

MEETING MINUTES

ENMWUA Regular Board Meeting

DATE: Thursday, February 23, 2023

LOCATION: Clovis Carver Library (Ingram Room) 701 N. Main Street, Clovis NM, 88101

1 **1. Call to Order**

2 The meeting was called to order at 3:01 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, and Member Garza. Vice-Chair Jackson and Member Dixon were present via telephone
7 conference. Member Lucero was absent. Also present were ENMWUA Administrator Orland Ortega and staff,
8 ENMWUA Attorney Kameron Barnett, Jim Honea and Wendy Christofferson with Jacobs Engineering. Members
9 of the public that attended: Texico Council member Oran Autrey and E. Charlene Finley with Cannon Air Force
10 Base.

11

12 **3. Approval of Agenda**

13 A motion to adopt the agenda was unanimously approved.

Result: Approved by Vote (4-0)

Ayes: 4

Nays: 0

14

15 **4. Approval of Minutes**

16 a) The Board unanimously approved the minutes from the Regular Board Meeting held on Tuesday,
17 January 31, 2023, at 10:00 am at the New Mexico Municipal League Board Room, 1229 Paseo De Peralta,
18 Santa Fe NM, 87501.

Result: Approved by Vote (4-0)

Ayes: 4

Nays: 0

19

20 **5. Public Input**

21 Chairman Morris addressed the public for any comments. No public input was made at this time.

22

23 **6. Monthly Financials**

24 a) Approval of Monthly Financials for the Month Ending December 31, 2022. – Marez, Ortega

25 Mr. Ortega reported total revenues for the month ending January 31, 2023, were in the amount of
 26 \$1,330,009.87. Of that amount the Authority received USBR funds pass through the Capital Construction
 27 account for paying project invoices which included, FW3A, FW3B, and FW3B easements for federal funds
 28 totaling \$101,426.26. Those also included disbursement requests for SAP funds for Task Orders with
 29 Jacobs Engineering: SAP-HB2 - \$954,986.91, SAP-2320 - \$238,416.25, WTB WPF-5416 loan portion -
 30 \$3,414.59, and WTB WPF-5416 grant portion - \$30,731.33. Interest earned for the month of January was
 31 \$1,034.53, expenditures reported for the month of January 2023 was \$ 869,385.34. Bank account balances
 32 reported as of January 31, 2023, were as follows: ENMWUA business checking account had a balance of
 33 \$386,420.81, ENMWUA Money Market account had a balance of \$2,437,197.02, Capital Construction
 34 account had a balance of \$807,960.93, and the ENMWUA CD had a balance of \$2,541,595.63. Reported
 35 as of February 23, 2023, ENMWUA business checking account had a current balance of \$336,386.80,
 36 Money Market account balance sits at \$2,437,197.02, ENMWUA CD balance is reported the same at
 37 \$2,541,595.63, and Capital Construction account has a current balance of \$1,084,462.68. The total balance
 38 of all Authority accounts as of February 23, 2023, was reported at \$6,399,642.13. A motion was made for
 39 approval of the monthly financials, and a roll call vote took place.

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

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

43 Mr. Ortega informed the Board Members at this time the Authority is not requesting a monthly transfer
 44 for funds.

45

46 **7. New Business Items**

47 a) Presentation and Request for Approval of FY2022 Annual Audit from DeAun Willoughby CPA, PC. –
 48 Ortega, Willoughby

49 Mr. Ortega informed the Board Members the FY2022 annual audit that included a federal single audit
50 performed by the firm DeAun Willoughby CPA is complete and has been reviewed and approved by the
51 NM State Auditor. The audit is now ready for Board presentation and formal approval. Mr. Ortega
52 reported the ENMWUA staff worked with Willoughby CPA in collecting and providing financial
53 information, administrative processes, and procedures. The auditors also spent some time at the
54 Authority's office conducting audit work. The ENMWUA held an entrance and exit conference with Ms.
55 Willoughby and her team. The exit conference was held on Tuesday December 6, 2022. Those who
56 attended both conferences were Vice-Chair Jackson, Secretary Bryant, ENMWUA administrator and staff,
57 Farley Veneer with Hinkle & Landers Accountants, DeAun Willoughby and Starla Sharp with Willoughby
58 CPA. At this time Mr. Ortega handed it over to Ms. Willoughby to present the FY2022 audit. Ms.
59 Willoughby presented in detail all ENMWUA financial accounts to the Board members and the findings of
60 the 2022 financial audit. She further praised the ENMWUA staff as there were no findings, and described
61 it as a privilege to do the Authority's annual audits each year.
62 A motion was made for approval, and a roll call vote took place.
63

