

MEETING MINUTES

ENMWUA Regular Board Meeting

DATE: Thursday November 18, 2021

LOCATION: City of Texico Senior Center, 211 N Griffin St, Texico, NM

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 at 3:00 PM

3 **2. Roll Call**

4 Roll was called, the following ENMWUA Board Members were in attendance in-person: Chairman Morris, Vice-
5 Chairman Jackson, Secretary Bryant, Member Carter, Member Lucero and Member Garza. ENMWUA
6 Administrator Orlando Ortega and staff, Attorney Kameron Barnett, and Wendy Christofferson with Jacobs
7 Engineering were also present. Members of the public that attended in-person included Mayor Dixon, Diana
8 Ventura, and Eastern News Member Kevin Wilson.

9 **3. Approval of Agenda**

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

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

11 **4. Approval of Minutes**

12 a.) There was a motion to approve the minutes from the regular Board Meeting held on Thursday, October 28, 2021,
13 at 3:00 p.m. at the Portales Memorial Building, and a roll call vote took place.

Result:	Approved by Vote (6-0)
Motion:	
Bryant	
Second:	
Carter	

Ayes: 6

Nays: 0

14

15 **5. Public Input**

16 Members of the public that were in attendance was Elida Mayor Dixon, Diane Ventura representing US Senator
17 Martin Heinrich, and Kevin Wilson from Eastern NM News. Diane Ventura from Senator Martin Heinrich's office give
18 a public comment. Ms. Ventura stated that the Authority should see a federal spend down plan from the newly
19 adopted infrastructure bill within the next 60 days.

20 **6. Monthly Financials**

21 a) Approval of Monthly Financials for the Month ending October 31, 2021 -Ortega, Marez. Ms. Marez stated
22 the total revenues for the month ending October 31, 2021, was in the amount of \$339,345.80. Ms. Marez informed
23 the Board that the increase in revenues for the month of October included Water Trust Board funds from WPF-
24 5093 in the amount of \$230,479.25 for payment towards Pay App 3 and Federal Funds in the amount of \$108,165.56
25 for payment towards Pay App 3. Total expenditures for the month ending October 31, 2021, were at \$544,065.15.
26 The reported balances of the ENNMWUA bank accounts at The Citizens Bank were as followed: Business Checking
27 account balance as of October 31, 2021, was \$179,848.07, and reported as of November 18, 2021, the current
28 balance of the Business Checking account is \$1,095,955.16. The balance of the Money Market account as of
29 October 31, 2021, was \$4,127,175.14 and balance as of November 18, 2021, is \$4,017,175.14. The ENMWUA CD
30 account balance as of October 31, 2021, was \$2,526,414.40 and the same balance was reported as of November
31 18, 2021. The total balance of all Authority accounts as of October 31, 2021, was reported at \$6,833,437.61. A
32 motion was made for approval of the monthly financials and a roll call vote took place.

Result: Approved by Vote (6-0)

Motion:

Lucero

Second:

Garza

Ayes: 6

Nays: 0

33 b) Approval of Monthly Bank Transfer Request from Money Market Account #7111 to Business Checking
34 Account #7101- Ortega. Mr. Ortega presented the monthly bank transfer request in the amount of \$326,000.00
35 from the ENMWUA Money Market account to the Business Checking account. A motion was made for approval,
36 and a roll call vote took place.

Result: Approved by Vote (6-0)

Motion:

Bryant

Second:
Carter
Ayes: 6
Nays: 0

37

38

39 **7. New Business Items**

40 a.) Recommendation/Action for Approval of Annual Contract with Thompson Consulting, LLC. – Ortega,
41 Bowens Mr. Ortega stated that this contract is brought before the Board on a yearly basis for renewal. The contract
42 is for New Mexico state consulting from Mr. Thompson. Ms. Bowens explained that the procurement type is a
43 contract renewal for professional services under \$60,000.00 The Contract type is a one-year fixed rate contract.
44 Ms. Bowens ensured the Board that this procurement meets §13-1-125.b, internal policies, and budgetary
45 guidelines for this type of procurement. A motion was made for approval, and a roll call vote took place.
46

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

47

48 b.) Recommendation/Action for Approval of Annual Contract with Capitol Consultants, LLC. – Ortega,
49 Bowens
50 Mr. Ortega stated that this contract is brought before the Board on a yearly basis for renewal. The contract is for
51 Federal Consulting from Mr. John Ryan. Ms. Bowens explained that the procurement type as a contract renewal for
52 professional services under \$60,000. The Contract type is a one-year fixed rate contract. Ms. Bowens ensured the
53 Board that this procurement meets §13-1-125.b, internal policies, and budgetary guidelines for this type of
54 procurement. A motion was made for approval, and a roll call vote took place.
55

