

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

August 4, 2016

This meeting of the Santa Fe County/City Buckman Direct Diversion Board meeting was called to order by Councilor Carmichael Dominguez, Chair, at approximately 4:15 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 Carmichael Dominguez, Chair
Councilor Peter Ives
Commissioner Miguel Chavez
Commissioner Henry Roybal [for Commissioner Stefanics]
Ms. Denise Fort

Member(s) Excused:

Commissioner Stefanics

Mr. J. C. Helms [Citizen Member alternate]
Councilor Michael Harris [Council Alternate]

Others Present:

Charles Vokes, BDD Facilities Manager
Nancy Long, BDD Board Consulting Attorney
Kelly Brennan, City Attorney
Greg Shaffer, County Attorney
Mackie Romero, BDD Finance Manager
Mike Kelley, County Public Works Director
Marcos Martinez, Assistant City Attorney
Erminia Tapia, BDD Administrative Assistant
Bruce Frederick, Assistant County Attorney
Matthew Sandoval, BDD Interim Operations Supervisor
Cheryl Vokes, Citizen
Rick Carpenter, Acting Water Division Director
Ginny Selvin, Las Campanas Water and Sewer
Wendell T. Egelhoff, Club at Las Campanas

3. APPROVAL OF AGENDA

[Exhibit 1: Agenda]

CHAIRMAN DOMINGUEZ: Do you have any changes there, Chuck?

CHARLES VOKES (BDD Facilities Manager): Mr. Chair, no changes.

Thank you.

CHAIRMAN DOMINGUEZ: All right. What are the wishes of the Board?

COUNCILOR IVES: Move to approve.

COMMISSIONER ROYBAL: Second.

CHAIR DOMINGUEZ: We've got a motion and a second? Is there any discussion on this one? Hearing none.

The motion passed by unanimous [5-0] voice vote.

4. APPROVAL OF CONSENT AGENDA

8. Monthly Update on BDD Operations

9. Request Approval of Amendment No. 1 to the Professional Services Agreement with ALS Global USA Corp. to Provide Water Quality Analysis as Called for in BDD's "The Removal Efficiency and Assessments of Treatments ("TREAT") Study for the Amount of \$30,000 Exclusive of NMGRT – Removed for discussion

CHAIR DOMINGUEZ: Are there anything change that you want to make, Charles?

BOARD MEMBER FORT: Mr. Chair.

CHAIR DOMINGUEZ: Hold on real quick. Any changes, staff?

MR. VOKES: No changes. Thank you.

CHAIR DOMINGUEZ: Okay. The Board? Board Member Fort.

BOARD MEMBER FORT: I would like to hear a discussion of item 9.

CHAIR DOMINGUEZ: Okay.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR DOMINGUEZ: Commissioner Chavez.

COMMISSIONER CHAVEZ: I'll then make a motion to approve the Consent Agenda as amended.

COUNCILOR IVES: Second.

CHAIR DOMINGUEZ: So we've got a motion and a second. Any discussion? Hearing none.

The motion passed by unanimous [5-0] voice vote.

CHAIR DOMINGUEZ: All right. So just for everyone's knowledge we are pulling Consent Agenda item number 9 off for discussion.

5. APPROVAL OF MINUTES: July 7, 2016

CHAIR DOMINGUEZ: Any changes from staff?

NANCY LONG (BDD Board Consulting Attorney): Mr. Chair, I do have a change to recommend. That would be on page 3 under informational item number 8 at the bottom of that page. The date should be June 30, 2015 instead of 2016 in the caption and also in the third line, June 30, 2015.

CHAIR DOMINGUEZ: Okay. Anything else? The Board? Any discussion from the Board? Questions?

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR DOMINGUEZ: Commissioner Chavez.

COMMISSIONER CHAVEZ: Move for approval as amended.

COMMISSIONER ROYBAL: Second.

CHAIR DOMINGUEZ: Okay, so we've got a motion and a second. Any discussion? Good catch there, Nancy. Hearing no discussion.

