

**MINUTES OF THE**  
**THE CITY OF SANTA FE & SANTA FE COUNTY**  
**BUCKMAN DIRECT DIVERSION BOARD MEETING**

**December 4, 2014**

This meeting of the Santa Fe County/City Buckman Direct Diversion Board meeting was called to order by Councilor Joseph Maestas Chair, at approximately 4:35 p.m. in the Santa Fe City Council Chambers, 200 Lincoln Avenue, Santa Fe, New Mexico.

Roll was called and the following members were present:

**BDD Board Members Present:**

Councilor Joseph Maestas, Chair  
Commissioner Liz Stefanics  
Ms. Consuelo Bokum  
Commissioner Miguel Chavez

**Member(s) Excused:**

Councilor Carmichael Dominguez

**Others Present:**

Nancy Long, BDD Board Consulting Attorney  
Charles Vokes, BDD Facility Manager  
Rachel Brown, County Attorney  
Stephanie Lopez, Staff Liaison  
Shannon Jones, City Wastewater Division Director  
Carole Jaramillo, County Budget Director  
Claudia Borchert, County Utilities Division Director  
Mackie Romero, BDD Finance Manager  
Bernadine Padilla, BDD Public Relations  
Michael Dozier, BDD Staff  
Erminia Baca, BDD Staff

**3. - APPROVAL OF AGENDA**

*[Exhibit 1: Agenda]*

CHAIRMAN MAESTAS: Members of the Board, you have the agenda before you. Before I entertain any possible changes, are there any changes from staff on the agenda? No changes?

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIRMAN MAESTAS: Yes, Commissioner Chavez, and then Ms. Bokum.

COMMISSIONER CHAVEZ: On the agenda we have item 7, a report on the December 2, 2014 Fiscal Services Audit Committee, but it's also duplicated in item

17, the report from the Fiscal Services Audit Committee, meeting of December 2, 2014. So I would propose that we do the report under 17. B, not item 7.

CHAIR MAYFIELD: Okay. So we'll basically strike item 7?

COMMISSIONER CHAVEZ: Right.

CHAIRMAN MAESTAS: Okay. Ms. Bokum.

MEMBER BOKUM: I'd just like to welcome Charles Vokes.

CHARLES VOKES (Facility Director): Thank you. Thank you very much. I've got Shannon here for back so we're in good hands.

CHAIRMAN MAESTAS: Welcome, Charles and we have your bio here. *[Exhibit 2]* I don't know if you want to mention any highlights from your bio, Charles, before we move on, or do you want to just make some introductory remarks. This is your first Board meeting.

MR. VOKES: Thank you. I just provided the bio so that those of you that haven't met me or don't know my background would have a starting point. I'm certainly looking forward to getting to meet all of you and work with you in the future. As I said, I have been doing water utilities since I got out of college. That's probably about 34 years worth of water utilities, mostly with the City of Arlington, a much bigger system, but I was very attracted to this position because of the excellence I saw in both the staff and the facility. So again, I'm sure that if you have questions or as we get to know each other things will come up. But I want to let you know that I'm very pleased to be here. We're very pleased to be in Santa Fe and hopefully this will be a great stop and a great working relationship for all of us. So thank you very much.

CHAIRMAN MAESTAS: Thank you, Mr. Vokes. Anything else before we move on? Okay, we have one amendment to the agenda. Do I hear a motion to approve the agenda as amended?

COMMISSIONER CHAVEZ: Motion to approve to approve as amended.

COMMISSIONER STEFANICS: Second.

CHAIRMAN MAESTAS: Okay. We have a motion and a second. Any discussion on the motion?

**The motion passed by unanimous [4-0] voice vote.**

#### **4. APPROVAL OF CONSENT AGENDA**

CHAIRMAN MAESTAS: Are there any changes? Are there any items you wish to pull?

COMMISSIONER STEFANICS: Mr. Chair, I'd move for approval of the Consent.

CHAIRMAN MAESTAS: Okay. We have a motion on the floor to approve the Consent. Do I hear a second?

