

LWW LEAGUE OF WOMEN VOTERS[®] OF LOS ALAMOS UPDATE

Newsletter of the League of Women Voters of Los Alamos
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FIRST CALL TO LWVLA ANNUAL MEETING – In Person!

April 20, 2023 at the Unitarian Church

Calendar

March 6	Fund Drive Party, 6 Mariposa Ct., White Rock, 6:30 p.m.
March 15	Lunch with a Leader, Angelica Gurule, Zoom, noon
March 23	Board Meeting, Zoom, noon
April 20	Annual Meeting: Lunch with a Leader; LWVLA annual business meeting, Fellowship Hall, Unitarian Church, 1738 N Sage Loop St., noon-2:30 p.m.
April 27	Board Meeting, Zoom, noon
April 29-30	LWVNM Convention in Los Alamos

Lunch with a Leader: Environmental Services Manager Angelica Gurule

Our March 16 Lunch with a Leader speaker will be Angelica Gurule, the County Environmental Services Manager. Gurule was born in Santa Fe and resides with her son in Española Valley. She was appointed to her current position in 2022. Previously she served as our Environmental Services Division Manager for nine years. She is dedicated to environmental stewardship and community engagement.

Gurule obtained her Bachelor of Science degree in Environmental Science from the University of New Mexico and holds Master of Science degrees in Sustainable Environmental Resources Management from the University of Malta and Information, Science, and Technology from James Madison University. She is also a nationally certified Sustainable Resource Manager. Prior to working for the County, Gurule was employed by Los



*Angelica Gurule. Courtesy
photo*

Alamos National Laboratory for ten years. She worked in the Human Resources and the Environmental Stewardship Office, where her work was dedicated to pollution prevention, sustainability, and waste reduction. She also worked for the Department of Game and Fish, contributing to wildlife conservation.

Karyl Ann Armbruster

Co-President's Message: Bingaman's Important Insights into the Breakdown of Congress

As Barbara reports in her summary of the League Days at the Legislature, former Senator Bingaman highlighted points of his recent book, titled *Breakdown: Lessons for a Congress in Crisis*, in his talk at our Wednesday night reception.

Bingaman suggested four governing norms that were violated and led to the damaging inability of Congress to do the “people’s work” of governing.

First is the threat to shut down the government. He quotes Senator Lamar Alexander’s observation:

Shutting down the government ... should never, ever be used as a bargaining chip for any issue, period. It should be to governing as chemical warfare is to real warfare. It should be banned. It should be unthinkable.

One wonders how this threat could be successfully banned—it seems impossible to enact into law nor to achieve as an agreement of any sort, now that it has been used at least four times by congressional groups wishing to throw a wrench into the gears of governance. There were measurable political consequences, at least in public opinion, after the two government shutdowns in 1995-96. But these consequences were not strong enough to prevent the current threat to our government.

Second is the threat to default on the debt. Again, the problem is how to achieve any agreement on the importance of honoring our debts. As with the first threat, it is hard to write into law, even though it surely is a threat that would diminish our status on the world stage. Bingaman traces the origin of this threat to a comment made by Speaker of the House Newt Gingrich:

If you are going to operate with his [the president's] veto being the ultimate trump, you...had to find a trump to match his trump. And the right not to pass money bills is the only trump that is equally strong.

This standoff between the presidential and congressional branches of government leads to devastating damage to the government’s ability to fund essential services.

The third norm is the right to filibuster. The rules of the Senate governing a filibuster (the right of a minority to use or threaten extensive debate to obstruct a majority’s passage of a law) have changed over the years. But the rules for ending a filibuster can only be overturned by another Senate vote.

Bingaman’s fourth governing norm is the obligation of the Senate to consider a Supreme Court nominee. When Senator Mitch McConnell refused to consider President Obama’s nomination of Merrick Garland nine months before the end of Obama’s term, there was no opportunity to override McConnell’s decision. McConnell had the power of a Senate rule that exempted presidential Supreme Court appointments from filibusters, while Obama had only his presidential right of

nomination and his appeal to the court of public opinion. Ironically, that Senate rule exempting Supreme Court appointments was passed by Democrats.

It was fascinating to hear Bingaman's analysis of these violations of government norms and consider how they could be remedied.

Becky Shankland

Sources: Senator Bingaman's shared notes from his talk; *Wikipedia*, entry on United States federal government shutdowns; npr.org, What is the filibuster, explained; *Wikipedia*, entry on Barack Obama's Supreme Court candidates.

Capital Improvement Projects

The County is conducting a poll to gauge interest in ten proposed capital projects. Attendees at two town hall meetings held on February 21 and 23 were asked to participate in the poll, but if you missed those meetings, the poll will be open until March 9. Here's a link to a county news release about the poll:

<https://losalamosreporter.com/2023/02/24/county-capital-improvement-projects-poll-open-until-mar-9/>

and a link to the poll itself: <https://www.surveymonkey.com/r/PM9H2KF>

League Days at the Legislature

Due to the snowstorm, there were many empty tables at the Rio Chama Steakhouse where the League's legislative reception was held, but the Los Alamos League was well-represented. Former Senator Bingaman spoke about his new book, *Breakdown: Lessons for a Congress in Crisis*. He commented that the Senate was not always dysfunctional. He attributes much of the responsibility for the breakdown of governing norms and the increase in polarization to the rhetoric and tactics introduced by Newt Gingrich, who served as Speaker of the House in the mid 1990s. His book includes advice to Congress and individual members about how to repair the damage.