The motion passed by unanimous [5-0] voice vote.

6. MATTERS FROM STAFF

None were presented.

7. REPORT ON AUGUST 2, 2016 FISCAL SERVICES AND AUDIT COMMITTEE

MACKIE ROMERO (Finance Director): Mr. Chair, members of the Board, a Fiscal Services and Audit Committee meeting was held Tuesday, August 2nd at 4:30 pm. In attendance was Charles Vokes, BDD Facilities Manager, myself, Erminia Tapia, BDD Administrative Assistant, Councilor Harris, Commissioner Chavez, Carole Jaramillo, County Finance Director, Claudia Borchert, County Utilities Director, Don Moya, County Budget Director and Charlie Nylander, Club at Las Campanas. We did discuss in detail Consent Agenda item number 9 and action item number 10, which we will discuss further in this meeting. We do appreciate the attendance and the participation from our members and I don't know if a Commissioner or Councilor want to add anything to our comments on that.

CHAIR DOMINGUEZ: Any comments? I'll go to Councilor Harris.

COUNCILOR HARRIS: Thank you, Chair. Yes, I just wanted to say that this was a very useful session. I end up being one of the people who had a lot of questions, particularly on the financial so I thought it was productive and it was useful for me and hopefully will keep things shorter up here. Thanks.

CHAIR DOMINGUEZ: Anything else?

MS. ROMERO: That's it. Thank you.

CHAIR DOMINGUEZ: Any questions? Comments? Okay. Thank you very much, Mackie. Appreciate your work.

9. Request Approval of Amendment No. 1 to the Professional Services Agreement with ALS Global USA Corp. to Provide Water Quality Analysis as Called for in BDD's "The Removal Efficiency and Assessments of Treatments ("TREAT") Study for the Amount of \$30,000 Exclusive of NMGRT

CHAIR DOMINGUEZ: Board Member Fort.

BOARD MEMBER FORT: Mr. Chair, the item I wanted to discuss was the BDD operations.

CHAIR DOMINGUEZ: Oh, okay.

COMMISSIONER CHAVEZ: I heard item 9 also.

CHAIR DOMINGUEZ: Yes, we heard item 9, but that's okay. That's okay. Let me see if I can get this done procedurally. We're going to need approval of item number 9.

COMMISSIONER CHAVEZ: Well, Mr. Chair, I made the motion to approve the Consent Agenda as amended. So Nancy, how do we go back? How do we go in reverse now? Do I have to rescind that motion?

MS. LONG: That motion was voted on so I think you should just make a motion to reconsider that and then take off item 8 and approve item 9.

COMMISSIONER CHAVEZ: So the motion would be to reconsider the Consent Agenda, right?

MS. LONG: Reconsider the motion approving it.

COMMISSIONER CHAVEZ: Yes. So moved.

COUNCILOR IVES: Second.

COMMISSIONER CHAVEZ: Okay, so now we're back on Consent basically. I'll make a motion then to approve the Consent excluding item 8.

CHAIR DOMINGUEZ: Do we need two separate motions there, Nancy? Even there was no dissension on the approval of the Consent Agenda?

MS. LONG: Well, there was a vote to approve it, so you approved item 8, and then you reconsidered it. So now there's a motion to approve – and you voted on that, so now there's a motion to approve the Consent Agenda with item number 8 instead of item number 9. And then you need to go on to item 8.

CHAIR DOMINGUEZ: Okay, so we'll take your motion, Commissioner Chavez. Any discussion on this one? Hearing none.

The motion passed by unanimous [5-0] voice vote.

8. Monthly Update on BDD Operations

BOARD MEMBER FORT: I was wondering if we could have a presentation on the operations. I was interested in what occurred, what's occurring during this time [inaudible] flows.

MR. VOKES: Mr. Chair, Member Fort, I can briefly go through the operations. I would say that the operations have been fairly standard for this time of year. During the monsoon season we've had a couple of instances where we have seen high turbidities in the river and had to cease diversions but not as frequently as you would expect for the amount of rainfall that we've had. We have been averaging I think about four million gallons a day in diversion this past month, so the – let me see. What else is there?