COMMISSIONER CHAVEZ: Second.

CHAIRMAN MAESTAS: Second by Commissioner Chavez. Any discussion on the motion?

**The motion passed by unanimous [4-0] voice vote.**

**4. APPROVAL OF MINUTES: October 2, 2014**

CHAIRMAN MAESTAS: In your packets you have the minutes from the October 2<sup>nd</sup> Board meeting. Are there any changes from staff on the minutes?

STEPHANIE LOPEZ (Staff Liaison): No changes.

CHAIRMAN MAESTAS: Okay. What's the pleasure of the Board?

COMMISSIONER CHAVEZ: Move for approval.

COMMISSIONER STEFANICS: Second.

CHAIRMAN MAESTAS: We have a motion from Commissioner Chavez and a second from Commissioner Stefanics. Any discussion on the motion?

**The motion passed by unanimous [4-0] voice vote.**

**6. MATTERS FROM STAFF**

CHAIRMAN MAESTAS: Any matters from staff? Any matters at all?

MR. VOKES: I don't believe we have anything additional. Thank you.

CHAIRMAN MAESTAS: Okay.

MS. LOPEZ: Real quick, excuse me. We have on your desk right there, the BDD PR outreach and events highlights that Bernadine provided. *[Exhibit 3]* So I don't know. Do you want to just take a look at that and if you have any questions of her or just have it as reference.

CHAIRMAN MAESTAS: Okay. Yes. Unless there needs to be highlighted Bernie. Do you want to just maybe briefly mention tomorrow's ceremony and the award, just to let the Board know it's the most current, I think, event here.

BERNADINE PADILLA (BDD PR): Yes, we have a couple of awards that we've been nominated for. The first one was the New Mexico Finance Infrastructure through NMED and BDD received the best practices on utilities, and on Friday we are nominated again for another award and it's NAOP awards for excellence. And I believe you are going to try to attend, Mr. Vokes, Regina Wheeler and Nick Schiavo will be attending. And if you're not going I think Ms. Stefanics will be attending? No? Okay.

CHAIRMAN MAESTAS: I just confirmed a while ago.

MS. PADILLA: Okay. Let's see how that turns out. That should be exciting. And we're also nominated for another solar array award through Positive Energy through Sun Power. And those are the panels that we purchased for our array. So we're looking forward to seeing how that turns out as well.

CHAIRMAN MAESTAS: Exciting. Since Bernie has the floor any questions regarding any of the other PR highlights. Anyway, keep up the good work. Excited about another award.

MS. PADILLA: Thank you. Yes, it's great. We're excited too.

CHAIRMAN MAESTAS: Thanks.

## **INFORMATIONAL ITEMS**

### **8. Program Performance Measure Report**

CHAIRMAN MAESTAS: And Ms. Romero – I don't know. Is there a desire for her to really do a formal presentation or what's the wishes of the Board? We do have an executive session and I see no reason to rush but if you have questions I'd rather have you ask questions instead of having her go through a presentation. What did you have in mind? Did you want to –

MACKIE ROMERO (BDD Finance Manager): This part right here is just the performance measures and it's just informational. I just wanted the Board to know that staff is completing performance measures and they did present targets, and it's part of the budget process, and we will continue to provide this data to the Board as we do our yearly budget request. And then once we get to the budget, which is later, there is a couple slides that we can go through or whatever the Board wishes to do.

CHAIRMAN MAESTAS: Okay. Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, thank you. I just would like to know, I understand that this is part of most government agencies process. Are there any problematic areas that the Buckman Direct Diversion has to focus on?

MS. ROMERO: As far as what staff did, there wasn't anything that came out of it but you're right, it does give an opportunity for us to evaluate our program so that we can continue improvement and accountability and transparency. The performance measures are the targets that everybody put in there. We seem to be meeting them and we're just going to continue trying to do a good job and we'll continue providing the information. So if there's any additional performance measures that you think staff should include in that we're definitely open to any suggestions.

