussion. Derkacs said that social media not the most effective way to communicate because not all the councilors look at it and fewer respond. She said she is interested in hearing from those at the meeting regarding the handling of public comment.

The third topic Derkacs spoke about was the environmental review of proposed projects. She said that the first step was to hold public information meetings to determine if there was sufficient interest before investing funds, then bring in consultants. Becky Shankland objected that “we hire consultants who are a bit tone deaf.” Derkacs responded that indeed the County could do a better job of coordinating between staff and consultants and trying to anticipate public reaction.

Regarding environmental review, Derkacs reported that the County is maintaining an inventory of trails based on types and usage with the intent to improve and better maintain our trails for public use. Plans for the Pueblo Canyon mountain biking trail are on hold; the Council had approved maintenance of the current 18 holes of the golf course with no expansion; a new tree mitigation plan has been formulated with funds provided to replace dying trees; a baseline greenhouse gas study is underway preliminary to setting reduction targets; a green building resolution (for County buildings), anti-idling policy for County government vehicles and restrictions on the use of the herbicide glyphosate are in effect. Furthermore, the County has appointed Angelica Gurule to the new position of Sustainability Coordinator. She is expected to engage in county-wide projects to help minimize environmental impacts.

In response to a request for further suggestions, Kevin Holsapple asked that the County engage with the Pajarito Roundtable before engaging in a project with implications for open space and trails. Reid Priedhorsky asked what principles should govern the use of public funds for investing in things like recreational facilities. Derkacs said she was not sure she could point to a simple set of principles but that certainly her approach and she believes the approach of Council as a

whole has been to look for investments that can benefit broad segments of the community.

Eduardo Santiago commented that Council has a long tradition of deferring to staff recommendations, staff perspective and, priorities that differ from those of citizens. Derkacs disagreed. “Council does not always follow the recommendations of staff. It is a balancing act and it is really on each individual councilor to do their homework and be prepared and informed before they vote,” she said.

For follow up on any concerns, Chair Derkacs encourages residents to write to her or to all of Council: CountyCouncil@lacnm.us.

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
- Reservations: Amy Birnbaum
- 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

Page

<i>Calendar.....</i>	<i>1</i>
<i>No Lunch with a Leader This Month.....</i>	<i>1</i>
<i>Annual Fund Drive Party on Monday, February 27.....</i>	<i>1</i>
<i>Co-President's Message: Can We Make Our Political System Less Polarized?.....</i>	<i>2</i>
<i>League Days at the Legislature.....</i>	<i>3</i>
<i>2023 Legislative Preview.....</i>	<i>4</i>
<i>Observer Corps Reports - County Council - Regular Session - January 3.....</i>	<i>6</i>
<i>Observer Corps Reports - County Council Special Session - January 10.....</i>	<i>6</i>
<i>Observer Corps Reports - Planning & Zoning Commission Public Hearing - January 11.....</i>	<i>9</i>
<i>Observer Corps Reports - County Council - Regular Session - January 24.....</i>	<i>11</i>
<i>Farewell to LWVLA Member Ed Birnbaum.....</i>	<i>15</i>
<i>New Material!.....</i>	<i>15</i>
<i>NEW!! - Council Vacancies and Agenda Tickler.....</i>	<i>15</i>
<i>January Lunch with a Leader: Council Chair Denise Derkacs.....</i>	<i>16</i>
<i>LWVLA Board of Directors 2022-2023.....</i>	<i>17</i>
