

**MINUTES OF THE  
2,158<sup>th</sup> REGULAR MEETING  
OF THE  
BOARD OF DIRECTORS OF THE  
MIDDLE RIO GRANDE CONSERVANCY DISTRICT  
JANUARY 13, 2020**

Directors having been duly notified; Madam Chair Dunning called the regular meeting to order at 3:01 pm at the MRGCD General Office. The following Directors and Staff were present:

<b>DIRECTORS</b>				<b>STAFF</b>	
Karen Dunning, Madam Chair	Present	Mike Hamman		Chief Engineer/CEO	
Joaquin Baca, Vice-Chair	Present	Dr. Chuck DuMars		Chief Water Counsel	
John Kelly, Director	Absent	Lorna Wiggins		General Counsel	
Valerie Moore, Director	Present	DeAnna Philips		GIS Tech/Board Liaison	
Michael T. Sandoval, Director	Present	David Gensler		Water Operations Manager	
Barbara Baca, Director	Present	Becky Burnham		Budget Analyst	
Stephanie Russo Baca, Director	Present	Jason Casuga		Engineering Division Manager	
		John Thompson		MRGCD Lobbyist	
		Doug Strech		GIS Supervisor	
		Christine Nardi		HR Director	
		Lorenzo Benavidez		Socorro Division Manager	
		Sloan Washburn		Belen Division Manager	
		Melin Villegas-Vargas		Accountant Supervisor	
		Casey Ish		Water Resource Specialist	
		Rebecca Thompson		Assessments Clerk II	
		Francesca Shirley		Conservation Specialist	

The following names of individuals were interested viewers and/or participants:

Anders Lundahl, Interstate Stream Commission  
 John Fleck, UNM  
 Michael Jaramillo, Village of Los Lunas  
 Greg Martin, Village of Los Lunas  
 Charles Griego, Village of Los Lunas Mayor  
 Kevin Eades, Molzen Corbin  
 Sue Small, Valencia Soil and Water Conservation District  
 Danny Monette, Valencia County Manager

**AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE**

John Thompson led the Pledge of Allegiance at today's meeting. (After leading the Pledge, John Thompson had some words to offer to the Board and staff. Please see "Items from the Floor " for his commentary.)

Madam Chair Dunning declared a quorum and welcomed guests, as well as noted that the meeting was publicly noticed. Director Kelly is out of town but is trying to obtain cell service to call in. Vice Chair Baca was present but announced he had to leave for a short work-related meeting but would return for the remainder of today's meeting.

## **AGENDA ITEM NO. 2 – APPROVAL OF THE MRGCD BOARD MEETING AGENDA**

Under Item 6.b., Viola Sanchez, from Bureau of Indian Affairs, is under the weather and will not be in attendance of today's meeting.

Mr. Hamman asked that Item 7.e. be added to the agenda, which is a Report from the MRGCD Lobbyist Regarding the 2020 New Mexico Legislative Session - Mr. John Thompson, MRGCD Lobbyist.

Director Moore made the **MOTION TO APPROVE THE MEETING AGENDA WITH THE ABOVE-NOTED CHANGES**. Director Russo Baca seconded the motion. The **MOTION CARRIED unanimously**.

## **AGENDA ITEM NO. 3 – CONSENT AGENDA**

- a. Consideration/Approval of Payment Ratification - January 13, 2020
- b. Consideration/Approval of December 2019 Invoice for Wiggins Williams & Wiggins
- c. Consideration/Approval of December 2019 Invoice for Law & Resource Planning Associates, PC
- d. Consideration/Approval of Minutes for Regular Board Meeting - December 9, 2019
- e. Memo on MRGCD Approved Licenses for December 2019 (For Informational Purposes Only)
- f. Discussion of Rule No. 30 Per Diem, Mileage & Expense Reimbursement regarding New Mexico Mileage Rates as of January 1, 2020

Director Moore made the **MOTION TO APPROVE THE CONSENT AGENDA**. Director Russo Baca seconded the motion. The **MOTION CARRIED unanimously**.

## **AGENDA ITEM NO. 4 – PROJECT INTRODUCTION OF NEW LOS LUNAS I-25**

**INTERCHANGE AND RIO GRANDE BRIDGE CROSSING** - Kevin Eades, P.E., Molzen Corbin

Mayor Griego, Greg Martin from the Village of Los Lunas and Valencia County Commissioner Gerard Saiz were in attendance of today's meeting and offered their support of this project.

Kevin Eades gave a presentation on what the new interchange and river crossing will look like.



