

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

June 2, 2022

1. CALL TO ORDER

This regular meeting of the Santa Fe County & City Buckman Direct Diversion Board meeting was called to order by Chair Carol Romero-Wirth at approximately 4:05 p.m. in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

Pursuant to continued concerns regarding COVID-19, this meeting was conducted on a hybrid platform incorporating both in-person and virtual participation.

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

BDD Board Members Present:

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

Member(s) Excused:

None

Others Present:

Rick Carpenter, BDD Facilities Manager
Nancy Long, BDD Legal Counsel
Jamie-Rae Diaz, Administrative Manager
Antoinette Armijo-Rougemont, BDD Financial Manager
Monique Maes, BDD Contract Administrator
Randy Sugrue, BDD Operations Superintendent
Bernardine Padilla, BDD Public Relations Coordinator
Rachel Brown, County Interim Attorney
Marcos Martinez, Senior Assistant City Attorney
Regina Wheeler, City Public Works Director
Caryn Gross, City Project Administrator
Jay Lazarus, Glorieta Geoscience
Cheryl Rodriguez, DOE EM-LA
Christian Maupin, DOE-N3B

3. APPROVAL OF AGENDA

There were no changes to the agenda and Commissioner Hansen moved to approve as published. Her motion was seconded by Mr. Helms and passed by unanimous [5-0] voice vote.

4. APPROVAL OF CONSENT AGENDA

Commissioner Hansen requested pulling items 7. F and G. Councilor Villarreal requested pulling item 7.C.

Councilor Villarreal moved to approve the consent agenda as amended and Commissioner Hansen seconded. The motion passed by unanimous [5-0] voice vote.

Consent Agenda Items:

- a. **Request for Approval of Amendment No. 4 to Service Agreement 19-0056 with B&D Industries, Inc., to extend the term of the Agreement and to increase compensation by \$55,000, plus applicable New Mexico gross receipts tax for fiscal year 2023**
- b. **Request for Approval of Amendment No. 1 to Professional Service Agreement 21-0421 with Daniels Insurance to extend the term of the Agreement and to increase the compensation in an amount up to \$150,000 plus applicable New Mexico gross receipts tax for fiscal year 2023**
- c. Removed. [See page 6]
- d. **Request for approval of Amendment No. 5 to the Legal Service Agreement 19-0246 with Long Komer and Associates, P.A. to extend the term of the Agreement to March 6, 2023 and to increase compensation by \$240,000.00 plus applicable New Mexico gross receipts tax.**
- e. **Request for approval of Amendment No. 1 to Professional Service Agreement 22-0059 with IntraWorks, Inc. to extend the term of the Agreement for fiscal year 2023**
- f. Removed [See page 7]
- g. Removed [See page 9]

5. APPROVAL OF MINUTES

- a. **May 5, 2022 Buckman Direct Diversion Board Meeting Minutes**

There were no changes to the minutes. Commissioner Hansen moved to approve the minutes as published. Councilor Villarreal seconded and the motion passed by unanimous [5-0] voice vote.

6. PRESENTATION/INFORMATIONAL ITEMS

- a. **Monthly Update on BDD Operations**

CHAIR ROMERO-WIRTH: This is the monthly update of the BDD operations; Randy Sugrue. And welcome back in person.

RANDY SUGRUE (Operations Superintendent): Thank you very much, Madam Chair, members of the Board. My report on BDD operations for the month of May 2022. Our diversions averaged around 5.7 million gallons per day. Drinking water deliveries to City and County our 4, 5A average about 4.9 mgd. Las Campanas is diverting, on average, about .58 million gallons a day. On-site treated and non-treated storage .21 mgd. BDD providing about 44 percent of the water supplied to the City and County for the month. You can see on the graph on page 1, somewhat below our 10 year average. That's accounted for because Canyon Road had ramped up quite a bit to bring the reservoir levels down and now the scales are going in the other direction . BDD production is coming up a bit.

Regional water use for the month of May averaged 11.1 mgd, that's rising a bit as the weather warms. Rio Grande flows averaged 1,500 cfs and that's now down somewhat below 1,000 but fairly stable. Nichols and McClure combined storage is 27.3 percent a couple of weeks ago and that has come down a bit. The watershed inflow at that time was 4.6 mgd and that has also down now that we've had some warm weather and the snow is mostly melted. The San Juan-Chama storage graph hasn't been updated but there hasn't been much of a change in our storage levels up in the reservoirs. The summary, certainly we can tell La Niña is still present. There is a little bit of precipitation possible in the near future so let's hope for the best. If there's any questions, I stand for questions.

