Buckman Direct Diversion

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AGENDA

The City of Santa Fe
And
Santa Fe County

Buckman Direct Diversion Board Meeting

THURSDAY, JUNE 1, 2017
4:15 PM
CITY HALL
CITY COUNCIL CHAMBERS
200 LINCOLN

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF MINUTES FROM THE MAY 4, 2017 BUCKMAN DIRECT DIVERSION BOARD MEETING
6. REPORT ON MAY 31, 2017 FISCAL SERVICES AUDIT COMMITTEE (FSAC)

INFORMATIONAL ITEMS

7. Public Relations Update and BDD Video Premiere. (Bernardine Padilla) **VERBAL**
8. Monthly Update on BDD operations. (Charles Vokes)
9. Report from the Executive Director. (Charles Vokes) **VERBAL**

10. Report on Source Water Protection Plan for Buckman Direct Diversion. (Jennifer Hill)

CONSENT AGENDA

11. Request for approval of a Budget Amendment Resolution to the current FY 2016/2017 Operating Budget to move $95,000 from Electricity to Chemicals ($45,000) and Solids Disposal ($50,000) categories. (Mackie Romero)

12. Request for approval of Amendment No. 4 to the Legal Services Agreement with Long, Komer and & Associates, PA in the amount of $222,000 exclusive of NMGRT for FY 2017/2018. (Mackie Romero)

13. Request for approval of Amendment No. 4 to the Professional Services Agreement with Chavez Security in the amount of $ 143,618.85 exclusive of NMGRT for FY 2017/2018. (Mackie Romero)

14. Request for approval of Amendment No. 2 to the Professional Services Agreement with ALS Global in the amount of $120,000 inclusive of NMGRT for FY 2017/2018. (Mackie Romero)

15. Request for approval of Amendment No. 4 to the Professional Services Agreement with Alpha Southwest in the amount of $50,000 exclusive of NMGRT for FY 2017/2018. (Mackie Romero)

16. Request for approval of Amendment No. 3 to the Legal Services Agreement between Sheehan & Sheehan, PA to extend the term of the agreement by one (1) year, terminating on June 30, 2018. (Mackie Romero and Nancy Long)

DISCUSSION AND ACTION

17. Request for approval to enter into a Joint Funding Agreement with the US Geological Survey in the amount of $73,186 for FY 2017/2018 for the annual maintenance of the BDD stream-gage ($17,500) and for sediment sampling unit installation and maintenance ($55,686). (Mackie Romero)

18. Request for approval to contract with American Alternative Insurance Corp. for BDD Insurance Policies including Real Property coverages in the amount of $142,793. (Mackie Romero and George Segura)

MATTERS FROM THE PUBLIC

MATTERS FROM THE BOARD

NEXT REGULAR MEETING: Thursday, July 6, 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 BDDB is, or may become a participant, including without limitation: Discussion regarding Diversion Structure issues. (Nancy R. Long)

End of Executive Session

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

MINUTES OF THE

THE CITY OF SANTA FE & SANTA FE COUNTY

BUCKMAN DIRECT DIVERSION BOARD MEETING

June 1, 2017

This meeting of the Santa Fe County/City Buckman Direct Diversion Board meeting was called to order by Councilor Carmichael Dominguez, Chair, at approximately 4:15 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 Henry Roybal, Chair
Councilor Michael Harris [Alternate for City]
Councilor Peter Ives
Commissioner Anna Hamilton
Mr. J.C. Helms [Citizen Alternate for Denise Fort]
Mr. Tom Egelhoff [non-voting]

Member(s) Excused:
Councilor Carmichael Dominguez

BDD Board Alternate Members Present:
Commissioner Anna Hansen [County alternate]
Ginny Selvin [Las Campanas alternate]

Others Present:
Charles Vokes, BDD Facilities Manager
Nancy Long, BDD Board Consulting Attorney
Mackie Romero, BDD Finance Manager
Bernardine Padilla, BDD Public Relations Coordinator
Marcos Martinez, Assistant City Attorney
Bruce Frederick, Assistant County Attorney
Michael Kelley, Santa Fe County Public Works
Erminia Tapia, City Mayor's Office
Rick Carpenter, City of Santa Fe, Manager Water Resources and Conservation
Jill Turner, NM ED
Kelly Baker, DBS & A
Jennifer Hill, DBS & A
Mary Erpelding-Chacon, LC Water & Sewer Coop
Cheryl Warner, Glatfelter Public Practice
Steve Crawford, Daniels Insurance Inc.

Craig Segura, Daniels Insurance, Inc.
Steve Veenis, LANS
Cheryl Rodriguez, DOE EM-LA
Danny Katzman, LANL
Steven Horak, DOE-EM-LA

3. APPROVAL OF AGENDA
[*Exhibit 1: Agenda*]

CHAIR ROYBAL: Any change?

NANCY LONG (BDD Board Counsel): Mr. Chair, I would like to request to move item 16 under consent agenda to after executive session and then we would also move adjournment after that item when we come out of executive session.

CHAIR ROYBAL: Okay. Are there any other changes or a motion?

COUNCILOR IVES: Move to approve as amended.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: We have a motion and a second. Any discussion? Hearing none.

The motion passed by unanimous voice vote.

4. APPROVAL OF CONSENT AGENDA

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

COMMISSIONER HAMILTON: So moved.

MR. HELMS: Second.

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

COUNCILOR HARRIS: Yeah, if I may, I'd like to discuss – I have some global questions that I spoke with Ms. Romero about, if we could pull item 12.

COUNCILOR IVES: Mr. Chair, and item 16 is pulled by virtue of our amendment to the agenda.

CHAIR ROYBAL: Yes, that is correct. Commissioner Hamilton, does your motion still stand with the amendment?

COMMISSIONER HAMILTON: Yes, I'll agree to that.

CHAIR ROYBAL: And the second. Yes, then we have a motion and a second to approve the consent agenda as modified.

The motion passed by unanimous voice vote.

Consent Items:

11. Request for approval of a Budget Amendment Resolution to the current FY 2016/2017 Operating Budget to move $95,000 from Electricity to Chemical ($45,000) and Solids Disposal ($50,000) categories

12. Removed from Consent see Page 15

13. **Request for approval of Amendment No. 4 to the Professional Services Agreement with Chavez Security in the amount of $143,618.85 exclusive of NMGRT for FY 2017/2018**
14. **Request for approval of Amendment No. 2 to the Professional Services Agreement with ALS Global in the amount of $120,000 inclusive of NMGRT for FY 2017/2017**
15. **Request for approval of Amendment No. 4 to the Professional Services Agreement with Alpha Southwest in the amount of $50,000 exclusive of NMGRT for FY 2017/2018**
16, Removed from Consent see Page 22

5. APPROVAL OF MINUTES: May 4, 2017

CHAIR ROYBAL: Any changes? Commissioner Hansen.
COMMISSIONER HANSEN: Thank you.
CHAIR ROYBAL: There are no changes, what is the pleasure of the Board?
COMMISSIONER HAMILTON: Motion to approve.
COUNCILOR IVES: Second.

The motion passed by unanimous [voice vote.

5. REPORT ON May 31, 2017 FISCAL SERVICES AND AUDIT COMMITTEE

MACKIE ROMERO (BDD Financial Manager): Mr. Chair, members of the Board, a Fiscal Services and Audit Committee meeting was held on Wednesday, May 31st. In attendance was myself, BDD Financial Manager, Mary Chacon, Las Campanas Water & Sewer Cooperative, and Don Moya, County Finance Director. We did discuss all of the items on the agenda including the action item. There were no major concerns or issues with the items presented. Are there any questions?
CHAIR ROYBAL: Okay, are there any questions? Thank you.

