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MINUTES OF THE
THE CITY OF SANTA FE & SANTA FE COUNTY
BUCKMAN DIRECT DIVERSION BOARD MEETING
December 6, 2018

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1. This meeting of the Santa Fe County/City Buckman Direct Diversion Board meeting was called to order by Commissioner Anna Hamilton, Vice Chair, at approximately 4:09 p.m. the City Council Chambers, 200 Lincoln, Santa Fe, New Mexico.

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2. Roll was called and a quorum was present with the following members present:

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BDD Board Members Present:

Commissioner Anna Hamilton
Councilor Michael Harris
Commissioner Henry Roybal
Denise Fort, Citizen Member [4:30 arrival]
Councilor JoAnne Vigil Coppler [City alternate]

Member Excused:

Councilor Peter Ives, Chair

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_____ Wendell T. Egelhoff [non-voting]

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BDD Board Alternate Members Present:

Commissioner Anna Hansen [County alternate]
Mr. J.C. Helms [Citizen Alternate]
Ginny Selvin [Las Campanas non-voting alternate]

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Others Present:

Nick Schiavo, Interim BDD Facilities Manager
Nancy Long, BDD Board Counsel
Mackie Romero, BDD Financial Manager
Stephanie Lopez, City Utilities
Bernardine Padilla, BDD Public Relations Coordinator
Randy Sugrue, Interim BDD Operations Manager
Kyle Harwood, BDDB Counsel
Daniele Bowman, BDD
Michael Kelley, County Public Works
John Dupuis, County Utilities
Rick Carpenter, City Water Resource Department
Alex Puglisi, City Utilities
Sara Smith, County Constituent Liaison
Justin Reale, Army Corps of Engineers
David Van Horne, UNM
Jay Lazarus, Glorieta GeoScience
Anjali Bean, County Utilities

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3. APPROVAL OF AGENDA
[Exhibit 1: Agenda]

Upon motion by Commissioner Roybal and second by Councilor Vigil Coppler the agenda was unanimously approved. [Mr. Helms voting in the absence of Ms. Fort.]

4. APPROVAL OF CONSENT AGENDA

COMMISSIONER HAMILTON: Does anybody have any items they wish to take off for discussion? Yes, Commissioner Hansen.

COMMISSIONER HANSEN: I was interested in taking off number 11. I just wanted some explanation and discussion about that.

COMMISSIONER HAMILTON: Okay. Is there anything else?

COMMISSIONER HANSEN: We could take off the Colorado River Drought Contingency Plan, which was a little overwhelming to read.

COMMISSIONER HAMILTON: You want to take that off as well?

COMMISSIONER HANSEN: Kyle's here. He could talk about it. Right? Okay.

COMMISSIONER HAMILTON: So there's nothing on Consent that doesn't need to be discussed. So we're going to wait till we get to that on the agenda and have the discussion of that.

COMMISSIONER HANSEN: Okay. Thank you.

5. APPROVAL OF MINUTES FROM THE NOVEMBER 1, 2018 BUCKMAN DIRECT DIVERSION BOARD MEETING

The following corrections were noted by Mr. Helms:

- Page 8, line 8, should read on, not one.
- Page 11, line 4, structures should be singular.
- Page 12, line 14 should end with a question mark.

With those corrections, Commissioner Roybal moved to approve the minutes. Councilor Vigil Coppler seconded and the motion passed unanimously. [Mr. Helms voting in the absence of Ms. Fort.]

6. REPORT ON THE DECEMBER 4, 2018 FISCAL SERVICES AUDIT COMMITTEE

MACKIE ROMERO (BDD Financial Manager): Madam Chair, members of the Board, a Fiscal Service and Audit Committee meeting was held on Tuesday, December 4th. In attendance was myself, BDD Financial Manager, Nick Schiavo, BDD Facilities Manager. From the City we had Councilor Harris, Debra Harris-Garmendia Controller; from the County, Commissioner Hamilton, Stephanie Schardin Clarke,

1 Finance Director, Joe Gonzales, Administrative Manager; and from Las Campanas,
2 Ginny Selvin.

3 I provided an update on the audit and that update is that all prepared by client
4 requests have been completed by BDD and uploaded into the auditor's client based
5 portal. This portal allows the auditors to perform a lot of their work offsite. We are
6 scheduled to have an auditor onsite tomorrow to complete any remaining test work.
7 According to their schedule, BDD will receive draft financial statements around the 14th
8 of December, at which time I will do a quick review with any comments or changes, and
9 they are scheduled to deliver the final report to the State Auditor on Monday, December
10 17th.

11 We also discussed Information Item number 9 and Consent Agenda 11, which
12 will be further discussed in the agenda. Are there any questions?

13 COMMISSIONER HAMILTON: Mackie, just for everybody's clarity,
14 you're going to have a report by the 14th, and this is technically due Monday, the 17th,
15 because the 15th falls on a weekend. Who is going to participate in the review once it
16 comes back to you on the 14th?

17 MS. ROMERO: So internally, the review is basically done by me so I'll
18 go through the financial statements and make sure there aren't any changes to any of the
19 notes or the numbers, and then after that I will send it back to the auditors. Internally with
20 the auditors they do require a second reviewer that's outside of the current engagement,
21 so that has to come back from them before they can even complete the final report and
22 send that out to the State Auditor. So a very short timeline.

23 COMMISSIONER HAMILTON: Who's doing the second outside
24 review? Do you know?

25 MS. ROMERO: I'm not sure who the auditors have selected to do the
26 second review, but I have been reassured by the City and the City Controller that they'll
27 also stay on top of them to make sure that they meet the deadline for all three entities.

28 COMMISSIONER HAMILTON: Just for everybody else's information,
29 that was a point that was discussed, that concern that that might not – that's a time
30 component that's out of our direct control, right? So it was a concern.

31 MS. ROMERO: Yes. Thank you.

32 COMMISSIONER HAMILTON: Are there any other questions from
33 other Board members? It was a very good meeting.

34 MS. ROMERO: Yes. Thank you so much.

35 COMMISSIONER HAMILTON: Thank you.

37 **INFORMATIONAL ITEMS**

38 **7. Monthly Updates on BDD Operations.**

39
40 RANDY SUGRUE (Interim Operations Superintendent): Madam Chair,
41 members of the Board, my name is Randy Sugrue. I'm the Interim Operations
42 Superintendent out at BDD.

43 COMMISSIONER HAMILTON: Congratulations and welcome.

44 MR. SUGRUE: I've been a charge operator since the facility came on line.
45 Raw water diversions for the previous month were approximately 5.6 million gallons per
46 day. Drinking water deliveries through our booster stations 4A, 5A were approximately

1 5.08 million gallons per day. Raw water delivery to Las Campanas for a couple days
2 averaged .104 million gallons per day, and our onsite treated and non-treated water
3 storage averaged .48 million gallons per day.

4 I wanted to also mention the Canyon Road water treatment plant is now back on
5 line and they're producing 1.8 million gallons per day and the reservoirs have come up to
6 about 49 percent of storage capacity combined total.

7 We have a project that we just began last week. We installed a new designed
8 pump at booster station 1A in the pump 4 position with an upgraded mechanical seal
9 lubricated shaft oiler system. We'll be monitoring that pump performance for the next 90
10 days and assessing improvements in performance. We hope this is a step in the right
11 direction to alleviate the problems we've had with shaft wear from the abrasive quality of
12 the raw water.

13 Right now, BDD is providing approximately 87 percent of the water supplied to
14 the city. That will fall a little bit now that Canyon Road is back online. I stand for
15 questions.

