

**MINUTES OF THE
TWO THOUSAND NINETY FOURTH REGULAR MEETING
OF THE
BOARD OF DIRECTORS OF THE
MIDDLE RIO GRANDE CONSERVANCY DISTRICT
August 8, 2016**

Directors having been duly notified, Chairman Lente called the regular meeting to order at 3:02 pm at the MRGCD General Office. The following Directors and Staff were present:

DIRECTORS:

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

STAFF:

Michael A. Hamman	Chief Engineer/CEO
Charles T. DuMars	Chief Water Counsel
Bruce & Lorna Wiggins	General Legal Counsel
David Fergeson	Secretary-Treasurer
Jeanette Bustamante	Administrative Officer
Christine Nardi	HR Director
David Gensler	Hydrologist
Tom Thorpe	Public Information Officer
Joe Brem	Albuquerque Division Manager
Jason Casuga	Engineer
Alicia Lopez	Engineer Technician

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

Ernie Marquez, Automated Election Services Pat McCraw, South Valley Ink	Gary Stansifer, Office of the State Engineer John Thompson, MRGCD Lobbyist
--	---

AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE

Chairman Lente requested that Director Sichler lead the Pledge of Allegiance.

Chairman Lente welcomed the guests and declared a quorum.

AGENDA ITEM NO. 2 – APPROVAL OF THE AGENDA

Chairman Lente called for approval of the agenda. He reported the BIA would not be in attendance at the meeting and to remove agenda item 6b and Ms. Faler from the BOR had a previous meeting and may not be able to make this meeting for her report. Chairman Lente said they would work her into the meeting when she arrives.

Director Romero made the **MOTION TO APPROVE THE AUGUST 8, 2016 AGENDA AS AMENDED**. Director Kelly seconded the motion. The **MOTION CARRIED** unanimously.

AGENDA ITEM NO.3 – APPROVAL OF MRGCD PAYMENT RATIFICATION & ATTORNEY INVOICES

- a. Consideration / Approval of Payment Ratification – August 8, 2016

Chairman Lente called for approval of the August 8, 2016 Payment Ratification.

Director Dunning made the **MOTION TO APPROVE THE PAYMENT RATIFICATION OF AUGUST 8, 2016 AS PRESENTED**. Director Kelly seconded the motion. The **MOTION CARRIED** unanimously.

- b. Consideration / Approval of July 2016 Invoice for Wiggins, Williams & Wiggins

Chairman Lente called for approval of the July 2016 Invoice for Wiggins, Williams & Wiggins.

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

AGENDA ITEM NO. 4 – APPROVAL OF THE MINUTES

- a. Consideration / Approval of Minutes for Regular Board Meeting – July 25, 2016

Chairman Lente called for approval of the minutes for the Regular Board Meeting July 25, 2016.

Director Dunning made the **MOTION TO APPROVE THE MINUTES OF THE REGULAR BOARD MEETING JULY 25, 2016 AS PRESENTED**. Director Kelly seconded the motion. The **MOTION CARRIED** unanimously.

AGENDA ITEM NO. 5 – ITEMS FROM THE FLOOR (Comments are limited to three (3) minutes)

There were no Items from the Floor.

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

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

Ms. Faler was not at the meeting to give a report. The following summary report was received electronically from the Bureau of Reclamation.

1. Heron Summary

Content = 136,146 ac-ft. (08/08)
Azotea Tunnel: 56 cfs
Total SJ-C inflow year-to-date: 85,185 ac-ft.
Currently releasing: 45 cfs
Current MRGCD storage: 19,336 ac-ft.

2. El Vado Summary

- A. Total storage (all contractors and natural) in El Vado as of 08/08:
61,779 ac-ft.
- B. Native in El Vado
30,429 ac-ft.

- C. MRGCD SJ-C storage in El Vado
15,199 ac-ft.
- D. MRGCD EDWA:
0 ac-ft.
- E. NMISC EDWA:
1,161 ac-ft.
- F. P&P:
13,460 ac-ft.
- G. All other SJ-C contractors:
3,503 ac-ft.

Current release is 140 cfs RG Inflow is 80-200 cfs

3. Storage in Abiquiu

Content = 112,859 ac-ft. (08/08)
MRGCD SJ-C storage = 1,694 ac-ft.

Total water for minnow released to date in 2016: 8,173 ac-ft.

