

MEETING MINUTES

ENMWUA Regular Board Meeting

DATE: Thursday, December 17th, 2020
LOCATION: ENMWUA Office (Sitterly Professional Center)
801 Pile Street, Clovis, NM 88101

Please Note:

Due to the COVID-19 concern, the Office of the Attorney General's Open Government Division (OGD) advises all public entities subject to the OMA to first and foremost follow guidance of the Department of Health and other health officials to ensure the health and safety of both members of the entity and the public. Accordingly, the most prudent thing to ensure compliance with OMA would be to postpone/cancel a public meeting. If, however, a board or commission had a time-sensitive matter to attend to, it may proceed with virtual meeting, provided its notice of meeting contains detailed information (password, phone number, etc.) about how members of the public may attend and listen via telephone, live streaming or other similar technologies.

-Office of the New Mexico Attorney General

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: Chairman Lansford, Vice-Chair
5 Jackson, Secretary Bryant, Member Lucero, and Member Dixon. Member Garza attended via phone.

6 **3. Approval of Agenda**

7 Agenda was amended with the deletion of item d. A motion to approve the agenda as amended was made.

Result:	Approved by Vote (6-0)
Motion:	
Lucero	
Second:	
Bryant	
Ayes:	
Nays:	

8 **4. Approval of Minutes**

9 a.) A motion to approve the minutes from the regular Board Meeting held on Thursday, November 19th, 2020 at
10 3:00 pm at the Elida Community Center.

Result:	Approved by Vote (6-0)
Motion:	
Jackson	
Second:	
Dixon	

Ayes:

Nays:

11 **5. Public Input**

12 Chairman Lansford addressed anyone on the phone participating to state their name for the record, the following
13 participants were identified; John Ryan- Capitol Consultants, Mark Huerta- EPCOR Water, Jim Honea- Jacobs
14 Engineering, Rex Stall- MJR Maintenance, Mayor Mike Morris- City of Clovis & Joe Thompson- Thompson Consulting.

15 **6. Monthly Financials**

16 a) Approval of Monthly Financials for the Month ending November 30th, 2020-Ortega. Mr. Ortega reviewed the
17 past month's financials beginning with the statement of revenues, expenditures, and changes in fund balance for
18 the month ending November 30th, 2020. The revenues for the month were at \$488,864.81. The funds that entered
19 the ENMWUA bank account included the City of Portales FY2021 membership dues at \$450,303.15. Also, a deposit
20 from a request for reimbursement of funds of the SAP Grant (20-E2156-STB) in the amount of \$37,063.15. Interest
21 earned from the New Mexico Bank & Trust account in the amount of \$9.61 and interest from the Citizens Bank
22 Account at \$1,489.05. Expenditures for the month were at \$184,537.36. Mr. Ortega then gave a breakdown of all
23 the bank accounts for the Authority, include the following, at New Mexico Bank & Trust the Enterprise Checking
24 account with a balance of \$418,018.27, as of today that balance is \$420,068.27, the difference of \$2,050.00 is for a
25 check that was issued back in 2016 for a FW2 easement property. This check was never cashed by the property
26 owner. There is also a Business Money Market account which holds the funds for a FW3 easement property for
27 Phillip Chavez with a balance of \$8,241.80. The three accounts that have been recently opened at Citizens Bank of
28 Clovis include the Business Checking account with a balance of \$319,285.73, the Money Market Account with a
29 balance of \$4,527,533.20, and the CD with a balance of \$2,508,821.92. The total balance as of today of all Authority
30 bank accounts not including the CD is a total of \$5,070,094.66. Mr. Ortega then briefed the Board on how the
31 Authority will need to make a monthly transfer of funds request from The Citizens Bank of Clovis Money Market
32 account to the Citizens Business Checking account to pay the Authority's monthly expenses and invoices. The
33 transfer request amount will vary monthly, and it will be presented at each Board meeting.

Result: Approved by Vote (6-0)

Motion:

Bryant

Second:

Lucero

Ayes:

Nays:

34 **7. New Business Items**

35 a.) Recommendation/Action for Approval of Annual Contract with Thompson Consulting, LLC. -Ortega, Bowens.
36 Mr. Ortega informed the Board that this contract is for legislative support and is up for renewal and will renew on
37 an annual basis. The contract has been reviewed by the Administrator, CPO, Attorney, and Finance Committee.

38 Ms. Bowens stated the contract has the same terms and conditions as the previous year and meets all
39 procurement requirements. Mr. Joe Thompson expressed his enjoyment working with the Authority and is glad
40 to continue working. A motion was made for approval.

Result:	Approved by Vote (6-0)
Motion:	
Jackson	
Second:	
Bryant	
Ayes:	
Nays:	

41

42 b.) Recommendation/Action for Approval of Annual Contract with Capitol Consultants, LLC. -Ortega, Bowens. Mr.
43 Ortega presented this contract for renewal for federal and congressional support. This will renew on an annual
44 basis. The contract was also reviewed by the Administrator, CPO, Attorney and Finance Committee. Ms. Bowens
45 stated that there are no changes to this contract and again meets procurement requirements. Mr. John Ryan spoke
46 to the Board and thanked the Authority to be able to continue to work with everyone. He stated that he is glad
47 continue to support the Authority. A motion was made for approval.