COMMISSIONER STEFANICS: So, Mr. Chair, Ms. Romero, from the last audit, were there any – and you'll have to refresh my memory. Were there any findings that we needed to make sure we included in these performance measures?

MS. ROMERO: Commissioner Stefanics, members of the Board, the only audit that's been completed for BDD is the construction audit and the only finding in that was that the construction audit was late. We are preparing now for the audit of operations which will be three years worth of audits and once that's done I will report back to the Board any findings.

COMMISSIONER STEFANICS: Thank you very much, Mr. Chair.

CHAIRMAN MAESTAS: Any other questions? I wanted to make a few comments. I think the metrics are very understandable. They're very applicable, but is it really a performance-based – do we have a true performance-based budget?

MS. ROMERO: That is the confusing part because we do our budget so early it's not really based on performance. However, I think it's still important to have those types of goals and targets. So that's why we kind of presented it first to say staff is aware that there is some type of performance that we're accountable for. So we kind of presented that first before we actually go into the budget. The other thing is results. We could only provide results for fiscal year ending June 30, 2014 since we're in the current year. So you couldn't really compare the two years.

CHAIRMAN MAESTAS: Have these metrics made their way into individual employee performance plans? Is that maybe a direction we may want to go

because – I mean the standards are really, really high. I think in many cases – for example, it’s 100 percent, which is quite lofty. You can’t get any loftier than 100 percent compliance with certain laws, but what happens if we don’t achieve that? I can’t imagine. Charles, you’re ultimately accountable but you do have support staff that should share that burden of accountability and maybe that’s a direction we should consider. Perhaps you may want to bring that up in your upcoming team-building in that, hey, how do we share responsibilities and actually make them very real and measurable and integrated into appropriate performance plans?

MR. VOKES: Mr. Chair, I appreciate your insight and your input to that. I feel like since I’ve been here two months I’m still kind of at 50,000 feet and just working my way into the various programs. So it is my intention to pretty much go through everything and look and ask those type of questions. So we will make note of that and we will include that in our future examination of what we do and how we do it.

CHAIRMAN MAESTAS: Okay, great. Thank you. Anything else before we move on? Thanks, Ms. Romero.

MS. ROMERO: Thank you.

#### **CONSENT AGENDA**

9. **Monthly Update and BDD Operations**
10. **Drought, Monsoon and Water Resources Management Update**
11. **Request for Approval of the 2015 Buckman Direct Diversion Board Meeting Calendar**
12. **Request for Approval of 2015 Fiscal Services and Audit Committee Meeting Calendar**
13. **First Quarter Financial Report**
14. **Request for Approval of a Professional Services Agreement with Chavez Security for Security Services per RFP #15/06/B in the Amount of \$69,166.79 Exclusive of NMGRT**

#### **DISCUSSION AND ACTION ITEMS**

15. **Update on LANL MOU Early Notification System**

CHAIRMAN MAESTAS: Mr. Vokes, is that you?

MR. VOKES: Actually, Mr. Harwood was going to do that but I think Nancy’s going to speak to that. Oh, no. Shannon. I’m sorry. Shannon’s going to kind of bring you up to date on that. He’s got all the past history so I felt it would be well served to have him speak on it.

SHANNON JONES: Mr. Chair, members of the Board, I appreciate you letting me come back and present. The memorandum of understanding between the Buckman Direct Diversion Board and the Department of Energy has continued to progress. It was our intent that we would have that MOU before the Board – the target was by the end of the calendar year and our internal intent was for this Board meeting. But currently the technical group has continued to work through and has finalized a draft of the MOU and that draft has been turned over to Legal, both the Board’s Legal and the Department of Energy for final review.

Realistically, this just finalizes some of the verbiage in the agreement and the intent is to have that agreement to the Board as soon as possible and as for an action item on the next Board agenda in January. But I will be available for questions and we do have staff from the Department of Energy also here to answer any questions that the Board has on this agreement. I will stand for questions.