CHAIR ROMERO-WIRTH: Thank you. Questions from the committee? I don't see any, so thank you.

MR. SUGRUE: Thank you very much.

b. Report from the Facilities Manager

RICK CARPENTER (BDD Facilities Manager): Thank you, Madam Chair. It is good to be back with all of you in person after such a long time. I have a couple of items to report out on. Good news, the administrative assistant position has been posted. So that's out there and we'll hope for the best on that. I was looking forward also to reporting out that we received a list of eligible candidates for our instrumentation and control tech position; it has been very, very difficult to fill through the years. We received paperwork on that position – the gentleman looked very, very good on paper. Very well qualified. However, just before this meeting started, he called and withdrew and said he was no longer interested. I don't know why. So I'm disappointed there.

The other thing just to let the Board know, our granular activated carbon filters, we call them GAC, they're sort of a pinch point right now for us. We're having a hard time finding them from the vendors. We think we have located one, hopefully a good one, we'll have on line within two to three weeks. As it stands now it is constraining our ability to produce a lot of water. We're still into 7 mgd which is okay for now but we need to get that back before demand goes much higher.

Madam Chair, that concludes my report.

CHAIR ROMERO-WIRTH: Thank you. Questions from the committee: Commissioner Hamilton.

CHAIR HAMILTON: Just curiosity, is this like a supply chain – one of the classic current issues.

MR. CARPENTER: There's some specialized parts in actuators, high tech and we can't find them.

CHAIR ROMERO-WIRTH: Other questions from the committee? Okay, we'll look to hear more on that.

c. BDD Technical Working Group Monthly Report

MR. CARPENTER: Yes, Madam Chair. I'd like to thank you and Commissioner Hamilton for participating in that meeting with the Technical Working Group, it's a great help having you on there. At the direction of the Board we did form the Technical Working Group. We've had several meetings since the last Board meeting. The last Technical Working Group meeting, the group thought it would be wise to recommend utilizing one or both of the existing on-call engineering firms that the Water Division has. They are both very fine engineering firms that are already under contract and it we could be pretty expedient getting them up to speed. The scope of work for one or both of those firms would include identifying the basic problem issues and what we are trying to solve and that would include doing the existing whitewater engineering reports, interviewing BDD staff, maintenance and operations status and reviewing and analyzing data. Another task that we think would be an idea for this group to do would be to analyze and make recommendations on the most appropriate project delivery methods that a second engineering firm would undertake when they do design of the structure. The project delivery completing design-build, design-build [audio interference-] – and then we'd make a recommendation to the Board.

Future work that we might be recommending back to this Board in the near term would be for this on-call engineering firm to develop a scope of work that the design and construction firm would follow. That would be included at the end of the procurement documents are produced to assist us with procurement and again designing whichever project is to be realized. With that, Madam Chair, I stand for questions.

CHAIR ROMERO-WIRTH: Questions. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. Thank you, Rick. So I think that sounds good. I don't see anything about diversion. Is that part of the plan to look at rebuilding the diversion?

MR. CARPENTER: Absolutely.

COMMISSIONER HANSEN: Okay. But then also, in the past the City has had a lengthy procurement process. Is there any way we can improve that or make sure we have a more expedient method because if you're having problems right now with supply chain it's going to be an issue for the next couple – well, at least for another year I would think if not longer.

MR. CARPENTER: Yes, Madam Chair and Commissioner, we've had a lot of discussions around that issue in the Technical Working Group. It's one of the reasons that we'd like to get one of those on-call firms signed up and tasked right away so they can start right away. And by right away I mean next week. And then get a head start because of the supply chain issues identifying what we need to order as soon as we know because of those long lead times. But that is what we have envisioned with the on-call firms.

COMMISSIONER HANSEN: And then, Madam Chair, Rick, at the County we had success with a design-build as a process of getting things done more expediently within a good price range. I would think that that is something that we should look at.

MR. CARPENTER: Yes, Madam Chair and Commissioner, we have had some discussions around that with John Dupuis with the County has a lot of experience with that as well. That's one of the recommendations that we'll be bringing back to the Board on what that project method ought to be

COMMISSIONER HANSEN: That's all I have for right now, thank you.

CHAIR ROMERO-WIRTH: Mr. Helms.

MR. HELMS: I just have a simple question and maybe it would be directed to the Chair who is a member of the City Council and also to our lawyer. I know the County has a sole-source process that can be tapped in to; does the City also? So why can't you tap into sole-source?

