



CITY CLERK'S OFFICE

DATE 11/22/14 TIME 11:00

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**The City of Santa Fe
And
Santa Fe County**

Buckman Direct Diversion Board Meeting

THURSDAY, DECEMBER 1, 2016

4:15 PM

CITY COUNCIL CHAMBERS

CITY HALL

200 LINCOLN AVENUE

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF MINUTES FROM THE NOVEMBER 3, 2016 BUCKMAN DIRECT DIVERSION BOARD MEETING
6. REPORT ON NOVEMBER 29, 2016 FISCAL SERVICES AUDIT COMMITTEE (FSAC)

INFORMATIONAL ITEMS

7. Monthly Update on BDD operations. (Erick LaMonda)
8. Presentation on the Report: Storm Water Quality Monitoring of the Rio Grande at the Buckman Direct Diversion, 2015. (Daniella Bowman)
9. 1st Quarter Financial Report. (Mackie Romero)

CONSENT AGENDA

10. Request for approval of the 2017 Fiscal Services Audit Committee (FSAC) meetings calendar. (Erminia Tapia)

DISCUSSION AND ACTION

11. Request for approval of recommendation of matching funds for the FY 2017 Water Trust Board Application for funding an additional 4 million gallon storage tank at the BDD Regional Water Treatment Facility. (Rick Carpenter and Alan Hook)
12. Request for approval of payment to the Bureau of Land Management in the amount of \$71,036.64 for BDDDB right-of-way rental agreements effective 01/01/2017 – 12/31/2017. (Mackie Romero)
13. Request for approval of Amendment No. 6 to the Project Management and Fiscal Services Agreement ("PMFSA") between the Buckman Direct Diversion Board and the City of Santa Fe to extend the term of the Agreement from December 31, 2016 on a month by month basis until a replacement agreement for support services is entered into between the parties. (Nancy R. Long)

MATTERS FROM THE PUBLIC

REPORT FROM THE EXECUTIVE DIRECTOR

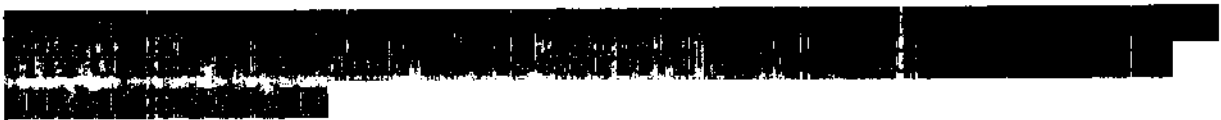
MATTERS FROM THE BOARD

NEXT MEETING: Thursday, January 5, 2017 @ 4:15pm

ADJOURN

EXECUTIVE SESSION

In accordance with the New Mexico Open Meetings Act NMSA 1978, §10-15-1(H)(7), discussion regarding threatened or pending litigation in which the BDDDB is, or may become, a participant, including without limitation: Discussion regarding Diversion Structure issues.
(Nancy R. Long)



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

December 1, 2016

This meeting of the Buckman Direct Diversion Board was called to order by Councilor Carmichael Dominguez, Chair, at approximately 4:20 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:

Councilor Carmichael Dominguez, Chair
Councilor Peter Ives
Commissioner Henry Roybal
Commissioner Chavez
Ms. Denise Fort

Member(s) Excused:

None

Mr. J. C. Helms [Citizen Alternate]
Councilor Michael Harris [Council Alternate]

Others Present:

Charles Vokes, BDD Facilities Manager
Nancy Long, BDD Board Consulting Attorney
Stephanie Lopez, City Public Utilities Department Office Manager
Mackie Romero, BDD Financial Manager
Erminia Tapia, BDD Administrative Assistant
Erick LaMonda, BDD Interim Operations Superintendent
Bernardine Padilla, BDD Public Relations
Daniela Bowman, BDD Regulatory Compliance Officer
Bruce Frederick, Assistant County Attorney
Michael Kelley, Santa Fe County
Marcos Martinez, City of Santa Fe
Kelly Brennan, City of Santa Fe
Rick Carpenter, City of Santa Fe
Alan Hook, City of Santa Fe
Nick Schiavo, City of Santa Fe
Will Kessler, CH2M Hill
Cheryl Vokes, Citizen

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Ginny Selvin, Las Campanas Co-op
 Mary Erpelding-Chacon, Las Campanas Co-op
 Heather Roybal, Las Campanas Co-op
 Kim Visser, Las Campanas Co-op
 Al Antonez, The Club at Las Campanas
 Paul Karas, CDM Smith
 Steven Horan, DOE EM Los Alamos Field Office
 Doug Hintze, DOE EM Los Alamos Field Office

3. APPROVAL OF AGENDA [Exhibit 1: Agenda]

CHAIR DOMINGUEZ: Any changes from staff?

CHARLES VOKES (BDD Facilities Manager): Mr. Chair, there are no changes from staff.

CHAIR DOMINGUEZ: Okay, no changes from staff; what are the wishes of the Board? Councilor Ives.

COUNCILOR IVES: Move to approve.

CHAIRMAN CHAVEZ: Second.

CHAIR DOMINGUEZ: There's a motion and a second. Any discussion?

The motion passed by unanimous voice vote.

4. APPROVAL OF CONSENT AGENDA

10. Request for Approval of the 2017 Fiscal Services audit Committee (FSAC) meetings calendar

CHAIR DOMINGUEZ: Any changes from staff? Anything from staff, we only have one item. Councilor Ives.

COUNCILOR IVES: I was going to move to approve.

CHAIR DOMINGUEZ: Any changes staff? Okay, we have a motion by Councilor Ives to approve. Is there a second?

COMMISSIONER CHAVEZ: Second.

CHAIR DOMINGUEZ: A motion and a second. Any discussion?

The motion passed by unanimous voice vote.

5. APPROVAL OF MINUTES: November 3, 2016

CHAIR DOMINGUEZ: Any changes that you want to make staff?

MR. VOKES: Mr. Chair, no changes from staff.

CHAIR DOMINGUEZ: Okay, and the Board?

COUNCILOR IVES: Move to approve.

COMMISSIONER ROYBAL: Second.

CHAIR DOMINGUEZ: We've got a motion and a second; any discussion?

The motion passed without opposition.

6. REPORT: November 20, 2016 FISCAL SERVICES AUDIT COMMITTEE (FSAC)

MACKIE ROMERO (BDD Financial Manager): Mr. Chairman, members of the Board, we held a Fiscal Services and Audit Committee meeting on Wednesday, November 30th. In attendance was myself, BDD Finance Manager, Erminia Tapia, BDD Administrative Assistant, Commissioner Chavez, , Claudia Borchert, County Utilities Director, and Mary Chacon representative from Las Campanas Water and Sewer Cooperative.

We discussed in detail all items on the agenda that had a financial and fiscal impact to the BDD. I also provided an update on the audit and financial statements which is that currently our auditors have completed their test work and the next step is to prepare draft financial statements for BDD's review.

