

1 action item for the next meeting. Motion to approve minutes by
2 Treasurer Ives, and a Second by Secretary Izraelevitz. Motion carried.

3 **E. Public Comment**

4 Maire O'Neill – She would like to request that items from the Director's
5 report be published prior to meetings, and talking points for meetings to
6 establish consensus of the Board.

7 Scott Kovak – Agreed with Ms. O'Neill's comments.

8 **F. Treasurers Report**

9 a. Treasurer Ives noted that ZLS Accountants have submitted the end of
10 month compilation of RCLC financial records for August 31, 2019. He
11 stated the balance sheet reflects total liabilities and fund balance to be
12 \$302,254.57. The statement of revenue and expenditures – budget and
13 actual report stated the fund balance beginning of year budget is
14 \$315,220 and the actual is \$302,378.74 for a difference of (\$12,841). He
15 mentioned the BAR change will be reflected here. He mentioned the
16 general ledger is included for review.

17 b. **Invoices for review and possible approval.** Treasurer Ives stated that
18 he reviewed the following invoices submitted: Invoice from CPLC, New
19 Mexico, Inc., for Executive Director services in the total amount of
20 \$15,297.68, dated August 31, 2019, toward the approved service
21 agreement. The tracking sheet details the monthly billable activities. The
22 second invoice is from Kubiak Melton and Associates, LLC Auditors, dated
23 July 22, 2019, for \$17,804.55. Chair Roybal called for questions. Board

1 member Mayor Sanchez asked about ensuring that we are not over the
2 percentage of the unrestricted and restricted funds. Treasurer Ives stated
3 that we did not receive funding this year from the D.O.E. Executive
4 Director Vasquez stated that they are currently working on compiling
5 information of previous years expenses and reimbursements and
6 verifying what was paid from the unrestricted and restricted funds.
7 Currently all expenses on the activity detail sheet are unrestricted. Board
8 member Mayor Sanchez asked about the \$3,000 in the budget for travel.
9 Executive Director Vasquez said it is to pay for travel of a presenter to the
10 Board. It is not there to reimburse himself or Board members travel
11 expenses. Alternate Board member Marquez asked how the RCLC billable
12 activities listed under restricted funds are booked since we have not
13 received funding. Executive Director stated that these expenses are noted
14 this way according to the CPLC contract to determine if they are D.O.E.
15 allowable, although they are all unrestricted funds. Treasurer Ives stated
16 with the new fiscal policy changes, all expenses are being verified and
17 categorized with much caution. Secretary Izraelevitz asked about the
18 invoice from Kubiak Melton and Associates and noted that the services
19 are being billed at a 69% completion at this time. He asked Director
20 Vasquez if they should be expecting another invoice for the 31%. Director
21 Vasquez stated they will be submitting the final invoice once they have
22 completed the audit. Treasurer Ives motioned to approve the CPLC

1 invoice and the Kubian Melton and Associates invoice at 69% and
2 Alternate Marquez second. Motion carried.

3 **G. Discussion/Action Items**

4 **1. Review and possible action on proposal for legal counsel services**

5 **contract.** Director Vasquez discussed the process in requesting proposals
6 for legal services as directed by the Board. He received two proposals.

7 After reviewing the proposals, he selected Long, Komer and Associates
8 based on their experience representing Joint Powers of Agreement (JPA)

9 agencies, and public agencies, and the hourly rates being lower than the
10 other proposals. Board member Mayor Sanchez asked if he had the other

11 proposal for review to justify why they are choosing one over the other
12 and to enter it into the record. Chair Roybal asked if there were other

13 board members that would also like to review the other proposal.

14 Secretary Izraelevitz asked if we are subject to State procurement rules.

15 Executive Director Vasquez stated that because this proposal is under
16 \$15,000.00 the organization could forego a formal RFP process. Chair

17 Roybal asked for a motion to recess to have the Board review the second
18 proposal and to have Executive Director Vasquez highlight the areas of

19 comparison of the proposals. Treasurer Ives noted that in the budget,

20 there is \$9,000.00 for legal services. Motion to approve recess by Mayor
21 Sanchez, was second by Alternate Marquez. Copies were made and

22 distributed to the Board. Recess began at 2:10 p.m.

