

MEETING MINUTES

ENMWUA Regular Board Meeting

DATE: Thursday, November 17, 2022

LOCATION: Elida Community Center, 704 State Street, Elida NM, 88116

1 **1. Call to Order**

2 The meeting was called to order at 2:00 PM

3 **2. Roll Call**

4 Roll was called, the following ENMWUA Board Members were in attendance in-person: Chairman Morris,
5 Secretary Bryant, Member Garza, Vice-Chair Jackson, Member Dixon, and Member Lucero. ENMWUA
6 Administrator Orland Ortega and staff as well as ENMWUA Attorney Kameron Barnett, Jim Honea with Jacobs
7 Engineering, Wendy Christofferson and Bryor Price with Jacobs Engineering joined via video conference.
8 Members of the public that attended: Kathleen Stinson from the Eastern New Mexico News joined via
9 telephone conference.

10 **3. Approval of Agenda**

11 A motion to adopt the agenda was unanimously approved.

Result: Approved by Vote (6-0)

Motion: Garza

Second: Bryant

Ayes: 6

Nays: 0

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13 **4. Approval of Minutes**

14 a) There was a motion to approve the minutes from the regular Board Meeting held on Thursday October
15 27, 2022, at 3:00 p.m. at the Portales Memorial Building.

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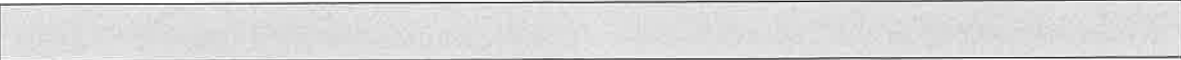
Result: Approved by Vote (6 -0)

Motion: Jackson

Second: Dixon

Ayes: 6

Nays: 0



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18 **5. Public Input**

19 Chairman Morris offered the opportunity for public input, and no public input was made at this time.

20 **6. Monthly Financials**

21 a) Approval of Monthly Financials for the Month ending October 31, 2022 – Marez, Ortega. Ms. Marez
 22 stated the total revenues for the month ending October 31, 2022, were in the amount of \$1,391,694.92
 23 of that amount the Authority received revenue from Federal USBR funds for a total of \$462,363.44 the
 24 Authority also received State funds for a total of \$928,382.08. Interest earned for the month of October
 25 is \$949.40 total expenditures reported for the month of October was \$1,727,260.45. Total expenditures
 26 reported for the month of October was \$1,727,260.45 of those expenditures' payment to FW3A pay
 27 application 15 in the amount of \$215,081.74 was made, also payment to Jacobs Project Task Orders (13
 28 active projects) in the amount of \$1,463,233.04 was made. The reported balances of the ENMWUA bank
 29 accounts at the Citizens Bank as of October 31, 2022, were as follows: Business Checking Account had a
 30 balance of \$553,401.06. The Money Market Account had a balance of \$2,390,820.73, The Capital
 31 Construction Account had a balance of \$342,420.58, The CD balance was at \$2,541,595.63. Ms. Marez
 32 reported as of today November 17, 2022, the ENMWUA Business Checking Account balance was at
 33 \$518,355.67, The Money Market Account was at \$2,390,820.73, The Capital Construction Account was at
 34 \$342,420.58, The CD balance was reported the same at \$2,541,595.63. The total balance of all Authority
 35 accounts as of November 17, 2022, was reported at \$5,793,192.61. A motion was made for approval of
 36 the monthly financials, and a roll call vote took place.

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

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38 b) Approval of Monthly Bank Transfer Request from Money Market Account #7111 to Business Checking
 39 Account #7101 – Marez, Ortega. Ms. Marez advised the Board Members at this time the Authority is not
 40 requesting a monthly transfer for funds.

