

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

April 6, 2023

1. CALL TO ORDER

This regular meeting of the Santa Fe County & City Buckman Direct Diversion Board meeting was called to order by County Commissioner Anna Hamilton, Chair, at approximately 4:10 p.m. in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

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

BDD Board Members Present:

Commissioner Anna Hamilton
Commissioner Hank Hughes [Alternate]
Councilor Carol Romero-Wirth, Chair
J.C. Helms, Citizen Member

Member(s) Excused:

Commissioner Anna Hansen
Councilor Renee Villarreal
Tom Egelhoff, Las Campanas [non-voting]

Alternate(s) Present:

Peter Ives, Alternate for Citizen Member

Others Present:

Rick Carpenter, BDD Facilities Manager
Nancy Long, BDDDB Legal Counsel
Kyle Harwood, BDDDB Legal Counsel
Bradley Prada, BDD
Danny Carter, BDD Chemist
Bernardine Padilla, BDD Public Relations Coordinator
Monique Maes, BDD Contracts Administrator
Delfin Peterson, BDD Administrative Assistant
Antoinette Armijo-Rougemont, BDD Accounting Supervisor
Peter Ives, Alternate for Citizen Member
Commissioner Anna Hansen [Webex]
Jeff Young, County Attorney
Michelle Hunter, County Interim Utilities Director
Jesse Roach, City Water Division Director
Brian Snyder, County Public Works Director
Jay Lazarus, BDDDB Consultant, Glorieta Geoscience, Inc.
James Bearzi, BDDDB Consultant, BRZ Consulting

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BUCKMAN DIRECT DIV MIN
PAGES. 31

I Hereby Certify That This Instrument Was Filed for
Record On The 18TH Day Of July, 2023 at 11:35:57 AM
And Was Duly Recorded as Instrument # 2015883
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Katharine E. Clar
Deputy Destiny Romero County Clerk, Santa Fe, NM



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

3. APPROVAL OF AGENDA

Councilor Romero-Wirth requested that item 7.b. be heard before 7.a. Chair Hamilton requested that the one consent item be moved to an action and discussion item

Councilor Romero-Wirth moved to approve the agenda as amended. Commissioner Hughes seconded and the motion passed by unanimous [4-0] voice vote.

4. APPROVAL OF MINUTES: March 2, 2023

Councilor Romero-Wirth moved to approve the March 2, 2023 as amended. Her motion was seconded by Commissioner Hughes and passed by [4-0] voice vote.

5. PRESENTATION/INFORMATIONAL ITEMS

a. Monthly Update on BDD Operations

CHAIR HAMILTON: Rick, are you taking that?

RICK CARPENTER (BDD Operations Superintendent): Madam Chair, yes. Randy Sugruc is off today.

You have a summary report in your packet. Some of the more salient items are that the diversion averaged 2.34 million gallons per day and I expect that to go up in the coming days. The BDD provided approximately 35 percent of the overall water supply for the City and the County. Rio Grande flows are high, they are over 1,000 cfs and they're going to go higher too, but that's good news. Canyon Road water treatment plant reservoir storage combined storage of 38 percent -- that's climbing very fast and those reservoirs are probably going to get pretty close to full by the time we're finished with this runoff season.

Lastly, and mostly due to the calendar, the City of Santa Fe and Santa Fe County have received zero deliveries from San Juan-Chama Project water but the next scheduled delivery is for April 15th. And with that, Madam Chair, I would stand for questions.

CHAIR HAMILTON: Excellent. Are there any questions? Mr. Ives.

MR. IVES: Thank you, Madam Chair. Rick, just a couple of questions. Presumably all of the diversions at the Buckman are raw water there is San Juan-Chama water being diverted at this point.

MR. CARPENTER: No, we're not receiving deliveries of San Juan-Chama water but we have stored San Juan-Chama water that can be diverted.

MR. IVES: What do you anticipate April 15th in terms of releases of San Juan?

MR. CARPENTER: Madam Chair, members of the Board, what we've been told from people like the Bureau of Reclamation is that by the end of the runoff season there is a very good chance that we'll get 100 percent or close to it. This first initial deliver, I don't know. But we'll update the Board at the next Board meeting.

MR. IVES: Yeah, I thought the 1,000 cfs actually boded very well for

something coming very soon. And then on page three of the report which gets into a lot of numbers. I just wanted you to help me reconcile in the first chart which is acre-feet, it has January, February and March all 202, 198, 222 acre-feet and then down in the month below in terms of millions of gallons, 64, 65, 72 so those numbers correlate to that many acre-feet? I apologize, I didn't do the math.

MR. CARPENTER: I don't have my calculator either but yes, they correlate.

MR. IVES: Thank you. I think those were the only questions I had. I was glad to see that the La Niña was weak and that neutral conditions were returning hopefully for a better summer.

MR. CARPENTER: We're looking forward to it.

MR. IVES: Thank you. Thank you, Madam Chair.

CHAIR HAMILTON: Thank you. Are there other questions? I actually wondered with the higher flows in the Rio Grande how are turbidities doing?

MR. CARPENTER: Turbidity is surprisingly low. There's not pulses of water in the river like we sometimes see. It's kind of a gradual increase and decrease so it's not really causing a lot of turbidity right now.

CHAIR HAMILTON: Excellent. So it's not really impacting operations.

MR. CARPENTER: It is not.

CHAIR HAMILTON: That is good to hear.

NANCY LONG (BDD Board Counsel): Madam Chair, I wanted to let you know that Commissioner Hansen has joined the meeting.

CHAIR HAMILTON: Excellent. Welcome, Commissioner Hansen.

COMMISSIONER HANSEN: Thank you very much.

CHAIR HAMILTON: So if you're able to participate, are you the voting member?

COMMISSIONER HANSEN: I'll let Commissioner Hughes vote. I will listen and if I disagree, I'll speak up.

CHAIR HAMILTON: Okay. Speak up or put up your virtual hand whichever you want, I'll keep an eye out. Thank you very much, Commissioner.

CHAIR HAMILTON: Okay, thank you.

COUNCILOR ROMERO-WIRTH: Hold on. Just a point of order here. I think Commissioner Hansen obviously is entitled to disagree but I would like to know who the vote is officially. Are they going to arm wrestle if they disagree?

CHAIR HAMILTON: I don't think she's in any shape to arm wrestle – just joking. It's a valid question and I am totally respectful of that.

COUNCILOR ROMERO-WIRTH: I doubt we'll come into any issue but I think it would be good to make it clear who is to vote in this meeting tonight.

CHAIR HAMILTON: I had heard the Commissioner Hughes is representing the County and voting. Commissioner Hansen if that's not the case, say so now.

COMMISSIONER HANSEN: No, I'm allowing Commissioner Hughes to vote.

CHAIR HAMILTON: Okay, so Commissioner Hughes is our representative.

COUNCILOR ROMERO-WIRTH: Okay, thank you.

CHAIR HAMILTON: And thank you for the question. That would take us to item 5.b.

b. Report from the Facilities Manager

MR. CARPENTER: Thank you, Madam Chair, there's a short memo in your packet on my updates. In the past these have been verbal but I think it was your request –

CHAIR HAMILTON: Yes.

MR. CARPENTER: -- I turned them into a memo so going forward and obviously this one, they will be a memo form. And just a couple of items I wanted to touch on. First is an update from the City's Finance Department. We were hoping for any update at this meeting and that's not happening. The request was for an update on investment strategy and status of the legal settlement funds and also how or if the legal settlement fund is going to be separated into different fund accounts. Those will be the primary things that we ask for an update on and we are hopeful that that will take place in May.

Moving on, a bit of good news: BDD staff has engaged over the last several weeks with the Bureau of Land Management to create a wildfire defensible space around Booster Station 2A and the solar array there. I expected that to be a difficult, arduous process but their crews showed up last week and they have done a great job and I think they were set to finish up at the end of week. They created all of that space and hauled it all off and it was a very smooth process to work with them. So that's good news.

CHAIR HAMILTON: Who was that that did it?

MR. CARPENTER: Bureau of Land Management.

CHAIR HAMILTON: Excellent, thank you.

MR. CARPENTER: They are the landowners at the booster station, Madam Chair. Next bullet, this is an update on BDD vacancies in the maintenance and repair shop. We did have an entry-level maintenance and repair man apply for the job that was open. We had only the one and he later withdrew his application. I'm sorry to say. The journeyman electrician position has posted. I checked on it just today so that's posted. And then staff is working with the City's HR to do something creative with the warehouse schedule planner and the instrumentation and control tech positions. We've advertised those two positions several times each and we don't get any candidates so we're going to have to try to do something different. I will keep the Board updated on how that proceeds.

And lastly as you know, and many members of this Board, we have been working staff and consultants with elected officials on the major repair and replacement policy to update that. There are some sections that could be updated and have improved clarity. There's one or two sticking points that we were hoping to have that worked out by this Board meeting but we'll have to come back in May with that and we are hopeful that we'll get that done.

And with that, I would stand for questions.

CHAIR HAMILTON: Excellent. First I'll go to everybody else; are there any questions on this? Okay. Thank you for having the request for finance to come and I would frankly expect them to be here in May to give a report on the settlement funds and their status and also on the separation of accounts – cash accounts – which isn't listed here but that was the other issue. I'd like to see a report on that in May as well. That should be

something that is underway. I know we lost; the City lost the person who was actually working on that but that function should still be able to be taken care of. And the other thing that I had some questions on if you could put on the agenda, you know, the report for next month, having to do with the status of sampling. We have an open regulatory open compliance position that used to be Daniela's position. So if you could maybe let us know what you're thinking about filling that position so that this year until that position GGI might fill those duties because we have ongoing sampling needs. We have the MOU with LANL that funds us for sampling so I was wondering what was going on with those things; with the position and how to fill the duties.