Snowpack Data
Melted Out

b. Bureau of Indian Affairs

The Bureau of Indian Affairs advised Chairman Lente they would not be at today's meeting and this item was removed from the agenda.

AGENDA ITEM NO. 7 – REPORT(S) FROM THE CHIEF ENGINEER (Michael A. Hamman, MRGCD CEO/CE)

a. Water Report – David Gensler, MRGCD Hydrologist

Mr. Gensler said the good news is the rains have arrived; finally. He said the weather patterns seem to have shifted, bringing welcome relief to New Mexico and the MRGCD over the past ten days or so. Mr. Gensler said when he made the last Board meeting report, he was concerned about how quickly the MRGCD was using up the supplemental storage from El Vado and early last week, they were able to reduce the rate of release while continuing to meet the irrigator's demands. He said with the rains over the weekend, in the northern part of the State, they were able to cut releases even more and as of this morning, the MRGCD was not releasing any water from storage.

Mr. Gensler reported that the flows at Embudo are still nothing to be excited about; hovering around 320 cfs. He said the flows on the upper Chama have likewise stayed relatively low; around 100 cfs today, although it spiked to around 200 cfs for a while this weekend. Mr. Gensler said the rains are tending to take place lower down in the system, as inflow to Abiquiu, and a series of small spikes at Otowi; including one up to 2,000 cfs. He said there have also been localized heavy rains in the Middle Rio Grande valley producing arroyo inflows from AMAFCA's concrete channels and various arroyos in Valencia and Socorro counties.

Mr. Gensler said the release today is just over 1,000 cfs; meeting the MRGCD demand of 800 cfs and this is producing between 600-700 cfs at the Albuquerque gauge. He said, although, there is currently no minnow water in the system, the Cochiti release is higher than MRGCD needs and they

are bypassing about 300 cfs below Isleta dam. He said that San Acacia is likewise bypassing around 300 cfs today. Mr. Gensler reported that diversions today are 115 cfs at Cochiti, 100 cfs at Angostura, 430 cfs at Isleta and 15 cfs at San Acacia with about 170 cfs in the Socorro Main.

Mr. Gensler said the forecast is good for additional rain later this week. He said that eventually flows will drop and storage releases will resume, however, at a lower rate than during July. He said that minnow ramp-down will likewise resume beginning with 100 cfs at Isleta and stepping down to begin drying in the Isleta Reach. He said that once this happens, MRGCD outfalls in the Isleta Reach will be used to deliver water, supplied to the MRGCD by Reclamation, the State and Audubon, for fish habitat. Mr. Gensler said as of today, there is approximately 66,000 ac-ft. total storage remaining.

Mr. Hamman said he would like to make one point and to seize the moment. He said that in these times, quite a bit of water could be salvaged if the MRGCD had storage at Cochiti Dam and could store water as a result of the rains. Director Dunning said that Mr. Gensler reported at the last meeting that the MRGCD was drawing down a lot of storage water and might only be able to make it to mid-September and is that still the projection. Mr. Gensler said at the last meeting he was a bit worried about the storage situation and had calculated that the MRGCD might have enough water to last through the first week of September. He said from the latter part of last week and with the current rains, he is feeling more comfortable that they can make it through the end of September and into early October and may even have a little bit leftover, but it is always a guessing game. Director Kelly asked if the MRGCD water in Heron is still sitting in Heron and Mr. Gensler responded it is. Director Kelly asked Mr. Hamman about working through the scope of environmental benefits for Sandia Pueblo, Bernalillo County and Isleta Pueblo with the Corps of Engineers project and Mr. Hamman responded.

- b. Consideration / Approval of Resolution M-08-08-18-131.3 Disposal of Surplus Equipment – Jeanette Bustamante, MRGCD Administrative Officer

Ms. Bustamante said she is requesting approval of the resolution and the list of obsolete items attached to the resolution. Director Kelly had one revision to the resolution and said he was pleased that the inventory was being liquidated and being cleaned up.

Chairman Lente called for approval of the resolution. Director Dunning made the **MOTION TO APPROVE M-08-08-16-131.2 DISPOSAL OF SURPLUS EQUIPMENT**. Director Romero seconded the motion. The **MOTION CARRIED** unanimously.

