

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

November 7, 2013

This meeting of the Santa Fe County/City Buckman Direct Diversion Board meeting was called to order by Councilor Chris Calvert, Vice Chair, at approximately 4:30 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 Chris Calvert
Ms. Consuelo Bokum
Commissioner Miguel Chavez
Commissioner Danny Martinez [alternate]

Member(s) Excused:

Commissioner Kathy Holian
Councilor Carmichael Dominguez

Staff Present:

Nancy Long, BDD Board Consulting Attorney
Rick Carpenter, BDD Project Manager
Shannon Jones, BDD Interim Facility Manager and Maintenance Superintendent
Adam Leigland, County Public Works Director
Gary Durrant, BDD Chief Operator
Teresa Martinez, County Finance Director
Mackie Romero, BDD Financial Manager
Kyle Harwood, BDD Board Counsel

Others Present:

Jennifer Sakshaug, Club at Las Campanas
Wendell T. Egelhoff, Club at Las Campanas
Scott Hinds, Santa Fe Resident
Rick Ulibarri, LANL
Jeff Mousseau, LANL
Pete Maggiore, DOE/NNSA
Joni Arends, CCNS

3. APPROVAL OF AGENDA
[Exhibit 1: Agenda]

Commissioner Chavez moved to approve the agenda as published. His motion was seconded by Ms. Bokum and passed by unanimous [4-0] voice vote.

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4. APPROVAL OF CONSENT AGENDA

Ms. Bokum moved to approve the consent agenda. Commissioner Chavez seconded and the motion passed by unanimous [4-0] voice vote.

5. APPROVAL OF MINUTES: September 12, 2013 BDD Board

Ms. Bokum moved to approve the consent agenda. Commissioner Chavez seconded and noted for the record he was excused at that meeting. Councilor Chavez offered to second and the motion carried by [3-0] voice vote with Commissioner Mayfield abstaining.

6. MATTERS FROM STAFF

SHANNON JONES (BDD Interim Facility Manager and Maintenance Superintendent): I just have a couple of matters. But first, Adam wants to address the Board.

ADAM LEIGLAND (County Public Works Director): Just a matter of background, the JPA for the Buckman Direct Division says that the project manager on December 1, 2015. The current project manager is the City. So in preparation for that possible transition which even though it's about two years away that's not as far away as it may seem. The BDD Board directed BDD staff to come up with a facility manager selection process to give the Board a way to select who the project manager successor agency is with the City, County or regional entity. So in turn, BDD staff reached out to County and City staff to create this working group. And I just wanted to report to you today is how the status of the working group and tell you what the process is of to develop the selection process.

So the membership of this working group is the BDD acting director and also the finance staff, public works director and finance staff from the County and then Jody's staff and finance staff from the City. So it's a good, well-rounded committee. We've met four times now and we're making great progress. The Board asked us to come back to you in February with a possible process and I'm here to report that we're on track to do that. We fully expect to come to you in February with a process and some selection criteria. And that will lead to the next step, which is actually making the selection and if there is some sort of transition, effecting that transition.

With that, Mr. Chair, members of the Board, I will stand for questions.

COUNCILOR CALVERT: Thank you, Mr. Leigland. Are there any questions? Yes.

COMMISSIONER MAYFIELD: Chairman Calvert, thank you. Mr. Leigland, thank you for that update.

Mr. Leigland you know I've asked for this in County Commission meetings and I don't have this information today. But can you also provide or with your combined committee the amount of dollars that were invested by both entities on both the City and County on the Buckman Direct and also any bonding money that the County put out.

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COMMISSIONER CHAVEZ: Well, I thought – from what I remember, sorry, I didn't mean to interrupt. But I thought that the number that I remember was \$520 million total for the BDD; is that close?

COUNCILOR CALVERT: Two-twenty.

COMMISSIONER CHAVEZ: Two?

MR. LEIGLAND: Mr. Chair, members of the Board, yes, and Las Campanas contributed some of the shared facility – Commissioner Mayfield, that was about \$100 million each.

COMMISSIONER MAYFIELD: Okay, well since we have those numbers now let's go ahead and break them down right now, Mr. Leigland and have those numbers.