### The Project

### Why are We Here?

1. NMDOT PROJECT WAS CANCELLED
2. LOCAL ELECTED OFFICIALS HAVE WORKED TO ADDRESS THE CONGESTION PROBLEM SINCE 2002
3. STUDY AND 30% DESIGN COMPLETED IN 2012
4. DESIGN & ROW PROCESS INITIATED IN 2012
5. \$55 MILLION COMMITTED BY 2019 LEGISLATURE NMDOT IN 2019

### Why is this important to the MRGCD and BOR?

### List of Facilities

1. BELEN HIGHLINE CANAL
2. NEW BELEN ACEQUIA
3. LOS LUNAS ACEQUIA
4. LOS CHAVEZ INTERIOR DRAIN
5. TAFOYA LATERAL
6. HUNING LATERAL
7. UPPER BELEN RIVERSIDE DRAIN
8. RIO GRANDE RIVER
9. LOWER PERALTA RIVERSIDE DRAIN
10. SAN FERNANDEZ INTERIOR DRAIN
11. PERALTA MAIN CANAL
12. SAN FERNANDEZ LATERAL

Construction Anticipated 2022/2023

### MRGCD IS A STAKEHOLDER

- WILL WORK WITH STAFF ON ALL REQUIRED PERMITTING
- OPPORTUNITY TO SCHEDULE WORK WITHIN MRGCD SEASONS
- STREAMLINE THE ENVIRONMENTAL REVIEW PROCESS

### Environmental Assessment

Construction Anticipated 2022/2023

Mr. Eades said this has been looked at for 22 years and has finally received funding. The design phase would occur in 2020-2021 and the construction phase will be within 2022-2023. It has a scheduled completion date of June 2024 which will relieve congestion along New Mexico Hwy 6. There are many government entities involved, such as Department of Transportation, Corps of Engineers, MRCOG, Valencia County, and the Bureau of Reclamation, to name a few. He would like MRGCD's support for the project.

Jason Casuga answered Chair Dunning's question on the licensing process saying this project would probably require two separate permits (one for the crossing of the river itself and another for all the crossings of river canals, laterals, and drains) with the fees per crossing of the facility would stand.

Director Baca asked about the environmental assessment (what will be included, who is the contractor). Mr. Eades reported that prior to this effort, MRCOG had Dave Pennington and Associates do the environmental assessment; however, they will have Ecosphere conduct the assessment in the future.

Director Sandoval asked if they anticipated using 404 or 401 permits. Mr. Eades reported that they met with the Corps of Engineers, and it looks like they are headed towards a nation-wide permit, as they are looking to span the entire river area. There would be piers in the river, but everything else would be elevated and go over the top.

Chuck DuMars asked if they were just looking at environmental assessment. Mr. Eades responded yes. He added that everybody seems to be happy with the environmental assessment thus far. They haven't seen anything yet that would take them to an EIS. Dr. DuMars then asked how they would acquire the rights-of-way. Mr. Eades reported that they're working with Tierra Right of Way Services and that six or seven properties have been acquired by the Village of Los Lunas.

Director Russo Baca asked about clarification for the access points. Mr. Eades went over the anticipated access points stating this venture is to move traffic like the Paseo Del Norte Project.

Madam Chair Dunning asked if any type of noise walls would be used. Mr. Eades responded that they anticipate using something for noise, which will be addressed in the environmental assessment.

#### **AGENDA ITEM NO. 5 – ITEMS FROM THE FLOOR (Comments are held to six (6) minutes)**

##### **John Thompson**

Mr. Thompson is the Lobbyist for MRGCD. He wanted to thank the MRGCD Board and staff for the outpouring of support considering his father's passing.

##### **Sue Small**

Ms. Small is a resident and homeowner in Valencia County. She wanted to make sure that MRGCD knows that 323 acre-feet of water is currently being exported out of the Los Lunas basin. There was a workshop held wherein the company who is exporting the water is interested in coming back in January or February 2020 to request increased production. So, the withdrawal would be over 210,000 gallons per year. Her concern is that water is not available to the farmers. She believes all the stakeholders, including MRGCD, be involved in these decisions/process.

#### **AGENDA ITEM NO. 6 – REPORT(S) FROM THE DEPARTMENT OF THE INTERIOR**

##### **a. Bureau of Reclamation - Jennifer Faler, Area Manager**

Ms. Faler was not in attendance of today's meeting.

##### **b. Bureau of Indian Affairs - Viola Sanchez, Designated Engineer**

Ms. Sanchez was not in attendance of today's meeting.



**AGENDA ITEM NO. 7 – REPORT(S) FROM THE CHIEF ENGINEER (Mike A. Hamman)****a. Discussion of the 2020 Board Meeting/Open House Schedule, Mike Hamman, CE/CEO**

Discussion ensued regarding opinions and options of logistics and scheduling the 2020 Open Houses and Informational Meetings. It was decided to have the Informational Meetings in the different counties in February, March, and April. Then the Division Office Open Houses will resume in May. Mike Hamman proposes to meet with David Gensler to discuss what is the best way for the public to meet the ISOs (i.e., Director Russo Baca's suggestion of "coffee with an ISO") once the Informational Meetings conclude.

