

**MINUTES OF THE
REGULAR MEETING
OF THE
BOARD OF DIRECTORS OF THE
MIDDLE RIO GRANDE CONSERVANCY DISTRICT
JUNE 10, 2019**

Directors having been duly notified, Chairman Duggins called the regular meeting to order at 3:10 pm at the MRGCD General Office. The following Directors and Staff were present:

DIRECTORS		STAFF	
Glen Duggins	Outgoing Chairman	Mike Hamman	Chief Engineer/CEO
Beverly Romero	Outgoing Director	Tanya Scott	Chief Water Counsel
		Lorna Wiggins	General Counsel
		Bruce Wiggins	General Counsel
		David M. Ferguson	Secretary-Treasurer
Karen Dunning	Newly-Elected Madam Chair	Jeanette Bustamante	Administrative Officer/CPO
Joaquin Baca	Newly Elected Vice Chair	DeAnna Philips	GIS Tech/Board Liaison
John Kelly	Former Vice-Chair	David Gensler	Water Operations Manager
Valerie Moore	Director	Becky Burnham	Budget Analyst
Michael T. Sandoval	Director	Alicia Lopez	Engineer 1
Barbara Baca	Newly-Elected Director	Adrienne Martinez	Engineer 1
Stephanie Russo Baca	Newly-Elected Director	Yasmeen Najmi	Planner/RRA
		Christina Nardi	Human Resources Director
		Jason Casuga	Engineer Manager
		John Thompson	
		Joe Brem	Albuquerque Division Manager
		Rebecca Thompson	Assessment Clerk II
		Estella Gamboa	Assessment Clerk III
		Doug Stretch	GIS Manager
		Rick Altenberg	GIS Tech
		Justin Becker	GIS Tech
		Sandy Ontiveros	Records Specialist
		Sloan Washburn	Belen Division Manager
		Mike Lopez	Construction QC Manager
		Lorenzo Benavidez	Socorro Division Manager

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

Joe Chandler	Jennifer Faler, BOR
Betty Baca	Viola Sanchez, BIA
Avelino Baca and family of Director Russo Baca	Gary Stansifer, OSE
Adrian Oglesby, Former MRGCD Director	Jeff Willis, AMAFCA
Anders Lundahl, NMISC	TIG Representatives
	Daren Lewis, HUB

AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE

Director Beverly Romero led the Pledge of Allegiance.

Chairman Duggins welcomed the guests and declared a quorum.

AGENDA ITEM NO. 2 – CALL TO ORDER

a. Oath of Office of Newly Elected MRGCD Directors - The Honorable Judge Zachary Ives, New Mexico Court of Appeals

1. Member At-Large, Position No. 1 - Barbara Baca
2. Bernalillo County, Position No. 2 - John P. Kelly
3. Valencia County, Position No. 3 - Stephanie Russo Baca

The Hon. Judge Zachary Ives administered the oath of office to the newly-elected Directors.

b. Presentation of Election Certificates

The Hon. Judge Zachary Ives presented the election certificates to each of the newly-elected Directors. Each newly-elected Director introduced their family to the Board and the public.

c. Recognition of Outgoing Board Members

Mike Hamman delivered a Resolution, showing appreciation for Director Beverly Dominguez Romero's faithful and outstanding service over the past four years. Director Romero was also presented with a plaque and MRGCD jacket.

Mike Hamman also delivered a Resolution, showing appreciation for Chairman Glen Duggins' service as Chairman and his faithful and outstanding service over the past four years. Chairman Duggins was also presented with a plaque and MRGCD jacket and hat.

Chairman Duggins had a kind and supportive words for Director Romero and then thanked everyone for their support over the years. Director Romero also thanked everyone for their help during her tenure.

Director Moore thanked both Chairman Duggins and Director Romero, highlighting how important they were on the Board due to their agriculture and farmer support over the years.

Director Sandoval thanked both Chairman Duggins and Director Romero for their contributions while on the Board. He wished them luck in their future endeavors.

Director Baca thanked both Chairman Duggins and Director Romero, noting that he appreciated Chairman Duggins' respect and courtesy. He is glad to have worked with both of them and he hopes to continue that in the future.

Director Dunning thanked Director Romero for her service and noted that the people of Valencia County also thank you for her public service, as she takes on another elected job. Director Dunning thanked Chairman Duggins for his service noting that he will be remembered for his generosity and forthrightness. She wished Chairman Duggins well in his future farming endeavors.

Vice Chair Kelly thanked both Director Romero and Chairman Duggins for their service and wished them well in their other elected positions.

Chairman Duggins' last words were to the employees of the MRGCD. He wanted them to know that he sees them. When a ditch breaks at night and he sees the Conservancy crew coming, it is a beautiful sight. The Conservancy crew is second to none.

Vice Chair Kelly invited everyone for a reception in the El Vado Room. The meeting took a recess.

AGENDA ITEM NO. 3 – REORGANIZATION OF THE BOARD - Lorna Wiggins, MRGCD General Counsel

Director Kelly reconvened the meeting after the reception for the outgoing board members. He then turned the running of the meeting over to Lorna Wiggins, MRGCD General Counsel.

Lorna Wiggins explained that, due to the change in positions with the election, it was time for reorganization of the Board. She began with asking for nominations for the Office of the Chair. Director Moore nominated Director Dunning for said office. Hearing no other nominations, Ms. Wiggins thought it appropriate to close nominations.

