REGIONAL COALITION OF LANL COMMUNITIES

City of Espanola – Los Alamos County- Ohkay Owingeh- Pueblo of Jemez – Rio Arriba County – Santa Fe County – City of Santa Fe – Taos County – Town of Taos

DRAFT Meeting Minutes

March 1, 2019

Española City Hall Council Chambers, 405 N Paseo de Oñate, Española, NM 87532
1:30 pm to 4:45 pm

A. Call to order – Vice-chair Darien Fernandez called the meeting to order at 2:01 p.m.

B. Confirmation of Quorum

Attendees: Vice-chair Darien Fernandez, Treasurer Peter Ives; Secretary David Izraelevitz, Board member Javier Sanchez; Board member Leo Jaramillo

Absent were: Chair Henry Roybal excused, Board member Mark Gallegos, excused, Governor Ron Lovato, Ohkay Owingeh Pueblo, excused, Jemez Pueblo representative excused. Quorum was established.

C. Approval of Agenda

1. Motion to approve agenda by Board member Sanchez, Second by Treasurer Ives. Motion carried.

D. Approval of Minutes

1. Approval of minutes of December 21, 2018
2. Approved: Motion made by Secretary Izraelevitz. Second by Board member Jaramillo. Motion passed.

E. Public Comment

1. Scott Kovak, Nuclear Watch NM – Question regarding cleanup timeframe prior to 1999 as noted on slide presentation from last meeting. He also questioned the increase of funding for cleanup and what that may entail.
2. Suzanne Schwartz, Taos Citizen – Attended retreat and requested a recap/notes on the retreat be posted. She referenced discussion on the possible RCLC name change to not include “LANL” acronym as the RCLC represents all the northern New Mexico communities. She requested the board clearly define LANL’s mission in the revised JPA. Would like more meetings to include public interaction. She is submitting a letter from the Executive Director from Stan Riveles, Chair, of the NNM CAB and other documents. (See attached addendum #1 and supporting documents).
3. Mr. Erich Kuerschner, Taos Economist, stated that he would like an economic impact analysis and also gave his opinion that the more money LANL gets the more dangerous and unnecessary work they do.

F. Treasurers Report

Treasurer Ives reviewed invoices and activity sheets from CPLC New Mexico, Inc. for work completed in December 2018 and January 2019 per the RCLC Service Agreement 2019-1. Billable activities categorized by percentage for both the DOE Grant and the unrestricted accounts as per the Auditor’s report were submitted. Treasurer Ives stated that this new format for billing is to ensure proper and prudent separation of funding sources. After his review, he recommends to the Board for approval. Secretary Ives motioned to approve the report and the invoices, Board member Sanchez second. Motion carried 6-0.
G. Discussion/Action Items
   a. LANL Legacy Cleanup overview. Presentation by N3B Los Alamos to provide overview and update on all current activities.
   Frazer Lockhart of N3B presented a slide presentation to the Board and introduced Glen Morgan, Acting Project Manager. He shared information on the Legacy cleanup project status, monitored activities, communication with regulators, consent order review, milestones each year, cleanup funding, (Original was $175 million a year, increases to $25 million from FY18 to FY19). Presentation included maps of the remediation across the 37 sq. mile site, and ground water monitoring map. He also discussed what is beyond legacy cleanup; as there will be additional cleanup once this portion is complete.

   Question/Answer:
   Question: Treasurer Ives: How many years prior did they begin researching for this project? Answer: Since the Manhattan Project from about 1943 on.
   Question: Treasurer Ives: What is the budget difference: Answer: The difference of budget was what they requested in Congress and what they actually received.
   Question: Treasurer Ives: Has the life cycle baseline been updated? Answer: New iteration is expected and will provide to DOE in summer.
   Question: Treasurer Ives: Are there opportunities for more employment in cleanup? Answer: Nitrate salt drums example problem, however, as little else is being cleaned up during process.
   Question: Treasurer Ives: Is there any portion of Los Alamos site that needs to be fully characterized? Answer: The southern canyons need more characterization.
   Question: Treasurer Ives: Will N3B do this extra characterizing? Answer: 17 campaign is addressing exactly that, so yes.
   Treasurer Ives: This Board would like to hear updates on the characterization work.
   Question: Treasurer Ives: Concerning water quality, are you planning any work to help flooding? Answer: Updating permit, goal to link surface water sites and cleanup actions.
   Question: Treasurer Ives: Any remediation work in Los Alamos or Acid Canyon? Answer: Yes, those sites are part of permit.
   Question: Treasurer Ives: Can we see paperwork completed after this permit? Answer: Reports are prepared after completed project and give to the State. A Class 3 permit needs a hearing to complete.
   Question: Secretary Izraielevitz: Do you see a bottleneck coming up in the work schedule - everyone is ready at the same time? Answer: Right now, expecting no problems.
   Question: Vice-chair Fernandez: What is the best way for people to find work opportunities in the cleanup efforts? Answer: On the website.

