



REGIONAL COALITION OF LANL COMMUNITIES

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

REGIONAL COALITION MEETING AGENDA

Santa Fe Convention Center, Tesuque Room

201 W Marcy Street, Santa Fe, NM 87501

March 20, 2015

9:00a-11:00a

A. Call to Order – 9:00a-

- a. Welcome & Introductions – All Members Present (10 mins)

B. Confirmation of Quorum - Mayor Lucero (2min)

C. Approval of Agenda – Mayor Lucero (3 min) -9:15a

D. Discussion/Action Items (2.5 hours) 9:15 – 11:30a

- a. Review Bylaws (9:00-10:00a – 60 mins – 8 items, 7.5 mins per item)
- b. Review Joint Powers Agreement (10:00-10:15a – 15 mins – 2 items, 7.5 mins per item)
- c. Break (10:15-10:20a – 5 mins)
- d. Review Strategic Plan (10:20-10:55a – 30 mins)
- e. Discuss and Review Draft Work Plan (10:55-11:25a – 30 mins)

E. Announcements (20 mins) 11:30-12:00p

- a. Meetings at a Glance
- b. Items from Directors

F. Adjournment & Lunch – 12:00p

About the Regional Coalition of LANL Communities:

The Regional Coalition is comprised of nine cities, counties and pueblos surrounding the Department of Energy's Los Alamos National Laboratory (LANL). Founded in 2011, the Regional Coalition works in partnership to ensure national decisions incorporate local needs and concerns. The organization's focus is environmental remediation, regional economic development and site employment, and adequate funding for LANL. The 2015 Board of Directors includes Chair, Mayor Alice Lucero, City of Espanola; Vice Chair, Councilor Andrew Gonzales, Town of Taos; Secretary/Treasurer Javier Gonzales, Mayor of Santa Fe; Commissioner Henry Roybal, Santa Fe County; County Councilor Steve Girrens, Los Alamos County Council; Commissioner Mark Gallegos, Taos County; Representative Ron Lovato, Pueblo of Ohkay Owingeh; and Governor Raymond Loretto, Pueblo of Jemez,; Rio Arriba County Commissioner Barney Trujillo; <http://regionalcoalition.org>.

For more information please visit the Regional Coalition website at <http://regionalcoalition.org>

Contact: James Briggs, JLH Media

518 Old Santa Fe Trail, Santa Fe, NM 87505

Office: (478) 542-3409

❖ *Note: items marked in this document in this fashion are items up for discussion*

REGIONAL COALITION OF LANL COMMUNITIES

RESOLUTION NO. _____

BYLAWS OF THE BOARD OF DIRECTORS OF THE REGIONAL COALITION OF LANL COMMUNITIES

PREAMBLE

The Regional Coalition of LANL Communities (the “Regional Coalition”) shall carry out its purposes as described in and pursuant to the Joint Powers Agreement establishing the Regional Coalition of LANL Communities (the “JPA”) and amendments thereto.

ARTICLE I.

Offices

If the Regional Coalition has offices, the principal office of the Regional Coalition shall be located within the boundaries of any Party to the JPA and amendments thereto, as designated by the Board of Directors. The Regional Coalition may have other offices and places of business at such places within the State of New Mexico as shall be determined by the Board.

ARTICLE II.

Board of Directors

A. Number, Qualifications and Term of Office. The business and affairs of the Regional Coalition shall be managed by a Board of Directors. The Board of Directors shall be constituted of one representative Director from each of the member Parties of the Coalition. All Directors must be an elected official, or tribal official. All Alternate Directors may be either an elected official or employee of that government. Annually, each government will appoint the Director and Alternate Director(s) and inform the Regional Coalition in writing. Each government may appoint up to two Alternate Directors.

- ❖ *Tribal government appointees as official representatives –*
 - *Can Coalition representatives be appointees of the Governor or tribal equivalent? Does the ‘tribal official’ have to explicitly be the Governor, or equivalent, of the tribe?*
 - *If we allow a non-Governor or equivalent to be on the Coalition, are they a voting member?*
- ❖ *Are we recruiting additional elected officials and tribal officials to be on the Coalition?*
 - *If we invite additional appointees to the Board, can we invite non-elected officials and non-Governor or equivalent tribal officials to be on the Board of Directors as non-voting members?*
 - *Amendment: All Directors must be an elected official, or tribal official. All Alternate Directors may be either an elected official or employee of that government. Members of tribal or regional local government can appoint members to the Board of Directors as non-voting members to participate.*

B. Performance of Duties. A Director and Alternate Director shall perform his/her duties in good faith and in a manner he/she believes to be in the best interests of the Regional Coalition. An Alternate Director shall serve in the absence of the Director for which he/she is an alternate. However, at no time shall an Alternate

Director serve as an officer of the Board of Directors.

C. Vacancies. Any Director or Alternate Director may resign at any time by giving written notice to the chair of the Board of Directors. Such resignation shall take effect at the time specified therein; and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. In the case where the Director or Alternate Director is an elected official, that office shall be deemed to be vacant upon the expiration of their term of office. A vacancy will also occur if a Director or Alternate Director dies during his or her term of office. In the event of a vacancy, the affected Party shall submit the name of a replacement at its earliest convenience.

D. Expenses. The Board of Directors shall adopt, by separate action, a resolution detailing the procedures for reimbursement of expenses related to Director and Alternate Director participation in Coalition activities.

- ❖ *No text concerning dues owed by each participating RCLC community.*
 - *Proposed amendment: C. **Dues.** The Board of Directors shall adopt, by separate action, a resolution detailing the means in which each Director pays dues to the Coalition to sponsor Coalition activities.*

E. Conflict of Interest. No Director or Alternate Director may enter into an employment relationship with the Regional Coalition (1) while serving on the Board or (2) for twelve months thereafter.

