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4 **MINUTES OF THE**
5
6 **THE CITY OF SANTA FE & SANTA FE COUNTY**
7
8 **BUCKMAN DIRECT DIVERSION BOARD MEETING**

9
10 **January 9, 2020**

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12 This meeting of the Santa Fe County/City Buckman Direct Diversion Board meeting
13 was called to order by Commissioner Anna Hamilton, Chair, at 4:05 p.m. in the Santa Fe
14 City Council Chambers, 200 Lincoln Avenue, Santa Fe, New Mexico.

15
16 Roll was called and the following members were present:

17
18 **BDD Board Members Present:**

19 Commissioner Anna Hamilton, Chair
20 Councilor JoAnne Vigil Coppler
21 Councilor Carol Romero-Wirth [4:20 arrival]
22 Commissioner Anna Hansen
23 Citizen Member Denise Fort

18 **Member(s) Excused:**

19 [None]

24
25 Mr. Tom Egelhoff [non-voting]
26

27 **BDD Board Alternate Members Present:**

28 Ginny Selvin [Las Campanas alternate]
29 Mr. J.C. Helms [4:40 arrival]
30

31 **Others Present:**

32 Rick Carpenter, Acting BDD Facilities Manager
33 Nancy Long, BDD Board Consulting Attorney
34 Mackie Romero, BDD Finance Manager
35 Bernardine Padilla, BDD Public Relations Coordinator
36 Randy Sugrue, BDD Operations Superintendent
37 Bryan Armstrong, BDD Maintenance Superintendent
38 Alex Puglisi, City of Santa Fe
39 Jamie-Rae Diaz, City Administrative Assistant
40 Rachel Brown, Acting County Attorney
41 Sara Smith, County Constituent Liaison
42 Jesse Roach, City of Santa Fe
43 Kyle Harwood, BDD Counsel
44 Stephen Hoffman, EM-LA
45 Jay Lazarus, Glorieta GeoScience

1 **3. APPROVAL OF AGENDA**

2 [*Exhibit 1: Agenda*]

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CHAIR HAMILTON: Are there any changes from staff?

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RICK CARPENTER (Acting Facilities Manager): Madam Chair, there are

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none.

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CHAIR HAMILTON: Thank you. I would like to suggest that item 11, I believe, under discussion and action items, rules of order – that was an item that was put in as a placeholder because we thought, in deference to the City, if they had all new City Councilors appointed to the BDD Board it might be difficult to immediately switch the Chair and Vice Chair to the City Councilor Chair, if somebody had absolutely no experience with BDD and how it operated and what not. So that item was to move the elections back to April, which BDD had done for years. I suggest we can just remove that since Councilor Vigil Coppler has been an alternate for one or two years. She is familiar with BDD and we can probably leave it on the February election the way we switched it earlier this year.

17

COMMISSIONER HANSEN: Do you need a second?

18

CHAIR HAMILTON: I don't know. Do I have to make a motion to remove it? Or can we just –

20

NANCY LONG (BDDDB Counsel): Madam Chair, there should be a motion to approve the agenda with that item removed.

22

CHAIR HAMILTON: Got it. Okay. I'm suggesting it be removed.

23

COMMISSIONER HANSEN: Madam Chair.

24

CHAIR HAMILTON: Yes.

25

COMMISSIONER HANSEN: I would like to move to approve the agenda with the removal of item 11.

27

CHAIR HAMILTON: Thank you. I have a motion. Do I have a second?

28

COUNCILOR VIGIL COPPLER: Second.

29

CHAIR HAMILTON: Thanks.

30

The motion passed by unanimous [4-0] voice vote. [Councilor Romero-Wirth was not present for this action.]

33

34 **4. APPROVAL OF CONSENT AGENDA**

35 **9. Update on BDD Board's Letter to EPA and EPA's Decision Regarding the**
36 **Clean Water Act NPDES Determination for Los Alamos County MS4**
37 **Permitting**

38

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CHAIR HAMILTON: What's the pleasure of the Board?