I don't know. I guess if you want some more specific questions or more specific information I'll be happy to answer that.

COUNCILOR IVES: On that point.

CHAIR DOMINGUEZ: Go ahead.

COUNCILOR IVES: Having been up on the Rio Chama with members of the Forest Service who reported that the Rio Grande flow was about 290 cfs but the Rio Chama was about 1,000 cfs. So while one was low the other was high. Just in terms of total figures.

BOARD MEMBER FORT: Mr. Chair, one question. The 28 percent of the water supply, that is about – for this month – is that in fact average? Would you say that this is typical for the month of June? Would that be average?

MR. VOKES: I would say it's not a typical average. We have been kind of in a reduced production right now, because we have been doing some maintenance on some pumps and some other items. So would typically see our production above that, maybe 50 or 60 percent, but we have done some repairs. We expect to do some more repairs this week, and I expect the production then to increase after that. So that's the reason for the low number, the 28 percent, versus, say a 50 or 60 percent.

BOARD MEMBER FORT: So, Mr. Chair, it's not a question of flows in the river so much as doing repairs.

MR. VOKES: Yes. That's correct. It's not the availability of the raw water; it's the ability to move the water.

BOARD MEMBER FORT: Thank you.

CHAIR DOMINGUEZ: Councilor Harris.

COUNCILOR HARRIS: Thanks, Chair. Mr. Vokes, I will sit down with you at some point. I really don't know how to interpret the little spreadsheets that we get. So I'll work with you on that, but one thing I did notice. It's just a suggestion. We go back, we're showing 2016 year to date through July and then 15, 14, 13, everything is the full year. It seems like it would be useful just to be able to compare year to date for 2016 with just the previous year. I think that – otherwise I find myself back, again, trying to understand what's going on here, but even if I understood all the categories, I still have to kind of do the math in my head to see, to make sense of it. So it's just a suggestion, but I'll follow up with you. Thank you, sir.

BOARD MEMBER FORT: Mr. Chair.

CHAIR DOMINGUEZ: Go ahead.

BOARD MEMBER FORT: I had one more question. In the storage, it says 16,430 acre-feet in the various reservoirs. How does that compare on a yearly basis? Other years?

MR. VOKES: I don't know. I myself don't pay a lot of attention to the tracking of the water rights and the storage we have. We have a position that does that. And also the City and County provide those water rights to the BDD. So they will make a call and inform us that today we need you to divert this much water and produce this much water. So I don't know. Rick, do you have any comments as far as is storage typical as to this year, if you wouldn't mind.

RICK CARPENTER (Acting City Water Division Director): Board members and Board member Fort, your microphone doesn't appear to be on. I didn't hear your question.

BOARD MEMBER FORT: I'm sorry, Mr. Chair. The question was it shows about 16,000 acre-feet in storage in the various reservoirs and I wondered how that compares to other years.

MR. CARPENTER: Well, it's really high. Most years – we only get 5,230 acre-feet a year. We use all or most of that every year. What that is is a result of a transfer of water rights from Elephant Butte up to Abiquiu from previous San Juan Chama rights that have accumulated through the years before BDD was built. So we've moved that up and now it's in storage upstream. So it's way higher than it would have otherwise been.

BOARD MEMBER FORT: Thank you. And Mr. Chair, I asked this in part because we've been getting emails about, well, we know much of the state is in drought and extreme drought and that the irrigators are about to be cutting back in the middle Rio Grande, and so my question was just to ask where the City stands now with respect to stored water and its ability to withdraw water. So, thank you.

CHAIR DOMINGUEZ: It's a good question. Councilor Ives.

COUNCILOR IVES: Thank you, Mr. Chair. Just one quick question, Rick, and this relates to the re-imposition of Article VII under the compact and our storage rights in Nichols and McClure. Do we have a capacity to transfer rights, exchange water into those reservoirs? For instance, I know we've done it into Abiquiu with the rights in Elephant Butte.

