



## AGENDA

**The City of Santa Fe  
And  
Santa Fe County  
Buckman Direct Diversion Board Meeting  
ATTEND VIRTUALLY  
<https://www.youtube.com/user/cityofsantafe>  
THURSDAY, MAY 7, 2020  
4:00 PM**

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF MINUTES FROM THE MARCH 5, 2020 BUCKMAN DIRECT DIVERSION BOARD MEETING
6. **MATTERS FROM THE PUBLIC:** Buckman Direct Diversion will take matters from the public in written form via email through 1:00 pm on Thursday May 7, 2020. Emails must identify the submitting's party's name and may be sent to Jamie-Rae Diaz, City of Santa Fe, Public Utilities, Administrative Manager, at [jldiaz@santafenm.gov](mailto: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.

### INFORMATIONAL ITEMS

7. REPORT ON MAY 5, 2020 FISCAL SERVICES AUDIT COMMITTEE (FSAC). (Mackie Romero, BDD Financial Manager, [mmromero1@santafenm.gov](mailto:mmromero1@santafenm.gov), 955-4506)
8. Monthly Update on BDD Operations. (Randy Sugrue, BDD Operations Superintendent, [resugrue@santafenm.gov](mailto:resugrue@santafenm.gov), 955-4501)

9. Report from the Facilities Manager. **VERBAL.** (Rick Carpenter, BDD Facilities Manager, [rrcarpenter@santafenm.gov](mailto:rrcarpenter@santafenm.gov), 955-4206)
10. Update on Waters of the United States (WOTUS) litigation. (Kyle Harwood, BDD Legal Counsel, [kyle@egolfaw.com](mailto:kyle@egolfaw.com))
11. Report on 3<sup>rd</sup> Quarter Financial Position for Fiscal Year 19/20. (Mackie Romero, BDD Financial Manager, [mmromero1@santafenm.gov](mailto:mmromero1@santafenm.gov), 955-4506)

### **CONSENT AGENDA**

12. Request for approval of Amendment No. 3 to the Legal Services Agreement with Snell & Wilmer, LLP for professional services for FY 19/20 to increase compensation for the amount of \$400,000 exclusive of NMGRT. (Mackie Romero, BDD Financial Manager, [mmromero1@santafenm.gov](mailto:mmromero1@santafenm.gov), 955-4506)
  - a.) Budget Amendment Resolution in the amount of \$400,000.
13. Request for approval of Amendment No. 1 to Professional Services Agreement with Glorieta Geoscience, Inc. to extend term of agreement and rollover contract balance to FY20/21. (Mackie Romero, BDD Financial Manager, [mmromero1@santafenm.gov](mailto:mmromero1@santafenm.gov), 955-4506)

### **DISCUSSION AND ACTION**

14. Consideration and Possible Action regarding the framework for the 2020 BDDDB-LANL MOU. (Rick Carpenter, BDD Facilities Manager, [rrcarpenter@santafenm.gov](mailto:rrcarpenter@santafenm.gov), 955-4206 and Kyle Harwood, BDD Legal Counsel, [kyle@egolfaw.com](mailto:kyle@egolfaw.com))
15. Consideration and Possible Action on Resolution 2020-2, determining reasonable notice for Public Meetings of the Buckman Direct Diversion Board during a declared Public Health Emergency. (Nancy Long, BDD Legal Counsel, [nancy@longkomer.com](mailto:nancy@longkomer.com), 985-8405)

### **MATTERS FROM THE BOARD**

**NEXT REGULAR MEETING: Thursday, June 4, 2020 at 4:00pm**

### **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, *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](mailto:nancy@longkomer.com), 982-8405)



**PERSONS WITH DISABILITIES IN NEED OF ACCOMODATIONS, CONTACT THE CITY CLERK'S OFFICE AT 505-955-6520, FIVE (5) WORKING DAYS PRIOR TO THE MEETING DATE**

**RECEIVED AT THE CITY CLERK'S OFFICE**

**DATE: April 28, 2020**

**TIME: 4:45 PM**