

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

October 6, 2022

1. CALL TO ORDER

This regular meeting of the Santa Fe County & City Buckman Direct Diversion Board meeting was called to order by Vice Chair Anna Hamilton at approximately 4:00 p.m. in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

2. ROLL CALL: Roll was called and a quorum was present as shown:

BDD Board Members Present:

Commissioner Anna Hansen
Commissioner Anna Hamilton
Councilor Amanda Chavez [alternate]
J.C. Helms, Citizen Member

Member(s) Excused:

Councilor Carol Romero-Wirth, Chair
Councilor Renee Villarreal
Tom Egelhoff, Las Campanas [non-voting]

BDD Board Alternate Members Present:

Peter Ives [Citizen Alternate]

Others Present:

Rick Carpenter, BDD Facilities Manager
Nancy Long, BDD Legal Counsel
Kyle Harwood, BDD Legal Counsel
Randy Sugrue, BDD Operations Superintendent
Jamie-Rae Diaz, City Public Utilities Administrative Manager
Monique Maes, BDD Contract Administrator
Bernardine Padilla, BDD Public Relations Coordinator
Delfin Peterson, BDD Administrative Assistant
Boot Pierce, Glorieta Geoscience
Joni Arends, Concerned Citizens for Nuclear Safety – Executive Director

3. APPROVAL OF AGENDA

RICK CARPENTER (Facilities Manager): Madam Chair, there is one small change. Under 7.c, that's the upcoming Board meeting calendar, there is a typo, it should be November 2, 2023, not November 3rd.

VICE CHAIR HAMILTON: With that change, what is the pleasure of the Board?

Mr. Helms moved to approve as amended. The motion was seconded by Councilor Chavez and passed by unanimous [4-0] voice vote.

4. APPROVAL OF CONSENT AGENDA

- a. Request for Approval of Service Agreement with Condor Security Services of America Inc, for Security Services in the amount of \$148,638.00 plus NMGRT**
- b. Discussion and Possible Action regarding BDD Board comments as updated to reflect input at the September 1, 2022 Board Meeting to the "Notice of Intent to Prepare a Site-Wide Environmental Impact Statement for Continued Operation of the Los Alamos National Laboratory"
WITHDRAWN
- c. Request for Approval of the 2023 Buckman Direct Diversion Board Meeting Dates**

Commissioner Hansen requested the removal of item 4.b.

Commissioner Hansen moved to approve the Consent Agenda items a and c. Mr. Helms seconded and the motion passed by unanimous [4-0] voice vote.

5. APPROVAL OF MINUTES

- a. September 1, 2022 Buckman Direct Diversion Board Meeting Minutes**

Commissioner Hansen noted the following corrections:

Page 7, 8 lines down: "...contaminated from the ash and therefore all operations at the diversion would have had to shut down at that time."

Page 8, middle of the page: "...Councilwoman Romero-Wirth ..."

Page 8, last line: "...sometimes it might take a little more time..."

Page 12, bottom of the page: "I have one more thing."

Mr. Helms noted that randomly within the transcript Commissioner Hamilton was referred to as Chair Hamilton.

Councilor Chavez noted that she was not present at the September meeting but has reviewed the minutes and if appropriate was prepared to vote. Attorney Long said the BDD Board does not have a policy prohibiting voting on meeting minutes where one was not present.

Commissioner Hansen moved to approve the September 1, 2022 minutes as corrected. Commissioner Hamilton seconded and the motion passed by unanimous [4-0] voice vote.

6. PRESENTATION/INFORMATIONAL ITEMS
a. Monthly Update on BDD Operations

RANDY SUGRUE (Operations Superintendent): Thank you, Madam Chair and members of the Board, this is my report for BDD operations for the month of September. Our raw water diversions averaged 4.08 million gallons per day. Drinking water deliveries through Booster Station 4A/5A, 3.49 million gallons per day. Delivery to Las Campanas .8 million gallons per day on average. That worked out coincidentally, our on-site and non-treated storage was zero because there were some days that we only provided water to Las Campanas. 4A/5A were off and that was because of turbidity in the river and storm events and such. That made the math come out a little bit unusual. BDD provided approximately 31 percent of the water supply to the City and the County for September. Our year-to-date averages are noted in the graph. So our average significantly rose compared to the average because Canyon Road stepped down their production significantly over the month of September and we didn't have that many rain turbidity events.