Commissioner Chavez, I don't know if you'd like to make any additional comments.

CHAIRMAN CHAVEZ: Would it be okay to mention the items that were on the fiscal services audit committee agenda?

MS. ROMERO: Yes, that's fine. We discussed the informational item number nine, the 1st quarter financial report. We discussed consent agenda item number 10 which was the Fiscal Services and Audit Committee meeting calendar. We discussed, discussion and action items number 11 for the 4 million gallon water tank and item number 12 which was request for approval for Bureau of Land Management payment and then item number 13 which was an amendment to the PMFSA agreement.

CHAIRMAN CHAVEZ: So I apologize. Maybe I should have pulled item number 10 from the consent and this is only for the future members because I think you identified some possible conflicts with meeting dates and I know that our schedules are very tight. There's a lot of work, again, that needs to be done in the next year, so you may want to look at that schedule in January and see if it's going to work or not and it may have to be amended fairly soon is what I am thing; right?

MS. ROMERO: That is correct. We did identify one date on there that was the first meeting date. It was January 2nd which was a Monday and we didn't realize that is a holiday. So we will move it to January 3rd which is a Tuesday at 1:30 p.m. because it does conflict with the City Finance meeting.

When you get the invites in your calendar, that will be reflective of that date and then we will move forward to make sure there are no other conflicts but we did check with everybody's calendar, commission and finance meetings to make sure no other meetings conflict. That's why you see there's Mondays and Tuesdays in there this year.

CHAIRMAN CHAVEZ: Just something that you may want to – I don't know who the chair will be but that's going to be somewhat challenging I think also.

CHAIR DOMINGUEZ: Thank you for that Commissioner. I think what we may do, Chuck, is make sure that I am involved in that only so that if no one from the Board can make it, that I can be there until we make the complete change over and get everything squared away on that.

MS. ROMERO: Thank you.

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CHAIR DOMINGUEZ: Thank you very much, Mackie.

INFORMATIONAL ITEMS

7. Monthly Update on BDD Operations

ERICK LAMONDA (Interim Operations Superintendent): Mr. Chair and members of the Board, the BDD production for November has averaged 7.8 million gallons per day. This is roughly 70 percent of the water that has been supplied to the City and County. We've also provide 21.5 million gallons of raw water to Las Campanas through the 2A Booster Pump Station. The 2016 year to date raw water diversion total is 1.48 billion gallons which is roughly 540 million gallons more than last year.

We can enter any questions or comments on this item.

CHAIR DOMINGUEZ: Okay, any questions?

CHAIRMAN CHAVEZ: I have a question. Was the diversion off-line in the last month or two?

MR. VOKES: Mr. Chair, Commissioner Chavez, no, we have not been off-line for any reason other than just maybe half a day or something like that.

CHAIRMAN CHAVEZ: So there's hasn't been any – well, we haven't had much moisture. There hasn't been anything in the stream that has caused reason to –

MR. VOKES: No, sir. Actually, the river has been behaving quite well the last month or so.

CHAIRMAN CHAVEZ: Okay, thank you.

8. Presentation on the Report: Storm Water Quality Monitoring of the Rio Grande at the Buckman Direct Diversion, 2015

DANIELA BOWMAN (BDD Regulatory Compliance Officer): Mr. Chair, members of the Board, we're presenting to you today the Storm Water Quality Monitoring of the Rio Grande at BDD. This is the annual report for season 2015 under the 2015 MOU.

This slides some of the abbreviations that may be used in this presentation for your reference. The revised 2015 revised understanding between the BDD Board and the DOE Los Alamos National Laboratory was signed in January of 2015 and it will last for three seasons. This is the summer of 2015, 2016 and 2017. The conditions of the 2015 MOU were revised in comparison to the 2010 MOU. This report describes the first season of the new MOU, the summer of 2015. The programs of the 2015 MOU are the Early Notification System or EMS, the Stormwater Quality Sampling of the Rio Grande at BDD and the TREAT Study. We will present one slide per each program.

The Early Notification System: under the 2015 MOU the Los Alamos Canyon Watershed flows are monitored by Los Alamos National Lab Gage stations E050 and E060. E050 monitors the middle of Los Alamos Canyon and E 060 monitors Pueblo Canyon. Three gages in Los Alamos Canyon Watershed triggers for BDD sampling and these are E50, E60 and E099. During the 2016 summer season which is this past season, the BDD installed new equipment for monitoring flows at the former 109.9 location and that was the radar. The data from the radar is currently being evaluated and it is not included in this report. This is just an update from this last season.

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We continue to monitor stormwater for the constituents of suspended sediment concentrations, radionuclides, metals, and organic constituents. The results that we have obtained from the stormwater sampling were compared to the Rio Grande background levels in the New Mexico Standards for Surface Water. The concentration of contaminants that we found in the Rio Grande stormwater collected at the BDD continue to exceed Rio Grande background levels and some of them continue to exceed New Mexico Standards for Surface Water such as some of the metals, gross alpha, total PCBs and dioxins and furans. Based on the analysis of the results it was determined that potential sources of radionuclides were both Los Alamos Canyon Watershed and the Rio Grande Watershed and that potential sources of metals and organics were also both Los Alamos Canyon Watershed and the Rio Grande Watershed.

TREAT Study, according to the 2015 MOU the TREAT Study is fully financed by the BDD Board and it is to be conducted for three years. During the first, fiscal year 16, BDD conducted to sampling events exactly as planned. The results of these sampling events are presented in Section VII of the annual report that is presented today. However, BDD will need to conduct all sampling events before it offers an interpretation of the results. The 2015 season shortcomings, we have to admit one of them, was the fact that BDD did not sample during all storm events that occurred in Los Alamos Canyon.

BDD would like to remind the Board that there is only one more season to be monitored under the 2015 MOU. In this slide we have recommendations for future work on the 2015 MOU. BDD recommends that the Board authorizes us to negotiate on its behalf with DOE/LANL for extension of the 2015 MOU for at least two more years under the same MOU conditions or to negotiate a revised MOU. We base our recommendation on the fact that DOE Los Alamos National Lab failed to meet a list of commitments under both MOUs as a result our studies are incomplete and inconclusive. Therefore, the objectives of both MOUs could not be accomplished and thus we need additional data and equipment to achieve those objectives. So BDD requests the informal Board approval for staff to start negotiations for extension of the 2015 MOU. The end.

CHAIR DOMINGUEZ: Okay, thank you very much. Anything, Chuck, before I turn it over to the Board? Anything else?

MR. VOKES: No, Mr. Chair. I'll take questions or comments.

CHAIR DOMINGUEZ: Okay, I'll go Councilor Ives, Board Member Fort.

