

MEETING MINUTES

ENMWUA Regular Board Meeting

DATE: Thursday, August 25, 2022

LOCATION: Clovis Carver Library (Ingram Room) 701 North Main Street, Clovis, NM

1 **1. Call to Order**

2 The meeting was called to order at 3:04 PM

3 **2. Roll Call**

4 Roll was called, the following ENMWUA Board Members were in attendance in-person: Chairman Morris, Vice
5 Chairman Jackson, Secretary Bryant, and Member Garza. Member Lucero joined via video conference, and
6 Member Dixon was absent. ENMWUA Administrator Orlando Ortega and staff were present along with
7 ENMWUA Attorney Kameron Barnett. Jim Honea and Wendy Christofferson with Jacobs Engineering were in
8 attendance. Members of the public that attended in-person: Steve Hansen from the Eastern New Mexico News,
9 Mark Huerta with EPCOR Water, and Jason Moberly with Running M Solutions.

10 **3. Approval of Agenda**

11 A motion to adopt the agenda was unanimously approved.

Result: Approved by Vote (5-0)

Ayes: 5

Nays: 0

12 **4. Approval of Minutes**

13 a.) There was a motion to approve the minutes from the regular Board Meeting held on Thursday July 28, 2022,
14 at 3:00 p.m. at the Clovis Carver Library (North Annex).

Result: Approved by Vote (5-0)

Ayes: 5

Nays: 0

15

16 **5. Public Input**

17 Chairman Morris offered the opportunity for public input as there were several individuals who joined the
18 meeting. No public input was made at this time.

19 **6. Monthly Financials**

20 a) Approval of Monthly Financials for the Month ending July 31, 2022 -Marez, Ortega.

21 Ms. Marez reported the total revenues for the month ending July 31, 2022, were in the amount of \$809,461.61. She
22 informed the Board that of that total amount of revenues, the Authority received Federal USBR funds for FW3A Pay
23 App 12 in the amount of \$808,987.42. Ms. Marez stated that there was monthly interest earned for June reported
24 at \$474.19 Total Expenditures reported for the month ending July 31, 2022 was for a total of \$1,216,431.96. Some
25 of those expenditures included the payment for FW3A Pay App 12. Ms. Marez disclosed that there was also work
26 completed at the Intake Facility platform that included surface restoration prep and painting for a total amount of
27 \$21,505.17. She advised that the work has been completed and the invoice has been paid. The ENMWUA Bank
28 account balances as of July 31, 2022, were reported as follows; ENMWUA Business Checking account balance was
29 at \$883,057.49, Money Market account had a balance of \$981,624.89, CD balance was at \$2,533,931.35, and as of
30 today August 25, 2022, ENMWUA Business Checking account had a current balance of \$1,195,724.74, Money
31 Market account balance sits the same at \$981,624.89, CD balance also sits the same at \$2,533,931.35. Ms. Marez
32 explained that ENMWUA also has a new reported balance on the Capital Construction Account that was opened in
33 June, and that current balance is \$24,421.61. The total balance of all Authority accounts as of today, August 25th, is
34 \$4,735,702.59. Ms. Marez further explained that with the Capital Construction Account a requisition was made for
35 reimbursement on Task Order 13, Finished Water 1 from Water Trust Board, WPF 5416, and those funds have now
36 entered that Capital Construction Account. A motion was made for approval of monthly financials, and a roll call
37 vote took place.

Result: Approved by Vote (5-0)
Motion:
Bryant
Second:
Jackson
Ayes:
Nays: 0

38 b) Approval of Monthly Bank Transfer Request from Money Market Account #7111 to Business Checking

39 Account #7101- Marez, Ortega. Ms. Marez presented the monthly bank transfer request in the amount of
40 \$470,000.00, with the current bank balance at \$1,195,724.74, and ENMWUA estimated expenditures a little over
41 \$500,000.00, including Jacobs invoices for August and the remaining bills, to include payment of FW3A Pay App 13.
42 Ms. Marez stated the monthly bank transfer of \$470,000.00, will give the Authority an estimated remaining
43 \$250,000.00 after all bills are paid next month. A motion was made for approval, and a roll call vote took place.

