

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

August 3, 2023

1. CALL TO ORDER

This regular meeting of the Santa Fe County & City Buckman Direct Diversion Board meeting was called to order by County Commissioner Anna Hamilton, BDD Board Chair, at approximately 4:03 p.m. in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

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

BDD Board Members Present:

Commissioner Anna Hamilton
Councilor Carol Romero-Wirth
Commissioner Anna Hansen
Councilor Renee Villarreal
J.C. Helms, Citizen Member
Tom Egelhoff, Las Campanas [non-voting]

Member(s) Excused:

None

Alternate(s) Present:

Peter Ives, Alternate for Citizen Member

Others Present:

Rick Carpenter, BDD Facilities Manager
Nancy Long, BDDB Legal Counsel
Bernardine Padilla, BDD Public Relations Coordinator
Delfin Peterson, BDD Administrative Assistant
Randy Sugrue, BDD Operations Superintendent
Michelle Hunter, County Water Resources Manager
Jay Lazarus, BDDB Consultant, Glorieta Geoscience, Inc.
Joni Arends, Concerned Citizens for Nuclear Safety

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

3. APPROVAL OF AGENDA

With no changes from staff, Commissioner Hansen moved to approve. There was a second by Councilor Villarreal, and the agenda was unanimously approved.



BUCKMAN DIRECT DIV MIN
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COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

I Hereby Certify That This Instrument Was Filed for
Record On The 12TH Day Of September, 2023 at 03:24:26 PM
And Was Duly Recorded as Instrument # 2019545
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Katharine E. Clari
County Clerk, Santa Fe, NM

Deputy *Dorothy Romero*

SFC CLERK RECORDED 09/12/2023

4. APPROVAL OF MINUTES: July 6, 2023

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

MR. HELMS: Move to approve.

COMMISSIONER HANSEN: Second, but further discussion.

CHAIR HAMILTON: Yes.

COMMISSIONER HANSEN: There's a few places where just like an a or something – I didn't bring my book that I marked it up with, but otherwise they're perfectly fine.

CHAIR HAMILTON: Just a few little editorial things.

COMMISSIONER HANSEN: Minor. Almost unrecognizable.

CHAIR HAMILTON: Okay. Good. So I have a motion and a second.

The motion passed by unanimous [4-0] voice vote with Councilor Villarreal abstaining.

5. PRESENTATION/INFORMATIONAL ITEMS

a. Monthly Update on BDD Operations

CHAIR HAMILTON: We have Randy Sugrue all ready for item 5. a.

Welcome.

RANDY SUGRUE (BDD Operations Superintendent): Thank you very much, Madam Chair, members of the Board. This is our report for BDD operations for the month of July 2023. Raw water diversions averaged about 8.29 million gallons per day. Our drinking water deliveries, about 6.58 million gallons per day. Raw water delivery to Las Campanas, 1.47 million gallons per day. And our onsite storage variation when 24 million gallons per day.

We're providing approximately 44 percent of the water supply to the City and County for the month. Our total diversion for the month is significantly above our 12-year average, just based on demand and Canyon Road had some issues and lower production in the month.

Daily metered regional demand was in the vicinity – sometimes lower sometimes higher than 15 million gallons per day. That included some significant water use again on golf courses in replacement for effluent. Rio Grande flows averaged around 1,480 cubic feet per second and continue now in early August just a bit below a thousand cubic feet per second, so the river's pretty healthy for this time of year considering the heat and the dry weather. Canyon Road storage combined about 87.9 percent with an inflow around two million gallons per day.

And Canyon Road, since the issues they had in the middle of July now has increased their production, I think in the vicinity of six to seven million gallons per day. So BDD has eased back a little bit on our production. Abiquiu storage of SJC water is 11,897 acre-feet. That was as of July 19th. As of July 1st we did receive the remainder of our 100 percent SJC allocation for the year. So we have received 5,230 acre-feet of SJC water allocated. The storage in Abiquiu is reflected in the graph below, and the El Niño

summary states there's greater than 90 percent change that El Niño will continue through the wintertime here. And that's what I have for this month. I stand for questions.

