

MEETING MINUTES

ENMWUA Regular Board Meeting

DATE: Thursday, August 27th, 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: Chairman Lansford,
5 Secretary Bryant, Member Garza, and Member Lucero. Member Dixon and Member Jackson
6 were absent.

7 **3. Approval of Agenda**

8

Result:	Approved by Vote (4-0)
Motion:	
Bryant	
Second:	
Lucero	
Ayes:	
Nays:	

9 **4. Approval of Minutes**

10 A motion to approve the minutes from the regular meeting held on Thursday, July 23rd, 2020 at
11 3:00 pm at the North Annex, Clovis Carver Library.

Result: Approved by Vote (4-0)

Motion:
Lucero

Second:
Garza

Ayes:

Nays:

12 **5. Public Input**

13 Chairman Lansford addressed anyone on the phone participating to state their name for the record,
14 hearing none the meeting carried on.

15 **6. Monthly Financials**

16 a) Approval of Monthly Financials for the Month ending July 31st, 2020-Ortega. Revenues for the
17 month ending July 31st, 2020 were at \$35.53, this is the monthly interest earned from the ENMWUA
18 bank account. Expenditures for the month totaled at \$147,687.76. Included in this amount is the cost
19 of the monthly office expenses which includes the cost for a trade in on a new printer at \$3,799.00.
20 The Authority has purchased security cameras for the Intake Facility in the amount of \$765.97. The
21 monthly cost for the electricity at the intake facility was at \$380.16. Capital outlay for FW2 totaled
22 at \$91,642.62, this is for services during construction. Capital outlay for FW3 for the month was at
23 \$10,021.85, this cost was for easement acquisition. The ENMWUA bank balance as of July 31st, 2020
24 was \$4,102,090.78 and as of today, August 27th, the bank balance is \$5,140,547.11. Mr. Ortega also
25 reported that the bank balance as of today reflects a deposit from the City of Clovis for their annual
26 membership for FY2021. Also provided to the Board for review is the monthly profit and loss
27 statement as well as the FW2 construction budget that is updated monthly.

Result: Approved by Vote (4-0)

Motion:
Bryant

Second:
Garza

Ayes:

Nays:

28 **7. New Business Items**

29 a) Resolution 2020-08 Authorizing Submission of an Application for Funding to the New Mexico
30 Water Trust Board in FY2021. - Ortega Mr. Ortega presented this resolution to the Board. Mr. Ortega
31 stated, If approved, it will give authority to the Administrator to move forward with applying for the
32 FY2021 funds through the Water Trust Board Application process. The documents before the Board
33 include the Resolution 2020-08, the Notice of Intent form, and the WTB funding application timeline.
34 Also presented is a letter from the New Mexico State Engineer, John D 'Antonio declaring the
35 ENMRWS project as urgent. According to Water Trust Board policy, to apply for these WTB funds in
36 this 2021 funding cycle, the Authority must have expended at least 35% of any prior awards. The
37 ENMWUA does have one prior funding award which is WPF-4817. As of today, no funds have been
38 expended for this water project fund. These funds are earmarked for FW3A pipeline construction.
39 We had to halt spending these funds until we renewed the engineering agreement. The Authority
40 must now request a waiver for WPF-4817 to be allowed to continue with applying for the FY2021
41 Water Trust Board funding. This waiver must be approved by the Water Trust Board to continue.

Result: Approved by Vote (4-0)

Motion:

Garza

Second:

Bryant

Ayes:

Nays:

42

43 b) Request for Approval of Offer and Easement Agreement with Davis Eagle Hill Ranch, LLC a New
44 Mexico Limited Liability Company and ENMWUA for FW3 Pipeline Phase, Parcel 1 205 005 172 296
45 00. (Parcel Q) This is a permanent easement agreement and temporary construction easement for
46 FW3. The property owners have accepted the offers and have signed the agreements, it is
47 recommended for approval of these agreements.

Result: Approved by Vote (4-0)

Motion:

Garza

Second:

Bryant

Ayes:

Nays:

48 c) Request for Approval of a Consent and Encroachment Agreement Between High Oasis II Solar
49 Project, LLC, a Delaware Limited Liability Company and ENMWUA Regarding Encroachment/Utility
50 Access on ENMWUA Easement on Parcel 1 205 005 172 296 00. (Parcel Q)- Ortega, Barnett. This
51 Accommodation Agreement is between the ENMWUA and the High Oasis Solar project that may be
52 developing on property Q. Mr. Barnett explained to the Board that Davis Eagle Hill Ranch had signed
53 a lease agreement with the solar company which could result in a transmission line being placed
54 across the easement property the Authority will have their pipeline going across. In working with our
55 engineering firm, administrator, and solar company there was an agreement made that if the solar
56 company came within a 1000 feet of the Authority's ductile iron pipe then measures would be a need
57 for cathodic protection to be placed around the pipe.