Director Sandoval made the **MOTION TO CLOSE NOMINATIONS FOR THE OFFICE OF THE CHAIRPERSON**. No second was made, and no vote was taken to close the nominations for the Office of the Chairperson.

Since there is but one candidate, the Board, by acclamation, named Director Dunning as its Chair.

Madam Chair Dunning requested Ms. Wiggins continue with the process of nominations for the election of the Vice Chair. Ms. Wiggins called for nominations for Vice Chair. Director Sandoval nominated Director Joaquin Baca for the Office of Vice Chair. Director Moore seconded the nomination. Hearing no other nominations for the Office of Vice Chair, Ms. Wiggins thought it appropriate to close nominations.

Director Kelly made the **MOTION TO CLOSE NOMINATIONS FOR THE OFFICE OF THE VICE CHAIR**. Director Sandoval seconded the motion. The **MOTION CARRIED** unanimously.

Since there is but one candidate, the Board, by acclamation, named Director Joaquin Baca as its Vice Chair.

Insofar as the seating arrangement going forward, Madam Chair Dunning will take the seat in the center, and Madam Chair Dunning asked that Vice Chair Baca be one side of her and Director Kelly on the other.

AGENDA ITEM NO. 4 – APPROVAL OF THE MRGCD BOARD MEETING AGENDA

Madam Chair Dunning asked to add prior to Item 9.a., New Board Member Orientation for newly-elected Board Members.

Madam Chair Dunning also clarified the references in writing and orally to all three different Director Bacas. Director Joaquin Baca will be referred to as Vice Chair Baca, Director Barbara Baca will be referred to as Director Baca, and Director Stephanie Russo-Baca will be referred to as Director Russo-Baca.

Director Moore made the **MOTION TO APPROVE THE MEETING AGENDA WITH THE NEWLY-ADDED ITEM**. Director Kelly seconded the motion. The **MOTION CARRIED** unanimously.

Madam Chair Dunning asked that everybody introduce themselves to the newly-elected board members.

AGENDA ITEM NO. 5 – APPROVAL OF MRGCD PAYMENT RATIFICATION AND ATTORNEY INVOICES

a. Consideration/Approval of Payment Ratification for June 10, 2019

Director Kelly noted that the District purchased \$60,000 worth of riprap from JPR Decorative Gravel. He asked Jason Casuga if the District solicited quotes from other major contractors. Jason Casuga responded that it was handled as an emergency solicitation. They did, however, reach out and polled for the price of rock to make sure pricing was fair. Director Kelly clarified that due to the well-above runoff and levees that are saturated in certain parts of the District, this was repositioning of rock as part of the emergency operation plan.

Director Moore asked about the payment to Danny Hitchcock (page 5). Jason Casuga responded that it was a settlement reached by the District related to a flooding event in 2017.

Madam Chair Dunning asked about a permit violation to J. Hermann Tabet. Sloan Washburn responded that there was a violation on training that had lapsed on some of the crew that haul out of Tabet's Pit.

Director Moore made the **MOTION TO APPROVE THE MRGCD PAYMENT RATIFICATION FOR JUNE 10, 2019**. Director Baca seconded the motion. The **MOTION CARRIED** unanimously.

b. Consideration/Approval of May 2019 Invoice for Wiggins, Williams & Wiggins

Director Kelly asked if the billing on the case with Mr. Bill Turner would be the last we hear of it. Lorna Wiggins responded that, as with any case, we cannot be certain that fat lady has sung her last song; however, she anticipated it would be the end of it.

Director Kelly made the **MOTION TO APPROVE THE MAY 2019 INVOICE FOR WIGGINS, WILLIAMS & WIGGINS**. Vice Chair Baca seconded the motion. The **MOTION CARRIED** unanimously.

c. Consideration/Approval of May 2019 Invoice for Law & Resource Planning Associates

Director Kelly asked if the agreement on the water rights transfer protest had been executed, to which Mr. Hamman responded in the positive. Director Kelly further asked if a press release had been issued, also to which Mr. Hamman responded positively. Director Kelly asked Mr. Hamman for a one-page summation of the charges for this particular project.

Director Moore made the **MOTION TO APPROVE THE MAY 2019 INVOICE FOR LAW & RESOURCE PLANNING ASSOCIATES**. Director Kelly seconded the motion. The **MOTION CARRIED** unanimously.

AGENDA ITEM NO. 6 – APPROVAL OF MRGCD MEETING MINUTES

a. Consideration/Approval of Minutes for Regular Board Meeting - May 22, 2019

Madam Chair Dunning had two items on the agenda that require changing. The first is located at line 171. It said, "...revenues of \$23.2M and expenditures of \$23.5M," which should be expenditures of \$23.15M.

The other change is located on line 249. It said, "... money from the Corps of Engineers, and, at this point, it is \$2.2M to \$2.3M." Madam Chair believes that at this point, the exact figure should be entered. David Ferguson will have the minutes changed to reflect the exact number.