INFORMATIONAL ITEMS

7. Public Relations Update and BDD Video Premiere

BERNARDINE PADILLA (BDD Public Relations Coordinator): Thank you. Chairman Roybal and members of the Board, we hosted some notable events in May that I'd like to highlight. On May 3rd we hosted the PUC meeting at BDD. On May 10th we hosted two tours simultaneously. We had the New Mexico Water and Wastewater Association tour – short school, and we also had a UNM Center on Water Governance who brought executives from Mexico who operate independent water systems. This was a really great opportunity for BDD to share our advanced water treatment system. We had about 30 people that came on that tour. They brought a translator but luckily Mike Dozier is pretty good at Spanish so it expedited the

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translation. It was a great thing to have him and have a Spanish speaker there.

Then on May 21st the City of Santa Fe and BDD provided a water tank for the Santa Fe Century Bike Ride. BDD staff repaired, welded and filled the tank the day prior to the Gran Fondo bike race which we didn't know had a leak so at the last minute we repaired it and then we tested it, technically. Staff tested the water. That addressed 3,000 riders and volunteers at that event on Sunday.

On May 25th we had the New Mexico Environment Department which toured both the diversion and the plant. In June we're looking forward to a few tours already and events. We have the Water Summit that's going to be on Sunday, June 4th that we're going to participate in. June 6th we have the Council on International Relations. These visitors are from the Ukraine. On June 19th we have the LANL tour and on June 22nd we have the summer school, kids from the City Summer School Program. They're going to be doing a tour and sites activities with us. And next – do you have any question on any of those events?

CHAIR ROYBAL: Does anyone have any questions? I was just curious if you could you expand a little bit on the Water Summit on June 4th What is that going to have, the Water Summit?

MS. PADILLA: It's actually pretty comprehensive. Christine Chavez and I think the Water Department is actually coordinating that. We're just a participant. It's the Next Generation Water Summit and if you go online there's a series of workshops and lectures. I think there's a general event on Sunday at the Convention Center then Monday and Tuesday there is a break-out sessions, the workshops, lectures, so forth and there's some really great topics. Do you have access to the City web or emails, Mr. Roybal? Okay, so if you look at – I know it was sent out by Matt Ross today and it has a lot of the topics listed there and if you contact the Christine Chavez she can provide you free passes for those of us in the City that are interested in participating.

CHAIR ROYBAL: Okay. Thank you.

MS. PADILLA: You're welcome. Okay, so now it is with great pleasure that I present to you a short video about Buckman Direct Diversion. We've been working on a couple of videos on BDD the last couple of years. We really want to focus on who we are, what we do and all the positives relating to BDD. This video will be focused on the BDD website and also we'll show it before our tours. We will discuss it on KSWV's water talk on July 6th and with Joe Abeyta on his city talk show that he manages. We plan to share it with other outlets as well as social media, etc.

I want to thank Shannon, Chuck and the BDD staff for being supportive and patience in me getting this production done. It's been a couple of years of me working on this.

[The video was shown]

MS. PADILLA: Are there any questions?

CHAIR ROYBAL: You did a great job. Any other questions or comments from the Board?

COUNCILOR HARRIS: Just a comment, that was very well done. It is a great introduction and I understand that you can use it prior to your tours of the facility. So I think it is very useful.

MS. PADILLA: Thank you.

6. Monthly Update on BDD Operations

CHARLES VOKES (Facilities Manager): Mr. Chair, members of the Board, I'll be giving the update on the BDD operations for last month. Raw water diversions have averaged around 4.3 million gallons. The drinking water deliveries through Booster Station 4A/5A averaged about 3.7 million gallons a day. Las Campanas has been drawing in an average of about .58 million gallons. And then the average storage in our facility has been around .02 million gallons. The deliveries represent about 43 percent of the water supply. I can say that the snow melt in the Sangre de Cristos has increased the production of Canyon Road over what they have been doing this month. You can see, we included the graphs and additional tables after this memo.

Does anyone have any questions for me or Mr. Carpenter on the water supply?

CHAIR ROYBAL: Do we have any questions from the Board? No – oh, yes, Councilor Ives, you have a question?

COUNCILOR IVES: Yes, thank you, Mr. Chair. I was just curious about the fill levels in the reservoirs at this point in time, that is McClure and Nichols.

MR. VOKES: I'll have Mr. Carpenter update you on the water supply.

RICK CARPENTER (City of Santa Fe, Manager, Water Resources and Conservation): I'm sorry what was the question?

COUNCILOR IVES: Curious what the levels in McClure and Nichols – where they stand this point in time and if you would just touch on Article 7 and how that is playing?

MR. CARPENTER: They are filling fast. That rate has slowed down a little bit over the last week. I think we had about 7 million gallons a day flowing in yesterday. We were at about 20 million gallons a day. So we were really filling fast. Nichols is coming up fast, it is all most full. McClure has – I don't know what the percentage is, but it's doing really well too. I think we'll get close or maybe all the way to full capacity.

We are out of Article 7 right now, so everything that is flowing in we're keeping. We're going to release some of that water for the fishing derby that is coming but that shouldn't affect the reservoir levels at all. So it's going to be a good year.

COUNCILOR IVES: So glad to hear that, thank you.

CHAIR ROYBAL: Any other questions? Seeing none, we'll move on.

9. Report from the Executive Director

MR. VOKES: Thank you, Mr. Chair, members of the Board. Quick vacancy report, we have completed the interviews for the operation superintendent position. We've made a selection and we're routing that paperwork through the City for signatures. This should be completed before the July meeting so I can formally introduce the selected operation superintendent. I'm very pleased that position will be filled. It is a critical position to the BDD.

We are working on the electrical position. We have offered that and we'll be routing the paperwork. The administrative assistant, the fiscal administrator and the two BDD repair positions remain in the works. We have advertised those positions. The

fiscal administrator position we are setting up interviews for next week. So, hopefully we are continuing to make progress. Any questions on the vacancies at this point?

I will let you know that Mr. Harwood and I have a MOU meeting scheduled for July 19th with Los Alamos National Laboratory staff and so I hope that will be very fruitful and I will bring the progress of that meeting to the July Board meeting.

And, finally, I wanted to make you aware that the New Mexico Environment Department is scheduled to do their annual BDD sanitary survey on June 20th. This is the Environment Department's annual inspection of the facilities to ensure that we are complying with all applicable rules and regulations. It is a big deal and we are prepared for that. And with that, I can answer any questions on those items or any additional items the Board has.

CHAIR ROYBAL: Do we have any questions from the Board? Seeing none, we're move on.

10. Report on Source Water Protection Plan for Buckman Direct Diversion

KELLY BAKER (DBS & A): I'm going to just briefly today give a little bit of history about the Source Water Protection Program and then speak more in depth about the plan that we are putting together for Buckman Direct Diversion.

The purpose of the Source Water Protection Program is to protect drinking water sources before they become contaminated. This program was started in 1996 as an amendment to the Safe Drinking Water Act. It is an EPA program that is administered by the Drinking Water Bureau and we have Jill Turner here today with NM ED here with us.

It was back in 2000, early 2000 that they did source water protection assessments for all of the public drinking water systems in the state. Obviously, that doesn't apply to Buckman Direct Diversion since you guys started providing water much later. But that is part of what this program did. It's a five step process so we're really in between steps four and five. So the first step is to form a source water protection team and then review and update the source water assessment or for Buckman Direct Diversion it would be to kind of start that process from the beginning. And then it's going to be looking at developing methods of contamination prevention, preparing the plan and then step five which will be where we really hand it off to our source water protection team will be implementing that plan.