40

COMMISSIONER HANSEN: I move to approve the Consent Agenda.

41

COUNCILOR VIGIL COPPLER: Second.

42

CHAIR HAMILTON: Thanks. A motion and a second. Is there any discussion? A motion and a second.

44

The motion passed by unanimous [4-0] voice vote. [Councilor Romero-Wirth was not present for this action.]

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2 **5. APPROVAL OF MINUTES: December 5, 2019**
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4 CHAIR HAMILTON: Are there any changes?

5 COMMISSIONER HANSEN: Yes, Madam Chair.

6 CHAIR HAMILTON: Commissioner Hansen.

7 COMMISSIONER HANSEN: On page 4, line 40, it was about 150,000 –
8 150,000 is missing a zero. And that was the only item that I noticed.

9 CHAIR HAMILTON: Excellent. Thank you. So with that change, what's
10 the pleasure of the Board?

11 COMMISSIONER HANSEN: I move to approve with changes.

12 MEMBER FORT: Second.

13 CHAIR HAMILTON: Thanks. I have a motion and a second.
14

15 **The motion passed by unanimous [4-0] voice vote.** [Councilor Romero-Wirth was not
16 present for this action.]
17

18 **INFORMATIONAL ITEMS**
19

20 **6. Monthly Update on BDD Operations**
21

22 CHAIR HAMILTON: Happy New Year.

23 RANDY SUGRUE (Operations Superintendent): Happy New Year.

24 Madam Chair, members of the Board, we had another month without any major faults.
25 The water quality in the Rio Grande continues to be quite excellent and that makes
26 treatment a much easier process. Our diversions averaged about 2.8 million gallons per
27 day. Our drinking water deliveries through our booster stations also averaged 2.8 million
28 gallons per day. Las Campanas did not pump water in the month of December. Untreated
29 and non-treated water storage was about 10,000 gallons per day average.

30 The BDD is providing approximately 49 percent of the water supply to the City
31 and County. That is increasing as the Canyon Road treatment plant continues to taper off
32 through the winter until we start getting runoff in the reservoirs. The drought summary is
33 included. The year to date diversions are depicted below for the year. We produced about
34 1.5 billion gallons of drinking water. So that's essentially it and I stand for questions.

35 CHAIR HAMILTON: Excellent. Are there any questions for Mr. Sugrue?

36 COMMISSIONER HANSEN: I have a question.

37 CHAIR HAMILTON: Yes, Commissioner.

38 COMMISSIONER HANSEN: Thank you, Randy, for the report and I'm
39 happy to hear that the turbidity is less in the river. Is that because we're not getting any
40 storms?

41 MR. SUGRUE: It's a combination. Yes, I agree. There's not much runoff
42 of any kind in the river at this point so it's just a clear shot from Abiquiu and from
43 southern Colorado down into the lower Rio Grande and our treatment facility. As we get
44 more snowfall we get some warmer days in February and March, it will start to creep
45 back up again.

46 COMMISSIONER HANSEN: Okay. Thank you very much.

1 MR. SUGRUE: You're welcome.

2 CHAIR HAMILTON: Any other questions? Thank you.

3
4 **7. Report from the BDD Facilities Manager**

5
6 MR. CARPENTER: Thank you, Madam Chair and good evening, Board
7 members. I just have a few updates for the Board. To start with, we've discussed with the
8 Board a couple of times the Board's permission for staff to send a letter to the Middle Rio
9 Grande Collaborative Program Executive Committee requesting that the Board become a
10 member. That letter has been sent out and it will be taken up at the next Collaborative
11 Program meeting on February 10th of this year. So that's an update on that.

12 Also, Kyle Harwood and myself have a meeting scheduled in two weeks with
13 LANL to discuss and review the 2019 data and plan out a work schedule for 2020. And
14 our plan is to come back to the Board in March with the staff recommendation on what
15 we think should come of that meeting.