David Ferguson actually wanted to change the entire paragraph. He clarified that what he meant (starting on line 249) was the budget actual, the financial report shows \$9.6M to be received in revenues and \$6.8M remaining to spend. Subsequently, the next section is talking about the 2018 compared to 2019 expenditures. We have seen an increase from last year to this year, and the revenues went up \$2.3M, and expenditures went up \$2.2M. So, we have an increase, however, they are staying at a fairly consistent level. David Ferguson will correct the minutes to make these topics and numbers clearer.

In addition, Madam Chair noted that when a Director gets up to leave a meeting or to take a break, he or she may miss a vote, which is then not reflected in the minutes. She asked if maybe Directors could notify DeAnna Philips when they are leaving so that she can make sure the minutes reflect the proper votes being cast. Lorna Wiggins suggested that Madam Chair note that on record at the time of the vote, so it can be reflected.

Director Kelly made the **MOTION TO APPROVE THE MEETING MINUTES FOR THE REGULAR BOARD MEETING, MAY 22, 2019, WITH DAVID FERGESON CLARIFYING THE TWO AREAS DEFINED ABOVE.** Director Sandoval seconded the motion. The **MOTION CARRIED.**

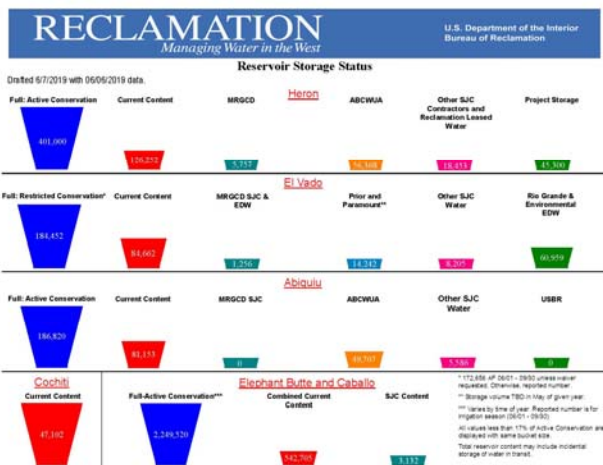
AGENDA ITEM NO. 7 – ITEMS FROM THE FLOOR (Comments are held to six (6) minutes)

There were no public comments at today's meeting.

AGENDA ITEM NO. 8 – REPORT(S) FROM THE U.S. DEPARTMENT OF THE INTERIOR

a. U.S. Bureau of Reclamation – Ms. Jennifer Faler, Area Manager

For the newly-elected Directors, Jennifer Faler went into detail explaining how to read her reports that are given to each Director prior to a Board Meeting.



Madam Chair Dunning asked how the waiver process worked. Ms. Faler turned the response over to Mike Hamman. Mr. Hamman responded that El Vado Dam has two stages of storage restrictions. Prior to the more recent concerns, Reclamation placed a restriction during the summer thunderstorm period to protect the service spillway and waivers have been granted in the past to exceed those limits due to the fact that we release significant water after July 1 in most years so a brief storage above this elevation is allowed. Currently, however, Reclamation is concerned that there is too much water flowing through the dam embankment above elevation 6875 and they prefer we do not store above that point, but if we do, Reclamation must monitor seepage daily as what happened in 2017. This year we will not store much above this elevation since that will provide enough storage for this year with the potential for carryover for next year.

Director Moore reminded Madam Chair Dunning that there would be a tour at El Vado for new Board Members. Madam Chair agreed and noted that a date would be firmed up soon.

Jennifer Faler went on to report that they just did a tour of the San Juan-Chama for contractors and MRGCD. The tunnels were flowing full. The tunnel capacity was not enough to be grabbing all the water at the diversion dam, and some was bypassing and going downstream. Ms. Faler also added that she is expecting a full allocation by July.

Ms. Faler went on to explain in more detail her summary reports to the new board members.

MRGCD BOARD MEETING (6-10-19)

1. Heron Summary

Content = 126,252 ac-ft (6/6)
 Azotea tunnel: 900-1000 cfs
 Total SJC inflow year-to-date: 70,185 a.f.
 Currently releasing 0 cfs
 Current MRGCD storage: 5,757 ac-ft

2. El Vado Summary

- A. Total storage (all contractors and natural) in El Vado as of 6/6:
84,662 ac-ft.
 - B. Native in El Vado
60,960 ac-ft.
 - C. MRGCD's SJ-C storage in El Vado
1,256 ac-ft.
 - D. P & P: 14,242 ac-ft
 - E. EDWA: 0 ac-ft
 - F. All other SJ-C contractors: 8,204 ac-ft
- Current release is 1,300 cfs RG Inflow is 3,000 cfs

3. Storage in Abiquiu

Content = 81,153 ac-ft (6/6)
 MRGCD's SJ-C storage = 0 ac-ft

Total water released for minnow to date in 2019: 0 ac-ft

June Streamflow Forecast

Rio Grande @ Del Norte CO	885,000 ac-ft (172%)
El Vado Reservoir Inflow (Mar-Jul)	355,000 ac-ft (158%)
Rio Grande @ Otowi	1,150,000 ac-ft (160%)
Jemez R. below dam	
Rio Grande @ San Marcial	

Madam Chair Dunning asked Mike Hamman had an opportunity to ask the San Juan contractors if they might contribute some towards the costs to fix El Vado. Mike Hamman responded that they will take the position that they already pay their share through the operations and maintenance costs of the project so he has not pressed them on that issue given our relationship with all the contractors.