I'm going to switch gears a little bit and talk specifically what we've done so far for the Buckman plan. And the first step is to create that source water protection team. According to the EPA they recommend that you have water system representatives, water consumers and community stakeholders. We're still in the process of putting the team together specifically for Buckman but right now we have several members identified. I did notice our slide is a bit off and so Jerry Schoeppner is with the County of Santa Fe and then we do have Kim Visser from Las Campanas Water & Sewer Cooperative as well. And we're talking to the Pueblo of San Ildefonso to try to find, hopefully, we would like someone from that pueblo to participate as well.

The next step is actually developing that Source Water Protection Plan and so far we've gathered information from Buckman, from the City of Santa Fe, from the County of Santa Fe and from the community at Las Campanas. We've got water system

information, water quality information, production rates, regional hydrology and so the plan is fairly comprehensive.

The next step is to define the source water protection areas and here in just a minute I will show you some slides of those and then finally would be the inventory; the potential sources of contamination within those areas. And so from here out I'm going to call those the PSOCs or potential sources of contamination.

In order to define the source water protection area we looked at specifically obviously the Rio Grande but also based on some communication with Buckman included several areas of the Los Alamos Canyon Watershed. And so we divided this source water protection area into three zones: Zones A, B and C. This based on guidance from the State. So Zone A being the closest to the water source then B and C – so you'll notice we go out half a mile on either source. So you have a mile, basically, total around each of those water segments. It starts 500 feet below the intake and extends 10 miles upstream. So that's 10 miles up the Rio Grande and then 10 miles up the Los Alamos Canyon Watershed as well. This is a zoomed out map so you can see the two tributaries that we've included as well as the Rio Grande and then this slide just shows it a little bit zoomed in. The red area is going to be Zone A, then yellow is Zone B and then you can see, obviously, Zone C is much bigger and that's the Zone C. So we looked at all the potential sources of contamination within that mile radius around each of the river segments.

Potential sources of contamination are any possible site or event that could under any circumstance or timeframe lead to contamination of a water system. And so these can be naturally occurring or they can be human caused. And obviously not all potential sources of contamination will have the same level of risk to the water source.

The PSOCs are identified from a couple of different sources and so I'm going to talk briefly about those identified from the NMED database or the Source Water Protection Atlas. And these are things that have been registered with the state at some point. So the most common are going to be private domestic wells and then you also have arroyos which can be mapped. Other things that we have included are going to be drainage canals or acequias, above and below ground field tanks, gasoline service stations, major roads and NPDES permits as well. I will note here that one of the most common PSOCs that can be mapped is going to be septic systems but it wasn't – it was not able to be included in the NMED database and so we've done some work to get those and there's actually even more common than the private domestic wells. There's like close to 200 of those were mapped.

Obviously, not all potential sources of contamination can be mapped, however, local knowledge or talking to the BDD we were able to find – some of these are the most crucial sources of contamination being wildfires, sediment and debris, and then the Los Alamos National Lab the legacy contaminates. And, so, specifically we have a large section in our plan talking about that. The radionuclides, inorganic and organic constituents, as well as the early notification system, the stormwater sampling and some of the different contaminant state analysis studies that they have done in order to address those things.

The next step after identifying or taking that inventory of the different sources of contamination would be to evaluate those. So it's a subjective ranking from low to high and we looked at two different things: vulnerability and sensitivity. Vulnerability is

looking specifically at the number, type and the proximity of the PSOCs to the water source. And then the second analysis that we did was sensitivity, so looking at how the infrastructure at the BDD is constructed and how that can affect the threat of contamination. Skipping to the end here, we combined those two vulnerability and sensitivity analysis into an overall susceptibility ranking and so you can see the Rio Grande it ranked high in terms of vulnerability so it had a lot of potential sources of contamination. They were close to the river and specifically like the turbidity in the LANL constituents were what drove that ranking and then the sensitivity ranking and dealing with the structure and the construction there so the overall ranking for the Rio Grande was high similar to the Los Alamos Canyon was high. And then the Guaje Canyon was lower. It had a moderate susceptibility ranking and that was mostly driven by the fact that the canyon in and of itself did not have a lot of potential sources of contamination but it picks up those contaminants in the end at and brings it down into the Rio Grande so that is where that moderate ranking came in.

Moving forward, we have most of our data needs filled but we are still in communication with some of the communities that are involved with BDD. So we have some data needs that we still have. We are in the process of finalizing the Source Water Protection Team and then once that team has been finalized they'll be some input needed from them in terms of local knowledge of actual and potential sources of contamination. The main thing that we need would be a review of the plan. As it stands, it is a draft at this point and then ask for comments. And then finally once that period is over we'll hand the plan over to the Source Water Protection Team for implementation.

So we have a 30-day comment period and at which point we'll take those comments and incorporate them. We'll finalize the plan and give it to BDD and the Source Water Protection Team and we'll come back and present that final plan. Any comments we are asking to be sent to Daniela Bowman and so her email is here. The 30-day comment period would obviously end in a month on July 1st. And so we're accepting comments up until that point.

That's all I have at this time. If you guys have any questions I'd love to answer those.

CHAIR ROYBAL: Okay, thank you for the great presentation, Kelly. Are there any questions from the Board? Councilor Ives.

COUNCILOR IVES: Thank you, Mr. Chair. Thank you for that presentation – a couple of questions came up in my mind as we were going through that. You mentioned that Steps 1 through 4 and I'm looking at the slide on page 6 in our materials entitled, Source Water Protection Program, talking about a five step process and that the first four steps have been completed. Which means – well, you said that the team is still under development and I'll have a few questions on that in a little while. You have prepared a Source Water Protection Plan. So is that a document you have? Is that something you can circulate to us?

MS. BAKER: Well, we have one hard copy with us. We have it electronically and we can share that.

COUNCILOR IVES: I'd certainly love to get it electronically. Chuck, perhaps if you could coordinate that, that would be great, would love to look at it. And then you talk about the SWP team and you're still looking apparently for somebody from San Ildefonso but do you have people from LANL who are on it? Did I miss –

MS. BAKER: We do, yes, and I said that this slide is slightly messed up but their names are correct and they're actually here today: Danny Katzman and Steve Veenis are both here. Yes, they have agreed to participate. Jerry Schoeppner is from the County of Santa Fe and then we do have Kim Visser from Las Campanas Water & Sewer Cooperative as well. So that particular line [on the slide] is just messed up.

COUNCILOR IVES: I guess I'm curious but we don't seem to have any general members of the public who might be interested in participating in this; how do you go about identifying the constitute members for the SWP Team?

MS. BAKER: That is definitely something the state recommends is to have members from the public. I know in other communities they do that. Typically, we get those recommendations from an agency so if someone like had a recommendation then we would love to include them as well.

COUNCILOR IVES: Okay. I can think of a couple of people who might well love to participate so I'll follow up again with Chuck on that.

MS. BAKER: Thank you.

COUNCILOR IVES: I notice you limit the – I'm trying to understand the protection area and how that is defined. You talk about surface water from the Rio Grande and Los Alamos Canyon Watershed, the three buffer zones which are back from the water channels and then you talk about buffer zones as well that are 500 feet below the intake to 10 miles upstream. Where does that 10 mile figure come from? When we look at something like the Gold King Mine, for instance, that went on probably for 100 plus miles of contamination? Why 10 miles as a limit?

