

## ENMWUA Regular Board Meeting

DATE: Thursday, September 26th, 2019

LOCATION: ENMWUA Office (Sitterly Professional Center)  
801 Pile St., Clovis, NM 88101

1 **1. Call to order**

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

3 **2. Roll Call**

4 Roll was called. The following ENMWUA Board Members were in attendance: Members Bryant,  
5 Thornton, Jackson, and Chairman Lansford. Members Lucero and Green were absent. (Note-  
6 Member Garza missed the initial roll call but arrived at 3:30 PM.)

8 **3. Approval of Agenda**

9 A motion to approve the Agenda was made;

**Result:** Approved by Vote (Unanimous)

**Motion:**  
Jackson

**Second:**  
Thornton

**Ayes:**

**Nays:**

11 **4. Approval of Minutes**

12 A motion to approve the minutes from the regular meeting at the ENMWUA Offices (Sitterly  
13 Professional Center) on August 22, 2019;

**Result:** Approved by Vote (Unanimous)

**Motion:**  
**Bryant**

**Second:**  
**Jackson**

**Ayes:**

**Nays:**

14 **5. Public Input N/A**

15 **6. New Business Items**

16 **A. ) Recommendation/Action for an Amendment #22 to the 2010 contract with**  
17 **CH2M/Jacobs Regarding Work to include Realignment Engineering Work and**  
18 **Preparation of a Construction Bid Package for FW3 and Electrical Work for FW2**

19 **Project-** Mr. Ortega stated that Amendment 22 has gone before the Finance Committee, and was  
20 initially two amendments, Amendment 22 and Amendment 23. It has been repackaged as one  
21 amendment and includes FW3A, which is a repackage that involves developing a bid package  
22 together for FW3 in the area in which we have the most easements secured. This also includes  
23 "Services during Construction" for this phase. FW3B will be the redesign to the Lime Street facility  
24 in Portales and will also include the permitting involved. The phases of work were created by the  
25 ENMWUA and Jacobs Engineering. The electrical for FW2, Alt 1 vault and Alt 8 vault is also  
26 included in Amendment 22, but it will be budgeted separately and paid for with FW2 budget  
27 dollars.

28 The repackaging of these Amendments into one will save a significant amount of money. We have  
29 created Task Order Six (TO6) and we will be eliminating Task Order Two (TO2). TO6 will focus on  
30 FW3A and FW3B. The total savings will be around \$200,000. The total Amendment cost is  
31 \$2,204,127.18 which is based over a two-year period. Member Bryant asked what the difference  
32 between redesign and special design is. The re-design is for the redesign of FW3. Special design is  
33 services that are outside of typical design, such as Geotech engineering and surveying. The  
34 Chairman asked if we have a map that shows the easements that we have purchased for FW3. Mr.  
35 Ortega showed on the map which easements we have purchased thus far. Mr. Ortega said that we  
36 have contacted all the landowners, and we are hoping to get these purchases made as soon as  
37 possible.

**Result:** Approved by Vote (Unanimous)

**Motion:**  
**Bryant**

Second:  
Jackson

Ayes:

Nays:

38

- 39 **b. Request for Approval of Offer and Easement Agreement with Carl D. Moore**  
40 **and ENMWUA for FW3 Phase.** - Mr. Ortega stated that we have been working to  
41 acquire the easements needed for FW3. Mr. Moore accepted the offer and has signed the  
42 paperwork, and once the Board approves, we will pay him and get the easement recorded  
43 with Roosevelt County. The total amount for the Permanent easement and Temporary  
44 Construction easement is \$1,800.00 dollars.  
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Result: Approved by Vote (Unanimous)

Motion:  
Garza

Second:  
Thornton

Ayes:

Nays:

- 46 **c. Recommendation/Adoption of ENMWUA Vehicle Use Policy.** - Mr. Ortega  
47 talked about the adoption of a Vehicle Use Policy, which states how and when the vehicle  
48 may be used, as well as maintenance. The administrator, employees, and Board Members  
49 of the Authority may drive the vehicle, and our insurance coverage reflects that.