CHAIR HAMILTON: Thank you. Mr. Ives.

MR. IVES: Thank you, Madam Chair. So on a daily basis I do look at the paper and look at the water statistics and the report for July 31st, so a few days ago, indicated that the total production in the City was 17,232,000 gallons, and that total consumption was 16,214,000 gallons. And I keep on recollecting that 15 million gallons is a trigger point for the City.

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

MR. IVES: So I'd love to see the statement of that policy that was adopted by whomever.

MR. SUGRUE: I looked up City code. It does not define the specifics. That is at the discretion of the Water Division Director. It just says that the City Manager is authorized to determine and declare a water emergency if any of the following occur, and those bullet points are the Water Division Director's – at his discretion.

MR. IVES: Okay.

MR. SUGRUE: But yes, the 15 million is not how much we consume in a day; it's City storage, if it should drop to that level, because that would show a concern in production if we can't keep the level. Usually in the summer we keep Citywide storage somewhere in the vicinity of 30 million gallons total, again, to provide for just health, welfare, safety, fire flows, things like that.

MR. IVES: And again, love to get just a copy of that statement of policy.

MR. SUGRUE: Yes. I can give you this. I don't know if anyone else is interested I can provide it. It's simply the City code, title Section 25, Water Emergency Management Plan Ordinance. But you can have this one if you like and I'd be glad to provide some for others if they so desire.

CHAIR HAMILTON: Yes, please. That would be good for the whole Board to have that.

MR. SUGRUE: Sure. And again, a lot of it is open to sort of Water Division discretion but it does give you the bullet points as to what some of those unforeseeable situations might be.

CHAIR HAMILTON: Thank you. Was that it?

MR. IVES: That was it.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. You said that – is BDD water being used on the golf courses in the city? Or were you just mainly speaking to the –

MR. SUGRUE: The city as a whole, yes. I mean we just put water into the City system. We don't have the discretion to say what happens to it after that fact. So City water, I believe, in some instances is still going through that temporary system, and so that has resulted in some of this increased demand.

COMMISSIONER HANSEN: And that has to do with the fact that the wastewater plant is –

MR. SUGRUE: I don't specifically know, but that's kind of the impression I get.

COMMISSIONER HANSEN: Okay. Thank you.

CHAIR HAMILTON: Thank you. Any other questions? Thanks so much, Randy.

MR. SUGRUE: You're welcome. Thank you.

b. Report from the Facilities Manager

RICK CARPENTER (Facilities Manager): Thank you, Madam Chair. My memo has only a couple of items in it for this month. The first is an update on major repair and replacement. Just a heads-up to the Board that next month Randy and I expect to come to the Board with a major repair and replacement update of about a million dollars for our new membranes. That's not ready for this month, but I just wanted to give you a heads-up.

What we are doing, though however, is replacing two of the five granulated activated carbon vessels. That's in process now, and I have to call to the Board's attention, I have a typo in my memo. I listed that cost as \$290,000 when in fact it's a little less than that, \$281,100. So I just wanted to make that correction.

The second bullet is a staffing update. I'm working very hard with our maintenance supervisor and HR on the following four positions: journeyman electrician, maintenance planner/scheduler, equipment repairman advanced, and equipment repairman intermediate. All four of these are – they could hit the street tomorrow. They're ready to go and be advertised. I checked this morning and they hadn't advertised as of today but by the time we have another Board meeting I hope to be able to report out that we have advertised them and hopefully have a list of eligibles for each one of these. And that concludes my report. I'm happy to stand for questions.

CHAIR HAMILTON: That's good. I appreciate getting the heads-up on things. It facilitates being able to think about things. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Rick. I'm wondering what is happening with the major repairs and the settlement funds that we received for the repair. Because we haven't seemed to have an update on that in some time.

