

**MINUTES OF THE  
TWO THOUSAND EIGHTY SEVENTH REGULAR MEETING  
OF THE  
BOARD OF DIRECTORS OF THE  
MIDDLE RIO GRANDE CONSERVANCY DISTRICT  
April 25, 2016**

Directors having been duly notified, Chairman Lente called the regular meeting to order at 3:00 pm at the Sandoval County Administrative Offices-Commission Chambers, Bernalillo, New Mexico. The following Directors and Staff were present:

**DIRECTORS:**

Derrick J. Lente	Chair
Adrian Oglesby	Vice-Chair
Glen Duggins	Director
Karen Dunning	Director
John P. Kelly	Director
Chris Sichler	Director
Beverly Romero	Director

**STAFF:**

Michael A. Hamman	Chief Engineer/CEO
Dr. Charles T. DuMars	Chief Water Counsel
Bruce & Lorna Wiggins	General Legal Counsel
David Fergeson	Secretary-Treasurer
Jeanette Bustamante	Administrative Officer
Eric Zamora	Asst. Chief Engineer for Ops.
Tom Thorpe	Public Information Officer
David Gensler	Hydrologist
Joe Brem	Albuquerque Division Manager
Sloan Washburn	Belen Division Manager
Daniel Arquero	Cochiti Division Manager

The following individual(s) were interested viewers and/or participants:

MRGCD Employees Michael Cervantes Mike Gonzales Joseph A. Baca Johnny Apodaca Mike Bland Dean Montoya Dwayne Herrera Ronald Chavez Raydell Latoma	Bill Diven, Sandoval SignPost Councilwoman Marian Jaramillo, Town of Bernalillo Nicholas E. Garcia, Governor Pueblo of Cochiti Jeff Willis, AMAFCA Councilwoman Pat Clauser, Village of Corrales Gary Stansifer, OSE Darryl Madalena, Sandoval County Commissioner James Dominguez, Sandoval County Commissioner Glenn Walters, Sandoval County Commissioner John Fleck, UNM Frank Chaves, Pueblo of Sandia Sandra Lucero, BIA Paula Sichler, Snake Ranch, LLC
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**AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE**

Chairman Lente requested that Sandoval County Commissioner James Dominguez lead the Pledge of Allegiance.

**AGENDA ITEM NO. 2 & 3 – WELCOME STATEMENT BY MRGCD BOARD CHAIRMAN DERRICK J. LENTE & INTRODUCTION OF INVITED GUESTS**

Chairman Lente said he would like to thank and recognize Commissioner Dominguez for allowing the Board to meet in the Sandoval County Commission Chambers. He said he contacted Commissioner Dominguez regarding the use of the facility and he graciously granted permission. Chairman Lente said he

would like to recognize Councilwoman Jaramillo from the Town of Bernalillo, Governor Nicholas Garcia of the Pueblo of Cochiti and Councilwoman Pat Clauser from the Village of Corrales.

Chairman Lente said this meeting is the final stop on their tour of the District. He said they began in February of this year taking the Board meeting on the road and it was the important to the Board they go out to the counties they represent. He said the first was in Socorro in February, last month in Los Lunas-Valencia County and now in Bernalillo-Sandoval County.

#### **AGENDA ITEM NO. 4 – APPROVAL OF THE AGENDA**

Chairman Lente called for approval of the agenda. Mr. Hamman said that Jennifer Faler of the Bureau of Reclamation would not be in attendance and Chairman Lente said agenda item 7a would be removed. Director Kelly said agenda item 13 should be FY17 Budget rather than FY16 Budget.

Director Oglesby made the **MOTION TO APPROVE THE AGENDA AS AMENDED**. Director Dunning seconded the motion. The **MOTION CARRIED** unanimously.

#### **AGENDA ITEM NO. 5 – APPROVAL BILLS & PAYROLL RATIFICATION & ATTORNEY INVOICES**

##### a. Consideration/Approval of Payment Ratification – April 11, 2016

Chairman Lente called for approval of the Bills and Payroll Ratification for April 11, 2016. Director Kelly had a question on the Payment Ratification of April 25, 2016 regarding work on the South Valley Acequia project and Mr. Hamman answered accordingly. Discussion followed on a possible policy or resolution expressing the Board's willingness to serve as the fiscal agent for these types of grants for anywhere within in the MRGCD system. Chairman Lente requested this subject be an item on the next meeting agenda.

Director Oglesby **MADE THE MOTION TO APPROVE THE BILLS AND PAYROLL RATIFICATION FOR APRIL 11, 2016 AS PRESENTED**. Director Dunning seconded the motion. The **MOTION CARRIED** unanimously.

##### b. Consideration/Approval of Payment Ratification – April 25, 2016

Chairman Lente called for approval of the Bills and Payroll Ratification for April 25, 2016. Director Dunning had a question and Mr. Hamman answered accordingly.

Director Kelly **MADE THE MOTION TO APPROVE THE BILLS AND PAYROLL RATIFICATION FOR APRIL 25, 2016 AS PRESENTED**. Director Duggins seconded the motion. The **MOTION CARRIED** unanimously.

##### c. Approval of March 2016 Invoice for Law & Resource Planning Associates

Chairman Lente called for approval of the March 2016 Invoice for Law & Resource Planning Associates. Director Kelly asked Dr. DuMars regarding the Henry Coors billing and Dr. DuMars responded.