Director Moore asked how much money Albuquerque contributes quarterly since they get the majority of the water. Mike Hamman responded that it is about half of the total. MRGCD pays

for about one-third of it. Jennifer Faler added that they break it out into a per-acre foot cost. Director Kelly added that the federal government funds 85% of that with the expectation that us as the local sponsor will cover the rest.

Jennifer Faler went on to report on the El Vado Safety Dams Project public meetings. One occurred in Albuquerque and one in Chama. She believes the meetings were very successful. It allowed people to get their questions answered; get concerns off their chest. The goal was to provide information.

Director Moore asked if the spillway was the number one priority. Jennifer Faler responded that since they have to lower the reservoir for any alternatives (alternatives are just now being selected), it makes the spillway less of a concern.

Lastly, for the new board members, Jennifer Faler covered the recent past on what she has been working on insofar as title transfers of non-pueblo facilities (through Albuquerque and below Isleta Pueblo). Madam Chair also noted the importance of title transfers to MRGCD. Director Moore asked for clarification on ownership for the new board members and Mike Hamman then gave a very thorough history of MRGCD.

b. U.S. Bureau of Indian Affairs – Ms. Viola Sanchez, Designated Engineer

For the new board members, Viola Sanchez began by giving a history and insight into her role as Designated Engineer. She also gave insight into the two categories of water rights of the pueblos. She explained the water buckets and options, as well as gave insight to new board members regarding her current works, such as the property status map and Indian water rights protection.

AGENDA ITEM NO. 9 – REPORT(S) FROM THE MRGCD CHIEF ENGINEER - Mike Hamman, CE/CEO

New Item Added by Madam Chair Dunning

Date for New Board Member Orientation, Mike Hamman

A training session for the newly-elected Board Members will be held prior to the Board Meeting held on July 8, 2019.

Madam Chair Dunning requested that all newly-elected Board Members look over the list of committees and decide what their interests are. If they would like to serve on a particular committee, she asked them to let her know so that she can set the committees. The only rule is that there can only be three members of the Board on any given committee due to the "quorum rule."

a. Discussion/Approval of IT Restructure - Jason Casuga, Engineering Manager, and Josh Hind

Jason Casuga reported that a memo was distributed to the Directors in their Board packets; however, they had to revise it to adjust pricing. The total amount is \$188,119.39 to revamp the

IT room and bring into current technology, which is desperately needed.



Revised 9a

Memorandum

To: MRGCD Board of Directors
 Mike A. Hamman, CEO/CE
 David Fergeson, Secretary-Treasurer
 Jeanette Bustamante, Administrative Officer

From: Jason Casuga P.E, Engineering Manager and Josh Hind, Systems Admin

Date: June 5, 2019

Re: REQUESTING BOARD APPROVAL FOR IT INFRASTRUCTURE UPGRADE

After thorough review MRGCD staff is requesting approval for a complete Information Technology upgrade. This upgrade includes new servers, switches and backup solution to replace our used and antiquated equipment. MRGCD staff is recommending award to Technology Integration Group, per NM State Pricing Agreement # 60-00-15-00008AH.

VENDOR	EQUIPMENT		UNIT COST	GRAND TOTAL
Technology Integration Group	MAKE DELL	VSAN HYPERCONVERGENCE TECH. SOLUTION	\$161,034.40	\$161,034.40
Technology Integration Group	MAKE DATTO	MODEL SIRIS ONSITE BACKUP W/ CLOUD DISASTER RECOVERY SOLUTION	\$27,085.00	\$27,085.00

FY2019 MRGCD Budget item: IT Infrastructure Upgrade and Back up Solution - \$188,119.39

Director Kelly asked if Jason Casuga had the input and support of the GIS Department and internal IT Department for this recommendation; if this award was based on a contract that has been let by the State of New Mexico via a pricing agreement that MRGCD is able to use as a local government entity; and that it precludes us from having to put this out to competitive sealed bids given the fact that the State has done that on MRGCD behalf. All answers given by Mr. Casuga were in the affirmative.

Director Kelly then asked David Fergeson was the budget amount was for this item. David Fergeson responded that he will still talk with the contractor as he does not believe that MRGCD should be charged state gross receipts tax. Mr. Fergeson believes the amount will still be a little lower. Jason Casuga responded that initially the original budget had this project earmarked as \$250,000.

Director Moore made the **MOTION TO APPROVE IT STRUCTURE UPGRADE.**
 Director Sandoval seconded the motion. The **MOTION CARRIED** unanimously.

b. Discussion/Approval of Comprehensive Commercial Insurance Package - Jeanette Bustamante, Administrative Officer/CPO

MRGCD went out to bid for comprehensive property, casualty, auto, general liability, and professional liability package. Several proposals were sent out, and all processes per state procurement code were followed. Staff had a good meeting with all the vendors with only four in attendance. Only one proposal was received, and it was from Hub International with two different carriers. Hub International recommended two carriers for work comp and one carrier for the rest of the package. After staff met and reviewed/evaluated the proposal, it is recommending awarding the 2019/2020 insurance comprehensive package and additional

options, such as pollution liability, flood, excess liability, and also cyber liability, contingent upon further review and evaluation of the coverage being proposed. The total amount of the premium for the package and the options is \$707,910.

Darren Lewis from Hub International gave a synopsis of each coverage and rationale for choosing those coverages.