MS. BAKER: That's a great question. It's a subjective number that is based on the State guidelines and so we have extended those – for example, the two tributaries we added based on comments from the document and so the 10 miles is a starting point of the State guideline. We can go beyond that. We obviously have to – with the Rio Grande we've got to limit it on something.

COUNCILOR IVES: And I know, I am certainly curious about that. I note too you mentioned and I'm looking now at potential sources of contamination which is page 15 in our materials. And you indicate that the PSOCs are identified from the NMED database their Source Water Protection Atlas. Who prepares that? Is it NMED who prepares the atlas and how often is that updated out of curiosity?

JENNIFER HILL: I'm Jennifer Hill with Daniel B. Stephens. But the Source Water Protection Atlas is a website that is hosted by NMED and so it contains potential sources of contamination that are registered with the state for whatever reason, like discharge permits, for example, or fuel storage tanks, etc. So for the purposes of our work the state has provided that GIS dataset for us to use for the maps. So I don't know that I could really speak to how often it is updated and Jill Turner might or might not be able to speak to that.

JILL TURNER (NMED): Hello, and thank you for having us here today. So as far as – I'm the Source Water Protection Program Manager. I started in December; we're on the upswing of building this program and expanding it. So that's a good thing. Part of the atlas is – we also have sections of the database are from other organizations. For example, we have things -- data from the New Mexico Bureau of Geology. They share their data with us. Some of the data on the atlas is real time data. So, for example, if the Bureau of Geology updates something on their end it is automatically

connected/automatically updated. There are other pieces that are static and not updated as much. There's certain things that don't change very much like aquifer sensitivity or something like that so that's not updated. So it's updated as we're able to get that data from either within our own agency or from other organizations.

COUNCILOR IVES: Got you, good, thank you. I'm curious about ag use runoff in terms of fertilizers and other types of potential pollutants from those types of applications. I don't see that really identified in here at all.

MS. BAKER: And we did tour the Buckman site and there was some cattle grazing and things. So those are typically things that would come up through comment, you know, that's not necessarily something that is well mapped but something that does need to be added to the plan.

COUNCILOR IVES: And I know you mentioned septic but your initial determination was that there might be up to 200 septic systems that might be potential sources of contamination. What's the rule of thumb for identifying a septic as possibly contributing to be a potential source of contamination?

MS. BAKER: Just to clarify, are you asking how we identify the sites or why they are relevant?

COUNCILOR IVES: I think more of how you identify them as appropriate as potential sources of contamination.

MS. BAKER: So they are not included in the NMED database they have nor on any other type of mapping. So what we have in our GIS department she looked within that source water protection area and because we know that sewer is not available in most of those areas any building it was assumed that any building had a septic system. And so that count, I think, is actually at 196.

COUNCILOR IVES: So are you talking about a certain distance from the river – 100 feet, 200 feet?

MS. BAKER: All of them within that, any septic, any building that was found within this half mile radius of the river on either side was identified.

COUNCILOR IVES: Got you.

MS. BAKER: And what we do you'll notice is we break down, we list each potential source of contamination by river mile and by the buffer. So it would be the River Mile 1 on the Rio Grande and Buffer Zone A so you have an idea of how close that potential source is to the river segment.

COUNCILOR IVES: No industrial uses, I mean LANL is one in its own class but –

MS. BAKER: I believe there were some gasoline service stations and I want to say there were maybe just one or two and not many. Most of this area is fairly remote but there were some.

COUNCILOR IVES: What about wastewater treatment plants upstream from the Buckman?

MS. BAKER: There was a discharge permit – there's at least one and potentially two or three of the discharge permits. And I know we had talked significantly with Daniela Bowman from Buckman about these permits and how far upstream to go. We looked at several maps significantly beyond 10 miles to look at how many of these discharge permits there were on the river and how they might affect them. But again we did do the 10 mile cutoff and so – I want to say that there were two and I can check that

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number specifically in the plan for you.

COUNCILOR IVES: I certainly would love to understand that because any failure of a system that is significant again, has the potential for significant load into the river that could possibly affect Buckman more than 10 miles downstream.

I think those are all my questions for the moment, thank you.

MS. BAKER: Thank you very much. Does anyone else have any questions?

CHAIR ROYBAL: Anyone else have any questions? Councilor Harris.

COUNCILOR HARRIS: Just – Councilor Ives picked up many of the thoughts that I had. So the wastewater – would that 10 miles include the City of Española's treatment facility? It seems like it should to me. I mean the 10 miles is arbitrary, you know, it's as you say, pretty rural and so, yeah, I think to be shy of the mark for the City of Española – and also the Los Alamos County's waste treatment is that in Guaje Canyon? I mean I know I've driven by it and looked down on it any number of times but –

MS. BAKER: I do know that it is not included within our source water protection area but I don't know how far upstream beyond that area it is. And that's something too that we can look at. We can look at the City of Española and –

COUNCILOR HARRIS: Yeah, I think you need to look at those two.

MS. BAKER: Okay.

COUNCILOR HARRIS: And I think that would be an important exercise. And, then also I am a little bit confused about your process here. There's still some work to be done. I'm looking at the two moving forward pages, page 19 and 20, so as you say, there needs to be some members identified, there needs to be some information really from the team as well as BDD and then – but I also thought I heard you say that the start date is today for the 30-day comment period; is that correct?

MS. BAKER: We do and there can be some flexibility in that. We have the plan ready and we've submitted it to Buckman and so, yes, we would need to distribute it to all of the team members and get comments back from them. We typically start that 30-day comment period from the time that we do this introductory meeting. There can be some flexibility given that the team is not finalized at this point. I think we're really just looking for one more member and potentially a member from the public as well.

COUNCILOR HARRIS: I think you need to do that.

MS. BAKER: Okay.

COUNCILOR HARRIS: Really, it sounds like it is a relatively new process but it seems to me that you have the team in place that's going to be reviewing the plan prior to starting the 30-day comment period. And, then, I also wonder is this the only public presentation and public comment? If that's not the case, where else is the information in the plan disseminated?

MS. HILL: So, maybe Chuck Vokes can answer the question whether the plan is posted on the website. But I think we had discussed that with the staff, of Buckman, posting the draft plan on the website.

I wanted to mention a couple of things. One is, like all planning documents this is intended to be a living document so what we're giving you is intended to be the start and it's really a snapshot in time. So one of the recommendations of the draft plan is that the

inventory of sources and potential sources of contamination needs to be revisited on an annual basis. And the other thing I wanted to mention is that we are concurrently doing a source water protection plan for the City of Santa Fe that looks at the wells and then the Canyon Road surface water source. So we are trying to coordinate those. So we have done an introductory meeting at, I think it was at the Utilities Committee meeting. So we did an introductory meeting for that and you have some duplication of members on the Source Water Protection Teams for those plans. And that plan has been available for public comment longer than this plan.

COUNCILOR HARRIS: Okay. I don't sit on the PUC and I was unaware that, you know, I am just acknowledging that I was aware so the information I am sure is out there and I didn't pick up on it. So the fact that it is a living document, it's a process that is being developed, I think, I understand that. But I do think it's important to get off to a good start and I really think you need to have your team in place before you start that comment period. And, I think also the more critical question with – and I don't know your scope of work, I don't know what's required, but I think that looking at the wastewater treatment facilities that we mentioned would be important as well. Those are my comments.

MS. HILL: Yes, thank you. We appreciate the comments and even if there's a potential source of contamination like you're mentioning, these wastewater treatment facilities, even if they lie outside the boundary that we are showing on the maps, certainly we can include discussion in the plan about the impacts of those sources so we'll take your comments and fold them into the final plan.