MR. CARPENTER: If it pleases the Chair, I can give a brief update and a better update at the next meeting.

CHAIR HAMILTON: Sure. That's up to you. I didn't want to put you on the spot.

MR. CARPENTER: That's fine. I'm happy to do it. Yes, that's a key position and we have every intention of filling it as fast as we can. I expect some difficulty because it is so highly specialized. In the meantime, we have several operators that are certified samplers and Mr. Danny Carter in the back of the room is our chemist and he is attending today. He has taken over many or most of the duties of the compliance officer. That's not a permanent fix but it's working for now.

CHAIR HAMILTON: Okay. Yes.

MR. HELMS: With respect to this legal settlement funds investment, I remember bringing the point up some months ago but then various things came along and I've gotten distracted so I didn't really pay attention. But I was trying to reach some people in the City. I was interested in knowing whether the investments were held in "street" name or in "customer" name. I don't know if any of you understand what I'm talking about. But when a brokerage firm takes money from a customer it can either invest it directly for the customer in the customer's name in which case it is pretty safe. Or it can be invested in the name of the financial firm in which case it is owned – which is what we have to worry about and I would like to know what the status of that is. And if it is done in street name, what's the strength of the street name? In other words, are our funds safe? I know we discussed it before and I'm sorry I just dropped the ball on that one.

MR. CARPENTER: Madam Chair, that is not something I am prepared to comment on at this meeting but we will convey that to the finance department and have them incorporate that into their presentation.

MR. HELMS: They'll be here –

MR. CARPENTER: In May, yes.

MR. HELMS: Thank you.

CHAIR HAMILTON: Yes, Mr. Ives.

MR. IVES: Thank you, Madam Chair. Just one quick question. Obviously, everyone is aware of the status of the City's audits. I understood and I'm sure if I am correct in this understanding that the fact that the audits hadn't been filed would prevent the City from expending capital outlay funds; do you know if that is the case and if it is the case is there any expenditure for BDD that area being delayed by that?

MR. CARPENTER: Madam Chair, members of the Board, I read something similar to that several days ago. I don't know how accurate it is and if there have been subsequent updates on it. Antoinette, do you have anything on that?

MR. IVES: I wasn't sure if we had capital –

ANTIONETTE ARMIJO-ROUGEMONT (BDD Accounting Supervisor):
Good afternoon. As far as I am aware, no it will not affect BDD. We don't have any plans for those type of funds.

MR. IVES: We don't have any capital outlay funds that we need to expend?

CHAIR HAMILTON: BDD does not at this time, no. Not from the legislature.

MR. IVES: Okay, thank you. Thank you, Madam Chair.

CHAIR HAMILTON: Thank you. But that was indeed the reasoning for two or three years ago to have gotten to the point a year ago where the City's Ricky Bejarano saying that they could separate the cash accounting. In fact, it was his opinion that in the JPA and whatnot – all of our organizing documents, that the BDD accounts should have always been separate and that's one of the – and that would certainly allow us to do our audits separately, you know, independently in terms of timeframe. And it was the reason that the settlement funds were supposed to be in a separate independent account.

MR. IVES: Yes, part of the reason I asked was because I know that we have the major repair fund and equipment and replacement and equipment purchases depending on what the equipment is and the financing terms, I have always understood can constitute capital expenditures.

CHAIR HAMILTON: We do and that's the way you're asking it? So you're asking a slightly different question.

MR. IVES: I'm certainly not trying to ask a different question than –

CHAIR HAMILTON: No but that makes sense. I hadn't thought about it from that point of view. Can we still do capital business using capital?

COUNCILOR ROMERO-WIRTH: Madam Chair, I think the issue that you have probably been reading about is the capital outlay from the state legislature has been affected because of the late audits. But the City is still spending capital dollars that it has in its purview, possession, whatever. So I think the finance director can certainly speak to that when she comes next month. Like for instance, the Teen Center, that's a capital expenditure and that has been moving forward at the City.

There are certain capital outlay from the legislature that is being held but there's also capital outlay that we already have that we're spending.

CHAIR HAMILTON: Thank you for that clarification. And just one more: I appreciate that Danny is stepping in and doing many jobs but when we talk about it in more detail next month if you can layout the extent of sampling that we have or haven't done the past six months, I don't know, whatever it has been, and what we're obligated to do and whether – I perceive the need for having some of that done with assistance and we have the capability of doing that and we have done that in the past when other things have required even additional sampling even when we had Daniela. So I just – I don't know, you have the numbers but it's my sense that we might need some help with that for a few months.

MR. CARPENTER: Madam Chair, that's possible. For now, we have it under control. We know what we need to sample for and most of it is MOU related so it's all part of a plan. And like I said, we'll try and fill this position as soon as we can. I know it's going to take awhile.

CHAIR HAMILTON: Yeah, everybody is bound up with that. Are there any more questions on this item?

c. **The Buckman Direct Diversion's 2022 Consumer Confidence Report (CCR), a routine, annual report describing the water produced in the calendar year 2022 delivered to the City of Santa Fe and Santa Fe County on March 16, 2023**

CHAIR HAMILTON: That's a new item.

MR. CARPENTER: Thank you, Madam Chair. That's exactly why it's in your packet for meeting. It's an annual report. It's a routine report. Nothing unexpected was part of it. It has never been to the Board before and we just completed it so we thought it might be a good general information item to put before the Board. I don't know if you have any questions on that but it is in your packet.

CHAIR HAMILTON: Does anyone want to hit the highlights of it? It's a new report to the Board.

MR. CARPENTER: Mr. Carter, do you want to come and summarize your findings.

DANNY CARTER (BDD Chemist): If it pleases the Board I would like to point out that this year I've changed the format slightly on the Consumer Confidence Report in that we're a wholesaler and –

CHAIR HAMILTON: If you don't mind, for the record could you introduce yourself.

MR. CARTER: Oh, yes. I'm the BDD chemist.

CHAIR HAMILTON: Excellent. Sorry for the interruption.

MR. CARTER: I've been doing the Consumer Confidence Report since about 2012 or 2013. I've changed the format a little bit this year to point out that the BDD is a wholesaler and our only two customers are the City and the County and that's the only people that we have to send that report to. So in the introduction I made it clear that a domestic consumer, a retail consumer interested in the quality of their water they should rely just on the BDD Consumer Confidence Report but they should go to the City of the County for the complete information. And also cut out a lot of the fluff in the previous editions because it's not necessary since it's only going to the City and the County.

As far as contaminants in the water goes, there's not anything really interesting. What was found is and always been found before at one time or another. We did see selenium for the first time in 10 years it's at a very low level. In addition to being a regulated contaminant it is also an essential nutrient and I suspect but don't know that it actually comes from cattle feed supplements upstream would be the likely source. Now I didn't put that in the Consumer Confidence Report because it is merely speculation on my part and the language you see in the Consumer Confidence Report, the recommended language for the EPA.

CHAIR HAMILTON: Right. So the selenium hit is that still below drinking water standards?

MR. CARTER: Oh yes. It's about 100 times lower than drinking water standards, yes.

CHAIR HAMILTON: Thank you. Are there also – Mr. Ives.

MR. IVES: Thank you for this. Just one question on how the report gets drafted because it did seem potentially to take text from the CFR or some other

governmental source and then sort of be inserted into the report. Is that a correct assessment?

MR. CARTER: Up until this year, the EPA has an application called the CCR iWriter which you feed in the information about your water quality and it generates a report. And I didn't follow that this year. I went directly to the CFR and just included the essential elements of a CCR. And you'll notice that there's some language from the CFR that's in there and the CFR specifies you must include this exact language in the CCR and that's why it was written that way.

MR. IVES: Got you. And that's what I was trying to understand whether or not – and presumably that's based upon the sampling that was done and is reflected on the third page of the report in terms of --

MR. CARTER: Yes, where it says "water quality table."

MR. IVES: Yes.

MR. CARTER: Yes, and all of that sampling is performed by the New Mexico Environment Department except for the turbidity and the bromate.

MR. IVES: Got you. So based upon that information, basically the EPA or the CFRs dictate what provisions need to appear in the water confidence report.

MR. CARTER: Yes, the CCR is very specific about particular pieces of text that must be in there.

MR. IVES: Thank you.

CHAIR HAMILTON: Thank you. Commissioner Hansen.

COMMISSIONER HANSEN: Yes, thank you, Madam Chair. Danny, are we starting to do any testing for PFAS?

MR. CARTER: Not as part of the CCR but we did conduct some sampling about two weeks ago and we'll get those results about the last week of April and before that, the only PFAS sampling we did was in 2019 and we sampled both the river and the finished water and we did not find any PFAS there.

COMMISSIONER HANSEN: Okay, I'm only asking because they found PFAS down south of the wastewater plant and so I just wanted to make sure that we are testing for it.

MR. CARTER: Well, like I said, we did another round of sampling of both the Rio Grande and our finished water about two weeks ago.

COMMISSIONER HANSEN: Okay, thank you.

CHAIR HAMILTON: Excellent. Are there other questions? Towards the end of the report you mention the Source Water Protection Plan. So when that Source Water Protection Plan was presented to the Board in 2017, the feedback was that looking three miles upriver wasn't an adequate distance to look. The Board funded a subcontractor to address that by using a process and then Covid hit and it wasn't done. Actually, it doesn't seem it was 2017. I thought it was 2019 that that happened. But I guess that's neither here nor there.

MS. LONG: Madam Chair.

CHAIR HAMILTON: Yes.