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

64
65 b) Recommendation for Approval to Allow the Department of Homeland Security, Cybersecurity, and
66 Infrastructure Security Agency (CISA) Authorization to Conduct Continuous Scans of ENMWUA's Public-
67 Facing Networks and Systems. – Ortega, Bowens
68 Mr. Ortega stated this is a request for approval to allow the Department of Homeland Security,
69 Cybersecurity, and Infrastructure Security Agency (CISA) to perform continuous scans on the Authority's
70 computer and internet system in order to maintain cyber security. Mr. Ortega explained that during the
71 ENMWUA's recent audit, Cyber Security was discussed as a potential concern for anyone using the
72 internet to conduct business. He further added that although the ENMWUA has had a local computer
73 expert evaluate the ENMWUA's computer and internet security systems within our offices and building,
74 the Authority did reach out to Southwest Business, a local Information and Technology company to ask
75 for the consideration of a more in-depth review of the Authority's systems. Southwest Business Solutions
76 recommended the Authority reach out to the Department of Homeland Security, Cybersecurity, and
77 Infrastructure Security Agency (CISA) as they offer these services at no charge. The ENMWUA did contact
78 and learned that the Department of Homeland Security can provide an evaluation of our systems
79 protections and conduct cyber scans at no cost to the ENMWUA. Mr. Ortega then asked Ms. Bowens to
80 share more details of how this works and how it can provide additional security to the Authority's systems.
81 Ms. Bowens explained the purpose is to identify vulnerabilities and weaknesses. These scans are like hiring
82 a security company to come to your home and ensure that all your doors and windows are working
83 properly, locked, and secured. This is a zero-cost program provided by Homeland Security's Cybersecurity
84 & Infrastructure Security Agency. Ms. Bowens described the vulnerability scanning will began once
85 approved by the Board. Scanning will be conducted on a weekly basis to the Authority's external vendor's

86 public-facing IP addresses. These are the doorways created that anyone on the internet can access to
87 communicate with the Authority. Currently the Authority has identified 2 external vendors which are
88 Microsoft who controls access point such as (Teams, Outlook, and a Share-Filing system), and Square
89 Space who hosts the Authority's webpage. A weekly report will be provided to the Authority.
90 A motion was made for approval, and a roll call vote took place.
91

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

92
93 c) Request for Approval of Easement Agreements with Damian and Malisa Molina, and the ENMWUA for
94 FW3B Pipeline Phase.
95 Parcel 1 000 000 002 217 01 (Parcel O). – Ortega
96 Mr. Ortega stated this is a Permanent and Temporary Construction Easement for FW3B pipeline project.
97 The property owner has accepted the easement purchase offer and has signed the agreements. The
98 Authority makes a recommendation for the Board to approve the Easement Agreements.
99 A motion was made for approval, and a roll call vote took place.
100

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

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102
103 **8. Unfinished Business – N/A**

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105 **9. Informational**

106 a) Texico Lateral – Discussion was held in regard to a request from Mr. Oran Autry who is a Texico City
107 Councilor. It was not clear if Mr. Autry was there representing the City of Texico or himself. Mr. Autry
108 requested the ENMWUA consider placing a water tap or connection point that would help address the
109 properties in Curry County, north of Texico along the west side of 108. Discussion was held regarding that
110 the ENMRWS was planned to connect to each member community and was connecting to the City of
111 Texico connection point. It was recommended that the City of Texico work toward annexing north toward

112 that area and could plan to extend the City's water distribution lines in that direction. No further
113 discussion was held.

114

115 **10. Reports from Board Members and Staff**

116

117 a) Federal Activities – Ryan

118 Mr. Ryan stated he and the Authority are still waiting on the fiscal year 24 administration request so that
119 they may follow that through the regular energy and water appropriations process. Mr. Ryan expressed
120 that the ENMWUA is fortunate to receive 94 million for the current fiscal year.

121

122 b) State Activities – Thompson

123 Mr. Thompson reported he met with Rolf Schmidt Peterson, the director of the Interstate Stream
124 Commission to request a meeting. He advised that Mr. Peterson stated he will have a meeting scheduled
125 within the next month. Mr. Thompson also shared the Senate Bill 200 by Senator Ingle passed through the
126 Senate with one descending vote. It has also been passed through House AG with Judiciary Committee
127 left, but is expected to be on the floor for final passage within the next 10 days or so. Mr. Thompson
128 informed the Board members that House Bill 2 has \$15 million set aside for the Eastern New Mexico Rural
129 Water Project.