16 As far as staffing goes, I have a few updates, all good news. The lead operator
17 position, which was the last remaining open position in the operations section, that has
18 been filled and the paperwork is with Human Resources now being processed. We do
19 have a list of eligibles for the contract administrator position. The instrumentation and
20 control position, we do have a list of eligibles for that too. That may take a little while
21 because those candidates will have to go through Work Keys but we do have a list of
22 eligibles for that.

23 The planner-scheduler position in the maintenance section is in process now. You
24 may remember we are going to reclassify that but that is being worked through at HR as
25 well. And lastly, we have received a list of eligibles for the facility manager position.
26 And I stand for questions.

27 CHAIR HAMILTON: How many?

28 MR. CARPENTER: I have not seen it.

29 CHAIR HAMILTON: Anybody else have questions? Commissioner
30 Hansen.

31 COMMISSIONER HANSEN: Congratulations on having a list. We don't
32 know how many are on there but we're happy to hear there's a list. That means there's
33 got to be more than two, I hope. I have a question. I'm wondering if BDD staff has had
34 any issues with shooting in the Buckman corridor. Since I represent that district I've had
35 a lot of issues with wildcat shooting, which is what BLM and the Forest Service like to
36 call it. I've had a lot of complaints from Las Campanas on wildcat shooting towards their
37 facility and so I'm wondering if staff has been impacted by this and has noted issues with
38 shooting, because the sheriff has been called out there a number of times and we're
39 working with BLM on their contract for the sheriff to provide oversight over there at
40 certain times, and BLM has hired another ranger to be out there which is – since they've
41 only had one ranger for all of northern New Mexico, two rangers is an improvement.

42 So I'm just wondering what you're hearing or if you're hearing anything. Has
43 there been any shooting towards the tank? I know the tank is lined. I know that it's
44 protected but at the same time I just am interested.

45 MR. CARPENTER: Madam Chair, Commissioner Hansen and members
46 of the Board, I have some knowledge. Just recently I talked to two of our staff and asked

1 them if they have had any experience with shooting at our facilities. I personally have not
2 witnessed any. I'm out there all the time. They have not either. But what I would like to
3 do is get with my staff and also Chavez Security and I just spoke with the new BLM
4 ranger yesterday, by the way, so hopefully we'll have a higher presence out there for that
5 as well. And what I would like to do is get you a more detailed response and maybe bring
6 it back at the next Board meeting.

7 COMMISSIONER HANSEN: I would really appreciate that because
8 we're really trying to – Alamo Canyon, which is really right off of Buckman Road is a
9 large source of problems for a lot of residents out there and they no longer feel
10 comfortable riding their horses in Alamo Canyon or Creek, Alamo Canyon Creek,
11 whatever you would like to call it. People don't walk there and people's houses have
12 been shot at, and also I know that the Las Campanas maintenance facility has had
13 actually cars shot at and the building shot at. There is definitely an issue out there and I
14 have been working with BLM and the Forest Service on trying to figure out how we can
15 mitigate this.

16 MR. CARPENTER: I agree. In years past we have had a problem with our
17 facilities being vandalized due to shooting, not just the BDD but the City wells also.

18 COMMISSIONER HANSEN: Right.

19 MR. CARPENTER: I'm not aware of anything recently. The last time that
20 I think we've had something shot, someone shot out one of our security cameras down at
21 the river, but that was a while ago, a couple of years. But if I could I'd like to get with
22 staff and also interview Chavez Security and put together a more detailed report for you
23 and bring it back at the next Board meeting.