Result: Approved by Vote (4-0)
Motion:
Lucero
Second:
Garza
Ayes:
Nays:

58

59 d) Request for Approval of Offer and Easement Agreement with Davis Eagle Hill Ranch, LLC, a New
60 Mexico Limited Liability Company and ENMWUA for FW3 Pipeline Phase, Parcel 1 205 004 132 396
61 00. (Parcel R)- Ortega. This is a permanent easement agreement and temporary construction
62 easement for FW3. The property owners have accepted the offers and have signed the agreements,
63 it is our recommendation for approval of these agreements.

Result: Approved by Vote (4-0)
Motion:
Garza
Second:
Bryant
Ayes:
Nays:

64

65 e) Recommendation/Award of FW2 Operation and Maintenance Services between the ENMWUA
66 and I.T.S. Refrigeration & Heating Inc. -Ortega, Bowens. This is a contract for Operation and
67 Maintenance of the FW2 pipeline. This contract was reviewed by our Finance Committee, the

68 ENMWUA Attorney, Jacobs Engineering, and our Chief Procurement Officer. This contract is for a
69 term of one year with an option to renew up to four years. Not included in the contract is the cost of
70 purchasing replacement parts such as valves or other items related to the pipeline. The purchase of
71 water will be separate from this contract, but the work will be completed by I.T.S. They are to fill the
72 and flush the pipeline as part of the contract. Annual cathodic protection testing is not included in
73 this contract. This item will be the responsibility of the Authority to contact specialists for annual
74 cathodic testing. It is required that I.T.S. be present during the inspection of the cathodic testing.
75 Scope of work that was taken out of the contract is the utility location and damage prevention (line
76 locates) will be contracted through USIC(United States Infrastructure Company). They have the
77 proper equipment to conduct the line locates. The total compensation for this contract will be
78 \$51,500.04, excluding tax. This amount will be broken into 12 equal monthly payments to I.T.S. They
79 did provide the Authority the required insurance and certifications at our request.

Result: Approved by Vote (4-0)
Motion:
Garza
Second:
Bryant
Ayes:
Nays:

80

81 **8. Unfinished Business**

82 a) Renewal of Ute Reservoir Water Contract- Jackson, Barnett Mr. Barnett gave a quick update to the
83 Board stating that a new joint powers of agreement was drafted and sent out to all community
84 members for their review and signature. There are a few deadlines approaching regarding the
85 Interstate Stream Commission contract that is due to expire at the end of this calendar year.
86 September 24th is the next schedule ISC meeting and they have requested a presentation from the
87 ENMWUA and Quay County Group, along with the new JPA in place and a draft of the new ISC
88 contract. The Interstate Stream Commission has requested a packet to be submitted to them by
89 September 11th for their review before the September 24th meeting.

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

91 a) Project Development Activities -Jacobs-(Jim Honea) Mr. Honea went over the past month's work
92 update with FW2 and Cannon Lateral. There is continued site clean up around the storage yard and
93 beginning of restoration on one particular property. Installation of the pipeline markers has occurred
94 along the pipeline. Currently waiting on a few remaining submittals, including the O & M manuals
95 from the manufactures. These manuals will be folded into a final operation and maintenance manual

106 provided by Jacobs to the Authority. Final seeding will also begin the beginning of October during the
107 first favorable seeding period. Mr. Honea went over current photos of the vaults, test stations and
108 pipeline markers. All site work is complete and there are no remaining crews working currently until
109 the seeding window begins in October. Final Completion should be met after all the seeding in
110 complete.

111 Mr. Honea presented to the Board maps of the FW1 pipeline starting from CAFB to the future water
112 treatment plant. Right of entry has begun with all the identified property owners on the FW1 pipeline
113 route. We have requested signatures from these property owners to gain access onto their property
114 to allow survey field work checks to be completed and an environmental survey to done.

