

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

October 16, 2020 1:30pm

Electronic meeting participants via Zoom: <https://zoom.us/j/92869418341>

Meeting ID: 928 6941 8341 • Zoom dial in: +1 669 900 6833, Find your local number:
<https://zoom.us/j/92869418341>

- A. Call to order** – Vice Chair Darien Fernandez called the Zoom RCLC Board meeting to order at 1:37pm.
- B. Confirmation of Quorum**
Attendees: Vice-chair Darien Fernandez, Treasurer David Izraelevitz, board member Michael Garcia, alternate Leo Marquez, and alternate Rudy Garcia
Board members excused: Board member Javier Sanchez, board member Governor Ron Lovato of Ohkay Owingeh Pueblo, and Jemez Pueblo representative.
Quorum was established.
- C. Approval of Agenda**
Commissioner Garcia made a motion to approve the agenda as presented. Member Marquez Second. Vice-chair Fernandez asked the board if there are any changes or discussion. Hearing none, he called a roll call vote. Motion passed unanimously.
- D. Approval of Meeting Minutes**
a. Draft minutes for September 18, 2020 board meeting
Vice-chair Fernandez called for a motion to approve the September 18, 2020 meeting minutes. Treasurer Izraelevitz moved for approval of the meeting minutes as presented. Member Marquez Seconds. Vice-chair Fernandez called a roll call vote. Motion passed unanimously.
- E. Public Comment:**

Vice-Chair Fernandez asked for public comment. Liaison Romo and Vice-Chair Fernandez asked participants from the public to indicate if they would like to speak by a raise of hands. Jean Nichols, Susanne McCarthy, Lydia Clark signified they would like to address the board.

Jean Nichols, "I had a couple of questions about the town hall that is suggested. It was suggested that it be focused on economic development but my suggestion is that the town hall be a question and answer format. Besides a town hall their needs to be stakeholder discussion groups with informed citizens like us about issues coming up. I heard recently that a lot of the waste at LANL is not safe and not able to be transported to WIPP. Part of what RCLC does is to focus on clean-up but maybe we need study groups with new pit production. We cannot keep piling up waste under tents so the RCLC needs to focus on how to keep the community safe and how do we address waste.

Vice-chair Fernandez called on Susanne McCarthy to address her comments to the board.

Susanne McCarthy, "Is this the public comment section for this meeting? In considering our struggle to gain a slice before other work goes on at the nuclear lab. I have been thinking about the communities in Ecuador surrounded by the site where Shell oil drilled out of the regional communities have had years of struggle and the attorney who won the case is being hounded to death by the corporations. I think of them now that Africa Africon is in place and the same will happen to these communities. I am considered that corporate bottom lines determination of these outcomes can be made by regional representatives is responsible to challenge for our need of a slice of the powers at be the DOE and NNSA. We are not being treated any differently than the Africans or Ecuadorians. We as citizens of this country and I urge you to help the communities that you represent.

Lydia Clark, "Good afternoon Mr. Chairman and members of the RCLC. Can you hear me alright? Great! My name is Lydia Clark and I am a concerned citizen and the director the Los Alamos study group. It is sad to see this coalition go down an ineffective path as you have not provided protection for Northern NM or the negative issues that have occurred from LANL and activities for this region. Citizen and organizations began speaking up against the massive plutonium pit emissions plan at LANL. These efforts began in February of 2019 and brought to the attention of the RCLC by direct letters, media coverage. The ask for an environmental impact study and the time has passed to ask for a study (slice) has eliminated all public input into this process. You delayed until it was too late for any support. The need for environmental review has been ignored by RCLC or other negative impacts at LANL. There could be no input. It has been ignored by RCLC and the recent accidents are the example

Rocky Flats in Colorado was the last plutonium pit factory in the nation which was a huge failure and now LANL will become the new Rocky Flats. We are left unprotected on many levels. You have acted as a public relations outlet for the promotion of LANL so we call for the defunding and dissolution of this organization.

Vice-chair Fernandez calls on Susanne Schwartz to address her comments to the board.

