

MEETING MINUTES

**ENMWUA Regular Board Meeting**

DATE: Thursday, February 22, 2024  
LOCATION: Clovis Carver Library (Ingram Room), Clovis NM, 88101.

1 **1. Call to Order**

2 The meeting was called to order at 3:02 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, Vice Chair Lucero, and Member Carter. Member Merrick joined via Teams and Member Gaza  
7 was absent. ENMWUA Administrator Orlando Ortega and staff were present. ENMWUA Attorney Kameron  
8 Barnett joined via Teams, Jim Honea, Wendy Christofferson, and Kent Bienlien with Jacobs Engineering. DeAun  
9 Willoughby from Willoughby & Willoughby CPAs, PC., Richard Olmos from Oscar Renda Contracting. Members  
10 of the public that attended: Grant McGee from the Eastern New Mexico News, and Mayor of Elida Durward  
11 Dixon.

12

13 **3. Approval of Agenda**

14 A motion to adopt the agenda was unanimously approved.

**Result:** Approved by Vote (5-0)

**Ayes:** 5

**Nays:** 0

15

16 **4. Approval of Minutes**

17 a) The Board unanimously approved the minutes from the Regular Board Meeting held on Tuesday,  
18 January 30, 2024, at 10:00 am at the at the New Mexico Municipal League (Board Room), Santa Fe NM,  
19 87501.

**Result:** Approved by Vote (5-0)

**Ayes:** 5

Nays: 0

20

21 **5. Public Input**

22 Chairman Morris addressed the public for any comments, and no public input was made at this time.

23

24 **6. Monthly Financials**

25 a) Approval of Monthly Financials for the Month Ending January 31, 2024. – Ortega.

26 Mr. Ortega reported total revenues for the month ending January 31, 2024, were in the amount of  
27 \$3,570,833.06. Of that amount the Authority received revenue from State Funds for a total - \$143, 134.81.  
28 Those included disbursement requests for SAP funds for Task Orders with Jacobs Engineering. The  
29 Authority also received USBR Funding in the amount of \$3,416,350.91. Interest earned for the month of  
30 January 2024 was \$1,347.34. Expenditures reported for the month ending January 31, 2024, were  
31 \$5,302,674.96. Bank account balances reported as of January 31, 2024, were as follows: ENMWUA  
32 business checking account had a balance of \$183,711.63, ENMWUA Money Market account had a balance  
33 of \$1,974,597.07, Capital Construction account had a balance of \$19,411.82. ENMWUA CD #6325 had a  
34 balance of \$2,596,239.94 and ENMWUA CD #6326 had a balance of \$1,500,000.00. The total balance of  
35 all Authority accounts as of January 31, 2024, was reported at \$7,410,574.47. A motion was made for  
36 approval of the monthly financials, and a roll call vote took place.

**Result:** Approved by Vote (5-0)

**Motion:**  
**Bryant**

**Second:**  
**Lucero**

**Ayes: 5**

**Nays: 0**

37

38 b) Approval of Monthly Bank Transfer Request from Money Market Account #7111 to Business Checking  
39 Account #7101. – Ortega

40 Mr. Ortega informed the Board Members at this time the Authority is not requesting a monthly transfer  
41 of funds.

42

43 **7. New Business Items**

44 a) Presentation and Request for Approval of FY2023 Annual Audit from DeAun Willoughby CPA, PC. –  
45 Ortega, Willoughby

46 Mr. Ortega reported that the Audit performed by Willoughby & Willoughby has been reviewed and  
47 approved by the New Mexico State Auditor. The audit is now ready for board presentation and formal  
48 approval. The Authority and its staff prepared and collaborated with Willoughby & Willoughby to provide  
49 financial information pertaining to the audit as well as information regarding administrative activities. An

50 exit conference was held between the Authority and the accounting firm on Wednesday December 13,  
51 2023. Ms. Willoughby presented the audit findings, stating that the numbers are well within the allotted  
52 range, adding that the books and records are very well kept, and that the Authority is a rare example of  
53 an organization which has no audit findings.  
54

<b>Result:</b>	Approved by Vote (5-0)
<b>Motion:</b>	
<b>Bryant</b>	
<b>Second:</b>	
<b>Carter</b>	
<b>Ayes: 5</b>	
<b>Nays: 0</b>	

55  
56 b) Recommendation for Approval to Advertise Request for Proposal RFP 24-0225-02 for Eastern New  
57 Mexico Rural Water System (ENMWRS) Land Restoration Services, Permission to Negotiate Contract, and  
58 Appointment of Evaluation Committee. – Ortega, Bowens

