

MEETING MINUTES

ENMWUA Regular Board Meeting

DATE: Thursday April 28, 2022

LOCATION: Roosevelt County Chamber of Commerce, 100 S. Ave A, Portales, NM 88130

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 Lucero, and Member Garza. ENMWUA Administrator Orlando
6 Ortega, ENMWUA staff, Robby Sanders with Smithco Construction, Jim Honea and Mary Gerut with Jacobs
7 Engineering were also present. Members of the public that attended in person included Chase Gossett with
8 Yucca Telecom, representative with the Eastern News, and Tom Martin, Curry County Commissioner. Member
9 Carter joined the meeting at 3:35 pm.

10 **3. Approval of Agenda**

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

Result: Approved by Vote (5-0)

Motion:

Bryant

Second:

Jackson

Ayes: 5

Nays: 0

12 **4. Approval of Minutes**

13 a.) There was a motion to approve the minutes from the regular Board Meeting held on Thursday March 24, 2022,
14 at 3:00 p.m. at the Portales Memorial Building, and a roll call vote took place.

Result: Approved by Vote (5-0)

Motion:

Garza

Second:

Bryant

Ayes: 5

Nays: 0

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16 **5. Public Input**

17 Members of the public that attended in-person included: Chase Gossett with Yucca Telecom, with Steven Hansen
18 with the Eastern New Mexico News, and Tom Martin, Curry County Commissioner. Mr. Chase Gossett with Yucca
19 Telecom explained the Owl Pro camera system and its benefits.

20 **6. Monthly Financials**

21 a) Approval of Monthly Financials for the Month ending March 31, 2022 -Marez, Ortega.

22 Ms. Marez reported the total revenues for the month ending March 31, 2022, in the amount of \$2,302,334.22. Ms.
23 Marez informed the Board that the revenues for the month of March included interest earned from the ENMWUA
24 Money Market account in the amount of \$1,025.52, interest earned from the ENMWUA CD Renewal in the amount
25 of \$7,516.95, SAP Reimbursement for FW3A Construction in the amount of \$276,557.91 and Water Trust Board
26 payment for FW3A construction for a total of \$2,017,233.84. Total expenditures for the month ending March 31,
27 2022, were at \$2,444,293.34. The reported balances of the ENMWUA bank accounts at The Citizens Bank were as
28 followed: Business Checking account balance as of March 31, 2022, was \$1,041,835.42 and reported as of April 28,
29 2022, the current balance of the Business Checking account is \$401,903.25. The balance of the Money Market
30 account as of March 31, 2022, was \$1,958,798.66 and balance as of April 28, 2022, is \$2,632,240.75. The ENMWUA
31 CD account balance as of March 31, 2022, was \$2,533,931.35 and the same balance was reported as of April 28,
32 2022. The total balance of all Authority accounts as of March 31, 2022, was reported at \$5,534,565.43. A motion
33 was made for approval of monthly financials, and a roll call vote took place.

Result:	Approved by Vote (5-0)
Motion:	
Bryant	
Second:	
Jackson	
Ayes: 5	
Nays: 0	

34 b) Approval of Monthly Bank Transfer Request from Money Market Account #7111 to Business Checking

35 Account #7101- Ortega. Ms. Marez presented the monthly bank transfer request in the amount of \$1,218,000.00
36 from the ENMWUA Money Market account to the ENMWUA Business Checking account. A motion was made for
37 approval, and a roll call vote took place.

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

38 **7. New Business Items**

39 a.) Review/Recommendation for Approval of ENMWUA 2022 Finance Plan and Resolution 2022-03
40 Adopting the 2022 Finance Plan. – Ortega, Harrigan Mr. Ortega stated that the ENMWUA and RBC Capital have
41 prepared the 2022 Finance Plan and Cash Flow for the overall project related to the injection of the Federal
42 Infrastructure funding, State funding and Local ENMWUA funding for the remaining of the Eastern New Mexico
43 Rural Water Project. Mr. Harrigan from RBC Capital presented the ENMWUA Cash Flow and 2022 Finance Plan in
44 detail to the ENMWUA Board. A motion was made for approval, and a roll call vote took place;

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

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46 b.) Recommendation for Authorizing and Approving Submission of a Drinking Water State Revolving Loan
47 Fund (DWSRLF) Application for Financial Assistance and Project Approval to the New Mexico Finance
48 Authority, Resolution 2022-04. – Ortega Mr. Ortega presented the Drinking Water State Revolving Loan Fund
49 (DWSRLF) Application and Resolution 2022-04 to the Board. Mr. Ortega explained that this Resolution grants the
50 ENMWUA staff approval to submit this application for funding. The requested funding amount for the 2022 DWSRLF
51 application will be \$32,000,000.00. A motion was made for approval, and a roll call vote took place. It was noted
52 that Member Carter joined the meeting at the beginning of this business item.