41 **7. New Business Items**

42 a.) Request for Approval of Resolution 2022-15 Approving the Execution and Delivery of a Water Project
 43 Fund Loan/Grant Agreement (WPF-5667) by and between the New Mexico Finance Authority and the

44 ENMWUA. – Ortega, Bowens, Barnett. Mr. Ortega informed the Board Members that this Loan/Grant
45 agreement has been reviewed by the Authority’s administrator, grants manager, Ms. Bowens, and the
46 ENMWUA’s attorney, Mr. Barnett. He explained that the resolution and Loan/Grant Agreement is for the
47 closing of Water Trust Board WPF-5667 in the amount of \$14,510,522.00. 10% of the total is a loan to the
48 ENMWUA in the amount of \$1,451,052.00 and 90% of this is in a grant form in the amount of
49 \$13,059,470.00. He further explained that the ENMWUA submitted this WTB application on October 5,
50 2021, and an award was announced May 30, 2022. The Authority submitted all necessary readiness items
51 and readiness to proceed items as requested by the Water Trust Board and New Mexico Finance
52 Authority. This funding is earmarked and budgeted for FW1 pipeline construction. Mr. Ortega stated as
53 part of the execution of this Loan/Grant Agreement, each of the ENMWUA member communities have
54 adopted a resolution supporting their share or allocation of the loan. Also, as part of the execution the
55 ENMWUA will need to have each member community also sign and attest the agreement. Therefore, a
56 signature page for each member is included in the agreement. At this time Mr. Ortega referred to
57 ENMWUA procurement officer Ms. Bowens for further elaboration. Ms. Bowens advised she has reviewed
58 the ENMWUA WTB agreement and resolution for WPF-5667. The language is standard with minor changes
59 from last year’s WTB agreement. The changes are regarding a WTB policy change where the member
60 communities sign their resolutions during the readiness to proceed stage instead of after. The funding will
61 be available December 22, 2022 and is budgeted for FW1 construction. The ENMWUA is prepared to
62 expend WPF-5667 funds according to the Water Trust Board spend down requirements. She reported the
63 first report will be due March 31, 2023. ENMWUA attorney Kameron Barnett stated he reviewed the
64 Loan/Grant agreement and didn’t see any legal issues that would be of concern to the Authority. A motion
65 was made for approval, and a roll call vote took place.

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

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b.) Request for Approval of Easement Agreements with Randy W. Small, Jana D. Small, and the ENMWUA for FW3B Pipeline Phase. Parcel 4 000 000 003 406 00 (Parcel AB) - Ortega. Mr. Ortega shared this is a permanent and temporary construction easement for FW3B pipeline project. The property owners have accepted the easements purchase offer and have signed both agreements. The Authority recommends for the Board to approve both easement agreements. A motion was made for approval, and a roll call vote took place.

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

Garza

Ayes:

Nays: 0

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77 c.) Request for Approval of Easement Agreement with Virginia P. Carter, Sherry Brandvik, Shelley Carter,
78 and the ENMWUA for FW3B Pipeline Phase. Parcel 4 000 000 000 607 00 (Parcel AC) – Ortega. Mr. Ortega
79 announced that this is a permanent easement for the FW3B pipeline project. The property owners have
80 accepted the easements purchase offer and have signed the agreement. The Authority recommends the
81 Board to approve the easement agreement. A motion was made for approval, and a roll call vote took
82 place.

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Result: Approved by Vote (5 -0)

Motion:

Lucero

Second:

Garza

Ayes:

Nays: 0

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85 d) Request for Approval of Easement Agreement with the City of Portales and ENMWUA for FW3B Pipeline
86 Phase. Parcel 1 110 000 004 630 00 (Parcel BR) – Ortega. Mr. Ortega explained this is a permanent
87 easement for FW3B pipeline project. The property owner, City of Portales has accepted the easement
88 purchase offer and have signed the agreement. The Authority's recommendation is for the Board to
89 approve the easement agreement. A motion was made for approval, and a roll call vote took place.

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Result: Approved by Vote (5 -0)

Motion:

Garza

Second:

Dixon

Ayes:

Nays: 0

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92 e) Request for Approval of Easement Agreements with the City of Portales and ENMWUA for FW3B
93 Pipeline Phase. Parcel 4 300 000 002 126 02 (Parcel E) – Ortega. Mr. Ortega stated this is a permanent
94 easement and temporary construction easement for FW3B pipeline project. The property owner, City of
95 Portales has accepted the easements purchase offer and have signed both agreements. The Authority
96 makes a recommendation for the Board to approve both easement agreements. A motion was made for
97 approval, and a roll call vote took place.