MR. CARPENTER: The sole-source could be done. It would take longer than simply writing a task for an existing contract.

MR. HELMS: Really?

MR. CARPENTER: That's correct.

MR. HELMS: Why is that?

MR. CARPENTER: For one thing, you have to post a sole-source for 30 days.

MR. HELMS: Thank you.

CHAIR ROMERO-WIRTH: Other questions? Okay, thank you.

d. Report on May 26, 2022 Fiscal Services Audit Committee (FSAC)

ANTOINETTE ARMIJO-ROUGEMONT (BDD Accounting Supervisor): Good afternoon, Madam Chair and members of the Board. We did hold a FSAC meeting on May 26th at 2:30 via Zoom. In attendance was myself, Chair Romero-Wirth, Monique Maes, Brad Fluetsch, he's the City Cash and Investment Officer, our attorney Nancy Long and John Dupuis.

We reviewed all of the contract amendments that are on today's agenda. Brad inquired about the insurance coverage so we decided to meet in order to review all of the policies for the BDD and the City to ensure that there's no double coverage as well as gaps in coverage. And also Brad will start appearing on the Board agenda beginning in July to provide quarterly reports to the Board regarding the investment strategies for the settlement funds. That about wraps it up, are there any questions?

CHAIR ROMERO-WIRTH: Questions from the committee? Thank you.

e. Buckman Director Diversion Audit: Update on City of Santa Fe Fiscal Year 2021 Audit

CHAIR ROMERO-WIRTH: We were to have an update on the City of Santa Fe fiscal year 2021 audit. I have been texting, calling, emailing staff – I don't see them in the room. I can tell you that it was reported to the Finance Committee on Tuesday night that the plan for moving forward was due to the State Auditor on the Friday before Memorial Day and that plan was submitted. It is under review by the State Auditor's Office

and we are now waiting their response to that and work continues on all of the other things that are necessary to get that in line. So that's what I know. Commissioner Hansen.

COMMISSIONER HANSEN: Is it possible that they will come to our July meeting with a full report?

CHAIR ROMERO-WIRTH: Yes, sure. And, again, maybe they'll pop in here in a bit. Any other questions on this? And if they do show up, we'll go back to it.

7. CONSENT ITEMS

- c. **Request for approval of Amendment No. 5 to Professional Services Agreement 19-0302 with Glorieta Geoscience, Inc. to extend the term of the Agreement and to increase compensation by \$55,000.00 plus applicable New Mexico gross receipts tax for fiscal year 2023.**

CHAIR ROMERO-WIRTH: And we have Monique Maes, our contract administrator here with us. Councilor Villarreal.

COUNCILOR VILLARREAL: I just had a couple of quick questions, nothing major. I was trying to go back to understand what Glorieta Geoscience does for us and I couldn't really determine that from the memo and then I went back to a past memo and it didn't really say much. Can you tell us or remind me at least to let us know what contractual services they provide for us specifically and then a little bit about –

MR. CARPENTER: Madam Chair, as far as Glorieta Geoscience's scope of work, I think it would be more appropriate if I took that question. If I may, Glorieta provides technical oversight especially for sampling analysis and sampling protocols. They are working with me right now on issues around sediment migration and that has come up a little bit with LANL as well. They are helping with the OSE permit application that this Board protested along with that there are the chromium-6 issues that they are working on. And just general technical experts for us.

COUNCILOR VILLARREAL: Thank you. And then the other question was just an explanation about the increases within the last two months and what was the reason for the adjustment of money?

MONIQUE MAES (BDD Contract Administrator): The increased compensation for this fiscal year, 2022, by \$36,624, we are going to be approaching our next fiscal year, 2023, and we also will be increasing compensation by \$55,000.

COUNCILOR VILLARREAL: Is that because of increase work that they provided for us?

MR. CARPENTER: Madam Chair, members of the Board, Councilwoman, the \$55,000 is for anticipated work that they'll be doing next year that an increase in their scope of work.

COUNCILOR VILLARREAL: Increase in their scope of work, you said?

MR. CARPENTER: Correct.

COUNCILOR VILLARREAL: Okay. I can't hear well when wearing a mask.

CHAIR ROMERO-WIRTH: Yes, please, if everybody would get close to their mikes that really does help particularly from the presentation podium.

COUNCILOR VILLARREAL: Thank you and that's all I have. Move to approve.

COMMISSIONER HANSEN: I second. And I have a question.