Director Kelly made the **MOTION TO APPROVE THE MARCH 2016 INVOICE FOR LAW & RESOURCE PLANNING ASSOCIATES AS PRESENTED**. Director Dunning seconded the motion. The **MOTION CARRIED** unanimously.

- d. Approval of March 2016 Invoice for Wiggins Williams and Wiggins

Chairman Lente called for approval of the March 2016 Invoice for Wiggins Williams and Wiggins.

Director Dunning made the **MOTION TO APPROVE THE MARCH 2016 INVOICE FOR WIGGINS WILLIAMS & WIGGINS AS PRESENTED**. Director Romero seconded the motion. The **MOTION CARRIED** unanimously.

#### **AGENDA ITEM NO. 6 – APPROVAL OF THE MINUTES**

- a. Consideration/Approval of Minutes for Regular Board Meeting – March 28, 2016

Chairman Lente called for approval of the minutes for the Regular Board Meeting March 28, 2016.

Director Kelly made the **MOTION TO APPROVE THE MINUTES OF THE REGULAR BOARD MEETING MARCH 28, 2016 AS PRESENTED**. Director Dunning seconded the motion. The **MOTION CARRIED** unanimously.

- b. Summary of Informational Meeting – April 11, 2016

Director Kelly said he would like to express his appreciation to the other directors that were available for this meeting and Chairman Lente said he would like to thank Director Oglesby for chairing the meeting. Mr. Wiggins said because there was not a quorum for this meeting, approval is at the discretion of the Board members.

Director Kelly made the **MOTION TO ACKNOWLEDGE THE MINUTES OF THE SUMMARY OF THE INFORMATIONAL MEETING APRIL 11, 2016 AS PRESENTED**. Director Dunning seconded the motion. The **MOTION CARRIED** unanimously.

#### **AGENDA ITEM NO. 7 – REPORT(S) FROM THE DEPARTMENT OF THE INTERIOR**

- a. Bureau of Reclamation – Jennifer Faler, Area Manager

Ms. Faler was not available for this meeting. The following summary report was received electronically from the Bureau of Reclamation.

- 1. Heron Summary

Content = 79,177 ac-ft. (04/21)  
 Azotea Tunnel: 200-250 cfs  
 Total SJ-C inflow year-to-date: 16,813 ac-ft.  
 Currently releasing: 100 cfs  
 Current MRGCD storage: 3,476 ac-ft.

- 2. El Vado Summary

- A. Total storage (all contractors and natural) in El Vado as of 04/21:  
74,354 ac-ft.
- B. Native in El Vado  
57,401 ac-ft.
- C. MRGCD SJ-C storage in El Vado  
13,569 ac-ft.

D. NMISC EDWA:  
1,198 ac-ft.

E. All other SJ-C contractors:  
2,186 ac-ft.

Current release is 95 cfs      RG Inflow is 600-800 cfs

### 3. Storage in Abiquiu

Content = 132,790 ac-ft. (04/21)  
MRGCD SJ-C storage = 1,886 ac-ft.

Total supplemental water released to date for minnow in 2016:      0 ac-ft.

#### Snowpack Data As of 04/25/16 (%of median)

Rio Chama Basin	55%
Upper Rio Grande Basin	79%
Sangre de Cristo Basin	85%
Jemez Basin	0%
San Juan River Basin	81%

#### April Streamflow Forecast

Rio Grande @ Del Norte CO	435,000 ac-ft. (84%)
El Vado Reservoir Inflow (Mar-Jul)	134,000 ac-ft. (60%)
Rio Grande @ Otowi	435,000 ac-ft. (60%)
Jemez R. Below Dam	15,000 ac-ft. (44%)
Rio Grande @ San Marcial	225,000 ac-ft. (44%)

#### b. Bureau of Indian Affairs

Sandra Lucero presented the report and said the April forecast estimates the Prior and Paramount water storage target is at 16,321 ac-ft. She said the 2015 OM&B agreement expired in March 2016 and one payment was made in April toward the 2016 irrigation season. The 2016 OM&B agreement was signed on March 30, 2016 and the first quarterly payment is due on June 1, 2016. Ms. Lucero said comments were received and forwarded to DOWL on the Condition Assessment and the final report is expected around the end of May 2016. She reported that the Designated Engineer position is currently being shared by staff and interviews for this position will be scheduled this week and next week.

#### **AGENDA ITEM NO 8 – INTRODUCTION OF MRGCD COCHITI DIVISION FIELD STAFF – Mike Hamman MRGCD CEO & Daniel Arquero, Cochiti Division Manager**

#### **AGENDA ITEM NO. 9 – PRESENTATION OF WINTER PROJECTS, CURRENT AND FUTURE PROJECTS WITHIN THE COCHITI DIVISION – Daniel Arquero, Cochiti Division Manager**

Mr. Hamman explained the boundaries of the Cochiti & Albuquerque Divisions that serve Sandoval County and the dividing line, for the most part, is the Angostura Dam site.

Daniel Arquero introduced the Cochiti staff in attendance; Dean Montoya, Dwayne Herrera, Ronald Chavez and Raydell Latoma. He then presented slides and gave details of projects that have been recently completed including a long crested weir on the Pueblo of San Felipe, a broad crested weir on the Pueblo of

Santo Domingo along with a new check and Langemann Gate, a broad crested weir on the Augustine Lateral, a new outlet on the Augustine Wasteway, and projects completed on the Elota Wasteway on the Pueblo of San Felipe.