February 16 was League Day. We set up a table commemorating the 19th Amendment, using materials from our 2021 exhibit at Mesa Library. I attended a hearing of the House Energy and Natural Resources Committee while Becky stayed at the table to answer questions. At 10 a.m. League members gathered in Morgan Hall of the State Land Office, where State Land Commissioner Stephanie Garcia Richard



Becky Shankland and Barbara Calef with the 19th Amendment Table in the Roundhouse. Photo by Janet Blair

welcomed us and explained her priorities for the session, which include passing HB 95 to create a Natural Resource Office in the State Land Office and passing HB 16 to allow the royalty rates in future oil and gas leases on State Trust Lands to be increased from 20% to 25%.

Jeremy Farris is the Director of the State Ethics Commission and was a major contributor to the language of HJR 1, the redistricting resolution, which would have put the question of an Independent Redistricting Commission (IRC) on the 2024 ballot. Farris explained his support for an IRC with some personal history. He comes from Montgomery, Alabama, where his family has lived since before the Civil War.

Farris commented, “We believe what we believe because of a role model.” At one time he worked in the Atlanta law office of Emmet Bondurant, who had argued the case of *Wesberry v. Sanders* before the Supreme Court in the 1960s. The decision in that case, along with the decisions in *Reynolds v. Sims* and *Baker v. Carr*, established the principle of one person, one vote, ruling that state legislative electoral districts must be roughly equal in population. Prior to those decisions, there was a huge variation in population among districts within a state.

Later, Bondurant was the lead counsel in *Common Cause v. Rucho*, which challenged North Carolina’s 2016 redistricting plan as an unconstitutional partisan gerrymander. The Supreme Court’s decision in that case was that federal courts cannot make determinations on partisan gerrymandering.

Farris’s principle of government is that, “The power of the folks in government does not belong to them, therefore the public trust is very important.” He believes that people should not draw districts to benefit themselves; it’s a conflict of interest for the legislators to draw their own district lines. Gerrymandering has been part of our traditional system for a long time. We have made some progress with the Citizen Redistricting Committee, but he now believes that the IRC is the only solution. (HJR 1 was later tabled by the House Judiciary Committee. The fight goes on.)

New Mexico Voices for Children Director Amber Wallin explained how Voices got involved in analyzing the state budget. In order to assure that the funding for the needs of children was adequate and equitable, it made sense to study the state revenue. She pointed out that cutting taxes harms equity and adequacy and makes us more reliant on fossil fuel income. The state needs more diversified revenue streams. Wallin believes that the governor, now in her second term, should “go bold,” advocating for just solutions. The regressive gross receipts tax should be lowered; the child tax credit (HB 144) should be passed; the capital gains deduction should be repealed; and personal income tax rates should be amended to be more progressive.



Barbara Calef

from left: Barbara Calef, Felicia Orth, Becky Shankland, Cynthia Biddlecomb, Leslie Wallstrom at the Legislative Reception. Photo by Janet Blair

Observer Corps Reports – County Council – Regular Session – February 7

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

2022 National Community Survey Results

Brandon Barnett, a Polco Survey Research Team Manager, summarized results of Los Alamos County's National Community Survey (NCS) conducted in December 2022. The survey captures residents' perceptions of the County as a place to live, focusing on quality and importance of specific facets of community livability.

Residents generally assigned high ratings to all aspects of public safety, quality of the natural environment, local transportation system, and quality of parks and recreational opportunities. Notably lower ratings were given to components of the local economy, public utility infrastructure, availability of affordable quality health care and mental health care, and trust and confidence in County government.

County Council and County officials intend to use the survey results to help guide strategic planning efforts in identifying priority goals and dedicating necessary resources to improve services, facilities, and initiatives in low-scoring areas (see discussion below on the County's 2023 Strategic Leadership Plan).

Key findings

Economy is an important area of focus for the County. Residents offered high ratings of importance (88% essential or very important) and lower ratings around quality (64%

excellent or good) to the overall economic health of the County.

- Roughly 8 in 10 residents positively rated Los Alamos County as a place to work, and employment opportunities are on the rise, jumping 13 points since 2020 (49% excellent or good in 2022, compared to 36% in 2020).
- Conversely, less than 1 in 10 participants gave favorable evaluations to shopping opportunities and the variety of business and service establishments, both scoring much lower than national benchmarks. Declines were seen in ratings of the overall quality of business and service establishments (32% excellent or good in 2022, compared to 41% in 2020) and economic development (20% excellent or good in 2022, compared to 29% in 2020).
- Ratings related to affordability also tended to be low. Cost of living was rated positively by only about 14% of residents, and when asked what impact, if any, the economy would likely have on their family income in the next six months, only 12% of residents expected the impact to be somewhat or very positive, both scoring lower than the national benchmark.