59 Mr. Ortega stated the Authority’s Administrator, Chief Procurement Officer Jacquelynn Bowens, and  
60 Jacobs Engineering have been working to develop the Request for Proposals for Land Restoration. Mr.  
61 Ortega stated that as the project moves forward it is encountering delicate grass/grazing ranch land, and  
62 it is in the Authority’s best interest to ensure that the grass/grazing land that is disturbed during  
63 construction are restored to their original state as much as possible after construction is finished. The RFP  
64 will allow the Authority to solicit proposals for expert land restoration with qualifications for that  
65 expertise. The RFP will also allow the Authority to continue with restoration management throughout the  
66 easement terms. The RFP has been reviewed by ENMWUA Attorney Kameron Barnett. The RFP was also  
67 reviewed by the U.S. Bureau of Reclamation and the New Mexico Environmental Department Construction  
68 Programs Bureau. Chief Procurement Officer Jacquelynn Bowens presented the RFP Timeline which is as  
69 follows: Thursday, February 22, the authority is requesting board approval of the Eastern New Mexico  
70 Rural Water System Land Restoration Documents as well as seeking the blessing to advertise the RFP for  
71 bid. The RFP will be submitted on Friday, February 23, 2024. The RFP and all required documentation will  
72 be published electronically on Sunday February 25, 2024, and will also be published in the Eastern New  
73 Mexico News that same day. On March 5, 2024, there will be a pre-proposal conference at the Sitterly  
74 Professional Center in the downstairs conference room where everything concerning the potential  
75 contractors will be discussed. Friday, March 15, 2024, the proposals are due electronically via Bidnet  
76 Direct. Thursday, March 28, 2024, the authority will bring the contact to the board for approval and a  
77 public award announcement will be made at that time. A selection committee will be appointed at the  
78 board meeting on February 22, 2024, and that committee will consist of three members: one board  
79 member, Jim Honey from Jacobs Engineering, and the Authority’s Administrator Mr. Ortega. Member  
80 Merrick was selected as the board member to serve on the committee. Committee members will be  
81 responsible for: Receiving ENMWUA Score Card on March 15. Review, score, and return score cards on  
82 March 19 by 1:00 pm, and attend in person interviews for the selected three finalists on March 20, 2024,  
83 from 1 pm – 4 pm. ENMWUA Attorney Kameron Barnett reviewed the RFP and found no issues,  
84 recommends the board’s approval.

85 A motion was made for approval, and a roll call vote took place.  
86

**Result:** Approved by Vote (5-0)

**Motion:**  
Lucero

**Second:**  
Bryant

**Ayes:** 5

**Nays:** 0

98

99 c) Review/Recommendation for Approval of an Agreement between the ENMWUA and Farmers' Electric  
100 Cooperative, Inc. of New Mexico involving the Electrical Buildout for the ENMRWS Facilities. - Ortega

101 Mr. Ortega informed the Board Members the Eastern New Mexico Water Utility Authority and Jacobs  
102 Engineering have been working on an agreement with Farmers' Electric Cooperative to develop a plan for  
103 the electrical power buildout for the ENMWRS facilities that include the Intake Pump Station, Caprock  
104 Pump Station, and the Water Treatment Plant. The electric buildout of these facilities is significant because  
105 it will be needed to conduct initial testing of the facilities once constructed as well as powering the  
106 facilities full-time once they are in operation. In order to develop the electrical buildout in a timely  
107 manner, it is critical that Farmers' Electric Cooperative order materials as soon as possible to allow for  
108 enough time for critical components such as transformers, breakers and transmission materials to be  
109 ordered and arrive on time. Some items may take as long as two years to arrive from the time of the order.  
110 Mr. Ortega explained that payment for some materials will be required for FEC to order these materials  
111 that have long length delivery times. The agreement presented to the board assures that the ENMWUA  
112 and Farmers' Electric Cooperative will work together in good faith to accomplish the electrical buildout of  
113 the ENMRWS Facilities.