MR. LEIGLAND: Mr. Chair, Commissioner Mayfield, I don't have them just off the top of my head [inaudible] the total capital was \$220 million and that was \$100 million each. The JPA actually says the City and the County shall have a 50 percent share. [inaudible – away from the microphone]

RICK CARPENTER: It was about \$105 million each.

COMMISSIONER MAYFIELD: Mr. Chair, Mr. Leigland, and as far as the County's share, how were those funded? Did it come through our GRT? Was it through property tax, bond money?

MR. LEIGLAND: Mr. Chair, Commissioner Mayfield, Teresa Martinez can answer that.

COMMISSIONER MAYFIELD: Thank you.

TERESA MARTINEZ (County Finance Director): Mr. Chair, it was a combination of the County outlay GRT, and we used some of the County [inaudible] as well as bonding and also a General Obligation Bond. And I can break that down further and get it to you.

COMMISSIONER MAYFIELD: Thank you. What's our indebtedness still for the bond of the general?

MS. MARTINEZ: I don't have that on top of my head but there's a schedule I can get to you.

COMMISSIONER MAYFIELD: Do you know how far that's still out? Ten years, five years –

MS. MARTINEZ: I believe it's under ten years.

COMMISSIONER MAYFIELD: If you can get information I would appreciate that.

MS. MARTINEZ: Okay.

COMMISSIONER MAYFIELD: So the County still has some indebtedness to that or our constituents do?

MS. MARTINEZ: Yes.

COMMISSIONER MAYFIELD: Thank you. Mr. Chair, thank you.

COMMISSIONER CHAVEZ: Commissioner Mayfield, I want to go back to some of your questions and be sure that the responses that staff gave – I think you touched on the capital cost, right, which is the initial cost and then the ongoing operation and maintenance; was that part of your question and request for information?

COMMISSIONER MAYFIELD: Mr. Chair, Commissioner Chavez, all costs associated, so, yeah, capital cost and all.

COMMISSIONER CHAVEZ: And I think, staff touched on that a little bit, right, Adam? I think that was part of your response.

MR. LEIGLAND: Yes.

MS. BOKUM: I think I hear requests for all of that. Could you bring the JPA and the, I forget the name we call the operating agreement, and include those in the packet in February when we bring everything.

MR. LEIGLAND: Mr. Chair, Member Bokum, there's the JPA, the Project Management Fiscal Services Agreement and then there's also the FOPA –

MS. BOKUM: Yes, the FOPA.

MR. LEIGLAND: -- which is the Facilities Operating Procedures Agreement.

COMMISSIONER CHAVEZ: Facilities and what?

NANCY LONG (BDD Board Counsel): Facilities Operating and Procedures Agreement.

COMMISSIONER CHAVEZ: Thank you.

COUNCILOR CALVERT: Okay, is there any input?

COMMISSIONER MAYFIELD: Mr. Chairman, thank you and Ms. Bokum, thank you. So Mr. Leigland on that note if the group that is studying and bringing a recommendation back to this board, does Las Campanas have any additional rights to this? Are they sitting in on the oversight recommending board also?

MR. LEIGLAND: Mr. Chairman, Commissioner Mayfield, they are not part of that process, and, yes, they have ownership in it but as far as the JPA outlines and talks about who has what responsibilities and the JPA specifically says that the project manager is either the City or the County or a regional entity. [inaudible]

COUNCILOR CALVERT: And they were always just a limited partner in this.

COMMISSIONER MAYFIELD: Thank you and just for my clarification, the City of Santa Fe has been currently the facility project manager for the BDD and fiscal agent from inception through to today?

MR. LEIGLAND: That's correct.

COMMISSIONER MAYFIELD: And that's through to 2015, thank you.

COUNCILOR CALVERT: Any other matters from staff?

MR. JONES: If it pleases the Board, I'm prepared to do an update on the current review of staffing.

COUNCILOR CALVERT: Okay.

MR. JONES: Both the Regulatory Compliance Officer and the BDD Maintenance Mechanic vacate positions were recently just closed and those qualified applicants are being invited to [inaudible] and we're anticipating to be interviewing those positions by the end of December. The Safety and Training Administrator and the Public Relations Coordinator positions both closed. They were evaluated and there were no candidates selected and so both of those positions are going to be reposted for 30 days.

