

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

**June 4, 2020**

This meeting of the Santa Fe County/City Buckman Direct Diversion Board meeting was called to order by Councilor JoAnne Vigil Coppler, Chair, at 4:00 p.m.

In accordance with the Public Health Emergency Order issued by the State of New Mexico, and pursuant to the New Mexico Attorney General's Open Government Division Advisory during COVID-19, public entities are authorized to conduct virtual meetings.

[For clarity purposes, repetitive identification and confirmations of those on the phone have been eliminated and/or condensed in this transcript.]

Roll was called and the following members were present:

**BDD Board Members Present:**

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

**Member(s) Excused:**

None

**BDD Board Alternate Members Present:**

Ken Kirk [Las Campanas alternate]  
Peter Ives [Citizen Alternate]

**Others Present:**

Rick Carpenter, BDD Facilities Manager  
Nancy Long, BDD Board Consulting Attorney  
Mackie Romero, BDD Finance Manager  
Bernardine Padilla, BDD Public Relations Coordinator  
Randy Sugrue, BDD Operations Superintendent  
Greg Shaffer, Santa Fe County Attorney  
Jamie-Rae Diaz, City Administrative Assistant  
Joe Abeyta, City IT  
Jesse Roach, City Water Division Director

John Dupuis, County Utilities Director  
Monica Maes, City Public Utilities Contract Administrator  
Joe E. Rowe, County Budget Manager  
Dan Frost, Snell& Wilmer  
Dale Lyons, Souder Miller

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

CHAIR VIGIL COPPLER: Do I have any changes from staff? Rick.

RICK CARPENTER (Facilities Manager): Yes, Madam Chair. There is a typographical error that I would like to correct on the agenda. The item that has to do with Nancy Long's contract amendment. That item is listed incorrectly. It is listed as \$132,773 and --

CHAIR VIGIL COPPLER: What was the subject item?

MR. CARPENTER: It's the Long, Komer --

COMMISSIONER HANSEN: Madam Chair, it is item 18 under the consent agenda.

MR. CARPENTER: Yes, item 18. It is listed as \$132,773, it should be \$249,000 even. That's a typographical error. The memo in the packet is correct but the agenda item is listed incorrectly.

CHAIR VIGIL COPPLER: Okay, thank you. Any other changes?

MR. CARPENTER: No.

CHAIR VIGIL COPPLER: I'll consider a motion as amended.

COMMISSIONER HANSEN: Madam Chair, this is Commissioner Hansen. I move to approve the agenda with the change.

BOARD MEMBER HELMS: Second.

The motion to approve the agenda as amended passed by unanimous [5-0] roll call vote.

### 4. APPROVAL OF CONSENT AGENDA

13. **Request for approval of USFS Special Use Permit applications and application fee as next steps in due diligence for potential construction and operation of solar projects identified in the City of Santa Fe's Investment Grade Audit for solar improvements.**
14. **Request for approval of Amendment No. 2 to the Services Agreement 18-0633 in the amount of \$179,000 exclusive of NMGRT for FY2021 security services with Chavez Security.**
15. **Request for approval of Amendment No. 2 to the Services Agreement 19-0056 in the amount of \$90,000 exclusive of NMGRT for FY2021 on-call HY AC repair services with B&D Industries, Inc.**
16. **Request for approval of Amendment No.3 to the Professional Services Agreement 17-1178 in the amount of \$40,000 exclusive of NMGRT for FY2021 on-call maintenance and repair services with Sub Surface Contracting, Inc.**
17. **Request for approval of Amendment No. 4 to the Legal Services Agreement 18-0424 in the amount of \$1,850,000 exclusive of NMGRT**

- for FY2021 litigation services with Snell & Wilmer, LLP.**
- 18. Request for approval of Amendment No. 1 to the Legal Services Agreement 19-0246 in the amount of \$249,000.00 exclusive of NMGRT for FY2021 legal services with Long, Komer & Associates, LLP. [Amount corrected at approval of agenda.]**
  - 19. Request for approval to accept an insurance policy with National Union Fire/AIG for the BDDB insurance coverage including real property for a premium of \$132,733.**

CHAIR VIGIL COPPLER: Do I have any changes from staff?

MR. CARPENTER: Madam Chair, there are no changes from staff.

CHAIR VIGIL COPPLER: Thank you. What is the pleasure of the

Board?

COMMISSIONER HANSEN: Madam Chair. This is Commissioner Hansen. I move to approve the consent agenda.

CHAIR VIGIL COPPLER: Thank you. Do I have a second?

BOARD MEMBER HELMS: Second.

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

**5. APPROVAL OF MINUTES: May 7, 2020 BDD Board Meeting**

CHAIR VIGIL COPPLER: Before I ask for a motion, I'd like to read into the record a statement: For the record and our minutes, the only matter discussed during executive session of our last Board meeting on May 7, 2020, was the matter as stated in the motion to go into executive session and no action was taken.

COMMISSIONER HAMILTON: I move to approve the minutes.

BOARD MEMBER HELMS: Second.

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

**6. APPROVAL OF MINUTES: May 19, 2020 BDD Board Special Meeting**

CHAIR VIGIL COPPLER: Do I have any changes from staff?

MR. CARPENTER: Madam Chair, there are no changes from staff.

CHAIR VIGIL COPPLER: Okay, Commissioner Hansen.

COMMISSIONER HANSEN: Yes, Madam Chair, I move to approve the minutes for May 19<sup>th</sup>.

BOARD MEMBER HELMS: Second.

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

## **MATTERS FROM THE PUBLIC**

CHAIR VIGIL COPPLER: I did not receive any emails but I would like to confirm with Jamie-Rae Diaz if we received any comments.

JAMIE-RAE DIAZ (Administrative Assistant): Madam Chair, there was no public comment.

CHAIR VIGIL COPPLER: Okay, thank you.

## **INFORMATIONAL ITEMS**

### **8. Report on June 2, 2020 Fiscal Services Audit Committee (FSAC)**

MACKIE ROMERO (Financial Manager): Madam Chair, members of the Board, a Fiscal Services Audit Committee meeting was held on Tuesday, June 2<sup>nd</sup> and in attendance was myself, BDD Financial Manager, Rick Carpenter, BDD Facilities Manager, Chair JoAnne Vigil Coppler, Commissioner Hamilton, John Dupuis, County Utilities Director, and from our Las Campanas partners, Tom Egelhoff, Ken Kirk and Andrew Resnick. I provided an update on the audit and that update is that I have been working very closely with the audit team providing them all of their requested items and we have weekly status calls. We should be on schedule to have the financial statements drafted and delivered to the State Auditor by June 30<sup>th</sup>. I do have another status call tomorrow morning so I am hoping that we are on track for that deadline.