24 COMMISSIONER HANSEN: That would be great. Thank you. I really
25 appreciate it.

26 MR. CARPENTER: Thank you.

27 CHAIR HAMILTON: Councilor Vigil Coppler.

28 COUNCILOR VIGIL COPPLER: Thank you, Madam Chair. This week at
29 the – I think it was this week – at the Public Utilities Committee meeting we had a line of
30 questioning from the committee about the filling of the vacancies, and one of the
31 questions that stuck out in my mind is the question asked by one of the other Councilors,
32 which was how long have, like for instance, the offers for hire been in HR between that
33 and the job offer? Because apparently there's still quite a gap in the time that offers are
34 made and new hire paperwork is completed. So that's what I'd like to pay attention to.
35 And I congratulate you, as Commissioner Hansen has, on having your positions worked
36 on and taking great strides to fill them, but there's also a point in time where we have to
37 get these people on the job. So that's something I think is really important and I just kind
38 of want you to know what the thinking of Utilities has been, that we're interested in not
39 just all the paperwork but how long it actually takes to get someone on the job. And so
40 I'm just kind of giving you a heads-up that that's something we are looking at.

41 MR. CARPENTER: Thank you. I appreciate that and I agree. It's
42 something that we should pay attention to.

43 COUNCILOR VIGIL COPPLER: Okay. Thank you.

44 CHAIR HAMILTON: Member Fort.

45 MEMBER FORT: Thank you, Madam Chair. Just a quick question.
46 Where are we on the source water protection process?

1 MR. CARPENTER: Board member Fort, we have met with Lynn Komer
2 and developed a scope of work and developed that into a contract for her. That contract is
3 in process and as soon as it's signed I intent to meet with her again and develop a plan of
4 action. So we're moving forward on that.

5 MEMBER FORT: And then to clarify, this would be a plan to plan? Or
6 this would actually be the development of the source water protection plan?

7 MR. CARPENTER: Per past discussions of the Board, it's a plan to plan
8 the public outreach process and develop a scope of work for the actual source water
9 protection plan.

10 MEMBER FORT: Thank you, Madam Chair. And with the very good
11 news that EPA is now going to require stormwater permits. We're addressing a few other
12 sources that affect our water supply and I think there's going to be – if we work at this
13 we'll be able to get a lot of citizen interest in looking at this plan, so I thank you for your
14 efforts in getting through the plan to plan. Thank you.

15 COMMISSIONER HANSEN: Thanks. Are there any more questions?
16 Was that it, Mr. Carpenter?

17 MR. CARPENTER: Madam Chair, yes.

18 COMMISSIONER HANSEN: Excellent. Thank you.

19 20 **8. 2019 BDD Public Relations Report**

21
22 BERNARDINE PADILLA (Public Relations Coordinator): Madam Chair,
23 members of the Board, I'm going to present to you the annual BDD PR Report. It is in
24 your packet with the data but I always like to come and show you pictures of the actual
25 events and the people that attend and the people that we affect. And you can see the
26 numbers but it's nice to always see a face to those numbers and it looks like we have
27 Councilor Romero-Wirth has walked in. So I'll let her take a seat.

28 So my report encompasses all the outreach that we do. Actually that first picture
29 is the kids' summer recreation program. It's the end of the summer event where we have
30 700 kids that go to Alta Vista Park. We provide a water tank and water for these 700 kids,
31 not to mention the volunteers and the staff members that are there, which is probably
32 close to 800 people and we provide water for them. I happened to be preparing the water
33 and these two kids decided to do cheers, which I thought was so cute.

34 We provided outreach to 5,400 people in 2019. I track these numbers by every
35 event, every tour that we do. We had 26 tour days last year. Ten of those were industry
36 professional tours, 12 were youth tour days. And I call it tour days because in one day we
37 could have two tours from an elementary school. There's probably closer to 18 or 20 of
38 those tours. Out of those school tours, two of them were private schools, three university
39 level tours, and one community member tour.

40 We had a total of 639 visitors come to BDD, most of which were September
41 through December. That's our busiest tour season. We affected 1,610 youth on our tours
42 and events. This is Milagro Middle School. On that day we had 65 kids come through.
43 They go through a presentation then they go through a tour. This is their second year and
44 it's part of their science curriculum. BDD continues to focus on STEM learning.
45 Whenever possible we have Danny in the lab do some sort of science activity. It could be
46 where he just explains something or they get to do some hands-on activity and they really

1 enjoy that. Danny speaks at a very high level and they seem to enjoy it.