Result: Approved by Vote (5-0)
Motion:
Garza
Second:
Bryant
Ayes:
Nays: 0

44 **7. New Business Items**

45 a.) Resolution 2022-11 Authorizing Submission of an Application for Funding to the New Mexico Water
46 Trust Board in FY2023. – Ortega, Bowens. Mr. Ortega advised the Board Members that this Resolution
47 will authorize the ENMWUA Administrator and staff to submit Water Trust Board Funding application for
48 the next fiscal year 2023 funding cycle. Mr. Ortega further advised that this year’s maximum amount of funding
49 an applicant can request is \$13,900,000.00, which the Authority staff would like to present to the Board to request
50 the maximum amount. Mr. Ortega explained that the funding would be a good fit for Raw Water 3, Raw Water 2,
51 and Raw Water 1, which is how the Notice of Intent has been submitted by the Administrator and staff. As stated,
52 the Water Trust Board Notice of Intent serves as a notification of the applicant’s desire to apply for the Water Trust
53 Board Funding for the 2023 cycle. The approval of this Resolution today will allow the Authority to move forward
54 with the application process, and gain access to the Enable system where ENMWUA Staff are given 30 days to
55 submit the application. A motion was made for approval, and a roll call vote took place.
56

Result:	Approved by Vote (5 -0)
Motion:	
Garza	
Second:	
Jackson	
Ayes:	
Nays: 0	

57
58 b.) Request for Approval of Grant Agreement between the ENMWUA and the State of New Mexico
59 Environment Department Capital Appropriation Project for the Eastern New Mexico Rural Water System
60 SAP 22-G2320-STB in the amount of Twenty Million Dollars. – Ortega, Bowens.
61 Ms. Ortega informed the ENMWUA Board that this is a 2022 Legislative Capital Outlay Grant Agreement for \$20
62 million dollars is ready for consideration and approval by the Board. The funding is part of the \$30 million dollars
63 that was appropriated to the Authority during the last New Mexico Legislative session. Mr. Ortega stated that no
64 amount is allocated for NMED administrative costs therefore the ENMWUA receives the full \$20 million. The
65 appropriation reversion date is June 30, 2026, meaning that the total amount must be expended by that date. Mr.
66 Ortega again clarified that this Grant Agreement did not have any NMED administrative costs associated with it. A
67 motion was made for approval, and a roll call vote took place.

Result:	Approved by Vote (5 -0)
Motion:	
Bryant	
Second:	
Garza	
Ayes:	
Nays: 0	

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72 c.) Resolution 2022-12 Authorizing the Assignment of Authorized Officer(s) and Agent Regarding the State
73 of New Mexico Environment Department Capital Appropriation Project Eastern New Mexico Rural Water
74 System SAP 22-G2320-STB. –Ortega, Bowens.

75 Mr. Ortega notified the Board that this Resolution is directly related to the Grant Agreement that was just approved,
76 he further stated that this action is a requirement for identifying and approving the authorized officers and agents
77 for authorization to sign the Grant Agreement and the promissory note. He added that it also assigns an alternative
78 official representative who will be authorized to sign all other documents necessary to fulfill the Grant Agreement
79 and the requirements associated with it. It was explained by Mr. Ortega that those designated to sign would be the
80 Chairman and Vice Chairman along with the ENMWUA Administrator of the Board. A motion was made for approval,
81 and a roll call vote took place.