Result: Approved by Vote (Unanimous)

Motion:  
Bryant

Second:  
Garza

Ayes:

Nays:

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**d. Annual Audit Contract Amendment #1 adding Federal Single Audit to the**

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**ENMWUA FY2019 Annual Audit.**-Mr. Ortega said that after some discussion with our

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accounting firm and the state auditors office, we have decided to add a Federal Single Audit to our

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FY2019 Audit. This is because we used federal funding to pay for FW2 construction services

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completed in FY 2019 in July 2019 (FY2020). The federal single audit cost will not exceed \$3,000.00.

**Result:** Approved by Vote (Unanimous)

**Motion:**

**Garza**

**Second:**

**Bryant**

**Ayes:**

**Nays:**

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**e. Discussion/Recommendation/Action in Forming an ENMWUA Development**

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**and Policy Committee.**-Mr. Ortega said that as we move forward with the effort of

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trying to expedite the Interim Ground Water Pipeline (IGWP), as well as planning for the

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aquisition and selling of water, that we need to form a committee to look at the things that

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we need to do to create a road map for developing the process and costs associated with

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constructing the IGWP, investigating all costs associated with development, purchase, sale

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of ground water, and O&M of system. The committee will eventually assist the ENMWUA

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Board in the development of policies. He thinks that a Development and Policy committee

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will be a good idea as we approach these efforts. The Chairman agrees that this is a good

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idea, and that we will need these policies sooner rather than later, and that this is

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important as we move from being Member funded into becoming an actual Utility

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Authority. Mr. Ortega recommends that the Finance Committee should be the core

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members, with the possibility of bringing in others with expertise on these matters. Mark

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Huerta from Epcor said that he would be happy to share some of their company policies

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with the ENMWUA. A motion was made that the Finance Committee will serve as the

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members of the Development and Policy Committee.

**Result:** Approved by Vote (Unanimous)

**Motion:**

**Jackson**



Second:

Garza

Ayes:

Nays:

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74 **6. Reports from Board Members and Staff**

75 **a. Project Development Activities- Jacobs/Oscar Renda**

76 Wendy Christofferson spoke regarding construction progress on FW2. Clearing and  
77 grubbing is completed except for Alt One, which is the Cannon Lateral; the same goes for  
78 the orange construction fencing. All the bores are complete, and they are preparing to  
79 install the carrying pipe in the BNSF crossing. She showed pictures of the BNSF crossing,  
80 and welding of the casing pipe. All welded steel pipe has been delivered except for a few  
81 special pieces. Almost all the pipe has been installed, with a few pieces remaining. CLSM  
82 install is ongoing, as well as welding and backfilling. She showed pictures of the tight area  
83 on Cannon and said that they had no issues with install in that area. Fiber optic conduit is  
84 about halfway complete. Rebar and concrete pour are occurring for one of the vaults on  
85 Cannon. All the pipe has been delivered for the Cannon Lateral, and they have begun to  
86 install it.

87 Oscar Renda Contracting Inc. representative Christopher Vinsilly spoke regarding the  
88 construction schedule. The three weeks look ahead involves pushing pipe through the  
89 bores, and they will start pipe installation on Cannon. Another crew is working on County  
90 Road R, and they plan to finish it up next week. There will be two crews working on  
91 Cannon, and he said that they will be on Cannon for the next two weeks. It will be slow  
92 going because there are a lot of utilities on the base that will need to be worked around.  
93 Christopher said that we will be on Cannon for about six weeks, and they are trying to finish  
94 there as quickly as they can.

95 **b. ISC Report-Stall**

96 There was no report.

97 **c. State Activities – Mr. Joe Thompson with Thompson Consulting, LLC**

98 Mr. Thompson called in to the meeting. He spoke regarding the meeting that we had with  
99 the State Engineer, his staff, and Representative Crowder and how it is paying off. He said  
100 that we will have to change House Bill 15, and that he met with the Governor's liaison  
101 regarding this. It will be a governor's bill, which is good for us. He said that they need a  
102 specific form, and Mr. DeAntonio is apprised of the things that we will need and has the  
103 information to make an informed choice. He thinks that we are in a good position with the  
104 Governor's office for when we ask for a large amount of funding. Mr. Thompson also said  
105 that we have a great supporter in Representative Crowder.