MS. LONG: This Water Protection Plan issue is on the agenda as item 7.b.

CHAIR HAMILTON: That's a good point and I brought it up because it's in the report and --

MS. LONG: I thought it may be more appropriate to bring it up then.

CHAIR HAMILTON: You're right and I totally appreciate that. Okay, thank you. I guess there are no other questions.

d. **Report on March 30th Fiscal Services Audit Committee (FSAC)**

MS. ARMIJO-ROUGEMONT (BDD Accounting Supervisor): Good afternoon Madam Chair and members of the Board. We did hold a FSAC meeting on March 30th at 2:30 via zoom. In attendance were Commissioner Hamilton, Councilor Romero-Wirth, John Dupuis, Brad Prada, Stephen Raab, Tom Egelhoff, Ron Spilman, Rick Carpenter, Nancy Long, Delfin Peterson, Monique Maes, myself, Jesse Roach and Ira Roybal.

We discussed items on today's agenda regarding budget and major repair and replacement which I will be presenting today for approval. We also discussed the Wright Water Engineering contract which will also be presented today for approval. We discussed a T-Bar which are requesting for approval to cover unexpected natural gas costs as well as Munis configurations. This item has been pulled so we will be discussing that further.

CHAIR HAMILTON: Can you repeat that; that item is pulled from today?

MS. ARMIJO-ROUGEMONT: Pulled from Consent, sorry.

CHAIR HAMILTON: I thought you meant off the agenda.

MS. ARMIJO-ROUGEMONT: No, I'm sorry. It was pulled from Consent so we will be discussing that further later in the meeting. And we also discussed miscellaneous items such as the status of the finance update, the settlement funds and the separate accounts as well as the Munis modular. And as Rick mentioned we are expecting an update in May from the finance director. I have not received any updates from finance on either of those items. And just to clarify, Member Ives, regarding the legislative funds; those are earmarked for specific projects and none of those projects are BDD projects.

That's my summary for the FSAC meeting. Any questions?

CHAIR HAMILTON: That's great. Are there any questions from the Board because I think we're going to discuss all of the items separately. Great. Thank you so much for that.

And now I have a question of what's next on the agenda because we pulled the item from Consent but our action item is someplace else or do we deal with that as an action item now?

MS. LONG: Madam Chair, I think that's a good question.

CHAIR HAMILTON: It's not listed on my agenda the way I would normally expect to see it.

MS. LONG: Yes, it is a little bit different. So I would say that the next action item would be the item pulled from Consent and then proceed with the budget after that under Discussion and Action because that got moved up before source water protection plan.

CHAIR HAMILTON: Yes, the budget got moved up and it's okay to do the Consent item next?

MS. LONG: Yes, Madam Chair.

6. ACTION ITEMS: CONSENT

- a. Request for approval of Technical Budget Adjustment Request to move funds from the Legal Contract line in the amount of \$105,000 to the Gas Service Line in the amount of \$80,000 and to the Service Contract Line in the amount of \$25,000 for Munis Configurations**

MS. ARMIJO-ROUGEMONT: Madam Chair, members of the Board, we are requesting approval for a technical budget adjust from legal contracts to gas service in the amount of \$80,000 and also to service contracts in the amount up to \$25,000 for Munis configurations. The Buckman Direct Diversion Board approved \$40,000 in the fiscal year 2023 for natural gas. From July through October the average invoice received was \$178. In November through March, the invoices were significantly higher. January was \$1,700. February, \$54,000, March, \$19,000 for a total of over \$91,000 for just three months. An email was received on February 27th from our vendor Symmetry explaining the causes of unusually high natural gas invoices and payment options. Our staff reached out to the vendor to confirm that our invoices were accurate and it was confirmed. In order to supply the additional funds needed for this unexpected increase we are proposing to decrease the Snell & Wilmer purchase order by the total amount of \$105,000. With this we will increase gas service line by \$80,000 and the service contract line for \$25,000 for Munis upgrade.

The service contract line is for the unexpected Munis configurations that IT has identified for the three Munis modules that are utilized by only the BDD which includes the inventory module, the general billing module and the project ledger module. IT recently determined that these modules should be fully configured for use by BDD and has been working on a plan to get this done for us. Part of that plan is going to cost between \$12,000 and \$25,000. We haven't received an accurate quote on that yet. IT is working on a timeline for providing these configurations and on their timeline the best case scenario is May for the billing module and July for the project ledger and inventory modules.

The fiscal year 23 purchase order for Snell & Wilmer was \$195,000, to date we have paid out \$36,407. So this reduction will leave a balance of \$53,000 for the remainder of the year and it has been determined that this will be sufficient.

Staff is recommending approval of this technical budget adjustment in the total of \$105,000. Are there any questions?

CHAIR HAMILTON: Yes, there are questions but I will go to the rest of the Board first. Are there Board members with questions or should I lay out a few and see how it progresses.

Okay, the natural gas issue is a pretty straight forward set of numbers. My question about the service contract line is – and we talked about this some at the FASC meeting – the Munis configuration and Munis is the City's accounting software and to go to the punch line first and the details second, it seems to me that it is part of the City's project management fee to provide the accounting support to BDD. Now we're in a position to being asked to pay for it separately to get faster service on it. Just for clarity before we discuss that because that's kind of a pretty big thing to discuss, the timeline May to July, is that – that's the timeline even if we pay the extra money?

MS. ARMIJO-ROUGEMONT: That's correct.

CHAIR HAMILTON: My understanding and I could be wrong but I tried to get a good understanding of this, is that those modules are currently configured to be functional. You can use them as they are. The issue is because Munis did an update in the general software, so now it's version whatever, 2.1 instead of 2.0, you know, whatever the numbers are, there needs to be some testing to confirm that those reconfigurations work with the new version.

MS. ARMIJO-ROUGEMONT: Yes. It's actually the upgrades that caused the issue. These modules were never fully configured in the original version of Munis. So Mackie figured out a way to do a lot of the work outside of the program and that's what makes it really complicated and complex as well and that's one of the reasons that we hired a consultant to come in and help us get these processes streamlined and automated. And part of that was going to include configuration in Munis. So we were in those discussions already with our consultant and IT and we were continuing to use the modules even after the upgrade and they were working the same as they always had. And then, I would say about four weeks ago, IT directed me to discontinue utilizing those modules and then the discussion began, Well, I need these modules and what are our options? So there began a series of meetings with upper management to see if the City manager would reprioritize the projects that IT has been working on and they developed a plan. I don't have it with me but I believe it's a plan that is six weeks long but it doesn't have dates attached to it. And Jesse has been guiding us through this process and he's been kind of the middle person for us. So I really don't have direct contact with IT to get my questions answered and get clarification on a lot of the concerns that I have and I'm still waiting on answers to some of my questions. And one of those questions being can we continue to utilize these modules as we have been for the past four years while these configurations and testing are taking place. And the last information that I received is Manuel, the IT director, told Jesse that he would not recommend that and he would not approve that and if we wanted to, we could take the request up to the City Manager and the Finance Director.

CHAIR HAMILTON: Okay, just to be clear, we are in a position with very little notice of all of the sudden not having appropriate accounting software to use, being told not to use it. Even if we pay this money, we're going to be April, May, June, July not being able to do appropriate accounting at BDD. That's what I have the biggest problem with.

MS. ARMIJO-ROUGEMONT: I am trying to get clarification on exactly what is and what is not usable on the project ledger because we use that every single day for every single contract, every purchase order, every single expense that BDD has from salaries and benefits to supplies. So I still haven't received that clarification so we're just continuing.

CHAIR HAMILTON: Are you actually using the modules?

MS. ARMIJO-ROUGEMONT: Well, we were using the project ledgers attached to our expenses, contracts, POs just as we always have.

CHAIR HAMILTON: Because you can't operate without them?

MS. ARMIJO-ROUGEMONT: Right. And as far as the billing module, we do a lot of work manually anyways and there probably is a way that we can figure out how to do it manually because there's not a lot of work entailed in the module itself but it does give us the numbers that we need for the partners based on project ledger. So if we're able

to run one report from there that we need, then we should probably be able to do the rest of it manually. It will take a little bit more time but it is doable.

CHAIR HAMILTON: What is the timeframe that the City is talking about if we – if they take care of this as I actually think they should as the BDD project manager on their own timeframe without BDD paying extra money for a consultant?

MS. ARMIJO-ROUGEMONT: I haven't received that information directly. Rick received information from Jesse and it's just an assumption that Rick and I assumed that because of Jesse's statement saying if you want this done in the immediate future, you need to pay for it. So we're just assuming that if we don't pay for it to have it done in the immediate future that the City will pay for it but that hasn't really been confirmed. I know that they are also working on these modules for other departments to utilize as well.

CHAIR HAMILTON: Jesse, I know you're here. Do you consider this a responsibility of the project manager?

JESSE ROACH (City Water Division Director): Madam Chair, members of the Board, I do believe it is a responsibility of the project manager and so I believe you laid it out very well. The option is that the BDD could pay to prioritize this and bring in external help and get the general billing module up and running this fiscal year and without that, the overall City priorities are such that, I believe it would be that all of the modules would be available early next fiscal year.

CHAIR HAMILTON: Early next fiscal year like literally July, August, September – July, August; something like that?

MR. ROACH: Correct. So the two, the inventory and general ledger we have been told July and the general billing I would speculate it would be July-August timeframe.

CHAIR HAMILTON: Okay. So I think, Rick, do you have some input on this or some thoughts? Were you just edging towards your microphone?

MR. CARPENTER: Madam Chair, I've been working with Jesse and Antoinette on this for some time. I'm concerned that the situation that we're in – we are already late on some of this stuff and I'm concerned that we'll become much more late than we are and that's even if the Board authorizes the \$25,000 but if we don't then we have expediting the work around won't be available to us.