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

115

**Result:** Approved by Vote (5-0)

**Motion:**  
Bryant

**Second:**  
Carter

**Ayes:** 5

**Nays:** 0

116

117 d) Request for Approval of a Memorandum of Agreement between the ENMWUA and Bella Terra, LLC, a  
118 New Mexico Limited Liability Company involving Construction Activity of the RW3 Pipeline Phase Parcels  
119 Listed. - Ortega

120 Mr. Ortega reported that there was a memorandum of agreement for these particular easements that  
121 was not ready to be signed by the property owner at the time of the last board meeting. However, the  
122 memorandum of agreement as well as the easements have now been signed by the property owner and

123 are ready for the board's approval. Mr. Carter made a comment stating that he feels this is a good  
124 agreement and feels there needs to be more like it further down the line.  
125 A motion was made for approval, and a roll call vote took place.  
126

<b>Result:</b>	Approved by Vote (5-0)
<b>Motion:</b>	
<b>Carter</b>	
<b>Second:</b>	
<b>Lucero</b>	
<b>Ayes: 5</b>	
<b>Nays: 0</b>	

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## 8. Unfinished Business – N/A

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## 131 9. Reports from Board Members and Staff

132

### 133 a) State Activities – Thompson

134 Mr. Thompson expressed his compliments to the Authority on House Bill 148, the Water Trust Board  
135 Money. It is a major win for the Authority. The ENMRWS is the number one rated project and has been  
136 for many years in a row. Mr. Thompson worked on trying to get money from the legislature and helped  
137 work on the \$15 million request, but Mr. Thompson stated that he failed to secure that funding. Mr.  
138 Thompson said he thinks there was an angle to get money from the governor, but something happened  
139 later in the session related to tribal infrastructure funds that cut down the governor's discretionary  
140 amount substantially. Mr. Thompson stated that he met with the Governor's Chief of Staff, who invited  
141 Mr. Thompson to visit the governor's office this summer to discuss these things and make sure everyone  
142 is on the same page. Mr. Thompson visited the Legislative Finance Committee to talk in general about  
143 what needs to be done to replicate what happened a couple of years ago with the Environment  
144 Department. Mr. Thompson said the prevailing belief among the staff at the Legislative Finance  
145 Committee is that this project is ahead of schedule, which is something we need to work on as an  
146 Authority, and certainly in our interactions with legislators. There has been a change in the delegation in  
147 that Senator Ingle is not there. Now it is Senator Nibert. Mr. Ryan said there is work to do with some of  
148 our members to make maximum use of their capabilities. Senator Woods is on Senate Finance, and he is  
149 a strong ally. Representative Chatfield is a potent member himself and has an incredible history with the  
150 project. Mr. Thompson stated that it would be prudent to spend time with the Legislative Finance  
151 Committee not only to get past the misapprehension but to also help their new leadership understand  
152 the project in the way past members have. Mr. Thompson said the Authority should meet to discuss a  
153 plan and an outline of what can be done to help the Legislative Finance Committee understand the project  
154 better.

155

### 156 b) Federal Activities – Ryan

157 Mr. Ryan stated March 2024 would be a good month for figuring out a few things. Congress should be  
158 finished with figuring out the funding of the government. Mr. Ryan said either they will do another short-

159 term CR or will have an omnibus appropriation bill, supposedly by the First of March. That will take care  
160 of figuring out to what extent extra money for rural water projects will go into the Energy and Water  
161 Appropriation Bill. March 8 will also be significant because that is when the President plans to submit his  
162 budget for FY 2025. Mr. Ortega and Mr. Ryan met with the state senators, Lujan and Heinrich. Senator  
163 Lujan has a new staff member that used to work for him when Lujan was in the House, Todd Ringler. The  
164 meeting caught the new staff member up to speed with the project and its progress as well as the funding  
165 and was a refresher for the rest of both Heinrich and Lujan's staff. The Senators encouraged individual  
166 congressionally directed spending. That's where the Senators would request for FY25, different projects,  
167 they would put them on their website. Mr. Ryan said he doesn't believe that has been submitted yet, that  
168 we are a little early since the President's budget hasn't come out yet. The bigger question is how much of  
169 the remaining infrastructure dollars will be allocated to the project. There is a little over \$60 million left  
170 in the current fiscal year for FY24 and close to \$200 million for FY25. Mr. Ryan hopes the project will see  
171 big chunks of that funding. Both state senators signed a letter to Secretary Haaland asking for \$300  
172 million+ to keep the project on schedule. It was a good letter to get the Department of Interior to focus  
173 on this project. This could be Deb Haaland's last year in office. She will have a clear opportunity to submit  
174 a budget and will be around until the end of the year. She will also be able to submit the FY26 budget  
175 which is supposed to come out in February/March of next year, but typically that is the authority of the  
176 new President and their cabinet, but they won't have new cabinet members sworn in so typically that year  
177 after a presidential election the previous administration have a great deal of authority on budgets and  
178 keeping projects rolling. Mr. Ortega and Mr. Ryan made a clear point to the congressional staff that the  
179 infrastructure dollars alone are not going to complete all the rural water projects, and they are going to  
180 have to find a new vehicle or increase the funding into the rural water program through the regular  
181 appropriation process. Mr. Ryan said that point needs to be pounded home with our delegation. Also had  
182 a call with Jacobs Washington D.C. staff and their "lobbyists", Mr. Ryan isn't sure of their exact title they  
183 might be considered government relations people, but they are familiar with the appropriation process,  
184 and were updated on the history of the project funding. They want to participate. They will reference our  
185 needs in Eastern New Mexico as Jacobs goes in as a company with a good deal of influence over water  
186 projects. This is a new wrinkle in that we are now working more closely with Jacobs, something that was  
187 attempted before the pandemic, but Mr. Ryan feels now is a good time to try and get that started again.  
188 Mr. Ryan mentioned that we might team up with the other rural water system projects that have not been  
189 completed once they start to distribute the extra infrastructure dollars. Mr. Ryan said those projects that  
190 are still needing money outside of the infrastructure dollars should band together and go in as a group as  
191 has been done in the past. Mr. Ryan said there is a lot of work in front of us and a lot of uncertainty, but  
192 hopefully when the FY25 budget comes out, this project will receive a good chunk of funding.

