

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

September 7, 2023

1. CALL TO ORDER

This regular meeting of the Santa Fe County & City Buckman Direct Diversion Board meeting was called to order by County Commissioner Anna Hamilton, BDD Board Chair, 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 Hamilton
Councilor Carol Romero-Wirth
Commissioner Anna Hansen
Councilor Renee Villarreal
J.C. Helms, Citizen Member
Tom Egelhoff, Las Campanas [non-voting]

Member(s) Excused:

None

Others Present:

Rick Carpenter, BDD Facilities Manager
Kyle Harwood, BDD Legal Counsel
Bernardine Padilla, BDD Public Relations Coordinator
Delfin Peterson, BDD Administrative Assistant
Randy Sugrue, BDD Operations Superintendent
Monique Maes, BDD Contracts Administrator
Joni Arends, Concerned Citizens for Nuclear Safety
Bot Pierce, Glorieta Geoscience, Inc.

[Chair Hamilton read the agenda captions throughout the meeting.]

3. APPROVAL OF AGENDA

BDD Facilities Administrator Rick Carpenter requested the removal of item 7.c., under the Consent Agenda regarding the request for approval of a Service Agreement with Andritz Separation, Inc.

With that change, Councilor Villarreal moved to approve the agenda. Councilor Romero-Wirth seconded and the motion passed by unanimous voice vote. [Mr. Helms was not present for this action and arrived directly thereafter.]

4. CONSENT AGENDA

Upon motion by Councilor Romero-Wirth and second by Councilor Villarreal, the Consent Agenda was unanimously approved.

7. ACTION ITEMS: CONSENT

- a. Request for approval of a Service Agreement with Condor-New Age Logistics, LLC., in an amount not to exceed \$158,184.00 plus New Mexico Gross Receipts Tax for security services through June 30, 2014**
- b. Request for approval to re-authorize unexpended funds approved by the BDD Board from the BDD major Repair and Replacement Fund from FY23 to FY24**
 - (i) Request for approval of a Budget Amendment Resolution (BAR) to re-authorize the unexpended funds**

5. APPROVAL OF MINUTES: August 3, 2023

Commissioner Hansen noted the following correction:

Page 3, MR. SUGRUE: Actually, that trigger point is City storage. So you consider the ten million gallon tank, the hydro tank, the hospital tank, the various storage tanks around the city, the capacity I think is in the vicinity of 36 million gallons if those tanks were brim full. If that capacity falls to 15 million the Water Division Director has the discretion to call for concern, you might say, in discussion with the City Manager.

Commissioner Hansen moved to approve the August 3, 2023 with the change as noted above. Councilor Villarreal seconded and the motion passed by unanimous voice vote.

6. PRESENTATION/INFORMATIONAL ITEMS

a. Monthly Update on BDD Operations

RANDY SUGRUE (BDD Operations Superintendent): Thank you Madam Chair and members of the Board. This is my update for BDD operations for the month of August 2023. Our raw water diversions averaged about 7.47 million gallons per day. Our drinking water deliveries through Booster Stations 4A and 5A averaged 6.32 million gallons per day. Water delivery to Las Campanas, averaged .99 million gallons. Our onsite storage variation was .6 million gallons per day. BDD provided around 42 percent of the water supply to the City and County for the month. Our year to date diversions are

depicted in the graph below compared to our 12-year average. Again, in August, we produced significantly more than the average due to City demand, somewhat lower production from Canyon Road Water Treatment Plant which was a plant strategy.

Our regional drought summary for the month – demand was around 14.9 million gallons per day. That is beginning to taper down a bit as the summer wears on. Rio Grande flows for August averaged approximately 752 cubic feet per second at Otowi. Today, it's about 1,100. They are transferring water from Abiquiu to Cochiti Reservoir, stored water, that will then eventually be transferred to Elephant Butte. The Rio Grande flow is pretty low at this point just because of seasonal lows and lack of rainfall. I noted to the Chair earlier that we do sometimes get significant rainfall in September and October so again, we can still think positive.