Result:	Approved by Vote (5-0)
Motion:	
Garza	
Second:	
Jackson	
Ayes:	
Nays: 0	

82
83 d.) Request for Approval of Public Water System Binding Commitment Letter for DW – 5860 that hereby
84 accepts and acknowledges the foregoing Commitment and agrees to the terms and conditions thereof
85 between the Eastern New Mexico Water Utility Authority (ENMWUA) and the New Mexico Finance
86 Authority (NMFA) for a Drinking Water State Revolving Loan Fund (DWSRLF) Tier II Fund Loan in the
87 amount of \$32,320,000.00 with a Maturity of 33 Years, One Percent Origination Fee, and Interest Rate of
88 .25% over the Life of the Loan. –Ortega. Mr. Ortega explained that this Application has been approved by the
89 New Mexico Finance Authority Board and is being presented today to the ENMWUA Board. This loan with a Binding
90 Commitment Letter, which is titled (Drinking Water) DW-5860 with the Drinking Water State Revolving Loan Fund
91 will provide a portion of the 10% of the Authority’s match for the remaining projects. This loan is for \$32,320,000.00
92 with a 1% origination fee of \$320,000.00. There is a maturity date of 33 years with ¼ percent interest rate for the
93 life of the loan. It was noted there are several documents that the ENMWUA staff must submit with the loan
94 application including the approval of plans and specifications by the New Mexico Environmental Department-
95 Construction Programs Bureau, New Mexico Finance Authority, and the New Mexico Environmental Department-
96 Drinking Water Bureau prior to the beginning of construction. Also needed is the approval of bids by the NMED-
97 CPB and NMFA. Lastly, to be included in the submission is the completion of the State Environmental Review Process
98 approved by NMFA. It was further discussed that this loan did have a low interest rate and efficient process. A
99 motion was made for approval, and a roll call vote took place.

Result:	Approved by Vote (5-0)
Motion:	
Bryant	
Second:	
Jackson	
Ayes: 5	
Nays: 0	

100

101 e.) Request for Approval of an Agreement for Provision of Interim Supplemental Water Service between
102 Eastern New Mexico Water Utility Authority (ENMWUA), City of Texico, New Mexico, and EPCOR Water
103 New Mexico Inc. for Interim Supplemental Water Service on an “As Available basis to the City of Texico
104 transmitted through the ENMWUA Texico Lateral. –Ortega, Barnett. Mr. Ortega explained that this an
105 agreement between the Eastern New Mexico Water Utility Authority, The City of Texico, and EPCOR for Interim
106 Supplemental Water on an as available basis. This agreement is intended for use once the Texico Lateral is
107 constructed and to be used while the Eastern New Mexico Rural Water System is being completed. Mr. Ortega
108 informed the Board that after several months of work from the Texico Lateral Committee, three lateral alternatives
109 were selected to be considered. Alternative three being the best fit (having scored highest) as this alternative is
110 connecting to an existing infrastructure that is owed by EPCOR. The working Committee felt that the Authority
111 needed an agreement for interim water in the meantime as well as a long-term agreement simultaneously while
112 the construction of the Eastern New Mexico Rural Water System is being completed. The ENMWUA felt that it was
113 necessary to have both agreements in place that would be fair, affordable, and would have protections in place for
114 the Authority. Mr. Ortega advised that these agreements did go before the City of Texico Council and the Texico
115 Lateral Committee with both agreements being approved and signed and then being moved to the ENMWUA
116 Development and Policy Committee and now before the full ENMWUA Board.
117 Mr. Barnett, ENMWUA Attorney further advised the Board that the Interim Supplemental Water Service Agreement
118 is to assist the City of Texico with their water troubles they are currently experiencing while the construction of the
119 pipeline is being finished. He stated that this would connect the Texico portion of the water pipeline and allow
120 EPCOR on an as available basis to provide water to the City of Texico in the amounts they need. The City of Texico
121 understands that this would be based upon of course the availability of EPCOR. A motion was made for approval,
122 and a roll call vote took place.

