

MEETING MINUTES

ENMWUA Board Meeting

DATE: Thursday, October 27, 2022

LOCATION: Portales Memorial Building, 200 E. 7th Street, Portales NM, 88130

1 **1. Call to Order**

2 The meeting was called to order at 3:03 PM

3 **2. Roll Call**

4 Roll was called. The following ENMWUA Board Members were in attendance in-person: Chairman Morris, Vice-
5 Chair Jackson, Secretary Bryant, Member Garza, Member Dixon, and Member Lucero joined via video conference.
6 ENMWUA Administrator Orland Ortega and staff as well as ENMWUA Attorney Kameron Barnett, Jim Honea,
7 Wendy Christofferson, Bryor Price, and Allie Arning with Jacobs Engineering were in attendance. Members of the
8 public that attended: Mark Huerta with EPCOR, Diane Venture with Senator Heinrich’s Staff, Max Carter Council
9 member of Texico, John Ryan of Capitol Consultants and Joe Thompson of Thompson Consulting joined via video
10 conference.

11 **3. Approval of Agenda**

12 A motion to adopt the agenda was unanimously approved.

Result: Approved by Vote (6-0)
Ayes:
Nays: 0

13 **4. Approval of Minutes**

14 a) A motion to approve the minutes from the regular Board Meeting held on Thursday, September 22, 2022,
15 at 3:00 p.m. at the Clovis Carver Library (Ingram Room) was made and a roll call vote took place. A unanimous
16 vote for approval occurred.

17
18 b) A motion to approve the minutes from the Special Board Meeting held on Thursday, September 29, 2022,
19 at 3:00 p.m. at the Clovis Carver Library (Ingram Room) was made and a roll call vote took place. A unanimous
20 vote for approval occurred.

21
22 **5. Public Input**

23 Chairman Morris addressed the public for any comments, and no public input was made at this time.

24

25 **6. Monthly Financials**

26 a) Approval of Monthly Financials for the Month ending September 30, 2022. – Marez, Ortega.

27 Ms. Marez reported the total revenues for the month ending September 30, 2022, were in the amount of
28 \$1,309,170.63 of that amount \$621,108.00 was received from the City of Portales for FY2023 membership
29 contributions. Revenues reported included federal USBR grant funds for FW3 including requests for payment
30 of FW3A task order 6 and FW3B task order 11 and FW3A pay app 14 for a total of \$549,899.27. State funds
31 were also received from Water Trust Board, WPF-5416 reimbursement of ENMWUA funds for task order 13
32 in the amount of \$113,035.86, SAP 22-G1047-GF-HB2 reimbursement of ENMWUA funds for Jacob’s task
33 orders 15, 18, & 21 for a total of \$105,188.25, SAP 22-G2320-STB reimbursement of ENMWUA funds for
34 Jacob’s task order 19A was \$ 11,182.25. Interest earned for 6-month term of the CD was \$7,664.28, Interest
35 earned for the month of September was \$1,092.72. Expenditures for the month of September include
36 payment of FW3A pay application 14 in the amount of \$75,234.69, payment of Jacob’s project task orders (9
37 projects) in the amount of \$1,324,302.17, pay-off of water trust board loan of WPF-787 in the amount of
38 \$132,402.67, total expenditures reported for the month of September 2022 was \$1,638,425.91. The reported
39 balances of the ENMWUA bank accounts at The Citizens Bank were as followed: Business Checking account
40 balance as of September 30, 2022, was \$596,123.81 and reported as of October 27, 2022, the current balance
41 of the Business Checking account is \$553,461.03. The balance of the Money Market account as of September
42 30, 2022, was \$2,389,871.33 and as of October 27, 2022, the account sits at \$2,389,871.33. The Capital
43 Construction account as of September 30, 2022, had a balance of \$629,989.39 and as of October 27, 2022,
44 the current balance is \$1,321,401.67 of this balance the Authority has scheduled payments of \$858,072.69
45 going out for the next day or two for payment of Jacob’s project task orders. The ENMWUA CD account
46 balance as of September 30, 2022, was at \$2,541,595.63, with the same balance reported as of October 27,
47 2022. The total balance of all Authority accounts as of October 27, 2022, was reported at \$6,806,329.66.
48 A motion was made for approval of monthly the financials, and a roll call vote took place.
49

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

50
51 b) Approval of Monthly Bank Transfer Request from Money Market Account #7111 to Business Checking
52 Account #7101. – Marez, Ortega.