Director Oglesby had questions regarding work on the Pueblos and Mr. Hamman explained about funding for projects and a master work plan in coordination with the BOR and the BIA. Director Kelly had questions regarding the composition of the structures and Mr. Arquero answered accordingly.

Chairman Lente said that he very much appreciates the work that Mr. Arquero and his staff do on the top end of the system. He said this work and dedication directly affects everyone going south down the system and is an important component of the MRGCD.

**AGENDA ITEM NO 10 – INTRODUCTION OF MRGCD ALBUQUERQUE DIVISION FIELD STAFF – Mike Hamman MRGCD CEO & Joe Brem, Albuquerque Division Manager**

**AGENDA ITEM NO. 11 – PRESENTATION OF WINTER PROJECTS, CURRENT AND FUTURE PROJECTS WITHIN THE ALBUQUERQUE DIVISION – Joe Brem, Albuquerque Division Manager**

Mr. Hamman detailed the boundaries of the Albuquerque Division within Sandoval County. Mr. Brem said he brought just a few of his staff and introduced Joe Baca, Mike Bland and Mike Gonzales. He said the Irrigation System Operator (ISO), Johnny Apodaca, for this area had a prior commitment and would try to make it later to the meeting.

Mr. Brem began his presentation of projects within Sandoval County with a check and shotcrete on the Pueblo Acequia, shotcrete on the Derramadera at Mt. Carmel Road and he explained some of the difficulties the crew experienced with the surroundings, a long crested weir on the Sandia Acequia, preparation of the Nichols Lateral for shotcrete, installation of a heading and check structure, removal of a large Cottonwood tree and the cleanup process on the Allison Lateral, and laying shotcrete on the Williams Lateral.

Director Kelly asked questions regarding the shotcrete and said that he appreciates Mr. Brem taking care of the constituents and for the water scheduling of the smaller lots in Bernalillo County. Director Dunning asked questions about the turnouts on the path that she walks on and Mr. Brem explained what they had done to make it wider.

Chairman Lente said he didn't see the work done on the Bernalillo Drain in Sandoval County. He said Commissioner Dominguez brought the issue to the attention of the MRGCD last summer and Mr. Brem and his staff made the area more accessible to the public for fishing, picnics etc. Mr. Brem said that was a long on-going project that lasted most of the summer and Commissioner Dominguez assisted with some the project as well.

**AGENDA ITEM NO. 12 – MRGCD 2016 WATER SUPPLY OUTLOOK, WATER OPERATIONS & IRRIGATION SCHEDULING – David Gensler, MRGCD Hydrologist**

Mr. Gensler said before he begins he would like to comment on the presentations from Mr. Arquero and Mr. Brem. He said Mr. Arquero has been very progressive and enthusiastic in building the structures within his division to assist with advancing the water down the system. Mr. Gensler said Mr. Brem and his Albuquerque staff have completed some very nice weirs on the Corrales Acequia, the Corrales Main, the Sandoval Lateral and the Williams Lateral.

Mr. Gensler reported that 2016 is an interesting and complex year for Water Managers. He said as he mentioned at the last Board meeting, the April 1<sup>st</sup> forecast was not great. He said they went from an exciting start with a potentially wet winter to dry and warm conditions in the spring. Mr. Gensler said the snowpack didn't develop as they hoped and the expected runoff is getting smaller and smaller with each passing month; runoff is happening now and may go on for a while. He said in spite of this, the conditions for the MRGCD are ok and they have been able to take advantage of the timing, early warming and moderate flows to store

some water. He said the MRGCD was out of Article VII restrictions in February and stayed out longer than forecasted. Mr. Gensler said the MRGCD went back into Article VII restrictions about noon last Friday and in the interim, approximately 45,000 ac-ft. was stored. He said since that time quite a bit of water moving up on the Chama and another 5,000 ac-ft. was stored over the weekend and all of that water is going to go into storage under the new Emergency Drought Water Agreement that was signed last week by Mr. Hamman, the Interstate Stream Commission and Reclamation and will be stored against the 78,000 ac-ft. of past outstanding storage credits that have been allocated to the MRGCD. He said he thinks the MRGCD will wind up storing about 8,000 ac-ft. or more against that storage credit and completed by this Friday and that will probably be the highpoint for the MRGCD's 2016 water supply. Mr. Gensler said there will be a total of approximately 105,000 ac-ft., including 10,500 ac-ft. carryover of Rio Grande carried over from last year, San Juan-Chama carryover from last year, about 15,400 ac-ft., and this is assuming the MRGCD gets a full 2016 allocation of 20,900 ac-ft. from the San Juan-Chama Project.

Mr. Gensler said he expects this will be adequate water to get the MRGCD through the 2016 irrigation season and he hopes to be able to carry over some. He said he would like to carry over at least the 2016 San Juan-Chama water; which is the typical practice for the MRGCD, and hopes to carry over a little Rio Grande water as well. Mr. Gensler said since there is a full season expected with adequate Rio Grande in storage for the year, there is no danger of failing to meet minimum diversion needs for the Pueblos for their lands and for P&P water rights. He said in some years, the MRGCD didn't have adequate Rio Grande storage and Reclamation stored water separate for P&P uses; this year the MRGCD expects that Reclamation and BIA will revert to practices of the past and designate a quantity at the beginning of each month to provide for the remaining time in the 2016 season.