Result:	Approved by Vote (5-0)
Motion:	
Garza	
Second:	
Bryant	
Ayes: 5	
Nays: 0	

123

124 f.) Request for Approval of a Water Wheeling and Interconnection Agreement between Eastern New
125 Mexico Water Utility Authority (ENMWUA), City of Texico, New Mexico, and EPCOR Water New Mexico
126 Inc. for the Wheeling of ENMWUA Water from the ENMWUA/EPCOR Thomas and Brady Delivery point
127 and through EPCOR’s Clovis Water System to the Texico Lateral owned and operated by ENMWUA. -
128 Ortega, Barnett. Mr. Ortega explained that this agreement is between the ENMWUA, the City of Texico, New
129 Mexico, and EPCOR Water New Mexico Inc. for the wheeling of water once the Eastern New Mexico Water System
130 is operational. The wheeling allows the ENMWUA to deliver up to 250-acre feet of water annually to Texico at the
131 Clovis finished water tanks and then wheeled to the Texico Lateral at Curry Road D and the Clovis Airport Highway.
132 The parties agreed to the cost-of-service methodology that develops the water wheeling rate based on a cost-of-
133 service study or the cost used in EPCOR’s most recent rate case before the New Mexico Public Regulation
134 Commission, which is based on a 2017 test year. This is where EPCOR incorporated the preliminary changes to
135 reflect the estimated costs of the additional EPCOR facilities, resulting in the indicative Water Wheeling rate of
136 \$0.82 per 1,000 gallons. Mr. Ortega reported that this agreement has already been approved by EPCOR and the City
137 of Texico and now comes before the Board today for consideration of approval.

138 Mr. Barnett then added that this agreement deals with the issue primarily after the water system is in place,
139 whereas the previous agreement was to sell EPCOR's water to the City of Texico. Because this agreement is merely
140 to transport it through the global system to get it to Texico and as a result EPCOR will charge a small fee for the use
141 of their pipes. It was expressed how excited the Board Members, along with the City of Texico, and EPCOR is to have
142 this agreement ultimately in place after such long discussions and negotiations. A motion was made for approval,
143 and a roll call vote took place.

Result: Approved by Vote (5-0)

Motion:
Garza

Second:
Jackson

Ayes: 5

Nays: 0

144
145 g.) Presentation and Recommendation for Approval in the Scoring of the Texico Lateral Alternatives Study.
146 – Ortega, Jacobs. Mr. Ortega stated that over the past year the Authority has conducted a Texico Lateral workshop
147 involving the Texico Lateral Committee in reviewing the different alternatives and scoring of non-cost and cost for
148 constructing the Texico Lateral. He stated that the reason for this study is to make sure that the Authority does its
149 due diligence in the careful decision making and recommendations as to how these laterals will be placed. With
150 that said, the results will go before the US Bureau of Reclamation and the New Mexico Environment Department
151 Constructions Programs Bureau for their approval as well.

152 Mr. Honea with Jacobs Engineering then reported that when the alignment study of the Texico Lateral was initially
153 started, EPCOR and the City of Texico had not planned to build the pipeline out to the airport but after further
154 discussion it was determined that the pipeline would be built, resulting in alternative three being significantly
155 shorter from about 7.3 miles to about 4.3 miles. Making alternative three the shortest alignment, whereas
156 alternative one is a little over 10 miles and alternative two is a little over 7 miles. Mr. Honea explained that there
157 was a non-cost and cost scoring of the three alignments as well as environmental and permitting to see if there
158 were any major differences between the alignments, operations, maintenance, and constructability. He further
159 explained that different weight was set to the different criteria. The agreements being set at 40% of the weighted
160 score based on coordination with the Texico Lateral Committee as being the most important, next was
161 environmental permitting at 30% of the weighted score and then operation and maintenance was third at 20% of
162 the weighted score. This left the community impact and constructability with the lowest percentage at 10% of the
163 overall score. After meeting with the Texico Lateral Committee and presenting the three alternatives it was
164 determined that alternative three was the best option as the cost of alternative three was much lower than the
165 other two alternatives. A motion was made for approval, and a roll call vote took place.