MR. CARPENTER: Board members and Councilor Ives. Yes. We do. We have the ability to access what's called relinquishment credit water. It's a pool of I believe 7,200 acre-feet that the Interstate Stream Commission has established for us to access when Article VII is in effect. We've never needed to, but it's there if we need it.

COUNCILOR IVES: Got it. Thank you.

CHAIR DOMINGUEZ: On item number 8, any other questions. Okay, well, thank you very much. We're going to move on the agenda now to the discussion and action item, which is item number 10.

MS. LONG: Mr. Chair, did you want to take a vote then on item 8 since it was removed from the Consent Agenda? I don't know if you have to but it was approved before and then rescinded.

CHAIR DOMINGUEZ: We'll go ahead and take action on that and then I'm going to give staff some direction at the end of the meeting on how to deal with that.

MS. LONG: Okay.

CHAIR DOMINGUEZ: So let's go ahead and I'll entertain a motion to approve item number 8 on the Consent Agenda.

COUNCILOR IVES: Move to approve.

COMMISSIONER ROYBAL: Second.

CHAIR DOMINGUEZ: So we've got a motion and a second. Any discussion?

The motion passed by unanimous [5-0] voice vote.

DISCUSSION AND ACTION

- 10. Request for Approval of Award of Bid No. 16/38/B to Enter into a Contract with Alpha Southwest to Build and Install Four (4) Raw Water Pumps at Pump Stations 1A and 2A for the Amount of \$466,000 plus NMGRT in the Amount of \$38,736.25 for a Total Amount of \$504,736.25**

a. Request Approval for Authorization of an Additional \$4,736.25 from the BDD Major Repair and Replacement Fund to Cover the Cost of the Contract, Including NMGRT

MR. VOKES: Mr. Chair, members of the Board, as we have discussed in the past we have the need to replace many of the pumps at 1A and 2A pump stations. This item had been approved by the Board to seek for these pumps in the amount of \$500,000. We have put out the request for bids. We received two bids on these pumps – one from Alpha Southwest and one from a firm, All American. It was determined during the process by our purchasing group that the All American group submitted a bid without a contractors license that was valid and so they were disqualified. And therefore the bid was awarded to Alpha Southwest. And so we're asking for your approval to move forward with that.

We are purchasing two pumps for the 1A pump station, two pumps for the 2A pump station. They are responsible for also taking the existing motors, removing those, taking them and having those refurbished and replacing them. So the pumps that we are receiving are – it's a really a plug and play. They will identical in size and use the same motors, the same pipes, the same valves the same fittings.

We also have, through work with our engineering firm, which is Deere and Ault on this project, we have made improvements to those pumps, so that they will withstand the amount of sediment that comes in from the river and that they will be more maintainable. We are using items like shaft sleeves, which allows the wear-points on the shafts, rather than replacing the shafts we will simply replace the sleeves. So we are improving matters with these pumps.

So I ask for permission for us to go forward in purchasing these pumps. It's estimated that once we award the bid and go forward that it will take at least 240 days for these pumps to be built and installed. So that's quite a while for us to wait. But that's what we're seeking. The item b, the permission that you gave was for \$500,000 and with the task we went over \$4,736.25. So that's to take care of that item. And at this point I'll entertain any questions from the Board or Councilor Harris, if you have some input from the discussion on the FSAC. We did spend quite a bit of time answering questions on this.

CHAIR DOMINGUEZ: Councilor Harris, and then I'll open it up to the Board.

COUNCILOR HARRIS: I thought the procurement was well handled. On the base bid between Alpha Southwest and All American, with the base bid there was a \$50,000 difference, the fact of the matter is that were was a whole series of red flags associated with not only the fact that two previous licenses for this company had been cancelled, the license number they attached to their bid was associated with a different company that we heard maybe have a family relationship. These are up in the northwest part of the state. It's just – again, there were some real red flags here and so I think that there was – I noticed in the documents there was basically a protest document that really had to do with their subcontractor list. In fact they did not list any subcontractors. They said they were going to handle everything themselves. Maybe so, maybe not.

