



UPDATE

League of Women Voters of Los Alamos

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Calendar

- November 19 Lunch with a Leader, Gene Schmidt & Gerry Washburn, Mesa Library, 11:40 a.m.
- December 5 Board Meeting, PEEC, noon
- December 7 LWVNM Lobbying Workshop, Albuquerque, 10 a.m.-noon

Lunch with a Leader, November 19: Schmidt and Washburn

On Tuesday, November 19, the leaders for our lunch will be Dr. Gene Schmidt, Superintendent of Los Alamos Public Schools, and Gerry Washburn, Assistant Superintendent. The meeting will be held upstairs in Mesa Library at 11:40 a.m.

Schmidt and Washburn will be talking about the Common Core Curriculum that New Mexico and 44 other states recently adopted as part of the waiver procedure from No Child Left Behind. They will be discussing the various aspects of the Common Core, what it means for NM, our students, how it differs from current practices, the advantages of adopting it to educate NM students, and addressing concerns expressed about the curriculum. As with any new program, there is controversy surrounding the implementation. The Common Core emphasizes learning and understanding the "why" and higher-order thinking skills.

Schmidt has been Superintendent in Los Alamos for four years. Prior to moving here, he was a superintendent in Washington state. Washburn has been a teacher, vice principal, and principal in Los Alamos schools. Last year he was appointed Director of Human Resources and this year he became Assistant Superintendent.

Karyl Ann Armbruster

League of Women Voters Lobbying Workshop

Learn about the legislative process and how to effectively lobby your legislators! This year the annual LWVNM lobbying workshop will be held in Albuquerque at the Sandia Prep School Student Commons (for a map see <http://www.sandiaprep.org/contact-us/index.aspx>). It will run from 10 a.m. to noon on Saturday, December 7, 2013. The speakers will be State Senator Peter Wirth (D-Santa Fe), State Representative Jimmie Hall (R-Albuquerque), and Julianna Koob, Lobbyist. For more information:
Phone: (505) 884-8441 Email: [action\(AT\)lwvnm\(DOT\)org](mailto:action(AT)lwvnm(DOT)org) Website: www.lwvnm.org.

Welcome New Members!

We are pleased to welcome several new members to our Los Alamos League:

Ed Birnbaum
Kim Gabaldon
Tarin J. Nix
Susan O'Leary

We look forward to their continued participation in our activities.

In Memoriam

Long-time Los Alamos resident and League member Carlotta McInteer died from lung cancer on September 24, 2013. She worked for LANL from 1954 to 1987, then went on to earn a JD from UNM School of Law in 1991. At the time of her death, McInteer was still engaged in her second career, family law. She was a strong advocate for victims of violence and persons living in poverty. She was an esteemed member of our community and long-time member of the League of Women Voters of Los Alamos. Services will be held at the Los Alamos Unitarian Church at 11 a.m. on November 9, 2013.

Implementing the Affordable Care Act – A Marathon, not a Sprint

As someone who has advocated for the passage and implementation of the Affordable Care Act, I am disappointed in the glitches in the federal health care exchange web site. But then I remind myself that the implementation of the Affordable Care Act is a marathon and not a sprint. Here are some considerations:

1. People have until December 15, 2013, to sign up if they want coverage to start on January 1, 2014. The open enrollment period extends to March 31, 2014. The deadline for obtaining coverage to avoid paying the penalty has been extended to March 31, 2014. So we have plenty of time.
2. The number of people being enrolled in the Medicaid expansion in NM is approaching 20,000.
3. Had the Governor not vetoed the Health Insurance Exchange bill that passed the Legislature in 2011, New Mexico would have been able to have its own individual exchange rather than relying on the federal exchange. The state individual exchanges are having considerably fewer problems than the federal exchange.
4. Had the opponents not spent so much time trying to repeal the ACA, we could have put our energy towards correcting some of the weaknesses of the bill. Any legislation this complex needs fixes. This happens all the time in far simpler legislation passed in New Mexico.
5. As someone who has run major projects, I am aware of the hysteria that accompanies implementation of a major change. Preparing my employers for the issues, real and imagined, that would arise in the first three months of implementation was a major task in project management.