Result: Approved by Vote (5-0)

Motion:
Jackson

Second:
Bryant

Ayes:
Nays: 0

166
167 h.) Recommendation for Adoption of Updated Purchasing Policies and Procedures Manual. –Ortega,
168 Bowens. Ms. Bowens informed the Board that the proposed changes to the Authority’s Purchasing Policies and
169 Procedures are as follows: In Section 2 on Page 6, the ENMWUA Administrator signs all invoices and purchase
170 orders. In Section 3 on Page 6, the ENMWUA Administrator reviews and approves all internet purchases. Located
171 in Section 4 and 5 on Page 6, it is stated that the Authority does not process paper requisitions, only paper purchase
172 orders. Located in Appendix B on Page 30, the sole source listing has been updated to include the Harmon, Barnett,
173 and Morris contract that was recently approved. Appendix F on Page 32, the Per Diem Policy has been updated to
174 reflect the approved Resolution 2022-01. Lastly is Appendix D, was an addition that was added to the ENMWUA’s
175 Build America Buy America Policy including a letter stating the Authority is fully committed to following all
176 requirements of the Federal Build America Buy America Act. Mr. Ortega advised that the Authority’s
177 recommendation to the Board is for approval of the updated policy. A motion was made, and a roll call vote took
178 place.

Result: Approved by Vote (5-0)
Motion:
Jackson
Second:
Bryant
Ayes: 5
Nays: 0

179
180 i.) Recommendation for the Renewal of FW2 Operations and Maintenance Services and Intake Facility
181 Operations and Maintenance between the ENMWUA and I.T.S. Refrigeration & Heating, Inc. term Ending
182 August 31, 2023. –Ortega, Bowens. Ms. Bowens reported that the procurement contract with I.T.S. Refrigeration
183 & Heating, Inc., is a renewal of the original procurement, which was a three-quote process for services over
184 \$20,000.00 but under \$60,000.00. Ms. Bowens clarified that this contract type is one year renewal, and the changes
185 proposed is to the new term date beginning September 1, 2022, through August 31, 2023. The compensation rate
186 has increased by an additional \$2,994.96, annually. Mr. Ortega then advised that I.T.S. has done a good job working
187 for the Authority in the operating and maintaining of the Finished Water 2 Pipeline and the Intake Facility at the
188 Ute Reservoir. He stated Mr. Tharp submits a monthly report on everything they do for that month at the FW2
189 Pipeline, as far as the Intake Facility, they go out normally, on a quarterly basis which is once every three months.
190 I.T.S. also has an inspection and operation & maintenance law that they must follow. Mr. Ortega explained that
191 some of the tasks I.T.S. is responsible for is exercising valves at both locations, which consists of going into the vaults
192 and turning the valves to make sure they are operational. They also check for water leaks, maintain weed control,
193 watch for vandalism, and everything involved in operating and maintaining the system. Mr. Ortega further
194 elaborated that I.T.S. must have certifications provided by the State Drinking Water Bureau to operate the valves,
195 as well as OSHA training for confined spaces. It was recommended to the Board to renew this contract. A motion
196 was made for approval, and a roll call vote took place.

Result: Approved by Vote (5-0)

Motion:

Bryant

Second:

Garza

Ayes: 5

Nays: 0

197

198 **8. Unfinished Business- N/A**

199 **9. Report from Board Members and Staff**

200 a) Project Development Activities -Jacobs, Jim Honea.

201 FW3A- Mr. Honea announced that the hydro test for the southern half of the pipeline was completed as well as an
202 initial leak test done on the entire FW3A pipeline a month or so ago. He stated that in about two weeks they will
203 hydro test and pressure test the north half of the pipeline. He stated that Smithco has a few small items remaining
204 to complete FW3A but are on schedule with the extension that was given.