Mr. Gensler reported there is about 1,600 cfs flowing at Otowi, El Vado is still storing, and there is significant inflow between El Vado and Abiquiu reservoirs and below Abiquiu as well. He said there is approximately 1,300 cfs entering the Valley today and he expects the Corps of Engineers, if they haven't already, will increase that before the end of the day. Mr. Gensler said all of the divisions are up and running normally; Cochiti is diverting about 125 cfs, Albuquerque is diverting 75 cfs and getting a lot of return flows from Cochiti that are increasing the Albuquerque Main to around 120 cfs. He said Corrales is running normally with inflow between 20-30 cfs depending on scheduled needs, Belen is diverting about 450 cfs, and Socorro is not diverting and probably will not need to divert until June as Belen is delivering to the Socorro Main via Unit 7 and they are fully supplied.

Director Sichler said he has a question in reference to the Water Bank and will the amount in storage take care of the component trigger and Mr. Gensler responded no it will not satisfy the criteria for curtailment, at least early in the year, and he thinks the trigger point is 91,000 ac-ft. and it goes down month by month. He said the 2016 San Juan-Chama water errors on the side of a full allocation and there will only be about 84,000 at El Vado. Director Sichler said runoff is increasing and it looks like there won't be any curtailment until later in the season and Mr. Gensler said they are comfortably above the flow triggers and won't have to curtail based on that.

Mr. Gensler said Chairman Lente asked him to comment on water delivery scheduling and canal operations. He said irrigators have seen changes in recent years and he would like to review how and why these changes have occurred. He said he believes there is an adequate water supply for 2016 that doesn't mean there won't be challenges; most of the needs are met from the natural flow of the river, what the weather conditions will be and relying on supplemental water from storage in El Vado. He said they will be operating this year very carefully and they don't want to be wasting any water. Mr. Gensler said for many years now the MRGCD has required all deliveries to be scheduled and this has always been the official MRGCD policy and it also has almost officially been ignored. He said in the past when there has been very wet years, the canals tended to carry large flow and irrigators could often go out and open a turnout without affecting others. Mr. Gensler said about twenty years ago the MRGCD had been experiencing drought conditions and reservoirs have become drained and natural flows in the river have been very low and everyone has had to adapt to this condition. He said water is available for irrigators when needed; they are responsible for contacting their Irrigation System Operators (ISO) as far in advance as possible. He said if an irrigator opens up a turnout without scheduling, they are taking the water off that canal that someone else scheduled and it has a trickledown effect. He said it takes anywhere between two to seven days for upstream change to reach the MRGCD; depending on if the irrigator is in the north or the south. Mr. Gensler

said he tells everyone to contact their ISO at least five days out so the irrigator can be served properly. He said there is also a question of quantity of delivery; how much and how often. He said water users with the MRGCD have State of NM water rights; however, it is important to understand that a water right is not unlimited. Mr. Gensler said this water right comes with the responsibility to use wisely and share with other irrigators and exactly what that amount is difficult to say. He went on to say that the Middle Valley has never been through the legal process, adjudication, of establishing quantities and priority dates for water users and he went on to give additional background.

Mr. Gensler said the MRGCD has had a Water Distribution Policy for many years and it has been approved by the Board. He outlined some components of the policy and said the ISO's will be paying close attention to this policy and to those irrigators that are not using the water wisely. He said the canal operation is changing as well. He said the canals were designed and correctly sized for the area to be served and, unfortunately, the system in many areas has come into disrepair and there has been a lot of misuse. He said ISO's are receiving training on how to estimate flow rates through turnouts, how much water irrigators are actually applying and this is a work in process. Mr. Gensler said there is enough water; however, not enough water that it can be wasted.

Mr. Gensler said that intent is to offer the best water delivery practices possible for all irrigators. He said this means being flexible to the irrigator's needs.

Director Dunning asked if the MRGCD has issued warnings to those irrigators that are not following the policy and Mr. Gensler responded yes and he gave some examples.

Director Kelly asked about scheduled deliveries and community ditches and Chairman Lente elaborated about scheduled deliveries on Pueblo lands. Discussion followed. Mr. Gensler said there needs to be good communication at all levels for scheduled deliveries to be effective.

### **AGENDA ITEM NO. 13 – FY 2017 BUDGET**

#### **a. Consideration of MRGCD Finance Committee Recommendation for COLA**

Director Kelly said the Finance Committee met twice with Mr. Hamman and Mr. Fergeson to discuss the potential COLA for the FY17 budget. He said there is a split among the committee on the recommendation; two of the members support the request that was essentially made by Mr. Hamman that in lieu of a COLA allowance this year, that the FY17 budget include 1.5% of salaries, which is the same amount as last year, between the COLA and reserve for merit increases, and that would be used to allow Mr. Hamman and his senior staff to begin to implement a program for pay equalization among all MRGCD staff to recognize employee certifications, licensure, experience, skills, training, and tenure with the MRGCD. Director Kelly said that Mr. Hamman will provide more detail. He said he would like the dissenting member of the Finance Committee discuss her proposal in lieu of this recommendation.

Director Romero said she likes the plan and would like it to be implemented, but until it's done, she would propose a \$.25/hr. across the board for every employee. She said when the plan is done, they will know exactly how much it is going to cost, then they would think about putting the money towards that because right now they don't know how much this plan is going to cost, there is no dollar amount. She said she is proposing that everyone get a \$.25/hr. COLA raise this year and put any remaining aside until they know how much it is actually going to cost.