Result:	Approved by Vote (6-0)
Motion:	
Garza	
Second:	
Jackson	
Ayes:	
Nays:	

48

49 c) Recommendation/Action for Approval of Annual Contract with Harmon, Barnett, and Morris, P.C. -Ortega,
50 Bowens, Barnett. Mr. Ortega brought to the Board renewal of annual contract with Harmon, Barnett, & Morris.
51 This contract is for legal services, and Kameron Barnett is the attorney that represents the Authority. Again, this
52 contract was reviewed by Authority staff, Mrs. Barnett, and the Finance Committee. Ms. Bowens explained the few
53 changes that were made to the contract. The first change being that the vendor was listed in the previous contract
54 as Attorney and it has now been changed to Law Firm. This shows that in the future we can have the entire firm
55 represent the Authority if for any reason we need additional representation or if Mr. Barnett is not available, anyone
56 from his firm can represent the ENMWUA. The second change we proposed was a record retention policy, however
57 after speaking with Mr. Barnett he stated to us there is a state statute that requires attorneys keep a record
58 retention policy. We also discussed with Mr. Barnett having him supply the Authority with a determination after
59 any court filings and/or proceedings for the Authority to keep that information on file for the record. Mr. Barnett
60 stated his appreciation to continue to represent the ENMWUA. A motion was made for approval.

Result: Approved by Vote (5-0)

Motion:

Bryant

Second:

Garza

Ayes:

Nays:

61

62 **8. Unfinished Business**

63 a) Update on Renewal of Ute Reservoir Water Contract- Jackson, Barnett Mr. Barnett informed the ENMWUA that
64 yesterday they received the final version of the Ute Water Contract from the Interstate Stream Commission. The
65 changes that will go into effect were discussed at the previous Board meeting. Mr. Barnett said he was pleased with
66 the outcome and the contract will be renewed at the end of this month before it is due to expire.

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

68 a) Project Development Activities -Jacobs-(Jim Honea) Mr. Honea updated the Board to the ongoing activity over
69 the past month. Mr. Honea went over the remaining items for FW2 include final paperwork from Oscar Renda.
70 Jacobs is waiting on two remaining O & M manuals to be submitted. There are also a few remaining submittals to
71 be sent to Jacobs to reach final completion.

72 FW3A- Drawings and specification were submitted to all stakeholders last week. Jacobs is hopeful to have bidding
73 scheduled to start following approval from NMED-CPB around February 2021. Construction could possibly begin in
74 May 2021.

75 FW1- Jacobs has completed the final horizontal and vertical alignment and continue to work towards the 90%
76 completed design. We are currently working on internal quality control and have gone back out into the field to
77 conduct updated property boundary survey checks and environmental supplement checks completed. Jacobs is also
78 working towards utility line locates. Currently Jacobs hopes to deliver the drawing and specifications to the
79 ENMWUA and Stakeholders in mid-February 2021. Delivery of cost estimate review documents to the Authority
80 and Stakeholders is projected for mid-March 2021.

81 Texico Lateral- Texico Alignment study has been ongoing, and the non-cost scoring meetings have taken place. This
82 completes the initial scoring. The next step will be to conduct a final workshop late January 2021 and have drafted
83 an alignment study technical memo by February 2021.

84 b) FW2 O & M Quarterly Report- Jeff Tharp Mr. Tharp gave a quarterly report, beginning with an inspection that
85 was conducted at every vault along the FW2 route as well as exercising every valve. The only issues found was with
86 the cathodic protection test stations, the caps were popping off the pvc test stations due to the changes in weather
87 expanding the pipe causing the caps to pop off. This issue was brought up to the Authority and will be fixed
88 accordingly. Along the route a broken line locate flag was found and will need to be replaced. Lastly in one of the
89 vaults there was some condensation found, pictures were then submitted, and the Authority was notified. After
90 discussion it is believed to possibly be a broken seal around the hatch.

91 c) ISC Report- Stall Mr. Stall stated he was still waiting on the final ISC report but did update the Board on the
92 current levels at Ute Reservoir. Current storage is at 137,000 acre/feet. There has been a slight decrease in elevation
93 by 2.1 feet, which is about 3 inches in the last 30 days. Mr. Stall reviewed with the Board a few pictures he submitted
94 from the past month.

95 d) State Activities- Thompson Mr. Thompson gave an update that Congresswoman Deb Haaland was recently
96 appointed to the Department of Interior. Mr. Thompson also mentioned wanting to set up some virtual meetings
97 with our state legislators and members of the Authority to give them updates to our project with the legislative
98 session beginning January 2021.

99 e) Federal Activities- Ryan Mr. Ryan discussed the Rural Water Appropriations funding is continuing to be discussed
100 but is looking good for rural water projects including the ENMWUA. He also mentioned Congresswoman Haaland
101 has been named as the new Secretary to the Department of Interior. This will help bring new interest to our project.
102 Mr. Ryan also stated that keeping the new delegates apprised to our progress is always beneficial for future funding.
103 An infrastructure bill be coming forward once the new Congress will be sworn in, updates to come.

104 f) Report from the Chair- Lansford N/A

105 g) Report from the Administrator- Ortega Mr. Ortega briefed the Board of the past month's work. He discussed the
106 FW3A and as we near the beginning of construction the Authority would like to put out a press release as well as
107 schedule a groundbreaking when construction begins. We have scrutinized the bid documents for FW3A. We have
108 received the Water Trust Board 2021 Readiness Application and we will have 30 days to submit. We continue to
109 complete all required state and federal reporting. Mr. Ortega mentioned that he has been able to stay in contact
110 with the Central Curry Soil and Water Conversation District and they have been keeping the Authority in the loop
111 with their upcoming meetings.

112 **10. Future Agenda Items**

113 a) Next Regular Meeting, Location, Date, and Time : January 28th, 2020 at 3:00 p.m. at ENMWUA Office (Sitterly
114 Professional Center) 801 Pile Street, Clovis, NM 88101.

115 **11. Public Input-N/A**

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

117 **13. Adjournment**

118 Meeting adjourned officially at 4:08 PM.

119 X  X 

120 David Lansford
121 Chairman

Chris Bryant
Secretary