205 FW1- Mr. Honea advised the Board that they are currently in the bidding process right now, and the proposals are
206 due on September 28, 2022. There was a question about the August 18th deadline, which have been received from
207 a few contractors and in working with the ENMWUA, a response with the final addendum will be coming out
208 sometime next week and then we expect proposals to be submitted by the contractors the end of September. Mr.
209 Honea explained that there was a pre-proposal meeting done where the contractors are invited to attend, with only
210 three contractors attending so they will be the only three that can bid as the meeting was mandatory.

211 RW3- Mr. Honea stated that they are working on 60% design which should be completed in September 2022.

212 FW3B- It was stated that easement acquisition is in progress, Mr. Honea announced that they have several
213 appraisals near completion on about 2/3 on the needed properties and close to finalizing the other 1/3 of appraisals
214 with offer letters starting to go out soon after appraisal completion. The design team is working on the 90% design
215 which they are targeting October for when that will be ready for submittal to the Water Authority and Stakeholders.

216 Texico Lateral- Mr. Honea announced that they started the survey work on the alternative three alignment this
217 week with Wendy Christofferson. A meeting with the design lead Andrea Vaughn, who came in to check out the
218 alignment and nail down more of the specifics as far as what side of the road is best for the pipe to be on and where
219 trenchless crossings may have to be. Mr. Honea and Ms. Christofferson also met with Tommy and Jerry Johnson
220 from the City of Texico about tying the pipeline into the Texico tank. Jacobs also met with Robby Sanders of Smithco
221 to get his thoughts on constructability of the pipeline. It was a very successful site visit.

222 Elida Lateral- Mr. Honea informed the Board that since the approval of alternative one last month, Jacobs is
223 wrapping up the technical memo that will get submitted to the Authority USBR and the NMED-CPB. He further
224 elaborated that his team is currently starting the survey work, which Ms. Christofferson and Mr. Honea himself
225 drove the entire alignment and looked at the tank site as well as located all the wells.

226 Intake Pump Station- Mr. Honea informed the Board that Jacobs conducted an underwater condition assessment
227 in the field the week of August 8, 2022. The divers went in the Reservoir and did the entire condition assessment of
228 everything underwater. An ROV was sent into the shaft to inspect the tunnels and see how the condition is of that
229 infrastructure. Jacobs is currently working on the reports of that condition assessment.

230 Caprock Pump Station- Mr. Honea notified the Board that the Caprock Pump Station team is potentially adjusting
231 the location slightly from the 30% design location just to optimize the hydraulics and the wall thickness of the pipe
232 on located along RW1 and RW2.

233 Water Treatment Plant/Member Aqueous Ammonia- Mr. Honea disclosed that they are starting to coordinate
234 with the member communities on the ammonia facilities and tie-in locations to their respective tanks. Bryor Price,
235 the Water Treatment Plant team lead will be down next week to meet with a few member communities and if all
236 works out, he hopes to attend the next Board Meeting and give a spotlight presentation on the Water Treatment
237 Plant. Mr. Honea explained that the treatment plant team is also starting to basically dust off the 30% design from
238 2009. There has been a lot of code changes that have occurred. Jacobs is trying to go through the list of things and
239 just refresh and see what needs to be updated.