COUNCILOR IVES: Thank you, Mr. Chair. A number of questions and I apologize first if I have missed an email where the results of the sampling done after shutdown of the system due to the rain events this past summer occurred because presently there is sampling being done which was going to take six weeks and we've now probably about 15 weeks, at least, out from that event and I'm not sure that I've seen those. So I'd still like to get those and understand what those are and they certainly should be available at this point in time, so, I just would ask somebody to try and get those to me at their convenience.

MS. BOWMAN: I'm not clear –

COUNCILOR IVES: This references a report.

MS. BOWMAN: Yes, there is a report of 100 and something pages that has been posted on our website and an email should have been sent yesterday to give you the link, the direct link to that report.

COUNCILOR IVES: Well, the day before the meeting is tough, especially if it a 150 page report and I would only say from where I sit, that's unacceptable notice if we're going to actually talk about an item. So I might ask, Mr. Chair, that this be put on the next agenda as well so we actually have an opportunity to look at the report and understand it more fully.

A number of questions in connection with this; I notice that the Executive Summary, and I appreciate that being included in our packets, references that concentrations of 15 metals exceeded the Rio Grande background levels. Those were aluminum and it goes to a long list but seems to include U which I presume is uranium, although I am not –

MS. BOWMAN: Yes, yes, sir.

COUNCILOR IVES: And then some metals that are certainly dissolved metals that are always of concern: cadmium, copper, zinc, aluminum. And, yet, you say there was sampling done – well, at the BDD but it would seem that if we took samples from above Los Alamos and then the samples below Los Alamos and compared them we'd understand what contribution there was from above the Los Alamos intake versus below Los Alamos or after Los Alamos' influx. Was that done? And if it was done why don't we understand what was coming from where?

MS. BOWMAN: Mr. Chair, Councilor Ives, we asked for Los Alamos National Lab to install the sampling equipment above Otowi and they did not want to do that. That was during our negotiations for the 2015 MOU. So we couldn't achieve that. We couldn't accomplish that.

COUNCILOR IVES: And is there any reason that the New Mexico Environment Department would be averse to trying to do that, to help us understand the impacts on the river in terms of water quality?

MS. BOWMAN: Yes, Councilor Ives. They do sample a lot of locations, however, their budget is very restricted and they make determination on their own which samples to send out. But, yes, they do have a sampling station right above Otowi Bridge. I don't really know how often they sample, what is the trigger for their sampling, they are really independent program when it comes to anywhere else. When it comes to surface water sampling they have their own priorities.

COUNCILOR IVES: Understood. One would think drinking water quality was high amongst them but –

CHAIR DOMINGUEZ: And Santa Fe is still part of the State of New Mexico.

COUNCILOR IVES: Still, thank goodness. [laughter]

I wonder if we might not engage them in some kind of discussion and, again, I don't know the cost of testing a sample is or necessarily fully what the protocols are for getting samples but it can't be that difficult and it can't be that expensive that this information can't be obtained and understood better.

So I will express frustration in-this-day-and-age of 2016 that we are incapable of trying to figure out contributions to the quality of the river that affect the people of Santa

Fe because if we ever want to try to do anything pro-actively we're going to need that information to try and identify the source.

And I noticed you said that Los Alamos had failed in a number of ways in connection with meeting their obligations under the MOU; what are those failures?

MS. BOWMAN: I have a list if you want to take a look?

COUNCILOR IVES: I guess I would love to see that list to understand because I am hesitant to renegotiate if there has been such a failure to, if you will, comply with the current MOU. I'm always inclined to make sure folks are in compliance with what we have with them rather than trying to do something new.

[Ms. Bowman distributes materials to the Board – a copy was not made available for the record.]

You know, I say this in part as the Mayor's alternate with the Coalition of LANL Communities because we are advocates for money for the cleanup of LANL and some of the discussions of course have been that until you characterize all the sites it's really hard to know what the total dollar value of that cleanup needs to be and we are aware that there are likely sites which haven't been characterized which might add hundreds and hundreds of millions of dollars to that cleanup effort. But you can't really advocate for that unless you have that information. So I think we need to be doing everything we can to understand the issues of where contamination is coming from so that we can actually proactively go out and try and work with people to try and resolve those issues and I know there may be some disincentives by some to do that because it involves the expenditure of funds but when it comes to the health and safety of the drinking water of Santa Fe I guess I am willing to press a little bit.

I'd love to see us initiate some new efforts to try and really improve the samplings so that we can identify where contaminants are coming from. I'm surprised that that list of heavy metals – I'm certainly very familiar with the presence of many of those metals up in Colorado where my day job involves environmental assessments up in the mineral areas of western Colorado and it's not uncommon to see in some of the high streams increased levels of zinc and cadmium where there's water running through the old mining tailings. But I am not aware of any of that here that would explain the significant increase presence of those metals unless they are from a more – well, a non-mining source and I don't know other than Los Alamos where that might be. But, again, those are the kinds of things I think we need to start trying to identify so that we can actually address them better.

And then I'll stop with one final question, given those high levels of metals and PCBs and other things tell me about our drinking water. I mean presumably we're hopefully taking all of that out as part of our processes.

MR. VOKES: Mr. Chair, Councilor, we as you know, have a program of notification when there are flows from those canyons and we cease diversion during that time. The majority of those constituents are attracted and basically travel on to sediments. That was part of the construction at the BDD, the advanced treatment at the BDD is that there are no particles getting through the BDD; absolutely none. That's why we have a \$5 million membrane system. Those advanced treatments were put in place for that. So not only do we do things in advance, we know that there are going to be constituents washing down those canyons from the storm events but it is also tied to the turbidity in the river whether there is a storm event or not. During those high turbidity

times then we also cease diversion and we just use what's in storage. So there are a number of processes in place that take care of that.

As far as the investigations, the MOU – part of that was discovering the needs of the BDD through doing the first four years of research and then attempting to, I would say, take over the processes where we do the sampling. We send it out to the labs and there's no review by LANL of those results. So it is becoming a more independent process. That also allows the BDD to tailor what we're doing. One important thing that we included in the MOU that the Board agreed to fund is the TREAT Study and that study actually looks at almost all of these constituents and where in the process they are being taken out, and how effective those processes are doing it. And, so, again, we'll continue to monitor and we'll continue to work with the Environment Department to perhaps collate the data if they have something and we have something then we can look at those.

Another thing that we have just recently worked on is getting a USGS monitoring station near the diversion so we have an accurate flow measurement. They can also measure sediments for us. And we just started that program I think in July they started transmitting data. There are a number of things that were already in place and things that are being put in place. And as Daniela and staff look at what is happening then we can tailor those programs because we do have more independence under this MOU.

COUNCILOR IVES: And I certainly appreciate all of the efforts to make sure that water that we pull out of the river is properly treated and properly handled so that drinking water across Santa Fe is of a high and satisfactory quality. I guess though I am reminded of the old statement, an ounce of prevention is worth a pound of cure. And we ain't causing those problems at our intake station and so if BDD is not the proper body or instrument to be asking some of those questions, I'm happy to try and pursue that elsewhere throughout the construct of the City. I think BDD clearly plays a role and is charged with the burden of taking out what others are perhaps putting in. So I'd love to see us being more pro-active in trying to prevent that reaching the river in the first instance by talking to folks up stream who might be the source and cause of such contamination. So, I'll look forward to talking with folks more about that. Thank you.