Susanne, "Hello, as you know I was not able to attend the last meeting on September 18 but just wanted to follow up on the recommendations about the meeting posting and minutes so we can learn appropriately about the meeting and actions taken by the RCLC. We need immediate access to the meeting livestream and recordings. But that never happens. Now we are in the era of Zoom meetings these should be made readily available like most local governments and public

meetings. We need actual content and timely access in accordance to the Open Meetings act. Because the RCLC is funded by tax payer dollars we ask that the meeting recordings and minutes be posted appropriately. The board delayed in proposals for contracts for executive director and now left again in disarray. We even ask that once meetings are made in person and in public again we ask them be recorded and still archived for those who cannot attend them. Regarding the town hall, I think it is inappropriate for the board to choose topics to discuss we need the public to have stakeholders and community participation in an unbiased way.

Erich Kuerschner, "First all, I want to thank the board for their service and say that I appreciate you all as human beings but after following the board for 15 years I do not see any sincere effort to be kind, share, or be fair with people. You are trying to hitch the economic future of our children with a genocide weapon. I am going to have to join Lydia and say I love you as people but your inability to have the political will or understanding the difference between making an income with methods that nurture life than trying to make a living with experiments that terminate life crosses a threshold to me. So, the inability to get the RCLC together to advocate for us before we become a Rocky Flats and pollutes our environment and our water. Instead we need to make a living by growing good food, building good houses, having a good acequia system, educate one another and stay healthy. So just after 15 years I just cannot participate anymore. Take care all, thank you.

F. Treasurer's Report

- a) Financial report presented by Treasurer Izraelevitz. "Overall, we still have a healthy balance of \$256,693.49. We can see that we are getting more membership contributions in as well. We have 3 recurring transactions and made our last payment to CPLC and some accounting and legal services. We are doing fine with respect to our current budget. We asked our accountant to do a detailed analysis of vendor balances. There is an outstanding balance due for legal services of \$1,512.70. We actually have two invoices due for legal services and taking care of one of them because the other one did not make it into the agenda.
- b) Our most recent accounting invoice is up to date and we just have to pay for September services. Because of cumbersome mechanisms of paying invoices, we have accrued a service charge but we are working on to expedite those processes. Now, I would ask Mr. Chair if we can approve these invoices for accounting services.
Vice-Chair Darien Fernandez, "Just to be clear that is invoice listed under F item (a) 2. for September services correct?
Treasurer Izraelevitz, "That is correct!"
Vice-Chair Fernandez, "Okay, what is the pleasure of the board?"
Motion for approval by Commissioner Garcia. Second by member Leo Marquez. Followed by a roll-call vote, item passes unanimously.

F (a) 3 Long, Komer & Associates Invoice

Treasurer Izraelevitz, "We have two invoices one for services provided in July for a total of 1,015.52. We have another to wait until next month because it didn't make it into the agenda. At this point I ask if we can have a motion to pass this invoice.

Commissioner Garcia moved for approval. Second by member Marquez. Followed by a roll-call vote, item passes unanimously.

F(a) 4 Long, Komer & Associates Invoice

Treasurer Izraelevitz, "Here is the final invoice we have for legal services rendered for August and we can see the detailed hours of services provided by Ms. Long for \$1,036.66. Commissioner Garcia, "As long as staff is okay with the invoices provided by Ms. Long I move to approve." Second by Member Marquez. Followed by a roll-call vote, item passes unanimously.

Treasurer Izraelevitz, "The problem is that we just approved the invoices but the process is that the minutes have to be composed and sent to accountant, checks have to be cut then they come to me for approval. At the next meeting we want to update this process so that checks can be cut immediately and I can confirm that as the Treasurer. Once we clarify our process, we will bring that for board review but we are trying to expedite this process. Thank you, Mr. Chair that concludes the financial report.

G. Discussion & Action Items

a) Approval of Long, Komer & Associates Contract Amendment/Renewal

Liaison Romo, "Mr. Chair, presented this morning is the current contract for Long, Komer & Associates they are asking for approval for the contract extension for next year with no changes.

