

MEETING MINUTES

ENMWUA Regular Board Meeting

DATE: Wednesday, April 26, 2023
LOCATION: Elida Community Center, 704 State Street, Elida NM, 88116

1 **1. Call to Order**

2 The meeting was called to order at 3:00 pm

3

4 **2. Roll Call**

5 Roll was called. The following ENMWUA Board Members were in attendance in-person: Chairman Morris,
6 Secretary Bryant, Member Dixon, and Vice-Chair Jackson. Member Lucero and Member Garza were present via
7 Teams video and phone conference. ENMWUA Administrator Orland Ortega and staff, as well as ENMWUA
8 Attorney Kameron Barnett and Jim Honea with Jacobs Engineering were present in person. Wendy
9 Christofferson, Bryor Price with Jacobs Engineering, and Joe Thompson with Thompson Consulting, LLC were
10 present via Teams video conference. Members of the public that attended via Teams video conference were
11 Rico Blea and Frank Scott with ISC/OSE, Mike Kasem, Chad Talbot, Tom Torres, and Mark Huerta with EPCOR
12 Water, Sarah Austin, John Desha (in person) and Ashley Flores (in person) with the City of Portales, Sara Newton,
13 Jeff Davis, and Jon Walla with CAFB.

14

15 **3. Approval of Agenda**

16 A motion to adopt the agenda was unanimously approved.

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

17

18 **4. Approval of Minutes**

19 a) The Board unanimously approved the minutes from the Regular Board Meeting held on Thursday,
20 March 30, 2023, at 3:00 pm at the Portales Memorial Building, Portales NM, 88130.

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

Nays: 0

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 December 31, 2022. – Marez, Ortega

27 Ms. Marez reported total revenues for the month ending March 31, 2023, were in the amount of
28 \$5,657,466.94. Of that amount the Authority received revenue from Federal funds in the amount of
29 \$262,702.46, those included disbursement requests for SAP funds for Task Orders with Jacobs
30 Engineering. The Authority also received State funds in the amount of \$5,393,662.31, these also included
31 disbursement requests for Jacobs Task Orders as well as Finished Water Pay Apps 1 and 2. Interest earned
32 for the month of March was \$1,102.17. Ms. Marez reported that the Authority received the Town of Elida's
33 membership contribution at the beginning of this month and will reflect in next month's reporting.
34 Expenditures reported for the month of March 2023 was \$5,730,867.37. Reported expenditures included
35 payment to Contractor for FW1 Pay App 1 & 2, Jacobs invoices in the amount of \$964,581.27 for the month
36 of February. Intake Facility Actuator Repair in the amount of \$8,469,90.00, 4 Applications for RW3 New
37 Mexico State Land in the amount of \$3,000.00, and RW3 title work in the amount of \$1,087.00. Bank
38 account balances reported as of March 31, 2023, were as follows: ENMWUA business checking account
39 had a balance of \$265,390.83, ENMWUA Money Market account had a balance of \$2,439,234.01, Capital
40 Construction account had a balance of \$277,550.41, and the ENMWUA CD had a balance of \$2,541,595.63.
41 Reported as of April 26, 2023, ENMWUA business checking account had a current balance of \$245,326.50,
42 Money Market account balance sits at \$2,447,901.01, ENMWUA CD balance is reported the same at
43 \$2,541,595.63, and Capital Construction account has a current balance of \$277,025.65. The total balance
44 of all Authority accounts as of April 26, 2023, was reported at \$5,511,848.79.

45 A motion was made for approval of the monthly financials, and a roll call vote took place.

46

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

47

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

50 Ms. Marez informed the Board Members at this time the Authority is requesting a transfer in the amount
51 of \$250,000.00.

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

53

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

54

55 **7. New Business Items**

56 a) WTP Study Working Group Recommendation for a Water Treatment Plant Process Alternatives based
57 on Alternatives Analysis, Criteria and Scoring Results. – Ortega, Jacobs, WTP Working Group.