I will continue to provide these updates to the Board and to the partners. We discussed in great detail information items 11 and 12 which I will also be presenting. So I can discuss those items then. We also discussed consent agenda items 13 through 19 with no major questions or issues as most of these contracts are reoccurring from the current year and just included term extensions and compensation for the new fiscal year. I stand for any questions or comments.

CHAIR VIGIL COPPLER: Any comments or questions from the Board? Okay, thank you, Mackie, appreciate it.

### **9. Monthly Update on BDD Operations**

CHAIR VIGIL COPPLER: Randy.

RANDY SUGRUE (Operations Superintendent): Thank you. Madam Chair, members of the Board, BDD operations for the month of May 2020, went well under the circumstances. We averaged 6.96 million gallons per day of raw water diversions. Our drinking water deliveries to the City and the County through Booster Stations 4A and 5A averaged 5.37 million gallons per day. Raw water delivery directly to Las Campanas at Booster Station 2A averaged 1.33 million gallons per day and our onsite water storage daily was .35 million gallons per day average.

The BDD is provided about 47 percent of the water supply to the City and County for the month of May. We do have a past drought summary and diversions are listed in the graph. We're still a little bit below average but demand and production is up and we are able to meet production.

River water quality remains very good. We are fortunate this year. There has been some rainfall but our water quality in the river remains very good. That helps us

keep our chemical costs and treatment costs somewhat reduced. Any questions?

CHAIR VIGIL COPPLER: Any comments or questions from the Board?

PETER IVES (Citizen Alternate): Question.

CHAIR VIGIL COPPLER: Mr. Ives.

MR. IVES: Thank you, Madam Chair. I have two questions. One on the first page of the report under item 3 it says, drought summary period, but it has no content beyond that. So, I wasn't sure if it was a drought of information or actually water.

MR. SUGRUE: The drought summary is a fairly good sized paragraph on page 2, I believe, the ENSO which is the El Niño outlook and it remains pretty much moderate. Neither La Niña or El Niño situation looking forward.

MR. IVES: And that was actually my second and only other question which is it indicates in the synopsis that there's a 65 percent chance of incident neutral during the northern hemisphere summer with chances decreases through the autumn to 45 to 50 percent and with the decreasing chances is that leaning towards La Niña or El Niño; it would seem to be one or the other.

MR. SUGRUE: Madam Chair, members of the Board, I don't know that that can be looked at at this point. I think they know that it may change whether it's up or down one direction or the other, maybe the exact reason why it drops to a 50 percent chance. It could go either way.

MR. CARPENTER: Madam Chair and Board member Ives, if I could interject here. It is still kind of early for the models to be as accurate as we would like them to be. There's a lot of variability. We're having a poor runoff here. We know that for sure now. But I would like to remind the Board that there is a significant amount of water storage in Heron and Abiquiu and so we don't expect that to be a concern as far as calling for water during this water year.

MR. IVES: And then just a question on status of reservoirs on the Santa Fe River; do you know what their current status is and what's likely happening there given a poor runoff year?

MR. SUGRUE: Madam Chair, members of the Board, I personally don't have that information. It's specific to the Canyon Road Water Treatment Plant. I believe the runoff of course is reduced in comparison with the year such as last year where they had plus 100 percent runoff. So they'll be moderating their flows somewhat later this fall due to the fact that they don't have the excesses that they had last year.

MR. IVES: And often in the past, this report has contained that information and is there any reason that we don't see it now or is it possible to get that included once again?

MR. SUGRUE: Madam Chair, members of the Board, I'll look into that.

MR. CARPENTER: We can include that. We have that information. It is available and if it's the pleasure of the Board, we will include that in future reports.

MR. SUGRUE: Absolutely.

MR. IVES: Thank you, Madam Chair.

CHAIR VIGIL COPPLER: Commissioner Hamilton was first and then Commissioner Hansen.

COMMISSIONER HAMILTON: Jesse Roach might be able to speak to that but it may not be that important right this minute. Seventy-seven percent storage in

Santa Fe River is what he just posted. But I think it would be useful maybe to consider having either more information in the next report or a very brief informational presentation on this drought status and impacts of runoff and whatnot, just for prospects for the rest of the summer. I think Member Ives' question would be useful to us.

And I also just wanted a brief question on the report, even though they're slightly lower it does look like water use, at least BDD demand in the graph you do in year to date comparison, it really isn't very low. So there – and I know that doesn't reflect total water usage, that's BDD usage. It would be very interesting to see total water demand and usage just because of the importance of what we're projecting our water demands to be going forward. You know, we've had questions about expected use and reduced commercial use and maybe increased residential use and that sort of thing. It might be really interesting to look at that to anticipate what the demand on BDD will be.

MR. SUGRUE: Madam Chair, members of the Board, Commissioner Hamilton, I agree. Obviously, my focus is on BDD operations but that information is available and we can pull that in or make it available as a separate type of report or informational item. When we refer to our graph, our usage this year and production this year is increased somewhat over last year. Last year Canyon Road Water Treatment Facility had such an excess of water that they needed to maximize their production early in the year to prevent overflows in the reservoirs, so we backed off correspondingly. This year, due to their reduced inflow into their reservoirs we're stepping up sooner in order to take up the difference because they don't want to deplete their reservoirs more quickly than necessary. So it's a very much more balanced between us and them and of course the wells and the City demand.

So I appreciate your question and we'll look into providing a better overall picture because you are correct, it's better to have the whole citywide/countywide picture in order to see how we make our decisions so I am happy to do that.

COMMISSIONER HAMILTON: Thanks.

CHAIR VIGIL COPPLER: Commissioner Hansen.

COMMISSIONER HANSEN: I had a question about the water staying at Heron Lake and Abiquiu. I know in the past that a lot of water has gone to Abiquiu and I'm happy to see it staying at Heron Lake but I'd like to know if something has changed at BOR or BOR has different plans or why they're storing it at Heron. I am grateful. I am not trying to change that, I just want to know the storage issue.

MR. SUGRUE: Rick, can I defer that question to you? You have a better overall view of that type of information.

MR. CARPENTER: Yes, I'll go ahead and take that. BOR keeps our 5,230 acre-feet in Heron. The City is required to vacate that water by the end of the calendar year, December 31<sup>st</sup> unless we request a waiver to keep the water in Heron longer into the year. And we do that, the City does that, every year because we don't suffer evaporative losses as long the water is in Heron. If we are granted the waiver, and we've never not be granted the waiver, we get to keep the water in Heron until September 30<sup>th</sup> and then it must be moved elsewhere and that's when we store in Abiquiu.