CHAIR ROMERO-WIRTH: We have a motion and a second and we have further discussion. Commissioner Hansen.

COMMISSIONER HANSEN: I know – I heard that you had your annual meeting with LANL, was Glorieta Geoscience involved in that?

MR. CARPENTER: I too am having a hard time hearing.

COMMISSIONER HANSEN: I'm sorry. BDD had its annual with LANL, was Glorieta Geoscience involved with that?

MR. CARPENTER: Madam Chair, members of the Board, we did have an annual meeting with LANL, that was last week. Glorieta Geoscience was not at that meeting but we did have James Bearzi there.

COMMISSIONER HANSEN: Okay, so I'll wait with that question under matter from the board.

CHAIR ROMERO-WIRTH: Thank you. Any other questions on this item?

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

f. Approval of Amendment #1 to United States Forest Service Permit ESP104603 for solar arrays at Buckman Direct Diversion Booster Station 1A and Raw Water Lift Station to add archaeological assessment and oversight

CHAIR ROMERO-WIRTH: This was pulled by both Commissioner Hansen and Councilor Villarreal. We have Caryn Grosse, the Project Administrator and Director of Public Works Regina Wheeler. And both Commissioner Hansen and Councilwoman Villarreal pulled this.

COMMISSIONER HANSEN: Thank you. Thank you for being here, Caryn it is nice to see you in person and Regina, also, of course.

So my concern is that when I was chair of this Board at one point Rick had mentioned that there was some people out moving dirt and I think this must have happened with the contractor and so what I am concerned about with any contractor and especially even this project is why was there not discussion or a notification to the BDD director/facilities manager or notice that these people were going out there. It disturbs me that an archaeological site was disturbed and that the contractor went out there without any direction and there was not any oversight.

CARYN GROSSE (Project Administrator): Chairwoman Romero-Wirth, Commissioner Hansen, thank you for bringing this up. Unfortunately, the subcontractor was eager to get a head start on it and did not notify us that this was going to occur. We have since required that they make any schedule changes in writing and receive any confirmation in writing before proceeding with work so this will not happen again.

COMMISSIONER HANSEN: I think it's really important that we have a procedure in place when we sign a contract with somebody that they're notified that they have to notify us before they go out onto any of land on Caja del Rio where there are many sacred sites and many archaeological places. Our Commission recently passed a resolution to protect the Caja del Rio and I know the Councilwoman Villarreal has a

resolution in the works and I think that both of our bodies are very concerned about the Caja del Rio and having something like this happen just hurts my heart. And I don't want to see something like this happen again.

MS. GROSSE: I will do everything within my ability to make sure that it does not occur again.

COMMISSIONER HANSEN: Thank you. Thank you, Madam Chair.

CHAIR ROMERO-WIRTH: Other questions? You pulled this item as well, Councilwoman.

COUNCILOR VILLARREAL: Thank you, Madam Chair. Just to understand the sequence of event. The contractor was Positive Energy; is that correct?

MS. GROSSE: That is the subcontractor, yes.

COUNCILOR VILLARREAL: And the main contractor that has communication with us is –

MS. GROSSE: Yearout Energy Services.

COUNCILOR VILLARREAL: All right. I was trying to understand the process and how that works. Maybe you could explain that to me. I did read the memos that were to you but ultimately it is Yearout who has to be responsible for all the fees that were associated. One is just a fee, I think with the National Park Service – an initial \$1,200 fee. And then they followed up with a memo that talked about \$13,000 that would have to be paid for the assessment; did I get that right?

MS. GROSSE: That is correct. There was a cost recovery fee from the U.S. Forest Service which has already been paid. And we have engaged here a right-of-way to do the archaeological damage assessment as well as to provide monitoring as recommended by the U.S. Forest Service. The City and their contractors will be responsible for making sure that those fees are paid.

COUNCILOR VILLARREAL: And then you'll just facilitate that, you're kind of the intermediary for that?

MS. GROSSE: Yes, ma'am.

COUNCILOR VILLARREAL: Yearend [sic] has to pay for all of that and we don't have any expense at the City side or BDD other than the fence; right? It said in the memo a fence replacement or –

MS. GROSSE: The fence was cut and we will ensure that it is repaired.

COUNCILOR VILLARREAL: Is that the City then that has to pay for that or is that BDD?

MS. GROSSE: It will be the contractor.

COUNCILOR VILLARREAL: And I'm assuming it was part of the historical Chili Line Rail.

MS. GROSSE: Yes, ma'am.