Residents identify the community's utility infrastructure as a priority. When asked which aspects of the community Los Alamos County should focus on in the next two years, 90% of residents identified the overall utility infrastructure as a priority.

- About half of participants gave high marks to the quality of the utility infrastructure in Los Alamos County, a 23-point drop since 2020.
- Sewer services, stormwater management, drinking water, and garbage collection all had strong ratings, with close to 9 in 10 residents offering excellent or good reviews.
- Power (electric and/or gas) utilities showed a significant decline since 2020 (62% excellent or good in 2022; compared to 87% in 2020), indicating a potential area of focus.

- Close to 4 in 10 residents positively evaluated affordable high-speed internet access, scoring lower than benchmark comparisons.

The natural environment in the County is highly valued by its residents. Ratings for survey items related to the natural environment tended to be positive and on par with or above national averages. About 95% of residents gave excellent or good reviews to the overall quality of the natural environment.

Residents give low marks to County government performance. Although residents generally assigned high ratings for overall customer service provided by County employees (82% excellent or good), their ratings for survey items related to the County's government performance tended to be low.

- About 36% gave excellent or good reviews to the overall confidence in County government, a decrease from 48% in the 2020 survey.
- Residents gave similar low ratings to their opinions about the overall direction that the County is taking (35% positive), the job that County government does at welcoming resident involvement (39%), and confidence that the County government is acting in the best interest of the community (38%), is being honest (42%), and is being open and transparent to the public (37%).

Public access to survey results

The survey included three open-ended questions that garnered over 2,500 responses. The responses to these open-ended questions can be viewed by scrolling down to "Community Survey Results" on the County's "Open Gov" portal.

https://www.losalamosnm.us/government/open_gov

At the same link, one can also find survey results summarized to show the proportion of respondents giving a positive answer sorted by various demographic categories.

Carbon Free Power Project

Council unanimously approved to increase its subscription to the Carbon Free Power

Project (CFPP) from 1.8 megawatts to 8.6 megawatts.

The CFPP is a proposed nuclear electric generation facility to be constructed at an Idaho National Laboratory site using small modular reactor technology. The plant is projected to be operational by 2030 with a total capacity of 462MW. The Integrated Resource Plan adopted by the Board of Public Utilities (BPU) in June 2022 recommended that the County pursue 8 MW in the CFPP based on the County's current asset mix, forecasted load, and the goal to be a carbon-neutral electrical energy provider by 2040 (see observer report of 6/21/22 Council work session in LWVLA Update, August 2022).

2018 CFPP power sales contract at an "off-ramp" point

Utilities Manager Shelton described the current status of the CFPP project. Council previously approved the Carbon Free Power Sales Contract dated April 1, 2018, under which a cost target of \$58/Megawatt hour (Mwh) was set for CFPP power output sold to CFPP participants. However, the recently updated project cost estimate indicated that the Project could not meet the \$58/Mwh cost target, and established a new cost target of \$89/Mwh. Consequently, because the 2018 sales contract term will not be met, the Project is at an "off-ramp" point where Council has four decision options: exit the project, continue with the Project at its current level of subscription, increase its subscription, or decrease its subscription. Shelton summarized budgetary impacts for each option.

Proposed 2023 CFPP power sales contract

Continued participation in the Project would be under a revised budget and plan of finance which sets the project cost target at \$89/Mwh, with an additional assurance of meeting a minimum subscription level of 80% (of the plant's capacity) by February 1, 2024. Currently, the subscription rate is 23% because only a third of participants (27) have decided to continue in the project. If target cost and subscription requirements are not both met by February 1, 2024, said Shelton, the CFPP's Project Management Committee will likely

declare the CFPP project to be a failure and shut the Project down. Participants would then be reimbursed for a majority of the development costs at that time. However, if both criteria are met as of 1/10/2024 and the Project is at Class 2 Project Cost estimates, Shelton felt confident that the Project would be successfully completed on time and within budget.

Role of CFPP in the County's energy portfolio

The CFPP is only one of several power sources in the County's energy portfolio, which also includes renewable sources such as hydroelectric, wind, and solar power plants. However, noted Shelton, constraints on the electric grid are increasing with severe drought conditions affecting hydroelectric facilities across the west, threats of wildfire, and extreme weather patterns. As one example, Shelton cited market prices reaching \$1,650/Mwh during the August 2020 heat wave, costing the Los Alamos Power Pool approximately \$1.4 million dollars over a 10-day period.

"The advantage of the CFPP," said Shelton, "it's dispatchable and firm. ... The capacity of that plant is superior to any type of carbon-emitting plant. It brings in some of that attribute that we can't get with all renewables."