**b. Consideration/Approval of 2020 Open Meetings Act Resolution, BD-01-13-20-50 - Mike Hamman, CE/CEO**

Mike Hamman reported the Resolution is the standard with no changes.

**THE MIDDLE RIO GRANDE CONSERVANCY DISTRICT BOARD OF DIRECTORS****OPEN MEETINGS ACT RESOLUTION****BD-01-13-20-50**

**WHEREAS**, the Board of Directors ("Board") of the Middle Rio Grande Conservancy District ("District") met in regular session at 1931 Second Street, SW, Albuquerque, NM 87102 at 3:00 p.m. on January 13, 2020 as required by law; and

**WHEREAS**, the Open Meetings Act (NMSA 1978, §§ 10-15-1 to 10-15-4) states "all meetings of a quorum of members of any board, commission, administrative adjudicatory body or other policymaking body of any state agency, any agency or authority of any county, municipality, district or any political subdivision, held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of any board, commission or other policymaking body are declared to be public meetings open to the public at all times, except as otherwise provided in the constitution of New Mexico or the Open Meetings Act."(NMSA 1978, § 10-15-1); and;

**WHEREAS**, any meetings subject to the Open Meetings Act, at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and

**WHEREAS**, Section 10-15-1(C) of the Open Meetings Act Telephone Conferences; a member of the Board may participate in a meeting of the Board or committee meeting by means of a conference telephone or other similar communications equipment when it is otherwise "difficult" or "impossible" for the member to attend the meeting in person.

**WHEREAS**, Section 10-15-1(D) of the Open Meetings Act requires the District Board to determine annually what constitutes reasonable notice of its public meetings.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors that:

1. Except as set forth in this resolution, all District Board meetings shall be held at the MRGCD General Office, 1931 Second Street SW, Albuquerque, NM 87102 at 3:00 p.m. Mountain Standard Time/Mountain Daylight Time as otherwise indicated in the meeting notice. Unless otherwise specified

- by resolution of the District Board, regular meetings shall be held each month on the second Monday. When an approved District holiday falls on the second Monday of the month, the District Board shall schedule its regular meeting at another date and provide advance notice of such meeting date in accordance with this resolution.
2. The agenda will be available at least seventy-two (72) hours prior to the meeting from the Board Liaison, whose office is located at 1931 Second Street SW, Albuquerque, NM 87102. Notice of regular meetings other than those described in paragraph (1) will be given ten (10) days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.
  3. Special meetings may be called by the Chair of the Board or a majority of the members of the Board upon three (3) days' notice. The notice shall include an agenda for the meeting or information on how members of the public may obtain a copy of the agenda. The agenda shall be available to the public at least twenty-four (24) hours before any special meeting.
  4. Emergency meetings will be called only under unforeseen circumstances that demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The Board will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chair of the Board or a majority of the Board members upon twenty-four (24) hours' notice, unless threat of personal injury or property damage requires less notice. The notice for all emergency meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda.
  5. For the purposes of this Resolution, the term "meeting" does not include the gathering of a quorum of the Board at a social function unrelated to the public business that is conducted by the MRGCD, or the attendance by a quorum of the Board at a regional, state, or national convention or workshop, ceremonial event, or press conference, if formal action is not taken and any discussion of public business is incidental to the social function, convention, workshop, ceremonial event, or press conference.
  6. For the purposes of regular meetings described in Paragraph (1) and (2) of this resolution, notice requirements are met if notice of the date, time, and place is published in newspapers of general circulation in the state, along with the agenda posted at MRGCD Division offices and the MRGCD website [www.mrgcd.us](http://www.mrgcd.us). Copies of the written notice shall also be sent by facsimile, mailed by U.S. Mail and/or electronic mail to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.
  7. For the purposes of special meetings and emergency meetings described in paragraph (3) and (4) of this resolution, notice requirements are met if notice of the date, time, place and agenda is provided by telephone, facsimile, and/or electronic mail to newspapers of general circulation in the state and posted in the offices of the MRGCD. Telephone, facsimile, and/or electronic mail notice also shall be given to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.
  8. In addition to the information specified above, all notices shall include the following language: If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Board Liaison at (505) 247-0234 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes can be provided in various accessible formats. Please contact the Board Liaison at (505) 247-0234 if a summary or other type of accessible format is needed.
  9. The Chair of the Board may close a meeting to the public only if the subject matter of such discussion or action is excepted from the open meeting requirement under Section 10- 15-1(H) of the Open Meetings Act.