COUNCILOR VILLARREAL: I was trying to dig through this and trying to figure out what it was – I wasn't familiar with an archaeological site in that area. I am concerned about this. I never heard of a contractor that is so eager to start things – we don't really have that situation happen for us at the City. It's usually just tough to get people to start working because they have a lot of other projects. Unfortunately, Yearout is still part of our contractor, right, it's still going to be our partner?

MS. GROSSE: Yes.

COUNCILOR VILLARREAL: Ultimately with things like this we don't work with contractors that mess up like this. But I guess they're the expert for the actual product, they're going to be installing the infrastructure.

MS. GROSSE: Yes, Yearout Energy Services is ESCO that we are using for this project and they have committed to making sure that this does not occur again.

COUNCILOR VILLARREAL: Okay. It is disappointing and I hope it's not something that – I mean it's hard to say whether something was destroyed versus disturbed but I guess the assessment will tell us that.

MS. GROSSE: Yes, ma'am. The damage assessment will take place next week based on the pictures it is our anticipation that it will be primarily soil disturbance but we won't know for sure until that it completed.

COUNCILOR VILLARREAL: Thank you, Chair.

CHAIR ROMERO-WIRTH: Commissioner Hansen.

COMMISSIONER HANSEN: I would move to approve --

CHAIR ROMERO-WIRTH: If I can, Commissioner, I have a specific motion for this item written by our attorney.

COMMISSIONER HANSEN: Okay.

CHAIR ROMERO-WIRTH: Here's the motion: Move to approve Amendment No. 1 to the United States Forest Service permit for solar arrays at the BDD project subject to the condition that the City of Santa Fe shall be responsible for all costs and obligations required by the amendment.

COMMISSIONER HANSEN: Second.

CHAIR ROMERO-WIRTH: Is there discussion on the motion?

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

g. Request for Approval of a Budget Adjustment Resolution for Electricity

CHAIR ROMERO-WIRTH: We have Antoinette Armijo-Rougemont our Accounting Supervisor and Commissioner Hansen you pulled this off.

COMMISSIONER HANSEN: Yes, I just wanted a little more detail on this. If you could give me a little more detail.

MS.ARMJO-ROUGEMONT: Sure. During our analysis of our yearend costs we discussed we were short, we were going to be short in our electricity line item. So this is one of those variable costs that is very hard to predict. So last year there was actually a BAR done for \$180,000 and in June this year we're doing \$100,000. And that should cover May and June.

COMMISSIONER HANSEN: And are the solar that we have purchased or had installed, is that helping to reduce our electric cost?

MS.ARMJO-ROUGEMONT: Yes, it has reduced our electric costs. I don't have that number with me today but I can get that for you if you'd like.

COMMISSIONER HANSEN: Thank you, I appreciate that. That was all I really had on that question.

CHAIR ROMERO-WIRTH: Great. Commissioner Hamilton.

CHAIR HAMILTON: Thank you. It makes me wonder, this is to cover the remaining time in the current fiscal year.

MS.ARMijo-ROUGEMONT: Correct.

CHAIR HAMILTON: A similar thing happened last year although obviously the amounts are a bit different. Is this pattern accounted for in the FY23 budget?

MS.ARMijo-ROUGEMONT: It is.

CHAIR HAMILTON: Good job.

MS.ARMijo-ROUGEMONT: For example, our current fiscal year budgeted amount was \$872,139. Next year it's \$1.4 million.

CHAIR HAMILTON: Thank you.

CHAIR ROMERO-WIRTH: Any other questions from the Board? Yes, Mr. Egelhoff.

MR. EGELHOFF: Rick, would you attribute the increased electrical cost to on-peak pumping 24-hours a day to meet the demand?

MR. CARPENTER: Madam Chair, Mr. Egelhoff, if I'm understanding your question, we do track on-peak and off-peak. I think it is part of Mr. Sugrue's report. I know it's in the daily report. If you want, I can pull accounting of that. I can provide that.

MR. EGELHOFF: I was just wondering if the increased cost is attributed to [inaudible]

MR. CARPENTER: It's part of our business practice daily.

CHAIR ROMERO-WIRTH: Any other questions from the Board. We need a motion on this.

COMMISSIONER HANSEN: I move to approval of the request for approval of a Budget Adjustment Resolution for electricity.

CHAIR ROMERO-WIRTH: Is there a second?

CHAIR HAMILTON: Second.