1 Recess ended at 2:25. Chair Roybal stated that after his review, both firms
2 are both adequate to provide legal services, looking at the costs, he is
3 comfortable with the staff recommendation. Board member Mayor
4 Sanchez agreed with the chair, and felt that review by the board was
5 important. He also agreed with staff recommendation that firm selected
6 was focused on similar needs in understanding JPA entities. Treasurer
7 Ives, stated they are both excellent firms, and has experience working
8 with both in his role as a Santa Fe City Councilor, and has not doubt the
9 recommended firm will be able to fulfill these services. He also said it
10 came down to the cost. Alternate Board member Marquez, stated under
11 full disclosure, this firm is currently contracted with the Jemez Mountain
12 Electric Cooperative, Inc. in which he serves as board president.
13 Alternate Board member Martinez stated the legal contract is not in the
14 packet to review. Board member Marquez suggested the board grant
15 permission to Executive Director Vasquez to negotiate the contract and
16 have the contract at the next meeting for approval. Treasurer Ives
17 mentioned the legal services be for on-call only. Board member Mayor
18 Sanchez asked if the legal counsel should be used to address areas of
19 concern in the audit. Executive Director stated in the affirmative.
20 Secretary Izraelevitz feels comfortable leaving the negotiations up to the
21 Executive Director and may want counsel to attend meetings. Executive
22 Director stated that he would suggest legal counsel only attend certain
23 meeting as needed due to a very limited budget. Secretary Izraelevitz

1 stated that if the Executive Director would need legal counsel, he would
2 have to come before the board for approval. Alternate Board member
3 Marquez mentioned that the outside auditors would be the ones to
4 review any audit findings more so that legal counsel. Motion by Treasurer
5 Ives to authorize the Executive Director to negotiate with Long, Komer
6 and Associates to provide legal services to the board at the budgeted
7 amount and be included for review and approval at the next RCLC
8 meeting on October 18, 2019. Second by Mayor Sanchez. Motion passed.
9

10 **2. Executive Director's update**

11 Executive Director Vasquez mentioned that next RCLC meeting will be
12 held on October 18, 2019, at the Espanola City Council Chambers in
13 Espanola. Board chair Roybal asked if Treasurer Ives would like to
14 host the next board meeting in Santa Fe. Treasurer Ives agreed. The
15 next meeting is now scheduled for Santa Fe on October 18.

16
17 Audit Update: The audits and responses have been submitted to the
18 Office of the State Auditor (OSA) for review and final publication.

19 NNM CAB: On August 28, 2019, he attended the Northern NM CAB
20 meeting and discussed the possibility of collaborating on shared
21 topics of interest between the two groups such as advocating for
22 cleanup funding and community outreach efforts. This collaboration
23 for public outreach efforts would be in a retreat type forum and the

1 RCLC has budgeted funding for this type of event. Treasurer Ives
2 attended the Environmental Management cleanup board meeting and
3 feels this is a similar interest group to participate and it would be a
4 great opportunity for a Neptune presentation and facilitation to
5 gather community values.

6 JPA Update: On August 26 and 27, 2019, Executive Director met with
7 Town of Taos city attorney and Council members to review internal
8 audit procedures and to review the JPA language and to answer
9 questions in preparation for vote on adoption. 2019. Secretary
10 Izraelevitz asked for an update on other discussions with other RCLC
11 entities regarding the JPA. Executive Director stated it his intention to
12 have this completed by January. Once the audit is released, he will
13 continue his efforts to schedule meetings with the entities to help
14 move the JPA forward for adoption. Secretary Izraelevitz suggested
15 the Executive Director hold off on further meetings with the other
16 entities until the audit is released. Treasurer Ives stated that he has
17 been trying to schedule the JPA review with Mayor Weber and does
18 not want to wait too long, but feels it is important to wait until the
19 audit is released. Chair Roybal agrees with Secretary Izraelevitz but
20 still wants to have a monthly JPA status update from the board. Board
21 agrees.