Recommendation:

Complete General Liability Package including Excess Coverage be awarded to Hub International/One Beacon with specified deductibles for each line of coverage in the amount of \$707,910.00

2019-2020 INSURANCE PREMIUM / COST SUMMARY		
COVERAGE	DEDUCTIBLE	PREMIUM
Property	\$5,000	\$ 9,772
Inland Marine	\$5,000	\$27,943
General Liability	\$5,000	\$204,209
Business Automobile	\$1,000	\$193,096
Professional Liability / Errors & Omissions, CM	\$5,000	\$ 17,891
Workers Compensation, \$1,000,000 policy limits	\$2,500	\$152,021
TOTAL ESTIMATED PREMIUM WITHOUT OPTIONAL COVERAGE		\$604,932.00
OPTIONAL INSURANCE COVERAGE		
Pollution Liability \$5,000,000	\$100,000	\$40,000
Flood	\$25,000	\$955
Excess Liability \$1,000,000	No Deductible	\$50,750
Cyber Liability	\$5,000	\$11,273
TOTAL MRGCD INSURANCE COST FOR FY20		\$707,910.00

- Staff is requesting approval of all coverages including options, with the Cyber Liability coverage being contingent upon further review and evaluation of the coverage being proposed.

Director Kelly made the **MOTION TO APPROVE THE HUB INTERNATIONAL INSURANCE PROGRAM AT A COST NOT TO EXCEED \$708,000, WITH THE CYBER LIABILITY COVERAGE TO BE DETERMINED BY THE CHIEF ENGINEER.** Director Baca seconded the motion. The **MOTION CARRIED** unanimously.

c. Water Availability Report/Levee Status - David Gensler, MRGCD Hydrologist

David Gensler reported that 2019 runoff just keeps running with no signs of letting up. It's June 10th, and there's still snow at Cumbres Trestle. It's melting quickly now, but it's remarkable and still has seven inches of snow water equivalent.

David Gensler believes that the Rio Chama peaked on Sunday morning, probably for the year, at a bit over 4,500 cubic feet per second. A lot of water is moving up there. He believes that with what Cumbres is doing and the way things are melting out now, the flows will start declining. It is going to keep running for quite a while though at fairly respectable rates.

Flows on the Chama have put a lot of water into El Vado in a very short period of time. We started out the year hoping to be able to store 40,000-acre feet, and we were going to have to use relinquishment credit to do so because of storage restrictions under the Compact. As things started to improve, we reassessed. Back in April, we gambled and started bypassing all inflow to El Vado for a while to help increase the water arriving down at Elephant Butte. That appears to have been a good gamble. We got out of Article Seven Restrictions on May 12th, started storing on May 13th, and, as of this afternoon, we're closing quickly on 75,000-acre feet of Rio Grande storage in El Vado. Mr. Gensler believes we will probably be at 90,000 by next week.

Regarding storage restrictions, something we hadn't really thought much about until this week, as things are just rocketing upwards. That high number that is in the buckets (162,000 or 168,000) is involving summer thunderstorms. Madam Chair asked what the implication of that was, and was it ever waived. It has been routinely waived over many years. In a big water year, we always get to 168,000, and we say, "Reclamation, we think we need to take advantage of this and get to 180,000," and we usually do so.

What we also have is the bottom of the spillway gate, which is approximately 130,000-acre feet storage. Because of the condition of the spillway there and the gate structure, there's kind of a little paper limit there that we look at as we start to approach. 2017, we were notified by Reclamation they were concerned about elevation 6,875. That's where that whirlpool over on the left abutment starts to show up. We discussed that whirlpool (or vortex) with Reclamation, and it was kind of viewed as a suggestion rather than a restriction. That's about 114,000-acre feet roughly. So, there is a little window somewhere between 114,000 and 130,000. We are getting a lot more water in the reservoir than Mr. Gensler ever thought we would. So, all of a sudden, these storage restrictions are starting to pop up and become of interest.

The other thing to consider is we're bypassing as much down the Rio Chama as physically possible due to channel restrictions below Abiquiu. So, the good news for us, for a lot of reasons, is everything that we've stored this year is simply excess over and above what could not have been shoved down the system through any other way. Mr. Gensler fully expects to have to send some of that water down to Elephant Butte that is being stored. Whether we do it in July or August or whether we wait and do it in October and November, he thinks there is a very high likelihood we will have to dump some water this year to meet our Compact obligations. This was due to Rio Grande Compact. It is not a strict percentage. It's a sliding scale. A certain amount passes Otowi, you owe a certain amount down to Elephant Butte. Once you start to close on a million-acre feet, essentially you owe 100% of the flow at Otowi, down to Elephant Butte. Unfortunately, even if we were to not use that water, other things and people do. The Bosque consumes a lot of that flow. Just evaporation off the surface of the river consumes a lot of that flow. In a year like this, where it really gets spread out and wide, we got a lot of standing water in the Bosque. There's quite a bit of evaporation in places. ISC believes that we could see somewhere between 1.3 and 1.4 million-acre feet at Otowi for this year. That becomes very difficult for us to make our deliveries. So, there's a good chance we will be owing quite a bit of water at the end of the year.