So I'm assuming that the fiscal agent and Mr. Rodarte in the Procurement Department really did a good job and checked the license and was able to determine that

All American did not have a valid license to do this work. So that was the main thing I noticed. I also asked, and I am pleased to see that we've got a copy of Alpha Southwest, their bid, because in the packet we just had the one that was rejected. So I think those are the main comments that I had. Just asked some standard questions about bid bonds, performance bonds, those kinds of things.

Everything seemed to be in order. There was some concern by Mr. Nylander that Alpha Southwest seems to have a kind of – I don't want to say a lock on BDD's work but they're on the job as we know already and they have been. So I made a comment on Council on a couple procurements that we're really not getting the bid coverage, the City's not getting the bid coverage. Perhaps Councilor Dominguez you remember, and Councilor Ives, the light standards downtown. We just had one bid. So as much as anything, I want assurance that we're good pay, that things are working the way it's supposed to.

But other than that I think that Alpha Southwest, they're on the job. This was budgeted. We're \$4,000 over the budgeted amount and it seems to me like we should move forward with it. My one question now, because I heard you say, Mr. Vokes, that it's going to take at least 240 days and so I was trying to refer to the contract real quick to see if that's how it reads or if they have 240 days to get the work done. I mean it's a big difference. So maybe you can – before I find it maybe you can tell us how it reads.

MR. VOKES: The contract does read that it's 240 days.

COUNCILOR HARRIS: No more than.

MR. VOKES: No more than 240 days to build and install the pumps.

COUNCILOR HARRIS: Okay.

MR. VOKES: Hopefully it would be less.

COUNCILOR HARRIS: Right. Right. But I also heard you say at least 240 days.

MR. VOKES: Okay. Yes.

COUNCILOR HARRIS: All right. That's all I have. Thank you, Chair.

CHAIR DOMINGUEZ: Okay. Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Chair. So in the packet, even though the All American for obvious reasons was not awarded, did not meet the requirements, some of the language in the alternative bid, B, if you look on page 10 of our packet, it speaks to the specifics on the purchase of the four additional pumps. It reads, This may include one or two pumps that are identical to Booster Pump Station 1A pumps and one or two pumps that are identical to Booster Pump Station 2A pumps. The specifications for these pumps shall be identical for those provided for the first pumps including but not limited to removal and reconditioning of motor or motors, supply and installation of the new pumps.

Charles, you talked about that a minute ago but I don't see that in the packet of information that we have from Alpha Southwest. I don't see that section, B. Alternative – well, it is here, Alternative Bids. But okay so, it's not quite the same though. Okay now, B. 1, B. 1 is there. Okay, so that's good. So then –

CHAIR DOMINGUEZ: Hold on. Never mind. Go ahead.

COMMISSIONER CHAVEZ: So then the two mirror each other then on B. Alternative Bid Items. That was my first question because I didn't find that piece. Having found it, that's good. But my question then still is on the reconditioning of those

motors, how will you know when that needs to be done and who's going to be doing that? Who's responsible for that piece?

MR. VOKES: Mr. Chair, members of the Board, Alpha Southwest will have the responsibility to ensure that those motors are properly reconditioned and not only removed, but the storage, the reconditioning and then the reinstallation of the motors. We have had no problems from the motors. We expect that they will be in relatively good condition. That was the opinion of our engineering firm and they made the recommendation for the language of the request for the proposals. So, again, we don't anticipate any problems with the pumps and the refurbishment. We will ensure that is done per industry standards.

COMMISSIONER CHAVEZ: Okay. Good. Thank you. Thank you, Mr. Chair.

CHAIR DOMINGUEZ: Okay. Councilor Ives.