COMMISSIONER HANSEN: Thank you. I appreciate that answer.

CHAIR VIGIL COPPLER: Any other comments, questions? Thank you.

## **10. Report from the Facilities Manager**

MR. CARPENTER: Thank you, Madam Chair. I don't have a whole lot to report. We haven't had any changes in staffing other than we're able to keep up with the furloughs, things are going okay. We're doing everything that needs to be done. No impacts there. No new hires, of course, because we are under a mandate not to do that. As far as the BDD functionality, we are doing okay. We are making incremental increases in productivity of our well water pumps, Booster Station 1A, Booster Station 2A, we have made significant improvements. One of the bigger projects that we were undertaking last week and the week before was to clean out the sedimentation basins at the plant itself, that has been completed and that material has been set out to dry so we can dispose of it. So that was a big project that we were able to complete.

There's really no other updates that I could offer but I am happy to stand for questions.

CHAIR VIGIL COPPLER: Thank you, Rick. Anybody have any comments or questions for Rick? Commissioner Hamilton.

COMMISSIONER HAMILTON: Madam Chair, I think I'll have some questions and there should be some discussion about operations and staffing levels and whatnot but that seems like that would be more pertinent because it would be related to other things when we get to the budget. Is that acceptable to you that we would just do it all then?

CHAIR VIGIL COPPLER: Sure.

COMMISSIONER HAMILTON: Okay, thank you.

CHAIR VIGIL COPPLER: Any other comments for Rick?

## **11. Presentation of Budget Savings, Impacts, and Revenue Forecasting of the FY2020 Operating Budget**

MS. ROMERO: Madam Chair, members of the Board, I just wanted to update the Board on the current year budget and fiscal impact. As you know, the budget is funded by reimbursement of actual expenses from the partners. The reimbursement of actual expenses is based on several percentage allocations including the percentage of water delivery because of this we don't have the finalization of what each partner is going to contribute to BDD. However, we do not anticipate any partner not being able to pay their bills for the current year. So we do not foresee any of that in this fiscal year.

However, there are some budget saving that took place just based on what the City had implemented. As I presented at the last meeting, we do have an estimated savings of about \$70,000 which is related to furloughs and then we do have savings due to cancellations of trainings and delay of non-essential purchases of about \$48,000. We delayed the security upgrade which is about \$310,000 and then we had other non-COVID-19 related savings of about \$390,000.

I have been in discussion with the City and they area in support of us carrying over some of this funding into fiscal year 2021 which is not reflected on the next item but they are in support of us carrying over the furlough savings of about \$70,000 and the security upgrade RFP for \$310,000. Of course, those carryovers would have to be approved by the Board and I plan on bringing those back in July for your approval.

Are there any specific questions to the current budget and the status that we're in?

CHAIR VIGIL COPPLER: Commissioner Hansen and then Mr. Egelhoff.

COMMISSIONER HANSEN: Thank you, Madam Chair. Mackie, other potential savings from non-COVID-19 is \$390,000; could you explain what that is?

MS. ROMERO: Yes, Madam Chair, Commissioner Hansen, those savings are actually salary savings reflected on the comp and class study. BDD had several vacant positions last fiscal year and we had budgeted them at higher amounts than what we ended up filling those positions due to the class and comp study. So those positions got brought down to lower ranges and were hired at lower levels than what we had originally budgeted. And that is the majority of where those savings are coming from.

CHAIR VIGIL COPPLER: Commissioner Hansen, is that all?

COMMISSIONER HANSEN: Yes, for the time being that is fine.

CHAIR VIGIL COPPLER: Okay, Mr. Egelhoff.

MR. EGELHOFF: Madam Chair, thank you. Mackie, I was wondering if you take the savings, this total savings that have been implemented this year, had you spent that what percentage of the adopted 19/20 budget what percentage of it would have been spent without these savings? Am I asking that right? Had you not pulled these out for savings this year, what percentage of the 19/20 budget would have we spent?

MS. ROMERO: Right now with these savings I have BDD spending about 92 percent of the budget. We probably would have been a lot higher, probably at about 97 percent. I would have to do the math, but that's probably what it would be at.

MR. EGELHOFF: Okay, thanks.

CHAIR VIGIL COPPLER: Any other questions? Thank you, Mackie.

## **12. Presentation of Budget Analysis and Revenue Forecasting of the FY 2021 Operating Budget**

MS. ROMERO: Madam Chair, members of the Board, on February 6<sup>th</sup> the Buckman Direct Diversion Board did approve and recommend BDD's annual operating budget for fiscal year 2021 to the City of Santa Fe City Council and Santa Fe County Board of Commissioners. Since this recommendation and due to the current pandemic, we did reach out to our partners and asked them if they foresee any changes in the funding recommendation by the BDD Board. We did receive a formal request from the City of Santa Fe to reduce a portion of our fiscal year 2021 budget. That's what this presentation is, to go over that reduction and how it will affect BDD's operations for fiscal year 2021.

In my memo the first thing I did was look at actual expenses for the two years prior and the current year. That gives me a good indication of what expenses we did in two years prior and what can we operate with in fiscal year 2021. On my memo I did include chart that shows how BDD has made an effort to try and make that more matched so that our budget and expenses are more in line and there isn't such a big gap between that and we've been doing that over the past couple of years. On page 2 in your packet I do include actual expenditures. In fiscal year 18, we spent about 89 percent of our budget for a total budget of about \$7,737,000. In fiscal year 19, we spent about 87 percent of our operating budget and that was at \$8,507,000. In the current year, we have a budget over

\$10 million and we're projecting that we're going to spend about 92 percent of that budget at \$9,504,000. The Board recommended a budget for fiscal 2021, it's smaller than the fiscal year 2020 budget and that budget is at \$10,286,503. With the City's recommended budget reduction, I did have to reduce that in order to get the City to the funding recommendation that they had and I do want to mention that this is just my projection. I'm not requesting the Board to take any actions as my first projection as how I got to that number. I will go through those reductions in detail.

On page 4, I did break out the reduction by major category. In order to get to this reduced amount I did make some reductions in salaries and benefits but I do want to say that these reductions do not include furloughs and they do not include pay rate reductions to salary staff. However, they do include limited or no overtime and they also include not filling two vacant positions at BDD. Those positions are a scheduler planner position and our instrumentation control hardware and software technician. So those are the two positions that we will not fill next year.

The next category that was reduced was electricity. I reduced that by about \$247,000. Part of that was trying to bring us more into line with actuals plus we know our unused facility charge at the water treatment plant site and the Booster Station 2A, our agreement with PNM does end this year so those charges should go away. That's a savings of about \$60,000. We also are seeing a reduction in the solar array at the water treatment plant site. That solar array is about 10 years old and just due to aging we're starting to see a reduction there. And then we know that fuel costs are down so we're hoping that that will also relate in our PNM bills so that's the projection that we reduced.