2 This is the Piñon Atlas afterschool STEM program. This was a new program for
3 us. There were only about eight or ten kids at this tour, and they got to do hands-on water
4 hardness for their activity. They walk away just with a knowledge of how to use the lab,
5 how to do experiments and the procedures, and most of them have not had that
6 experience in school yet, so this is their first attempt at learning scientific procedures.

7 This is the Rio Grande Middle School. This is their third year visit coming to the
8 BDD. They participate in what's called Dia del Rio water sampling, and this is a program
9 out of Texas from the Rio Research Roundup Group, and several communities along the
10 Rio Grande, on this exact same day will do water testing and sampling for pH, turbidity,
11 temperature, and all of these schools along the Rio Grande from northern New Mexico all
12 the way down to southern Texas and including Mexico, so it's an international program,
13 they will send their data to this organization and they'll collect all that data and they'll
14 track it. It's pretty interesting and it's good that we get to participate in that, and it's our
15 third year. The teacher is really excited that we give them a lot of information and help
16 them with their experiments.

17 We also have tours that include professionals and VIPs, such as senior staff
18 meeting. We had Bureau of Reclamation. The picture on the right is Santa Fe County PIO
19 Carmelina Hart and the Finance Director – which I'm drawing a blank on her name right
20 now. And they want to know more about BDD so that they can participate more and also
21 be knowledgeable about BDD and what we do.

22 We also as part of public relations we have continuing education. The New
23 Mexico Water and Wastewater Association always has tours, at least one or two a year
24 for their recertification classes, as well as Santa Fe Community College, the water
25 technology classes, math classes, biology classes. These students have to come and
26 participate in a tour and speak to the operators. It's like a hands-on learning experience
27 for them.

28 As well as training and partnerships – our training officer, Cesar Garcia is very
29 good about keeping our staff trained. He also invites Santa Fe County employees
30 whenever possible, Canyon Road water treatment staffing, T & D staff as well. These are
31 just a tiny amount of activities that Cesar has. The activity on the top right is Josh and
32 Danny actually went to a class at Santa Fe Community College through the Rocky
33 Mountain Water Association and they provided training for that seminar. Staff also
34 participates in CPR/AED training, many types of training that Cesar provides for us.

35 Community outreach events. We don't do that many. It depends on what we find
36 out, out in the community and we get invited to. A couple of kids' events that we usually
37 go to are the Water Fiesta and the recreation program. The Fore Kids Golf Tournament
38 and the century bike ride. There was a decrease in numbers for the century bike ride this
39 year. Normally, there are 5,000 riders. There were only 3,000 this year.

40 For the Kids Water Fiesta we had 502 kids in two days. We have ten activities
41 each day. Those activities are 20 minutes each and we have five staff members that help
42 the kids with the activity.

43 We partner also with wastewater treatment staff and water conservation staff at
44 the activities and Parks & Rec at the golf tournament. We also participated in the
45 employee barbecue and we did the water taste test through Kristin Johansen, and that's
46 where the City employees get to vote on our waters – Canyon Road, BDD, and then the

1 blend of water between the both, and BDD ended up winning the best tasting water for
2 the City of Santa Fe this year. Last year I think it was Canyon Road. Yay. It was all good.
3 It's really hard to tell because it's all so good.

4 We also took a water tank to Fiesta this year, just because there's so many people
5 at that event and they need a source of drinking water. I also have a picture of the roll-off
6 truck that we purchased from the County. I didn't really have anywhere else to put it so I
7 put in there. We've already got the logo on there and it's been in use for a little while
8 now. We're taking some solids over to the landfill.