COUNCILOR HARRIS: Okay, very good. Thank you.

CHAIR ROYBAL: I'm going to go to Commissioner Hamilton and then I'll come back to Councilor Ives.

COMMISSIONER HAMILTON: I was going to ask about for clarification on the process because and you may have just answered it but I think it's worth asking explicitly because there's been a bunch of comments just based on this presentation. But typically comments, the public comment period are taken in writing and so I was just wondering if the people who have content comments like about inclusion of sewage treatment plant or distance up river and those sorts of things, should they be submitted in writing or are you taking them tonight as actual formal input that will be included in the process because –

MS. HILL: Well, certainly we want you to read the plan. I had to say that, and I assume there are minutes that are issued for this meeting, right. So those comments will be documented but yeah, we'd love for you to read the whole plan and maybe get more comments in writing to Daniela Bowman.

CHAIR ROYBAL: Councilor Ives.

COUNCILOR IVES: Just one other note on septic or rather wastewater treatment systems, I believe the Pueblo of Pojoaque has one that drains into an arroyo which would probably be within that 10 mile limit. And I know you have an identification of arroyos so I don't know if it's meant to be included by reference generally to arroyos but I would think that is a significant potential point source of contamination is certainly one to add into the mix.

MS. HILL: Okay, and there is a table that included as an appendix to the plan so there basically is a list that the state provides of what constitutes a potential

source of contamination. So your earlier question, Board Member Ives, on septic tanks that is a PSOC with a code that is assigned by the state. So we're not deciding which are the PSOCs, we are just trying to inventory the ones that are within the Source Water Protection area.

CHAIR ROYBAL: Okay, Commissioner Hansen.

Speaking away from the microphone, Commissioner Hansen asked whether a source water protection plan had been done for LANL. Ms. Hill responded that they had not although there is extensive monitoring in place for contaminants from LANL. Commissioner Hansen requested that the Buckman protection plan extend up to Guaje and Los Alamos Canyons.

Commissioner Hansen said she agreed with Councilor Harris that LANL and the Española wastewater systems need to be included within the study area.

MS. HILL: In other communities, like livestock grazing, fertilizer operations, you know, there's all types of businesses in an urban setting, dry cleaners, that wouldn't be mapped by any source. It just has to be somewhat reported by the community.

We are mapping some of these potential sources of contamination even if they are outside the area so that it is shown on the map. So that's why we are mapping them outside of the area.

CHAIR ROYBAL: We'll go back to Councilor Ives.

COUNCILOR IVES: Sorry, I believe San Ildefonso also has a wastewater treatment facility, just to add that to the mix. And then finally you heard talk shortly before this presentation about the MOU that is being worked on with Los Alamos, will that be integrated into this plan in some way?

MS. BAKER: We have talked about it in the text of the plan. I don't have any – I think 2015, I believe was the last update to it and so those updates are already included in the text. If there is something since then, we'd obviously like to include that but it is already part of the plan.

COUNCILOR IVES: And I suppose I'd turn to you Chuck in terms of when we think we'll have that MOU ready to move forward?

MR. VOKES: Mr. Chair, and Councilor, the goal is to get it done before it expires in December. And so way in advance of December is my goal. I would hope that September/October we would have something firm in place. And there are going to be, obviously, opportunities for input by the Board. That's what I'm seeking in the July meeting, maybe some substance that says here are the two things that we are working on and then from there is just the processes and who does what.

COUNCILOR IVES: Begs the question of given the Source Water Protection Plan for the BDD is likely to be in place before the MOU is finalized hopefully in September/October but at least by December, are there means of modifying the Source Water Protection Plan when something significant like that happens and how do we go about that?

MS. BAKER: As Jennifer had already mentioned, it's a living document. What we typically do, and I think even in our power point we have that it is finalized just

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to indicate that it's living and breathing and never quite final, but we typically give the document to whatever entity as a Word document so it is very readily easy to update and change as things come up. So they should be able to adjust the text as necessary when those things happen.

COUNCILOR IVES: So adjustments to the plan once it is in place can be done by BDD acting alone?

MS. BAKER: That's Step 5, is the implementation. One of the main recommendations that we give to that entity is that they are responsible to include any updates , relevant updates to the plan as it becomes necessary.

COUNCILOR IVES: Good.

MS. HILL: Mr. Chair and Councilor, I just add one more thing, just to sort of clarify with these so really this is something that the assistance we offer to any water system that is in New Mexico and it is something that a water system can undertake on their own. We actually have a toolkit online that water systems can go on and they can make their own plan. We suggest that that's an important part of protecting your source water. And so but part of our program because we have funding from EPA to bring assistance to systems, we go to different systems to ask – or systems come to us asking about the plans.

So really this is your plan that we are just assisting you with doing. So it's all you. And there's no official approval process. If you all want to bring about some ordinances as part of implementing the Source Water Plan that is something that some communities have done. But there is no actual stamp of approval. The document does get signed just by the team members that are involved but NMED doesn't quote approve the document. It's a voluntary document. And so it really just is – we're just helping Chuck and the rest of the folks to make this document. So that's why it can be updated, absolutely, as often as needed. We just have recommendations as far as involving the team and expanding the team like you suggested and things like that.

COUNCILOR IVES: And I certainly don't want appear anything but grateful for the assistance in doing this.

You mentioned that Santa Fe – there's one also for the Santa Fe River.

MS. HILL: For the City of Santa Fe.

COUNCILOR IVES: For the City of Santa Fe.

MS. HILL: Because you're so intertwined we wanted to do the plans at the same time so we actually sat down with Chuck and sat down with Alex Puglisi with the City and planned to work on these plans more or less simultaneously. I think adding LANL or adding Los Alamos would be a great idea of what we would like to see in the plans moving forward is to do clusters of these plans and recognizing that – you know, there are certain areas in New Mexico that are completely isolated from any other areas. But there are a lot of areas like Santa Fe and Los Alamos that are not isolated and to recognize that and to put together clusters of source water plans. So certainly bringing Los Alamos and the Lab into that mix is an important next step going forward.

COUNCILOR IVES: And you mentioned that the Santa Fe plan itself was already out of comment?

MS. HILL: The presentation was in March – early April that that plan got started so it's still in its processing phase. So it's still out there for comment.

COUNCILOR IVES: Okay, I might simply ask our water staff in the back

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to maybe provide a copy to the – certainly I would be interested in looking at it – he's probably already sent it to me three times.

MR. CARPENTER: Yeah, we'll get you that copy. I think I can mail it to you, if not I'll get you a hard copy.

COMMISSIONER HAMILTON: I would be interested in looking at that too, so maybe you could include several of us.

MR. CARPENTER: We'll have it sent to the Board.

CHAIR ROYBAL: Okay, do we have any other additional questions? I'd like to thank you all for being here, great job.

CONSENT ITEMS:

12. Request for approval of Amendment No. 4 to the Legal Services Agreement with Long, Komer & Associates, PA in the amount of $222,000 exclusive of NMGRT for FY 2017/2018

MS. ROMERO: Mr. Chair, members of the Board, on January 13, 2015, the Buckman Direct Diversion Board approved our request to award RFP for legal services to Long, Komer & Associates to serve as legal counsel for the Buckman Direct Diversion Board. This request will extend the award for services for July 1, 2017 to June 30, 2018 which is year three within the allowed extension period. The amendment will increase compensation for the amended term in the amount of $222,000 exclusive of any applicable gross receipts tax.

In my memo I did outline the scope of services that were part of the original contract and any amendments. If you have any question.

CHAIR ROYBAL: Okay, do we have questions of the Board? Councilor Harris.