16 COMMISSIONER HAMILTON: Are there any questions? Nick, did you
17 have something?

18 NICK SCHIAVO (BDD Interim Facilities Manager): No questions.

19 COMMISSIONER HAMILTON: Okay. Thank you.

20 COMMISSIONER HANSEN: How long was the Canyon Road plant off-
21 line?

22 MR. SUGRUE: Commissioner, Madam Chair, members of the Board,
23 Nick –

24 MR. SCHIAVO: Madam Chair, Commissioner, it went off line at the
25 beginning of August. So it's been off however many months that is, four months or so.

26 COMMISSIONER HANSEN: So most of the city and everybody has been
27 living off of Buckman.

28 MR. SUGRUE: Buckman and some City wells and some of the Buckman
29 wells as well.

30 COMMISSIONER HANSEN: Okay. Thank you.

31 COMMISSIONER HAMILTON: And if you all remember, that pump
32 test, if I'm not mistaken, the pump is the one that Mr. Schiavo had briefed us on the
33 previous meeting, that it was going to proceed as a test to see if this was a good solution.

34 MR. SUGRUE: Precisely. If this pump is successful then we intent to go
35 ahead with upgrading the other pumps.

36 COMMISSIONER HAMILTON: Thank you. Any other questions or
37 discussion? Thank you very much.

38 MR. SUGRUE: Thank you very much.
39

40 **8. 2018 Public Relations Outreach Events and Tours Summary**

41
42 COMMISSIONER HAMILTON: Thank you, Bernardine.

43 BERNARDINE PADILLA (Public Relations Coordinator): Madam Chair,
44 members of the Board, I know you have your presentation in front of you but I always
45 feel like it's a little more exciting to actually look at pictures and see what we did and see

1 the faces of the people that actually came and visited BDD. We have some really great
2 tours that came this year and some very high level VIP tours. So I'll just get into it here.

3 Right here we have St. Michael's High School environmental studies. This is a
4 very high level school and class and so they not only want a tour and the presentation
5 they want an activity. So Danny is so good as to provide a science activity for some of
6 the classes that request it.

7 We provided outreach throughout tours and events to about 5,300 people this
8 year. That was actually about 30 people more than last year, so we're right in the same
9 numbers but we just surpassed it just a little bit. We had a total of 36 tours. Sixteen of
10 those tours were industry professionals, 11 were for the youth. Out of those school tours
11 that we did, four of them are private schools that they contact us directly. We had four
12 university level tours, and five community member tours. We had 665 people that toured
13 the plant and the majority of those people were – they came in September through
14 December, so, the last part of the year. So that's a lot of tours in a very condensed time;
15 1,400, almost 1,500 youth were served by tours and the events combined. This is St.
16 Mike's again doing some titration studies.

17 We still will continue to focus on the STEM program, water technology and
18 environmental sciences so that the students can think about it now in their younger years
19 and think about what they want to be when they grow up and what studies they want to
20 focus on when they go to high school and college. We try to make the tours a little
21 exciting so that they're prone to remember us and come back.

22 The tours – we do a lot of tours for the universities, the local universities and
23 assist with continuing education -- so Santa Fe Community College, Highlands
24 University. Today we actually had a tour from Northern New Mexico Community
25 College, and I never do a tour on Board day because we have so much to do but they
26 insisted and so we provided that tour and Randy and Aaron Rand assisted with that tour.

27 I've got to show you this tour. This is actually my favorite tour that we had all
28 year long, and I got a few slides on it. We had a call from El Castillo Residence, and their
29 members wanted to come and tour BDD. And a lot of them have walkers and canes and
30 wheelchairs, and we thought, how are we going to get them around the plant because we
31 have to go up the stairs and walk around the facility?. And I asked the coordinator, I go,
32 do you guys have a van? And she says, yes, we bring them in a van. I go, let's just drive
33 the van around the whole plant. So that's what we did and it was like being at the San
34 Diego Zoo or something. "And on your left we have the basins. And on your right we
35 have --"

36 COMMISSIONER HAMILTON: All you BDD employees in the audience
37 ought to think about that.

38 MS. PADILLA: Yes. We can do that for anybody. You don't have to be
39 older or have a cane. If it's snowing we could do that as well. We asked them as we
40 stopped throughout the tour, we asked them if they wanted to get out and look around,
41 but they didn't. They wanted to stay in the van and that was nice.

42 Our operator that did this tour was Juan Portillo and he was so excited and
43 energetic on this tour and we just had such a good time. So the gentleman that you see
44 there with the hat, he was an engineer from Los Alamos. So going around the tour, was
45 like a kid in a candy store. He was so excited. Right here we're driving around and we're
46 looking at solids removal and discussing that. Here we're in the ozone area and learning a

1 little bit about ozone and how we get the liquid oxygen and shoot it with some electricity
2 and turn it into ozone. Here we are by the ozone room and we normally just stand right
3 there by the door and show them the equipment and talk about the process, but this young
4 gentleman here was so excited he walked right into ozone, went over to the generators.
5 He was so excited.

6 So that's the majority of our tours, and now we go into community outreach
7 events. And we had basically the same events that we had previous years. Three youth
8 events, and then we had nine community events. So we had a little more community
9 events in the last year. We participated in two County sponsored events; that's what's
10 new this year, and we also provided water bottles to them for other events that they had
11 that we couldn't participate in, so I'm giving them water bottles for their events. So it's
12 been a great partnership with them.

13 The Kids' Water Fiesta is another big event and we participate in that every year.
14 We have about 250 kids that we see in two days. We need five staff members to be there
15 for each of the days because we have each table, each table has one of the operators or
16 staff members there to help guide the kids around that activity. So it does take a lot of
17 time away from their duties at work.

18 This tour we had just recently, October 30th. It's the Colorado River Basin
19 Salinity Conference, and they called us to ask for a tour because they were having their
20 conference here. These are people from the whole southwest sector. All the states that
21 receive the San Juan-Chama project water wanted to come and see BDD. It was a really
22 good tour.

23 This is the City of Santa Fe Recreation program that we've done. This is the first
24 time we actually had a booth there. We've always participated and gone, and I coordinate
25 the water tank. But this is the first year that we actually had a tent, so you can see our tent
26 there in the back. We just purchased it. I have two tents. We have a small tent and then
27 the large tent, depending on what we need for each event. And so that's actually been
28 very handy thus far.

29 There are 700 kids that come to this event, probably more if you count the
30 volunteers and the teachers that are there. There's 800 people that are at that event with
31 no water source except for the swimming pool and going into that building. So it's crucial
32 that there's a water source there. I have some ideas on how to make that better in the next
33 years because they just bring little cups for them, and I was handing out water bottles and
34 I think we handed out – I don't know – 200 or 300 of the water bottles that you have in
35 front of you. So we need to figure out how we could have a better source for the kids so
36 they're not using just the little Dixie cups.

37 At the end of the day the Fire Department squirts them all down with the water
38 hose and that's the best part of the day. Again, thanks to BDD for water. They love it and
39 they get soaking wet. It's just hilarious.