CHAIR HAMILTON: No, we haven't but we are planning to have an update on that next month when we are pulling lots of information together and the way things progress we expect to have information on what the status is, how things like the RFQ are progressing and a little more of a timeline.

COMMISSIONER HANSEN: That would be good.

CHAIR HAMILTON: Anybody else? I do have a question on were these among the major items that you estimated would be needed to be done this year on major repair and replacement? We had like \$1.9 million this year and it was put in the budget and something similar or a little higher was anticipated for next year. Are these all in that or are we looking at very likely going over that this year?

MR. CARPENTER: Madam Chair, we won't go over without coming back to the Board.

CHAIR HAMILTON: Well, of course not. And it's not the concern about – I was just thinking in terms of predictable things.

MR. CARPENTER: I think the more likely scenario would be to assess that might maybe could cause us to go over, and then look at the budget and see if we could maybe push something down, or make a lower priority. That's an option.

CHAIR HAMILTON: Yes. And like I said, this was not because I have concerns about this. I literally looked at the \$1 million and said, well, we anticipated that magnitude of things to be done this year, and then I thought, well, I wonder if those membranes were not even on the list and you're already having to change things or we may have to add stuff. Like you said, it's not because it's a problem.

MR. CARPENTER: Madam Chair, that was anticipated as a big ticket item. But I didn't get to it today. It's a busy day as you know, but I expect to do the accounting on all of this tomorrow morning and just – if we have to update the plan we will.

CHAIR HAMILTON: Of course. Excellent. Thank you. Any other questions on this report? Thanks.

6. a. Request for approval of Amendment No. 1 to the Legal Services Agreement with Long, Komer and Associates, P.A. in an amount not to exceed \$285,000.00 plus applicable gross receipts tax

CHAIR HAMILTON: Rick, do you want to start us out on that?

MR. CARPENTER: Yes, ma'am. And Monique is not here because she's ill today so I'm doing her items. So this is \$285,000 to fund Long, Komer and Associates for the fiscal year of 24. It is budgeted. There was an RFP. I think we received three proposals. Long, Komer's was by far the strongest, and staff is requesting approval of this item.

COUNCILOR ROMERO-WIRTH: Move to approve.

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: Under discussion, Councilor Villarreal.

COUNCILOR VILLARREAL: Thank you, Madam Chair. I just wanted to be clear about the contract. I wasn't quite sure what the total amount will be for four years. Because it's a four-year contract and this is an increase, but I didn't think it was increase. I thought it was just an additional year. Maybe you could explain that, because the contract is talking about compensation and shall not exceed for \$405,000, but that's not the full contract amount.

NANCY LONG (BDD Board Counsel): Madam Chair and Councilor, I think I can answer that, because I had that question too, because the amendments get drafted – since it's our contract we don't do our own amendments. It went through City staff. And so I looked at that number as well, the \$405,000, and I think that's because our contract was awarded in March, so we had a gap to get to this next fiscal year. Our contract went from March to the end of June. And so if you take the \$405,000, less the \$285,000 for this next year, that was \$110,000 to cover those four months and we actually did not bill that entire amount. It was probably more like half of that. But we understand that that's not to carry over, that our budget for this next year will actually be \$285,000.

But it's not for the full four years. Each year they'll come back with an amendment, even though the term can be four years, the compensation will be visited each year by way of first the budget, and then coming to you in an amendment.

COUNCILOR VILLARREAL: Thank you. It's always confusing with those amendments because it's really not an amendment, it's to continue a four-year contract. I think your explanation of making up the difference helped to clarify. I didn't under the –

MS. LONG: Yes, I didn't understand it at first either.

COUNCILOR VILLARREAL: Thank you. That was helpful. No further questions.

CHAIR HAMILTON: Thank you. Anything else under discussion? If not I have a motion and a second.

The motion passed by unanimous [5-0] voice vote.