- ❖ *Rivera Sun and Taos citizens recommend making following addition to this section: "No Director or Alternative Director may sit on the Board (1) while currently working for LANL or (2) have worked for LANL in the past five years."*

ARTICLE III. **Officers of the Board**

A. General. The Chair, Vice Chair, and Secretary/Treasurer shall be elected annually by the Board of Directors. Such elections shall take place at the first meeting of the Board held on or after July 1st of each year, and the terms shall commence immediately upon election. There shall be no limitation on the number of terms for which a person may serve as an officer. An officer shall hold office until he/she is no longer qualified to serve or his/her successor is chosen, until his/her death, or until he/she shall resign. All officers of the Regional Coalition shall be Directors of the Regional Coalition; should an Alternate Director represent the Director at a meeting, said Alternate Director shall not assume any office held by the Director for whom the alternate Director is substituting.

B. General Duties. All officers and agents of the Regional Coalition shall have such authority and shall perform such duties as may be provided in these Bylaws or as may be determined by resolution of the Board of Directors not inconsistent with these Bylaws.

C. Vacancies. When a vacancy in one of the Board offices occurs it shall be filled by a resolution of the Board of Directors at the next meeting of the Board at which a quorum is present.

D. Chair of the Board. The Chair of the Board shall preside as chair at meetings of the Board of Directors. He/she shall, in addition, execute resolutions and documents, represent the Board and Regional Coalition at public functions and perform such other duties as the Board may prescribe.

E. Vice-Chair. The Vice-Chair shall fulfill the responsibilities of the Chair when the Chair is unavailable to do so.

F. Secretary/Treasurer. The Secretary/Treasurer shall perform both the duties of a secretary and of a treasurer, as follows:

1. Shall keep or cause to be kept, the minutes of the meetings of the Board.

- ❖ *Shall we amend the Bylaws to express that this practice is currently in conjunction with the Executive Director and her/his team?*
 - *Amendment: Shall keep or cause to be kept, the minutes of the meetings of the Board with support from the Executive Director and his/her respective staff.*

2. Shall have oversight of Regional Coalition funds and assets. He/she shall review accounts of receipts, disbursements and deposits of all Regional Coalition monies and other valuable effects in the name and to the credit of the Regional Coalition and report to the Board of Directors upon request.

- ❖ *Currently Los Alamos County is the fiscal agent for the Coalition, and has been the overseer of all funds and assets, as well as the reviewer of receipts, disbursements and deposits, etc. Shall we recognize the fiscal agent as the body who, in addition to the Secretary/Treasurer supports the process in this regard?*
 - *Amendment: Shall have oversight of Regional Coalition funds and assets in combination with a third party fiscal agency. He/she shall review accounts of receipts, disbursements and deposits of all Regional Coalition monies and other valuable effects in the name and to the credit of the Regional Coalition and report to the Board of Directors upon request, with support from the fiscal agency.*

3. Shall provide or cause to be provided a detailed financial statement to the Board. The financial statement shall include all revenue, revenue sources, expenditures and balances, and include monthly and year-to-date figures. The presentation of such a financial statement shall be a recurring item on each of the Board's regular meeting agendas.

- ❖ *Currently Los Alamos County, the fiscal agent, has been providing this information. Do we want to change the Bylaws to reflect the current state of practice, or change over responsibility to the Secretary/Treasurer?*

G. Delegation of Duties. Except for the Chair, whenever an officer is unable to perform the duties of his/her office for any reason, the Board may delegate the powers and duties of an officer to any other officers or to any qualified Director.

ARTICLE IV. **Regional Coalition Staff**

At its discretion, the Board may hire an Executive Director who shall serve at the pleasure of and report directly to the Board of Directors of the Regional Coalition, and who shall be responsible for implementing the Board's policies, and for the overall management of all activities of the Regional Coalition. All other staff shall be hired by the Executive Director and shall report to him/her.

ARTICLE V. **Meetings of the Board**

A. Place of Meetings. The regular or special meetings of the Board of Directors or any committee designated

by the Board shall be held at the principal office of the Regional Coalition or at any other place that the Board of Directors designates.

B. Regular Meetings. The Board of Directors shall meet quarterly, or as otherwise determined by the Board of Directors and pursuant to the Open Meetings Resolution as adopted by the Board.

- ❖ *The Coalition has been meeting on a monthly basis. Do we want to revise the Bylaws to reflect this change?*
 - *Proposed amendment: The Board of Directors shall meet monthly, or as otherwise determined by the Board of Directors and pursuant to the Open Meetings Resolution as adopted by the Board.*

Special Meetings. Special meetings of the Board of Directors may be called by the Chair or a quorum of the Board of Directors and pursuant to the Open Meetings Resolution as adopted by the Board.

Notice of Meetings. The Board shall adopt a resolution annually detailing meeting notice procedures in compliance with the New Mexico's Open Meetings Act, NMSA 1978, § 10-15-31(1999) and shall be deemed the Board's Open Meetings Resolution.

E. Voting.

1. Quorum. At meetings of the Board of Directors, a majority of the appointed Directors (or their alternate if a Director is not present) shall be necessary to constitute a quorum for the transaction of business. If a quorum is present, the Regional Coalition's goal is to reach consensus on matters under consideration. If a vote is needed, an affirmative vote a majority of the Directors present (or Alternate Directors) shall be required to be the act of the Board of Directors.

2. Consent Agenda. Within a meeting agenda, Regional Coalition staff may place on the consent agenda any one or more items which staff believes do not give rise to discussion by the Board, and which may be acted upon by singular action and vote of the Board. Any Director may pull from the consent agenda any one or more items which shall then be separately and individually discussed and voted on by the Board.

F. Conduct of Meetings. The Board may adopt such rules of procedure as it deems proper. To the extent any rules adopted by the Board do not specify how an item of business of the Board is to be conducted then Roberts' Rules of Order shall apply.