In addition, we did receive a letter of resignation from a charge operator that was effective on the 31st. Staff is currently working on promoting two existing AWT operators into one of those charge positions. By doing so that will actually create three different seats in the AWT position so staff is currently working on promoting three BDD operators into both positions. So once that paperwork is concluded we'll have four vacate BDD operator

positions. That posting has already been issued and we'll be anticipating to fill all four positions from that posting.

COUNCILOR CALVERT: Is that one where you'll have four vacancies is that lowest position on the rung? In other words, is that the least qualified position?

MR. JONES: Mr. Chairman, members of the Board that is correct. That is the entry-level position. So everyone will be promoted through the way it was designed for promote within and grow your own system. So the way it's working is that way. We're trying to expedite by having currently posted positions and using the current list of eligible and trying to fill multiple positions. And so that does appear to be working well in trying to expedite how we do that. So all of the positions then will be filled for the entry-level position.

COUNCILOR CALVERT: Okay, all right.

7. FSAC UPDATE

MR. JONES: Mr. Chair, members of the Board, I do apologize, that meeting did not occur this month. So could we please strike that.

COUNCILOR CALVERT: Did you try to have a meeting?

MR. JONES: We did try to have one, we will try harder.

CONSENT AGENDA

8. **Update and discussion of BDD operations**
9. **Drought, Monsoon and Water Resource Management Update**
10. **Request for Approval of the 3014 Buckman Direct Diversion Board Meetings Calendar**
11. **Update on 1st Quarter Financial Statement**

DISCUSSION AND ACTION ITEMS

12. **Request for Approval of Award of Bid 14/12/B and for approval of contract with Padilla Industries for BDD project habitat restoration forestry and earthwork for the amount of \$206,375 exclusive of NMGRT**

MR. CARPENTER: Thank you, Mr. Chair and members of the Board. The topic of environmental mitigation and habitat restoration has been before this Board in one form or another several times in the last couple of years. This particular procurement effort was brought to the Board as an information item back in September and we now have a contract, it has gone through procurements and so this is for specific habitat restoration work as outlined in the NEPA plan required by the US Forest Service. The contract will be funded by funds that were specifically set aside for this purpose and the carve-out budget has been approved by the Board. And, with that, Mr. Chair, I will stand for questions.

COUNCILOR CALVERT: Does anyone have any questions? Just one, Rick. Does this – this name sounds familiar, does this company have a project with either Buckman or the City or somebody in the past?

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MR. CARPENTER: Padilla Industries is a local company. They do a lot of work. The latest contract that I think they had with the City was to work on our stream gauge and plume up in the watershed several months ago.

COUNCILOR CALVERT: Okay. Is there a representative from that company?

MR. CARPENTER: There is. Mr. Padilla is here in the audience, Mr. Chair.

COUNCILOR CALVERT: The only reason I bring that up is I know that that contract that you referenced there were some complications, shall I say.

MR. CARPENTER: In the watershed?

COUNCILOR CALVERT: Yeah.

MR. CARPENTER: I wasn't the project manager for that as far as I know it went well – I don't have the specifics on that project, Mr. Chair.

COUNCILOR CALVERT: All right. What's the pleasure of the Board.

Commissioner Chavez moved to approve as presented by staff. Commissioner Mayfield seconded and the motion passed by unanimous [4-0] voice vote.

13. Request for Approval of Amendment No. 2 to the PSA Items #13-0863 with Maintenance Connection to add three (3) additional mobile device licenses to the Computerized Maintenance Management System and for annual support services in the amount of \$6,149.40 exclusive of NMGRT

COUNCILOR CALVERT: Shannon, before you even start this, why does the Board need to approve this? Is it because of the amount of the original contract?

MR. JONES: Chairman, and the Board, that's correct, because of the original amount.

COUNCILOR CALVERT: Okay, go ahead.