Commissioner Garcia, "Can you explain this to us Olivia? Does procurement allow for this? Liaison Romo, "I am not sure how long we have had this particular contract but it is an extension for next year only and I can conduct research within the files of the former executive director to provide clarification about this respective contract.

Commissioner Garcia, "Mr. Chair as long as we are in compliance with the procurement code for this particular contract, I will make a motion for approval. Also is this a 10% increase of the original contract or how did I change? Do you know?

Treasurer Izraelevitz, "Mr. Chair, if I may, I think I can answer some of the questions. So, this is the first amendment to the contract. It began in October 19, 2019 and it was a 1-year initial contact. We are renewing it for one year with the exact same terms with hourly fees. It can be extended on a year by year extension. It is about to expire so it is timely to renew it.

Commissioner Garcia moved for approval as long as we are in compliance with the procurement code. Second by Treasurer Izraelevitz. Followed by a roll-call vote, item passes unanimously.

Item G (b.) Approval of budget adjustment for DOE Grant and assignment of Grant Administrator

Treasurer Izraelevitz, "Mr. Steve Lynne who is Los Alamos County staff has some historical knowledge as the fiscal agent as conversations with Helen Perraglio.

Steve Lynne, "I can introduce this topic generally. The stated goal is getting the application into DOE and there are a few knowing(not sure what you mean) a little about the prerequisites for the grant to get in. We need to budget adjustment to reflect that they are reflected in the budget and also requires a point of contact. These conversations have changed due to the fact that there

is no executive director. In the past, the director has been a point of contact. We are suggesting at this point that the RCLC Treasurer is the most logical person to be the point-of- contact to get the grant application started.

Vice-Chair Fernandez, "Any questions by the board?"

Commissioner Garcia, "What is the timeframe for the grant and is it okay for the Treasurer of the grant. I am okay with it and so is Commissioner Roybal"

Izraelevitz, "I assume that the signature would come from Commissioner Roybal but it would be a corporate office(not sure what you mean) \$100,000 grant and limited to grant activities and what we have done already in expenditures. I did not point it out in the report but not any expenses are allowed under the grant. I believe the application would start as soon as we have all these requirements specified. It may need to be finished once we contract with the executive director in a timely matter.

Garcia, "The federal government is working on its budget as we speak so I want to be sure we get the grant agreement in a timely manner. If that means, we need to give the acting executive director approval to sign the agreement instead of having a special meeting. When we do need to have the application together?"

Izraelevitz, "I think we are close to having all the materials together to Santa Fe County so they can go through the mechanics of putting together the grant.

Commissioner Garcia, "If Santa Fe County is responsible for putting the grant together to ensure that staff is on top of it and communicate that to Commissioner Roybal.

Steve Lynne, "The application needs to go in as soon as possible and it is very likely we will be awarded it as we have been working closely with DOE. Now that we do not have an executive director, tasks have been split up so Santa Fe County is taking the lead on this application and is close to being ready once these administrative items are taken care of. We need to make sure an administrative motion that gives authority to the Treasurer or acting Executive director so we can move this forward.

Commissioner Garcia, "Motion to approve the budget adjustment of \$100,000 and to apply for the DOE grant with the support of Santa Fe County staff. Also, to while also providing signature authority to the Chair of the RCLC to apply for the grant and appointing the RCLC Treasurer as Grant administrator until the board finds a replacement" Second by Treasree Izraelevitz. Followed by a roll-call vote, item passes unanimously.

Item G (c) Approval of FY 20 Audit Contract

Treasurer Izraelevitz, "We received approval from the same firm to do the upcoming audit for us. We reached out to them and they are interested in performing the audit for us. This is just a contract for them for FY20.

Treasurer Izraelevitz, move to approve the audit contact with Kubiak Melton & Associates for the FY20 Audit. Second by member Marquez. Followed by a roll-call vote, item passes unanimously.

Item G (d) Discussion on organizing a town-hall regarding LANL economic impact

Treasurer Izraelevitz, "Based on some discussions with the public they have asked for a town-hall with a focus on LANL economic impact. Mayor Sanchez at the last meeting made a good point that the most impactful way we can have better procurement of local services contract with LANL. If we are going to have a town-hall we should reach out to local business and public and try

to figure out how to have that dialogue. It is going to require some resources to do this so it might need to wait until we have an executive director in place. We need those staff resources and not impose on local staff already.