- ❖ *For Review: Draft RCLC Meeting Procedural Rules (as adapted from Los Alamos' meeting procedural rules).*

ARTICLE VI.

Open Records and Open Meetings

A. All accounts and records of the Regional Coalition and its committees shall be open to the public as provided for in the New Mexico Open Records Act and any other applicable laws, at all reasonable times under reasonable regulation, except where a specific determination is made by the Regional Coalition that there is a legitimate public purpose achieved by withholding a document concerning legal, personnel, or private proprietary information.

B. All meetings of the Board of Directors of the Regional Coalition and any of its committees are subject to New Mexico's Open Meetings Act, NMSA 1978, § 10-15-1(1999), as the New Mexico legislature may amend from time

to time.

C. Minutes or similar record shall be kept of all meetings of the Board of Directors of the Regional Coalition.

ARTICLE VII. Committees

A. Regional Coalition Committees. The Regional Coalition is interested in working with the public and will seek the input of the local community and other interested parties. As necessary, and to the extent practicable, the Regional Coalition will seek the input of the local community and other interested parties by establishing *ad hoc* committees and task forces, and by holding public meetings, workshops, special meetings, or other forums of public involvement, from time to time as may be deemed appropriate by the Board. By resolution or motion of the Board, the Regional Coalition may establish such working committees from time to time as it deems appropriate. These committees shall be open to all persons interested in participating with the Regional Coalition. Each committee shall have a chair appointed by the Board of Directors. Committees may consider issues consistent with the Regional Coalition's purposes and make recommendations for actions to the Board of Directors. Any such recommendations, together with any minority reports, shall be made to the Board of Directors. The Board may consider and comment on committee recommendations and formulate its own recommendations for official action by the Board. Any minority report(s) from a committee shall be transmitted simultaneously with such recommendations. The Board of Directors may take such actions as it deems appropriate, notwithstanding recommendations or lack thereof or the fact of pending deliberations of committees and of the Regional Coalition.

B. Board Committees. The Board may have committees on any matters as the Board deems proper for the administration of the Regional Coalition. Such committees shall be comprised of Directors, and shall not meet nor exceed the number of Directors necessary to constitute a quorum of the Regional Coalition.

ARTICLE VIII. Fiscal Year

The fiscal year of the Regional Coalition shall be July 1 to June 30.

ARTICLE IX. Amendments

A. General. The Board of Directors may amend, supplement or repeal these Bylaws or adopt new Bylaws, and all such changes shall affect and be binding upon the Regional Coalition. Any amendment, supplement or repeal of these Bylaws or adoption of new Bylaws shall require discussion at two meetings of the Board.

B. Vote Necessary. Amendment to, supplementation of or repeal of these Bylaws or adoption of new Bylaws shall require approval by a majority of the Directors of the Board at the second meeting at which the amendment, supplement, repeal or adoption is discussed.

ARTICLE X. Annual Report

On an annual basis, the Regional Coalition shall prepare or cause to be prepared an annual report which shall generally address Regional Coalition's operations for the previous year; Regional Coalition's proposed plans for the upcoming year; a summary of Regional Coalition's financial status, including revenue projections and operating costs; and any changes or proposed changes in Regional Coalition's policies. Upon request, the Executive Director shall present an oral presentation of the annual report at a designated board or council meeting of the requesting Party.

ARTICLE XI. Miscellaneous

A. Invalid Provision. The invalidity or non-enforceability of any particular provision of these Bylaws shall not affect the other provisions herein, and these Bylaws shall be construed in all respects as if such invalid or unenforceable provision was omitted.

B. Governing Law. These Bylaws shall be governed by and construed in accordance with the constitution and laws of the State of New Mexico and the JPA, as amended from time to time. To the extent there are inconsistencies between the JPA and any amendments thereto and these Bylaws and any amendments thereto, the JPA and amendments thereto shall control.

Draft

❖ *Note: items marked in this document in this fashion are items up for discussion*

JOINT POWERS AGREEMENT

ESTABLISHING THE REGIONAL COALITION OF LANL COMMUNITIES BY AND AMONG THE INCORPORATED COUNTY OF LOS ALAMOS, THE CITY OF SANTA FE, SANTA FE COUNTY, THE CITY OF ESPANOLA, RIO ARRIBA COUNTY, THE TOWN OF TAOS AND TAOS COUNTY

THIS JOINT POWERS AGREEMENT (the "Agreement") is entered into by and among the Incorporated County of Los Alamos, New Mexico, the City of Santa Fe, New Mexico, Santa Fe County, New Mexico, the City of Espanola, New Mexico, Rio Arriba County, New Mexico, the Town of Taos, New Mexico and Taos County, New Mexico (each a "Party" and together, the "Parties" or "Coalition Members").

WHEREAS, the Parties are each New Mexico municipalities or counties, created and existing pursuant to the Constitution and laws of the State of New Mexico (the "State"); and

WHEREAS, Los Alamos National Laboratory ("LANL") is one of the largest employers in northern New Mexico and a critical economic driver in the region; and

WHEREAS, the local economy and environment of the each of the Parties is affected by LANL's activities and programming; and

WHEREAS, the Parties share a common interest in assuring that LANL missions remain sustainable and diversified, while assuring protection of the environment; and

WHEREAS, the Parties share the goals of engaging LANL, the U.S. Department of Energy, the State of New Mexico and other government agencies with respect to local concerns about LANL activities, and of increasing the Parties' ability to participate in and influence federal and state government decision-making affecting LANL; and

WHEREAS, as described in Section 2 of this Agreement, the Parties share common powers with respect to promoting economic development, cultural and educational activities and environmental protection for the benefit of their citizens; and

WHEREAS, the Parties are authorized by the Joint Powers Agreements Act, Sections 11-1-1 through 11-1-7 NMSA 1978 (the "Act"), to create a joint powers authority for the purpose of exercising powers common to the Parties; and

WHEREAS, the Parties desire to create a joint powers authority pursuant to the Act for the purposes described in, and subject to the requirements of, this Agreement.

