

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

June 4, 2015

This meeting of the Santa Fe County/City Buckman Direct Diversion Board meeting was called to order by Commissioner Liz Stefanics, Chair, at approximately 4:30 p.m. in the Santa Fe City Council Chambers, 200 Lincoln Avenue, Santa Fe, New Mexico.

Roll was called and the following members were present:

BDD Board Members Present:

Commissioner Liz Stefanics, Chair
Ms. Consuelo Bokum
Councilor Joseph Maestas
Commissioner Miguel Chavez

Member(s) Excused:

Councilor Carmichael Dominguez

Others Present:

Charles Vokes, BDD Facilities Manager
Nancy Long, BDD Board Consulting Attorney
Mackie Romero, BDD Finance Manager
Bernardine Padilla, BDD staff
Erminia Baca, BDD Staff
Michael Dozier, BDD Interim Operations Superintendent
Bryan Armstrong, BDD Interim Maintenance Superintendent
Carole Jaramillo, Santa Fe County
Claudia Borchert, Santa Fe County
Rick Carpenter, City of Santa Fe
Kyle Harwood, BDD Board Counsel
Jerry Schoeppner, Santa Fe County
Sandra Ely, Santa Fe County
Barbara Crockett, CH2M
Paul Karas, CDM Smith

[*Exhibit 1: Sign-in Sheet*]

3. APPROVAL OF AGENDA

[Exhibit 2: Agenda]

Upon motion by Commissioner Chavez and second by Ms. Bokum the agenda was unanimously [4-0] approved as published.

4. APPROVAL OF CONSENT AGENDA

Councilor Maestas moved approval of the consent agenda as published. His motion was seconded by Ms. Bokum and passed by unanimous [4-0] voice vote.

CONSENT AGENDA

- 8. **Monthly Update on BDD Operations**
- 9. **Drought, Monsoon and Water Resource Management**
- 10. **Update on 3rd Quarter Financial Statements**
- 11. **Request for approval of Budget Adjustment Request to move \$29,000 from Salaries and Benefits to Employee Training for evaluation of BDD's current training program**

5. APPROVAL OF MINUTES: May 7, 2015

With no changes, Councilor Maestas moved to approve the minutes. Commissioner Chavez seconded and the motion passed by voice vote with three ayes and Ms. Bokum abstaining.

6. MATTERS FROM STAFF

CHARLES VOKES: (BDD Facilities Manager) We have two reports from staff. First Ms. Padilla.

BERNARDINE PADILLA (BDD PR Coordinator): I just wanted to give the Board a heads-up that we're towards the end of our online tour's completion. I don't know if you've gone onto the website yet but the virtual tour is on the website and you can access that. It's very cool, very exciting. We've actually had a couple of tours out at the facility and we were able to showcase that to them before we went on the plant tour so they really liked it. I'm at the end of the last part of the edits with Joe Abeyta on the narrated video tour. I just gave him the credits and we'll probably do another one or two look-overs just to make sure we get everything on there that needs to be on there and make it polished and so forth.

Next meeting in July, we'll showcase that here at the Board meeting.

COMMISSIONER STEFANICS: Great. Comments? Yes.

COUNCILOR MAESTAS: Just a comment since we had the diversion dewatered and I think that maybe the finished product before we remove the cofferdam – did you guys take any still shots? I saw some drone what looked like a drone view.

MS. PADILLA: Yes.

COUNCILOR MAESTAS: That would be good maybe to add that to the virtual tour. Maybe just a still shot form showing the diversion structure.

MS. PADILLA: We actually, one of our staff members, one of our operators, Nile Carver, he owns a drone, so he took some awesome shots when he was at work one day, and I actually have better photos than that that we can actually put on so that we can do that.

This next fiscal year we are going to finish the online tour and the virtual tour and add that part, and we're waiting for the next budget year to complete that. So, we will be adding more and that will be from the San Juan-Chama connection down the river to the diversion and Booster 1 to the solar array down there, and add that all on.

COUNCILOR MAESTAS: Okay.

COMMISSIONER STEFANICS: Great, thank you. Councilor, anything else?

COMMISSIONER CHAVEZ: I think – I mean it's been a work in progress. I know that there's a lot of details that have to fit in. It's interesting that staff has mentioned that they'll be adding and updating as we move forward. I think it's going to be a good tool to have for the public and I'm hoping – will they be able to – will it be interactive? Will the public be able to interface and actually ask questions once it's set up and everything?

MS. PADILLA: Interface with us at the same time?

COMMISSIONER CHAVEZ: With the public will it be interactive?