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

8. MATTERS FROM THE PUBLIC – None were presented

9. MATTERS FROM THE BOARD

CHAIR ROMERO-WIRTH: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. I am hoping that we will have a report of the annual meeting at our next BDD meeting.

MR. CARPENTER: Madam Chair, Commissioner, yes, that's absolutely correct.

COMMISSIONER HANSEN: Okay. And then possibly we could invite Mr. Mikolanis at some point soon to come to the BDD and give us an update on cleanup and the chromium project and chromium-6 project and other items that they are working on.

MR. CARPENTER: Madam Chair, Commissioner, yes, that was discussed as a possibility and I'm going to try and make that happen. Mr. Mikolanis was, by the way, at the annual meeting.

COMMISSIONER HANSEN: Yes, I only know that because he sent me a belated birthday wish.

MR. CARPENTER: He asked a lot of very good questions about that plan and obviously interested.

COMMISSIONER HANSEN: I'm happy that we have somebody who is interested in BDD. And then my other question was our source water protection plan with Lynn Komer; what's happening with that?

MR. CARPENTER: Madam Chair, Commissioner, that is being worked on by Daniela Bowman, she was the staffer assigned to that and I don't know if it's absolutely complete yet then we'll decide with the Board what the public participation part of that should be.

COMMISSIONER HANSEN: The River Commission and the City of Santa Fe I think did a very good first level of protection plan and I think it was something that this Board would also like to do – [inaudible]

CHAIR ROMERO-WIRTH: Other items from the Board? Yes, Councilwoman Villarreal.

COUNCILOR VILLARREAL: Just an idea and you can take it or leave it y'all. But I was thinking since we haven't been able – well, I'll speak for myself – if we were able to do a site visit at BDD and combine it with a meeting when we have a short meeting so that we would actually have the meeting out there at the BDD and then have a site visit for those that could stick around. Oh, Bernie has something. That's an idea and I haven't been able to get to see the facility and also have one of our meetings at the County Commission Chambers.

BERNARDINE PADILLA (BDD Public Relations Coordinator): We could have a meeting at BDD. Our conference room is a little tight, that's the only thing we have an issue with. With the amount of people that we have today, we probably could fit but it's going to be tight.

CHAIR ROMERO-WIRTH: We can also arrange for a field trip not connected with a meeting and I do think that's a good idea just to lay eyes on what's out there and what we're talking about.

MS. PADILLA: We have had some tours and we've offered a few, so just give us some dates that work. We have some things that are coming up and we'd be more than happy to accommodate.

CHAIR ROMERO-WIRTH: We'll talk about that and maybe we can do it as a Board but not committee time.

MS. PADILLA: And also we have to be careful of the quorum. That's why we've had – like I only invite County and then City and we've been trying to juggle the numbers so that we don't violate the quorum.

CHAIR ROMERO-WIRTH: That's funny because Public Utilities –

CHAIR HAMILTON: You can have a quorum, you just have to publish.

MS. PADILLA: We could do that too.

CHAIR ROMERO-WIRTH: Good. Commissioner Hansen.

COMMISSIONER HANSEN: I was just going to say, you have to publish that we're out there and having a meeting of the BDD. I think it would be good for the entire Board to visit it together. I think it would be a beneficial exercise for all of us.

CHAIR ROMERO-WIRTH: I agree. I'll look into that. Other items from the Board? Mr. Helms.

MR. HELMS: I'd like to support the suggestion of Councilor Villarreal to meet out there. I think it would be great, I really do. But I do have a specific topic that is rather emerging and mysterious this thing, legal counsel to this body may have some interesting news for us or maybe not.

NANCY LONG (BDD Legal Counsel): If you're referring to, Mr. Helms, whether our settlement is finally –

MR. HELMS: Our what?

MS. LONG: Whether our settlement funds have been received and are in the bank, yes. We did receive from the second defendant CDM the payment in May, mid-May, when it was received and the City verified that it is in the bank.

MR. HELMS: Very good, congratulations.

MS. LONG: I assume that's the good news that you'd like to know about.

CHAIR ROMERO-WIRTH: Other items?

10. NEXT MEETING: Thursday, July 7, 2022 at 4:00 p.m.

10. ADJOURN

Having completed the agenda and with no further business to come before the Board, Chair Romero-Wirth declared this meeting adjourned at approximately 4:45 p.m.

Approved by:

Carol Romero-Wirth, Board Chair

Respectfully submitted:

Karen Farrell, Wordswork

ATTEST TO

KRISTINE BUSTOS-MIHELIC
SANTA FE CITY CLERK