

MEETING MINUTES

ENMWUA Regular Board Meeting

DATE: Thursday, July 15, 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 at 3:00 PM

3 **2. Oath of Office for New Member**

4 a) Two Members for the City of Clovis

5 • Michael A. Morris

6 • Juan Garza

7 b) One Member for the City of Portales

8 • Jim Lucero

9 **3. Roll Call**

10 Roll was called, the following ENMWUA Board Members were in attendance in-person: Secretary Bryant,
11 Chairman Morris, Vice- Chair Jackson, and Member Garza. Administrator Orlando Ortega and staff were also
12 present, along with ENMWUA Attorney Kameron Barnett, Jim Honea with Jacobs Engineering, and Robby
13 Sanders with Smithco Construction Inc. Members of the public that attended in person included a staff member
14 with the Eastern New Mexico News, Steven Hansen.

15 **4. Approval of Agenda**

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

Result: Approved by Vote (4-0)

Motion:

Bryant

Second:

Garza

Ayes:

Nays:

17 **5. Approval of Minutes**

18 a.) A motion to approve the minutes from the regular Board Meeting held on Thursday, June 24th, 2021, at 3:00 pm
19 at the ENMWUA Office, and a roll call vote took place.

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

20 **6. Public Input**

21 Members of the public that were in attendance was a staff member with the Eastern New Mexico News. No public
22 input was given.

23 **7. Monthly Financials**

24 a) Approval of Monthly Financials for the Month ending June 30, 2021-Ortega. Mr. Ortega began with the
25 total revenues for the month ending June 30, 2021 in the amount of \$1,415.76. Total expenditures for the month
26 ending June 30th, 2021, were at \$286,444.14. The reported balances of the ENNMWUA bank accounts at The
27 Citizens Bank were as followed: Business Checking account balance as of June 30, 2021, was \$349,986.47, and
28 reported as of July 15th, the current balance of the Business Checking account is \$240,020.34. The balance of the
29 Money Market account as of June 30th, 2021, was \$3,269,736.89 and balance remained the same as reported on
30 July 15, 2021. The ENMWUA CD Account balance as of June 30th, 2021, was \$2,517,530.62 and the same balance
31 was reported as of July 15, 2021. The total balance of all Authority accounts as of June 30, 2021, was reported at
32 \$6,137,253.98. A motion was made for approval of monthly financials, and a roll call vote took place.

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

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 \$350,000.00
35 from the ENMWUA Money Market account to the Business Checking account. This amount includes pay-off of
36 Water Trust Board Loan, WPF-813 in the estimated amount of \$221,409.00. A motion was made for approval, and
37 a roll call vote took place.

Result: Approved by Vote (4-0)
Motion:
Bryant

Second:
Garza
Ayes:
Nays:

38 **8. New Business Items**

39 a.) Resolution 2021-04 Adoption of June 30, 2021 4th Quarter Year to Date Financial Report- Ortega.
40 Resolution 2021-04 was brought to the Board for approval. Mr. Ortega explained that the 4th Quarter report is a
41 reconciliation of any remaining funds that were unused from the fiscal 2021 budget ending June 30th, 2021. All funds
42 budgeted for construction that were unused will be carried over to the next fiscal year. A motion was made for
43 approval, and a roll call vote took place.

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

44

45 b.) Resolution 2021-05 Adoption of FY2022 Final Budget.- Ortega Mr. Ortega stated it is a requirement of the
46 New Mexico Department of Administration that the Authority must submit a preliminary budget which was
47 approved in the May Board meeting. No changes have been made from that approved Preliminary Budget other
48 than the amounts of ENMWUA's insurance. The insurance premium amounts listed on the Final Budget are less
49 than the amounts that were entered onto the Preliminary Budget. It was noted the insurance premium amounts
50 were below the threshold total for procurement requirements. Mr. Ortega described in detail the DFA recap portion
51 of the budget. The Authority's beginning balance for FY2022 is \$6,110,450.00 and the budgeted FY2022 ending
52 balance is \$2,825,128.00. A motion was made for approval, and a roll call vote took place.

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

53

54 **9. Unfinished Business- N/A**

55 **10. Report from Board Members and Staff**

56 a) Project Development Activities -Jacobs- (Jim Honea)

57 FW3A- Mr. Honea stated that Notice to Proceed was granted to Smithco Construction Inc (Smithco) on July 6th,
58 2021. Since that date Smithco has started to receive delivery of pipe. Mr. Honea stated that approximately 4,500
59 feet worth of pipe as of July 15th, 2021 has been delivered to the site. As the deliveries are received, Smithco is
60 placing the pipe along the FW3A alignment. Work has also begun on the construction work fence along the work
61 limit. Smithco and Jacobs continue to work together on submittals and request for information. Potential
62 archaeological areas that require full time archaeological monitoring is where Smithco will begin construction.
63 Starting at these potential archaeological areas were stated as a requirement in the contract for FW3A in case there
64 is an archaeological find that stops the progress of construction. If there is a stop in construction due to a
65 archaeological find, the contractor will be able to complete work in other areas without delaying the entire project.
66 Robby Sanders was introduced to the Board as Smithco Construction Inc's project manager for the FW3A project.