The next category that I reduced was materials and supplies. I reduced materials and supplies by \$654,341. The majority of that reduction, about \$371,000, would us delaying purchase of some capital assets that we had in our budget. Some of those assets were we had requested a crane-lift at our 4A-5A site, a trench box, replacement of our GAC media, and then we had some new upgrades to the control rooms. And so we would delay those purchases. A couple of them we may have to –spend that money – so with the crane lift, I did talk to our maintenance staff and they did purchase a mobile crane lift that they think they can use for now. We can always rent one. And so that's how we would still operate without the crane lift. As far as the GAC media replacement, we will look to see if maybe we can use the major repair and replacement funds to replace the GAC media instead of taking it out of our operating budget.

Other reductions would be reductions in on-call contracts, such as, HVAC, landscaping – we do have a contract with Subsurface that we would probably reduce. Staff has been doing a lot of the solids at the project that Rick just talked about, removing the solids ourselves in-house. So we rent the loader and do it. So that's a savings to some of those contracts. We would also maybe bring in-house the landscaping so we could provide savings there also. Any HVAC replacement, if we do come upon a replacement, I did leave money for a little bit in that contract but we may have to look again to the major repair and replacement to cover any major costs if we were to incur them next fiscal year.

The next category that we reduced was our other operating costs and I reduced \$166,608. This reduction would be related to – we do have an in-house employee tuition assistance program so we would eliminate that for fiscal year 2021. We would only allow required training, our OSHA required training. So anything that was required, we

kept money in there to cover that. It would be any non-required training. We also reduced some of our contracts. We would delay the TREAT study. We would delay some of the software renewal subscription renewals. We would make a reduction in some of the promotional items and non-essential items – office supplies, communication services, advertising, mail services – so we would make a reduction to those non-essential items.

These reductions were evaluated to reduce non-essential items or postpone to the next budget year. We know these impacts are non-favorable but we are confident that we can continue to provide the highest standard in drinking water. It is going to require monthly evaluation of all of these items and we're going to have to be able to make adjustments and move things where we need it. So if we need money someplace we don't want to hold that up and I would bring that to the Board every month and let you know where I need to adjust and shift money to other places. That's the end of my presentation.

CHAIR VIGIL COPPLER: Thank you, Mackie. Does anyone on the Board have any questions or comments? Commissioner Hamilton and then Mr. Egelhoff.

COMMISSIONER HAMILTON: There are a number of things I feel like we don't have enough information on. So I'm going to ask some of those questions and I would understand if we need actually some written recording out on some of this. One of them has to do with personnel, salary savings, and I guess some of my questions with that have to do with what the impacts on operations will be for the unfilled positions with respect to the furloughs for the existing positions. I know Rick is careful to say every time that we're operating at full efficiency and that we're not going to let that go but I wonder how long we can run at reduced staff and to evaluate that. Just thinking about it, I would like to see what the regular staffing that we normally recommend, how it is laid out and what they do on different shifts. And then on the reduced shifts to see what isn't done, what's left off so that we can accommodate the lower staffing level. And maybe that will give us an idea of what kind of operation impacts there would be and how long we can maintain assuming water demand remains the same, and that's a separate question that I'll have in a little while.

And I especially would like to see this kind of assessment because we've talked briefly about the landscaping, we have existing/internal staff doing that instead. So if we're all the way operating closer to the margin of minimum of what we have to do – that is a minimal staff to accomplish the necessary goals and then we're adding tasks to that, it gives me a little concern. So I'd like to see that laid out so we can get an assessment of how operation's is impacted.

MR. CARPENTER: Madam Chair, Commissioner Hamilton, we can certainly put that in writing, if you would like. Most of that exists already we just have to put in one memo.

With the two vacant positions that we have the scheduling planner is actually on the maintenance side not on the operations side. So that will not directly affect operations.

COMMISSIONER HAMILTON: Sure it does.

MR. CARPENTER: We are able to cover that for now with existing staff. In terms of the instrumentation and control tech, we're covering that too for now. It's a

position that we need but we're covering it now. Eric Armstrong is extremely capable and knowledgeable and he's doing a great job.

I don't know if you're asking me to provide information on how long that is sustainable. I don't know that we can give you that information. We are doing the best that we can do under these challenging circumstances. We are doing fine for now. If you want me to put a number to it; is it six months until we see a problem? Is it nine months until we see a problem? I guess I could print out some scenarios for you. But I don't think anybody could give a hard number that says how long can you sustain operating without a reduction in services with the staffing levels that you have. We can try and do that. I can give you some scenarios and I would offer to do that, if that's what you want. But I cannot give you a hard number.

COMMISSIONER HAMILTON: Obviously. I completely understand that. I can easily imagine that if our roles were reversed, I wouldn't be able to say that we can operate at 90 percent personnel and we can do for exactly 7.5 weeks and then we're going to have this level of efficiency change. But, in trying to plan an acceptable budget which includes recommended staffing levels to achieve bare minimum goals of safe operations and production of safe water at whatever level of demand that's at. It's a question, and like I said I'm going to ask it in a little bit, but evidence and reporting to the question when it was posed two weeks ago was that the demand for water is going to stay the same. That's what it was looking like. So we can rebut that and I will ask it again formally to see if I can get an answer again. Tuesday night we had the discussions. The City is requesting to reduce their payments to BDD but not reduce the water demand and that, I assume, is based on empirical evidence that water demand is not going down which is similar to what was reported a couple of weeks ago that there was some reduction in commercial demand for obvious reasons – you know, all the closed businesses and you know, but residential demand was up. That's why I was trying to frame it slightly differently.

The concern is definitely, how long can we safely and reliably operate at a reduced staffing level. So if we can get an idea of what is typically done – essentially, the original rationale for what the original staffing request were and how things are shifted around now that we have fewer people it would help us deduce how long it is fair and safe to keep up the reduced staffing levels. So it's a different approach and I've really been trying to give it some thought because I know that there are a lot of pressures. The personnel is just the one question and that would be a way to get information that would be interpreted appropriately to get at the answer.

If we could go through a couple of the other items, Mackie. I know that we started to talk about some of them.

CHAIR VIGIL COPPLER: Commissioner Hamilton, before we move on to your next item, what I would propose is that we have a standard agenda item related to an update/report from Rick Carpenter, an assessment of how we're doing much like he reported just now and that we add that to the agenda on a monthly basis to determine how we're doing. So that we don't just have one report and then forget about it but that we talk about this every month just to keep in on how everything is going. Is that okay with you?