53 Ms. Marez announced at this time the ENMWUA will not need a fund transfer request for the upcoming
54 month.
55

56 **7. New Business Items**

57 a) Annual Review/Recommendation for approval of ENMWUA Asset Management Plan. – Ortega, Bowens.

58 Mr. Ortega advised the Board Members that the Authority made minor adjustments to the Asset
59 Management Plan. He then referred to Ms. Bowens for further explanation on the changes made. Ms.
60 Bowens explained some of the proposed policy changes include policy page 1, the estimate of the total cost

61 of the Eastern New Mexico Rural Water System was updated based on a technical memo provided by Jacobs
62 Engineering in April of 2022. Policy page 11, the current condition of the Intake Facility was updated. Policy
63 page 34 language was added under the Finance section to demonstrate the Authority's commitment to
64 prepare for future expenses for the repair and replacement of the system.

65 A motion was made for approval, and a roll call vote took place.
66
67

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

68
69 b) Request to Approve FW3A Construction Change Order #3 in a Credit Amount of \$312,517.68. – Ortega,
70 Jacobs. Mr. Ortega described the changes include a culmination of minor adjustments of items, materials,
71 and/or labor made during the FW3A pipeline project. Mr. Honea with Jacobs Engineering presented to the
72 Board that this change order is the final adjusting change order which are credits the Authority will receive
73 at the completion of the entire project

74 A motion was made for approval, and a roll call vote took place.
75

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

76
77 c) Engineer Recommendation of Award for the Eastern New Mexico Rural Water System Finished Water 1
78 (FW1) Pipeline Construction to Oscar Renda Contracting Inc. – Ortega, Jacobs. Mr. Ortega advised that the
79 Authority completed the FW1 request for proposal submission on September 28, 2022, at 3:00 p.m. which
80 was the deadline to submit proposals for the FW1 pipeline construction project. ENMWUA Chief
81 Procurement Officer Jacquelynn Bowens along with Authority administrator and staff as well as Jacobs
82 Engineering were involved with the request for proposals, bid opening, and canvassing. As part of the
83 Authority's contract with Jacobs Engineering, Jacobs conducts a canvassing and due diligence on the apparent
84 low bidder. Mr. Ortega then asked Mr. Honea to present his findings and recommendation to the Board. Mr.
85 Honea stated that one bid was received from Oscar Renda Contracting. All required documents were
86 submitted and met all requirements. Qualifications were confirmed to meet minimum requirements such as
87 safety and acknowledgement of addendums. Mr. Honea explained that Oscar Renda Contracting was given

88 six different bid alternative options to bid on with Jacobs recommending bid alternative #4 which is tape
89 coating with cement mortar overcoat and granular bedding.
90 A motion was made for approval, and a roll call vote took place.
91

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

92
93 d) Request for Approval Authorizing ENMWUA Administrator to Sign Notice of Award for Finished Water 1
94 (FW1) Pipeline Construction. – Ortega. Mr. Ortega reported as a next step to awarding the FW1 contract for
95 constructing of the FW1 pipeline, the ENMWUA will need to provide a “Notice of Award” to the contractor,
96 Oscar Renda Contracting, Inc. He explained this action will give the administrator the authority to sign the
97 Notice of Award for FW1 pipeline construction and allow the Authority to move to the next step of this
98 process which is completing the due diligence of the contractor. The items include verifying the required
99 bonding of the project and providing proof of the required insurance coverage for themselves, their
100 employees, and anyone under them during this project. Mr. Ortega explained generally, from the time of the
101 Notice of Award to the execution of the agreement, the contractor uses that time to secure the required
102 bonding and insurance documents for verification from the ENMWUA, their attorney, and engineering firm.
103 The contractors chose to pursue their bonding and insurance in a timely manner and have submitted the
104 required documentation for verification by the Authority and its representatives.
105 A motion was made for approval, and a roll call vote took place.
106