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Result: Approved by Vote (6-0)

Motion: Bryant

Second: Garza

Ayes: 6

Nays: 0

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f) Request for Approval of Easement Agreements with the Roosevelt County Mounted Patrol and ENMWUA for FW3B Pipeline Phase. Parcel 4 000 000 002 686 00 (Parcel BG) – Ortega. Mr. Ortega informed the Board Members that this is a permanent easement and temporary construction easement for FW3B pipeline project. The property owner, Roosevelt County Mounted Patrol have accepted the easements purchase offer and have signed both agreements. The Authority recommends that the Board approve both easement agreements. A motion was made for approval, and a roll call vote took place.

Result: Approved by Vote (6-0)

Motion: Bryant

Second: Jackson

Ayes: 6

Nays: 0

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g) Request for Approval of Easement Agreements with Quad Investors, LLC and ENMWUA for FW3B Pipeline Phase. Parcel 4 000 000 002 302 23 (Parcel AV) – Ortega. Mr. Ortega explained this is a permanent easement and temporary construction easement for FW3B pipeline project. The property owners have accepted the easements purchase offer and have signed both agreements. The ENMWUA recommends the Board approve both easement agreements. A motion was made for approval, and a roll call vote took place.

Result: Approved by Vote (6-0)

Motion: Garza

Second: Lucero

Ayes: 6

Nays: 0

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h) Request for Approval of Easement Agreements with Greg Privett, Phobie Privett, and ENMWUA for FW3B Pipeline Phase. Parcel 4 000 000 000 402 00 (Parcel BD) – Ortega. Mr. Ortega advised this is a permanent and temporary construction easement for FW3B pipeline project. The property owners have

120 accepted the easements purchase offer and have signed both agreements. The Authority makes a
121 recommendation for the Board to approve both easements. A motion was made for approval, and a roll
122 call vote took place.
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Result: Approved by Vote (6-0)
Motion: Jackson
Second: Bryant
Ayes: 6
Nays: 0

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125 i) Request for Approval of Easement Agreements with Greg D. Privett, Darrell Brandon Privett, and
126 ENMWUA for FW3B Pipeline Phase. Parcel 4 000 000 000 404 00 (Parcel BC) – Ortega. Mr. Ortega stated
127 this is a permanent and temporary construction easement for FW3B pipeline project. The property owners
128 have accepted the easements purchase offer and have signed both agreements. The ENMWUA
129 recommends the Board to approve both easement agreements. A motion was made for approval, and a
130 roll call vote took place.
131

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

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133 **8. Unfinished Business – N/A**

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135 **9. Reports from Board members and Staff**

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137 a) Project Development Activities – Jacobs, Jim Honea, Bryor Price.
138 FW3A – Mr. Honea reported the contractor has performed the seeding on site. They have done the
139 pipeline markers and are now currently waiting on a manhole cover at one of the vault locations which
140 should be in December sometime.
141 FW1 – Mr. Honea shared they have had their preconstruction meeting with Oscar Renda Contracting and
142 talked through a lot of the things upcoming on the project. Jacobs is anticipating pipe delivery late Spring
143 or early Summer 2023.
144 RW3 – Mr. Honea stated Jacobs is finalizing the 60% cost estimate which is currently in the internal quality
145 control process. Jacobs is also progressing the 90% design drawings specifications and legal descriptions
146 to obtain easements for RW3 pipeline.
147 FW3B – Mr. Honea announced easement acquisition is in progress, eight properties have signed out of
148 twenty-six needed. He further stated that Jacobs is progressing the 100% permitting submittal which is

149 drawings and specifications that will go the permitting agencies and the Water Authority for review. Once
150 easements have been received and approved from the agencies, the Authority and Jacobs can go to bid
151 in early Spring.

152 Texico Lateral – Jacobs is progressing the 60% design likely targeting the first internal quality control
153 review in January after the holidays.

154 RW1/RW2 – Mr. Honea reported Jacobs is currently doing quality control of the data from the aerial survey
155 flight.

156 Elida lateral – Mr. Honea informed the Board that survey work is ongoing Jacobs is also finalizing the
157 alignment study technical memo.