40 So, Operations: we couldn't do these events or tours without the expertise of the
41 operators. I can go to every single event, but I'm not an operator; I don't have the
42 technology knowledge or the scientific knowledge that's necessary. I can present. I can
43 talk about BDD but some of the questions are very technical. It is crucial that the
44 operators attend these events so that they can answer these questions, and they actually
45 are really good and relate well with the kids. So because of staff's interest, because of all
46 the staff that participate, I really could not do anything without the operators and the rest

1 of the staff, and I want to formally thank them, thank all the operators, all the staff,
2 everybody that helps me out. The water bottles; I could fill up anywhere from ten water
3 bottles to 150, 200 water bottles a day, depending upon how many events or requests I
4 have. So even that is a big help and I really appreciate the operators and the staff that
5 help.

6 I see that Member Fort has walked in.

7 So in order to continue these tours and programs I want to make sure that we
8 focus on the education and outreach, and encourage the youth to continue their studies
9 and consider possibly being operators and possibly coming back to BDD or the City of
10 Santa Fe to work. Today with Northern New Mexico Community College we talked
11 about it quite a bit, the starting salary, the education that they needed, and that there's not
12 a lot of women in the field. So they were actually quite interested. The instructor, the
13 professor, asked us if we were okay to handle 13 new applications after the tour and I said,
14 well, we don't have a position but keep your eye out!

15 And that is basically the end of my presentation and I stand for questions.

16 COMMISSIONER HAMILTON: Thank you so much. Are there any
17 questions?

18 COMMISSIONER ROYBAL: I don't have a question but just a comment.
19 I also want to extend my gratitude to our staff at the BDD and operators and everybody
20 involved with doing these tours. I think it's really important for us to bring in the youth
21 and educate them and give them opportunities to see what options there are out there and
22 different ideas of what type of degrees to go for in school. So I really appreciate that.
23 Thank you.

24 MS. PADILLA: Well, it's interesting you said that because all of the
25 students that came today they were thinking of environmental studies and environmental
26 type careers, and I asked them, had any of you even thought of working in a water
27 treatment plant, and they said no, but then towards the end, after the tour, many of them
28 were very interested in considering that. Because you just don't think about it if you're
29 not exposed to it.

30 COMMISSIONER HAMILTON: Councilor Vigil Coppler, and then
31 Councilor Harris.

32 COUNCILOR VIGIL COPPLER: Thank you, Madam Chair. I too want to
33 extend my gratitude for the outreach that you've done and gratitude to the staff for being
34 there, being available because you're right. Out of sight, out of mind.

35 MS. PADILLA: Exactly.

36 COUNCILOR VIGIL COPPLER: I toured it and I was amazed at what I
37 saw. It was quite educational, quite eye-opening. And I would encourage you to continue
38 to do these tours and this community outreach because it's important what you do out
39 there. So thank you again.

40 MS. PADILLA: Thank you. I will pass that on to the staff.

41 COMMISSIONER HAMILTON: Councilor Harris.

42 COUNCILOR HARRIS: Thank you, Chair. I notice most of the youth
43 groups are from the Santa Fe area and I wonder how successful you've been in trying to
44 contact Pojoaque, for instance, Española, Los Alamos. I think that those communities
45 have certainly a vested interest in it and all kids love a field trip.

46 MS. PADILLA: So, yes, they do.

1 COUNCILOR HARRIS: Time out of the classroom.

2 MS. PADILLA: So we have had in the past elementary schools from Las
3 Vegas come out. We've had interest from Albuquerque. We actually – UNM's water
4 technology classes have come out to BDD. A lot of the issues, it has to be with buses and
5 timing. That's one thing. I'm not sure if anyone from Tesuque has come out. I can't recall
6 right now. But yes, when we go to the events I have spoken to members that are at the
7 event, other presenters, and they are interested in coming. It's a matter of the logistics and
8 getting the kids out there.

9 COUNCILOR HARRIS: I understand, so again, I applaud your work and
10 just make sure we keep going as far afield as you think is appropriate.

11 MS. PADILLA: We'll welcome anyone. A few years ago – I don't think
12 you were on the Board – we had Texas A&M came a few times. It's part of their graduate
13 studies in order to graduate. They have not come – they didn't come last year so they
14 may be coming this summer. Every two years they come and in order to get their degree
15 they must come on this tour and they start at the headworks up in Colorado and they
16 progressively go down for about a week and they stop everywhere – certain places, and
17 BDD is one of the stops.

18 COUNCILOR HARRIS: Thank you very much.

19 COMMISSIONER HAMILTON: Thank you. Something else occurs to
20 me, and I have a vague recollection that we talked about this possibility sometime in the
21 last year and that had to do with interns. I know the County has an intern program,
22 summer interns, and I think the City has something; you guys can speak to that. But given
23 what you do for outreach and the potential interest, what would you think about having
24 BDD as a possibility for the group of summer interns that come through?

25 MS. PADILLA: We are very interested, especially I and Ms. Bowman are
26 very interested in having interns, and we had started that program, actually I have done a
27 lot of work and research on it. The previous manager put it on hold. I talked to Nick
28 Schiavo and he's very interested and he's on board. I also talked to Mr. Carpenter and he
29 said that as long as it works for the program, as long as it works for the staff that he also
30 is on board with it as well. It's just a matter of logistics right now.

31 COMMISSIONER HAMILTON: You mean having time to supervise
32 interns and that sort of thing?

33 MS. PADILLA: It's just the logistics of bringing them on.

34 COMMISSIONER HAMILTON: If you think it would be worthwhile, I
35 wonder if you've considered talking to the City and County and having it come from
36 there since those programs are already established, because certainly, between the kind of
37 environmental assessment work that Ms. Bowman does, and the operations stuff and the
38 other things, the outreach you do, you would think it would be very appealing to some of
39 the interns and may be a very good opportunity.

40 MS. PADILLA: Well, the students, like at the teen job fair that we had,
41 they were very interested and I actually found through the workforce initiative, the state
42 department, that they actually will pay for the staff. We don't have to pay; it doesn't
43 come out of our budget. They have budget for that. I also found through the New Mexico
44 State University – I don't remember what department that was. I think it was the
45 engineering department. They provide interns on the graduate studies level and they will
46 send them up here and they also assist with the payment as well. So it's a win-win for all

1 of us. They need their internship hours; we need an intern and we need their new fresh
2 brains and expertise as well. So we're getting there, and thank goodness we have Nick
3 Schiavo here and he's supporting us.

4 COMMISSIONER HAMILTON: Excellent, thank you. Any other
5 discussion?

6 COMMISSIONER HANSEN: I was just going to state that how the
7 County does it, it is done through the Personnel Department, so it would probably need to
8 go through the City Personnel. But if you get interns that are paid by somebody else then
9 that might be a whole different thing. That sounds like – I would support that
10 wholeheartedly. To have interns, I think it's really important process and especially we
11 need more people trained in water reclamation and water delivery and drinking water and
12 all kinds of things.

13 MS. PADILLA: Definitely. And we would go through the City Personnel.
14 We would just bring them on and then process them through there. So we're getting
15 there.

16 COMMISSIONER HANSEN: Thank you very much. That was great.
17

18 **9. First Quarter Financial Statements**

19
20 MS. ROMERO: Madam Chair, members of the Board, this report is to
21 update the Board and our partners on our first quarter financial position as of September
22 30th. I will highlight a few numbers then I can answer any specific questions from the
23 Board.

24 If you go to the first page of the report you'll see our first quarter expenses were
25 \$1,738,753, which is about 12 percent higher than last year's first quarter expenses so
26 with that we are estimating to spend about 92 percent of our adopted budget. In this
27 report I do also include amounts to be reimbursed by the partners for fixed and variable
28 costs.

29 On our second page I've provided cash balances to our emergency reserve fund
30 and major repair and replacement funds. I've also provided budget overviews for funds
31 that have been authorized by the Board, again, for the major repair and replacement fund,
32 and then our capital carve-out budget.

