

ENMWUA Regular Board Meeting

DATE: Tuesday, September 22nd, 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 3:00 PM

3 **2. Roll Call**

4 Roll was called. The following ENMWUA Board Members were in attendance: Secretary Bryant,
5 Member Garza, Chairman Lansford, Vice-Chair Jackson, and Member Lucero. Member Dixon was
6 present via phone.

7 **3. Approval of Agenda**

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

8 **4. Approval of Minutes**

9 A motion to approve the minutes from the regular meeting held on Thursday, August 27th, 2020 at 3:00
10 pm at the ENMWUA Office.

Result:	Approved by Vote (6-0)
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Motion:

Bryant

Second:

Garza

Ayes:

Nays:

11 **5. Public Input**

12 Administrator Ortega introduced Jeff Tharp to the full Board. Mr. Tharp was awarded the FW2
13 Operations and Maintenance contract. His contract has been approved by the Board and the contract
14 began on September 1st, 2020. Mr. Tharp introduced himself and stated that he has begun his site visits
15 along the FW2 pipeline. He also stated he received his CAFB base access pass and has a point of contact,
16 Milton Campbell from CAFB. He has also begun weed/vegetation maintenance around the vaults on
17 CAFB and along the FW2 pipeline route.

18 **6. Monthly Financials**

19 a) Approval of Monthly Financials for the Month ending August 31st, 2020-Ortega. Revenues for the
20 month ending August 31st, 2020 were at \$1,117,496.27. This amount included the City of Clovis FY2021
21 Membership Contribution in the amount of \$1,117,457.76 as well as the interest earned in the Authority
22 bank account in the amount of \$38.51. Expenditures for the month totaled at \$87,505.15. Included in
23 this amount are the breakdown of Jacobs Engineering Task Orders. For Task Order 3, Easement
24 Acquisition is \$1,917.36, for Task Order 4, General Engineering services total amount is at \$3,464.09 and
25 for Task Order 5, total this month was at \$30,648.83. Expenses paid from the FW2 contingency budget
26 were for two property owners in the total amount of \$9,098.73. The ENMWUA bank balance as of August
27 31st was at \$5,137,350.62 and as of today the bank balance is \$5,067,680.81. A reminder to the Board
28 that the certificate of deposit in the amount of \$2.5 million will mature on September 28, 2020. The
29 ENMWUA will have 10 days to renew the CD. The amount of interest that will be earned on the date of
30 maturity is \$8,821.92.

Result: Approved by Vote (6-0)

Motion:

Lucero

Second:

Garza

Ayes:

Nays:

31 **7. New Business Items**

32 a) Recommendation/Action for Approval of Amendment #24 under the 2010 Engineering Services
33 Contract with Ch2M/Jacobs Regarding the Deletion of Engineering Scope of Work for a portion of Task
34 Order 6- FW3A, FW3B, and FW2 Electrical. Contingent upon Approval by NMED-CPB if Needed. - Ortega
35 Amendment 24 is intended to delete a portion of Amendment 22, that was previously approved by the
36 Board and signed by both the Board and Jacobs Engineering. Amendment 22 was not approved by
37 NMED-CPB, so the work for Amendment 22 was halted. The total budget decrease for Amendment 24 is
38 \$2,156,476.81. It is recommended to the Authority Board for approval.

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

39

40 b) Recommendation/Action for Approval of Amendment #1 of the 2020 Engineering Services Contract
41 with CH2M/Jacobs involving Scope of Work for FW3A Pipeline to include Engineering Documents,
42 Bidding Services, Services during Construction, and Close Out of Project. Contingent upon Approval by
43 NMED-CPB if Needed. -Ortega Amendment 1 under the 2020 Engineering Services contract is for the
44 scope of work of FW3A only. This Amendment will eliminate FW3B, and the FW2 electrical component.
45 Scope of work includes engineering task management, re-packaging bid documents, service during
46 construction and the close-out of the project. Amendment 1 has been discussed with NMED-CPB and
47 would like to make an adjustment to the language of item B.1.3, After discussion the NMED-CPB would
48 like to take out language in item B.1.3 of the Amendment. The changes come from eliminating any work
49 related to the Lime Street facility, FW3B re-alignment and moving that work to General Engineering. Also
50 discussed was the starting point of the FW3A pipeline being moved roughly a mile north. A motion was
51 made for approval of Amendment 1 with the striking of item B.1.3 and the cost adjustment subtracting
52 of \$8,872.50.

53

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

Ayes:

Nays:

54
55 c) For Information/Acknowledgement of a WTB Policy Section 2.1, A. Waiver Request to the Water Trust
56 Board Allowing the ENMWUA to Submit a 2021 WTB Application. -Ortega This item presented to the
57 Board is a waiver request to the WTB for the WTB funds WPF-4817. The Authority has not been able to
58 meet the requirements of expending 35% of the funds from this Water Project Fund Loan/Grant
59 Agreement before the 2021 WTB Funding Application submission date. This waiver must be approved
60 by the Water Trust Board for the ENMWUA to apply for the FY2021 WTB funding. This waiver request
61 will be submitted with the Authority's FY2021 WTB Funding Application.