MS. PADILLA: They can on the virtual tour, they can actually manipulate the screen and look left, right, up and down. They can choose what area of the plant they want to go to to look and there's a little map that tells you where you're at.

COMMISSIONER CHAVEZ: If they had question though, could they, is there a link?

MS. PADILLA: Like a chat? No. We don't have an online chat. No, but they can always call us.

COMMISSIONER CHAVEZ: Sure, sure. I think it's going to generate some discussion and probably questions eventually in the future. But as long as there's information, contact information for staff that's just as good. Thank you.

COMMISSIONER STEFANICS: Thank you.

COUNCILOR MAESTAS: Chair, I just had one comment on the article in the *Santa Fe Reporter*. I guess just maybe a note for everyone, let's make sure that we coordinate our message to the media and not maybe jump ahead and get ahead of ourselves with regard to next steps. I know some of the reports of maybe the future of the facility and any design or even enhancements, we really don't know that yet and I would prefer that we have a discussion here at the Board to really get a handle on what's really required and how soon. And I know if we say the facility needs to be redesigned, that is really inflammatory. It could be open for interpretation. So we need to be careful and certainly I want to make sure that at least we are privy the final report recommendations in terms of how extensive would this redesign be. If it's required or are we really talking more about some tweaks and enhancements and not a total redesign.

So I want to, and sometimes the media can really blow things out of proportion as well and I know that. But let's make sure that we be very sensitive and figure out our

strategy and our message when we get these final reports and we know exactly what that facility requires and the timeframe for those improvements.

MS. PADILLA: I will defer that to Chuck

COUNCILOR MAESTAS: It's just a PR thing. We'll talk about that.

COMMISSIONER STEFANICS: Thank you very much for that part.

Yes, Mr. Vokes.

MR. VOKES: Yes, if I can tag onto that. Madam Chair and members of the Board, Berni and I, after we saw the article we did send an email back with several corrections to the *Reporter* because some of the things, as you said, were not reported as I stated them. But sometimes that happens but we're staying on top of that. But I appreciate the input.

The second report: I wanted to give a brief update on the diversion structure, the inspection of the repair. The diversion structure appears to be working really, really well. Everything is going along very smoothly. Of course, as you know, it's under water so we don't know everything that is going on with it. But right now the quality of water coming into the plant is much improved. So we're very excited about that.

We still have some work to do. We have one more screen to rebuild. Cell 1 has the blank installed in it and staff has been purchasing materials and will start reconstructing the fifth screen and then our hope is with our big green box that we designed that we'll be able to put that on there and place the blank and reinstall that screen so that this cell will be available. We still have the pump associated with that cell is still out for service and it is still quite a long lead time to get that particular pump back. We weren't as concerned about getting that one in service since we don't have a pump to pump the water.

The last item: We have received the final report from CDM and CH2M Hill and their partners. I received a draft report from Deere & Ault this week. Just to let you know, in my opinion, CDM and CH2M did do a good job of reporting findings but neither firm took ownership of the problems. During the inspection and repair process, I've told you that Deere & Ault was on site. They were helping staff make the decisions and designing the repairs. The final Deere & Ault report in my expectation it will tell us how we got here, how the problems occurred and then provide us clear directions as to the solution in the future. It will be my intention probably to distribute all three of the reports to the Board next month for you all to review. I wanted to get all three of the reports together so that you have that information in your packets.

COMMISSIONER STEFANICS: So, Mr. Vokes and Ms. Long, I understand that that will be part of our discussion in our executive session.

NANCY LONG (BDD Board Counsel): Yes, Madam Chair, we will be discussing this in executive session.

COMMISSIONER STEFANICS: Thank you. So, are there any limited questions or comments regarding Mr. Vokes' report? Thank you, okay.

7. REPORT ON JUNE 2, 2015 FISCAL SERVICES AUDIT COMMITTEE

MACKIE ROMERO (BDD Finance Manager): Madam Chair, members of the Board, a FSAC meeting were held on June 2, 2015 at the County Administration building. In attendance was myself, Erminia Baca, BDD Administrative Assistant and

Carole Jaramillo, County Finance Director. At this meeting I gave an update on the audit which I can recap for the Board. The auditors have sent out confirmations to all of our partners and they are expected to have a draft report issued on June 18th.

We discussed the following items from today's agenda: the 3rd quarter financial statement, our request for budget adjustment from salaries and benefits, our amendment number 1 with our on call repairs contract with Sub Surface, our professional service contract with Hall Environment and then we also discussed some pending agenda items for our next board meeting. Are there any questions?