33 So if there are any specific questions about the numbers that I've provided I can
34 answer any questions.

35 COMMISSIONER HAMILTON: Thank you, Mackie. Are there
36 questions? That was easy. Very nice. Thank you, Mackie.

37 MS. ROMERO: Thank you.
38

39 **10. Report from the Interim Facilities Manager**

40
41 MR. SCHIAVO: Thank you, Madam Chair. I just want to bring up two
42 points. The first, we've received a detailed scope from the consultant that will likely
43 bring for the TREAT study, so I'm hoping to have all that put together in the January
44 packet. I should have it for the January packet so you'll be able to see where we're at
45 with that and what that scope looks like.

1 And then the second item is with respect to the study session that occurred last
2 week, I've been working with Kyle. I believe we'll have the minutes soon so we'll
3 review things that are there, and it's my hope to have the different points that were
4 brought up and the different recommendations that were brought up as part of that study
5 session in writing for you at the January meeting also. So it's just a matter of how quickly
6 we can get the minutes. We want to make sure that we're incorporating everything. I
7 talked to Kyle just a few minutes ago and he said that he continues to receive some
8 documents from the individuals and representatives who were at that meeting. So if it's
9 not at the January meeting it will absolutely be at the February meeting.

10 COMMISSIONER HAMILTON: Thank you, and actually I want to thank
11 you both for doing that, because I think having minutes is very useful but having a
12 summary of key points is quite valuable, so I'm pleased to hear you're taking that on.
13 Any other questions or comments from the Board?

14 COMMISSIONER HANSEN: I'm just going to comment that I think the
15 study session was incredibly valuable and there was really a lot of beneficial and great
16 material that came out of it and I look forward to working on the letters that we suggested
17 that need to be written and I want to thank Kyle for organizing it. I know it took you a
18 long time to get it together but actually it happened at just the right time, so I think
19 everything works out the way it should. Thank you for organizing that because I know it
20 was herding cats.

21 COMMISSIONER HAMILTON: Member Fort.

22 MEMBER FORT: I also very much appreciated the session and I thought
23 it was great to have an opportunity to go more deeply into so many of the different
24 questions that come up on a regular basis before the Board. So thank you, Kyle and thank
25 you everyone who participated.

26 COMMISSIONER HAMILTON: Thank you. Any further discussion?
27 That was quite valuable.

28 MEMBER FORT: I'm assuming that the Board members who weren't
29 there are going to be given the minutes and a final exam.

30 COMMISSIONER HAMILTON: The pop quiz?

31 COUNCILOR HARRIS: Thanks for the warning.

32 COMMISSIONER HANSEN: Thank you, Member Fort.

33 COMMISSIONER HAMILTON: Excellent. Thank you.

34 MR. SCHIAVO: That's all I had, Madam Chair. Thank you.
35

36 CONSENT AGENDA

37 **11. Request Approval of Payment to the BLM** 38

39 MS. ROMERO: Madam Chair, members of the Board, we are requesting
40 approval of payment to the Bureau of Land Management for our right-of-way grant
41 agreements. The BDD has three right-of-way grant agreements. Of the three, the first
42 annual fee is for the water treatment plant site and that is \$63,000 a year. There's a fee for
43 our fiber optic line, which is \$398.64 a year. And then our booster station 2A solar site,
44 which is \$4,605.68 a year. This site does include a megawatt capacity fee. I know there
45 were some questions at FSAC and so you can either go over those or if the Board had any
46 specific questions.

1 COMMISSIONER HANSEN: Thank you. Commissioner Roybal.
2 COMMISSIONER ROYBAL: Actually, I thought that it seems like the
3 fee is pretty expensive for rental. That's annual?
4 MS. ROMERO: That is correct.
5 COMMISSIONER ROYBAL: And is there room for negotiation on that
6 amount? I mean not at this point but in the future?
7 MR. SCHIAVO: Madam Chair, Commissioner Roybal, we were talking
8 about that in our pre-meeting to this and Rick Carpenter who has been with this project
9 since the beginning said that he has talked to them in the past but he's absolutely willing
10 to go with me again to see if they'd be open to selling us the parcels, or at least letting us
11 take a look at how they are developing the rates. He said he's looked at them in the past
12 and I don't want to put any words in Rick's mouth but now that we've developed the
13 parcel it's absolutely worth more and they would like to charge us more. And so again,
14 he's open to it and I'm absolutely open to it. We would like to meet with BLM and see if
15 it's possible to buy the parcel. If not, see how the rates are developed, and I can report
16 back to you on that.
17 COMMISSIONER HANSEN: I'm wondering if earlier in the year,
18 Commissioner Dunn wanted to transfer land and so is this part of the land that they
19 wanted to transfer? If so, would that change the situation?
20 NANCY LONG (BDDDB Counsel): Madam Chair and Commissioner, this
21 is part of the land, all of these rights-of-way were part of the land that was proposed for
22 transfer between the BLM and the State Land Office. As you probably remember, we
23 submitted applications so that we would have not the land in fee, but permanent
24 easements, and we would have paid for that. We heard from somebody at the BLM
25 earlier this year that came in, and that was doubtful all the appraisals could get done but
26 she was still hopeful at that time. They were not done and we know Commissioner Dunn
27 is out of office at the end of the year so our understanding is that that proposal has been
28 scrapped and that the new Land Commissioner is not interested in a land exchange. Not
29 that that couldn't be back again before you at some point. I suppose it could be
30 resurrected but that is no longer on the table.
31 COMMISSIONER HANSEN: I had a meeting with the newly elected
32 Land Commissioner and I mentioned that this land had been part of that and she has
33 definitely different ideas but seeing how high the fees are that BLM is charging us it
34 definitely gives me pause and to look at this in another light and Commissioner Garcia
35 Richard might have a different view because she is really interested in developing solar
36 projects on State land, so there might be some way we could work something out. But I
37 do think it's important that Nick and Mr. Carpenter go and talk to BLM and find out if
38 there is a possibility for us to buy it in perpetuity.
39 COMMISSIONER HAMILTON: Any other discussion or questions? Yes,
40 Councilor Harris.
41 COUNCILOR HARRIS: Thank you, Chair. So, Mackie, did you get a
42 chance – we talked about it at FSAC, what they call the photovoltaic capacity fee. Did
43 you get a chance to talk to the Taos office and get an explanation about how they define
44 that and how they arrive at that?
45 MS. ROMERO: Madam Chair, Councilor Harris, I did send an email out
46 to our contact there, the Taos office, and he did not respond, but I did go and do a little

1 bit of research, and it does look like it's just part of this wind and solar leasing
2 regulations that megawatt capacity fee is part of their regulations. I went back historically
3 and originally, we were paying a fee, it was about \$7,784 for the capacity fee and it looks
4 like in 2017 they redid those regulations and they did new rates for the solar and wind –
5 they have a separate rate schedule for that capacity fee. And so the fee did go down a
6 little bit so now we're only paying \$4,294 per year but I did reach out to them to try to
7 get a little more of an explanation other than it's just of the regulation. But that's what
8 I've found so far.

9 COUNCILOR HARRIS: I guess I'm not clear, and it's unfair to you,
10 because you haven't talked to anybody to really understand how this fee is defined.

11 MS. ROMERO: That is correct, but I do want to note that these fees were
12 in the agreements that were signed way back when, so technically, BDD, the Board –
13 these payments are due and if we don't pay them we will be assessed late fees.