Our regional drought summary and water overview on page 2, notes that the City-County demand was around 11.5 million gallons per day on average. The Rio Grande flow was above average at 500 cubic feet per second for most of the month. Canyon Road water treatment plan reservoir storage, a little over 70 percent. The storage by the partners noted in the graph are City San Juan-Chama project storage remains somewhat over 13,000 acre-feet in Abiquiu Reservoir.

The El Niño summary for September noted that, of course, La Niña is still present and for fall, winter and early 2023 there is a 91 percent chance decreasing to 54 percent chance of La Niña continuing and being on average drier than wetter, for sure. And with that, I stand for any questions.

VICE CHAIR HAMILTON: Excellent. Thank you so much. Are there any questions? Yes, Mr. Ives.

MR. IVES: Thank you Madam Vice Chair. Just a quick question on item #2 on the first page of the report, you note that 31 percent of the water supply to the City and the County for the month is being supplied by BDD; can you fill in where at least the rest of the water supply for the City is coming from as a matter of Santa Fe River versus well?

MR. SUGRUE: I don't have the real percentages. I can give you approximately. Canyon Road Water Treatment Facility is trying to keep their lower reservoir, Nichols, quite low going into river because they are planning a big construction project next year. They were producing upwards of 6 mgd through the summer tapering downwards so the rest of it would have been provided by wells. So say, 6 million from reservoir, Santa Fe River, 4 million from BDD and another 1.5 – 2 million from wells.

MR. IVES: Part of the reason I asked was that at least on page 2, Nichols was referenced at 71 percent.

MR. SUGRUE: Yes, correct. That was because it was 47 percent combined. I misspoke there, thank you. They were transferring water because they have to make room when there's a lot of rain they want to make room in McClure for the big inflow. The inflow is over 5, 6 million gallons per day at times during rain events. And

then I would say that this is a couple of weeks ago when I made this report because we have to get it published and such, so it's probably well below 50 percent at this time.

MR. IVES: Very good, thank you.

MR. SUGRUE: Thanks.

VICE CHAIR HAMILTON: This is 90 percent irrelevant, but did you see that the University of Washington researchers upped their prediction for the winter La Niña?

MR. SUGRUE: No, I hadn't.

VICE CHAIR HAMILTON: I think I saw it yesterday. It's fairly recent. I think there is always some disagreement.

MR. SUGRUE: And we do get, people noted several times today, October rainfall is not uncommon and we get some of our heaviest rainfall, oddly enough, not every year but in October we can get severe turbidity storm events at BDD. A couple of our biggest were in October in the last 10 years. But snowfall, we'll hope for the best.

VICE CHAIR HAMILTON: Excellent. Thank you. Are there any other questions?

b. Report from the Facilities Manager

MR. CARPENTER: Thank you, Madam Vice Chair. I just have one quick item. I wanted to introduce a new employee to the BDD, Delfin Peterson, who is in the crowd and I just wanted to introduce her to the Board and welcome her aboard.

VICE CHAIR HAMILTON: Excellent. Welcome. What is she doing?

MR. CARPENTER: She's going to be our admin assistant.

VICE CHAIR HAMILTON: Excellent and welcome aboard.

MR. CARPENTER: This is her first week and she's already catching on pretty well.

COMMISSIONER HANSEN: Madam Chair.

VICE CHAIR HAMILTON: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: So congratulations to the City for being able to hire somebody after a year and a half. I just want to make sure for the record that it is noted how long it takes to hire somebody through the City. And that I am grateful, and welcome Delfin, glad to have you here. I think Rick needs help and I'm happy you're here to help him and the whole staff. So thank you for joining the team.

VICE CHAIR HAMILTON: Thank you, Commissioner. And, Mr. Carpenter, is that it?

MR. CARPENTER: That's it.

VICE CHAIR HAMILTON: Great, thank you.

8. ACTION ITEMS: Consent Agenda

b. Discussion and Possible Action regarding BDD Board comments as updated to reflect input at the September 1, 2022 Board Meeting to the "Notice of Intent to Prepare a Site-Wide Environmental Impact Statement for Continued Operation of the Los Alamos National Laboratory"

VICE CHAIR HAMILTON: That takes us to 7.b which was pulled off the Consent Agenda. Mr. Harwood, thank you for stepping up. Commissioner Hansen, is there something that you want to lead off with?