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

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54 c.) Review/ Recommendation for Approval of Financial Management Policies and Procedures. – Ortega,
55 Bowens Mr. Ortega informed the Board that the Financial Management Policies and Procedures were last reviewed
56 by the Board on April 22, 2021. Mr. Ortega stated that there are no recommended changes to the Financial
57 Management Policies and Procedures at this time. A motion was made for approval, and a roll call vote took place.

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

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62 d.) Review/Recommendation for Approval of ENMWUA Vehicle Use Policy – Ortega, Bowens

63 Mr. Ortega informed the Board that the ENMWUA Vehicle Use Policy was last reviewed by the Board on April 22,
64 2021. Mr. Ortega stated that there are no recommended changes to the ENMWUA Vehicle Use Policy at this time.
65 A motion was made for approval, and a roll call vote took place.

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

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67 e.) Review/Recommendation for Approval of Notice of the Right to Request Public Records and Request
68 for Public Records Form. – Ortega, Bowens

69 Mr. Ortega informed the Board that the ENMWUA IPRA Policy was
70 lasted reviewed by the Board on April 22, 2021. Mr. Ortega stated that there are no recommended changes to the
IPRA Policy at this time. A motion was made for approval, and a roll call vote took place.

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

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

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

74 a) Project Development Activities -Jacobs- Jim Honea

75 FW3A- Mr. Honea explained that as of April 20th there has been 51,400 liner feet of 20” PVC and 25,500 liner feet
76 of fiber conduit and 1,200 liner feet of ductile iron pipe (DIP) installed. Mr. Honea notified the Board that
77 subcontractor finished installing the casing pipe at Highway 467 on April 14, 2022. Mr. Sanders from Smithco
78 Construction went into details in regarding to the upcoming schedule. Mr. Sanders explained that Smithco will be
79 completing two of the remaining four sections of DIP installation the week of April 30th. The grouting subcontractor
80 will be on site in May. Once the grouting subcontractor is complete Smithco will be able to finish the DIP installation.
81 In response to a question from Secretary Bryant, Mr. Sanders stated that ENMWUA, Jacobs, and Smithco are
82 currently in the negotiation process regarding a request for a 90-day time extension.

83 FW1- Mr. Honea notified the Board that easement acquisition is continuing. Currently Jacobs is in coordination
84 with the ENMWUA on finishing up easement acquisition. Jacobs has completed and submitted the 100% cost
85 estimate for FW1. The bid ready documents, specifications, and drawings are targeted to be ready for review in
86 mid-April. Mr. Honea stated that depending on review time, funding and easements the plan is to advertise the
87 FW1 RFP this June.

88 RW3- Mr. Honea explained that Jacobs is in the field work phase of the RW3 project. Survey work has been
89 completed; Jacobs Engineering is pending the title reports from the subcontractor. The geotechnical report has

90 been completed and is currently under review by Jacobs internal QC department. Mr. Honea explained that the
91 next phase of the RW3 project, the preliminary hydraulic analysis and the preliminary scour analysis is still ongoing.
92 FW3B- Mr. Honea explained that Jacobs is trying to advance the FW3B project as quickly as possible. The
93 geotechnical draft report is completed and is under review by an internal QC team. Mr. Honea expressed that 60%
94 design should be delivered to the ENMWUA and stakeholders within the next month. Mary with Jacobs Engineering
95 stated that all initial letters have been send out to all property owners. Mary followed up stating that the appraisal
96 process will begin in May of 2022.

97 Texico Lateral- Jacobs is supporting the ENMWUA during discussions with EPCOR. The updated alignment study
98 has been completed.

99 Overall Project Cost Estimate- Jacobs Engineering has completed the Overall Cost Estimate of the ENMRWS. Mr.
100 Honea indicated that Jacobs is currently working on a revision due to new information regarding the land cost for
101 power transmission and other easements.

102 Raw Water 1, and Raw Water 2- Jacobs Engineering has started the right-of-entry phase. Mr. Honea stated that the
103 initial review of a horizontal alignment is currently ongoing.

104 Elida Lateral- Jacobs Engineering has begun the alignment study for the Elida Lateral. The first step in this alignment
105 study is a preliminary hydraulics analysis and cost comparison.