14 COUNCILOR HARRIS: I'm not saying we shouldn't pay it; I just always
15 want to know what we're paying for.

16 MS. ROMERO: Absolutely.

17 COUNCILOR HARRIS: That's all I'm asking. So I'm sure you'll
18 continue to follow up.

19 MS. ROMERO: Yes, I will continue to follow up on what exactly the fee
20 is for.

21 COUNCILOR HARRIS: Okay. Very good. Thank you.

22 COMMISSIONER HAMILTON: There was some discussion at FSAC
23 that maybe this was something, if you feel after you've checked in a little, that maybe
24 Nancy Long could help look into. Is that –

25 MS. LONG: Yes, Madam Chair, I'd be happy to assist and if I need to
26 review the regulations and evaluate how they come up with this fee I'm happy to do that.

27 COMMISSIONER HAMILTON: Thank you. Commissioner.

28 COMMISSIONER HANSEN: So one of the things I've found happening
29 the last couple of year with the BLM office in Taos is that they have a rotating director
30 and there never seems to be anybody there for any length of time, and it's continually
31 changing and you might get to know one person and then the minute you get to know
32 them, they've gone, they've been posted somewhere else and then you don't get answers
33 to any of your questions. This has happened to us at the County a couple times with other
34 BLM land. So it is a problem and so we might want to go to the main office and speak
35 with Amy or – I'm trying to remember – I have another woman's contact who was at the
36 Taos office and she got moved to the main office and I will get you her number because
37 she was at least helpful and she could still be helpful in at least helping us meet with
38 somebody.

39 COMMISSIONER HAMILTON: Thank you. Is there further discussion
40 on this? So what is the pleasure of the Board? This is an item we need to approve.

41 COMMISSIONER ROYBAL: Madam Chair.

42 COMMISSIONER HAMILTON: Yes.

43 COMMISSIONER ROYBAL: I'd like to move to approve payment.

44 COUNCILOR VIGIL COPPLER: Second.

45 COMMISSIONER HAMILTON: Thank you. I have a motion and a
46 second.

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

12. Summary Informational Memorandum Regarding Colorado River Drought Contingency Plan

KYLE HARWOOD (BDDDB Counsel): Good evening, Board. This is a non-action item; just to flag that for you. It was an informational consent item pursuant to some requests that we heard. The packet, when it first got sent out didn't have any of the exhibits, so I did email them to you all and I do have printed copies, if any of you would like printed copies.

As many of you know, this has been reported quite extensively in the news in the last couple of months. The fundamental challenge after 19 years of drought on the Colorado River System there's a growing problem between the Upper Basin and the Lower Basin states in ensuring the deliveries at the location that the Colorado River – what's called the Law of the River, a whole set of agreements going back to before 1922 but also codified in the 1922 Colorado River Compact defines how much water the Upper Basin states need to deliver to the Lower Basin states. And in my memo I try to summarize just at a very high level what the issues are and what the effort is right now, and I do have an update. This memo was obviously prepared on the 27th and there have been changes since I prepared the memo.

The fundamental issue is that without some new agreements to allow for the storage of conserved water in the Upper Basin there could be a call by the Lower Basin states on the Upper Basin states, and a call may have the effect of either reducing or eliminating diversions that post-date 1922. They actually fight over whether the date is 1922 or 1928, but needless to say this is well before the passage creation of the San Juan-Chama project. So to the extent that -- and similarly situated water projects in Colorado particularly and Wyoming. So the Upper Basin states are very active in trying to identify a set of tools that would be codified in agreements. There would be companion federal legislation and there's a lot of interest that there might be federal legislation in this lame duck session that we're in now before the new year, so there's been a tremendous amount of activity around that.

At our request, the staff of the Interstate Stream Commission briefed Rick Carpenter and I on that set of issues pursuant to the Board's request for a little background on this. So, again, the Colorado River is only at least ten times more complicated than the Rio Grande. I don't know how much more detail you want about the Law of the River or the sort of basic framework of the Colorado River issues. I won't do any more now unless there are questions. The work on these DCPs, these drought contingency plans, is ongoing. As recently as this morning at the Interstate Stream Commission meeting in Albuquerque this morning they voted to concur with the State Engineer's decision to sign the New Mexico portion of the DCPs, if in fact the other states come together with a common agreement and request together federal legislation to address this issue.

The folks in Arizona are the ones that have faced the greatest consequences from the DCPs and have been the ones that have been struggling the most with their role in

1 these agreements and they actually have a requirement there that their state legislature
2 has to act on their portion of their agreement, given the way that their statutes are set up.

3 I can do more detail or stop there and try to answer questions. It's a very complex
4 issue. I'm just very grateful to the staff at ISC for briefing me and allowing me to provide
5 you this level of information and if there's more research that I need to do for your
6 questions I'm happy to do that.

7 COMMISSIONER HAMILTON: I do have a question, but we'll go to
8 Commissioner Hansen first and then Councilor Harris and Member Fort.

9 COMMISSIONER HANSEN: Thank you, Kyle. So I'm interested in what
10 kind of federal legislation is trying to be led in in this lame duck session. That might be a
11 more extensive conversation, but also how is this directly affecting us? If we can't get an
12 agreement and Powell in Lake Meade go below their critical level, does that mean that
13 our bypass channel gets cut off?

14 MR. HARWOOD: You have to build a lot of assumptions to get from that
15 condition to that outcome, but that is the sharpest concern.

16 COMMISSIONER HANSEN: That is the sharpest concern.

17 MR. HARWOOD: There's variations before that. But the triggering event
18 is that the Upper Basin states have to deliver 75 million acre-feet over ten years at Lee's
19 Ferry. And if the drought and beneficial use of water in the Upper Basin doesn't allow
20 that accounting to happen – it's a little bit like the Rio Grande Compact, right? So New
21 Mexico has to deliver to Texas an amount of water from Elephant Butte and Caballo
22 Reservoir that is a function of what's measure at Otowi Gauge, just three miles upstream
23 of the BDD. So it's a similar arrangement, where there's a compact, an agreement ratified
24 by Congress between all of these states that govern how they share the Colorado River,
25 and if these under-deliveries occur as a consequence of a combination of factors, then the
26 Lower Basin can demand the Upper Basin release water in storage to make up to that
27 compact-defined number. This legislation would allow the Upper Basin states to store in
28 Upper Basin Reservoirs what's called conserved water. This is water that's already been
29 used once and is returned to the river systems and it's not provided for now. But by
30 providing those buffers it would allow for the parade of horrors that you hinted at
31 would not happen. But yes, the risk is that the post-1922 diversions would be limited or
32 not allowed to divert if this were to become so acute that they were to make a call and
33 later priority diverters had to – junior diverters with later priorities, had to decrease their
34 diversions, including the San Juan-Chama project.

35 COMMISSIONER HANSEN: What year did we build the bypass
36 channel?

37 MR. HARWOOD: Heron Lake was built in 1971, and it was authorized by
38 legislation in the fifties and sixties. So it's all well past 1922 or 1928.

39 COMMISSIONER HANSEN: It's not even thirties. So we are really
40 considered junior. So what about the water that we have stored? Let's say we have water
41 stored in Heron? Then that's not affected? Because it's already been diverted?

42 MR. HARWOOD: It's already been delivered to this watershed. As you
43 probably know, water that comes through the San Juan-Chama is water that's heading to
44 the Pacific. It comes underneath the trans-mountain Continental Divide and is then in the
45 Atlantic Ocean side of the Continental Divide, and so, no. It shouldn't be affected

1 because releasing it doesn't get back into the Lower Basin states of the Colorado. But
2 there's a lot of things to be determined in this. This has never happened before.

