

MEETING MINUTES

**ENMWUA Regular Board Meeting**

DATE: Thursday, June 22, 2023

LOCATION: Clovis Carver Library (North Annex), 701 N. Main Street, Clovis NM, 88101.

1 **1. Call to Order**

2 The meeting was called to order at 3:01 pm.

3 **2. Oath of Office for ENMWUA Members**

4 a) Two Members for the City of Clovis

5 o Michael A. Morris

6 o Juan F. Garza

7

8 b) One Member for the City of Portales

9 o Jim Lucero

10

11 ENMWUA Attorney Kameron Barnett conducted the oath of office for Chairman Mike Morris, Member  
12 Juan Garza, and Member Jim Lucero. Attorney Barnett explained that the renewing members new term  
13 begin as follows; for Chairman Mike Morris the new term begins on July 15, 2023, when the current  
14 term ends; for Member Juan Garza the new term begins on July 15, 2023, when the current term ends;  
15 and for Member Jim Lucero the new term begins on July 8, 2023, when the current term ends. All terms  
16 are for two years.

17

18 **3. Roll Call**

19 Roll was called. The following ENMWUA Board Members were in attendance in-person: Chairman  
20 Morris, Secretary Bryant, Member Garza, Vice-Chair Jackson, and Member Lucero. Member Carter  
21 was absent. ENMWUA Administrator Orland Ortega and staff as well as ENMWUA Attorney Kameron  
22 Barnett, Jim Honea, Kent Bienlilen, and Wendy Christofferson with Jacobs Engineering were present.

23

24 **4. Approval of Agenda**

25 A motion to adopt the agenda was unanimously approved.

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

26

27 **5. Approval of Minutes**

28 a) The Board unanimously approved the minutes from the Regular Board Meeting held on Thursday, May  
29 25, 2023, at 3:00 pm at the Clovis Carver Library (Ingram Room), Clovis NM, 88101.

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

30

31 **6. Public Input**

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

33

34 **7. Monthly Financials**

35 a) Approval of Monthly Financials for the Month Ending May 31, 2023. – Ortega

36 Mr. Ortega reported total revenues for the month ending May 31, 2023, were in the amount of  
37 \$1,784,707.48. All of the revenue reported with the exception of the WTB funding are processed through  
38 the Authority’s Capital Construction account for paying invoices for project activities. Expenditures  
39 reported for the month of May 2023, were \$2,499,857.29. Bank account balances reported as of May 31,  
40 2023, were as follows: ENMWUA business checking account had a balance of \$312,952.58, ENMWUA  
41 Money Market account had a balance of \$2,133,754.31, Capital Construction account had a balance of  
42 \$274,719.65, and the ENMWUA CD had a balance of \$2,541,595.63. Reported as of June 22, 2023,  
43 ENMWUA business checking account had a current balance of \$274,697.66, Money Market account  
44 balance sits at \$2,133,754.31, ENMWUA CD balance is reported the same at \$2,541,595.63, and Capital  
45 Construction account has a current balance of \$278,281.41. The total balance of all Authority accounts as  
46 of May 31, 2023, was reported at \$5,228,329.01. A motion was made for approval of the monthly  
47 financials, and a roll call vote took place.

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

48

49

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

52 Mr. Ortega informed the Board Members at this time the Authority is requesting a monthly bank transfer  
53 from the Money Market Account to Business Checking Account in the amount of \$50,000.00 for use in  
54 paying monthly administration, professional, and O&M services. A motion was made for approval of the  
55 monthly bank transfer, and a roll call vote took place.

56  
57

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

**Motion:** Garza

**Second:** Jackson

**Ayes:** 5

**Nays:** 0

58

59 **8. New Business Items**

60 a) Adoption of ENMWUA Open Meetings Act Resolution 2023-03. – Ortega

61 Mr. Ortega explained the adoption of the Open Meetings Act Resolution demonstrates that the ENMWUA  
62 is committed to complying with the Open Meetings Act and strives to be transparent with its business.  
63 The ENMWUA follows the Open Meetings Act rules and guidelines with the utmost respect. Mr. Ortega  
64 stated the Authority staff also participate in annual training on the Open Meetings Act. Resolution  
65 adoption is an annual requirement by State law. This resolution is used and included with several state  
66 and federal processes/applications.