KYLE HARWOOD (BDD Counsel): I am just so thrilled that we have an hour and a half to review this matter. [laughter]

COMMISSIONER HANSEN: First of all, I want to thank Kyle and James and everybody who worked on this letter, input and all the updates that we asked from the last time. I appreciate that. I think that it is a good letter.

I received an email from Joni Arends of CCNS asking that possibly we could add in Justice40 and I think that she is suggesting that we possibly put in on the last bullet; is that correct?

MR. HARWOOD: Second to the last bullet.

COMMISSIONER HANSEN: Second to the last bullet and I wanted to make a few comments about Justice40 and the Biden administration and how they have come to bring this forward. First of all, I know that Director Mikolanis at EM is working on Justice40 and has taken this very seriously and has considered this part of his mandate. And today when I speaking to Reinhard Kneer from WIPP down in Carlsbad, I also mentioned it and so I think that it is appropriate that we add just a short line in. And since we don't have everybody here to sign this – what is the date that this has to be turned in by?

MR. HARWOOD: October 18th, ma'am.

COMMISSIONER HANSEN: October 18th, so we have time to get everybody's signature.

MR. HARWOOD: Yes, we can take care of that.

COMMISSIONER HANSEN: So that was really the only thing that I had. I appreciate everything that you added in, you know, the seismic events, the fire, the flood and the other things that we talked about during our last meeting. I don't know if anybody else has any comments but that was the one thing, this Justice40 is really about – I guess I should give a little bit of explanation – is facilities that have minority population next to them and clearly LANL has a large majority of indigenous people around it and so the Justice40 is to look at the impacts of these facilities, it's federal facilities, throughout the United States on minority population. I could probably say more or Kyle could say more.

MR. HARWOOD: I think given the time we have it would be appropriate to start with the Atomic Energy Act of 1954 and we can build from there if you like. No, I am joking.

The Justice40 initiative was signed by President Biden in the summer of 2021 and the Department of Energy is an enumerated federal agency to which this Executive Order applies. I've been doing a crash course in Justice40 since Joni brought this to my attention and it is designed to designate 40 percent of certain federal expenditures go to assist disadvantaged and low-income populations in the vicinity of federal facilities.

I am familiarizing myself with the DOE Justice40 Program and LANL is an enumerated location within the Department of Energy's implementation of this Executive Order. I think just in terms of advising the Board, I think it's supportive of what already applies to the facility and doesn't take away from any of the other points we have made

in our letter. It will be easy to add a sentence to the second to the last bullet where we talk about stakeholder engagement.

So with your permission, if you're comfortable taking a vote, and leaving it to me to wordsmith a sentence that says that the Board wants to make sure that in this Site-Wide EIS that is being initiated and again just remind everybody, this is a pre-scoping comment letter from this Board. It is going in parallel with a County Commission letter. I believe the City is also sending a letter. I have had a meeting with Water Utility staff over I believe a parallel City letter as well. So we'll have a City letter, a County letter and a Board letter and the different governmental entities do have slightly different issues, let's say, with the Lab campus and the pollution leaving the Lab campus. So a simple sentence encouraging this particular Site-Wide EIS process to be used to implement the Justice40 Executive Order would be, I think, the change to the version you have in your packet. And I am happy to stand for any questions about the letter or this particular late breaking addition. Thank you.

COMMISSIONER HANSEN: Madam Chair.

VICE CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: Yes, I did bring a copy of our letter from the County. And the one thing that we do have in our letter that I don't know if it's another item that we want to add but is the issue with PFAS. I don't know if it is something that we as the Board – but it does concern me because we are talking about water and the EPA has recently designated PFAS as a contaminant of concern.

MR. HARWOOD: Yes, Madam Commissioner, I think we intended PFAS and PFOS to be included in the contaminants that we've asked to be a focus on the Site-Wide EIS process. We didn't list everything of concern. Adding in PFAS and PFOS would be a little odd to our letter because we haven't listed all the other things that we in particular focus on in our Board LANL MOU, as you know. Again, I think it could be a simple addition if the Board wanted me to add it. But we didn't go to the work of listing all of the contaminants of concern. I do feel like it is included if only by general reference.

COMMISSIONER HANSEN: This is only a scoping letter and I recognize that. A scoping letter is what we want them to look at. Most people here are familiar with that. So I am okay with that because I think then we can deal with it in the follow-up when we make our further comments and more extensive comments.