Mr. Hamman said he, as the CEO, was tasked to take a look at what is a fair and across the board system to put in place to develop performance standards and proper job descriptions for the various crafts and productive services that employees provide to the MRGCD and to its constituents. He said they developed a pay equalization plan that will be implemented, already started with the money that will be finalized in the first two quarters of FY17 which will be to develop an expanded job series for each craft. He said positions will be looked at in terms of their job descriptions and performance elements they would like to achieve and in that a performance plan will be developed that will allow

for increases in steps based on certain performance goals and certain criteria and an employee will be evaluated as they are today and it is to be decided whether it will be five step or seven steps within each of the job descriptions for those crafts. He said that once this is sorted out and once the range is set relative to their upper and lower ends of their pay scale, each of the employees will be evaluated as they sit in their current positions, their time of service, their relative experience and skill sets and actually place the employee at the right point within that five or seven steps scale. He said right now there are a bunch of scrunched up pay categories and they are not recognizing employee tenures, skill levels and other things they've attained as highly qualified employees to the MRGCD. Mr. Hamman said this will not only recognize their current status, but also provide incentive for the following review period to actually qualify for the next step and attain certain performance skills. He said this is the general approach they want to use.

Director Sichler said as a member of the committee, he would like to give his take and it is that he supports Mr. Hamman's suggestions, mainly because it makes sense to him. He said putting it into layman's terms and the way he speaks, the MRGCD will be going out and looking at MRGCD employees in terms of tenure and also getting the ones that do a good job and try to give them a raise and the problem that Mr. Hamman explained is there are a lot of employees that have been with the MRGCD for a long time that are earning at this level and then there are people coming in and starting at almost the same level. He said these people have been with the MRGCD for a long time and they have worked hard and done a good job and they need to be given a step up so employees can be given a salary rate that is spread out over a range instead a lot of people on the bottom and some people at the top and there needs to be more equity. He said he supports Mr. Hamman and what he is trying to do and he wants to give him the opportunity do this and it sounds reasonable to him. He said the Board has talked the last few years that they are committed to looking at actual indexes for the COLA and he thinks for this year it is not very much and as Director Romero pointed out that the .7% for a lot of people might be \$.10-15 raise an hour.

Director Kelly said the 1.5% of salaries the two committee members are recommending be reserved is about \$130,000 and if there is a \$.25 hourly increase for all employees it would be about \$115,000.

Director Oglesby said the proposal is to set aside 1.5% of salaries, no COLA this year and this is the whole package.

Director Dunning asked if health and other medical costs will increase and Mr. Fergeson said no that Presbyterian and VSP will stay the same for the second year in a row and Delta Dental will go up by 3%. Director Dunning said if employees end up paying more for health benefits, then the Board should somehow give a raise that would help with the benefits, and such it is such a small percentage, it would be pennies.

Director Duggins said he is all for rewarding or not rewarding and keeping up with the times with good employees and their range should keep up with times and what about times that employees are not producing. He said if there is something that needs to go backwards, how will that be handled? Mr. Hamman said productivity level will be handled with management's ability to properly document and to deal with employees that aren't to the level of expectations they have for them and this performance process will be a tool and will give management the ability to document progress and develop improvement goals under certain established timeframes and utilizing the performance review process, it will be both an incentive and it will also help document those that are not raising to the level of performance goals for those particular employees. Mr. Hamman said there will also be strong conduct and rules and proper procedures in place to thoroughly address this and by having this in place and proper implementation by supervisors, any low performing employee, will have goals to attain within a certain period of time and if it's not, there will be the proper documentation in place to discipline that employee and/or dismiss that employee based on what has been agreed to. He said he has worked in systems where you actually have performance improvement agreements where, if the employee fails to rise to that expectation, then they essentially resign themselves.



Director Oglesby said he is all about hybrids and was there discussion about merging these concepts. Director Kelly said it did come up and there was a CPI of .7% increase and for someone at \$12/hour that equates to very little and for him, he would like the focus to be on pay equity across people within the same classification and even more importantly, recognizing employees for their training, certifications, experience and licensure. He said if someone has a CDL, they should be paid differently than the driver that can't get it and that would give everyone the incentive to get the CDL plus the Hazmat suit which are valuable employees. Director Kelly said he thinks these are some of the ideas that Mr. Hamman wants to build in the five or seven steps. Director Oglesby asked if this process would be for the longer term employees or would it be for everyone. Mr. Hamman said everyone would be analyzed based on their current status with the District and if they are new employees, they probably haven't finished probation yet, but one of the steps of achievement could possibly be successful completion of probation and there are a lot of different components they will be looking at and everyone will be evaluated.

Chairman Lente said he appreciates Director Romero being the lone dissenter on the committee and he agrees with Director Kelly and Director Sichler that the management reward those that are in positions in which they have made a successful impact on the MRGCD and he hopes this is viewed as a stepping stone and not as a way of being punitive in how staff is being managed. He said he hopes employees see this as an incentive to want to do a better job, achieve a better license, CDL or whatever it might be and he is hopeful that this is a good start and he trusts in Mr. Hamman that he will make this work for the benefit of the employees because they definitely are important and he hopes they can reward those that are doing a great job.