The staff report for this agenda item pointed out that continued participation in the CFPP provides flexibility to the Los Alamos Power Pool to determine an optimal level of CFPP subscription for a diverse generation portfolio which considers the economics, reliability, and operational flexibility to achieve the County's goal of being a carbon-neutral electrical energy provider by 2040. Put in layman's terms, "It's kind of like a mutual fund investment," Shelton said. "You don't want to put all your eggs into one basket. You want to have different attributes to support our operations."

Discussion

Chair Derkacs asked, "One question that I get from constituents is why are we investing in a power project way up there (in Idaho)?" Shelton noted that seismic hazards and water resources were among the factors that limited

siting such a project in our state. Having multiple owners is another necessity, he said. "We just exited the San Juan Project, which has eight owners. You need multiple owners to finance these large projects."

"I believe we need to do everything in our power to get to net carbon zero by 2040," said Councilor Havemann. "I like that this helps to diversify our power portfolio, and I like that it provides an option for dispatchable firm power. I also think that our exposure is somewhat limited with this option and we can still revisit it in the future."

Community Food Composting Program (Consent Agenda item)

Council gave permission for the County to apply for grant funds from the Environmental Protection Agency's Solid Waste Infrastructure for Recycling (SWIFR). If awarded, the County would use these funds to develop a community food composting program and facility for the purpose of diverting food waste generated by residential and commercial customers from being disposed of in the landfill.

Kinnikinnik Park Trail ADA Improvements

The County's Community Services Division (CSD) received a grant for the Parks Division through the New Mexico Economic Development. This grant will be used to make Americans with Disabilities Act (ADA) improvements to the Kinnikinnik Park Trail. Council gave permission for the County to revise its 2023–2030 budget to give the CSD authority to spend these grant funds.

Nuisance Code Implementation Review Task Force

Council unanimously approved the charter for the formation of a Nuisance Code Implementation Review (NCIR) Task Force, which will consist of five members and will sunset after one year.

The charter for the NCIR Task Force requires appointed members to:

- Review the implementation and interpretation by County staff of the new code;
- Review data and reports for one year, including monthly property maintenance code enforcement reports, courtesy letters, notices of violation, citations, and photographic evidence;
- Engage affected members of the public and relevant County staff;
- Assess the effectiveness of communication of programs that support implementation of Code requirements, including assistance programs; and
- Prepare and present a report to the Council of issues and recommendations.

Council is currently seeking Letters of Interest to fill the NCIR Task Force. Interested residents should email Letters of Interest to lacmanager@lacnm.us no later than 5 pm March 16. Council will review the letters and appoint Task Force members at its March 28 meeting.

2023 Strategic Leadership Plan

Council voted 6–1 to approve the updated strategic leadership plan, with Councilor Reagor in opposition. The vision statement, five goals, and corresponding 22 priority areas of the updated plan are reproduced below in their entirety.

Adopted vision statement

Los Alamos is a world-renowned community where discovery and innovation are inspired by its dramatic history. Extraordinary educational, recreational, and cultural opportunities abound in a vibrant and welcoming small-town atmosphere situated in a magnificent mountain setting.

Strategic Goal #1. Quality Governance

Quality governance is participatory, consensus-oriented, transparent, accountable, effective, efficient, and responsive to the present and future needs of stakeholders. County priorities are:

- Communication and Engagement. Inform, educate, and engage community members

on County projects, policies, and goals to promote a culture of open communication and collaboration and foster exceptional customer service.

- Intergovernmental and Regional Relations. Collaborate and problem-solve with the County's major employers; community partner organizations; neighboring Pueblos; and regional, state, and national governmental entities.
- Fiscal Stewardship. Maintain fiscal sustainability, transparency, and compliance with applicable budgetary and financial regulatory standards.

Strategic Goal #2. Operational Excellence

Operational excellence involves having structures, processes, standards, and oversight in place to ensure that effective services are efficiently delivered within available resources and that services continuously improve to anticipate and meet future needs.

- Effective, Efficient, and Reliable Services. Deliver customer-focused, accessible, reliable, and sustainable services to the community through sound financial management, collaborative decision-making, effective communication, and efficient implementation.
- Infrastructure Asset Management. Evaluate the County's assets and infrastructure to first prioritize funding to best maintain and protect those investments and second to inform new investments.
- Employee Recruitment and Retention. Attract and employ diverse and highly qualified staff, retain staff through development and growth opportunities, and promote staff to address increasingly complex challenges.

Strategic Goal #3. Economic Vitality

Economic vitality encompasses the ability of the community to diversify, develop, grow, and sustain the many elements necessary for a local economy to flourish.

- **Housing.** Increase the capacity for new housing development and the amount and variety of housing types to meet the needs of a growing population, particularly middle- and lower-income households.
- **Local Business.** Encourage the retention of existing businesses, facilitate the startup of new businesses, and assist in their opportunities for growth.
- **Downtown Revitalization.** Revitalize the downtown areas of Los Alamos and White Rock by facilitating development opportunities in accordance with the downtown master plans.
- **Tourism and Special Events.** Continue sponsoring special events and promoting tourism, by enhancing amenities and utilizing facilities, to support the local business economy.
- **Community Broadband.** Provide community broadband as a basic essential service that will enable reliable high-speed internet services throughout the County at competitive pricing

Strategic Goal #4. Quality of Life

Quality of life is a reflection of general well-being and the degree to which community members are healthy, comfortable, welcomed, included, and able to enjoy the activities of daily living.