VICE CHAIR HAMILTON: Is everybody comfortable with voting on this with the change as described and Mr. Harwood will take care of crafting that change? I certainly am. If anybody has any concerns?

COMMISSIONER HANSEN: I am.

MR. HARWOOD: If Counselor Ives needs to me to read the section of the Atomic Energy Act [laughter] that he and I have debated on many occasions, I can do that.

MR. IVES: The 79 amendments, yes. [laughter]

MEMBER HELMS: Do you want a motion on that?

VICE CHAIR HAMILTON: Yes, anybody who is willing to make a motion.

MEMBER HELMS: So moved.

COMMISSIONER HANSEN: I second.

VICE CHAIR HAMILTON: We have a motion to approve this letter with the changes as discussed and a second.

The motion passed by unanimous [4-0] voice vote.

VICE CHAIR HAMILTON: Excellent. Thank you so much, Mr. Harwood, for managing all of this.

MR. HARWOOD: You're quite welcome. Thank you.

9 MATTERS FROM THE PUBLIC

VICE CHAIR HAMILTON: If you would please come forward.

JONI ARENDS (Concerned Citizens for Nuclear Safety, Executive Director): Last month the meeting was available virtually. And I don't understand why it is not a continuing process to make it available virtually.

VICE CHAIR HAMILTON: If you don't mind and I assume we have the same procedure, if you don't mind just giving your name so that it is recorded on the record.

MS. ARENDS: Oh, I am sorry. Thank you. Joni Arends, Concerned Citizens for Nuclear Safety. I have a very compromised immune system and it's very difficult for me to come to these meetings and I would be grateful if it was a continuing process of providing the meetings virtually. Thank you.

VICE CHAIR HAMILTON: My understanding is that people in the City were trying to look into that but it's not readily available in this location because it's not physically set up to do simultaneous webcast. Do you know, Councilor?

COUNCILOR CHAVEZ: Thank you, Chair or Vice Chair. And Jamie, you can chime in too if you have information, but I know that what it came down to is more staffing. So the amount of staff required to run it technology-wise, like admitting people in and allowing them to talk, to make that available for all committees was the challenge that the City was facing. So it is available in this setting but it requires a high level of staff to actually make it happen.

VICE CHAIR HAMILTON: Right and, yes, Commissioner Hansen.

COMMISSIONER HANSEN: I also know that Mr. Ives was trying to make a comment last month and he could not. So I think that there are different levels of boards that need the public to be able to have access and I think BDD is one of those boards that is very important to the public and that they be able to have access and especially when one of our alternate Board members is watching and wants to be able to participate – at least he could watch but he couldn't even participate and that seems to be a concern to me. We're in a different world now after Covid. Things have changed and so I think we should consider how we can manage that.

VICE CHAIR HAMILTON: I agree. And I apologize. I probably went astray and should have taken these under matters from the Board. Thank you, Joni. I appreciate you coming and making the comment. Is there anybody else here from the public who wanted to speak? If not, I'll close matters from the public and go to matters from the board.

10. MATTERS FROM THE BOARD

VICE CHAIR HAMILTON: And I'll go first to Mr. Helms.

MEMBER HELMS: I would like to address a specific topic that arose in the last meeting and I wasn't here, unfortunately. Pages 11 to 14 are my concern and have to do with the investment of our funds. There are two points. One it says, sort of two-thirds of the way down on page 11, Ms. Lotero is speaking and she says, "I just wanted to let you also know that the City's Investment Policy is on the Finance website..." and then there is some discussion of that. I am not sure why – I'm sure the policy is good and I am not complaining about the actual policy – why are Buckman funds subject to City regulations? This obviously goes back to the age old question of when do we get our independence here? Does anyone have something to say about that?

VICE CHAIR HAMILTON: I see Mr. Carpenter reaching for his microphone. Please, go ahead.

MR. CARPENTER: And Nancy can correct me if I am wrong. The City is the fiscal agent of the BDD and they handle this type of investment.

MEMBER HELMS: So it is just a matter of a legal structure that pushes us into being subordinate to the City's Investment Policy?

MR. CARPENTER: I believe that is correct.

MEMBER HELMS: Does anyone else have any problem with it? I find all of these things a problem.