240 Raw Water 1, and Raw Water 2- Ms. Christofferson introduced the team that will be working RW1 and RW2.
241 Jacobs went out for a site visit to look at any archaeological areas of concern because there is quite a few in that
242 area as well as any nesting or biological potential issues with some of the alignments. She further advised that
243 Jacob's Geotech engineer was also helping as there is a ton of rock up North. The Geotech Engineer was trying to
244 help navigate what is the best place to go with the alignment so that there can reduction in the amount of blasting
245 through some of these areas as much as possible. Ms. Christofferson informed the Board that there is a lot of high
246 cliff faces that are 100 to 150 feet in vertical that they want to try and avoid, so they are going to have a little bit of
247 a route around to get to the best spots to cross the creek. She further elaborated that initially there was an
248 alignment that was basically kind of paralleling the road coming into the intake, and when the schematic design
249 was done they didn't have the EA yet, when the EA came back he said there's a lot of prehistoric Native American
250 findings there which need to be avoided, plus there is a ton of rock so they are going to switch back a little bit and
251 go a little further south of that location and cut across which has a little bit less rock and also the further away they
252 can get from the Canadian River the better. Ms. Christofferson stated that RW2 will be from the Caprock booster
253 pump station pumping up to the Caprock to the tank at the top, which is probably the most challenging part of the
254 whole project as far as where the pipeline alignment will go. She went into further detail explaining how they have
255 spent a lot of time looking at some potential alignments, there is an old highway that goes up, but it is also historic
256 because anything over 50 years old is classified as historic. So, a lot of different things Jacobs looked at in this area
257 and there needs to be time spent mapping it out and looking at what are the costs impacts because there's a lot of
258 erosion issues, so Jacobs is making sure the pipeline is being protected from erosion.
259

260 b) Ute Reservoir USGS Report- Marez. Currently the Ute Reservoir storage in ac/ft as of July 25, 2022, was
261 reported at 131,200 ac/ft and reported as of August 25, 2022, was 131,100 ac/ft for a loss of 100 ac/ft. The reported
262 water surface elevation in feet as of July 25, 2022, the reservoir sat at 3,775.37 ft and as of August 25, 2022, Ute
263 Reservoir sat at 3,775.34 ft. for a loss of 0.36 inches.
264

265 c) State Activities- Thompson. Mr. Thompson reported that he spoke with the analyst from the New Mexico
266 Legislative Finance Committee, and he would like for the Administrator and himself to make a trip to Santa Fe to
267 give the NMLFC an update.

268 d) Federal Activities- Ryan. Mr. Ryan said that he received information from Senator Heinrich's office regarding
269 the number of issues relative to funding. With much of the funding that has been expanded in fiscal year 2022,
270 USBR expanded \$420 million of which, the Authority was awarded \$160 million. The rest was spread amongst the
271 other six rural water projects, but what we don't know is what the completion costs are of the other projects and
272 how much they would get out of the additional \$480 million that is leftover out of that \$1 billion in infrastructure
273 funding. Mr. Ryan stated that he and Orlando had a quick call with Senator Heinrich's staff and asked them to make
274 that request to the US Bureau of Reclamation to give a completion date or completion amount for the other
275 projects. The issue was also brought up of the construction grant agreement and the negotiations that Orlando and
276 the team have been having with the Bureau regarding what needs to be ironed out before they can issue that
277 construction grant agreement for the remainder of entire ENMRWS. Mr. Ryan advised that if the Authority doesn't
278 get the construction grant agreement within about a month, the allocation that they said they were going to give,
279 the \$160 million goes away. They suggested that ENMWUA work with the Albuquerque office and Jennifer Fowler
280 and try to work it out with her. Mr. Ryan stated that the Senate is not going to do an Appropriations Bill, so for fiscal
281 year 23 and the regular appropriations process we have \$4.6 million that was in the Administration request and

282 that was the same amount that was in the House Bill. The Senate is going to do an Omnibus Appropriation Bill when
283 they return on September 6, 2022, which must be completed by October 1, 2022. Mr. Ortega relayed to the Board
284 that the ENMWUA has 2 grant agreements in place with the Bureau, FW3 grant agreement as well as FW1 grant
285 agreement and the Authority has also submitted a new grant agreement that is currently being processed and
286 developed which is titled Project Completion Grant Agreement. Mr. Ortega stated that there was a modification
287 request for FW3 to add a little more money due to inflation. FW1 was also modified to request more money and
288 the Authority is currently waiting on USBR decision on these grant agreements.