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

107
108 e) Recommendation for Approval of the Execution of Agreement between the ENMWUA and Oscar Renda Contracting,
109 Inc. for the Construction of Finished Water 1 (FW1) Pipeline. – Ortega, Bowens, Barnett. Mr. Ortega informed the Board
110 members, that this contract agreement is between the ENMWUA and Oscar Renda Contracting, Inc. for the
111 construction of FW1 pipeline. He further elaborated that all supporting documents have been reviewed by the
112 Administrator, Chief procurement officer, Jacobs Engineering, and Mr. Barnett, the Authority’s attorney. Ms. Bowens
113 spoke on behalf of the procurement process and proposed contract stating it meets all authority, state, and federal
114 procurement standards and regulations. Mr. Barnett shared that after reviewing the agreement thoroughly he sees no
115 issues or concerns from a legal perspective.

116 A motion was made for approval, and a roll call vote took place.
117

Result: Approved by Vote (6-0)

Motion:
Garza

Second:
Bryant

Ayes:

Nays: 0

118
119 f) Request for Approval Authorizing ENMWUA Administrator to Sign Notice to Proceed for Finished Water 1 (FW1)
120 Pipeline Construction. – Ortega. Mr. Ortega expressed that with the execution of the agreement, the Authority can
121 provide an official Notice to Proceed on the construction of FW1. This action will allow your administrator to sign the
122 Notice to Proceed letter with a date of November 28, 2022, to commence with initial work. Mr. Ortega explained the
123 contractor shall not disturb soil until 60 days prior to delivery of pipe. A letter from the pipe manufacturer is required
124 stating the pipe delivery date.
125 A motion was made for approval, and a roll call vote took place.
126

Result: Approved by Vote (6-0)

Motion:
Jackson

Second:
Bryant

Ayes:

Nays: 0

127
128 g) Request for Approval Authorizing ENMWUA Administrator to Approve Change Orders for Finished Water 1 (FW1)
129 Pipeline Project in the amount of \$50,000 and less. – Ortega. Mr. Ortega advised this item will allow the Administrator
130 to approve change orders of \$50,000 or less. This approval will allow the ENMWUA to work in an efficient manner and
131 not cause delays in construction for potential minor changes. The administrator works closely with the Finance
132 Committee and reports of any potential change orders of \$50,000 or less. Any change order in the amount larger than
133 \$50,000 will go to the full Board for approval.
134 A motion was made for approval, and a roll call vote took place.
135

Result: Approved by Vote (6-0)

Motion:
Dixon

Second:
Garza

Ayes:

Nays: 0

136

137 **8. Unfinished Business – N/A**

138

139 **9. Reports from Board Members and Staff**

140

141 a) Project Development Activities – Jacobs, Jim Honea, Bryor Price.

142 FW3A – Mr. Honea reported that the substantial completion walk-through was completed yesterday with
143 the exception of a few minor touch ups the construction is substantially complete.

144 FW1 – Mr. Honea shared that Jacobs has already had a few meetings with Oscar Renda Contracting, Inc. to
145 discuss several items. Jacobs is roughly anticipating pipeline delivery in the late Spring or early Summer 2023.

146 RW3 – Mr. Honea stated that Jacobs is preparing the 60% cost estimate and progressing the 90% design as
147 well as working on easement acquisition.

148 FW3B – Mr. Honea announced that they are working on easement acquisition and have sent out several offer
149 letters. He advised that Jacobs is progressing 100% permitting submittal which they plan to submit in
150 December.

151 Texico Lateral – Mr. Honea explained they are proceeding the survey work with most of the surveying nearing
152 completion. He added that all Geotech borings are complete, and the design team has started working on
153 the 60% design.

154 RW1/RW2 – Mr. Honea reported the aerial survey flight has been completed then they will start to process
155 the data from that aerial flight and prepare it for the design team to be able to get started early next year.

156 Elida Lateral – Mr. Honea stated Jacobs is finalizing the alignment study technical memo and are continuing
157 with surveying.

158 Intake Pump Station – Mr. Honea notified the Board that the underwater condition assessment of the intake
159 technical memo is currently in Jacobs quality control review.