The Affordable Care Act is a major step forward for the United States and New Mexico. We have the opportunity, and the time, to ensure health

insurance coverage for as many as 300,000 more New Mexicans.

Dick Mason, LWVNM Action Chair

Report of October LWL: Susan O'Leary

The County Council appointed a Charter Review Committee (CRC) in November 2009 to make recommendations for updating the County Charter. Their conclusions resulted in a number of amendments that were approved by voters during elections in 2010 and 2012. The County Council decided in 2012 not to adopt the ordinances based on the CRC's recommendations regarding Article V, the Department of Public Utilities (DPU). Instead, it was left to the next Council to create a Utilities Charter Review Committee, which began meeting in March of this year. Susan O'Leary, who chaired the new committee, reported on the work and recommendations of the current committee at the League meeting on October 15. The other members of the committee were Ed Birnbaum, Kirk Christensen, Councilor Steve Girrens, and Board of Public Utilities [BPU] Chair David Powell. They were assisted by County Attorney Becky Ehler, Deputy County Administrator Steve Lynne, Senior Office Specialist Jackie Salazar, and Public Information Officer Julie Habiger. O'Leary noted that we, the residents of Los Alamos, are the co-owners of the DPU, an asset that generates about \$80M annually in utility revenue. The DPU is supervised by an independent board (BPU) of five residents, who are nominated by the Council for five-year terms. Its operating structure has not been altered in 45 years.

The Council directed the new committee to begin with the draft written by the previous CRC, which had modernized the language and re-organized the content of Article V. The goal was to update Article V to provide greater clarity and to address the changes that have occurred since the Charter was written -- changes in things like employment law, environmental regulation,

increased use of litigation, and the role of technology in the workplace. The purpose was not to provide unnecessary "fixes," but to find reasonable solutions to the problems, solutions likely to be approved by the voters.

The first task set by Council was for the CRC to consider the accountability and liability concerns related to Article V. There were three issues:

1. The Charter provides no dispute resolution process. Rates, budget, hiring of the DPU manager, and the strategic plan must all be approved by both the BPU and Council. What if they don't agree?

The CRC designed a dispute resolution process involving a negotiating committee, but ultimately allowing Council to decide the outcome with a supermajority vote (505.5). Furthermore, they recommend that Council pass an ordinance to create a working group any time there is an unresolved issue.

A further liability issue can be resolved by amending 503a to establish a process for creating special policies as well as for resolving any disputes between the Utilities Manager and the County Administrator.

2. The Council currently has very limited authority to remove BPU members once they are appointed. Even if a BPU member were to become infirm or engage in inappropriate behavior, such as harassment, Council would be unable to remove that person under the current Charter.

In addition to failure to maintain qualifications for office, conviction of a felony, extended absence, the CRC proposes offering the BPU the opportunity to remove a member with a vote of no confidence by a supermajority. Also, the Council is given the power to remove a BPU member by a vote of the total Council membership minus one (501.3).

3. There are few directions for encouraging communication between the BPU, the

Council, and the public. How could the organizational structure be strengthened?

Noting that communication is good business practice, O'Leary pointed out the amendments the CRC was proposing:

In conjunction with the management audit, a BPU review would be required (502h) and the BPU would also provide quarterly updates to Council (502a).

The Administrator would be responsible for operational issues, alerting the Council and County Administration of potential impacts by DPU actions and advising the Board of impacts on the DPU by County operations (501.1di).

The Council liaison participates on the BPU as a communication link between Council and BPU. The Council liaison would be responsible for informing the Council of strategic issues raised by the Board (501.1dii). Ultimately, it's the responsibility of the BPU to communicate matters of importance to the Council, but the liaison acts as an early warning device to keep all parties informed.