3 COMMISSIONER HANSEN: A lot of things have never happened
4 before.

5 COMMISSIONER HAMILTON: Councilor Harris.

6 COUNCILOR HARRIS: Thanks, Chair. So, Mr. Harwood, my questions
7 had to do with the conserved water, and I heard you provide a definition for water that's
8 been returned back to the reservoirs in various Upper Basin locations. But did I also hear
9 that there's some dispute whether that's a valid argument? Why would that not be
10 considered appropriate as part of the requirement to deliver 75 million acre-feet over ten
11 years?

12 MR. HARWOOD: I have not heard of a dispute over whether or not these
13 essentially drought water banks in the Upper Basin reservoirs are controversial in that
14 way. This is a solution that the Lower Basin states have to agree to, because it's a set of
15 interconnected agreements. So Upper Basin and Lower Basin states are essentially in the
16 process of agreeing to these pools, so to speak, that will be used to mitigate the risk of a
17 call, and the theory is is that nobody wants a call. A call is hugely disruptive. Great
18 business for certain sectors of the economy but generally very disruptive, and Mexico
19 needs to sign off on this, the Interior is very much involved. And the reason we have
20 federal legislation involved as well is because that is seen as tying everything up very
21 much with the various delegations that would be involved from all the states proposing
22 and voting on it. It also would provide the direction to the Department of Interior to
23 administer this modification to what's called the Law of the River, which is the compact
24 and all the stuff that's happened since.

25 COUNCILOR HARRIS: Again, as you said, the Lower Basin has to agree
26 to it. It seems like a very reasonable approach, wherever it may be applied to use
27 conserved water, return it back. So is this, in your opinion, just a negotiating stance on
28 their part? Or are there so many things to consider they simply haven't resolved this
29 particular question?

30 MR. HARWOOD: The folks in Arizona are the ones that are going to take
31 real cuts to their actual water supply in out years as a result of this solution to this
32 problem, and they are very junior. So their struggle with how to manage that is the
33 biggest apparent impediment to it happening, having happened already even. It's in the
34 papers every day there. There's letters flying back and forth. There's a lot of reporting.
35 John Fleck, who is our recovering reporter who now runs the Water Resources program
36 at UNM has a blog where he's actually reported on a lot of this infighting. He's written a
37 book on Colorado River politics and how they impact New Mexico.

38 So that's why I think it hasn't happened yet. I think a lot of people have different
39 opinions about whether this is a problem or not, but I believe that in general the common
40 thinking, at least from the folks at that Interstate Stream Commission is that this helps
41 New Mexico. The DCPs as currently proposed will help ensure – it won't guarantee,
42 because you have to not only get the DCPs to pass but you have to account for the
43 conserved water and then it has to be there when you need it. So it's just a tool. But it
44 could help maybe mitigate this out year risk of reduced or curtailed in significant ways
45 San Juan-Chama project deliveries into the state.

1 COUNCILOR HARRIS: Thank you very good. Thank you very much.
2 Very informative.

3 COMMISSIONER HAMILTON: Member Fort.

4 MEMBER FORT: Thank you. Interesting topic. So who's – the
5 conservation programs are voluntary now but I'm assuming that we're looking at buy-out
6 of bag water rights in the future, and if so, how would that be paid for?

7 MR. HARWOOD: That's a great question. The way that it's drafted right
8 now is that if the DCPs are passed and the federal legislation is adopted, it would be up to
9 our colleague, Amy Haas, who is now the executive director of the Upper Colorado
10 Water Commission, the DCPs and the federal legislation have that organization, that
11 Upper Colorado Water Commission identifying whether it's then feasible, and then if it's
12 feasible, identifying programs to find the water to put in the pools. So they've stepped it
13 out as a future – I'm sure they're thinking about stuff but I don't know what all they have
14 in mind for actually filling those pools, exactly. I can imagine it's things like that and of
15 course funding is a big issue. So there's a whole bunch of very interesting downstream
16 issues. And presumably, this would all be ESA compliant so that many of the ESA
17 restrictions would not be disturbed. And I think actually that's part of the driver, is to not
18 disturb a lot of the collaborative programs that are in place.

19 MEMBER FORT: Thank you. Just makes you want to be part of that
20 group that would benefit from controversy over the Colorado River; doesn't it?

21 MR. HARWOOD: The lawyers?

22 MEMBER FORT: Yeah. Not on the record. It's my understanding that
23 the Metropolitan Water District is paying for cloud seeding in the Upper Colorado,
24 including in parts of New Mexico. Do you know anything about that?

25 MR. HARWOOD: We've talked about that briefly before and I don't
26 know any more than I know when we last talked and I do have that on a long list of
27 things to get back to you on. I'm sorry I haven't done that yet.

28 MEMBER FORT: For purposes of other Board members, I think cloud
29 seeding is something worth exploring for New Mexico. As far as I understand it we're the
30 only western state that doesn't engage in cloud seeding and as we look at the future I
31 think we should.

32 I have I guess just a comment that I've been concerned about the City of Santa
33 Fe's proposal to go forward with pumping water from the sewage treatment plant,
34 treating it, dumping it in the Rio Grande and then taking more San Juan-Chama water
35 out, and would just observe that the sort of report we've just received points to the
36 insecurity associated with San Juan-Chama water as did our study session and any
37 number of other things I've seen on my time on the Board. So this – the ability to get San
38 Juan-Chama water out in twice the volume we take it out now seems to me quite
39 problematic over the long term. Just an observation. Thank you.

40 COMMISSIONER HAMILTON: Yes. That would open the door for a lot
41 of additional discussion. It is a good point. It makes reuse – it gives another perspective
42 to the thought of reuse, but you still have to have a place to keep it. So everything has an
43 issue. Are there other questions on this?

44 MR. HELMS: You said that Arizona is very junior. Is that because of the
45 CAP coming on line late?

46 MR. HARWOOD: That's exactly right. The Central Arizona Project.

1 COMMISSIONER HAMILTON: Thank you. Any other questions,
2 discussion?

3 COMMISSIONER HANSEN: I think there's many more questions but I
4 appreciate Kyle's giving us a little more information at the moment. So thank you very
5 much.

6 COMMISSIONER HAMILTON: With that, this was a non-action item.
7

8 **13. Request for Approval of a Memorandum of Understanding Between BDDB**
9 **and the US Army Corps of Engineers for a Water Quality Project on BDD**
10 **Property**
11

12 DANIELA BOWMAN (BDD Compliance Officer): Madam Chair,
13 members of the Board, I'm presenting today the BDD staff request for approval of the
14 memorandum of understanding between the BDD Board and US Army Corps of
15 Engineers concerning the installation of a water quality station at the BDD. Before I give
16 the podium to the scientists that can explain more about that project I would like to
17 mention the regulatory implication of this project.

18 The US Army Corps of Engineers liked the area where BDD's located and that
19 area is under the jurisdiction of the US Forest Service. BDD has a US Forest Service
20 special use permit. By installing this water quality station on BDD property the Army
21 Corps of Engineers can actually circumvent obtaining a special use permit from the
22 Forest Service which could be a lengthy process. So we're allowed, under our permit, to
23 lease part of our property to whoever we would like to lease it. I already contacted the
24 Forest Service ranger for our area and he has given his verbal permission for this project
25 and for the leasing, and I'm certain that as soon as the Board approves that MOU that he
26 will give his written permission as well.