115 We will be gathering soon for a kickoff workshop on the Texico Alignment Study with the
116 stakeholders to include the ENMWUA, NMED-CPB, USBR, City of Texico, and EPCOR. We will be
117 looking to develop a non-cost criteria that will investigate community and business impact as well an
118 impact to the operations and maintenance of this section of the project. At the end of the process
119 we will be discussing costs, and this will factor in on the best benefit overall. This meeting will
120 hopefully be scheduled towards the end of September.

121 b) ISC Report-Stall Mr. Stall was not present. He did turn in his monthly work log along with pictures
122 and the ISC report for the month ending July 31st. The Board reviewed his submitted items.

123 c) State Activities- Mr. Joe Thompson with Thompson Consulting, LLC Mr. Thompson joined the
124 meeting via phone and reported to the Board that the Governor's office has reported good feedback
125 for a meeting that have been conducted over the past month with Mr. Ortega. Specifically, a positive
126 response on the meeting held with the State Engineer, John D 'Antonio. There is a scheduled meeting
127 next week set up with Lt. Governor Morales to give an update on our project.

128 d) Federal Activities- John Ryan Mr. Ryan joined the meeting via phone and he gave an update on
129 the past month's work. Mr. Ryan and Mr. Ortega worked with the Rural Water Coalition to draft a
130 letter with all five members to send to our Senate delegation. The letter stated that if there was an
131 infrastructure bill that the Coalition would like the rural water projects to be considered and to please
132 fund these projects at the level of last year's funding award. The administration recently requested
133 that they place these appropriation bills for FY2021 in the next COVID bill. The hope there is not a
134 potential of government shut down before the election. Webinars have been set up with the Senate
135 delegation staff to update them on our project. We also gave an update to the USBR at the
136 Albuquerque office. Mr. Ryan is currently working on a larger webinar with the Bureau of
137 Reclamation Washington DC office Commissioner Burman and staff to include the regional office
138 staff in Salt Lake as well as the Albuquerque staff.

139 e) Report from the Chair- Lansford The Chairman had no update to give at this time. He stated an
140 update when he introduced Mr. Davis into the meeting during public input.

131 f) Report from the Administrator-Ortega Mr. Ortega submitted his monthly report to the Board and
132 stood for questions. He also discussed the upcoming projects and steps going forward and the
133 coming completion of FW2. FW3 easement acquisition is coming to a close as gathering all of the
134 required easements for FW3 is almost complete. FW1 activities are moving forward along with the
135 Texico Lateral upon the approved FY2021 budget. Mr. Ortega explained to the Board there is a
136 potential of going before the Water Trust Board in the coming months. The Authority is also gearing
137 up for our annual audit and federal single audit. An update was given to Senator Heinrich and Senator
138 Udall's office staff this past month. A very positive meeting occurred with the State Engineering that
139 included the participation of the NMED-CPB. The City of Portales recently approved the funding for
140 a Lime Street Facility analysis to submit to the NMED-CPB for the potential re-design to the Lime
141 Street facility. A meeting with Mayor Jackson, the Portales City Manager and Public Works director
142 to fast-track this analysis to get it complete as soon as possible so that it can be submitted for
143 approval.

144 **10. Future Agenda Items**

145 a) Next Regular Meeting, Location, Date, and Time : September 24th, 2020 at 3:00 p.m. at the
146 ENMWUA Office (Sitterly Professional Center). Located at 801 Pile Street in Clovis, NM.

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

148 Chairman Lansford asked Mr. Jeff Davis with CAFB provide an update to the REPI program. Mr. Davis
149 briefly discussed the timeline for the REPI program. The August 14th date was met to submit a
150 proposal for the REPI application. He discussed the possibilities of who could be an eligible entity for
151 the REPI program which could include the ENMWUA. Mr. Davis touched on the need to investigate
152 the longevity and pumping capacity of the wells within the paleo channel. He stated that he will
153 continue to work with the Chairman to become more informed on the ENMWUA. The Chairman
154 reiterated that finding a groundwater source would not only benefit for the interim groundwater
155 project but has the potential to be used as a supplement to the reservoir water upon water delivery.
156 Mr. Ortega stated that challenges the Authority can still face if these items are not included in the
157 REPI program which is cost of the development of this water, whether it is converting the current
158 wells or drilling new wells, and the constructing of a lateral pipeline/s to connect to the ENMRWS
159 transmission line.

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

161 **13. Adjournment**

162 Meeting adjourned officially at 4:45 PM.

163 X 

164 David Lansford
165 Chairman

X 

Chris Bryant
Secretary