VICE CHAIR HAMILTON: Ms. Long, you wanted to –

NANCY LONG (BDD Board Counsel): I just wanted to add that I think Ms. Lotero may have discussed it at the last meeting, but that as a governmental entity the types of investments, the kinds of investments that can be looked at and considered are prescribed by state law. So the City's Investment Policy is in compliance with that. Even if we had the funds invested through some other fiscal agent or perhaps on our own, we would still have similar investment rules and guidelines, as I understand it.

MEMBER HELMS: Well, I am not at all against the guidelines. I think they are probably pretty prudent and reasonable. It is just that I always get a little irritated when we are constantly being made subordinate to the City. We are not the City. We are part County and part City. And, again, I just bring it up and I don't want to beat this one forever.

VICE CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Helms. One of the things that did concern me, besides the fact that the City is late with their audit, is that on page 12, Ms. Lotero, where I made the correction: "One more thing I noticed when I was going through looking at the investment policy earlier this week, we are required to review and update every two years. It has not been done since 2014 or 2015. So that is now on my radar to get done as well." That was a little concerning to me that and I know that we all have been challenged during the pandemic but 2014 and 2015 Mayor Gonzales was mayor at that point so that means that the investment policy has not been looked at all during the current mayor's term and I respectfully request that the City Finance Department start looking at their investment policy.

VICE CHAIR HAMILTON: Mr. Helms, is there more?

MEMBER HELMS: Yes, I have one more topic. It's different. It's in the same territory though. There's discussion about a securities firm holding the securities, I forget exactly what page it is on and it was a firm I'm not familiar with but that doesn't mean very much. I haven't been the stock market for probably 30 years so I am probably out of date. I'd like someone with good legal knowledge here to correct me when I stray off the path. But why I myself invested in the stock market there was always the question of whether your securities were in your name or your broker's name – they used to call it “street name.” Nobody paid much attention to it and it certainly facilitated trading. You could go in and out without signing lots of papers but it had a risk. And from time to time a brokerage firm would go belly up and the customers would lose those securities that weren't in their name. So the securities went into bankruptcy estate in the court and became fair game for one and all. And I don't know if that's still a problem, maybe not. But I don't like the notion that our \$70 million is in someone else's name and I'd like to know what actual name covers our securities with this particular firm, Principal Custody Solutions, I think is the name.

VICE CHAIR HAMILTON: Did you find where?

MEMBER HELMS: Top of page 12. It says, “The custodian is Principal Custody Solutions,” I suppose that's a broker of some sort but I don't know.

VICE CHAIR HAMILTON: It might be something to look into. But their being the custodian doesn't mean they are trading in their name. And I think that also is governed. I am not sure of this but I think that is also governed by statute because as a government entity they're required, I think, to leave it in the government entity name.

MEMBER HELMS: Probably, but I would like that pinned down and stated by someone, like this lady, Ms. Lotero, I'd like to hear from her if that's the case.

VICE CHAIR HAMILTON: I think that is a fair point.

MEMBER HELMS: I'll talk to my lawyer friend here [referring to Mr. Ives]; is it true that this risk exists in the stock market?

MR. IVES: I will say that is not my area of expertise but chances are it does exist because it was undoubtedly taken advantage of by many investors. I don't know the particular rules with regards to City and or State funds but easily determinable and if staff could just send an email out notifying folks of that, we could get that within the next couple of days even tomorrow.

MEMBER HELMS: That's all.

VICE CHAIR HAMILTON: Excellent, thank you. Other members of the Board? Mr. Ives.

MR. IVES: Thank you. I had noted that same language on page 12 and was curious about that because I know we did go through the process of working with Wells Fargo as the primary sort of bank, if you will, holding City funds. And I would have thought that as part of that process a lot of the investment strategies would have been gone through. I can't say I was familiar with PCS or Principal PCS as it's referred to here.

It raised for me also a greater question which is, I thought it was very good at the last meeting that there was an update on what was happening with the funding but I quite frankly don't understand why that wouldn't be of relevance to the Board at every meeting. It could be a one-page talking about what has happened with the portfolio, what its status is. We have seen some fairly wild fluctuations in the market of late on the basis of various things happening around the world so having that update, I think, would be significant.

And of course the companion piece to that is an item that former public member Fort had raised which is, what are we doing about any renovation or reconstruction of Buckman. She had urged that we think about that in advance so that by the time we got to the point where we assumed we would get with the litigation, we'd actually have figured out what our plans were.