Director Sichler said this was a concern of all the committee members that, in the past, there was concern about merit raises and they want to make that clear and Mr. Hamman explained that he was going to do this through a review process and a separate committee will actually look at the reviews and he would like Mr. Hamman to explain this. Mr. Hamman said yes he understands that is a concern and he wants to ensure that the proper development of the supervision and there has to be checks and balances. He said they will actually go through each and every employee with the current supervisor that knows the most about them, there will be a Division Manager review and also a management review and supervisors will also have their own performance based standards to achieve and that will be based into the system.

Director Romero said she just wants it to be understood that there will be no COLA this year and these equity raises will probably not be given until sometime in 2017. Mr. Hamman said he wants to clarify Director Romero's dissenting position and that she is actually in favor of the development standards and following through with them and he wants to address what he feels is her main concern is the implementation of the raises for virtually every employee that fits into another step level, the reviews in the 3<sup>rd</sup> quarter of 2017 and by the last quarter, essentially a year from now, implementing the raises.

Director Oglesby asked if the 1.5% would be sufficient and Mr. Hamman said this will be implemented in the latter part of his fiscal year and the 1.5% is sufficient and then after that the Board will be provided with the numbers.

Director Dunning said when the State of NM did their merit raises one year and it was the biggest failure because the employees felt the system wasn't fair and it was a real morale buster and ended up backfiring. She asked if in a year, an anonymous survey can be done with the employees that gauge how they feel about the process. She said she feels this is the right direction to go, but it has to be done right.

Director Kelly said as part of the budget process, they do address this issue as an individual approval and he believes it is appropriate that he makes the **MOTION THAT BASED ON THE MAJORITY OF THE MIDDLE RIO GRANDE CONSERVANCY DISTRICT (MRGCD) BOARD OF DIRECTORS FINANCE COMMITTEE RECOMMENDATION THAT THE FY17 BUDGET INCLUDE 1.5% OF SALARIES TO ALLOW MR. HAMMAN AND SENIOR STAFF TO BEGIN TO IMPLEMENT A PROGRAM OF PAY EQUALIZATION AMONG ALL MRGCD STAFF TO RECOGNIZE**

**EMPLOYEE CERTIFICATIONS, LICENSURE, EXPERIENCE, SKILLS, TRAINING AND TENURE WITH THE MRGCD.** Director Dunning seconded the motion. Director Romero opposed. The **MOTION CARRIED.**

b. Consideration of Board Member Budget Requests

Director Dunning requested the Board consider signage for the different canals and ditches within the MRGCD. She said that rather than signage for this drain or this ditch and it may not happen in one year, but rather on a long term plan. Discussion followed.

**AGENDA ITEM NO. 14 – ITEMS FROM THE FLOOR (Comments are limited to three (3) minutes)**

There were no Items From the Floor.

Director Sichler asked regarding the follow-up on the issue with Mr. Maestas and the NRCS that was discussed at the last Board meeting. Eric Zamora, MRGCD Asst. Chief Engineer for Operations detailed the meetings that Ray Gomez, MRGCD Assistant Engineer had with the NRCS, Mr. Maestas and some of his neighbors. He said the NRCS is working on funding for this project and a final design for the suggested pipe. Mr. Zamora said the MRGCD will evaluate the final design when received. Director Sichler said he was hoping the MRGCD could meet with the NRCS to discuss the issues and hopefully to get “on the same page” to resolve farmer based issues. Mr. Zamora said he did discuss these issues with the NRCS and gave some additional information on that meeting.

**AGENDA ITEM NO. 15 – REPORT(S) FROM THE CHIEF ENGINEER (Michael A. Hamman, MRGCD CEO/CE)**

a. Report – General Focus & Priorities of the MRGCD – Mike Hamman, MRGCD CEO/CE

Mr. Hamman said some of the top priorities of the MRGCD have already been touched on earlier in this meeting; however, the primary mission that the Board has directed to leadership of the MRGCD is service to the irrigation community and constituents. He said this is accomplished by providing more information and more transparency about the way the MRGCD works, interfacing with the public, scheduling of water and essentially the way the MRGCD does business as a whole. He said within all of these categories, there are all kinds of different levels i.e. internal management issues; directing staff regarding improvement of services and efficiencies and associated components and Mr. Hamman expanded on this category and said there is a game plan. Mr. Hamman said on other fronts i.e. the water management side they are focusing on best management practices in the way weed control is done and it is a big part of the budget, outreach projects and working with the local governments, the BIA and the BOR from the Cochiti Division all the way down to Bosque del Apache and trying to leverage resources more efficiently in each county and on each Pueblo. Mr. Hamman said the MRGCD has a priority in protecting the water and the water rights and ensuring there is an implementable Biological Opinion to protect the species and the future of the MRGCD. He said they are also working with their legal advisors to properly prepare to protect MRGCD interests.

b. Report – Emergency Drought Water Agreement – Mike Hamman, MRGCD CEO/CE

Mr. Hamman said the agreement was signed on Friday with the MRGCD, Reclamation and the Interstate Stream Commission. He said the previous agreement did not include the MRGCD and the purpose of it at that time was to allow for the Federal Government to seize relinquishment credits to be utilized within the system for ESA operational purposes. He said later there was an Emergency Drought Water Management Agreement between only the MRGCD and Reclamation and he explained that agreement. Mr. Hamman said this Emergency Drought Water Management Agreement has planted the MRGCD into the agreement and eliminated a lot of the descriptive and directive language that was in the former agreement and focused on the specific use of the remaining

relinquishment credit. Mr. Hamman reviewed several points of the agreement. He pointed out that Item 8 had been revised and he gave that revision. Dr. DuMars gave comments on the previous agreement and the new agreement and pointed out the more important language in the just signed agreement. Discussion followed on various items in the agreement.