COMMISSIONER HAMILTON: That's great. That would be beneficial but it's a little different. It would be a good adjunct if we get a bit of analysis that shows

what the basis for our staffing request. So the Board proposes a budget jointly with all the staff and establishes a staffing request based on what you need on every shift and what those people do. And so I think it would really help us understand what the impacts, long accumulated impacts, are likely to be if we see not just that there are six operators but there are these many operators on at different times and this is what they have to accomplish and this is what they can't do or don't have backup for or whatever the fact is. You could write dissertation. And I'm not talking about doing a one-year analysis. I'm talking about responding in a sensible level, not to extend this request to unreasonable detail but to in summary, in brief summary, layout not just the operators but what the different staff are doing so we understand how our ops are impacted over the long term. It's just impossible – I mean, I respect – I believe you when you say we're still operating fine. But that's a very general statement. So I am just actually looking for details.

With regard to electricity, so the cost for electricity should be all of the facility ops but to a great extent it's also proportional to how much water we are producing; right? If we really reduced how much water we had to produce our electric demands would go down. What's proposed here is almost \$40 million worth of reduction and a 21 percent reduction. But only a small percentage of that is accounted for by the changes because our PNM contract terminated and we don't have to pay them. The solar array problem is actually a reduction in revenue to us, right, because we're not getting – so it's not reducing demand but it's actually an additional revenue reduction so we're not getting paid by them.

This is the appropriate time to confirm what the formal projection of water usage by all the partners is going to be because if we're treating and pumping the same amount of water within our normal seasonal and inner annual variation, you can't reduce the electricity cost at 20 percent and still produce the same amount of water. It's impossible. So that gives me some concern.

MS. ROMERO: Madam Chair, Commissioner Hamilton, you are correct. We probably need to do a better analysis of that. I'm meeting actuals for this year and we look like we're going to be a little under \$1 million at \$947,000 is what I was estimating. And I was trying to get us closer to that number with the savings. But electricity is really hard to analyze and I know that Jesse Roach is actually taking a very active approach in helping us analyze that on-peak/off-peak which we had never been able to do before, so that's great. Maybe if I reach out to him I can get a better projection on how much money we truly need in electricity.

COMMISSIONER HAMILTON: That would be helpful and I know Tom had some questions about the on-peak/off-peak issues which he can speak to a lot better and maybe has his own questions about that because that's something that comes with a level of operation experience that I don't have – when you have to pump to avoid certain kinds of water quality problems and depending on flows and whatnot. But just on the surface on it, the simpler level of math doesn't add up to me. And several of the other proposed budget reductions in the categories of the materials – the crane-lift, the trench box – we talked about the crane-lift and I can see that as a reasonable risk. A big need for that heavy crane-lift was demonstrated by the repairs that were done that we had the near miss on. Since those repairs are done, we might go a year without having to utilize that lift. We might be able to rent one like you said. But some of the other things, the

trench box, the servers, I would like more details on what that will do to operations. And I'm asking these questions in the context of evaluating where we can make cuts to help everybody's difficulties and where we cannot increase the risk that is being seen by BDD in terms of safe operations, technically adequate operations, we are obligated to operate this in a technically proficient manner and produce good water. And I guess I just can't help myself to but to repeat in my view we're doing this with a projection – unless somebody can really give me data otherwise – of producing the same amount of water, similar amounts of water.

MS. ROMERO: Madam Chair, Commissioner Hamilton, I did meet with staff on these reductions. We've been replacing servers, we have about 16, and we've been replacing them about two every year and so it wasn't a big hit on our budget and I did talk to Eric Armstrong and he did assure me that we could go another year without having to replace that. We really did do our best to try and determine things that we could put off. We may have to adjust that. If the trench box is needed because of safety, then, yes, we will purchase a trench box and take from someplace else. But for right now it was something that new it was about \$15,000 in the budget and so safety thought we could delay that.

One of the options that I didn't include on my presentation but the Board could consider is with the major repair and replacement fund right now there's a \$20,000 threshold in order to utilize that money and so maybe we bring that back down so that this way BDD has that cushion that if something minor needs to get replaced and we don't have the money in the operating budget then we can utilize those funds at least for the difficult year. It's just an idea.

COMMISSIONER HAMILTON: It's an idea but that should probably be an idea of last resort. That major repair and replacement fund has been needed and we've spent – I've been on the BDD Board for years and [weak audio] Based on the size of our budget what our operational costs are that the major repair and replacement fund is already inadequate. Given what we know about the existing operational problems that we have dealt with very well at BDD, but we still have to deal with those, I think that that would be a very high risk move. I would not support looking like things like that for replacement out of major repair and replacement.

I did have a question about the GAC. My understanding was that we were in a position of having to start replacing that, the operation, to maintain good function. So if we postpone that, what are the impacts there?

MR. CARPENTER: Madam Chair, Commissioner Hamilton, it would be optimal if we could replace – our plan is to replace GAC now on a rotating basis, sort of like, how we should manage and replace our vehicles as they get owner and that's our plan with the GAC as well. But we believe, and Randy can jump in here anytime he wants, but we believe if we could delay for about a year, it's not going to have an impact on our operational functionality.

COMMISSIONER HAMILTON: So is GAC – does that include consideration of reduced efficiency? It is in there as part of what treats the water – removes organics, removes other things – if it is loaded and not replaced our treatment quality should go down. It will at some point go down and it's not linear.

MR. SUGRUE: Madam Chair, Commissioner Hamilton, as Rick said, we monitor this practically on a daily basis. If the water quality would be reduced, that

would be a situation where we would move ahead immediately to replace that media and we can function almost at full capacity with one contactor off line. So we are taking that into consideration at this point. We would like to be pro-active but in this budgetary crisis we are able to take that into consideration and realize that we can extend that to a point. But if water quality came to be an issue we would certainly react in kind.

COMMISSIONER HAMILTON: Okay. So my only other two points and I'll relinquish the floor and I appreciate your indulgence, Madam Chair, is that and I fully recognize that we all are spending all of our time trying to figure out how to respond to this crisis. But in the County analysis we neither really anticipate a reduction of water use, so the demand is going to remain stable. It is an essential service, kind of like thinking about the vehicles. So I drive the car that is a year older when I might have otherwise had the freedom to replace it but unless we are going to do something substantial to reduce water use and think about that, we're going to be needing to reduce water at the same level and I understand that the City is expecting a 25 percent decrease in water utility revenue. The County is not projecting that kind of decrease in revenue at all because people are still paying their water bills. So the implication that there is a budget crisis but water is probably the last thing where revenues/income is going to be reduced. And given how essential that it is, I would suggest that our first obligation is to take the water revenues and keep them in the water service. I think Jesse is about to say something.