CHAIRMAN MAESTAS: Any questions? I think just maybe highlight just the major changes in this proposed MOU relative to the original one.

MR. JONES: Mr. Chair, members of the Board, some immediate modifications between the existing MOU and the one that's being proposed – one is that the proposed MOU is a three-year agreement between the Board and the Department of Energy and the intent is to take a more aggressive approach, to not drag this process out. There's a lot of questions that want to be answered by all parties. So taking a more aggressive schedule to achieve that in a short amount of time.

Another modification is – has to do with the funding for the MOU. In the MOU there are some financial commitments from the Board. One of the commitments, which you will see when Ms. Romero presents the budget is as far as paying for the actual sample sets, the Department of Energy has agreed to up to \$96,000 a year for analytical procedures and as a contingency, staff is recommending that the Board would put in place up to \$24,000 for any overage, in the event that there's more events than anticipated that we would be able to cover that cost.

In addition, right now staff is working on completing an evaluation, an actual – we brought on a consultant to help us crunch the data to see what has the past four or five years told us? That is on track to be back before the Board around the end of February and in the proposed MOU it talks about continuing that annual report of the study that would build on each year and that has been ear-marked at a \$20,000 commitment annually to continue that report and the Board is taking the lead on that with supporting staff from LANL and the Department of Energy.

And the last change does mention what we call a treat study. It is a treatment efficiency study that will be conducted over the three years of the plant assessment and also the Board and BDD staff are taking the lead on that with an estimated cost not to exceed \$33,000 a year for the three years of the MOU. So again, that has all been included in the budget being presented today. It is mentioned in the proposed MOU that will be coming before you, and really, those are the major modifications to the MOU.

CHAIRMAN MAESTAS: Okay. Thank you, Mr. Jones. Any questions on that? So we'll be seeing it in January as an action item. Great work. Please convey our thanks to the team. I know you guys do a lot of good work for us behind the scenes.

MR. JONES. Thank you.

#### **16. Request for Approval to Enter into a Memorandum of Agreement with San Ildefonso Pueblo for Rio Grande Water Quality Monitoring**

CHAIRMAN MAESTAS: Charles, are you going to lead us off? Or Nancy?

NANCY LONG (BDD Board Consulting Attorney): I'd be happy to. Mr. Chair, members of the Board, this issue of gaining access to San Ildefonso Pueblo for testing and sampling you've heard about over time and it's been before you previously.

We are happy to present to you the MOA that has been negotiated with San Ildefonso Pueblo. It came to fruition here at the end of this year due to the efforts of your chair and staff to try to get this accomplished before the end of the year when there will be a change in the tribal governor there.

The MOA as presented will allow access subject to the conditions of the MOA and the attached protocols. We learned that San Ildefonso Pueblo has a fairly standard MOA that they have developed fairly recently. They've used this with the New Mexico Environment Department. We received the proposed MOA from the pueblo along with the protocols and endeavored to get this done as quickly as possible without many changes so that their tribal council would approve it and we could get it done before the end of the year.

So the action that we would ask you to take is approval of the MOA and the protocols as presented. The protocols can be changed over time and we would bring those back to you but the actual MOA itself would not need to be amended if that were to occur. We understand that just in the last ten days or so the tribal council has approved the MOA. We're hoping to get a signed version of this from San Ildefonso Pueblo shortly and so we're hoping to wrap this up by the end of the year and have it fully signed off on.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIRMAN MAESTAS: Yes, Commissioner Chavez.

COMMISSIONER CHAVEZ: So if I'm understanding the issue in the MOU, there seems to be two parts, Nancy, the MOU and Appendix A, which is the protocol?

MS. LONG: Commissioner Chavez, Appendix A is the sampling plan, which is specific to Buckman. Then following that are their standard protocols – the protocol for access, for confidential information and for inadvertent discovery. So those are separate documents. We'll sign off on those separately. Appendix A is a part of the MOA.

COMMISSIONER CHAVEZ: So then the motion, if the motion is to approve the MOA, then we're understanding that that includes the protocols as well.