MR. JONES: As I tried to articulate in the memo, Maintenance Connection did come in and we were able to implement our computerized maintenance management system. The implementation has gone well. We are continuing to implement that but as that was going on we did identify an efficiency on how we can utilize the operational staff and in doing so we did have a spare mobile device that we had assigned to operational staff. But because they run four shifts 24/7, the addition of three licenses will allow us to use one tablet but assign work to all four of the shifts. So there was also an increase on the updated support and it did come to the total of \$6,149.40 and again the long-term cost of \$2,700 annually for update and support is for the complete computerized maintenance management system.

COMMISSIONER CHAVEZ: Mr. Chair.

COUNCILOR CALVERT: Yes, Commissioner Chavez.

COMMISSIONER CHAVEZ: So if you read on the memo what was the 72,000 what was that figure given for? Is that just an overall project scope of services?

MR. JONES: Mr. Chair, Commissioner Chavez, yes, the 72,000 included additional purchase of the software, the implementation for Maintenance Connection staff came on site and they our data from the existing CMMS system and incorporated that into the CMMS and created all the assets, prepared all the maintenance for the four

quarters into that and also conducting the training. That was all part of the original agreement.

COMMISSIONER CHAVEZ: So you'll have, what, basically an overhauled system?

MR. JONES: Chairman, Commissioner Chavez, yeah, that's correct. It is fully revamped, brand new computerized maintenance management system.

COUNCILOR CALVERT: This is just an enhancement to make the work schedule work flow better.

MR. JONES: Mr. Chair, members of the Board, we're still currently under implementation. The system has been installed and we have gone live. So the preventative maintenance is occurring through the mobile devices and through our desktops. There are still a few loose ends that the contractor is tying up that has to do with interfacing with Scada to pull run times into the system and integration between Scada to a worker request.

COMMISSIONER CHAVEZ: So once those systems are set up then the contractor will still be responsible for the – I guess the maintenance and upgrade that might be needed in the next year or two or three, whatever?

MR. JONES: Chair, Commissioner Chavez, the update and support will be an ongoing contract so we will continue to be involved with Maintenance Connection if there are issues with the software and to add modules. If there's updates on the software, that's all incorporated in there. The tech support which is of course over the telephone, web-based and on site if it needed to be, are services that they will still provide and we will still maintain a contract with them.

COMMISSIONER CHAVEZ: And that contract is in place for how long? Just the maintenance portion.

MR. JONES: Chairman, Commissioner Chavez, the update and support would be an annual contract that we would implement. Eventually, it would slide away from the Board because the amount would be the size of this contract. It would be a service agreement.

COMMISSIONER CHAVEZ: Okay, so it would be a year to year based on need, I guess.

MR. JONES: Yes, that's correct.

COMMISSIONER CHAVEZ: Okay, thank you.

COUNCILOR CALVERT: Great.

Commissioner Chavez moved to approve the amendment as presented by staff. His motion was seconded by Ms. Bokum and passed by unanimous [4-0] voice vote.

14. Consideration and possible action on appointment of the Citizen Member to the Buckman Direct Diversion Board

MS. LONG: Mr. Chair and members of the Board, we're at that time again for appointment of the citizen member of the Board. The Joint Powers Agreement establishing this Board provides for a citizen member to be appointed by the rest of the Board. Ms. Bokum's term currently expires January 7, 2014. Ms. Bokum is eligible for reappointment as there is no limit on the terms that a citizen member may serve under the

JPA. And it is my understanding that Ms. Bokum is willing to serve again. So I bring this to the Board now.

COUNCILOR CALVERT: Commissioner Chavez.

COMMISSIONER CHAVEZ: -- she's willing to serve and knowing that, I would like to make a motion to reappoint Conci Bokum to the BDD Board.

COMMISSIONER MAYFIELD: Second.

By unanimous vote Consuelo Bokum was appointed to serve as the citizen member of the BCC Board for another term.

COUNCILOR CALVERT: And I would wholeheartedly say "aye" because I know Ms. Bokum has been a valuable member of this Board contributing much to the discussion and the running of this entity.