CHAIR HAMILTON: I understand that and I don't want to put BDD in a bad position. I might as well go and ask the really obnoxious question, why doesn't the City have the \$25,000 since it's a City responsibility to do it? And I know that everybody is working slightly understaffed but if we need to get a consultant in, why isn't the City bringing the consultant in to do it? Jesse, should I put you on the spot to ask that question? I'm not sure you could even have that answer.

MR. ROACH: No, I don't really have the answer. I think that we're talking about reprioritizing for a specific, if I want to look at it as a specific section within the water division that that section would come up with a budget to reprioritize these sort of city-level priorities. It's an uncomfortable position and none of us like the position that we're in. But that's the solution that we have sort of proposed.

CHAIR HAMILTON: Thank you for that answer. The only other – the question I want to push on then is we're going to get it in July if we pay for it and July if we don't. I mean pieces, like May and July or July and August and that's not a very big

difference and I don't understand. And that's another question does anybody have inputs on because really that's just not a really big difference.

MS. ARMIJO-ROUGEMONT: I just haven't received confirmation that the City is going to cover these costs; have you Jesse, if we wait?

MR. ROACH: Yes, the overall Munis implementation and the upgrades and the fact that some of these modules in a manner of speaking fell through the cracks. It's part of the responsibility of the City and IT to bring us up to speed and get BDD the functionality that they need. It is just the timeframe is really, in my understanding, what we're talking about here.

So if BDD opts to not pay for a consultant to speed this up, it will still be delivered it will just be delivered not on as quick of a timeframe.

CHAIR HAMILTON: Yes, thank you. Mr. Ives.

MR. IVES: Thank you, Madam Chair. So what I understand to be the case is that this has been done, this reporting that the systems would otherwise do, has been done manually by BDD staff or City finance staff in the past; is that correct?

MS. ARMIJO-ROUGEMONT: We use the system and whatever we're not able to complete in the system is done outside of the system manually.

MR. IVES: And has our timing in terms of delivery of information or reporting been on time in the past when we've been doing it manually or is it always been delayed over time?

MS. ARMIJO-ROUGEMONT: It's always been delayed and that's the reason we hired a consultant to help us streamline and automate these processing. Right now, that has been delayed as well.

MR. IVES: And so what's the – how much delay are talking about?

MS. ARMIJO-ROUGEMONT: Well, like Jesse said, May looks like the best case scenario for the billing module and July for the inventory module.

MR. IVES: Let me be a little more specific as I'm talking about doing it manually; how much delay has that caused?

MS. ARMIJO-ROUGEMONT: Right now I am reconciling July through December. I am wrapping that up and getting ready to start the billing process for those six months.

CHAIR HAMILTON: Of 2022.

MR. IVES: And is that typically what has happened in the past at BDD?

MS. ARMIJO-ROUGEMONT: We've generally been behind two to three quarters. So right now we're behind three quarters – two to three.

MR. IVES: And the net effect of that is what?

MS. ARMIJO-ROUGEMONT: The partners say they want their billings done faster and they should have it done faster. And we want to get it done quicker for them. That's our goal.

MR. IVES: And once these modules are adapted and in use, how much quicker will you be able to produce your reporting that is needed?

MS. ARMIJO-ROUGEMONT: That's to be determined but I think it will be significant. I think we'll be able – I don't think we'll ever be caught-up completely but if we're at least one quarter behind, I think that that's reasonable and I think that's what would be average after the configurations were done. I would say that we would be on average one quarter behind.

MR. IVES: And are these standard types of reports that are producible by this software?

MS. ARMIJO-ROUGEMONT: Excuse me.

MR. IVES: The reports that you'll be producing, these are just standard reports within the software that it can produce once the module is in place?

MS. ARMIJO-ROUGEMONT: Correct.

MR. IVES: And why would there be a quarter delay on providing reports once those systems are in place?

MS. ARMIJO-ROUGEMONT: Maybe we could get that down to one or two months. It's just I say a quarter because historically we bill in quarters. We bill for the first quarter the second quarter, the second quarter the third quarter, so we wouldn't be two or more quarters behind we would be as up to date as possible.

MR. IVES: Got you. But presumably all of the information is put in in real time into the system?

MS. ARMIJO-ROUGEMONT: Correct. It's just a process to reconcile everything. It's very complex for BDD with the project ledgers and how the expenses are broken down monthly according to water usage and those numbers change monthly and it's very complex – cumbersome. And it takes a lot of time.

MR. IVES: But having these systems in place would shorten that time.

MS. ARMIJO-ROUGEMONT: Correct.

MR. IVES: Okay, thank you.

MR. HELMS: Madam Chair.

CHAIR HAMILTON: Yes, J.C.

MR. HELMS: I have a question. Let me be sure I understand. You are handling the accounting for Buckman and my question is have you made the effort to determine how many dollars per month are spent on your accounting efforts?

MS. ARMIJO-ROUGEMONT: I don't have time for that –

MR. HELMS: Wait a minute. Hold on. Every outfit I've ever been involved with has had to justify an expenditure and in order to justify it, it had to know what it was. If I'm spending 10 percent of my budget, that's pretty hefty and I don't like that. So my question to you since the City is handling this topic, I would like to know how many dollars are going to that function. That's question one and it is darn important. It should be available in an eye-blink.

Secondly, how many transactions, how many entries, journal entries, do you handle per month? Do you know how many?

MS. ARMIJO-ROUGEMONT: I don't – I could give you an estimate. Maybe 20 to 40.

MR. HELMS: Twenty to 40 entries per month, one a day and you need software for that? What is this all about? I could do that in my head.

MS. ARMIJO-ROUGEMONT: We do because of the project ledgers.

MR. HELMS: I deal with ledgers all day long in my business. If you're only having 30 transactions a month you don't need software. You need a half-hour of a skilled bookkeeper a day.

MS. ARMIJO-ROUGEMONT: They are tied to the general ledger.

MR. HELMS: I think you're hearing what I'm saying and I think everybody else is hearing. This is shocking to me that there are 20 transactions a month and you have this headache, this gigantic some – why do you need software at all, frankly.

The next thing is the timeliness of the reports. Every business I have ever been involved with has to produce a report within days of the end of the month. Not three months later, not three weeks later, three days later. I don't – and especially when the number of transactions are so small, how on earth can you justify being three months behind when you dealing with one transaction a day. I don't get it. I think everybody here is hearing me loud and clear. This is shocking to me. I mean plain shocking. And I wish the press were here.

MS. ARMIJO-ROUGEMONT: I agree with you. But this is how it has been historically even when I got here.

MR. HELMS: I can understand that but you can read the paper, City of Santa Fe is losing funding now because it can't keep up with its books. BDD, we don't need this fancy software. We need one hardnosed bookkeeper putting in a half-hour a day on our stuff and that's the end of it. I really don't accept this notion that these ledger entries are so complicated. I do ledger entries all day long. It's not that complicated especially if you have a computer. I do it by hand but a computer is obviously much more efficient if you need it, if you're at that level. But the level that we're at is – I'm really kind of puzzled by the whole topic frankly. Thank you.

CHAIR HAMILTON: Is there a little bit of crosstalk in terms of definition of ledger entries for BDD? Is there something about – because the billing has been the issue for awhile. You didn't create it. You inherited that and we've been talking for a few years about fixing it. But is there some relationship to how the water use, the day-in and day-out water use, gets recorded that feeds into this issue of how the billing gets done? Because on the surface if it is only 30 ledger entries it sounds – it makes it sound ridiculous, I'm just wondering if we're missing something in the discussion.

MS. ARMIJO-ROUGEMONT: Yes, the water consumption percentages are taken into account every month. So the percentages change every month for each of the partners.

CHAIR HAMILTON: Yes. So is it the entry of the water information that is one of the things that is the holdup and one of the things that is having to be modified in the ledger system, the software system?

MS. ARMIJO-ROUGEMONT: Not necessarily. I mean that could be but that's really not. I can't blame it on that but we do wait on that as well. It's doesn't affect us since we're behind anyways at this point.

CHAIR HAMILTON: Well, if nobody has any more information, I am stuck at place where I want to really protect BDD. I do have one before go on. One more question. A couple of times you mentioned, you said, that's why we got a consultant to help us, who is "we" the BDD or the City?

MS. ARMIJO-ROUGEMONT: BDD.

CHAIR HAMILTON: So when the original modifications to this software were made a few years ago but they were only partially done –

MS. ARMIJO-ROUGEMONT: That's correct.

CHAIR HAMILTON: BDD paid for it then?

MS. ARMIJO-ROUGEMONT: I don't believe so. I think that's why it never got completed because the City didn't include it at that time for those modules to get fully completed.

CHAIR HAMILTON: I'm more confused than when I asked the question. Councilor.

COUNCILOR ROMERO-WIRTH: So these three modules who decided that BDD should use these modules; BDD or Finance?

MS. ARMIJO-ROUGEMONT: BDD.

COUNCILOR ROMERO-WIRTH: Did BDD tell Finance that they had these modules?

MS. ARMIJO-ROUGEMONT: Yes, they worked with Finance.

COUNCILOR ROMERO-WIRTH: Did BDD tell Finance that they had these modules when the City updated its Munis system?

MS. ARMIJO-ROUGEMONT: Yes, we did. We had several meetings with IT in the fall.

COUNCILOR ROMERO-WIRTH: Last fall?

MS. ARMIJO-ROUGEMONT: Yes.

COUNCILOR ROMERO-WIRTH: So when they did the Munis upgrades for the City systems the City was aware that these three modules were functioning – were being utilized at BDD?