COUNCILOR HARRIS: Thank you, Chair. My question is really, and I spoke with Ms. Romero earlier, my questions really kind of are global. They apply to really four of – the four amendments that we have in front of us that have dollar amounts and in each case my question to Ms. Romero was are these numbers within the approved budget for fiscal year 17/18.

MS. ROMERO: Mr. Chair, Councilor Harris, these numbers were a part of the budget that was brought to the Board for approval, that is correct.

COUNCILOR HARRIS: Right, and as part of that discussion you told me that we're going to have – though we've seen the draft budget we're going to have the final copy perhaps for our July meeting.

MS. ROMERO: That is correct. We will bring the budget back for the Board to formally adopt it at the July meeting.

COUNCILOR HARRIS: All right, very good. And so as Councilor Ives knows, one of the things that I always look at on the Finance Committee and it's just kind of a risk management issue and I'm sure the folks from Daniels Insurance will appreciate this, is certificates of insurance. I think just as a matter of practice since those – yes, you always referenced that a certificate of insurance was attached to the original contract but here we have amendment 4, amendment 4, amendment 2 and amendment 4, so I've asked that just as a matter of practice we have a current certificate of insurance that shows the

coverages that are required and including, if it is required, professional liability coverage which is a very substantial issue and I'm sure, for instance, that Long, Komer & Associates has ample professional liability coverage. I don't think you would sleep well at night if you didn't, Ms. Long. But anyways, I'm always surprised with the number of PSAs that we look at and I described a recent contract this is sizable to Ms. Romero that did not have the professional liability coverage so she agreed that that's a good practice and so, again, that doesn't necessarily apply to all of them, and you may want to talk to Ms. Boltrek at some point, the risk management person within the City, there's a waiver form that is there if it's really determined that professional liability coverage is not appropriate but in most cases it's identified in the PSA as being needed.

MS. ROMERO: Mr. Chair, members of the Board, we will start including those in our amendments and you are correct, Ms. Boltrek actually did send out the waiver to all City employees. So I do have that and if it is needed we will complete that form. And when we get these amendments routed through purchasing and approvals through the City I will make sure that the updated certificate of insurances are included in that approval process.

COUNCILOR HARRIS: Okay, very good. That's what I had, Chair, thank you. And I'll move to approve.

CHAIR ROYBAL: Okay, so we have a motion.

COUNCILOR IVES: Second.

The motion passed by unanimous voice vote.

CHAIR ROYBAL: Thank you, Mackie. That's it for our consent agenda items except number 16 which we have moved to after executive session.

DISCUSSION AND ACTION

17. Request for approval to enter into a Joint Funding Agreement with the US Geological Survey in the amount of $73,186 for FY 2017/18 for the annual maintenance of the BDD stream-gage ($17,500) and for sediment sampling unit installation and maintenance ($55,686)

MS. ROMERO: Mr. Chair, members of the Board, the initial objective of the Joint Funding Agreement was associated with the ENS program of the 2015 DOE and BDD Board MOU for determining diversion due to Los Alamos/Pueblo Canyons' flows. As being one of the best in the field, the USGS, we did approach them and requested installation of a BDD stream gage and monitoring station located upstream on the BDD diversion.

This project was divided into four phases of implementation. Phase I was the first installation of a stream gage and this completed in June 2016. This was not brought to the Board because it was under the $50,000 threshold. But there is in the back, you can see the breakdown of how much we paid for that. Phase II was going to be operation and maintenance of this stream gage and that was a yearly cost of about $17,000 and we did incur that cost this fiscal year. Phase III is going to be the installation of the sediment sampling equipment and then it does include operation and maintenance of the settlement

sampling equipment and then it will also include operations and maintenance of the stream gage equipment. Phase V will be the installation of a high sediment monitoring equipment and that would be included in future budget years.

We believe that Phase III, in addition to the sediment monitoring and sampling equipment will be of great value not only for the ENS and stormwater monitoring programs but for also BDD operations and making decisions and determining the sediment loading on BDD equipment and possibility of predicting the solids' generation and maintenance needs. I did include in the memo listing the breakdown of these costs and the costs that are needed. The last page has the breakdown for Phase II and then Phase III totaling $$73,186. So if you have any question.

CHAIR ROYBAL: Do we have any questions from the Board? Councilor Harris.

COUNCILOR HARRIS: Yeah, so, the information is delivered real time to you, Chuck?

MR. VOKES: Mr. Chair and Councilor, the information is online to anyone as a USGS station is. So it is real time information that we will be receiving.

COUNCILOR HARRIS: Okay, so I assume just as a matter of practice somebody within your operation whether it's your, for instance the operations superintendent or somebody will look at this on a regular basis, daily basis?

MR. VOKES: Yes, Councilor. That's right at the top of my things to do when I first get to the office. I look at the Otowi Gage and I also compare it with our new gage that we have.

COUNCILOR HARRIS: All right, very good. Thank you, Chair.

CHAIR ROYBAL: Commissioner Hamilton.

COMMISSIONER HAMILTON: So the attachment to the memorandum, is that the annual recurring operating and maintenance cost?

MS. ROMERO: Yes, you see the 17,500 is the recurring operation and maintenance cost for the stream gage and then we'll have an additional $35,194 for operation and maintenance for the sediment sampling equipment. So there's a maintenance cost for both, the stream gage and the sediment equipment they both have a separate maintenance cost. And all of these numbers were included in our budget request that was brought to the Board back in March.

COMMISSIONER HAMILTON: Where is the gage located?

MR. VOKES: Mr. Chair, Commissioner, the gage is approximately 1,000 yards above the diversion. It was a site that was picked by the USGS using their expertise. Again, it was implemented last June and it took roughly two months for them to calibrate the flow readings and the level readings. So we've been receiving that information steadily. We all recognize the importance of the sediment loading on the BDD and so we felt that this was an additional tool. The USGS is the best in the industry at monitoring and doing this type of analysis. So we're very excited to proceed with this next phase which is the sediment monitoring. The third phase that is mentioned will be evaluated based on the information that we get from this new station.

CHAIR ROYBAL: Okay, we also have Councilor Ives that had a question and then we'll go to Councilor Harris.

COUNCILOR IVES: Questions on the sediment sampling; that will be 1,000 yards above BDD as well in the same location as the water gage?

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MR. VOKES: Yes, Mr. Chair and Councilor, it is an online unit that will become part of the station. However, the sediment sampling probe does take a lot of work. There's an additional hand sampling that they have to do frequently on a monthly basis and make sure that it is reading accurately. So that is what the initial expense is, it takes a lot more intervention to ensure the accuracy of that.

COUNCILOR IVES: And is it in a sense a turbidity measures? What exactly when we say we're measuring the sediment, what do we mean?

MR. VOKES: We will actually be measuring the solids content at that point in the river. So we can see the impacts of not only comparing what occurs at Otowi where they have such equipment in place but comparing our numbers to the Otowi numbers plus the impacts of the Los Alamos canyons sediment loading at BDD.

COUNCILOR IVES: So it's taking a percentage of the sample taken in the river, the percentage of solids in the sample but does it tell us anything about what those solids are or constituent parts or those sorts of things?

MR. VOKES: Councilor, I believe the percent solids is not looking at particle size or anything that specific and I think that that's the next program that we may look at is it would give us additional sizing and additional information towards that. Currently the solids monitoring capabilities that we have is pretty much staff driven to where we're going down there and collecting samples, grab samples, and determining what those levels are. So the USGS has this capability of providing real time online measurements and so that's what we're hoping and that's what they will be providing.