9 So basically, our peer program is – we focus on education and knowledge for the
10 students and anybody who comes to BDD. We want to make sure that people know
11 where their water comes from and how it's treated. All our sources of water, the four
12 sources that we have in Santa Fe and that we continue to work hard to keep our facility
13 maintained and we try to encourage the kids to consider career paths and focus on science
14 and technology as their studies so that hopefully one day they may want to become water
15 operators or environmental lawyers or anything having to do in the water realm.

16 So that's pretty much my presentation and I stand for questions.

17 CHAIR HAMILTON: Thank you. Very good. Very active. Do you
18 anticipate the same high level of activity this coming year?

19 MS. PADILLA: Each year we've increased our participation with
20 numbers on tours, events. It's funny. Events, it pretty much stays the same even though
21 the types of events change. Last year I got invited by the County for a couple of events
22 and this year I didn't. But the numbers stay the same. We are anticipating – I've been
23 talking to Rick a little bit about getting a little more out there in the community and doing
24 a little more outreach and seeing what we can do as far as the kids' education and events.

25 CHAIR HAMILTON: Would members have questions? Member Fort and
26 then Commissioner Hansen.

27 MEMBER FORT: As everyone knows, I abhor plastic water bottles and
28 it's always great when we bring water supplies to different events where people are doing
29 it. I was happy to see the kids are using cups of some sort there and not using plastic
30 water bottles. Would it be legal for us – I don't know if there's a lawyer in the room – for
31 us to do it like on the pilgrimage to Chimayo. Could we – were there many plastic water
32 bottles being used? And just other big community events. Could we say, here's some
33 good water? You don't need to buy a plastic water bottle.

34 MS. PADILLA: So the water tank that was in the presentation is managed
35 by the T & D Department.

36 MEMBER FORT: I'm sorry. I don't know what that is.

37 MS. PADILLA: Transportation and Distribution, part of the Water
38 Department, and they manage that, and they have taken that tank out there to the
39 pilgrimage in the past. It is a difficult thing because of the location and having – just
40 leaving it out there overnight and for a long amount of time, because you pretty much
41 have to monitor that. You don't want any contamination with the spigot so there's usually
42 a staff member there to monitor. So that's the hard part. As long as we have somebody to
43 monitor so there's no contamination.

44 MEMBER FORT: Excuse me, Madam Chair. Are you suggesting I
45 volunteer now in my spare time?

46 CHAIR HAMILTON: Commissioner Hansen.

1 COMMISSIONER HANSEN: Thank you for your report. I know that the
2 tour – I sit on the River Commission for the City of Santa Fe and that was a very
3 successful tour. I know the River Commission is planning to do it again this year. It’s a
4 way to get people who are interested in the river and water out to see what we’re doing at
5 the Buckman.

6 I also wonder if – this is the 50th year celebration of Earth Day and I wondered if
7 you had any activities planned for Earth Day. I know that people in the community are
8 working to work on Earth Day as a month-long event in April and I know we at the
9 County are trying to come up with some ideas to work on Earth Day and I wondered if
10 you had any special things that you thought that you might do around that that would help
11 people be educated about how good our water tastes and reduce the use of plastic and
12 keeping plastic out of our waterways, to keep our water clean. Along the lines with
13 Member Fort, I care about the use of plastic and what we can do to reduce that. But
14 maybe there’s some other ideas that you have thought about that I haven’t thought about
15 that could help promote the Buckman but also at the same time promote Earth Day and
16 the Earth Month and recognition of climate change and what we’re doing here to protect
17 our water.

18 MS. PADILLA: I don’t have anything in the works now but I like to
19 partner with other organizations and events that are already occurring because you don’t
20 want to duplicate an event on a popular day that everybody else is going to that event. It’s
21 best to just partner with them, and I like to do that. We could definitely do an open house
22 tour date some time in April when there’s nothing else going on. But I would totally like
23 to partner with the County whenever they decide what they’re going to do.

24 COMMISSIONER HANSEN: I know from Sara, my constituent liaison,
25 and Claudia, that there is a group being formed that is organizing the month-long event in
26 the city and county of events so it might be a good way to get something on that calendar
27 for the Buckman during that month.