NOW THEREFORE the Parties hereby agree as follows:

1. Creation of Regional Coalition of LANL Communities; Method by which Common Powers will be exercised. The Parties hereby create the Regional Coalition of LANL Communities (the "Regional Coalition") as a joint powers authority pursuant to the Act. The Regional Coalition, as the administering agency under this agreement, shall be considered an entity separate from the Parties, as provided in Section 11-1-(B) NMSA 1978, and shall act on behalf of the Parties with respect to the subject matters of this Agreement.

2. Purpose of the Regional Coalition and Common Powers of Members. The purpose of the Regional Coalition is to engage in the activities described in this on behalf of the Coalition Members, through the exercise of powers common to the Parties to be exercised by the Regional Coalition. The purposes and common powers include the following with respect to LANL and LANL-related activities and issues:

A. Promotion of economic development, including:

(i) promotion of new missions for LANL that the citizens of the Coalition members support;

❖ *Revision suggestion from Rivera Sun and other Taos Residents*

○ *Amendment suggestion: "Promotion of continued economic development that is not related to maintenance, research, development, production, or modernization of nuclear weapons, including:"*

(ii) advocacy of long-term stable funding of LANL missions;

❖ *Revision suggestion from Rivera Sun and other Taos Residents:*

○ *"advocacy of long-term stable funding of LANL missions;" would now read: "support, lobbying, and advocacy of long-term stable funding of LANL missions by the Regional Coalition shall be narrowly and explicitly defined as not including support for LANL's nuclear weapons programs."*

(iii) promotion of new and diverse scientific endeavors at LANL, focusing on employment and educational opportunities within the Coalition Members' jurisdiction;

(iv) support of business incubation and business development on non-federal lands;

(v) support of workforce training and development; and

(vi) promotion of awareness of LANL of its contribution toward and impact on the region.

B. Promotion and coordination of environmental protection and stewardship, including:

(i) cleanup activities and site maintenance to ensure consistency with community values and fixture use goals;

(ii) planning activities to address future use goals, stewardship needs and obligations, and prevention of future contamination;

(iii) evaluation of cleanup planning, implementation and oversight for protection of workers and neighboring communities.

C. Participation in regional planning, including:

(i) evaluation of policy initiatives and legislation for impacts on Coalition Members;

(ii) development of long-term relationships between local, state and federal officials and LANL officials;

(iii) coordination of regional planning with LANL strategic initiatives and other advocacy organizations and initiatives.

D. Evaluation of policy initiatives and legislation for impact on the Regional Coalition, including

(i) participation in public comment and outreach initiatives to influence decision-making concerning LANL activities;

(ii) advocacy in state and federal legislative process and administrative proceedings.

3. Method by which the Regional Coalition will accomplish its purposes. The Regional Coalition will develop and implement plans and approaches for carrying out the purposes described in Subsections (A), (B), (C) and (D) of Section 2 of this Agreement.

4. Governance of the Regional Coalition.

The Regional Coalition shall be governed by a board of directors (the "Board") who shall be appointed as follows:

A. The governing body of each Party shall appoint a director, who shall be an elected public official of that Party, with current experience in strategic planning, economic development, environmental protection or the legislative process.

B. The governing body of each Party shall appoint replacement directors to fill vacancies in the board position appointed by that Party. Such replacement directors shall have the qualifications described in subsection A of this Section 4.

C. Each Director shall have a term of office as specified by the governing body of the Party appointing that Director. Directors may be reappointed for additional terms as determined by the Party appointing that Director.

D. The governing body of each Party shall appoint at least one and no more than two alternates (each an "Alternate Director") to serve as a director in the absence of the Director. An Alternate Director shall have the qualifications described in subsection A of this Section 4, except that the Alternate Director may be either an elected official or an employee of the Party represented by the Party appointing the Alternate Director.

5. Meetings of the Regional Coalition

A. Meetings of the Regional Coalition shall be held at least quarterly and at such additional times and in such locations as the Board determines.

B. Meetings shall be held in compliance with the New Mexico Open Meetings Act, Sections 10-15-1 through 10-15-4 NMSA 1978.

C. A majority of directors shall constitute a quorum for the transaction of business. A majority vote of the quorum shall be required for the adoption of a resolution.

D. The Board shall keep minutes of all meetings.

E. The Board may adopt such by-laws, rules or regulations for the conduct of its affairs as it deems necessary or convenient.

❖ *Revisions in JPA 5. Meetings of the Regional Coalition as submitted by Rivera Sun and other Taos residents recommend the addition:*

- *JPA 5.F. "Public Comment Period shall be held at every meeting, and before each decision of the Regional Coalition" and*
- *JPA 5.G. "G. Public Scoping sessions shall be held not less than twice per year.*

6. Exercise of Powers

A. The Regional Coalition is hereby authorized to exercise any and all of the common powers described in Section 2 of this Agreement without further authorization or ratification by the governing body of each Party.

B. The Incorporated County of Los Alamos shall act as the fiscal agent for implementation and administration of this Agreement.

7. Effective Date, Term and Termination.

A. This Agreement shall be effective upon approval by the Department of Finance and Administration ("DFA").

B. The term of this Agreement shall be perpetual unless terminated by mutual consent of the Parties.

8. Disposition of Property Acquired Pursuant to this Agreement

A. The Parties do not anticipate that the Regional Coalition will acquire real property pursuant to this Agreement, but may acquire or contribute personal property in furtherance of the activities contemplated by this Agreement. The Parties anticipate that they will contribute funds to support activities of the Regional Coalition, each from sources budgeted by the governing body of that Party or otherwise approved prior to the Regional Coalition incurring expenses for which contributions from Parties will be requested.