- **Health, Wellbeing, and Social Services.** Improve access to behavioral, mental, and physical health and social services and amenities to address identified issues and to sustain Los Alamos County's rating as the healthiest county in New Mexico.
- **Diversity, Equity, and Inclusivity.** Promote diversity, equity, and inclusivity through awareness training, targeted events, and expanded opportunities for diverse interests.
- **Mobility.** Improve and expand access to alternative modes of travel including public transit, cycling, and walking amenities and services.
- **Educational, Historical, and Cultural Amenities.** Promote educational and

cultural opportunities, in coordination with community partners, and provide for the preservation and restoration of historic buildings and the protection of archaeological sites.

- **Open Space, Parks, and Recreation.** Protect existing open space and maintain and improve parks and recreation facilities and amenities as defined by adopted plans and approved projects.
- **Public Safety.** Ensure overall community safety through proactive and sustained implementation of police, fire, hazard mitigation, and emergency response plans.

Strategic Goal #5. Environmental Stewardship

Environmental stewardship is the responsible use and protection of the natural environment through active participation in conservation efforts and sustainable practices that enable interaction in productive harmony with the natural environment.

- **Natural Resource Protection.** Take actions to protect open space, protect the wildlife and wildland interface, safeguard water, and mitigate tree loss in the community.
- **Greenhouse Gas Reduction.** Establish targets for and promote the reduction of greenhouse gas emissions, integrate sustainability and resiliency practices into County operations, and encourage energy-reduction enhancements for new and remodel building projects in the community.
- **Carbon-Neutral Energy Supply.** Achieve carbon neutrality in electrical supply by 2040 through diversified carbon-free electric sourcing and promote energy efficiency and reductions in natural gas usage.
- **Water Conservation.** Reduce potable water use and increase non-potable water use and water harvesting for irrigation where suitable.
- **Waste Management.** Manage waste responsibly by diverting waste from landfills through recycling, re-use, composting and waste reduction programs, and zero-waste education campaigns to promote a circular economy.

What's next

County staff will be defining concrete actions in management plans for addressing each of the adopted priorities. Many of the actions will come from existing County plans. An electronic dashboard is under development in parallel with the County's new website implementation. The purpose of the dashboard is to capture the scope of what the County does and to enable measurements to be assigned and tracked.

Local news coverage about this meeting

Kirsten Laskey, *Los Alamos Daily Post*, February 9, 2023,
<https://ladailypost.com/council-action-taken-feb-7-2023/>

Maire O'Neill, *Los Alamos Reporter*, February 15, 2023,
<https://losalamosreporter.com/2023/02/15/county-governance-scores-low-in-2022-los-alamos-community-survey/>

June Fabryka-Martin and Craig Martn

Observer Corps Reports – County Council – Regular Session – February 28

The hybrid session was attended by Council Chair Denise Derkacs and Councilors Theresa Cull, Keith Lepsch, and David Reagor in person, with Councilor Randall Ryti participating via Zoom. Councilors Melanee Hand and Suzie Havemann were absent. Our observer report is based upon discussion during the meeting and documentation provided in the full agenda.

Los Alamos County Short-Term Rental Program Development Project

Council was briefed on a project underway to develop a short-term rental program in the County. Short-term rentals (STRs), also known as vacation rentals, are defined as dwelling units rented for less than 30 days. In

the past decade, the popularity of STRs has skyrocketed due to the rise of online platforms such as AirBnb that conveniently connect STR owners with guests.

Community Development Department (CDD) director Paul Andrus explained that the County has contracted with Wilson & Co. to engage the community in the preparation of a STR report that will establish a mechanism for STRs to legally operate in the County. The consultant's report, scheduled for delivery in April/May 2023, will recommend a compliance and tracking program for the County and a draft Ordinance for Council approval.

STR project objectives and outreach efforts

Noah Berke, a Certified Planner with Wilson & Co., set forth the project purpose by noting that the County's development code is currently "silent" about STRs. Because STRs have drawbacks as well as benefits, the County wants to establish a mechanism for them to legally operate, addressing such issues as business registration, health and safety concerns, and compatibility with the neighborhood.

"Community engagement will be absolutely vital for the success of this project," said Berke. Outreach efforts include public meetings, monthly steering committee meetings, online public surveys, and a project website, all with the goals of understanding the local community's experience with, and perceptions of, short-term rentals and gauging the STR regulations that the local community would support.

The STR steering committee is composed of representatives of a wide range of community interests: local industries (lodging, medical, realty), economic development, neighborhood and housing advocates, County staff, and Planning & Zoning Commissioner David Hampton. The Project website (<https://www.livehostvisitlac.org/>) will contain regular project updates, including presentation slides, detailed meeting summaries and draft documents, as well as providing a conduit through which residents and stakeholders can contact the Project Team at any time via the website.