CHAIR DOMINGUEZ: Thank you, Councilor. Board Member Fort, anyone else?

MS. FORT: To follow up on the questions. So have you looked at the water quality data that's been collected by the Environment Department for these reaches with respect to these – well, period because you've asserted that the river is out of compliance with Water Quality Control Commission standards and I'm asking about the data that might have been collected by the Environment Department.

MS. BOWMAN: The report, Ms. Fort, Mr. Chair, the report contains the New Mexico Environment Department data at BDD. So that is included. Last year New Mexico Environment Department, this past season of 2016, they did not monitor the surface water at BDD. They did not set up their station so there is no data for this past year.

MS. FORT: But did they collect data north of the BDD? So you're saying nowhere between Otowi and the BDD did they collect data.

MS. BOWMAN: Yes, they don't or they may I'm not aware of any alternative location other than Otowi and the lower LA Canyon which is the former site

109.9, they call it 110. So they have collected some samples there. I haven't looked at that because the number of samples per season is so minute it cannot paint a sufficient picture for me to see any trends when it comes to Los Alamos Canyon. However, this is just a report of sampling, all sampling at BDD at that station.

MS. FORT: So my question, Mr. Chairman, and it may be a comment on Councilor Ives' question, it would certainly be appropriate for an entity, which could be City, County or BDD, to write a letter to the Environment Department observing that the river appears not to meet water quality standards and to ask for their analysis. We could ask, in fact, someone from the Water Quality Bureau to present – Surface Water Bureau, to present to the Board what is known about contamination and the sources which I am assuming we are believing are non-point source pollution as much as we know about it but to hear what action the department intends to take with respect to violations of the Water Quality Standards.

CHAIRMAN CHAVEZ: Mr. Chair, if I could. I think it would be the water quality section of that department, right?

MS. FORT: Yes.

CHAIRMAN CHAVEZ: In the past there was a Dennis McQuaid

MS. FORT: McCullen.

CHAIRMAN CHAVEZ: Yes, and he helped with the Buckman, I mean, the Baca Street wells and that plume of contaminations that was petroleum byproducts and the City at that time had to put in a double infiltration system in that Baca well. Those plumes are from contaminations – so I think they ought to be able to engage in this and understand that this has to be a viable system in the future, not only because of its importance but because of how much we have invested to date in this facility. So they need to understand that we need their help to keep it a viable system. So I think we're going in the right direction. It seems that we're all sort of operating in our vacuums and doing a good job and doing the work that we're supposed to be doing but we don't have communication between and across interagency, you know, and things fall through the cracks.

CHAIR DOMINGUEZ: I think that we'll probably provide some direction I think here at the end of the discussion so that we can give staff the right course of action. Board Member Fort, you still have the floor.

MS. FORT: As we move to the discussion about the proposed action I guess I would also second the thought that it might be appropriate for this to begin at a staff level but we want to be open to the possibility that it should be at a level that reflects the governmental entities that are parties to this instead because it is serious and we are not simply asking LANL for cooperation, perhaps we are demanding it based on the evident water quality violations. Thank you.

CHAIR DOMINGUEZ: Anyone else? This isn't an action but maybe what we could do is – well, let me ask this question first before we go that far. You talked a little bit about an extension or to renegotiate an MOU; are they different, is there one you prefer over the other?

MR. BOWMAN: Mr. Chair, members of the Board, there is a slight difference. Extension of the current MOU will keep the conditions as they are but in negotiating opens the door to changing everything whether it's programs, financing and other conditions.

CHAIR DOMINGUEZ: Is that going to be your recommendation then is to renegotiate and not just simply ask for an extension?

MS. BOWMAN: My recommendation will be to approach LANL and to make decisions by seeing how the negotiation are going. It will depend.

CHAIR DOMINGUEZ: So, Chuck, why don't we put this as an action item on the next meeting and if can also make sure that we address some of the concerns about the different governmental entities that are in play and you don't have to necessarily draft the letter but a recommendation – we can give you some input on a recommendation that you make on what a letter should say and what it should highlight. Does that sound okay by the Board? Okay, thank you.

Anybody else on this item? Any other questions? All right, thank you very much. Thank you very much Daniela.

9. 1st Quarter Financial Report

MS. ROMERO: Mr. Chair, members of the Board, in your packet I have provided a first quarter financial snapshot of BDD expenses and future obligations for our operating funds and cash balances for our reserve funds. I would just like to quickly highlight some numbers. As you can see from the report in our first quarter we have spent about 16 percent of our adopted budget which is typically the first quarter as we spend most of the first quarter establishing purchase orders and contracts needed to incur expenses. We should see the percentage of these expenses increase in the second quarter.

In the report you'll also see we have billed the 90-day cash reserves which are funds that are used to cover our current and future obligations until reimbursements of other expenses have occurred. On the next page you'll also see our reserve funds. We currently have cash balances of about \$1.9 million in our emergency reserve fund and about \$1.5 million in the major repair fund. The major repair fund is currently pending its yearly allotment of \$411,000. This should be billed to our partners by the end of the month.

You will also see that I've included a snapshot of the budget. Of the \$1.5 million cash balance in our major repair fund, the Board has authorized \$1.1 million to be budgeted for our pump contracts and our on-call engineering contract.

So I will continue to present this quarterly data until the end of the fiscal year just so everybody knows where BDD is with spending its allotted funds. If you have any specific questions, I can answer those.

CHAIR DOMINGUEZ: Questions. Thank you.

MS. ROMERO: Thank you.

DISCUSSION AND ACTION

11. **Request for approval of recommendation of matching funds for the FY 2017 Water Trust Board Application for funding an additional 4 million gallon storage tank at the BDD Regional Water Treatment Facility**

ALAN HOOK (City Water Resources Coordinator Assistant): Good evening, Honorable Chair and Board members. My name is Alan Hook with the City's

Water Division. Primarily, based on this memo, just briefly what you will be approving tonight is a cost share agreement between the City and the County to share the cost of building or constructing a 4 million gallon finished water storage tank at the BDD facility.

If I may Chair and Board members, I want to briefly discuss a little background on this storage tank project, the benefits, costs and state funding with this project. So I think it is on page 7 you have a map here. Originally, this water treatment storage tank was part of the original footprint for the BDD project at the water treatment facility. It is sort of this white circled area. For reasons of cost on the original project this was chosen as an alternative to not build the second 4 million gallon storage tank for finished water. This was originally, again, part of the original project. So in looking at this proposal we were looking at some benefits. One of the benefits is reliability. If BDD goes down at the diversion you get water storage. For the County it's a benefit because of the cost for the City to provide the County in case there isn't enough water at BDD so we'd have to – the City would have to come from its supplies for the County. And then finally we did sort of an analysis of cost savings so there's off-peak pumping by having more storage you would be able to pump off-peak and store it for both City and County and we came up with a value of about \$450,000 per year on that cost savings.