MS. ARMIJO-ROUGEMONT: That is correct. I even had individualized trainings with IT staff to ensure that I was able to access those modules and that they were functioning. They ensured me that I would be able to, at that time in January they ensured me that I would be able to use those modules to continue using them as I have been.

COUNCILOR ROMERO-WIRTH: With the upgrade?

MS. ARMIJO-ROUGEMONT: Yes, and I did use them after the upgrade.

COUNCILOR ROMERO-WIRTH: Except that we still needed a consultant in order to utilize them?

MS. ARMIJO-ROUGEMONT: Well, in order to make it more efficient.

CHAIR HAMILTON: There are two different consultants that we're talking about. Two different time periods.

COUNCILOR ROMERO-WIRTH: Yeah, I know. It is enormously complicated. I'm again not sure why we're talking about this at the Board level. This seems to be a staff problem and it seems to me that the staff needs to work this out and I'm not sure – I don't understand. If you were using these modules why did you have a consultant to make the modules work and yet they weren't working because you were doing a whole bunch of manual stuff.

MS. ARMIJO-ROUGEMONT: We were using the modules as much as we could in the system.

COUNCILOR ROMERO-WIRTH: And why weren't they fully functional? Why did you have to have a consultant and why were you doing them manually even prior to the City upgrading its Munis system?

MS. ARMIJO-ROUGEMONT: I could tell you what I was told but I don't think that that's appropriate.

COUNCILOR ROMERO-WIRTH: Yes, see this is again –

CHAIR HAMILTON: See when Mackie was here and the City went to Munis it impacted BDD and that was when they got a consultant to make the Munis modules function for BDD because before that it was a different system. And that's a four-year old story and this is coming up again with maybe the same consultant – I don't know. We're talking about two different time periods. It wasn't like BDD did this on its own apparently.

MS. ARMIJO-ROUGEMONT: We hired our consultant first and this was before we were even aware that there was going to be an upgrade. So they ended up overlapping.

CHAIR HAMILTON: What year?

MS. ARMIJO-ROUGEMONT: This year.

CHAIR HAMILTON: Okay. So BDD has already hired a consultant to do Munis upgrades?

MS. ARMIJO-ROUGEMONT: Correct. Yes, but she hasn't been able to get that far. She's observed our processes and made recommendations and we've provided those recommendations to the Munis consultants. We've even had meetings with them with our consultant.

CHAIR HAMILTON: I didn't realize that. Thank you for asking that question differently again because now it still seems different to me. Can you follow through on your thought about that this should be at the staff level because they're asking for additional funds to do something that seems like it should have been done in the purview of the City.

COUNCILOR ROMERO-WIRTH: I don't know the full story. And I know bits and pieces and I'm not there day-in and day-out and the staff is. So I don't know really what's going on but it is hard at this level given that we don't know the full detail the full story of what's happening to understand who's at fault, how we fix it and that's why I think the staff needs to fix it and they're saying they need money to do it. And I don't know what you do about it.

CHAIR HAMILTON: We need to move along. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. From listening to this discussion it would seem to me that the City should be paying for us, for our upgrades since they are our fiscal agent and we pay them 4 percent already to be a fiscal agent. So I agree that this should go back to staff and the City should figure out how, since they are the fiscal agent, get this working for us, from my observations.

COUNCILOR ROMERO-WIRTH: Madam Chair.

CHAIR HAMILTON: Yes.

COUNCILOR ROMERO-WIRTH: My understanding, Jesse and Antoinette, it's not that the City can't get it working; it's a question of how fast the City can get it working. So what we're paying for is expediency, to be bumped to the top of the list. That's what we're paying for.

COMMISSIONER HANSEN: Well, why can't the City pay that to be bumped to the top of the list?

COUNCILOR ROMERO-WIRTH: I'll defer to staff.

CHAIR HAMILTON: And that was part of my question the bump to the top of the list for July/August to May/July; is that worth \$25,000?

COUNCILOR ROMERO-WIRTH: Yeah, and that's I guess the decision at hand. And what we're hearing from staff is that they can't function if we don't get them the ability to get this done.

CHAIR HAMILTON: Yes. Mr. Ives.

MR. IVES: Just a slightly different question that I had. You indicated that we're roughly three quarters behind at this point in time in terms of billings to the partners.

MS. ARMIJO-ROUGEMONT: About two quarters.

MR. IVES: What's the impact of that? In other words, if money was due when services were rendered do the billings that are made later include any type of charge to cover the value of money over that course of time?

MS. ARMIJO-ROUGEMONT: No.

MR. IVES: I suppose the point I'm suggesting is that it works out to the partners' benefit not to have to pay the bills right away because they hold that money as opposed to presumably transferring it to BDD. So that's I suppose a little bit of concern for me because that benefit should be coming to BDD. Thank you.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. I agree it's a complicated issue and that's all I'm going to say.

CHAIR HAMILTON: Thank you very much. I feel like, well, first of all some of the parts of this issue have been going on for years, the late billing. I am not convinced that two months July to August you know makes that much difference. And I find it in appropriate that the City would come to you and say you may not use accounting ledgers. Part of switching over in software systems is planning for how you keep all your divisions functioning as the switch over happens. That should have occurred. But I am not sure that I am willing to – since we have the money and it's partly has been historically an internal process to design these and we're already paying that consultant to not contribute something to make sure we're not hamstringing the group that we're here to work with and preserve. I guess I am willing to move forward with this but I really think it is something that the City has to take seriously that this is a project level function and that's what that 4 percent is supposed to cover.

What's the pleasure of the Board? And then the other – larger percent of this BAR, I guess we could do one without the other and there's no controversy about that.

COMMISSIONER HUGHES: Madam Chair.

COUNCILOR ROMERO-WIRTH: Madam Chair, can I just clarify something that you just said?

CHAIR HAMILTON: Yeah, go ahead.

COUNCILOR ROMERO-WIRTH: So the point about the City making sure that when they do the software upgrade everything is coming up to work, I think that is exactly what is happening. The problem is BDD is behind a couple of other departments as they work across the City to bring these things up. Am I right? So what basically it's going to – if we don't pay to have help we have to wait until the City gets to this department, is the way I think I understand this.

CHAIR HAMILTON: I have one disagreement with that. The City came and said don't use these modules until we get to it. You would be correct and I would agree with you completely except that at some point said, We're upgrading but you have to wait. And that's unacceptable.

COUNCILOR ROMERO-WIRTH: Except, I think and again this is where we don't know enough, it's because those modules don't function. So there has to be special workarounds to even use them before we had the upgrade. Now we've made the problem even more complex by upgrading and now we've deepened the problem.

CHAIR HAMILTON: That could be true.

COUNCILOR ROMERO-WIRTH: Yeah, and so this is the thing, again, we have one side of the story here and I have a little bit of the information but I don't know for sure what's going on either. I don't know whether anybody else present does.

CHAIR HAMILTON: Thank you. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. I think and I'm new to the discussion but I'm concerned that the difference of two months might not – that was just an estimate – and I think that probably from what staff is saying is if we get the consultant we can get it done quickly. If we wait for the City's process they may run into other problems and it might be two months, it may be four months – that's my concern. And I think we're all agreed – maybe not all agreed – but I think we should probably pay the consultant one way or another to get the system up and running and I know we would probably it come out of the City's 4 percent fiscal agent fee but if we have to do something different and staff is recommending it then I'm with you, I'm okay going the other way, if that's what I understood you to say.

CHAIR HAMILTON: We're at an impasse. What is the pleasure of the Board?

MR. HELMS: Is there a motion on the floor?

CHAIR HAMILTON: There is no motion.

COMMISSIONER HUGHES: Well, you can all yell at me later but I'll just make a motion to approve the item 6A as presented with both parts. [The motion died for lack of a second]

CHAIR HAMILTON: I have a motion. Is there anybody willing to make a second or do we punt this can down the road until next month hoping that we'll get more information. That motion died. Can we make a motion on one piece of it and not the other?

MS. LONG: Madam Chair, yes, I think you can divide it.

COUNCILOR ROMERO-WIRTH: I'll move to approve the gas line part of this.

COMMISSIONER HUGHES: I'll second that.

CHAIR HAMILTON: Okay. I have a motion and a second on the gas line portion of this BAR request.

MR. HELMS: Okay, wait a minute.

CHAIR HAMILTON: Under discussion.

MR. HELMS: Somebody blindsided me here. What do you mean by separating the gas line?

CHAIR HAMILTON: There are two components to this BAR. One is the \$25,000 cost for the consultant to do the Munis modules and the other is to pay for increase costs of natural gas.

MR. HELMS: Does that include the reduction of the Snell & Wilmer purchase order?

CHAIR HAMILTON: Yes.

MR. HELMS: And have we discussed that at all?

CHAIR HAMILTON: Yes.

MR. HELMS: Does it have any bite to it? Is there any significance to that?

CHAIR HAMILTON: What they've billed so far – we've spent a whole year almost without the engineering consultant, there was much less for them to do in terms of describing and following along the technical committee and the big fix in designing and how the settlement was going to be funded. So what's remaining in this fiscal year is what, a third of the year, and they don't expect to need all of this year's money so that money is there to be moved.

MR. HELMS: Got you.

CHAIR HAMILTON: Although if there are further discussions or questions that you have now is a good time.

MR. HELMS: So the \$80,000 would not go to the City of Santa Fe. It would go to the provider of the service.

CHAIR HAMILTON: That's for natural gas bills.

MR. HELMS: Got you. Thank you.

COUNCILOR ROMERO-WIRTH: Madam Chair, I think, Mr. Helms, it is because of the cost of natural gas has been more expensive than we budgeted and we need to put more in that line item to cover the bills.