Canyon Road storage levels, 80 percent and McClure 71 – I'm sorry, 71 in McClure and 80 in Nichols, 73 percent combined. They are working to bring that down gradually. The watershed inflow about 1.6 million gallons per day. Abiquiu storage of City San Juan-Chama water, 11,130 acre-feet as of August 16th. Our El Niño summary for August still anticipated El Niño to continue through northern hemisphere winter with greater than 95 percent chance to continue through December 23 and February 24.

So that's my report and I stand for questions.

CHAIR HAMILTON: Excellent. Do we have any questions? I just have to ask, is the high demand in the last month just largely because it has been hot and dry:

MR. SEGRUE: Hot and dry, of course, the little supply to the golf courses that issue is being rectified through the effluent production. They're working through that. It's not easy but they're working through that. That's one reason why it has dropped off pretty significantly all of a sudden. So a lot of it – that 100 degree weather is just hot so that's part of it too.

CHAIR HAMILTON: Just an indication of something else we're going to have to deal with. Any other questions? Thank you so much.

MR. SEGRUE: Thank you.

b. Report from the Facilities Manager

RICK CARPENTER (Facilities Manager): Thank you, Madam Chair, members of the Board. Just a couple of items in my report for this month. An update on the Major Repair and Replacement Fund, we have one item to update the Board for a contract for two new membrane racks, special membranes, that are 13 years old need to be replaced. So for two racks the quote that we received is just short of \$1 million at \$991,037 and that is from the Major Repair and Replacement Fund. It was in the plan. The dollar amount has changed a little bit but it is something that we will be bringing back to this Board annually this year as we start replacing those items on the schedule. That's my report on the MR&R.

In terms of vacancies, we have four in our maintenance division. A journeyman electrician, maintenance planner scheduler, equipment repairman advance and equipment repairman intermediate. The maintenance planner scheduler was actually advertised yesterday so we are on our way there. We are having trouble filling it and this is the third time that we've advertised. And the other three I am hoping will advertise, I didn't get a chance to check this afternoon, but maybe by Friday or Monday and I hope to get those filled as well. And that concludes my report and I'll be happy to stand for questions.

CHAIR HAMILTON: Are there any questions on that part of the report.
Yes, Councilor.

COUNCILOR VILLARREAL: Just a clarification on the vacancies.
There's two positions that say, "repairman" do they have to be men?

BERNARDINE PADILLA (BDD Public Relations Coordinator): Could you repeat the question, please.

COUNCILOR VILLARREAL: There are two positions, vacant positions, and two say repairman, equipment repairman. So I'm curious if they have to be men.

COMMISSIONER HANSEN: I think she's asking if they can be a repair person.

MR. CARPENTER: Thank you for pointing that out.

COUNCILOR VILLARREAL: I'm asking if it just needs to be men and if it's not then we should change it to person.

MS. PADILLA: That's an HR thing.

COUNCILOR VILLARREAL: Does it say that in the HR description?

MS. PADILLA: It has to go through – probably –

MR. CARPENTER: I'll have to take it to HR and that shouldn't be a problem.

COUNCILOR VILLARREAL: Yeah, have them change it. Okay.

MS. PADILLA: That's not just for BDD. It's across the whole City.

COUNCILOR VILLARREAL: I know.

COMMISSIONER HANSEN: How about the whole state.

MS. PADILLA: Yes, ma'am.

COUNCILOR VILLARREAL: Thank you. If you could just bring that to their attention, thank you.

MR. CARPENTER: Madam Chair, I did skip over one item. There has been some discussion about inviting NMED to this Board and making a presentation and I'm working on getting that setup with the Cabinet Secretary. We're shooting for November. That's what we think is going to happen.

CHAIR HAMILTON: Excellent.

MR. CARPENTER: So we're working on that. And then Mr. Harwood I think has something he would like to add on a tour that we cancelled and we're trying to reschedule.

