



AGENDA

The City of Santa Fe And Santa Fe County

Buckman Direct Diversion Board Meeting

THURSDAY, DECEMBER 6, 2018

4:00 PM

CITY HALL

CITY COUNCIL CHAMBERS

200 LINCOLN

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF MINUTES FROM THE NOVEMBER 1, 2018 BUCKMAN DIRECT DIVERSION BOARD MEETING
6. REPORT ON DECEMBER 4, 2018 FISCAL SERVICES AUDIT COMMITTEE (FSAC)

INFORMATIONAL ITEMS

7. Monthly Update on BDD operations. (Michael Dozier, BDD Operations Manager, mldozier@santafenm.gov, 955-4501)
8. 2018 BDD Public Relations Outreach Events and Tours Summary. (Bernardine Padilla, Public Relations Coordinator, brpadilla@santafenm.gov, 955-4519)
9. Report on 1st Quarter Financial Position for Fiscal Year 18/19. (Mackie Romero, BDD Financial Manager, mmromero1@santafenm.gov, 955-4506)

RECEIVED AT THE CITY CLERK'S OFFICE

DATE: 11/28/2018

TIME: 8:57 AM

10. Report from the Interim Facilities Manager. (Nick Schiavo, Interim BDD Facilities Manager, naschiavo@santafenm.gov, 955-4376 or 955-4507) **VERBAL**

CONSENT AGENDA

11. Request for approval of payment to the Bureau of Land Management in the amount of \$68,004.32 for BDDDB Right-of-Way rental fees. (Mackie Romero, BDD Financial Manager, mmromero1@santafenm.gov, 955-4506)
12. Summary informational memorandum regarding Colorado River Drought Contingency Plan. (Kyle Harwood, BDD Counsel, kyle@egoflaw.com, 986-9641)

DISCUSSION AND ACTION

13. Request for approval of a Memorandum of Understanding between BDDDB and the U.S. Army Corps of Engineers for a Water Quality Project on BDD Property. (Daniela Bowman, BDD Regulatory Compliance Officer, dkbowman@santafenm.gov, 955-4504, and Justin Reale of USACE).

MATTERS FROM THE PUBLIC

MATTERS FROM THE BOARD

NEXT REGULAR MEETING: Thursday, January 3, 2019 at 4:00pm

ADJOURN

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

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

December 6, 2018

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

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

Wendell T. Egelhoff [non-voting]

BDD Board Alternate Members Present:

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

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,

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

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

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

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

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

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

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

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

MS. ROMERO: Yes. Thank you.

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

MS. ROMERO: Yes. Thank you so much.

COMMISSIONER HAMILTON: Thank you.

INFORMATIONAL ITEMS

7. Monthly Updates on BDD Operations.

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

COMMISSIONER HAMILTON: Congratulations and welcome.

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

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

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

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

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

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

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

COMMISSIONER HAMILTON: Okay. Thank you.

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

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

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

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

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

COMMISSIONER HANSEN: Okay. Thank you.

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

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

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

MR. SUGRUE: Thank you very much.

8. 2018 Public Relations Outreach Events and Tours Summary

COMMISSIONER HAMILTON: Thank you, Bernardine.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I see that Member Fort has walked in.

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

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

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

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

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

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

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

MS. PADILLA: Exactly.

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

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

COMMISSIONER HAMILTON: Councilor Harris.

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

MS. PADILLA: So, yes, they do.

COUNCILOR HARRIS: Time out of the classroom.

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

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

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

COUNCILOR HARRIS: Thank you very much.

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

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

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

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

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

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

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

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

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

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

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

9. First Quarter Financial Statements

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

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

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

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

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

MS. ROMERO: Thank you.

10. Report from the Interim Facilities Manager

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

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

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

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

COMMISSIONER HAMILTON: Member Fort.

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

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

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

COMMISSIONER HAMILTON: The pop quiz?

COUNCILOR HARRIS: Thanks for the warning.

COMMISSIONER HANSEN: Thank you, Member Fort.

COMMISSIONER HAMILTON: Excellent. Thank you.

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

CONSENT AGENDA

11. Request Approval of Payment to the BLM

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

COMMISSIONER HAMILTON: Thank you. Commissioner Roybal.