58 Mr. Ortega stated with the results of about three months of work, discussions, investigations, exercises,
59 non-cost, and cost criteria, the WTP working group at its last meeting agreed upon a recommendation to
60 the Board on a WTP alternative. Mr. Ortega explained that the Authority has had recent discussions with
61 the US Bureau of Reclamation along with the New Mexico Environment Department Construction
62 Programs Bureau. Because of the Alternatives that were looked at and the different costs involved with
63 these alternatives the Authority feels that all organizations should be aware of them. At this time Mr.
64 Ortega asked Jim Honea with Jacobs Engineering to present the WTP alternative recommendation to the
65 Board. Mr. Honea informed the Board Members that the working group recommends Alternative 2 which
66 is the membrane and reverse osmosis plant with brine disposal of ejection wells as the best technical
67 alternative for the Water Treatment Plant.

68 A motion was made to accept the recommendation for a water treatment plant process, and a roll call
69 vote took place.
70

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

71

72 b) Review/Recommendation for Approval of Financial Management Policies and Procedures. – Ortega,
73 Bowens

74 Mr. Ortega explained these policies and procedures are up for annual review and re-adoption. The
75 Administrator and Support Services Officer have reviewed and have made recommendations for minor
76 adjustments as needed. This policy has gone before the Development & Policy committee for review,
77 discussion, and recommendation to the Board. Mr. Ortega then asked Ms. Bowens to present the
78 recommendations. Ms. Bowens shared that this policy is to keep the ENMWUA committed to maintaining
79 a sound organization and to maximize the use of all available resources. Ms. Bowens briefly described the
80 purposed changes:

- 81 1. ENMWUA Administration recommended to add 4.1.1.2.3 to the Policy. This addition would set a
 82 standard that ENMWUA invoices to the member communities should be paid within 60 days of
 83 receipt of invoice.
 84 2. ENMWUA Administration recommended to add language to support upcoming loans. These
 85 recommended changes are in section 4.1.2.1 and 4.1.2.1.2. to the Policy these additions details
 86 where the ENMWUA gathers loan funding but also ensure that a sub-account is created to track
 87 all loan funding.
 88 All other recommended policy changes are date and grammatical changes.
 89 A motion was made for approval, and a roll call vote took place.
 90

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

91
 92 c) Review/Recommendation for Approval of Notice of the Right to Request Public Records and Request
 93 for Public Records Form. – Bowens, Burnett
 94 Ms. Bowens explained this policy ensures that the Authority follows State Statue 14-2-1 New Mexico
 95 Inspection of Public Records Act. Ms. Bowens reported the recommended changes are:

- 96
 97 1. Change to the pricing for copies of 8.5"x11" page from .35 to \$1.00. This price increase is allowable by
 98 State Statue 14-2-1 and has been reviewed and approved by the Authority's Finance Committee.
 99

100 Ms. Bowens then asked ENMWUA Attorney Kameron Barnett to present the recommended changes to
 101 paragraph 4. Mr. Barnett advised there are strict guidelines to responding to an IPRA request however,
 102 there are certain situations when the State Statue allows for more time to respond. He informed the Board
 103 Members if a request is overly broad or burdensome additional time beyond the 15 days is allowed so
 104 long as the Authority sends a letter to the requestor to advise them of the additional time needed. It is
 105 the recommendation of the ENMWUA Administration for Board approval.
 106 A motion was made for approval, and a roll call vote took place.
 107

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

108

109 d) Review/Recommendation for Approval of ENMWUA Vehicle Use Policy. – Ortega, Bowens
110 Ms. Bowens informed the Board Members that the ENMWUA Vehicle Use Policy is a policy to clearly
111 outline all rules and requirements of an authorized driver of the Authority’s vehicle. Ms. Bowens reported
112 the recommended changes are:

- 113
114 1. Under cellular/mobile phones, to comply with Executive Order 13513, Federal Leadership On
115 Reducing Text Messaging While Driving the Authority Administrator requests that we change our
116 policy to ban text messaging while driving the ENMWUA owned vehicle.
117