- a) If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Board taken during the open meeting. The authority for the closed meeting and subjects to be discussed shall be stated with reasonable specificity in the motion to close and the vote of each individual member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.
- b) If a closed meeting is conducted when the Board is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed with reasonable specificity is given to the members and to the general public.
- c) Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.
- d) Except as provided in Section 10-15-1(H) of the Open Meetings Act, any action taken as a result of discussions in a closed meeting shall be made by vote of the Board of Directors in an open public meeting.

Passed by the District Board this 13<sup>th</sup> day of January, 2020.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

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Karen Dunning, Chair of the Board

ATTEST:

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Mike A. Hamman, CE/CEO

Director Moore made the **MOTION TO APPROVE THE 2020 OPEN MEETINGS ACT RESOLUTION, BD-01-13-20-50**. Director Baca seconded the motion. The **MOTION CARRIED unanimously**.

**c. Discussion/Approval of Dates for County MRGCD Informational Meetings - Mike Hamman, CE/CEO**

Discussion ensued regarding opinions and options of scheduling the 2020 Informational Meetings. Informational Meetings occur on the fourth Monday of every month. It was decided to begin with Socorro County in February and then work up north. For Sandoval County (scheduled in April), since it historically has had the lowest turnout, the meeting will be held at one of the Pueblos. Director Sandoval will coordinate with the Governors of the Pueblos to choose a venue. Since Corrales has many irrigators, when the open houses start, an open house will be scheduled in Corrales.

**d. Discussion/Approval of Professional Services Agreement for Consultant and Lobbying Services between the District and John Thompson - Mike Hamman, CE/CEO**

Mike Hamman said that this is a continuation or the second year for John Thompson as the District's Lobbyist. No questions or discussion ensued regarding this topic.

Director Moore made the **MOTION TO APPROVE PROFESSIONAL SERVICES AGREEMENT FOR CONSULTANT AND LOBBYING SERVICES BETWEEN THE DISTRICT AND JOHN THOMPSON**. Director Sandoval seconded the motion. The **MOTION CARRIED unanimously**.

**Report from the MRGCD Lobbyist Regarding the 2020 New Mexico Legislative Session - Mr. John Thompson, MRGCD Lobbyist**

John Thompson reported that there is a new form for Capital Outlay projects. The process has caused some confusion. Jason Casuga reported that he attempted to input one project; however, he encountered a bug in the system. He was asked by State personnel to hold off until the bug can be worked out. Once you fill the form out, print or submit it to Council, which in turns takes you to the legislature sponsor letter. Mr. Thompson takes that to get signatures then submits it by the deadline of February 2, 2020. He explained that due to this new system some of the projects may need to be split (for instance, if you have a \$100K project, Representative X sponsors \$50K and Representative Y sponsors \$50K). However, Mr. Thompson does not believe that there will be any problems encountered with the projects that MRGCD is seeking.

Dr. DuMars gave a heads up to Mr. Thompson on a hot topic that may come up on the call, which is the opposition to the Water Use Leasing Act, the provision that allows an immediate lease of water or use of water. Mr. Thompson said he will keep his eye out for it.

**e. Discussion/Approval for the Agreement to Provide Funding for the Revision of the 2015 Albuquerque Metropolitan Area Hazard Mitigation Plan - Mike Hamman, CE/CEO**

Mr. Hamman reported that this is the first time the District has engaged with partners in the greater Albuquerque Metropolitan Area to engage in the Hazard Mitigation Planning Process. There are benefits to the District being engaged in this process to work collaboratively to address hazardous events, whatever they may be, as well as once you are part of the plan formally and it's been accepted by FEMA, or other hazard litigation planning processes at the state level, you are in the cue in the event you need financial support to address impacts to your facilities.

Mr. Hamman is recommending approval of \$11,237 for the effort and staff time to engage in the process.

Director Moore made the **MOTION TO APPROVE THE AGREEMENT TO PROVIDE FUNDING FOR THE REVISION OF THE 2015 ALBUQUERQUE METROPOLITAN AREA HAZARD MITIGATION PLAN**. Director Baca seconded the motion. The **MOTION CARRIED unanimously**.



**f. Discussion/Approval of General Office Remodel Budget and Approval of Contractor, SDV Construction - Mike Hamman, CE/CEO, and Jason Casuga, Engineering Manager**

Mike Hamman gave a quick background on the process that funding of \$300,000 was set aside to address some issues that were identified in the main office, security, active shooters, safety, comfort and access by our customer base. An initial estimate by the Architect came in at \$500,000 for this proposed remodel. The Finance Committee was very supportive trying to obtain the funds to phase it in over two years or find year-end money. Our architectural firm used CES Contractors and got a construction bid from them and they came in at almost double the price. Staff has gone through a process of downsizing the initial plan to bring it within a doable budget.