COMMISSIONER ROYBAL: Actually, I thought that it seems like the fee is pretty expensive for rental. That's annual?

MS. ROMERO: That is correct.

COMMISSIONER ROYBAL: And is there room for negotiation on that amount? I mean not at this point but in the future?

MR. SCHIAVO: Madam Chair, Commissioner Roybal, we were talking about that in our pre-meeting to this and Rick Carpenter who has been with this project since the beginning said that he has talked to them in the past but he's absolutely willing to go with me again to see if they'd be open to selling us the parcels, or at least letting us take a look at how they are developing the rates. He said he's looked at them in the past and I don't want to put any words in Rick's mouth but now that we've developed the parcel it's absolutely worth more and they would like to charge us more. And so again, he's open to it and I'm absolutely open to it. We would like to meet with BLM and see if it's possible to buy the parcel. If not, see how the rates are developed, and I can report back to you on that.

COMMISSIONER HANSEN: I'm wondering if earlier in the year, Commissioner Dunn wanted to transfer land and so is this part of the land that they wanted to transfer? If so, would that change the situation?

NANCY LONG (BDDDB Counsel): Madam Chair and Commissioner, this is part of the land, all of these rights-of-way were part of the land that was proposed for transfer between the BLM and the State Land Office. As you probably remember, we submitted applications so that we would have not the land in fee, but permanent easements, and we would have paid for that. We heard from somebody at the BLM earlier this year that came in, and that was doubtful all the appraisals could get done but she was still hopeful at that time. They were not done and we know Commissioner Dunn is out of office at the end of the year so our understanding is that that proposal has been scrapped and that the new Land Commissioner is not interested in a land exchange. Not that that couldn't be back again before you at some point. I suppose it could be resurrected but that is no longer on the table.

COMMISSIONER HANSEN: I had a meeting with the newly elected Land Commissioner and I mentioned that this land had been part of that and she has definitely different ideas but seeing how high the fees are that BLM is charging us it definitely gives me pause and to look at this in another light and Commissioner Garcia Richard might have a different view because she is really interested in developing solar projects on State land, so there might be some way we could work something out. But I do think it's important that Nick and Mr. Carpenter go and talk to BLM and find out if there is a possibility for us to buy it in perpetuity.

COMMISSIONER HAMILTON: Any other discussion or questions? Yes, Councilor Harris.

COUNCILOR HARRIS: Thank you, Chair. So, Mackie, did you get a chance – we talked about it at FSAC, what they call the photovoltaic capacity fee. Did you get a chance to talk to the Taos office and get an explanation about how they define that and how they arrive at that?

MS. ROMERO: Madam Chair, Councilor Harris, I did send an email out to our contact there, the Taos office, and he did not respond, but I did go and do a little

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

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

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

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

MS. ROMERO: Absolutely.

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

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

COUNCILOR HARRIS: Okay. Very good. Thank you.

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

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

COMMISSIONER HAMILTON: Thank you. Commissioner.

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

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

COMMISSIONER ROYBAL: Madam Chair.

COMMISSIONER HAMILTON: Yes.

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

COUNCILOR VIGIL COPPLER: Second.

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

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

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

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

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

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

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

COMMISSIONER HANSEN: That is the sharpest concern.

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

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

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

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

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

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

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

COMMISSIONER HAMILTON: Councilor Harris.

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

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

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

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

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

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

COMMISSIONER HAMILTON: Member Fort.

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

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

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

MR. HARWOOD: The lawyers?

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

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

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

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

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

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

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

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

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

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

13. Request for Approval of a Memorandum of Understanding Between BDD and the US Army Corps of Engineers for a Water Quality Project on BDD Property

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

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

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

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

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

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

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

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

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

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

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

COUNCILOR HARRIS: Fair enough.

COMMISSIONER HAMILTON: Commissioner Hansen.

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

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

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

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

COMMISSIONER HAMILTON: A really extensive variety.

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

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

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

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

COMMISSIONER HAMILTON: Thank you.

COUNCILOR VIGIL COPPLER: Second.

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

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

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

DR. REALE: Thank you.

MATTERS FROM THE PUBLIC

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

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

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

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

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

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

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

MATTERS FROM THE BOARD

COMMISSIONER HAMILTON: Any other matters from the Board?