However, we certainly will have enough water to get us through this year. Mr. Gensler expects we will have some carryover storage for next year. We will not have used any of that credit. So overall, this has been a windfall for us, one of the best situations I think imaginable.

Now, the main stem appears to be ramping up. The Cochiti release went to 5,600 cubic feet per second yesterday, which is the highest so far this year. There is still a tremendous amount of water up in Colorado. The snow water equivalent on Wolf Creek Summit is 32 inches today. Colorado is going to divert a lot of that water as it comes down, but Mr. Gensler does not think they can take it all. So, what is coming across the state line, plus runoff from our own Sangre de Cristos, it's already pushing Embudo up, approaching 4,000 CFS today. It possibly could continue to go up for a few more days. Just like the Rio Chama, Mr. Gensler thinks it is going to stay high.

So as far as local water supply goes, no problems. Everything is running very normally right now. Cochiti is diverting 145 cubic feet per second, Angostura is being adjusted this afternoon from up over 160 this morning, back down to a more typical 130 CFS below.

Isleta, things seem to be working okay still down there at that dam, although they had some more sediment this weekend. With this latest high release out of Cochiti, it's going to mobilize more sediment. Our sediment problem had pretty much cleared up there over the last two weeks.

We're still not diverting at San Acacia, and Mr. Gensler does not expect to until probably late summer. There's going to be enough flow happening naturally, what's going through the drains and Isleta. We're going to be well-supplied in Socorro County for best part of the summer.

Mike Lopez has been monitoring and repairing levee damage since April also. He mentioned that his men are tired, machines are getting worn, and he's running out of material. He needs to think about getting some more rock brought in. Mr. Lopez believes that MRGCD should be buying more rock now.

Mike Lopez wanted to recognize Anders Lundahl for coming to MRGCD's aid to provide rock and dirt. ISC has provided items to help repair levees, dust control, and heavy equipment. Mr. Lopez reported that the high flows are causing drain issues. Drains are sloughing, and the District is having to place riprap to retain our drains and levees. He reiterated that much more rock must be purchased.

Anders Lundahl noted that ISC is always happy to help MRGCD and will be here in the future to help as well.

Director Kelly noted that we are in a flood fight, even though it's gradual, but it's happening. We have a levee system that's a combination of engineered levees built by the Corps of Engineers that are old, some very new ones like down in San Acacia, and then a bunch of spoil bank levees, like predominantly in Valencia County, which is where they dug the drains out and piled that dirt up, and it kind of looks like a levee, but it's not. MRGCD have some serious long-term issues to look at up and down the Middle Valley to the tune of about a half-billion dollars to replace all of those spoil bank levees with real levees that take people out of the flood plain. And what have we done? We did the Albuquerque West Levee, and we did San Acacia. Our levee cost a million-and-a-half a mile, and the Corps' cost 7-million a mile. Different situation in San Acacia, but we need to find a better way to build those new levees.

We need to support Mike Hamman and Mike Lopez on any and everything they need to do. We are in an emergency situation. So, if it's riprap, if it's dirt, if it's renting equipment from Wagner, this Board Member says ask for permission later because you got it.

Now, this brings us to another conundrum we all have. Everybody wants to, and there's huge benefits for overbank flooding in the Rio Grande Bosque. We're not growing any new Cottonwoods because the water never gets up there, except in a few spots, above the Isleta Diversion, Valencia County. But those overbank events can turn into your guys' worst nightmare, a flood event.

So, how we balance that going forward as we manage the Bosque going into these days of climate change, is kind of dependent on having good levees to contain that flow so we can flood the overbank area. It doesn't do any good having good levees in just the Albuquerque area because that water doesn't disappear when it goes south. It keeps moving.

This is part of that balance we have to have between our mission as a riverine flood control agency and our mission to protect our biggest asset, the Bosque. We don't now own El Vado,

and we'll never take that back from the Bureau. This levee issue is huge for the District for a lot of different reasons, and we're going to see it all this year.

Madam Chair asked about owing water to the Water Authority and when is it time for a payment. David Gensler responded that we owe approximately 35,000-acre feet. It is a longstanding debt from years and years back where we borrowed some water under drought over 2000, 2001, and 2002. MRGCD has been attempting to pay back 5,000-acre feet a year; however, MRGCD did not pay water back last year because of the dire conditions in the reservoir. Mr. Gensler thinks, at this time, that is a good idea to plan to make another installment at the end of the season, this year.

d. Report on Pueblo Coalition Meeting, June 6, 2019 - Mike Hamman, CE/CEO

Mr. Hamman reported that much of what was discussed at the Coalition meeting has already been addressed in previous agenda items but the focus was on water operations, storage at El Vado and on-going maintenance issues. He also provided updates on title transfer and PBU discussions.

e. Report on San Juan Chama Project Contractors Meeting, June 3-4, 2019 - Mike Hamman, CE/CEO

Mr. Hamman reported that a meeting and tour was held with a majority of the San Juan-Chama Contractors attending. On the afternoon and evening of June 3rd, the group met with Reclamation that included Jennifer Faler and Ken Rice to go over a number of Project related issues such as status of capital improvements and associated financial matters. The group discussed the memorandum of agreement and asked the MRGCD to be the fiscal agent for the new Association once it is established. We agreed and the meeting then carried into a dinner.