So those are the benefits. Finally, I included some estimates on the cost of this project. It was about \$2.5 million, it's 50 cents per gallon to build the tank and there's some associated costs on these two from – Natgun was one of the quotes that I have in the packet and Preload. So those are two companies that could build this tank.

In the cost share agreement the City has agreed to pay about \$54,000 up front so there is some pre-construction costs that would need to be done, some preliminary engineering, sort of re-updating the design that was originally done as part the construction of this tank. There may be possible permitting with that and then both the County and the City would share \$802,000 towards the actual construction of the tank.

Finally, we have an application in to the Water Trust Board. Just recently as of this Tuesday we made it through the first hurdle which is the Water Trust Board approved the project so they would be contributing and let me look at my numbers, if this is approved by the legislature, \$895,943 towards the project, so that's state funding. What it is, is it comes in the form of a loan/grant. So it's 80 percent loan and 20 percent grant. That loan is over 20 years and it's at 0.25 percent so it's one of the lowest debt obligations that you could take on. And, again, the City would be contributing as local match toward the State funding \$856,235, the County \$802,079. Next steps, pretty much with this cost share agreement it would have to go before the County Commission for approval and in parallel the City Council for approval. The date that it would need to get in to the Water Trust Board and the New Mexico Finance Authority staff is January 26th because that's where they want to see that you have all your documents that you are ready to proceed. Then on April 26th the Water Trust Board comes back together, reconvenes, and finalizes everything that went through the legislature under a bill and that was approved through the legislature for the Water Trust Board funds and then finally at the end of May you get a letter of acceptance that you've received the funding. So those are the kind of steps for this. Again, this is the cost share agreement that we're proposing for approval by both the City Council and the County Commission. So I stand for any questions.

CHAIR DOMINGUEZ: All right, thank you very much. Questions comments. Councilor Ives.

COUNCILOR IVES: Thank you, Mr. Chair. Alan, could you – I know that in the materials it said that this was actually part of the original BDD construction plans. Could you go over that in a little more detail and why the need was determined even just as BDD was being really constructed in the first instance why this additional 4 million gallon tank was part of that process.

MR. HOOK: Honorable Chair, Councilor Ives, I might turn to Rick on that. I don't have the exact details on that decision.

RICK CARPENTER (Acting Water Division Director): Councilor Ives, members of the Board, when we were negotiating the contract we were over budget and we were looking for places to cut the cost so we felt that we could do without the tank for a little while. So we pulled it out of the design. But it was part of the original design.

COUNCILOR IVES: And what was its purpose as part of that original design?

MR. CARPENTER: Well, storage is king so it helps with reliability and also helps cut costs to stay off-peak when you're pumping Booster Station 4A and 5A. If you can stay off peak you're going to save a lot of money.

COUNCILOR IVES: And would it be safe to say that this was always seen as part of the, if you will, the resiliency of the BDD system to have this additional capacity available when it was needed in emergency circumstances?

MR. CARPENTER: Absolutely. And it's all tied to reliability and being able to store water when we're not diverting. And there was always the assumption that we would come back at some time and build the tank.

COUNCILOR IVES: And I'm certainly very pleased. I wasn't aware of the update on the Water Trust Board. That certainly sounds like a very positive development because I know that process has been significantly reconstructed at the State level over the past several years. So, glad to hear that we've made it through the first round there.

Thank you. Those are my only questions.

CHAIR DOMINGUEZ: Great. Anyone else, questions? I'll go Commissioner Roybal and Commissioner Chavez.

COMMISSIONER ROYBAL: Can you tell me more or less what the current use of the facility is as far as the percentage of the County – how much water the County uses and how much the City? Do you know that?

MR. HOOK: I don't off hand. Erick might have numbers on that. I don't personally know what the percentage is.

COMMISSIONER ROYBAL: Yes, the percentage because this would double the capacity; is that correct, this tank? And I'm just curious as to what percentage the County actually uses.

MR. HOOK: And I would say it doubles the capacity but it may not actually change, in other words, the percentages of each partner using the water. It just allows more flexibility and reliability of the system.

COMMISSIONER ROYBAL: Okay.

CHAIRMAN CHAVEZ: Well, and I think, if I could, Mr. Chair.

CHAIR DOMINGUEZ: On that point?

CHAIRMAN CHAVEZ: Yes, on that point, because to the County's side of it, Commissioner, I think the storage capacity would help in the event that the diversion project was off-line and we had to pay for backup water. That's where it is a little bit more expensive on the County side and maybe at some point that will sort of equalize but right now I think that's one of the benefits that I could see for the County customers.

CHAIR DOMINGUEZ: Commissioner Roybal.

COMMISSIONER ROYBAL: Did you guys have those percentages after all?

MR. LAMONDE: I do not have the exact percentages right now. But I could definitely get those for you.

COMMISSIONER ROYBAL: Okay, and that's pretty much all the questions I have right now, thank you.

CHAIR DOMINGUEZ: All right. Anyone else? Let me get Board Member Fort and then Councilor Harris.

MS. FORT: I've got a question about the process followed here but it is probably directed to the two County Commission members so may I ask if the – has this been negotiated with the County Commission staff or are we approving a cost sharing agreement before it's been approved by the County or is this – this is why the County Commissioners might know.

MR. HOOK: Honorable Chair, members, yes, this is just approving the actual cost share agreement to move forward to the County Commission and also the City Council so it would have to be approved by the County Commission and the City Council in parallel before moving it forward to the Water Trust Board.

MS. FORT: And has it been approved by anyone at the County?

MR. HOOK: No.

MS. FORT: So, Mr. Chairman, would there be any question about the order in which we do this?

CHAIR DOMINGUEZ: There could be. On one hand you could simply say the Board is not going to act until we get clear cooperation from both the City and the County. Or the Board could simply send a message to both the City and the County that with regards to the BDD and its operation we need this tank. So it all depends on which angle you want to take.

MS. FORT: Thank you.

CHAIR DOMINGUEZ: I don't know if that answers your question but at least that's the way I see it. Councilor Ives, and then I'm going to turn it back to Board Member Fort.

COUNCILOR IVES: Just on that point, I think the procedural posture that a matter like this finds itself in is that the BDD has the sort of joint board is charged with approving it initially before it goes to either the County or the City for approval. So it has been to neither for approval yet. It is rather part of the construct of the BDD that was originally planned for and pulled off the table due to some cost considerations years ago and simply now especially with the Water Board having reconstituted and as I understand we have asked the Water Board to look at this as a possibility for a number of years and I could be wrong in that because I know we have had other issues in front of

the Water Board. So it is really the opportunity to start to try and move that forward to the County and to the City for further consideration and determination.