193  
194 c) Project Development Activities – Jacobs/Richard Olmos, Oscar Renda Contracting.

195 FW1 – Mr. Olmos reported that the pipe installation is 35% complete (approximately 6.5 miles), clearing  
196 and grubbing is 80% complete (approximately 12 miles), Orange temporary fencing installation is 55%  
197 complete (approximately 8.5 miles), barbed wire fencing for cattle 100% complete, several vaults are in  
198 progress with the Pressure Relief Valves, Air Releases, and Blowoffs. The fiber optic conduit installation is  
199 22% complete (approximately 3.5 miles). Substantial completion is projected to be 1/16/25 and Final  
200 Completion on 3/17/2025. Currently on Track.

201 RW3 – Mr. Honea stated the questions deadline has been extended to February 21<sup>st</sup>. Proposals are due  
202 March 13 and there will be no extensions.

203 FW3B – Mr. Honea reported submittals and requests for information is ongoing. The target to start field  
204 construction is May 2024. Tentatively planning a preconstruction meeting for the end of March and also  
205 holding a property stakeholder meeting around that same time, same as FW1 but this time holding the

206 stakeholder meeting before construction starts rather than during construction just to get a jump on any  
207 questions or issues.

208 Texico Lateral – Mr. Honea reported this phase is currently on hold.

209 RW1/RW2 – Mr. Honea reported RW1A design team has progressed to 60%. RW1B is under quality control  
210 review of alignment and preliminary easement. RW2 is under quality control review of alignment and  
211 preliminary easement. Technical borings scheduled for March 4<sup>th</sup>.

212 Elida Lateral – Mr. Honea shared that this phase is under quality control review of alignment and  
213 preliminary easement.

214 Pump Stations/Tanks – Mr. Honea explained the design team is progressing and has a target of April 2024  
215 for 60% design completion.