INFORMATIONAL ITEMS

15. Progress Update on Enhancements to the Early Notification System

MR. JONES: Mr. Chair, members of the Board, staff was asked to come back with an informational item – due to the past several months issues that we've been experiencing, the excessive rain, flooding and government shutdown, I did want to come back to the Board with an update. And then in light of all of these BDD has still been able to continue to operate the Early Notification system and is still functioning. We are still working under our contingency plan with the damage that was assessed to E109.9 station. As directed by the Board I have been working with the DOE and LANL on looking at a contingency plan and how we can transition and enhance our early notification system. Those meetings have been occurring. We have been working through those and again I just wanted to emphasize that the early notification system continues to work and serving the BDD and we are still continuing to divert.

COUNCILOR CALVERT: Okay. And is there anybody from the lab or Department of Energy here that would like to add anything to what Mr. Jones said?

JEFF MOUSSEAU (LANL): I'm Jeff Mousseau from Los Alamos Nation Laboratory and I'd just like to second what was said here that we are working together. The only thing I'll add is that we had a little government shutdown issue and we worked with DOE and one of the things that we absolutely wanted to keep operational was the Buckman Detection System. We did keep that operational during the shutdown and conducted all the inspections, any scheduled maintenance and things like that. So we continue to operate that and working to provide enhancements that we discussed at the last meeting.

COUNCILOR CALVERT: And thanks for coming. And, I just had a question. In light of this change that we're going through and that it will be happening here – well, fairly soon and fairly close to the end of our current MOU, I was wondering if the Lab would be willing to entertain an extension to that MOU?

PETE MAGGIORE (DOE/NNSA): Mr. Chair, members of the Board, my name is Pete Maggioro. I'm with the Department of Energy, NNSA, Los Alamos Field Office and we are in the process of evaluating that but I have not had an opportunity to

visit with the folks at headquarters about the possible continuation of the MOU. If that is the Board's pleasure I would respectfully request that the Board articulate that in writing and I can work with staff on where that type of correspondence should go.

COUNCILOR CALVERT: Thank you. Do any members of the Board have any questions?

MS. BOKUM: Yes.

COUNCILOR CALVERT: Yes, Ms. Bokum.

MS. BOKUM: I want to thank you for making sure that things are working during the shutdown. I think everybody in this room understands how important the functioning of the early notice system is. I hope we'll be able to work out something to sustain this relationship.

COUNCILOR CALVERT: Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Mr. Chair, thank you. Mr. Mousseau and Mr. Maggiore thank you also for being here. On that note I know that there was a monitoring station on San Ildefonso property. I believe in my conversations with Pueblo administration there was some issue I think with a gas line and they had some questions, but I know that the Laboratory has three monitoring stations in place, can you just kind of talk about that a little more in detail. Did you establish two additional monitoring stations and remove that one that –

MR. MOUSSEAU: I think at the last meeting –

COMMISSIONER MAYFIELD: I wasn't at the last meeting.

MR. MOUSSEAU: Okay, so we presented an approach where we have two other stations. One in Pueblo and one in Los Alamos Canyons does the same monitoring flow so it's upstream of 109 and those stations were always part of the Buckman system and really what we have suggested for more accurate measurement of what's coming off the Laboratory improved reliability and doesn't get a lot of flow down Waihee Canyon off the Laboratory property that presents the problem as to 109 but then moving to that in addition the San Ildefonso Pueblo requested that we basically remove because of problems down at 109, remove the 109 system so we've worked to basically putting that in place and that's the approach that we're taking today. So we've still got some equipment down there at the E109 station on the pueblo property and we're looking to remove that. It's interesting to note also that in the last major flow event it kind of covered up that pipeline and everything and several feet of fill and sill – so what was in there a month and a half ago or so, before the September flood, it has changed quite a bit after the flooding – and covered that back up. We'll be looking to remove our equipment out of 109 and working on the 50 and 60 stations as the primary stations.

MR. MAGGIORE: Mr. Chair, might I just add that we're looking at making some enhancements at the 50E and 60 station that we discussed with Shannon. Adding camera capability to those two locations that doesn't currently exist. And we're also supporting feasibility of placing another camera down channel from E 50 and 60 and eventually outside of the channel to have one final visual capability before any water would leave the LANL property.

COMMISSIONER MAYFIELD: Thank you.

COUNCILOR CALVERT: Thank you very much, appreciate it.

MR. JONES: Excuse me, Mr. Chair.