MS. LONG: Yes, and that could be specified in the motion. I think that would be – I would ask for that. That the motion approves the MOA and the protocols.

COMMISSIONER CHAVEZ: Okay. That's kind of where I was going so then I will, Mr. Chair if it's appropriate, make a motion to approve the MOA that includes the protocols.

COMMISSIONER STEFANICS: I'll second.

CHAIRMAN MAESTAS: Motion's been made by Commissioner Chavez and seconded by Commissioner Stefanics. Do you want to give up the floor?

COMMISSIONER STEFANICS: Mr. Chair, I'd like to commend staff and I'm assuming Shannon was very involved in working this out and the pueblo for not including a fee, which was originally talked about and I think it's very gracious on their part. I looked over the protocols. They seem rather standard for other governmental entities to participate on Indian lands, Native American lands, so I'm very comfortable with this, having discussed it with the governor and yourself.

CHAIRMAN MAESTAS: And I want to thank you, Madam Vice Chair. You attended kind of the kick-off meeting and if you all recall, we were at a complete impasse with regard to re-establishing any kind of monitoring station as a part of the

early warning system. At least the station that was on San I land and staff were great but I understand that staff was kind of delegated down to meet with San I and they were presented with, I think, a \$25,000 real estate application fee just to get the process going to achieve access and perhaps explore re-establishing one of our stormwater quality monitoring and early warning stations.

So we've come a long, long way in a very, very short time, so I think this is kind of a historic agreement between the Board and San I and as my vice chair said, this is really a standard – it's becoming standard protocol, really, among all pueblos and so it's just a matter of time. But I think it really serves our purpose in renegotiating the MOU with LANL with regard to our early warning system and kind of establishing our own relationship directly with San I. So I just can't say enough. And we didn't have a lot of thing so I wanted to commend, Nancy, your staff too, Charles – you sat in on the final meetings and Shannon. So I think special thanks to everyone. We were given a very short timeframe to really get this to where it's at today. So with that, is there any other discussion on the motion?

COMMISSIONER STEFANICS: Mr. Chair, one other comment. I was asking our County Attorney, Rachel Brown if she had seen this, but the protocols that are being utilized between the pueblo and other governmental entities might prove to be very useful for us in some of our other County activities. I still think it was an accomplishment, as you said.

CHAIRMAN MAESTAS: Thank you. Any other discussion? Yes, Commissioner Chavez.

COMMISSIONER CHAVEZ: Question on the timeline and the future of this MOU. What is the timeline on this and what is it? A year to year MOU? Is it something that we're going to have to revisit from time to time or how is that going to work?

CHAIRMAN MAESTAS: No, I think the term – I think it's open.

MS. LONG: It is open, Mr. Chair. The MOA can be terminated by either party on 30 days notice but otherwise it continues in effect.

COMMISSIONER CHAVEZ: Okay. So that will carry into the next administration then, which is key. Thank you, Mr. Chair.

**The motion passed by unanimous [4-0] voice vote.**

CHAIRMAN MAESTAS: Thank you all, that was really good. Good work.

**17. Request for Approval and for BDDB Recommendation to Santa Fe County Board of County Commissioners and Santa Fe City Council to Approve FT 2015/2016 Buckman Direct Diversion Operating Budget**

**A. Presentation of the Proposed FY 2015/2016 BDD Operations and Maintenance Budget**

MS. ROMERO: Yes, Mr. Chair, members of the Board. I can present at a very high level if you wish and then if you have any questions I can go into the major categories.



CHAIRMAN MAESTAS: Okay.

MS. ROMERO: BDD is pleased to present the proposed Buckman Direct Diversion annual operating budget for fiscal year 15/16 and proposed contributions to our major repair and replacement fund. The proposed budget accounts for all necessary costs to meet the Board's service level objectives and provide high quality water to our partners, the City of Santa Fe, Santa Fe County and Las Campanas entities.