Jason Casuga continued with a presentation regarding the entire remodel. First, thanking Doug Strech who happens to have an architecture degree, for all his help.

## MIDDLE RIO GRANDE CONSERVANCY DISTRICT

### MRGCD GO Remodel

Prepared By:

- Jason Casuga, PE
- Richard Deloia
- NCA Architects




*"Keeping the Valley Green"*

### Project Goal

- Building Security
- Assessments Security
- Additional Office Space
- ADA Compliance
- Energy Efficiency

**MRGCD**

### GO Remodel Plan



**Green Area:**

- Increase Office Space
- Employee Restroom Updates

**Red Area:**

- Securing Assessments
- Public Restroom Updates
- Reception/Lobby Area Updates
- Mapping Counter Updates

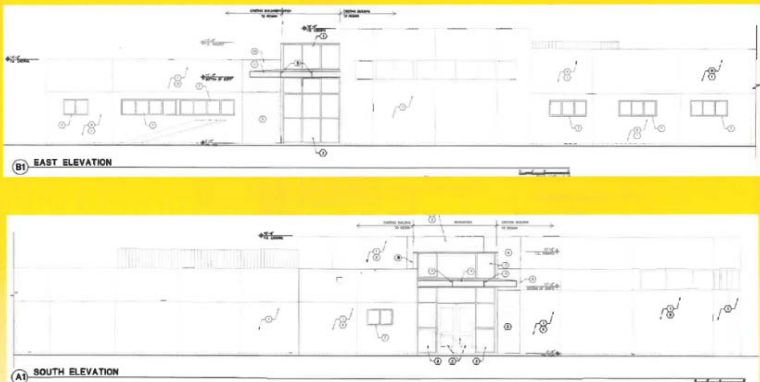
**Yellow Area:**

- Secure Front Entrance

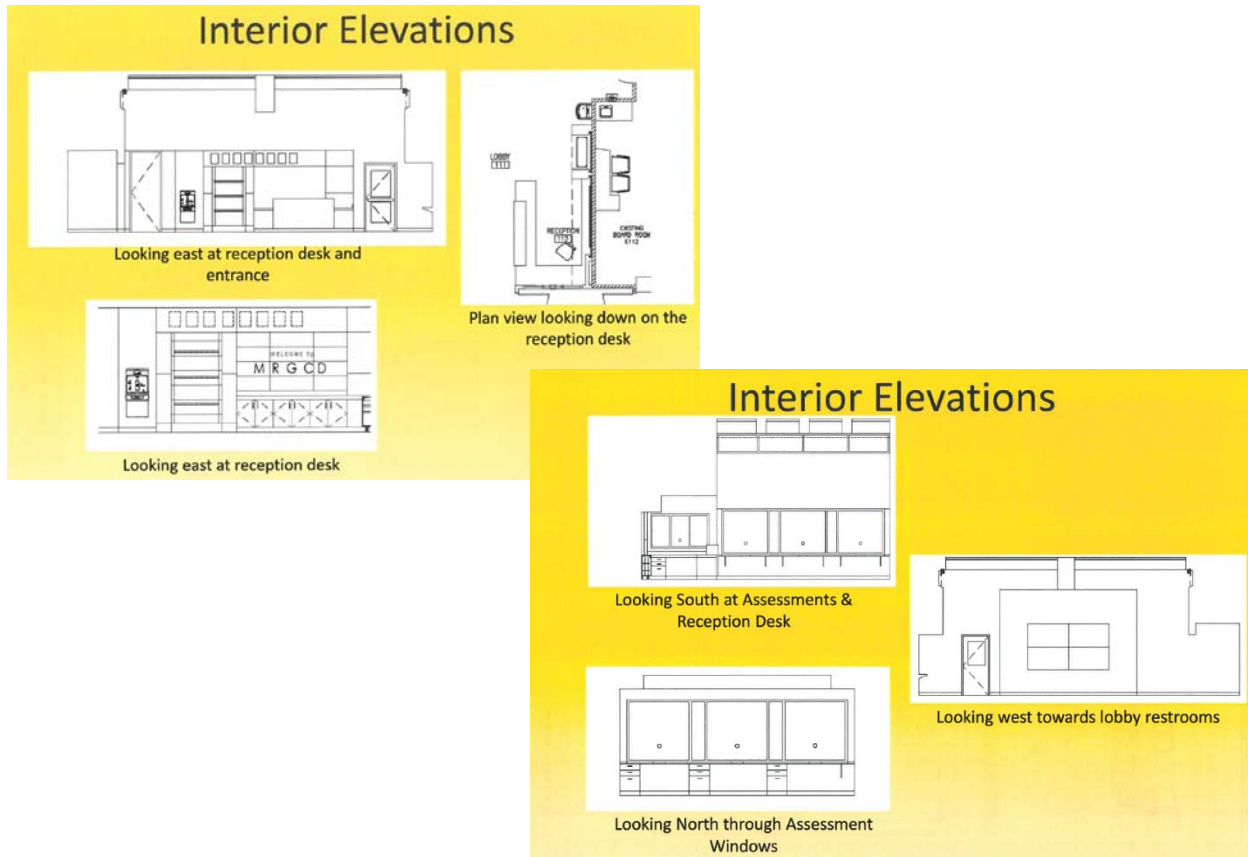
**Blue Area:**

- Temporary Building Entrance
- Temporary Help Desk

### Exterior Elevations



Minutes of Middle Rio Grande Conservancy Board  
January 13, 2020



Using CES (Cooperative Educational Services) as the procurement method, MRGCD staff conducted a detailed interview process with (3) three qualified contractors for the General Office remodel. The interviewed contractors were;

- SDV Construction
- Mick Rich Contractors
- Richardson & Richardson

Staff is recommending award to SDV Construction based on the following;

