



# AGENDA

**BUCKMAN DIRECT DIVERSION BOARD  
SEPTEMBER 03, 2020 AT 4:00 PM  
ATTEND VIRTUALLY**



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## **SPECIAL PROCEDURES FOR BUCKMAN DIRECT DIVERSION BOARD MEETING**

Attendance: In response to the State's declaration of a Public Health Emergency, the Mayor's Proclamation of Emergency, and the ban on public gatherings of more than five (5) people, the Buckman Direct Diversion Board meeting will be conducted virtually.

Viewing: Members of the public may stream the meeting live on the City of Santa Fe's YouTube channel at <https://www.youtube.com/user/cityofsantafe>. The YouTube live stream can be accessed at this address from most smartphones, tablets, or computers.

The video recording of this meeting will also remain available for viewing at any time on the City's YouTube channel at <https://www.youtube.com/user/cityofsantafe>. Staff is available to help members of the public access pre-recorded meetings on-line at any time during normal business hours. Please call 955-6521 for assistance.

Agenda: The agenda for the meeting will be posted at [santafe.primegov.com](http://santafe.primegov.com).

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF AGENDA**
4. **APPROVAL OF CONSENT AGENDA**
5. **APPROVAL OF MINUTES**
  - a. Approval of the minutes from the August 6, 2020 Buckman Direct Diversion Board meeting.
6. **MATTERS FROM THE PUBLIC: Buckman Direct Diversion Board will take matters from the public in written form via email through 1:00 pm on Thursday September 3, 2020. Emails must identify the submitting's party's name and should be sent to Jamie-Rae Diaz, City of Santa Fe, Public Utilities, Administrative Manager, at**



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**jldiaz@santafenm.gov. These comments will be distributed to the Board for review prior to the meeting and placed in the minutes of the meeting.**

## **PRESENTATION/INFORMATIONAL ITEMS**

1. Report on September 1, 2020 Fiscal Services Audit Committee VERBAL. (FSAC). (Mackie Romero, BDD Financial Manager, mmromero1@santafenm.gov, 955-4506)
2. Monthly Update on BDD Operations. (Randy Sugrue, BDD Operations Superintendent, rcsugrue@santafenm.gov, 955-4501)
3. Report from the Facilities Manager. VERBAL. (Rick Carpenter, BDD Facilities Manager, rrcarpenter@santafenm.gov, 955-4206)
4. Presentation of the Buckman Direct Diversion Project Annual Financial Report for fiscal year ended June 30, 2019. (Mackie Romero, BDD Financial Manager, mmromero1@santafenm.gov, 955-4506 and Raul Anaya, Principle, CliftonLarsonAllen LLP, raul.anaya@CLAconnect.com)
5. Update on Waters of the United States (WOTUS) Litigation. (Rick Carpenter, BDD Facilities Manager, rrcarpenter@santafenm.gov, 955-4206 and Kyle Harwood, BDD Legal Counsel, kyle@egolflaw.com, 986-9641)

## **ACTION ITEMS: CONSENT**

6. Request for Approval of Buckman Direct Diversion and Canyon Road Water Treatment Plant Operator Exchange Program. (Jesse Roach, Water Division Director, jdroach@santafenm.gov, 955-4309)

## **ACTION ITEMS: DISCUSSION**

7. Update and Possible Action on LANL MOU. (Rick Carpenter, BDD Facilities Manager, rrcarpenter@santafenm.gov, 955-4206 and Kyle Harwood, BDD Legal Counsel, kyle@egolflaw.com, 986-9641)
8. Update and Possible Action on NMED Triennial Review. (Rick Carpenter, BDD Facilities Manager, rrcarpenter@santafenm.gov, 955-4206, James Bearzi,



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GGI, BBDB Consultant, james@glorietageo.com, 983-5446 and Kyle Harwood, BDD Legal Counsel, kyle@egolflaw.com, 986-9641)

9. Update and Request for Ratification of the BDD Board's protest of the U.S Department of Energy and Los Alamos County's Water Right Transfer Application for Cr6 Remediation under OSE File No. RG-00485, et al. (Rick Carpenter, BDD Facilities Manager, 955-4206, rrcarpenter@santafenm.gov, and Kyle Harwood, BDD Legal Counsel, kyle@egolflaw.com, 986-9641)
10. Discussion of Amended Fiscal Year 2021 Annual Operating Budget in the amount of \$8,763,715 plus \$626,705 in contributions to the Major Repair and Replacement Fund. (Mackie Romero, BDD Financial Manager, mmromero1@santafenm.gov, 955-4506) a) Request to ratify and formally adopt the amended for 2021 Annual Operating Budget in the amount of \$8,763,715 plus \$626,706 in contributions to the Major Repair and Replacement Fund.

## **MATTERS FROM THE BOARD**

**NEXT MEETING: Thursday, October 1, 2020 at 4:00 PM**

## **ADJOURN**

### **EXECUTIVE SESSION**

In accordance with the New Mexico Open Meetings Act NMSA 1978, §10-15-1(H)(7), discussion regarding pending litigation in which the BDDDB is a participant, including, without limitation, :1 BDD Board's Protest of the U.S Department of Energy and Los Alamos County's Water Right Transfer Application for Cr6 Remediation under OSE File No. RG-00485, et al. (Kyle Harwood, BDD Legal Counsel, kyle@egolflaw.com, 986-9641) 2. Buckman Direct Diversion Board v. CDM Smith, et al., First Judicial District Court Case No. D-101-CV-2018-01610. (Nancy R. Long, BDD Legal Counsel, nancy@longkomer.com, 982-8405)

**Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6521, five (5) working days prior to meeting date.**