COMMISSIONER STEFANICS: Board members, any questions or comments? Thank you so much for your work and your continued work on the audit and everything else, Mackie.

DISCUSSION AND ACTION

12. Request for Approval of Amendment No.1 to the PSA with Sub Surface Contracting, Inc. for the amount of \$40,000.00 exclusive of NMGRT

MS. MACKIE: Madam Chair, members of the Board, we are here to request approval for Amendment number one with Sub Surface Contractor. They are on call and replacement services. They are a licensed firm to provide on call repair and replacement for our transmission and distributing piping, roadwork and ground repair. The funding is available in our fiscal year 15/16 approved operating budget. And I stand for any questions.

COMMISSIONER STEFANICS: Thank you. Board members, any questions, comments?

COMMISSIONER CHAVEZ: No discussion, Madam Chair, but I'll move for approval of Amendment 1 for Sub Surface Contracting in the amount \$40,000.

COUNCILOR MAESTAS: Second.

CHAIR STEFANICS: There's a motion and a second. Before we go for a vote anything further? Okay, thank you.

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

13. Request for Approval of a Professional Services Agreement with Hall Environmental Analysis Laboratory for the amount of \$50,000 exclusive of NMGRT

MS. ROMERO: Madam Chair, members of the Board. We are here to request approval for a professional service agreement with Hall Environmental Laboratory and their services will be needed effective July 1, 2015 through June 30, 2016 for a compensation amount of \$50,000 plus New Mexico Gross Receipts Tax. BDD requires services from a certified laboratory to analyze and report results for both regulatory requirement and process analysis for quality assurance and fact-based decision making.

BDD currently averages about \$1,600 a month in analysis of drinking water and solids disposal and in addition BDD has a new obligation per the new Memorandum of

Understanding with DOE and LANL and that is to provide or to conduct the removal efficiency and assessment of treatment study which will also be included in the terms of this contract. So you have any questions.

COMMISSIONER STEFANICS: Could you repeat that last part, the additional duties?

MS. ROMERO: There's an additional new requirement in the MOU with DOE and that is the laboratory services will conduct the removal and efficiency and assessment of treatment study. And, Chuck, if you have more details what that is –

MR. VOKES: Essentially what we're going to be looking at is if we have, say, a byproduct coming into the plant where does that get removed and at what level and how efficient are the different processes in the process. So one of the things that we've already sent out for study is an analysis of the water of the Rio Grande and we are specifically looking for any pharmaceuticals, any EDCs or any contaminants that may be in the river. And these are mostly at parts per trillion levels. They are very minute levels. And, so, as part of this study we will look at what's the impact of the ozonation process, the microfiltration process, the biofiltration process and how effective are those in removing these products. The goal would be, for example with the biofilters, is there a way that maybe you can improve the efficiency of biofilters. They operate just like your lawn. You can fertilize them and you can improve the efficiency of those. So that's part of the study just to ensure the public that whatever is coming down the river we are capable in our removing them.

COMMISSIONER STEFANICS: Thank you. Questions, yes, Conci.

MS. BOKUM: This is more of a comment and that is, it's important that we protect water quality. It's important that we do the testing and it's really important that we analyze the data and figure out what it's telling us and make that public and have it be part of our website.

COMMISSIONER STEFANICS: I appreciate the comment very much. I would take that a step further. We probably if not at every meeting at least quarterly should have a summary presented to us so that it's part of the record and the public can then hear what's going on.

MR. VOKES: Yes, Madam Chair and members of the Board, I think that Ms. Bowman provided a written summary maybe a couple of months ago so one should be coming up this next quarter.

COMMISSIONER STEFANICS: Great, thank you.

MR. VOKES: Thank you.

COMMISSIONER STEFANICS: Anything else Board members? Thank you very much. So this is an action item.

COUNCILOR MAESTAS: I'll move approval of a PSA with Hall Environmental Analysis Laboratory.

MS. BOKUM: Second.

CHAIR STEFANICS: Okay, there's a motion and a second. Any further questions or discussion?

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

MS. ROMERO: Thank you.

14. Consideration and possible action to change the July 2, 2015 Buckman Direct Diversion Board meeting – proposed new date is July 9, 2015

The Board members discussed their schedules and Executive Assistant Lopez was asked to contact Councilor Dominguez on his preference. Following Executive Session the meeting was confirmed for July 2, 2015.