- c. Consideration / Approval of Polling Locations for 2017 MRGCD Board of Director's Election – Ernie Marquez, Automated Election Services

Mr. Marquez presented the Board with the proposed locations for the 2017 Board of Director's Election. He said the spreadsheet also shows those locations that the Board had agreed to eliminate. He said one of the eliminated locations is the Sandoval County Voting Machine Warehouse (VMW) and he is proposing that the Board not remove this location. Mr. Marquez said this location serves the constituents from Algodones down to Bernalillo County and he would like to see it reinstated. He reviewed the remaining locations that the Board has agreed to eliminate and said the Board would be saving approximately \$80,000. Chairman Lente asked about the Cochiti Pueblo Early Voting location and Mr. Marquez said it is his recommendation that the Cochiti Pueblo remain an Early Voting as well as the Sandoval County VMW; if the Board approves its reinstatement. Director Sichler asked if Mr. Marquez is recommending that the Sandoval County VMW be returned to the list as well as designated an Early Voting location and Mr. Marquez responded that is his suggestion. Director Sichler asked about the number of locations in each county and Mr. Marquez reviewed the count. Director Kelly said he thinks this is a very good start and there will be other issues after the 2017 legislative session next year. He said it is his understanding that none of the proposed bills would have an effect on the MRGCD 2017 election.

Director Kelly made the **MOTION TO APPROVE THE POLLING LOCATIONS RECOMMENDED BY MR. MARQUEZ WITH THE SANDOVAL COUNTY VMW ADDED BACK IN AS AN EARLY VOTING SITE AND ELECTION SITE.** Director Dunning seconded the motion. The **MOTION CARRIED** unanimously.

d. Notification of 2016 Water Service Charge Reclassification Hearing – September 12, 2016

Mr. Hamman reported that statutorily, the MRGCD is required to notify the Board and the public of the upcoming Water Service Charge Reclassification Hearing. He said they are in the process of reviewing notices of reclassification and those constituents that disagree with the reclassification are given the opportunity to address the Board at the September 12th meeting.

e. Approved Licenses for July 2016 (For Informational Purposes Only)

Director Dunning had a question on one of the licenses and staff responded accordingly.

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

Dr. DuMars said that he did not have a report for this meeting; however, he would like to share an article that he found while he was in Ireland during the past week. He distributed to the Board a copy of an article on Irish Water Proposes Shannon Pipeline to Serve Dublin and Midlands. General Counsel reported they did have items and would discuss those in Executive Session.

AGENDA ITEM NO. 10 – REPORTS FROM THE BOARD OF DIRECTORS

The Board members that were present did not have any reports to give.

AGENDA ITEM NO. 10 – EXECUTIVE SESSION

- a. NMSA 1978 Open Meetings Act, (Section 10-15-1(H)7)
 - 1. Threatened or Pending Litigation
- b. NMSA 1978 Open Meetings Act, (Section 10-15-1(H)2)
 - 1. Limited Personnel Matters

Chairman Lente requested a motion to move into Executive Session.

Director Dunning **MADE THE MOTION TO MOVE INTO EXECUTIVE SESSION PURSUANT TO NMSA 1978 OPEN MEETINGS ACT (SECTION 10-15-1(H)7) & (SECTION 10-15-1(H)2).** Director Kelly seconded the motion.

Chairman Lente requested a roll call vote:

Vice Chairman Duggins	Absent	Director Dunning	Yes
Director Oglesby	Absent	Chairman Lente	Yes
Director Kelly	Yes	Director Sichler	Yes
Director Romero	Yes		

The **MOTION CARRIED** unanimously.

Chairman Lente adjourned the meeting at 3:25 pm.

Chairman Lente reconvened the meeting at 3:40 pm.

Chairman Lente requested a motion to move back into the regular Board meeting. Director Kelly made the **MOTION TO MOVE BACK INTO REGULAR SESSION**. Director Romero seconded the motion.

Chairman Lente requested a roll call vote:

Vice Chairman Duggins	Absent	Director Dunning	Yes
Director Oglesby	Absent	Chairman Lente	Yes
Director Kelly	Yes	Director Sichler	Yes
Director Romero	Yes		

The **MOTION CARRIED** unanimously.

Chairman Lente said discussion was had and no decisions were made.

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

The meeting was adjourned at 3:42 pm.

Approved to be the correct Minutes of the Board of Directors of August 8, 2016.

Attested:

David M. Fergeson
Secretary/Treasurer

Derrick J. Lente, Chairman
MRGCD Board of Directors