COUNCILOR IVES: It says that, this will be of great value not only for the ENS and stormwater management programs but also for BDD operations; could you flesh that out a little bit for me? How is it going to be of great benefit/great value for ENS, stormwater monitoring programs and BDD operations?

MR. VOKES: Mr. Chair, Councilor, the measurements that we have are mostly turbidity online and equating those to the actual solids in the river is an extrapolation at best, it's an educated guess. And so if we were looking at say wear of equipment and can compare the loading rates on the equipment to the wear that we're seeing at the facility, I think that helps us put some more science and predictability into understanding why our equipment wearing, how often the equipment will need to be replaced. As far as from the operations side, we have a turbidity limit of 600 that we use as a target for shutting down diversion. It may be that with this additional sediment loading we have a more scientific way of determining what that limit would be. So a lot of those things we are speculating that, yes, they will be helpful. The more information we have then the more we can apply it to what we're seeing within the facilities.

CHAIR ROYBAL: Any more questions from the Board? Yes.

COUNCILOR HARRIS: Just one more, Mr. Chair. Mr. Vokes, this seems to be, you know, almost ideal for some other funding source, a grant application whether it's at the federal level or the state level. Do you think potentially there's other funding sources for this?

MR. VOKES: Mr. Chairman, Councilor, I do think we will be pursuing additional grants and looking at those informations. There's a lot of science to be done at the BDD. I'm interested in us sharing that science with the rest of the world too. So we will certainly be looking at those costs and if there are particular grants or whether it's from the Environment Department or other sources, we will pursue those because it is an

expensive program, I do recognize that. But I think it's a high value program.

COUNCILOR HARRIS: I would agree with you on both counts and I'm glad to hear that you're thinking along those lines. Thank you, Chair.

CHAIR ROYBAL: Thank you, Councilor. Are there any other questions? Okay, a motion.

COUNCILOR HARRIS: Move to approve, sir.

COUNCILOR IVES: Second.

CHAIR ROYBAL: Motion and a second.

The motion passed by unanimous voice vote.

18. Request for approval to contract with American Alternative Insurance Corp. for BDD Insurance Policies including Real Property coverages in the amount of $142,793

MS. ROMERO: Mr. Chair, members of the Board, we are requesting approval to accept a policy with American Alternative Insurance. This policy would be effective July 1, 2017 to July 1, 2018. Currently, under the Joint Powers Agreement the Board is required to carry coverage separate and apart from the partners respective policies, therefore, the Board has contracted with Daniels Insurance who serves as the agent and broker for the Board. Daniels has remarketed our account to several companies, however, only one of those companies was able to provide a competitive bid based on our expiring premiums. That company was American Alternative. They have been or policy holder for several years and offer us the coverages as I've outlined in the memo including our increased flood coverage. I think it's important to note that our premium was increased by less than 1 percent from what we paid last year given our property values did increase by 4 percent as they do every year.

Like I said, George Segura from Daniels Insurance so I'll go ahead and let him say a couple of words about the policy.

GEORGE SEGURA (Daniels Insurance): Mr. Chair, members of the Board, good evening. Joining me this evening I have Steve Crawford he's our vice president at Daniels Insurance and I've also brought Cheryl Warner who is with Glatfelter through American Alternatives. She is the vice president and regional manager for the insurance company. She is instrumental in putting these programs together. So I wanted her to put in a few words as well as far as their experience nationally, what they're seeing from a claims standpoint nationally and so forth. As Mackie indicated, we've been the broker since 2011. Each year we go out to market on behalf of the Board. This year we had declinations based on the current pricing which is excellent. And then we also have the issue of the large amount of property values in one concentrated area. We've got a total of $180 million of property. Just as a reference, I believe Santa Fe County has a little bit over $220 million, so it's a large amount of property in a concentrated area. What we've done is, American Alternative, like she stated, came in at $142,793 versus $142,054 last year which is less than a 1 percent increase overall. We increased the flood coverage this year to $5 million from $1 million. The year before that, we added the solar array over – I believe it is at Booster Station 2A. The coverages that we are going to be renewing and propose that we renew are the general liability

that's $1 million for any one occurrence. That's $3 million in the aggregate. Our public officials liability are cyber liability, automobile liability, and then we have a $5 million umbrella that sits on top of those underlayers. We have property coverage in the amount of $186 million; last year was $179. What they do is they have a cost index they increase it by 4 percent every year and we include the coverage for boiler/machinery. Again, we have the flood and earthquake coverage, failure to supply coverage comes under our general liability coverage and of course our excess liability sits above the failures to supply as well. That being said, if I may I'd like to introduce Cheryl and she can give a couple of quick words about American Alternative.

CHERYL WARNER: Hi, my name is Cheryl Warner with Glatfelter Public Practice. Thank you for having me and also thank you for your continued partnership with us. Glatfelter is a program manager and our carrier partner, our insurance carrier partner for our water and our public entity program and for the majority of the programs that we have is American Alternative. American Alternative is Munic Re Company. Munic Re is the largest reinsurer in the world and just so you know, Glatfelter is American Alternatives largest single client, if you will, largest single producer of premium for them. And we've had over a 20 year relationship with them. And I mention that because that gives some credibility to the fact that we have a very trusted relationship Glatfelter is like an extension of the carrier. They don't have to go out and hire underwriters or have specialty underwriters or claims people that specialize in this type of industry. So with that, we manage our own claims. We underwrite and we provide these coverages on special forms unique to the water industry and public entity industry countrywide and we also provide our own risk control. So that is how we are able to have such a successful program and we're always looking for way to add coverages such as adding cyber coverage a few years ago, so constantly adding coverage. We just added some more and we work with trusted brokers like the Daniels Insurance Agency to basically be our distribution. And so with that we've managed over 30,000 claims and the culture at Glatfelter is to look for ways to do the right thing and pay the claims and not look for, you know, ways to deny claims. So I think that's something when you're looking at insurance that's really a critical piece worth that kind of a relationship. And I was just thinking if there's anything else that you may have, you know, we work with Twig, as they know you as George, I'll turn it back to you.

MR. SEGURA: Thank you much. Anybody have any questions regarding the current program or the renewal as presented?

CHAIR ROYBAL: Councilor Harris.

COUNCILOR HARRIS: Yeah, I was just curious, Mr. Segura, about our claims history. We don't need to go too far back but – zero?

MR. SEGURA: We have one which I'd have to defer that to Nancy but other than that we have nothing.

COUNCILOR HARRIS: Okay, all right.

MR. SEGURA: You're doing excellent. We had loss control out here this year. I went out with them. We went to the diversion structure and the one thing that he recommended, I believe we got with Chuck on this, was the use of infrared thermography and that is to identify any hot spots within electrical equipment. Historically, it'll show up any type of deterioration or anything you might have. So basically it's a risk management tool to provide losses from happening.

COUNCILOR HARRIS: Right, that was going to be my next question about loss control. I heard Ms. Warner speak to that as part of the Glatfelter approach and so I wondered how that has been applied to Buckman Direct Diversion.

MR. SEGURA: Just had him out here a couple of months ago and I went with him and we did a tour of the plant. We took him to the diversion structure and he got to take a look at everything and his main concern was the infrared thermography.

COUNCILOR HARRIS: Good and I'm sure Mr. Vokes or Ms. Romero pointed out the new lighting that we have --

MR. SEGURA: Oh, yeah.

COUNCILOR HARRIS: -- for security issues and a number of things.

MR. SEGURA: And the cameras and so forth that have been forth coming. Yes, sir.

COUNCILOR HARRIS: All right, thank you, sir.