MS. FORT: And, Mr. Chairman, is the BDD itself able to receive funds from the Water Trust Board? I guess I am puzzled as to why it would come from one of the participants.

CHAIR DOMINGUEZ: I have no idea; anyone?

MR. HOOK: In the past we have received Water Trust Board funding. It has gone through the City –

MS. FORT: Gone through the City.

MR. HOOK: -- as the fiscal agent. So in the past there was at least \$12 million of Water Trust Board funds for construction. I think there was another \$4 million in addition to that that was just a loan, a straight loan, cost-share kind of funding. So typically it goes through the City has the fiscal agent.

MS. FORT: I see, thank you.

CHAIR DOMINGUEZ: So I think that that's basically what this does, right? It's the same scenario. The City is the fiscal agent so the State gives it to the Board but through the City and it's the same, not the same application but the same kind of flow-through.

MR. HOOK: Yes, and I would add, Chair, that this is recognizing that both the County and the City are sharing as local match because as Councilor Ives mentioned the New Mexico Finance Authority is really emphasizing that on these projects they want to see what kind of cost share and match contribution each partner is giving towards this project. That's one of their main criterion and kind of why we scored high and made the approval of the Water Trust Board as our own funds as partners to their funds that they would provide from the State and the Water Trust Fund.

MS. FORT: And I have one question and it may be directed to the staff on this. If just because it is a City person rather than a staff person making the request, it's not the BDD going directly, would it be fair to say, and this is a leading question, that this would be the highest priority of the BDD in terms of capital improvements at the facility at this time?

MR. VOKES: Mr. Chair, Member Fort, I would say that there are many benefits of the tank. It is a good deal as far as the financing of the tank. We have been operating without the tank for five, six years now. So it provides us with another tool. It provides the County water when we are down for a number of days or weeks. But as you point out, I would not rank it as my top priority but it is a high priority for us to be able to provide service to the County.

MS. FORT: Thank you.

COUNCILOR HARRIS: Thank you, Chair. Now, Mr. Hook, I see that you've got an estimated construction cost at \$2.5 and you've got two proposals and the highest of which is \$2 million. Is the \$500,000 do you consider that a contingency or why did it get grossed up to \$2.5?

MR. HOOK: Chair and Board members, Councilor Harris, that was added because if you see at the bottom of those quotes, they said there were other factors, in other words, grading, hookups, we looks at possible baffling between the two tanks that might be needed. That's why the extra cost of up to 500,000 I think it was in there.

COUNCILOR HARRIS: So the DN Tanks, that additional tank piping accessories allowance did not include the things that you just mentioned?

MR. HOOK: Uh-huh. And if you even see on Preload, I think on the second page, excavation, soil foundation preparation, backfill, additional piping, mechanical appurtenances, related site work, taxes etc. they were citing.

COUNCILOR HARRIS: Are we currently doing business with either one of these companies for the tank by the hospital?

MR. HOOK: I don't believe so but I would have to check with Nick. We are not.

COUNCILOR HARRIS: We are not? Do we know these companies? Have we dealt with them in the past?

MR. HOOK: I believe that it was, Rick, Natgun was the original builder of the first tank. So DYK or DN Tanks – so DYK combined with Natgun to create DN Tanks the company. So Natgun was the original construction company for the first 4 million gallon tank.

COUNCILOR HARRIS: Okay, any issues with the first tank that was constructed at the facility?

MR. HOOK: Not that I'm aware of.

COUNCILOR HARRIS: All right, thank you.

MR. HOOK: Thank you.

CHAIR DOMINGUEZ: Commissioner Chavez.

CHAIRMAN CHAVEZ: Yes, Mr. Chair, I'm wondering if on the "Now therefore, the parties agree as follows" number 2, it reads the "construction cost shall be split evenly between the City and the County after the application of the Water Trust Board grant or loan funding, if such funding is received by June 30, 2017. If the Water Trust Board funding is not received by June 30, 2017, the City shall remain solely responsible for the pre-construction costs and the City and the County shall each pay one-half of the construction costs." So that's the 50-50 cost sharing for the system wide improvements that – that's the agreement that we're operating under currently. Is that correct?

MR. HOOK: Yes, that's my understanding.

CHAIRMAN CHAVEZ: So I'm wondering if we could have the same language in the first sentence. Instead of it reading "be split evenly" read the construction cost shall be split 50-50 between the City and the County. That's typically the language that we use. So it's consistent. Or maybe it could read each pay one-half of the construction cost so that the language is the same in both of those sentences. Are you following me there?

CHAIR DOMINGUEZ: So basically you want to sever that from that and make it specific.

CHAIRMAN CHAVEZ: No, you don't have to sever it but I think the language could just read the same. Right, so there's no confusion about if it's half, if it's 50-50 – it's 50-50 and that's been usually the terminology that we've been using or it could be half – one-half of the construction cost which is also saying the same thing but just so it's the same in that paragraph.

And then on that point, I think that Commissioner Roybal had a concern about us buying binding our other colleagues to this agreement but I think that's pretty much

standard because we can't do anything outside the agreement anyway. So we're bound by that basic premise that this is how the BDD operates and we've all accepted that. But having said that I want to ask County staff if they would need to input on this right now, Mr. Kelley – they're busy.

CHAIR DOMINGUEZ: Well, I think just to speak to part of Commissioner and –

CHAIRMAN CHAVEZ: I haven't even gotten their attention yet. They must be busy. Could I ask the County staff to come down a little closer. I know that you're in conference back there but if Mr. Kelley and County Attorney, could you come forward please. I wanted to ask if you had any input or anything you wanted to share with the Board on this item?

CHAIR DOMINGUEZ: Anybody from County staff?

CHAIRMAN CHAVEZ: I think Mike Kelley.

GREG SHAFFER (County Attorney): Mr. Chair, Member Chavez, the short answer is no. It's not something that has really been vetted internally through County management – this proposal, the need for it and the particular funding. So I don't want to get too far ahead of myself.

CHAIRMAN CHAVEZ: Okay.

CHAIR DOMINGUEZ: Is that under oath? [Laughter] Commissioner Chavez, you still have the floor.

CHAIRMAN CHAVEZ: That covers it.

CHAIR DOMINGUEZ: Okay, anyone else. Anybody else? What are the wishes of the Board on this item? Councilor Ives.

COUNCILOR IVES: I would move to approve.

CHAIRMAN CHAVEZ: And I would second that motion and I would ask the maker of the motion if he would accept that kind of clarifying language because if you read the third paragraph it is more consistent where it says the parties agree to each pay one-half of all loan payment and then one-half of share of the loan payments. So it just keeps it more consistent.

COUNCILOR IVES: No problem with that whatsoever.

CHAIR DOMINGUEZ: Did you catch that? Are you okay with that language?

NANCY LONG (BDD Board Counsel): Yes, Mr. Chair, I did and I can make that change.