KYLE HARWOOD (BDD Board Counsel): Yes, thank you, Rick and thank you, Madam Chair. As you know, we had a scheduling conflict for the ENS tour with LANL a couple of weeks ago. I wanted to just ask the Board, is that something you'd like us to try and put back together? There is another alternative that we have sort of been kicking around a little bit which might be a lot easier but won't be the same. But that is to do sort of a virtual tour here with ED and exhibits and ask a couple of folks that are familiar with the LA Pueblo Canyon Watershed to kind of walk us through it in detail. It is not the same as going and actually seeing it but I just wanted to share with the Board that we're prepared to put that ENS tour back together again, if you like, or there are other alternatives.

CHAIR HAMILTON: I think it is always useful to articulate what the goal of doing this is. We are trying to familiarize the Board with the terms of the scope

of the thing, spacing and what geographic distribution issues and how they relate to BDD; is that accurate?

MR. HARWOOD: It is. That's exactly the point as I think you know and I think many of us understand, there really is no substitute for going and seeing it with your own eyes. But I did want to just offer this other alternative up in case it was a better fit given how busy everything is and we could get a fair amount of the same educational value out of a virtual tour. It would take different staff time and resources to put that together. But I am sensing you would prefer we put the tour back together.

CHAIR HAMILTON: I think so. I think everybody is shaking their head yes. There's always a certain amount of sensitivity when you set something up and then we messed it up but everybody is big boys and girls and it's not that embarrassing that we are putting them out substantially.

MR. HARWOOD: No, I think it's fine. I don't know anybody that hasn't had to cancel something – so I think we all are familiar with that.

CHAIR HAMILTON: Exactly.

MR. HARWOOD: So, we'll go ahead and I'm going to suggest that we try to put it together for maybe October or early November when it's cool and that will be a nice change from battling the heat which would have been an issue a couple of weeks ago. But it does take some lead time to put it together and get the proper approvals and go through the process. We'll get started on that right away and check with you on your schedules.

CHAIR HAMILTON: Thank you. And there is one week in October that I'll be on the east coast and be gone.

MR. HARWOOD: I'll reach out to you all and get that sorted.

COUNCILOR VILLARREAL: Madam Chair. I'm just curious, is there a reason why we couldn't do it around the time of our next BDD Board meeting?

MR. HARWOOD: You mean to do it on a BDD Board meeting day?

COUNCILOR VILLARREAL: Yeah.

MR. HARWOOD: We have generally not tried to do those things because then the BDD occupies a big part of everyone's calendar for that day. But if that's preference to try and do it on a BDD Board meeting day, we can certainly look at that.

COUNCILOR VILLARREAL: It works better for me.

CHAIR HAMILTON: I have no personal objective to that.

COMMISSIONER HANSEN: I think it has to do with when the pueblo is going to be open to us. There has to be somebody there to provide the tour and be on the grounds.

MR. HARWOOD: Let me put out one logistical piece to it, Councilor. We all meet at 3:15 ahead of the Board meetings to get organized and we were trying to either put the tour outside of lunch so we didn't have to involve lunch as part of the tour because that adds to the complexity. I'm happy to go to El Parasol any day. But it does complicate things and we need a couple of hours and if we're all going to try and get back here at 3 and then we starting at 10:30 or 11. So that is one of the challenges given the amount of time that we need and trying to get it either before lunch or after lunch on a day so we're not trying to manage lunch as well.

So let me do this, if it's okay, let me check in with each of you on your preferred schedules and dates and we'll just sort of see what falls out. Perhaps the morning of a

BDD meeting day might work or might not. And then, of course, the next two Board meeting days are October 5th and November 2nd. So we'll put it back together and get your schedules. Thank you.

CHAIR HAMILTON: Anymore questions on this? [Light banter]

c. Update on Status of the BDD Rebuild Project

CHAIR HAMILTON: The BDD Technical Working Group is comprised of the BDD Board Chair, that's me, the Vice Chair, Councilor Romero-Wirth, the Board's attorney, Nancy Long, the City Public Works and Utilities Directors that's John Dupuis and Jesse Roach and the County Public Works and Utilities Director that's Brian Snyder and Paul Choman, the Las Campanas operator, Tom Egelhoff and the BDD Facilities Manager Rick Carpenter. We began meeting on May 11, 2022. At that time we held irregular meetings during the first year when the main activities were to hire a legal consultant and an engineering consultant through the City's procurement process.