SDV Construction – Recommended contractor- SDV was fully prepared for MRGCD interview including bringing all pertinent employees to the meeting. Impressive job list and resume. Excellent knowledge of how to keep a facility running during the remodel. SDV Construction keeps permanent employees that are background checked and security cleared all year round. Time frames and project ideas were all excellent. SDV came out on their own, prior to the meeting, and walked the facility. In doing so, they were able to suggest a better phasing plan for the construction project.

Staff recommending approval of General Office remodel at the proposed cost of - \$685,499.00 that will be spread over two fiscal years.

Discussion ensued. Mr. Casuga's expectation is that construction will begin 8-12 weeks after SDV receives notice to begin. He believes that construction is expected to last approximately four months.

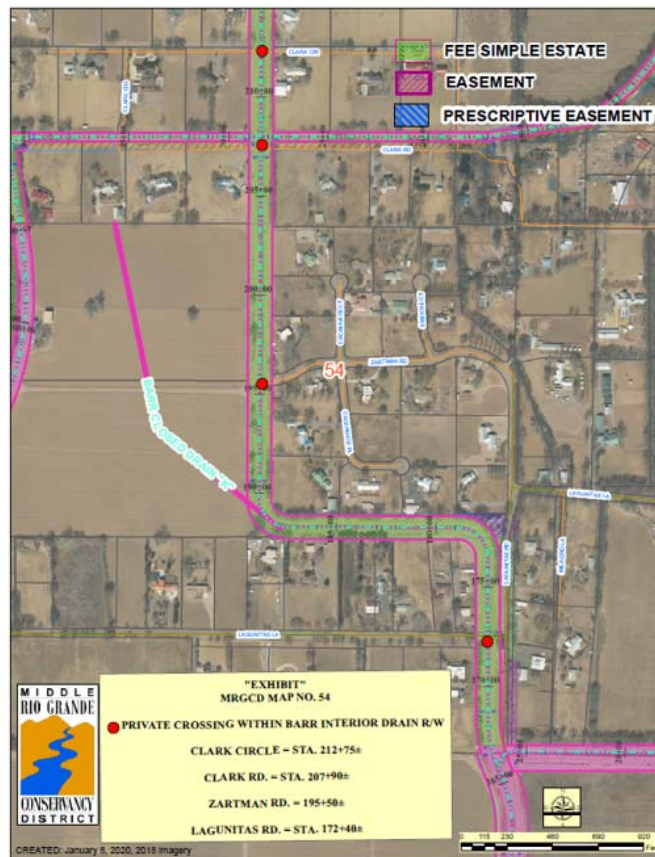
Director Russo Baca made the **MOTION TO APPROVE THE GENERAL OFFICE REMODEL BUDGET AND APPROVE THE CONTRACTOR, SDV CONSTRUCTION.** Director Sandoval seconded the motion. The **MOTION CARRIED unanimously.**

**g. Report on the Bernalillo County Capital Outlay Request for the Barr Interior Drain Improvements from Shirk Lane to Valle del Oro - Jason Casuga, P.E., Engineering Manager**

This joint capital outlay request came up after the vote to accept the other five projects. Jason Casuga reported that complaints were being made about the Barr Interior Drain, which was owned by a large company in the distant past. The land is no longer owned by the company, and the land was subsequently subdivided. Private crossings were put in; placed high and is a source of pooling water, which attracts mosquitos.