Councilor Garcia, "I am in full support of town-halls in our respective constituencies. I completely agree with Izraelevitz with the capacity issue and say that within the structure of our local governments we don't have the capacity to do so. We need staff on the regional coalition. Did the sub-committee work on these topics or items? I strongly believe that when we conduct these town halls they need to be beneficial to the board and our constituency to better support the community and get direction where we need to go with the coalition. We need skilled facilitation and planning people to build a structure for using the data and information we get from these town halls. We need to talk about economic and environmental impact. Designing these town halls is critical so we can do specific topics in unique districts? We need more than one town hall for accessibility purposes and an opportunity to revisit the mission of RCLC and we need to refocus and better meet the community need. That is unacceptable and need to meet the need of our constituency.

Commissioner Garcia, "Very well said Councilor Garcia and as we all know being a policy maker is very difficult at this time. We need these town hall meetings to engage the public and not put the blame on the policy makers. Do we have a budget for hiring people to facilitate these meetings? Maybe we can seek contractual services but we shouldn't wait for an executive director to do these town-halls."

Treasurer Izraelevitz, "I just looked at the budget and we do have \$2,000 for meeting expenses that could be applied for facilitation. Depending on when DOE grant comes in, we may be able to allocate resources to it or do a budget adjustment for this project".

Vice-Chair Fernandez, "We need an independent voice in the room because we don't want people to think it is a pro-LANL town hall or biases. We need feedback from community in an independent matter".

G (e) Discuss and possible action of issuance of RFP for executive director services for the RCLC

Commissioner Garcia, "Thanks to staff and the subcommittee for working on the language and working on these items at this time."

Public comment regarding RFP Suzanne Swartz, "I recommend that the RCLC post these items sooner on their website and give public time to review their governing documents that will be taken action upon. I do have issues with the mission and direction of the RCLC and highly recommend that it states that LANL stays sustainable and focus on the protection of the environment. It has always been a non-weapons related activities to be put in the governing documents of the RCLC.

Vice-Chair Fernandez, "Thank you Ms. Schwartz but we are looking for comments more directly for the contract of RFP for the executive director but your comments will be reflected in the minutes for the revision of the mission and vision of the RCLC.

Commissioner Garcia, "Motion for approval of RFP as long as language can be amended and revised in order for us to move forward in contracting for an executive director."

Councilor Garcia, "Is the language in this RFP any different than what we awarded to previous contractors in the past? What changed?"

Treasurer Izraelevitz, "I used some of the language from the last RFP but some made reference to the strategic plan and instead whereas from the JPA because it is reflective of the board members desires for the board. In regards to the scope of work, they are identical to the former RFP. This is a half time position but with DOE funding it could go to full time. I also laid out the tasks for the upcoming year so interested people can see what their role or goals will be including the work plan." Second by Treasurer Izraelevitz. Followed by a roll-call vote, item passes unanimously.

H. Board Comments

Treasurer Izraelevitz, "I want to thank Commissioner Garcia for participating today and giving a fresh look of the items. So, I appreciate him participating and asking some good questions and voting with a good perspective."

Commissioner Garcia, "As policy makers it's a challenging time to be in government and people like to point fingers but I appreciate everyone time, dedication and staff. Thank you all!"

Councilor Garcia, "Everyone be safe. Thank you!"

Member Marquez, "I just want to thank staff and let everyone know they are doing a great job."

Vice-Chair Fernandez, "I would like to thank all my fellow board members for being online today as well as Ms. Olivia Romo with Santa Fe County and Ms. Abeyta, Thank you Mr. Lynne for your technical assistance as well. I also want to thank Ms. Schwatz and members of the public for your comments and joining us. Providing input and direction. Everyone please be safe unless you have to go somewhere and mask up.

I. Adjournment

Councilor Garcia, Motion for adjournment. Second from Leo Marquez. Followed by a roll-call vote, item passes unanimously.

END at 3:00pm