106 b) Ute Reservoir USGS Report- Bowens Currently the Ute Reservoir storage in ac/ft as of March 28, 2022, was
107 141,800 ac/ft and as of April 28, 2022, was 139,900 ac/ft. Ms. Bowens explained that there was a 1,900 ac/ft drop
108 from March 28th to April 28th. The reported water surface elevation in feet as of March 28, 2022, was 3,777.31 ft
109 and as of April 28, 2022, was 3,776.99 ft. Ms. Bowens explained that there was a 3.84-inch drop from March 28th to
110 April 28th.

111 c) State Activities- Thompson Mr. Thompson stated that the Legislative Finance Committee (LFC) met and had a
112 lot of positive feedback on our project. During that meeting a former Albuquerque Mayor presented information
113 regarding the state revolving loan funds. Mr. Thompson informed the Board that he would share the handout given
114 regarding the States Revolving Loan Funding. Mr. Thompson stated that he will be putting a plan together for the
115 ENMWUA to circle back with our stakeholders within the state to share future plans and how the Authority's funding
116 raising efforts are continuing. Mr. Thompson suggested some future meetings with the Water and Natural
117 Resources Committee among others.

118 d) Federal Activities- Ryan Mr. Ryan stated that since the Infrastructure Bill announcement the Authority also
119 continues to focus on the regular appropriation processes. Mr. Ryan explained that Administration in the fiscal year
120 2023 budget provided \$4.6 million towards the ENMRWS project. Congresswomen Teresa Leger Fernandez
121 requested to the Energy and Water Appropriations Subcommittee to plus up the funds in the rural water account.

122 e) Report from the Chair- Morris Chairman Morris reported that he attended the Ute Reservoir Water
123 Commission meeting along with the Authority's Vice-Chairman Ron Jackson. Vice-Chair Jackson was elected to be
124 Vice-Chairman along with Chairman Michael Morris being elected as Chairman, both of the Ute Reservoir Water
125 Commission. Chairman Morris stated that Administrator Ortega gave an updated presentation to the Ute Reservoir
126 Water Commission meeting on the Eastern New Mexico Rural Water System project. The Chairman gave a brief
127 overview of the big picture as it pertains to water retention efforts within eastern New Mexico.

128 f) Report from the Administrator- Ortega. Mr. Ortega stated that the Authority met with the USBR staff in
129 preparation for a new grant agreement. Mr. Ortega conveyed to the Board that the Authority will be seeking
130 modifications to the FW1 and FW3 grant agreements with USBR. These modifications are for budget adjustments
131 to cover the cost increase shown on the Overall Cost Estimate that was prepared by Jacobs Engineering. Mr. Ortega

132 explained that the ENMWUA is currently engaged in completing the DWSRLF application. Mr. Ortega expressed
133 that he has met with the Drinking Water State Revolving Loan Fund staff and there is some flexibility available with
134 this funding source. He would like to discuss the funding amounts and other terms regarding the DWSRLF with
135 the Finance Committee once we learn more details of the options available. Mr. Ortega shared that the Authority
136 has initiated the \$20,000,000 Capital Outlay funding but we are still waiting on direction from New Mexico
137 Environment Department Construction Programs Bureau regarding the \$10,000,000 Capital Outlay funding. Lastly,
138 Mr. Ortega stated that he has commenced work on the fiscal year 2023 Interim Budget.

139 **10. Future Agenda Items**

140 a) Next Regular Meeting, Date, Time, and Location: Thursday, May 26, 2022, at 3:00 p.m. at the Sitterly Professional
141 Building, 801 Pile St., Clovis, NM, 88101.

142 **11. Public Input**

143 No public input was given at this time.

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

145 **13. Executive Session**

146 † Motion: to move into Executive Session to discuss acquisition of real estate 10-15-1 H(8), NMSA 1978 of the New
147 Mexico Open Meetings Act and attorney-client privilege pertaining to threatened or pending litigation in which the
148 public body is or may become a participant 10-15-1 H(7), NMSA 1978 of the New Mexico Open Meetings Act.

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

149 ‡ Motion: to move back into open session, noting that nothing was discussed other than acquisition of real estate
150 and attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may
151 become a participant in accordance with Section 10-15-1 (H)(2), NMSA 1978 of the New Mexico Open Meetings Act
152 and no final action on personnel was taken.
153

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

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155 **14. Adjournment**

156 Meeting adjourned officially at 5:56 PM.

157 X  _____

158 Michael A. Morris

159 Chairman

160

X  _____

Chris Bryant

Secretary