VICE CHAIR HAMILTON: And of course you'll recall that part of the reason it wasn't done that way, was because that type of discussion has to be done in a public meeting and the litigation was still underway and it was kind of putting the cart before the horse. But I think between Ms. Long and Mr. Carpenter, they can summarize that there is a subcommittee that is working very diligently on the technical aspects of moving forward with this.

MR. IVES: And I must admit that I am very curious given what we're hearing about the Colorado River. Our diversions, of course, come out of the Colorado River Basin ultimately and I think I've seen reports, at least to the best of my recollection, in terms of receiving our percentage share at least at the City of Santa Fe on an annual basis have changed because I understood that we had been getting 100 percent for many, many years. I saw some report that suggested that was not necessarily the case over the extended period that I had understood that to be the case.

So I think a monthly update on the status of what we're doing. It's great that we've settled and secured significant funds to do those improvements but that doesn't get the improvements done. And that in my mind is one of the most critical things this Board has to undertake and it may not have been able to do it before but there shouldn't be any reason we couldn't do it now. So I guess I would just urge putting that so we do have a public process there where folks understand what is being proposed, what is being done, so we can move that forward. Again, given the complexity of all those circumstances of water supply and whether or not we're going to be able to get our fair share of the Colorado River Basin waters.

VICE CHAIR HAMILTON: That's been noted. Ms. Long.

MS. LONG: Yes, Madam Chair. I will just add for Member Ives to his point about plans for renovations and refurbishment and repairs that there has been what we've called a technical subcommittee of the Board that has been meeting regularly, a non-quorum committee meeting. And I know that Mr. Carpenter has also been meeting with Dan Frost who we have kept on contract about different delivery methods that would be preferable for that work. And we're working with trying to get an engineer on board. So there is a lot going on in the background I would say. But I think updates could come through to the Board if Mr. Carpenter agrees through his report. Whether there would be something every month, I don't know. But there could be regular updates given if that is the pleasure of the Board.

MR. IVES: And to some degree I say that having been through a similar process with the Mid-Town Campus where there was a select group of City Councilors along with City staff who worked on that for several years. And plans were finally brought forward and of course, we know the history since then. So I would just like to make sure that the whole Board has the opportunity to understand and participate.

Yes, a monthly update and it need not be complex but I think it would help all of us.

MS. LONG: Good point.

VICE CHAIR HAMILTON: Thank you.

MR. IVES: That was all that I had.

VICE CHAIR HAMILTON: Excellent. Commissioner.

COMMISSIONER HANSEN: So I agree with Member Ives that it would be nice to have an update of where the technical group is working and what is happening because I am not up to date on that at all.

Then also I would like another update from the Finance Department because in reality the information that they provided last month was from July because they didn't have a new investment manager. So if we're going off of July information and it's now October so the next would be November, so maybe it's possible that Ms. Lotero could come to our November meeting. It's hard to believe it is already November. Those are my only two requests, to support Member Ives and to get an update from the Finance Department, from the City, on also their audit and the investment.

VICE CHAIR HAMILTON: Thank you. I would just with respect to Mr. Ives' second request regarding our fair share of San Juan-Chama, to me that seems entirely separate from reporting back on the investment funds and what is being planned for them and how that planning effort is going. And that's a separate expertise. So Mr. Carpenter, if you have any recommendations on who might be equipped to make that kind of report in the next month or two – I don't even know what a fair timeline is because if Mr. Ives is worried about long-term availability of wet water distributed among partners that is a gnarly question.

MR. IVES: If I may, Madam Chair. Kyle is probably the person best positioned to weigh-in on that issue. For me it weighs into this whole equation, especially if you look at what's happening at Powell and other places and their impacts on California and the Imperial Valley.

MR. CARPENTER: Mr. Harwood follows these issues pretty closely and so do I. Mr. Sugrue could easily include it in his monthly report as well and we'll be happy to include that going forward.

VICE CHAIR HAMILTON: I have nothing else. We'll move on to the next meeting date --

COMMISSIONER HANSEN: Oh, in our minutes it says we're going to take a field trip on October 27th. I wonder what is happening with that. I meant to bring that up, I apologize.