22 LANL Subcontractor Briefing: On August 21, Executive Director
23 attended the LANL Subcontractors (MSC) briefing with the LANL

1 Director, ensuring local businesses remain competitive in
2 subcontracts at LANL. The RCLC has weighed-in over the past years
3 and this is an area of close partnership with the MSC.

4 Environmental Management Cleanup Forum: On August 22, 2019, he
5 attended the forum at the Santa Fe Community College. This was the
6 fourth in a series of first round forums on the legacy cleanup mission
7 at LANL.

8 RDC: Executive Director met with representative of the Regional
9 Development Corporation (RDC) to discuss possible collaboration on
10 initiatives to benefit member communities that are under developed.

11 Upcoming events: The 2019 National Cleanup Workshop on
12 September 10-12 in Alexandria, Virginia, is a key meeting for local
13 communities to meet with D.O.E. EM officials to learn what
14 developments are ongoing, and to present a united voice to D.O.E. and
15 members of Congress. The Executive Director and two board
16 members are attending.

17 2019 Intergovernmental Meeting: This meeting is on Nov. 19-21 in
18 Nashville, TN. It is intended to provide opportunities for increased
19 communication and coordination between members of this group and
20 the D.O.E., and among states, Tribes, and local communities affected
21 by the ongoing cleanup of the nation's nuclear weapons. As a member
22 of the ECA, the RCLC is invited to attend. Executive Director is

1 planning on attending and encourages board members to consider
2 attending as well.

3 **H. Board Comments**

4 Treasurer Ives would like a report on infrastructure dollars coming to our
5 communities. Executive Director stated he will invite Triad to present on that
6 for the next meeting. Treasurer Ives requested Executive Director Vasquez
7 retrieve minutes from the Buckman Diversion Water Board meeting in
8 August specifically Doug Hintze presentation to distribute to the Board at the
9 next meeting. Chair Roybal requested an update on the goals established at
10 the retreat in January. Board member Sanchez also wants to refocus on the
11 strategic plan to identify and develop specific goals to produce
12 accomplishments. In addition, once the audit is released he would like to
13 have a formal and open discussion on the results and how they will be
14 handled. He mentioned that when he was in Washington D.C., he said the
15 D.O.E. is introducing a new accounting called “end-stage accounting” which,
16 in his opinion raises a red flag. It potentially can affect our economic
17 development. He would like permission from the board to pursue additional
18 information from the D.O.E., the E.M. and the ECA subcommittee. Secretary
19 Izraelevitz agreed and was concerned about the economic ecosystem around
20 the Lab. He mentioned that he is a member of the ECA which is an alliance of
21 DO.E. communities across the country. He sees many similarities and
22 differences from other areas with National Laboratories. He would suggested
23 RCLC board members attend when they can. He wanted to hear about the

1 website remodel. He stated the board of directors and contact information
2 needs to be updated. He does not want to wait until the website is
3 remodeled. He asked Executive Director to write a paper listing strategic
4 partners for the board to review and discuss what these partnership should
5 be. He requested the talking points for the upcoming ECA meeting be
6 distributed to the board for feedback. He requested a detailed report on the
7 ECA meeting in Washington D.C. be placed on the agenda for discussion.
8 Alternate Board member Marquez stated the importance of moving forward
9 with the JPA. Chair Roybal asked if there were any more announcements.
10 Hearing none, he closed this item.

11 **I. Adjournment**

12 Chair Roybal called for a motion to adjourn. Motion to adjourn by Alternate
13 Board member Marquez. Second by. Alternate Board member Martinez.
14 Meeting ending time 3:10 p.m.

15

16 END

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