- b. Request Approval of Services Agreement with Calgon Carbon Corporation in an amount not to exceed \$281,100.00 from the Major Repair and Replacement Fund (MRRF) for the replacement of the Granular Activated Carbon Media, and request for approval of a Budget Adjustment Request in the amount of \$281,100.00 from the MRRF**

CHAIR HAMILTON: We'll to go Randy.

MR. SUGRUE: Thank you, Madam Chair, members of the Board. BDD is preparing to replace the GAC, granulated activated carbon media in two out of our five carbon contactors. Each one takes 70,000 pounds of carbon. We had a successful negotiation with the City Purchasing Department and went through the standard bid process and actually came in significantly lower than we expected. We had a good participation in the bid and we originally thought it might be over \$300,000. So the rep from Calgon Corporation themselves will be out in a couple weeks to inspect the facility. He has been here before. I think they installed the original carbon in the contactors, and then they'll take the old carbon and pile it on site and we'll dispose of it just all into the landfill, which is significantly less expensive than having them haul it off for us.

CHAIR HAMILTON: Excellent. So there was in fact a competitive bid for this.

MR. SUGRUE: Oh, absolutely.

CHAIR HAMILTON: Are there any questions.

COUNCILOR ROMERO-WIRTH: Move to approve.

COUNCILOR VILLARREAL: Second.

CHAIR HAMILTON: Excellent. Thank you. Anything under discussion?

The motion passed by unanimous [5-0] voice vote.

- c. Request for approval to award RFP 23/63/P to Glorieta Geoscience, a division of GZA GeoEnvironmental, to provide technical services for the Buckman Direct Diversion Board, and for approval of a Professional Services Agreement for FY24 in an amount not to exceed \$40,000.00 plus applicable New Mexico gross receipts tax**

CHAIR HAMILTON: We'll go back to Rick.

MR. CARPENTER: Thank you, Madam Chair. This is a request from staff for approval of a contract with Glorieta Geoscience. An RFP was issued. We received only one proposal from GGI, a very well done proposal I would add, for technical services. The amount staff is requesting is \$40,000. That's what's in the budget. The types of things that they would be doing for us are things that would help with our regulatory needs, hydrology studies, data quality and assessment, and water quality issues, especially as related to LANL. And so with that I would stand for questions.

COUNCILOR ROMERO-WIRTH: Move to approve.

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: Thank you. I have a motion and second. Is there anything under discussion? Yes, Councilor.

COUNCILOR VILLARREAL: Thank you, Madam Chair. Just a quick question. I'm curious about one bid. Is that typical for this particular type of expertise? And then maybe you could just elaborate about how you advertise RFPs.

MR. CARPENTER: Madam Chair, members of the Board, I was expecting at least two. There are two or three firms in the area that have similar skill sets, but we only received the one. It's not typical to just receive one, but it is a highly specialized skill set. It's not like I was expecting five or six bids. That's just not going to happen.

As far as advertising the RFP we follow the City's Procurement Code to the letter. They saw to it.

COUNCILOR VILLARREAL: So that's the City RFP process?

MR. CARPENTER: Yes.

COUNCILOR VILLARREAL: Okay. Thank you.

CHAIR HAMILTON: Excellent. So I have a motion and a second.

The motion passed by unanimous [5-0] voice vote.

7. MATTERS FROM THE PUBLIC

CHAIR HAMILTON: I know we have somebody here from the public Welcome, Joni.

JONI ARENDS: Good afternoon. My name is Joni Arends and I'm with Concerned Citizens for Nuclear Safety, and I'm following up on my comments last month about having the Environment Department coming to give a presentation about their concerns about the chromium plume. I wanted to see what the status of that is.

CHAIR HAMILTON: Unless – Rick, do you have –

COUNCILOR ROMERO-WIRTH: Isn't Public Comment one direction? Point of order. I think she can inquire and we just take that and –

MS. LONG: Correct.