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

68

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

**Motion:** Garza

**Second:** Bryant

**Ayes:** 5

**Nays:** 0

69

70

71 b) Request for Approval of ENMWUA Regular Board Meeting Schedule for FY2024. – Ortega

72 Mr. Ortega reported this is an annual requirement by State law and demonstrates the ENMWUA is  
73 committed to following Open Meetings Acts by adopting a regular meeting schedule that includes the  
74 meeting dates, times, and locations. Meeting dates, times, and locations can be changed as long as the  
75 Open Meetings Act procedures and requirements are adhered to. Once approved, the regular board  
76 meeting schedule will be posted on the ENMWUA website and emailed to newspaper and media in the  
77 region. Mr. Ortega informed the Board Members that the Authority has reached out to confirm availability  
78 of the locations listed.

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

80

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

81

82 c) Resolution 2023-04 Adoption of the FY2025 – 2029 Infrastructure Capital Improvement Plan (ICIP). –

83 Ortega

84 Mr. Ortega stated the ICIP has been updated by the ENMWUA Administrator and ENMWUA Support  
85 Services Officer, Jacque Bowens and has been reviewed, discussed, and a recommendation made by the  
86 ENMWUA Finance Committee. It is now before you for consideration of approval. Mr. Ortega described  
87 the ICIP is an important document that details the ENMWUA’s project priorities over a five-year period  
88 2025 through 2029 and includes the proposed funding needed to accomplish those projects. Mr. Ortega  
89 clarified this plan matches the Authority’s updated five-year plan for infrastructure development that  
90 includes the Infrastructure Bill funding, State, and local funding. The ICIP is used for WTB applications, NM  
91 grant applications, and various other submissions regarding the ENMWUA project. We update this every  
92 year by requirement from the NM Department of Finance and Administration.

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

94

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

95

96 d) Request for Approval of Budget Adjustment Resolution 2023-05 for ENMWUA FY2023 Budget. – Ortega

97 Mr. Ortega advised the ENMWUA administration is requesting a FY2023 budget adjustment, the fourth  
98 one for FY2023 that involves adjusting funds within their respected categories. All funds involved with this  
99 budget adjustment are existing funds within the FY2023 budget. No funds are being requested outside of  
100 the budgeted funds. Mr. Ortega stated the first item is a request to move the WTB WPF-5416 budgeted  
101 to Task Order 13 (FW1 100% Design, Bidding Services, and SDC) to FW1 Construction. This will allow the  
102 Authority to expend WPF-5416 funds more rapidly thus allowing the Authority to meet WTB spend down  
103 policy requirements. The second part of this adjustment is to then assign that same amount of USBR FW1  
104 funds to Task Order 13 (\$604,423.25). Mr. Ortega further stated the next item the Authority is requesting  
105 to add NM Capital Outlay SAP 22-G2320-STB funds in the amount of \$174,894.15 to Task Order 10 (RW3  
106 90% Design and Easement Support Services). The second part of this adjustment is a request to reduce  
107 the USBR R22AC00674 budgeted funds for Task Order 10 in the amount of \$174,894.15. The third part of  
108 this adjustment is to then move the USBR R22AC00674 funds in the amount of \$174,894.15 to the Texico  
109 lateral Construction budget. Mr. Ortega reported the final request involves adjustments to the Operation

110 & Maintenance budgets to meet the needs of unplanned repairs, materials, and labor. All adjustments are  
111 within the Authority's O&M budgets. The request is to move unused funds of \$25,000 from the FW3A  
112 Maintenance Labor budget to two other O&M areas of need. The Authority would like to move \$22,825.07  
113 to the Intake Facility Site Maintenance Materials budget. The Authority would also like to move \$986.55  
114 to the FW2 Maintenance Labor budget. This will leave FW3A Maintenance Labor remaining budget to  
115 \$1,188.38.  
116 A motion was made for approval, and a roll call vote took place.  
117

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

118  
119 e) Request for Approval of Easement Agreements with Wesley L. Grau and Elnabeth T. Grau and the  
120 ENMWUA for RW3 Pipeline Phase. - Ortega  
121 Parcel No. 1 203 039 132 396 00 (Parcel AF)  
122 Mr. Ortega informed the Board Members that this is a Permanent and Temporary Construction easement  
123 for the RW3 pipeline project. The property owners have accepted the easements purchase offer and have  
124 signed both agreements. The Authority makes a recommendation for the Board to approve both  
125 easement agreements.  
126 A motion was made for approval, and a roll call vote took place.  
127