28 MS. PADILLA: Definitely.

29 COMMISSIONER HANSEN: I will have Sara and Claudia connect with
30 you and give you the connection or the information about the group that is being formed
31 so you could connect with them.

32 MS. PADILLA: That sounds great.

33 COMMISSIONER HANSEN: Okay. Thank you.

34 CHAIR HAMILTON: Thank you. Councilor Vigil Coppler.

35 COUNCILOR VIGIL COPPLER: Thank you, Madam Chair. Thank you
36 for your report. I just wanted to mention that I do see the Santa Fe Association of
37 Realtors on here and I want to also mention that our local association developed a Santa
38 Fe designation in which many subjects are covered, but one of the required classes is a
39 class on water rights.

40 MS. PADILLA: Yes, ma’am.

41 COUNCILOR VIGIL COPPLER: And I did take that class with Kyle
42 Harwood, who many of you know, and he did a fabulous job of course. He knows things.
43 But we didn’t get that in our class but I know – have they had the class at the Buckman
44 plant?

45 MS. PADILLA: Yes. We had one this year that was held at BDD and then
46 we did a tour, and then last year we also held the class there and then they had the tour.

1 The other class that was held over at Santa Fe Realtors Association building. Some
2 people did come for a tour afterwards.

3 COUNCILOR VIGIL COPPLER: Right. That was offered to us. And I
4 thought that – well, it was advertised as the class being located at BDD but –

5 MS. PADILLA: And then had to change it.

6 COUNCILOR VIGIL COPPLER: Some reason, but the point is the
7 comments that I've received from realtors who have taken a tour have found it to be very
8 valuable and certainly eye-opening and informative. I know my eyes were wide open
9 when I went so I just want to thank you for your hospitality for that course because it's
10 very much appreciated and I think if Kyle was still here he would probably vouch that he
11 probably got 100 percent on his evaluations.

12 MS. PADILLA: Probably. Well, that's the thing about doing the tours is
13 that when we teach the realtors about how the water is treated and our four sources of
14 water, they are then able to recommunicate that information to the buyers that are coming
15 in and they have that knowledge and expertise behind them, and that training – I've been
16 working a lot with Donna Reynolds on her classes and partnering up with tours every
17 single time she needs that. And we've been actually doing that for a few years, even
18 before that designation was in place.

19 COUNCILOR VIGIL COPPLER: I just want to thank you for making the
20 realtors feel welcome and for your time with them. Thank you.

21 MS. PADILLA: You're welcome.

22 COUNCILOR VIGIL COPPLER: Thank you, Madam Chair.

23 CHAIR HAMILTON: Thank you. So if there aren't any other questions,
24 thank you so much for the report.

25 26 **DISCUSSION AND ACTION**

27 **10. Consideration and Possible Action on Resolution 2020-1, Determining** 28 **Reasonable Notice for Public Meetings of the Buckman Direct Diversion** 29 **Board**

30
31 MS. LONG: Yes, Madam Chair and members of the Board. Annually the
32 Board as a public body must address what constitutes public notice for its meetings under
33 the Open Meetings Act. I like to remind the Board that the Board has consistently, since
34 2013 imposed a requirement that the Open Meetings Act does not impose upon public
35 bodies and that is in order to attend a meeting by telephone we have to need you to make
36 a quorum. Otherwise, you cannot attend by telephone.

37 So this resolution is identical to the resolution passed last year and we recommend
38 its approval.

39 CHAIR HAMILTON: Commissioner Hansen.

40 COMMISSIONER HANSEN: Is this kind of a template or is this a special
41 copy of the Open Meetings Act for the BDD or is this a template that a lot of boards use?

42 MS. LONG: Madam Chair and Commissioner Hansen, it's probably
43 emanated from a template but it is structured specifically for BDDDB.