The crossings within the private development have been a difficult issue for the agencies involved because the road crossings are not public roads and require a license to be issued by MRGCD to private entity or homeowner’s association that will accept responsibility for the maintenance of the crossings once constructed. The agencies involved are ready to reconstruct these crossing and the MRGCD and Bernalillo County will work with the community for appropriate licensing. No one owns the crossings (and no one is claiming to). There are no entities that will take the crossings.

Bernalillo County came to MRGCD with a joint capital outlay request for \$1.5M (MRGCD's portion is 10%, which is \$150,000), which would be for construction.



Director Moore made the **MOTION TO APPROVE THE BERNALILLO COUNTY CAPITAL OUTLAY REQUEST FOR THE BARR INTERIOR DRAIN IMPROVEMENTS FROM SHIRK LANE TO VALLE DEL ORO**. Director Russo Baca seconded the motion. The **MOTION CARRIED unanimously**.

Mike Hamman noted, after the motion and vote, that this really is not a capital outlay project for MRGCD. It is for Bernalillo County and should not have proceeded as a vote for approval. He just wanted to make the Board aware of the commitment to be a partner on the project. If and when this project comes to fruition, then Mr. Hamman will return to the Board to authorize approval of utilizing the \$150,000 match.

**h. Family Farm Alliance Annual Conference in Reno, Nevada, February 20-21, 2020 - Mike Hamman, CE/CEO**

Mike Hamman will be attending this conference, and he is encouraging attendance by board members, as this is a great conference. It will be held at the El Dorado Hotel in Reno, Nevada. Board members are asked to let DeAnna Philips know if they will attend by the end of January 2020. Chuck DuMars will also be in attendance for another client.

**NOTE: At this point in the meeting, Director Sandoval had tribal duties calling. He, therefore, left the meeting.**

**i. The 2020 Land & Water Summit, February 27-28, 2020 - Mike Hamman, CE/CEO**

Yasmeen Najmi has been asked to be part of the field trip at the Alameda Drainage Project during this Summit. Ms. Najmi and Mr. Hamman encouraged attendance by Directors. Any Director wishing to attend should speak with DeAnna Philips by the end of January.

**AGENDA ITEM NO. 8 – REPORT(S) FROM THE MRGCD ATTORNEY(S) - Chief Water Counsel and/or General Counsel**

**a. Report on Oral Argument in Wild Earth Guardian Challenge to MRGCD's Extensions of Time to File a PBU Granted by the Office of the State Engineer - Dr. Charles DuMars, Chief Water Counsel**

Dr. DuMars gave the history of this case and handed out his oral argument notes for the board's review.

**b. Update on Other Pending Issues - Dr. Charles DuMars, Chief Water Counsel**

Dr. DuMars reported that he and Mike Hamman have tried to move forward with the transfer to Santa Fe. The process can be developed, and things will start moving.

**AGENDA ITEM NO. 9 – REPORT(S) FROM THE MRGCD BOARD OF DIRECTORS**

**a. Report on Bernalillo County Acequia Meeting, December 16, 2019 - Director Baca and Yasmeen Najmi, MRGCD Planning Specialist**

Director Baca and Yasmeen Najmi both agree that the acequia committee is very important for MRGCD to continue to be engaged. Director Baca presented Acequia Madre de Atrisco Resolution at the meeting, and a companion resolution has now been approved by the Bernalillo

County Commission with an additional \$25,000 match. Director Baca believes it is continuing to move forward in a very positive manner. Ms. Najmi added that there was a directive to create an acequia commission for Bernalillo County. She added there is a big focus on education and outreach. Director Baca added that they are talking about the primera aqua or spring cleaning of the acequia; however, a date has not been set.

Director Moore made the **MOTION TO APPROVE THE REPORT ON BERNALILLO COUNTY ACEQUIA MEETING, DECEMBER 16, 2019**. Director Russo Baca seconded the motion. The **MOTION CARRIED unanimously**.

**b. Report on the Valencia County Commission Meeting, December 18, 2019 - Director Russo Baca**

Director Russo Baca reported that the meeting was kind of contentious with the Western Spirit Transmission Line, which is a project wherein they sell wind energy that is produced in New Mexico. This is not to be confused with Sun Zia. Director Russo Baca felt miffed in the way Western Spirit presented themselves at the meeting, insinuating that they had the support of the MRGCD biologist. Director Russo Baca invited them to give a presentation to the Board in the future.

Jason Casuga confirmed that this is not Sun Zia which is further to the south. He reported that back in 2015, Western Spirits is a permitted crossing on a current alignment by MRGCD as they had everything in place to obtain a permit and submitted to the Bureau of Reclamation (which has biologists). Discussion arose on how licenses/permits are brought to the Board. Madam Chair Dunning and Dr. DuMars remembered a clause that anything controversial would be brought to the Board as a presentation so that they are warned before the information is released. Communication between staff and the Board vice versa is critical and agreed by all.