Public survey in progress

The project's first public survey is available at <https://www.livehostvisitlac.org/surveys> or at the Municipal Building. Berke said that the site had garnered 170 survey responses so far. If you haven't already done so, please take the survey to share your thoughts about short-term rentals in the County. The survey can be completed through Friday, March 24th (paper) or Sunday, March 26th (online).

Preliminary research

Ben Bachwitz, also a Certified Planner with Wilson & Co., highlighted results of the consultant's preliminary research. In northern New Mexico, STR regulations have been adopted by Taos, Santa Fe, and Albuquerque. Common elements of such STR regulations are zoning requirements specifying where STRs are allowed, a limit on the number of permits allowed to be issued each year, public noticing requirements for new STRs, and the requirement for a local contact person or property manager.

Council discussion

Councilor Cull asked whether anyone knew how many STRs currently existed in Los Alamos County. CDD Senior Planner Sobia Sayeda replied that about 20 to 30 STRs were identified from a quick scan of the internet. Berke said that about 1400 STRs are actively operating in Santa Fe County, primarily within the city limits.

Councilor Ryti wondered whether the number of STRs would decrease if STR regulations were put in place. "There's a potential for that," said Andrus, "if there are some considerations for health and safety within the particular unit that might impact someone who may not be interested in making those changes to their property, say, for instance, fire-safety type considerations."

Councilor Ryti recalled that no one came to speak in favor of STRs when this topic came before Council about a year ago. "So at the one meeting that you've had," he asked, "were they speaking in favor of short-term rentals?" Berke replied, "We did have members of the public who seemed to be pro short-term rentals

at our first public meeting. In fact, I don't think there was anybody who spoke out really against them. If anything, the conversation centered around... what type of regulations should we put into place, why are we putting regulations in place." Berke hastened to add, "and, at this point, we're not putting regulations in place, this is a program development."

Although comments at the public meeting were mostly pro-STR, Berke noted that the Steering Committee includes neighborhood advocates who are voicing their concerns from the neighborhood perspective.

Chair Derkacs asked, "Do we have any sense of whether short-term rentals would interfere with long-term rentals, because we do have a housing shortage in the County?" Berke elaborated on the complexities that underlie this question by citing examples from his experience in Santa Fe, where STRs are commonly second homes for the owners. "People don't necessarily want to make those long-term rentals, they want to make them short-term rentals... and then there's also the whole component of 'do I rent one bedroom out in my house,' and 'do I rent that out at a short term' because you can collect a lot more money than on a long-term rental... But so far with the Steering Committee, we do have some members of the housing community and they haven't voiced that as a primary issue yet."

Chair Derkacs ended the discussion with the comment, "From my perspective, the County should definitely continue to study this and develop requirements for STRs."

Bear-resistant Roll Cart and Dumpster Programs

By a vote of 4–1, with Councilor Ryti in opposition, Council passed a motion that the County will distribute bear-resistant roll carts by request only, at least through the end of this year, rather than proceeding with the original plan to deploy them County-wide. Council will revisit this decision in December when more data will be available on the effectiveness of the carts in reducing bear/trash encounters.

Overview of the programs and their intents

Public Works Director Juan Rael presented a brief overview of the history of the bear-resistant roll cart and dumpster programs. During FY22 budget hearings, Council authorized a budget option for \$2.4M for deploying bear resistant dumpsters and roll carts throughout the County. The program's intent was to protect residents by reducing human-bear interactions and to protect and prevent bears from being euthanized.

The 260 bear-resistant dumpsters were purchased and delivered to customers in fall of 2022. However, the purchase of 7,250 bear-resistant roll carts represented such a significant investment that the County chose to implement this program more slowly and strategically. Its initial purchase was limited to only 680 carts, leaving nearly \$1.4M of the allocated budget unspent.

Rael said that Public Works staff were seeking Council direction on the roll cart program. Direction will determine rates and future purchases of the containers. Three options were suggested for Council consideration:

- Option A. Continue the original plan of distributing bear-resistant roll carts to all County households. This would involve a one-time cost of \$1.64M and recurring replacement costs of \$82,074.
- Option B. Distribute bear-resistant carts only to Los Alamos households (since bear/trash encounters have rarely, if ever, been a problem for White Rock households). This would involve a one-time cost of \$1.07M and recurring replacement costs of \$53,501.
- Option C. Distribute bear-resistant carts by request only, as an opt-in program. This would cost \$33,900 per year plus \$1,698 annual replacement costs. Historically, Environmental Services has received 150 requests for bear carts annually so this number was used to estimate the costs for Option C, assuming a price of about \$226 per cart.

Bear-resistant roll cart pilot program

North Community 3 was selected as the test group for the bear-resistant roll carts because this neighborhood has the highest concentration of reported bear incidents. Carts were delivered to 480 households in this area on August 25, 2022. Sustainability Manager Angelica Gurule summarized the results of the survey conducted by the Environmental Services Division in November 2022, which asked about the ease of use, the effectiveness of resisting bears, and overall satisfaction. The majority of respondents reported that they were satisfied with the cart (73% positive), that the cart was successful at keeping bears out of the trash (88% positive), and that they did not wish to revert to their original trash cart (81%). About 34% of the respondents reported problems using the cart, such as its weight, poor maneuverability, and difficulty opening and closing the latch.