- c. Report – Rio Grande Compact Commission Meeting – Alamosa, CO., March 30-31, 2016 – Mike Hamman, MRGCD CEO/CE

Mr. Hamman said the meeting this year was very well attended and the formal meeting discussion was the report prepared by the Compact Commissioners and Mr. Hamman provided that report to the Board as well as a letter directed to the Compact Commissioners from Reclamation, the BIA and the MRGCD, and a resolution “Regarding Temporary Modification of Operations at El Vado Reservoir in NM During May & June 2016”. Mr. Hamman gave a brief review of each of these documents.

Dr. DuMars said the letter that was written to the Commissioners from the MRGCD, Reclamation and the BIA is a good example of the difference between being passive and reactive and being proactive and he explained his thinking. Director Kelly asked if a certain group knows that this letter was signed by all the Commission members and Dr. DuMars said yes they do and he gave a brief status update on this situation. Director Dunning asked Mr. Hamman for additional information on the WildEarth Guardians lawsuit that was included in the Compact Commissioners report and Mr. Hamman gave his response.

- d. Report – Pueblo Coalition Meeting – April 7, 2016 – Mike Hamman, MRGCD CEO/CE, Chairman Lente and Director Oglesby

Mr. Hamman reported that he shared with the Coalition the letter to the Compact Commissioners and the Pueblos were happy the MRGCD was taking a proactive stance. He said there was also discussion regarding P&P and how it would be stored and utilized for the 2016 irrigation season. Mr. Hamman said they also discussed O&M issues. Director Oglesby said they updated the Coalition on the Corrales Siphon and Chairman Lente said they discussed P&P water should there be a drought toward the end of the irrigation season and ensured the Pueblos their water would be there.

- e. Report – San Juan-Chama Contractors Meeting – April 21, 2016 – Mike Hamman, MRGCD CEO/CE

Mr. Hamman said each year the San Juan-Chama contractors get together and the meeting is done in two parts. He said all eighteen contractors are invited to discuss the annual work plan, the budget for the following year, and funding received from all participants and how it will be used. He said one concern to all the contractors is that Reclamation discovered aggregate/alkali reaction (ASR) in the concrete at each diversion dam and some of the concrete is slowly eroding. He said the project was built in the late 60's and the contractors will meet separately to discuss how they will resolve the issue, develop a long term plan for the structure and the funding. Mr. Hamman said the second part of the meeting is the annual operating plan and Reclamation goes through each of the items that are necessary to operate the system. He said the MRGCD suggested the contractors form an association like there used to be. Director Kelly gave his feedback on materials used for the ASR afflicted diversion structures and experts that could be used for input. Director Sichler asked if they re-did the facility would it be possible to get more water to the Middle Valley and Mr. Hamman said in the original San Juan-Chama proposal there were six diversion dams planned and he thinks the current dam capacity are restricted to tunnel capacity. Discussion followed.

#### **AGENDA ITEM NO. 16 – REPORT(S) FROM THE ATTORNEY (Chief Water Counsel and/or General Counsel)**

There were no Reports From the Attorney.

**AGENDA ITEM NO. 17 – REPORTS FROM THE BOARD**

- a. Report – MRGCD Water Protection Committee Meeting – March 24, 2016 – Chairman Lente, Directors Sichler & Oglesby

Director Oglesby said he gave a brief comment at the last Board meeting and said the committee met to discuss the new WildEarth Guardians suit and it was the committee's recommendation the MRGCD move forward with the litigation. Chairman Lente said the committee agreed to issue a press release and an Op Ed piece and those were completed.

Director Dunning made the **MOTION TO APPROVE THE REPORT FROM THE MRGCD WATER PROTECTION COMMITTEE MEETING ON MARCH 24, 2016 BY CHAIRMAN LENTE, DIRECTORS OGLESBY & SICHLER**. Director Kelly seconded the motion. The **MOTION CARRIED** unanimously.

- b. Report – MRGCD Irrigation/Water Bank Committee Meeting – April 5, 2016 – Chairman Lente, Directors Sichler & Duggins

Director Duggins said they discussed with staff regarding the \$100 administrative fee for the Water Bank and is that enough to cover expenses and they discussed having a better relationship with the Office of the State Engineer regarding shared records. Director Sichler said there are a lot of things that have evolved with administration of the Water Bank documents and they requested staff to make a recommendation on the fee structure and Mr. Hamman gave additional details on items that make up the administrative fee. Mr. Hamman said they are working to expand the Water Bank and they are coming up with a strategy and working with the State Engineer's office to identify properties that might be eligible for the Water Bank as well as possibility of abandonment, work with farms that may need protection against procurement and to recognize other uses for leasing water from the MRGCD.

Director Dunning made the **MOTION TO APPROVE THE REPORT FROM THE MRGCD IRRIGATION/WATER BANK COMMITTEE MEETING ON APRIL 5, 2016 BY CHAIRMAN LENTE, DIRECTORS SICHLER & DUGGINS**. Director Kelly seconded the motion. The **MOTION CARRIED** unanimously.

- c. Report – MRGCD Finance Committee Meeting – April 5 & April 25, 2016 – Directors Kelly, Sichler & Romero

Chairman Lente said information from the Finance Committee meetings was discussed earlier under agenda item 13.