BDD has actively collaborated with its partners on the development of this budget. I have provided a screen shot of a high level summary of the budget. BDD is requesting approval to budget \$6,807,400 for operations. Of this, \$6,617,400 will be reimbursements from our partners. \$190,000 will be funded with our PNM water treatment plant solar rebate revenue.

Fiscal year 15/16 BDD will be in its fifth year of operations. This milestone was a prime consideration in the analysis of cost as well as continuing closing the gap between actual expenditures and our budget requests. The slide that's on the screen shows a historical snapshot of our budget to actuals. Last year we spent 91 percent of our adopted budget and this year we are projected to spend 94 percent of our budget which includes five vacant positions. So as you can see from the screen we are working hard at closing that gap.

Our proposed budget request is a four percent increase from our current year adopted budget. Therefore if it pleases the Board I can go through each major category.

CHAIRMAN MAESTAS: What are the wishes of the Board? Okay.

MS. ROMERO: Okay. So our first major category is salaries and benefits. Benefits are increased by ten percent for health insurance premiums and nine percent for dental insurance premiums, and increased five percent for workers' compensation premiums.

Electricity remains flat as we did not include an booster station 2A solar savings as the solar array has only been operational for only a few months, which provided little data to accurately predict. However, we will use the current fiscal year's data for future budget requests.

The next major category is our chemicals, which was reduced by \$15,000, which was based on historical usage. Solids was increased by \$26,000. This was also done based on historical usage. The next major category was materials and supplies. This major increase is due to a capital purchase of a crane truck, which is estimated to cost \$225,000. This capital purchase will be shared equally between the City and the County. This equipment will enable us to move our heavy machinery for maintenance repair without relying on our current repair contractor, Alpha Southwest. We have in previous years, this year included, we have increased our professional service contract with Alpha Southwest by \$50,000 so with this major capital purchase we would leave our contract at \$50,000 and hopefully would be able to see that savings over the next four years.

The next category is other operating costs. This category also included an increase and this was mainly due to materials and supplies for our public outreach and awareness program, and some additional funding for our leadership and team-building training.

Our budget also includes \$67,400 for the one percent fiscal agent fee. Is there any questions on the increases to the major categories?

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIRMAN MAESTAS: Yes, Commissioner Chavez.

COMMISSIONER CHAVEZ: On salaries and wages, I know you probably already went over this, but could you tell us why there's an increase in that category?

MS. ROMERO: The increase?

COMMISSIONER CHAVEZ: Yes.

MS. ROMERO: That's going to be due to health insurance premiums, dental, and workers' comp premiums.

CHAIRMAN MAESTAS: I had a question I guess. What is the assumed vacancy rate, since we realized some savings in vacancies. Do we have an aspirational goal in terms of how many of these vacancies we want to fill? Or are we planning on filling all of them?

MS. ROMERO: We plan on filling all of them. At this point we do have five vacant positions but I know we are in the works in getting all of those. We've either been out or advertising and we're just working through the process.

CHAIRMAN MAESTAS: And also on the fiscal agent fee, I thought that went up to four percent.

MS. ROMERO: There was a four percent increase. However, it is currently not effective until the new agreement. So that would be included in our fiscal year 16/17 budget request. Because our current agreement goes through December of 2015 so it's kind of in the middle of our fiscal year. So I was advised by Legal to go ahead and leave it at the one percent.

CHAIRMAN MAESTAS: Any other questions? Anything to add from staff? All right.

MS. ROMERO: So just real quick, I just want to point out our emergency reserve fund, we will not be asking for any contributions as that is fully funded at \$2 million. The major repair and replacement fund, we are asking for \$411,804 in contributions. This is normal, yearly increase. This will bring our major repair and replacement fund to \$1,129,266 by the end of fiscal year 15/16.

So in summary, we request that the Buckman Direct Diversion approve and recommend the funding for fiscal year 15/16 in the amount of \$6,617,4000, plus the annual contributions of \$411,804 for the major repair and replacement fund.

CHAIRMAN MAESTAS: Any other questions before I entertain any comments from the public. We can't vote just yet.