The second task set by Council was for the CRC to determine if it makes sense for the DPU to continue transferring funds to the General Fund.

The CRC added section 504f to sanction the current practice of transferring funds from the DPU to the General Fund and permitting the percentage to be negotiated. They also stipulated that each utility in the DPU must be self-sustaining (504c).

The third task was to establish a means for adding a utility (such as broadband) to the DPU.

The CRC considered two situations. If the BPU or Council proposed transferring a utility owned by the County to the DPU, the Board and Utilities Manager would consider the consequences of the transfer and the Board would make a recommendation to Council, which could approve the transfer by majority vote.

If the BPU or Council proposed to purchase or sell a utility, the DPU and Board would evaluate the action and make a recommendation to

Council. Council would be required to hear public comment about the issue during at least two meetings before voting. Sale or purchase of a utility must be approved by the electorate. O'Leary noted that all of the solutions proposed by the CRC were unanimously approved except for the one about removal from the board, which was opposed by one member.

Follow-Up

The Board of Public Utilities [BPU] met on November 16 to consider the amendments proposed by the CRC. Chairman Powell presented the proposals and suggested that the Board had four options. They could

1. endorse the changes as recommended
2. endorse the changes with friendly amendments
3. not endorse
4. not adopt a position.

Powell began with a motion to endorse with friendly amendments. However, it quickly became clear that the other board members were not inclined to endorse at all, though no one made that motion. Instead, after two board members expressed the opinion that no change to the charter was necessary, the board voted to table the issue.

The County Council postponed hearing the matter until the BPU had discussed it. It is now up to the Council to decide which, if any, of the CRC's recommendations they wish to send to the voters next November. The hearing has tentatively been scheduled for the December 3 Council meeting.

Barbara Calef

President's Message

Los Alamos has not gained in population in recent years, but opportunities for additional housing are being explored, most notably at the A19 tract in White Rock. Following several months of discussion led by Janie O'Rourke, LWVLA's Land Use and Transportation Committee held a consensus meeting to determine what policies for residential development the League would support. Following the meeting, committee members created a draft position that, with further tweaking, was adopted during the October meeting of the Board of the LWVLA. Here is our new position:

Land Use and Transportation: Residential Neighborhoods

LWVLA supports the development of residential neighborhoods that are sustainable and livable. To achieve those goals, we believe that new and redeveloped neighborhoods should be designed to minimize sprawl and impact on the natural environment. Neighborhoods should support a diverse population with inviting streets and public spaces as well as access to public transportation.

Further Guidelines:

1. Where to build (efficient use of land that minimizes sprawl)

- Neighborhoods near the downtown should be compact.
- New development should not consume or fragment important natural habitats or wildlife corridors; it should be avoided on steep slopes or in canyons.
- Redevelopment of "brownfields" and infill are preferred over new development in pristine landscapes. However, existing small neighborhood parks should be maintained or enhanced to reflect the unique character of the neighborhood.

- Neighborhoods should be situated along available public transit lines and within easy access of daily activities.
- ### 2. What to build (neighborhood pattern/design)
- Cluster homes to make transit more viable and to create walkable neighborhoods.
 - Design streets and pathways for safe and pleasant walking/biking within neighborhood.
 - Include a range of housing types/sizes to support diverse neighborhood population; include a mix of affordable housing within each neighborhood.
 - Encourage ADA (Americans with Disabilities Act) designs in individual homes to accommodate all ages and abilities.
 - Encourage the preservation of the positive character/architecture unique to each neighborhood.
 - The developer should include quality parks, trails, and public spaces within each neighborhood; the option of allowing payment in lieu of parks provision should be restricted.
- ### 3. How to build (how to manage environmental impacts)
- Reduce storm water runoff and eliminate pollution sources.
 - Emphasize energy and water efficiency of streets and buildings; plan orientation of buildings to optimize solar gain.
 - Reuse older buildings to reduce energy and resource use as appropriate.
 - Encourage building materials that support high indoor air quality and are sourced sustainably.
 - Encourage appropriate landscaping based on native and xeric plants; create a streetscape with shade trees appropriate for our climate.
 - Minimize light pollution.