Bear-resistant dumpster program

Rael reported that Public Works has also received mixed reviews on the bear-resistant dumpster program. "Some customers love them, and one positive that we've seen is that we've seen a reduction in illegal dumping of some large items such as mattresses and couches that sometimes get thrown into the old-style ones. And we've also received some concerns," Rael continued, "mainly about the weight of the door and the height. So, we feel that both these issues can be improved by the addition of a metal step," which gives the user better leverage for opening the lid.

Council discussion

An extensive discussion ensued regarding the effectiveness of the roll cart and dumpster programs in reducing bear/trash encounters.

Chair Derkacs asked whether there has been a decrease in bear problems. Gurule replied that it was too soon to judge the effectiveness of the roll cart program since the carts were deployed in August, thereby missing the peak of the bear season. Furthermore, even as bear visitation becomes less of a problem in areas with bear carts, Gurule speculated that those bears would probably

just shift their activities from that neighborhood to surrounding neighborhoods. "Bears can migrate over 500 miles on a regular basis; that's their territory," she said, "and they can smell trash for 20 miles away. So yeah, they're going to keep moving down the neighborhood until they find a food source."

Several councilors expressed the concern that, even in neighborhoods plagued by bears, not all residents would voluntarily opt into the bear-proof roll cart program. Chair Derkacs asked, "How is the County going to communicate to the public that the carts, for the most part, are working and most people are satisfied with them, so as to encourage folks who live in areas where they've had bear encounters to request them?" Gurule responded that the approach taken would depend upon which option was chosen by Council for the program. "If you did choose Option C, which would be just to have them on-hand and offer them on a voluntary basis, we would probably work really closely with Julie Williams-Hill to advertise that service to our residents."

Councilor Ryti felt that Council should not be hasty in cutting back on program funding after only one year into a pilot study conducted in only one neighborhood. He suggested that it might be better to bring this item back for discussion in the future so that the decision could be made when more data were available.

As a compromise, Chair Derkacs suggested that the County consider trying the opt-in approach on a trial basis, distributing roll carts on request only, and revisit it in a year to see whether issues have been resolved.

Local news coverage about this meeting

Kirsten Laskey, Los Alamos Daily Post, March 2, 2023.

<https://ladailypost.com/county-council-action-taken-feb-28-2023/>

June Fabryka-Martin and Craig Martin

Annual Meeting of LWVLA

Following Lunch with a Leader from noon to 1 on April 20, we will hold our Annual Meeting. The meeting will begin at 1 p.m. and end at 2:30. We will review our positions, decide on the program for the following year, approve the budget, and elect a new board. Please mark your calendars!

According to the LWVLA Bylaws, the report of the Nominating Committee and the proposed budget shall be sent to all members one month before the date of the Annual Meeting. They will also be included in the April *Update*, which will be sent to all members by snail mail.

LWVNM Convention Will Take Place in Los Alamos

The LWVNM Convention will be held in Gibson Hall of Bethlehem Lutheran Church on the mornings of April 29 and 30. Delegates from the four local Leagues and the state board will meet to discuss the program, budget, proposed bylaws changes, and to elect a new state board. All League members are welcome to participate in the discussions. Watch for more information in the Spring *La Palabra*. If you wish to join us for lunch on Saturday or the banquet on Saturday night, you may register using the form in *La Palabra*.

Tickler Report of Tentative Council Agenda Items and County BCC Vacancies

TICKLER REPORT OF TENTATIVE COUNCIL AGENDA ITEMS FOR MARCH 2023

This is a partial list of tentative Council agenda items. All of the items are subject to change.

Business items for discussion and possible action

- Integrated Pest Management Plan and Potential Limited Uses of Glyphosate
 - Action requested at 3/7/23 meeting
- Social services update
 - Presentation at 3/7/23 meeting
- Capital Improvement Project (CIP) discussion
 - Presentation at 3/7/23 meeting
- Pajarito Mountain Fire Protection Project - Camp May Waterline
 - Action requested at 3/7/23 meeting
- New Boards and Commissions and Outstanding Recommendations
 - Action requested at 3/14/23 work session
- Transit Study 5-year Service Recommendations
 - Presentation at 3/14/23 work session
- Facility Condition Assessment Presentation
 - Presentation at 3/14/23 work session
- Possible Adoption of Community Services Department Integrated Master Plan
 - Action requested at 3/28/23 meeting

Consent Agenda

- Amendment to the Purchase, Sale and Development Agreement for Real Property Commonly Referred to as 3661 and 3689 Trinity
 - Action requested at 3/7/23 meeting

Public Hearing items

- Resolution of Support Authorizing Application for Funding Assistance to New Mexico Department of Transportation for FY24 and Carbon Reduction Program (CRP) Funds for (a) the Travel Time and Origin and Destination Project and (b) the Street Light Replacement Project
 - Public Hearing at 3/7/23 meeting
- Authorization to apply to New Mexico Department of Transportation for FY24 Transportation Alternatives Program Funds for the Update to the 1998 Pedestrian Transportation Plan
 - Public Hearing at 3/7/23 meeting

COUNTY BCC VACANCIES as of February 28, 2023

Los Alamos County has 12 standing Boards and Commissions (BCCs). Generally, the purpose of a board is to serve in an advisory capacity to the County Council, but some have statutory responsibilities as well. All BCCs are listed below, along with their vacancies.