B. Any surplus property or funds of the Regional Coalition remaining at the time this Agreement is terminated shall be returned to each Party in proportion to the contributions made by that Party.

9. Strict Accountability of all Receipts and Disbursements. Coalition shall be strictly accountable for all receipts and disbursements under this Agreement.

10. Amendment. This Agreement shall not be altered, changed, or amended except by instrument in writing executed by the Parties and approved by the DFA, but subject to the following.

A. One or more tribal governments may become members of the Regional Coalition through an amendment to this Agreement including such tribal government(s), executed by the Regional Coalition and the tribal government(s). The Parties intend that a tribal government shall not waive its sovereign immunity as a result of entering into this Agreement.

B. If one or more of the local governments anticipated to be a Party does not execute this Agreement, this Agreement shall be effective in connection with the local government entities that have executed this Agreement, and shall be deemed amended to include the local governments that have executed the Agreement, irrespective of references to the local governments that have not executed this Agreement, and it shall not be necessary for the Parties execute an amended or restated Agreement deleting reference to local governments who do not enter into this Agreement.

C. Individual Parties may withdraw from the Regional Coalition and, upon such withdrawal, this Agreement shall be deemed amended with respect to that withdrawal, without further approval by the DFA.

D. Except as to the provisions of Subsections A, B and C of this Section 10, so long as only the no other provision of this Agreement is amended, amendments to include the tribal government(s) or to delete references to local governments who do not enter into this Agreement or who withdraw from the Coalition, shall not require approval by DFA.

11. Privileges and Immunities. All of the privileges and immunities from liability, exemptions from laws, ordinances and rules, all pension, relief, disability, workers' compensation and other benefits which apply to the activity of officers, agents or employees of any such public agency when performing their respective functions within the territorial limits of their respective public agencies, shall apply to them to the same extent while engaged in the performance of any of their functions and duties extraterritorially under the provisions of the Act, as provided in Section II-I-6 NMSA 1978.

12. Governing Law. This Agreement shall be governed by the laws of the State of New Mexico; provided that, with respect to any tribal government that is a Party, it is hereby recognized that the powers and status of such Party, as a tribal government, is subject to the laws of the United States.

13. Counterparts. This Agreement may be executed in counterpart originals.

14. Entire Agreement. This Agreement constitutes the entire agreement and understanding of the Parties with respect to the subject matter hereof.

IN WITNESS WHEREOF, the Parties have executed this Agreement which becomes effective as of the date of approval by the Department of Finance and Administration.

INCORPORATED COUNTY OF LOS ALAMOS, NEW MEXICO

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**REPORT TO THE BOARD OF DIRECTORS
REGIONAL COALITION OF LANL COMMUNITIES
BOARD RETREAT, MAY 16, 2014**

Prepared by

David M. Abelson
Crescent Strategies, LLC

May 30, 2014

This report summarizes the Regional Coalition of LANL Communities' May 16th Board of Directors retreat.

Board members present:

Alice Lucero, Mayor, City of Española
Fran Berting, Councilor, Los Alamos County
Joe Maestas, Councilor, City of Santa Fe
Tom Blankenhorn, Commissioner, Taos County
Steve Girrens, Councilor, Los Alamos County
David Trujillo, Assistant Manager, Rio-Arriba County

Executive director management team members present:

Darien Cabral, Executive Director
Jennifer Padilla, JLH Media
Jennifer Hobson-Hinsley, JLH Media

Economic development professionals who offered perspectives at the retreat:

David Griscom – Santa Fe County
Fabian Trujillo – City of Santa Fe
Chris Madrid – Rio Arriba County
Greg Fisher – Los Alamos County
Kathy Keith – Regional Development Corporation
John Mott – Feyman Center

David Abelson, Director, Crescent Strategies, LLC, facilitated the meeting and has prepared this report. Brian Bosshardt, Deputy County Administrator, Los Alamos County, assisted with meeting management.

Background on the Regional Coalition of LANL Communities

The Regional Coalition is rooted in the idea that by coming together to proactively address issues, these governments are better poised to define the public interest and ensure national policies protect and promote local interests. Those interests are environmental, economic and cultural. As congressional delegations and communities from other Department of Energy (DOE) facilities can attest, regional partnerships such as the Regional Coalition strengthen the decision-making process and are integral to the communities' long-term economic viability.

A central component of the Regional Coalition's work is addressing environmental liabilities. That effort includes the evaluation of cleanup planning, implementation, and oversight for protection of workers and neighboring communities. It likewise includes ensuring decisions made at the Los Alamos National Laboratory (LANL) are consistent with community values and goals.

Economic issues are critical to the Regional Coalition's mission. As provided in the Regional Coalition's strategic plan, "Sustaining and diversifying LANL's missions and protecting the

environment through design, planning and execution are central to the site's long-term viability and, in turn, essential to the long-term economic and social health of the regional communities." The key question for the Regional Coalition concerns what economic development means in the context of its efforts, and, specifically, how the Regional Coalition can marshal its political strengths to advocate for and otherwise support existing regional economic development efforts.

Finally, advancing the organization's goals and priorities requires strong communications. That effort is part education, part advocacy.

Observations from the retreat

The Regional Coalition continues to make progress in fulfilling its goals of securing funding for cleanup, which is both an environmental and jobs issue, and helping define local interests as DOE and the New Mexico Environment Department (NMED) establish cleanup priorities. With Darien Cabral and JLH Media as the executive director management team, the Regional Coalition has in place a team that can help advance economic development issues, the part of the Regional Coalition's strategic plan that has received less attention. The challenge facing economic development efforts is defining the Regional Coalition's role given the many existing, effective efforts.