Since June 2023, so more recently, the Technical Working Group has been meeting regularly, usually two or three times a month. In addition to the Technical Working Group those meetings have usually included the Board's legal consultant, Dan Frost, our engineering consultant, Wright Water, Wayne Lorenz and supplemented as needed by other subject matter experts from City and County staff.

I have a bunch of bullets of our progress to date. We hired and started working with the consulting legal and engineering experts, Dan Frost and Wright Water. We developed a – consultants developed a summary of the main design issues that need to be addressed, as background for developing the scope of work for procuring design and/or build firms. There is analysis of the various project delivery methods that could be used for design and construction of the BDD facility big fix. And my apologies, as Rick has suggested that we have naming contest but we haven't actually figured out what to call it other than the big fix. Key considerations of that analysis included management and appropriate distribution of risk to the contractor for design and construction and the need for flexibility to continue facility operations during needed, ongoing major repair/replacement during design and construction phases, which may require adaptation of design elements over time, and possible phasing of approach.

Accordingly, the recommendation is to use some form of the design-build procurement approach. There are subcategories like traditional design-build or progressive design-build. If design-build is pursued in a two-phase process, starting with a Request for Qualifications, that's an RFQ, to obtain qualifications from as many design-build firms and teams as possible. Up to about three of the most-qualified firms/teams would be selected from responses to the RFQ. These firms will be asked to submit detailed technical solutions and cost and scheduling proposals. After evaluation by the selection committee, the final design-build contractor will be selected with appropriate negotiations as needed.

Dan Frost and Wright Water are currently drafting an RFQ to solicit design-build firms/teams. The draft RFQ should be completed soon and will be reviewed by the Technical Working Group, revised as needed, and presented to the BDD Board.

The Technical Working Group also is recommending the BDD Board engage a project manager that will report directly to the Board and will manage the design-build

process. This management clearly requires expertise and will be too much effort over the course of the big fix project to be undertaken by existing full-time employees. Dan Frost is currently drafting an RFP to solicit and engage a Project Manager.

So that's a summary of everything that has happened so far. If there are any questions – I guess we all stand for questions. Yes.

MR. HELMS: What is the scale of the presumed project manager?

CHAIR HAMILTON: I am giving you all of the information I have. That's not set yet. The RFP will get proposals and we'll see what the proposals say.

MR. HELMS: You'll get proposals from the applicants or are we going to set the scale ourselves?

CHAIR HAMILTON: It's going to be an RFP situation. We're going to set the scope of what we expect to have done. And then we're going to also within the RFP they usually set qualifications. We're not looking for like a high school graduate to be able to – we are looking for XYZ expertise and then people will come with their responses and what their charge rates are and what their qualifications are to do that work.

MR. HELMS: I understand but we don't have some in-house number in mind?

CHAIR HAMILTON: I have actually not asked that question yet. So I don't have that information. I mean it is entirely possible that any number of people who might have a ballpark in their head but we haven't gotten to that point. It's a good question and it's not going to go ahead without the Board being informed of what's going on.

MR. HELMS: Thank you.

CHAIR HAMILTON: Commissioner.

COMMISSIONER HANSEN: Thank you, Madam Chair. So how long will it take to get through the City Procurement?

CHAIR HAMILTON: I can't answer that question. Rick?

MR. CARPENTER: Madam Chair, members of the Board. We hope to have a draft RFP within a couple of weeks. It will probably be five or six weeks until we get responses back. We'll have to evaluate those and then move forward towards the RFP. I would envision that whole process to take from eight to 10 months.

COMMISSIONER HANSEN: I am asking how long it takes to get through City Procurement.

CHAIR HAMILTON: For which process?

COMMISSIONER HANSEN: For everything.

CHAIR HAMILTON: There are two separate processes.

COMMISSIONER HANSEN: It seems, from what I have heard, it takes a long time to get through procurement process in the City. And since this is something that we're hiring and using our own money, do we have to go through City Procurement? Because we're using our own money and we're the Board and we're going to be hiring this person –

CHAIR HAMILTON: The Board is not a fiscal agent.