160 Caprock Pump Station – Mr. Honea explained the Geotech investigation is upcoming within the next few
161 weeks.

162 Water Treatment Plant – Mr. Honea shared the initial Geotech investigation is complete, he then referred to
163 Bryor Price with Jacobs Engineering for the renewable energy feasibility analysis. Mr. Price presented three
164 renewable energy options for the future intake pumping station, caprock booster pump station, and water
165 treatment plant which were solar, wind, and hydro. Mr. Price explained the three different sites have been
166 evaluated based on the three different flow/usage scenarios. The demand charge for the pump station sites
167 are significant, nearly half of the total cost regardless of the flow scenario, for all the sites combined the
168 electrical cost will range from almost \$2 million to \$3.7 million. He further explained that trends show that
169 the payback is better when the system is running at a higher capacity, which makes sense since renewable
170 systems are sized around the maximum allocation flow condition. He noted that wind is a clear winner for
171 the intake pump station site however, regardless of solar or wind, the generation facilities will need to be
172 located a few miles away from the site to avoid issues with residents.

173

174 b) Ute Reservoir USGS Report – Marez. Currently the Ute Reservoir Water Surface Elevation in ac/ft as of
175 October 12, 2022, the Reservoir sat at 3,775.54 ft and as of October 27, 2022, the Reservoir sat at 3,775.36
176 ft for a loss of 2.16 inches Ms. Marez noted that the measuring system at the Reservoir did not capture the
177 data before October 12, 2022. The reported storage in ac/ft as of September 27, 2022, was reported at
178 132,400 ac/ft and as of October 27, 2022, was 131,200 ac/ft with a loss of 1,200 ac/ft.

179

180 c) State Activities - Thompson. Mr. Thompson reported that he and Administrator Ortega attended a meeting
181 with the New Mexico Finance Authority Oversight Committee as well as visit with Raul Burciaga from the

182 Legislative Council to talk about prospective legislation. He further added that they also had a meeting with
183 David Abbey the director of the LFC in which he praised Administrator Ortega for his precision and
184 preparation.

185
186 d) Federal Activities – Ryan. Mr. Ryan disclosed the most recent activities on the federal side was the
187 presentation he and Administrator Ortega attended along with Secretary Tanya Trujillo in which Mr. Ortega
188 presented a power point slide relative to what was received in fiscal year 2022 and projections for completing
189 the project. He explained a few items that were mentioned at the meeting which included when we would
190 know what our allocations for fiscal year 2023 would be which they replied by March of 2023. Mr. Ryan
191 shared that a meeting was requested with John Irizarry, project manager and Jennifer Fowler, from the
192 Bureau of Reclamation scheduled for some time next week. Ms. Ventura with Senator Heinrich’s office
193 expressed to Mr. Ryan that if there is anything that her office can look into for him perhaps that is something
194 she can work on.

195
196 e) Report from the Chair – Morris. At this time there was no report from the Chairman.

197
198 f) Report from the Administrator – Ortega. Mr. Ortega informed the Board that he received a notice from the
199 New Mexico Finance Authority Oversight Committee about the drinking water state revolving loan funds
200 which they requested a report from the Authority’s administration to the Oversight Committee on the
201 project. Mr. Ortega explained a few of the items that were requested in the report included, what has been
202 accomplished, what is currently underway, the five-year plan and remaining project spend down budget for
203 the overall remaining project, the cash flow and long-term finance plan. Mr. Ortega expressed that he was
204 very pleased with the FW3A substantial completion walk-through He stated that there were a few things that
205 needed correcting but very minor.

206
207 **10. Future Agenda Items**

208 a) Next Regular Meeting, Date, Time, and Location: Thursday, November 17, 2022, at 3:00 p.m. at the Elida Community
209 Center, 704 State Street, Elida NM, 88116.

210 **11. Public Input – N/A**

211
212 **12. For the Good of the Order – N/A**

213
214 **13. Adjournment**

215 Meeting adjourned officially at 4:38 p.m.

216 X 

217 Michael A. Morris
218 Chairman

219

X 

Chris Bryant
Secretary