To be successful moving forward there are certain critical steps that the organization must take, most of which were defined during the retreat or came up in meetings David Abelson, the meeting facilitator, had with the executive director management team and Board members prior to the retreat. David's key recommendations are:

1. The Board of Directors must work together and with the executive director management team to define the organization's strategic course. That includes developing an annual work plan, and, based on that plan, scoping agenda topics one-to-three months in advance.
2. The executive director management team must have a clear sense of the Board's expectations so that it can best serve the Board's interests and effectively implement the work plan.
3. The goals and intent of each meeting must be clearly defined.
4. As agreed to at the retreat, the organization must balance its focus on environmental and economic development issues. To date, the Board has emphasized environmental issues, including cleanup funding. That work must continue while expanding its focus on economic development issues.
5. The executive director management team must maintain close ties to DOE, NMED and LANS, as a strong working relationship will be central to advising the Board on its strategic direction and identifying opportunities for substantive Board engagement. Frequent contact with these parties is essential.
6. For now, the executive director management team must narrow its focus to (a) strengthen relationships with all member governments, (b) establish the framework and develop the initial draft of the work plan, (c) analyze opportunities to engage economic development opportunities, and (d) identify opportunities to influence existing cleanup actions and future cleanup campaigns.

7. Be aware of local government politics. It is critical that the executive director management team does not advance issues that pit one government against another. Disagreement amongst member governments is part of the process, but political considerations must be understood when managing this type of organization.

SUMMARY OF BOARD RETREAT

What the Board hoped to achieve at the meeting

At the start of the meeting, the Board and the executive director management team identified what it hoped to accomplish at the retreat. These ideas are summarized as follows:

1. Work plan:
 - a. Identify what the Regional Coalition wants to accomplish and where it goes from here.
 - b. Identify Board priorities for both environmental remediation and economic development.
 - c. Develop the framework for an achievable work plan that is integrated with the existing strategic plan, and begin developing the framework for its work over next three-to-six months.
 - d. In the work plan, balance environmental remediation and economic development.
2. Organizational management:
 - a. Provide direction to the executive director management team, including the Board's expectations.
 - b. Develop a process for all governments to contribute to the meeting agenda.
3. Economic development:
 - a. Define what economic development looks like within the scope of the Regional Coalition.
 - b. Clarify the Regional Coalition's economic development path and coordinate efforts with other groups.

The Board either met each goal or set the course for addressing each item.

Environmental remediation priorities

The Board agreed in the importance and value of ensuring that decisions made at the federal and state level about cleanup priorities and related actions include local interests and priorities. There was discussion regarding the ability of the Regional Coalition to influence cleanup decisions being made by DOE, LANS and NMED. At the same time, there was also discussion that DOE is interested in working with the Regional Coalition as it establishes cleanup priorities.

The cessation of TRU waste shipments to WIPP created uncertainty regarding DOE and NMED's path forward on the Framework Agreement and Consent Order, and in turn the type of decisions that would be made in the coming months and year. The Board remains strongly interested in evaluating cleanup options and priorities, and weighing risk reduction, costs, and

other factors that are integral to establishing the path forward on environmental remediation. Accordingly, the Board agreed to approach environmental remediation as follows:

1. Understand DOE, NMED, and LANS' cleanup priorities, and engage in priority setting. That analysis includes understanding
 - a. Environmental media affected;
 - b. Risk reduction that would be achieved;
 - c. Cost;
 - d. Work health and safety;
 - e. Employment needs; and
 - f. Other issues not yet identified.
2. Understand the path forward on the WIPP-3706 campaign, including what role, if any, the Regional Coalition can occupy as part of that campaign.
3. Understand next steps on Consent Order with TRU waste shipments to WIPP being halted for 18-36 months.
4. Define the Regional Coalition's realm of influence and advocate for community priorities.
5. Identify opportunities to influence DOE, NMED and LANS decisions, and, as appropriate, advocate for adequate funding with Congress.
6. Evaluate options for remediating the chromium plume, and understand stormwater management issues.
7. Develop a unified voice on cleanup issues.
8. Support the campaign approach to cleanup such as the one that was utilized in the TRU waste 3706 campaign.
9. Keep abreast of cleanup work.

Economic development – evaluation parameters

The Board developed a set of parameters that it will use to evaluate its engagement on economic development issues, but noted the Regional Coalition is not an economic development organization. For that reason, the Board stressed that in evaluating economic development opportunities, it is imperative that the organization pay close attention the role of other organizations, if any, working on the given project, and in turn the specific role that the Regional Coalition would occupy.

The parameters the Board developed for evaluating its engagement on economic development issues are:

1. Explain the connection of the project to LANL;
2. Identify what other organizations are working on the project, and the role of each;
3. Explain how the project affects the Regional Coalition's strategic interests;
4. Explain the specific role(s) for the Regional Coalition in advancing the project (i.e., advocacy, communication, coalition building);
5. Identify how the Regional Coalition will leverage its resources; and
6. Identify and explain which governments/communities would be affected by the project, explain the impacts, and identify any intergovernmental conflict that would emerge should the Regional Coalition pursue this project.

The executive director management team will conduct the initial analysis. Should the management team determine that a project is or might be worth pursuing, that recommendation will be brought to the executive committee for further review. Should the executive committee determine that the Regional Coalition's engagement is warranted, that recommendation will be forwarded to the Board for its review and approval.

Economic development – potential projects

The Board, executive director management team, and economic development professionals in attendance identified the following projects that could warrant the Regional Coalition's engagement. None, though, were vetted through the economic development evaluation parameters at the meeting, so an analysis by the executive director management team is needed.

1. Los Alamos Supply Chain Management Center (SCMC)
2. LANS Community Commitment Plan
3. REDI
4. REDINET (and broadband in general)
5. Flut
6. Ealasad
7. Workforce development
8. Feyman Center advocacy
9. Promote northern New Mexico economic development

It was also noted that many of these opportunities are projects of the Regional Development Corporation.