118 Ms. Bowens reported all other recommended policy changes are date and grammatical changes.
119 A motion was made for approval, and a roll call vote took place.
120

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

121
122 e) Request for Approval to Advertise Request for Proposals (RFP) for the Operation and Maintenance of
123 the Eastern New Mexico Rural Water System to include FW2, FW3A, and Intake Facility, Appoint an
124 Evaluation Committee, and Permission to Negotiate Contract. – Ortega, Bowens

125 Ms. Bowens advised the purpose of the Request for Proposal (RFP) is to solicit sealed proposals to
126 establish a contract through competitive negotiations for the procurement of operation and maintenance
127 (O&M) of Eastern New Mexico Rural Water System (ENMRWS) project located within Curry, Roosevelt,
128 and Quay County for the Eastern New Mexico Water Utility Authority (ENMWUA). This contract will begin
129 on September 1, 2023. Ms. Bowens shared the Operation and Maintenance Bidding Timeline steps are:

- 130
131 1. Wednesday, April 26, 2023 – Requesting approval of O&M Documents and approval from the
132 ENMWUA Board to advertise RFP on O&M.
- 133 2. Sunday, April 30, 2023 – ENMWUA to publish in the Eastern New Mexico News the request for
134 proposal.
- 135 3. Monday, May 1, 2023 – RFP and all required documentation will be electronically published on
136 BidNet Direct.
- 137 4. Monday, May 15, 2023 – ENMWUA will hold a pre-proposal conference & site visit.
- 138 5. Wednesday, May 24, 2023 – All Proposals are due.
- 139 6. Thursday, June 22, 2023 – ENMWUA Administrative staff will bring RFP# 23-0501-01 Contract to
140 the Board for approval and a public Award announcement will be made at that time.
141

142 Ms. Bowens then presented the following details on the evaluation committee:
143

- 144 1. In accordance with the ENMWUA purchasing policies and procedures manual Section 10.1.1 The
145 ENMWUA has no standing RFP Committees. The ENMWUA Board shall appoint a selection
146 committee as needed. 10.1.2.
147 2. unable to serve 10.1.2.1 if any committee member becomes unable to serve, the purchasing agent
148 may select additional members as needed to ensure that the committee has at least a minimum
149 of three members.
150 3. The Authority Administration is suggesting a four-member committee is 2 ENMWUA Board
151 members and 2 ENMWUA staff members for the proposed procurement.
152

153 The ENMWUA Board Members suggested to appoint Ms. Marez and Administrator Ortega from the
154 ENMWUA staff along with Chairman Morris and Vice-Chair Jackson from the Board Members for the
155 proposed procurement committee.

156 A motion was made for approval, and a roll call vote took place.
157

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

158
159 f) Request for Approval of Easement Agreements with James Robert and Anna Sides, and the ENMWUA
160 for FW3B Pipeline Phase. – Ortega
161 Parcel 4 000 000 000 176 00 (Parcel B)

162 Mr. Ortega stated this is Permanent and Temporary Construction Easement for FW3B pipeline project.
163 The property owners have accepted the easements purchase offer and have signed both agreements. The
164 ENMWUA makes a recommendation for the Board to approve both easement agreements.

165 A motion was made for Approval, and a roll call vote took place.
166

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

167
168 g) Request Discussion and Action of Annual Evaluation and Compensation for ENMWUA Administrator. –
169 Barnett

170 Mr. Barnett informed the Board Members that the ENMWUA's Administrator's annual base salary shall
171 be reviewed on or before the first of each year. Chairman Morris expressed his gratitude for Administrator
172 Ortega's great work ethic, his expertise, his attention to detail, and his history with the project. Mr. Barnett
173 explained that Mr. Ortega's contract is currently not up for renewal and this evaluation is to adjust the
174 compensation rate to \$120,000.00 annually.
175 A motion was made for approval, and a roll call vote took place.
176

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

177
178

179 **8. Unfinished Business – N/A**

180

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

182

183 a) Federal Activities – Ryan - N/A

184

185 b) State Activities – Thompson. Mr. Thompson reported that there will be some retirements upcoming.
186 He advised Mr. Abbey, Director of the LFC will be retiring at the end of May with Charles Sallee being
187 named as acting Director. Mr. Thompson suggested a substantive briefing to explain and talk about the
188 project to all the new staff members who will be replacing the retirees.