Director Oglesby made the **MOTION TO APPROVE THE REPORT FROM THE MRGCD FINANCE COMMITTEE MEETINGS ON APRIL 5 & APRIL 25, 2016 BY DIRECTORS KELLY, SICHLER & ROMERO**. Director Kelly seconded the motion. The **MOTION CARRIED** unanimously.

- d. Report – Washington, DC Meetings – Chairman Lente, Directors Romero & Duggins

Chairman Lente reported he, Directors Duggins and Romero traveled to Washington, DC and were fortunate to have Governor Torres Pueblo of Isleta and Pueblo of Isleta legal counsel David Mielke joined them for their meetings and Nicholas E. Garcia, Governor Pueblo of Cochiti joined them for dinner one evening. He said on the first day of meetings they met with USBOR Commissioner Estevan Lopez and Deputy Secretary of the Interior Mike Connor joined them in this meeting and later in the day they met with Director Dan Ashe of the Fish & Wildlife Service. Chairman Lente said that letters with discussion items were e-mailed to both parties prior to the meetings and he reviewed those points. He said on the next day they met with Melanie Stansbury who is the Counsel for the Senate Energy & Natural Resources Committee, staff of Senator Tom Udall and Mike Black, Director of Bureau of Indian Affairs. Chairman Lente said each of these

people were aware of the MRGCD and the issues and moving forward he feels good that the MRGCD has done a lot of good work to be more of a partner with the delegation and the Federal agencies. Director Duggins said they discussed the leftover monies from the O&M agreement with the BIA and different options for spending that money. He said they also discussed in these meetings the financial obligation of the MRGCD on environmental issues. Director Romero said the NM Delegation they met with was very friendly, there were informal discussions and she felt they were willing to help the MRGCD. Mr. Hamman said they discussed upcoming legislation with the NM Delegation and they listened to what they had to say and shared their feedback. He said in the meeting with Mike Black they discussed shovel ready projects for both the MRGCD and the Pueblos and the funding that has been allocated and those funds may go away from lack of productivity and it was eye opening and they will develop a solid plan to put out to Reclamation and the BIA for the shovel ready deals. Mr. Hamman said that Senator Heinrich is a friend of the MRGCD and he wasn't always that way and he now seems to be willing to go to bat for the MRGCD.

Director Kelly made the **MOTION TO APPROVE THE REPORT FROM CHAIRMAN LENTE, DIRECTORS DUGGINS & ROMERO ON THE WASHINGTON, DC MEETINGS APRIL 11-14, 2016.** Director Oglesby seconded the motion. The **MOTION CARRIED** unanimously.

e. Report – Law of the Rio Grande – April 14-15, 2016 – Director Oglesby

Director Oglesby said the meeting started off with a bit of a disappointment when he found out that USBOR Commissioner Lopez would not be a speaker at the conference. He said on the first day they received legislative and litigation updates, an interesting presentation on the Animas River mine spill, a brief presentation on the requirements for the development of water rights, but no mention of the WildEarth Guardians lawsuit. He gave brief comments on each of the presentations during the second day.

Director Dunning made the **MOTION TO APPROVE THE REPORT FROM DIRECTOR OGLESBY ON THE LAW OF THE RIO GRANDE CONFERENCE ON APRIL 14-15, 2016.** Director Romero seconded the motion. The **MOTION CARRIED** unanimously.

f. Report MRCOG Executive Committee Meeting – April 14, 2016 – Director Dunning

Director Dunning said she attended this meeting on behalf of Director Oglesby because he was at the Law of the Rio Grande. She said had the auditor's report and they had no findings and Dewey Cave, MRCOG Executive Director said they have never had findings in the time he has been there and that might be a goal for the MRGCD to strive for. She said they reviewed some resolutions they are required to do and one of the items they discussed was the dues they receive from members and how they determine the amount of each fee. Director Dunning said there was a discussion on fees paid to MRCOG and many of these fees are based on population. She said the water agencies just pay dues and MRCOG doesn't know what they are based on. Director Dunning said the fees for the water agencies need to be based on something rational, so when dues are increased, they have basis and there are plans to discuss this at a future meeting. Director Dunning said at the MRCOG Water Resource meeting on May 4<sup>th</sup>, Deborah Dixon, ISC Deputy State Engineer and Director will be a speaker and if anyone is interested in attending, they are welcome.

Director Oglesby made the **MOTION TO APPROVE THE REPORT FROM DIRECTOR DUNNING ON THE MRCOG EXECUTIVE COMMITTEE MEETING APRIL 14, 2016.** Director Kelly seconded the motion. The **MOTION CARRIED** unanimously.

Director Sichler said he would like to say something regarding the Emergency Drought Water Agreement. He said a year ago the Board had concerns on the agreement and water rights and they asked staff to look into it. He said he would like to commend Mr. Hamman and Mr. Gensler for working on this agreement.

With no further comments, questions or concerns, Director Oglesby made the **MOTION TO ADJOURN THE MEETING**. Director Duggins seconded the motion and the **MOTION CARRIED** unanimously.

The meeting was adjourned at 6:15 pm.

Approved to be the correct Minutes of the Board of Directors of April 25, 2016.

**Attested:**

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David M. Fergeson  
Secretary/Treasurer

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Derrick J. Lente, Chairman  
MRGCD Board of Directors