The group reconvened the following morning to tour the project and high flows illustrated both some of the operating challenges as well as the tremendous benefit of the project as the Azotea Tunnel outfall was near capacity.

1. Review/Approval of Draft San Juan-Chama Project Contractors Association MOA

Director Kelly made the **MOTION TO AUTHORIZE THE CHIEF ENGINEER TO ENTER INTO THE MEMORANDUM OF AGREEMENT FOR THE SAN JUAN-CHAMA CONTRACTORS ASSOCIATION, SUBSTANTIALLY THE SAME AS ATTACHED, AND SUBJECT TO REVIEW BY GENERAL COUNSEL.** Director Moore seconded the motion. The **MOTION CARRIED** unanimously. (Vote was 6-0 with Director Sandoval's vote not cast as he was temporarily out of the meeting.)

f. Report of El Vado Dam Corrective Action Study and Reclamation's Stakeholder Outreach Meeting - Mike Hamman, CE/CEO

Mr. Hamman said that in the interest of time he will defer the detailed presentation until the next meeting but gave a quick overview of the current status of the Corrective Action Study as it nears selection of the preferred alternative prior to NEPA. He said he was able to attend the public meeting in Tierra Amarilla and there was a good turnout of people that live in the area. Many were concerned about road impacts, lake lowering during construction, fishery concerns and questions about construction duration, etc.

Madam Chair Dunning brought up a policy for Regular Business Meetings (not including Executive Session) is not concluded by 6pm takes a motion from a board member to continue it. Director Kelly suggested to review Item Nos 9g, h, i and j as informational only and if there are questions to ask it. None occurred; to defer Madam Chair Dunning's report and move straight into Item 12 - Executive Session which is needed tonight.

g. Department of Finance and Administration "Conditional Approval of FY 2020 MRGCD Budget" (Informational Purposes Only)

MICHELLE LUJAN GRISHAM
GOVERNOR

DONNIE J. QUINTANA
DIRECTOR



OLIVIA PADILLA - JACKSON
CABINET SECRETARY

9g

FYI

STATE OF NEW MEXICO
DEPARTMENT OF FINANCE AND ADMINISTRATION
LOCAL GOVERNMENT DIVISION
Bataan Memorial Building • 407 Gallisteo St. • Suite 202 • Santa Fe, NM 87501
PHONE (505) 827-4960 • FAX (505) 827-4968

May 31, 2019

John P. Kelly
Chairman
Middle Rio Grande Conservancy District
P. O. Box 581
Albuquerque, NM 87102-4515

Dear Mr. Kelly:

In accordance with Section 6-6-2(B) NMSA 1978, the Department of Finance and Administration, Local Government Division (LGD) has examined the proposed budget of your local government entity for Fiscal Year 2019-20 and hereby grants approval and certification for use. Sufficient resources appear to be available to cover proposed budgeted expenditures.

Approval and certification of your final budget is contingent upon submission of the following by no later than July 31, 2019

- A resolution approved by the governing body adopting the Fiscal Year 2019-20 operating budget
- The June 30, 2019 (4th) quarter year to date financial report
- A resolution by the governing body approving the June 30, 2019 4th quarter year to date financial report
- Any adjustments/revisions discussed

Please note final budget certification will be "conditional" per *Budget Certification of Local Public Bodies* rule, 2.2.3 NMAC, if a required audit for Fiscal Year 2017-18 has not been filed with the Office of the State Auditor.

If you have any questions regarding this matter, please call Eric Luchetti of my staff at 505-827-4976.

Sincerely,

Donnie J. Quintana, Director
Local Government Division

xc: file

- h. **Chief Executive Officer/Chief Engineer Contracting Authority April and May 2019 Procurement Approvals (Informational Purposes Only)**

FYI

9h



Memorandum

**To: MRGCD Board Chair and Board of Directors
David Fergeson, Secretary-Treasurer**

From: Mike Hamman, CE/CEO

Date: June 3, 2019

Re: Under \$60,000 Approvals for Procurement Contracts under the CEO Contracting Authority

1.	Fresno Valves & Castings	April 3, 2019	Turnouts	\$28,332.00
2.	Golden Equipment	May 28, 2019	Excavator Mulcher	\$56,234.00

i. **Notification of Reclassification of Land (For Informational Purposes Only)**

9i



**MEMORANDUM
GIS/MAPPING DEPARTMENT**

F.Y.I.

TO: Mike Hamman, Chief Executive Officer

FROM: Doug Strech, Mapping/GIS Supervisor

DATE: June 10, 2019

RE: Properties omitted or excluded from the Appraisal Record and now recognized as within the Benefited Area of the MRGCD

The following properties have been reclassified in recognition of the benefits received.