216 Water Treatment Plant/Member Treatment – Mr. Honea stated Jacobs is progressing with the pilot plant  
217 design.

218 Spotlight – Elida Lateral and Pump Stations – Wendy Christofferson – Ms. Christofferson shared that there  
219 were some questions on the Elida Lateral and Pump Stations last month from Mayor Dixon and this  
220 spotlight aims to provide a quick update of some of the changes. Originally, Jacobs had a value engineering  
221 where we were going to wheel water through Portales, but that went away with a lot of different things,  
222 one of which was using the Lime Street tanks instead of Johnson Hill tanks. Also, some alignment changes  
223 that we looked at. We had a workshop a couple years ago where we looked at some different alignments  
224 for the Elida Lateral. As a result, we had to relook at the hydraulics and the whole system of the Elida  
225 Lateral. And so, this is just kind of a quick update of what those results were. We looked at 7 different  
226 alternatives. We looked at different diameters, different number of pump stations and chemical injection  
227 required. And so what we were trying to do is narrow this down to the best alternative for the Elida Lateral  
228 to look at a couple different things, the best construction and O&M costs combined because you have  
229 pumping on that little pump station, but also to reduce water age, you're trying to get the water age down  
230 to five days because it's a long way from the water treatment plant down to Elida. What the result was  
231 after looking at all these combinations of four, six, couple pump stations, one pump Station, 3 pump  
232 stations, some alternative with chemical injection, the result was the final alternative, which was a four  
233 inch diameter, water aged down to 4.28 days, two pump stations, no chemical buildings and both the  
234 construction cost and the O&M and construction are basically the life cycle cost for the cheapest  
235 alternative. Final recommendation 4 inch and it's HDPE that we need to use on this because we have some  
236 high pressures coming out and pump station like 300 plus PSI and PVC won't go up to those pressures.  
237 HDPE has a little bit smaller inner diameter. We needed a small inner diameter to push that water through  
238 and get that water age down. And then two pump stations. So, one's going to be sitting right up here and  
239 this is County Road 3. And then there's 70, and it'll sit about halfway along this stretch on 70. So that's just  
240 a quick update of the analysis. We ran this through Mr. Ortega and the team and made that  
241 recommendation and he agreed. Member Lucero has a question, "Is there currently a junction planned  
242 for 3B?" Christofferson said yes, that is part of the bid package that Smith Co. was just awarded. So that  
243 vault will tee off and deliver water to Elida. The chairman had a question, "The construction cost in the 25  
244 years going in at 8.2, is that (written in) blood? Because I think we've talked about a larger diameter pipe."  
245 Christofferson clarified saying that this is a cost comparison, not the full cost of the whole lateral, so we  
246 are trying to compare alternatives to alternatives. Member Merrick had a question, "This was probably  
247 discussed way before I came on, but that Elida Lateral, what is that? Was it secondary pipeline going to a  
248 different location?" Chairman Morris answered, The Elida Lateral is simply referring to the transmission  
249 line that gets the surface water delivered to the community of Elida. Mr. Ortega stated that Kent Bienlien,  
250 the construction manager for Jacobs, is present, and would like to hear from him. Kent Bienlien said  
251 working with Oscar Renda, everything is very professional. There have been issues, there will always be  
252 issues. The team is working together, and we are moving forward, and we will get this thing done.

253 d) Ute Reservoir USGS Report – Bowens  
254 Chairman Morris asked the board if they would like the numbers presented or just to review them  
255 individually in their packets. Board Members chose to review them independently. However, Chairman  
256 Morris stated that the reservoir is holding 40,000 more-acre feet today than it was a year ago.

257  
258 e) Report from the Chair – Morris  
259 Chairman Morris expressed that he doesn't have much to report but appreciates this space in the agenda  
260 to share his thoughts and expressed his gratitude to every one of the board members and the entire team.

261  
262 f) Report from the Administrator – Ortega  
263 Mr. Ortega reported that he has submitted the monthly report to the board and that reflects the work of  
264 the team, working on everything we do. As you saw today from the audit report, that's an effort from  
265 many people working together. It also involves good structures and procedures that are in place so that  
266 we are held accountable. Mr. Ortega expressed credit to the staff that work hard every day to make sure  
267 everything gets done and gets done correctly. Mr. Ortega mentioned the stakeholder meeting held the  
268 previous evening was successful. There wasn't a large turnout, but good questions were asked. The  
269 meeting demonstrated that the Authority, Jacobs, and Oscar Renda are working together and were ready  
270 to present and prepared to answer questions. Mr. Ortega mentioned the signs that will be placed at  
271 different sites that will provide phone numbers for questions and concerns. Mr. Ortega thanked the  
272 contractors, construction managers, and project managers. Mr. Ortega touched upon Mr. Ryans  
273 comments regarding the congressional delegation and reiterated the importance of that and mentioned  
274 the possibility of going to Washington D.C. in the near future. Mr. Ortega mentioned the work being done  
275 with the Rual Water Coalition on an effort to get a waiver on the Build America by America for rural water  
276 projects. Information was received the day of the board meeting, and the coalition will be meeting  
277 probably next week. A senator from Montana is leading the charge for the waiver, and we will be meeting  
278 his staff next week. Member Lucero added comments about the audit saying a clean audit report is very  
279 difficult, but not only was it clean, it was clean in the context of spending and expenditures increasing  
280 exponentially, meaning a larger opportunity for errors. Member Lucero said in that context it is  
281 commendable that there were no findings.

282  
283 **10. Future Agenda Items**  
284 a) Next Regular Meeting, Date, Time, and Location: Thursday, March 28, 2024, at 3:00 p.m. at the Portales Memorial  
285 Building, 200 E. 7<sup>th</sup> Street, Portales, NM 88130.

286 **11. Public Input**

287  
288 **12. For the Good of the Order**

289  
290 **13. Adjournment**

291 Meeting adjourned officially at 4:17 pm.

292



293 X  \_\_\_\_\_

294 Michael A. Morris  
295 Chairman

X  \_\_\_\_\_

Chris Bryant  
Secretary