CHAIR DOMINGUEZ: Okay. Any other discussion?

The motion passed by unanimous voice vote.

12. Request for approval of payment to the Bureau of Land Management in the amount of \$71,036.64 for BDD right-of-way agreements effective 01/01/2017 – 12/31/2017

MS. ROMERO: Mr. Chair, members of the Board, we are requesting approval of payment to the Bureau of Land Management for our two lease agreements. The first lease agreement is for 31.07 acres of public lands which includes the BDD water treatment plant and the solar site. The second lease is for 4.75 acres of public land which

is for our Booster Station 2A solar array site. These amounts were included in our adopted fiscal year 16/17 budget and if you have any specific questions on the payments.

CHAIRMAN CHAVEZ: Mr. Chair. On this item I wanted to share something to maybe, and staff, to think about maybe for the future. I know that we have an arrangement with the BLM for rental of its right-of-way and I'm wondering if it might be in the best interest of the Buckman Diversion project and everything moving forward to try and purchase instead of leases if possible. I know we may not have that in the budget right now but it's just something to think about moving forward. It may not be in the best interest of BLM because it's a source of revenue for them but we may want to argue at some point that it would be in the best interest of the Buckman Diversion project to get out of that liability and purchase if it makes sense. So I'll leave it at that.

CHAIR DOMINGUEZ: Any other questions or comments on this item? What are the wishes of the Board members?

MS. FORT: Chairman, I would actually appreciate a response by staff because I assume at the time the project was developed that a request was made for acquiring the land from BLM.

MR. CARPENTER: Mr. Chair, Board members, purchasing the land was discussed many years ago and the federal government more or less rejected that idea. We could certainly entertain the notion with them again now; a lot of time has passed. BLM might also be interested in land swap. They do do a lot of that. So with the Board's direction, I would be happy to engage the federal government and approach them on this issue.

CHAIRMAN CHAVEZ: You know, Mr. Chair, on that issue. Rick, the members of SWMA -- we have a similar arrangement with BLM and SWMA where we have been able to increase our cells and so maybe that might prod them to move in the same direction in this regard.

But before Rick leaves, I want to thank Rick for being there from the beginning also. I remember going to Washington, DC, and we had two agencies across the street from each other the Bureau of Reclamation and Interstate Stream Commission and they were having a real struggle about this diversion project and what to do with the sediment; right? And it took a couple of trips to DC to get those two agencies who are across the street from each other to talk to each other; right, Rick?

MR. CARPENTER: Exactly right. That was part of the five year effort to obtain the NPDES permit.

CHAIRMAN CHAVEZ: So it's been a long haul. But anyway, that was another flashback, Rick.

MR. CARPENTER: And I want to thank you for your support during all those years too, Commissioner.

CHAIRMAN CHAVEZ: It's a trip down memory lane.

CHAIR DOMINGUEZ: Any questions. What are the wishes of the Board?

COUNCILOR IVES: Move to approve.

CHAIR DOMINGUEZ: We have a motion. Do we have a second?

CHAIRMAN CHAVEZ: Second.

CHAIR DOMINGUEZ: We have a second. Any discussion?

The motion passed by unanimous voice vote.

13. **Request for approval of Amendment No. 6 to the Project Management and Fiscal Services Agreement ("PMFSA") between the Buckman Direct Diversion Board and the City of Santa Fe to extend the term of the Agreement from December 31, 2016 on a month by month basis until a replacement agreement for support services is entered into between the parties**

NANCY LONG (BDD Board Consulting Attorney): Mr. Chair, members of the Board, we are seeking Board approval for amendment number 6 which does extend the term of the PMFSA from the current expiration date of December 31 at the end of this year on a month to month basis while we continue to negotiate the terms of the agreement. As my memo notes and you all will remember, a staff advisory group was constituted to decide on recommendations to make to the Board for the successor support entity and it was decided and recommended as approved by the Board that the City would continue to serve in that role. Then the staff group continued to put together the terms of the new agreement, which we are calling a Support Entity Agreement at this time, and that had some vetting on the staff side and then has now gone to the City. The City will provide comments back and we're hopeful that we will come to a successful resolution of those terms shortly. But it was determined that the end of the year just was not looking very likely with everything else that was going on. So the agreement is changing, of course, from the time that it was entered into when there wasn't even a project yet so we're deleting a lot of unnecessary terms in the agreement and negotiating on the conceptual level of how this will look. So we'll hear back from the City shortly I'm sure, and we'll hope to get it done in the first part of next year.

CHAIR DOMINGUEZ: Okay, so the first part of next year. Okay. I was going to ask, you're not asking – we're not going to have to do this every month for the next eight months are we?

MS. LONG: No, the amendment is worded such that it extends month to month until that new agreement is entered into and of course that will come to you for your approval. It's an agreement that is entered into between the Board and the City.

CHAIR DOMINGUEZ: Okay.

CHAIRMAN CHAVEZ: Mr. Chair.

CHAIR DOMINGUEZ: Commissioner.

CHAIRMAN CHAVEZ: There was something else that was discussed and Mackie may have to help me remember this piece, but won't this also help you to align our budget review, annual review, with the City's budget cycle; won't those align better?

MS. ROMERO: Mr. Chair, Commissioner Chavez, yes. There is a section in the agreement that has to do with the completion of the financial statements and that's what we were talking about. The current agreement gives us a 90-day deadline to have financial statements at the end of the fiscal year which, as we know, BDD has not been able to adhere to that deadline. It is just because we are intertwined with the City it makes more sense to change that language. So that's one of the items that will be adjusted on this new agreement.

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CHAIR DOMINGUEZ: All right. Anyone else? What are the wishes of the Board on item number 13?

COUNCILOR IVES: Move to approve.

CHAIR DOMINGUEZ: Motion by Councilor Ives. Do we have a second?

MS. FORT: Second.

CHAIR DOMINGUEZ: And a second by Board Member Fort. Any discussion?

The motion passed by unanimous voice vote.

MATTERS FROM THE PUBLIC

CHAIR DOMINGUEZ: Is there anyone from the public that would like to address the Board? Anyone from the public? I'll call it a third time, is there anyone from the public that would like to address the Board? I see done.

REPORT FROM EXECUTIVE DIRECTOR

MR. VOKES: Mr. Chair, members of the Board, quickly a few items that I would like to bring forward. We have had a number of school groups at the BDD. We are continuing to improve and customize our program. We also are emphasizing the importance of science to these kids. We are talking about biology, that there's chemistry, there's physics, there's hydrologics, there's engineering. We also met with the City conservation group so that we can become an integral part of their education program too. So that's ongoing.