CHAIR VIGIL COPPLER: Commissioner Hamilton, are you pausing?

COMMISSIONER HAMILTON: I am pausing.

CHAIR VIGIL COPPLER: Are you done?

COMMISSIONER HAMILTON: I'm sure there will be some discussion but if the question about the balance of revenues and the things that I am trying to – I agree that there are some places that we can either recognizing an increase in risk. But perhaps even the GAC, if we're actually carefully looking at that and what we're doing by postponing the replacement is increasing the risk and we have to keep looking at that and at some point water quality if we see efficiency fall off we would have to replace it on a short-term basis and more of an emergency basis – that's a manageable risk. But there are other things that across the board that we still have to manage the budget to support all of the critical functions, things like the electricity, the ongoing operations and personnel. I just think we need to see more analysis. And I would like to see if it's possible to give some input on where the anticipated water revenue decrease comes from because I just think it needs more substantiation.

CHAIR VIGIL COPPLER: Okay, thank you. Mr. Egelhoff, you've been very patient, are you still wanting the floor?

MR. EGELHOFF: Yes, Madam Chair. Commissioner Hamilton touched a little bit on it but where I have and I don't know whether to say I'm concerned or question the process of the City cutting their contribution and still asking for the same amount of water. So our funding comes from fixed costs, variable costs, separate facilities, major repair and replacement and emergency fund. Those are funded through capacity in the BDD so that's a fixed thing and then how much water you pump. But I find it hard and I don't see it being very fair that the City can reduce their contributions and still ask for the same amount of water.

So if Mackie came to the Club or the County and asked, do you foresee that your contribution next year being reduced – we all contribute different amounts and I understand that – but let's say Mackie came to me and said, Tom, do you think the Club is going to be able to contribute your normal \$350,000 next year and I say, no, we're only going to be able to contribute \$200,000. My question to you is, do I still get my 300 acre-feet of water. I think that's a legitimate question to ask. I don't know how much water the County asks for each year but it is basically the same thing and this was all based off of fixed-variable. This is the first time it has ever happened and I understand that we're in a really crazy situation.

And then I have a little bit of an issue that the City thinks they can reduce their contribution by a million dollars or so when had we spent the money that we approved last year, Mackie is saying that we would have spent 97 percent of the budget and I think it lends in that the amount of time we talk about each item that they want to cut tells me that it was needed. Generally speaking, if it's easy to cut, there is no discussion but we're almost going down every single line item and questioning whether we can get by. A water system should not be trying to get by. It's vital to the community. And I just think by going down each one of these line items and maybe you can save some money here and there but maybe you're putting the whole project at risk and the community. So that's my 2 cents.

CHAIR VIGIL COPPLER: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. Thank you, Jesse, for waiting to answer all our questions at once. My first statement is water is essential. This is something that we cannot not provide our constituents. It is also really important that we provide high quality, good water. So that is my overarching concern that we continue to make sure that we're providing that level of service, that level of water to all of our constituents. If we needed to cut the budget maybe we could have done this before. I am concerned about cutting workers' salaries and pay. That does concern me because a lot of these workers depend on it and we did this comp study and as Commissioner Hamilton said, that's another topic. But it is a topic that we have already reduced people's salary once and now the City is requesting a furlough.

It would have been another way to approach it – and I know that this is not something that we're voting on today – but to have approached it as, okay, we're in this world of hurt, we're in this COVID-19 situation and how can we work together to reduce our cost so that we can still provide these essential services and look at ways to have cut things. I find it odd and I have heard this in the past, but I find it odd in the electricity department, I have had a solar system on my own house for the past 10 years and I'm still getting the same amount of rebate that I have always gotten. So I would like to know why the BDD is not getting the same amount of rebate that they have normally been getting because the panels and everything are supposed to be guaranteed or have a 25-year life. So that is one concern I have.

You mentioned that with the crane that we could rent the crane if we needed it. So what would that cost to rent the crane if we had needed to, so what is the expense of that? I have a problem using the major repair and replacement fund for things that are not capital projects. That is what the major repair and replacement fund is for, for capital projects. So if we're using that money for other avenues, other things, that it wasn't intended for, than that does concern me.

I agree with both Commissioner Hamilton and Tom about the issue that if the City is asking for the same amount of water but they want to reduce their contribution that also concerns me. I mean, how can you have the same amount of water and expect to pay less for it. Who is going to take it on the knee, sort of speak, not getting services that we are committed to providing to our constituents? So I'll leave it there for the time being. I probably will have some more questions but I would like to hear from Mr. Roach. We've all brought up numerous issues and he is here on the line with us, so thank you for being there.

CHAIR VIGIL COPPLER: Mr. Roach, would you like to comment?

JESSE ROACH (City Water Division Director): Madam Chair, members of the Board, thank you for your questions. I understand your concerns. I just wanted to put a couple of ideas out there. First, the Water Division has not projected as 26 percent revenue decrease. The Water Division as part of the City has been asked by the Finance Department to reduce our budget by 26 percent. In that process we have ended up reducing our own capital improvement budget by significantly more in order to try and reduce other important line items by less than 26 percent. So the requested cut to BDD line item was certainly much less than 26 percent. But I completely understand where you all are coming from in saying, how can you ask for the same amount of water and not be willing to pay the same amount of money.

I would like to create a dialogue with Rick as representative of BDD Board and myself as representative of Water Division and I understand that perhaps the BDD comes back and says this is how much water we can give you at this amount and that will allow us to make our decisions on what water we use next year.

In a perfect world where our budget was the same we expect we would ask for the same amount of water from BDD. We are fortunate enough to have a variety of sources that are not necessarily as sustainable as the BDD but that we could lean on for a year. So I think it will take some creativity and I think Mackie and Rick have demonstrated a huge amount of that in looking at what are the things that we could put off for a year and in that way produce the same amount of water and then maybe we'll have to take the next step of, and what sort of reductions can we get by reducing the amount of water that we deliver to the City. In my conceptual model of the BDD the fixed costs are driving and the variable costs are smaller so I don't know if there's a huge amount of gain from that approach.

But I agree we can't ask for the same amount of water and not be – we can't ask BDD to cut our portion of the budget by this amount of money without being willing to entertain a response which is that we need to know how much water we would take from the BDD.

CHAIR VIGIL COPPLER: Before I go to Commissioner Hamilton, Mr. Carpenter, do you have any comment on that?