Role of the executive committee

One item that emerged was that the executive committee's role is not clearly defined. The Board took initial steps to better define the committee's role. Moving forward, the executive committee will:

1. Meet with the executive director management team (via conference call) the week following the monthly meeting to set the agenda for the following meeting;
2. Conduct the initial review of proposed economic development projects brought forward by the executive director management team; and
3. Manage the executive director management team.

Expectations of the executive director management team

In order to determine whether the executive director management team is successful, the Board began broadly defining its expectations of the management team. Specifically, the executive director management team will

1. Issue professional Board meeting packets, and ensure compliance with the following.
 - a. Packets will include agendas, briefing memos, and, as needed, supplemental information for each item.

- b. Both the agenda and briefing memos will identify the nature of each agenda item, including whether Board action will be needed.
 - c. Packets will be emailed to the Board and interested members of the public (including the media) no later than one week prior to the Board meeting.
2. Issue a press release following each Board meeting. The release will summarize the briefings, actions taken (if any), and other relevant information.
 3. Meet periodically with each director.
 4. Work with the Board and executive committee to ensure compliance with the New Mexico Open Meetings Act.

As noted above, regarding the evaluation of potential economic development projects, the executive director management team will analyze and review each potential project, and issue a recommendation to the executive committee if the management team determines that the Regional Coalition's engagement is or may be warranted. Importantly, should the executive director management team determine that the organization's engagement is not warranted, that information will not be presented to the executive committee for review.

Process for developing the Board meeting agenda

The Board agreed that each government should have an opportunity to identify the agenda items. The Board agreed to the following process:

1. At the end of each meeting, the executive director management team will present to the Board potential/likely work items for the next three meetings. Currently (and for the purposes of this report) this framework is called "Meetings at a Glance."
2. The entire Board will review and, as necessary, make changes to "Meetings at a Glance."
3. One week following the Board meeting, the executive committee and executive director management team will meet to set the agenda for the forthcoming meeting.

Standing agenda items – The Board agreed that it should receive regular updates on yet-identified projects. Examples could include the status of TRU waste shipping campaign, subcontract opportunities, etc. These items were referred to as "standing agenda items." In the coming months, the Board will work to identify these items and the frequency that it would like to receive updates.

Communications

JLH Media has the capacity and skill to advance a comprehensive communications plan. In the coming months as the work plan is developed, the executive director management team will develop a communications plan that will both guide proactive efforts and identify how the organization will respond to inquiries. The following was also agreed to:

1. Jennifer Padilla will be the primary contact with the media;
2. As noted elsewhere, following each meeting, the executive director management team will issue a press release summarizing the meeting and noting Board action, if any, taken; and
3. The executive director management team will develop a press release template.

One challenge that was not fully resolved was the process for responding to media inquiries, especially breaking news. In those circumstances where the organization cannot wait until the next meeting to respond, the executive director management team will contact the Chair, and if time allows, the other members of the executive committee. Time allowing, the Chair will provide guidance on how to respond, and will approve media releases.

The Board recognized that often reporters are on deadline, so there may be instances where the executive director management team and Chair will not have sufficient time to talk. In those circumstances, the executive director management team is charged with handling the media inquiry.

What a successful meeting entails

The Board identified two specific items, and two others came up in conversation:

1. Start on time;
2. Following the rules of procedure. Mayor Lucero is charged with developing these rules;
3. Follow the agenda; and
4. Limit the executive director's report.

To-do list

The Board identified the following items.

1. Develop the 2014 work plan. Lead: Executive director management team will initiate the effort; project will be completed at Board meetings
2. Evaluate economic development opportunities. Lead: Executive director management team
3. Develop the Meetings at a Glance template, and begin developing briefing/discussion items for the next three months. Lead: Executive director management team
4. Develop a communications plan. This item will occur once the 2014 work plan is developed and approved by the Board of Directors. Lead: Executive director management team will initiate the effort; project will be completed in conjunction with executive committee
5. Establish the process for setting the agenda. Status: Completed (see "Agenda Setting" for details)
6. Adopt rule of procedure for Board meetings. Lead: Mayor Lucero
7. Develop the template for Board statements. Lead: Executive director management team
8. Identify standing agenda items. Lead: The Board



Regional Coalition of LANL Communities

Draft 2015 Work Plan

This is a Work Plan Outline to directly reflect the outcomes of the Strategic Planning session. It was drafted from the 2014 strategic planning and work planning documentation. This draft Work Plan is divided into short- and long-term goals, as well as ongoing work that the Coalition must accomplish. This is a draft Work Plan subject to Board review and approval.

Short-Term Goals (2 months, April to June 2015)

- I. Organizational Management
 - a. Work Plan 2015 Draft
 - i. Suggestion: Drafted and presented April 17, 2015 at next Coalition meeting for voted adoption by Board.
 - b. Coalition Meetings Procedure
 - i. Procedural Rules Adoption
 1. Review Draft rules for adoption in April 17th Coalition meeting. (Available in packet.)
 - ii. Scoping Agenda Topics
 1. Currently no methodology for arranging new calendar for agenda items. Executive Director to draft methodology for vetting through agenda items for upcoming meetings and ensure all Coalition members are involved in planning process.
 - c. Budget & Financial Management
 - i. DOE 2015 Grant Application
 1. ED to draft and submit DOE Grant Application for \$100,000 to fund Coalition business, not including any lobbying efforts, with support by Amalio Madueño, grant writer out of LANL Community Programs office.
 - ii. Reimbursement
 1. Executive Director (ED) to draft a resolution on procedures for reimbursement
 - a. From Bylaws (Art.II, Board of Directors; d. Expenses): Need to adopt “[A] resolution detailing the procedures for reimbursement of expenses related to Director and Alternate Director participation in Coalition activities.
 - iii. Board of Director Dues
 1. Board to form a subcommittee to come up with proposed resolutions as to what each of the Directors shall commit to paying annually as described as ‘Coalition Dues,’ or ED to draft proposal to amend current practice.
 - a. Proposal of amendment to address the relative payments of each Director to the Coalition. With the amendment, a resolution is necessary to address how and what each Director should pay to the Coalition.
 - iv. Budget
 1. ED to work with current fiscal sponsor, Los Alamos County, to understand financial and budgetary situation of the Coalition, to then draft a working FY15-16 budget for review in June 2015. That information will then inform a draft budget to then be tailored and further planned with the Secretary/Treasurer.
 - a. From Bylaws (Article III, Officers of the Board, F. Secretary/Treasurer): “Oversight of Regional Coalition funds and assets. He/she shall review accounts of receipts, disbursements and deposits of all Regional Coalition monies and other valuable effects in the name and to the credit of