MS. ROMERO: We also discussed – we have a report from FSAC where this budget was also discussed by staff.

CHAIRMAN MAESTAS: Okay. Let's go to that.

#### **17. B. Report from FSAC Meeting of December 2, 2014**

COMMISSIONER CHAVEZ: The Fiscal Services and Audit Committee met Tuesday, December 2<sup>nd</sup> at 4:30. There were three items that were discussed on that agenda. The first item was the first quarter financial update report; that was Consent item #13. The second item was request for approval of a PSA with Chavez Security in the amount of \$69,166.79, exclusive of GRT. That was Consent item #14. The third item that was discussed was the item that we're discussing now, the annual operating budget, and

that's action item 17. Those in attendance were Mr. Vokes, Ms. Romero, myself and Ms. Martinez from the County Finance Department, and that was it, right?

MS. ROMERO: Yes.

CHAIRMAN MAESTAS: Thank you, Commissioner. Any questions of Commissioner Chavez or Ms. Romero regarding the FSAC committee? Okay. Anything else?

MS. ROMERO: No, that's it. Thank you.

CHAIRMAN MAESTAS: Thank you.

**17. C. Public Comment**

CHAIRMAN MAESTAS: This isn't really a public hearing but I'd like to open the floor for any public comments. Ms. Long, I guess is it limited to solely budget because there is another opportunity in the agenda for matters from the public. So this would simply be limited to the proposed budget presented. Are there any members of the public that wish to comment on the proposed Buckman Direct Diversion budget? Anyone? Okay. Public comment is closed.

**17. D. Request for Approval of the Proposed FY 2015/2016 Operations and Maintenance Budget and Recommendation to Approve by the County Commission and City Council**

CHAIRMAN MAESTAS: All right, members of the Board, it's time to take action on item D. Do I hear a motion to approve the proposed FY 15/16 operations and maintenance budget?

COMMISSIONER STEFANICS: Mr. Chair.

CHAIRMAN MAESTAS: Yes.

COMMISSIONER STEFANICS: After getting the high sign that we have enough money at the County I would move to approve the FY 15/16 operations and maintenance budget.

MS. LONG: And Mr. Chair, Commissioner Stefanics, if you could also include in that motion that it would be approval and recommending that the governing bodies that each entity approve.

COMMISSIONER STEFANICS: And that the City and the County will take this up as soon as possible.

COMMISSIONER CHAVEZ: Second.

CHAIRMAN MAESTAS: Okay. We have a motion and a second. Any discussion on the motion?

**The motion passed by unanimous [4-0] voice vote.**

CHAIRMAN MAESTAS: Thank you all for putting this budget together and I just am amazed at how stable the budget is. It's nice from my perspective. So thank you.

MS. ROMERO: Thank you.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIRMAN MAESTAS: Yes.

COMMISSIONER CHAVEZ: I'm wondering if we could have a report at the next meeting, just an update on the vacancy positions and how that's going.

CHAIRMAN MAESTAS: Sure. Absolutely.

MS. ROMERO: We will provide that.

CHAIRMAN MAESTAS: Okay.

COMMISSIONER CHAVEZ: I guess as staff has the information. If it's not ready for the next meeting, when you have the information ready.

CHAIRMAN MAESTAS: Okay. Thanks. It's time for the next agenda item we have an executive session to discuss pending or threatened litigation in which the Board may become a participant. Do I hear a motion to go into executive session?

COMMISSIONER STEFANICS: Mr. Chair, before we would do that, if there happens to be any public that wants to make a comment perhaps we could hear from them so that they might not want to stay around.

CHAIRMAN MAESTAS: Oh, yes. Great idea.

### **MATTERS FROM THE PUBLIC**

CHAIRMAN MAESTAS: Why don't we just go down to Matters from the Public. Are there any members of the public that wish to address the Board about anything? Any members of the public that wish to make a general comment? All right, seeing none, public comment is closed.