I will let you know that the new County Commissioners have scheduled a tour for the 19th of December so we can introduce them to the BDD. And the final item I have is an update on BDD vacancies which you've been handed. I will let you know that we are working very hard with the Human Resources Department of the City of Santa Fe to fill positions. We did do some interviews for the maintenance superintendent. We did select a candidate. We're in the process of doing background checks and looking at the approval process to make an offer to that individual. We do have a new BDD operator that's starting. A member of the metering department is transferring over because of the automation there – there are jobs being eliminated, so we are going to take one of their best staff and he's coming over so we are very excited about that. The maintenance mechanic, there were four candidates that were invited to do WorkKeys; none of the candidates were able to pass the WorkKeys to move on to the interview process. One of the things – Mr. Carpenter and I met yesterday to talk about the WorkKeys and perhaps adjusting the WorkKeys and so we're going to be taking that back to the Human Resources Department to see if we can make some adjustments on that to allow more candidates into the interview process. I will say that we have advertised a journeyman industrial electrician which has been vacant, seems like forever, two years. We did use the website Indeed to advertise this position. I think we got over 246 hits, people showing interest in it. We had about 17 or 18 that indicated that they were going to apply. The last I talked to the Human Resources Department she got about eight

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applications. So they will be looking at those and seeing which candidates can move through that process also. So at this point, I will take any questions that the Board members have.

CHAIRMAN CHAVEZ: Mr. Chair.

CHAIR DOMINGUEZ: Commissioner.

CHAIRMAN CHAVEZ: Yeah, Chuck, what was the date on the tour for the three Commissioners-elect?

MR. VOKES: It is scheduled for December 19th.

CHAIRMAN CHAVEZ: Okay, so, the Commissioner-elect it may not be as critical but what I will point out is that three members of the County Commission constitutes a quorum. So once they would be sworn in, if three are going to tour you would have to notice that as a public meeting. So I just caution you on that side. You may want to notice it even now because I don't know if this is going to set a pattern or not but it raises a caution in my mind.

MR. VOKES: Certainly, we'll look at that. Thank you.

CHAIR DOMINGUEZ: Anyone else? Anything else, Chuck?

MR. VOKES: No, sir. Thank you.

MATTERS FROM THE BOARD

CHAIR DOMINGUEZ: Anyone from the Board? Again, Commissioner Chavez, thank you very much for your service. Before we get to adjournment and the next meeting, I just want everyone to know that we will be adjourning and going into Executive Session. It's going to be a lengthy one so if you're a Dallas Cowboy fan I'm not sure if you want to wait around. But nonetheless, we'll come back at the next meeting and disclose executive session activity or whatever.

MS. LONG: Correct.

NEXT MEETING: Thursday, December 5, 2016 @ 4:15 pm

EXECUTIVE SESSION

MS. LONG: Mr. Chair, if the Board would make a motion for the record to go into Executive Session in accordance with the New Mexico Open Meetings Act, NMSA 1978, Section 10-15-1(H)(7) for discussion regarding threatened or pending litigation in which the BDD is or may become a participant, including without limitation discussion regarding diversion structure issues.

CHAIR DOMINGUEZ: Councilor Ives.

COUNCILOR IVES: I so move in accordance with the notice on the agenda and as read by counsel.

CHAIR DOMINGUEZ: Commissioner Roybal, do you second?

COMMISSIONER ROYBAL: Second.

CHAIR DOMINGUEZ: We have a motion and a second. Any discussion?

MS. LONG: Yes, and we should take a roll call vote.

CHAIR DOMINGUEZ: Roll call please and then we'll adjourn.

The motion to go into executive session pursuant to NMSA Section 10-15-1-H (7) to discuss the matters delineated above passed by unanimous roll call vote as follows:

Councilor Ives	Aye
Commissioner Roybal	Aye
Member Fort	Aye
Chair Dominguez	Aye
Commissioner Chavez	Aye

ADJOURNMENT

Having completed the agenda, Chair Dominguez declared this meeting adjourned at approximately 5:40 p.m.

Approved by:

C. Dominguez
Carmichael Dominguez, Board Chair

Respectfully submitted:

K. Farrell
Karen Farrell, Wordswork

FILED BY:

GERALDINE SALAZAR
SANTA FE COUNTY CLERK

ATTEST TO:

Yolanda Y. Vigil
YOLANDA Y. VIGIL
SANTA FE CITY CLERK



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BUCKMAN DIRECT DIV MIN
PAGES: 23

I Hereby Certify That This Instrument Was Filed for
Record On The 15TH Day Of February, 2017 at 04:20:24 PM
And Was Duly Recorded as Instrument # 1817835
Of The Records Of Santa Fe County

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



EXHIBIT

1

CITY CLERK'S OFFICE

DATE 11/22/16 TIME 11:00am

AGENDA

SERVED BY [Signature]

RECEIVED BY [Signature]

**The City of Santa Fe
And
Santa Fe County**

Buckman Direct Diversion Board Meeting

THURSDAY, DECEMBER 1, 2016

4:15 PM

CITY COUNCIL CHAMBERS

CITY HALL

200 LINCOLN AVENUE

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF MINUTES FROM THE NOVEMBER 3, 2016 BUCKMAN DIRECT DIVERSION BOARD MEETING
6. REPORT ON NOVEMBER 29, 2016 FISCAL SERVICES AUDIT COMMITTEE (FSAC)

INFORMATIONAL ITEMS

7. Monthly Update on BDD operations. (Erick LaMonda)
8. Presentation on the Report: Storm Water Quality Monitoring of the Rio Grande at the Buckman Direct Diversion, 2015. (Daniella Bowman)
9. 1st Quarter Financial Report. (Mackie Romero)

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CONSENT AGENDA

10. Request for approval of the 2017 Fiscal Services Audit Committee (FSAC) meetings calendar. (Erminia Tapia)

DISCUSSION AND ACTION

11. Request for approval of recommendation of matching funds for the FY 2017 Water Trust Board Application for funding an additional 4 million gallon storage tank at the BDD Regional Water Treatment Facility. (Rick Carpenter and Alan Hook)
12. Request for approval of payment to the Bureau of Land Management in the amount of \$71,036.64 for BDDDB right-of-way rental agreements effective 01/01/2017 – 12/31/2017. (Mackie Romero)
13. Request for approval of Amendment No. 6 to the Project Management and Fiscal Services Agreement ("PMFSA") between the Buckman Direct Diversion Board and the City of Santa Fe to extend the term of the Agreement from December 31, 2016 on a month by month basis until a replacement agreement for support services is entered into between the parties. (Nancy R. Long)

MATTERS FROM THE PUBLIC

REPORT FROM THE EXECUTIVE DIRECTOR

MATTERS FROM THE BOARD

NEXT MEETING: Thursday, January 5, 2017 @ 4:15pm

ADJOURN

EXECUTIVE SESSION

In accordance with the New Mexico Open Meetings Act NMSA 1978, §10-15-1(H)(7), discussion regarding threatened or pending litigation in which the BDDDB is, or may become, a participant, including without limitation: Discussion regarding Diversion Structure issues.
(Nancy R. Long)

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

SEC CLERK RECORDED 02/15/2017