- the Regional Coalition and report to the Board of Directors upon request.”
- b. Secretary/Treasure is to provide “detailed financial statement to the Board. The financial statement shall include all revenue, revenue sources, expenditures and balances, and include monthly and year-to-date figures. The presentation of such a financial statement shall be a recurring item on each of the Board’s regular meeting agendas.”

Long-term Goals/ Projects (1 year from adoption of work plan)

- I. Strengthen relationship with Board
 - a. Regular Meetings
 - i. ED to meet with each Board Director every other month, at minimum to discuss Coalition issues.
 - ii. ED will facilitate forming Committees of the Board to discuss pertinent matters of Cleanup, Economic Development
- II. Increase relationships with agencies
 - a. Strategic: Quarterly meetings (at minimum) with LANL, LANS, NNSA and EM
 - b. Cleanup: Quarterly meetings (at minimum) with CAB and NMED
 - c. Economic Development: Quarterly meetings (at minimum) with LANL Community Programs office, Feynman Center of Innovation, RCD, VAF and the like
 - d. Policy: Monthly meetings with Congressional Representatives
 - i. Meet once by phone or in person, before every Board meeting to discuss any input from each representative and speak on issues prior to Board meeting.
- III. Communications Strategy
 - a. Internal Communications Strategy
 - i. J LH to work with ED to craft strategy to ensure all Board Members are up to speed, internally, on issues pertaining to the Coalition
 - 1. Weekly updates on LANL and regional news of interest for Board members
 - 2. Fact Sheets and Updates on LANL and related outside organization activities
 - 3. Subject matter expert invitations to supply information to Coalition, and compiled for Board members
 - b. External Communications Strategy
 - i. J LH to work with ED and draft long-term plan to correspond to external communication of Coalition activities to the public
 - ii. Better integration of website activities for internal sharing of documents
- IV. Measure Advocacy and Work Outcomes
 - a. ED to work with NMED and DOE EM offices, respectively, to understand planned cleanup activities, their goals, their timelines and budgets required.
 - i. (JPA, 2.B.i) Promotion and coordination of environmental protection and stewardship, including (i) cleanup activities and site maintenance to ensure consistency with community values and fixture use goals;
 - ii. Continue to stay engaged in news and continue to gather regular updates on WIPP
 - b. Board to invite, ED to coordinate information with NMED and DOE EM to understand risk mitigation of any future contamination and stewardship planning.
 - i. (JPA, 2.B.ii.) planning activities to address future use goals, stewardship needs and obligations, and prevention of future contamination;
 - ii. 2015 Top Cleanup Priorities as designated by DOE EM: Chromium Plume and RDX Plume
 - 1. (JPA, 2.B. iii.) Coordination of regional planning with LANL strategic initiatives and other advocacy organizations and initiatives.
 - c. Coalition to craft its own critique/evaluation of cleanup progress
 - i. ED to work with the Citizen Advisory Board and LANL Major Subcontractors Consortium to best understand LANL strategic cleanup initiatives and draft system to evaluate activities

- V. Increase relationship with non-Coalition regional governing bodies
 - d. Development
 - i. Executive Director (ED) to actively recruit among surrounding communities to increase Director participation for larger scope of regional representation
 - 1. From Bylaws (Art. II, Board of Directors, a. Number Qualifications and Term of Office): Actively recruit additional regional elected officials and tribal officials to become members of the coalition.

Ongoing Work (Daily, weekly or monthly activity)

- I. Administrative Needs
 - a. Presentations
 - i. Executive Committee and/or ED to invite and vet all potential presenters to coalition meetings, to be determined 3 months in advance.
 - b. Public Email Blasts
 - i. JLH and ED to send out regular meeting notices and other pertinent email blasts via Constant Contact
 - c. General Invoicing
 - i. ED to work with Los Alamos County, the Coalition's fiscal sponsor, and Treasurer to ensure all budgeting and payments out of the Coalition are properly crafted and are up-to-date.
 - d. Board Meeting Execution
 - i. ED to work with Board to ensure all meeting locations have been set at least three (3) months in advance.
 - ii. JLH and ED to craft, post and archive all Meeting invitations and packets on website and cloud storage.
 - iii. Board and ED to ensure that regular agenda item of Congressional representative updates are at the beginning of meeting
 - iv. ED to work with Staff to ensure all meetings have proper provisions and necessary supplies
 - v. ED to work with meeting minutes note taker to ensure minutes are vetted, posted and archived on website and cloud stored.
 - vi. Board and ED to abide by all necessary rules to ensure compliance with the New Mexico Open Meetings Act
 - e. Executive Committee meeting
 - i. ED to orchestrate monthly Executive Committee exactly one week after monthly Board meeting.
- II. Communications
 - a. ED to have regular communications with Board members
 - i. ED to report back to Board on any difficulties reaching Board members
 - ii. ED to ensure most/all Board members can attend each Board meeting
 - iii. ED to report back on any worry quorum will not be present for an upcoming meeting
 - b. JLH to work with ED to craft internal and external communications strategy directly responsive to drafted and finalized Work Plan