SANDOVAL COUNTY

1. **Tract B = 1.0000 ac., as shown on the Amended Plat for Tracts A, B and C, Lands of Froula (filed on 9/3/1985), on MRGCD Map 15.**
Ownership: Alan and Audrey Bell Trust
Division: Albuquerque
2. **Tract 2 = 2.2885 ac., as shown on the Plat of Tracts 1-A and 2, Lands of Chaney (filed on 9/24/2001), on MRGCD Map 18.**
Ownership: John David and Jody L. Peach
Division: Albuquerque
3. **Tract D = 1.0000 ac., as shown on the Summary Plat Tracts A, B, C and D, Tierras de Martinez y Frodgue (filed on 12/28/2015), on MRGCD Map 18.**
Ownership: Filiberto Conway Frodgue
Division: Albuquerque

BERNALILLO COUNTY

4. **Lot B, excluding the NW'ly Portion = 2.6548 ac., as shown on the Amended Plat of Lota A, B, C, & D, Lands of Eidson (filed on 10/21/1986), on MRGCD Map 54.**
Ownership: Rudy A. and Veronica A. Guzman
Division: Albuquerque

VALENCIA COUNTY

5. **Tract D = 1.7950 ac., as shown on the Division Plat Showing Lands of Jose Calles and Adolfo & Lola Calles (filed on 6/16/1995), on MRGCD Map 89.**
Ownership: Lugarda Calles
Division: Belen

Page 1 of 2

SOCORRO COUNTY

6. **MRGCD Map 152 Tract 21A2 = 6.0000 ac.**
 &
Parcel 2 = 15.1190 ac., as shown on the Plat of Land Division Standing in the Name of Helen Baca
(filed on 8/2/2016), on MRGCD Map 152.
 Ownership: Helen Baca
 Division: Socorro
7. **Parcel D = 5.0941 ac., as shown on the Replat and Partitioning of the Lands of Vicente G. Torres**
(Dec.) (filed on 4/6/1987), on MRGCD Map 158.
 Ownership: Jesus J. & Martha Carrete and Joe O. & Rosalie G. Torres
 Division: Socorro

j. **Memo on MRGCD Approved Licenses for May 2019 (For Informational Purposes Only)**

9j



**MEMORANDUM
 ENGINEERING DEPARTMENT**

F.Y.I.

TO: Mike Hamman, Chief Executive Officer

FROM: Matt Martinez, Licensing and Land Sales Coordinator

DATE: June 5, 2019

RE: MRGCD Licenses

The following license requests were approved by staff for the month of May 2019.

1. SP-027-2019 License with Sundance Mechanical and Utility Corp. to install an 8" Ø SAS buried utility within the Albuquerque Riverside Drain right-of-way per the Bosque Antigua Subdivision Master Utility Plan.
2. SP-029-2019 License with TLC Plumbing and Utility to discharge groundwater into the Upper Belen Riverside Drain per the Village of Los Lunas "Wastewater Treatment Plant Sewer Line Repair" project.
3. 3-007-2019—License with the New Mexico Gas Company to install and maintain a buried 1" Ø gas utility crossing within Peralta Main Canal right-of-way.
4. 3-009-2019—License with Century Link QC to install and maintain a buried telecommunications utility within the La Constancia Lateral and La Constancia Acequia rights-of-way.
5. 3-013-2019—License with the New Mexico Gas Company to install and maintain a buried 2" Ø gas utility crossings within the San Fernandez Ditch No. 1 right-of-way.
6. 3-014-2019—License with the New Mexico Gas Company to install and maintain a buried 2" Ø gas utility within the Peralta Main Canal right-of-way.
7. 2-019-2019—License with Patricia Clauser to maintain an existing fence encroachment within the San Mateo Interior Drain right-of-way.

AGENDA ITEM NO. 10 – REPORT(S) FROM THE MRGCD ATTORNEY(S) (Chief Water Counsel and/or General Counsel)

Chuck DuMars, Chief Water Counsel, was not in attendance of tonight's meeting.

Bruce Wiggins and Lorna Wiggins, General Counsel, had nothing to report.

AGENDA ITEM NO. 11 – REPORT(S) FROM THE MRGCD BOARD OF DIRECTORS

a. Report on MRCOG Comprehensive Economic Development Strategy for Rural Areas Meeting, 06/04/19 - Madam Chair Dunning

This topic is deferred to the next meeting.

Madam Chair inquired with Lorna Wiggins and the new members a date for the New Board Members Orientation to be at the next Regular Meeting on July 8, 2019. Also reminder/discussion was had regarding the Subcommittee Meetings with 3 board members in each.

AGENDA ITEM NO. 12 – EXECUTIVE SESSION

Director Sandoval made the **MOTION TO GO TO INTO EXECUTIVE SESSION.** Director Russo-Baca seconded the motion. Rollcall vote was administered with all members voting yes excluding Director Kelly. The **MOTION CARRIED.**

Director Baca	Yes	Vice-Chair Baca	Yes
Director Sandoval	Yes	Director Russo-Baca	Yes
Madam Chair	Yes	Director Kelly	Not Present
		Director Moore	Yes

**a. NMSA 1978 Open Meetings Act, Section 10-15-1(H)7
1. Threatened or Pending Litigation**

Director Moore made the **MOTION TO RETURN TO REGULAR SESSION.** Director Baca seconded the motion. Roll call vote was administered with all members voting yes. The **MOTION CARRIED.**

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

Discussion ensued during executive session regarding threatened or pending litigation; however, no decisions were made.

With no further comments, questions or concerns, Vice Chair Baca made the **MOTION TO ADJOURN THE MEETING.** Director Sandoval seconded the motion and the **MOTION CARRIED** unanimously.

The meeting was adjourned at 6:36 p.m.

Approved to be the correct Minutes of the Board of Directors of June 10, 2019.

ATTESTED:

David M. Fergeson
Secretary/Treasurer

Karen Dunning, Madam Chair
MRGCD Board of Directors