EXCECUTIVE SESSION

In accordance with the New Mexico Open Meetings Act NMSA 1978, Section 10-15-1(H)(7), a discussion regarding threatened or pending litigation in which the BDDDB is, or may become, a participant, including without limitation: 1) the PNM Rate Case, NMPRC Case No. 14-00332-UT and; 2) Discussion regarding Diversion Structure Issues.

COMMISSIONER STEFANICS: Ms. Long, would you explain the purpose of the Executive Session before we have a motion and a roll call.

MS. LONG: Yes, Madam Chair, members of the Board, the executive session will be for the discussion of threatened or pending litigation and the matters, as listed on your agenda, are the PNM Rate Case and the number of the case is listed there and as a second item is discussion regarding diversion structure issues. We propose to go into executive session for those matters.

COMMISSIONER STEFANICS: Board members, I need a motion to go into executive session.

COMMISSIONER CHAVEZ: Madam Chair, I'll make a motion to go into executive session to discuss the two items that were mentioned and noted for the record.

COUNCILOR MAESTAS: Second.

COMMISSIONER STEFANICS: And I'd like to say this is accordance with the New Mexico Open Meetings Act NMSA 1978, Section 10-15-1 (H) (7). Is there any discussion? Roll call please.

The motion to go into executive session passed by roll call vote as follows:

Commissioner Stefanics	Aye
Councilor Maestas	Aye
Ms. Bokum	Aye
Commissioner Chavez	Aye

The BDD Board met in executive session from 4:57 to 5:45.

COMMISSIONER STEFANICS: Okay, I'm calling the meeting back to order. Is there a motion?

COUNCILOR MAESTAS: Yes, Madam Chairman. I'd like to make a motion that we come out of executive session and I'd like to state for the record that the

discussion in executive session was limited to the subjects listed in the caption and that no action is required.

COMMISSIONER CHAVEZ: I'll second that motion.

COMMISSIONER STEFANICS: All those in favor of coming out of executive session please say aye.

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

COMMISSIONER STEFANICS: Going back to item 14, since everyone here is available we're going to maintain the July 2nd meeting and not take any action on changing that.

MS. LOPEZ: And Councilor Dominguez was also available on the 2nd and either day was okay.

COMMISSIONER STEFANICS: Great. Thank you very much. Would you convey to him that we are keeping it the 2nd.

COMMISSIONER CHAVEZ: Madam Chair, so on that point.

COMMISSIONER STEFANICS: Yes.

COMMISSIONER CHAVEZ: And I'll refer to legal, so we need to make a separate motion and have an action on that because it is listed as an action item.

COMMISSIONER STEFANICS: I believe the action was only if we were going to change. Ms. Long?

MS. LONG: Yes, Madam Chair, members of the Board I think it was just to change it. So no action is required.

COMMISSIONER CHAVEZ: Okay.

MS. LONG: Thank you for checking.

COMMISSIONER STEFANICS: Thank you.

MATTERS FROM THE PUBLIC

None were presented.

MATTERS FROM THE BOARD

None were presented.

NEXT MEETING: Thursday, July 2, 2015 @4:30 P.M.

ADJOURNMENT

Having completed the agenda, Chair Stefanics declared this meeting adjourned at approximately 5:48 p.m.

Approved by:

Liz Stefanics
Liz Stefanics Board Chair

Respectfully submitted:

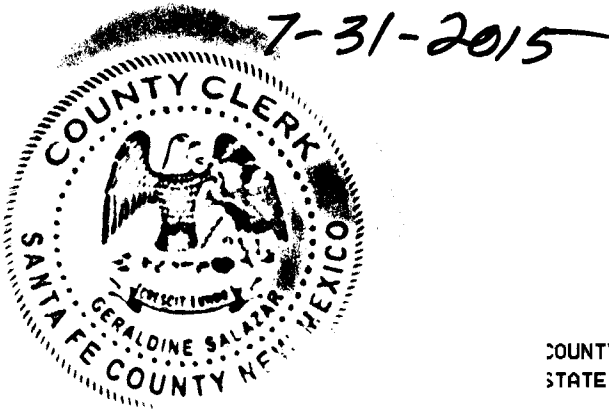
Karen Farrell
Karen Farrell, Wordswork

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ATTEST TO:

YOLANDA Y. VIGIL
YOLANDA Y. VIGIL
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COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BUCKMAN DIRECT DIV MIN
PAGES: 9

I Hereby Certify That This Instrument Was Filed for
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And Was Duly Recorded as Instrument # **1771174**
Of The Records Of Santa Fe County

Deputy Jana Howard Witness My Hand And Seal Of Office
Geraldine Salazar
County Clerk, Santa Fe, NM