

ENMWUA Regular Board Meeting

DATE: Thursday, January 28th, 2021
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 3:05 PM.

3 **2. Roll Call**

4 Roll was called, and the following ENMWUA Board Members were in attendance via video/phone: Chairman
5 Lansford, Vice-Chair Jackson, Member Garza, Member Lucero, and Member Dixon. Secretary Bryant was
6 present later in the meeting. ENMWUA Attorney, Kameron Barnett was also present along with ENMWUA staff
7 members Administrator Orlando Ortega and CPO Jacquelynn Bowens

8 **3. Approval of Agenda**

9 A motion to approve the agenda was made and a roll call vote took place.

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

10 **4. Approval of Minutes**

11 a.) A motion to approve the minutes from the regular Board Meeting held on Thursday, December 17th, 2020 at
12 3:00 pm at the ENMWUA Office. A roll call vote took place.

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

Ayes:

Nays:

13 **5. Public Input**

14 Chairman Lansford addressed anyone on the phone participating to state their name for the record. The following
15 participants were identified; Max Carter-Texico Council Member, Jim Honea-Jacobs Engineering, Joe Thompson-
16 Thompson Consulting, John Ryan with Capitol Consultants, and Kevin Wilson with the Eastern New Mexico News.
17 No public comments were made.

18 **6. Monthly Financials**

19 a.) Approval of Monthly Financials for the Month ending December 31st, 2020-Ortega. Mr. Ortega reviewed the past
20 month's financials beginning with the Statement of Revenues, Expenditures, and Changes in Fund Balance for the
21 month ending December 31st, 2020. The Revenues for the month were at \$1,888.25. Expenditures for the month of
22 December were at \$214,473.26. Mr. Ortega reviewed the balances of all ENMWUA bank accounts. Beginning with
23 the Citizens Bank of Clovis checking account, the balance as of December 31st was \$310,025.88, and the balance as
24 of January 25th, 2021 was \$73,902.00. The balance of the Citizens Bank of Clovis Money Market account as of
25 December 31st, 2020 was at \$4,329,417.89. The balance of this account as of January 25th, 2021 was \$4,342,354.74.
26 Mr. Ortega also addressed the Board with a bank transfer request in the amount of \$324,000.00. This transfer
27 request will move funds from the ENMWUA Money Market account into the Business Checking account to pay
28 monthly bills that includes the final Pay App for FW2 construction. A motion was made to approve the monthly
29 financials and a roll call vote took place.

Result: Approved by Vote (6-0)

Motion:

Lucero

Second:

Garza

Ayes:

Nays:

30 **7. New Business Items**

31 a.) Request for Approval of Offer and Easement Agreement Pertaining to the United States Department of the Air
32 Force Grant of Easement for Eastern New Mexico Water Utility Authority on Cannon Air Force Base, New Mexico
33 for FW3 Pipeline Phase. Parcel A- (1 204 010 264 264 00), Parcel D- (1 203 010 482 030 00), Parcel E- (1 203 009
34 397 396 00), Parcel F- (1 204 009 264 264 00), Parcel I- (1 204 008 371 442 00), Parcel J- (1 203 008 198 330 00),
35 Parcel K- (1 203 008 462 264 00). -Ortega

36 Mr. Ortega presented to the Board the Easement Agreements with Cannon Air Force Base for the FW3 pipeline
37 phase. The ENMWUA has been working with Cannon Air Force Base to prepare the Easement Agreement
38 regarding the seven parcels as described. As requested by CAFB, the Authority has performed an Environmental

39 Baseline Survey as well as obtaining a Yellowbook Appraisal for the parcels involved. The Yellowbook appraisal
40 met the required guidelines on appraising federal property. The Easement Agreements have been reviewed by
41 the ENMWUA Administrator, ENMWUA Attorney and Jacobs Engineering. The agreements have been signed by
42 the Commander at CAFB. It was recommended to the Board for approval. A motion was made for approval and a
43 roll call vote took place.

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

44

45 b.) Request for Approval to amend the FW2 Operation and Maintenance Services between the ENMWUA and I.T.S.
46 Refrigeration & Heating Inc. to include Intake Facility Operation and Maintenance. -Ortega, Bowens

47 Mr. Ortega addressed the Board and stated that this amended contract has been reviewed by the Finance
48 Committee for careful consideration. This contract was also reviewed by the Authority's CPO Bowens and
49 Authority's Attorney Kameron Barnett. Procurement Officer Jacquelynn Bowens expressed to the Board that this
50 amended contract meets procurement requirements, and the contract will remain under the \$60,000.00 threshold
51 for the remainder of the term of the contract. Mr. Barnett added that he also reviewed the contract and stated it
52 complies and is a good fit for the Authority. Chairman Lansford agreed with the efficiency this will create for the
53 Authority. He also added a comment and thanked Rex Stall for his years of service to the Authority. A motion was
54 made for approval and a roll call vote took place.