MR. CARPENTER: Yes, I do, Madam Chair. I think we could certainly look at where the variable costs and the fixed costs land on our operations and what that might mean overtime on the amount of that we could or would produce. Mr. Roach is correct, the City has other options it could go to that are not nearly as sustainable. But if we needed to produce less water for a certain amount of money in our budget, we could look at that. Right now I don't see that that would be something that we would need to do. I think we can still provide the amount of water that the partners have requested at

least through this budget cycle. When Mackie and I looked at the budget we didn't do it through the lens of whether or not we can produce less water. We did it through the lens of we can still produce the same amount of water that is being requested. But if that's an analysis that the Board would like us to do, we can do that. I haven't wrapped my mind around how we would do that but we could take a look at it if that's the pleasure of the Board.

CHAIR VIGIL COPPLER: Okay, thank you. Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you. First to Rick, I think it would be beneficial to do the analyses that we talked about earlier which would help us understand real impacts not vague statements; real potential impacts to operations before we go to the next step of what we can produce at these different levels. Jesse, can I ask you a question? The request for the utility to reduce their budget by 26 percent; was that an across the board request? Were all of the departments in the City being asked to do the exact same thing?

MR. ROACH: Commissioner Hamilton, Madam Chair, members of the Board, my understanding is that every department has to reduce their budget by that order. I don't know if the number is exact. I thought that – I was expecting 28 or 30 percent and then in the water division it is 26 percent and wastewater is 28 percent so I don't know where those exact numbers came from but it is on the order of 26 to 30 percent across the board; that's my understanding.

COMMISSIONER HAMILTON: I'm not trying to be cagey. I am asking specifically because some things are more essential than others. And some things can tolerate postponement in things like delayed maintenance, delayed vehicle replacement. This is not my place and with all respect to the councilors, this is your bailiwick. But from my point of view from the way I have been trying to contribute to the County during the same analysis, I take that into consideration and I think that's the responsible thing to do. So it is a strain to think about something that's – it's very hard to reduce water demand. People have to eat and drink and it is essential. Santa Fe has been big on doing conservation. There might be ways that we can conserve harder. When water runs out and there's no water to distribute in concept of how you plan for droughts and that sort of thing, which Councilor Romero-Wirth and I have thought about, we may think we have done a great job in conserving and we may have to conserve more because there aren't any choices; I recognize all of that. So we might be able to think about conservation and whatnot.

We might also have a conversation about rate structures because if we're going through long term hard times and water is precious and it's necessary and it needs to be supported that might be an answer. But if people have been paying for their water and we continue to manage water and payments for water – on of the reasons, the implications that if we expect – if you think that people are going to stop paying on water but we're going to keep serving water, but you've said that's not the case. It's a 26 percent reduction being requested not that you expect people to stop paying their bills. So as a result, people are going to be paying for water and we therefore have that resource in the water utility to maintain BDD at an acceptable level even if we make it a slimmer level than what we would do in non-stressed years. Twenty-six percent and a 16 percent reduction in payment to BDD is steep for recognizing this as an essential service and something where the demand is going to keep going. It just requires more analysis.

CHAIR VIGIL COPPLER: Thank you. Any other comments?

MS. ROMERO: Madam Chair, if I may, in trying to figure out how we move forward. I did, Madam Chair, members of the Board, I'm scheduled to speak to the City's budget director. July 1<sup>st</sup> is right around the corner so it appears the City is going to load their current year budget into our accounting system so that we can operate July 1<sup>st</sup>. For BDD that would be the same, so we would load our 2020 year budget and I could bring back to the Board this type of analysis that Commissioner Hamilton is asking for; the staffing level and in the interim maybe some other analysis that has to do with water produced and hopefully we can bring, if needed, an amended budget to the Board for recommendation and then adopt something in September. So I'm just trying to keep it clear unless you have any other comments on the point of an adopted budget. Thank you.

CHAIR VIGIL COPPLER: Thank you, Mackie.

COMMISSIONER HAMILTON: I just have a quick question on the budget.

CHAIR VIGIL COPPLER: Commissioner Hansen asked to be recognized.

COMMISSIONER HAMILTON: Oh, okay.

CHAIR VIGIL COPPLER: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. Jesse, I'm trying to get my head wrapped around this comment that, we'll take less water from the BDD and use your wells or your other resources; so what does that do to the BDD and their operations? That statement concerns me. We're just going to go play with our own water here and too bad for our partners, we just can't pay this. So this took me by surprise.

MS. ROMERO: Madam Chair, Commissioner Hansen, there are with limits in our agreement that safeguard the County from the City not taking or taking too little of water to where it would shift the percentages to a maximum amount of the County. So there are safeguards in that agreement that would prevent that. The maximum amount that the County would pay in project costs would be 30 percent regardless of how much water the partners took, just to comment on that.

COMMISSIONER HANSEN: Thank you.

CHAIR VIGIL COPPLER: Mr. Roach, do you have a response?

MR. ROACH: Madam Chair, Commissioner Hansen, I didn't mean to state that we would go and do our own thing. We want to work with the BDD Board to see if we can work through this sort of financial crisis that we're trying to find a way through and only if it is a creative solution where it would be helpful for the City – I don't believe that that is the solution. I think that because of the fixed cost involved and we are a major partner, I don't think the solution is for us to take less water necessarily. But I do want to respond to the point that was brought up by multiple members of the Board that we can't say we're going to pay less and ask for the same amount of water. Only for discussion purposes we're willing to look at other scenarios if that make sense.

CHAIR VIGIL COPPLER: Okay.

MR. ROACH: Thank you.

CHAIR VIGIL COPPLER: Commissioner Hamilton, did you have one last thing?

COMMISSIONER HAMILTON: Yes, so I just wanted to ask, you know, Mackie was talking about the next steps in terms of the process and based on the agreements when July 1<sup>st</sup> rolls around we automatically default to the previous year's budget if we don't have an adopted budget and then we can modify whatever as we get information and I'm just wondering if like some of the additional analysis, the thoughts about personnel and all of the things that we have been questioning, do we want to do some interactions by email if there's information you can provide to everybody or just accumulate it till the next meeting which will be the beginning of July?

MS. ROMERO: Madam Chair, members of the Board, if it helps maybe what we can do is sessions at the staff level where we bring in County staff, City staff and we go through this type of analysis that you're asking for so that we're not doing this back and forth. Then they can report that back to the County and the City and hopefully by the time we come back in July or even August for an amended, if needed, it would be something that both sides have already seen and agree with.

COMMISSIONER HAMILTON: I think that's a fabulous idea. I do want to make sure we think about some answers soon enough. Like we're going along with these furloughs but we really have to think about staffing levels in a reasonable time frame and so working together with the City and the County staff working together to advance the development of information would really be appreciated.