COUNCILOR IVES: Thank you, Mr. Chair. And this may be more of a question for Nancy. Just looking through the documents, and I'm looking on page 30 in the packet, under Section 3.2 Warranty. And it says all products, equipment, labor and services provided shall be warranted for a period of two years after final completion and then B. says, It is understood that the service of the pumps is severe and erosion of wetted parts is considered normal wear and will not be covered by a two-year warranty.

As I've been thinking about that, I've been thinking about the tires I buy for my car. And though certainly the moment you put them on your car and start to drive the service is severe and erosion is occurring continually and yet you still have warranty on tread wear. So I'm curious why there is no warranty of any sort on that type of aspect of these pumps. And then I was also curious, because I wasn't clear if they're just buying the pumps from a third party manufacturer and basically installing them, or whether they themselves have any hand in the manufacture of the pumps. And I wasn't clear.

MS. LONG: Yes, Mr. Chair and Councilor Ives, I did not have a hand in that warranty sort of exemption there on the wetted parts and would assume that would be sort of in the normal course of what would be expected for this type of bid but someone else may have some more information on that than I do. And it's also my understanding that this contractor will be manufacturing – will be building the pumps, and thus the need for the contractor's license. So that's the lead-time that they require is that they've got to build the pumps.

CHAIR DOMINGUEZ: The warranty, Chuck.

MR. VOKES: Mr. Chair, members of the Board, as we all know, the life expectancy of the current pumps has been less than two years. They are severely challenged by the amount of sediment that is in the river and I believe when you're talking about the severe erosion of the pumps, we do expect them to wear. We do expect wear on the impellers. We do expect the shaft sleeves that are being installed to be worn. One of the pages in the document, and I don't have the number right now but you will notice that one of the things that's included with the bid is a list of spare parts, so that we know that things are going to wear out. It would be the equivalent of buying a car and them providing brake shoes and other items that we expect to wear. So until we address the levels of sediment that's coming through the pumps there will continue to be a high level of wear. We expect with the design changes we're making, with the modifications to the lubricant water and other items that we will get more miles out of these pumps. But

again, the Rio Grande is severe and we do expect the wear and so that was put in there because it's realistic.

We could have said we want a two-year warranty and we don't expect any wear over two years and I would see that your prices increase greatly as a matter of fact. So it's just the realism of what we have to deal with and what they're able to build. I would say that I do believe that the pump manufacturer, I believe on these pumps and I can get back to you to make sure, but I believe it's Simmons and it is a national manufacturer that Alpha is using to actually build the pumps. And then they will handle the installation.

COUNCILOR IVES: I actually wondered if they would be manufactured by another if there might be a manufacturer's warranty of any sort that we would pick up and whether that would modify those terms but I wasn't sure. Still not sure.

CHAIR DOMINGUEZ: Thank you, Councilor Ives. We'll go Commissioner Chavez, Councilor Harris.

COMMISSIONER CHAVEZ: Mr. Chair, thank you. I'm going to make a motion, hope for a second then I think we could continue discussion maybe a bit longer, or a little bit longer.

CHAIR DOMINGUEZ: Okay, so that's a motion to approve.

COUNCILOR IVES: Second.

CHAIR DOMINGUEZ: Do you want two separate motions, Nancy?

MS. LONG: It's not necessary but the motion should be clear that it's also approving the authorization for the expenditure from the major repair and replacement fund, just so we know that they're both in there.

CHAIR DOMINGUEZ: So a motion on both 10. and 10.a.

COMMISSIONER CHAVEZ: Right. So the motion on 10.a would be the request for approval to purchase raw water pumps and to authorize an additional \$4,736.25 from the major repair and replacement fund.

CHAIR DOMINGUEZ: Okay. Second?

COUNCILOR IVES: Second.

CHAIR DOMINGUEZ: Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, Thank you, Mr. Chair. Under discussion, again going back to alternative bid items, B. 2, it reads that the bidder is required to honor the prices quoted for a period of one year from bid opening time. And so I think that – I just wanted to note that for the record. This company that we're considering I think has been understanding and sensitive I think to the challenges that the facility is facing and been willing to work with us. So I wanted to point that out. And that's really all I have, Mr. Chair.