158 Intake Pump Station – Mr. Honea stated the underwater condition assessment is in Jacobs quality control
159 review.

160 Caprock Pump Station – Mr. Honea explained Jacobs plans to do Geotech investigation early December.

161 Water Treatment Plant – Bryor Price with Jacobs Engineering shared that the EPA regulates over 100
162 contaminants for drinking water. The majority of the contaminants are very obscure volatile organic
163 compounds. He advised samples were collected in April, June, August, and October of 2022. A full suite
164 analysis was performed in April, June, and August with a partial suite being performed in October to
165 support design parameters for reverse osmosis process. Existing member groundwater quality data was
166 also obtained through the NMED customer consumer reports. Mr. Price presented a slide show which
167 showed the range of values for 2005, and the values for 2022. He then elaborated that Jacobs would
168 design the treatment plant based on the water quality being seen in the reservoir and design it to meet
169 the drinking water standards. Mr. Price informed the Board members that the only element Jacobs cannot
170 meet with the current treatment plant process which is an enhanced conventional treatment plant is the
171 total dissolved solids and probably the sulfates. Jacobs performed a taste test where they sampled three
172 different waters. One was bottled water, the second was the Eastern New Mexico source water, which
173 was pushed through a micron camping filter, and the third was tap water. Each sample was ranked for
174 clarity, odor, taste, and overall quality. There was a total of 58 people who participated in the taste test.

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176 b) Ute Reservoir USGS Report – Marez. Currently the Ute Reservoir Water Surface Elevation in ac/ft as of
177 October 17, 2022, the Reservoir sat at 3,775.48 ac/ft and as of today November 17, 2022, was reported
178 at 3,775.06 ft for a loss of 5.04 inches. The Storage in ac/ft as of October 17, 2022, the Reservoir sat at
179 131,800 ac/ft and as of today November 17, 2022, was reported at 129,600 ac/ft for a loss of 2,200 ac/ft.

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181 c) State Activities – Thompson. Mr. Thompson reported that he and Administrator Ortega had a meeting
182 with David Abbey and the LFC a few weeks back. He stated they had conversations about receiving the
183 remaining State money through a combination of State appropriations and through the Water Trust Board
184 money. Administrator Ortega elaborated that after speaking with Mr. Abbey, it was discussed that 60
185 million dollars was the dollar mark. He described that Mr. Abbey suggested that the Authority pursue 10
186 million dollars every year for the next three years with legislative funding. He further added that

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188 d) Federal Activities – Ryan. Mr. Ryan explained that requests are being made regarding what is going to
189 be 248 million dollars out of an infrastructure bill. He advised that there are some objections from the
190 Missouri Basin Region from the Bureau of Reclamation. Mr. Ryan shared that there are three rural water
191 projects with two of them being in New Mexico and the ENMWUA project being the biggest water project
192 out of the three. He further added that the upper Colorado region is fighting hard to raise the standards
193 of the Authority from criteria to capability. He stated that it will likely be the end of January time frame
194 for the distribution of the infrastructure dollars.

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196 e) Report from the Chair – Morris. Chairman Morris expressed how important it is to keep this project on
197 task and moving forward. He advised that after speaking with a potential developer about building a
198 multifamily complex in Clovis, the subject of water came up and that’s why this project is paramount in
199 continuing to move forward.
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201 f) Report from the Administrator – Ortega. Mr. Ortega reported that the Authority is currently in the
202 middle of the annual audit which will continue into next week and should be seeing a report right before
203 the Christmas break. He explained that easement acquisition is ongoing for FW3B meeting with property
204 owners and getting signatures. He expressed that the Authority continues to work diligently with all
205 aspects of the project.
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207 **10. Future Agenda Items**

208 a) Next Regular Meeting, Date, Time, and Location: Thursday, December 15, 2022, at 3:00 p.m. at the Clovis Carver
209 Library (Ingram Room), 701 North Main Street, Clovis NM, 88101.

210 **11. Public Input – N/A**

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212 **12. For the Good of the Order - N/A**

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214 **13. Adjournment**

215 Meeting adjourned officially at 3:35 p.m.

216 X  _____

217 Michael A. Morris
218 Chairman

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X  _____

Chris Bryant
Secretary