### **EXECUTIVE SESSION**

#### **Discussion of pending or Threatened Litigation in which the Board May Become a Participant. The Discussion May be Held in Executive Session Pursuant to Section 10-15-1(H)(7) NMSA 1978**

COMMISSIONER STEFANICS: So, Mr. Chair, I would move that we go into executive session for the purposes of discussing pending or threatened litigation in which the board may become a participant. The discussion may be held in executive session pursuant to Section 10-15-1(H)(7) NMSA 1978.

COMMISSIONER CHAVEZ: Okay, we have a motion on the floor and a second. I do want to read a statement into the record and it pertains to the executive session. I'm disclosing that I am a program manager for the Bureau of Reclamation. I have consulted both with the Bureau of Reclamation and the City Attorney's Office. The Bureau has excluded from my responsibilities any agency work including but not limited to San Juan/Chama project, Pojoaque Basin Regional Water System, and the Aamodt adjudication. The City Attorney has determined that there is no conflict of interest under the City Ethics Code, as well as the New Mexico Governmental Conduct Act. Therefore I will not be recusing myself from dealing with issues that relate to the Wild Earth Guardians litigation.

Any other discussion on the motion?

**The motion to go into executive session pursuant to NMSA Section 10-15-1-H (7) to discuss the matters delineated above passed by unanimous roll call vote as follows:**

<b>Chair Maestas</b>	<b>Aye</b>
<b>Commissioner Stefanics</b>	<b>Aye</b>
<b>Commissioner Chavez</b>	<b>Aye</b>
<b>Member Bokum</b>	<b>Aye</b>
<b>Councilor Dominguez</b>	<b>Not Present</b>

[The Board met in closed session from 5:12 to 5:40.]

COMMISSIONER CHAVEZ: I'd like to make a motion to come out of executive session.

COMMISSIONER STEFANICS: Second.

COMMISSIONER CHAVEZ: And state that there was discussion but no action taken.

CHAIRMAN MAESTAS: We have a motion and a second. Any discussion?

**The motion passed by unanimous [4-0] voice vote.**

**18. Possible Action on Executive Session Matters**

CHAIRMAN MAESTAS: There's no action that needs to be taken.

**MATTERS FROM THE BOARD**

CHAIRMAN MAESTAS: Any matters from the Board?

COMMISSIONER CHAVEZ: I have nothing except to say it's so close to Christmas, Merry Christmas and New Year is not that far away so Merry Christmas and Happy New Year to everyone, family and staff.

COMMISSIONER STEFANICS: Mr. Chair, Happy Holidays and just a reminder that we won't be coming in on New Years for this. We might have to come in on New Years to swear in people newly elected but Happy Holidays.

CHAIRMAN MAESTAS: And I too want to kind of echo those same sentiments. I think it's very obvious how much work our staff does and it's not a very large staff. The stability of the budget, just doing some of the things we do on a daily basis, providing quality drinking water for the entire county, I think it's just such an important mission and I'm just really humbled to be a small part of it. So I want to thank staff. Believe it or not during Thanksgiving I was so thankful for all the teamwork associated with Buckman and staff. So Happy belated Thanksgiving and Merry Christmas everyone and we'll see you next year.

**NEXT MEETING: Thursday, January 8, 2015 @4:30 P.M.**

**ADJOURNMENT**

Having completed the agenda, Chair Maestas declared this meeting adjourned at approximately 5:42 p.m.

Approved by:

*Joseph M. Maestas*  
Joseph Maestas, Board Chair

Respectfully submitted:

Debbie Doyle, Wordswork

FILED BY:

*Geraldine Salazar*  
GERALDINE SALAZAR  
SANTA FE COUNTY CLERK

ATTEST TO:

*Yolanda Vigil*  
YOLANDA VIGIL  
SANTA FE CITY CLERK

*1-26-2015*



COUNTY OF SANTA FE ) BUCKMAN DIRECT DIV MIN  
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Witness My Hand And Seal Of Office  
Deputy *Maxwell Salazar* Geraldine Salazar  
County Clerk, Santa Fe, NM