CHAIR DOMINGUEZ: Anyone else? Any questions? Okay, so we do have a motion and a second. Any more discussion? Last chance. Hearing none.

The motion passed by unanimous [5-0] voice vote.

MATTERS FROM THE PUBLIC

None were offered.

MATTERS FROM THE BOARD

CHAIR DOMINGUEZ: Just real quick. Chuck, if you can just – I think we’ll go ahead and put the monthly update on the BDD operations just as an automatic discussion item and not on Consent. So if we could just make sure that the next – when I review the next agenda that change is already made.

MR. VOKES: Mr. Chair, if I could inquire, Councilor Harris’ suggestion to just include two years? Is that what you were suggesting?

COUNCILOR HARRIS: No, not necessarily. What I was really looking at is, you know, the numbers are through July for 2016. At the very least we should have a comparative period for the prior year. You’ve got, I think, as far back as 2012. I wasn’t suggesting that, but at least the prior year.

MR. VOKES: Okay. Thank you.

COUNCILOR HARRIS: If you want to do all of them that’s okay too.

CHAIR DOMINGUEZ: I’ll get with you Chuck, on maybe presenting that data in a different format or something. Anything else from the Board?

BOARD MEMBER FORT: Mr. Chair, I wanted to comment on that. I would actually on some of these like to see a longer time period, for example what the withdrawals have been or what the percentage of the City and County’s water supplies come from Buckman. Because you know again in the time of changing climate it would be important to track that. Thank you.

CHAIR DOMINGUEZ: Okay. Anything else from the Board? No?

EXECUTIVE SESSION

MS. LONG: Mr. Chair, I’d ask for a motion that in accordance with the New Mexico Open Meetings Act, NMSA 1978, Section 10-15-1(H)(7), to go into executive session for discussion regarding threatened or pending litigation in which the BDD is or may become a participant, including without limitation discussion regarding diversion structure issues.

COUNCILOR IVES: So moved.

CHAIR DOMINGUEZ: We’ve got a motion. Do we have a second?

COMMISSIONER ROYBAL: Second.

CHAIR DOMINGUEZ: And a second by Commissioner Roybal. Any discussion? Let’s go to roll call and get us into executive session.

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:

Commissioner Chavez	Aye
Councilor Ives	Aye
Commissioner Roybal	Aye
Member Fort	Aye
Chair Dominguez	Aye

MS. LONG: And I understand we will be in the Planning Department again, in the conference room, Land Use and Planning.

[The Board met in closed session from 4:51 to 5:26.]

COUNCILOR IVES: I would make a motion to come out of executive session, stating for the record that only matters listed on the agenda were discussed.

BOARD MEMBER FORT: Second.

CHAIR DOMINGUEZ: We've got a motion and a second. Any discussion?

The motion passed by unanimous [5-0] voice vote.


NEXT MEETING: Thursday, September 1, 2016 @ 4:15 pm

CHAIR DOMINGUEZ: Okay, next meeting is Thursday, September 1st at 4:15. Any concerns about that? I may not be here till 4:30 at that meeting, and just so the Board knows, I'm just kind of depending on the workload the next few months; we may be changing the Board meetings to 4:30. But I'll make that announcement depending on how the workload is. But at this time it's 4:15. On September 1st it's at 4:15. Anything else?

ADJOURNMENT

Having completed the agenda, Chair Dominguez declared this meeting adjourned at approximately 5:27 p.m.

Approved by:


Carmichael Dominguez, Board Chair

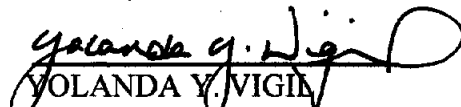
Respectfully submitted:


Debbie Doyle, Wordswork

FILED BY:

GERALDINE SALAZAR
SANTA FE COUNTY CLERK

ATTEST TO:


YOLANDA Y. VIGIL
SANTA FE CITY CLERK