27 So the scientists that will be running this project are here today. I've asked them
28 to come and answer questions to maybe explain what this water quality station is about
29 but before I surrender the podium I would like to say that the BDD staff recommends that
30 the Board approve this MOU, not only because we like to help the federal agencies but
31 we think that this station will be very very beneficial to our surface water program. And
32 here is Justin Reale to answer questions.

33 JUSTIN REALE: Madam Chair, members of the Board, thanks for your
34 time today. We're proposing to install a water quality station at the Buckman Direct
35 Diversion. The previous station was located upstream of the confluence of Cochiti
36 Canyon, directly upstream of Cochiti Reservoir, and due to the Las Conchas fire and the
37 elevated sedimentation rates this station is no longer feasible. So in October 2018 the
38 Corps of Engineers, along with our collaborator, the University of New Mexico, decided
39 to pull that station and to look upstream to find a suitable location with a stable cross
40 section where we could deploy our instruments and BDD is the spot we picked. So with
41 that, I can answer any questions that you guys have.

42 COMMISSIONER HAMILTON: Can you introduce yourself and your
43 position and Dr. Van Horn as well?

44 DR. REALE: Dr. Justin Reale, US Army Corps of Engineers, and
45 collaborator, Dr. David Van Horn, University of New Mexico Biology Department.

1 COMMISSIONER HAMILTON: Excellent. So are there any questions? I
2 think Councilor Harris had his hand up first and then we'll go to Commissioner Hansen.

3 COUNCILOR HARRIS: Thank you. On the face of it I don't have a
4 problem with it, but I noticed in the appendix, really the last paragraph where it talks
5 about essentially the Corps' responsibility for notification under certain conditions, but as
6 you probably know, on occasion at BDD it's been necessary for us to even – we have a
7 coffer box that sometimes we use by cell. Sometimes we have to use a cofferdam, which
8 means, I think that your station would not be active. Isn't that correct; because this is
9 mounted to one of the cells?

10 DR. REALE: Right. It's going to be mounted upstream at Cell 5, and in
11 our meeting onsite with BDD staff we identified a location upstream of the concrete
12 abutment such that our infrastructure would not be in the way of a cofferdam. But yes, it
13 would probably influence the data collected during that period and we're comfortable
14 with that.

15 COUNCILOR HARRIS: So you anticipate that. You don't see a problem
16 with that. And I don't see any requirement in this MOU on the part of the BDD to inform
17 the Corps that we have to install this cofferdam for certain reasons and it may be out of
18 commission for 30 to 60 days. If you're fine with that, I'm fine with it. I'm not trying to
19 change the MOU. I just want to make sure you're clear that this could happen.

20 DR. REALE: I think we're comfortable with that when it does occur.

21 COUNCILOR HARRIS: Fair enough.

22 COMMISSIONER HAMILTON: Commissioner Hansen.

23 COMMISSIONER HANSEN: Your sampling, will it be shared with the
24 BDD staff?

25 DR. REALE: Yes. The previous monitoring station, and as soon as we get
26 the new station up and running the data will be transmitted every hour. Right now the
27 data is housed on the Bureau of Reclamation's Rio Grande ET toolbox website that's
28 included in the proposal. So that's where not only agencies but also the public can obtain
29 that data in real time, and that is provisional data. And then after that those records are
30 processed and then the final data is also put on the web annually.

31 COMMISSIONER HAMILTON: So I don't know if everybody read this
32 or if they have a good feel for the network of data stations that this would feed into, but if
33 anybody's interested, would you guys feel – because I was within this group for a while
34 and so I'm really familiar with the strong data set that this feeds into. It's a lot of
35 interesting data. Could you give like a brief précis to everybody about what this does?

36 DR. DAVID VAN HORN: So we've been collecting data since 2006 at
37 four stations down in the Albuquerque reach and in 2012 we added three stations north of
38 Cochiti. And we collect data every 15 minutes for a variety of water quality parameters.

39 COMMISSIONER HAMILTON: A really extensive variety.

40 DR. VAN HORN: Yes. Depending on the site, but it's connectivity, pH,
41 temperature, dissolved oxygen and turbidity as well as nitrate and a bunch of other
42 parameters at differing sites. And so it's a very extensive data set and a pretty large
43 network as well. And this is an important node in that network.

44 COMMISSIONER HAMILTON: Thank you. Are there other questions?
45 One value of giving this from my perspective is that the group does quite a bit with these

1 data and so it's quite a worthwhile endeavor if it doesn't impact BDD, which it doesn't
2 seem to. It's mutually beneficial. Yes, Councilor.

3 COUNCILOR HARRIS: Madam Chair, I'd like to move to approve.

4 COMMISSIONER HAMILTON: Thank you.

5 COUNCILOR VIGIL COPPLER: Second.

6 COMMISSIONER HAMILTON: So we have a motion and a second.

7
8 **The motion passed by unanimous [5-0] voice vote.**

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10 COMMISSIONER HAMILTON: Thank you. I'm actually very pleased to
11 see this moving forward.

12 DR. REALE: Thank you.

13
14 **MATTERS FROM THE PUBLIC**

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16 COMMISSIONER HAMILTON: Is there anybody here from the public
17 who would wish to address the Board on any issues? Yes. Go ahead.

18 MS. PADILLA: I know I'm not a member of the public but as I was
19 listening to your conversation earlier, I just wanted to let you know that I do have another
20 tour coming up that you all may be interested in. I know previous Board members have
21 been interested in some of the VIP tours and this one is a request by Representative-elect
22 Andrea Romero and we are going to host her on a tour on December 13th and you all are
23 welcome to join as well. She has requested a full plant tour on December 13th starting at
24 1:00 and we're thinking should end about 3:00, 3:30 or so. And she wants to know as
25 much as she can about the sources of water from Santa Fe, specifically BDD and I told
26 her that I would put her in contact with Alex Puglisi and Bill Schneider As well if she's
27 interested in a reservoir tour as well. But I wanted to invite you, let you know if you want
28 to attend so you can put that on your calendar. She just contacted us this week.

29 COMMISSIONER HAMILTON: Great. Thank you, Bernardine. That's
30 great. Anybody else?

31 COMMISSIONER HANSEN: I don't know if we already approved the
32 agenda but I'm just going to point out that on the agenda it says Michael Dozier and it
33 was actually Randy.

34 COMMISSIONER HAMILTON: It was correct on the memo but not on
35 the agenda. Yes.

36 COMMISSIONER HANSEN: I know it was correct on the memo. I
37 noticed that. I don't know if that needs to be changed.

38 COMMISSIONER HAMILTON: Are there any other matters from the
39 public. Seeing none, I'll close that.

40
41 **MATTERS FROM THE BOARD**

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43 COMMISSIONER HAMILTON: Any other matters from the Board?

44 MEMBER FORT: Madam Chair, I have one. As you recall, when we
45 looked for new Board members a year ago, and there were two requests to be a Board
46 member, J.C. and I and we decided to split the difference and that I would serve for one

1 more year and then J.C. would take over. I seem to be the only person who remembers
2 this well, but I believe that I do remember this accurately, and so this is the end of the
3 year and J.C. will be taking over at the next January Board meeting.

4 I'd still like to bother the Board on one topic, which is that I'm really, as you
5 probably know, I left my job at the university so I could work on climate, and I am
6 concerned that we use almost \$700,000 a year in electricity and given what low
7 electricity rates we pay that's a lot of carbon that we're using to pick a lot of water up and
8 take it uphill.