67 FW1- Mr. Honea stated all the legal descriptions for project FW1 are all complete at this point. Mr. Honea described
68 a legal description as a document that defines the actual easement that then wraps into how the appraisal get
69 complete. There is a possible change on just one legal description that is in discussion. Jacobs and the Authority
70 met with one group of property owners that is a family that owns four properties within FW1. In coordination with
71 the Authority, Mr. Honea will attend a meeting with another property owner that owns approximately eight
72 properties within FW1 and several in RW3. Mr. Honea explained where Jacobs is within the appraisal process of
73 project FW1 as follows. One property has the appraisal completed and the Authority is working on the offer letter.
74 Six properties are in the review appraisals stage. Four properties where the appraisers are preparing to complete
75 the appraisals. The last eleven properties will have the initial letters sent out mid-July and then doing the field
76 investigation mid-August.

77 RW3- Mr. Honea described the Raw Water 3 route as just north of the proposed treatment plant headed up to the
78 Caprock. After the approval and signing of Amendment 6, Jacobs will develop a project execution plan which lays
79 out the project for the Jacobs internal team. Another early step in the process is to provide a client expectation
80 survey to ensure quality control and that the goals of the Authority are being met. With initial field work Jacobs will
81 request right of entry from the property owners. At the same time Jacobs will be working on a field work plan to
82 determine exactly where the geo-technical bore holes for the survey work will need to be dug.

83
84 b) Ute Reservoir USGS Report- Ortega Ute Reservoir Storage had an increase of 12,500 acre/feet between June 14,
85 2021 and July 14, 2021. Ute Reservoir water surface elevation increased 2.06 ft between June 14, 2021 to July 14,
86 2021. The Surface level as of July 14, 2021, stands at 3,780.06 ft. Ute Reservoir Crest is 3,788.90. Chairman Morris
87 commented that the Reservoir is just over eight feet below the crest of the spillway.

88 c) State Activities- Thompson Mr. Thompson reported to the Board that since the meeting with the NMED-CPB the
89 department, he has collected information from the State Engineers Office. Mr. Thompson informed the Board that
90 he is working on getting a meeting with the Director of the New Mexico Finance Authority, Marquita Russel for all
91 Authority members to attend so the Authority can give an update on the status of our project. Mr. Thompson has
92 invited the Governor and Lt. Governor to the FW3A Groundbreaking Ceremony. Mr. Thompson will keep the Board
93 apprised to any VIPs that will be attending the FW3A Groundbreaking event.

94 d) Federal Activities- Ryan Mr. Ryan reported to the Board that during the upcoming trip to D.C., the Authority will
95 be meeting with members of our Congressional delegation, although the offices are still under Covid-19 restrictions.
96 Some of the federal agencies like the Bureau of Reclamation, Department of Interior, and OMB are not permitted

97 to attend in person meetings at this time. Mr. Ryan also updated the Board on the appropriations process stating
98 that the process is moving through the House's Energy and Water Subcommittee, this is the funding subcommittee
99 that funds all the rural water projects. Mr. Ryan noted that within the current Administration's budget, the
100 ENMWUA's project was budgeted to received \$7.79 million dollars. This is half of the total the Authority received
101 last year. Mr. Ryan explained that when meeting with our delegation, the Authority will ask for earmarks to our
102 project at some level or to be included within an infrastructure bill.

103 e) Report from the Chair- Morris Chairman Morris passed his update to Secretary Bryant to give an update on the
104 meeting with Congresswoman Teresa Leger Fernandez. Secretary Bryant updated that he was under the impression
105 that the meeting with the Congresswoman went well. The Congresswoman was very interested in how the funding
106 of our project worked. Mr. Ortega echoed the same sentiments of Secretary Bryant. Mr. Ortega added that the
107 Congresswoman headed up the signing of a letter from all the Rural Water Coalition's Congressional representatives
108 and is very supportive of the Authority's mission.

109 f) Report from the Administrator- Ortega Mr. Ortega updated the Board that FW3A is moving forward and our
110 administrative responsibilities such as; prevailing wages, certified payroll, and all reporting to meet Federal and
111 State regulations is being accomplished by the Authority staff. Mr. Ortega explained that the ENMWUA is heavily
112 engaged in easement acquisition for FW1. Mr. Ortega noted that he has engaged in meetings with FW1 property
113 owners. The Board was also informed that there have been some meetings with FW3A property owners to ensure
114 clear lines of communication regarding FW3A construction activities. Mr. Ortega acknowledged that the Authority
115 is ready to start work on FW3B. Amendment 6 of the 2020 Jacobs Engineering contract regarding next steps on
116 project FW3B was sent to the Finance Committee for review. Mr. Ortega requested a special Board meeting on July
117 29, 2021, regarding the approval of Amendment 6. A meeting is being organized regarding Texico Lateral at the end
118 of July or beginning of August. Once the presentation for the Texico Lateral meeting is complete he will update the
119 Board. The Readiness to Proceed items for WPF-5416 are ready to be sent, however, a meeting is still pending
120 between NMFA and the ENMWUA regarding this application funding award. Mr. Ortega briefly updated the Board
121 on WPF-5093, stating that the close out on this Water Project Fund will be July 30, 2021.

122 **11. Future Agenda Items**

123 a) Next Regular Meeting, Date, Time, and Location: August 26, 2021, at 3:00 p.m. at the ENMWUA Office (Sitterly
124 Professional Center) 801 Pile Street, Clovis, NM 88101.

125 **12. Public Input-N/A**

126 **13. For the Good of the Order N/A**

127 **14. Adjournment**

128 Meeting adjourned officially at 4:20 PM.

129 X 

130 Michael A. Morris
131 Chairman

132

X 

Chris Bryant
Secretary