



**AGENDA**  
**The City of Santa Fe**  
**And**  
**Santa Fe County**  
**Buckman Direct Diversion Board Meeting**  
**ATTEND VIRTUALLY**  
<https://www.youtube.com/user/cityofsantafe>  
**THURSDAY, SEPTEMBER 3, 2020**  
**4:00 PM**

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 meeting on

Thursday, September 3, 2020 will be conducted virtually.

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF 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 [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 September 1, 2020 Fiscal Services Audit Committee **VERBAL**. (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, [rcsugrue@santafenm.gov](mailto:rcsugrue@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. 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](mailto:mmromero1@santafenm.gov), 955-4506 and Raul Anaya, Principle, CliftonLarsonAllen LLP, [raul.anaya@CLAconnect.com](mailto:raul.anaya@CLAconnect.com))
11. Update on Waters of the United States (WOTUS) Litigation. (Rick Carpenter, BDD Facilities Manager, [rrcarpenter@santafenm.gov](mailto:rrcarpenter@santafenm.gov), 955-4206 and Kyle Harwood, BDD Legal Counsel, [kyle@egolflaw.com](mailto:kyle@egolflaw.com), 986-9641)

### **CONSENT AGENDA**

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

### **DISCUSSION AND ACTION**

13. Update and Possible Action on LANL MOU. (Rick Carpenter, BDD Facilities Manager, [rrcarpenter@santafenm.gov](mailto:rrcarpenter@santafenm.gov), 955-4206 and Kyle Harwood, BDD Legal Counsel, [kyle@egolflaw.com](mailto:kyle@egolflaw.com), 986-9641)
14. Update and Possible Action on NMED Triennial Review. (Rick Carpenter, BDD Facilities Manager, [rrcarpenter@santafenm.gov](mailto:rrcarpenter@santafenm.gov), 955-4206, James Bearzi, GGI, BBDB Consultant, [james@glorietageo.com](mailto:james@glorietageo.com), 983-5446 and Kyle Harwood, BDD Legal Counsel, [kyle@egolflaw.com](mailto:kyle@egolflaw.com), 986-9641)
15. 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](mailto:rrcarpenter@santafenm.gov), and Kyle Harwood, BDD Legal Counsel, [kyle@egolflaw.com](mailto:kyle@egolflaw.com), 986-9641)
16. 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](mailto: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 REGULAR MEETING: Thursday, October 1, 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 BDDB 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@egolfaw.com](mailto:kyle@egolfaw.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](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: August 26, 2020**

**TIME: 8:17 AM**