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

55

56 c) Request for Approval Authorizing Submission of an Application for Funding to the Drinking Water State Revolving
57 Loan Fund (DWSRLF) regarding the Potential of Identifying Funding Assistance with the Design and Construction of
58 the Texico Lateral. -Ortega, Bowens.

59 Mr. Ortega explained to the Board that this is a possible funding source has been identified and has the potential
60 to assist the ENMWUA in the funding for the design and construction of the Texico Lateral project. The next stage
61 of this loan/grant fund application will not obligate the Authority to make any commitment of funds. What the next

62 step does is allows the Drinking Water State Revolving Loan Fund to work to find the best possible loan grants that
63 will the Authority's needs. If there is no significant opportunity that the DWSRLF finds that matches what the
64 Authority needs, then we can withdrawal our application. Ms. Bowens addressed the Board and stated that the
65 New Mexico Drinking Water State Revolving Loan Fund is a federal program run through the New Mexico Drinking
66 Water Bureau and with the New Mexico Environment Department Construction Programs Bureau providing
67 technical oversight and review. Our coordinator for this application is Michael Montoya. The ENMWUA
68 Administration has met with Mr. Montoya and his supervisor Karen Torres and have discussed the following terms
69 that their office sees might fit best for the Texico Lateral project. Interest rates would mostly likely come in at a
70 0.0%. The subsidies for this fund can be up to 75% of the project costs depending on our ranking and available funds
71 for this application. The Drinking Water Bureau is interested in combining different funding sources to decrease the
72 loan portion for the Authority. The NMDWB is interested in creating a fund plan for the Texico Lateral and this
73 funding can be used as match for the Water Trust Board match. When the application is processed and an
74 agreement can be created, then this agreement will be brought to the Board for review and approval. Mr. Ortega
75 added that is item was brought to the Board for approval to continue to move forward with the application process.
76 A motion was made for approval authorizing the submission of this application and a roll call vote took place.

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

77

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

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

80 a) Project Development Activities -Jacobs-(Jim Honea) Mr. Honea updated the Board to the ongoing activity
81 over the past month.

82 FW2- Operation and maintenance manuals have been completed and submitted to the ENMWUA. There are a
83 few final submittal items remaining from Oscar Renda to send Jacobs. Once they are complete, we submit Final
84 Pay Application and will be able to Close Out the project.

85 FW3A- After submitting the specifications and bid documents to the NMED-CPB for the FW3A construction
86 phase late December 2020, we have received comments back. The comments made by NMED-CPB were very
87 minor and Jacobs is in the process of revising the specifications. We will then submit a response letter with the
88 revised specs and record drawings back to the NMED-CPB. After meeting with Sara Rhoton with NMED-CPB and
89 the Authority, we were told that there should be no issues receiving their approval. This will allow the ENMWUA
90 to meet the February 15th deadline to submit the WPF-5093 Readiness to Proceed items. We are on track to go
91 to bid beginning of March of this year.

92 FW1- Jacobs has completed the internal quality control review on the specs and record drawings. All field work
93 has been completed. Delivery of the 90% design and record drawings to ENMWUA and stakeholders is

94 scheduled for mid to late February 2021. Delivery of cost estimate review documents to the ENMWUA and
95 stakeholders is scheduled for mid-March 2021.

96 Texico Lateral- A final workshop was conducted yesterday to review the Texico Lateral Alignment Study to
97 discuss the results of the non-cost scoring and discussion of costs and benefit costs of this project. There were
98 three options presented, option one where the pipeline would tie directly to the ENMWUA FW2 system and
99 option two and three would have the pipeline tie into the EPCOR water systems east of Clovis. Option two
100 ranked (scored the highest) as the best alternative overall, best option for cost effective and benefit cost
101 effective based on this analysis. A draft technical memo summarizing the work will be submitted in February.
102 Some discussion and questions between members were held about the cost of each option and the involvement
103 of all parties (stakeholders) with the Texico Lateral study.

104

105 b) ISC Report- Ortega Mr. Ortega stated there was no information at this time from the Interstate Stream
106 Commission, but in the future the ENMUWA will be providing the monthly update as it becomes available.