COMMISSIONER HANSEN: So.

CHAIR HAMILTON: And the City is the fiscal agent and I'm about 97.2 million percent sure that – oh more than that? The answer is no.

COMMISSIONER HANSEN: So we're talking about a year from now?

CHAIR HAMILTON: We don't know that. It's possible but we don't know that. I think it is really clear of what time urgency is. We took a year the first time and I was not happy about that. But it is still a process that we have to go through.

MR. EGELHOFF: Looking on the bright side, we're gaining interest on our money.

CHAIR HAMILTON: We're not gaining interest as fast as we're losing value. That's just a fact. I ran the numbers and I'll bring them in and show you next time.

COMMISSIONER HANSEN: I appreciate the report and I know everything moves slow and I would like to see something move faster that's all I can say.

CHAIR HAMILTON: I appreciate the comment and I agree.

COMMISSIONER HANSEN: So I think where I'm going is, if there is any way we can expedite the procurement from the City then I would hope that will happen.

CHAIR HAMILTON: We will look for all avenues and I am assuming that we will have updated on RFQs next month. Other questions, thoughts? Thank you.

8. ACTION ITEMS

- a. **Request for approval of a Professional Services Agreement with Pall Corporation for BDD plant module replacement in the amount of \$989,037.82**

COUNCILOR ROMERO-WIRTH: Madam Chair, do you want a motion on this?

CHAIR HAMILTON: Do you want to hear the description first?

COUNCILOR ROMERO-WIRTH: I was just going to give you a motion first. I would move to approve.

MR. HELMS: Second.

CHAIR HAMILTON: Great. Motion and a second. Rick or Randy do you have anything?

MR. SUGRUE: Briefly, I wanted to mention after the previous discussion that after as go through these increasingly larger projects and request for procurement we are developing a closer relationship with the Purchasing Department and I think that is going to facilitate some of our activities as well.

CHAIR HAMILTON: That's a good point, thank you. So just so everybody realizes, this was part of Rick's facility report. This is what Rick was discussing. Any further discussion?

COMMISSIONER HANSEN: Yes, thank you, Madam Chair. You said in your report that this is the first time that we're replacing these in 13 years; are these the original modules that were in the BDD in the beginning?

MR. SUGRUE: Correct.

COMMISSIONER HANSEN: I saw the 2011 – so I guess that's 13 years, 12, 13, okay. I am certain that they were properly installed before the plant opened. Is that a normal lifecycle on these modules?

MR. CARPENTER: Madam Chair, members of the Board, the industry standard is 10 years.

COMMISSIONER HANSEN: Okay, thank you. That's good to know.

CHAIR HAMILTON: Thank you. Are there any other questions? If not, I have a motion and a second.

The motion passed by unanimous voice vote.

- 8. a. (i) Request for approval of a Budget Adjustment Request for FY24 in the amount of \$989,037.82 from the Major Repair and Replacement Fund to fund the Agreement**

CHAIR HAMILTON: And there's a separate item for approval of the BAR to move the money from MR&R to fund this agreement.

COUNCILOR ROMERO-WIRTH: move to approve.

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: Thank you. Any discussion? If not, I have a motion and a second.

The motion passed by unanimous voice vote.

9. MATTERS FROM THE PUBLIC

CHAIR HAMILTON: Is there anyone from the public wishing to speak? Seeing none, we'll close matter of the public.

10. MATTERS FROM THE BOARD

Commissioner Hansen thanked Mr. Harwood for continuing to work on the tour.

- 11. NEXT MEETING:** Thursday, October 5, 2023 at 4:00 p.m.

12. ADJOURN

Having completed the agenda and with no further business to come before the Board, Chair Hamilton declared this meeting adjourned at approximately 4:30 p.m.

Approved by:

Anna Hamilton, Board Chair

Respectfully submitted:

Karen Farrell, Wordswork

ATTEST TO

KATHARINE E. CLARK
SANTA FE COUNTY CLERK

D R A F T

- subject to approval -