130

131 c) Project Development Activities – Jacobs, Jim Honea

132 FW3A – Mr. Honea advised Smithco is still waiting on fiber handles and a manhole lid for one blowoff
133 valve.

134 FW1 – Mr. Honea stated Jacobs is progressing submittal's and RFI's with the anticipation of pipe delivery
135 in the Summer 2023.

136 RW3 – Mr. Honea reported 90% design submittal target is March. Jacobs is finalizing legal descriptions &
137 starting the appraisal process.

138 FW3B – Mr. Honea informed the Board members the 100% permitting submittal is complete. Jacobs will
139 start preparing bid ready documents once comments are received.

140 Texico Lateral – Jacobs is progressing 60 % design with utility potholing ongoing.

141 RW1/RW2 – Mr. Honea explained Survey and Utility mapping work is ongoing. RW1, Geotech investigation
142 is planned to start March 2023. RW2, working on alternative analysis.

143 Elida Lateral – Mr. Honea shared that survey and utility mapping work is ongoing. Geotech investigation
144 field work is nearly complete.

145 Intake Pump Station – Jacobs is continuing to review and update the basis of design report and look for
146 any code changes. Preliminary pump selection is also ongoing.

147 Caprock Pump Station – Jacobs is reviewing and updating the basis of design report. Also, continuing
148 preliminary pump selection.

149 Water Treatment Plant – Mr. Honea stated that Jacobs is progressing alternative analysis. Continuing to
150 progress the renewable energy feasibility work. Ms. Christofferson with Jacobs Engineering then spoke
151 about the contractor industry day event that was held at the Clovis Carver Library. She reported they had
152 three main goals. One, was to get the information out to potential bidders to get more bidding
153 involvement. Second, was to gain input from contractors to incorporate some of their ideas into the
154 project so that we can have a more constructable project. Third, was to promote connection between the
155 contractors and local businesses. Ms. Christofferson shared that Jacobs and the Authority along with
156 contractors did a half day site visit up the Caprock and RW2. She then explained there was a presentation
157 held in the morning, then in the afternoon there was one-on-one meetings with some specific contractors

158 between Jacobs and the ENMWUA. Bryor Price with Jacobs Engineering then presented Jacobs ongoing
159 alternatives analysis for the Water Treatment Plant.

160

161 d) Ute Reservoir USGS Report – Bowens

162 Currently the Ute Reservoir Storage in ac/ft as of January 24, 2023, the Reservoir was at 126,900 ac/ft and
163 as of today February 23, 2023, was reported at 125,700 ac/ft for a loss of 1,200 ac/ft. The Ute Reservoir
164 Water Surface Elevation in ac/ft as of January 24, 2023, was reported at 3,774.51 ft and as of today
165 February 23, 2023, was reported at 3,774.29 ft for a loss of 2.64 inches.

166

167 e) Report from the Chair - Morris

168 Chairman Morris commended the ENMWUA staff for their commitment and dedication to the overall
169 project. He expressed interest in setting an appointment to provide updates and convey our gratitude to
170 our federal delegation and any other federal partners.

171

172 f) Report from the Administrator – Ortega

173 Mr. Ortega thanked the working group for the water treatment plant efforts and involvement of everyone.
174 Mr. Ortega reported he anticipates having to provide testimony within the next 10 days in relation to the
175 Senate Bill 200 related to procurement. Mr. Ortega stated that he attended the House Agriculture
176 Committee via zoom and was able to say a few words on behalf of the Authority on the Senate Bill 200.
177 He advised that high level officials with the Bureau of Reclamation will be visiting on Thursday, March 23,
178 2023, therefore the ENMWUA is requesting to have the regular monthly Board Meeting moved to the
179 following Thursday which is, March 30, 2023 at 3:00 pm.

180

181 **10. Future Agenda Items**

182 a) Next Regular Meeting, Date, Time, and Location: Thursday, March 30, 2023, at 3:00 p.m. at the Portales Memorial
183 Building, 200 E. 7th Street, Portales, NM 88130.

184 **11. Public Input**

185

186 **12. For the Good of the Order**

187

188 **13. Adjournment**

189 Meeting adjourned officially at 5:04 pm

190 X  _____

191 Michael A. Morris
192 Chairman

X  _____

Chris Bryant
Secretary