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

128  
129 f) Request for Approval of Easement Agreements with George Kent Carter and Max Carter and the  
130 ENMWUA for RW3 Pipeline Phase. – Ortega  
131 Parcel No. 1 201 045 264 396 00 (Parcel O)  
132 Mr. Ortega shared this is a Permanent and Temporary Construction easement for the RW3 pipeline  
133 project. The property owners have accepted the easements purchase offer and have signed both  
134 agreements. The Authority makes a recommendation for the Board to approve both easement  
135 agreements.  
136 A motion was made for approval, and a roll call vote took place.  
137

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

**Second: Garza**

**Ayes: 5**

**Nays: 0**

138

139 g) Request for Approval of Easement Agreements with Zel/O Investments, LLC and the ENMWUA for RW3

140 Pipeline Phase. – Ortega

141 Parcel No. 1 203 036 264 264 00 (Parcel AN)

142 Parcel No. 1 203 035 264 264 00 (Parcel AP)

143 Mr. Ortega explained this is a Permanent and Temporary Construction easement on two parcels of  
144 property owned by Zel/O Investments, LLC for the RW3 pipeline project. The property owners have  
145 accepted the easements purchase offer and have signed all easement agreements. The Authority makes  
146 a recommendation for the Board to approve these easement agreements.

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

148

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

**Motion: Lucero**

**Second: Jackson**

**Ayes: 5**

**Nays: 0**

149

150 **8. Unfinished Business – N/A**

151

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

153

154 a) Federal Activities – Ryan

155 Absent

156

157 b) State Activities – Thompson

158 Absent

159

160 c) Project Development Activities – Jacobs, Kent Bienlien

161 FW1 – Mr. Bienlien advised pipe delivery date is scheduled for the end of July. Currently putting in fence  
162 posts and fencing.

163 RW3 – Mr. Bienlien stated Jacobs is progressing 100% design. Appraisals for easement acquisition have  
164 been completed.

165 FW3B – Mr. Bienlien reported there were seven bids received for the project. Jacobs is preparing the  
166 Engineer a Recommendation of Award Letter.

167 Texico Lateral – Mr. Bienlien informed the Board Members Jacobs is progressing 100%  
168 drawings/specifications. Jacobs is also starting legal descriptions and permitting.

169 RW1/RW2 – Mr. Bienlien reported Jacobs has started 60% design on RW1. Jacobs is currently working on  
170 alternatives analysis for RW2.

171 Elida Lateral – Mr. Bienlien shared Jacobs is progressing 60% design.  
172 Intake Pump Station – Mr. Bienlien explained Jacobs held the design kick off meeting last week.  
173 Caprock Pump Station – Mr. Bienlien reported Jacobs held the design kick off meeting last week.  
174 Water Treatment Plant – Mr. Bienlien stated alternatives analysis tech memo has been delivered. Jacobs  
175 is also trying to schedule a meeting with USBR.  
176

177 d) Ute Reservoir USGS Report – Ortega  
178 Currently the Ute Reservoir Storage in ac/ft as of June 15, 2023, the Reservoir was at 175,900 ac/ft and as  
179 of today June 21, 2023, was reported at 175,500 ac/ft for a gain of 59,600 ac/ft. The Ute Reservoir Water  
180 Surface Elevation in ac/ft as of June 15, 2023, was reported at 3,784.22 ft and as of today June 21, 2023,  
181 was reported at 3,784.12 ft for a gain of 10 ft, 11.04 inches.  
182

183 e) Report from the Chair – Morris  
184 Chairman Morris expressed that he was delighted and proud to be reappointed by the City Commission  
185 to be involved with this project.  
186

187 f) Report from the Administrator – Ortega  
188 Mr. Ortega reported the Authority is involved in all aspects of the project from construction to easement  
189 acquisition. He advised the Board Members that your Administrator along with Jacobs will be attending  
190 the Texico City Council Meeting on July 11, 2023 at 6:30 pm to discuss the Texico Lateral.  
191

## 192 **10. Future Agenda Items**

193 a) Next Regular Meeting, Date, Time, and Location: Thursday, July 27, 2023, at 3:00 p.m. at the Clovis  
194 Carver Library, Ingram Room, 701 N. Main Street, Clovis NM, 88101.

## 195 **11. Public Input**

196

## 197 **12. For the Good of the Order**

198

## 199 **13. Adjournment**

200 Meeting adjourned officially at 3:58 pm

201 X 

202 Michael A. Morris  
203 Chairman

X 

Chris Bryant  
Secretary