MR. SEGURA: Yes, sir.

COUNCILOR HARRIS: Thank you, Chair.

CHAIR ROYBAL: Councilor Ives.

COUNCILOR IVES: I'm looking at page 3 of my materials which is under the heading "evaluation" and it notes that American Alternative provides coverage for over 3,900 water utilities nationally, an impressive number, and then you call out three different joint power agreements. How is insuring a joint power agreement fundamentally different than a water utility?

MR. SEGURA: It's not. Essentially, we have different entities that we need to name on a policy under that as a named insurer because JPAs are formed by the entities themselves, cities, counties and so forth. And then they have the ability to name each one of those authorities. In this case, Santa Fe County, City of Santa Fe, Las Campanas as the named insured on the policy.

COUNCILOR IVES: Thank you.

MR. SEGURA: Yes, sir.

CHAIR ROYBAL: Do we have any other questions? Okay, what the pleasure of the Board?

COUNCILOR IVES: Move to approve.

COUNCILOR HARRIS: Second.

CHAIR ROYBAL: We have a motion and a second. All those in favor signify by saying aye.

Motion passed by unanimous voice vote.

MATTERS FROM THE PUBLIC

CHAIR ROYBAL: Is there anyone from the public who would like to address the Board? I don't see anybody from the public so we're going to close matters from the public.

MATTERS FROM THE BOARD

CHAIR ROYBAL: I do have something that I need to read into the

record, but I'll defer to my colleagues first. Anything? Seeing no comments.

I'd like to read into the record: I will state for the record and our minutes that the only matter discussed during the executive session for our last Board meeting on May 4, 2017 as well as our special meeting held on May 24, 2017 was the matters as stated in the motion to go into executive session and no action was taken.

Seeing as we don't have any other matters from the Board, we'll go ahead and close matters from the Board.

NEXT REGULAR MEETING: Thursday, July 6, 2017@ 4:15pm

EXECUTIVE SESSION

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

CHAIR ROYBAL: Ms. Long.

MS. LONG: Yes, Mr. Chair. I would ask for a motion to go into executive session in accordance with the New Mexico Open Meetings Act for the purpose as stated on the agenda and you'll need a roll call vote.

COUNCILOR IVES: So moved.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: Can we get a roll call?

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

Commissioner Roybal	Aye
Councilor Ives	Aye
Commissioner Hamilton	Aye
Board Member Helms	Aye
Councilor Harris	Aye

[The Board met in executive session from 5:50 p.m. to 6:35 p.m.]

CHAIR ROYBAL: I need a motion to come out of executive session.

COUNCILOR IVES: I move that the Board come out of executive session stating for the record that the discussion in executive session was limited to the matters noted on the agenda.

COUNCILOR HARRIS: Second.

CHAIR ROYBAL: Motion and second from Councilor Harris. All those in favor.

The motion passed by unanimous voice vote.

16. Request for approval of Amendment No. 3 to the Legal Services Agreement

between Sheehan & Sheehan, PA to extend the term of the agreement by one (1) year, terminating on June 30, 2018

MS. ROMERO: Mr. Chair, members of the Board, on December 3, 2015, the Buckman Direct Diversion Board approved our request to award RFP for legal services to Sheehan & Sheehan. This request will extend the award for services for an additional year terminating on June 30, 2018, which is year three within the allowed extension period. Are there any questions?

CHAIR ROYBAL: Do we have questions from the Board? Okay, seeing no questions what's the pleasure of the Board? Councilor Ives.

COUNCILOR IVES: I would move to approve and note that there's no additional funding involved in this particular request.

MS. ROMERO: That is correct.

COUNCILOR IVES: Move to approve.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: We have a motion and a second, all those in favor signify by saying aye.

The motion passed by majority [4-1] voice vote with Member Helms voting against.

ADJOURNMENT

Having completed the agenda, Chair Roybal declared this meeting adjourned at approximately 6:40 p.m.

ATTEST:

GERALDINE SALAZAR
COUNTY CLERK

Approved by:

Henry Roybal, Board Chair

Respectfully submitted:

Karen Farrell, Wordswork

FILED BY:

GERALDINE SALAZAR
SANTA FE COUNTY CLERK

ATTEST TO:

YOLANDA Y. VIGIL
SANTA FE CITY CLERK

SFC CLERK RECORDED 08/24/2017

EXHIBIT 1

Buckman Direct Diversion

AGENDA

The City of Santa Fe
And
Santa Fe County

Buckman Direct Diversion Board Meeting

THURSDAY, JUNE 1, 2017
4:15 PM
CITY HALL
CITY COUNCIL CHAMBERS
200 LINCOLN

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF MINUTES FROM THE MAY 4, 2017 BUCKMAN DIRECT DIVERSION BOARD MEETING
6. REPORT ON MAY 31, 2017 FISCAL SERVICES AUDIT COMMITTEE (FSAC)

INFORMATIONAL ITEMS

7. Public Relations Update and BDD Video Premiere. (Bernardine Padilla) **VERBAL**
8. Monthly Update on BDD operations. (Charles Vokes)
9. Report from the Executive Director. (Charles Vokes) **VERBAL**

10. Report on Source Water Protection Plan for Buckman Direct Diversion. (Jennifer Hill)

CONSENT AGENDA

11. Request for approval of a Budget Amendment Resolution to the current FY 2016/2017 Operating Budget to move $95,000 from Electricity to Chemicals ($45,000) and Solids Disposal ($50,000) categories. (Mackie Romero)

12. Request for approval of Amendment No. 4 to the Legal Services Agreement with Long, Komer and & Associates, PA in the amount of $222,000 exclusive of NMGRT for FY 2017/2018. (Mackie Romero)

13. Request for approval of Amendment No. 4 to the Professional Services Agreement with Chavez Security in the amount of $ 143,618.85 exclusive of NMGRT for FY 2017/2018. (Mackie Romero)

14. Request for approval of Amendment No. 2 to the Professional Services Agreement with ALS Global in the amount of $120,000 inclusive of NMGRT for FY 2017/2018. (Mackie Romero)

15. Request for approval of Amendment No. 4 to the Professional Services Agreement with Alpha Southwest in the amount of $50,000 exclusive of NMGRT for FY 2017/2018. (Mackie Romero)

16. Request for approval of Amendment No. 3 to the Legal Services Agreement between Sheehan & Sheehan, PA to extend the term of the agreement by one (1) year, terminating on June 30, 2018. (Mackie Romero and Nancy Long)

DISCUSSION AND ACTION

17. Request for approval to enter into a Joint Funding Agreement with the US Geological Survey in the amount of $73,186 for FY 2017/2018 for the annual maintenance of the BDD stream-gage ($17,500) and for sediment sampling unit installation and maintenance ($55,686). (Mackie Romero)

18. Request for approval to contract with American Alternative Insurance Corp. for BDD Insurance Policies including Real Property coverages in the amount of $142,793. (Mackie Romero and George Segura)

MATTERS FROM THE PUBLIC

MATTERS FROM THE BOARD

NEXT REGULAR MEETING: Thursday, July 6, 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 BDDB is, or may become a participant, including without limitation: Discussion regarding Diversion Structure issues. (Nancy R. Long)

End of Executive Session

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

BUCKMAN DIRECT DIV MIN
PAGES: 26

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

I Hereby Certify That This Instrument Was Filed for Record On The 24TH Day Of August, 2017 at 11:30:55 AM And Was Duly Recorded as Instrument # 1834495 Of The Records Of Santa Fe County

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

COUNTY CLERK
GERALDINE SALAZAR
SANTA FE COUNTY NEW MEXICO