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

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

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

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

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

COMMISSIONER HAMILTON: Go ahead, Commissioner.

COMMISSIONER HANSEN: So you will be the alternate?

MEMBER FORT: No, I was not intending to.

COMMISSIONER HAMILTON: So then we have no alternate?

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

Madam Chair.

COMMISSIONER HAMILTON: Nancy, did you have –

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

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

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

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

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

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

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

MEMBER FORT: Thank you.

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

COMMISSIONER HAMILTON: Thank you. Commissioner Roybal.

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

MEMBER FORT: Thank you.

COMMISSIONER HAMILTON: Yes, Councilor Harris.

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

COMMISSIONER HAMILTON: Exactly. Commissioner Hansen.

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

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

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

COMMISSIONER HANSEN: Okay. That meeting I probably missed.

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

COUNCILOR VIGIL COPPLER: Madam Chair.

COMMISSIONER HAMILTON: Yes.

COUNCILOR VIGIL COPPLER: I am sad to hear this because I was looking forward to getting to know Denise Fort in a whole different way. We first met when we both worked at Taxation & Revenue, I think, and then we served on the City Grievance Board here, whenever that was, and now when I've barely joined this Board and here's Denise again. So now you're leaving and that's a shame. But since I haven't been here very long, I'm sure you have been a very productive member.

MEMBER FORT: There's a difference of opinion. Thank you.

COUNCILOR VIGIL COPPLER: And so I wish you all the best.

MEMBER FORT: Thank you very much.

COMMISSIONER HAMILTON: Thank you very much. Are there any other issues from the Board? So we'll close that.

NEXT REGULAR MEETING: Thursday, January 3, 2019

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

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

ADJOURNMENT

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

Approved by:

Peter Ives, Board Chair

Respectfully submitted:

Debbie Doyle for Wordswork
Debbie Doyle, Wordswork

ATTEST TO:

YOLANDA Y. VIGIL
SANTA FE CITY CLERK



AGENDA

The City of Santa Fe And Santa Fe County

Buckman Direct Diversion Board Meeting

THURSDAY, DECEMBER 6, 2018

4:00 PM

CITY HALL

CITY COUNCIL CHAMBERS

200 LINCOLN

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF MINUTES FROM THE NOVEMBER 1, 2018 BUCKMAN DIRECT DIVERSION BOARD MEETING
6. REPORT ON DECEMBER 4, 2018 FISCAL SERVICES AUDIT COMMITTEE (FSAC)

INFORMATIONAL ITEMS

7. Monthly Update on BDD operations. (Michael Dozier, BDD Operations Manager, mldozier@santafenm.gov, 955-4501)
8. 2018 BDD Public Relations Outreach Events and Tours Summary. (Bernardine Padilla, Public Relations Coordinator, brpadilla@santafenm.gov, 955-4519)
9. Report on 1st Quarter Financial Position for Fiscal Year 18/19. (Mackie Romero, BDD Financial Manager, mmromero1@santafenm.gov, 955-4506)

RECEIVED AT THE CITY CLERK'S OFFICE

DATE: 11/28/2018

TIME: 8:57 AM

10. Report from the Interim Facilities Manager. (Nick Schiavo, Interim BDD Facilities Manager, naschiavo@santafenm.gov, 955-4376 or 955-4507) **VERBAL**

CONSENT AGENDA

11. Request for approval of payment to the Bureau of Land Management in the amount of \$68,004.32 for BDDB Right-of-Way rental fees. (Mackie Romero, BDD Financial Manager, mmromero1@santafenm.gov, 955-4506)
12. Summary informational memorandum regarding Colorado River Drought Contingency Plan. (Kyle Harwood, BDD Counsel, kyle@egoflaw.com, 986-9641)

DISCUSSION AND ACTION

13. Request for approval of a Memorandum of Understanding between BDDDB and the U.S. Army Corps of Engineers for a Water Quality Project on BDD Property. (Daniela Bowman, BDD Regulatory Compliance Officer, dkbowman@santafenm.gov, 955-4504, and Justin Reale of USACE).

MATTERS FROM THE PUBLIC

MATTERS FROM THE BOARD

NEXT REGULAR MEETING: Thursday, January 3, 2019 at 4:00pm

ADJOURN

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