CHAIR VIGIL COPPLER: Okay, thank you, Commissioner Hamilton. Commissioner Hansen. And then we are going to wrap this item up.

COMMISSIONER HANSEN: Just one more comment. I really feel like one size does not fit all. I know that the City has directed you, as the manager, to cut 26 percent across the board but there are, and, once again, I'm just going to say this, this is an essential service, so I think it needs to be looked at in a different manner. Twenty-six percent across the board, okay, but is giving people parking tickets really as essential as providing water. I'm not picking on anybody, I am just using that as an example. I just think the City might need to think about essential services.

I also hope and I have brought this up before with the County but this is an essential service and I don't know that there's any state money or federal money. I know we have so far not qualified for any federal money under the COVID situation because we don't have a large enough population. But has any money from the state to secure cities and counties for essential services, which water clearly is, been provided? With that, thank you very much.

CHAIR VIGIL COPPLER: Okay, Mr. Ives.

MR. IVES: Thank you, Madam Chair, yes, certainly an interesting discussion on a lot of issues there. The City and the County each have their respective water rights that they can draw out of the Rio Grande. I'm trying to get a sense and Rick and Jesse, I suppose this would be a question for you, I have a sense that these proposed cuts at least have not in your minds led you to conclude that there would be any less capacity to produce water through BDD; is that an accurate assessment of where your thinking is on this?

MR. CARPENTER: Madam Chair, members of the Board, ex-councilor Ives/board members Ives, I have not come to any conclusion that we can produce less water at this point. We have offered a few minutes ago to do that analysis but we don't believe that under the current budget adjustments that have been proposed as a draft or

interim budget, whatever we want to call it, that we would produce less water. I don't believe that we're going to produce less water as a result of this as far as I can see. Does that answer your question?

MR. IVES: Yes, and some of the discussion is focused on trying to get clearer answers as to why you believe that and I think that's a significant part of Commissioner Hamilton's questions, saying if we have this extent of cuts how can we know that we'll still be able to produce. The City does not have native Rio Grande rights. So all of our water produced is presumably Buckman Diversion as opposed to the County that has both native rights and Buckman rights. Presumably whatever water we do produce can be dedicated to those purposes in such a way that the County's interests are protected in the capacity to produce the water rights that they have either in the Rio Grande or in Buckman. Is that a correct assessment of the system?

MR. CARPENTER: We've been working with the County in a way that is no different than the way we have worked with the County in the past in terms of balancing the native water that we take from the river and the San Juan-Chama water that we call for. It's still a resource management question. We talk about it daily, weekly, we have long term plans – none of that has changed and I don't foresee it changing in the near future.

MR. IVES: And to some degree I am just trying to understand if anybody is made less confident that there will be water delivered to them that they are entitled to the sources that BDD pulls. So that's a question that is circulating in the back of my mind.

I am also curious if we do reduce costs which would be the net effect of the budgetary cuts proposed by the City, how does that affect the contribution of the partners to cover the cost of BDD? I mean clearly there would be a reduction in City expense. Is there any similar benefit as a result of reduced costs that would be allocated to the County by virtue of their participation in costs associated with operation of Buckman?

MR. CARPENTER: I think that's for future discussions and Mackie if you want to weigh in on that.

MS. ROMERO: Sure. Madam Chair, members of the Board, Mr. Ives, you are correct. So in order for me to get to the number that the City wanted all the other partners, because it is based on percentage, in order to get to that, I did have to cut the budget by \$1.4 million which the City sees \$1 million of that and the County and Las Campanas also see a reduction in their contribution as related.

MR. IVES: Okay, those are just a couple of the questions circulating in the back of my mind which I think are germane to this discussion as it moves forward and certainly look forward to the next conversation.

Thank you, Madam Chair, that's all I had.

CHAIR VIGIL COPPLER: Thank you, Mr. Ives. Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you, but I actually was not waving my hand around – oh, but I did because at some point I forgot because Mr. Ives went onto something else. But you referenced me and my concern was not that the County wasn't going to get what they needed because of some differential handling of water rights and whatever. My concern with respect to the budget cuts was that if we reduce – the projection of the 20 percent reduction in electricity did not jibe with full

production of water. I don't know how we thought we'd produce the same amount of water this year with 20 percent less electricity than what we produced last year – that sort of thing.

And the remainder has to do with level of risk of operation which that has to be assessed really carefully and there are some levels of risk, some items present more risk than others and are less tolerable. And that's I think one of the Board's real obligations, understanding what risk they're embracing by reducing budget specifically not generically.

CHAIR VIGIL COPPLER: Okay, thank you for your comments. I think we have a lot to plan for. Thank you all for your comments. The next agenda planning session we need to gather all these thoughts and recommendations and we'll certainly take into consideration the items that need to be placed on the agenda and planned for for the next meeting. So that's good.

**MATTERS FROM THE BOARD** - None were presented.

**NEXT REGULAR MEETING:** Thursday, July 2, 2020 at 4:00 p.m.

#### **EXECUTIVE SESSION**

**In accordance with the New Mexico Open Meetings Act NMSA 1978 Section 10-15-1(H)(7), discussion regarding pending litigation in which the BDDB is a participant, including without limitation: *Buckman Direct Diversion Board v. CDM Smith, et al.*, First Judicial Court Case No. D-101-CV-2018-01610**

NANCY LONG (BDD Board Attorney): Yes, Madam Chair, and members of the Board. You will have a motion to adjourn and go into executive session in accordance with the New Mexico Open Meetings Act NMSA 1978, 10-15-1(H)(7) for discussion regarding pending litigation in which the BDDB is a participant, for the case as described on the agenda and then they'll be a roll call vote. We will sign out after you take that motion and vote, we'll sign out of this meeting and you'll sign back in pursuant to the invitation that you received for the executive session.

COMMISSIONER HANSEN: Madam Chair, I move the motion.

COMMISSIONER HAMILTON: Second.

CHAIR VIGIL COPPLER: Before we vote, I would like to clarify about the invitation.

MS. LONG: So it would have been by Jamie-Rae.

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

Councilor Vigil Coppler	Aye
Commissioner Hamilton	Aye
Commissioner Hansen	Aye
Councilor Romero-Wirth	Aye
Mr. J.C. Helms	Aye

[The Board adjourned to in executive session at 5:35 p.m.]

**ADJOURNMENT**

Chair Vigil Coppler declared this meeting adjourned at approximately 5:35 p.m.

Approved by:

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JoAnne Vigil Coppler, Board Chair

Respectfully submitted:

Karen Farrell, Wordswork

**ATTEST TO**

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YOLANDA Y. VIGIL  
SANTA FE CITY CLERK