VICE CHAIR HAMILTON: That's fine. We're reopening matters from the Board. That's my anniversary. I don't know I want to go to BDD on my anniversary.

COMMISSIONER HANSEN: It was on a Thursday but I haven't heard anything and there hasn't been any notice but it's in the minutes. Maybe Bern knows something about it.

BERNARDINE PADILLA (BDD Public Relations Coordinator): Several dates have been thrown around and I'm not sure what was confirmed. We are more than happy to do it whatever date you all would like. We were even going to do this meeting at BDD but because we didn't have Zoom I think that was one of the reasons we didn't do it. And maybe because Chair Romero-Wirth wasn't going to be there might be another reason.

If you want to do it on a separate date, we can accommodate whatever date works for you and it doesn't have to be on the Vice Chair's anniversary.

VICE CHAIR HAMILTON: To be honest, I think that we decided it was also difficult – would make it difficult for potential public participation and so we were going to separate having the meeting, our regular meeting, but we were going to have a field trip. It still has to be noticed because it's a quorum.

COMMISSIONER HANSEN: I'm talking about a field trip to the monitoring station.

VICE CHAIR HAMILTON: Oh, okay.

COMMISSIONER HANSEN: I'm sorry I wasn't clear.

VICE CHAIR HAMILTON: I thought it was to BDD because we – it's very close by.

MS. PADILLA: We have been struggling on that BDD trip on dates, trying to get everybody onboard because we get two or three people and then one person comes and we haven't had the whole group.

VICE CHAIR HAMILTON: Perhaps the thing to do and I'm guessing that Kyle Harwood was taking care of arranging that.

MS. PADILLA: Yes.

VICE CHAIR HAMILTON: Maybe somebody can mention to him that the question came up and if that is still a live date we can arrange it by email; right? Just so he can follow-up with us.

MS. PADILLA: He's working with a couple of different people on that and that's the struggle with working with San I and getting that approval because that does take a long time and that approval doesn't come easy. I know I've seen some emails going back and forth and they are working on it but there is not a date nailed down on that yet. It is hard to get that approval as we've done in the past; it takes a little bit of time.

As far as coordinating anything at BDD, I am happy to do whatever dates that works for you all. I coordinate with Rick's calendar and either Randy or one of the operators on whatever date is best for you. We have had quite a few tours but I get one or two people that come. I've had Hank Hughes come. I've had – Villarreal came one time in the past 12 months. I've had a lot of offers and then we've had a Zoom meeting, we were in Covid at that time. Remember we had the Zoom presentation where we did the actual presentation but not the actual tour. I can throw some dates out at you all and then we can maybe do a Doodle poll if that would work?

VICE CHAIR HAMILTON: If the whole Board actually wanted to do the tour of the facility but that can certainly be discussed. But Commissioner Hansen is right, this was specifically to also see that monitoring station because it is a new installation.

MS. PADILLA: I don't think we can do both in one day. They have to definitely be separate.

VICE CHAIR HAMILTON: Right.

MS. PADILLA: Because it's too time consuming. We could probably meet at a certain location and then go from there. And I think that's for the Board I don't think that's for staff to be included on that.

VICE CHAIR HAMILTON: Okay.

MS. PADILLA: So we can touch base with Kyle and see how far he has progressed and what dates are coming up.

VICE CHAIR HAMILTON: Just as a reminder and thanks to Commissioner Hansen for bringing it up, just because it was being looked at as a date between the two Board meetings. If it doesn't work out with permissions and it is postponed to a later date – well, all of that can be handled by email and then at the next Board meeting if it postponed.

MS. PADILLA: I haven't seen that October 27th has been approved.

VICE CHAIR HAMILTON: Right. Thank you. And thank you, Commissioner Hansen.

COMMISSIONER HANSEN: I'm sorry I missed that earlier.

VICE CHAIR HAMILTON: No problem. Is there anything else that triggered anybody's memory?

11. NEXT MEETING: Thursday, November 3, 2022 at 4:00 p.m.

12. ADJOURN

Having completed the agenda and with no further business to come before the Board, Vice Chair Hamilton declared this meeting adjourned at approximately 5:00 p.m.

Approved by:

Carol Romero-Wirth, Board Chair

Respectfully submitted:

Karen Farrell, Wordswork

ATTEST TO

KRISTINE BUSTOS-MIHELIC
SANTA FE CITY CLERK

D R A F T

- subject to approval -