Result: Approved by Vote (6-0)

Motion:

Lucero

Second:

Garza

Ayes:

Nays:

62

63 **8. Unfinished Business**

64 a) Update on Renewal of Ute Reservoir Water Contract- Jackson, Barnett Mr. Barnett updated the
65 Authority that the JPA for the Ute Water Commission had been approved with a few revisions. There is
66 a scheduled meeting with the NM Interstate Stream Commission this Thursday, September 24th to
67 discuss progress of the ENMRWS project. The Ute Water Commission is hoping to get approval of
68 renewing the Ute Reservoir Water contract at the ISC October meeting.

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

70 a) Project Development Activities -Jacobs-(Jim Honea) Mr. Honea gave an update to the FW2 project.
71 Substantial Completion has been met and the warranty period for the pipeline begins the date of
72 Substantial Completion and lasts for a term of one year. For FW1, Jacobs is currently working on an
73 assessment of the horizontal alignment. Field work has resumed again to address any changes from the
74 past designs. We have scheduled a Texico kick-off workshop to include gathering data. We will be looking
75 into hydraulics and items to be addressed included in the kickoff meeting.

76 b) ISC Report-Stall Mr. Stall was on the phone and gave an update to the Intake Facility. He reviewed a
77 few pictures taken over the past month. He stated that Plateau contractors had plowed on the property

78 to install the fiber at the Facility. It was a clean job, however there was an issue where Plateau had bored
79 through a mismarked water main outside of the gates to the facility. There was some slight erosion to
80 the roadway and entrance to the intake facility caused by that hit on the water main. The Village of Logan
81 will be taking care of that for the Authority due to the fact that their water main was mismarked.

82 c) State Activities- Mr. Joe Thompson with Thompson Consulting, LLC Mr. Thompson gave an update to
83 the Board on the current state activities. Discussed were some meetings that Mr. Thompson help put in
84 place over the last month including a meeting with Lt. Governor Morales. Also touched on was the
85 upcoming follow-up meeting with the Office of the State Engineer.

86 d) Federal Activities- John Ryan Mr. Ryan briefed the Board about a meeting that took place with the
87 Bureau of Reclamation, Washington D.C. office, that included Deputy Commission Shelby Hagenauer and
88 staff from the D.C. office, Denver office and Albuquerque office. On that call we had support from
89 Administrator Ortega as well as the Chairman and Vice-Chair. We also had discussion with Bob Wolf on
90 that call regarding the OMB budget. The Bureau has encouraged us to continue to give future updates
91 to their office.

92 e) Report from the Chair- Lansford The Chairman gave on update to the REPI application, the next step
93 to the application is due on September 30th. The requesting funds to the Department of Defense on this
94 REPI application is for 15 million dollars. If the application is accepted by the Secretary of Defense, then
95 an eligible entity is needing to be identified. In the past a 50/50 match has been used and the identified
96 entity has been the Conservation Fund. The Conservation Fund will be looking at partners which could
97 include the ENMWUA, NRCS, New Mexico Land Trust, or a local jurisdiction. There is even the thought
98 of the Authority becoming the eligible entity. Some of the responsibilities of the eligible entity is to hire
99 an appraiser, an engineer, hydrologist, possibly an attorney. These things will be a large administrative
100 cost, which is why looking for partners is crucial to help cover those costs. The Chairman will continue to
101 inform the Board of any future updates.

102 f) Report from the Administrator-Ortega Mr. Ortega updated the Board of the past month's progress.
103 The Authority has reached Substantial Completion on the FW2 project and we are nearing Final
104 Completion. FW3 activities include submitting Amendment 1. The Authority is hoping to go out to bid
105 the end of this year or beginning of 2021. The Authority is continuing to complete FW3A easement
106 acquisition. We are also working on our FY2020 Annual Audit and submitting documentation. The
107 Authority is looking into more possible funding for the Texico Lateral. Mr. Ortega has been working
108 closely with the Attorney for the NMFA to make the adjustments to the former members of the Authority
109 that have withdrawn, working closely to clear any remaining debts and to make sure we have made the
110 correct transfers.

111 **10. Future Agenda Items**

112 a) Next Regular Meeting, Location, Date, and Time : October 22nd, 2020 at 3:00 p.m. at the Portales
113 Memorial Building located at 200 E. 7th Street, Portales, NM 88130.

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

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

116 **13. Adjournment**

117 Meeting adjourned officially at 4:40 PM.

118 X  X 

119 David Lansford

120 Chairman

Chris Bryant

Secretary