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

56

57 c.) Recommendation/Action for Approval of Annual Contract with Harmon, Barnett, and Morris P.C. –
58 Ortega, Bowens, Barnett
59 Mr. Ortega stated that this contract is brought before the Board on a yearly basis for renewal. This contract is for
60 legal services provided to the Authority by Harmon, Barnett and Morris P.C. Ms. Bowens explained that the

61 procurement type ss a contract renewal for professional services under \$60,000.00 The contract type is an hourly
62 rate contract with the parameters of not exceeding \$60,000.00, in a one-year period. Ms. Bowens ensured the
63 Board that this procurement meets §13-1-125.b, internal policies, and budgetary guidelines for this type of
64 procurement. A motion was made for approval, and a roll call vote took place.
65

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

66

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

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

69 a) Project Development Activities -Jacobs- (Wendy Christofferson)

70 FW3A- Ms. Christofferson explained the PVC pipe installation on the large and small archaeological site has been
71 completed. As of November 11, 2021, 13,464 liner feet of PVC had been installed. Ms. Christofferson stated that
72 currently the contractor has been importing approved backfill materials from two sources. Ms. Christofferson
73 notified the Board that seven truckloads of ductile iron 20" pipe and fittings have arrived onsite as of November 18,
74 2021. Ms. Christofferson informed the Board that there was a quality assurance meeting regarding the trenchless
75 crossing installation on November 18, 2021. The trenchless crossing is scheduled to start November 29, 2021. Jacobs
76 and Smithco Construction has continued with the submittal and request for information process.

77 FW1- Ms. Christofferson notified the Board that Jacobs is continues to support the ENMWUA with the easement
78 acquisition process. Currently, ENMWUA has nine properties with recorded easements, fifteen properties where
79 the offer letter has been sent and the Authority is waiting on a response, and lastly 1 property, a State Land Office
80 property is being reviewed by the State Land Office.

81 RW3- Jacobs is in the right-of-entry phase of the RW3 project. Field work plans (survey, geotechnical, corrosion) has
82 tentatively been planned to start once FW3B right-of-entry work is complete.

83 FW3 B- Ms. Christofferson described that Jacobs is in the right-of-entry phase of the FW3B project. Field work
84 plans (survey, geotechnical, corrosion) has also tentatively been planned to start in November depending on
85 completion of the right-of-entry phase.

86

87 b) Ute Reservoir USGS Report- Bowens Ute Reservoir storage in ac/ft as of October 18, 2021, was 150,500
88 ac/ft and as of November 18, 2021, was 147,800 ac/ft. Ms. Bowens explained that there was a 2,700 ac/ft dropped
89 from October 18, 2021, to November 18, 2021. Ute Reservoir water surface elevation in feet as of October 18,
90 2021, was 3,778.80 ft and as of November 18, 2021, was 3,778.35 ft. Ms. Bowens explained that there was a 5.4-
91 inch dropped from October 18, 2021, to November 18, 2021.

92 c) State Activities- Thompson Mr. Thompson stated that he has been attending the Legislative Finance
93 Committee meetings. In the past month, Mr. Thompson met with Representative Crowder and Senator Ingle on
94 different opportunities for securing additional state funding.

95 d) Federal Activities- Ryan Mr. Ryan reported to the Board that the President has signed the bi-partisan
96 infrastructure bill. The Authority at this point need to focus on how much match the Authority can provide that has
97 been spent to date. Mr. Ryan believes this will be the pivotal point on the percentage the Federal government is
98 willing to provide. Mr. Ryan will give an update as soon as available.

99 e) Report from the Chair- Morris Mr. Chairman expressed his excitement for the possible infrastructure bill
100 funding and looks forward to working together with our extended partners in the coming weeks.

101 f) Report from the Administrator- Ortega Mr. Ortega updated the Board on the Authority's activities of the
102 month of November. On WPF-5416, the Authority is pending a close-out on January 21, 2022. Each member
103 community along with the ENMWUA Board will need to pass a resolution regarding this close-out in the month of
104 December. Mr. Ortega expressed that the Authority has received some instructions from the USBR on future
105 request that the staff has been working towards completing. The Board was informed that ENMWUA has started
106 the audit process for fiscal year 2021. Willoughby and Willoughby CPA met with the Finance Committee on
107 November 16, 2021, for an entrance conference and the audit is currently underway.

108 **10. Future Agenda Items**

109 a) Next Regular Meeting, Date, Time, and Location: Thursday, December 16, 2021, at 3:00 p.m. at the
110 ENMWUA Office (Sitterly Professional Center) 801 Pile Street, Clovis, NM 88101.

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

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

113 **13. Adjournment**

114 Meeting adjourned officially at 4:03 PM.

115 X  _____

116 Michael A. Morris
117 Chairman

118

X  _____

Chris Bryant
Secretary