   Action: Mr. Vasquez and the Board thanked them for the presentation and asked them to come back for another update and to address specifics. He will coordinate another presentation later this year.

   b. Review of Joint Powers Agreement and possible action:
   Executive Director Vasquez informed the Board that this JPA was reviewed and discussed at length at the RCLC Retreat in January. At that time, comments and
questions were addressed and those additions/changes have been incorporated
in this new draft. Mr. Vasquez is asking the Board to make a final edit in the hope
that they can vote on it to move forward to finalize and take to the member
government entities for adoption.
Treasurer Ives suggested changes Section E. Page 3 “To develop and adopt an
annual budget for operations”, and change language on Page 5 Section 5b to
include the state’s regulations for clarification
Discussion on whether the RCLC as a JPA entity falls under State regulation.
Director Vasquez clarified that the RCLC is a subdivision of the state. All
expenses and reporting will have to be subject to state regulations. However, he
was not clear on the travel provision. Treasurer Ives stated that paragraph 8b
on page 6, second sentence correction.
Vice-chair Fernandez asked Executive Director Vasquez about when these final
changes are to be made for possible adoption. He mentioned that the meeting
schedule is later on the agenda for approval. Vice-chair Fernandez asked if there
was any other discussion, and Treasurer Ives stated that it would behoove the
Committee to include members of their constituency to have input annually.
Vice-chair Fernandez called for a do pass motion to vote, Secretary Izraelevitz
second. Hearing no objection, motion passed.

c. Review of legislation SB 11 and HM 63 and possible action.
Executive Director Vasquez stated SB11 was signed by the Governor. He gave
background and detail of the process. Next HM-63 is calling on a taskforce for the
distribution of GRT generated by the LAB. Treasurer Ives stated that the Santa Fe
City Council has not taken a position. Vice-Chair Fernandez, Secretary Izraelevitz
have not discussed. Vice-chair Fernandez stated that Chair Roybal provided a letter
to be read for the record as follows: House Memorial 63 does not say anything more
than to study how to distribute the local tax. It actually just says to study it and
determine the fiscal impact of the labs and other national or federal facilities on
surrounding areas and equitable distribution of tax revenues. That could mean that
the state’s share should be spread around more equitably. It does not necessarily
imply that just the local option should be taken from Los Alamos. Additionally any
study or task force should include Los Alamos County officials to discuss their
perspective as well as constitutional issues of taxes. Getting the state to study
something is not a bad thing. The memorial says nothing about taking revenue from
Los Alamos County and giving it to someone else, it just says to put a task force
together and study it and make some recommendations. In addition, I represent the
northern and rural communities that are directly adjoining the boundaries of Los
Alamos County where there are many services that are needed. I am representing
my community in their concerns as their elected official. I am also the representative
for Santa Fe County on this board in which the Santa Fe County Commissioners on
Tuesday, February 26, 2019, unanimously agreed and gave direction to support
House Memorial 63. Signed Henry Roybal, Santa Fe County Commissioner. Board
member Sanchez stated that he would go back to his council to discuss and vote. He
supports the study as it will support communities working together and making
them stronger. Board member Jaramillo said he would also likely support the study.
Treasurer Ives hesitates to vote.
Executive Director Vasquez gave background information stating that the previous
LAB contractor has signed a Memorandum of Understanding (MOU) regarding LANL
pledging GRT investment to outside communities with a 5-year sunset clause.
d. **Review of statement on DNFSB rule change and possible action**

Treasurer Ives motioned to reverse the order of the Agenda item d to c and second by Board member Sanchez. No objections. Motion passed.

Executive Director Vasquez mentioned DNSB meeting in Albuquerque, and invited the board to attend in February. Treasurer Ives expressed interest but could not attend and submitted a letter. Secretary Izraelevitz suggested to the board, that it may be the best use of their time to review policies, safety issues, concerns, and then have a conference call meeting of the executive board for discussion on these matters. There are many fast moving issues that may need attention prior to the next full board meeting such as this DNFSB meeting. Executive Director Vasquez mentioned that Agenda item G subsection E is where he will discuss this topic. In regards to the attached draft letter to the DNFSB, Secretary Izraelevitz requested a change to the second paragraph line 4, begins with Yet. Strike “implies”. Also Third paragraph, first sentence, delete the word “proposed”.

Action: Motioned for approval as amended by Treasurer Ives and second by Board member Sanchez.

e. **Discussion and possible action item on board policy on statements or news releases**

Executive Director Vasquez stated that they do not have a procedure for informal meetings or for emergency meetings by telephone. Executive Director Vasquez stating in conversation with Chair Roybal they discussed developing a procedure for formal statements. Secretary Izraelevitz volunteered to look at the bi-laws to draft a procedure.

f. **Review and possible alteration of meeting schedule for 2019**

Executive Director Vasquez stated that the RCLC meeting schedule was approved last year. He is asking for approval for next fiscal year and possible changes and possible location change. Espanola city hall was used due to it being a central area. Secretary Izraelevitz would like to change March 15th meeting to March 22nd. Executive Director Vasquez asked the Board if they want to continue to have the meetings on third Friday of every month and the location the same. They agreed. Other business meetings coming up are ECA meeting on May 1-2 in Washington D.C. He encourages all members to have one or two members to meet with NM delegation. National Cleanup Workshop in Washington D.C. September 10-12 and then an Intergovernmental meeting mid November 2019.