MR. HELMS: I just want to be sure that it doesn't sort of slide around inside the City and get allocated to other things. You know how things work in this world. Are we approving a payment to a vendor who is independent of government?

COUNCILOR ROMERO-WIRTH: You're approving the movement of money from one line item to another so that a vendor can be paid.

CHAIR HAMILTON: In the BDD budget. It's not going to the City. It is within the BDD budget.

MR. HELMS: Okay.

CHAIR HAMILTON: Is there further discussion?

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

CHAIR HAMILTON: If this item comes back on the next agenda, I think it would be worth having more detailed information on what happened with the history so that we understand what a consultant did with the modules in the first place and why that was never done correctly and what this consultant would actually be doing. Because I think there is so much confusion that the Board feels it can't make a decision. If that information is forthcoming and there is a mechanism for bringing it back before the next month and we need to call a special meeting for that if in fact things fall apart as you're using the modules or whatever, and this issue changes direction, I think it would be important to bring that forward so that if we need to address it earlier than the first Thursday in May we can.

I don't know if anybody else has any input on that but that seems like this is something that might go ahead for a few months not optimally but not crashing. But if things start to crash, we need to know about that. Thank you.

7. ACTION ITEMS: DISCUSSION AND ACTION

- b. Request for approval and recommendation to Santa Fe County Board of County Commissioners and City of Santa Fe City Council to approve**

the Fiscal Year 2024 Buckman Direct Diversion Operating Budget and Other Fund Contributions

1. Presentation of the proposed FY2024 BDD Operating Budget and Other Fund Contributions

CHAIR HAMILTON: Mr. Carpenter. You're listed first so I thought I would start with you.

MR. CARPENTER: No, I'm going to hand it off to Antoinette. She did a really good job on this report so I want her to get all the credit for it. We worked really hard to get this prepared. I am sorry it should have been to the Board last month but it's basically a flat budget with one very small exception. There shouldn't be anything new or surprising to the Board because it resembles closely the budget that you saw last year. So with that, Antoinette.

MS. ARMIJO-ROUGEMONT: Madam Chair, members of the Board, BDD is pleased to present the proposed Buckman Direct Diversion annual operating budget for fiscal year 2024 and proposed contributions to the Major Repair & Replacement Fund. The proposed budget accounts for all projected necessary costs to meet the Board's service level objectives and to continue to provide high quality water to our partners, the City of Santa Fe, Santa Fe County, the Club at Las Campanas and the Las Campanas Water and Sewer Cooperative.

The BDD actively collaborated with its partners on the development of this budget and with their support we present this budget request. Budget highlights include, that we are requesting approval of \$8,290,553 for the fiscal year 2024 operations. Of this amount, \$8,061,053 is from partner reimbursement, estimated partner reimbursement; \$120,000 from PNM solar rebate revenue and \$96,000 from federal funds and the LANL grant.

Fiscal year 24 budget request increased by \$54,773 from the fiscal year 23 adopted budget. Emergency Reserve Fund is fully funded to our target balance of \$2,000,000 and we are requesting a contribution of \$1,787,500 to the Major Repair & Replacement Fund.

In your packet is the current BDD org chart. On page 2, it shows our revenues and reimbursements by source. So again, \$96,000 federal funds, \$120,000 from PNM solar rebates and then the amount if broken down by each partner for a total of \$8,290,553.

On page 3 there is a table of the partner share of total proposed fiscal year 2024 operating budget. So we have seven categories broken into personnel, electricity, chemicals, solids, materials and supplies, other operating costs, litigation costs and the fiscal agent fee. And each of those categories are broken down for a total of \$8,290,553. The chart below that shows how those costs are allocated between those seven categories with personnel taking almost half of that amount.

On page 4, the proposed annual operating budget for fiscal year 2024 is \$8,290,553 plus the fiscal agent fee of \$345,775 which represents 4.5 percent of the prior year's annual operating budget as stated in the amended Facility Operating and Procedures Agreement. Closing the gap between the actual expenditures and the budget was considered in the development of the annual operating budget request. This will continue to be a factor to ensure that funds are properly expended for the purposes as requested. There's a breakdown for you from fiscal year 2018, 19, 20, 21 and 22. In fiscal year 22 actual expenditures were under budget by \$1,147,292. A big part of this is because of the litigation fees weren't as high as we expected and I will speak more to that in this presentation.

On page 5, Table C and this is a budget comparison, Table C presents actual expenses by major category for fiscal year ended June 30, 2022. The change in the fiscal year 2024 operating budget request in comparison to the current 2023 adopted budget. There was an overall increase in the budget estimate of \$54,773 which is 1 percent of our total operating budget. This increase is due to projected salary and benefit increases. We are also projecting increases to electricity, chemicals and gas. The new debt solar payment and credits have been accounted for in the Electricity line. We are recommending an increase to the Major Repair & Replacement Fund from \$1,000,000 to \$1,787,500 based on the Major Repair & Replacement Annual Plan for FY2024. The Major Repair & Replacement Fund is currently underfunded. BDD is also recommending that post-litigation costs and related contracts be expended from the settlement funds. A separate Org code and project ledger code have been established for tracking these costs.

On Table C, it shows what our adopted budget was for fiscal year 2022 but our actual costs were on the variance. So, again, you'll see the total that we came under budget \$1.1 million and most of that was from litigation and some from salary savings. And then over to the right is our fiscal year 24 proposed budget. Down at the bottom it shows you an increase of \$54,773 for 1 percent of the total budget.

Page 6 we have a table showing you the cost sharing and how it is broken down for each partner by fixed, project-wide and variable costs. And Table E shows you the volumetric flow history and fiscal year 24 predictions. So we're going down from 6,874 to 5,890.

On page 7, more history on the volumetric flow history. Chart 3 is showing you the total gallons delivered in thousands for fiscal year 24 that proposed amount is 1,918,840. And the chart below that shows the total gallons delivered versus the volumetric predictions.

Turning to page 9 shows you the program budget comparison again broken down by our seven sections which are operations, regulatory, maintenance, safety and training, administrative services, information systems, and public relations. Down below in chart 5 it shows you the BDD operating budget by program and you'll see that operations takes up almost half of the budget followed by administrative services for \$1.5 million, maintenance \$1.5, regulatory for \$456,000, safety and training \$367,000, information systems \$259,000 and public relations \$86,000.

On page 10 it shows you the Emergency Reserve Fund balance. As of June 30, 2022 the Emergency Reserve Fund remained fully funded to its targeted balance of \$2 million. As per the BDD Working Capital and Billing Policy, these funds are interest bearing and are allocated to the partners based on the percentage of cash held in their respective accounts at the end of each fiscal year. So that chart does show you how much we have in interest as well.

On page 11, it's showing the Major Repair & Replacement Fund. The BDD Board has authorized expenditures of \$575,026 for repair and replacement of system equipment in accordance with the policy. Those expenses include a maintenance truck as well as new pumps for Booster Stations 1A and 2A. These authorizations upon expenditure will reduce the available fund balance in this fund. The Major Repair & Replacement Fund will continue to receive annual contributions in accordance with the policy. The policy is currently being re-evaluated by the partners for an amendment and will also address how future contributions are determined.

We are proposing to increase the fiscal year 24 contribution from \$1 million to \$1,767,500 to ensure a sustainable fund for the future as much equipment will be reaching its life expectancy per the asset replacement schedule. So below on Table G, it shows you the Major Repair & Replacement Fund balance. So our project fund balance at the end of the current fiscal year is \$2,649,336 and the table below that shows you how the contributions for next fiscal year are broken down by each partner.

On page 12, is the Major Repair & Replacement Fund Plan which Brad and Rick developed and it includes fiscal year 23 and fiscal year 24. So they're proposing that their plan will cost around \$1,065,000 for projects in the current fiscal year and \$1,625,000 for fiscal year 24. So down at the bottom we are adding 10 percent for contingency for a total of \$1,787,500.

With this submittal, the Project Manager requests the BDD Board approve and recommend the funding for our fiscal year 2024 operating budget of \$8,290,553 with the annual contribution of \$1,787,500 for the Major Repair & Replacement Fund, for a total request of \$10,078,053. We appreciate the input and support from our partners and our Buckman Direct Diversion Board members. That's the end of my presentation.

CHAIR HAMILTON: Well done. And I know how hard you worked to get this out in the short timeframe. So thank you very much for that.

MS. ARMIJO-ROUGEMONT: Thank you.

CHAIR HAMILTON: Are there questions from the Board. Commissioner Hughes.

COMMISSIONER HUGHES: Yes, thank you, Madam Chair. I just – I'm noting that your expenditures are always under budget but I also assume that there is going to be a need for salary increases given that inflation is still with us and people need to eat and all of that. Does this budget adequately cover anticipated salary increases for the current staff?

MS. ARMIJO-ROUGEMONT: Yes, and that's the whole reason that this budget wasn't brought to the Board in March is because we were instructed to wait until we received that information from Finance. So I received that information on Tuesday evening and it's up to 3 percent.

COMMISSIONER HUGHES: Okay, so just to make sure I understand then basically the reason that it is flat is because there is other costs that are anticipated to be less.

MS. ARMIJO-ROUGEMONT: Right. For example, we moved the litigation costs out as we are recommending that those be paid out of the settlement funds per partners request.

COMMISSIONER HUGHES: Okay, thank you, those were my questions.

CHAIR HAMILTON: Councilor.

COUNCILOR ROMERO-WIRTH: Thank you, Madam Chair. So recognizing that the Major Repair & Replacement Policy is still being formulated how did we determine these numbers? Just based on the plan for those funds?