• Art in Public Places Board	1
• Board of Public Utilities	0
• County Health Council	5
• 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	2

Interested Los Alamos County residents may submit an online application by visiting the County's Boards and Commissions webpage and selecting "apply."

https://www.losalamosnm.us/government/boards__commissions

LWVLA Membership List

Albright, Esta Lee
Allen, Kiyana & Nicholas Glass
Alme, Rosemary & Marv
Archer, McIlwaine
Armbruster, Karyl Ann
Auden, Elizabeth
Bartlit, Nancy & John
Bedell, Bettie
Benson, Jody
Biddlecomb, Cynthia & Paul Bradley
Birnbaum, Amy
Bohn, Laura & Roy
Calef, Barbara
Carpenter, Helen
Casados, Pat
Chaiken, Rebecca & Cameron Counters
Chandler, Christine & George
Collins, Julie
Collins, Linn
Cooper, Beverly
Cull, Theresa
Determan, Andrea
Dewart, Jean
Doolen, Marilyn
Emerson, Jessie
Fabryka-Martin, June & Craig Martin
Frederickson, Rosmarie & Paul
Garimella, Madhavi
Gisler, Susan & Galen
Haval, Lyn
Havemann, Suzie & Scott
Hemez, Cecile
Hertzman, Jeri Berger
Holmes, Jennifer
Hopkins, John
Howell, Jeffrey
Humphrey, Karen
Jacobson, Adelaide
Jones, Lynn & Mark
Jorgensen, Mari
Lemmick, Barbara
LePage, Ann
Machen, Judy & Don
Macke, Jennifer & Josip Loncaric
Marcus, Wendy
Mark, Graham
Mason, Caroline (Cas)
McClay, Marguerite & Andy Fraser

McFarland, Tracy
McReynolds, Maxine
Mills, Alex
Mills, Ellen
Morgan, Sarah
Morris, Don
Mortensen, Jeannette (JJ)
Nakhleh, Stephanie
Nickols, Joyce
Nobile, Anne
Olds, Cristina
Olinger, Colleen
O'Neill, Maire
Orth, Felicia & Evan Rose
Ortiz-Moss, Nereida
Peck, Akkana & Dave North
Prono, Judy
Quinn, Heather & Zack Baker
Reilly, Dorothy
Richardson, Dody & Jack
Rose, Harvey & Sherry King
Santiago, Eduardo & Ginger Young
Sartor, Charlotte
Sartor, Karla & Brian Larsen
Sayre, Katie & Richard
Shankland, Rebecca
Sherwood, Jane
Skolnik, Richard
Stockton, Margie
Swanson, Wendy & Randall Ryti
Thomas, Carroll
Trujillo, Janice
Walker, Carrie
Wallstrom, Leslie
Weisbrod, Elizabeth
Weller, Alahna
Wheeler, Kyle & Mike
Whyte, Helena
Williams, Bob & Judy Buckingham
Williams-Hill, Julie
Wright, Allison (Mickey)

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



MEMBERSHIP FORM

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

Date: _____

Name(s): _____

Address: _____

Phone(s) _____

E-mail(s) _____

Membership Categories: All checks for memberships and contributions should be payable to LWV-Los Alamos and all are tax-deductible. Let us know if you'd like a tax-deduction statement. A substantial portion of Single and Household membership dues support state and national League of Women Voters work. The additional funds from sustaining single or household memberships support Los Alamos LWV initiatives such as the Voter Guide, candidate forums, etc.

_____ 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: Free (must be 16 or over)

_____ Additional donation to support the Los Alamos LWV work: \$_____

_____ 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.

Ways to help the League if you wish to be an active member (check as many as apply)

_____ Register voters at events such as the Farmers Market. Training by the County Clerk's office

_____ Organize/provide refreshments at forums when we meet in person.

_____ Observer Corps: Watch Council, DPU, P&Z meetings etc. and write a short summary to publish in our newsletter. (All meetings are recorded, so you can watch them later.)

_____ Write newsletter articles on a local issue or League activity.

_____ Assist in developing the Voter Guide: edit, develop questions, enter data onto League database, work with news publications to get the information printed, etc.

_____ Assist with Lunch with a Leader: order/deliver lunches when we meet in person, help set up tables.

_____ Website/social media: technical assistance and content development.

_____ Advocate for League positions: communicate with local, state, and federal leaders.

_____ Serve on the LWV-Los Alamos Board.

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