9 So I'm hoping to appear before you at some time as a citizen to talk about how we
10 might get the Buckman – get more solar utilized at BDD and take advantage of our
11 ability to pump water when we don't need it, store it and use it at another time. But I've
12 talked to Nick Schiavo about that.

13 So this isn't good-bye. It's been a great experience. The best thing about this
14 happening at this meeting is that Chairman Ives isn't here. I hope you all got the word
15 that I was going to be late; I had a meeting in Albuquerque and he had promised to roast
16 me and so I thought if I came late I'd miss that. So it's been very good getting to know
17 everyone. Thank you all.

18 COMMISSIONER HAMILTON: Go ahead, Commissioner.

19 COMMISSIONER HANSEN: So you will be the alternate?

20 MEMBER FORT: No, I was not intending to.

21 COMMISSIONER HAMILTON: So then we have no alternate?

22 MEMBER FORT: I believe that's either above or below my pay grade,

23 Madam Chair.

24 COMMISSIONER HAMILTON: Nancy, did you have –

25 MS. LONG: Madam Chair, I have to say I'm not really recalling this
26 arrangement that you are describing, Member Fort, but in any event, our JPA was
27 amended to allow for a citizen member and an alternate citizen member. So if Ms. Fort is
28 saying she's essentially resigning from that position then the Board would need to
29 appoint an alternate citizen member under our joint powers agreement, I believe.

30 COMMISSIONER HAMILTON: Is there a required process that is other
31 than simply elevating the alternate member by acclamation or are we required to repost it
32 or anything like that?

33 MS. LONG: Madam Chair, there is no process for finding the citizen
34 member and appointing them and the alternate citizen member that is called out for. And
35 we've had different processes in the past. But if your action was included that there
36 would be one-year terms for each then I think we're fine. We're going to have to go look
37 at that. If not, then you would have to take action to appoint Mr. Helms as the citizen
38 member, and then we could start the process to look for an alternate citizen member if
39 Ms. Fort says she's not going to do that.

40 COMMISSIONER HAMILTON: So given that, does that mean we should
41 take action at this meeting? Or does that mean we should wait till January because you
42 have to look something up to make that appointment?

43 MS. LONG: Madam Chair, it should happen at a subsequent meeting. The
44 January meeting would seem appropriate, because it's not on the agenda. So we need to
45 have it as an action item on the agenda as well as I need to look this up.

1 COMMISSIONER HAMILTON: Excellent. Thank you very much. So we
2 can get that on the agenda for January. Yes, Mr. Helms.

3 MR. HELMS: First of all, I'm also surprised by the arrangement. Ms. Fort
4 popped that one on me, but I really, really have loved having Denise on this group and
5 thing she brings an enormous amount of expertise, experience, knowledge and good
6 character. I just love having her here. And I would like to ask every other member of the
7 Board to use his or her best abilities, physical as well as moral, to twist her arm and make
8 her stay. I don't want to see her go and really, we would like to have you stay.

9 MEMBER FORT: Thank you.

10 MR. HELMS: But you've been great and God bless you.

11 COMMISSIONER HAMILTON: Thank you. Commissioner Roybal.

12 COMMISSIONER ROYBAL: I just want to echo the same comments that
13 Mr. Helms made and thank Member Fort for all her time and dedication to the Board.
14 She's always had a lot of great questions and brought up a lot of issues that I think are
15 important to the public. So it's always great to have a member from the public to be able
16 to bring some of that insight. So I really appreciate all your dedication and of course I
17 want to say congratulations to Mr. Helms and we look forward to working with you as
18 well. And I would recommend that we do go to advertising for the position of the
19 alternate position and just once again, thanks for all your dedication, Member Fort. We
20 really appreciate it.

21 MEMBER FORT: Thank you.

22 COMMISSIONER HAMILTON: Yes, Councilor Harris.

23 COUNCILOR HARRIS: Well, I wouldn't dare to roast an individual
24 whose memory is so much better than the collective memory of this body. I'm just going
25 to leave it at that. I agree with Mr. Helms. I really listen to what you have to say, quite
26 frankly. I really do, and I even listened earlier about the disagreement or the difference of
27 opinion that you and I have on how best to perhaps take that water from the waste
28 treatment facility. But anyway, I hope you stay around. At least I hope through this
29 transition and wish you well and congratulations on having such a sharp memory.

30 COMMISSIONER HAMILTON: Exactly. Commissioner Hansen.

31 COMMISSIONER HANSEN: So I believe that most of us have been here
32 for the last two years, so you had a two-year transfer term? Because you were here in
33 2017 and now it's the end of 2018, and so that doesn't sound like one year, but I also do
34 not want to – I really appreciate you being on this Board because I find your knowledge
35 and interest and concern in many ways very similar to mine and that we have a shared
36 view about things including the wastewater plant. Just thought I'd get that in.

37 And so you have been here as the citizen member for the last two years. So now
38 we're going to –

39 COMMISSIONER HAMILTON: Last three years. It was for two years
40 and then it was renewed after and that was the issue.

41 COMMISSIONER HANSEN: Okay. That meeting I probably missed.

42 COMMISSIONER HAMILTON: Well, I can't do a better roast that
43 Councilor Harris did. Took the words right out of my mouth. It's a good tactic though.
44 I'm going to have to learn something from this. But, yes. Thank you very much for your
45 service. I'm in physical reach here; I can do the arm-twisting.

46 COUNCILOR VIGIL COPPLER: Madam Chair.

1 COMMISSIONER HAMILTON: Yes.
2 COUNCILOR VIGIL COPPLER: I am sad to hear this because I was
3 looking forward to getting to know Denise Fort in a whole different way. We first met
4 when we both worked at Taxation & Revenue, I think, and then we served on the City
5 Grievance Board here, whenever that was, and now when I've barely joined this Board
6 and here's Denise again. So now you're leaving and that's a shame. But since I haven't
7 been here very long, I'm sure you have been a very productive member.
8 MEMBER FORT: There's a difference of opinion. Thank you.
9 COUNCILOR VIGIL COPPLER: And so I wish you all the best.
10 MEMBER FORT: Thank you very much.
11 COMMISSIONER HAMILTON: Thank you very much. Are there any
12 other issues from the Board? So we'll close that.

13
14 **NEXT REGULAR MEETING: Thursday, January 3, 2019**

15
16 MS. LONG: That is the regular meeting, Madam Chair, and we're just
17 pointing out that that is very soon after January 1, so we're just asking you all to think
18 about whether you will be here, so that Stephanie can reschedule if there's any problem.
19 She'll have some advanced notice. But it's very early in the year. We'll all be here but we
20 just want to make sure you will be.

21 COMMISSIONER HAMILTON: So that is a very good point. Is there any
22 input right now from members about, yes, I'll be here. I hope all the members can
23 commit to being recovered from the holidays by the 3rd. Okay. But if things come up,
24 that's a very good point, Ms. Long. Thank you very much.

25
26 **ADJOURNMENT**

27
28 Having completed the agenda and with no further business to conduct
29 Commissioner Hamilton declared the meeting adjourned at 5:30 p.m.

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32 Approved by:

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37 Peter Ives, Board Chair

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39 Respectfully submitted:
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41 Debbie Doyle, Wordswork
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44 FILED BY:

45 ATTEST TO:

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GERALDINE SALAZAR
SANTA FE COUNTY CLERK

YOLANDA Y. VIGIL
SANTA FE CITY CLERK

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subject to approval