Director Moore made the **MOTION TO APPROVE THE REPORT ON THE VALENCIA COUNTY COMMISSION MEETING, DECEMBER 18, 2019**. Director Baca seconded the motion. The **MOTION CARRIED unanimously**.

**c. Report on Conservation Advisory Meetings, December 19, 2019, and January 13, 2020 – Vice Chair Baca and Director Moore**

Director Moore reported that at the December meeting, discussion was mostly centered around outfalls being updated with automatic gates and sandbars along I-25. They had a field trip and visited various outfall sites (one was east of the Los Lunas courthouse, the Sabinal Unit 7, Las Nutrias).

The main topic for the January meeting was outreach and improving farm efficiency. They planned some field trips to perhaps some Pueblos, smaller farms, perhaps Corrales. They also discussed promoting agriculture with the children, such as FFA and 4H.

Director Moore reported that meetings are very well attended, in fact, so much so that they are running out of room in the conference room. They are also planning a brochure; which Director Moore gave some input on.

Director Russo Baca made the **MOTION TO APPROVE THE REPORT ON CONSERVATION ADVISORY MEETINGS, DECEMBER 19, 2019, AND JANUARY 13, 2020**. Director Baca seconded the motion. The **MOTION CARRIED unanimously**.

**d. Report on the Legislative Water Study Group, January 4, 2020 – Director Russo Baca**

Director Russo Baca wanted to clarify the name of this Group. It is "New Mexico Water Study Group" (no "Legislative"). The meeting was well attended including herself, Mike Hamman, and John Thompson. Bruce Thomson discussed produced water. This Group is made up of individuals who are involved in water issues. It is mostly roundtable discussion about New Mexico water policies. There will not be a February meeting due to the session. So, the next meeting is in March. She stated she was not representing the MRGCD; attending as herself being involved in water.

Director Moore made the **MOTION TO APPROVE THE REPORT ON THE WATER STUDY GROUP, JANUARY 4, 2020**. Director Baca seconded the motion. The **MOTION CARRIED unanimously**.

**e. Report on NM Water Dialogue Meeting, January 9, 2020 – Vice Chair Baca and Directors Kelly and Russo Baca**

Director Russo Baca reported that Rep. Stansbury was the keynote for this meeting, who discussed future water issues. Other topics included climate issues, science-based planning for resilience, resilient water management in practice. Rolfe Schmidt-Peterson also gave a presentation, as well as John Fleck.

Director Baca made the **MOTION TO APPROVE THE REPORT ON THE NM WATER DIALOGUE MEETING, JANUARY 9, 2020**. Director Moore seconded the motion. The **MOTION CARRIED unanimously**.

**AGENDA ITEM NO. 10 – EXECUTIVE SESSION**

**a. NMSA 1978 Open Meetings Act, Section 10-15-1(H)2**

1. Limited Personnel Matters

**b. NMSA 1978 Open Meetings Act, Section 10-15-1(H)7**

1. Threatened or Pending Litigation

Chair Dunning request a motion to move into Executive Session.

Director Baca made the **MOTION TO GO TO INTO EXECUTIVE SESSION**. Director Moore seconded the motion.

Rollcall vote was administered:

Director Baca	Yes
Director Russo Baca	Yes
Director Moore	Yes
Madam Chairwoman	Yes
Director Sandoval	Absent

The **MOTION CARRIED**.

Chair Dunning adjourned the meeting at 5:40 pm.



**NOTE: During the Executive Session, Directors Kelly (via phone) and Vice Chair Baca joined the meeting.**

Chair Dunning reconvened the meeting at 6:55 pm.

Chair Dunning requested a motion to move back into the Regular meeting. Director Moore made the **MOTION TO RETURN TO REGULAR SESSION**. Director Russo Baca seconded the motion.

Roll call vote was administered:

Director Baca	Yes	Vice-Chair Baca	Yes
Director Russo Baca	Yes	Director Kelly	Yes
Director Moore	Yes	Director Sandoval	Absent
Madam Chair	Yes		

The **MOTION CARRIED**.

Chair Dunning said discussion was had and no decisions were made.

With no further comments, questions or concerns, Director Kelly made the **MOTION TO ADJOURN THE MEETING**. Director Baca seconded the motion. The **MOTION CARRIED** unanimously.

The meeting was adjourned at 6:57 p.m.

Approved to be the correct Minutes of the Board of Directors of January 13, 2020.

**ATTESTED:**

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Mike A. Hamman, CE/CEO

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Karen Dunning, Madam Chair  
MRGCD Board of Directors