COUNCILOR CALVERT: Yes.

MR. JONES: I just want to have clarification. So, again, as everyone spoke to the impression was, because we lost E109.9 and it's going to be awhile before – or even if it will be put back into play to move into contingent operation which was identified in Appendix A of the MOU. And we've been currently working under those contingencies. So the direction of the Board is to work with the DOE and LANL to see if there's a way to enhance that contingency plan – or if that's a better option for the early notification system. So staff has been doing that and those are the modifications that I spoke to and those things are progressing well.

But in regards to the extension of the MOU, again, just so I have clarification, if it pleases the Board or if directed, I will work with the Board's counsel and draft a resolution of what the Board's request is.

COUNCILOR CALVERT: Yeah, that's what I was going to suggest. Since we can't take any action at this meeting but if you would work with Ms. Long to draft something for the Board's approval or consideration, shall I say, for the next meeting and we will see how that goes. If that's amenable to the rest of the Board; okay.

MATTER FROM THE PUBLIC:

None were presented.

MATTERS FROM THE BOARD:

None were presented.

NEXT MEETING: Thursday, December 5, 2013 @4:30 P.M. Santa Fe County Commission Chambers

ADJOURNMENT

Having completed the agenda, Chair Calvert declared this meeting adjourned at approximately 5:07 p.m.

Approved by:


Chris Calvert, Board Vice Chair

Respectfully submitted:


Karen Farrell, Wordswork

ATTEST:

GERALDINE SALAZAR
SANTA FE COUNTY CLERK

ATTEST TO:

Yolanda Vigil
YOLANDA VIGIL
SANTA FE CITY CLERK



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BUCKMAN DIRECT DIV MIN
PAGES: 13

I Hereby Certify That This Instrument Was Filed for
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Deputy *[Signature]* Witness My Hand And Seal Of Office
Geraldine Salazar
County Clerk, Santa Fe, NM

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City of Santa Fe



New Mexico

CITY CLERK'S OFFICE

DATE 10/30/13 TIME 11:30a

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AGENDA

The City of Santa Fe
And
Santa Fe County

Buckman Direct Diversion Board Meeting

THURSDAY, NOVEMBER 7, 2013

4:30 PM

CITY HALL

CITY COUNCIL CHAMBERS

200 Lincoln

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF MINUTES FROM THE OCTOBER 3, 2013 BUCKMAN DIRECT DIVERSION BOARD MEETING
6. MATTERS FROM STAFF
7. FSAC UPDATE

CONSENT AGENDA

8. Update and discussion of BDD operations. (Gary Durrant)
9. Drought, Monsoon and Water Resource Management Update. (Rick Carpenter)

CITY CLERK RECORDED 11/29/2013

10. Request for approval of the 2014 Buckman Direct Diversion Board meetings calendar. (Stephanie Lopez)

BDDDB – 11/7/13
City Council – 12/11/13

11. Update on 1st Quarter Financial Statement. (Mackie Romero)

DISCUSSION AND ACTION ITEMS

12. Request for approval of Award of Bid '14/12/B and for approval of contract with Padilla Industries for BDD project habitat restoration forestry and earthwork for the amount of \$206,375.00 exclusive of NMGRT. (Rick Carpentry)
13. Request for approval of Amendment No. 2 to the PSA Item # 13-0863 with Maintenance Connection to add three (3) additional mobile device licenses to the Computerized Maintenance Management System and for annual support services in the amount of \$6,149.40 exclusive of NMGRT. (Shannon Jones)
14. Consideration and possible action on appointment of the Citizen Member to the Buckman Direct Diversion Board. (Nancy Long)

INFORMATIONAL ITEMS:

15. Progress update on Enhancements to the Early Notification System. (Shannon Jones)

MATTERS FROM THE PUBLIC

MATTERS FROM THE BOARD

NEXT MEETING: Thursday, December 5, 2013 @ SF COUNTY COMMISSION CHAMBERS

ADJOURN

PERSONS WITH DISABILITIES IN NEED OF ACCOMODATIONS, CONTACT THE CITY CLERK'S OFFICE AT 505-955-6520, FIVE (5) WORKING DAYS PRIOR TO THE MEETING DATE.