107 c) State Activities- Thompson Mr. Thompson thanked Mr. Ortega and Chairman Lansford for the meetings they
108 attended in the past weeks. A meeting with Mr. Ortega and Mr. Thompson with the senior policy advisor to
109 Governor Lujan-Grisham went very well and were able to meet with the Governor's office pre-session for the third
110 year in a row. This has always been a benefit to the Authority. There was a meeting with the Office of the State
111 Engineer and Chairman Lansford, Administrator Ortega, and Mr. Thompson which was also expressed as a
112 successful pre-session meeting. Mr. Thompson brought up wanting to conduct a meeting with the legislative
113 delegation and the ENMWUA to catch them up on the activities of the Authority.

114 d) Federal Activities- Ryan Mr. Ryan made a quick comment to Mr. Thompson coordinating to give a federal
115 update to the legislative delegation to bring them up to speed on the federal activities regarding the Authority. Mr.
116 Ryan addressed the Board giving an update on the appointments into federal positions. Deb Haaland being
117 appointed to be the Secretary to the Department of Interior. Congresswoman Haaland hasn't yet been confirmed
118 but is on the list to do so. One appointment that Mr. Ryan wanted to point out to the Board is Tanya Trujillo. She
119 has been selected as the Assistant Secretary of Water and Science position at the Dept. of Interior that oversees
120 the Bureau of Reclamation. Another appointment at the Department of Interior is former staffer for Senator Udall,
121 Drew Wallace and he will be the head of Congressional Affairs. The Omnibus Appropriation bill that was passed and
122 signed by President Trump before the end of the year included \$114 million to be divided up between the five Rural
123 Water projects. Now the Bureau has 45 days to allocate those funds. We are hopeful to the receive the same
124 amount of funds as the previous fiscal year. Mr. Ryan stated that statutorily the announcement of allocations should
125 come mid-February on the federal dollars.

126 e) Report from the Chair- Lansford Chairman Lansford gave a quick update to the REPI application for the request
127 for \$15 million was submitted and we are waiting to hear back hopefully by mid-March. The RCPP application was
128 submitted on time and the request for \$10 million. The response on this request will not come back until late
129 summer or early fall 2021. Cannon Air Force Base and the Central Curry Soil and Water Conservation District will be
130 going into an encroachment agreement for these funds. A meeting for the establishment of a Land Trust
131 workshop will be happening early February and it will be a presentation between the ENMWUA, City of Clovis and
132 Curry County. There is still ongoing discussion of the Intergovernmental Agreement between Curry County and the
133 Authority. The Chairman also brought up the City of Clovis ordinance that is up for renewal. This is the funding
134 source that contributes to the City of Clovis' Authority Membership dollars. The Chairman stated that he would like
135 to be in touch with City Officials when this item goes to their commission for renewal.

136 f) Report from the Administrator- Ortega Mr. Ortega addressed the Board that he submitted his monthly report
137 to them over the past month's activities. Mr. Ortega touched on the FW2 construction progress and closeout of this
138 project. The construction was completed in November of 2020 and we are waiting on a few items to wrap up the
139 closeout of this project needing to be submitted by Oscar Renda. Mr. Ortega stated he will be providing a final
140 report once the closeout of this project is complete. FW3A activities are moving along and the Authority is reaching
141 closer to going out to bid in next few weeks. The ENMWUA is very close to wrapping up the last of the easements
142 remaining. We're hopeful that we will be able to submit a letter by February 12th to the New Mexico Environment
143 Department, United States Bureau of Reclamation and the New Mexico Finance Authority stating the securing of
144 all FW3A easements. The proposed schedule for the FW3A will be presented at next month's Board meeting for
145 approval. FW3B Lime Street Activity has progressed, the Authority has received the City of Portales technical memo
146 that was requested by the NMED-CPB. A meeting will be scheduled with the City of Portales to go over the tech
147 memo and get all items ready to submit to the NMED-CPB. The Texico Lateral work has been progressing very well.
148 Mr. Ortega thanks all parties that have been involved in this process. The Readiness application was submitted in
149 mid-January for the 2021 Water Trust Board funding application. The Authority has completed the annual Audit and
150 will hopefully be able to present in February or March. The ENMUWA is currently waiting on the office of the State
151 Auditor to release the final audit report.

152 **10. Future Agenda Items**

153 a) Next Regular Meeting, Location, Date, and Time : February 25th, 2021 at 3:00 p.m. at ENMWUA Office (Sitterly
154 Professional Center) 801 Pile Street, Clovis, NM 88101.

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

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

157 **13. Adjournment**

158 Meeting adjourned officially at 4:48 PM.

159 X  X 

160 David Lansford
161 Chairman

Chris Bryant
Secretary