COUNCILOR ROMERO-WIRTH: But we don't get into a back and forth here.

CHAIR HAMILTON: That's very true. That is policy. Okay. So we will take that question.

MS. ARENDS: Thank you.

CHAIR HAMILTON: So is there anybody else here from the public who wishes to speak? I don't see anybody so I'm going to close Public Comment.

8. MATTERS FROM THE BOARD

CHAIR HAMILTON: I'll go to J.C and then Commissioner Hansen.

MR. HELMS: I have a rather minor topic but it hard today because I have a very bad foot. Why is the door that is between the parking garage and this building always locked when we have our meeting?

COUNCILOR ROMERO-WIRTH: You'd have to ask the City Manager's Office but I think they are doing more around security of this building, and so during business hours the door that's open is the front. I think they're trying to create a front door and everything else is locked unless you have a key.

MR. HELMS: Isn't it kind of strange to have a garage over there and the only entrance over here? It doesn't make sense to me.

COUNCILOR ROMERO-WIRTH: Well, this whole space is not ideal. We try to make it work.

MR. HELMS: Well, anyway. That's all. Thank you.

CHAIR HAMILTON: It's a good question. Thank you. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. On another note, I want to share with the Board and the public that at the NACo conference, which is the National Association of Counties, I have the honor of being elected president of the Women of NACo, so that means that I now have a national constituency. And I'm really honored to be in this position. I was recruited by the Women of NACo to be in this position and I'm very honored and I'm going to take it very seriously. Some of the things I plan to do for NACo, which is a lobbying organization like your Municipal League organization is train women to write policy for women's issues but also for issues that they are concerned about. I have been very successful in bringing forward resolutions and I think that's part of the reason why I was put in this position, and they have covered a wide range of topics.

And then the other committee that I have started is Counties for Climate Action at NACo, and NACo is a pretty conservative organization so to have another force to be speaking to climate issues I think is really important, and the other thing that's happening is at the end of the month, in September, the large urban caucus of NACo will be meeting here. About 25 of the large urban counties, and it's the first time they've ever met in a small, rural county, which we are considered. And so I think that's really exciting for them to be coming here. So it should be exciting. It's an interesting choice for them to come to a small city and county.

COUNCILOR ROMERO-WIRTH: City and county – I'm just taking exception with the rural.

COMMISSIONER HANSEN: You can take issue with it but the county is rural.

CHAIR HAMILTON: We can have one meeting out in Glorieta and we'll get the little rural part of it going for just once.

COMMISSIONER HANSEN: Or at the Pojoaque Pueblo or San I Pueblo, which are all very rural areas also in our county.

COUNCILOR ROMERO-WIRTH: I totally agree. I was thinking about the City of Santa Fe as not being rural.

CHAIR HAMILTON: Yes. And this is where they're meeting. Okay. Thank you.

COMMISSIONER HANSEN: Thank you. I'm honored to be able to share that information.

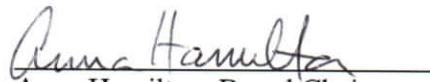
CHAIR HAMILTON: Excellent. Thank you. Anybody else on the Board?

9. **NEXT MEETING:** Thursday, September 7, 2023 at 4:00 p.m.

10. **ADJOURN**

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

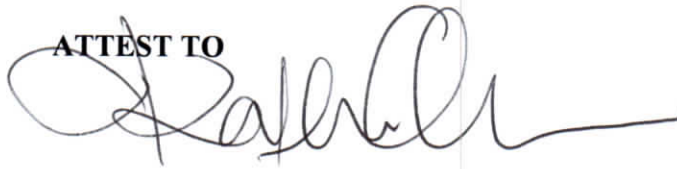
Approved by:


Anna Hamilton, Board Chair

Respectfully submitted:

Karen Farrell, Wordswork

ATTEST TO



KATHARINE E. CLARK
SANTA FE COUNTY CLERK