189

190 c) Project Development Activities – Jacobs, Jim Honea

191 FW3A – Jacobs will be providing final payment to Smithco soon, as well as finalizing record drawings &
192 operation and maintenance manual.

193 FW1 – Mr. Honea advised Submittal and RFI's are in progress with Oscar Renda. Pipe delivery date
194 scheduled for 6/28/2023. Notice to proceed for mobilization ready for 5/01/2023.

195 RW3 – Mr. Honea stated 100% design as well as appraisal and easement acquisition is progressing. The
196 Authority has received its first signed easement agreements for this project.

197 FW3B – Mr. Honea reported the Bid has been advertised and Jacobs is preparing to attend the mandatory
198 pre-bid conference & site visit scheduled for May 11, 2023.

199 Texico Lateral – Mr. Honea informed the Board Members Jacobs is progressing the 60% design and starting
200 legal descriptions.

201 RW1/RW2 – Mr. Honea reported Jacobs has survey, utility, and property boundary work ongoing. Geotech
202 investigation is ongoing for RW1 as well as alternatives analysis for RW2.

203 Elida Lateral – Mr. Honea shared survey, utility, and Right of Way mapping is ongoing.

204 Intake Pump Station – Mr. Honea explained Jacobs is working on the review and updates of basis of design
205 report. He stated Jacobs is also working on preliminary pump selection.

206 Caprock Pump Station – Mr. Honea advised Jacobs is working on the review and updates of basis of design
207 report as well as the preliminary pump selection.

208 Water Treatment Plant – Mr. Honea stated Jacobs is progressing alternatives analysis for the water
209 treatment plant.

210
211 d) Ute Reservoir USGS Report – Marez
212 Currently the Ute Reservoir Storage in ac/ft as of March 21, 2023, the Reservoir was at 124,600 ac/ft and
213 as of today April 20, 2023, was reported at 121,900 ac/ft for a loss of 2,700 ac/ft. The Ute Reservoir Water
214 Surface Elevation in ac/ft as of March 27, 2023, was reported at 3,774.05 ft and as of today April 26, 2023,
215 was reported at 3,773.5 ft for a loss of 6.6 inches.

216
217 e) Report from the Chair – Morris
218 Chairman Morris spoke about an Albuquerque News Article that was targeted at the Ute Dam Reservoir
219 dated back to 1963 that Administrator Ortega had shared with the Finance Committee. He expressed how
220 extraordinary it is that we will see the completion of this project within the next 10 years. Chairman Morris
221 stated that he spoke with Administrator Ortega about possibly doing a groundbreaking for FW1 to
222 celebrate the milestone in this project.

223
224 f) Report from the Administrator – Ortega
225 Mr. Ortega advised the Board Members that the Authority has budgeted funds this fiscal year for some
226 video production and marketing of the ENMWUA mission and progress of the project. He announced that
227 the Authority is currently working on the FY2024 Interim Budget and will have a work session with the
228 Finance Committee on May 17, 2023, at 2:00 pm.

229
230 **10. Future Agenda Items**
231 a) Next Regular Meeting, Date, Time, and Location: Thursday, May 25, 2023, at 3:00 p.m. at the Clovis Carver Library,
232 Ingram Room, 701 N. Main Street, Clovis NM, 88101.

233 **11. Public Input**

234
235 **12. For the Good of the Order**

236

237 **13. Adjournment**

238 Meeting adjourned officially at 4:55 pm

239 X 

240 Michael A. Morris
241 Chairman

X 

Chris Bryant
Secretary