289 e) Report from the Chair- Morris. Chairman Morris informed the Board Members that he had a meeting with
290 New Mexico Interstate Stream Commission a couple of weeks ago via video, he expressed that it was a great
291 meeting to have had as he has only been involved just a little over a year and very encouraging to have them share
292 their perspective. Chairman Morris conveyed that he was interested in an updated firm yield study on Ute Reservoir
293 as it helps sell the project to the public. He stated that the New Mexico Stream Commission operates the Reservoir,
294 and they had some interesting ideas about developing the shoreline and improving the recreation assets as the
295 shoreline increases. Chairman Morris stated that he gave a presentation on the project to the Interim Committee
296 of Water and Natural Resource. The Chairman stated that it was great to be able to give that presentation. He
297 advised the Board Members that he will be making a trip with the ENMWUA Administrator to meet with folks in
298 Quay County that includes landowners and perhaps just other interested or concerned individuals to answer
299 question they might have and give them an update on the project.

300 f) Report from the Administrator- Ortega. Mr. Ortega expressed that the ENMWUA staff works hard and stays
301 busy making sure nothing is missed whether it is submissions of applications, reporting, balancing budgets and
302 everything else involved that comes with keeping the Authority progressing. Mr. Ortega stated that he agrees with
303 Chairman Morris on the annual yield study and thinks that would be a good tool to use as they meet with people,
304 and questions are asked about Ute Reservoir. He indicated that he certainly appreciated meeting with the ISC and
305 that it should be done on a regular basis to provide updates on the project. He advised that the Authority would
306 follow up on getting the 2018 annual yield study update of the Reservoir for the Board Members so that they could
307 have it as a tool in the meantime until the next study. The Authority is aggressively and progressively approaching
308 looking at renewable energy to service and power the ENMRWS, the ENMWUA would still need energy from
309 Farmer's Electric Cooperative. As mentioned, the Authority is working with them to plan to build their power lines
310 and substations, and anything else they might need to be able to give power to the future locations. However, at
311 the same time the Authority is looking at renewable energy, whether its solar, wind, or hydro energy to help in
312 paying for the energy costs. The more energy costs can be lowered the more water rates go down, that means the
313 cost of the Authority Community Members goes down. Mr. Ortega praised his staff on how hard they work to
314 prepare everything for the Authority and make sure the ENMWUA succeeds.

315 **10. Future Agenda Items**

316 a) Next Regular Meeting, Date, Time, and Location: Thursday, September 22, 2022, at 3:00 p.m. at the Clovis Carver
317 Library, Ingram Room, 701 North Main Street, Clovis, NM 88101.

318 **11. Public Input N/A**

319

320 **12. For the Good of the Order N/A**

321 **Executive Session**

322 Motion: to move into executive session to discuss acquisition of real estate 10-15-14 H(8), NMSA 1978 of the New
323 Mexico Open Meetings Act and attorney-client privilege pertaining to threatened or pending litigation in which
324 the public body is or may become a participant 10-15-1 H(7), NMSA 1978 of the New Mexico Open Meetings Act.

Result: Approved by Vote (5-0)
Motion:
Bryant
Second:
Jackson
Ayes: 5
Nays: 0

325

326 Motion: to move back into open session, noting that nothing was discussed other than acquisition of real estate
327 and attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may
328 become a participant in accordance with Section 10-15-1 (H)(2), NMSA 1978 of the New Mexico Open Meetings
329 Act and no final action on personnel was taken.

Result: Approved by Vote (5-0)
Motion:
Bryant
Second:
Garza
Ayes: 5
Nays: 0

330

331 **13. Adjournment**

332 Meeting adjourned officially at 5:10 p.m.

333 X  _____

334 Michael A. Morris
335 Chairman

336

X  _____

Chris Bryant
Secretary