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107 **d. Federal Activities – Mr. John Ryan with Capitol Consulting, LLC**

108 Mr. Ryan called in to the meeting. He spoke regarding the Washington DC trip that is  
109 upcoming. He said that we are scheduled with important entities, the BOR, OMB, Air Force,  
110 Dept. of Transportation and parts of the Legislative Delegation Staff. He said that we will be  
111 meeting with staff, and this can be an advantage because they usually have more time to meet.  
112 He said that what is happening in DC regarding passing a budget is that they can not get the  
113 funding passed in time for October First. We will not know what the plus up money will look  
114 like until that occurs. He believes that it will be helpful while we meet with OMB to have some  
115 concrete evidence of working with the State in trying to identify funding sources. He believes  
116 that a letter from John DeAntonio will be helpful for this. He also thinks that it is important to  
117 show OMB that the Member Communities will be willing to dedicate a dollar amount for the  
118 Interim Groundwater Pipeline accelerated funding plan. This will go a long way in showing our  
119 commitment to the accelerated building of the IGP.

120 **e. Report from the Chair – Chair David Lansford**

121 Chairman Lansford spoke regarding the City of Clovis Water Policy committee and what  
122 they might do to be able to front load the accelerated IGP. They are planning on a \$15 million  
123 bond.

124  
125 **f. Report from the Administrator – Mr. Orlando Ortega**

126 Mr. Ortega asked if the Board Members had any questions for him regarding the  
127 Administrator's report that he sent out. He said that he submitted the 2020 WTB application  
128 yesterday. He listed \$250,000 as a match for the Authority because he wants to be cautious  
129 concerning our funds. He has been in contact with the attorney regarding the 2019 WTB loan  
130 closing. He said we are waiting to see how much we are awarded by the BOR as we will use a  
131 portion of that for match to the WTB award. We continue to submit paperwork to the BOR for  
132 FW3 for funding. We have been working on creating a spread sheet for FW2 Construction  
133 costs, this makes things easier and the numbers are more accurate than when we calculate  
134 them by hand. We continue to be busy with FW2 construction. We had a Workman's Comp  
135 audit and that went well. We are also preparing for an audit with the BOR in October. We  
136 were able to get a letter from the State Engineer labeling our project as urgent. This was  
137 attached to the WTB 2020 funding application. This will be a big help to us.

138 **g. Financial Activities/Report – Mr. Orlando Ortega**

139 Mr. Ortega spoke regarding the monthly financials. He asked if the Board had any  
140 questions. The revenues for the month were \$6,879,395.21. We drew \$1,758,455.02 from  
141 Federal Funds that were deposited in our account and we then paid the Contractor that

142 amount. WTB 314, 331, and 3553 are all completely expended. WTB-4326 has a balance of  
143 \$977,791.88 which expires in November of 2020.

144 We received Membership Contribution funds from City of Clovis in the amount of  
145 \$1,042,299.76 and from Texico for \$30,504.00. We also received the City of Portales  
146 contribution of \$457,562.00, but that will not be on our financials until next month because  
147 it was deposited in September. Expenditures for the month totaled \$5,916,264.12 and our  
148 Bank Balance as of August 31<sup>st</sup> was \$5,791,527.86. Our bank balance as of September 26<sup>th</sup>  
149 was \$6,130,179.92.

150 Next Regular Meeting, Location, Date, and Time : Portales Memorial Building located at  
151 200 E. 7<sup>th</sup> Street in Portales, NM, October 24th, 2019 at 3 pm.

152 **7. Public Input-N/A**

153 **8. For the Good of the Order**

154 **9. Executive Session-** Member Bryant made a motion to move into executive session to discuss  
155 limited personnel matters pursuant to Section 10-15-1 H(2) of the New Mexico Open Meetings Act.  
156 Kameron Barnett said that we needed to discuss pending litigation as well in the motion. Member  
157 Thornton seconded; all were in favor.  
158 Member Bryant made the motion to exit executive session. No action was taken as a result of  
159 executive session. Member Thornton seconded; all were in favor.

160 **10. Adjournment**

161 Meeting adjourned officially at 5:20 PM.

162

X

163 David Lansford  
164 Chairman

X

Robert Thornton  
Secretary