44 CHAIR HAMILTON: So for clarity, do we have it just in this Open
45 Meetings Act resolution that you must attend in person unless there's a need for a
46 quorum, and then you can phone in? Is that a restriction that comes from bylaws? From

1 the JPA? Or did we just put it into this resolution and it's now traditional?

2 MS. LONG: Madam Chair, it is just in this resolution. So the Open
3 Meetings Act allows a public body to make its rules for what constitutes notice, so long
4 as you comply with those minimum requirements of the act. The Open Meetings Act
5 allows a member to attend a public meeting by telephone if it impossible or impractical
6 for them to attend. But it says if you allow that, that must be in your resolution.

7 CHAIR HAMILTON: Okay.

8 MS. LONG: So it does address telephone attendance. It's just that we have
9 the additional restriction that we do not want attendance by telephone unless it's required
10 for a quorum.

11 CHAIR HAMILTON: Okay. So Board members, this is the way it's
12 always been but this would be the point to discuss it if anybody has any differing
13 preference or opinions.

14 COUNCILOR VIGIL COPPLER: Move to approve.

15 COMMISSIONER HANSEN: Second.

16 CHAIR HAMILTON: Discussion? If not, I have a motion and a second.

17
18 **The motion passed by unanimous [5-0] voice vote.**

19
20 **MATTERS FROM THE PUBLIC**

21
22 CHAIR HAMILTON: Is there anybody here from the public who wishes
23 to address the Board? I always ask twice. Is there anybody here from the public who
24 wishes to address the Board? Seeing none – it's so much easier to have everybody here in
25 the room though than our BCC meetings. I'll close Matters from the Public.

26
27 **MATTERS FROM THE BOARD**

28
29 CHAIR HAMILTON: Are there any matters any Board members wish
30 to bring up.

31 COUNCILOR VIGIL COPPLER: I have none.

32 CHAIR HAMILTON: Commissioner? Wonderful. That moves us right
33 along.

34
35 **NEXT REGULAR MEETING: Thursday, February 6, 2020 at 4:00 pm**

36
37 **EXECUTIVE SESSION**

38 **In accordance with the New Mexico Open Meetings Act NMSA 1978 Section**
39 **10-15-1(H)(7), discussion regarding pending litigation in which the BDDB is**
40 **a participant, including without limitation: *Buckman Direct Diversion Board***
41 ***v. CDM Smith, et al.*, First Judicial Court Case No. D-101-CV-2018-01610**

42
43 CHAIR HAMILTON: And we do have executive session, correct?

44 MS. LONG: Yes, Madam Chair, you do. So you should ask for a motion
45 to adjourn this meeting and go into executive session in accordance with the New Mexico
46 Open Meetings Act 10-15-1(H)(7) for discussion regarding pending litigation in which

1 the BDDDB is a participant, to include the case listed in the caption for executive session.
2 You'll need a roll call vote.

3 COMMISSIONER HANSEN: So moved.

4 COUNCILOR VIGIL COPPLER: Second.

5 CHAIR HAMILTON : I have a motion and a second. Can I have a roll
6 call?

7
8 **The motion to go into executive session passed by unanimous [5-0] roll call vote as**
9 **follows:**

10		
11	Commissioner Hamilton	Aye
12	Councilor Vigil Coppler	Aye
13	Commissioner Hansen	Aye
14	Councilor Romero-Wirth	Aye
15	Board Member Fort	Aye
16		

17 [The Board adjourned to in executive session at 4:43 p.m.]
18
19

20 **ADJOURNMENT**

21
22 Having completed the agenda and upon motion, Chair Hamilton declared this
23 meeting adjourned at approximately 4:43 p.m.

24
25 Approved by:
26
27
28
29

30 _____
31 Anna Hamilton, Board Chair
32

33 Respectfully submitted:

34
35 Debbie Doyle, Wordswork
36
37

38 **ATTEST TO**

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42 _____
43 GERALDINE SALAZAR
44 SANTA FE COUNTY CLERK
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DRAFT

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subject to approval

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