g. **Executive Director update**

Executive Director Vasquez stated that in compliance with the State Auditor, and approval of the Board, bank accounts with NM Bank and Trust have been established and transfers are to be made from Los Alamos County to the new accounts. A final letter of intent to hire the auditor is complete and our fiscal agent will be contacted. Executive Director Vasquez attended the CAB meeting on January 3, 2019, the Buckman Direct Diversion board meeting, legislative
committee meetings to support and promote SB 11. Met with Doug Hintze from DOE-EM regarding the RCLC grant status and IG investigation. He and Treasurer Ives, met with the new NMED secretary, James Kenney on February 25, 2019, to discuss general ways our local government and the state could collaborate and stay informed on what the other is doing. Secretary Kenney tentatively accepted invitation to present and update the RCLC Board on pertinent issues.

Other Actions: The RCLC Management team is drafting an RFP to fill the vacant tribal liaison position.

**RCLC Retreat on January 26, 2019:** The all-day retreat facilitated by the RCAC was attended by 26 people from various northern NM communities. Represented were members of the public, RCLC Board members, Los Alamos Department of Energy employees and contractors. The three main goals were:

- Review and amend revisions to the current Joint Powers Agreement (JPA)
- Goad discussion, entailing reviewing and working to improve, educate and communicate the RCLS’s mission, and updating the short and long-term goals
- Discussion of a possible name change/rebranding of the organization

**Goal discussion:**

Participants were placed in random groups with the purpose of developing suggested goals for the RCLC.

**Mission and Enhancing organization impact proposed goals:**

- Strive to invite all impacted Pueblos to become members of the Coalition
- Clarifying the mission and scope of the Coalition
- Engage LANL, DOE and appropriate stakeholders on issues affecting member communities and advocate on behalf of member communities and the greater region. To include but not limited to pushing for increased cleanup funding for legacy waste, stewardship, and ensuring that site activities protect human, community and environmental health
- Clarify how the RCLC supports economic development and establish goals to support or identify economic development efforts. This includes exploring the possibility of developing a partnership or MOU with partner organizations such as the RDC and MSC on areas of common interest.

**Outreach and Transparency Proposed Goals:**

- Respective government members of the RCLC to inform their constituencies on the work/progress of the RCLC
- RCLC through the E.D. should work to make the coalition more visible as to the efforts/activities of the coalition through social media. (Example: using Facebook live for meetings was suggested).
- Clarify potential conflict of interest of members/director of the RCLC. An option would be to publish a “Possible Conflict Disclosure Form” - for all board members and staff, similar to that employed by municipal governments disclosing other boards and employers.
- Re-establish the credibility/trust of the constituents and the partners. Provide trip reports of the coalition for transparency – report who, what, when, cost, why and results.
Operations Proposed Goals:

- Amend the Joint Powers Agreement (JPA) to complete this year
- Complete resolution of financial findings from the OSA
- Review insurance needs for the coalition. RCLC members are covered by their local governments, but does the organization (RCLC) require insurance? CPLC, the current contractor, has insurance for their own operations.
- Open position on advisory committees to the board for members of the public and local business owners. Initial discussion was of creating new board positions, but was legally problematic as the board is made up of independent government entities.
- Consider appointing a representative of the Eight Northern Indian Pueblos to the Board. One issue is not all pueblos are EMIPC members.
- Consider a change in the bi-laws for officer election dates to allow newly elected officials appointed to the RCLC to vote for the officers of the coalition and participate in budget development—change the date of the officers’ election to January.
- Clarify and/or develop metrics to determine success or failures of the coalition. Possibly employee “results Based Accountability” as recommended by Councilor Peter Ives
- Remodel current website. Include news and updated information, with regular updates.

Joint Powers Agreement (JPA) Amendment Discussion:
The current Joint Powers Agreement (JPA) was reviewed by the Santa Fe County and Los Alamos County Attorney’s offices. The Santa Fe County Manager educated the group on the proposed revisions that were made. After this exercise, each group added potential changes for the JPA and have been incorporated into the discussion draft of the JPA presented at today’s meeting. A complete detailed list of each group’s recommendations is not included here due to length, but will be provided separately.

Possible name change/rebranding
The retreat attendees were given the opportunity to vote using the “dot method” for their preference. Overwhelming majority opted to support keeping the current name.

Follow up Actions
Website and social media:
Based on the feedback from participants, RCLC management has begun to ask for a proposal from a contractor on rebuilding the website to be more user friendly and to maintain a more consistent social media presence.

Board Comments:
Secretary Izraelevitz wants a subcommittee to discuss formal RCLC issues and a review/revamp of the current website and would like the subcommittee to review revised website prior to going live. Vice-chair Fernandez mentioned a special meeting on the 10th or 11th of March.
H. Adjournment

Vice-chair Fernandez stated that since there was no quorum to officially adjourn, he thanked everyone for attending.

END