MS. ARMIJO-ROUGEMONT: Correct.

COUNCILOR ROMERO-WIRTH: And can you just point me to where – so the balance in that fund is what?

MS. ARMIJO-ROUGEMONT: Projected balance for the end of this fiscal year is \$2,649,336 and that's on page 11.

COUNCILOR ROMERO-WIRTH: Okay. And we're going to spend \$1.7; is that correct?

MS. ARMIJO-ROUGEMONT: For next fiscal year, yes. That's Brad's plan for next fiscal year, \$1,625,000. So the \$1.7 includes the 10 percent contingency that we're hoping to continue to build up the fund as it is a reserve fund.

COUNCILOR ROMERO-WIRTH: Okay. So we have about \$2.6 – on page 11, we have about \$2.6 as of the end of FY23.

MS. ARMIJO-ROUGEMONT: Correct.

COUNCILOR ROMERO-WIRTH: And then we're going to ask for more money and spend \$1.7 in FY24.

MS. ARMIJO-ROUGEMONT: That's correct.

COUNCILOR ROMERO-WIRTH: And then what are we – after we spend that money, what's going to be the balance? That's not here anywhere is it?

MS. ARMIJO-ROUGEMONT: And these are all just based on estimates.

COUNCILOR ROMERO-WIRTH: So basically, it is the \$2.6 minus the \$1.7 is where we get the balance at the end of FY24.

MS. ARMIJO-ROUGEMONT: Right.

COUNCILOR ROMERO-WIRTH: Okay. And I guess – given that we don't have the Major Repair & Replacement policy adopted yet, are we premature in asking for the contributions for FY24 from the partners? Where are we on that?

MS. ARMIJO-ROUGEMONT: The partners requested a plan in order to approve the contributions and so here is their plan that we said would come with the budget. And I think that this is our last opportunity to get the budget passed in time to go to County Commission and City Council and then come back to the Board for final approval in July.

COUNCILOR ROMERO-WIRTH: Even if we didn't do the FY24 contributions we would still have enough in the fund balance, wouldn't we, to cover the projects that we're anticipating without the FY24 contributions?

MS. ARMIJO-ROUGEMONT: Based on estimates, but the goal of the fund is to have a reserve fund and to continue to build that fund for future expenses.

COUNCILOR ROMERO-WIRTH: Okay and I guess that's really the rub on the policy, right, what level the fund needs to be and how we look at using that. That's all I have, thank you.

CHAIR HAMILTON: Thank you. Are there other questions? What is the fiscal agent fee?

MS. ARMIJO-ROUGEMONT: It is \$345,775 –

CHAIR HAMILTON: No, not the dollars. What is the fee?

MS. ARMIJO-ROUGEMONT: Oh, I am sorry; 4.5 percent.

MR. HELMS: What was the question?

MS. ARMIJO-ROUGEMONT: 4.5 percent of the previous year's adopted budget less that litigation fees.

CHAIR HAMILTON: Does not anybody else have questions?

MR. HELMS: Would you repeat your question. I didn't fully hear it.

CHAIR HAMILTON: I'm sorry.

MR. HELMS: What was your question?

CHAIR HAMILTON: What is the fiscal agent fee?

MR. HELMS: As a percentage.

CHAIR HAMILTON: 4.5 percent is what they told me.

MR. HELMS: Of the gross?

CHAIR HAMILTON: Well, that's the question. What do you take 4.5 percent of?

MS. ARMIJO-ROUGEMONT: The prior year's adopted budget minus the legal fees.

CHAIR HAMILTON: Minus only the litigation.

MS. ARMIJO-ROUGEMONT: The litigation, sorry.

MR. HELMS: Does that mean that as a \$8 million budget and it's 4.5 percent of whatever it is, \$350,000?

MS. ARMIJO-ROUGEMONT: Correct.

MR. HELMS: Then you subtract from that something or the base on which you calculated was reduced by litigation which is it?

MS. ARMIJO-ROUGEMONT: We reduce the litigation amount from the adopted budget and then the balance is multiplied.

MR. HELMS: So that's what, \$300,000 per year?

MS. ARMIJO-ROUGEMONT: For next fiscal year it is \$345,000.

MR. HELMS: For doing all of this wonderful work with these modules. Magnificent, just magnificent.

CHAIR HAMILTON: And just a point of clarification for the record.

Because there are no litigation fees listed at all. It's not litigation –

MS. ARMIJO-ROUGEMONT: It's post litigation. I need to change that.

CHAIR HAMILTON: -- that are being taken out of the settlement. It's the legal fees to support development of the fix. It is directly related to developing the fix so that's why they are not appearing here. They're being taken out of those fees. And that's just for the record. I know you know the difference but –

MS. ARMIJO-ROUGEMONT: They are both in the legal line item.

MS. LONG: Madam Chair, if at this point if you could just ask if there's any public comment on the budget because the PMFSA calls for that.

7. b. 2. Public Comment

CHAIR HAMILTON: Yes, thank you. Is there anybody here – I'll do it separately – first, is there anybody here in the chambers who wants to speak to this budget issue? I am opening public comment. Is there anybody on line on Webex who wants to make any comments on our budget deliberations? Seeing none.

COUNCILOR ROMERO-WIRTH: Move to approve this budget.

CHAIR HAMILTON: Thank you. I am closing public comment and I have a motion.

MR. HELMS: Second.

CHAIR HAMILTON: I have a motion and a second. Is there any further discussion?

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

CHAIR HAMILTON: Thank you very much Antoinette and Rick for the hard work on this.

MS. LONG: Madam Chair, just as a reminder to the Board, the Planning Commission for the City of Santa Fe will be in this room in 15 minutes. And they probably would like some setup time and that may not be possible but the meeting starts at 6.

CHAIR HAMILTON: Okay, thank you.

7. A. Presentation on Updated 2023 BDD Source Water Protection Plan and discussion and possible action on additional Source Water Protection Plan updates

MR. CARPENTER: Thank you, Madam Chair. In your packet you have a summary of the latest update to the Source Water Protection Plan that was originally written in 2017, updated in 2019 and then most recently by Mr. Carter in the back of the room on the departure of Daniela Bowman who used to put this together. And it was time to update it.

The entire plan is not in your packet. It is well over 100 pages long but it can be found online and that URL is at the bottom of my summary memo. So my summary memo summarizes the latest update of the Source Water Protection Plan. Inside of that plan, the update, is a description of the BDD and the governing body and the source waters for the BDD. A description of the geology, hydrology, water quality, historic use of the BDD's water, a description of potential sources of contamination to BDD source water and, as I mentioned, the whole plan can be found online at bddproject.org. In addition to that, and I am happy to stand for any questions on this update, but in addition to that, there has been some conversation lately that the Board may wish to direct staff to prepare an expanded and more detailed version of the BDD Source Water Protection Plan and to that end I invited Mr. Lazarus, Jay Lazarus, from GGI to make a brief presentation on what such an update might look like.

CHAIR HAMILTON: Thank you. Welcome, Jay.

JAY LAZARUS (Glorieta Geoscience, Inc.): Madam Chair, Board, Rick, thank you. If I hack a little bit, I am really trying to get rid of these allergies. So please bear with me.

Today's a pretty auspicious day, it is the one-year anniversary of Hermits Peak Calf Canyon Fire which our firm has been working on now for exactly 365 days straight and after reading the Board's staff source water protection plan keeping in perspective what we've learned over the last year, I'm suggesting a different kind of approach to source water protection for the Buckman Direct Diversion.

This photo for those of you that know Las Vegas, this is United World College or Montezuma Castle with the fire right behind it. This picture was taken from the hill of Peterson Reservoir across the Gallinas River. The currently plan – for those that know me, I talk fast and I know we have limited amount of time so I'll try and even talk faster than I normally do. I don't want to read all of this but kudos to Danny. I think he did a great job updating the Source Water Protection Plan. Generally, the Source Water Protection Plan describes the areas to be protected and everything else up here. It provides tools to prevent contamination of the source water protection area. I think the biggest question is does the current Source Water Protection Plan need additional updates for what Danny did. So the

SWPPs generally focus on the dissolved-phase constituents which should be distinguished from sediment or other particulates in the water. Right now, Buckman has an early warning system in Los Alamos Canyon that just focuses on Los Alamos at 5 cfs at that early warning system gage, Buckman shuts down. There has been concerns about upstream PFAS and PCBs and BDD is designed with the GAC canister and – can handle PFAS and PCBs in the treatment.

In our opinion based on the past year of work, the biggest threat to the BDD source water quality is going to be from fires in the Rio Grande watershed and tributaries. And I can't emphasize this enough especially with what we've learned in Las Vegas. Last Friday at the invitation of Kyle and Jesse I presented a more detailed hydrologic impact presentation to Santa Fe Waterworks Group and I'd be happy to share that at some point in the future with the Board.

This is a picture of the City of Las Vegas surface water diversion of the Gallinas River. Notice the black water at the diversion. Can't emphasize this enough. These were the water quality impacts that the city has and is currently experiencing. I don't want to read it all but what I can tell you is that there are significant increase in costs to the city to treat water in the Gallinas. None of these plants are designed today to treat this kind of sediment load or turbidity. So this goes to, what are we looking to update a source water protection plan, if we are, and my recommendation is to focus on not if it will happen but when the fires happen how we can protect our source waters and our diversion.