Observer Corps Report – November 2013

At the October 8th County Council meeting, Tom Nagawiecki presented the Environmental Sustainability Plan to the council. There was a great deal of discussion regarding the scope of the plan, the details regarding the goals of the plan, and how to succeed in achieving these goals by 2020. The council seemed to expect a plan that had known pathways to all of the goals in the plan and to want to know the steps and thereby costs in detail. The plan designers, on the other hand, had anticipated reasonably achievable goals, but with an eye to stretching a bit for a more sustainable county, and without supplying a procedure manual. The council tabled the subject, and asked that staff return with detailed goal analyses and other additions based on council comments.

As many of you know, Tom Nagawiecki announced on October 31 that he was leaving Los Alamos for a job in Pennsylvania where his fiancée lives. We wish Tom well in his future endeavors and thank him for his energetic advancement of sustainability in our county. He has served us well.

At the Council Work Session in White Rock on October 22, there was a mass turnout of the public for a discussion of the Art in Public Places money and how it should be spent. The Historic Sculptures Master Plan was discussed with regard to timeline and costs. This plan establishes historic figures situated between the Municipal Building and Fuller Lodge over an extended period of time. Opinions ran both ways about whether or not to concentrate on providing funding over time for the entire sculptures plan, or to put public money into more diverse art work. The possibility of public/private funding for the statues was also considered. Since this was a work session, no action was taken, but council will need to make a decision at a future meeting on how to proceed.

Gas Rates was a topic of discussion at the October 29th County Council meeting. Previously, the Department of Public Utilities

(DPU) has estimated the cost of gas over the coming year and set a fixed rate for gas used by customers. Since gas costs fluctuate widely, this required that DPU set a rate high enough to cover the highest prices, costing customers more than was necessary in any given year - although this would be balanced out over several years. DPU felt that it would be fairer to customers to establish a fixed rate for costs such as the meter and the infrastructure, and then use a variable rate each month that reflected the actual cost of the gas. In this way, the customer pays only the current gas costs, and the utility does not face the prospect of gas costs going above their predicted rates for the year. This rate change was accepted by council and will go into effect with the November 2013 utility bills.

We have a new Chief of Police. Dino Sgambellone and family are moving to Los Alamos from Ohio, and we welcome them to our community. Police Chief Sgambellone will be starting work on Tuesday, November 12.

Lynn Jones



LEAGUE OF WOMEN VOTERS OF LOS ALAMOS
MEMBERSHIP FORM

Mail to: LWV Los Alamos
P.O. Box 158
Los Alamos, NM 87544

Name: _____

Address: _____

Phone: _____ E-mail _____

Check here if you are willing to receive our local newsletter Update as an electronic file, saving us postage.

Check here if you wish to receive friendly reminders of upcoming events by e-mail.

Membership Categories

Single membership: \$45

Household membership (two+ people at the same address): \$65

Single Sustaining membership: \$75

Household Sustaining membership (two+ people at the same address): \$95

Note: Membership checks should be payable to LWV-Los Alamos

Additional ways to support the local League

Unrestricted contribution (not tax deductible): \$ _____

LWV Education Fund (tax deductible): \$ _____

Note: Checks for tax-deductible contributions must be payable to LWVLA Ed. Fund and not combined with any other payments.

Interests (check as many as apply)

- One-time activities (unit meetings, fund-drive mailings, etc.)
Affordable Housing
Election Reform
Fuller Lodge
Land Use
Local Government
Medically Indigent Fund
Public Transportation
Sustainability
Water Issues
Not sure (I just support LWV)

Other (please suggest) _____

The League of Women Voters, a nonpartisan political organization, encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.

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