This is an ask and sediment pre-treatment plan that I brought in with the help of the Governor's Office in Las Vegas at the base of Storrie Lake. The building there was existing. It is a pumping station for the city. All of these other facilities, all in through here, and I don't know if you can see the cursor – I guess the cursor is not showing there – the blue is a Lamella plate clarifier which settles out a certain amount of the sediment. A polymer is added to it before. It flows over to those three blue canisters sort of in the background which are multi-media filters to provide additional filtration. It flows from there into these orange frac tanks for storage and equalizing before it is pumped into the city's pump station at the base of Storrie Lake. Now this footprint here is a combination of existing structure and the new ones we brought in this last summer. This is the new facilities we see here with tanks and such, are designed to be able to treat and produce 1 million gallons a day or about 3 acre-feet a day.

This is for us where the rubber hits the road in a big way. These are early warning gages. This was the first time that FEMA and the U.S. Geological Survey have ever cooperated on a project. Jim Riesterer of our company spent weeks tromping around in the ash with the USGS and we were up in the canyon before the Forest Service allowed their people to go up in the canyon because this is our water supply. We had to know where it was coming from. So what you see here are a variety of different gages with different colors, color-coating on them. The yellow gages are a combination of stream flow, turbidity and temperature. The green gages are rainfall and temperature and the triangular ones are rain gages. What do we need this early warning system for? We have big monsoon events, big runoff events up in the canyon; how fast is it going to hit the City? What kind of warning will the water treatment plant operators have before they have to shut down the diversion? This is the kind of system that we'd be recommending that Rick and his staff would want to have to be able to shut down the diversion in the event of big thunder boomers and runoff if you may. What we have here right now, all of these gages right here,

I can pull them right up on my phone, and these are all USGS gages. We have a contract to keep these in for several years and we can time what it takes – as you can see the lower-right hand corner, it says city diversion, right above the city diversion there is permanent gage there, it's been there maybe 90 years and it's called the Montezuma Gage, so we can measure the time for what it takes for the water or the flood flows, highly turbid, sediment laden flow flows to get from Beaver Creek, the La Placitas down to the Montezuma Gage and the city diversion.

So in terms of looking at if we're going to update the Source Water Protection Plan – and we have limited time and I'm trying to really condense this – our recommendation is to accept Danny's update, I think he did a really good job. But I really think the most critical factor for source water protection for the Board is preparing for the fire or fires when they come, have the kind of early warning systems installed now before a fire versus having these put in after a fire. I'm going to go to the previous slide and I would really – I am not part of any negotiations with Nancy and Rick and the engineers on what they're going to do to fix whatever the problem was that needed fixing at the diversion – the trick with this is to be able to have the sediment and ash removal pre-treatment system in place. It may not always be functioning but if we have it in place we can remove really high turbidity, high ash, high sediment concentration and allow Rick to stay diverting water and stay in business. And then as you can see, the ash doesn't go away real quickly. And I'll be happy to answer any questions.

CHAIR HAMILTON: I want to start out by thanking you for an effective presentation and Rick thanking you for thinking to ask for this. As they were, the updates were great and I really appreciate Danny's efforts. I still have an issue with the arbitrary 3-mile limit. But there are multiple ideas for how to deal with that in particular even the PFAS sampling that was done might give us an idea of what we need to be concerned with in the river and that could be considered.

I would like to just quickly throw on the table that an estimate, maybe at the next meeting, of what it might cost to update the Source Water Protection Plan with this kind of focus because frankly I agree this is an unpredictable but high risk issue that is going to happen. I've been involved in all sorts of environmental risk assessments that estimate the probability around this kind of event. So I think moving forward and thinking about this, maybe at the next meeting, would be really good idea. Councilor.

COUNCILOR ROMERO-WIRTH: Just a quick question. These gages, so we'd use the gages we have but they would have to be updated? Because we do have an early detection gage.

MR. LAZARUS: We have one in Los Alamos Canyon. That does nothing to address these kinds of issues that we face post-fire.

COUNCILOR ROMERO-WIRTH: So this map are new ones?

CHAIR HAMILTON: There are in Las Vegas.

MR. LAZARUS: Yes, every single one of these on here are new ones.

CHAIR HAMILTON: Yes, but they're for Las Vegas.

MR. LAZARUS: It's in the Gallinas watershed above the City of Las Vegas' diversion but they're new within the last six or eight months.

COUNCILOR ROMERO-WIRTH: Okay. So what you are recommending is that we have something similar for BDD.

MR. LAZARUS: What I'm recommending is that we start discussions with the U.S. Geological Survey to see if we can come up with a plan to target key tributaries. I don't know the answers to be honest with you. I've had some of these slides before and I put this together at 8 o'clock this morning. And if you don't like it, don't plan Rick this was all me. Okay? But Rick and I had talked about it but this is the kind of concept that I'm thinking about: what's the most important thing right now for source water protection and I am scared to death about the fires because I've experienced, I'm still experiencing it and the City of Las Vegas has given us an office in their utilities department for the work we do.

COUNCILOR ROMERO-WIRTH: That's all I have, thanks.

CHAIR HAMILTON: I think part of the point is the recommendation that a process of doing an expanded source water protection evaluation would describe where in the watershed if a fire happened it would impact BDD and then what could be done to work with the USGS and whatnot to put in such a system. But that is the concept?

MR. CARPENTER: Yes, Madam Chair.

CHAIR HAMILTON: Thank you. Other questions? If nobody disagrees with me, I think consideration of this at the next meeting would be valuable.

MR. LAZARUS: Madam Chair, what we'll do is – it's the royal "we" – but

CHAIR HAMILTON: You and the mouse in your pocket.

MR. LAZARUS: Yeah, thank you. We'll talk to the USGS, we're actually talking to them right now about some other gages, and I'll try and find out what their cost was for installing just what's here on this map right now. So that will just give us a baseline and for different types of gages. This will take us at least – we had to do this on the fly, as Kyle and Jesse knew, for Las Vegas we're flying the plane while we're building it and we're still sort of doing it.

CHAIR HAMILTON: I hope you wear a parachute.

MS. LONG: Madam Chair, I would recommend that we move quickly to the last item and wrap this up as the Planning Commission meeting was noticed for 6 and it could be confusing to the public that we're still here.

CHAIR HAMILTON: Yes, I understand. We only have one more action item other than public comment.

- c. **Request for approval to award RFP #23/28/P to Wright Water Engineers, Inc. for engineering services**
 - 1. **Request for approval of a Professional Services Agreement with Wright Water Engineers, Inc. for engineering services in the amount of \$250,000 plus NMGRT for the remainder of FY2023 and for FY2024**
 - 2. **Request to utilize funds from the legal settlement for this contract**

CHAIR HAMILTON: I think most of us know what this is for. And, Jay, thank you so much for this. It was good thinking.

COMMISSIONER HUGHES: Madam Chair, I'll make a motion to approve item C for discussion and speed.

COUNCILOR ROMERO-WIRTH: I'll second but I have questions.

CHAIR HAMILTON: Yes, okay. I have a motion and a second. Under discussion, Councilor Romero-Wirth.

COUNCILOR ROMERO-WIRTH: I'm looking at the contract and it says, The compensation under this agreement shall be \$250,000. So that means we will pay Wright Water \$250,000 for the scope of work and that this contract terminates June 30, 2024 according to this.

MS. LONG: It does terminate June 30, 2024. The amount is an up to amount as they bill on hourly rates. We can make that change.

COUNCILOR ROMERO-WIRTH: Unfortunately, the contract doesn't say up to.

MS. LONG: We can make that change in the contract.

COUNCILOR ROMERO-WIRTH: Okay. I guess I would –

COMMISSIONER HUGHES: I amend my motion to make that adjustment in the contract.

COUNCILOR ROMERO-WIRTH: Okay, and is it – it's a one-year contract but we think it's going to take longer, shorter? I don't see options to renew in the contract.

MS. LONG: The RFP was awarded for up to four years. There is an amendment provision in the contract that would allow it to be amended by term extension and the term is for 15 months as it will commence after we get it signed up after this meeting. So it will be basically April, May, June of this fiscal year and then next fiscal year so that's 15 months.

COUNCILOR ROMERO-WIRTH: Okay. The contract amount is up to \$250,000, it's 15 months but under the RFP we could renew and we would renew with new dollar amounts as we get down the road.

MS. LONG: That's correct. It would be on an annual basis even though the money would be coming out of the settlement funds it would be considered on an annual basis with a new amount.

COUNCILOR ROMERO-WIRTH: Okay, and we don't have to go back out to RFP in order to keep them working after this contract.

MS. LONG: That's correct so long as it's within the scope of work that was bid.

COUNCILOR ROMERO-WIRTH: Okay, and then I had one other question. We don't have to go out to RFP. Oh, and there's not a total value on this? So was the RFP bid – and I guess part of that is that we don't really know how much it's going to cost to figure out what we need to do to do as Commissioner Hamilton says, the big fix with our settlement dollars.

MS. LONG: Yes, Councilor, we do not know and the RFP was bid without any amount as was required under the procurement code because it was engineering services so it was based strictly on qualifications.

COUNCILOR ROMERO-WIRTH: That's all I have. Thank you, Madam Chair.

CHAIR HAMILTON: Other questions under discussion? If not, I have a motion and second.

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

8. MATTERS FROM THE PUBLIC

None were presented.

9. MATTERS FROM THE BOARD

Commissioner Hansen thanked BDD staff and the Chair for making the virtual meeting possible.

10. NEXT MEETING: Thursday, May 4, 2023 at 4:00 p.m.

11. ADJOURN

Having completed the agenda and with no further business to come before the Board, Commissioner Hughes moved to adjourn and Chair Hamilton declared this meeting adjourned at approximately 6:05 p.m.

Approved by:


Anna Hamilton, Board Chair

Respectfully submitted:

Karen Farrell, Wordswork

ATTEST TO



KATHARINE E. CLARK
SANTA FE COUNTY CLERK

